

Committee Agenda



**Epping Forest
District Council**

AREA PLANS SUBCOMMITTEE B Wednesday, 14th September, 2005

Place: 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 - 12)

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. DEVELOPMENT CONTROL (Pages 13 - 54)

(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.

7. 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.

8. 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.eppingforestdc.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:** 17 August 2005

Place: Council Chamber, Civic Offices, Epping **Time:** 7.30 - 8.35 pm

Members Present: M Colling (Chairman), R Glozier, Mrs A Grigg, S Metcalfe, Mrs S Perry, Mrs P K Rush, Mrs J H Whitehouse and J M Whitehouse

Other Councillors: (none)

Apologies: A Green, D Stallan and C Whitbread

Officers Present: N Richardson (Principal Planning Officer) and G J Woodhall (Democratic Services Assistant)

16. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements adopted 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.

17. MINUTES

RESOLVED:

- (1) That the minutes of the meeting held on 22 June 2005 be taken as read and signed by the Chairman as a correct record; and
- (2) That the minutes of the meeting held on 20 July 2005 be taken as read and signed by the Chairman as a correct record.

18. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs A Grigg declared a personal interest in the following item of the agenda for the meeting, by virtue of her husband being a member of North Weald Golf Club. The Councillor had determined that her interest was prejudicial and would leave the meeting for the consideration of the application and voting thereon:

- EPF/1996/04 – North Weald Golf Club, Rayley Lane, North Weald.

(b) Pursuant to the Council's Code of Member Conduct, Councillor R Glozier declared a personal interest in the following item of the agenda for the meeting, by virtue of having known the objector for many years. 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:

- EPF/954/05 – Compound 14, Woodside Trading Estate, Thornwood, North Weald.

(c) 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 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 applications and voting thereon:

- EPF/798/05 – 11 Marconi Bungalows, High Road, North Weald; and
- EPF/954/05 – Compound 14, Woodside Trading Estate, Thornwood, North Weald.

19. ANY OTHER BUSINESS - NORTH WEALD GOLF CLUB, RAYLEY LANE, NORTH WEALD - EPF/1996/04

In accordance with Section 100B(4)(b) of the Local Government Act 1972, the Chairman permitted consideration of an application for planning permission at North Weald Golf Club, Rayley Lane, North Weald as a matter of urgency in order to avoid any further delay in its determination.

The Head of Planning and Economic Development presented a report regarding the application for planning permission at North Weald Golf Club, and informed the Sub-Committee that the existing Golf Club had been acquired by new owners who wished to alter the layout of the course in order to improve its appearance. The proposed development involved raising the ground levels to improve safety at the following points of the course: between the Driving Range and Hole 1; east of the fairway for Hole 18; to the east of Hole 16 along the site boundary; between the tee for Hole 5 and the adjacent A414 highway; and between the parallel fairways for Holes 6 and 12. It was stated that the maximum increase in height of any of the ground levels would be two metres.

The works would necessitate vehicles entering the site to import materials, some temporary roads within the site to facilitate the works, and a temporary additional access to the site at the junction of Merlin Way & Rayley Lane for the works to Hole 8. It was intended to proceed with the works in five phases over a period of two years, during which time the Golf Club would remain open for business. The Council's Land Drainage Engineers had examined the proposals and were satisfied that the drainage of the site would not be adversely affected. The Sub-Committee were informed that the pro-forma for large-scale golf developments had now been received from the applicant. The application had been recommended for approval subject to seven planning conditions and a Section 106 legal agreement, in order to reduce the disruption to local residents and secure the applicant's compliance with the Council's requirements.

Whilst the Sub-Committee were satisfied with the proposed application for planning permission at North Weald Golf Club, there were a number of concerns expressed in relation to how the works would proceed. No information had been provided in respect of the settled and unsettled volumes of the material to be imported onto the site, and neither had the location of the source of the material been determined. The Sub-Committee felt that the location of the source of the material to be imported would impact upon the route chosen by the lorries, and whether the condition within the proposed Section 106 Agreement to only approach the site from the A414, and not use roads in the local villages, would be complied with.

The Sub-Committee felt that more information was also required in relation to the lorry movements required to undertake the development. No information had been provided in respect of the anticipated number of lorry movements, nor had any analysis of the impact upon local residents of the lorry movements been undertaken. The Sub-Committee also queried why a condition had not been stipulated with regard to the wheel washing of lorries when leaving the site. The Head of Planning and Economic Development undertook to provide the further information called for by the Sub-Committee, whilst the Chairman requested that members of the Sub-Committee should contact the Planning Case Officer with any further concerns that they might have in respect of the proposed development.

RESOLVED:

That the application for planning permission at North Weald Golf Club, Rayley Lane, North Weald be deferred pending further information in respect of:

- (i) the settled and unsettled volume of material to be imported;
- (ii) the location of the source for the imported material;
- (iii) the anticipated volume of lorry movements; and
- (iv) the proposed route of lorry movements.

20. DEVELOPMENT CONTROL

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

RESOLVED:

That the planning applications numbered 1 – 3 be determined as set out in the attached schedule to these minutes.

21. 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.

CHAIRMAN

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1. **APPLICATION NO:** EPF/747/05 **PARISH** Lambourne

SITE ADDRESS:

Red Cottage, Chalet Kennels, New Farm Drive, Lambourne

DESCRIPTION OF PROPOSAL:

Amendment to EPF/1618/04 for insertion of additional dormer windows to front and side elevations of approved new dwelling.

GRANTED SUBJECT TO:

1. To be commenced within 5 years.
2. Materials shall match existing.
3. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Classes A and B shall be undertaken without the prior written permission of the Local Planning Authority.
4. Submission of landscape details.
5. On or before the expiration of 28 days from the date of the first occupation of the new dwelling the existing dwelling and annexe shall be demolished and all materials removed from the site.
6. Prior to commencement of development, including demolition or site clearance works, a phased contaminated land investigation shall be undertaken to assess the presence of contaminants at the site in accordance with an agreed protocol as below. Should any contaminants be found in unacceptable concentrations, appropriate remediation works shall be carried out and a scheme for any necessary maintenance works adopted.

Prior to carrying out a Phase 1 preliminary investigation, a protocol for the investigation shall be agreed in writing with the Local Planning Authority and the completed Phase 1 investigation shall be submitted to the Local Planning Authority upon completion for approval.

Should a Phase 2 main site investigation and risk assessment be necessary a protocol for this investigation shall be submitted to and approved by the Local Planning Authority before commencing the study and the completed Phase 2 investigation with remediation proposals shall be submitted to and approved by the Local Planning Authority prior to any remediation works being carried out.

Following remediation, a completion report and any necessary maintenance plan shall be submitted to the Local Planning Authority for approval prior to first occupation of the completed development.

2. **APPLICATION NO:** EPF/798/05 **PARISH** North Weald

SITE ADDRESS:

11 Marconi Bungalows, High Road, North Weald

DESCRIPTION OF PROPOSAL:

Erection of detached garage to rear.

GRANTED SUBJECT TO:

1. To be commenced within 5 years.
2. The garage hereby approved shall only be used for garaging and storage purposes incidental to the use of No. 11 Marconi Bungalows as a dwelling house, and it shall not be used for any other purpose.
3. The garage hereby approved shall be clad in external materials as specified on plan number One C hereby approved.

3. **APPLICATION NO:** EPF/954/05 **PARISH** North Weald

SITE ADDRESS:

Compound 14, opposite Day Nursery, Woodside Trading Estate,
Thornwood, North Weald

DESCRIPTION OF PROPOSAL:

Retrospective application for security fencing to vehicle compound.

The Committee's attention was drawn to a letter of representation from the Friends of Epping Forest.

GRANTED SUBJECT TO:

1. Within two months of the date of this permission the fence hereby approved shall be painted dark green and thereafter maintained in that colour.
2. There shall be no external lighting attached to the fence unless otherwise agreed in writing by the Local Planning Authority.

AREA PLANS SUB-COMMITTEE 'B'

INDEX OF PLANNING APPLICATIONS/ENFORCEMENT

CASES

ITEM	REFERENCE	SITE LOCATION	PAGE
1.	EPF/1227/05	1-7A Station Road, Epping	15
2.	CAC/EPF/1228/05	1-7A Station Road, Epping	22
3.	EPF/1265/05	Rear of Café Unico, 261 High Street, Epping	24
4.	LB/EPF/1266/05	Rear of Café Unico, 261 High Street, Epping	31
5.	EPF/1274/05	61 Allnuts Road, Epping	33
6.	EPF/1996/04	North Weald Golf Club, Rayley Lane, North Weald	39
7.	EPF/1224/05	High Warren, Mount End, Theydon Mount	51

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APPLICATION No: EPF/1227/05

Report Item No: 1

SITE ADDRESS:
1-7A, STATION ROAD, EPPING

PARISH: Epping

APPLICANT: A J Poulton (Epping) Ltd

DESCRIPTION OF PROPOSAL:

Demolition of buildings and provision of vehicular access from adjoining site, erection of 7 no. residential units and 4 no. commercial (A1,A2) units and parking for seven cars. (Revised application)

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.
2. Materials of construction to be agreed.
3. Wheel washing equipment to be installed.
4. All windows proposed on the development hereby approved, including dormers but excluding rooflights shall be of white painted timber, double hung vertically sliding sashes with 100mm reveals.
5. The rooflights hereby approved shall be fitted so that they do not project above the level of the proposed tiling.
6. The proposed tiling as is described on drawing number 9 hereby approved shall be of natural slate and of blue/black colour.
7. Planning applications for the proposed shopfronts shall be submitted to and agreed in writing by the Local Planning Authority prior to fitting.
8. The proposed A1 and A2 units hereby approved shall at no time result in more than 50% of these units being in non-retail use without the prior written approval of the Local Planning Authority.
9. Provision shall be made within the site for the secure parking of cycles and motorcycles prior to the first occupation of any of the units hereby approved.

10. One car parking space shall be designated as a disabled bay and shall be retained permanently for that purpose.
11. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for the storage and disposal of refuse to serve both the commercial and residential units. The use of properties shall not be commenced until such time as the approved measures have been implemented and such measures shall be retained thereafter.
12. Construction work (which includes deliveries and other commercial vehicles to and from the site) shall only take place on site between the hours of 07.30am and 18.30pm Monday to Friday and 08.00am to 13.00pm on Saturday and at no time on Sundays and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

Description of Proposal:

Consent is being sought for the demolition of buildings and provision of vehicular access from adjoining site, erection of 7 no. residential units and 4 commercial (A1, A2) units and parking for 7 cars. This is a revised application to the one that was previously dismissed on appeal.

Description of Site:

Subject site is located on the north side of Station Road, between the junctions with the High Street to the west and Hemnall Street to the east. The site currently comprises of a mix of single storey and two storey buildings with office at first floor and retail at ground floor. A small courtyard area is located in the centre of the site. The site is surrounded by development on three sides. A two storey property lies to the west, fronting the High Street with retail at ground floor with commercial above. A two storey commercial building lies to the north forming the rear of the site. To the east lies a three storey office building on the corner of Station Road and Hemnall Street.

Relevant History:

EPF/1808/03 - Demolition of existing buildings and provision of vehicular access from adjoining site for 4 commercial (A1, A2, B1, D1) and 9 residential units - Appealed against due to non-determination and dismissed 31/03/05. Reason - building would harm character and appearance of Conservation Area.

CAC/EPF/875/04 - Conservation Area Consent for the demolition of buildings at 1-7A Station Road - Appealed against for non-determination and dismissed 31/03/05. Reason - demolition without an acceptable replacement would harm the character of the Conservation Area.

Policies Applied:

Structure Plan Policies

BE1 - Urban Intensification

BE2 - Mixed Use Developments

HC2 - Conservation Areas

Local Plan Policies

DBE1, DBE2, DBE6, DBE8, DBE9, DBE12 - Amenity and Design

HC6, HC7 and HC9 - Development within Conservation Areas

STC7 - Development within Primary or Secondary frontage

T17 - Highways

Issues and Considerations:

The key considerations in this case relate mainly to design, impact and general effect upon the amenities of the area and to neighbours amenity. This is considered to be a visually important site within the town centre and Conservation Area.

Implications of Development

The site lies within the town centre and within a secondary shopping frontage. Implicit within the local plan shopping policies is the desire to retain the vitality of existing centres and to resist any losses of retail units or to allow uses, which would harm the function or character of existing centres.

With this in mind STC7 sets out to control the loss of retail frontage but also to allow other uses, which are appropriate to a Town Centre.

Although a reduction in units would occur, the same amount of frontage would remain in an acceptable use within the town centre. Effectively two of the existing units are half the size of a more traditional unit.

The applicants argue that the size of the new units would not be large enough to attract the interest of national retailers and are intended to provide accommodation for smaller businesses and retailers.

The Town Council are concerned that this may result in the loss of business for the existing tenants. However, a letter provided with the first application points out that an agreement has been reached with most of the tenants on the way forward. This was noted by the Inspector who also considered that the size and spacing of the proposed shop fronts and units would be appropriate for the area and did not feel that this should be a reason for refusal.

Only A1 and A2 uses are being applied for within this application thus retaining the existing uses and acceptable within a secondary frontage.

A complete loss of retail here however would not be acceptable so a suitable condition ensuring that at least 50% of the proposed units would remain as A1 can be attached. In fact it is argued that the vitality of the town centre would be enhanced by this mixed use of commercial and residential. The Local Plan suggests at para 11.47 that this can be achieved by "introducing more life into town centres outside normal shop hours by permitting residential accommodation and recreational uses".

Design and Impact

As previously stated, this is an important site within the town centre and Conservation Area. Any development therefore is required to improve and enhance the area and be of an appropriate design quality.

The previously submitted application was refused by the Planning Inspectorate due to its unsympathetic scale and bulky appearance. Therefore upon discussion with the Council's Conservation Area Officer the bulk has been reduced so that it would be of a more appropriate scale and character. This has also resulted in the loss of two residential units.

It is considered that the revised scheme is an improvement in that it has been designed as two distinct (but joined) buildings - one of two and a half storeys in brick under a slate roof and an adjoining building of three and a half storeys with a smooth rendered finish. The windows proposed appear to be vertically sliding sashes with artificial stone cills and heads.

Although the Town Council object to the loss of existing shop front and surrounds, it is considered that these are not of a high standard of design and could be replaced with shop fronts of a higher standard, more in keeping with the wider Conservation Area.

Whilst details of the shop fronts have not been submitted here, the applicant has indicated that these will be subject to future applications as and when individual tenants are found for the commercial units. A suitable condition can be attached here to ensure that permission is sought at such a time that a shop front is to be fitted.

With regards to the previous application, the Inspector was satisfied that the shopfronts could be appropriately designed; however it was the upper floors that were the reason behind the decision to refuse.

There would be no loss of amenity to the surrounding properties as the front of the building would face other residential units, and to the rear would overlook the proposed car park and a commercial unit and builders yard beyond.

Other Matters

Members will note that the scheme does not include private

amenity space, however it is considered that in view of the town centre location it would be unreasonable to insist on this provision and clearly the density of the development does not permit such a provision.

Given also that the planning application for 12 units directly opposite, approved by this committee back in 2002 did not include amenity space, this is considered acceptable.

7 spaces have been provided to the rear, one for each residential unit. The proposal would be within walking distance of local facilities and public transport and therefore the level of parking is considered appropriate.

It is not considered either that the proposal would generate a significant amount of traffic or that the proposal would be detrimental to highway safety.

The Inspector in her appeal decision for the previously refused application concurs with this view regarding traffic and parking.

Conclusion:

Although concern has been raised regarding the replacement of the existing businesses and loss of shop fronts it is considered that redevelopment of this site will be a significant improvement to the visual amenities of the area and in principle retention of the existing A1 and A2 at ground floor and introduction of residential above is in accordance with the Local Plan.

The proposed development is an intensive use of the site however it is felt that the development would make a significant contribution to the town centre and has been designed to be in keeping with the Conservation Area. Subject to the above considerations and the recommended conditions this application is recommended for approval.

SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL - Committee noted the revisions to this application. However, it was felt that the revisions do not go far enough and therefore Committee decided to maintain their objection to the work.

The existing shop fronts are in a conservation area and retain many of their original features. Therefore, the proposal does not comply with Policy DBE12, which states, that in conservation areas, original shop fronts and their surrounds should be retained.

Because the proposal is to replace the existing five retail units with four larger retail units, the existing businesses would be displaced. There is no indication that these businesses could successfully thrive in alternative locations, or that they would return to the new larger shop units, which will no doubt have a higher rental value. The current units are however very small in size and are suitable for start up

retail operations within the town centre. The units can act as a seedbed opportunity for traders who may, if successful, move to slightly larger premises in the main High Street. Therefore the proposal appears to adversely affect the vitality and viability of the Town Centre and is not in compliance with Policy STC2 of the adopted Local Plan.

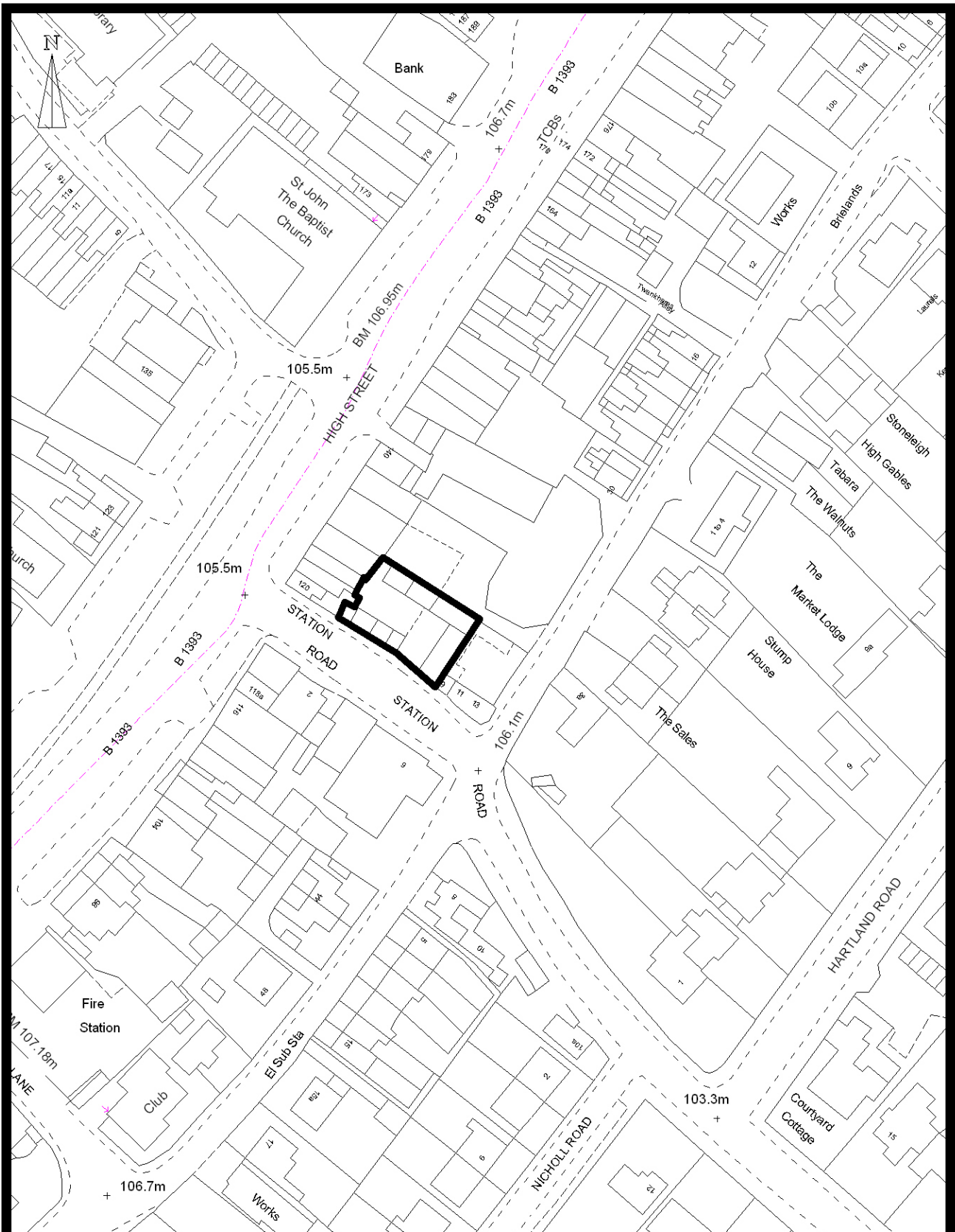
The street scene at this location has a varied roofline, which gives an interesting appearance. The amended proposals clearly improve the application in this regard.

The application contains 7 flats with provision 7 parking spaces. Although this is not a large increase in the dwellings within this location, Committee did not consider the proposal contained sufficient parking space to service the needs of visitors or families with more than one car. This would be a particular problem in an area where virtually no alternative car parking exists on local streets. The proposal therefore does not appear to comply with Policy STC3 in respect of parking arrangements.

Committee welcome the change in the proposals in the limitation of the retail units to A1 and A2 uses.

EPPING SOCIETY - 1. The proposed block is too high and out of keeping with the surrounding area. 2. Demolition of the existing buildings and erection of those proposed is inappropriate and spoils the existing street scene in a conservation area. 3. The proposals are an overdevelopment of the site, there being insufficient parking provision and no amenity land. 4. The demolition of the shop units will destroy the existing small, independent businesses, which are an asset to the area, and no doubt they will be unable to afford the rents of the proposed new units.

CPRESsex - Conservation Area; not in keeping with street scene; insufficient parking; loss of small businesses.



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Item Nos: 1&2

Scale: 1:1250



APPLICATION No: CAC/EPF/1228/05

Report Item No: 2

SITE ADDRESS:
1-7A, STATION ROAD, EPPING

PARISH: Epping

APPLICANT: Mr A J Poulton (Epping) Ltd

DESCRIPTION OF PROPOSAL:

Conservation area consent for the demolition of buildings at
at 1-7a Station Road, Epping.

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years
2. All demolition works in connection with this development shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 and 13.00 hours on Saturday and at no time on Sundays and Bank Holidays.

Description of Proposal:

Consent is being sought for the demolition of buildings to make way for the development proposals described in the previous report.

Policies Applied:

HC9 - Demolition works in Conservation Areas
DBE9 - Amenity Considerations

Issues and Considerations:

The main issues here relate to the impact of the demolition works on the character of the Conservation Area and any amenity considerations.

The buildings to be demolished are a mix of single and two storey properties that arguably make little special contribution to the special architectural character of the Conservation Area, though their character sets the scene for the replacement structure.

Previous application for demolition was refused as an acceptable replacement had not been approved.

If members are minded to approve the application made for the

replacement under EPF/1227/05 then it is considered that the demolition of these buildings are acceptable.

Although Policy HC9 argues that a legal agreement should be entered into to ensure that a building is not demolished before a contract for the redevelopment of the site has been made, it states further that under para 6.44 that this is not essential. In this case the Council can be confident that demolition would not occur since, from a financial perspective, development would commence soon after the demolition.

In terms of amenity, the demolition works may have some impact on the nearby residential properties in terms of noise and pollution whilst underway however the only means of controlling this is through conditioning hours of work on the site to minimise any disturbance.

Conclusion:

Conservation Area Consent should be granted here, as long as members are satisfied that the replacement scheme can be approved.

SUMMARY OF REPRESENTATIONS:

See previous item.

APPLICATION No: EPF/1265/05

Report Item No: 3

SITE ADDRESS:

REAR OF CAFE UNICO, 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 flats. (Revised application)

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.

3. The development shall not be commenced until details of the following have been submitted to and approved in writing by the Local Planning Authority:
 - i) External windows and doors;
 - ii) Stairs to the existing flat roof;
 - iii) Deck access/amenity area on the existing flat roof;
 - iv) Railing and gate enclosing the deck access/amenity area on the existing flat roof;
 - v) 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.

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

5. The flats shall not be occupied until the covered bin store has been constructed in accordance with the 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 buildings 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 8.7m high to the ridge of a hipped roof that would have a 40° 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 southwest facing roof slope and two obscure glazed rooflights in the northeast facing roof slope.

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. For the purposes of this report, the 19th century extension is treated as forming part of the original building and no distinction is made between it and the frontage 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

EPF/198/05 - Erection of first floor rear extension to provide 3 two-bedroom apartments - Refused 22.06.05

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 proposal is a modification of that refused planning permission on 22nd June 2005, Ref. EPF/198/05. The reason for refusal was:

"The proposed development, by reason of its excessive bulk and mass, would be detrimental to the outlook of nearby residential properties and to the character of this part of Epping Conservation Area, contrary to policies DBE9 and HC6 and 7 of the adopted Local Plan."

The current proposal differs in 2 respects: the height of the roof has been lowered from 10m to 8.7m while the dormer windows looking towards the access road and adjacent houses have been replaced with obscure-glazed roof lights. The roof lights would serve a kitchen and bathroom of a flat in the roof space.

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.

Impact on Listed Building and Conservation Area

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. 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.

Impact on Amenity

The application site is adjacent to the rear part of the rear garden to 1 Buttercross Lane. It is considered that 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. This is 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. 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 avoid causing any excessive overbearing impact.

Since the building would have no windows in the northwest flank and the windows in the northeast elevation would be obscure glazed rooflights it is not considered the proposal would cause any excessive overlooking of neighbouring properties.

The proposed bin store extension at ground floor 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.

Other Matters

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.

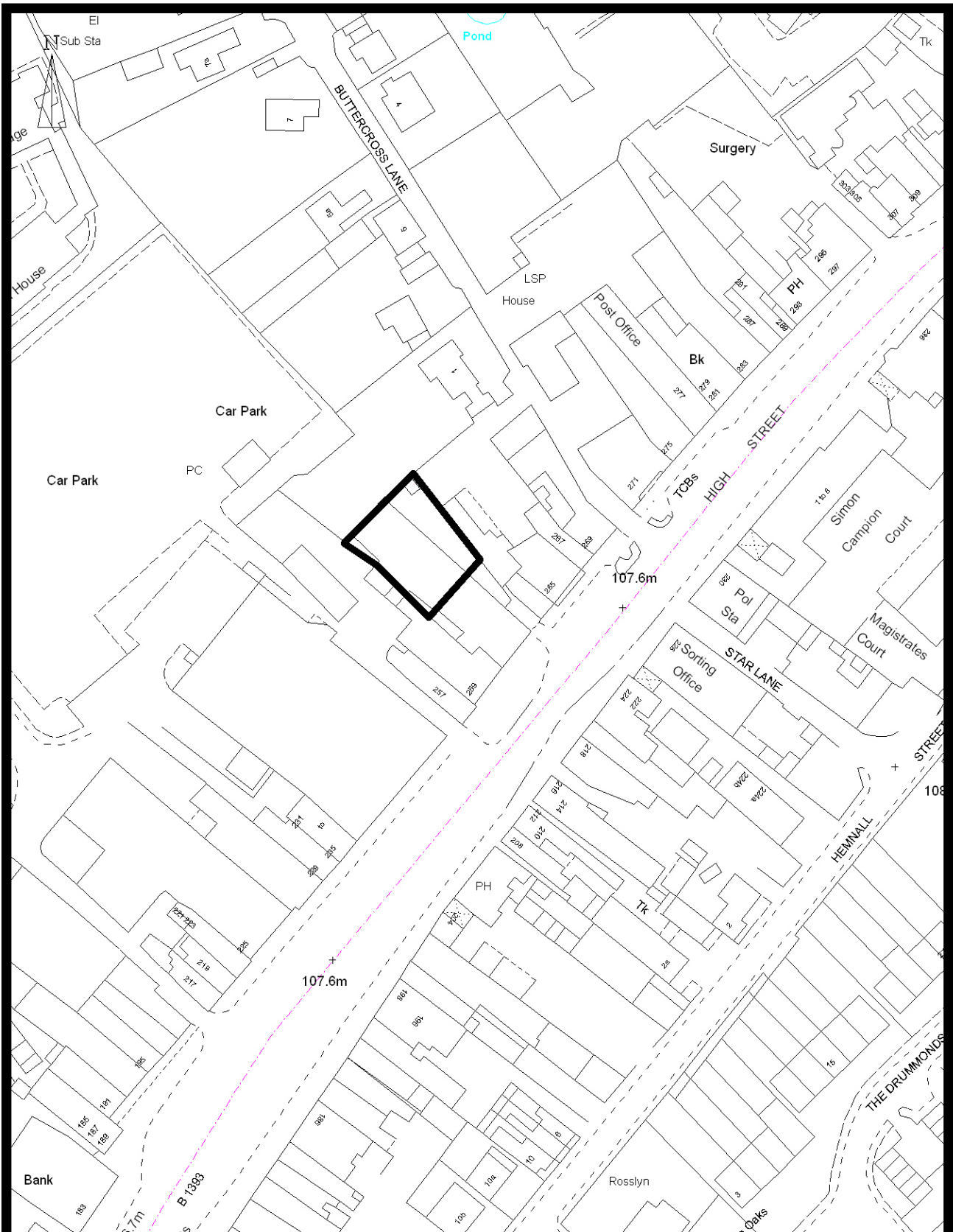
Conclusion

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 should be granted.

SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL - In spite of the reduction in the overall height of the proposal, Committee considered that the height of the proposal would not complement adjacent buildings and would appear overdominant in this part of the conservation area. Therefore Committee agreed to object to the proposal.

NEIGHBOURS - No response received.



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Item Nos: 3&4

Scale: 1:1250



APPLICATION No: LB/EPF/1266/05

Report Item No: 4

SITE ADDRESS:

REAR OF CAFE UNICO, 261 HIGH STREET, EPPING

PARISH: Epping

APPLICANT: G Di-Paizza

DESCRIPTION OF PROPOSAL:

Grade II Listed building application for erection of first floor extension with rooms in roof to provide 3 flats (revised application).

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 works, and the works shall be implemented in accordance with such approved details.

3. The development shall not be commenced until details of the following have been submitted to and approved in writing by the Local Planning Authority:
 - i) External windows and doors;
 - ii) Stairs to the existing flat roof;
 - iii) Deck access/amenity area on the existing flat roof;
 - iv) Railing and gate enclosing the deck access/amenity area on the existing flat roof.

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.

Description of Proposal:

This application is for listed building consent for the erection of a first floor extension to an existing single storey rear addition to provide 3 two-bedroom flats described in the previous item.

Policies Applied:

Structure Plan:

HC3 - Protection of listed buildings

Local Plan:

HC10 - Works to listed buildings

Issues and Considerations:

The main issue to be considered in this case is whether the proposed works preserve the special architectural or historic character of this grade II listed building.

The submission of 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. 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.

Conclusion

The proposed extensions would preserve the special architectural and historic character of the original building and comply with relevant planning policy therefore it is recommended that listed building consent be granted.

SUMMARY OF REPRESENTATIONS:

See previous item.

APPLICATION No: EPF/1274/05

Report Item No: 5

SITE ADDRESS:
61 ALLNUTTS ROAD, EPPING

PARISH: Epping

APPLICANT: D Hunt

DESCRIPTION OF PROPOSAL:

Demolition of existing dwelling and erection of 4 no. one bedroom flats.

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.
2. Materials of construction to be agreed.
3. Erection of screen walls/fences.
4. No further side windows without approval
5. Wheel washing equipment to be installed.
6. Submission of tree protection statement
7. Before work commences on site, details of secure cycle and motorcycle parking shall be submitted and agreed in writing by the Local Planning Authority. The details as agreed shall be carried out and implemented on site before any of the units hereby approved are first occupied.
8. The car parking space number 1 as indicated on drawing no. 05/056/02 shall be designated as disabled parking and shall be permanently retained as such for that purpose.
9. Prior to the commencement of the development, details of the proposed surface materials for the parking areas shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.

10. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for the storage and disposal of refuse. The use of the property shall not be commenced until such time as the approved measures have been implemented and such measures shall be retained thereafter.

11. Construction work (which includes deliveries and other commercial vehicles to and from the site) shall only take place on site between the hours of 07.30 to 18.30 hours on Saturday and at no time on Sundays and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

Description of Proposal:

Consent is being sought for the demolition of the existing dwelling and erection of 4 one bedroom flats. The resultant building would be forward of the existing dwelling, sharing the same building line as flats adjacent to the east. One car parking space would be provided to the front with three to the rear.

Description of Site:

Detached dwelling located on the south side of Allnutts Road at the bottom end of the road adjacent to the railway embankment. To the east lies a block of four flats separated by a vehicular access leading to the rear of that building. The site slopes away with a fall of approximately 1.5m from front to the rear boundary.

Relevant History:

EPF/486/83 - Block of four one bedroom flats (site of 61A-D) - Approved with conditions and implemented.

Policies Applied:

DBE1 - Design of development
DBE2 and DBE9 - Not result in excessive loss of amenity to neighbours
DBE8 - Amenity Space
T14 - parking provision

Issues and Considerations:

The main issues in this case relate to the design of the new building, the potential impact on the amenities of the neighbouring properties and the surrounding area, the amenity

space provided and the provision of car parking.

Design & Impact on the Character of the Locality

Although the proposal would result in a building forward of the existing dwelling and one with a larger footprint than the existing house it is not considered to dominate the plot. The building would have a staggered depth with varying roof lines that would soften the visual impact within the street scene.

Maximum ridge height would be 6.7m, some 2m lower than the existing dwelling and lower than the adjacent block of flats to the east.

Although the eastern flank would be adjacent to the side boundary due to a vehicular access serving the rear of the flats next door, a distance of some 3m to that building is maintained and would not appear cramped.

Given its siting at the bottom end of Allnutts Road, its impact on the street scene is lessened further.

Impact On The Amenities Of Neighbouring Properties

No property to the west.

Although the proposed flats would project some 9m further to the rear of the flats adjacent to the east, given that the most southern wall would be some 7m away from that building it is not considered that a material loss of light or outlook would occur.

Some overshadowing may occur by mid to late afternoon however it is not considered enough to warrant a refusal.

Furthermore, it would not appear overbearing due to the fall from north to south.

No windows proposed in the facing flank wall so no loss of privacy or overlooking would occur.

Amenity Space

110 sq.m of amenity space has been provided to the rear of the building.

It is easily accessible, and of a size and shape which would enable reasonable use.

Not on an excessive slope, would receive sunlight and would achieve privacy.

Is larger than the 100 sq.m suggested for 4 flats (25sq.m per flat)

Parking Provision

A number of objections have been received regarding potential parking problems that may result from this proposal.

However, one parking space is provided per unit and in the light of current government advice contained in both PPG3 (Housing) and PPG 13 (transport) it would appear that this is acceptable given its location close to public transport facilities, in particular Epping underground station some 8-10

minutes walk away.

Despite the vicinity around the site having on-street parking and this part of Allnutts Road having restricted width, highways have no objections to the number of spaces provided. The site lies within walking distance of Epping town centre.

Other Issues

There are number of trees to the rear of the site that are indicated on the plans to be retained. The Council's Landscape Officer is satisfied that this can be the case with the appropriate condition being attached.

Summary

The comments made by the local residents have been carefully considered however in light of existing Local Plan policy and current government advice the application is recommended for approval.

SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL - No objections.

TRANSPORT FOR LONDON - No objections but would like applicant to provide a suitable barrier for the full length of the driveway to prevent vehicle incursion onto LUL land.

57 ALLNUTTS ROAD - No objection in principle to rebuilding of the property but strongly object if it means that there is further development on Brook Street that may mean Allnutts Road is used as access point; do not oppose development if there is no chance Allnutts Road will be used by the Brook Street development.

59 ALLNUTTS ROAD - Objection - Not enough space for additional parking; construction disruption (not a planning issue); concerned that this access would be used if a proposal at Nos.1 and 1a Brook Road went ahead; potential pedestrian safety risk to elderly lady at no. 59.

60 ALLNUTTS ROAD - Objection - Road at this end continually full of parked cars; some properties have no off road parking; 4 spaces not enough; traffic required for construction (not a planning issue).

61B ALLNUTTS ROAD - Objection - Sunlight in garden would be lost; what parking is there? Current entrance wouldn't allow a car to turn in and out without crossing our driveway; overlooking; loss of privacy; disruption to the road and community would be great

62 ALLNUTTS ROAD - Objection - Overspill of cars; cannot accommodate further parking; three other developments in pipeline.

64 ALLNUTTS ROAD - Objection - Road very small and parking is difficult; quiet cul-de-sac; latest proposal would cause more problems.

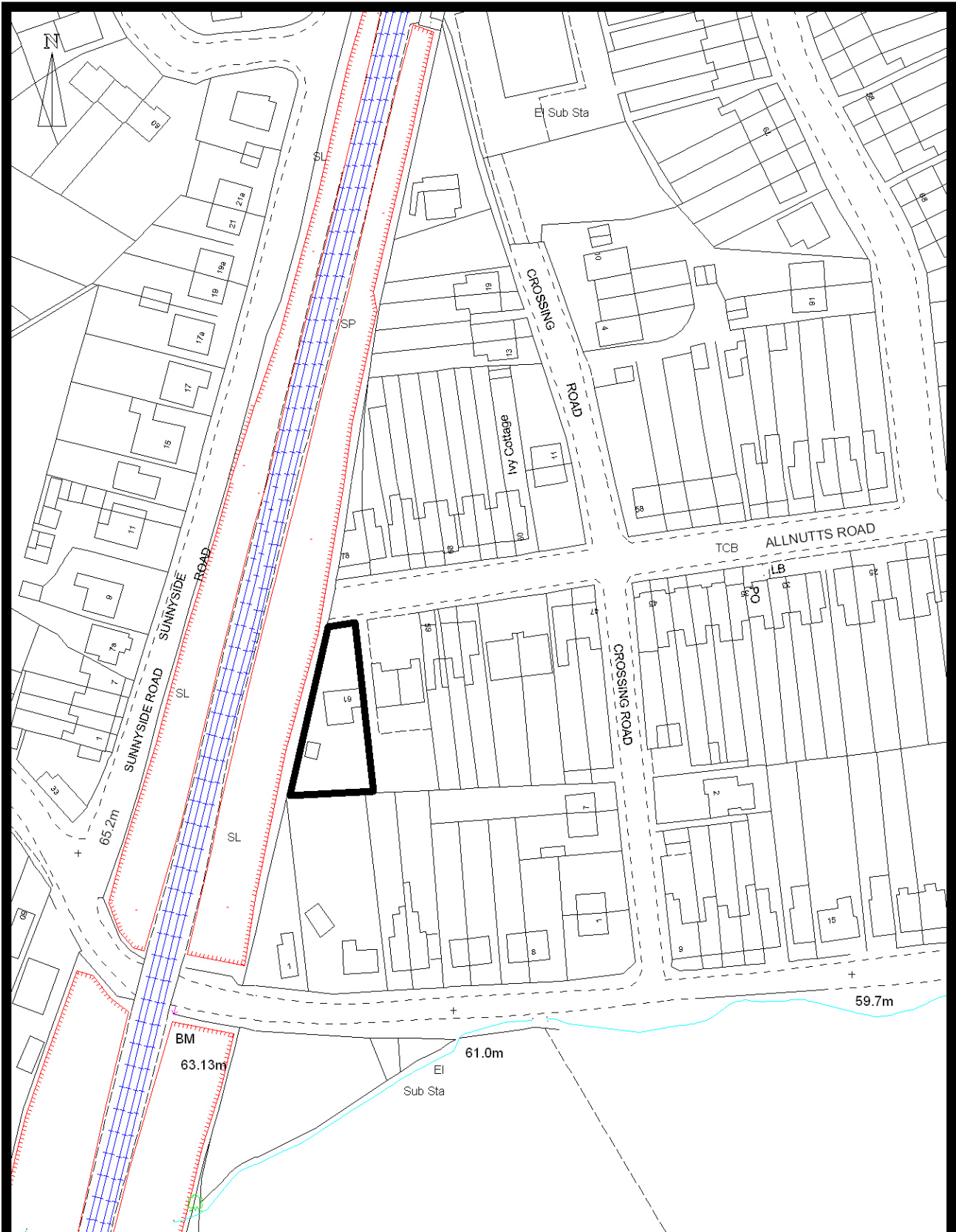
70 ALLNUTTS ROAD - Objection - Limited parking; often have to park long way from house; turning a problem; construction

problems (not a planning issue); why allow developers to get rich quick; turning market town into another commuter town

72 ALLNUTTS ROAD - Objection - Worsen parking problems; already difficult for service vehicles. If Brook road plot was to be developed would access be from Allnutts Road?

74 - ALLNUTTS ROAD - Objection - Development of this size is completely inappropriate for such a small road; increase in traffic; traffic could put children at risk; exacerbate existing traffic problem;

78 ALLNUTTS ROAD - Objection - Parking is difficult; concern over elderly mother when construction taking place (not a planning issue); noise pollution from building an issue (not planning issue); most couples have two cars and visitors; watertable could be upset; loss of visual amenity and privacy; concerns over traffic generation; lack of turning point.



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Item No: 05
Scale: 1:1250



APPLICATION No: EPF/1996/04

Report Item No: 6

SITE ADDRESS: **PARISH:** North Weald
NORTH WEALD GOLF CLUB, RAYLEY LANE, 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 and in respect of the works around hole 6, the amended plans received on 5 July 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 be carried out in accordance with the phasing proposals indicated in the letter from North Weald Golf Club dated 22 July 2005 unless otherwise agreed in writing by the Local Planning Authority. No phase after the first phase shall be commenced until the previous phase is completed.
5. The maximum length of hedge adjacent to the roundabout at the junction of Rayley Lane, Merlin Way and Vicarage Lane that shall be removed is 10m. The removal of that part of the hedge shall only be carried out in connection with the construction of a temporary access to the site in connection with the implementation of the approved works and for no other purpose. Any part of the hedge removed shall be reinstated by the end of the first planting season following the completion of the development in accordance with details previously submitted to and approved in writing by the Local Planning Authority.
6. Prior to the commencement of each phase an existing and proposed contour plan for that phase together with an as built contour plan for the last completed phase shall be submitted to the Local Planning Authority for approval. The plan shall indicate contours at 0.5m intervals.
7. No phase shall be commenced until the Council gives written approval to the drawings submitted pursuant to condition 5 and agrees in writing the previously completed phase was carried out in accordance with the approved proposed 0.5m contour plan for that phase.
8. 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) Where waste materials are proposed to be imported, details of the proposed methods to check for toxicity and arrangements for notifying the Local Planning Authority of the results of checks for toxicity.
- 3) A method statement of soil handling, to include separation of topsoil and sub soil, the location and total height of temporary mounds, depth of replacement topsoil and sub soil.
- 4) Details of the proposed method to suppress dust from the site throughout the period of implementation works.
- 5) Details of the methodology for preventing surface water on the site draining onto the land.
- 6) Measures to protect the safe use of rights of way on the land during and after implementation works.

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

9. No implementation works shall be carried out outside the following times:
8.00am to 5.00pm Monday to Friday
10. There shall be no movements of heavy goods vehicles or tipper lorries within the site or to and from it outside the following times:
8.00am to 5.00pm Monday to Friday
11. Wheel washing equipment to be installed.

IN ADDITION, prior to the grant of permission, an agreement under sec 106 of the Town & Country Planning Act shall be completed in respect of the following:

1. Phasing details,
2. Certification of the origin of materials brought on site,
3. Details of the storage and screening of materials brought on site,
4. The method of verifying material brought on site is appropriate and non-contaminative,
5. HGVs and tipper lorries shall only approach the site via the M11/A414, unless otherwise agreed in writing by the Local Planning Authority, and
6. HGVs and tipper lorries shall only enter or leave the site between 8.00a.m. and 5.00p.m. Monday to Friday.

Report Detail

This application was deferred from the meeting of the Area Plans Sub-Committee B on 17th August 2005 and the previous report is reprinted below this report. The reason for deferring the application was to gain clarification of the

following matters:

1. Total number of HGV's and tipper lorries that would go to the site during each phase and throughout the entire construction period.

The applicants advise the estimated number of vehicles per phase are as follows:

First phase - 6,000

Second phase - 3,600

Third phase - 2,300

Fourth phase - 1,300

Final phase - 2,300

Total number of vehicles over the projected two-year period is 15,500.

2. Confirmation that no phase would start until the previous phase is completed.

As was explained in the original report this would certainly be the case and furthermore this would be secured by condition and legal agreement. In addition, it is now proposed that further conditions requiring that before work starts on each phase an existing and proposed contour plan for that phase together with an as-built contour plan for the last completed phase with the contours shown at 0.5m intervals are submitted for approval to the Local Planning Authority. A further requirement would be that the next phase should not start until the Council gives approval to those drawings and agrees the previous phase was carried out in accordance with the approved 0.5m contour plan. The purpose of the conditions would be to ensure the development proceeded as agreed but they would have the additional effect of ensuring that no more material is brought onto the site than is necessary for the works and would also serve as an additional control on lorry movements.

3. Confirmation that HGV's will only approach the site via the A414. Members indicated they really wanted the route to be M11/A414 and not joining the A414 from elsewhere.

As was explained in the original report, it is proposed to restrict the routing of HGV's and tipper lorries to and from the site by condition and through a legal agreement. It was intended to allow such vehicles to approach the site from the east via the A414 but prohibit use of Church Lane and Vicarage Lane to allow material to be easily sourced from the east. It is considered that restricting routes to the site to M11/A414 would potentially result in material available to the east of the site having to be brought to it via a very long non-direct route. The applicants have stated they anticipate primarily using the M11/A414 route and have offered to enter an agreement to seek the written consent of the Council should it be necessary to use an alternative route and give clear justification for the need to use such a route.

4. Details of and an assessment of the loss of hedgerow for a temporary access to the site off the roundabout at the junction of Rayley Lane, Merlin Way and Vicarage Lane.

An assessment of the part of the hedge adjacent to the roundabout reveals that it is entirely fast growing hawthorn that is about 20 years old. That part of the hedge either side of the roundabout along Rayley Lane and Vicarage Lane is much older. It is considered that removal of part of the hedge adjacent to the roundabout to facilitate the formation of a temporary access to the site is acceptable provided the amount of hedge removed is limited, only removed for those purposes and reinstated following the completion of the development. It is proposed to secure this by the imposition of a suitable condition on any consent granted.

5. Concern was expressed that a pro-forma identifying supplementary information to be submitted with applications involving ground level remodelling was not fully completed.

The pro forma was not fully completed when the application was submitted but the applicants have since submitted the information required in respect of watercourses and landscape protection, sections 7 and 8 respectively. That has left only information in respect of the transport of materials (section 2) and general arrangements (section 5) partially completed. The reason why that information is incomplete is because the applicant does not know the source(s) of the material to be imported to the site yet. Only the supplier of the material can provide such information and since planning permission has not been granted the applicants have not employed a supplier. Consequently it is necessary to secure the necessary information through a combination of appropriate conditions and legal agreements. These are detailed in the original report and the Recommendation section of this report and are considered to be sufficient in scope to ensure the construction process would not cause any excessive harm to the amenities enjoyed by local residents whilst safeguarding the land from contamination.

Overall, it is considered that the proposed development would have limited and acceptable adverse impact on amenity and be acceptable in landscape terms. The proposals, together with terms of the recommended conditions and Section 106 agreement, include an appropriate methodology for mitigating the impact of construction works and safeguarding the land from contamination. Furthermore, the details are capable of being enforced.

REPORT PRESENTED TO THE MEETING HELD ON 17TH AUGUST 2005

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 1 and 2m above existing land levels would be constructed around the driving range area.
2. Between the driving range and hole 1 and existing steep drop would be reformed to more gently link to the mounding around the driving range.
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 1 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 mounding up to 1m above existing ground level would be formed along a 450m length.

The proposals for construction of the works are as follows:

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.

The works would be carried out in 5 phases as follows:

Phase 1: Works around the driving range area lasting approximately 6 months.

Phase 2: Works around hole 6 lasting approximately 4 months.
Phase 3: Works around hole 5 lasting approximately 10 weeks.
Phase 4: Works around hole 18 lasting approximately 6 weeks.
Phase 5: Works around hole 16 lasting approximately 10 weeks.

The phases would not necessarily follow on immediately from the previous phase and therefore the applicant's state the works are expected to be completed within 24 months of the commencement of the development.

Having regard to the scale and phasing details of the works the applicants estimate there would be an average of 50 tipper lorries entering and leaving the site per day.

The applicants have agreed to enter into a Section 106 agreement in respect of the following matters:

1. Phasing details
2. Certification of the origin of material brought onto the site
3. Storing and screening of material brought onto the site
4. The method of verifying material brought onto the site is appropriate for the works and would not lead to any contamination of the land.
5. HGV's and tipper lorries shall only approach the site via the A414 and shall not use Vicarage Lane or Church Lane.
6. HGV's and tipper lorries shall only enter or leave the site between 8.00am and 5.00pm Monday to Friday.

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 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.
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.

The Permanent Works

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.

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.

The proposed mounding would generally have wide bases to minimise the contrast with the existing landscape. That landscape is in any event not entirely natural since it was previously altered to create the golf course. 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.

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, however, 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 Activity and 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 and through the satisfactory completion of a section 106 agreement. The heads of terms of the necessary agreement have been arrived at following consultation with the Head of Environmental Services and the Council's trees and landscaping officer. Regard has been had to recent experience dealing with similar but larger scale developments elsewhere in the District.

With regard to ensuring no contamination of land is caused it is proposed is that material is visually inspected for contamination and in addition tested for toxicity when it arrives at the site. The substances that it would be necessary to be test for would vary according to the certified origin of the material and this would need to be agreed in writing with Planning Authority following receipt of the certification. A suitably qualified person would be employed to carry out the testing and submit a report of the results of such testing to the Council every other week. Any unsuitable material should be disposed of at a properly licensed site. The applicant would meet the cost of employing that person.

The impact of the proposals on the amenities enjoyed by the occupants of neighbouring properties would primarily be due to dust and noise caused 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 proposed completion of a section 106 agreement relating to the routing of lorries. The agreement would also relate to the hours lorries can enter and leave the site.

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. Moreover, the proposals include an appropriate methodology for mitigating the impact of construction works and ensuring no contamination of the site by imported material that can be enforced. Accordingly, it complies with adopted planning policy and planning permission should 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.

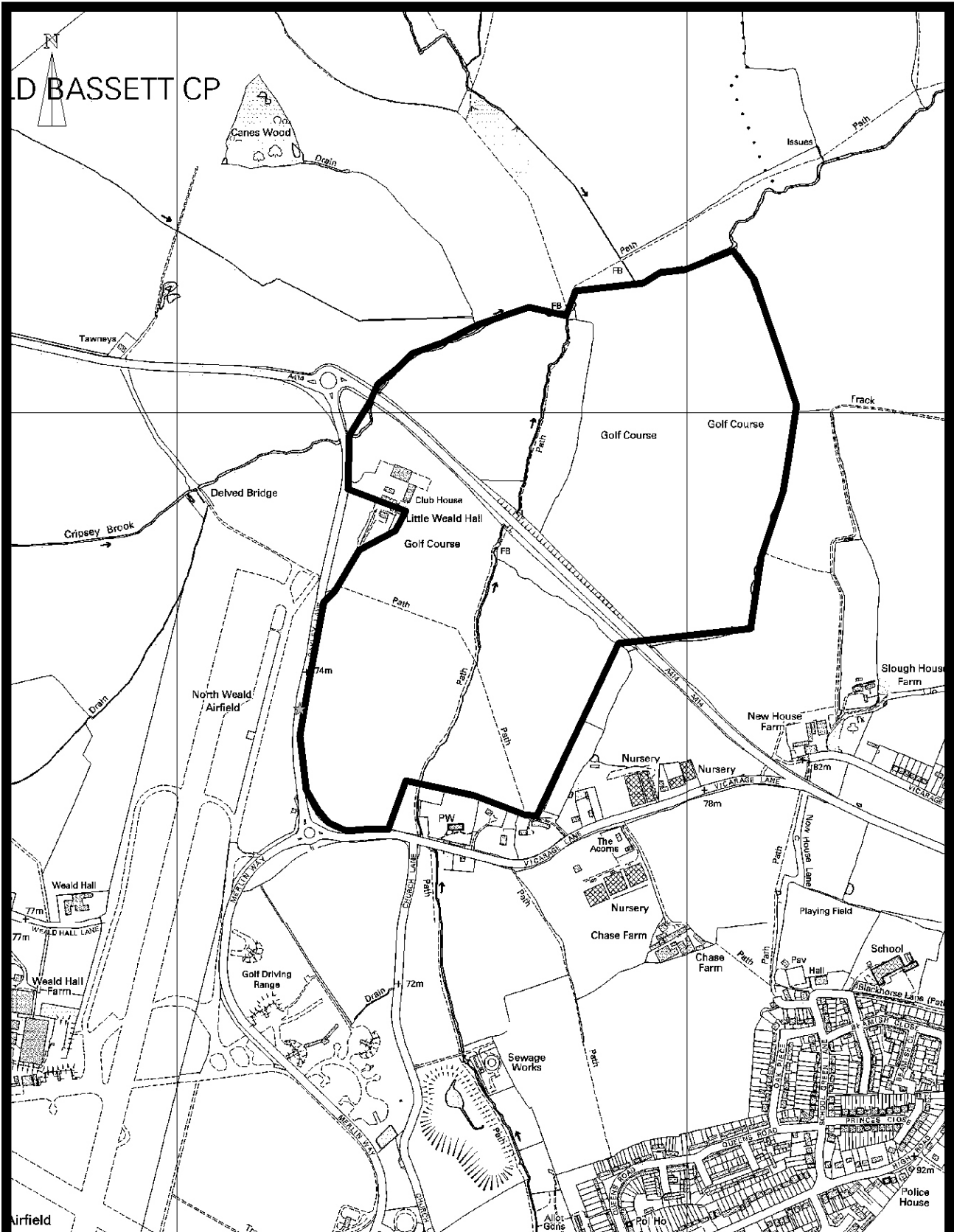
RAMBLERS ASSOCIATION - WEST ESSEX GROUP - In addition to repeating the objection/concerns of the Rural Preservation Society objection is also raised in principal if the proposals would involve the importation of waste material onto the land. If this proposal is approved it would encourage other golf 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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Item No: 06
Scale: 1:10000



APPLICATION No: EPF/1224/05

Report Item No: 7

SITE ADDRESS:
HIGH WARREN, MOUNT END, THEYDON MOUNT

PARISH: Theydon Mount

APPLICANT: Mr & Mrs A Panayiotou

DESCRIPTION OF PROPOSAL:
Two storey side extension. (Revised application)

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.
2. Materials shall match existing.
3. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Class E shall be undertaken without the prior written permission of the Local Planning Authority.
4. Tree protection measures required.
5. Submission of a landscape scheme.
6. Retention of existing trees and shrubs

Description of Proposal:

Revised application for a two-storey side extension. The extension has been reduced since the previous application however it is still a sizeable addition of 415sqm. The main part of the extension would be L-shaped with a maximum depth of 22.6m and a maximum width of 20m, and would be 9.6m in height. The attached garage would be 19.4m deep by 7m wide with accommodation in the roof space to a height of 7.2m. A number of single storey outbuildings would be demolished to accommodate the extension.

Description of Site:

Large detached dwelling located within extensive grounds in a relatively isolated location on the north side of Banks Lane, Theydon Mount. The property is set back from the road by some 90m and is well screened on all sides. It has previously been extended and has an existing floor space of approximately 646 square metres.

Relevant History:

EPF/1326/78 - Single storey extension - Approved/conditions
EPF/110/86 - Two storey front and side extension - Approved/conditions (revoked)
EPF/1203/89 - Single storey swimming pool extension - Approved/conditions
EPF/1170/90 - Two ornamental lakes - Approved/conditions
EPF/260/92 - First floor extension - Refused
EPF/983/92 - First floor extension - Approved/conditions
EPF/445/05 - Two storey side extension - Refused

Policies Applied:

GB2 and GB14 - Green Belt Policies
DBE9 and DBE10 - Residential Development Policies

Issues and Considerations:

The main issues here are its potential impact on the neighbouring properties, its design, and whether this is appropriate development in the Green Belt.

Due to its isolated position and abundance of screening there would no impact on neighbouring properties and the extension is in keeping with the grand scale and design of the original property.

In Green Belt terms, the floor space of the revised extension is smaller than the previous application at approximately 415 square metres. However it would be a 64% increase to the existing property and could be considered unacceptably large within the Green Belt.

However, this is an unusual case being a large dwelling situated in very extensive grounds where a large extension can be assimilated without detriment to the open character of the Green Belt generally. Furthermore, the outbuildings that are to be removed have a considerably greater ground coverage of 841 square metres than the proposed extension, however these are only single storey. The loss of the outbuildings would partly negate the extension, however, and to ensure this permitted development rights (Class E) would need to be removed

so the outbuildings could not be rebuilt without planning permission.

The revised application has seen a reduction in the northern most point of the extension by some 6.2m and has lowered the roof of the attached garage block by 1.6m.

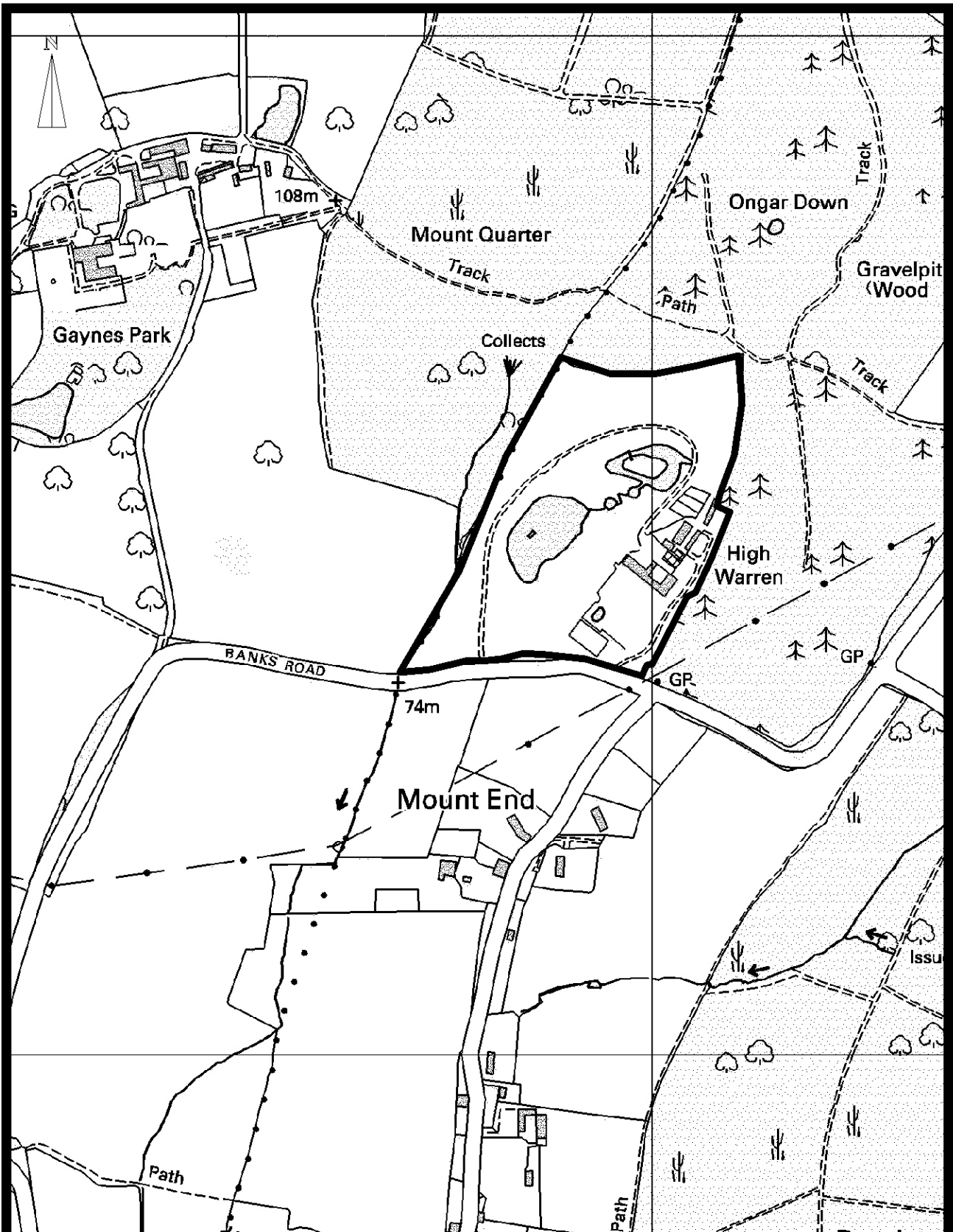
There are several trees on site, some of which may need to be felled. However, on such an extensive site any limited loss will not be significant. However, a landscaping scheme should be required by condition to ensure replacement is carried out where appropriate.

Conclusion

Although this is still a sizeable extension that would result in a 64% increase to the original dwelling, due to its isolated and well screened location and the removal of such extensive outbuildings, on balance, it is felt that this addition would not be detrimental to the openness and appearance of the Green Belt and can be recommended for approval.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL - Object due to overdevelopment.



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