

Committee Agenda



**Epping Forest
District Council**

Area Plans Subcommittee C Wednesday, 16th November 2005

Place: Civic Offices, Epping

Room: Council Chamber

Time: 7.30 pm

Democratic Services Officer Gary Woodhall, Research and Democratic Services
Tel: 01992 564470 Email: gwoodhall@eppingforestdc.gov.uk

Members:

Councillors K Wright (Chairman), R Morgan (Vice-Chairman), Mrs D Collins, P Gode, Mrs H Harding, D Jacobs, D Kelly and Mrs M McEwen

A BRIEFING FOR THE CHAIRMAN, VICE-CHAIRMAN AND APPOINTED SPOKESPERSONS WILL BE HELD AT 6.30 P.M. IN THE CONFERENCE ROOM 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 - 30)

(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 C **Date:** 19 October 2005

Place: Civic Offices, Epping **Time:** 7.30 - 9.25 pm

Members Present: K Wright (Chairman), R Morgan (Vice-Chairman), Mrs D Collins, P Gode, Mrs H Harding, D Jacobs and Mrs M McEwen

Other Councillors: (none)

Apologies: D Kelly

Officers Present: R Bintley (Principal Planning Officer) and G J Woodhall (Democratic Services Assistant)

34. 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.

35. MINUTES

RESOLVED:

That the minutes of the meeting held on 21 September 2005 be taken as read and signed by the Chairman as a correct record.

36. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor K Wright declared a personal interest in the following item of the agenda, by virtue of being a personal friend of the objector. The Councillor had determined that his interest was prejudicial and would leave the meeting for the consideration of the application and voting thereon:

- TRE/EPF/794/05 – Torrells Hall Cottages, Shellow Road, Willingale.

(b) Pursuant to the Council's Code of Member Conduct, Councillor Mrs D Collins declared a personal interest in the following items of the agenda, by virtue of being a relative of the applicant. The Councillor had determined that her interest was prejudicial and would leave the meeting for the consideration of the application and voting thereon:

- EPF/1312/05 – Ashlyns Organic Farm Shop, Epping Road, Bobbingworth; and

- EPF/1320/05 – Ashlyns Organic Farm Shop, Epping Road, Bobbingworth.

(c) Pursuant to the Council's Code of Member Conduct, Councillor Mrs M McEwen declared a personal interest in the following items of the agenda, by virtue of being a supplier to the applicant's business. The Councillor had determined that her interest was prejudicial and would leave the meeting for the consideration of the application and voting thereon:

- EPF/1312/05 – Ashlyns Organic Farm Shop, Epping Road, Bobbingworth;
and
- EPF/1320/05 – Ashlyns Organic Farm Shop, Epping Road, Bobbingworth.

(d) Pursuant to the Council's Code of Member Conduct, Councillor R Morgan declared a personal interest in the following items of the agenda, by virtue of the applicant being known to the member. 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/1312/05 – Ashlyns Organic Farm Shop, Epping Road, Bobbingworth;
and
- EPF/1320/05 – Ashlyns Organic Farm Shop, Epping Road, Bobbingworth.

(e) Pursuant to the Council's Code of Member Conduct, Councillor P Gode declared a personal interest in the following items of the agenda, by virtue of the applicant being a supplier to Shelley County Primary School of which the member was a governor. 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/1312/05 – Ashlyns Organic Farm Shop, Epping Road, Bobbingworth;
and
- EPF/1320/05 – Ashlyns Organic Farm Shop, Epping Road, Bobbingworth.

37. ANY OTHER BUSINESS

It was noted that there was no other urgent business for consideration by the Sub-Committee.

38. DEVELOPMENT CONTROL

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

RESOLVED:

That the planning applications numbered 1 – 5 be determined as set out in the attached schedule to these minutes.

39. 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:** TRE/EPF/0794/05

PARISH: Willingale

SITE ADDRESS:

TORRELLS HALL COTTAGES, SHELOW ROAD, WILLINGALE

DESCRIPTION OF PROPOSAL:

TPO 1/92: Western Section of Poplar Avenue: Fell and replace.

GRANTED SUBJECT TO:

1. 20 replacement small leaved Limes (*Tilia Cordata*) minimum 16-18 girth, shall be planted in positions to be agreed by the Local Planning Authority within one month 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, destroyed, dies or becomes seriously damaged and defective another tree of the same species and size of that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

2. **APPLICATION No:** EPF/1330/05

PARISH: Fyfield

SITE ADDRESS:

HAQUE EMPIRE, ONGAR ROAD, FYFIELD

DESCRIPTION OF PROPOSAL:

Outline planning permission for the erection of 19 houses.

REFUSED:

1. The site is within the Metropolitan Green Belt where the development of housing is deemed inappropriate development that is by definition harmful to the Green Belt. It has not been demonstrated that very special circumstances sufficient to overcome the harm that would be caused by the proposed development to the Green Belt by reason of its inappropriateness exist in this particular case. Accordingly the proposal is contrary to Policy C2 of the Essex and Southend on Sea Replacement Structure Plan, adopted April 2001 and to policy GB2 of the Epping Forest District Local Plan, adopted January 1998.
2. The proposed development would be likely to result in severe harm being caused to and/or the inconsidered loss of trees, including preserved trees, to the detriment of the character and landscaped setting of the site and the visual amenities of the locality. Accordingly the proposal is contrary to policy LL10 of the Epping Forest District Local Plan, adopted January 1998.

3. **APPLICATION No:** EPF/1312/05

PARISH: Moreton, Bobbingworth & The Lavers

SITE ADDRESS:

ASHLYNS ORGANIC FARM SHOP, EPPING ROAD, BOBBINGWORTH

GRANTED SUBJECT TO:

1. The farm shop hereby approved shall be restricted solely to the sale of organic produce.

4. APPLICATION No: EPF/1320/05

PARISH: Moreton, Bobbingworth & The Lavers

SITE ADDRESS:

ASHLYNS ORGANIC FARM SHOP, EPPING ROAD, BOBBINGWORTH

DESCRIPTION OF PROPOSAL:

Retrospective application for enclosure and change of use of a cart lodge building for use as an educational building/school excursion meeting room.

GRANTED SUBJECT TO:

1. The use of the building hereby approved shall only be between the hours of 08.00am - 17.00pm Monday to Friday only.
2. No more than 5 individual groups shall be allowed to use the site in any week without the prior written approval of the Local Planning Authority.
3. The use of the building hereby permitted is only for use by educational groups and schools engaged on field trips in connection with the bona fide agricultural use of the land and for no other purposes whatsoever.
4. Within two months of the date of this permission a drawn parking scheme shall be submitted to the Local Planning Authority and once approved in writing shall be maintained according to the approved plan.

5. APPLICATION No: EPF/0764/05

PARISH: Stanford Rivers

SITE ADDRESS:

HIGHLANDS FARM, OLD RECTORY ROAD, STANFORD RIVERS

DESCRIPTION OF PROPOSAL:

Retention of building, hardstanding and access for agricultural use.

REFUSED:

1. In the absence of an independent agricultural assessment regarding the activities on and use of the site, the Local Planning Authority are not satisfied that the development, including an area for residential accommodation is demonstrably necessary for the purposes of agricultural and is therefore inappropriate development in the Green Belt contrary to Policies GB2, GB11 and GB17 of the adopted Local Plan and policies CS1, CS2 and C2 of the adopted Replacement Structure Plan.

AREA PLANS SUB-COMMITTEE 'C'

16 November 2005

INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/1485/05	School House, Church Road, Moreton	Grant	15
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3.	EPF/1155/05	Land at Theydon Mount End, Mount End, Theydon Mount	Grant	23

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Report Item No: 1

APPLICATION No:	EPF/1485/05
SITE ADDRESS:	School House Church Road Moreton CM5 0JD
PARISH:	Moreton
APPLICANT:	Miss B McConnon
DESCRIPTION OF PROPOSAL:	Erection of side conservatory.
RECOMMENDED DECISION:	GRANT

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development shall be carried out in accordance with the amended plans received on 21/09/05 unless otherwise agreed in writing with the Local Planning Authority.
- 3 The proposed conservatory shall be set back a minimum of 100mm from the front wall plane of the dwelling.

Description of Proposal:

Erection of side, lean-to conservatory 4.5 metres x 2.7 metres in place of existing garage.

Description of Site:

Victorian dwelling attached to school within Moreton Conservation Area. Land to the east forms school and grounds, land to the west comprises open car park to public house. Residential dwellings to the south, opposite side of road. Site currently screened by fence and shrubs.

Relevant History:

EPF/725/96 Side additions comprising garage and utility room.Approved

Policies Applied:

Conservation Policy HC7 (Development in Conservation Areas)
Design Policy DBE10 (Design of extensions)

Issues and Considerations:

The key issues here relate to design and impact upon existing property, street scene and the area in general.

The proposed conservatory on the side of this house replaces an existing lean-to garage of similar size and footprint.

The house is set back from the highway some 23 metres and although visible from the adjacent car park to the west is still reasonably well screened by existing fence, tree and shrubs, such that the structure proposed will not have an excessive impact on the area.

Designed as a simple lean-to, similar to the rear/side extension, the conservatory is considered to be in character with the architecture of the property and whilst a timber frame would be preferable to uPVC it will match existing fenestration on the property including colour.

Generally the Council would always prefer traditional materials be used in Conservation Areas to protect and reinforce their historic character. Normally a view is taken regarding the prominence and impact of the development and thus the materials of construction. Modern materials are used in conservation areas and indeed examples of this are evident in Moreton already. Despite the Parish Council's concern regarding the white framing, it is not felt that the proposed conservatory would have sufficient impact on the street scene to warrant resisting for this reason. Equally the use of the same material but in a dark green as suggested would be a non-traditional colour, would not match existing doors and windows and still remain a non-traditional material.

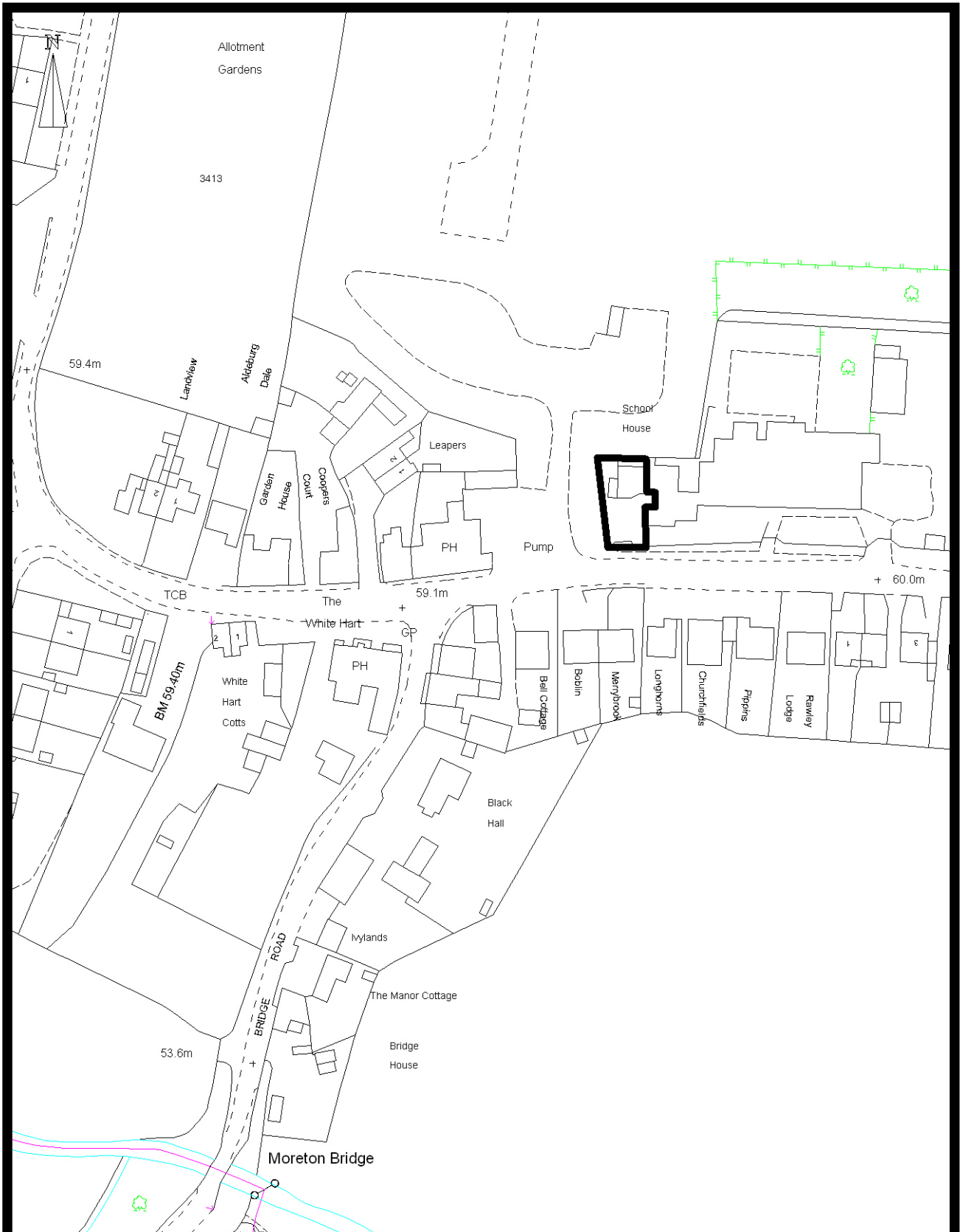
Whilst the front elevation of the proposed conservatory does have a modern appearance due to the amount of glass, provided this is set back from the plane of the brick gable to help mask the joint, this juxtaposition should be acceptable.

In conclusion, the proposal is a minor addition to the side of this school house replacing an existing lean-to garage. Its design although modern is not felt to detract from the character and appearance of the house. Set some way back from the road and benefiting from existing screening it is unlikely to have too great an impact on the street scene and thus the conservation area.

In view of the above factors the use of modern materials for the framing of the conservatory is not felt to be of such significance that a refusal is justifiable and therefore the submission is recommended for approval.

SUMMARY OF REPRESENTATIONS:

Moreton, Bobbingworth and the Lavers Parish Council – Replacement of garage with bright white conservatory would detract from the Conservation Area's visual amenities. Possible solution would be dark green frame - less visually intrusive and therefore acceptable.



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Item No: 01
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Report Item No: 2

APPLICATION No:	EPF/1588/05
SITE ADDRESS:	Whipsiderry Bournebridge Lane Stapleford Abbots RM4 1LT
PARISH:	Stapleford Abbots
APPLICANT:	Mr and Mrs M. Regan
DESCRIPTION OF PROPOSAL:	Demolition of single storey side extensions and garage and erection of two storey side, single storey side and first floor extensions to convert bungalow into two storey house. (Resubmitted application)
RECOMMENDED DECISION:	GRANT

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Prior to first occupation of the building hereby approved the proposed window openings in the first floor flank elevation of the development hereby approved shall be fitted with obscured glass, and shall be permanently retained in that condition.
- 3 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 4 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the building hereby permitted without the prior written approval of the Local Planning Authority.
- 5 Prior to the commencement of the development details of the proposed surface materials for the driveway and 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.

Description of Proposal:

This application is a resubmission of an identical scheme refused permission in June this year.

Two side extensions would be added to the existing bungalow. That on its western side would be some 4.2m wide, set back about 3m from the building frontage and level with its rear wall. That on the eastern side would be a maximum of 1.4m wide, level with the building frontage and set back about 4m from the rear wall.

A new first floor would be added above the majority of the extended ground floor. This would be finished with a hipped roof, with first floor accommodation provided via half-dormer windows, cutting across the new eaves line of the house.

Description of Site:

The application site lies within the built up area of Stapleford Abbotts, in a residential neighbourhood. It is occupied by a modest detached bungalow that occupies the entire site frontage, and is set on elevated land above the adjacent highway. The land rises further to the rear of the house.

The majority of dwellings in the immediate vicinity of the application site are bungalows with low roofs. However, further a field and on the opposite side of Bournebridge Lane there are conventional two storey houses.

Building lines in the vicinity of the site are generally uniform.

Relevant History:

EPF/507/05 for the demolition of single storey extensions and garage, and erection of two-storey side, single storey side and first floor extensions to convert bungalow into a two-storey house was refused by this committee on 1 June 2005.

The reasons for refusal were as follows:

1. The proposed alterations, due to their size, scale and the increased roof height would be out of character in this location and would detract from the current appearance of the street scene.
2. The proposed alterations, due to their scale and the increased roof height would have a detrimental impact on adjacent neighbouring properties.

The current application is a resubmission, without amendment, of this earlier proposal.

Policies Applied:

DBE9 - Impact of New Development
DBE10 - Residential Extensions

Issues and Considerations:

The main issues in this application are the effect of the development on the amenities of neighbouring residential properties and on the character and appearance of the street scene.

In support of the proposals, the applicants have submitted an artist's impression of the proposed development and a schedule of photographs showing other nearby dwellings, of which it is claimed, some two thirds have been converted to provide two-storey accommodation.

The applicants have also made the following points:

- * The increase in the ridge line of 1.3m is not significant.

- * The present dwelling is to some extent screened from the adjacent roads and further screen planting is possible.
- * The width of the dwelling has been reduced.
- * The garage of Malpeque lies between it and the application site.

The proposed development would significantly increase the bulk and mass of the house in relation to both its immediate neighbours, both of which are orthodox bungalows. Its flank that would face Malpeque (to the east) would be some 2m higher and that facing Harvanden (to the west) would be about 3m higher. However, both these houses have their garages sited on the common boundary between them and Whipsiderry, which provides for good separation between the flank walls of the habitable part of those houses and the boundaries of the application site.

Harvanden has three windows in its facing flank and these would be sited about 4m from the proposed development. The rearmost of these windows serves a kitchen diner, which is also lit from the rear, the middle is obscure glazed and to a bathroom, and that at the front is to a bedroom, which faces the flank wall of the garage at Harvanden. Malpeque also has windows facing the application site but these would be in excess of 7m from the flank of the new development. Having regard to the above, it is considered that the development would maintain an adequate separation to and a satisfactory relationship with both adjoining dwellings that would not cause them to suffer a material loss of light or outlook.

The only flank window proposed would face Malpeque but this would serve bathroom and as such it is reasonable to require that it be glazed with obscure glass. The new first floor windows at the rear of the property would result in some overlooking of adjoining gardens, but only at an oblique angle. As a result, it is considered that neither adjoining house would suffer a material loss of privacy from the development. Therefore, it is still considered, despite members' earlier decision, that the development would not harm the amenities of neighbouring residential properties and that it complies with policy DBE10.

The development would transform the appearance of the dwelling from a modest bungalow to that of a two-storey house and it is acknowledged that this might look somewhat out of place in its immediate surroundings. However, the wider character of Bournebridge Lane is defined very much by two storey houses and therefore it is considered that a development of this magnitude would not be out of scale in its wider surroundings. Moreover, the scale of the development would be somewhat mitigated by the fact that land levels continue to rise behind the property. A gap of about 1m is provided to each flank boundary thus providing adequate visual separation from the neighbouring dwellings. Moreover, the design proposed for the extensions is pleasing and typical of many dwellings in the locality. Therefore, it is also considered, notwithstanding members' earlier views, that the proposal would not harm the character and appearance of the street scene and complies with policy DBE10.

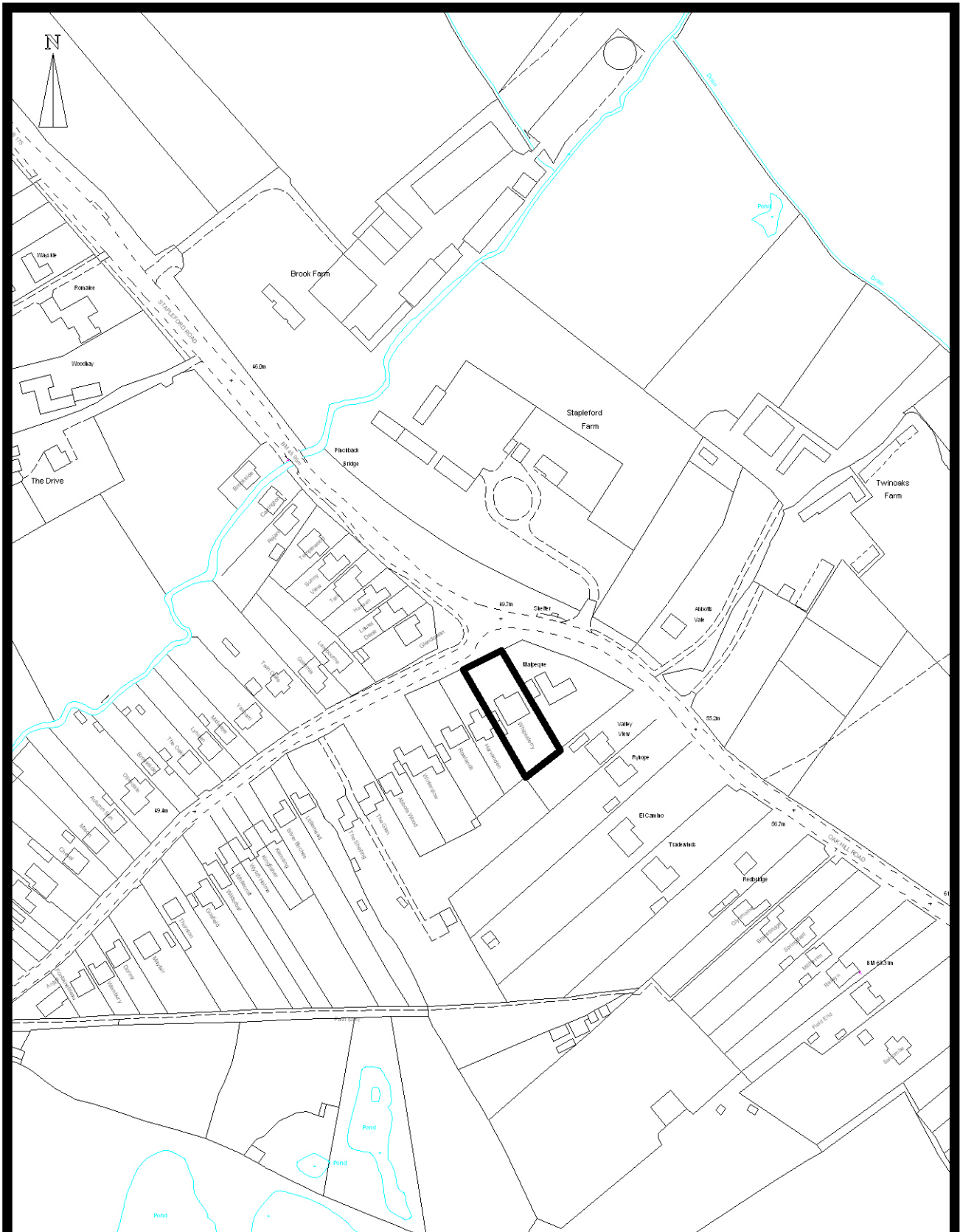
Conclusion : as previously, officers consider that the provisions of the relevant Local Plan policies are met and approval can be recommended. However, the committee is reminded that they were previously persuaded that the scheme was overlarge and that no amendments have been made to this resubmission.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL – recommend refusal as the proposal is out of character to the rest of the buildings in the row. It would be a large dominant building in a prominent position. All other buildings in the row are a similar size.

GLENDOWAN, BOURNEBRIDGE LANE – object to the application, the conversion will be obtrusive and totally incongruous in the bungalows in the immediate vicinity.

MLAPEQUE BOURNEBRIDGE LANE – proposal will change the landscape adjacent to our house. This will affect the privacy currently enjoyed. The new building will obstruct the outlook from kitchen and family room windows. A large house will look unsightly amongst the bungalows. Chalet bungalow style would be more acceptable.



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Item No: 02
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Report Item No: 3

APPLICATION No:	EPF/1155/05
SITE ADDRESS:	Land at Theydon Mount End, Mount End, Theydon Mount.
PARISH:	Theydon Mount
APPLICANT:	Woodland and Wildlife Conservation Co. Ltd.
DESCRIPTION OF PROPOSAL:	Green burial ground with associated store building covered area and car park. (Revised application)
RECOMMENDED DECISION:	GRANT

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 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 parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents staff and visitors vehicles.
- 4 Before the commencement of the development, or of any works on the site and concurrently with the detailed design plans, a full tree and site survey shall be submitted to the Local Planning Authority. The submitted details shall include, as appropriate, the following information at a legible scale:
 - (a) Reference number, species, location, girth or stem diameter and accurately planned crown spread, of all trees with a stem diameter with 100mm or greater on or adjacent to the site; and
 - (b) An assessment of their condition and value;
 - (c) Details of existing levels, including contours where appropriate, and any proposed changes of level across the site;
 - (d) Location, spread and other relevant details of relevant hedgerows, hedges and other significant areas of vegetation;
 - (e) Location and dimensions of existing watercourses, drainage channels and other aquatic features with water, invert and bank levels as appropriate;
 - (f) Trees, or other features to be removed which shall be clearly and separately identified on the plans.
 - (g) Existing boundary treatments and forms of enclosure;
 - (h) Existing structures, services and other artefacts, including hard surfaces;
 - (i) Indication of land use, roads or other means of access, structures and natural features on land adjoining the development site; and
 - (j) Route of existing footpaths and public rights of way on and adjoining the site.

- 5 Before any works commence on site, and concurrently with the detailed design plans, an Ecological Survey of the site, or any part thereof identified by the Local Planning Authority, shall be carried out and submitted to the Local Planning Authority with an assessment of the impact of the proposed development and any appropriate measures of alleviation. Development shall be undertaken only in accordance with the agreed measures.
- 6 No tree, shrub, or hedge which are shown as being retained on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (B.S.3998: 1989).

If any tree shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub, or hedge shall be planted at the same place, and that tree, shrub, or hedge shall be of such size, specification, and species, and should be planted at such time as may be specified in writing by the Local Planning Authority.

If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or 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.

- 7 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) have been submitted to and approved in writing by the Local Planning Authority, and these works shall be carried out as approved. These details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle artefacts and structures, including signs and lighting and functional services above and below ground. Details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers / densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant 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.
- 8 All hard and soft landscape works shall be completed prior to the occupation or use of any part of the development, unless the LPA 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.

- 9 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 LPA, and the development shall not commence until the Landscape Method Statement has been approved by the LPA in writing. All landscape works shall be undertaken in accordance with the approved details, unless the LPA has given its prior written consent to any variation.

The Landscape Method Statement shall include 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, are 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 LPA has given its prior written consent to any variation.

- 10 Before the occupation or use of any phase or part of the development, whichever is the soonest, a Landscape Management Plan (LMP) shall be submitted to and approved by the LPA.

The LMP shall contain a statement of the long-term aims and objectives covering all elements of the implementation of the agreed landscape scheme and full details of all management and establishment operations over a five-year period, unless otherwise agreed in writing by the LPA. It shall also include details of the relevant management, and supervisory responsibilities.

The LMP shall also include provision for a review to be undertaken before the end of the five year period. A revised LMP shall be submitted for the agreement of the LPA before five years has expired. The revised details shall make similar provisions for the long term maintenance and management of the landscape scheme. The revised scheme shall also make provision for revision and updating.

The provisions of the LMP, and subsequent revisions shall be adhered to and any variation shall have been agreed beforehand in writing by the LPA. No trees, shrubs, hedges or other plants shall be removed for the duration of the Landscape Management Scheme or its revisions, without the prior written approval of the LPA. Any trees, shrubs, hedges or other plants being so removed shall be replaced in the first available planting season by an equivalent replacement or replacements to the satisfaction of the LPA. Management of the landscape scheme in accordance with the LMP or their agreed revisions shall not cease before the duration of the use of the development unless agreed in writing by the LPA.

- 11 Details for the access to the site shall be submitted to and agreed by the Local Planning Authority in writing, and shall be constructed prior to the beneficial use of the site.

- 12 Details of the turn left sign to be erected at the exit to the site shall be submitted to and agreed by the Local Planning Authority in writing and such sign shall be erected and permanently maintained prior to the commencement of the use of the site.

- 13 Sight lines of 90m x 2.4m x 90m shall be provided and permanently maintained at the access to the site.
- 14 Secure cycle and covered cycle and motorcycle parking shall be provided to the satisfaction of the Local Planning Authority.
- 15 No surface water shall be allowed to drain from the site onto the public highway.
- 16 The development shall be carried out in accordance with the amended plans received on 04/10/05 unless otherwise agreed in writing with the Local Planning Authority.

In addition, this permission shall be subject to the prior completion within 12 months of a satisfactory **agreement under section 106** of the Town & Country Planning Act securing a passing place and other highway improvements in Mount End Road.

Description of Proposal:

Use of approximately 80 hectares of land for a burial ground, with additional single storey storage building with adjacent open-sided covered area, plus associated car park and access road. In addition the proposals include details of highway improvements in the vicinity of the site.

Description of Site:

A sloping field currently laid to grass located on the eastern side of Mount Road. The field has hedgerows on three sides and a woodland to the rear. Traversing the highest level a public footpath leads across the land. Trees on the site boundary have recently been made the subject of a Tree Preservation Order.

Relevant History:

Planning permission for the use of the site was refused on 23 June 2004 owing to the adverse impact on the open character and landscape in the Green Belt, inadequate sight lines and the generation of excessive traffic movements on a narrow road. A subsequent proposal which reduced the size of the buildings relocated the development closer to the road; reduced the width of the access road; and included details of highway improvements was refused planning permission and a subsequent appeal dismissed when the impact of the built development in the Green Belt was considered by the Inspector to be the determining issue.

Policies Applied:

MGB policies C2 and GB2 - protection of rural landscape - LL2. Provision of landscaping LL11. Suitability of access to site T17.

Issues and Considerations:

The main issues relating to this proposal concern the appropriateness of the development in the Metropolitan Green Belt, the effect on the amenity of neighbours, roads etc and the effect on the countryside/landscape. In this instance the differences between this scheme and that dismissed on appeal need to be considered.

Dealing with the latter issue first, the main changes are as follows: a single building is now proposed where previously 2 were envisaged; the location of the built development, which includes the car park has been moved from the centre of the site into a location in a front corner of the field furthest from the residential properties and site landscaping is now proposed.

When determining the appeal the Inspector concluded that the use of the site as a green burial ground was not inappropriate development in the Green Belt. In addition with the intention to avoid standing headstones the proposed use would not have a markedly adverse impact on the openness that Green Belt policies seek to protect.

The intention is to use the land for a Green Burial Ground, which is defined as being an eco-friendly burial in a wood or meadow so as to create and protect a wildlife habitat. In this instance the applicants plan to leave the site as an open field. Government advice contained in PPG2 plus policies in the replacement Structure Plan and adopted Local Plan all identify cemeteries as being appropriate development in the Metropolitan Green Belt as they do not detract from the open character of the countryside.

The previous submissions were unacceptable owing to the built development being visually intrusive and detracting from the open character of the Green Belt. The Planning Inspector concluded that the buildings were to be located in a central position in the field where they would be prominent and incongruous and damaging to the undeveloped characteristics of the setting. He also determined that the proposed chapel was not crucial to the function of the burial ground.

In its amended form the application relocates the built development into the corner of the field where the existing hedges will provide a certain amount of screening, in addition the number of buildings have been reduced and a storeroom with a covered terrace is the only building to be proposed. Car parking accommodation is limited to 10 spaces, which will be located adjacent to the building. In the location proposed the development will be much less intrusive in the open countryside.

Access to the site remains through the existing field gate. In order to improve sight lines the hedgerows on either side of the gate will be cut back to avoid any obstruction to visibility; and further up the lane towards Mount Road the roadside hedges will be cut back to widen the approach road. These improvements will be carried out in order to overcome the original highway objection to the substandard highway access to the site. In addition to these measures the applicant intends to erect directional signs within the site in order to encourage drivers to leave in a downhill direction away from the residential properties in Theydon Mount. In order to ensure that the improvements are carried out it would be necessary to secure a Section 106 agreement in respect of the works outside the site. Whilst the hedgerow outside the site is not protected by a Preservation Order it should be noted that the variety of woody plants suggest that it is of an age which gives it the status of an ancient hedgerow. The necessary improvements to the highway and the sightlines from the site may be regarded as detrimental to the rural setting in themselves.

With this application and those previously submitted in respect of the site, objections have been received from residents and the Parish Council in which they contend that the proximity of the development to the settlement would result in an unacceptable change to the quality of the village and the inadequate nature of the access roads. Furthermore the Parish Council has expressed concerns regarding the possible intensity of the activity. In respect to these issues the applicant's

expectation is the use is unlikely to generate visits by more than about 10 cars a week and as such the use should not detract from the amenities of the adjacent settlement or the appearance of the site. It would, however, not be possible to impose controls which actually limit the numbers of visitors at any one time but it is considered that the on site parking provision should be adequate to ensure that mourners vehicles would not obstruct the highway. Finally the suggestion there be no more than one burial a week is considered to be quite unrealistic, if the site is suitable for burials a limitation on the number of interments should not be an issue.

Notwithstanding the objections received the principle of a burial ground in this location is considered to be appropriate development. The proposals to create a cemetery are in accordance with policies in the adopted Local Plan though there are aspects, such as the cutting back of hedges and the inability to control numbers attending the site, that might raise queries over the suitability of this location. Nevertheless, on balance, the application is recommended for conditional approval.

SUMMARY OF REPRESENTATIONS

PARISH COUNCIL - reduction in the size of the buildings will not reduce the scale of the operation. Not a suitable location - will fundamentally affect the character of the village - diminution in the quality of life. Commercial operation will intrude into the lives of residents. Fundamental change to the farm and landscape. Concerned that the right trees may not be planted. Buildings and access road will be intrusive. Level of commercial activity not compatible with the narrow roads. Unacceptable increase in traffic levels will be a danger to other road users. Loss of roadside hedgerow. Serious concerns regarding potential contamination of surrounding farmland. Will the site be locked at night? Will there be illumination? If planning permission is allowed interments should be restricted to one a week. Only indigenous trees shall be planted, and replaced if it fails within 5 years. No lighting permitted after 6.00 p.m.

2 HILLTOP COTTAGES - object this will impact on this property. Traffic on the narrow roads will get worse. The deer often graze in this field and the burial ground will have to be fenced off and this will be a further intrusion into the countryside.

8 MOUNT END - object to the application which is not in keeping with the rural character of Mount End. The increased traffic would be dangerous. Widening of the road is surely a matter for the local authority not a private individual. Loss of ancient hedgerows to provide sight splays. How would the high water table impact on the scheme?

CHESTNUT TREE COTTAGE, MOUNT END - principle grounds for objections are proximity to houses, incompatible nature of the development and access to the site. The erection of the building provision of roadway and parking will detract from the character of the area. The narrow road leading to the site would not be able to cope with the traffic.

1 HILLTOP COTTAGES - the effect would be fundamental and devastating to the village. Previous refusals were wholly valid. This is not a business suited to a village location. We value our rural farming setting. The scale of the operation would dominate the settlement we could expect up to one interment every day. Mount End currently enjoys only a modest level of traffic this is not a lane capable of supporting extra traffic. The localized widening will result in the ripping up of some 40 metres of ancient hedgerow.

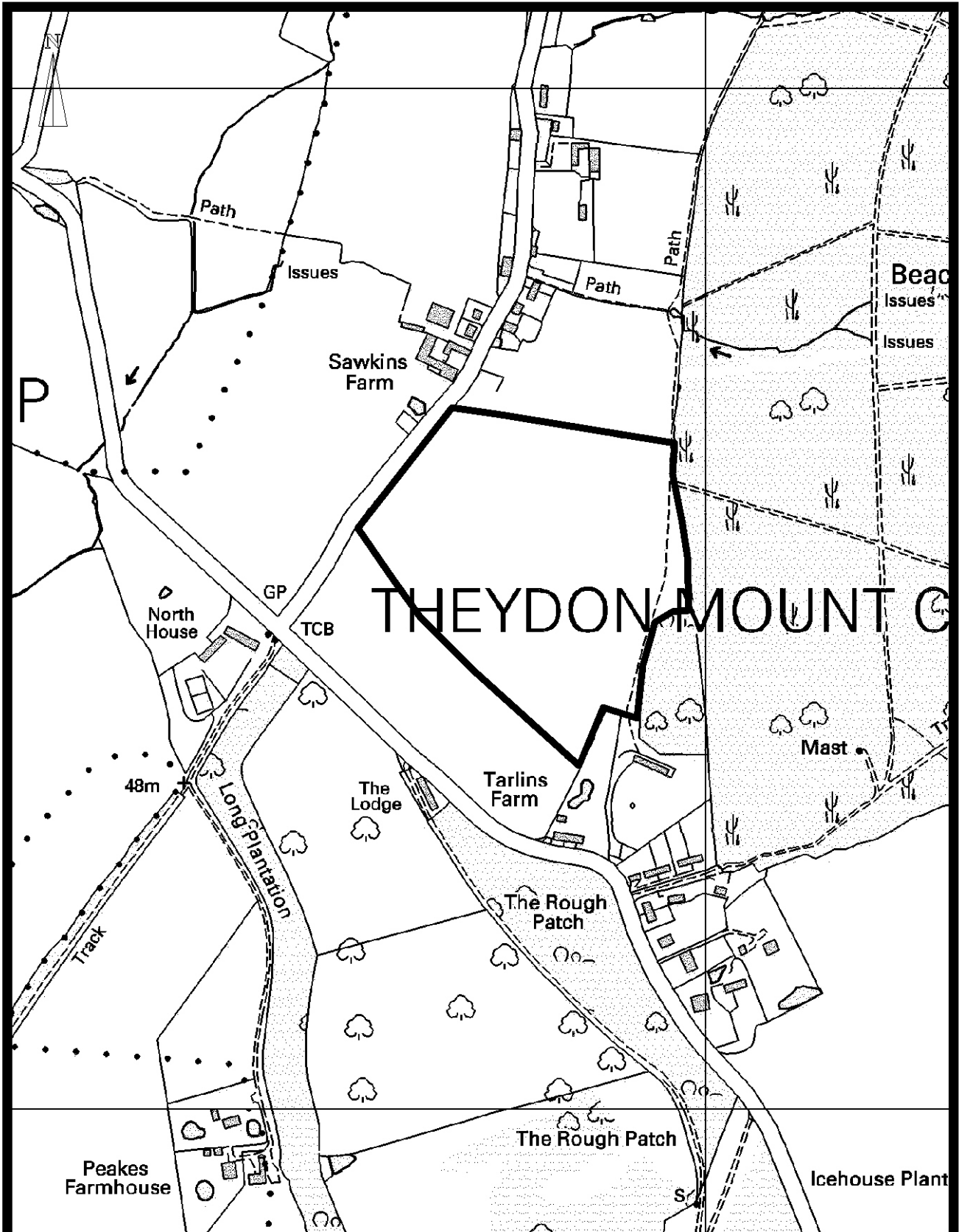
2 BEACHETT COTTAGES - the burial ground will severely diminish quality of life for residents and visitors. Will involve changes to the landscape and spoil the established hamlet. Increased danger to road users as a result of increased traffic. This is a commercial venture which will not benefit the area in any way.

1 BEACHETT COTTAGES - the proposed burial ground will severely diminish their quality of life for the residents of the area. It provides a sanctuary for herds of protected deer and there is no mention of fencing around the burial ground. The roads are already heavily trafficked and an ever increasing danger to walkers, cyclists etc. This will be made worse by the proposed use. The field is not unused but is still used on an annual basis for taking a hay crop. This is clearly a commercial venture which is entirely unsuitable for the area.

42 THEYDON MOUNT - the plan only reduces the size of the building and moves it to another part of the site. It represents an erosion of our green and agricultural heritage in this location. Particularly worries about the increasing pressures on the local roads. The roads are especially narrow for the traffic which will be generated. What effects will the burials have on the local water table?

BEACHETS MOUNT END - object because of changes to the landscape which would affect the village setting. The roads are too narrow for the traffic which will be generated. Poor visibility. Safety problems for walkers, horseriders etc. The business will dominate the village.

KEEPERS COTTAGE, THEYDON MOUNT - would have a fundamental effect on this village. Reduction in the size of the building will not affect the impact on the village. Will change the landscape. Lanes not capable of supporting the traffic.



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Item No: 03

Scale: 1:5000

