

# Committee Agenda



**Epping Forest  
District Council**

## **Area Plans Subcommittee C Wednesday, 5th July, 2006**

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

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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 - 22)**

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 24 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 23 - 58)

(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

**Exclusion:** 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 following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

**Confidential Items Commencement:** 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 and 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:** 7 June 2006

**Place:** Council Chamber, Civic Offices, Epping                      **Time:** 7.30 - 10.05 pm

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

**Other Councillors:** Mrs P Smith

**Apologies:** (none)

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

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### 1. 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.

### 2. MINUTES

#### RESOLVED:

That the minutes of the meeting held on 12 April 2006 be taken as read and signed by the Chairman as a correct record.

### 3. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillors K Wright, P Gode and D Jacobs declared a personal interest in the following items of the agenda, by virtue of being a member of Ongar Town Council. The Councillors had determined that their interest was not prejudicial and would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/0546/06 – Brickyards, Dunmow Road, Fyfield, Ongar;
- EPF/0523/06 – Central House, High Street, Ongar;
- EPF/0633/06 – 11 Great Stony Park, High Street, Ongar;
- EPF/0322/06 – Land to the East of Willow Mount, Epping Road, Ongar;

- EPF/0468/06 – Land opposite Golf Course, School Road, Stanford Rivers, Ongar; and
- EPF/0530/06 – 1 & 2 Warden Hall Cottages, Fyfield Road, Willingale, Ongar.

(b) Pursuant to the Council's Code of Member Conduct, Councillor Mrs H Harding declared a personal interest in the following item of the agenda. The Councillor had determined that her interest was not prejudicial and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0199/06 – The yard rear of 16 Sheering Lower Road, Sheering, Harlow.

#### 4. ANY OTHER BUSINESS

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

#### 5. PROBITY IN PLANNING - APPEAL DECISIONS, OCTOBER 2005 TO MARCH 2006

The Principal Planning Officer presented the bi-annual Planning Appeals report and highlighted that there had been only one appeal decision allowed by the Inspector following the Sub-Committee's decision to refuse permission, contrary to the Planning Officer's recommendation. The Sub-Committee were further informed that the Council's performance for the period had exceeded the Best Value Performance Indicator as well as the national average. The Sub-Committee felt that the planning appeals could be further analysed to highlight those appeals allowed by the Planning Inspector following a decision to refuse planning permission by the Head of Planning and Economic Development, acting under delegated authority.

##### **RESOLVED:**

- (1) That the Planning Appeal Decisions for the period October 2005 to March 2006 be noted; and
- (2) That consideration be given to providing further analysis of planning appeals allowed following a planning decision made by the Head of Planning and Economic Development under delegated authority.

#### 6. DEVELOPMENT CONTROL

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

##### **RESOLVED:**

That the planning applications numbered 1 – 11 be determined as set out in the attached schedule to these minutes.



**7. 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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# Minute Item 6

## **Report Item No: 1**

<b>APPLICATION No:</b>	EPF/0546/06
<b>SITE ADDRESS:</b>	Brickyards Dunmow Road Fyfield Ongar Essex CM5 0NW
<b>PARISH:</b>	Fyfield
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/20/00 - Yew (x3) - fell.
<b>DECISION:</b>	<b>GRANT</b>

### **CONDITIONS:**

- 1 A replacement tree or trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted within one month of the implementation of the felling hereby agreed, unless varied with the written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

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## **Report Item No: 2**

<b>APPLICATION No:</b>	EPF/0350/06
<b>SITE ADDRESS:</b>	Woodlands Mill Street North Weald Bassett Epping Essex CM17 9JG
<b>PARISH:</b>	North Weald – Hastingwood
<b>DESCRIPTION OF PROPOSAL:</b>	TPO 32/82: Pine - fell
<b>DECISION:</b>	<b>REFUSE</b>

### **REASONS:**

- 1 Insufficient justification has been provided to justify the felling of this significant protected tree, which would require a more thorough investigation to reveal a full body of evidence showing the extent of stem decay. Felling on the evidence now

provided would be contrary to policy LL9 of the adopted Local Plan.

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/0408/06
<b>SITE ADDRESS:</b>	Dorrington Farm Rye Hill Road North Weald Epping Essex CM18 7JF
<b>PARISH:</b>	North Weald – Hastingwood
<b>DESCRIPTION OF PROPOSAL:</b>	Application to amend operational hours to between 07.30 hours and 18.30 hours Monday to Friday.
<b>DECISION:</b>	<b>GRANT</b>

**CONDITIONS:**

1	No machinery shall be operated, no process shall be carried out and no deliveries shall be taken at or despatched from the site outside of the following times between 7.30 am and 18.30 pm Mondays to Fridays and 9.00 am to 13.00pm on Saturdays and at no time on Sundays, Bank or Public Holidays.
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**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/0523/06
<b>SITE ADDRESS:</b>	Central House High Street Ongar Essex CM5 9AA
<b>PARISH:</b>	Ongar
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of outbuilding and construction of new building consisting of five flats and restaurant with parking spaces (Revised application).
<b>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 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 The existing access to the site shall be permanently closed and the existing footway continued across the site frontage in a manner and at a time to be agreed with the Local Planning Authority after consultation with the Highway Authority.
- 5 No development 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 Planning Authority.
- 6 Arrangements shall be made whereby surface water run-off from the access is intercepted within the site.
- 7 Before the building is occupied, a suitably surfaced area shall be provided, and thereafter maintained to the satisfaction of the Local Planning Authority, within the curtilage of the site to enable a vehicle to turn and leave the property in forward gear. Details of this should be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development.

8	Equipment shall be installed to suppress and disperse cooking / food preparation fumes and smells to a minimum. The equipment shall be effectively operated and maintained so long as the restaurant use continues. Details of the equipment shall be submitted to and approved by the Local Planning Authority and the equipment shall be installed and be in full working order to the satisfaction of the Local Authority prior to the commencement of the restaurant use.
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**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/0633/06
<b>SITE ADDRESS:</b>	11 Great Stony Park High Street Ongar Essex CM5 0TH
<b>PARISH:</b>	Ongar
<b>DESCRIPTION OF PROPOSAL:</b>	Rear conservatory.
<b>DECISION:</b>	

Deferred for members site visit.

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**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/0199/06
<b>SITE ADDRESS:</b>	The Yard Rear Of 16 Sheering Lower Road Sheering Harlow Essex CM21 9LF
<b>PARISH:</b>	Sheering
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing dwelling and erection of replacement dwelling and associated landscaping (Revised application).
<b>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 The development shall be carried out in accordance with the amended plans received on 3 March 2006 unless otherwise agreed in writing with the Local Planning Authority.
- 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 Classes A, B or E shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 The residential curtilage of the dwelling hereby approved is restricted to that area outlined in red on drawing no 2456/10 received on 3 March 2006. The remaining land outlined in blue and the outbuilding shown within that area have only agricultural use and shall not be used for any non agricultural purpose.
- 6 The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing.

The scheme must include details of the proposed planting including a plan, details of species, stock sizes and numbers/densities where appropriate, and include a timetable for its implementation. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or

destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand, and in writing.

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

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

- 7 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 compliance with the principles of Sustainable Drainage Systems (SuDS). The approved measures shall be carried out prior to the first occupation of the building hereby approved and shall be adequately maintained.
- 8 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.

9	Prior to first occupation of the dwelling house hereby approved the existing building with lawful use as a dwelling shall be demolished and all materials therefrom removed from the land.
10	No construction work or deliveries of materials to the site shall occur outside the hours of 07.30 am and 18.30 pm Monday to Friday and 08.00 hours and 13.00 pm hours on Saturdays. No work shall take place at all on Sundays or Bank/Public Holidays.

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/0322/06
<b>SITE ADDRESS:</b>	Land to the east of Willow Mount Epping Road Ongar Essex CM5
<b>PARISH:</b>	Stanford Rivers
<b>DESCRIPTION OF PROPOSAL:</b>	New stable block.
<b>DECISION:</b>	

Deferred for officers to negotiate smaller scheme.

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**Report Item No: 8**

<b>APPLICATION No:</b>	EPF/0468/06
<b>SITE ADDRESS:</b>	Land opposite Golf Course School Road Stanford Rivers Ongar Essex CM5 9PU
<b>PARISH:</b>	Stanford Rivers
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of new village hall, with parking, children's play area and football pitch.
<b>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 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using



Windes or other similar programme. The approved measures shall be undertaken prior to the first occupation of the building hereby approved and shall be adequately maintained.

- 4 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.

- 5 The development, including site clearance, must not commence until a tree protection plan, to include all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing.

The statement must include a plan showing the area to be protected and fencing in accordance with the relevant British Standard (Trees in Relation to Construction-Recommendations; BS.5837:2005). It must also specify any other means needed to ensure that all of the trees to be retained will not be harmed during the development, including by damage to their root system, directly or indirectly.

The statement must explain how the protection will be implemented, including responsibility for site supervision, control and liaison with the LPA.

The trees must be protected in accordance with the agreed statement throughout the period of development, unless the Local Planning Authority has given its prior written consent to any variation.

- 6 The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing.

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

The statement must include details of all the means by which successful establishment of the scheme will be ensured, including preparation of the planting

area, planting methods, watering, weeding, mulching, use of stakes and ties, plant protection and aftercare. It must also include details of the supervision of the planting and liaison with the Local Planning Authority.

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

- 7 The access should be laid to a gradient not exceeding 4% for the first 6.0m and 8% thereafter and should be suitably paved to avoid the displacement of loose materials onto the highway and to allow easy access to wheelchair users.
- 8 The car park to be constructed and marked out in permanent materials and used only for the parking of cars not the storage of cars and not the storage of materials.
- 9 Provision so secure parking for powered two wheeled vehicles to accord with the Essex Planning Officers Associated Parking Standards `01.
- 10 Arrangements should be made whereby surface water run-off from the accessway is intercepted within the site thereby avoiding water entering the highway.
- 11 The developer shall ensure that the speed limit is legally altered and the signing and order in place prior to the commencement of works on the site.
- 12 Details of foul and surface water disposal shall be submitted to and approved by the Local Planning Authority before any work commences and the development shall be implemented in accordance with such agreed details.
- 13 All surface water serving the car parks store should pass through a petrol interceptor before discharging to the surface water system. The installation of such a system should be confirmed in writing with the Local Planning Authority.  
  
Before development commences, a written proposal detailing the provision for drainage of the site should be submitted to the Local Authority.
- 14 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place on site between the hours of 0730 to 1830 Monday to Friday & 0800 to 1300 hours on Saturday, and at no time during Sundays and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 15 No bonfires shall be permitted on site throughout the demolition and construction phase of the development.
- 16 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
- 17 The village hall and facilities hereby permitted shall not be open to customers / members outside the hours of 9.30 to 00.00 hrs on Mondays to Saturdays and 9.30 to 23.00, and not at all on Sundays or public holidays.

- 18 There shall be no external lighting of the building, car part of playing fields without the prior written consent having been obtained in writing from the Local Planning Authority.
- 19 Prior to the premises being brought into use for the purpose hereby permitted, a scheme providing for the adequate storage of refuse from this use shall be submitted to and approved by the Local Planning Authority. The scheme shall be carried out and thereafter retained at all times.
- 20 A noise control device shall be installed in the main auditorium, which shall control the volume of music and other amplified sound so that it is not audible on the boundaries of nearby residential properties.

**Report Item No: 9**

<b>APPLICATION No:</b>	EPF/0248/06
<b>SITE ADDRESS:</b>	Spindrift Bournebridge Lane Stapleford Abbots Epping Essex RM4 1LT
<b>PARISH:</b>	Stapleford Abbots
<b>DESCRIPTION OF PROPOSAL:</b>	Retention of use of existing building and site for residential purposes on a permanent basis.
<b>DECISION:</b>	

Members were concerned about the lapse of time between the service of the enforcement notice and the consideration of this application. They felt such enforcement inactivity by the authority could be considered to have created very special circumstances in this case, which could overcome the policy objection to the proposal.

Referred to District Development Committee with recommendation to approve.

**Report Item No: 10**

<b>APPLICATION No:</b>	EPF/0585/06
<b>SITE ADDRESS:</b>	Five Trees Oak Hill Road Stapleford Abbots
<b>PARISH:</b>	Stapleford Abbots

<b>DESCRIPTION OF PROPOSAL:</b>	Renewal of planning permission EPF/387/01 for the erection of double garage/workshop with storage space over.
<b>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 Materials to be used for the external finishes of the proposed garage shall match those of the existing dwelling.
- 3 No part of the proposed building shall be constructed closer than 1.0m from the top of the bank of the adjoining open watercourse.
- 4 The garage building hereby approved shall be used solely for domestic garaging and / or ancillary residential purposes and at no time shall the building be used as a separate dwelling or at any time sold away from the main dwelling know as Five Trees.
- 5 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 compliance with the principles of Sustainable Drainage Systems (SuDS). The approved measures shall be carried out prior to the first occupation of the building hereby approved and shall be adequately maintained.

6	The existing buildings on the site of the approved new garage and store shall be removed and all materials therefrom removed from the site prior to the first use of the new building.
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**Report Item No: 11**

<b>APPLICATION No:</b>	EPF/0530/06
<b>SITE ADDRESS:</b>	1 & 2 Warden Hall Cottages Fyfield Road Willingale Ongar Essex CM5 0QB
<b>PARISH:</b>	Willingale
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of 2 no. semi-detached dwellings, outbuildings and garages and erection of 2 no. link-detached dwellings with garages.
<b>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 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.
- 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, Classes A, B and C shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing.

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

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

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

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## AREA PLANS SUB-COMMITTEE 'C'

5 July 2006

### INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

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**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/0967/06
<b>SITE ADDRESS:</b>	239 Nine Ashes Road High Ongar Ongar Essex CM4 0LA
<b>PARISH:</b>	High Ongar
<b>APPLICANT:</b>	Blackmore Homes
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing house and construction of new four bedroom chalet bungalow (revised application).
<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 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 4 Prior to first occupation of the building hereby approved the proposed window openings in the first floor side elevation shall be fitted with obscured glass and have top hinged opening night vents only and shall be permanently retained in that condition.
- 5 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.
- 6 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.

7 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1 Class E shall be undertaken without the prior written permission of the Local Planning Authority.

8 The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing.

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

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

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

9 Prior to the commencement of the development details of the proposed surface materials for the driveway shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.

10 Prior to the commencement of the development, details of the proposed parking area and turning area shall be submitted to and agreed in writing by the Local Planning Authority (LPA). The parking and turning areas shall be provided in accordance with these agreed details unless the LPA gives its written consent to any variation and shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.

11 Any gates that are to be erected shall be positioned so that they are a minimum of 4.8 metres from the edge of the carriageway.

12 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

### **Description of Proposal:**

The proposed house would be located on the north-eastern part of the site, close to the road frontage. It would have an L-shaped plan and would be finished with a series of hipped roofs. At the front its first floor accommodation would be provided within the roof slope by two bonnet-roofed dormer windows. At the rear and side its elevations would have a two storey mass. The proposed house would comprise a kitchen, utility room and three reception rooms at ground floor and four bedrooms at first floor.

### **Description of Site:**

The application site lies in the settlement of Nine Ashes, which is within the Green Belt. However, the immediate surroundings of the site form a distinct built-up enclave where buildings rather than landscape features dominate. It is occupied by a detached bungalow in a poor state of repair, with a detached garage to its rear.

The frontage of the site is open in character but there is some natural screening to its extreme rear, behind the existing garage.

Dwellings in the vicinity of the site have varied designs and comprise both bungalows and two storey houses. The house to the northeast, No. 243, is a conventional two storey dwelling. The bungalow at No. 2437 lies immediately to the rear of the south-western portion of the site and it has main windows in its southeast and northeast elevations.

There are three trees (two fir and one holly) within the site.

### **Relevant History:**

EPF/358/06 - Demolition of existing house and construction of new four-bedroom chalet bungalow. Refused permission on 27.03.06. due to the combined effect of the house and garage causing No. 237 to suffer a significant degree of enclosure.

EPF/2270/04 - For the demolition of the existing house and the construction of a new chalet bungalow was withdrawn in May 2005, after this authority raised concerns regarding its bulk, mass, forward projection and the sightlines provided to Nine Ashes Road.

### **Policies Applied:**

Structure Plan

C2 - Development in the Metropolitan Green Belt.

BE1 - Urban intensification.

Local Plan

DBE1 - Design of new buildings

DBE2/DBE9 - Impact of new development

DBE6 - Residential car parking

DBE8 - Amenity space provision

LL10 - Landscape features

T14 - Car parking standards

T17 - Highways implications

GB2 - Development in the Metropolitan Green Belt

### **Issues and Considerations:**

The main issues in this application are the effect of the development on the character and appearance of the street scene, its effect on the amenities of neighbouring residential properties, its functional quality, its effect on landscape features at the site and its highways and parking implications. The key difference between this and the previous application is the loss of the detached garage.

The proposed dwelling itself remains identical to that the subject of the previously refused application.

#### Character and Appearance

Although this site is within the Green Belt, Nine Ashes Road is a built up enclave with a predominance of residential properties. The proposal would result in virtually double the floor space of the existing dwelling, and would see an increase in the roof-height from four metres (existing, excluding the chimney) to almost six metres. It should be noted that no previous application has been refused on Green Belt grounds.

The overall roof-lines would be commensurate with adjoining properties and when viewed from the adjacent highway the proposed house would have the appearance of a bungalow. The new house would be sited further away from the highways and although its flank elevations would be somewhat bulkier and more visible, the development would have a front building line generally consistent with the surroundings. Although exposed, the proposal would present a varied, interesting and not displeasing roofline. Its rear elevation would not be readily visible from the highway.

Whilst the proposed dwelling is to be larger, it would enhance the street-scene since the existing property is in a state of disrepair. The previous (identical) dwelling was not refused on green belt grounds and the central cause for concern (the garage) has been removed. It is considered that the development would respect its setting and would adopt an appropriate significance in the street scene, in accordance with policy DBE1, and given the built up nature of the surroundings would not conflict with Green Belt Policies.

#### The Amenities of Neighbouring Residential Properties

The proposed house would be sited some 7m from the main part of the dwelling at No. 243, which has no windows facing the application site. Moreover, the development contains no first floor fenestration in its northeast flank. Therefore, it is considered that it would not cause No's. 243 or 247 to suffer material loss of light, outlook or privacy.

The proposed house would be significantly closer to the front and side walls of No. 237 than that existing. Moreover, it would be a significantly higher building. In addition, the proposed garage would be sited close to, but offset from, the front wall of No. 237. It is considered that the development would retain a gap to the front of No. 237 that would not cause the front rooms at that house to suffer a material loss of light. Moreover, the north-easterly aspect of No. 237n would be largely unaltered. Furthermore, none of the first floor windows in the proposed house would directly overlook No. 237, thus avoiding any material loss of privacy.

Within the previous application the effect of the construction of the larger house and its new garage would have reduced the front aspect of No. 237 to a significant degree. The removal of the

garage from the proposal now overcomes these issues and no undue effects on amenity will occur.

#### Provision of Amenity Space

The application indicates that front and rear garden areas totalling some 188sqm that would be readily accessible from the proposed house. They would be of a reasonable size and shape and they would receive adequate sunlight and are generally flat. However, the main part of the garden would be to the side of the house, where it will be difficult to achieve continuing privacy. Nonetheless, it is considered that this matter alone is not sufficient reason for withholding planning permission and that the development would meet the reasonable outdoor recreational needs of its future occupiers and therefore complies with policy DBE8.

#### Landscape Features and Highway Issues

The proposed development would result in the loss of three trees at the site; two firs and a holly. However, it is considered that all these specimens are of moderate public amenity value and there is insufficient justification for their retention. Therefore, the development would not conflict with the provisions of policy LL10.

It is considered that the development of a larger dwelling at this site would not generate levels of vehicular traffic materially in excess of that what could occur from the existing development. Highway Officers raise no objections in terms of traffic generation or highway safety aspects, therefore the proposal is in accordance with policy T17.

#### Conclusion

The previous concerns to this development are now overcome and the proposed dwelling will not result in undue harm to the amenities of neighbours, nor will it be an unattractive feature in the street scene. The application is considered to be acceptable and is therefore recommended for approval.

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

237 NINE ASHES ROAD – The designated parking area is shown as being for two cars. We are concerned that this area may become parking for commercial vehicles such as high panel vans. This would make existing our driveway even more hazardous.

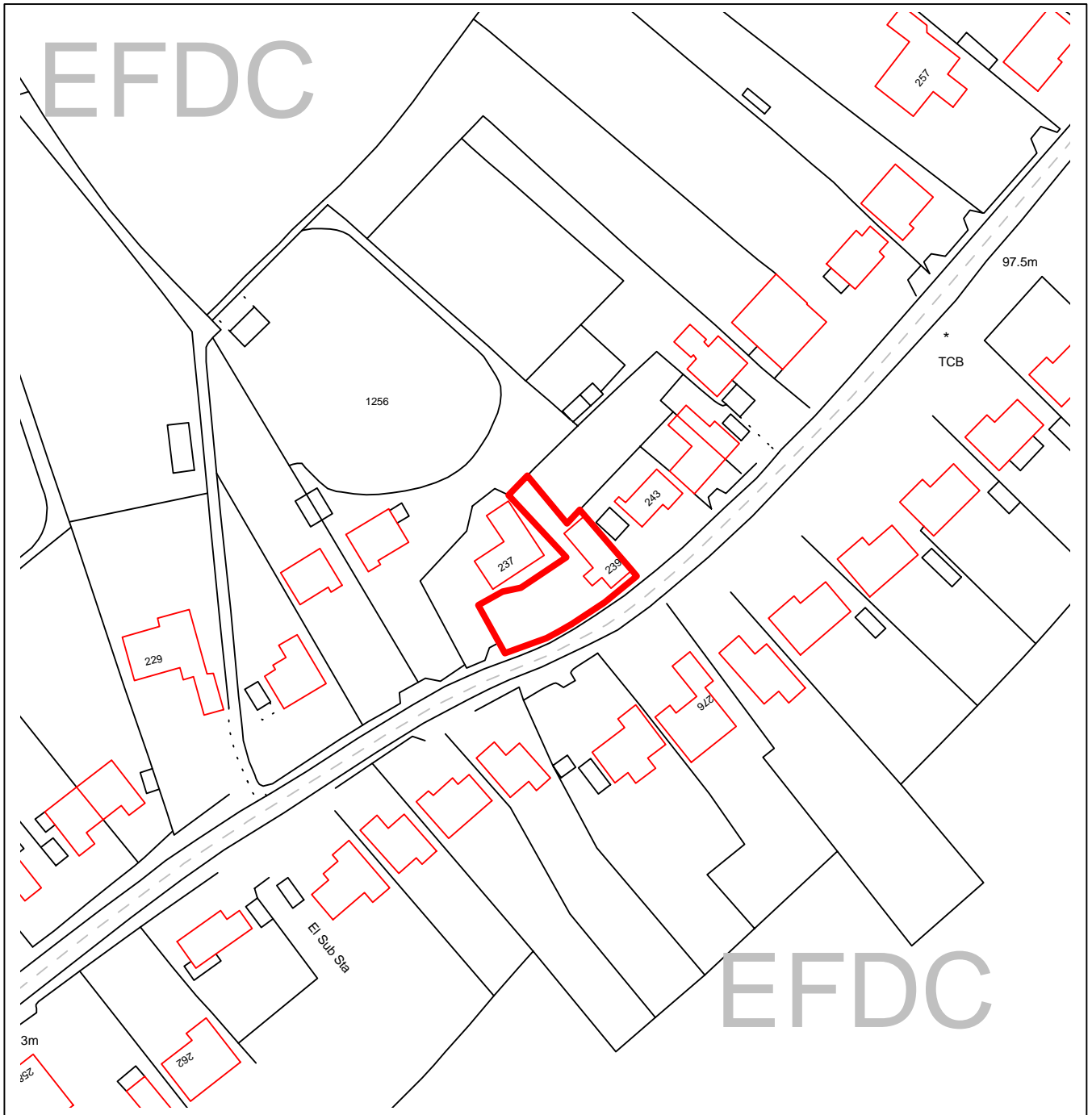
280 NINE ASHES ROAD – Although I do feel the proposed building would be too big for the site, my main concern is regarding traffic and pedestrians who walk this road as I do quite often. There is no sighting for oncoming vehicles coming in opposing directions until they are right on the bend. There is no way a pedestrian would be missed should two vehicles meet on the bend. The road is used as a race track despite the 30 mph limit. The wheel marks on my frontage explain it all, bearing in mind that one walks facing the oncoming traffic and they would not know a vehicle was about to hit them from behind. It was bad enough when the previous owner had a car and that was 16 years ago. The traffic has quadrupled in that time.

247 NINE ASHES ROAD – Object very strongly. 1) The property is bulky and is a two storey house. 2) The two rear first floor windows will overlook my currently private garden and that of No. 243. 3) The existing cottage is single storey and a single storey residence would be the best option. 4) This proposal would put the adjacent bungalow, No. 237 in the shade for at least half a day.



# Epping Forest District Council

## Area Planning Sub-Committee C



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**EFDC licence No.100018534**

<b>Agenda Item Number:</b>	<b>1</b>
Application Number:	EPF/967/06
Site Name:	239 Nine Ashes Road, High Ongar.
Scale of Plot:	1:1250

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/0569/06
<b>SITE ADDRESS:</b>	Threshers Cottage Threshers Bush Matching
<b>PARISH:</b>	Matching
<b>APPLICANT:</b>	Mr & Mrs Pickering
<b>DESCRIPTION OF PROPOSAL:</b>	Alterations to roof, erection of 4 no. dormer windows, erection of 2 no. bay windows and 2 no. porches and single storey extension. (Revised application to EPF/2420/04)
<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 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.

**Description of Proposal:**

This is a revised application following approval for four dormer windows, roof alterations, bay windows and porches to this ancillary building back in 2005. The only significant revision is the addition of a small infilling extension 3.7m x 2m and the addition of a chimney stack.

**Description of Site:**

The premises comprise a detached outbuilding used as garaging with accommodation in the roof. It falls within the curtilage of Threshers a much larger dwelling and shares the same access off the southeast side of New Way Lane. It is ancillary to the larger dwelling.

**Relevant History:**

EPF/2420/04 - Installation of 4 dormer windows, two bay windows and two porches and extension of roof, approved 1/2/05

**Policies Applied:**

Structure Plan  
C2 development in the Green Belt

Local Plan  
GB2 Green belt.  
DBE4 design in the Green Belt

**Issues and Considerations:**

The issues to be considered in this case are the appropriateness of the development in the Green Belt and the design of the additions.

The proposed additions are required to convert the building from a two bedroom flat above garages to a three bedroom detached house. The lawful use of the building is for purposes ancillary to the use of Threshers as a dwelling house and it is intended to be occupied initially by the owners of Threshers while it is remodelled (consent for which has already been granted) The building will remain essentially an annexe to the main house and cannot be sold or let as a separate unit without a further planning consent. Most of the proposed works have already been approved under EPF/2420/04.

It is considered that works proposed amount to only a modest addition to the building and would have very limited impact on the Green Belt, the building is set well back from the road, clearly within the garden of the main house and within a complex of ancillary buildings.

With regard to design the alterations and small extension proposed are considered to relate well to the existing building and indeed will enhance its appearance.

Concern has been raised by the Parish council, that the building may be at some point converted to two dwellings and that there could be adverse impact on neighbours, but given that the use is entirely ancillary to the main use of the main dwelling and can not be occupied independently of the main house, without a further planning consent and that there are no other adjacent properties, these fears are considered unfounded.

The application is therefore recommended for approval subject to conditions.

**SUMMARY OF REPRESENTATIONS:**

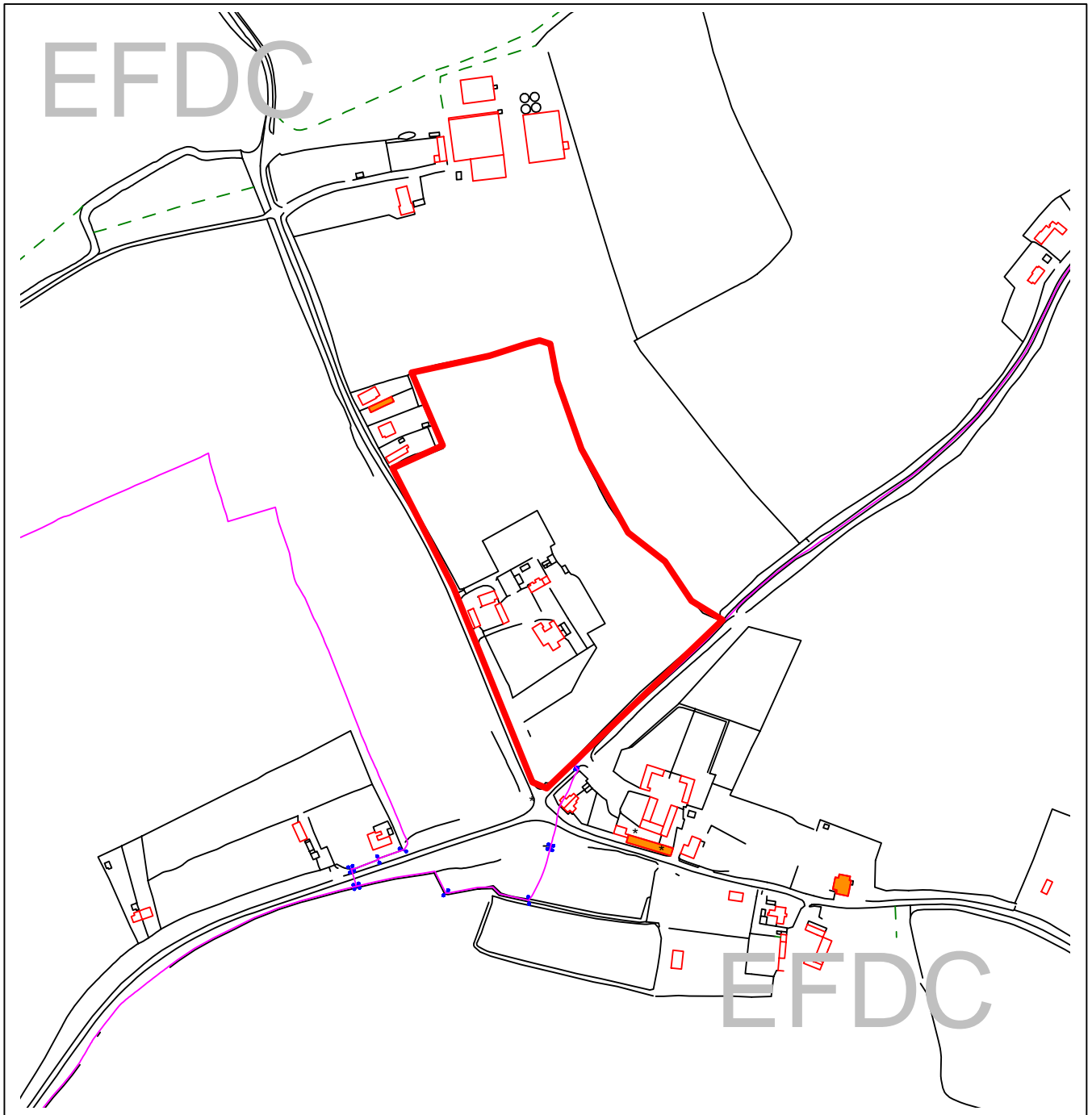
PARISH COUNCIL – The architecture is good, but the council had strong concern over the layout. It suggests the possibility of creeping development, and two separate properties in the future. Location of the entrance is unclear, and the council believes that the proposed development will have adverse effects on neighbouring properties.





# Epping Forest District Council

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<b>Agenda Item Number:</b>	<b>2</b>
Application Number:	EPF/569/06
Site Name:	Threshers Cottage, Threshers Bush Matching.
Scale of Plot:	1:5000

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/0820/06
<b>SITE ADDRESS:</b>	Land Adj 8 Bobbingworth Mill Bobbingworth Ongar Essex CM5 0NA
<b>PARISH:</b>	Moreton, Bobbingworth and the Lavers
<b>APPLICANT:</b>	Mr J Hanks
<b>DESCRIPTION OF PROPOSAL:</b>	Outline application for 1 no. detached house. (Revised application)
<b>RECOMMENDED DECISION:</b>	<b>REFUSE</b>

**REASONS:**

- 1 The site is within the Metropolitan Green Belt. The proposed development is inappropriate development in the Green Belt and, by definition, harmful. It is at odds with Government advice, Policy GB2 of the adopted Local Plan and Policy C2 of the replacement Structure Plan for Essex and Southend-on-Sea and moreover would detract from the openness of the Green Belt at this location.
- 2 Due to the lack of services within walking distance and the insufficient public transport the occupants of the proposed dwellings would be dependent on car use to access services. The promotion of car-borne journeys that this would entail is contrary to the approach of national planning guidance and the requirements of policies CS4,T3, and H3 of the Essex and Southend On Sea Replacement Structure Plan.

**Description of Proposal:**

Outline application for 1 no. detached cottage. An indicative layout shows the dimensions to be 5.7m wide by 8.1m deep with detached garage to rear. All matters have been reserved for subsequent approval.

**Description of Site:**

Large open area located on the south-eastern side of Bobbingworth Mill. This site is attached to No. 8 Bobbingworth Mill and is within the Metropolitan Green Belt.

**Relevant History:**

EPF/2195/05 – Outline application for 2 no. semi-detached cottages – Refused on Green Belt terms and on highways matters.

### **Policies Applied:**

Local Plan  
GB2 – Green Belt Policy  
DBE9 – Residential Development Policy  
T17 – Highways Policy

Structure Plan  
C2 – Development within the Green Belt  
T3 and T8 – Highways Policies  
CS4 – Sustainable Development Policy  
H3 – Residential Development Policy

### **Issues and Considerations:**

The main issues here are whether one new property is appropriate within the Green Belt, if there would be any adverse effect on neighbouring properties, and any highways implications.

#### Green Belt

The application site is located within the Metropolitan Green Belt on the edge of a small residential settlement. The dwelling would be located at the brow of a hill and would be highly visible from the surrounding area. There is only thin screening around the rear and side of the plot, which would not significantly reduce this visibility.

This new property would not be replacing an existing house, nor would it be for agricultural or horticultural workers. This is inappropriate development within the Green Belt and there are no other 'very special circumstances' to counteract this loss of Green Belt land.

Therefore, due to the detrimental impact on the character and appearance of the surrounding area, and the loss of Green Belt land, these properties would be contrary to Local Plan Policy GB2 and Structure Plan Policy C2.

The Parish Council supports the proposal as being 'reasonably' affordable but a new detached house in the Green Belt would still command a market value that could not be afforded by any in housing need. It cannot be justified on grounds of affordability.

#### Amenity

The detached property would be some 1.2m from the shared boundary, Although the house would protrude back by some 3m from the rear of No. 8 this would not be detrimental to the amenities of the neighbouring property.

Complies with Policy DBE9 of the Local Plan.

#### Highways

The issues involved in this application differ from the previous refusal in that there would be no creation of a new access.

However, the application site is situated on a narrow lane with no footway or street lighting. Facilities within walking distance are minimal and the bus service is limited. This lack of facilities and poor public transport would mean that virtually all journeys to and from the development would be by car, hence increasing the intensification of traffic movement from this site.

Due to this increase in car use the proposal is contrary to Policies T3, CS4 and H3 of the Structure Plan.

**Conclusion:**

Due to the above reasons the outline application the erection of a detached dwelling would be contrary to Local Plan Policies GB2 and Structure Plan Policies C2, T3, CS4 and H3, and is therefore recommended for refusal.

**SUMMARY OF REPRESENTATIONS:**

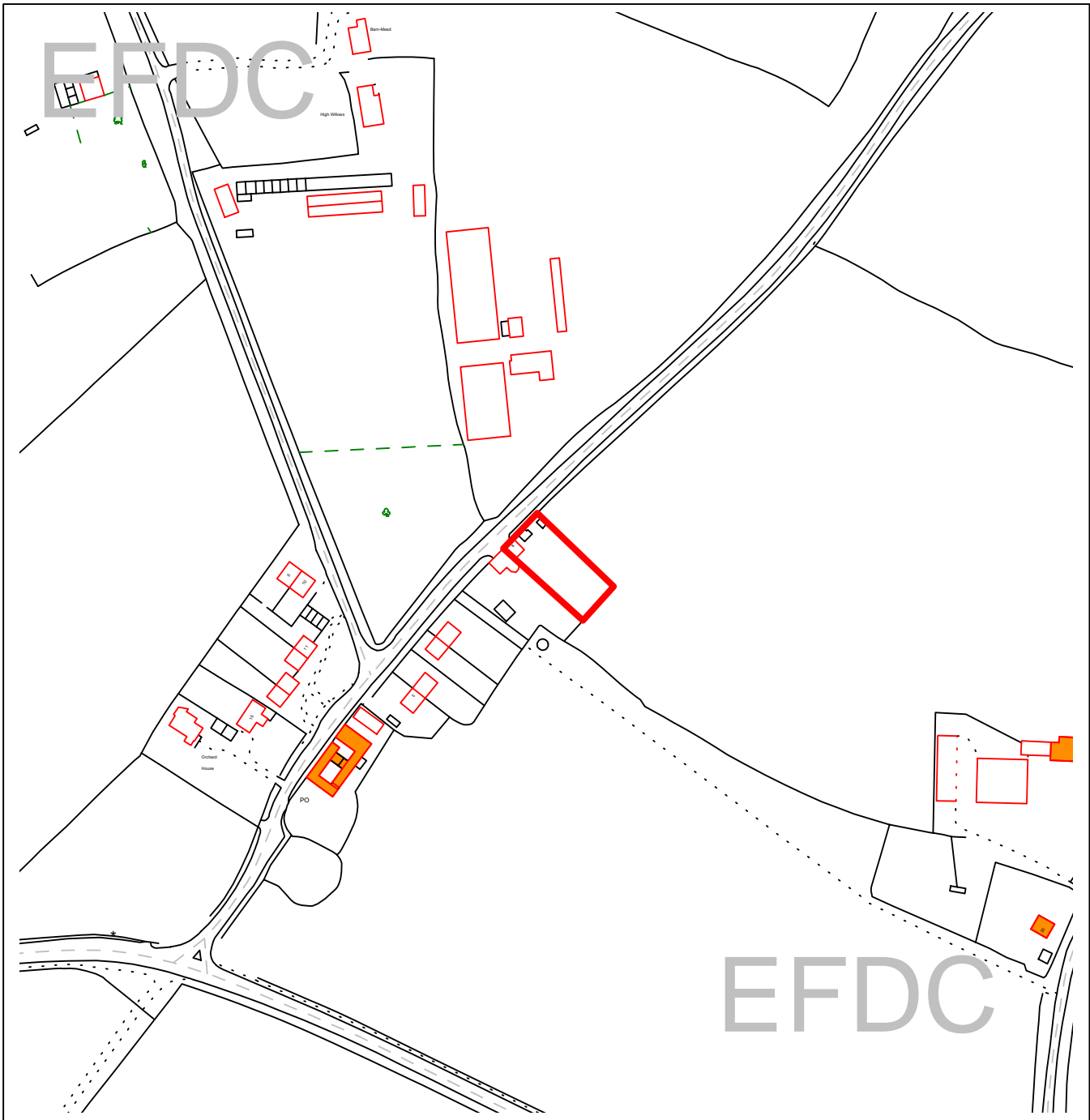
PARISH COUNCIL – Support; need for affordable housing and this house would be reasonably affordable.

NO. 7 BOVINGER MILL – object regarding concerns over insufficient water pressure; sewerage issues; extra vehicles; brow of a hill



# Epping Forest District Council

## Area Planning Sub-Committee C



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<b>Agenda Item Number:</b>	<b>3</b>
Application Number:	EPF/820/06
Site Name:	Land Adj 8 Bobbingworth Mill Bobbingworth.
Scale of Plot:	1:2,500

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/0633/06
<b>SITE ADDRESS:</b>	11 Great Stony Park High Street Ongar Essex CM5 0TH
<b>PARISH:</b>	Ongar
<b>APPLICANT:</b>	Mr D Williams
<b>DESCRIPTION OF PROPOSAL:</b>	Rear conservatory.
<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 proposed conservatory shall be constructed with red brick plinth walls, using a brick which matches that of the original building.
- 3 Single central horizontal glazing bars shall be incorporated into the window design.

This application was deferred at the last committee meeting to allow members to carry out a site visit. The original report is reproduced below.

**Description of Proposal:**

Erection of a conservatory measuring 2.4m x 5m, by 3.1m high with a pitched roof. The structure will be erected at an angle to the property due to the layout of the rear gardens.

**Description of Site:**

A conversion of a detached dormitory house for the old school on this site. The building is a three storey structure subdivided into a number of residential properties, and one of a similar number of houses on the site. The whole area is within the Conservation area and within the Green Belt.

**Relevant History:**

EPF/1561/97 - Conversion of school buildings to dwellings - Approved

### **Polices Applied:**

GB2 Green Belt Policy  
GB14 Extensions in the Green Belt  
HC 6 Developments in conservation areas  
HC 7 Conservation area design and materials  
DBE 9 & 10 Amenity

### **Issues and Considerations:**

The main issues are the impact of this proposal on the Green Belt, conservation area and the amenities of neighbouring properties. Whilst some preparatory ground works have been carried out, and the framing made on the site, the structure had not been erected at the time of the Officer's site visit.

#### **Green Belt**

- This proposal would only further add a minor volume to this house and would be relatively inconspicuous against the bulk of the house, especially as it has a glazed roof.
- It will not harm the openness and appearance of the Green Belt, and a number of conservatories have been given permission on this estate.

#### **Conservation Area and Design**

- The conservatory been designed in a traditional style, which is in keeping with the character and appearance of the building and the area. The Council's Conservation Officer has raised no objections to its design subject to conditions regarding materials.

#### **Amenity**

- The main issue with this application is its effect on the amenities of the neighbouring properties, specifically No 12 and No 13.
- The site has a rather unusual arrangement in the rear garden as the three properties share a fairly small area of rear garden, which is south east facing. No 12 has a roughly triangular area to the east, No 13 has a U shaped garden area, wrapping around the property which projects to the south, and No 11 has the area between the two other gardens. This is roughly rectangular in area with a narrow corridor to the north giving access to the rear elevation of No 11.
- This area is about 5m x 3m and forms the site for the proposed conservatory.
- The garden areas are sub divided by close boarded wooden fences.
- No 12 have a conservatory already erected on its rear elevation.
- There is a very similar conservatory already erected at No 15, on the identical block to the immediate east of the site. This was granted permission in 2005.
- The conservatory is angled away from each of these properties due to the layout of the site. Both of the neighbours already have their windows partly obscured due to the existence of the boundary fencing.
- This scheme will inevitably have an impact on the two adjacent neighbours, and both have objected on various grounds, including a loss of light to the kitchen at No 12 and the lounge at No 13 and visual intrusion on their amenities.
- The total height of the conservatory will be some 1.4m higher than the top of the fence, but this increase comprises the upper half of clear glass wall and pitched roof. It is the case due to this construction that there will be no major loss of light to either neighbour that would justify a refusal.
- However, there will be some loss of outlook to both of the rooms affected. This loss must be balanced against the fact that the kitchen of No 12 is not a habitable room in the way a lounge or bedroom is. In addition the outlook is already limited due to the layout of the site, and the conservatory is angled away from the window. With regard to the lounge at No 13

the conservatory is also at an angle to this, and there are other windows in the room which will be unaffected. In addition the outlook is already affected by the solid boundary fencing, and there are no restrictions on the normal use of the garden area.

- The garden areas of all three properties overlook each other, as do the rear elevations, and there will be no greater loss of privacy than already occurs.
- The occupants of No 13 have also objected on the grounds of disturbance being caused to them, especially as one of them is a shift worker, but this is an unsustainable argument in planning terms. All the properties are in very close proximity to each other and this scheme will not add to the normal disturbances caused by day to day living.
- This is a balanced case, but there is already a conservatory at No 12 built to the boundary with No 11, and a very similar scheme has been granted permission on an identical block on the site at No 15.
- It is therefore considered that there will be minimal loss of light, or further loss of privacy, and the effect on outlook, due to the specifics of this site are not so great as to justify a refusal on these grounds.

#### Other Matters

- Maintenance of the scheme has been raised by the objectors, but this is a matter for the applicant.
- Any blockage to flues, as raised by the objectors, would be a matter for the building regulations.

#### Conclusion

This is an unusual scheme, but it is the case that it meets the local plan policies and is acceptable in the Conservation Area. It is recommended for approval.

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

TOWN COUNCIL – Object, the proposal is intrusive in nature in an already cramped area. It appears to be at odds with the original design of housing at Great Stoney Park and would adversely affect the street scene. Will represent a loss of amenity to neighbours including privacy. Maintenance impossible unless access gained via neighbours gardens. Impact on boiler fumes. Council believes that a similar structure at No 15 Great Stoney Park should not be allowed to set a precedent due to effect on neighbours.

12 GREAT STONY PARK – Object, the occupant of the adjoining property of No 15, where there is a similar structure has stated to us that it has had an adverse effect on this view and natural light. Work has already been started. This structure will be an eyesore to the conservation area. We will lose a view out of our kitchen window which will be obscured. The proposal is crammed in to a tiny slot to the rear of the building and is not big enough for a realistic use. This will be intrusive, being 4 feet from our kitchen window. Will cause a loss of light to our kitchen.

Maintenance will be impossible.

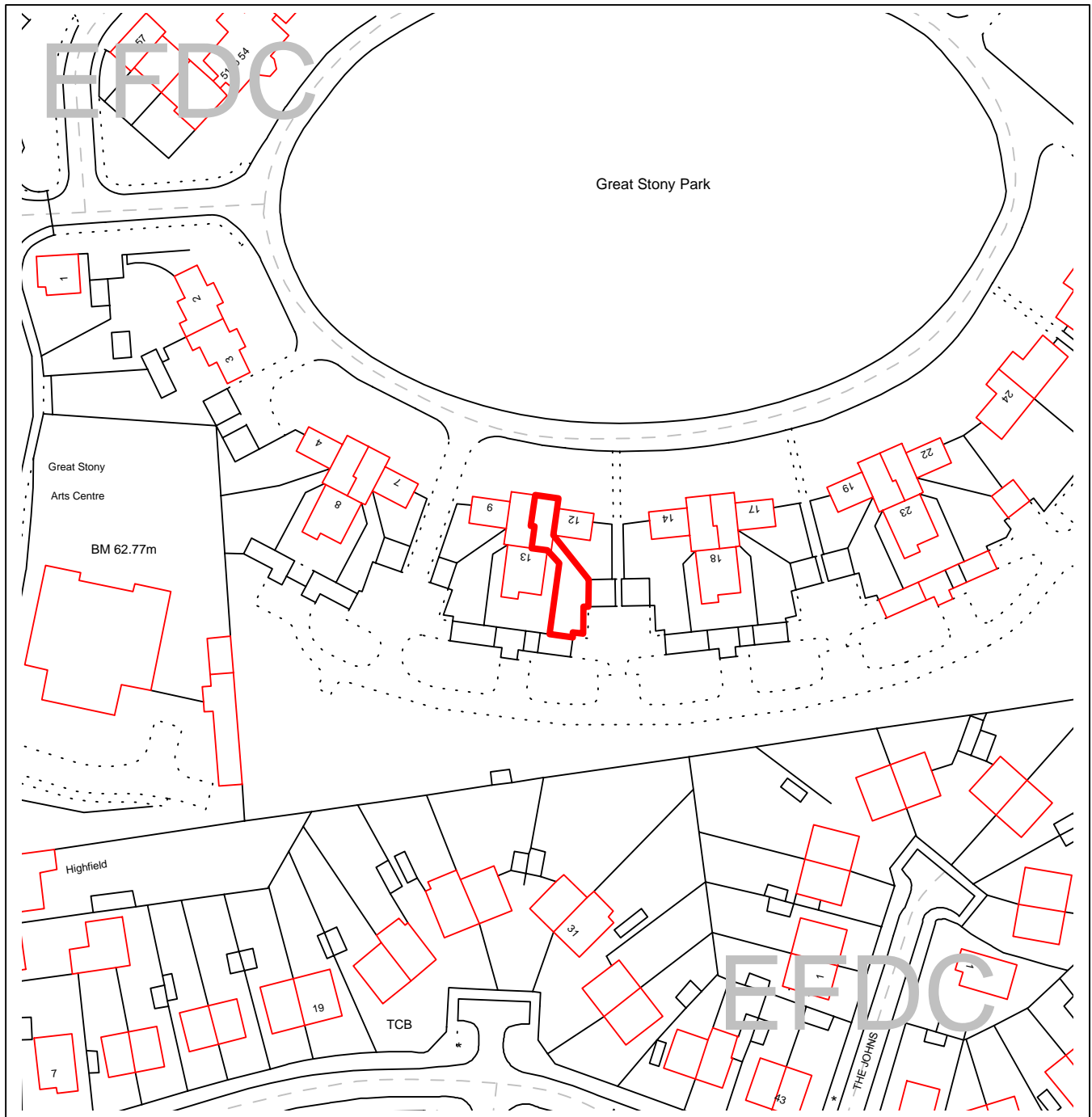
13 GREAT STONY PARK – Object, the occupant of the adjoining property of No 15, where there is a similar structure has stated to us that it has had an adverse effect on this view and natural light. Work has already been started. This could cause us sound pollution. This structure will be an eyesore to the conservation area and compromise its principles. We will lose a view out of our kitchen window which will be obscured. The proposal is crammed in to a tiny slot to the rear of the building and is not big enough for a realistic use. This will be intrusive, being 2 feet from our lounge window and the roof will have a direct view of our bedroom window. Light pollution will occur affect me as I work unsocial hours. Will cause noise pollution. Maintenance will be impossible.





# Epping Forest District Council

## Area Planning Sub-Committee C



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<b>Agenda Item Number:</b>	<b>4</b>
Application Number:	EPF/633/06
Site Name:	11 Great Stony Park, High Street, Ongar.
Scale of Plot:	1:1250

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/0322/06
<b>SITE ADDRESS:</b>	Land to the east of Willow Mount Epping Road Ongar Essex CM5
<b>PARISH:</b>	Stanford Rivers
<b>APPLICANT:</b>	Mr D O' Mahony
<b>DESCRIPTION OF PROPOSAL:</b>	New stable block.
<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 shall be carried out in accordance with the amended plans received on 12 June 2006 unless otherwise agreed in writing with the Local Planning Authority.
- 3 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a plan indicating the existing hedge or hedges which are to be retained, the minimum heights at which they will be maintained and appropriate trees within the hedge or hedges which shall be retained and allowed to grow on. The plan shall also show where the hedgerows are to be reinforced with further planting, details of which indicated in a timetable of implementation. The hedges shall thereafter be maintained in accordance with the approved details.
- 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 No external lighting shall be installed without the prior written approval of the Local Planning Authority.
- 6 There shall be no commercial use of the site whatsoever. Only domestic by the applicant and his immediate family (spouse and children) is approved.
- 7 The colour of the materials is to be approved in writing by the Local Planning Authority prior to the commencement of the works hereby approved.

- 8 Within one month of the erection of the stables hereby approved all other buildings, structures and debris shall be removed from the site and no further development shall occur without the prior written approval of the Local Planning Authority.
- 9 Details of the means of storing and disposing of manure shall be submitted to and approved by the Local Planning Authority and completed in accordance with these details prior to first occupation of the stables.

This application was deferred by the last committee to allow officers to negotiate a revised scheme with less stabling to overcome the committee's concerns over the amount of land available for horses on the site and their consequent welfare.

The applicant has submitted revised plans showing a smaller stable block. This would have two stalls, a tack room, hay room and animal feed store. It would be 'L' shaped as opposed to the original 'U' shape, and measures 12m x 11.2m x 3.1m high with a pitched roof. It would be sited in the same location as the original proposal.

The original application was recommended for approval on the basis that it would not have an adverse effect on the openness of the Green Belt. This scheme has reduced the size of the building by about 50%, and thus this has even less effect on the Green Belt than the previous scheme. It is able to accommodate two horses, which is within the British Horse Society's recommended capacity of the site area for horses, even if much of the pasture were used for grazing.

Therefore the recommendation is for approval.

Due to the time constraints of the agenda cycle any objections to this revised scheme received after the agenda is published will be reported orally to the committee.

The **original** report is reproduced below:

#### **Description of Proposal:**

Erection of a new stable block. The stable would be erected to the north east of the site, and would measure 22.3m x 9.2m by 3.2m high, with a pitched roof. It would have a U shape and consist of 4 stables, hay store, tack store, and animal feed store.

#### **Description of Site:**

The site is an open field about 300m to the west of Toot Hill on the north side of the Epping Road. The land slope up to the west, and at the top of the slope is the property known as Willow Mount, which is in separate ownership. The land to the north of the site is classed as Ancient Landscape in the local plan. The site has an area of 1.01ha. The whole site is within the Metropolitan Green Belt. There are watercourses on the northern and eastern boundaries of the site. The site is currently used for the keeping of horses and poultry, and there is a hardened track from the site access.

### **Relevant History:**

EPF/835/87 - Building for use as goat rearing farm - Refused  
1992 Enforcement Notice requiring removal of goat rearing accommodation appealed and dismissed 1992

### **Policies Applied:**

Structure Plan  
C2 Development in the Green belt

Local Plan  
GB2 Green Belt Policy  
HC2 Historic Landscape  
RST4 Horse keeping  
RST5 Stables  
DBE1 Design of New Buildings  
DBE9 Excessive loss of amenity to neighbours  
LL1 Rural landscape and landscaping

### **Issues and Considerations:**

The main issues are whether the proposed stables are appropriate in this area, their impact on the adjacent historic landscape, whether they are of acceptable design, and whether there would be any impact on the amenities of the neighbouring properties. It should be noted that revised plans have been submitted reducing the number of horse stalls to 4 and reducing the overall size of the building.

#### **Green Belt & Historic Landscape**

- The site already has a lean too field shelter and domestic type shed on the land which are of no visual merit. The land is classed as agricultural, but the keeping of horses on land, whilst not agricultural, is a recognised rural type of use. It is considered that there is no harm caused to the openness of the Green Belt by this use of the land.
- Stables are generally considered appropriate in the Green Belt provided they do not significantly impact on the character and appearance of the landscape.
- The new stables will be erected along the northern boundary of the site, set back from the road by some 90m, and will be on the lower part of the site, and screened from the north and east by existing mature hedgerows. Due to the fall of the land and the distance involved it would not be conspicuous from the road.
- As well as the stalls the building will have the usual stable ancillary rooms (Hay, Tack etc) and a storage area for the feed for the poultry on the site.
- The building has a floor area of 117m<sup>2</sup>.
- It is considered that this is a small scale building, well sited, for an appropriate Green Belt use, and due to its size and siting causes no harm to the openness of the Green Belt, or any harm to the historic landscape to the north. It is acknowledged that the scheme towards the upper end of what would be considered small scale, but it is not an excessive size. It should also be noted that a very similar scheme for 4 stables was granted permission in 2004 for land to the west of Willow Mount.
- It has been suggested by an objector that to grant permission to this proposal would be to contrary to the Inspectors Decision to refuse permission in the 1992 appeal for the retention of two buildings for use as a goat farming enterprise. Whilst superficially this is a similar case the facts are different.

- In the 1992 decision the question was whether to allow the retention of two partially completed sheds for use as a goat farm. These sheds were located against the eastern boundary of the site and had a floor area of 306m<sup>2</sup>, together with associated hardstand areas.
- The Inspector found, that whilst the use was appropriate in the Green Belt "...the size of the buildings and the proportion of the site that they would occupy, together with the necessary hard standings, I consider that they would prejudice the open character of the countryside." He also found that no harm would be caused to the neighbours living conditions by the proposed use and there were no highway objections to the scheme.
- Therefore the scheme refused comprised of two adjoined buildings, with a floor area some 2½ times greater than the single building proposed in this application. In addition areas of hardstand were proposed, which is not the case in this scheme.
- In addition conditions can be imposed to ensure the removal of the other structures on the land, which will be a positive benefit to the site.
- Therefore this scheme is not contrary to Green Belt or conservation policies.

### **Horse Keeping**

- Policies RST4 & 5 set out the criteria for assessing such a proposal. The use for domestic horse keeping is generally appropriate for the Green Belt.
- It is inevitable that there will be some use of the surrounding roads and paths, but this is not unusual in rural areas. The applicant has confirmed that there is, and will be no, commercial use of the site, and this is purely for the domestic stabling of family horses, and this can be conditioned.
- The dimensions of the stables are in keeping with the recommended standards in the local plan.
- An objector has commented that there is insufficient land on the site to accommodate 4 horses. The British Horse Society proposes minimum land requirements based on the area of pasture needed for grazing through the summer months and for horses kept in the open for 24 hours a day is 1 to 1 ½ acres per horse. However this area can safely be reduced if the horses are to be stabled for the majority of the day and let out for several hours. This is the case at this site, as the owner proposes to continue his current twice daily visits to the site. Therefore it is considered that the area of land is adequate for the purposes proposed in this application.
- Although the applicant does not live in close proximity to the site (living in Chadwell Heath) he visits the site twice daily and has a friend in the village who can visit the site if he is unable. The site is also fenced and there is an electric fence in position as well to keep the animals from escaping from the site.
- Therefore it is considered that this scheme will have no adverse effects on the welfare of the horses kept on site.

### **Design**

- The proposed block would be of a U shaped with stained weatherboarding with a tile roof. The design and materials are considered appropriate, and are commonplace in this area, and will have no adverse impact in this rural area.
- The colour of the materials can be conditioned to assist with the building integration into the rural landscape.

### **Access and Car Parking**

- The access already exists and there is sufficient parking on the site for this proposed non-commercial use.

### **Effect on Neighbours**

- The proposal can be conditioned to reduce the impact on neighbouring property to the west from muck heaps.

- A neighbour has complained regarding the noise of the poultry on site but this issue is not germane to this application.

## **Conclusion**

Officers consider that this is a small-scale building to be used for a non-commercial use. It is of an acceptable design, and would not have such an adverse effect on the Green Belt, or the adjacent historic landscape as to warrant a refusal. It also differs considerably in scale when compared to the previously refused scheme for a goat farm. It is in line with national and local policies and therefore the recommendation is for approval.

## **SUMMARY OF REPRESENTATIONS:**

### **Original Application:**

PARISH COUNCIL – Object, 2 acres for 5 stables seems rather a small area for horses, site unattended, near to road.

DIGBY ROAD, Barking – Object.

CPRE – Object, large structure in the Green Belt.

WILLOW MOUNT – Object, I have instructed a Planning Consultant.

WILLOW MOUNT (2<sup>nd</sup> letter) – Object, the applicant is keeping horses and geese on site, the geese causing considerable noise. The building is not suitable for such a small site, and if permission is granted it is virtually certain that permission will be applied for a mobile home and then a house on the site. Applicant lives in Chadwell Heath.

CONSULTANTS REPORT – scheme is in direct conflict with Government and local policies, this is a very large structure, will adversely affect the ancient landscape. There is an inadequate bridleway network in the area, too many horses for the site which is inadequate for their welfare; this will cause highway hazards and parking problems.

### **Revised Application:**

PARISH COUNCIL – Object

WILLOW MOUNT – Object, remain strenuously opposed

CONSULTANTS REPORT – despite the changes the objections still stand. Land is not suitable for its intended purpose, and draw attention to the 1992 appeal decision.

WILLOW MOUNT (2<sup>nd</sup> letter) – Object and emphasise the appeal decision from 1992 which is directly relevant to this case.

CONSULTANTS LETTER - this is contrary to council and County policy, and consent should not be granted.

50 EPPING ROAD – Object, the land in question has started to resemble a squatter's camp ruining the concept of the Green Belt. This will also increase traffic flows and strain on infrastructure.

58 EPPING ROAD – Object, will this eventually become a plot to accommodate mobile homes, road safety will be compromised, animal welfare should be investigated, and this will harm the Green Belt.

STANBRIDGE HOUSE, BLAKE HALL ROAD – Object, like to emphasise previous refusal of a Goat Farm, in that this would cause serious harm to the open character of the Green Belt, which must still be the case. Is this the laying down of a foundation for a commercial endeavour?

PYGRO, CUMLEY ROAD – Object, this will erode the Green Belt.

DOES FARMHOUSE – Object, this is encroaching on and eroding the Green Belt with a view to a later application for a permanent dwelling.

### **Further Revised Application:**

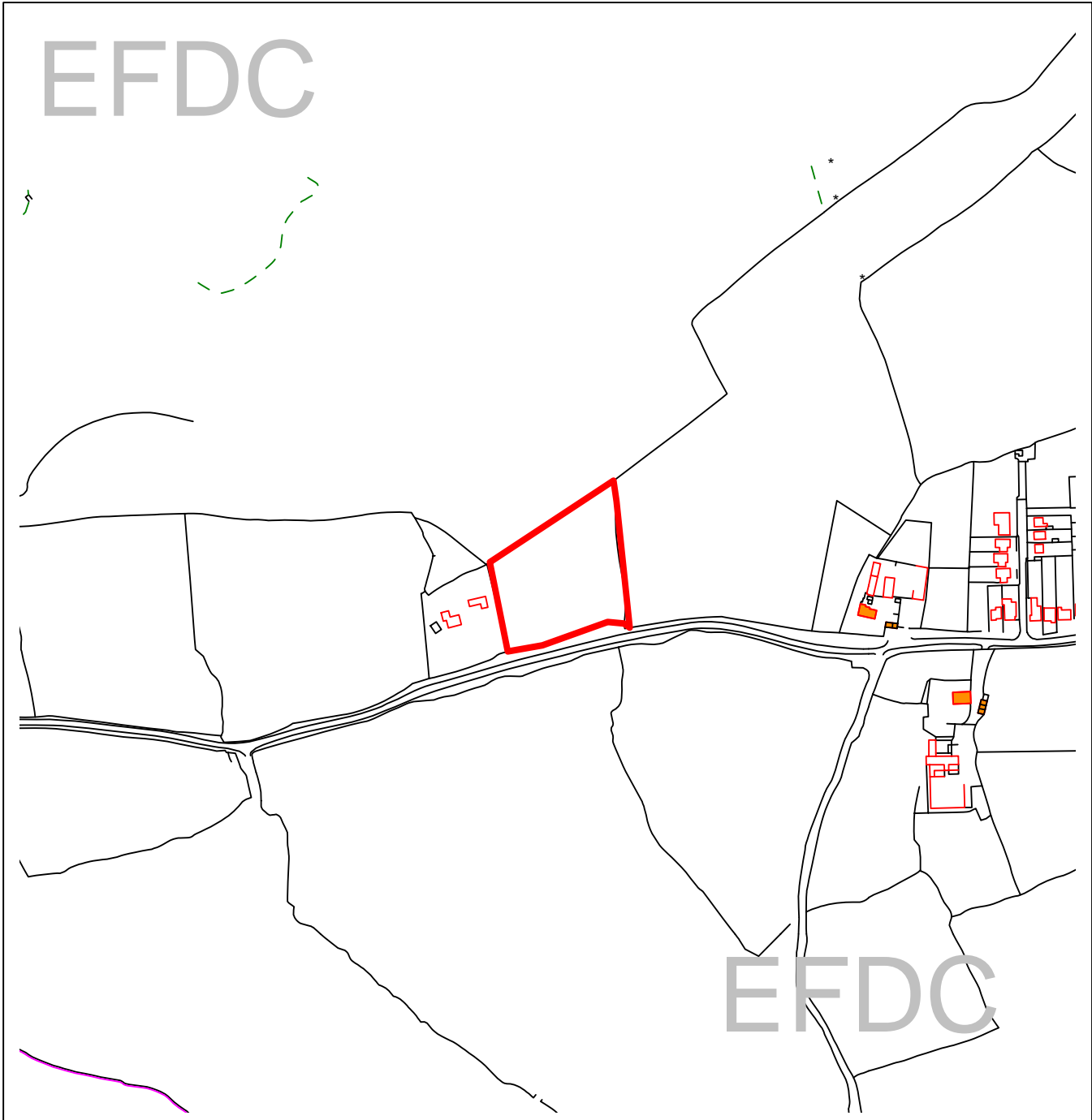
WILLOW MOUNT – still opposed to the revised application.

Any further representations will be reported orally.



# Epping Forest District Council

## Area Planning Sub-Committee C



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<b>Agenda Item Number:</b>	<b>5</b>
Application Number:	EPF/322/06
Site Name:	Land to the east of Willow Mount, Epping Road, Ongar.
Scale of Plot:	1:5000

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/0850/06
<b>SITE ADDRESS:</b>	9 The Paddocks Stapleford Abbotts Epping Essex RM4 1HG
<b>PARISH:</b>	Stapleford Abbotts
<b>APPLICANT:</b>	Mr M Bayless
<b>DESCRIPTION OF PROPOSAL:</b>	Alterations to garage to provide ancillary accommodation. (Revised application)
<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 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 The proposed garage conversion shall only be used as ancillary accommodation for the existing dwelling house and shall not be occupied as a unit separately from No. 9 The Paddocks.

**Description of Proposal:**

Consent is being sought for the conversion of the garage to provide ancillary accommodation. This involves a 1.1m by 5.5m extension to the south to incorporate the staircase, raising the ridge height by 1.2m, and by adding two rear, 1.8m wide dormer windows and a half hipped roof.

**Description of Site:**

Two-storey detached property located on the south-western side of The Paddocks, Stapleford Abbotts. This is a small housing estate on the former fat factory consisting of 20 properties, 14 of which have detached garages.

**Relevant History:**

EPF/797/97 – First floor extension to detached garage – approved/conditions 22/7/97  
EPF/1848/05 – Conversion of garage to provide ancillary accommodation – refused 9/12/05



### **Policies Applied:**

GB2 and GB14 – Green Belt Policies  
DBE9 and DBE10 – Residential Development Policies  
T14 – Car parking

### **Issues and Considerations:**

The main issues here relate to the potential impact on the neighbouring properties, its impact on the Green Belt, the affects on car parking, and with regards to the design.

In terms of the Metropolitan Green Belt the proposed additions are not unreasonable and would not harm the open character of the countryside. The building would be used as ancillary accommodation to the main property and would not be split to form a separate unit. The development can be conditioned to ensure that this is so.

Complies with Local Plan policies GB2 and GB14.

Impact on No. 10

The garage forms part of the boundary with number 10 and is approximately 1.5m from the neighbouring property. The garage protrudes approximately 4.5m further forward than number 10, which has a large living room window at ground floor level and bedroom window at first floor level. Given the positioning of the garage in relation to the house these windows would suffer little further loss of light than what currently exists.

This proposal would increase the height of the garage from 4.9m to 6.1m and would have half hipped ends rather than the existing fully hipped roof. This increased height would result in some loss of early morning sunlight to the side part of the curtilage, however this area would get sunlight at all other times of the day.

The proposed rear dormer windows would result in some overlooking of the side part of the curtilage of No. 10, however these windows would be at first floor level and would only overlook a very small area of a large garden.

Therefore complies with Policy DBE9 of the Local Plan.

The dormer windows are of a sufficiently small width and would be roofed to meet with design guidance. There are other examples of similar dormer windows above attached garages in The Paddocks, predominantly in the front, however the proposed dormer windows would be located in the rear roof slope facing open fields and would not be visible from the road.

There was a planning application for a first floor extension to this garage approved in 1997. Although this did not include dormer windows or a side extension it did involve raising the ridge height to that now proposed and the incorporation of a half hipped roof. There are other examples of attached and detached garages with half hipped roofs and dormer windows within The Paddocks, although these features are original. Due to this it is felt that there would be no detrimental impact to the character and appearance of the estate resulting from this extension.

Complies with Policy DBE10 of the adopted Local Plan.

Although the garage doors are to remain the structure would not be used for parking purposes, however there is adequate off-street parking in front of the garage for several cars.

Therefore it complies with policy T14 of the Local Plan.

**Conclusion:**

In light of the above the conversion of and extension to the garage is recommended for approval.

**SUMMARY OF REPRESENTATIONS:**

PARISH COUNCIL – Recommend refusal as it appears to be over-development and larger than the original building.

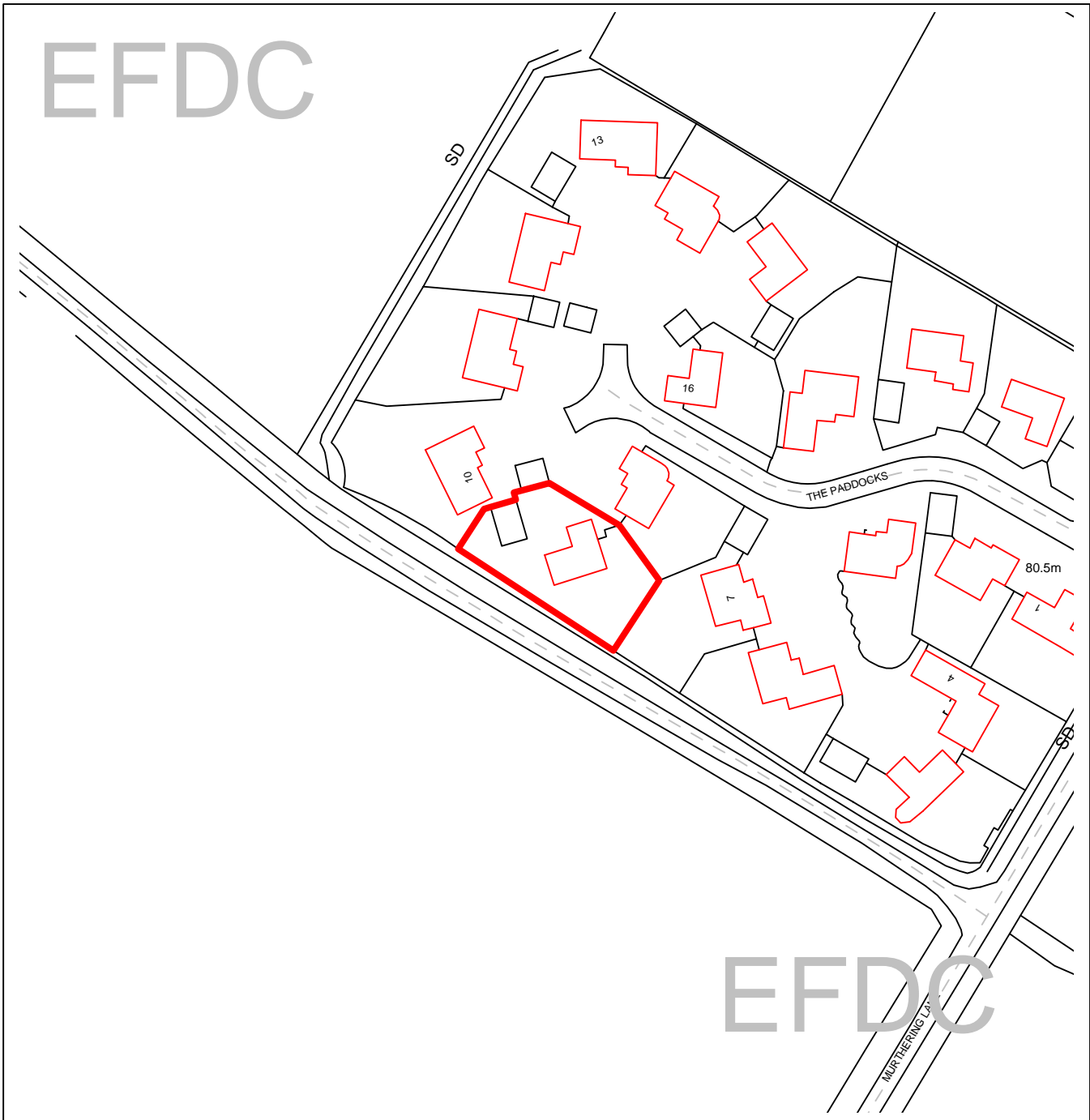
10 THE PADDOCKS – Object as the raised roofline would be overbearing and the development would result in a loss of light and privacy.

16 THE PADDOCKS – No objection but are concerned about the future parking arrangements.



# Epping Forest District Council

## Area Planning Sub-Committee C



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<b>Agenda Item Number:</b>	<b>6</b>
Application Number:	EPF/850/06
Site Name:	9 The Paddocks, Stapleford Abbots
Scale of Plot:	1:1250

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/0817/06
<b>SITE ADDRESS:</b>	Suttons Manor London Road Stapleford Tawney Epping Essex RM4 1SR
<b>PARISH:</b>	Stapleford Tawney
<b>APPLICANT:</b>	Rock Investments
<b>DESCRIPTION OF PROPOSAL:</b>	Refurbishment and conversion back to residential use, 10 flats.
<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 shall be carried out in accordance with the received plans except where amended by plans received on 05 June 2006 and 12 June 2006 unless otherwise agreed in writing with the Local Planning Authority.
- 3 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 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 No development shall take place on site, including site clearance, tree works, demolition, storage of materials or other preparatory work, until all details relevant to the retention and protection of trees, hereafter called the Arboricultural Method Statement, have been submitted to the Local Planning Authority and approved in writing. Thereafter the development shall be undertaken only in accordance with the approved details, unless the Local Planning Authority has given its prior written consent to any variation.

The Arboricultural Method Statement shall include a tree protection plan to show the areas designated for the protection of trees, shrubs and hedges, hereafter referred to as Protection Zones. Unless otherwise agreed, the Protection Zones will be fenced, in accordance with the British Standard Trees in Relation to Construction-Recommendations (BS.5837:2005) and no access will be permitted for any development operation.

The Arboricultural Method Statement shall include all other relevant details, such as changes of level, methods of demolition and construction, the materials, design and levels of roads, footpaths, parking areas and of foundations, walls and fences. It shall also include the control of potentially harmful operations, such as burning, the storage, handling and mixing of materials, and the movement of people or machinery across the site, where these are within 10m of any designated Protection Zone.

The fencing, or other protection which is part of the approved Statement shall not be moved or removed, temporarily or otherwise, until all works, including external works have been completed and all equipment, machinery and surplus materials removed from the site.

The Arboricultural Method Statement shall indicate the specification and timetable of any tree works, which shall be in accordance with the British Standard Recommendations for Tree Works (BS.3998: 1989).

The Arboricultural Method Statement shall include a scheme for the inspection and supervision of the tree protection measures. The scheme shall be appropriate to the scale and duration of the works and may include details of personnel induction and awareness of arboricultural matters; identification of individual responsibilities and key personnel; a statement of delegated powers; frequency, dates and times of inspections and reporting, and procedures for dealing with variations and incidents. The scheme of inspection and supervision shall be administered by a suitable person, approved by the local planning authority but instructed by the applicant.

- 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 an 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 Prior to the commencement of the development details of the proposed surface materials for the car parking area to the front of the building 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.
- 9 Hard standing space(s) shall be provided within the curtilage of the dwelling(s) prior to occupation, and shall be permanently retained for the parking of residents' and visitors' cars.
- 10 Works must not commence until there has been an on site meeting to establish the exact location of the proposed passing bays. All works are to be carried out in accordance with the agreement reached at this meeting, which will be agreed in writing by both parties.

### **Description of Proposal:**

Refurbishment and conversion of a Grade II Listed Building previously used as a clinic, into 10 residential flats.

### **Description of Site:**

The property is a Grade II listed building, now mostly dating from the 19<sup>th</sup> Century, which was formerly used as a clinic and residential care home until 2003. The site is to the south of London Road, about 500m north from the M25 motorway, and forms part of an isolated group of buildings, which comprise of the property, Silva Lodge to the immediate south west, and new clinic buildings to the north east. The property has a large garden area to the south, and commands views over the Roding Valley. A Tree Preservation Order covers many of the trees on the site. The whole site is within the Green Belt. There is a shared access with Silva Lodge onto the A113.

### **Relevant History:**

A long and complex history.

LB/EPF/818/06 - Listed Building application for conversion of property into 10 residential flats – Approved

### **Policies Applied:**

#### **Structure Plan**

C2 Green Belt Policy

CS 4 Sustainable new development

## **Local Plan**

GB2 Green Belt Policy  
GB8 Green Belt Change of Use  
DBE 8 Amenity space  
DBE 9 & 10 Amenity  
T14 Highways  
LL10 Trees

## **Issues and Considerations:**

The main issues are the impact of this proposal on the Green Belt, sustainability, effect on amenity, trees and impact on highways. The Listed Building issues have been considered separately under LB/EPF/818/06 and consent granted.

## **Green Belt**

The building is currently vacant and has been since Jun 2003 when the clinic moved to new premises to the north of the site. Whilst currently in sound repair, deterioration of the internal and external fabric has commenced.

This scheme would see 9 x 2 bedroomed and 1 x 1 bedroomed residential flats installed within the existing building. There will be no external extensions and no increase in either volume or footprint. There will be a few minor external alterations, mostly in regard of fenestration.

Policy GB8 of the adopted local plan allows for a change of use of buildings provided they meet a number of conditions.

- (i) The building is:
  - (a) of permanent and substantial construction; and
  - (b) capable of conversion without major or complete reconstruction; and
  - (c) in keeping with its surroundings by way of form, bulk and general design;
- (ii) The proposed use is for residential use where the building is unsuitable for recreational, business or storage use.
- (iii) The proposal entails appropriate benefits to Green Belt or countryside objectives in circumstances where the Council considers it necessary or desirable.

There is no doubt that the building is of a permanent and substantial construction. The applicant has provided plans of the internal works required to convert the building back to a residential use, and these will have little impact on the main fabric of the building, which will remain intact. This has been confirmed by the County Listed Building Adviser as works which will not harm the historic character of the building. The scheme would also see new landscaping on the site, and an area of hardstand used for parking at the front of the building would be reduced in area and landscaped, which would benefit the Green Belt in this area.

This building has always been used as either a home or a residential institution and is realistically only suitable for these types of use (including such use as a hotel, restaurant, etc). Due to its listed status as a historic building of architectural interest and character both the County and District Council would wish to see the building retained and given a use which will preserve and enhance the building and its setting.

It is the case that this building has been used recently as a clinic which had a greater impact on the Green Belt in terms of activity and use of the site than this proposed scheme, but it is accepted that the creation of 10 residential units within the Green Belt is a significant matter. However, as no

new floor space or volume is created, the scheme involves reuse of an existing building, which as explained above the Council wishes to see retained, a new landscaping scheme will be implemented, and there will be a reduction and remodelling of the parking area already on site, it is considered that the proposal does not cause harm to the amenities of the Green Belt, and is acceptable.

### **Sustainability**

The site is not on a public transport route, and therefore all visits to the site will be by motor vehicle. However the applicant has argued that a residential use of the building is far more sustainable than the former clinic use which had resulted in patients and staff using the site on a 24 hour basis, with more people being on the site than would be the case with this scheme. A Transport Assessment has been provided which shows that there will be a reduction in the number of vehicle movements on the site as compared with the clinic use. This is a use, which will be more sustainable than a use such as a hotel, or restaurant, which would see many more vehicle movements. In addition as this is a conversion of an existing building this will be far more sustainable in environmental terms than a scheme involving demolition and replacement. Therefore this is considered, on balance, to be a sustainable scheme.

### **Amenity**

The only property that is directly affected by this scheme is Silva Lodge to the immediate South East. Due to the fact that both buildings are already in existence there will be no new issues of overlooking or overshadowing. As the site was previously used as a residential clinic it is the case that there will be no new issues regarding loss of privacy as a result of this scheme.

Whilst it is the case there will be some disturbance from the use of the shared access to the two sites, this will be less than the former clinic use, and this would not justify a refusal.

### **Highways**

The Highways Section has stated that they do not have any objections to the proposal, which will see a reduction in vehicle movements from the previous use, and use an existing access onto the A113. 22 Parking spaces will be provided, in line with the current parking standards. The neighbour at Silva Lodge has raised concerns over access arrangements as the site is served by a joint access single lane track. The applicant has agreed to provide passing spaces along this track which will avoid the need for vehicles reversing along the track or pulling off onto the verges. This can be conditioned to avoid damage to the preserved trees in this area of the site.

### **Trees and Landscaping**

The site has the benefit of a recent Tree Preservation Order covering a number of trees on the site. The Landscape Section has raised no objections to the scheme subject to conditions relating to landscaping issues and protection of the existing trees.

### **Other Matters**

The occupant has raised an objection over issues relating to the boundaries shown in the application, and the applicants have now provided accurate plans of the site boundaries with Silva Lodge. He also raised concerns over the demolition of some minor outbuildings to the south of the building. These are to be retained at this stage, and would require permission to be removed as they are curtilage listed buildings.



## **Conclusion**

This is a balanced case, but the proposed use will be less intense than the previous clinic use, with consequent benefits for the neighbour and the Green Belt. The building is one that the Council wishes to see retained due to its listed status and this use is appropriate and causes no harm to the openness of the Green Belt. There will be positive benefits to the Green Belt in terms of landscaping and the access will be an improvement on the existing arrangement. Therefore this application is recommended for approval.

## **SUMMARY OF REPRESENTATIONS:**

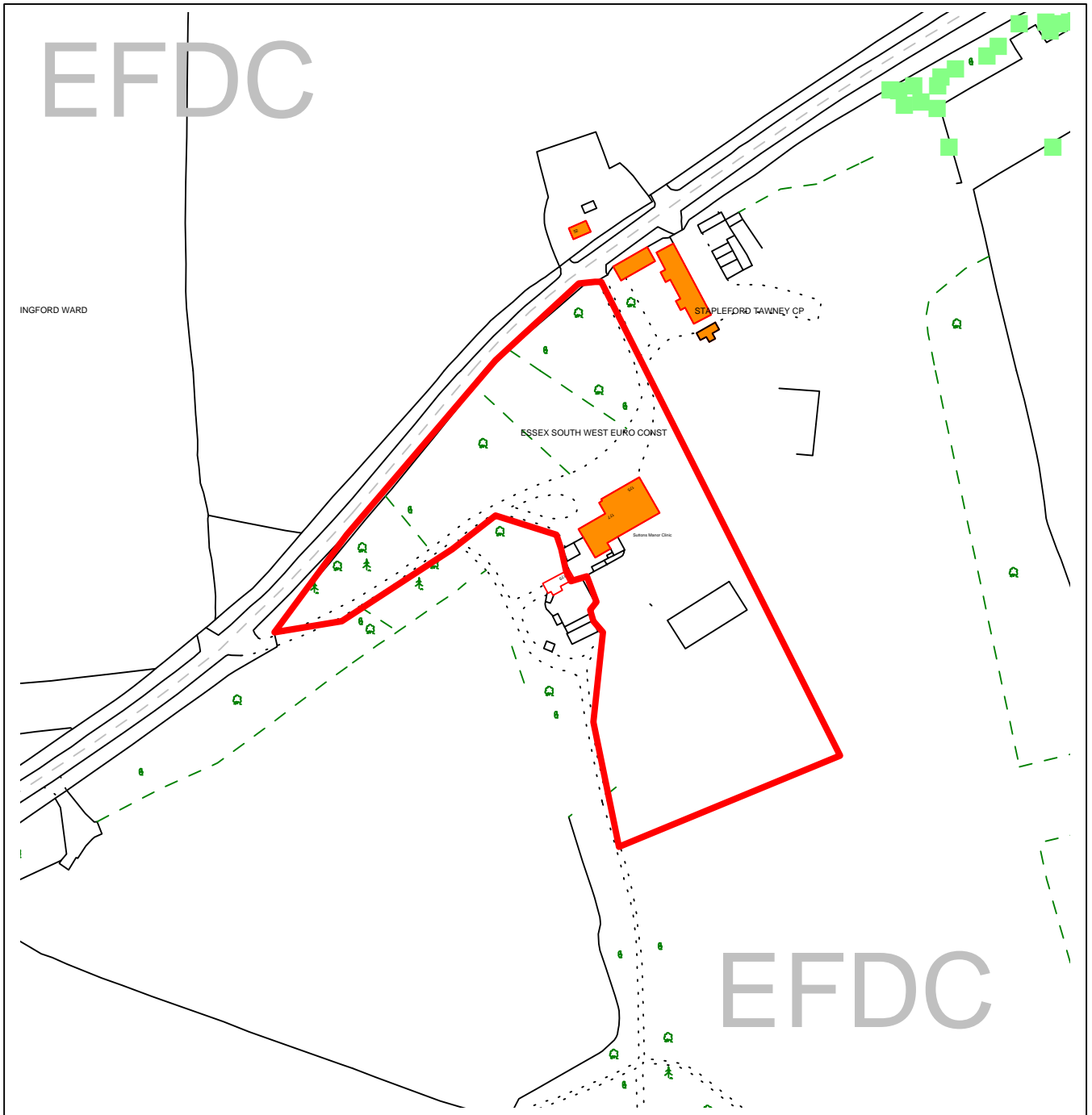
PARISH COUNCIL – In general of full approval.

SILVA LODGE – Concerns cover inaccurate site plans re boundaries and effect on my site once works commence, access is narrow so suggest the northern entrance to the site is used, or the main entrance drive is widened, no mention of fate of outbuildings, which contain asbestos, if to be demolished wish to see relevant safety guideline enforced.



# Epping Forest District Council

## Area Planning Sub-Committee C



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<b>Agenda Item Number:</b>	<b>7</b>
Application Number:	EPF 817/06
Site Name:	Suttons Manor, London Road, Stapleford Tawney.
Scale of Plot:	1:2500