

Committee Agenda



**Epping Forest
District Council**

AREA PLANS SUBCOMMITTEE B Wednesday, 22nd June, 2005

Place: Council Chamber, Civic Offices, Epping
Room: Council Chamber
Time: 7.30 pm
Democratic Services Officer Gary Woodhall, Democratic Services Assistant
tel: 01992 564470 email:gwoodhall@eppingforestdc.gov.uk

Members:

Councillors M Colling (Chairman), A Green (Vice-Chairman), R Glozier, Mrs A Grigg, S Metcalfe, Mrs S Perry, Mrs P K Rush, D Stallan, C Whitbread, Mrs J H Whitehouse and J M Whitehouse

A BRIEFING FOR THE CHAIRMAN, VICE-CHAIRMAN AND APPOINTED SPOKESPERSONS WILL BE HELD AT 6.30 P.M. IN COMMITTEE ROOM 1 ON THE DAY OF THE SUB-COMMITTEE.

1. ADVICE TO PUBLIC AND SPEAKERS AT COUNCIL PLANNING SUBCOMMITTEES (Pages 5 - 6)

General advice to people attending the meeting is attached.

2. MINUTES (Pages 7 - 16)

To confirm the minutes of the last meeting of the Sub-Committee.

3. APOLOGIES FOR ABSENCE

4. DECLARATIONS OF INTEREST

(Head of Research and Democratic Services) To declare interests in any item on this agenda.

5. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and 25 of the Council Procedure Rules contained in the Constitution requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

In accordance with Operational Standing Order 6 (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks' notice of non-urgent items is required.

6. PROBITY IN PLANNING - PLANNING APPEAL DECISIONS, OCTOBER 2004 TO MARCH 2005 (Pages 17 - 20)

(Head of Planning and Economic Development) To consider the attached report.

7. PLANNING APPLICATION EPF/365/04 - QUEENS HEAD PUBLIC HOUSE, 87 HIGH ROAD, NORTH WEALD (Pages 21 - 22)

(Head of Planning and Economic Development) To consider the attached report.

8. CONFIRMATION OF TREE PRESERVATION ORDER EPF/31/04 - 66A BOWER HILL, EPPING (Pages 23 - 24)

(Head of Planning and Economic Development) To consider the attached report.

9. DEVELOPMENT CONTROL (Pages 25 - 102)

(Head of Planning and Economic Development) To consider planning applications as set out in the attached schedule

Background Papers: (i) Applications for determination – applications listed on the schedule, letters of representation received regarding the applications which are summarised on the schedule. (ii) Enforcement of Planning Control – the reports of officers inspecting the properties listed on the schedule in respect of which consideration is to be given to the enforcement of planning control.

10. DELEGATED DECISIONS

(Head of Planning and Economic Development) Schedules of planning applications determined by the Head of Planning and Economic Development under delegated powers since the last meeting of a Plans Subcommittee may be inspected in the Members Room or at the Planning and Economic Development Information Desk at the Civic Offices, Epping.

11. EXCLUSION OF PUBLIC AND PRESS

To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the paragraph(s) of Part 1 of Schedule 12A of the Act indicated:

| Agenda Item No | Subject | Exempt Information Paragraph Number |
|---------------------------|----------------|--|
| Nil | Nil | Nil |

To resolve that the press and public be excluded from the meeting during the consideration of the following items which are confidential under Section 100(A)(2) of the Local Government Act 1972:

| Agenda Item No | Subject |
|---------------------------|----------------|
| Nil | Nil |

Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

Background Papers: Paragraph 8 of the Access to Information Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report does not include published works or those which disclose exempt or confidential information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.

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Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

Yes all our meetings are open for you to attend. Only in special circumstances are the public excluded.

When and where is the meeting?

Details of the location, date and time of the meeting are shown at the top of the front page of the agenda along with the details of the contact officer and members of the Subcommittee. A map showing the venue will be attached to the agenda.

Can I speak?

If you wish to speak **you must register with Democratic Services by 4.00 p.m. on the day before the meeting**. Ring the number shown on the top of the front page of the agenda. Speaking to a Planning Officer will not register you to speak, you must register with Democratic Service. Speakers are not permitted on Planning Enforcement or legal issues.

Who can speak?

Three classes of speakers are allowed: One objector (maybe on behalf of a group), the local Parish or Town Council and the Applicant or his/her agent.

What can I say?

You will be allowed to have your say about the application but you must bear in mind that you are limited to three minutes and if you are not present by the time your item is considered, the Subcommittee will determine the application in your absence.

Can I give the Councillors more information about my application or my objection?

Yes you can but it must not be presented at the meeting. If you wish to send further information to Councillors, their contact details can be obtained through Democratic Services or our website www.eppingforesdc.gov.uk. Any information sent to Councillors should be copied to the Planning Officer dealing with your application.

How are the applications considered?

The Subcommittee will consider applications in the agenda order. On each case they will listen to an outline of the application by the Planning Officer. They will then hear any speakers presentations. The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the Subcommittee propose to follow a course of action different to officer recommendation, they are required to give their reasons for doing so.

The Subcommittee cannot grant any application, which is contrary to Local or Structure Plan Policy. In this case the application would stand referred to the next meeting of the District Development Control Committee.

Further Information?

Can be obtained through Democratic Services or our leaflet 'Your Choice, Your Voice'

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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Plans Subcommittee B **Date:** 3 May 2005

Place: Council Chamber, Civic Offices, Epping **Time:** 7.30 - 8.45 pm

Members Present: M Colling (Chairman), A Green (Vice-Chairman), R Glozier, Mrs A Grigg, Mrs S Perry, Mrs P K Rush and D Stallan

Other Councillors: (none)

Apologies: S Metcalfe, C Whitbread, Mrs J H Whitehouse and J M Whitehouse

Officers Present: B Land (Assistant Head of Planning and Economic Development) and G J Woodhall (Democratic Services Assistant)

68. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements agreed by the Council to enable persons to address the Sub-Committee, in relation to the determination of applications for planning permission. The Sub-Committee noted the advice provided for the public and speakers in attendance at Council Planning Sub-Committee meetings.

69. MINUTES

RESOLVED:

That the minutes of the meeting held on 6 April 2005 be taken as read and signed by the Chairman as a correct record.

70. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillors M Colling, A Green and Mrs S Perry declared a personal interest in the following items of the agenda for the meeting, by virtue of the applicant being a member of the Epping Forest District Conservative Party, and that the Councillors concerned had accepted hospitality from the applicant. The Councillors had determined that their interest was prejudicial and would leave the meeting for the consideration of the applications and voting thereon:

- (i) EPF/1943/04 - Thatched House Hotel, 236 High Street, Epping;
- (ii) LB/EPF/1944/04 - Thatched House Hotel, 236 High Street, Epping;
- (iii) EPF/2251/04 - Thatched House Hotel, 236 High Street, Epping; and
- (iv) LB/EPF/2252/04 - Thatched House Hotel, 236 High Street, Epping.

- (b) Pursuant to the Council's Code of Member Conduct, Councillors R Glozier, Mrs A Grigg and D Stallan declared a personal interest in the following items of the agenda for the meeting, by virtue of the applicant being a member of the Epping Forest District Conservative Party. The Councillors had determined that their interest was not prejudicial and would remain in the meeting for the consideration of the applications and voting thereon:
- (i) EPF/1943/04 - Thatched House Hotel, 236 High Street, Epping;
 - (ii) LB/EPF/1944/04 - Thatched House Hotel, 236 High Street, Epping;
 - (iii) EPF/2251/04 - Thatched House Hotel, 236 High Street, Epping; and
 - (iv) LB/EPF/2252/04 - Thatched House Hotel, 236 High Street, Epping.
- (c) Pursuant to the Council's Code of Member Conduct, Councillor Mrs S Perry declared a personal interest in the following items of the agenda for the meeting, by virtue of the Councillor having already expressed a view upon the application when Epping Town Council considered it. The Councillor had determined that her interest was prejudicial and would leave the meeting for the consideration of the application and voting thereon:
- (i) EPF/2383/04 - London Underground Sub Station Site, Crossing Road, Epping.
- (d) Pursuant to the Council's Code of Member Conduct, Councillor Mrs S Perry declared a personal interest in the following items of the agenda for the meeting, by virtue of the Councillor being a member of Epping Town Council. The Councillor had determined that her interest was not prejudicial and would remain in the meeting for the consideration of the application and voting thereon:
- (i) EPF/113/05 - 44 Tower Road, Epping.
- (e) Pursuant to the Council's Code of Member Conduct, Councillor Mrs A Grigg declared a personal interest in the following items of the agenda for the meeting, by virtue of the Councillor being a member of North Weald Parish Council. The Councillor had determined that her interest was not prejudicial and would remain in the meeting for the consideration of the application and voting thereon:
- (i) EPF/2195/04 – Weald Hall Nursing Home, Weald Hall Lane, Thornwood, North Weald; and
 - (ii) EPF/93/05 - 224 High Road, North Weald.
- (f) Pursuant to the Council's Code of Member Conduct, Councillor R Glozier declared a personal interest in the following items of the agenda for the meeting, by virtue of the Councillor being a member of Theydon Bois Parish Council. The Councillor had determined that his interest was not prejudicial and would remain in the meeting for the consideration of the application and voting thereon:
- (i) EPF/2293/04 - 17 The Weind, Theydon Bois.

RESOLVED:

(1) That, as the Sub-Committee would not be quorate, items 8(i), 8(ii), 8(iii) and 8(iv) of the agenda be deferred until the next scheduled meeting of the Sub-Committee; and

(2) That, at the request of the local ward member in order to revise the application, item 8(vii) of the agenda be deferred until the next scheduled meeting of the Sub-Committee.

71. ANY OTHER BUSINESS

It was reported that there was no urgent business for consideration at the meeting.

72. CONFIRMATION OF TPO/EPF/24/04 - 5 COOPERSALE COMMON, COOPERSALE, EPPING

The Head of Planning and Economic Development presented a report regarding the confirmation of Tree Preservation Order EPF/24/04 at 5 Coopersale Common, Coopersale, Epping. The Tree Preservation Order had been made to protect four trees at 5 Coopersale Common, Coopersale, Epping, as a result of a planning application to develop the plot that placed these trees under threat. They were considered important landscape features within the village street scene, contributed to the greening of the area and provided seasonal colour. The owners of the site had made an objection to the Order, but all the points made in the objection had been addressed by the Head of Planning and Economic Development.

The Sub-Committee were informed that the trees protected by this order were healthy, attractive specimens and formed a highly visible, established public amenity. The Council's Landscaping Policy required that adequate provision be made for the retention of trees in such situations, and as these trees were under threat from the planning proposal, confirmation of the Order had been sought from the Sub-Committee.

RESOLVED:

That Tree Preservation Order EPF/24/04 be confirmed.

73. CONFIRMATION OF TPO/EPF/32/04 - LAND BETWEEN 10 AMBLESIDE AND 7 GREENTREES, EPPING

The Head of Planning and Economic Development presented a report concerning the confirmation of Tree Preservation Order EPF/32/04 on the land between 10 Ambleside and 7 Green Trees in Epping. The Tree Preservation Order had originally been made as a result of errors in the making of a previous order, which rendered the trees vulnerable to pruning, as these trees were considered important in softening and screening the boundary between properties. The owner of 10 Ambleside highlighted an inaccuracy in the plan for the Order, which showed one of the trees extending further along the rear boundary fence than it did in reality. This had been rectified on the revised plan, where all the protected trees were more precisely plotted, and therefore, in the absence of any other objections, the revised order could now be considered for confirmation.

RESOLVED:

That, subject to the amendment of the location plan, Tree Preservation Order EPF/32/04 be confirmed.

74. DEVELOPMENT CONTROL

The Sub-Committee considered a schedule of applications for planning permission.

RESOLVED:

That the planning applications numbered 1-10 be determined as set out in the schedule attached to these minutes.

75. DELEGATED DECISIONS

The Sub-Committee noted that schedules of planning applications determined by the Head of Planning and Economic Development under delegated authority since the last meeting had been circulated and could be inspected at the Civic Offices.

76. LAST MEETING OF THE COUNCIL YEAR

As this was the last meeting of the Sub-Committee for the current municipal year, the members thanked the Chairman and Vice-Chairman for their efforts, and the officers for their support. In turn, the Chairman thanked the Sub-Committee for their labours throughout the year.

CHAIRMAN

5. **APPLICATION NO:** EPF/2383/04 **PARISH** Epping

SITE ADDRESS:

London Underground Sub Station Site, Crossing Road, Epping

DESCRIPTION OF PROPOSAL:

Partial demolition and conversion of former sub-station to form 13 flats, erection of 4 new dwellings and new basement car park and associated landscaping. (Revised application.)

GRANTED SUBJECT TO:

1. To be commenced within 5 years.
2. Contaminated land study and remediation.
3. Materials of construction to be agreed.
4. Prior to commencement of the development, a full noise survey should be carried out to establish which noise category the proposed plots fall into with regard to PPG24. Following the survey a scheme for protecting the proposed new dwellings from noise, shall be submitted to and agreed in writing by the Local Planning Authority for any dwellings, gardens and recreation areas that fall into NECB and C or above, as detailed in PPG24. All works, which form part of the scheme, shall be completed before any of the proposed residential development is occupied.
5. The method of construction of the basement car park shall be agreed in writing with the Local Planning Authority. No work shall commence on the basement car park until such written approval is obtained. Only construction methods in accordance with the written approval shall be undertaken.
6. No bonfires shall be permitted on site throughout the construction phase of the development.
7. Prior to any demolition, a scheme for dealing with dust suppression shall be submitted to and approved by the Local Planning Authority. The agreed scheme should be implemented and maintained during the construction of the development.
8. Notwithstanding the details submitted further details of refuse storage and collection facilities, including the design details of any structures shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is commenced, and such details as approved shall be implemented before the building, or any part of thereof is used and must be retained permanently for the storage and collection of refuse.
9. All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place on site between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
10. Erection of screen walls/fences.

11. Wheel washing equipment to be installed.
12. Notwithstanding the detail indicated on the submitted plan, no tree shall be removed without the written approval of the Local Planning Authority. If a tree or trees are agreed to be removed, a replacement tree or trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted within one month of the implementation of the felling hereby agreed, unless varied with the written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
13. Submission of Landscape Proposals.
14. Submission of Landscape Method Statement.
15. Submission of Landscape Management Plan.
16. A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using Windes or other similar programme. The approved measures shall be undertaken prior to the first occupation of the building hereby approved and shall be adequately maintained.
17. Prior to the commencement of the development, details of the proposed surface materials for the access road, footpath, parking bays and turning head shall be submitted to and approved by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development. This shall include details of any preventative measures, such as railings to keep the footpath (leading to the bridge over the railway line) free from obstruction. The details as agreed shall be retained thereafter.

Subject also to the applicant entering into a LEGAL AGREEMENT under SECTION 106 of the Town and Country Planning Act to carry out the surfacing of the adjacent public footpath at the applicants expense and to the satisfaction of the Local Planning Authority, prior to the first occupation of any of the residential units on the site.

6. **APPLICATION NO:** EPF/113/05 **PARISH** Epping

SITE ADDRESS:

44 Tower Road, Epping

DESCRIPTION OF PROPOSAL:

Two storey side and rear extension.

GRANTED SUBJECT TO:

1. To be commenced within 5 years.

2. Prior to first occupation of the building hereby approved the proposed window openings in the north west elevation of the side extension and the south east facing light of the first floor bay shall be fitted with obscured glass and have fixed frames, and shall be permanently retained in that condition.
3. Materials shall match existing.
4. No further side windows without approval.

7. **APPLICATION NO:** EPF/124/05 **PARISH** Lambourne

SITE ADDRESS:

Abridge Village Hall, Ongar Road, Abridge, Lambourne

DESCRIPTION OF PROPOSAL:

Erection of multi-use games area adjacent to doctor's surgery and village hall.

DEFERRED

8. **APPLICATION NO:** EPF/2195/04 **PARISH** North Weald

SITE ADDRESS:

Weald Hall Nursing Home, Weald Hall Lane, Thornwood, North Weald

DESCRIPTION OF PROPOSAL:

Demolition of existing 40 bed nursing home and replacement by 24 bed independent hospital.

GRANTED SUBJECT TO:

1. To be commenced within 5 years.
2. Materials of construction to be agreed.
3. Drainage details to be agreed.
4. Wheel washing equipment to be installed.
5. Submission of Landscape Method Statement.
6. Submission of Landscape Maintenance Plan.
7. Tree protection measures required.
8. The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of implementation have been submitted to the Local Planning Authority and are approved in writing. The scheme shall include removal of existing leylandii screening and shall include reinstatement with appropriate alternative native species.

The scheme must include details of the proposed planting including a plan, details of species, stock sizes and numbers/densities where appropriate, and include a timetable for its implementation. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place unless the Local Planning Authority agrees to a variation beforehand in writing.

The statement must include details of all means by which successful establishment of the scheme will be ensured, including preparation of the planting area, planting methods, watering, weeding, mulching, use of stakes and ties, plant protection and aftercare. It must also include details of the supervision of the planting and liaison with the Local Planning Authority.

The landscaping must be carried out in accordance with the agreed scheme and statement, unless the Local Planning Authority has given its prior written consent to any variation.

9. After development deliveries and collections to and from the approved development shall only be between 08.00 and 18.00 hours Monday to Friday and 09.00 – 14.00 hours on Saturdays. No deliveries on Sundays or Bank Holidays. (This includes waste collections.)
10. Prior to the premises being brought into use for the purposes hereby permitted, a scheme providing for the adequate storage of both clinical and other refuse from this site shall be submitted to and agreed in writing by the Local Planning Authority and the scheme carried out and thereafter retained at all times.
11. A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using Windes or other similar programme. The approved measures shall be undertaken prior to the first occupation of the building hereby approved and shall be adequately maintained.
12. Prior to the commencement of the development, details of the proposed surface materials for the access and parking area shall be submitted to and approved by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
13. Before commencement of any part of the development hereby approved a scheme for the protection of the premises from noise emanating from the adjacent airfield shall be submitted and agreed in writing by the Local Planning Authority and such agreed measures shall be put in place before first occupation of any part of the premises.

9. **APPLICATION NO:** EPF/93/05

PARISH

North Weald

SITE ADDRESS:

224 High Road, North Weald

DESCRIPTION OF PROPOSAL:

Alterations and extensions to existing dwelling to form 2 No. three bedroom houses. (One additional dwelling.)

REFUSED

1. The proposed dwelling would unbalance the appearance of this pair of cottages creating an intrusive and cramped appearance in the street scene contrary to policies DBE1 and DBE2 of the adopted Local Plan.

10. **APPLICATION NO:** EPF/2293/04

PARISH

Theydon Bois

SITE ADDRESS:

17 The Weind, Theydon Bois

DESCRIPTION OF PROPOSAL:

Single storey side and rear extensions.

GRANTED SUBJECT TO:

1. To be commenced within 5 years.
2. Materials shall match existing.

Report to Area Plans Sub-Committee 'B'

Date of meeting: 22 June 2005.



**Epping Forest
District Council**

Subject: Probity in Planning – Planning Appeal Decisions, October 2004 to March 2005.

Officer contact for further information: Barry Land (01992 – 56 4110).

Democratic Services Officer: Gary Woodhall (01992 – 56 4470).

Recommendation:

That the Planning Appeal Decisions for the period October 2004 to March 2005 be noted by the Sub-Committee.

Background:

1. In compliance with the recommendation of the District Auditor of November 2000, this report advises the decision-making committee of the results of all successful appeals, particularly those refused by committee contrary to officer recommendation. The purpose is to inform the committee of the consequences of their decisions in this respect and, in cases where the refusal is found to be unsupportable on planning grounds, an award of costs may be made against the Council.
2. To set the context, a Best Value Performance Indicator was for district councils to aim to have less than 40% of their decisions overturned on appeal with the national average of about 33%. In fact in recent years the Council has been more successful with only 31% overturned in 1999/00, 25% in 2000/01, 24% in 2001/02, 27% in 2002/03 and only 18% in 2003/04.

Performance:

3. Over the six-month period between October 2004 and March 2005, the Council received 47 decisions on appeals – 44 planning appeals and 3 enforcement appeals. Of the 44 planning appeals, 14 were allowed (32%) and of the 3 enforcement appeals none were allowed – a combined total of 29% of the Council's decisions overturned.
4. For the year (04/04 to 03/05) as a whole, there were 79 planning appeal decisions and 12 enforcement appeals, with 23 planning appeals allowed and 2.5 enforcement appeals allowed, providing an overall proportion for the year of 28% of the Council's decisions being overturned at appeal.

Planning Appeals:

5. Of those 14 planning appeals allowed, 4 were allowed following decisions by committee to refuse contrary to officer's recommendation. Those 4 were:
 - (a) EPF/1007/03 – Fishing lakes and associated buildings at the former Thornwood Camp, Carpenters Arms Lane, Thornwood (Area Committee B 12/11/03);

- (b) EPF/2207/03 – Single and two storey side and rear extensions at 58, Loughton Way, Buckhurst Hill (Area Committee A 11/02/04);
 - (c) EPF/416/04 – Erection of two storey side and rear extension at 11, Primley Lane, Sheering (Area Committee C 19/05/04); and
 - (d) EPF/1254/04 – New dwelling at 87, Monkswood Avenue, Waltham Abbey (Area Committee D 29/09/04).
6. To complete the picture, officers were successful in sustaining a committee decision to refuse, when officers had recommended granting permission, in 5 cases - nos. 18, 21, 24, 32 and 33 on the attached list.

Costs:

7. Costs were awarded against the Council in just one appeal. This was in regard to the two cases at Old House Farm, Old House Lane, Nazeing where the Council sought to argue that the nature of the traffic implications from the retention and expansion of commercial activities at this former farm complex was so different from the former farm traffic that amenity and environmental concerns were justified. The Inspector concluded that the Council should have had greater regard to the traffic information submitted at the application stage and that the refusal of permission was unreasonable. In the circumstances he made a full award in the appellant's favour of the costs of the whole appeal. The sum is still being determined but is likely to be in the order of £14,000.

Conclusions:

8. The Council's performance for this 6-month period was somewhat below last year's exceptional performance but consistent with previous periods and has exceeded the BVPI and the national average.
9. The decisions are listed in the Members Bulletin from time to time but a full list of decisions over this six-month period are attached at Appendix 1.

Appeal Decisions October 2004 to March 2005

Planning Appeals Allowed:

1. EPF/2085/03 – Renewal of temporary permission for light industrial and storage uses at Old House Farm, Old House Lane, Nazeing
2. EPF/1429/03 – Commercial uses in former farm complex at Old House Farm, Old House Lane, Nazeing
3. EPF/1007/03 – Fishing lakes and associated buildings at Thornwood Camp, Carpenters Arms Lane, Thornwood
4. EPF/1387/03 – Single and two storey extensions at 1, Lyndhurst Rise, Chigwell
5. EPF/1429/03 – Removal of agricultural occupancy condition at The Bungalow, The Street, High Ongar
6. EPF/2135/03 – New two storey dwelling at 72, Alderton Hill, Loughton
7. EPF/2150/03 – Six flats at 172, Manor Road, Chigwell
8. EPF/2207/03 – Single and two storey side extension at 58, Loughton Way, Buckhurst Hill
9. EPF/298/04 – First floor rear extension at Stem Christi, Tysea Hill, Stapleford Abbots
10. EPF/403/04 – Detached dwelling on land at 21, Station Road, Loughton
11. EPF/416/04 – Two storey side and rear extension at 11, Primley Lane, Sheering
12. EPF/729/04 – First floor rear extension and loft conversion at 9, Crows Road, Epping
13. EPF/1254/04 – New dwelling at 87, Monkswood Avenue, Waltham Abbey
14. EPF/856/04 – Wall, gates and railings at 19, Kings Avenue, Buckhurst Hill

Planning Appeals Dismissed:

15. EPF/1808/03 – Erection of 4 commercial frontages and 9 flats at 1-7A, Station Road, Epping
16. CAC/EPF/875/04 – Demolition of buildings at 1-7A, Station Road, Epping
17. EPF/2423/02 – Detached dwelling at land r/o 4 North Street, Nazeing
18. EPF/970/03 – Three detached houses at land r/o Brickfield House, High Road, Thornwood
19. EPF/1644/03 – Wall and railings at 165, Old Nazeing Road, Nazeing
20. EPF/1897/03 – First floor extension at Drummaids, Parsloe Road, Epping Green
21. EPF/2029/03 – Conversion of bungalow to house at 62, Theydon Park Road, Theydon Bois
22. EPF/2090/03 – Retention of car wash facility at Rocky Filling Station, High Road, Thornwood
23. EPF/2184/03 – Erection of 1.8m high fence to rear of 11, Whitehall Close, Chigwell
24. EPF/2222/03 – Change of use to pie and mash shop at 50, High Road, North Weald
25. EPF/2233/03 – Single storey rear extension to shop at 33, Sun Street, Waltham Abbey
26. LB/EPF/2234/03 – Listed building application for extension to shop at 33, Sun Street, Waltham Abbey
27. EPF/2257/03 – Erection of detached dwelling at 1, Pike Way, North Weald
28. EPF/2286/03 – Erection of bungalow as 'granny annexe' at rear of 83, Old Nazeing Road, Nazeing
29. EPF/2287/03 – Conversion of barn to dwelling at Tadgells, Housham Tye, Matching
30. RES/EPF/2414/03 – Details of replacement dwelling at Hatchmans Lodge, School Lane, Beauchamp Roding
31. EPF/138/04 – Vehicular crossover at Forge Cottage, 34, Lambourne Road, Chigwell

32. EPF/170/04 – Detached house on land between 91 and 93, Monkswood Avenue, Waltham Abbey
33. EPF/185/04 – First floor rear extension and single storey front extension at 13, Pump Hill, Loughton
34. EPF/202/04 – Removal of condition re parking area at land rear of 2-4, Goldings Hill, Loughton
35. EPF/207/04 – Boundary wall with railings and gates at 136-138, London Road, Abridge
36. EPF/295/04 – Formation of carriage driveway at 38, Hoe Lane, Abridge
37. EPF/435/04 – Extensions to bungalow to form house at 62, Theydon Park Road, Theydon Bois
38. EPF/485/04 – Detached dwelling at Sparks Farm, Nine Ashes Road, High Ongar
39. EPF/515/04 – Two storey side extension and loft conversion at 46, Woodland Way, Theydon Bois
40. EPF/721/04 – Single and two storey extension at 1, Blackmore Court, Winters Way, Waltham Abbey
41. CLD/EPF/765/04 – Certificate of Lawfulness for retention of a stable block at Chestnuts, Magdalen Laver
42. A/EPF/922/04 – Mobile advertising hoarding at Weald Hall Farm, Weald Hall Lane, Thornwood
43. EPF/1008/04 – Loft conversion at 21, Oak Lodge Avenue, Chigwell
44. EPF/1430/04 – Creation of additional dwelling by erection of side extension and loft conversion at 13, Rous Road, Buckhurst Hill

Enforcement Appeals Dismissed:

45. 28, Forest Lane, Chigwell – Erection of gates and brick piers on frontage of property
46. 24, Tomswood Road, Chigwell – Erection of railings, brick piers and entrance gates on frontage of property
47. 42-43, Roydon Lodge Chalet Estate, Roydon – Use of land for stationing a mobile home together with creation of hardstanding, parking area and paved patio

Report to Area Plans Sub-Committee 'B'

Date of meeting: 22 June 2005.

Subject: Planning Application EPF/365/04 – Queens Head Public House, 87 High Road, North Weald.



**Epping Forest
District Council**

Officer contact for further information: Barry Land (01992 – 56 4110).

Democratic Services Officer: Gary Woodhall (01992 – 56 4470).

Recommendation:

That the minutes of the meeting held on 9 March 2005, approved and signed by the Chairman as a correct record at the meeting on 6 April 2005, be amended in the following respect to correct an inaccuracy subsequently discovered:

(a) amendment of the description of the proposal in respect of item 11 on the Annex to the minutes to read – “Erection of 11 residential units with associated access and parking”.

Report:

1. At its meeting on 9 March 2005, the Sub-Committee considered a planning application for development which was described in the heading on the schedule of planning applications as the erection of 10 residential units with associated access and parking.
2. However, members were advised at the meeting that there was an error in the heading and that the application was for the erection of 11 dwellings. The text of the report also described the development as the erection of 11 dwellings and the plans displayed at the meeting clearly showed 11 dwellings. The Sub-Committee granted planning permission for the development.
3. Unfortunately, the incorrect heading was carried forward into the annex forming part of the minutes of the meeting and these minutes were agreed as a correct record at the following meeting on 6 April 2005.
4. In view of the discrepancy and the need to enter into a legal agreement, the planning permission decision notice has not yet been issued. In order to resolve the issue, members are asked to reaffirm their decision to grant planning permission for the erection of 11 dwellings.

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Report to Area Plans Sub-Committee 'B'

Date of meeting: 22 June 2005.



**Epping Forest
District Council**

**Subject: Confirmation Of Tree Preservation Order EPF/31/04
– 66A Bower Hill Epping.**

Officer contact for further information: Barry Land (01992 – 56 4110).

Democratic Services Officer: Gary Woodhall (01992 – 56 4470).

Recommendation:

That Tree Preservation Order EPF/31/04 be confirmed.

Report:

1. Tree Preservation Order EPF/31/04 was made to protect three trees at 66A Bower Hill: a Red Horse Chestnut; and two Yews.
2. The Tree Preservation Order (TPO) was made as a result of information, which placed the trees under threat from potential redevelopment of the site. These trees were considered important landscape features in the area and contribute significantly in greening and tree lined character of this part of Bower Hill.

Objection to the Tree Preservation Order:

3. An objection to the Order has been received from the owner of 66A Bower Hill in respect of the Red Horse Chestnut only. The grounds of the objection are as follows:
 - (a) The tree appears not to be in good health;
 - (b) Branches are shed onto the pavement and road, which pose a risk to property and persons; and
 - (c) The tree stands on raised ground, which is unsightly and prevents the easy erection of a boundary wall or fence.

Head of Planning Services Comments:

4. The detailed response to the grounds of objection is listed below:
 - (a) The tree is of a hybrid form of the species; prone to unsightly stem swellings. This tree has this typical deformation of the stem and is flawed as such, but is not, in my view, in serious decline. This judgement has been reached by a visual assessment of its general crown vigour, which is normal;
 - (b) Branch damage is a problem suffered by this type of tree but can be reasonably managed by pruning; and
 - (c) The raised ground in which the tree is rooted should not necessarily be considered unsightly, since the property is sited on a hill with several other graded mounds and inclines in the immediate locality. Similarly, it would be possible to install

a wooden fence along the front boundary to 1m in height but perhaps a better alternative solution would be to establish a natural barrier in the form of a suitable hedge.

Conclusions:

5. Landscaping policy requires that adequate provision be made for the retention of trees in these situations. This is an important and much appreciated tree that, were it not for the TPO, would be likely to be felled in the course of redevelopment of the site. The TPO allows the Council to ensure the presence of highly visible trees along the frontage into the future. Confirmation of the order is recommended.

AREA PLANS SUB-COMMITTEE 'B'

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APPLICATION No: EPF/1943/04

Report Item No: 1

SITE ADDRESS:

THATCHED HOUSE HOTEL, 236 HIGH STREET, EPPING

PARISH: Epping

APPLICANT: Mr D Demetriou

DESCRIPTION OF PROPOSAL:

Creation of loft bedrooms within existing and approved (LB/EPF/1019/04) roof space including new dormer windows.

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.
2. Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details including the rooflights hereby permitted.

Description of Proposal:

Creation of loft bedrooms within existing and approved (EPF/1019/04) roof space including new roof lights (revised application).

Description of Site:

A grade II listed hotel and public house dating from the 18th century, within the Epping Town centre conservation area.

Relevant History:

Various including

LB/EPF/1036/02 - Listed building consent for partial demolition of hotel and erection of 14 dwelling units - Approved

EPF/1035/02 - Planning application as above - Approved

LB/EPF/1019/04 - Amended listed building consent application re above - Approved

EPF/1018/04 - Alterations as above - Approved

Policies Applied:

Local Plan
HC6 Development in a Conservation Area
DBE9 and 10 Amenity
T14 Parking

Issues and Considerations:

The main issues are the impact of this proposal on amenity, conservation area and effects on parking.

Amenity

The plans have been revised since the application was first made with various internal revisions and the deletion of the dormers from the scheme. The listed building aspects are the subject of a separate application.

This site is currently being redeveloped with the modern rear part of the hotel being demolished. It is proposed to install two new bedrooms with attached en-suite bathrooms in the second floor roof space. These would have six roof lights installed, two on the southern roof slope, and four on the northern roof slope. The two on the southern slope would be used for egress from the building in the event of fire etc. Some internal works would be carried out to the roof area and the first floor areas involving the provision of staircases.

There will be no overlooking of the new dwellings to the rear of the site and it is considered that there will be no further adverse effects as a result of this proposal.

Conservation Area

The site is situated within the Epping Town Conservation Area. Whilst it is the case that these are new openings within the roof of the building, only part of one of the roof lights will be visible from the rear of the site, the others all being hidden from view due to their location. Therefore it is considered that there is no harm to the character or appearance of the conservation area.

Parking

The current hotel has 10 bedrooms, and this proposal would provide another two. The applicant has stated that there will be 10 car parking spaces allocated to the hotel as part of the previously granted permission. It should be noted that this is a town centre location with good public transport links and therefore the proposed parking provision is adequate.

Other Issues

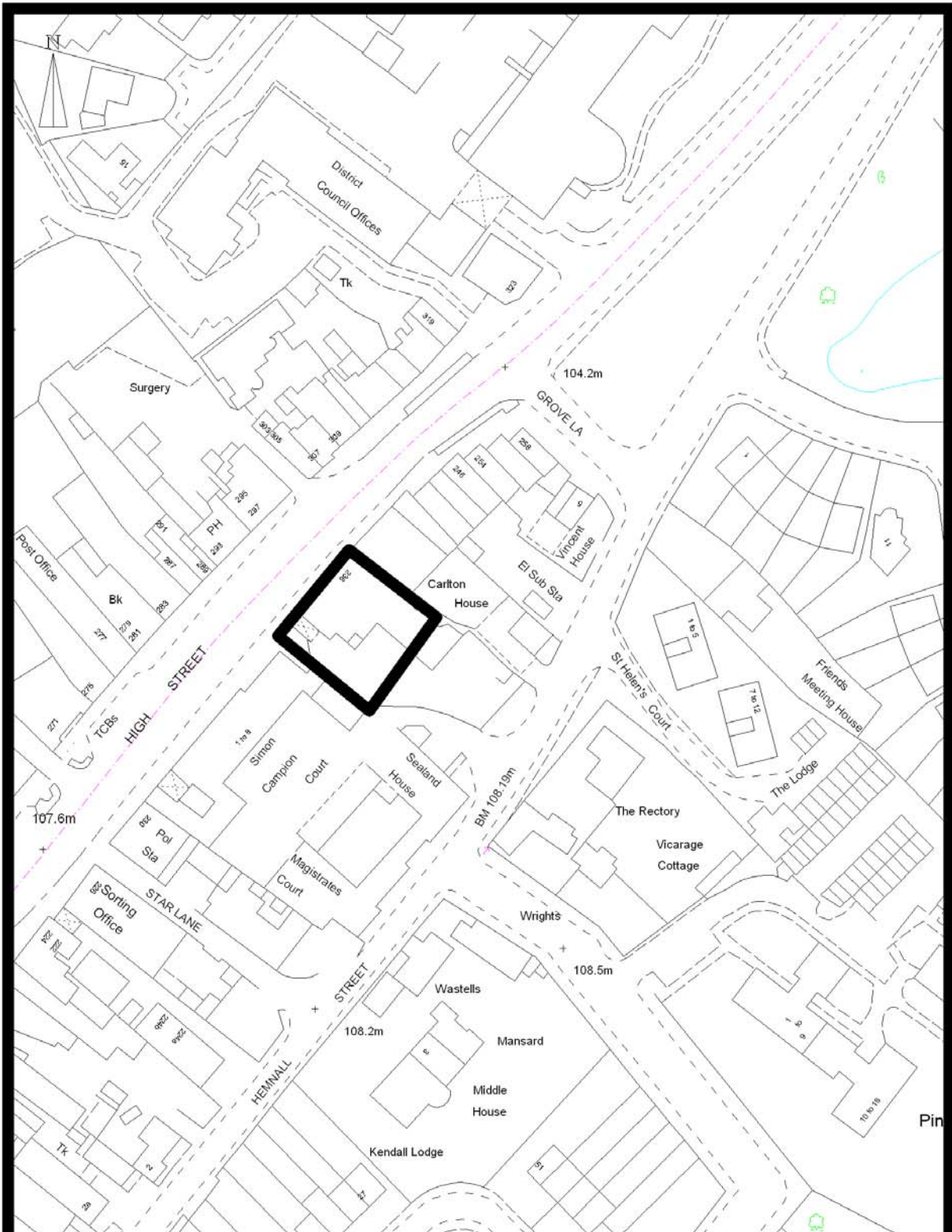
The Town Council has raised the issue of the need for further bedrooms at the site. However this is not an issue that can be considered in this context.

Conclusion

The recommendation is therefore for approval.

SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL - Object to this application on the basis that the proposed development will have insufficient parking and will overlook adjacent flats and represents overdevelopment of this site. Committee also commented that the recent removal of bedrooms from this hotel and the development of flats in their place was the result of poor demand and in view of this there would seem to be little demand for further bedrooms for this hotel.



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Item no. 01-04
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APPLICATION No: LB/EPF/1944/04

Report Item No: 2

SITE ADDRESS:

THATCHED HOUSE HOTEL, 236 HIGH STREET, EPPING

PARISH: Epping

APPLICANT: Mr D Demetriou

DESCRIPTION OF PROPOSAL:

Grade II Listed Building application for creation of loft bedroom within existing and approved (LB/EPF/1019/04) roof space including new dormer windows.

RECOMMENDED DECISION: Refuse

1. The proposed works would cause unacceptable harm to the character and appearance of this Grade II listed building due to the size, number and siting of the roof lights and the effects of the internal works on the historic fabric of the building and are contrary to Policy HC10 of the adopted Local Plan and HC3 of the Replacement Structure Plan for Essex and Southend on Sea.

Description of Proposal:

This is the listed building application for creation of loft bedrooms within existing and approved (EPF/1019/04) roof space including new roof lights (revised application).

Policies Applied:

Structure Plan
HC3 Protection of listed buildings

Local Plan
HC10 Listed Buildings

Issues and Considerations:

The only issue is the impact of this proposal on the Listed Building.

The plans have been revised since the application was first made with various internal revisions and the deletion of the dormers from the scheme.

This site is currently being redeveloped with the modern rear

part of the hotel being demolished. It is proposed to install two new bedrooms with attached en-suite bathrooms in the second floor roof space. These would have six roof lights installed, two on the southern roof slope, and four on the northern roof slope. The two on the southern slope would be used for egress from the building in the event of fire etc. Some internal works would be carried out to the roof area and the first floor areas involving the provision of staircases.

The County Listed Building Adviser has commented:

"The extent of alteration and practicality of the second floor is of concern, and the number and size of roof lights is of concern....

"I recommend refusal of the applications.....In its current state the scheme is unlikely to be practical and has insufficient clarity. Furthermore the elements that are clear such as the proliferation of too-large and too-numerous roof lights would be detrimental to the character and interest of the listed building."

Therefore it is considered that this proposal causes unacceptable harm to the character and appearance of the listed building and is therefore recommended for refusal.

SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL - Objected to this application expressing concern that the additional bedrooms proposed would require further parking, but that the owner of this hotel had recently sold off a large number of bedrooms for residential development and had also at that time reduced the availability of parking for the hotel. Given the problems relating to parking in the town, Committee felt that it would not be sensible to approve the hotel extension without ensuring adequate parking was available for this business use.

APPLICATION No: EPF/2251/04

Report Item No: 3

SITE ADDRESS:

THATCHED HOUSE HOTEL, 236 HIGH STREET, EPPING

PARISH: Epping

APPLICANT: Mr D Demitriou

DESCRIPTION OF PROPOSAL:

Proposed tourist information centre.

RECOMMENDED DECISION: Refuse

1. The proposed side extension, because of its materials and design detracts from the appearance and character of the Epping Town Conservation Area, contrary to policy HC6 of the Councils Adopted Local Plan and HC2 of the adopted Essex and Southend on Sea Replacement Structure Plan.

Description of Proposal:

It is proposed to create a Tourist Information Centre on the southern flank of the existing building.

Description of Site:

A grade II listed hotel and public house dating from the 18th century, within the Epping Town centre conservation area.

Relevant History:

Various including

LB/EPF/1036/02 - Partial demolition of hotel and erection of 14 dwelling units - Approved

EPF/1035/02 - As above - Approved

LB/EPF/1019/04 - Amended application re above - Approved

EPF/1018/04 - Alterations as above - Approved

Policies Applied:

Structure Plan

HC2 Conservation Areas

HC3 Protection of listed buildings

Local Plan

HC6 Development in a conservation area

HC10 Listed Buildings
DBE9 Amenity

Issues and Considerations:

The main issues are the impact of this proposal on the Listed Building and the conservation area.

Listed Building

This site is currently being redeveloped with the modern rear part of the hotel being demolished. It is proposed to erect a single storey tourist information centre building on the southern flank of the existing building, on the side of the Coach entrance arch. It measures 2.9m x 5.6m by 3.9m high. The building is designed to appear as a lean-to but in fact there would be a small gap of 15cm between the wall of the hotel and the rear wall of the centre.

The County Listed Building Adviser has commented that: "I am concerned about the token shifting of the proposed building away from the listed building which, as it is filled with metal mesh and is likely to require some connection for weathering would not overcome any of the previous problems and would leave the listed building and new building both vulnerable to damp.

"I am also concerned about the mounting detail and size of the proposed roof-mounted sign and the size and position of the sign on the bay of the listed building.

"There is still discrepancy about doors and the disabled access is impractical as it is shown with steps, and with a ramp likely to obstruct the pavement.

"The extension as submitted lacks clarity and is likely to cause damage to the listed building, and the proposed signage by means of size, framework and position will dominate significant features of interest of the listed building. I therefore recommend refusal of the applications".

Refusal is therefore recommended due to the harm caused to the character and appearance of the listed building.

Design and Conservation Area

The structure would be a timber building with a monopitch roof, adjacent to the hotel. It is the case that whilst part of the hotel on its southern flank has some weatherboarding at the first floor, the majority of the building visible from the High Street, and the buildings to the south are all of white painted brick or render. Whilst the lean-to design is not inappropriate in this area, it is in a prominent position and the weatherboarding does not integrate well with the street

scene and has a temporary and inappropriate appearance in this part of the Conservation Area. It is also the case that this would be a extension on the side of an existing extension which is visually awkward.

Since harm is caused to the character of the listed building, this too results in harm to the Conservation Area.

Amenity

This proposal would introduce a small modest building into an existing visual gap between the Thatched House and Campion Court when viewed from the High Street. This gap is not unattractive with trees being seen to the rear of the site, but it is considered that this building will not cause such harm to the street scene as to justify a refusal. There would be no harm caused to the amenities of the adjacent commercial businesses from this proposal.

Parking

There are no highways objections to this scheme.

Conclusion

In view of the impact upon the character of the listed building and the conservation area generally, the recommendation is for refusal.

SUMMARY OF REPRESENTATIONS:

Original Plan

TOWN COUNCIL - Object on the basis that the proposed location and style of the facility will be detrimental to this listed building and proposals represent overdevelopment of this important site.

EPPING SOCIETY - Object, out of keeping with Epping High Street conservation area, looks like a garden shed, inappropriate materials.

Revised Plans

TOWN COUNCIL - Object unanimously to this application on the basis of the proposed location and style of the facility will be detrimental to this listed building and proposals represent overdevelopment of this important site.

APPLICATION No: LB/EPF/2252/04

Report Item No: 4

SITE ADDRESS:

THATCHED HOUSE HOTEL, 236 HIGH STREET, EPPING

PARISH: Epping

APPLICANT: Mr D Demetriou

DESCRIPTION OF PROPOSAL:

Grade II Listed Building application for a proposed tourist information centre.

RECOMMENDED DECISION: Refuse

1. The proposed side extension, by reason of its design, siting, and materials detracts from the visual quality and character of this Grade II building of special architectural or historic interest. The proposal is at odds with policy HC10 of the adopted Local Plan, and policy HC3 of the Essex and Southend on Sea Replacement Structure Plan.

Description of Proposal:

This is the listed building application that goes with the previous item.

All issues related to the listed building interests are fully reported in the previous item and it is concluded that this application should be recommended for refusal as well.

SUMMARY OF REPRESENTATIONS:

Original Plan

TOWN COUNCIL - Object on the basis that the proposed location and style of the facility will be detrimental to this listed building and proposals represent overdevelopment of this important site

EPPING SOCIETY - Object, out of keeping with Epping High Street conservation area, looks like a garden shed, inappropriate materials.

Revised Plans

TOWN COUNCIL - Object unanimously to this application on the basis of the proposed location and style of the facility will be detrimental to this listed building and proposals represent overdevelopment of this important site.

APPLICATION No: EPF/106/05

Report Item No: 5

SITE ADDRESS:
17 ST ALBAN'S ROAD, COOPERSALE, EPPING

PARISH: Epping

APPLICANT: Mr T & Mrs J Hayday

DESCRIPTION OF PROPOSAL:

Two storey side; and part two storey, part single storey rear extension.

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.
2. Materials shall match existing.
3. No further side windows without approval
4. Balcony not to be formed.
5. The development shall be carried out in accordance with the amended plans received on 10 May 2005 unless otherwise agreed in writing with the Local Planning Authority.

Description of Proposal:

The proposal is for a two storey side extension and part two storey, part single storey, rear extension. The side extension extends to the side boundary, but is set back at first floor from the front elevation, with the first floor being housed within a dormer to the front, and a hipped roof.

To the rear the proposed extension is 3.2m deep and is single storey adjacent to the boundary with the other half of the pair of semis. The proposal retains an integral garage and provides a kitchen/breakfast room at ground floor with a bedroom and bathroom above.

Description of Site:

A semi-detached house located on the eastern side of the road

surrounded by other similar houses.

Relevant History:

None, although the amended plans now under consideration are the result of considerable negotiation.

Relevant Policies:

Local Plan Policy DBE10 - Design of residential extensions.

Issues and Considerations:

The main issues are design, impact on the street scene and impact upon neighbours.

Design

-Side extension would be subordinate to the main dwelling, with the first floor within an extended roof slope and dormer and a reduced ridge line and the first floor set well back from the front elevation. Matching materials and window detailing. Appearance is satisfactory.

Impact on Street Scene.

- No gap to flank boundary therefore concern about possibility of terracing.
- 2m set back from the front combined with lower ridge and half hip, will minimise the terracing effect.
- Other similarly designed extensions have been accepted in this particular estate in recent years.

Impact on Neighbours.

- Rear two storey element set 3m from shared boundary with no. 19.
- no. 19 has a 2.5m deep single storey extension to the rear.
- no. 15 has permission for a 3.2m deep extension.
- No significant loss of light to neighbours.
- No overlooking as a result of the proposal.

Conclusion.

- Designed in consultation with the planning officer to reduce terracing effect of the side extension, and meet concern of the Town Council.
- Other similar developments in the locality on houses of the same basic design.
- No significant impact on neighbours.
- Recommend approval.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL - Committee object to this application on the basis that without a step back at first floor level the proposal results in the creation of a terracing effect which does not comply with Local Plan Policy DBE10. The committee also noted the District Council's permission for a similar extension at no. 15 that does not appear to be compliant with Local Plan policies.

NB - The adjacent property no. 15 applied for similar extensions at the same time as no. 17 but were not happy to accept the reduction in first floor that the case officer suggested. They therefore submitted amended plans for single storey extensions only, which were approved under delegated powers.



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Item No: 05
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APPLICATION No: EPF/198/05

Report Item No: 6

SITE ADDRESS:
REAR OF 261 HIGH STREET, EPPING

PARISH: Epping

APPLICANT: G Di-Paizza

DESCRIPTION OF PROPOSAL:

Erection of first floor extension with rooms in roof to provide 3 no. flats. (Revised application)

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.
2. The development shall be carried out in accordance with the amended plans received on 31 May 2005 unless otherwise agreed in writing with the Local Planning Authority.
3. Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
4. The development shall not be commenced until details of the following have been submitted to and approved in writing by the Local Planning Authority:

External windows and doors; stairs to the existing flat roof; deck access/amenity area on the existing flat roof; railing and gate enclosing the deck access/amenity area on the existing flat roof; and, a scheme of sound insulation between the existing flat roofed extension and the approved first floor extension.

The flats shall not be occupied until the approved details have been implemented in full and they shall be permanently retained as such unless the Local Planning Authority gives written consent to any variation.

5. All existing and future windows to the existing single storey extension shall be double glazed and permanently fixed shut.

6. The flats shall not be occupied until the covered bin store has been constructed in accordance with details indicated on drawing nos. 219/1B and 219/2B. The covered bin store shall be permanently retained in accordance with those details for the storage of refuse from the flats and the use of the ground floor of the building unless the Local Planning Authority gives written consent to any variation.

Description of Proposal:

This application is for the erection of a first floor extension to an existing single storey rear addition to provide 3 two bedroom flats. It is also proposed to build a single storey rear addition to the extension to provide a fully enclosed bin store.

The first floor extension would be set 1.2m from the first floor of the original building. Two flats would be provided at first floor and one in the roof space. They would be accessed by a staircase to be constructed alongside the building in an existing open rear yard reached from Buttercross Lane across the rear yard areas of 265-269 (odd) High Street. The resulting building would be 10m high to the ridge of a hipped roof that would have a 40 degree pitch whilst the eaves height would be 6m. Windows to the flats would be principally situated in the northeast and southwest elevations and no windows would be provided in the flank elevation looking to land to the northwest. Windows to the flat in the roof space would take the form of two flat-roofed dormer windows in the northeast and southwest facing roof slopes.

The bin store would be a lean-to design across the entire rear elevation of the existing building between it and the boundary with 1 Buttercross Lane.

Description of Site:

The application premises is a Grade II listed building that forms part of a group comprising 257 to 263 (odd) High Street. The frontage part of the building dates from the 17th Century whilst it was extended to the rear in the 19th Century. The frontage building has two storeys with accommodation in the roof whilst the 19th century extension has a slack roof that does not provide any accommodation. The 19th century extension is finished in yellow stock bricks and slate tiles with sash windows at ground and first floor. A single storey flat roofed addition projecting 14.3m with a width of 10.8m was constructed in the late 1960's prior to the listing of the building.

The entire ground floor of 261 High Street is used as a restaurant with the first floor in use as for residential

purposes and offices. An inspection of the building reveals the first floor of the original building adjacent to the proposal is used as office and storage space. To the rear of the site is the rear garden to a house, No 1 Buttercross Lane, whilst between the single storey rear extension and the boundary with that property is a 1.5m wide concrete surfaced area that is used to accommodate wheeled refuse storage bins for the restaurant.

The site is situated within the Epping Conservation Area, which includes all the adjoining land. This part of the Epping Conservation Area is characterised by predominantly two storey buildings dating from the 18th and 19th centuries fronting the High Street, many of them listed and comprising offices, storage or residential above shops. They typically have a mix of single and two storey rear extensions to the rear that are subordinate to the frontage buildings. Rear of the buildings fronting the High Street are a mix of uses including office and residential that are accommodated in buildings that predominantly date from the 20th century.

Relevant History:

EPU//123/65 - Extension to rear of premises - Approved 07.09.65
EPU/1/68 - Extension to shop - Approved 05.03.68
EPU/127/69 - Rear extension across passageway to link two shops - Approved 06.01.70.
EPF/1207/85 - Infill of passageway to form retail & storage space & garage - Approved 17.02.86.
LB/EPF/8/86 - Alterations to shopfront entrance and single storey rear extension - Approved 04.04.86.
EPF/112/93 - Extension and refurbishment of existing retail premises including alterations to shopfront - Approved 29.04.93.
LB/EPF/4/93 - Corresponding listed building application for planning application EPF/112/93 - Approved 29.04.93.
EPF/305/96 - Change of use of ground floor to mixed Class A1 and A3 use - Refused 16.07.96. Subsequent appeal allowed 06.03.97.
EPF/339/99 - Change of use to Class A3 use - Approved 26.05.99.
EPF/1599/98 - Duplicate of EPF/339/99 - Approved 26.05.99.
LB/EPF/1944/00 - Erection of fire escape and internal alterations to allow office and bedsit use - Approved 14.03.01.
EPF/1652/04 - Erection of first and second floor rear extension to provide 4 two bedroom apartments - Refused 01.11.04

Policies Applied:

Structure Plan:

CS1 - Achieving sustainable urban regeneration
CS2 - Protecting the natural and built environment
CS4 - Sustainable new development

HC2 - Conservation areas
HC3 - Protection of listed buildings
BE1 - Urban intensification
H2 - Housing development - The sequential approach
H3 - Location of residential development
H4 - Development form of new residential developments
T3 - Promoting accessibility
T12 - Vehicle parking

Local Plan:

HC7 - Development in conservation areas
HC10 - Works to listed buildings
H3 - Criteria for assessing sites outside the Green Belt for housing
DBE1 - Design of new buildings
DBE2 - Impact of buildings on neighbouring property
DBE3 - Development in urban areas
DBE6 - Car parking
DBE8 - Private amenity space
DBE9 - Impact of development on amenity
L10 - Adequacy and retention of landscaping
T17 - Highways: Criteria for assessing proposals

Issues and Considerations:

The principle of the extension to the building to provide flats with no off-street car parking or private amenity space is considered to be acceptable because of its town centre location. The development also complies with the policy preference for providing new dwellings within existing urban areas with good access to community facilities.

The main issues to be considered in this case are therefore the impact of the extensions on the special architectural and historic character of the listed building, whether the proposals preserve or enhance the character and appearance of the Epping Conservation Area and the impact of the proposals on amenity.

The submission of additional drawings indicating the massing of the rear elevation has assisted in clarifying the relationship between the proposed addition and adjacent buildings on the High Street. By losing one floor the proposed addition above the existing single storey extension is considerably smaller than that previously refused in November 2004, with a 3.4m reduction in overall height and a 2.6m reduction in eaves height. Moreover, since it would have a hipped rather than gabled roof it would have a considerably reduced appearance of bulk. It is considered that the scale of the proposed first floor addition together with its detailed design would complement that of the original building thereby preserving its special architectural and historic interest. Indeed the interest of the building as a whole would be

considerably enhanced by the proposal since the existing ground floor addition is considered to detract from the appearance of the original building. As such the proposal is also considered to enhance the character and appearance of the Epping Conservation Area.

The application site is adjacent to the rear part of the rear garden to 1 Buttercross Lane. It is considered that because the design of the roof of the first floor extension is such that it would slope away from the boundary with 1 Buttercross Lane the main impact of the addition would be as a result of that part below eaves level which in any event would be 1.5m from the boundary. Given that the building would be at least 27m from the nearest part of the rear of the house and not directly behind it this relationship is considered to be acceptable. The extension would cause some overshadowing of the immediately adjacent parts of the rear garden of 1 Buttercross Lane at different times of the morning but the impact of this is not considered to be so great as to cause any harm to the amenities enjoyed by the occupiers of that property.

Since the building would have no windows in the northwest flank and the nearest window in the northeast elevation would be set 4m from the boundary with 1 Buttercross Close it is not considered the proposal would cause any excessive overlooking of neighbouring properties. The dormer windows would be smaller than those at first floor and set 6m from the boundary with 1 Buttercross Lane offsetting any greater potential for overlooking as a result of their additional height.

The proposed bin store extension at ground level is acceptable in design terms and would assist in mitigating the potential for odour nuisance caused by the external storage of refuse generated by the restaurant and the flats. It would be appropriate to require its provision by the imposition of a suitable condition on any consent granted.

Since the flats would not contain any windows to habitable rooms in the southeast elevation (i.e. that looking back to the original building) there would be no overlooking of 3 flats recently approved above 259 High Street and now under construction (Ref EPF/2190/03). A small amenity area on the roof of the existing single storey extension between the proposed flats and the original building would also not result in any adverse impact on the amenities enjoyed by future neighbouring occupiers since the adjacent flats would be of single aspect design with no openings looking towards the amenity area. It is however considered appropriate to require the submission of further details of that area through the imposition of a suitable condition on any consent granted.

No off-street parking provision is proposed and since the site is situated within a town centre well served by public transport it is not considered appropriate to require any

provision on sustainability grounds.

Since the proposed flats would be situated above a restaurant it would be appropriate to require the provision of sound insulation between the two uses through the imposition of a suitable condition on any consent granted.

Conclusion

The proposed extensions would preserve the special architectural and historic interest of the listed building, enhance the character and appearance of the Epping Conservation Area, not have any excessive adverse impact on amenity and be acceptable in sustainability terms.

Accordingly, it complies with adopted planning policy and planning permission may be granted.

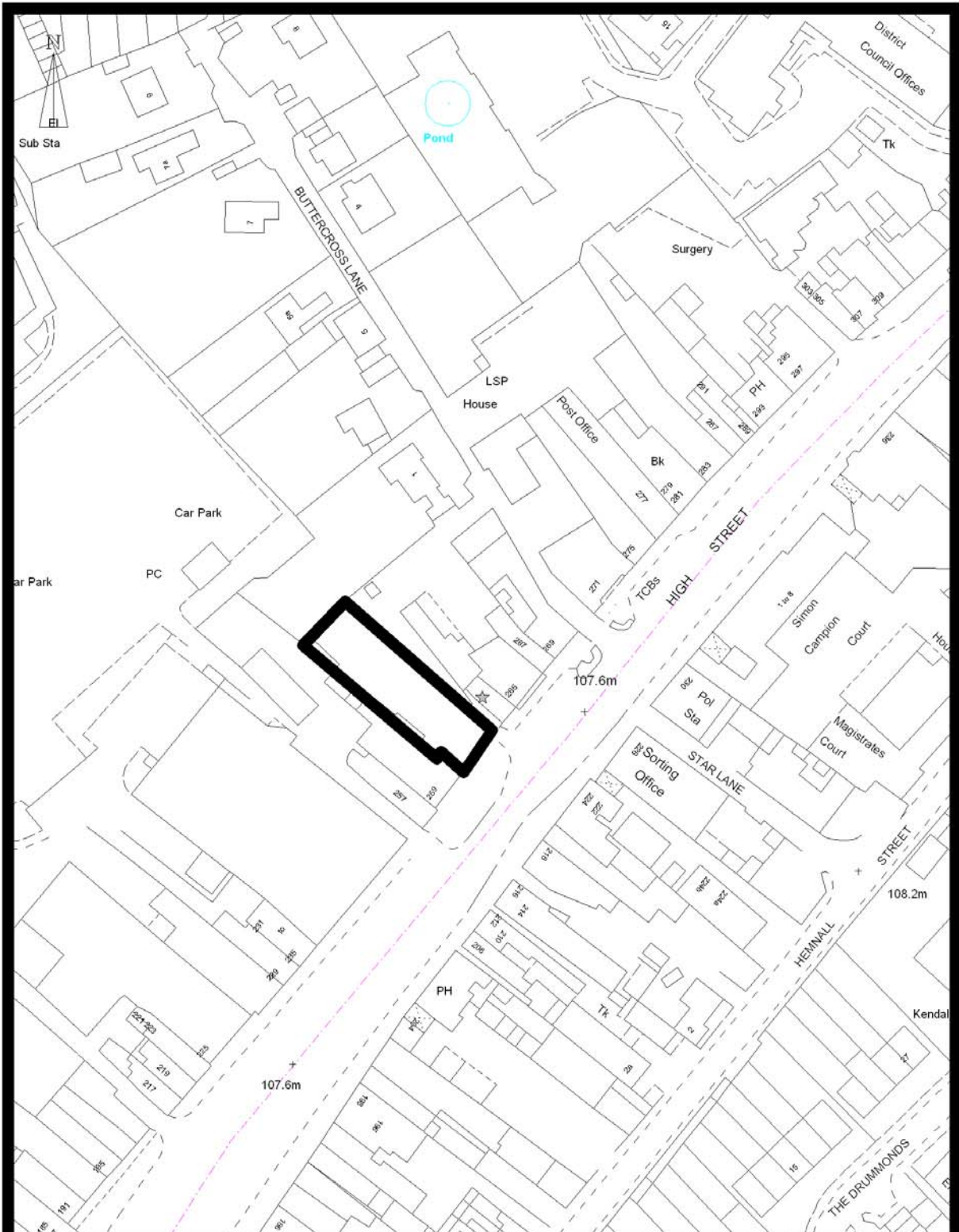
SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL - In spite of the amendments made to the original application, committee objected to this application and were still very concerned about the poor information received which gave no indication of the relationship between this building and adjacent properties within the conservation area of Epping High Street. Given the sensitive nature of a development to this listed building, it would be most helpful if the developer could show adjacent properties in his elevations which also show his proposed development. Notwithstanding these points and in spite of the reduction in overall height of the proposal, Committee considered that the height of the proposal would not complement adjacent buildings and would appear over dominant in this part of the conservation area.

The occupiers of 3 neighbouring properties, 263 High Street, 1 and 3 Buttercross Lane have raised objection on the following grounds:

1. Excessive overlooking of neighbouring properties.
2. The resulting building would appear overbearing when seen from neighbouring properties.
3. The development would still comprise accommodation on 3 floors, which is at variance with the two storey construction of all properties within the vicinity.
4. The extension would be excessive, bulky and out of character with the locality, which forms part of a conservation area.
5. The resulting building would appear as an over-dominant feature on a site that to a degree is already over developed and it would be unduly intrusive when seen from neighbouring properties.
6. Access to the site via Buttercross Lane is restricted and the additional traffic generated would cause chaos.
7. Access for emergency vehicles via Buttercross Lane is restricted.

8. Inadequate off-street parking is proposed.
9. There are already several staff living above the restaurant and the noise from the premises can be very loud. The additional accommodation will exacerbate this situation.
10. Constant deliveries to and from the restaurant cause congestion and inconvenience. The additional accommodation will exacerbate this situation.
11. The volume of fat and water from the restaurant is overloading drains serving premises on the High Street. The additional accommodation will exacerbate this situation.



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Item No: 06

Scale: 1:1250



APPLICATION No: EPF/207/05

Report Item No: 7

SITE ADDRESS:
YEOMANS, COOPERSALE STREET, EPPING

PARISH: Epping

APPLICANT: Mr and Mrs Steggle

DESCRIPTION OF PROPOSAL:
Upgrading of existing conservatory and erection of single storey rear extension.

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.
2. Materials of construction to be agreed.
3. The new casement windows shall be symmetrical, flush meeting, with single glazing face puttied, constructed of timber with a painted finish.
4. The new retaining wall shall be constructed in English Bond, unless otherwise agreed with the Local Planning Authority.
5. All new gutters shall be cast iron finished black.

Description of Proposal:

The application proposes the upgrading of an existing conservatory and erection of a single storey rear extension. The proposed extension measures 3.5m x 4.8m.

Description of Site:

The application site comprises a detached two storey cottage on the southern side of Coopersale Street.

Relevant History:

EPF/389/99 - Demolition of existing garage and erection of new double garage with domestic storage above - Approved 15/9/99
EPF/1870/87 - Conservatory - Approved 26/2/88

Policies Applied:

Local Plan:

GB2 - Green Belt

GB14 - Extensions in the Green Belt.

HC10 - Works to Listed Buildings

Issues and Considerations:

The issues in this case are firstly whether the design and scale of the proposals will detract from the historic or architectural interest of the listed building, and secondly whether the extension complies with the requirements of Policy GB14: the open character and appearance of the Green Belt should not be impaired, it should not result in disproportionate additions, and the extension should be reasonably necessary to provide for contemporary living standards.

Advice from the Historic Buildings Adviser is that the existing conservatory is of no historic interest, and its replacement is simply designed and would be an improvement. He also comments that the rear wing extension would not be out of scale and raises no objection. Conditions are recommended in respect of the windows, the retaining wall, gutters, and the types and colours of external finishes.

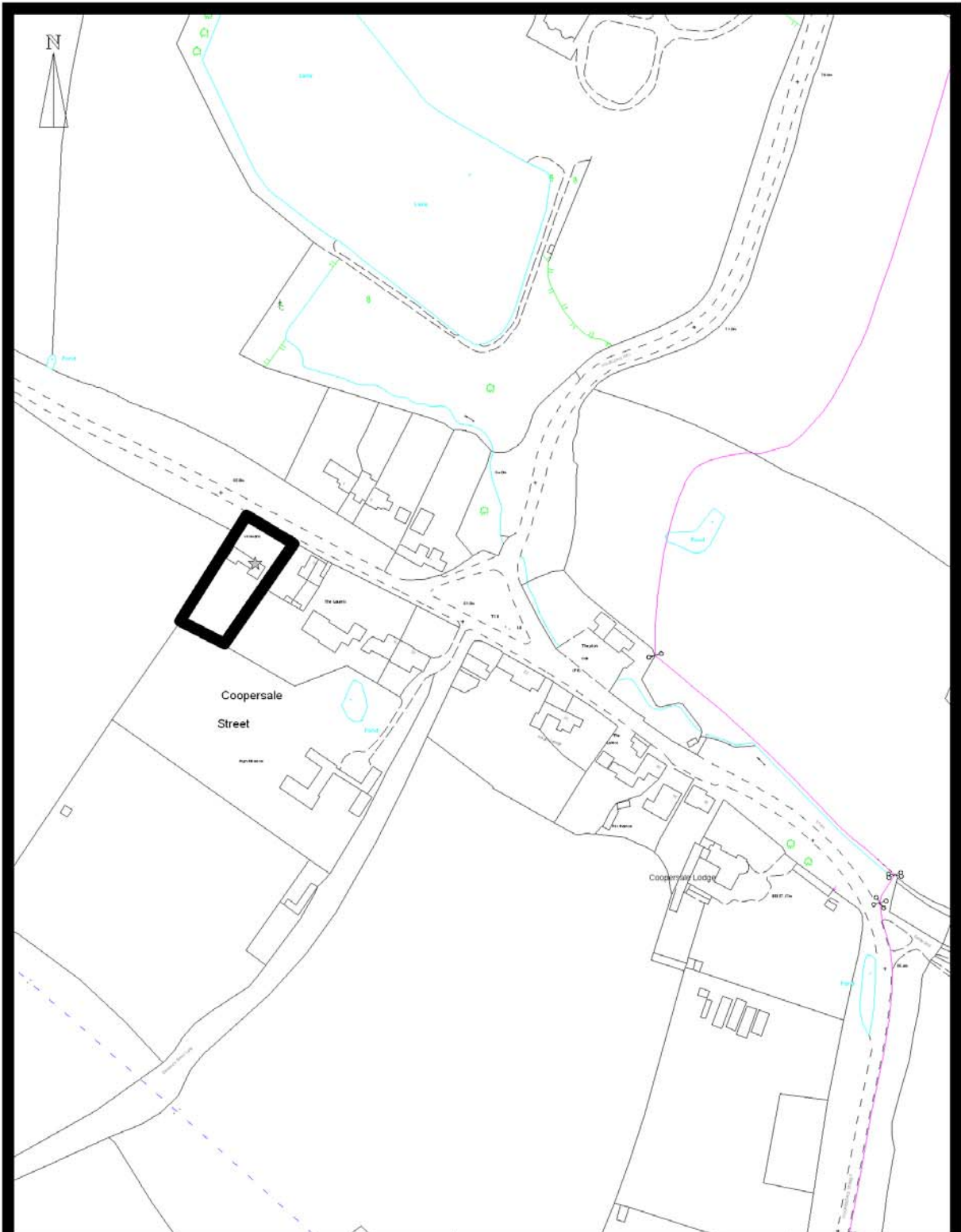
The upgraded conservatory would be on the same footprint as the existing, and along with the proposed single storey extension would represent an increase of only 13% in floor space. Both extensions are to the rear of the property with good screening on the boundaries. The impact on the openness the Green Belt would therefore be very limited.

Conclusion

The proposals are limited in scale and would not result in disproportionate additions to the property. The historic buildings adviser is satisfied that the rebuilding of the conservatory will be an improvement, and that the extension would not be out of scale. It is therefore recommended that conditional planning permission be granted.

SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL - Committee objected to this application and were concerned at the extensive nature of the works proposed. The design of the conservatory proposed is considerably different from the existing conservatory and would appear inappropriate. If the District Council determine to approve this application, Committee request that any work is done under the supervision of the District Council's conservation officer so as to ensure the use of appropriate materials.



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Item No: 07-08

Scale: 1:2500



APPLICATION No: LB/EPF/208/05

Report Item No: 8

SITE ADDRESS:
YEOMANS, COOPERSALE STREET, EPPING

PARISH: Epping

APPLICANT: Mr and Mrs R Steggle

DESCRIPTION OF PROPOSAL:

Grade II Listed Building application for the upgrading of existing conservatory and erection of single storey rear extension.

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years
2. Materials of construction to be agreed.
3. The new casement windows shall be symmetrical, flush meeting, with single glazing face puttied, constructed or timber with a painted finish.
4. The new retaining wall shall be constructed in English Bond, unless otherwise agreed with the Local Planning Authority.
5. All new gutters shall be cast iron finished black.

Description of Proposal:

Grade II Listed Building application for the upgrading of an existing conservatory and erection of a single storey rear extension.

Policies Applied:

Local Plan:
HC10 - Works to Listed Buildings

Issues and Considerations:

The issue in this case is whether the design and scale of the proposals will detract from the historic or architectural

interest of the listed building.

Advice from the Historic Buildings Adviser is that the existing conservatory is of no historic interest, and its replacement is simply designed and would be an improvement. He also comments that the rear wing extension would not be out of scale and raises no objection. Conditions are recommended in respect of the windows, the retaining wall, gutters, and the types and colours of external finishes.

Conclusion

The proposals are limited in scale and the historic buildings advisor is satisfied that the rebuilding of the conservatory will be an improvement, and that the extension would not be out of scale. It is therefore recommended that Listed Building Consent be granted.

SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL - Committee objected to this application and were concerned at the extensive nature of the works proposed. The design of the conservatory proposed is considerably different from the existing conservatory and would appear inappropriate. If the District Council determine to approve this application, Committee request that any work is done under the supervision of the District Council's conservation officer so as to ensure the use of appropriate materials.

APPLICATION No: EPF/294/05

Report Item No: 9

SITE ADDRESS:
BELLE VUE, HIGH ROAD, EPPING

PARISH: Epping

APPLICANT: Mrs V Khanna

DESCRIPTION OF PROPOSAL:

Use of land for one parking space for use by occupants of Bellevue Cottage, High Road, Epping (contrary to Condition 4 of EPF/282/04)

RECOMMENDED DECISION: Grant Permission

1. Access to the parking area shall be served via the adjacent private road, with no direct access to the site via the B1393.
2. The current dropped kerb access from the site to the county road shall be permanently closed in a manner and at a time to be agreed with the Local Planning Authority after consultation with the Area Highway Manager.

Description of Proposal:

Use of land for one parking space for use by occupants of Belle Vue Cottage (contrary to condition 4 of EPF/282/04).

The proposed parking area measures 8 metres by 4.4 metres, and was formerly part of the parking area to the Magpies Nest restaurant, now converted into a dwelling. It is bounded at the rear by an existing brick wall. Where the area abuts the footway a new shrub hedge is proposed. Access to the parking space is gained via the driveway to the former restaurant.

Description of Site:

Belle Vue is a small detached property located close to the highway boundary.

The application site is within a small enclave of ten houses on the north-west side of the High Road. The site is also within the Bell Common Conservation Area.

Relevant History:

EPF/282/05 - Change of use from restaurant to a dwelling, raising of roof to south wing with new dormers - Approved 7/5/04

Policies Applied:

Local Plan:

GB2 - Green Belt

HC7 - Development within Conservation Areas.

Issues and Considerations:

The issue in this case is whether the proposed parking space would be harmful to the character and appearance of the Conservation Area or the Green Belt.

The parking area as proposed can accommodate one car. The property has no other parking facilities.

Belle Vue Cottage is within a group of properties and fronts directly onto the High Road. The parking space would be immediately adjacent to the dwelling, with a landscaped strip and 900mm fence along the frontage. It would not be unduly prominent within the Conservation Area.

Having regard for the location and setting of the parking space it will not have any significant impact on the openness of the Green Belt.

The Highways Authority have no objections to the application provided that access to the parking area is served via the adjacent private drive with no direct access to the site via the B1393. They also require that the current dropped kerb access from the site to the road should be permanently closed in a manner and at a time to be agreed with the Local Planning Authority after consultation with the Area Highway Manager.

Conclusion

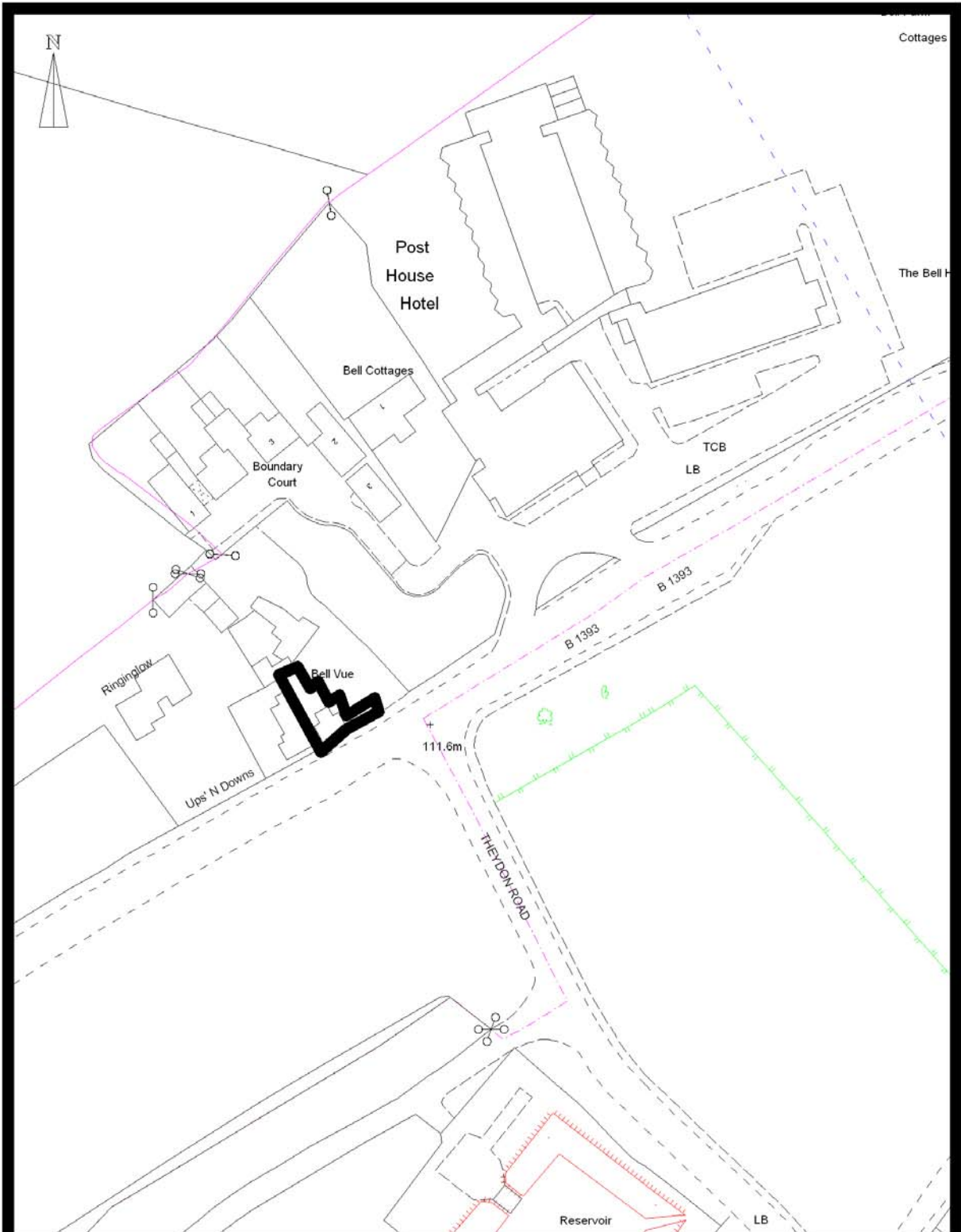
The proposed development accords with the requirements of adopted planning policy. It is therefore recommended that conditional planning permission be granted.

SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL - Committee objected to this application and were very concerned that this development would be unsightly in the conservation area and would visually damage what is at present an attractive part of the town.

RINGINGLOW, HIGH ROAD - Believe that to incorporate this

small plot into the landscaped garden of Belle Vue Cottage will improve the appearance of this part of the High Road substantially much to the benefit of the local area. The provision of a parking space for one small car incorporated within the garden seems entirely reasonable since the property has no other parking facilities.



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Item No: 09
Scale: 1:1250



APPLICATION No: EPF/319/05

Report Item No: 10

SITE ADDRESS:
THE GARDEN HOUSE, HIGH ROAD, EPPING

PARISH: Epping

APPLICANT: Mr C Dean

DESCRIPTION OF PROPOSAL:
Erection of detached single garage and bicycle store.

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.
2. Materials shall match existing.
3. The development shall be carried out in accordance with the amended plans received on 11 April 2006 unless otherwise agreed in writing with the Local Planning Authority.

Description of Proposal:

Erection of a detached single garage and bicycle store. The proposed timber weatherboarded garage with plain tile roof, measures 3.6m wide x 6.4m long with a ridge height of 4.2m. It has a small lean to element to act as a bicycle store.

Description of Site:

The proposed garage is to be sited on land to the side of a recently converted property, originally agricultural outbuildings, located on the eastern side of the High Road. The site is well hidden from view.

Relevant History:

EPF/403/02 - Change of use of workshop, office staff room and store building to 1 bed residential unit - Approved
EPF/529/04 - Single storey side extension - Refused
EPF/1059/04 - Single storey side extension - Approved.

Policies applied:

Local Plan policies: GB2 relating to Green Belt. H6, H7 and H12 relating to development in conservation areas, DBE9 neighbouring amenities and T17 relating to highway issues.

Issues and Considerations:

This site is within the Green Belt and the Conservation area. The main concerns are therefore whether it is appropriate development in the Green Belt and whether it preserves or enhances the conservation area.

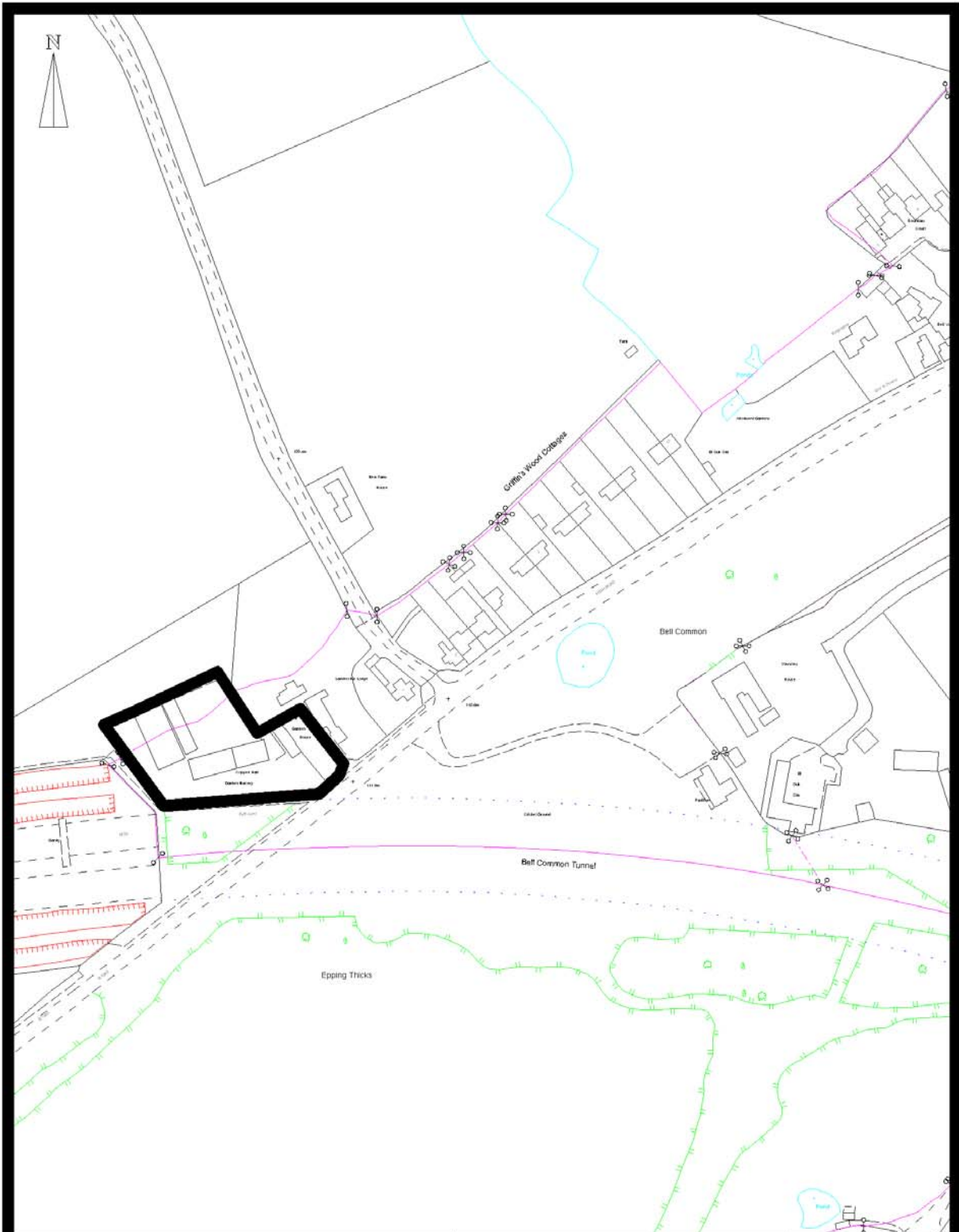
The amended proposal has been reduced in size to a slightly larger than standard single garage. This would appear appropriate provision for the small dwelling at the site and the policies allow us to judge such outbuildings on their merits. It is not considered that it would have a significantly adverse impact on the openness of the Green Belt, although it is regrettable that the recent conversion has resulted in justification for additional building.

The design of the building is in keeping with the conservation area and subject to control over materials there will be no harm to the character or amenity of the area.

The application is therefore recommended for approval subject to conditions.

SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL - Committee objected to this application because the proposed development is in both Green Belt and Conservation Area.



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Item No: 10
Scale: 1:2500



APPLICATION No: EPF/415/05

Report Item No: 11

SITE ADDRESS:
85 HIGH STREET, EPPING

PARISH: Epping

APPLICANT: F Berndes Ltd

DESCRIPTION OF PROPOSAL:

Change of use of ground floor from A1 (Retail) to A3 (Food and Drink)

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.
2. The use hereby permitted shall not be open to customers/members outside the hours of 7.00 to 18.00 on Monday to Saturday and not at all on Sundays or public holidays.
3. Prior to the first use of the premises from A3 details of equipment for the suppression and dispersal of fumes and or smells produced by cooking and food preparation shall be submitted to and agreed by the Local Planning Authority. Such equipment shall be installed and thereafter maintained.

Description of Proposal:

Change of use of ground floor from A1 (retail) to A3 (cafes and restaurants).

Description of Site:

The application premises belong to a parade of shops comprising nos. 81-95 High Street. Numbers 93 and 95 are existing A3 uses with the remainder being A1. The shop area is approximately 74 sq metres plus an additional 13 sq metres of loading area and WC to the rear. The rearward section of the premises extends beyond the residential unit above, with the external terrace of the premise comprising its roof.

Relevant History:

Change of use to steak restaurant was refused in 1988.

Change of use to estate agents was refused in 1987.
Change of use to A3 was refused in 1994 and 1995.

Policies Applied:

Local Plan:

STC7 Control in primary and secondary shopping centres.
RP5 Development likely to cause nuisance.

Issues and Considerations:

The main issue is whether the proposed change of use accords with policy STC7 and the emerging Local Plan policies. Additionally, impact on the residential amenity of adjacent occupants must be considered.

Members should note that following a recent amendment to the Use Classes Order A3 use is now restricted to Cafes and Restaurants and no longer includes drinking establishments and hot food takeaways.

The adopted Local Plan identifies the site as being within a secondary shopping frontage. Policy STC7 outlines the type of uses and circumstances in which permission will be granted. In particular the development should not result in the amount of non retail frontage exceeding 60%. The most recent town centre survey indicated that the % of non-retail in the secondary shopping frontage as a whole was about 44% in 2004. A recent A3 use was granted at No. 88, at which time the percentage of non-retail use was calculated as rising to 44.7%. The current application therefore will not take this figure over the 60% threshold.

The application site is within a frontage of 15 properties of which 5 (one third) are non-retail. The figures therefore show a capacity for non retail uses and the current proposal therefore accords with policy STC7 in this respect.

Policy STC7 also requires that the proposed use would not have an excessively adverse effect on the amenities of neighbours, by way of noise, smell or other nuisance.

The particular use proposed is a sandwich and food bar/ restaurant and the applicants have stated their intention to be open during daytime hours only closing at 6pm, and serving light meals mainly cold, but some heated in a microwave.

Subject to conditions to prevent fumes and smells and to restrict hours of use to those applied for, it is not considered that the proposal will have any significant impact on the living conditions of local residents.

The emerging Local Plan puts this site outside the key frontage area of the Town Centre, and the proposal, which is for a daytime use is considered in accordance with the broad principle of maintaining the viability and vitality of the town centres and making them attractive and useful places to shop, work and visit, and resisting the creation of stretches of dead daytime frontage.

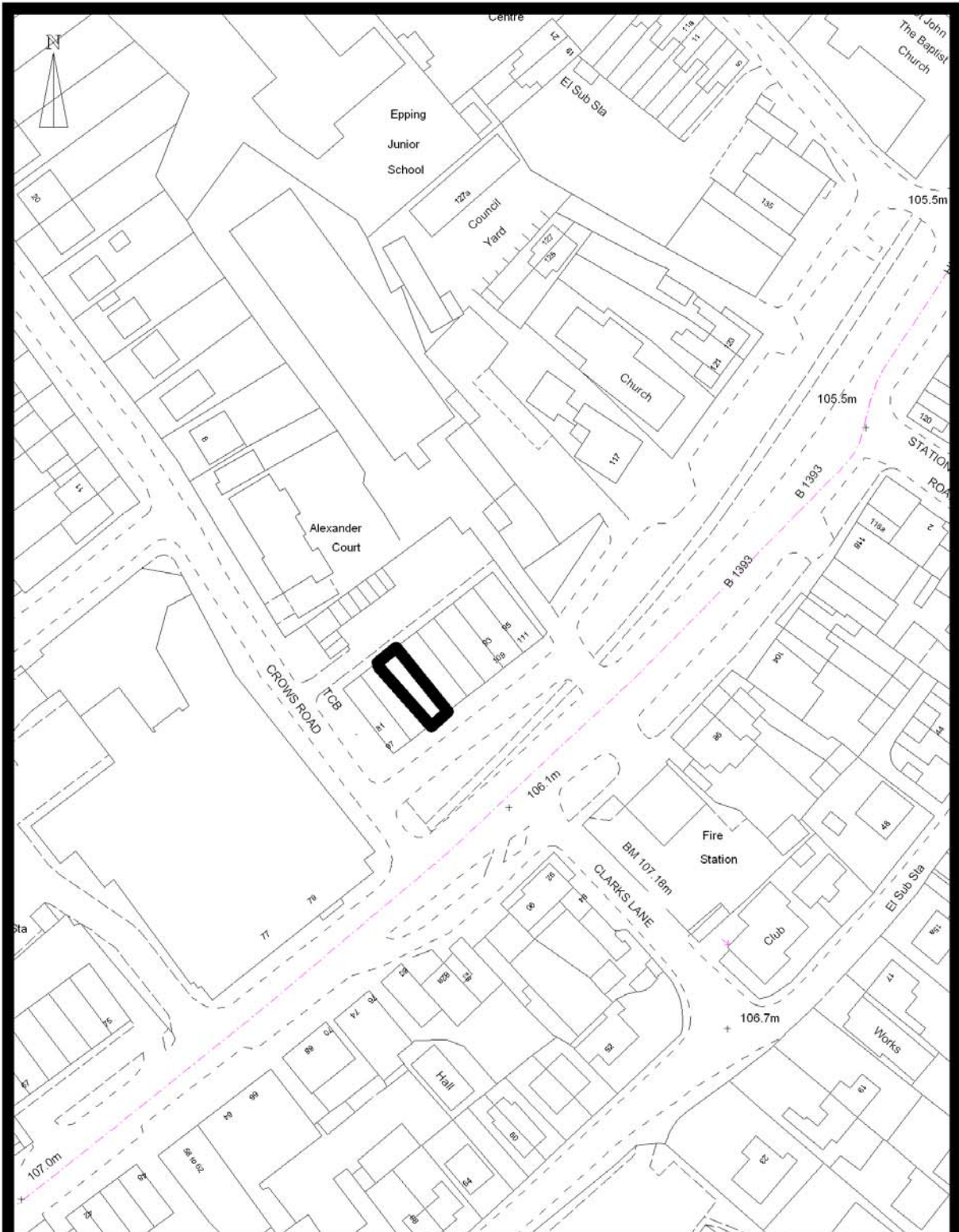
Concerns have been raised that there are already too many A3 uses in the neighbourhood and that existing businesses will be harmed. This is not a major planning consideration, it is the vitality of the town centre, not specific businesses that must be maintained. Concern has also been raised about rubbish and drainage problems, again these are not issues that can be directly addressed, but it is not considered that a caf, use, as opposed to a take-away, would be likely to result in any significant increase in rubbish or drainage problems.

In conclusion it is considered that the proposed change of use is in accordance with both the current adopted policies of the Local Plan and with the emerging policies, and that it will have no adverse impact on the vitality and viability of Epping as a shopping centre. The application is therefore recommended for approval.

SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL - Committee objected to this application as they felt under Policy STC2 of the Adopted Local Plan it would cause a change in the role of the town centre in the economic life of the community.

93 AND 95, HIGH STREET - Will affect business negatively. Even now because of too many food outlets in the area, we are taking much less than before. The potential market is not enough for the existing business owners. Will result in more rubbish in car park. May also cause drainage problem in the car park.



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Item No: 11
Scale: 1:1250



APPLICATION No: EPF/482/05

Report Item No: 12

SITE ADDRESS:

THE OLD RECTORY, COOPERSALE COMMON, COOPERSALE, EPPING

PARISH: Epping

APPLICANT: Mr & Mrs Balasuriya

DESCRIPTION OF PROPOSAL:

Erection of 2.0m high close boarded fence to side boundary.

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.

Description of Proposal:

Erection of a 2m high close boarded wooden fence in the curtilage of a listed building. It has been erected on the northern boundary of the site, along the rear gardens of nos. 16-24 Vicarage Road.

Description of Site:

A large detached grade II listed former rectory, dating from the 19th century, on the southern edge of Coopersale Village. The site commands panoramic views to the south. The whole site is within the Green Belt.

Relevant History:

Various applications for access and garden walls, alterations to outbuildings, including
EPF/2071/04 - Detached garage - Approved
LB/EPF/2072/04 - Listed Building application as above - Approved
EPF/116/05 - Attached pool building - Refused
LB/EPF/117/05 - Listed Building Application as above - Refused

Policies Applied:

Structure Plan

C2 Green Belt

HC3 Protection of listed buildings

Local Plan

HC12 Setting of a Listed Buildings

GB2 Green belt

DBE1, 4, 9 Design and Amenity

Issues and Considerations:

The main issues are the impact of this proposal on the Listed Building, green belt and the amenities of neighbouring properties. It should be noted that the western boundary of the domestic curtilage is not accepted as correct, and is subject to ongoing enquiries.

Green Belt

This fence only requires permission as part of it is within the curtilage of the listed building. However, as it does require permission the impact on the Green Belt can be considered. The fence is timber and was constructed on site during March. Although objectors have described the fence as 'urban' and 'utilitarian' it is typical of boundary treatment to residential properties within the rural areas of the district, and it is considered that it has no adverse impact on the character and appearance of the Green Belt.

Listed Building

This hand-built fence is to the rear of the listed building and thus has less of an impact upon it than when viewed from the entrance road or from the adjacent Church. These boundaries have a brick and stone wall which has been previously been granted permission. It is considered that there is no negative impact on the setting of the listed building, and indeed it is an appropriate boundary treatment in this setting. The Council's Conservation Officer has commented that he has no objections to the scheme.

Amenities

The neighbouring properties which would be affected are 16-24 Vicarage Road. It is the case that their view over the site to the south has been adversely affected by this proposal. Whilst the Council has sympathy with this restriction it should be noted that there is no 'right to a view' and any refusal on this ground could result in costs being awarded against the Council.

There will be some impact on sunlight to the rear gardens, which are south facing, in the evenings. However the gardens are about 18m long to the rear elevations and it is considered that the minor loss of sunlight would not justify a refusal. It should be emphasised that this is a fence of a 'normal'

height that the government through permitted development rights considers acceptable for all residential gardens and is not excessive in any way.

Conclusion

It is to be regretted that the works have been carried out before the application was made. However, this proposal causes no harm to the setting of the listed building or the Green Belt, and the minor harm to the amenities of the neighbours would not justify a refusal and this could not be sustained on appeal. The recommendation is for approval.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL - No Objection.

14 VICARAGE ROAD - Object, detracts from the open aspect of green belt land, making it a less pleasant place in which to live. By reason of its height and style it is totally inappropriate for a paddock enclosure.

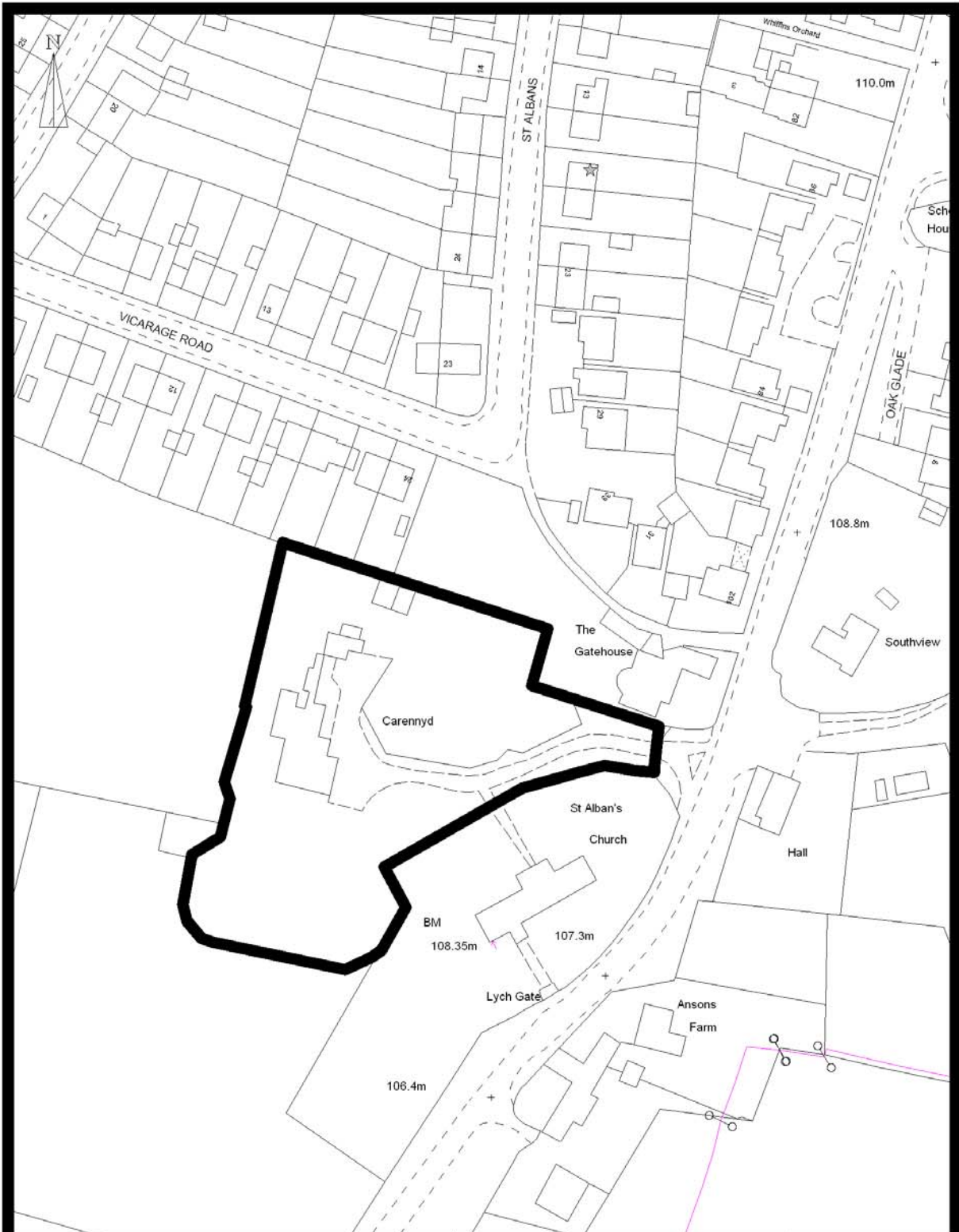
18 VICARAGE ROAD - Object, fence will permanently alter the character of the listed building and plot, dramatically compromise the open character of the area, make the area more urban and less pleasant, we have an unsightly double fence at the end of our garden, fence is out of scale, overbearing and oppressive, will decimate our outlook.

22 VICARAGE ROAD - Object, lost my view and the fence is inappropriate for and detracts from the boundaries of a listed building.

20 VICARAGE ROAD - Object, fence is out of character with the Vicarage and inappropriate in the area, and not sympathetic to the neighbouring properties. It has a significant visual impact changing the character of the gardens.

16 VICARAGE ROAD - Object, fence is not in keeping with the Vicarage. It is oppressive and conflicts with green belt policies.

PLANNING AGENT ON BEHALF OF RESIDENTS - Object, adverse effect on listed building, removes sunlight and light from gardens, is oppressive, has adverse effect on the green belt.



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Item No:12
Scale: 1:1250



APPLICATION No: EPF/581/05

Report Item No: 13

SITE ADDRESS:

1 BOUNDARY COURT, BELL COMMON, EPPING

PARISH: Epping

APPLICANT: Mrs Weedon

DESCRIPTION OF PROPOSAL:

Erection of a side conservatory.

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.
2. Materials of construction to be agreed.

Description of Proposal:

Erection of a 'L' shaped side conservatory measuring 2.4m x 6m, by 3.1m high with a pitched roof, partly monopitch, partly hipped. Its area is 13sqm.

Description of Site:

A recently erected detached house on a rectangular plot in the Green Belt. It is one of a number of similar houses overlooking Bell Common. The whole area is within the Bell Common Conservation area. The property already has a conservatory erected (under PD) to the rear, and commands sweeping views over the open fields to the north.

Relevant History:

EPF/557/00 - Demolition and redevelopment of 4 houses - Approved
EPF/118/01 - Revised application for development - Approved
EPF/775/03 - Rear conservatory - Refused
EPF/2120/04 - Side conservatory - Refused
EPF/199/05 - Side conservatory - Refused

Polices Applied:

GB2 Green Belt Policy
GB14 Extensions in the green belt
HC6 Developments in conservation areas
HC7 Conservation area design and materials
DBE9 and 10 Amenity

Issues and Considerations:

The main issues are the impact of this proposal on the Green Belt, conservation area and the amenities of neighbouring properties, and whether it overcomes the reasons for the refusal of the 2004 applications, which where the harm to the Green Belt and conservation area from the design and appearance of the conservatory.

Green Belt

This revised application has reduced the volume and footprint of the extension, and changed the roof structure to a mono pitch roof on the first portion of the structure and a hip on the second.

This proposal would only further add a minor volume to this house and would be relatively inconspicuous against the bulk of the house, especially as it has a glazed roof. It is considered that this proposal has removed the previous Green Belt objections to the scheme, as it will not harm the openness and appearance of the Green Belt.

Conservation Area and Design

The conservatory has been redesigned in a traditional style, which is now in keeping with the character and appearance of the area. The Council's Conservation Officer has raised no objections to its design.

Amenity

The existing fence on the western boundary screens the proposed extension in this direction and there would be no overshadowing or overlooking of neighbouring properties as a result of this proposal.

Representations

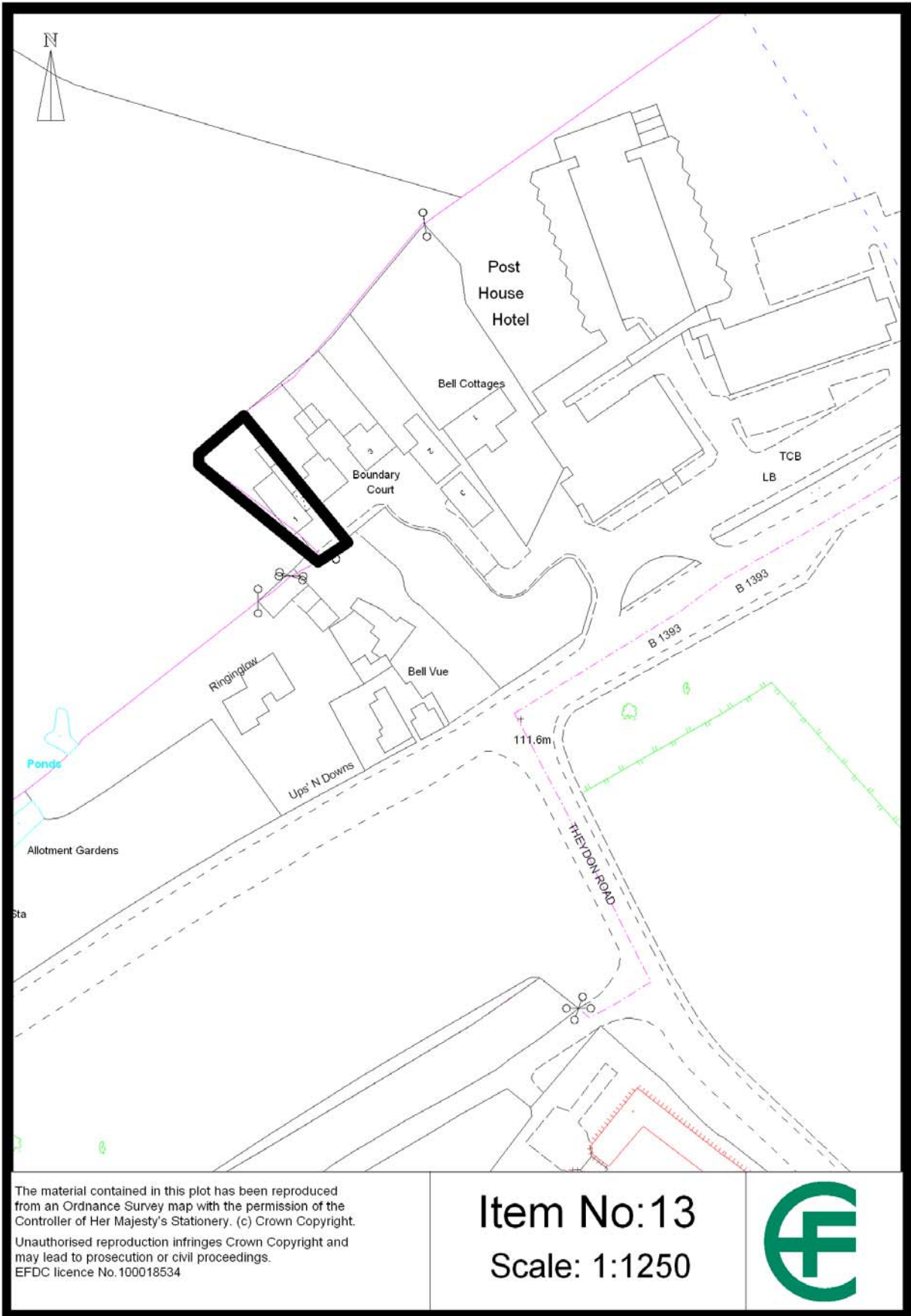
The Town Council has objected to this proposal as they consider it to be visually intrusive and has an adverse effect on visual amenity of the area. However, in the opinion of officers, this scheme has overcome the previous objections and does not warrant a refusal, as explained above.

Conclusion

As this application has dealt with the previous objections it is now recommended for approval.

SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL - Object as does not comply with policies GB2 and GB14 of the adopted local plan, and the continued development of this house in the Green Belt and Conservation Area would cause the property to become visually intrusive and have a serious and adverse effect on the visual amenity of the locality.



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Item No:13
Scale: 1:1250



APPLICATION No: EPF/763/05

Report Item No: 14

SITE ADDRESS:
181 THEYDON GROVE, EPPING

PARISH: Epping

APPLICANT: Mr V Page

DESCRIPTION OF PROPOSAL:
Single storey side extension.

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.
2. Materials shall match existing.

Description of Proposal:

Erection of a single storey flat roofed side extension on the western elevation, measuring 1.95m wide x 8.6m long, and 3.3m high.

Description of Site:

An end of terrace single dwelling house on a large plot on the Theydon Grove Estate. A large pond and open area is to the immediate south of the area, which is within the Epping Town Conservation Area. The properties to the north are a terrace of four dwellings which are lower than the terrace that this property is in due to changing land levels. There is already a small single storey side extension on the west flank of the building.

Relevant History:

None

Policies Applied:

DBE9 Excessive Loss of amenities for neighbours
DBE10 Design of residential extensions

Issues and Considerations:

The main issues in this application are the effects of this development on the street scene, design and amenities of neighbouring properties. The estate has a strong visual identity with few alterations to the original designs, although there are a number of different types of dwellings on the estate.

Street Scene

- A minimum gap of 6m will be maintained to the side boundary
- The front wall will be set back by 1.7m.
- It is a logical continuation of the existing extension, and it is not considered to set an adverse precedent in this area.
- Flat roof is not ideal, but would not be out of place on the estate.
- The extension is relatively minor and subordinate to the existing property and will not have an adverse effect on the character and appearance of the estate. This is especially the case as the garden is surrounded by a 2m timber fence, which will provide significant screening.

Design

- This proposal would enlarge an existing extension and is of a similar appearance with matching materials. It will not cause any harm to the appearance of the building.

Impact on Neighbours

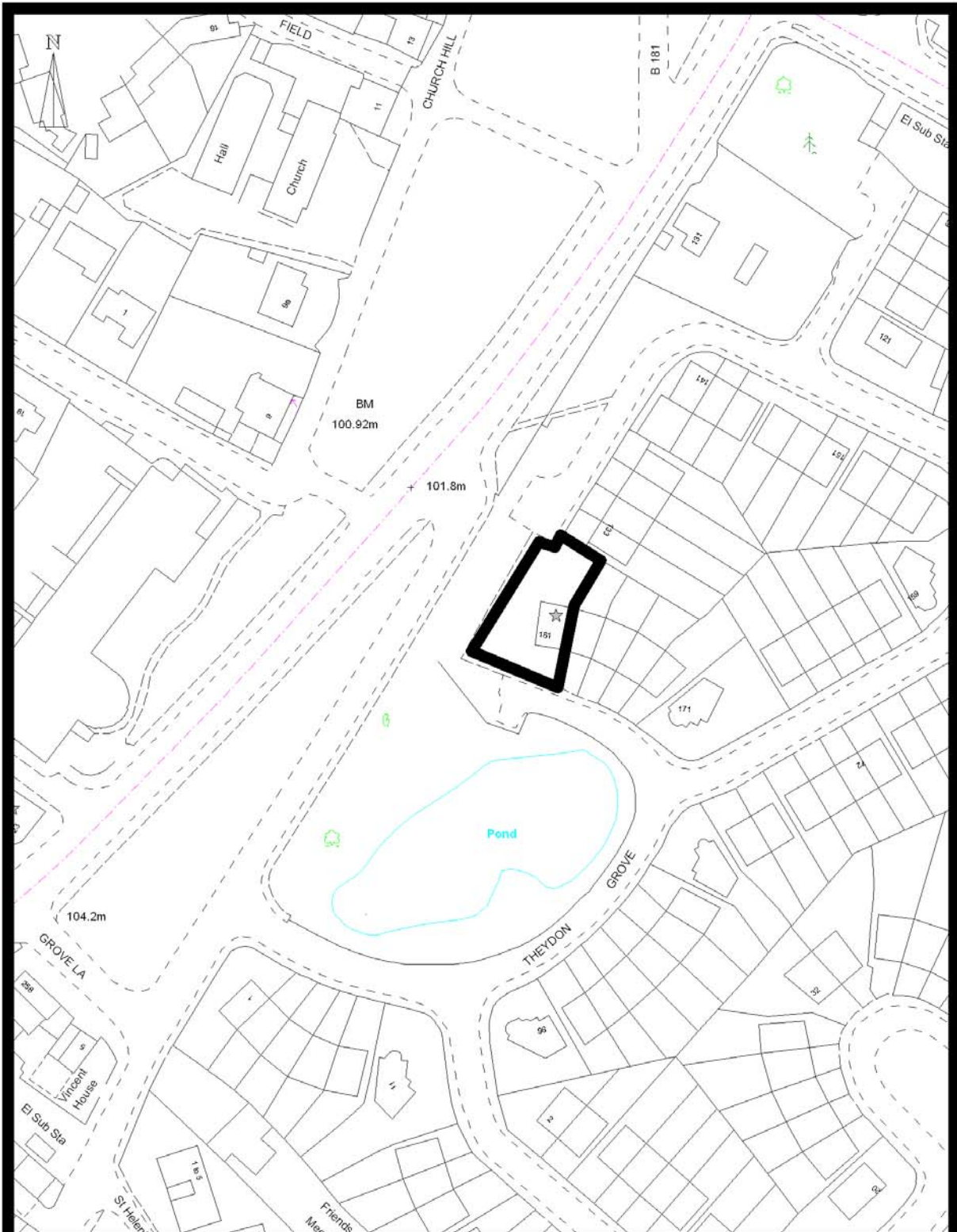
- There will no loss of light or sunlight for any neighbour.
- There will be no overlooking of any neighbouring property.

Conclusion

The proposal is of an acceptable design, which does not detract from the appearance this part of the estate. Therefore the recommendation is for approval.

SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL - Object, the development is out of character with the building to which it is attached and therefore will not enhance the street scene. Committee feel that any extensions to the properties on this estate must carefully reflect the style of existing build to avoid creating a poor precedent.



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Item No:14
Scale: 1:1250



APPLICATION No: EPF/782/05

Report Item No: 15

SITE ADDRESS:
134 & 136, HIGH STREET, EPPING

PARISH: Epping

APPLICANT: Koinonia Youth Trust

DESCRIPTION OF PROPOSAL:

Temporary change of use from A1 retail to non retail for a period of tenure (18/4/05-17/04/06) for a one stop shop for young people; returning to A1 retail on 17/04/06.

RECOMMENDED DECISION: Grant Permission

1. Within fourteen days of this approval details of means of noise control to limit the volume of any amplified sound emanating from the premises between 9.00 am and 6.00 pm on weekdays shall be submitted to the Local Planning Authority for agreement. The agreed scheme shall then be implemented and thereafter maintained for so long as the use continues.
2. The premises shall be used for the purpose described in the application and for no other use, when this approved use ceases, the premises shall revert to A1 retail use only.

Description of Proposal:

Use of shop premises as a one stop shop for young people, in partnership with many groups including, St Johns secondary School, Essex Youth Service, EFDC Leisure Services, EFDC Community Arts, TeenAim, Epping Forest Primary Care Trust, the Town Council, Essex Police and Church Groups. The intention is to provide day time, after school and evening sessions for young people aged between 11 and 25.

Description of Site:

Ground floor shop unit, with a floor area of 91 sq metres located on the eastern side of the High Street just to the north of station road. There are offices above.

Relevant History:

EPF/830/86 - Change of use from shop to office - Refused.
EPF/831/86 - Change of use from shop to restaurant - Refused.

No recent history.

Policies Applied:

Local Plan Policies

STC7 Controls in primary and secondary shopping frontages.
RP5 Development likely to cause a nuisance.

Issues and Considerations:

The main concern is the loss of a retail unit within the primary shopping frontage and whether the proposed alternative use will harm the vitality and viability of the town centre.

Policy STC7 of the Local Plan places a restriction on the amount of non-retail frontage that will be allowed within the primary shopping frontage. The policy allows only up to 20% of the frontage in the primary area to be non-retail. This figure has already been exceeded in Epping High Street and the loss of this unit is therefore contrary to Policy STC7.

That said, the reason behind the policy is to ensure the vitality and viability of the area as a shopping centre, and that the retail function of the centre is not undermined.

In this instance the proposed use is one that will attract young people into the town centre not just in the evening, as in restaurant use, but also during the day when the shops are also open. People attracted to the centre may well also utilise other shops and facilities within the town centre.

The proposed use needs to be in a busy, well lit, easily accessible location where it will be safe for young people, and in a location which will not cause noise and disturbance to residents. A town centre location is therefore most appropriate.

It is considered that this is a unique development that will provide a valuable facility for local young people, and that an exception to the normal restriction on loss of retail premises can be made.

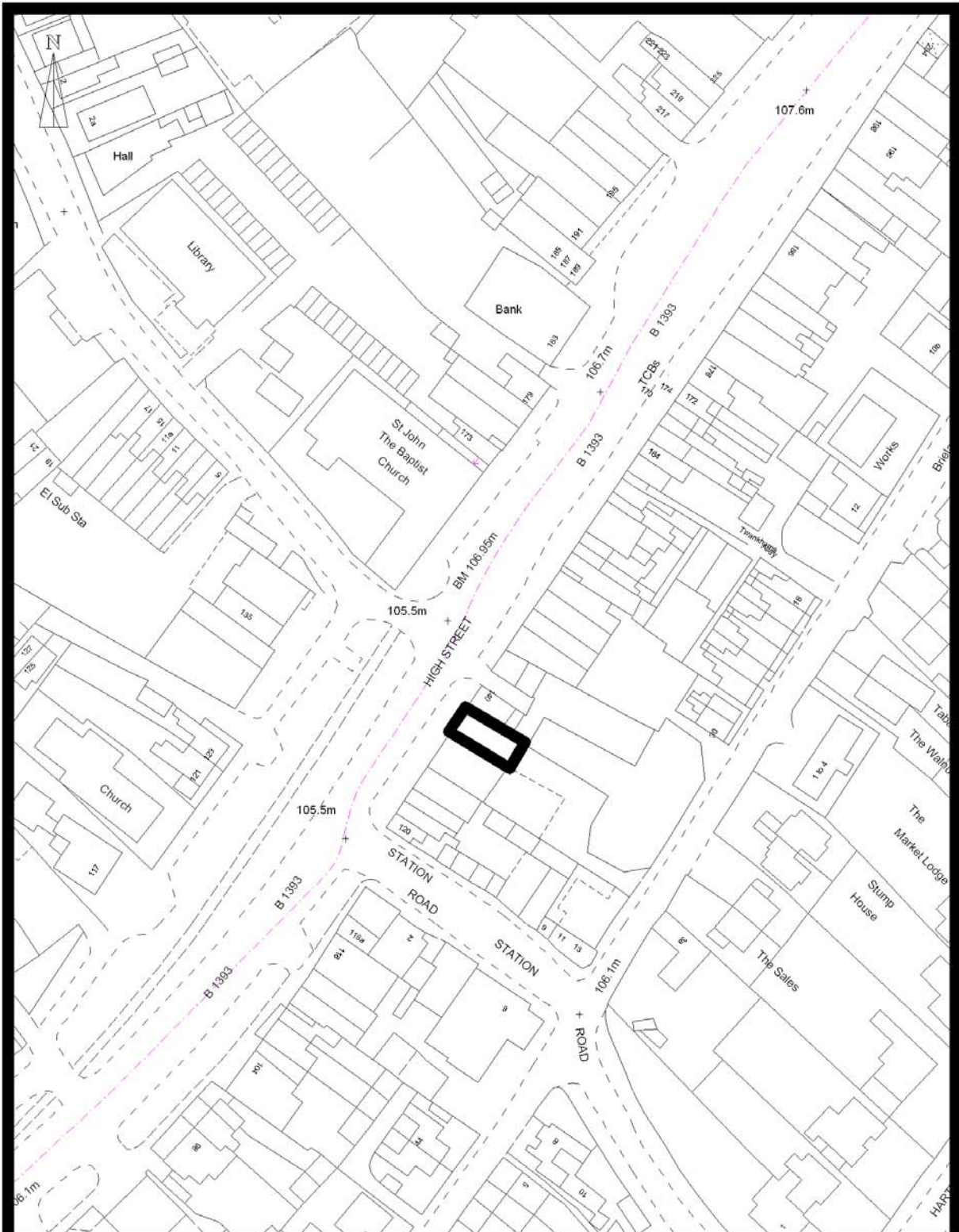
A further consideration is the impact of the use on adjacent premises. Above the premises there are offices and concern has been raised that amplified music played during office hours could be at a level that causes disturbance to the occupants of the offices above. It is considered that this is an issue that can be controlled by condition.

It is not considered that the use is likely to result in any other problems to adjacent premises and no other complaints or objections have been received.

The application is therefore recommended for approval, subject to noise condition and a condition restricting the use to that specified in the application, so that should the use cease no alternative non-retail use could utilise the premises without a further planning application and the premises would have to return to retail use as a consequence. It is not considered necessary to restrict the use to a temporary period.

SUMMARY OF REPRESENTATIONS:

This report was completed prior to the end of the consultation period, any additional letters received will be reported orally at committee.



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Item No:15
Scale: 1:1250



APPLICATION No: EPF/1562/04

Report Item No: 16

SITE ADDRESS:
KINGS HEAD (PH), 8 HIGH ROAD, NORTH WEALD

PARISH: North Weald

APPLICANT: Mitchells & Butlers Retail Limited

DESCRIPTION OF PROPOSAL:

Outline planning application for residential development and relocation of parking area for Kings Head Public House.

RECOMMENDED DECISION: Grant Permission

1. Submission of details within 3 years.
2. Submission of detailed drawings
3. Materials of construction to be agreed.
4. Drainage details to be agreed.
5. Tree and site survey to be submitted
6. Submission of tree protection statement
7. Submission of Landscape Proposals
8. Prior to the commencement of the development, details of the proposed surface materials for the parking area shall be submitted to and approved by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
9. Submission of flood risk assessment
10. Contaminated land study and remediation.
11. No external lighting of the car part area shall take place other than that agreed in writing by the Local Planning Authority.

12. The gradient of the approved access shall not exceed 1/10.

And subject to the applicant first entering into a Legal Agreement under Section 106 of the Town and Country Planning Act to provide the following prior to the first occupation of the site;

1. Two dropped kerb crossing points with tactile paving in Station Road ant the Junction with High Road.
2. The bringing up to current ECC standards/specifications of the bus stops in High Road, one outside the Kings Head Public House the other in the vicinity of Hurricane Way, to include shelters, 180millimetre raised kerbs and telematics where necessary.

Description of Proposal:

Outline application for the residential development of land currently used for car parking for the Kings Head public house and relocation of the parking to behind the public house. The area proposed for residential development is less than 0.3 hectares. The proposal includes the provision of a new access from Station Road, but all other matters are reserved for future consideration.

Description of Site:

The application site includes the parking area for the Kings Head Public House, behind the garage site located on the corner of Station Road, and the rear garden of the Public House. There is a significant belt of trees along the rear of this site and there is housing to the north east with rear gardens backing on to the beer garden area.

Relevant History:

There are many applications relating to works to the public house which are not relevant to the current proposal. Of most relevance is an approval in 1995 for an extension to the car park and the closure of an existing access.

Policies Applied:

Local Plan Policies:

GB2 Development within the Green Belt.
H2 Residential development.
HC12 Development affecting the setting of a listed building.

RP5 development likely to cause nuisance.
T14 and T17 relating to car parking and highway issues.
LL3, LL10, LL11 relating to trees and landscaping.
GB18 Radio Station site and development east of station Road.

Structure Plan Policies:

CS1 Sustainable development.
CS2 Protecting the natural and built environment.
CS4 Sustainable new development.
C2 development in the Green Belt
HC3 Protection of listed buildings.
BE1 Urban intensification
H2 Housing development - the sequential approach.
H3 Location of residential development.

Issues and Considerations:

Given the small size of the site and the restricted area that could be developed for residential use, only a small number of dwellings are likely to be achieved on the site and there is therefore no requirement for the provision of affordable units within the scheme.

The site falls within the Metropolitan Green Belt, and the first issue to be resolved is whether there are very special circumstances sufficient to outweigh the harm to the Green Belt that would result from the inappropriate development. Subsequently impact on the setting of the Listed Building, impact on neighbouring residents, impact on trees and visual amenity, highway safety issues including parking and drainage issues need to be addressed.

1. Green Belt.

This site to the rear of the public house and the garage is within the Green Belt, however it is now surrounded on all sides by built development following the development of housing to the south (east of Station Road), as part of a package of development to reuse the Radio Station Site.

The adopted Local Plan states "That part of the site on which built development is permitted (the land to the east of Station Road now developed as Tempest Mead) will subsequently be taken out of the Green Belt when the opportunity arises. A consequence of this is that the land behind the Kings Head PH will be deleted from the Green Belt should redevelopment take place". This specific statement in the adopted plan makes it clear that at the next opportunity (probably the production of the Local Development Framework) the Council intends that the application site will be removed from the Green Belt. This clearly makes it difficult to sustain a purely Green Belt reason for refusal. There are, then, very special circumstances in this instance sufficient to outweigh the harm

to the Green Belt that would result from the development.

2. Impact on the setting of the Listed Building.

The proposal includes moving the car parking for the Kings Head Public House to a position behind the listed building, in the area that is currently garden, and residential development on the current car parking area. It is not considered that this amendment to the parking area will have a significant impact on the setting of the listed building, as a small garden area is retained and the important front views of the building will not be affected.

Similarly, subject to sensitive design with particular attention to height so that the development is not a prominent backdrop to the pub, residential development to the rear of the garage site need not adversely impact on the setting of the listed building.

3. Impact on residential amenity.

The proposed revised car parking area will be within close proximity to the rear boundary fences of 4 properties in Dukes Close and within about 10m of their rear windows, and there is concern that this use could result in undue noise and disturbance to these properties. However this must be balanced against the fact that at present the use is a beer garden and there would undoubtedly already be late night noise and disturbance. On balance it is considered that the increase in harm to residential amenity as a result of moving of the car park will not be sufficient to warrant refusal of the application.

Care will need to be taken at the detailed stage of the application to ensure that adequate screening, between the housing and the car park is achieved, suitable surfacing to prevent excessive noise from manoeuvring vehicles is provided and any lighting of the car park is sensitively located and directed.

The development of part of the site for residential use should not have any adverse impact on existing residential properties in the locality, again subject to the location, height and design of any such development, which can be controlled by condition.

4. Impact on Trees and Visual Amenity.

At present there is an extensive and attractive belt of vegetation along the rear boundary of the site and beyond, which screens the site from the new houses in Tempest Mead to the rear of the site, this is an important feature and the retention of the linear element of open space between this site and the Tempest Mead development is also important. There are a number of protected trees in this boundary hedgerow. The

parking area indicated on the submitted plans appears to encroach too closely on this boundary vegetation and would need to be moved away to be considered acceptable, however it is considered that there is sufficient space to provide for adequate parking for the public house and to protect the trees so the details of the scheme can be reserved for future consideration.

Similarly, detailed proposals for the residential development will need to take fully into account the need to protect and strengthen the existing boundary vegetation and protected trees. Again it is considered that such a development can be devised and that as such there need be no significant harm to the visual amenity of the area.

5. Highway and Parking Issues.

The proposals include the provision of a new access to serve the residential element of the development from Station Road, to be located about 42m metres from the junction with the High Road. The highways authority consider that such an access would be appropriate for the site and have raised no objections subject to conditions. The proposed parking utilising the existing access to the public house is also considered acceptable.

6. Drainage and Sewerage.

The site is within an indicative flood plain and as such a flood risk assessment will need to be carried out and any necessary remedial works will need to be undertaken, additionally the design of the residential development will need to include provision of flood resistant features such as raised thresholds and elevated air bricks.

Once again these concerns can be properly addressed by the imposition of suitable conditions. Thames Water have stated that they are unsure of the ability of the local sewers to dispose of foul and surface water for the development, but that if need be they will provide the additional capacity as soon as practicable. They are therefore suggesting conditions that will ensure that problems do not arise.

Conclusion:

In conclusion it is considered that there are very special circumstances sufficient to overcome the usual green belt objections and that the redevelopment can be achieved without harm to the listed building, the character and amenity of the area or the residential amenity of adjacent residents. The application is therefore recommended for approval subject to conditions.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL - Objection. The application represents overdevelopment. Additional housing on the location would generate an additional pressure on local highways and will generate noise and light nuisance to existing residents. Policy GB18 in the Local Plan recognises the value of green spaces in this area of North Weald and the development at this location is contrary to policy GB2 in the Local Plan. It is noted that the application does not include any flood risk assessment. In the absence of further information, the council objects to the development because of the potential negative impact on the local flood management schemes.

NORTH WEALD BASSETT AND DISTRICT RURAL PRESERVATION SOCIETY - The society feels that the proposal is detrimental to the listed building, The Kings Head, and is an unacceptable development in the Green Belt.

THE COUNCIL FOR THE PROTECTION OF RURAL ESSEX - The two applications are clearly interrelated and should be considered as one entity, both cannot go forward in their current form.

Object. The relocation of the car park and the introduction of additional housing will result in the loss of currently open Green Belt land and bring car parking close to residential properties with all attendant noise and late night disturbance.

18 DUKES CLOSE - Oppose the relocation of the car park on the grounds of noise. Existing noise problem from the public house and the shingle surface is noisy. This will be worse if the cars are nearer. Loss of outlook if the houses are built. If it goes ahead insist on tarmac surface and shrubbery behind our fence.

17 DUKES CLOSE - The new housing and relocation of car park is inappropriate and unjustified. Loss of visual amenity to residents who overlook the area. Increased traffic and parking issues in this part of North Weald. Overdevelopment. Maintaining a suitable environment for the listed building and nearby residents must take precedence.

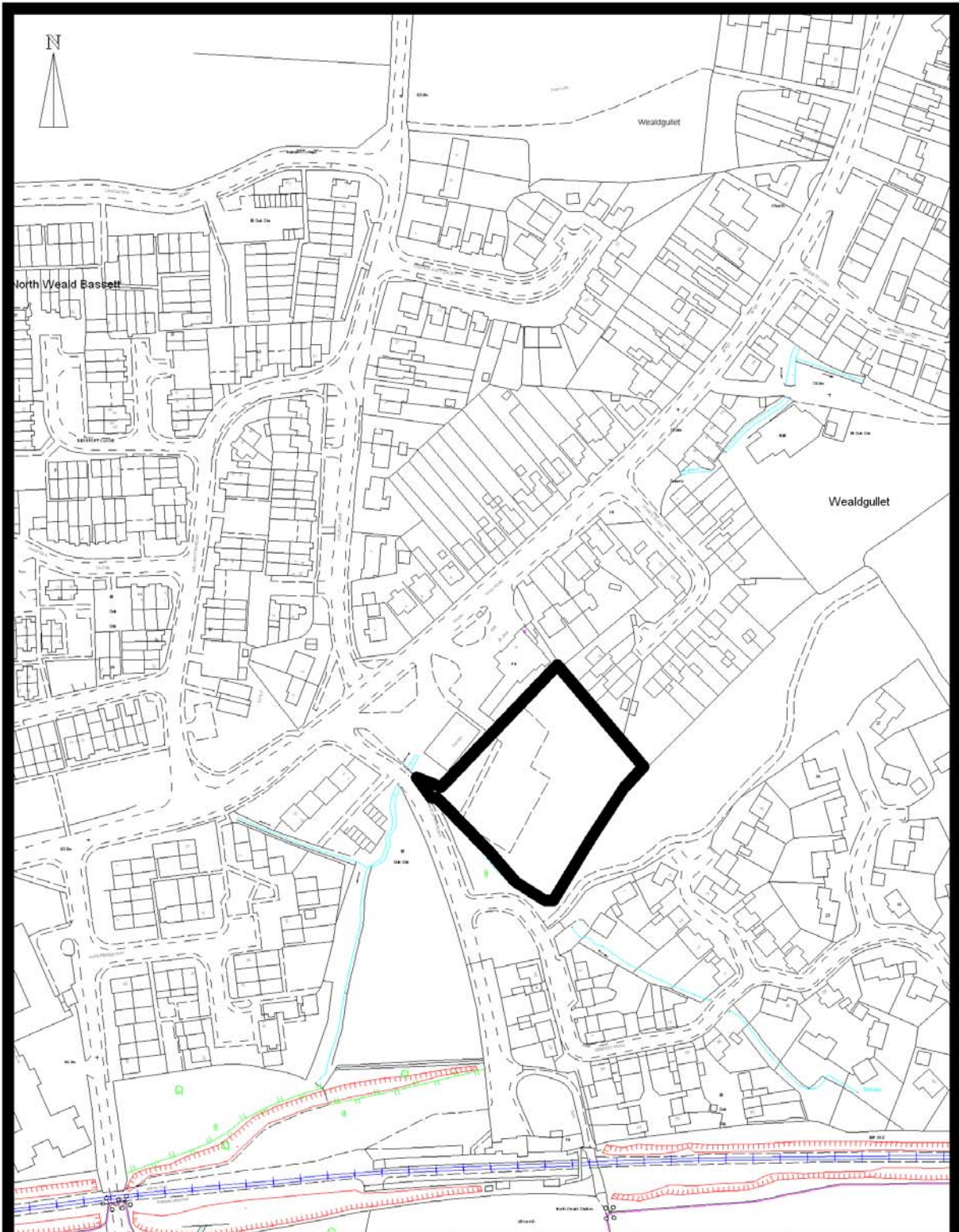
16 DUKES CLOSE - Loss of privacy. Would like however to negotiate rear access to our premises and would have less objection. Any development should provide an adequate barrier between our garden and the car park. Existing vegetation on the Tempest Mead/Station Road boundary should be maintained.

19 TEMPEST MEAD - Concerned about overlooking and privacy. Existing trees between Tempest Mead and the site must be maintained, otherwise no objection.

3 CHURCH LANE - Object. The land is Green Belt and should not be built on. Potential for increased flooding problems.

1 HIGH ROAD - There has been enough development in this area, no need for further residential development.

KINGS HEAD GARAGE - The plan for housing would constitute overdevelopment and raise flooding concerns.



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Item No:16
Scale: 1:2500



APPLICATION No: EPF/1563/04

Report Item No: 17

SITE ADDRESS: **PARISH:** North Weald
KINGS HEAD GARAGE, 6 HIGH ROAD, NORTH WEALD

APPLICANT: Mitchells & Butlers Retail Limited

DESCRIPTION OF PROPOSAL:

Redevelopment of garage to hotel block of 24 bedrooms with amended access and parking.

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.
2. Materials of construction to be agreed.
3. Submission of tree protection statement
4. Retention of existing trees and shrubs
5. Submission of Landscape Proposals
6. Submission of flood risk assessment
7. Drainage details to be agreed.
8. Contaminated land study and remediation.
9. Prior to commencement of development details of secure, convenient, covered cycle and motor cycle parking shall be submitted to and agreed in writing by the Local Planning Authority and the work shall be completed in accordance with such agreed details and thereafter retained.
10. Prior to commencement of development and concurrent with the submission of landscaping details, details providing a turning area in front of the proposed lodge building shall be submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to the first use of the lodge and thereafter retained.

11. Prior to the first use of the hotel block hereby approved the existing access located at immediately at the High Road/Station Road junction, shown to be closed on the approved plans shall be permanently removed.
12. Prior to the first use of the hotel block hereby approved space shall be provided within the site to accommodate the parking, loading and unloading and turning of all vehicles visiting the site, clear of the highway in accordance with details that shall have been submitted to and agreed in writing by the Local Planning Authority. Such area shall thereafter be kept free of obstruction.
13. The sight line to the right of the internal junction of the hotel access shall be kept clear to ground level.
14. No external lighting shall be erected on the site without the prior written approval of the Local Planning Authority.

Also subject to the applicant first entering into an Agreement under Section 106 of the Town and Country Planning Act to provide the following prior to the first occupation of the hotel hereby approved:

1. Two dropped kerb crossing points with tactile paving in Station Road at its junction with the High Road.
2. The bringing up to current ECC standards/specifications of bus stops in High Road, one outside the Kings Head Public House the other in the vicinity of Hurricane Way, to include shelters, 180mm raised kerbs and telematics where necessary.

Description of Proposal:

Redevelopment of existing garage site, including demolition of existing buildings and erection of a two storey building comprising 24 bedrooms of hotel accommodation ancillary to the Kings Head public house. The proposed building is simply designed, finished with brick and render and houses bedrooms only, with no other facilities. The proposed building is to be set slightly further back on the plot than the existing garage building, with a small amount of parking to the front and a landscaped garden area including a small pond fronting the road.

Description of Site:

The application site encompasses the Grade II listed public house with its garden and car parking together with the Kings Head Garage located on the corner of Station Road. The

existing garage building is a single storey building with slate roof and there is a portacabin style office building adjacent to Station Road. The garage and the public house are, to some extent, visually separated by a short conifer hedge.

Relevant History:

The garage site has the following planning history:

1963 - Details of garage - Approved.

1983 - Provision of a portacabin for car sales office was approved and subsequently renewed in 1986, 1991 and 1996.

1988 - Outline application for a 30 bed hotel was refused.

Policies Applied:

Local Plan Policies:

HC12 Development affecting the Setting of a Listed Building.

RP5 Development likely to cause a nuisance.

RST31 Additional tourist accommodation.

DBE1 Design of new buildings

DBE2 Effect on surrounding buildings.

DBE3 Development in urban areas.

LL10, LL11, relating to landscaping.

T14 and T17 relating to highway safety and car parking.

Structure Plan Policies:

CS1 Sustainable urban regeneration.

CS3 Encouraging economic success.

CS4 Sustainable new development.

HC3 Protection of listed buildings.

BE1 Urban intensification.

BIW4 Safeguarding employment land.

LRT10 Tourist accommodation.

Issues and Considerations:

The main concerns with regard to this application relate to the principle of the redevelopment of the garage for an alternative use, the impact of the proposed development on the character and amenity of the area and the setting of the listed building and the parking and traffic implications of the development.

Loss of the Garage

Concern has been raised that the current garage provides a range of local facilities for North Weald that will be lost if the site is redeveloped. It is true that the garage provides not only fuel sales but other vehicle related services such as tyres, exhausts and MOTs, car wash and vehicle hire. Structure Plan policy CS3 seeks to ensure that there is a sustainable

balance of economic, commercial and housing development and transport investment and to encourage local economic diversity.

However most of the facilities provided by the garage are already provided elsewhere within North Weald or relatively close, it is not therefore considered that on objection based upon the residents of the village being disadvantaged by the proposal or that the diversity of the local economy will be significantly affected could be sustained.

The site is not specifically identified within the Local Plan as an Employment site, but retention of employment is an important factor. In this instance although jobs from the garage will be lost, once the bedroom block is complete new employment will be generated, though of a different kind. The addition of the hotel facility will aid the long term viability of the public house and restaurant, and will add to the potential custom of adjacent shops and services within North Weald. It is therefore considered that the loss of the existing facility is not grounds for refusal of the application.

Character and Amenity

The existing garage building and use, including signage and relatively large numbers of parked cars on the frontage and adjacent to Station Road is not an attractive feature in the street scene. Luckily it is to some extent visually separated from the adjacent very attractive listed pub, albeit in a rather clumsy manner with the use of conifer hedging. The proposed redevelopment offers an opportunity to improve the visual amenity of the area and introduce additional landscaping to improve the setting of the listed building.

The proposed two storey block, following negotiation has been simplified to remove originally suggested timber framing, that would have jarred when viewed next to the real thing, and is an unassuming brick and render building with a relatively low ridgeline that will not be overly prominent in the street scene and is appropriate to its location and proposed function.

The building is not close to any existing residential premises and will not therefore physically have an adverse impact on residential amenity. The removal of the existing access adjacent to the junction with Station Road, provides an opportunity for additional landscaping on this corner that will enhance the amenity of the area.

Concern has been raised by local residents that the proposed use is likely to result in problems of noise and disturbance late at night, perhaps being used by people with early flights from Stansted Airport, and that 24 hour use, with additional traffic and lighting, will be disruptive. Clearly the use could result in some late night traffic, although as it is only providing 24 rooms, it is not likely that the number of

movements on any one night would be significant. The site is not located in a quiet rural area, but adjacent to a relatively busy highway. It is not considered that the use is likely to result in significant harm to residential amenity. Indeed the existing mix of uses on the garage site must have considerably more potential for disturbance to neighbours, and there are no hours of use conditions in relation to that use. Lighting at the site can be controlled by condition.

Parking and Highway Safety

The proposed use is likely to generate less traffic than the existing garage use, and adequate parking for both the public house and the additional hotel rooms can be provided within the site. The Highways Authority have raised no objection to the amendments to the access and the closing of the second access at the junction with Station Road. Some additional detail regarding turning areas for delivery vehicles, internal sight lines and provision of covered cycle parking, needs to be provided but it is considered that this can be adequately covered by condition. The proposal provides the opportunity to require the applicants to upgrade the adjacent bus stops and provide suitable dropped kerbs at the new access and these can be the subject of a legal agreement.

Other Issues

Flooding. The site is within the indicative flood plain, but Land Drainage officers are satisfied that this can be dealt with by condition, if the committee is minded to approve the application, by requiring a flood risk assessment to be submitted and measures to prevent increased run-off to be secured.

Contaminated Land. Due to the current and past garage use of the site, the land may be contaminated and a condition requiring a full investigation prior to development and any necessary decontamination work is proposed.

Disposal of foul and surface water. Thames Water have indicated that they do not know whether the local sewers have sufficient capacity to dispose of foul and surface water from this development, they state that if investigations find that there is insufficient capacity, Thames Water will provide the additional capacity as soon as practicable. To ensure that there is sufficient lead in time to provide such additional services, conditions are suggested.

Conclusion:

It is considered that the proposed development is appropriate to this location and will keep the site within an employment generating use. The proposed new building will not harm the setting of the listed building and the scheme removes buildings and uses that are harmful to the street scene, and provides an

opportunity for improved landscaping that will enhance the area. The proposal is considered to be in accordance with the adopted policies of the Local Plan and is recommended accordingly.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL - Objection. The proposed development is inappropriate. A motel facility and associated car parking would create noise and light nuisance to existing neighbouring properties and additional highways impact. This is due to the extended hours of operation associated with a hotel compared to the existing garage. The proposed modern design of the hotel would not suit the existing street scene. Considerable care is required to ensure that the value of the outlook and setting around the Kings Head public house is recognised and preserved or enhanced. The loss of the garage facility would represent the loss of an amenity and a local facility which acts as a convenience store, petrol station, MOT testing station and vehicle maintenance facility. The loss of such services to the community with replacement by a motel will result in a net loss of amenity for the community and would de-skill employment opportunities provided at the site. The existing use should be recognised and protected as defined by policy E6 in the Local Plan. Members were also concerned on the impact of the proposed development on the operating and licensing hours of the Kings Head public house. With local residential properties so close to the site, Members noted their objection to any significant extension to the opening hours due to the impact on existing residents. Members noted that the application does not incorporate a flood risk assessment. In the absence of this assessment, members object to the proposals due to the potential negative impact on the local flood prevention scheme.

3 STATION ROAD - Object. The village needs the comprehensive garage service, not a motel. Additional noise at all hours from the motel will affect my quality of life. It will do nothing for the village. The recent housing development in Station Road has increased traffic flow to a dangerous level. Dangerous to cross the road, this will make it worse.

THE COUNCIL FOR THE PROTECTION OF RURAL ENGLAND - Objection.

The elevational treatment is totally out of keeping with the adjacent street scene. The car park to the rear would result in the loss of open land within the green belt. 75 spaces seems excessive for a 24 bed hotel. Loss of the only garage in the village would have serious implications for villagers. Concern over increased congestion at already busy location.

3 CHURCH LANE Object, the proposed hotel will overlook my property. Existing flooding problems will be exacerbated.

61 GARNON MEAD - Object. Single storey development was refused in the past, but that on the current car park would be preferable to the use of the garage site. Loss of a village amenity. Increase in flood risk.

1 HIGH ROAD - Object overdevelopment. We need a garage in the

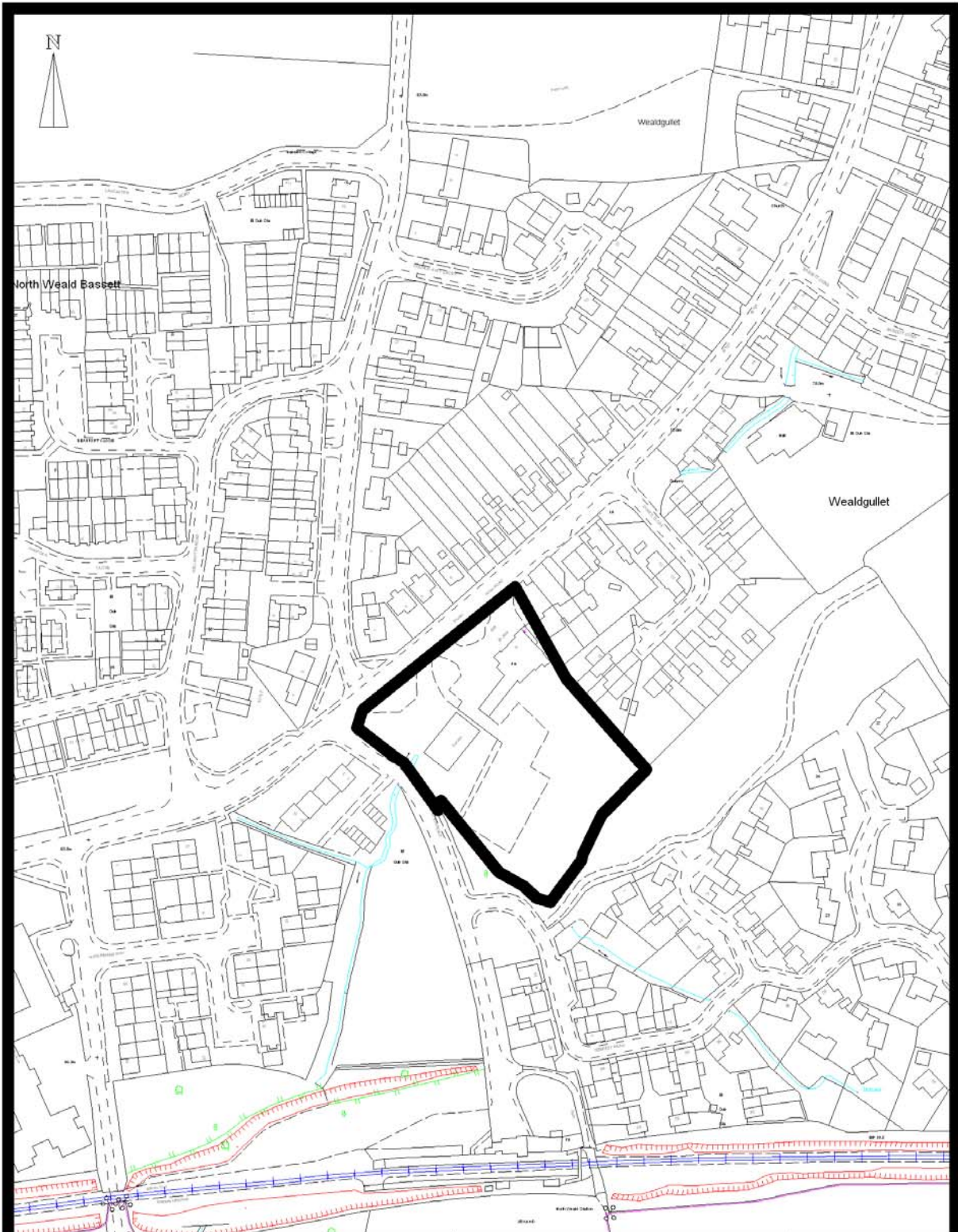
village, not just to sell petrol but to do repairs.

KINGS HEAD GARAGE - Object. Two other garages with workshop facilities and MOT testing, have recently closed down, leaving this garage as the only one in the village, catering for a large majority of local customers and employing 8 full time staff, with no alternative premises to move to in the area.

Proposal should be considered contrary to STC10, as it is an essential local service. Longer hours and enhanced lighting associated with hotel use will be detrimental to local residents.

16 DUKES CLOSE - No Objection. This proposal is more agreeable than the proposed residential development.

17 DUKES CLOSE - Object, inappropriate, the facility is not needed, not in keeping with the area or the listed building, likely to generate noise and light pollution outside the existing reasonable opening hours.



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Item No:17
Scale: 1:2500



APPLICATION No: EPF/1996/04

Report Item No: 18

SITE ADDRESS:

NORTH WEALD GOLF CLUB, RAYLEY LANE, NORTH WEALD

PARISH: North Weald

APPLICANT: North Weald Golf Club

DESCRIPTION OF PROPOSAL:

Construction of additional golf course landscaping and formation of temporary accesses and haul roads to facilitate the works.

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.
2. The development shall be carried out in accordance with the amended plans received on 18 February 2005 unless otherwise agreed in writing with the Local Planning Authority.
3. No development shall take place, including site clearance or other preparatory work, until all details relevant to the implementation of hard and soft landscape works and tree planting, hereafter called the Landscape Method Statement, have been submitted to the Local Planning Authority, and the development shall not commence until the Landscape Method Statement has been approved by the Local Planning Authority in writing. All landscape works shall be undertaken in accordance with the approved details, unless the Local Planning Authority has given its prior written consent to any variation.

The details of the Landscape Method Statement shall include soil handling; the sequence of operations for impaction and spreading of materials, and any ancillary operations; designated storage and handling zones and details of site supervision and liaison with the Local Planning Authority.

The Landscape Method Statement shall also include details of soft landscape proposals including as appropriate, protection of the planting areas, where appropriate by fencing, during construction; preparation of the whole planting environment, particularly to provide adequate drainage; and the provision which is to be made for weed control, plant handling and protection, watering, mulching and the staking, tying and protection of trees. The Landscape Method Statement shall also normally include provision for maintenance for the period of establishment, including weeding watering and formative pruning and the removal of stakes and ties. Provision shall be made for replacement of any plant, including replacements, that are removed, uprooted or which die or fail

to thrive, for a period of five years from their planting, in the first available season and at the same place, with an equivalent plant, unless the Local Planning Authority has given its prior written consent to any variation.

All hard and soft landscape works shall be completed prior to the occupation or use of any part of the development, unless the Local Planning Authority has given its prior written consent to a programme of implementation. The hard and soft landscape works, including tree planting, shall be carried out strictly in accordance with any approved timetable.

The Landscape Method Statement shall state the provision which is to be made for supervision of the full programme of works, including site preparation, planting, subsequent management and replacement of failed plants.

4. The development shall not be commenced until details of the following have been submitted to and approved in writing by the Local Planning Authority:
 - 1) The location and function of any processing areas, associated plant and buildings.
 - 2) The description, volume and source of all materials to be imported to the site.
 - 3) Copies of any necessary consents or certificates of exemption issued by the Environment Agency and Essex County Council
 - 4) Where waste materials are proposed to be imported, details of their origin and the proposed methods to check for toxicity and arrangements for notifying the Local Planning Authority of the results of checks for toxicity.
 - 5) The nature and total volume of any waste material anticipated to be produced from the implementation of the development together with details of whether it will be reused on site or re-exported and if it is to be exported, the destination of the material.
 - 6) A method statement of soil handling, to include separation of topsoil and sub soil, the location and total heights of temporary mounds, depth of replacement topsoil and sub soil and their sources and specification.
 - 7) The number and capacity of loaded vehicles likely to enter or leave the site daily.
 - 8) The estimated duration of implementation works.
 - 9) A traffic management plan for construction vehicles throughout the period of implementation works together with details of enforcement arrangements.
 - 10) Details of the proposed method to suppress dust from the site throughout the period of implementation works.
 - 11) Details of the methodology for preventing surface water on the site draining onto adjoining land.
 - 12) Measures to protect the safe use or rights of way on the land during and after the implementation of works.

The development shall be carried out in accordance with the approved details unless the Local Planning Authority gives written consent to any

variation.

5. No implementation works shall be carried out outside the following times:
8.00 am to 5.00 pm Monday to Friday.
6. There shall be no movements of heavy goods vehicles or tipper lorries within the site or to and from it outside the following times:

8.00 am to 5.00 pm Monday to Friday.
7. Wheel washing equipment to be installed.

Description of Proposal:

This application is for the construction of additional landscaping involving alterations to the contours of various parts of the golf course and the construction of a temporary access and haul roads to facilitate the works. Additional drainage facilities required in connection with the works would also be constructed.

The detail of the permanent works is as follows:

1. West of hole 1 adjacent to Rayley Lane a U shaped mound between 1m and 2m above existing land levels would be constructed around the practice area.
2. Between the driving range and hole 1 an existing steep drop would be reformed to more gently link to the mounding around the practice area.
3. Immediately east of hole 1, two existing mounds would be linked.
4. East of the fairway for hole 18 adjacent to a watercourse, Cripsey Brook, and Bridleway 19 that bisect the site on a north-south axis a mound 400m in length varying in height between 1m and 2 m above existing land levels would be constructed.
5. Between the fairway for hole 16 and the eastern site boundary mounding generally 1m but in places up to 2m higher than existing land levels would be constructed over a distance of 360m.
6. In a dip in the existing ground between the north side of the embankment supporting the A414 as it crosses the site and the tee for hole 5 mounding between 0.5 and 3m higher than existing land levels would be constructed for a distance of 180m. Trees would be planted on top of this area of mounding.
7. On land between the fairways for holes 6 and 12 land would be excavated to a depth of between 1m and 2m along a 450m length.

Temporary haul roads, 5m wide, would be constructed from the

existing access to the golf course off Rayley Lane. One haul road leading to the proposed works around the practice area only would be constructed off the roundabout at the junction of Rayley Lane, Merlin Way and Vicarage Lane. The haul roads would be reinstated as grassed areas forming part of the golf course on the completion of the permanent works.

Description of Site:

The application site is situated to the north of North Weald, east of Rayley Lane and north of the A414. It is situated within the Metropolitan Green Belt and partially the curtilage of Little Weald Hall, a Grade II listed building that does not form part of the site. The application site comprises an existing golf course bisected east-west by Footpath 31 and by the A414 which is in part constructed on an embankment. It is bisected north-south by Cripsey Brook and Bridleway 19. Land falls to Cripsey Brook and in part towards the A414. On the part of the site north of the A414 the site in part falls away to the north.

Relevant History:

EPF/1744/89 - Use of land and buildings as golf course - Approved 05.03.90
EPF/370/90 - Implementation of consent EPF/1744/89 without complying with condition No. 6 - Approved 24.08.90
EPF/1229/93 - Erection of golf clubhouse - Approved 18.07.94
EPF/25/96 - Use of farm building as golf facilities building - Approved 01.04.96

Policies Applied:

Structure Plan:

CS2 - Protecting the natural and built environment
CS4 - Sustainable new development
C2 - Development within the Metropolitan Green Belt
HC3 - Protection of listed buildings
LRT3 - Formal Countryside Recreation Facilities
T7 - Road Hierarchy

Local Plan:

HC12 - Development affecting the setting of a listed building.
RST19 - Design, layout and landscaping of golf courses.
DBE9 - Impact of development on amenity
L10 - Adequacy and retention of landscaping
LL2 - Impact of development on the character of the landscape
T17 - Highways: Criteria for assessing proposals

Issues and Considerations:

The principle of landscape alterations in connection with the lawful use of the site as a golf course is considered to be acceptable. The main issues to be considered in this case are therefore the impact of the works on the setting of Little Weald Hall, a Grade II listed building, their impact on the landscape and recreational value of the land including existing rights of way, their impact on the amenities enjoyed by the occupants of neighbouring properties and the impact of construction activity on amenity and highway safety.

Impact on Little Weald Hall

Since Little Weald Hall would not be seen in the context of the proposed works and the curtilage of the building is enclosed by mature trees the works would not affect its setting.

Impact on Landscape

The details of the works have been the subject of negotiation and are significantly different from the original proposals. All of the mounding has been reduced in height with peaks in particular removed whilst the proposed lowering of land between the fairways for holes 6 and 12 replaces a proposal for more extensive mounding in that location. The lowering of land in that area will allow for the material excavated to be used for mounding elsewhere thereby limiting the amount of material that would have to be imported into the site. It would also assist with drainage on the northeast part of the site although it is pointed out that the proposal also requires land drainage consent.

The proposed mounding would generally have wide bases to minimise the contrast with the existing landscape, which in any event is not entirely natural since it has previously been altered to create the golf course in the first place. It is not considered that the proposed works together with those previously carried out would be harmful to the landscape of the locality. In addition to the proposed alterations to the landform, the applicants have given a commitment to carry out further landscaping. This can be secured through the imposition of suitable conditions on any consent granted. The applicants, who have been the owners of the golf course since December 2003, have already carried out significant and appropriate tree planting on parts of the golf course.

Impact on Recreational Paths

The works would not affect the route or amenity value of the footpath and bridleway that crosses the site. The mounding as now proposed would not obstruct the views of horse riders using the bridleway and although the views of walkers using it would be in places partially restricted, such restriction would not be sufficient to detract from the amenity value of the

bridleway to walkers. Similarly, the mounding would not significantly detract from the amenities of people using the footpath. In part the mounding would serve to more effectively contain balls within the fairways thereby reducing the risk of stray balls hitting other players or members of the public. No amount of mounding can completely remove the risk posed by stray balls and it is considered that higher mounding would be undesirable in landscape terms.

Impact of Construction Works

There is a need to verify that material imported to the site is not contaminated as well as address other matters of detail that the applicants have been unable to supply information on since that information can only be provided by the contractor carrying out the work. It is therefore necessary to address these matters through the imposition of appropriate conditions on any consent granted. The impact of the proposals on the amenities enjoyed by the occupants of neighbouring properties would be primarily due to dust and noise created by the construction works. These matters can be satisfactorily addressed through the imposition of appropriate conditions. It should be noted that most of the construction traffic would enter and leave the site through the existing site entrance that is not near residential properties. The remaining traffic would also enter the site off the roundabout junction of Rayley Lane, Merlin Way and Vicarage Lane, which is also remote from residential properties. Previous proposals for construction traffic to also enter the site from Church Lane have been deleted.

Essex County Council Highway Engineers have indicated the temporary access proposals are acceptable in highway safety terms subject to traffic not using Vicarage Lane and only accessing the site via the A414. This matter can be satisfactorily addressed through the use of a condition requiring the development to be carried out in accordance with a traffic management plan to be submitted and approved by the Local Planning Authority. This can also address the matter of potential conflict with weekend traffic at North Weald Airfield.

Conclusion

The proposed works would not affect the setting of Little Weald Hall; not have any adverse impact on amenity and be acceptable in landscape terms. Accordingly, it complies with adopted planning policy and planning permission may be granted.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL - "Members considered the revised application in respect of the proposed ground works. Whilst in principal Members were not opposed to the concept of further landscaping to bring about improvement to the facilities, Councillors remained concerned that the proposal failed to provide adequate information to fully assess the proposed works and their impact on the area. The applicant had not completed the recently introduced planning questionnaire for developments involving major landscaping and soil importation. Members were also concerned over the impact of the proposals on local drainage, noting the proximity of the Councils cemetery."

NORTH WEALD BASSETT & DISTRICT RURAL PRESERVATION SOCIETY -

Objection raised to the temporary access off Church Lane.

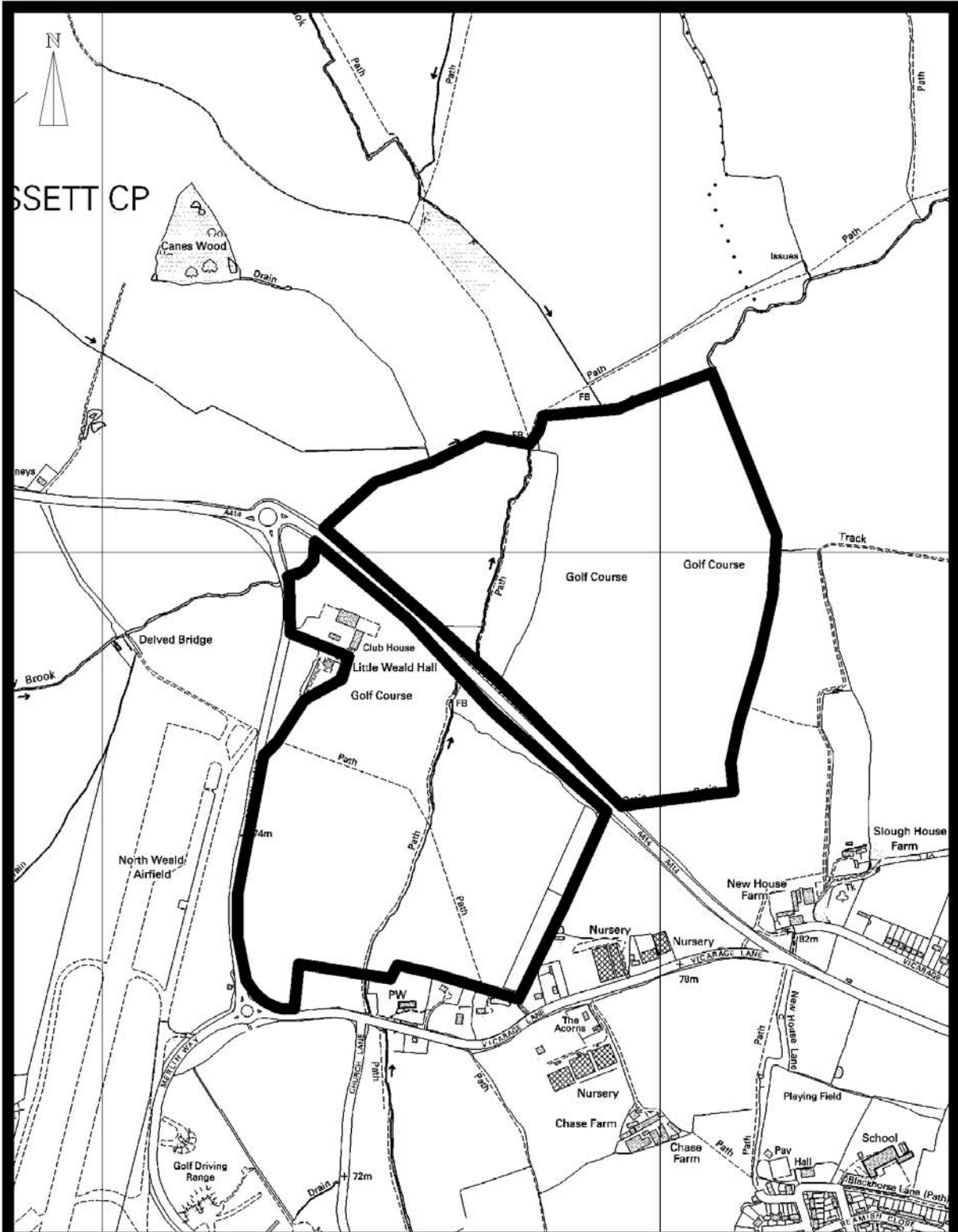
Objection also raised to the permanent works on the grounds that those east of the 16th fairway would block views of the surrounding countryside while concerns expressed that those to the east of the 18th fairway should not obstruct views of golfers on safety grounds.

RAMBLERS ASSOCIATION - WEST ESSEX GROUP - In addition to repeating the objection/concerns of the Rural Preservation Society objection is also raised in principal if the proposals would involve the importation of waste material onto the land. If this proposal is approved it would encourage other golf courses to import waste material under the guise of landscaping. Concern is expressed about drainage implications of the works.

COUNCIL FOR THE PROTECTION OF RURAL ESSEX - Objection raised on the grounds of harm to visual amenity, damage to the landscape caused by the haul roads and the potential damage to existing water features.

NORTH WEALD AIRFIELD - Concern about the potential conflict between construction traffic and traffic generated by activities on the Airfield at weekends between March and October. Concern is also expressed about the potential danger from mud dropped onto the road by construction vehicles.

NEIGHBOURS - No response received.



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