

# Committee Agenda



**Epping Forest  
District Council**

## **Area Plans Subcommittee C Wednesday, 14th December, 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

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**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 - 10)**

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

**3. APOLOGIES FOR ABSENCE**

**4. DECLARATIONS OF INTEREST**

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

**5. ANY OTHER BUSINESS**

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and 25 of the Council Procedure Rules contained in the Constitution requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive,

before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

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

**6. PROBITY IN PLANNING - PLANNING APPEAL DECISIONS, APRIL 2005 TO SEPTEMBER 2005 (Pages 11 - 16)**

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

**7. REQUEST TO DISCHARGE A SECTION 52 AGREEMENT - STONEHALL FARM, DOWNHALL ROAD, MATCHING (Pages 17 - 18)**

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

**8. DEVELOPMENT CONTROL (Pages 19 - 40)**

(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.

**9. 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.

**10. 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:

<b>Agenda Item No</b>	<b>Subject</b>	<b>Exempt Information Paragraph Number</b>
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:

<b>Agenda Item No</b>	<b>Subject</b>
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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](http://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:** 16 November 2005  
**Place:** Civic Offices, Epping                                      **Time:** 7.30 - 8.35 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)

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### **40. 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.

### **41. MINUTES**

#### **RESOLVED:**

That the minutes of the meeting held on 19 October 2005 be taken as read and signed by the Chairman as a correct record.

### **42. DECLARATIONS OF INTEREST**

There were no declarations of interest pursuant to the Council's Code of Member Conduct.

### **43. ANY OTHER BUSINESS**

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

However, the Chairman took the opportunity to inform the Sub-Committee of some recent correspondence. Firstly, a reply had been received to the letter that had been sent to the County Highways Agency, following their late response to application EPF/1480/04, Ongar Motors and Transport Co, The Borough, Greensted Road, Ongar. Secondly, the Chairman had also responded to a letter in respect of the Sub-Committee's change of venue to the Civic Offices at Epping from Ongar Parish Council.

#### **RESOLVED:**

That copies of both letters be distributed to all members of the Sub-Committee.

**44. 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.

**45. 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**



**Item No: 1**

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

**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.

**Item No: 2**

<b>APPLICATION No:</b>	EPF/1588/05
<b>SITE ADDRESS:</b>	Whipsiderry Bournebridge Lane Stapleford Abbots RM4 1LT
<b>PARISH:</b>	Stapleford Abbots
<b>APPLICANT:</b>	Mr and Mrs M. Regan
<b>DESCRIPTION OF PROPOSAL:</b>	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)
<b>DECISION:</b>	<b>REFUSED</b>

**REASONS**

- 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.

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**Item No: 3**

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

**REASONS**

- 1 The use of this site as a green burial ground would lead to an increase in traffic and disturbance in this particularly rural area to the detriment of its character and appearance and therefore contrary to Structure Plan policies CS2 and CS5 and Policy T17 of the adopted Local Plan.
- 2 The proposed development within this current open agricultural field and the need to remove areas of its surrounding ancient hedgerow would detract from the character and appearance of the site and the area in general contrary to Structure Plan Policies CS2, NR1 and Policies LL1 and LL10 of the adopted Local Plan.

## **Report to Area Plans Sub-Committee 'C'**

**Date of meeting: 14 December 2005.**



**Epping Forest  
District Council**

**Subject: Probity in Planning – Planning Appeal Decisions, April 2005 to September 2005.**

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

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

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### **Recommendation:**

**That the Planning Appeal Decisions for the period April 2005 to September 2005 be noted.**

### **Background:**

1. In compliance with the recommendation of the District Auditor, this report advises the decision-making committee of the results of all successful appeals, particularly those refused by committee contrary to officer recommendation. The purpose is to inform the committee of the consequences of their decisions in this respect and, in cases where the refusal is found to be unsupportable on planning grounds, an award of costs may be made against the Council.
2. To set the context, a Best Value Performance Indicator was for district councils to aim to have less than 40% of their decisions overturned on appeal with the national average of about 33%. (That BVPI was scrapped but recently replaced by one where the Council sets its own target – set this year at 25%.) In fact in recent years the Council has been more successful than the national average with only 31% overturned in 1999/00, 25% in 2000/01, 24% in 2001/02, 27% in 2002/03, 18% in 2003/04 and 29% in 2004/05.

### **Performance:**

3. Over the six-month period between April and Sept 2005, the Council received 61 decisions on appeals – 54 planning appeals and 7 enforcement appeals. Of the 54 planning appeals, 10 were allowed (19%) and of the 7 enforcement appeals, 2.5 were allowed – a combined total of 20% of the Council's decisions overturned.

### **Planning Appeals:**

4. Of those 10 planning appeals allowed, 2 were allowed following decisions by committee to refuse contrary to officer's recommendation. Those 2 were:
  - EPF/2041/04 – Two storey extensions at 67, Tycehurst Hill, Loughton (Area Committee A 02/02/05); and
  - EPF/2398/04 – Erection of 3 cottages at 109, Lindsey Street, Epping (Area Committee B 09/03/05).
5. To complete the picture, officers were successful in sustaining a committee decision to refuse, when officers had recommended granting permission, in two cases - nos.16 and 52 on the attached list.

**Costs:**

6. Costs were awarded in just 1 appeal. The enforcement appeal regarding the siting of a mobile home at Breach Barns Caravan Park introduced a number of issues that the Inspector considered were not entirely relevant to the case and which took up Inquiry time unnecessarily. He made an award of costs against the Council amounting to 2 hours of inquiry attendance and preparation time in favour of the appellants. However, he also ordered the appellants to pay to the Council the costs of 2 hours inquiry time, together with the cost of preparing evidence on affordable housing; and to pay to the Corporation of London their costs for 2 hours of their attendance time.

**Conclusions:**

7. The Council's performance for this six-month period was an improvement on last year and consistent with the previous year's exceptional performance and has once again exceeded the BVPI and the national average.
8. The decisions are listed in the Members Bulletin from time to time but a full list of decisions over this six-month period appears at Appendix 1.

## Appeal Decisions April to October 2005

### Planning Appeals Allowed:

1. EPF/1183/04 – Installation of 12 telecommunications antennae at St Winifred's Church, Manor Road, Chigwell
2. EPF/1387/03 – Two storey side extension at 1, Lyndhurst Rise, Chigwell
3. EPF/2398/04 – Erection of 3 cottages at 109, Lindsey Street, Epping
4. EPF/1319/04 – New vehicular access at 206, Nine Ashes Road, High Ongar
5. EPF/2041/04 – Two storey rear extension and other alterations at 67, Tycehurst Hill, Loughton
6. TRE/EPF/753/04 – Lopping of overhanging branches at 1, Brancaster Place, Church Hill, Loughton
7. A/EPF/2125/04 – Illuminated sign at 1, Valley Hill, Loughton
8. EPF/484/04 – Temporary living accommodation for maintenance and security of fishing lakes at Moor Hall Fish Farm, Moor Hall Lane, Matching
9. EPF/2427/04 – Use of agricultural buildings for B8 storage and distribution at Oakleigh Nursery, Paynes Lane, Nazeing
10. EPF/1307/04 – Erection of detached annexe at 43, Fyfield Road, Ongar

### Planning Appeals Dismissed

11. EPF/383/04 – Extensions at 20A Rous Road, Buckhurst Hill
12. EPF/1203/04 – erection of 6 flats and parking at Garage Block, corner of Westbury Road and Westbury Lane, Buckhurst Hill
13. EPF/1540/04 – Two storey side extension at 20 Ormonde Rise, Buckhurst Hill
14. EPF/2093/04 – Erection of dwelling house at land r/o 16, Forest Edge, Buckhurst Hill
15. EPF/1167/04 – New roof with games room and attic at 44/46, Forest Lane, Chigwell
16. EPF/1260/03 – Use as memorial garden with chapel, etc. on land at Former Beaver Site, Manor Road, Chigwell
17. EPF/1423/04 – Front boundary wall and gates at 175, Lambourne Road, Chigwell
18. EPF/1520/04 – Increase max no. of dwellings to 60 at Grange Farm, High Road, Chigwell
19. EPF/1615/04 – Redevelopment of core area for 180 houses at Grange Farm High Road, Chigwell
20. EPF/1547/04 – Erection of 4 detached dwellings at land adj. The Paddock, Grove Lane, Chigwell
21. EPF/1848/04 – Erection of 4 dwellings at 80, Hainault Road, Chigwell
22. EPF/1960/04 – New roof for games room and dressing room at 44/46, Forest Lane, Chigwell
23. EPF/2019/04 – Use as licensed betting office at 17 Brook Parade, High Road, Chigwell
24. EPF/417/04 – Erection of two dwellings at 64A, Bower Hill, Epping
25. EPF/1444/04 – Single storey rear extension at Bell Cottage, Bell Common, Epping
26. EPF/1477/04 – Boundary wall and gates at 12, Lower Bury Lane, Epping
27. EPF/2361/04 – Use for sale of hot food at 26, Lindsey Street, Epping
28. EPF/1010/04 – Extension of residential cartilage for dog run and shed at Buzzards View, Parvills Farm, Epping Upland
29. EPF/1435/04 – First floor rear balcony at 38, Hoe Lane, Abridge

30. EPF/605/04 – Two storey side extension and creation of 5 flats at 3, Upper Park, Loughton
31. EPF/1033/03 – Two storey rear extension and other alterations at 67 Tycehurst Hill, Loughton
32. EPF/1166/04 – Rear extension and detached garage at 27, Grosvenor Drive, Loughton (Objection was made only to the rear extension)
33. EPF/1761/04 – Rear conservatory at 65, Stonards Hill, Loughton
34. EPF/2086/04 – Use of first floor as clinic at 251A, High Road, Loughton
35. EPF/2133/04 – First floor rear extension and loft conversion at 5, Summerfield Road, Loughton
36. TRE/EPF/1648/04 – Felling of a yew tree at 38, Upper Park, Loughton
37. EPF/950/04 – New church, hall and 26 flats at Trinity Church, Mannock Drive, Loughton
38. EPF/1300/03 – Use of building as 2 dwellings at The Redoubt, Ongar Park, North Weald
39. EPF/1995/04 – Use for keeping horses and erection of stables at 1 Gainsthorpe Cottages, Gainsthorpe Road, Bobbingworth
40. EPF/352/04 – Animal shelter at Stoneshot, Farm, Hoe Lane, Nazeing
41. EPF/864/04 – Erection of 2 stables and hay store at Langridge Barn, Paynes Lane, Nazeing
42. EPF/1699/04 – Detached hay barn and extension of tack room building at Five Acre Lodge, Hoe Lane, Nazeing
43. EPF/1756/04 – New vehicle access at Little Dormers, Middle Street, Nazeing
44. EPF1694/03 – Use of buildings as B1 offices at The Redoubt, Ongar Park, North Weald
45. EPF/1870/04 – Erection of 21 houses and 1 flat at Blacksmiths Arms PH, Woodside, Thornwood
46. EPF/1246/04 – Use as a single dwelling at Old Mission Hall, Willingale Road, Norton Heath
47. EPF/518/04 – Replacement garage with first floor at St Vincents Farm, Epping Road, Broadley Common
48. EPF/2170/04 – Single story Rear extension at Holne Chase, Hamlet Hill, Roydon
49. EPF/1620/04 – Erection of detached dwelling at 1 Ash Groves, Sheering
50. EPF/623/04 – Conversion of sewage treatment block to a dwelling at Moletrap PH, Tawney Common, Stapleford Tawney
51. EPF/655/04 – Two storey building for residential care home at Suttons Manor, London Road, Stapleford Tawney
52. EPF/769/04 – Low level lighting and extension of hours of clubhouse at Theydon Bois Tennis Club, Sidney Road, Theydon Bois
53. EPF/1292/04 – Green burial ground with chapel etc at land at Theydon Mount End, Theydon Mount
54. EPF/146/05 – Erection of 3 storey block of 16 flats at 40a, 44 & 46, Highbridge Street, Waltham Abbey

#### **Enforcement Appeals Allowed**

55. Erection of wall, railings and gates at 140, Manor Road, Chigwell
56. Laying hardstanding and use for siting a mobile home at Breach Barns Caravan Park, Galley Hill

#### **Enforcement Appeal Part-Allowed and Part-Dismissed**

57. Laying an access road (allowed) and laying hardstanding (dismissed) at Alderwood Pasture, New Farm Drive, Abridge

#### **Enforcement Appeals Dismissed**

58. Stationing of a mobile home at Alderwood Pasture, New Farm Drive, Abridge
59. Use for processing trees, the siting of four containers and portakabin, formation of hardstanding and depositing of earth and waste materials at land at Hill Hall, Theydon Mount
60. Erection of stables and laying base and hardstanding at North Lodge Farm, Holyfield, Waltham Abbey
61. Use for car vehicle washing including siting of store building and container on land at Old Orleans P.H., Epping Road, Waltham Abbey

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## **Report to Area Plans Sub-Committee 'C'**

**Date of meeting: 14 December 2005.**



**Epping Forest  
District Council**

**Subject: Request to Discharge a Section 52 Agreement -  
Stonehall Farm, Downhall Road, Matching.**

**Officer contact for further information: Jill Shingler (01992 – 56 4106).**

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

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### **Recommendation:**

**That the discharge of the Section 52 Agreement at Stonehall Farm, Downhall Road, Matching be agreed.**

### **Report:**

1. This request to discharge an old Section 52 Agreement relates to a Grade II listed barn located on Downhall Road. There are commercial premises to the north and a farmhouse, now converted to 3 dwellings to the south. The barn shares an access with the residential units. The barn is currently disused.
2. In 1984 permission was granted for use of the barn for storage and restoration of antique furniture. In 2000 Listed building consent was given for reproofing and new windows and doors to the barn. In July 2005 Planning and Listed Building consent were granted for conversion of the barn to a single dwelling.
3. In 1984 when planning permission was granted for change of use of an existing barn at the above site from agricultural storage to storage and restoration of antique furniture, the application was granted subject to a legal agreement under section 52 of the Town And Country Planning Act 1971. The legal agreement, which is still in force, restricts the use of the barn to the storage and restoration of antique furniture and prevents the barn from being disposed of separately from the remainder of the application site. At the time of the permission it was considered necessary to exercise this additional control of the use in the interests of amenity and to prevent undue traffic generation.
4. In July of this year, however, Planning Permission and Listed Building Consent were granted for change of use of the same barn to a single residential unit. The application was granted under delegated powers on the basis that the owners have been unable to let the barn for the approved use for the last 3 years and that the application was in accordance with the current adopted Local Plan Policies. It is therefore considered that the Section 52 Agreement is no longer relevant or required and that it should be discharged, to enable the new planning consent to be implemented.

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## AREA PLANS SUB-COMMITTEE 'C'

14 December 2005

### INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/1603/05	King Street Farm, King Street, High Ongar	Grant	21
2.	EPF/1604/05	King Street Farm, King Street, High Ongar	Grant	27
3.	EPF/1657/05	Site at Former Brass Yard, Mill Lane, High Ongar	Refuse	29
4.	EPF/1658/05	High Ongar Village Hall, The Street, High Ongar	Grant	33
5.	EPF/0289/05	Village Hall, The Street, Sheering	Grant	36

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**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/1603/05
<b>SITE ADDRESS:</b>	King Street Farm, King Street, High Ongar
<b>PARISH:</b>	High Ongar
<b>APPLICANT:</b>	Mr A G Metson
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use of barn and adjoining buildings to a mixed residential and business use.
<b>RECOMMENDED DECISION:</b>	<b>GRANT</b>

**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 workspace area as identified on drawing no. 260/6 shall be limited to this area of the building only and for the purposes of Class B1 use only. There shall be no direct retailing taking place from the workspace, nor shall it be used for residential purposes unless otherwise agreed in writing by the Local Planning Authority.
- 3 No conversion or demolition or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.
- 4 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 LPA and the completed phase 1 investigation shall be submitted to the LPA 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 LPA before commencing the study and the completed phase 2 investigation with remediation proposals shall be submitted to and approved by the LPA prior to any remediation works being carried out.

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

- 5 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 - H shall be undertaken without the prior written permission of the Local Planning Authority.
- 6 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garage(s) hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.
- 7 Before the commencement of the development or any works on site, details of the landscaping of the site, including retention of trees and other natural features, shall be submitted in writing for the approval of the Local Planning Authority, and shall be carried out as approved. This includes details of a replacement hedgerow for the existing hedgerow to be removed at the front of the site.
- 8 The area within the sight splays indicated on drawing no. 260/8 shall be formed before first occupation of the residential and live/work unit hereby approved and thereafter give a clear and continuous view of traffic and shall not contain obstructions above the crown of the adjacent road.
- 9 Details of any walls, fences and entrance gates shall be submitted to and agreed in writing by the Local Planning Authority before works commences on site.
- 10 Prior to the commencement of the development details of the proposed surface materials for the entrance, drive and parking/turning area, 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:**

Alterations to and change of use of former farm barn and adjoining buildings into a dwelling house with attached Class B1 business space. The existing vehicular access to King Street would be slightly widened.

**Description of Site:**

Mid-19th Century, Grade II listed two-storey barn of traditional red brick and pitched slate roof appearance. Two single wings project at both ends to form a 'U' shape group around a courtyard. A small modern shed is attached on one side. North of this group there is a timber framed single storey cart shed.

The site is currently part of the curtilage of King Street Farmhouse, a Grade II listed house, set further back, about 25m from the road frontage. The surrounding area is Green Belt open countryside with a scattering of relatively remote dwellings set back from the road.

## **Relevant History:**

None.

## **Policies Applied:**

### Structure Plan:

- RE2 - Re-use of Rural Buildings.
- C2 - Development in the Green Belt.
- H2 - Sequential Approach to Housing.
- CS4 - Sustainable New Development.
- HC4 - Conversion of listed Buildings.

### Local Plan:

- GB2 and GB8 - Metropolitan Green Belt.
- DBE4, DBE5, DBE6, DBE8 and DBE9 - Impact on amenity and design.
- T17 - Highways and Traffic.
- HC12 - Affect on setting of a Listed Building.
- HC13 - Conversion of a Listed Building.

## **Issues and Considerations:**

The key issues are considered to be whether the proposal accords with the policy criteria for the re-use of rural buildings and if so, what its impact will be on the local area, neighbours, setting of a Grade II Listed Building and the Green Belt in general.

### 1. Principle of Conversion:

Structure Plan Policy RE2 and GB8 of the adopted Local Plan allows for the re-use of rural buildings subject to a criteria which requires the building to be permanent and of substantial construction, capable of conversion without major or complete reconstruction and be worthy of retention in keeping with its surroundings.

The policy continues, specifying that the proposed use should be in accordance with Green Belt policy GB2, i.e. recreational or tourism related or for business or storage use which should not include open storage or significant vehicle parking. Finally, residential usage where the building is unsuitable for any of the above uses, particularly where it is desirable that the building be brought back into the beneficial use.

Policy HC13 of the Local Plan supports the principle of conversion of a Listed Building, as does Policy HC4 of the Structure Plan, where this would preserve the building, its setting and its special character or architectural qualities.

### 2. The Building:

This is a Grade II Listed Building and appears to have been neglected for a number of years. It is no longer required for modern day agricultural purposes. But this is an attractive group of buildings and 19th Century brick built barns, which are less common than the traditional timber framed structures. Little adaptation other than refurbishment and repair to sections of the walls are required, but its preservation is important and essential it is brought back into beneficial use.

### 3. The Proposed Use:

Given the proximity of the Farmhouse and neighbours on the opposite side of the road (Spencers, Tree Tops and King Reading House), a full commercial re-use of the 420 square metres would be inappropriate and likely to result in undue noise and disturbance. In this respect, the objection from neighbours in respect of exclusive commercial use is accepted by Officers. The proposed scheme does include a small office element within it, but is most likely to be used as a home office where the owner manages a business remotely from its main workplace and only accounts for 12% of the overall floor space.

Residential use, as a single dwelling, will introduce a new home into a rural area where any new resident is going to be reliant on private motor vehicles for transport, which broadly contradicts with sustainability policies within the Structure Plan. However, it is close to Ongar and not so remote as to be isolated. Fundamentally, the listed building needs to be brought back into use to safeguard the future of this fine rural structure and a single residential use with a live-work element to encourage the owner to work at home and reduce lengthy commuting, is justified in this case. Furthermore, any residential garden would be concealed within the courtyard and overall the openness of the Green Belt would not be harmed.

### 4. Highways and Traffic:

Two parking spaces and domestic storage space for the proposed dwelling would be provided by converting two-thirds of the existing cart-shed to the north of the barn. The final third would provide parking for the existing Farmhouse/parking provision is acceptable.

The existing access does not have adequate sightlines and despite this serving an existing house and, in the past, agricultural vehicles, the Council's Highway's Officer seeks improvements to driver visibility for any vehicle emerging from the site entrance. It will, however, result in the loss of a section of existing hedgerow either side of the entrance to achieve the sightlines. There will therefore be a requirement for a new hedgerow to be planted behind the visibility splay in the interest of visual amenity. The public right of way will not be affected.

### Conclusion:

The building proposed for conversion is a good quality brick built Listed Essex barn. It needs to be put to good use to ensure its future, and is capable of conversion without the need for major or extensive repair work.

The proposed residential use would be a suitable, low key and most sustainable use, particularly in the latter case where there is a linked small work unit.

The access improvement is in the interest of highway safety and there will be no undue impact on existing residents living in the vicinity of the site.

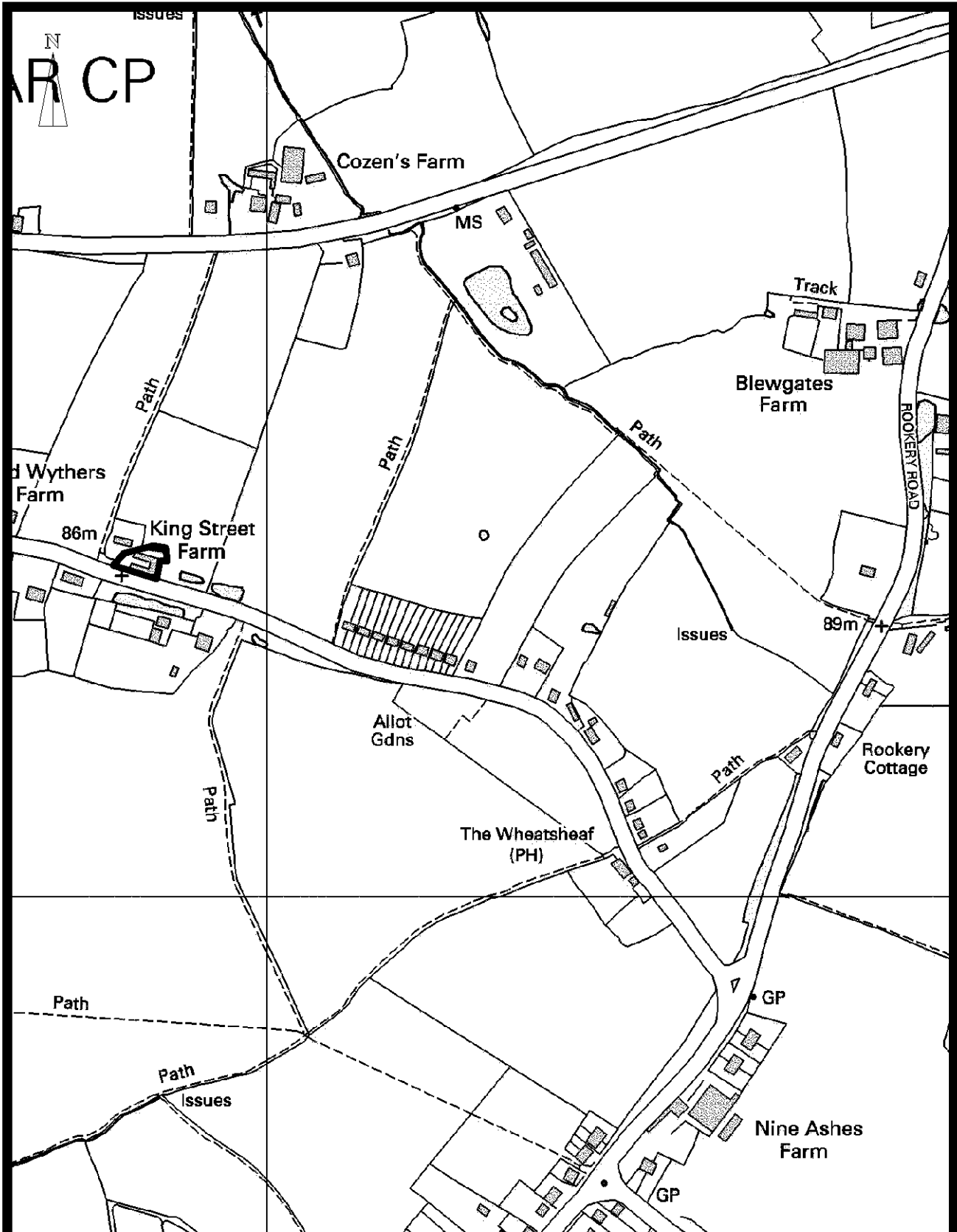
It accords with the relevant policies of the Local and Structure Plan and is recommend approval.

### **SUMMARY OF REPRESENTATIONS:**

TREETOPS, KING STREET – If successful, other plots of current grazing land and the farmhouse may be sold for development, object to an extra dwelling facing us, prospect of an unknown business bringing extra traffic to a country lane, damage and erosion to verges and hedgerow, noise, pollution and loss of privacy, unnecessary to remove hedgerow and widen the access which has proved adequate for farm traffic, public right of way to the side of the property which should be taken into account.



KINGS READING HOUSE, KING STREET – No objection as it appears sympathetic to the environment and should keep the building long standing. If the commercial use of the barn was for live/work use by the residents I would have no real objections, but have reservations if the premises will be let on a commercial basis to external users because of possible increase in traffic in this road where there are restrictive views, no footpath or street lighting on this section of the road which is used as a cut through for high speed traffic.



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Item No: 1 & 2  
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**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/1604/05
<b>SITE ADDRESS:</b>	King Street Farm, King Street, High Ongar
<b>PARISH:</b>	High Ongar
<b>APPLICANT:</b>	Mr A G Metson
<b>DESCRIPTION OF PROPOSAL:</b>	Listed building application (Grade II) for alteration and change of use of barn and adjoining buildings to a mixed residential and business use.
<b>RECOMMENDED DECISION:</b>	<b>GRANT</b>

**CONDITIONS:**

- 1 The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.
- 2 Samples of the types and details of colours of all the external finishes, shall be submitted for approval by the Local Planning Authority prior to the commencement of the development, and the development shall be implemented in accordance with such approved detail.
- 3 Additional drawings that show details of proposed new windows, doors, rooflights, eaves, verges, fascias, cills, structural openings and junctions with the existing building, by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the LPA in writing prior to the commencement of any works.
- 4 A scheme of landscaping including samples of external surfaces shall be submitted to and agreed by the local planning authority prior to commencement of the works.

**Description of Proposal:**

Application for listed building consent for the works described in the previous item to enable a residential unit to be created.

**Policies Applied:**

Structure Plan: HC4 - Conversion of listed Buildings.  
Local Plan: HC13 - Conversion of Listed Buildings

**Issues and Considerations:**

The key issue is whether the conversion of the barn and the two adjoining single storey ranges would harm its historic character and appearance.

The conversion will ensure the future use of this fine, but neglected, listed building. The appearance would be little altered, particularly from the road where the fabric will not be changed. New doors and windows would replace existing openings, which are predominantly facing into the inner courtyard area. Part of the northern single storey range is open to the courtyard, but enclosing with full glazing this section will not harm its historic character.

The Listed Building Adviser raises no objections and recommends that consent be granted subject to details of external materials, where replacement roof material is required to match the slates on the barn, design of new windows and door types and landscaping.

There is no objection to this application, which complies with policies HC4 and HC13 of the development plan.

**SUMMARY OF REPRESENTATIONS:**

See EPF/1603/05

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/1657/05
<b>SITE ADDRESS:</b>	Site at Former Braces Yard, Mill Lane, High Ongar
<b>PARISH:</b>	High Ongar
<b>APPLICANT:</b>	High Ongar Parish Council
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of new village hall including new vehicular access.
<b>RECOMMENDED DECISION:</b>	<b>REFUSE</b>

**REASON:**

- 1 The proposed new vehicular access would result in serious amenity to the residents of houses opposite in Mill Lane, particularly to the occupants of Nos. 38 and 40 Mill Lane, by reason of noise, disturbance and light intrusion, contrary to policy DBE2 of the adopted Local Plan.

**Description of Proposal:**

Proposed village hall building, 13m x 20m in footprint, 6.8m high to ridge of proposed tiled, hipped, pitch roof. It would be located centrally towards the Mill Grove end of the site; with a village green and grassed area south-east and north of it. A new vehicular access will be formed through the existing hedge from Mill Lane leading to a car parking area for 29 parking spaces. An existing access into the site, in the south-west corner of the site, will be retained for "emergency and maintenance access only".

**Description of Site:**

Since Mill Grove housing development for 25 houses was built about 3 years ago, the southern part of this former timber yard site (Braces Timber Yard), intended for a new village hall, has been left vacant. Located on the east side of Mill Lane, previous buildings on the site associated with the timber yard have been demolished. Whilst the site is located in the Green Belt, it is surrounded on three sides by housing. Views into the site from Mill Lane and from the open countryside to the east are generally screened by tree and hedges.

**Relevant History:**

EPF/985/00 Demolition of existing buildings and proposed development for 25 houses (7 affordable) and a village hall with open space - Granted planning permission 22/1/02.  
EPF/577/02 Proposed village hall (Revised application) - Approved 29/4/02.

## **Policies Applied:**

Local Plan:

Green Belt - GB2, C2 (Structure Plan).

Community Buildings - CF8 + CF9.

Siting, amenity issues, design + appearance - DBE1 + 2.

Parking - T14, T12 (Structure Plan).

Highway Safety - T17, T8 (Structure Plan).

Landscaping + Trees - LL10.

Promoting Accessibility - T3 (Structure Plan).

## **Issues and Considerations:**

The main issue is whether the proposed building would be in keeping with its surroundings, particularly the amenities of the Green Belt, street scene and local residents living in the vicinity of the site. Also, would there be any serious highway issues associated with a new vehicular access onto Mill Lane?

### 1. Visual Impact

A village hall has been previously approved on this site. Very special circumstances were demonstrated to justify redevelopment of this site in the Green Belt as it was previously brownfield land and the residential element (25 houses) have been built and are occupied. The principle of a village hall was accepted at this time and has been further agreed since.

This proposal is smaller in footprint (260sqm compared with previous approvals for 360sqm and 500sqm) and more compact. In design terms it will be similar and have a traditional, brick and tile appearance. There will be no undue intrusion into the Green Belt. The boundary of the site to the open fields to the east is screened by existing vegetation and the larger portion of the site will be grassed. The building itself would be a reasonable 35m away from houses to the west in Mill Lane and not cause direct impact to these residents.

Soft landscaping to the side of the nearest house, 22 Mill Grove, will reduce the impact of parking in this part of the site. Soft landscaping, involving retention and replanting of the current hedgerow along the Mill Lane frontage, will help screen the parking area from being visually prominent in the street scene.

### 2. Amenity Issues

The previous two planning permissions proposed vehicular access via Mill Grove, which currently ends as a T-shape turning area. This was because the housing development and the village hall were part of one planning application and it was always intended that access would be from the new estate road. However, the new village hall was not built and access through the housing estate would now bring increased vehicular movement and likely disturbance to these residents. To safeguard against this, a new vehicular access is proposed but this will be directly opposite 38 and 40 Mill Lane.

A total of 29 parking spaces with a possible reinforced grassed area for overspill parking would potentially bring excess vehicular movement, particularly at busy times. This is going to result in increased disturbance and headlight glare from cars exiting at this point, to the serious detriment of these residents, opposite.

### 3. Parking and Highway Issues

Parking provision (29 spaces) is commensurate with a communal hall building of this size. There is further space potential in the site for further parking when the need arises, and therefore on-street parking associated with the proposed development is unlikely. Highway Officers have raised no objection to the new vehicular access in highway terms, subject to sight lines being clear to allow clear vision both ways on exiting the site. This will remove existing hedges and shrubs along this part of Mill Lane, and initially open up the site to residents living opposite. Highway Officer requirements for street lighting at this junction will also lighten up this part of the site in front of Nos. 38 and 40 Mill Lane.

With an existing access further to the south, where no hedgerow removal is required, would be a more suitable access point. Alternatively, as originally intended, it could be accessed through Mill Grove. However, with no objection raised by the Highway Officer to the new proposed access, subject to detailing of the access and parking area, footway with lighting provided along the boundary of the site to Mill Lane by means of a Section 106 legal agreement, no highway objection can be claimed.

#### Summary

There is no objection in principle to the development.

The size, design and appearance of the proposed building and parking area is commensurate with its surroundings and does not cause harm to the character of this part of the green belt or the more open countryside beyond.

The access arrangements in terms of highway safety is considered acceptable and should Members be minded to grant planning permission, the highway improvements at the expense of the applicant will be required by means of a suitable Legal Agreement.

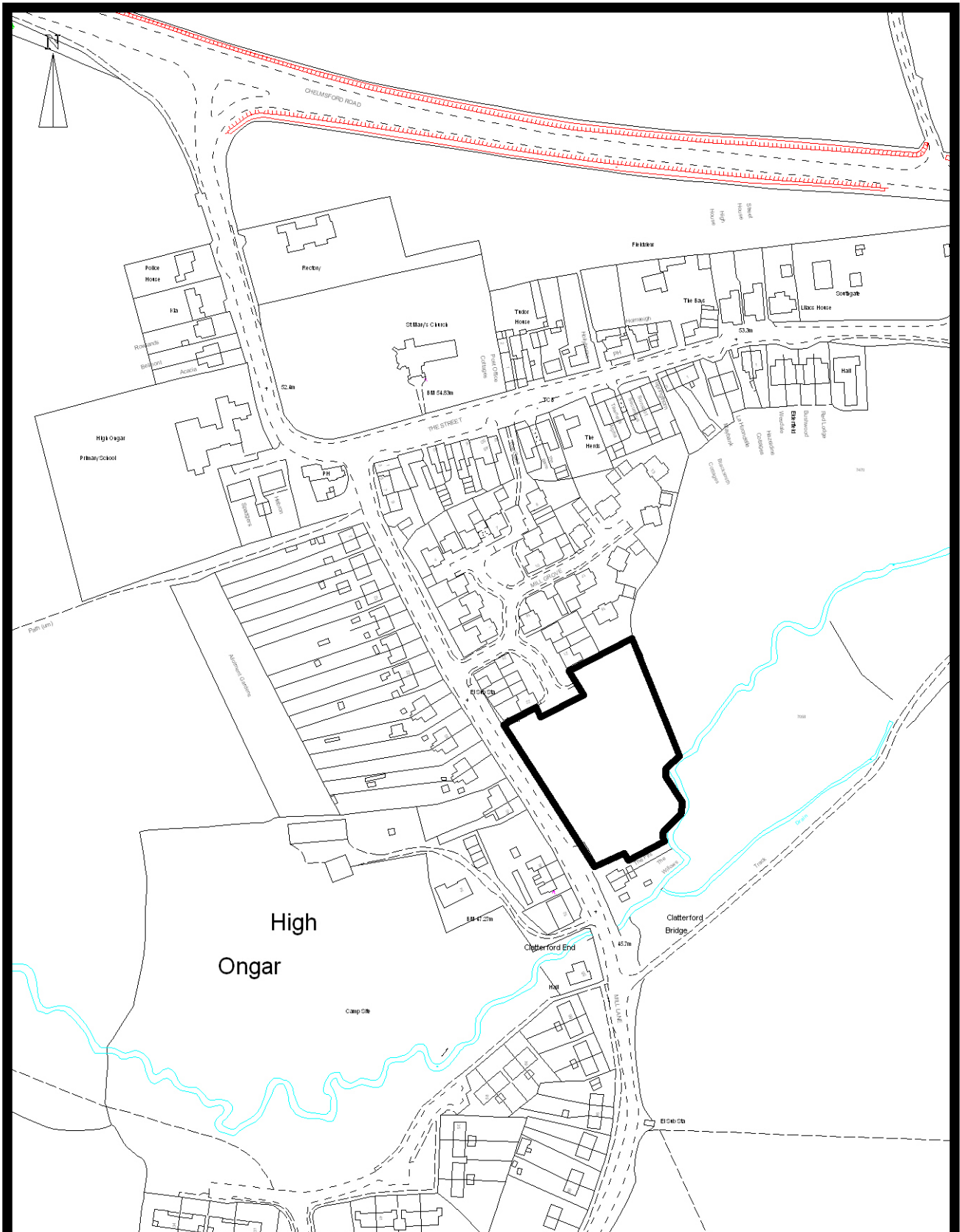
However, the planning application is recommended for refusal by officers because of the position of the new vehicular access. It would not only open up the site to the residents living opposite by the removal of the existing vegetation, but more intrusively, result in serious loss of amenity to the residents particularly nos. 38 and 40 Mill Lane, whose houses are further forward to the road than their neighbours and would directly face the entrance. The proposal is therefore, contrary to Policy DBE2 of the Local Plan.

In view of the above concerns the application is recommended for refusal.

#### **SUMMARY OF REPRESENTATIONS:**

**STREET HOUSE, THE STREET** – Object, proposed access will not have adequate sight lines and will make an additional traffic hazard to Mill Lane. The current planned access from Mill Grove is adequate. Another entrance in Mill Lane in such close proximity could be an additional hazard as there will be confusion as to who has priority, and residents of Mill Lane will find their own parking further restricted. 28 spaces are inadequate, where will the overflow parking go, parking of additional cars in emergency access is not acceptable in Green Belt. Lighting to the new entrance will cause light pollution to residents in Mill Lane.

**38 MILL LANE** – Object to new access if opposite my property.



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Item No: 3  
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**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/1658/05
<b>SITE ADDRESS:</b>	High Ongar Village Hall, The Street, High Ongar
<b>PARISH:</b>	High Ongar
<b>APPLICANT:</b>	High Ongar Parish Council
<b>DESCRIPTION OF PROPOSAL:</b>	Outline application to demolish existing village hall and erection of two domestic dwellings.
<b>RECOMMENDED DECISION:</b>	<b>GRANT</b>

**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 hereby permitted shall only be carried out in accordance with detailed plans and particulars, which shall have previously been submitted to and approved by the Local Planning Authority. Such details shall show the siting, design and external appearance of the building(s), landscaping and the means of access thereto.
- 3 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 4 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 A, shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 No gates shall be erected at any new access to the site served by a new crossover over the existing footway.

**Description of Proposal:**

Replacement of village hall building with a pair of semi-detached, two storey houses. New vehicular access to be formed at the front of the site into The Street. Outline application with all matters reserved.

### **Description of Site:**

Village hall building at eastern end of residential properties, at the far end of the built-up area of the village, with countryside (Green Belt) beyond to the west and to the rear (south).

### **Relevant History:**

None.

### **Policies Applied:**

- GB7 - Development conspicuous from the Green Belt.
- H3 - Criteria for assessing housing outside the Green Belt.
- CF8 - Facility provision of public halls.

### **Issues and Considerations:**

The main considerations are the principle of the development, visual impact and amenity issues, and highway safety.

#### 1. Principle of Development

The village hall removal relies upon a replacement building elsewhere in the village. Its current facilities require a more modern building and there is no off-street parking provision here. A new site, the subject of planning permission EPF/1657/05, on the previous item on this agenda, is acceptable in principle, subject to detailing and has an existing granted planning permission, (despite this latest application being recommended for refusal). The surrounding area is made up of predominantly housing, and a pair of houses would fit readily on the site, as shown on the submitted indicative plans, without detriment to the street scene, the amenities of the adjoining, neighbouring house (Red Lodge) or the visual amenities of the adjacent open countryside. Trees would be removed from the eastern site boundary, but an existing hedgerow can be retained. None of the trees are of preservable quality.

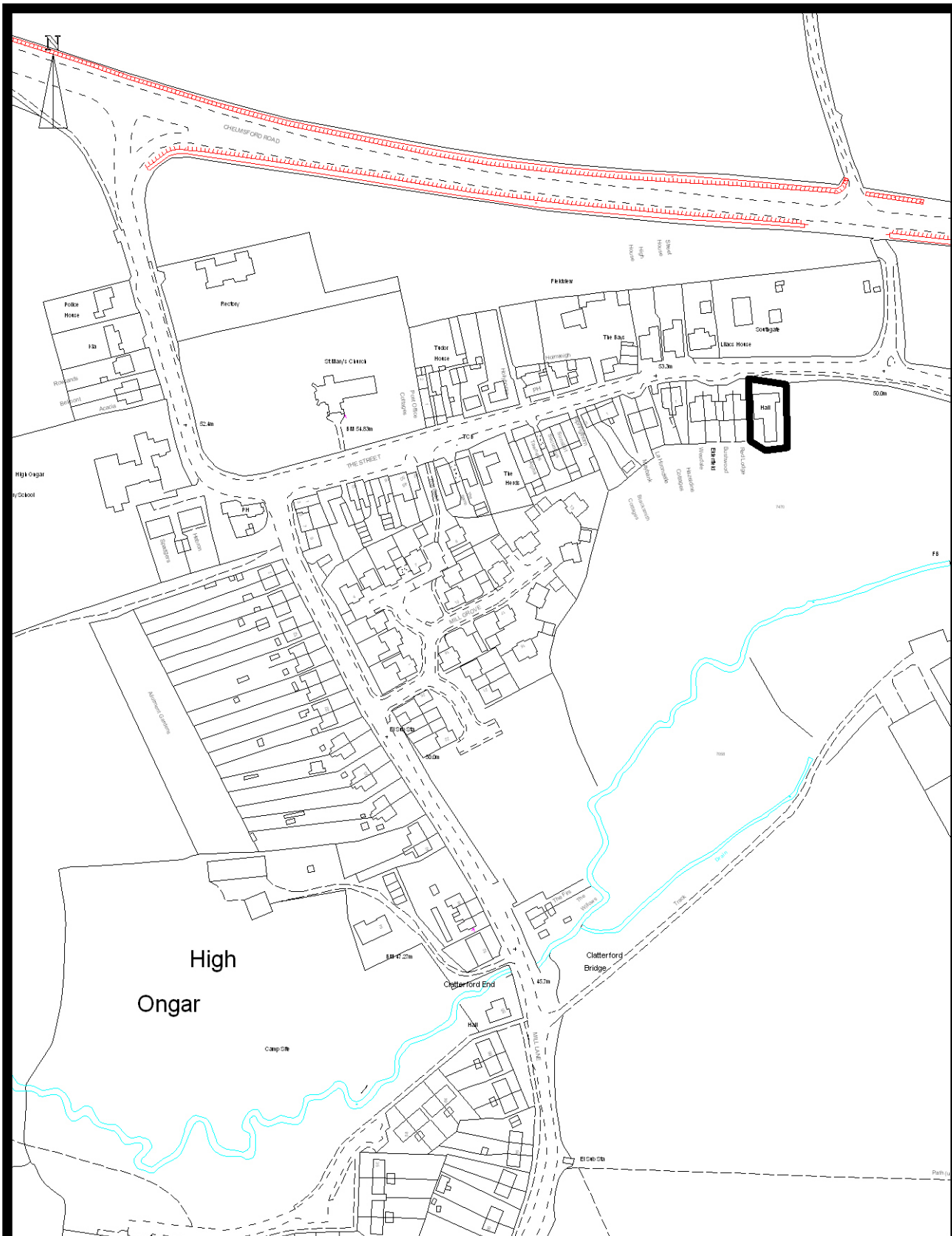
#### 2. Highway Issues

A vehicular access will be introduced to the site and there would potentially be room for car parking and a turning area for both houses. The proposed access can achieve moderate sight lines, but not the 90m required by Highway Officers. However, with vehicle turnaround possible in the site, this, on balance, is considered acceptable in this case.

In summary, the principle of two houses on the site is acceptable and the application is recommended for approval.

### **SUMMARY OF REPRESENTATIONS:**

None.



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**Item No: 4**  
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**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/0289/05
<b>SITE ADDRESS:</b>	Village Hall, The Street, Sheering
<b>PARISH:</b>	Sheering
<b>APPLICANT:</b>	Sheering Village Pre-School
<b>DESCRIPTION OF PROPOSAL:</b>	Single storey extension, with loft storage area, for pre-school activities.
<b>RECOMMENDED DECISION:</b>	<b>GRANT</b>

**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 Details of suitable external storage locations and collection arrangements for refuse shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of the development.
- 4 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the first occupation of the building hereby approved and shall be adequately maintained.
- 5 This consent shall inure solely for the benefit of the applicant and for no other person or persons.

**Description of Proposal:**

It is proposed to construct a single storey extension to the Hall, around 13m long by 7m wide, with a relatively high pitched roof to accommodate ancillary storage in the roofspace. The height to ridge is about 6.5m. The floor area created would be around 92 sq m.

### **Description of Site:**

The Village Hall at Sheering is located centrally off The Street, on the northern edge of the settlement in an open location adjoining the Green Belt. The Hall itself lies behind three detached dwellings, next to the rear curtilage of the Sheering C of E School, which has a hedgerow of varying height affording screening of the site. Access to the large car park for the Hall is via a narrow drive near to the junction of The Street with Church Lane. There is a flat roofed single storey extension at the eastern end of the Hall, which it is proposed to extend further to the northern site boundary, replacing two separate prefabricated single garages on the boundary with the school.

### **Relevant History:**

EPO/682/71 – Village hall – Approved 9.11.71  
EPO/1000/73 – Extension to hall – Approved 10.4.74  
EPF/717/74 – Extension to car park – Approved 16.10.74  
EPF/1673/79 – Garage for storage use – Approved 21.1.80

### **Relevant Policies:**

Structure Plan Policies:

CS4 Sustainable new development.  
RE1 Development in rural settlements  
T12 Vehicle parking

Local Plan Policies:

DBE1 Design of new buildings  
BDE2 Impact of new buildings on neighbouring property  
DBE6 Car parking  
DBE9 Impact of development on amenity  
LL3 Landscaping on settlement edges  
LL11 Landscaping of developments  
T17 Traffic implications of developments

### **Issues and Considerations:**

Sheering Village Hall houses a variety of community uses, including a well-used pre-school activities group which has a small hall area for morning use only, ending at 12.30pm. No other community group has used the space in the afternoon for some years.

In principle, the improvement of a community facility such as this playgroup is acceptable in land use terms, as it is sited centrally in the settlement where most of the children live, enabling them to be brought on foot or with a minimal journey. The new building would, however, appear unusually high, being higher than the existing Hall and its earlier flat-roofed addition. This is to provide roof level storage without creating a larger building, which would intrude into either the car park or the open playing field in the Green Belt. Although it is 6.5m to ridge level, this is no higher than a chalet bungalow. On balance it considered that it would be acceptable in terms of the view into the village from the north across Green Belt land, given the variety of building heights along this side of The Street (Local Plan policy GB7).

The County Highways section has concerns about the additional accommodation enabling a net increase in traffic movements at the Village Hall, with detrimental effects on traffic flow on The

Street (B183) and on highway safety in relation to poor visibility at the access. Although these concerns are understood, in practice it is not considered that there will be any net increase in traffic, the pre-school group not being expected to grow but rather gain more useable accommodation. Any take-up of the vacated space by another local group would not necessarily involve movements at the same time as the pre-school group. A condition limiting use of the new extension to the pre-school group only will further ensure that the additional floorspace is for local activities, reducing the number and length of journeys anticipated.

The need for matching materials, routine flood risk assessment and suitable refuse collection arrangements should be the subject of conditions, as in the recommendation.

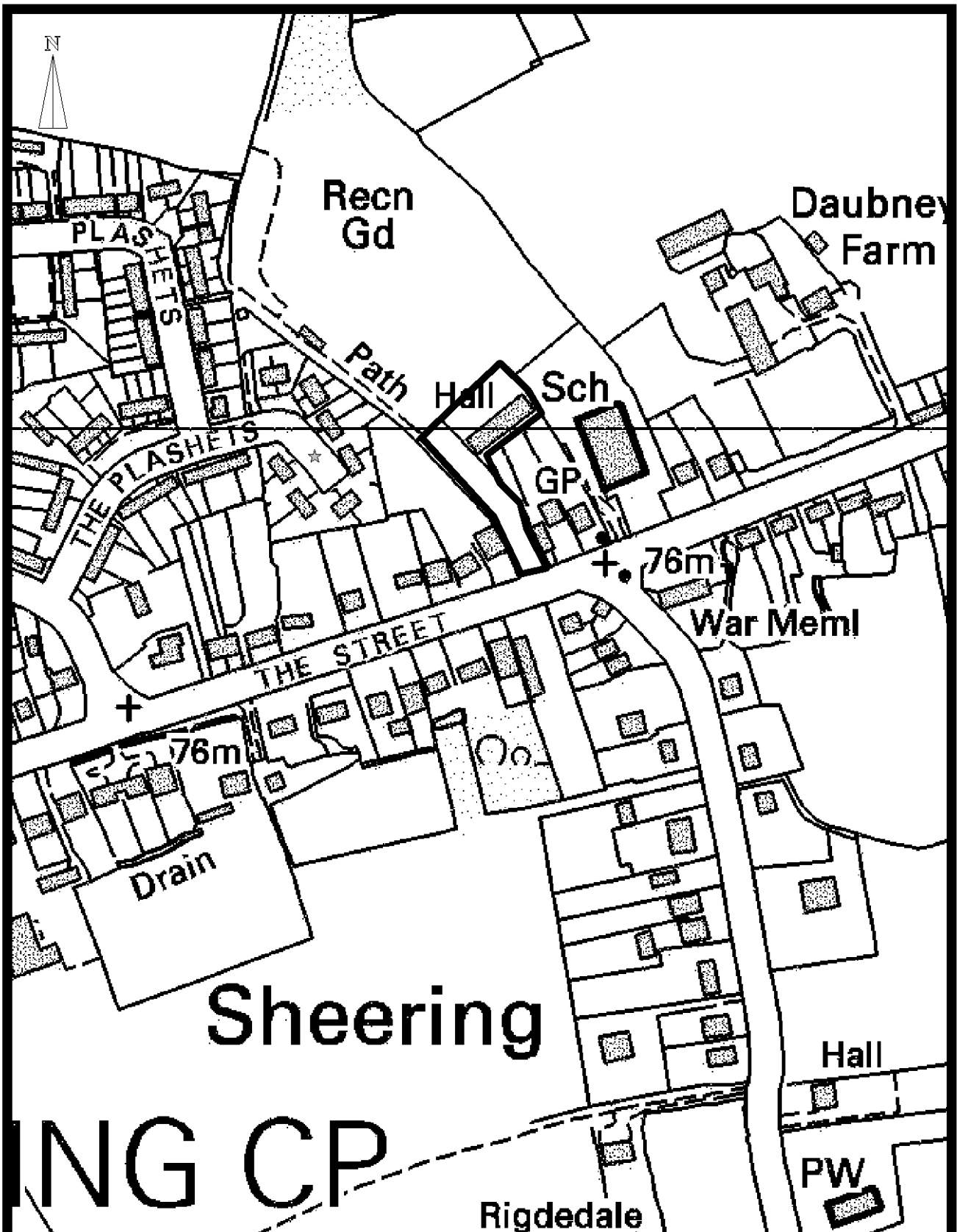
#### Conclusions

The Village Hall extension is considered acceptable, on balance, subject to conditions limiting occupation to the Sheering Village Pre-School group only; matching external materials; requiring a flood risk assessment; and for details of refuse storage and collection arrangements prior to occupation of the development.

#### **SUMMARY OF REPRESENTATIONS:**

SHEERING PARISH COUNCIL – No comments received.

NEIGHBOURS – No replies.



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