

# Committee Agenda



**Epping Forest  
District Council**

## **Area Plans Subcommittee C Wednesday, 2nd August, 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 - 16)**

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

**3. APOLOGIES FOR ABSENCE**

**4. DECLARATIONS OF INTEREST**

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

**5. ANY OTHER BUSINESS**

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and 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 17 - 36)

(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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## EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Area Plans Subcommittee C                      **Date:** 5 July 2006

**Place:** Civic Offices, Epping                                      **Time:** 7.30 - 9.15 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:** (none)

**Apologies:** (none)

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

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### 8. 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.

### 9. MINUTES

#### RESOLVED:

That the minutes of the meeting held on 7 June 2006 be taken as read and signed by the Chairman as a correct record.

### 10. 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 item 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 application and voting thereon:

- EPF/0633/06 – 11 Great Stony Park, High Street, Ongar.

### 11. ANY OTHER BUSINESS

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

### 12. DEVELOPMENT CONTROL

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

**RESOLVED:**

That the planning applications numbered 1 – 7 be determined as set out in the attached schedule to these minutes.

**13. 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**



**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>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing house and construction of new four bedroom chalet bungalow (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 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.

13	Prior to commencement of the new dwelling hereby approved the existing dwelling on the site known as No. 239 Nine Ashes Road shall be demolished and all resulting materials shall be removed from the site.
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**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>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>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.

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**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>DESCRIPTION OF PROPOSAL:</b>	Outline application for 1 no. detached house. (Revised application)
<b>DECISION:</b>	<b>REFUSE</b>

Members were informed that two additional letters of objection had been received from Nos. 6 and 7 Bobbingworth Mill.

**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.

**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>DESCRIPTION OF PROPOSAL:</b>	Rear conservatory.
<b>DECISION:</b>	

Deferred for site visit.

**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>DESCRIPTION OF PROPOSAL:</b>	New stable block.
<b>DECISION:</b>	<b>REFUSED</b>

Members were informed of two additional consultation responses (1) Parish Council – No objection and (2) Willow Mount – agents letter of objection and reports from transport consultant and British Horse Society.

**REASONS:**

- 1 The Local Planning Authority are not satisfied that there is sufficient and adequate infrastructure on this site to ensure the welfare requirements of horses due to deficiencies in the access, quality and size of pasture, water and electricity supply and drainage contrary to the aims of policy RST4 of the adopted Local Plan.

- 2 The proposed development due to the size of the proposed stable block and its siting on the boundary of an identified area of ancient landscape would detract from its character and physical appearance contrary to policy HC2 of the adopted Local Plan.

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/0850/06
<b>SITE ADDRESS:</b>	9 The Paddocks Stapleford Abbots Epping Essex RM4 1HG
<b>PARISH:</b>	Stapleford Abbots
<b>DESCRIPTION OF PROPOSAL:</b>	Alterations to garage to provide ancillary accommodation. (Revised application)
<b>DECISION:</b>	<b>REFUSE</b>

**REASONS:**

- 1 The proposed works due to the increased height and bulk of the building are considered to amount to overdevelopment contrary to the requirements of policy DBE10 of the adopted Local Plan.
- 2 The proposed extension would result in a loss of amenity to the adjacent property due to overlooking and loss of light contrary to policy DBE9 of the adopted Local Plan.

**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>DESCRIPTION OF PROPOSAL:</b>	Refurbishment and conversion back to residential use, 10 flats.

<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 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.



## AREA PLANS SUB-COMMITTEE 'C'

2 August 2006

### INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/1067/06	Land adj 1 Parkside, Harlow Road, Matching	GRANT	19
2.	EPF/0633/06	11 Great Stony Park, High Street, Ongar	GRANT	26
3.	EPF/1113/06	Unit J1, The Maltings, Station Road, Sawbridgeworth	GRANT	31

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**Report item No: 1**

<b>APPLICATION No:</b>	EPF/1067/06
<b>SITE ADDRESS:</b>	Land adj 1 Parkside Harlow Road Matching Harlow Essex
<b>PARISH:</b>	Matching
<b>APPLICANT:</b>	Hastoe Housing Association Ltd
<b>DESCRIPTION OF PROPOSAL:</b>	Construction of 8 no. affordable rural houses with access and parking for residential purposes. (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 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.
- 5 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) have been submitted to and approved in writing by the Local Planning Authority, and these works shall be carried out as approved. These details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle artefacts and structures, including signs and lighting and functional services above and below ground. Details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers / densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another

tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 6 No development shall take place, including site clearance or other preparatory work, until all details relevant to the implementation of hard and soft landscape works and tree planting, hereafter called the Landscape Method Statement, have been submitted to the LPA, and the development shall not commence until the Landscape Method Statement has been approved by the LPA in writing. All landscape works shall be undertaken in accordance with the approved details, unless the LPA has given its prior written consent to any variation.

The Landscape Method Statement shall include as appropriate, protection of the planting areas, where appropriate by fencing, during construction; preparation of the whole planting environment, particularly to provide adequate drainage; and the provision which is to be made for weed control, plant handling and protection, watering, mulching, and the staking, tying and protection of trees. The Landscape Method Statement shall also normally include provision for maintenance for the period of establishment, including weeding, watering and formative pruning, and the removal of stakes and ties. Provision shall be made for replacement of any plant, including replacements, that are removed, are uprooted, or which die or fail to thrive, for a period of five years from their planting, in the first available season and at the same place, with an equivalent plant, unless the LPA has given its prior written consent to any variation.

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

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

- 7 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.

- 8 Prior to the commencement of the development details of the proposed surface materials for the access road and parking area shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
- 9 The proposed access road shall be laid to a gradient not exceeding 4% for the first 6.0m and 8% thereafter.

**This consent is also subject to the entering of a legal agreement under Section 106 of the Town and Country Planning Act to ensure suitably secure arrangements are made to comply with the requirements of Policy GB 16 of the Local Plan: i.e. that the dwellings are affordable and available for local needs.**

**Description of Proposal:**

Construction of 8 affordable rural houses with access, carports and parking (revised application)

**Description of Site:**

Open field at the western end of Matching Tye village fronting Harlow Road. Site lies adjacent Nos 1 & 2 Parkside Harlow Road on the corner of Rainbow Road. Two storey residential housing to the east, open land behind to the north and to the west. The eastern boundary of the site lies opposite the road to Carters Tye.

**Relevant History:**

EPF/2001/05 - Construction of 8 affordable rural houses with access and parking - Withdrawn.

**Policies Applied:**

Structure Plan: - Policy C2 (Development in the Green Belt)  
Policy H3 & H4 (Location of Residential Development & its form)  
Policy H5 (affordable housing)  
Local Plan: - Policy GB2 & GB16 (Green Belt and Affordable Housing)  
Policy H4 (affordable housing – seek to achieve)  
Policy DBE1, DBE2, DBE4, DBE5, DBE6, DBE8 (Design)  
Policy LL1, LL3, LL10, LL11 (Landscape)  
Policy T17 (Transport)

**Issues and Considerations:**

The key considerations with this proposal is how well it relates to relevant policy in terms of exceptions development within the Green Belt, how it relates to neighbours and the street scene and general impact the development would have on its surroundings and the highway network.

## **Green Belt**

Whilst there is a general restraint on new housing within Green Belt areas, Policy GB16 of the local plan makes some exceptions for affordable housing in rural villages within the district.

Policy GB16 explains that small scale housing schemes may be granted provided: - there is a demonstrable social or economic need for accommodation in the locality which cannot be met in any other way and which can reasonably be expected to persist in the long term. Such an application would be expected to be supported by the Parish Council and also be supported by a proper appraisal of need.

In such cases the development must be well related to the existing settlement and not be detrimental to the character of the village or countryside or Green Belt objectives.

Suitably secure arrangements are expected to be put in place to ensure the availability of the accommodation for initial and subsequent local needs housing.

In this particular case if the application is to be approved it will be subject to a suitably worded legal obligation under section 106 of the Planning Act.

Objections to this proposal have been raised by local occupants on green belt grounds not least because the proposal involves development of a current open green field.

In some respects the proposed development, extending an existing housing area relates well to Matching Tye village, which is one of the rural settlements identified for such schemes within the local plan. However, inevitably development of this site will encroach upon open countryside and to some extent extend the current ribbon of development along Harlow Road. The scarcity of development land within built up villages will almost always result in such sites being on the edge of settlements such as this. In this case the residentially built up nature of its neighbours suggests that the limited amount of land involved in this change of use will not radically impact on the character of the village or its surroundings. Concerns that this proposal could be seen as the 'thin edge of the wedge' is largely unfounded since this is clearly a justifiable proposal only under the exceptions policy that other development could not benefit from.

Whilst the current open nature of the site is clearly a valid asset to the village in amenity terms it must be balanced against the benefits of providing additional, much-needed affordable housing in rural settlements such as Matching Tye. After considerable searching the applicants argue that there is no more suitable, available site in or around this village.

In readopting the local plan policy for affordable housing schemes in rural settlements in the revised local plan members would have been aware of the balance of considerations that come into play in such cases.

In essence this development would modify the boundary of the village with the need to extend the current speed limit outwards to contain the proposal.

The scheme is supported by the local Parish Council and the applicants have put forward data to support the need for affordable housing in this locality.

## **Design**

The scheme proposes two terraces of traditionally designed housing with vehicle access taken to the rear of the housing with the provision of double car ports and open car parking spaces to highway standards.

Boundaries of the site are to be landscaped to help integration with the landscape and surroundings.

Elevations of the houses are simple comprising in each case of two pairs of units the western and eastern end of each block acting as a gabled cross-wing. With tiled, hipped ended roofs at approximately 40 degree pitch incorporating traditional chimneys they will not appear out of character with other housing in this part of the village,

Elevations are stated to be of stock facing brick with part of the lower front facades clad in stained vertical boarding. Fenestration comprises simple vertical casements with some square bays on the front.

As previously mentioned vehicle access to the site is gained from a new road to the extreme west of the site. A 1.2 metre wide footpath runs between the two blocks of houses to the rear parking area. Each unit has the benefit of a pitched roof covered carport building and an open parking space. Two open visitor parking spaces have also been provided.

A six metre gap has been provided between the first new unit and No1 Parkside Harlow Road and the plans indicate the boundary between the properties to be hedged also with infill fencing. The new housing is shown to be set further forward of the existing properties by approximately one metre.

Despite local comments from adjacent properties it is not felt that the development would so impact upon its neighbours such that it would justify a refusal. It is considered that there is sufficient space between the development and No 1 Parkside, Harlow road and that to increase this gap would only ensure that the site encroached further into the open countryside thus negating the Green Belt argument also put forward by the neighbour.

Whilst clearly the existing property adjacent would lose its open side aspect and to some extent the benefits his rear garden derives from this the proposed gap and suitable screening proposed to this boundary would partially mitigate this objection.

### **Other issues including Highway observations**

Development beyond the current established North Western boundary of this settlement will clearly have an impact on the landscape. The scheme, however, includes an indication of landscaping works which will modify the impact and should when mature integrate the development in a satisfactory manner. Subject to conditions relating to the design of the scheme the proposal complies with Policy LL11 of the Local Plan.

As previously indicated the site lies just outside the current village boundary and outwith the 30 miles per hour speed limit subject to the revision of the limit, however, there are no principle highway objections to this scheme. Village signage will be repositioned to include this development within its new boundary.

Finally concerns have been raised regarding existing services, particularly water supply, in the area. This is largely a matter for the relevant water undertaker and would not constitute a valid planning reason to resist development.

## **Conclusion**

Policy GB16 of the Local Plan allows for the development of small-scale affordable housing schemes in the smaller rural settlements as an exception to the normal policy of restraint. Whilst there are recognisable drawbacks to the location of the application site the proposal broadly meets the policy criteria and has backing from the local Parish Council.

Objections to the application from local residents have been considered but in purely physical terms are not considered substantial enough to support reasons for refusal. Objections to the development on Green Belt grounds do not take into account the provisions of Policy GB16 or argue that the submission do not meet in full the necessary criteria.

The design, layout and details satisfy the various policy criteria for residential development and subject to the imposition of suitable conditions areas of concern can be satisfied.

Ultimately a decision rests on the balance between the provision of a small number of affordable housing units for local people in an area where it is most unlikely such a provision will be achieved in any other way and any identified harm to the local area and or neighbours.

In this case officers have concluded that this proposal achieves the aims of the policy without undue harm and as such can be supported, the recommendation is therefore for approval subject to conditions.

## **SUMMARY OF REPRESENTATIONS:**

**MATCHING PARISH COUNCIL** – Council supports this development but shares the views of some local residents regarding water supply and the sewage system.

**3 RAINBOW ROAD** – Real doubts that the requirements for the prospective occupiers of the houses being local people will be met or that there is a proven local need for these houses. Also feel proposal does not meet several of the requirements of Policy GB16. Site had perfectly good agricultural use bordering the hamlet of Matching Tye and feel this is the best use of the land. Any increase in housing will bring about increase in noise, pollution possibility of flooding and additional burden on drainage. Loss of privacy not only on garden but to rear bedrooms. Additional traffic would add to road danger. Impact on local school placings. Opinion that in this case the disadvantages of the development outweigh the benefits and create lesser quality of life for residents of Matching Tye.

**1 PARKSIDE** – Application does not comply with several aspects of Policy GB16 the development is outside the settlement and will extend the boundary. Development is not well related to existing settlement and will be detrimental to character of village and creates a ribbon. This piece of Green Belt land is most definitely a visual amenity, which could become an eyesore with the addition of housing. Side elevations not in keeping with existing dwellings and will generate noise and disturbance to ourselves and others nearby. Deduction of daylight and sunlight to our property. Why cant development be located further along Harlow Road away from our boundary. Development will overlook our house and reduce privacy. Concerns about traffic, water supply and drainage. There are no amenities in Matching to support affordable housing.

Attached to this letter is a Petition against this development signed by 37 local residents.

**BROADLANDS, CARTERS GREEN** – All for affordable housing but building on Green Belt farmland is unacceptable If approved would set a precedent for more housing projects. Scheme better suited to brown field sites in area.

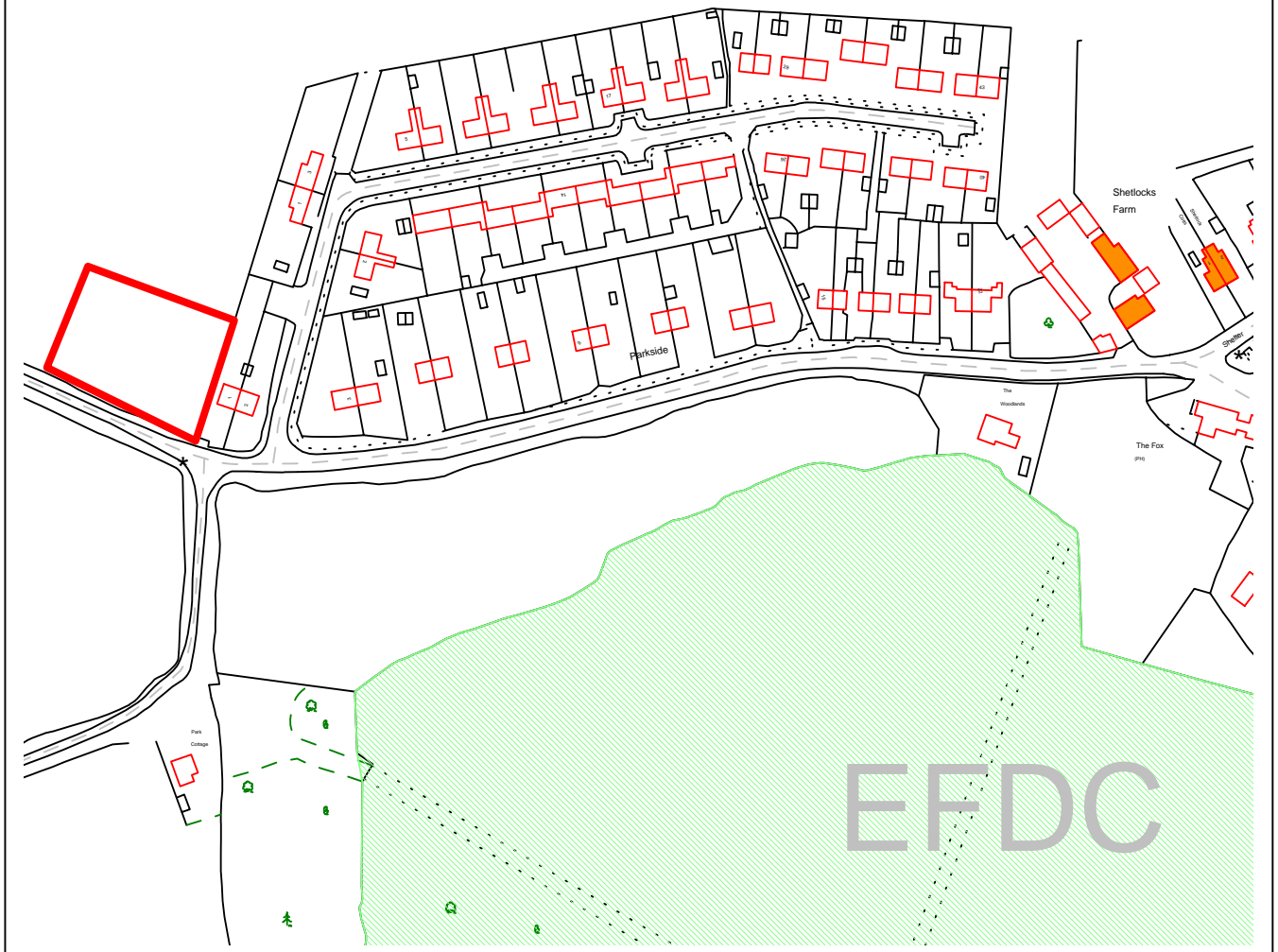




# Epping Forest District Council

## Area Planning Sub-Committee

# EFDC



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<b>Agenda Item Number:</b>	<b>1</b>
Application Number:	EPF/1067/06
Site Name:	Land adj to 1, Parkside, Matching Tye
Scale of Plot:	1/2500

**Report Item No: 2**

<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 further site visit. A further representation has been received – reported below. Otherwise, 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 southeast 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 has 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 Stony 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 Stony 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.

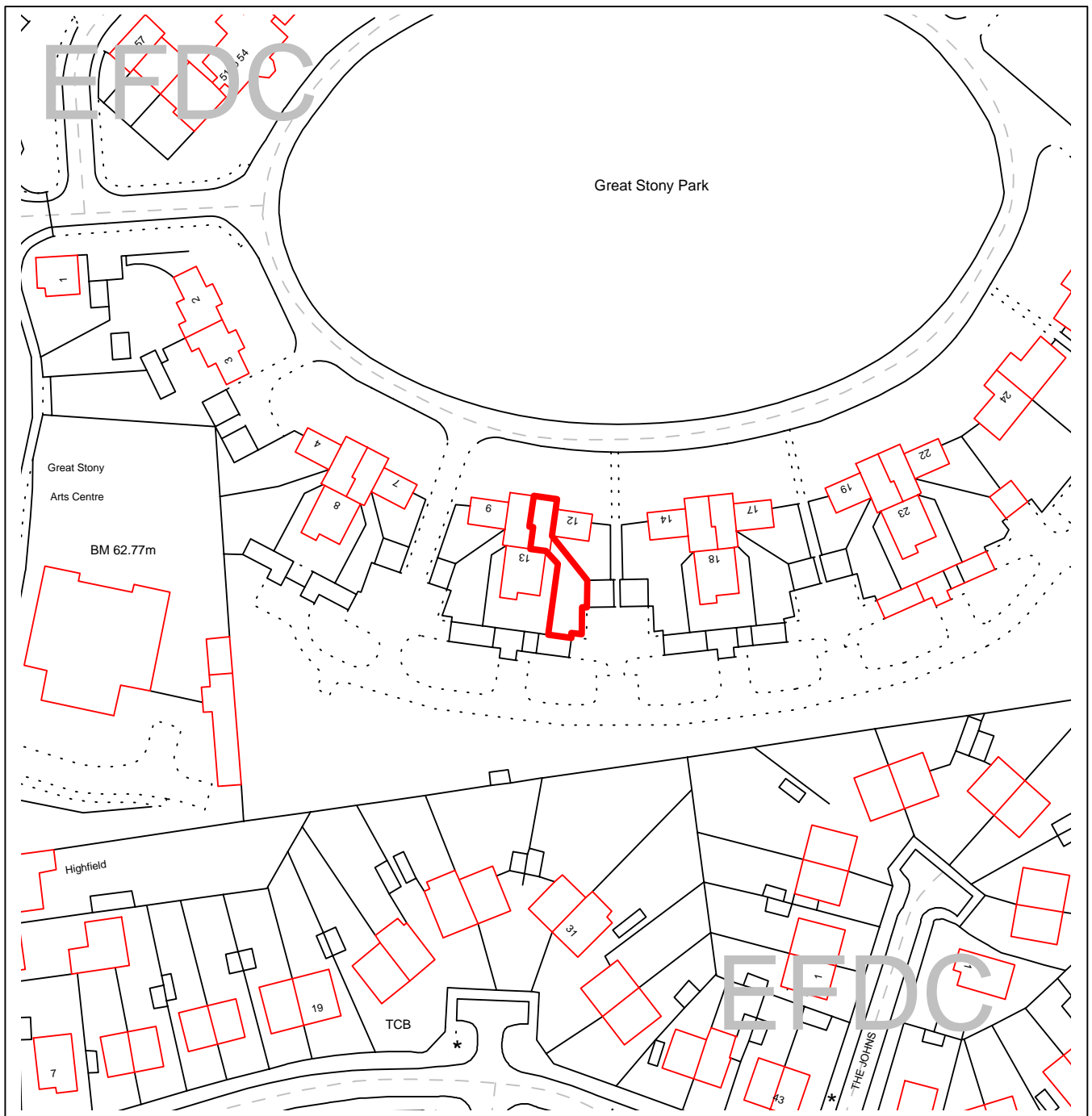
13 GREAT STONY PARK – Object, the occupant of the adjoining property of No 15, where there is a similar structure has stated to us that it has had an adverse effect on this view and natural light. Work has already been started. This could cause us sound pollution. This structure will be an eyesore to 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.

38 GREAT STONY PARK – Whilst not directly impacted by this application, a similar proposal on a neighbour's property would cause loss of light during the day and light pollution at night, and would be overdevelopment in a conservation area. Would not like a precedent to be set.



# Epping Forest District Council

## Area Planning Sub-Committee



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<b>Agenda Item Number:</b>	<b>2</b>
Application Number:	EPF/633/06
Site Name:	11, Great Stony Park, Ongar
Scale of Plot:	1/1250

**Report item No: 3**

<b>APPLICATION No:</b>	EPF/1113/06
<b>SITE ADDRESS:</b>	Unit J1 The Maltings, Station Road Sawbridgeworth CM21 9JX
<b>PARISH:</b>	Sheering
<b>APPLICANT:</b>	Mr S Reid
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use to preparation only of hot food snacks despatched to local schools, and kitchen and catering equipment hire (sui generis).
<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 use hereby permitted shall not be operated outside the hours of 9am to 5pm on Monday to Fridays and from 9am to midday on Saturdays, and not at all on Sundays or public holidays.
- 3 The parking area shown on the approved plan shall be provided and marked out prior to the first occupation of the development and the six spaces intended for Unit J1 shall be marked as such and shall be retained free of obstruction for the parking of staff and visitors vehicles. The car bay size shall be a minimum of 4.8m x 2.4m and the spaces provided for the Light Goods vehicles shall be a minimum of 7.5m x 3.5m.
- 4 The development hereby approved shall be for the preparation of hot and cold food snacks and for the hiring of kitchen catering equipment only and shall at no time include the sale of any food or drink to the general public at the unit for consumption on or off the premises.
- 5 Prior to commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority to cater for the foul drainage produced from the kitchen. Drains serving the kitchens in the development shall be fitted with a grease separator, as detailed in the Building Regulations 2000, Approved Document H (Drainage and waste disposal), to comply with prEN 1825-1 and designed in accordance with prEN 1825-2 (Installations for separation of grease) or other effective means of grease removal. The approved drainage shall be retained and maintained while the site is in use.

### **Description of Proposal:**

Consent is being sought for the change of use of unit J1 to the preparation only of hot food snacks despatched to local schools and the hire of kitchen and catering equipment (sui generis use).

### **Description of Site:**

Ground floor unit located towards the south of The Maltings buildings, adjacent to the smaller second building located on the site, on the southern side of Station Road. The building has a good sized parking area to the north of the building. There are a variety of commercial uses on the site ranging from antiques and cafes to offices and vehicle repairs. The building itself is Listed and falls within the Lower Sheering Conservation Area.

### **Relevant History:**

A long and complex history but most relevant are:

EPF/101/98 - Change of use of Class B1 unit to A3 takeaway (Unit 2D, first floor, north of site) – App/Con 20/10/1998

EPF/164/02 – Change of use to offices (Unit C, north part of site) – App/Con 26/06/2002

EPF/482/04 – Change of use to B1 use (Units 3 and 3A, north of site) – App/Con 18/10/2004

### **Policies Applied:**

E1 – Employment

HC6 – Conservation Areas

HC10 – Listed Buildings

HC13 – Conversion of Listed Buildings

DBE9 – Amenity

T14 – Parking

### **Issues and Considerations:**

The main issues here relate to the effect on the listed building, the conservation area, amenity and parking issues.

#### **Listed Building**

No objections have been put forward by the Listed Buildings Adviser however it is unclear from the drawings whether the suspended ceiling as shown on Drawing Number 05/S/M/J1 is proposed or exists. It was difficult to see from the site visit given that access was not available into the unit. As no Listed Building application has been submitted one can assume it exists, however for the avoidance of any doubt, a suitably worded informative can be attached stating that any internal or external alterations to the building would require Listed Building Consent.



## **Conservation Area**

Similarly to the above it is not considered that the change of use would result in an adverse effect on the Conservation Area. There is already such a mix of uses on the site that this appears to a use that would have little or no additional impact.

## **Amenity**

The proposed use would accommodate the ground floor unit. The business has two functions:

1. The preparation of hot and cold snacks on site to cater for a maximum of 60 persons. These snacks are then distributed to 2 local schools, one in Harlow and one in Bishops Stortford. This operation is seasonal and only, of course, during school term time.
2. Kitchen equipment hire including crockery, cutlery, china and glass, linen, and tables and chairs.

The main vehicular movements for the business are for the 2 daily deliveries for the school lunches and snacks. On Fridays deliveries from the premises of the catering equipment would take place. The equipment is then collected by an employee and returned on a Monday.

The applicant confirms that no food or drink will be on sale to the general public for consumption on the premises and the relevant condition covers prohibition of take-away food as well. The hire of the catering equipment is carried out via the internet or via phone. There is apparently no need for members of the public to visit the site.

In terms of amenity the proposed use would appear acceptable, as the proposed use would not result in such a level of activity that would be detrimental to the amenity of the neighbouring commercial units.

## **Parking**

The Maltings has become over time more and more congested. It is proposed that there would be 6 spaces required, 2 for staff, 1 for visitors, 1 disabled space and 2 spaces for light goods vehicles.

A revised drawing has been submitted highlighting the spaces set aside for this unit. 2 spaces have been allocated to the front of the unit, 2 to the rear along side 2 spaces set aside for Light Goods Vehicles. This would satisfy the requirements of the business as 2 would be for staff, 2 for visitor and disabled parking and two LGV spaces which would allow stock to be loaded to the rear where there is access to a loading bay. On this basis it would appear that there is sufficient spaces for the proposed use. However, these spaces have not been marked out so a condition ensuring these spaces are marked and designated specifically for this unit can be attached here.

## **Conclusion:**

With the variety of uses on site it would be difficult to justify a refusal here. There would be no loss of amenity, no impact on the Conservation Area or on the Listed Building. An initial cause for concern regarding the parking situation has been allayed with spaces being show to the front and rear. With the attachment of suitable conditions the application is recommended for approval.

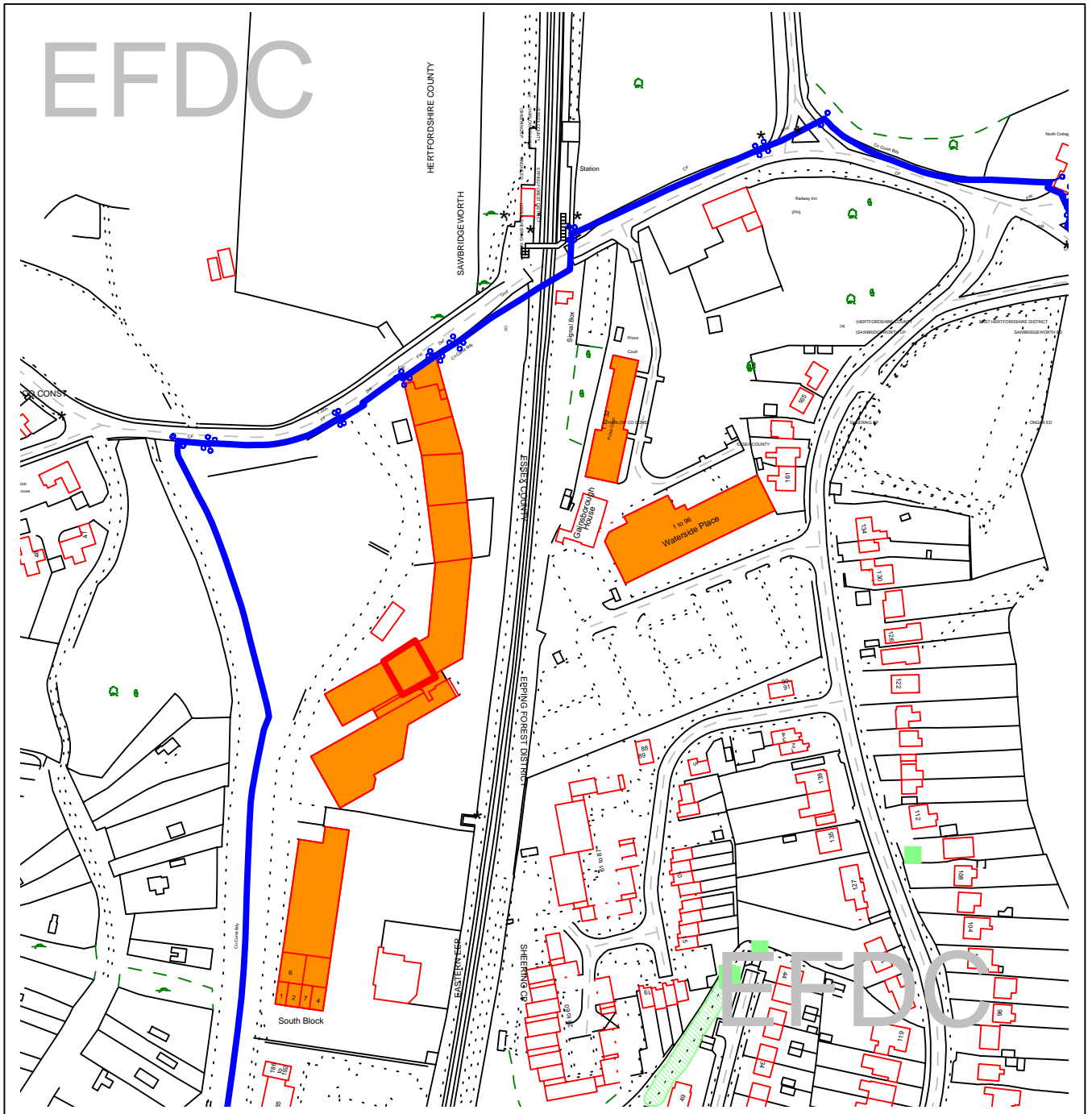
**SUMMARY OF REPRESENTATIONS:**

SHEERING PARISH COUNCIL – object on the grounds that The Maltings is turning into a food area and concerns about the proposal and wording as not enough information given.



# Epping Forest District Council

## Area Planning Sub-Committee



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<b>Agenda Item Number:</b>	<b>3</b>
Application Number:	EPF/1113/06
Site Name:	Unit J1, The Maltings, Sheering
Scale of Plot:	1/2500

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