

Committee Agenda



**Webcast
Meeting**



**Epping Forest
District Council**

Area Planning Subcommittee East Wednesday, 30th May, 2007

Place: Council Chamber, Civic Offices, High Street, Epping

Time: 7.30 pm

Democratic Services Officer Mark Jenkins - Research and Democratic Services
Email: mjenkins@eppingforestdc.gov.uk Tel: 01992 564607

Members:

Councillors M Colling, R Frankel, P Gode, A Green, Mrs A Grigg, Mrs H Harding, Ms J Hedges, D Jacobs, D Kelly, Mrs M McEwen, R Morgan, G Pritchard, B Rolfe, Mrs P K Rush, D Stallan, C Whitbread, Mrs J H Whitehouse and J M Whitehouse

A BRIEFING FOR THE CHAIRMAN, VICE-CHAIRMAN AND APPOINTED SPOKESPERSONS WILL BE HELD AT 6.30 P.M. IN COMMITTEE ROOM 1 ON THE DAY OF THE SUB-COMMITTEE.

WEBCASTING NOTICE

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1. WEBCASTING INTRODUCTION

1. This meeting is to be webcast. Members are reminded of the need to activate their microphones before speaking.

2. The Chairman will read the following announcement:

“I would like to remind everyone present that this meeting will be broadcast live to the Internet and will be capable of repeated viewing and copies of the recording could be made available for those that request it.

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This may infringe your human and data protection rights and if you wish to avoid this you should move to the upper public gallery”

2. INTRODUCTION AND WELCOME

To welcome Members to the first meeting of this committee for 2007/08. The Council, at its Annual Meeting will appoint the Chairman, Vice Chairman and members of the committee.

3. ADVICE TO PUBLIC AND SPEAKERS AT COUNCIL PLANNING SUB-COMMITTEES (Pages 5 - 6)

General advice to people attending the meeting is attached.

4. APOLOGIES FOR ABSENCE

5. DECLARATIONS OF INTEREST

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

6. 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.

7. PROBITY IN PLANNING - APPEAL DECISIONS, OCTOBER 2006 TO MARCH 2007 (Pages 7 - 12)

To consider the attached report.

8. DEVELOPMENT CONTROL (Pages 13 - 76)

(Head of Planning and Economic Development) To consider planning applications as set out in the attached schedule

Background Papers: (i) Applications for determination – applications listed on the schedule, letters of representation received regarding the applications which are summarised on the schedule. (ii) Enforcement of Planning Control – the reports of officers inspecting the properties listed on the schedule in respect of which consideration is to be given to the enforcement of planning control.

9. DELEGATED DECISIONS

(Head of Planning and Economic Development) Schedules of planning applications determined by the Head of Planning and Economic Development under delegated powers since the last meeting of a Plans Subcommittee may be inspected in the Members Room or at the Planning and Economic Development Information Desk at the Civic Offices, Epping.

10. EXCLUSION OF PUBLIC AND PRESS

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.

Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

Yes all our meetings are open for you to attend. Only in special circumstances are the public excluded.

When and where is the meeting?

Details of the location, date and time of the meeting are shown at the top of the front page of the agenda along with the details of the contact officer and members of the Subcommittee. A map showing the venue will be attached to the agenda.

Can I speak?

If you wish to speak **you must register with Democratic Services by 4.00 p.m. on the day before the meeting**. Ring the number shown on the top of the front page of the agenda. Speaking to a Planning Officer will not register you to speak, you must register with Democratic Service. Speakers are not permitted on Planning Enforcement or legal issues.

Who can speak?

Three classes of speakers are allowed: One objector (maybe on behalf of a group), the local Parish or Town Council and the Applicant or his/her agent.

What can I say?

You will be allowed to have your say about the application but you must bear in mind that you are limited to three minutes and if you are not present by the time your item is considered, the Subcommittee will determine the application in your absence.

Can I give the Councillors more information about my application or my objection?

Yes you can but it must not be presented at the meeting. If you wish to send further information to Councillors, their contact details can be obtained through Democratic Services or our website www.eppingforestdc.gov.uk. Any information sent to Councillors should be copied to the Planning Officer dealing with your application.

How are the applications considered?

The Subcommittee will consider applications in the agenda order. On each case they will listen to an outline of the application by the Planning Officer. They will then hear any speakers presentations. The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the Subcommittee propose to follow a course of action different to officer recommendation, they are required to give their reasons for doing so.

The Subcommittee cannot grant any application, which is contrary to Local or Structure Plan Policy. In this case the application would stand referred to the next meeting of the District Development Control Committee.

Further Information?

Can be obtained through Democratic Services or our leaflet 'Your Choice, Your Voice'

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Report to Area Plans Sub-Committee East

Date of meeting: East – 30/05/07



**Epping Forest
District Council**

Subject: Probity in Planning – Appeal Decisions, October 2006 to March 2007.

**Officer contact for further information: Barry Land (01992 – 564110).
Democratic Services Officer: Mark Jenkins (01992 - 562607).**

Recommendation:

That the Planning Appeal Decisions be noted.

Report Detail:

Background

1. (Head of Planning Services) In compliance with the recommendation of the District Auditor, this report advises the decision-making committees of the results of all successful appeals, particularly those refused by committee contrary to officer recommendation. The purpose is to inform the committee of the consequences of their decisions in this respect and, in cases where the refusal is found to be unsupportable on planning grounds, an award of costs may be made against the Council.
2. To set the context, a Best Value Performance Indicator was for district councils to aim to have less than 40% of their decisions overturned on appeal with the national average of about 33%. That BVPI was scrapped but recently replaced by one which records planning appeals only (not advertisement, listed buildings, enforcements, telecommunications or tree related appeals) and where the Council sets its own target – set this year at 24%. In fact in recent years the Council has been more successful than the national average with only 25% lost in 2000/01, 24% in 2001/02, 27% in 2002/03, 18% in 2003/04, 29% in 2004/05 and 22% in 2005/06.

Performance

3. Over the six-month period between October 2006 and March 2007, the Council received 74 decisions on appeals – 71 planning and related appeals and 3 enforcement appeals. Of the 71 planning and related appeals, 22 were allowed (31%) and none of the 3 enforcement appeals – a combined total of 29.7% of the Council's decisions being overturned.
4. For the BVPI, which only considers appeals against the refusal of planning permission (and regards all 'part-allowed' appeals as decisions against the Council), the performance figure is 31%.

Planning Appeals

5. On this occasion, the proportion of appeals that arose from decisions of the committees to refuse contrary to the recommendation of officers was much higher than on previous occasions. Of the 71 appeal decisions, 18 arose in such circumstances and the Council lost 12 of those cases. If those 18 cases were entirely discounted from the statistics, the Council's performance figure would have been 19%, which is well within the top quartile performance nationally.
6. Nevertheless, it cannot be denied that the Council were successful in sustaining refusals in 6 of those 18 cases, so the advice has to be that if members are considering setting aside the officer's recommendation it should only be in cases where members are certain they are acting in the wider public interest and where the committee officer can give a good indication of some success at defending the decision.
7. The 12 appeals allowed following decisions by committee to refuse contrary to officer's recommendation were:

EPF/1015/06 – Land adj. 3, Brook Rise, Chigwell – two, four-bedroomed houses (Area Plans A 19/07/06)

EPF/1108/06 – Chigwell School, High Road, Chigwell – all-weather hockey pitch (Area Plans A 19/07/06)

EPF/1289/06 – 12 Audleigh Place, Chigwell – two storey side extension (Area Plans A 16/08/06)

EPF/156/06 – 2 Western Avenue, Epping – erection of detached house (Area Plans B 08/03/06)

EPF/182/06 – Land adj. Treetops Care Home, Station Road, Epping – Amendments to approved scheme of 13 flats (Area Plans B 31/05/06)

EPF/13/06 – Land adj. 26 Stony Path, Loughton – erection of 2 dwellings (Area Plans A 01/03/06)

EPF/488/06 – J Sainsbury, Old Station Road, Loughton – variation of condition to allow extended opening hours (Area Plans A 21/06/06)

EPF/2176/05 – 230 High Road, Loughton – change of use to coffee shop (Area Plans A 01/02/06)

EPF/1754/05 – Ruallan, High Road, North Weald – removal of agricultural occupancy condition (Area Plans B 08/03/06)

EPF/2187/05 – Knightlands Farm, Berwick Lane, Stanford Rivers – change of use of barn to storage (Area Plans C 15/03/06)

EPF/401/06 – 64 Morgan Crescent, Theydon Bois – erection of dwelling (Area Plans B 31/05/06)

EPF/620/06 – Adj. 55 Theydon Park Road, Theydon Bois – erection of detached dwelling (Area Plans B 31/05/06)

8. To complete the picture, officers were successful in sustaining the committee decision to refuse, when officers had recommended granting permission, in the following 6 cases:

EPF/1525/05 – Coopersale Hall School, Flux's Lane, Epping – extensions and new classroom block (Area Plans B 08/02/06)

EPF/980/05 – 66 & 66a Bower Hill, Epping – erection of 3 blocks containing 14 flats (Area Plans B 31/05/06)

EPF/521/06 – Former Police House, New Farm Drive, Abridge – erection of 4 houses and garages (Area Plans B 31/05/06)

EPF/2157/05 – 14 Shooters Hill, Nazeing – side and rear extensions and dormers (Area Plans D 25/01/06)
EPF/2030/05 – Wansfell College, Piercing Hill, Theydon Bois – change of use to 20 flats (Area Plans B 10/02/06)
EPF/2031/05 – 30A, Piercing Hill, Theydon Bois – replacement dwelling (Area Plans B 10/02/06)

Costs

9. There were two cases where costs were awarded during this period – one for the Council and one against.
10. An appeal relating to land at 4, Buttercross Lane, Epping followed the refusal of an application for five flats. This, in turn, followed the dismissing of an earlier appeal for two houses on the site. The second proposal was for a larger development in a larger building and officers argued that it was unreasonable to put the Council to the expense of an appeal when a less intense scheme had already been dismissed at appeal. The Inspector agreed and awarded the Council the full costs of the appeal. This has been settled at £5,663.65p.
11. The Council were also successful in defending the decision to refuse the application for 36 sheltered apartments for the elderly at 19-23 High Road, Epping. However, as one of the strands, the Council sought to argue that the site could well be a location for protected species, which had not been properly dealt with by the appellants. The Inspector considered that the Council did not produce sufficient evidence to support this strand and consequently made a partial award of costs in the appellants' favour to cover their costs in defending that issue. This has been settled at £5,422.32p.

Conclusions

12. The Council's performance for this 6-month period, though still better than the national average, has been disappointing but this appears, in part, to be a reflection of the higher than previous willingness to set aside officers' recommendations. In addition, some of the decisions seem to show a determination to approve developments that make the best use of urban land but at the expense of previously accepted constraints
13. The decisions are listed in the Members Bulletin from time to time but a full list of decisions over this six month period appears at appendix 1.

APPENDIX 1

Appeal Decisions October 2006 – March 2007

Planning Appeals Allowed:

1. EPF/0894/06 – 38 Station Way, Buckhurst Hill – retention of condenser unit on roof
2. EPF/1015/06 – Land adj. 3, Brook Rise, Chigwell – two, four-bedroomed houses
3. EPF/1108/06 – Chigwell School, High Road, Chigwell – all-weather hockey pitch
4. EPF/1289/06 – 12 Audleigh Place, Chigwell – two storey side extension
5. EPF/0062/05 – Grange Farm, Chigwell – landscaping scheme for amended roundabout access works
6. EPF/1231/06 – Grange Farm, Chigwell – variation of condition to allow further 6 months to submit details of 28 houses, etc
7. EPF/0968/05 – 48-52 Stradbroke Drive, Chigwell – erection of 3 dwellings
8. EPF/0156/06 – 2 Western Avenue, Epping – erection of detached house
9. EPF/0182/06 – Land adj. Treetops Care Home, Station Road, Epping – amendments to approved scheme of 13 flats
10. EPF/0013/06 – Land adj. 26 Stony Path, Loughton – erection of 2 dwellings
11. EPF/0488/06 – J Sainsbury, Old Station Road, Loughton – variation of condition to allow extended opening hours
12. EPF/1335/06 – 42 Alderton Hill, Loughton – erection of detached dwelling
13. EPF/2176/05 – 230 High Road, Loughton – change of use to coffee shop
14. EPF/1754/05 – Ruallan, High Road, North Weald – removal of agricultural occupancy condition
15. EPF/2187/05 – Knightlands Farm, Berwick Lane, Stanford Rivers – change of use of barn to storage
16. EPF/0251/06 – Land adj. 2 Blackacre Road, Theydon Bois - erection of detached bungalow
17. EPF/0401/06 – 64 Morgan Crescent, Theydon Bois – erection of dwelling
18. EPF/0620/06 – Adj. 55 Theydon Park Road, Theydon Bois – erection of detached dwelling
19. EPF/2067/05 TEL – Thrifts Hall Farm, Abridge Road, Theydon Bois - telecommunications application for replacing 12.5m mast with 15m mast
20. EPF/1915/05 – Picks Farm, Sewardstone Road, Waltham Abbey – erection of 20m high radio transmitter
21. EPF/1343/06 A – Waltham Point, Waltham Abbey – retention of advertisement panels
22. EPF/2014/05 – Hodgkins Farm, Norton Heath Road, Willingale – conversion of barn to residential use

Planning Appeals Dismissed

23. EPF/1923/06 – 18 Luctons Avenue, Buckhurst Hill – two storey side extension
24. EPF/0867/06 - r/o 18, 20 & 22 Victoria Road, Buckhurst Hill – detached bungalow
25. EPF/0353/06 – 35 Mount Pleasant Road, Chigwell – replacement dwelling
26. EPF/0414/05 – 17 New Forest Lane, Chigwell – retention of railings and gates
27. EPF/0801/06 – 6 Tomswood Road, Chigwell – single storey side extension

28. EPF/0617/06 – 26 Lindsey Street, Epping – removal of condition re opening hours
29. EPF/1195/06 – 19-23 High Road, Epping – 36 sheltered apartments
30. EPF/1525/05 – Coopersale Hall School, Flux's Lane, Epping – extensions and new classroom block
31. EPF/1775/05 – 2 Hartland Road, Epping – three storey side extension
32. EPF/1992/05 – Land adj to Broadbents, 4, Buttercross Lane, Epping – erection of block of 5 flats
33. EPF/2246/05 – 24 Coopersale Common – two storey side extension
34. EPF/0980/05 – 66 & 66a Bower Hill, Epping – 3 blocks containing 14 flats
35. EPF/1866/05 – 45 Ongar Road, Fyfield – vehicle crossing
36. EPF/0513/06 – rear of 5 Gould Cottages, Market Place, Abridge – conversion to form 5 dwellings
37. EPF/0521/06 – Former Police House, 19 New Farm Drive, Abridge – four semi-detached houses
38. EPF/2026/05 – Woodgrange, 52 Ongar Road, Abridge – conversion to provide 2 holiday lets
39. EPF/0270/06 – 1 Church Hill, Loughton – erection of 10 apartments in two blocks
40. EPF/0421/05 – Land adj.12a Alderton Close, Loughton – new dwelling
41. EPF/0593/06 – 91 Willingale Road, Loughton – first floor rear extension
42. EPF/0606/06 – Land adj.89 High Road, Loughton – detached dwelling
43. EPF/0839/06 – Land adj.89 High Road, Loughton – semi-detached dwelling
44. EPF/1089/06 – 9 Hillyfields, Loughton – loft conversion
45. EPF/2195/05 – Land adj.8 Bobbingworth Mill, Ongar – 2 cottages
46. EPF/0820/06 – Land adj.8 Bobbingworth Mill, Ongar – one detached house
47. EPF/0184/06 – Brookend Farm, Hoe Lane, Nazeing – stationing a mobile home
48. EPF/0233/06 – Elmside, Middle Street, Nazeing – two storey side and front extensions
49. EPF/1079/06 – Lakeside Nursery, North Street, Nazeing – erection of building for vehicle repairs
50. EPF/1132/06 – Oakleigh Nursery, Paynes Lane, Nazeing – change of use to B1 and B8
51. EPF/2157/05 – 14 Shooters Hill , Nazeing – side and rear extensions and loft conversion
52. EPF/0375/06 – Restawhile, Epping Road, Roydon – two storey side extension
53. EPF/2129/05 – Granville House, Toot Hill Road, Stanford Rivers – two storey side extension
54. EPF/1313/05 – Birchfield, Stapleford Tawney – use for 16 pitch traveller site
55. EPF/2030/05 – Wansfell College, Piercing Hill, Theydon Bois – change of use to 20 apartments
56. EPF/2031/05 – 30A, Piercing Hill, Theydon Bois – replacement dwelling
57. EPF/0574/06 – Land rear of 21 and 23 Forest Drive, Theydon Bois – erection of chalet bungalow
58. EPF/0334/06 – 2 Dawes Bridge Cottages, Theydon Garnon – first floor extension
59. EPF/0335/06 – 1 Dawes Bridge Cottages, Theydon Garnon – first floor extension
60. EPF/0493/06 – Blunts Farm, Coopersale Lane, Theydon Bois – traffic maintenance depot
61. EPF/0273/05 – Petcheys, Sewardstone Road, Waltham Abbey – parking of vehicles and retention of hardstanding and railings
62. EPF/0278/06 – London Lodge West, Copped Hall Estate – side extension

63. EPF/0279/06 LB – London Lodge West, Copped Hall Estate – listed building application for side extension
64. EPF/1293/06 – 30 Sun Street, Waltham Abbey – conversion of two retail units to one flat
65. EPF/1916/05 – Picks Farm, Sewardstone Road, Waltham Abbey – erection of 36m high transmitter mast
66. EPF/2066/05 – Netherhouse Farm, Sewardstone Road, Waltham Abbey – change of use to tyre fitting depot
67. EPF/0415/06 – Rylston & Park Farm Nursery, Sewardstone Road, Waltham Abbey – two replacement dwellings and one infill dwelling
68. EPF/0371/06 TEL – verge at Shernbroke Road, Waltham Abbey – 11.7m high telecommunications pole
69. EPF/0751/06 A – Sainsburys Depot, Waltham Abbey – illuminated hoarding
70. EPF/0924/06 A – 7-9 Cartersfield Road, Waltham Abbey – illuminated totem sign
71. EPF/1062/05 – Tile House Farm, Birds Green, Willingale – use as vehicle servicing, repairs and storage

Enforcement Appeals Dismissed

72. Entrance gates in excess of 1m high at 17 New Forest Lane, Chigwell
73. Use of land for stationing a mobile transmission mast at Picks Farm, Sewardstone Road, Waltham Abbey
74. Erection of fencing at Tutein Farm, Grove Lane, Chigwell

AREA PLANS SUB-COMMITTEE 'EAST'

Date 30 MAY 2007

INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

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Report Item No: 1

APPLICATION No:	EPF/0379/07
SITE ADDRESS:	77 - 79 High Street Epping Essex CM16 4BA
PARISH:	Epping
WARD:	Epping Lindsey and Lindsey and Thornwood Common
APPLICANT:	Tesco Stores Ltd
DESCRIPTION OF PROPOSAL:	TPO 23/90; 2 x Birch: Fell 1 decayed birch, reduce crown of adjacent tree by 20%.
RECOMMENDED DECISION:	GRANT (with conditions)

CONDITIONS

- 1 The work authorised by this consent shall be carried out under the direct supervision of the Local Planning Authority, who shall receive in writing, 5 working days' notice of such works.
- 2 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.
- 3 All work authorised by this consent shall be undertaken in a manner consistent with British Standard 3998 (1989) (or with any similar replacement Standard).

Description of Proposal:

T1. Birch. Fell and replace and T2. Birch. Reduce crown by 20%.

Description of Site:

These two trees are part of a row of four trees that form a graceful screen along the north western boundary of the supermarket car park. They contribute considerably as highly visible landscape features, softening the hard surfaced environment around them.

Relevant History:

TRE/EPF/314/05 was granted permission to prune 5 birch trees and 1 cherry, primarily to abate overhanging nuisance to neighbouring private residential property.

Relevant Policies:

LL9: The Council will not give consent to fell a tree protected by a Tree Preservation Order unless it is satisfied that this is necessary and justified.any such consent will be conditional upon appropriate replacement of the tree.

Issues and Considerations:

Introduction

The application is made on the basis that the tree to be felled is dangerous, due to extensive decay at various points on the main stem and central crown. Its neighbour, T2 is to be pruned to anticipate new wind stresses following the loss of T1

The issue is primarily whether T1 has reached a state where it may be deemed exempt as a dangerous tree or not. Since a large proportion of normally functioning crown is present, this exemption must be discounted. A judgement must be made on the future of this tree in terms of its current condition and safe useful life expectancy.

Considerations

It is suggested that the following questions need to be addressed:

1. What is the general condition and pruning history of the tree?
2. What is the long term amenity cost of felling the tree?
3. What other factors must be considered

1. What is the general condition and pruning history of the tree?

The visible signs of structural decay are plainly visible at two points on the stem, which appear to be advanced judging by the depth and size of each cavity. In addition to these areas, the remnant of the central main leader indicates extensive dysfunctional wood in the upper crown. Decay will advance rapidly in this species and must therefore be considered serious in this busy public location.

A large part of the crown appears to be normally vigorous, despite the structural constraints, which has left the form unusually spread.

The tree recently underwent specific pruning to reduce growth overhanging a neighbouring property. This work included removal of deadwood, which suggests that the dead stub remnant has recently declined and therefore indicates a rapid decaying process.

2. What is the long term amenity cost of felling the tree?

The tree, though misshapen, contributes as part of a linear screening group of significant prominence within this urban setting. An estimation of the remaining safe life expectancy would cautiously suggest a maximum of five or six more years. This must significantly lower the tree's amenity value.

3. What other factors should be considered?

The requirement to replant a suitable tree at, or as close to, the original location of the removed tree will pose few discernible problems due to the extensive landscape border planting along this boundary.

The pruning of T2 will reduce the risk of wind damage occurring following the loss of T1.

Summary

The fact that the tree displays signs of decay and therefore can be expected to have only a very limited life expectancy promotes the conclusion to recommend approval of this proposal.

A condition requiring a suitable replacement will go some way towards compensating for the scale of the lost amenity and will ensure the presence of landscaping along this boundary into the future.

It is therefore recommended to grant permission to this application on the grounds that the proposal is in accordance with Local Plan Landscape Policy LL9.

SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL - Committee had no objection to this application provided any work is carried out under the supervision of the District Council's arboriculturist.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	1
Application Number:	EPF/0379/07 TRE
Site Name:	Tescos, 77-79 Hough Road, Epping
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/0526/07
SITE ADDRESS:	30 Severns Field Epping Essex CM16 5AP
PARISH:	Epping
WARD:	Epping Lindsey and Lindsey and Thornwood Common
APPLICANT:	Mrs H Williamson
DESCRIPTION OF PROPOSAL:	TPO 3/84; Scots Pine: Fell.
RECOMMENDED DECISION:	GRANT (with conditions)

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.

Description of Proposal:

T1. Pine. Fell and replace.

Description of Site:

This tree is at least 20 metres tall and located in the rear garden, approximately 8 metres to the north west of a modestly sized detached residential dwelling. It forms a highly visible landscape feature at this point in this cul de sac and can be seen clearly from Beaconfield Road and Beaconfield Close. It stands at close range to the south of a mature London plane, standing in the neighbouring garden at 31 Severns Field.

Relevant History:

TPO/EPF/3/84 was served on this and many other trees as a result of an Essex County Council Registration coming to an end. The wish to continue the protection of the trees produced this, then, new TPO.

No recent records of pruning to this tree exist.

Relevant Policies:

LL9: Felling of Preserved Trees.

Issues and Considerations:

Introduction

The application is made on the basis that the tree is too dominant in this, one of the smallest gardens in the close. The tree is alleged to be causing damage to built structures by direct root action. Other problems include bird fouling and light reduction. The overall effect is that of an overwhelming presence, which breeds concerns for the safety of the house occupier.

Considerations

The following questions need to be addressed:

1. How serious are the problems caused by this tree?
2. What is the condition of the tree?
3. How great would be the loss to amenity in the felling of the tree?
4. What other factors must be considered

1. How serious are the problems caused by this tree?

a) Structural damage

- There are visible signs of structural damage at several points along the path and external wall of the garage at close range to the tree.
- Damage is alleged to have occurred to drains in this area but no written evidence has been submitted to support this claim, though it is quite possible that tree roots may have penetrated aged pipes so close to the tree.

b) Wildlife

- The quantity of bird fouling is very heavy and extends across most of the useable area of the rear garden. This in itself would not be seen as sufficient justification to warrant felling a tree.
- Evidence of roosting and nest building was observed, which adds to the debris falling from the crown.

c) Tree debris

- It was noted that a significant quantity of debris has fallen from the tree, consisting of minor deadwood twigs and branchlets, cones and needles. This problem is not confined to seasonal leaf fall but is normal for a tree of this size. The combined effect of this amount of continual vegetative and avian fallout is

having a marked and detrimental effect on the reasonable enjoyment of this small private garden space.

d) Light loss

- The size and relatively wide spread of this tree does impede direct light into the house and to a lesser extent, the garden.

2. What is the condition of the tree?

The tree is observed to be naturally grown and in good structural and physiological condition. Structurally, the crown has developed unevenly with much of the crown spread extending southwards across the patio garden. This growth pattern may be the result of the removal of a neighbouring pine sited to the north.

The crown is full both in foliage density and colour, which indicates the tree is in good physiological condition. The deadwood debris is considered normal for the species and does not indicate health decline. Generally, pines are long lived. Therefore, it would be expected that the tree has a long and valuable future.

3. How great would be the loss to amenity in the felling of the tree?

The loss of public amenity following the removal of this prominent, tall, evergreen tree within the local landscape will be significant, should permission be granted for its removal.

It must be conceded, however, that its loss will be mitigated somewhat by the generally mature tree stock in this area, which borders the Conservation Area. In particular, the presence of the large London plane at number 31 Severns Field immediately beside the tree will retain a strong element of mature landscape in the immediate vicinity.

4. What other factors should be considered?

The requirement to replant a suitable tree at, or as close to, the original location of the felled tree would go some way towards compensating for the loss of this significant tree.

The fact that the tree stands in the back garden does reduce its public visibility and therefore marginally diminishes its amenity value.

The problems caused by this tree cannot be eradicated by pruning, since the extent of work required to effect a satisfactory result would render the tree of little amenity value.

Summary

This case is finely balanced. On the one hand the tree has now grown too large for the small garden in which it stands. The problems caused by the tree are serious. Looking at the tree from within the applicant's property there is a very compelling argument to remove the tree, especially due to the numerous large trees nearby. On the other hand, the tree is a healthy, very large landscape asset, contributing greatly to the impressive array of mature skyline features on the verge of the Epping Conservation Area.

On balance, it is recommended to grant permission to this application on the grounds that the problems suffered are unreasonable and can only be remedied by tree removal and therefore accord with Local Plan Landscape Policy LL9.

A condition requiring a suitable replacement will not compensate for the scale of the lost amenity but will ensure the presence of landscaping at this location into the future.

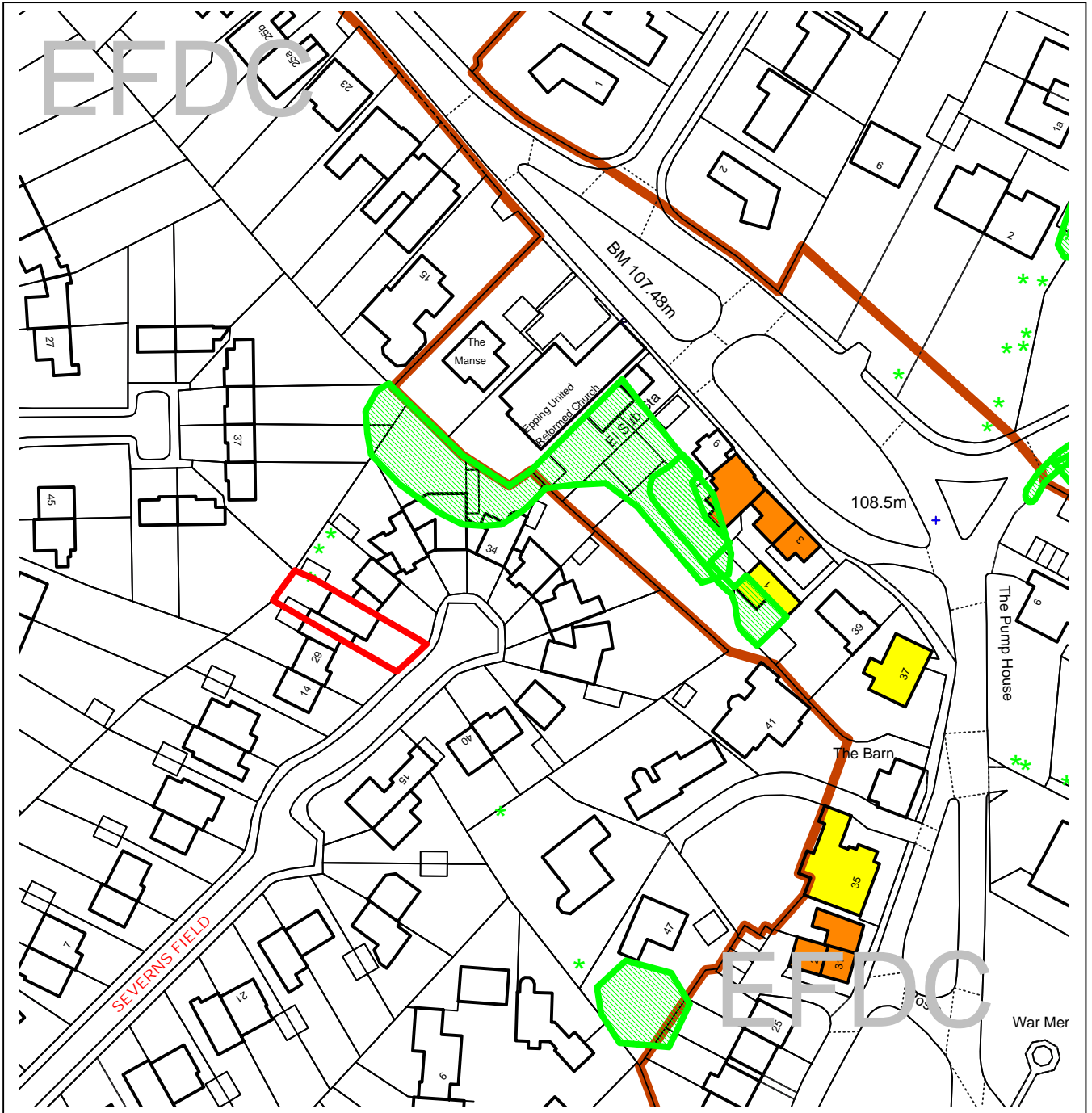
SUMMARY OF REPRESENTATIONS

EPPING TOWN COUNCIL – Committee had no objection to this application provided all work is carried out under the supervision of the District Council’s Arboriculturist.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	2
Application Number:	EPF/0526/07 TRE
Site Name:	30 Severnsfield, Epping
Scale of Plot:	1/1250

Report Item No:3

APPLICATION No:	EPF/0184/07
SITE ADDRESS:	Camelot Manor Road Romford Essex RM4 1NH
PARISH:	Lambourne
WARD:	Lambourne
APPLICANT:	Mitchell & Butler Ltd
DESCRIPTION OF PROPOSAL:	New brewery signage.
RECOMMENDED DECISION:	GRANT (with conditions)

CONDITIONS

- 1 The maximum luminance of the signs granted consent by this Notice shall not exceed:-

for the post mounted hanging sign - 1200 candelas per square metre.
for the post mounted entrance sign - 1600 candelas per square metre.

Description of Proposal:

Consent is being sought for new brewery signage. This would consist of one halo and down-lit hanging sign and one halo and uplit post mounted entrance sign.

The hanging sign would be 1m high and 900mm wide displayed on a signpost of a maximum height of 4m. This would be located at the car park entrance on Hoe Lane.

The entrance sign would be 2.4m high and 3.38m wide and would be located at the car park entrance on Manor Road.

Description of Site:

The Camelot is a restaurant/public house located on the corner of Manor Road and Hoe Lane, Lambourne End, within the Metropolitan Green Belt. The site consists of a large building with adjoining car park and outdoor seating areas.

Relevant History:

A/EPO/16/64 – Double sided illuminated box sign – approved 6/10/64
A/EPO/20/71 – Illuminated fascia sign – approved 14/12/71
A/EPF/27/79 – Erection of six advertisements – approved/conditions 7/1/80
A/EPF/16/84 – Externally illuminated fascia signs and 2 flags – refused 2/7/84
A/EPF/38/84 – Three illuminated fascia signs – approved/conditions 24/9/84
A/EPF/977/03 – Installation of various illuminated and non-illuminated signage to car-park and entrance – approved/conditions 25/7/03
A/EPF/922/03 – Installation of a double sided free standing promotion display sign externally illuminated – refused 21/6/06

Policies Applied:

DBE13 - Adverts

Issues and Considerations:

The main issues here relate to the impact of the signs on the existing building, the street scene, the Green Belt and with regards to highway safety.

The application site is located within a small village in the Green Belt. The property currently has two 5m high internally illuminated signs, one at the Manor Road entrance and one at the Hoe Lane entrance.

The proposed new signage would replace these existing signs and would be smaller in height and scale. Both would be black with gold lettering and would have halo illuminated lettering and up or down lighters. This would be less conspicuous than the existing internally illuminated signs, and would be more akin to traditional pub signage.

The proposed entrance sign would be located at the entrance to the car-park and would be considerably smaller than that existing. This would be set back from the highway and would not interfere with sight lines, nor would it appear similar to a road sign. The proposed hanging sign would have less bulk than the existing pylon sign and would therefore have less impact on driver sightlines, etc. Therefore there would be no impact on highway safety.

Conclusion:

The replacement of existing internally illuminated signs with these proposed would have no further impact on the character or openness of the Green Belt, the appearance of the streetscene, or with regards to highway safety. Therefore this application is recommended for approval.

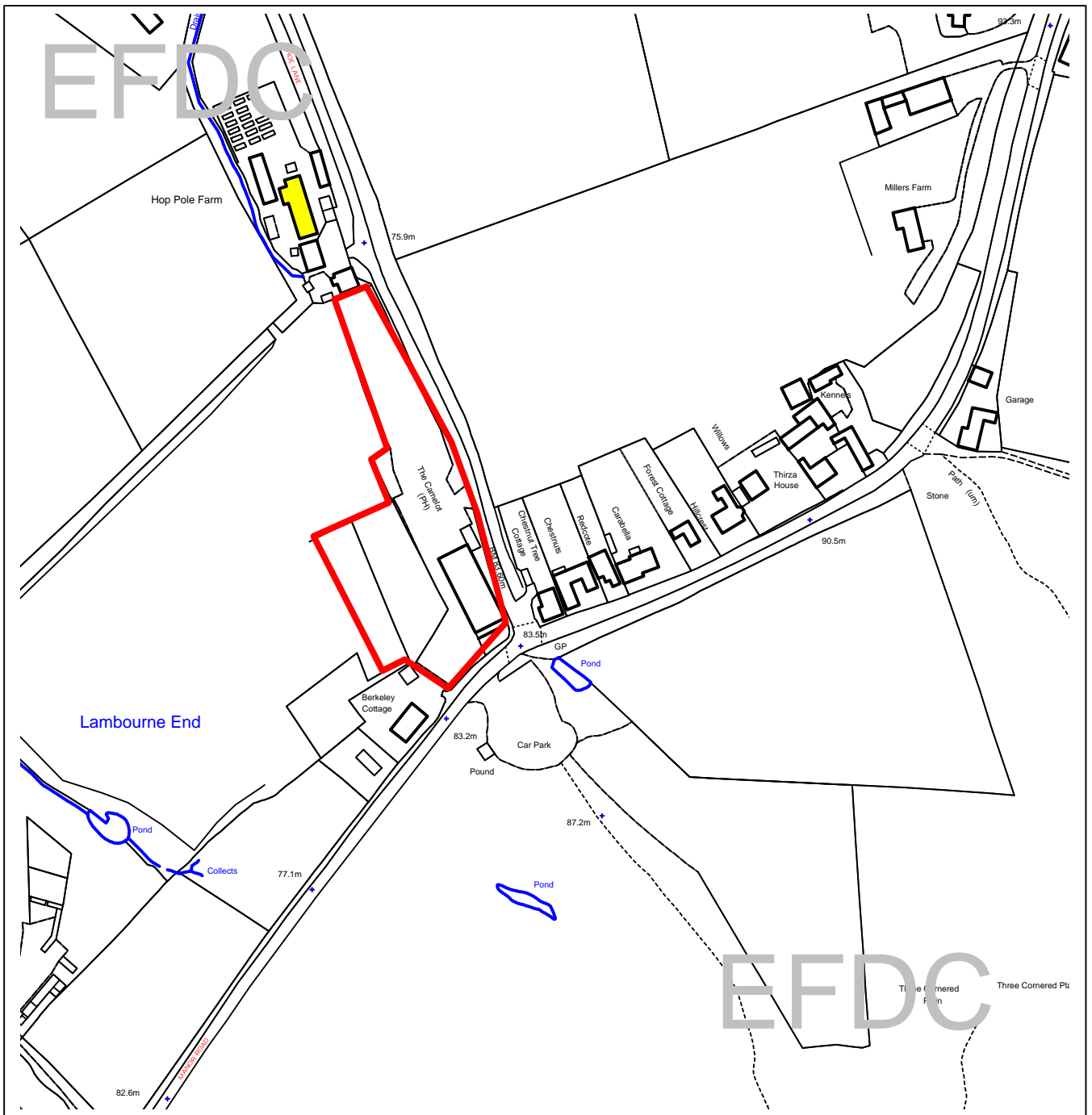
Summary of Representations:

PARISH COUNCIL – Object as it is felt that an illuminated sign along this rural road is not in keeping with the street scene. This road is a rural road and does not have any street lights, therefore making the appearance of this sign inappropriate. The level of this light is also distracting to those driving along Manor Road.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	3
Application Number:	EPF/0184/07 A
Site Name:	Camelot PH, Manor Road, Lambourne
Scale of Plot:	1/2500

Report Item No: 4

APPLICATION No:	EPF/0278/07
SITE ADDRESS:	Strawberry Hall Greens Farm Lane Magdalen Laver Ongar Essex CM5 0EP
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
APPLICANT:	Mrs J Bussey
DESCRIPTION OF PROPOSAL:	Erection of garden room to replace existing utility room and approved conservatory. (Revised application)
RECOMMENDED DECISION:	REFUSE

REASON FOR REFUSAL

- 1 The proposed side extension, by reason of its inappropriate span, massing and appearance, would represent an unsympathetic addition to the property and detract from the character of this building. The proposal is at odds with policy DBE10 of the adopted Local Plan and Alterations.

Description of Proposal:

Erection of a garden room/kitchen extension to side of property, to replace existing utility room and approved conservatory. The proposed addition measure 4.5m wide by 6m deep and is predominantly glazed, with a half hip roof.

Description of Site:

Grade II listed farmhouse set in open countryside with no other properties in close proximity. The property is accessed from a long country lane, which ends at the farmhouse.

Relevant History:

EPF/605/70 - Extension. Approved 10/11/1970

EPF/1172/93 and LB/EPF/79/93 - Planning and listed building consent for erection of a dog room and conservatory. Approved 1/2/94. *Only the Dog room element of this approval has been implemented.*

EPF/1432/06 and LB/1433/06 - Planning and listed building applications for garden room to replace existing utility room and approved conservatory. Refused 14/9/06

Policies Applied:

Structure Plan:
C2 Green Belt
HC3 Protection of Listed Buildings

Local Plan and Local Plan Alterations:
HC10 Works to Listed Buildings
GB2A Green Belt
GB14A Residential Extensions
DBE4 Design in the Green Belt
DBE10 Design of residential extensions.

Issues and Considerations:

The key issues in the consideration of this application are the impact of the proposal on the Green Belt and the effect upon the character and appearance of the listed building.

Green Belt

The proposed extension together with the small two storey addition approved in 1970 results in an increase in floor area over the size of the original dwelling of just 43 square metres, this is considered acceptable and in accordance with the adopted local plan policy GB14A which allows up to 50 square metres to be added. It is not considered that the proposed addition would have a significant impact on the openness of the Green Belt.

Design and character of the listed building.

The proposed addition is intended to replace an existing small "dog room" extension that is in the same position and the applicant is also willing not to implement the extant consent for a hexagonal conservatory attached to the same elevation. The overall floorspace of the proposed addition is less than 25 square metres and is roughly comparable to the combined floorspace of the two approved additions. The main concern is whether the design of the proposed development is appropriate to the dwelling or will detract from its character.

The proposed addition has been designed to be seen as a later extension rather than to match the dwelling and is attached to the house by a small linking element to avoid problems with the roof attaching to the building and this is seen as a valid way of designing an extension to a listed building. However it is officers' view that the scale, massing and design of the proposed addition is inappropriate. Although single storey, and set down, the ridge height of the extension is the height of the eaves of the existing dwelling. The addition is wider than the section of the main building from which it extends and the proposed extension is disproportionate to and competes visually with the existing building.

The fact that there is an existing structure that will be removed and consent for a conservatory that will not be implemented, has to be taken into consideration, however both these structures are small in scale and were carefully designed back in 1993 to fit with the building. Whilst the

hexagonal conservatory is not, perhaps, an ideal addition to the listed building and the original consent results in two additions rather than one, on balance it is considered that the proposed addition due to scale would have a greater visual impact on the listed building.

Finally the proposed windows of the extension are out of character with the main building as they are considerably larger in height and width than those on the existing building.

Conclusion.

In conclusion it is considered that the development would be harmful to the character of the Listed Building contrary to the adopted policies of the Structure and Local Plan and the application is therefore recommended for refusal.

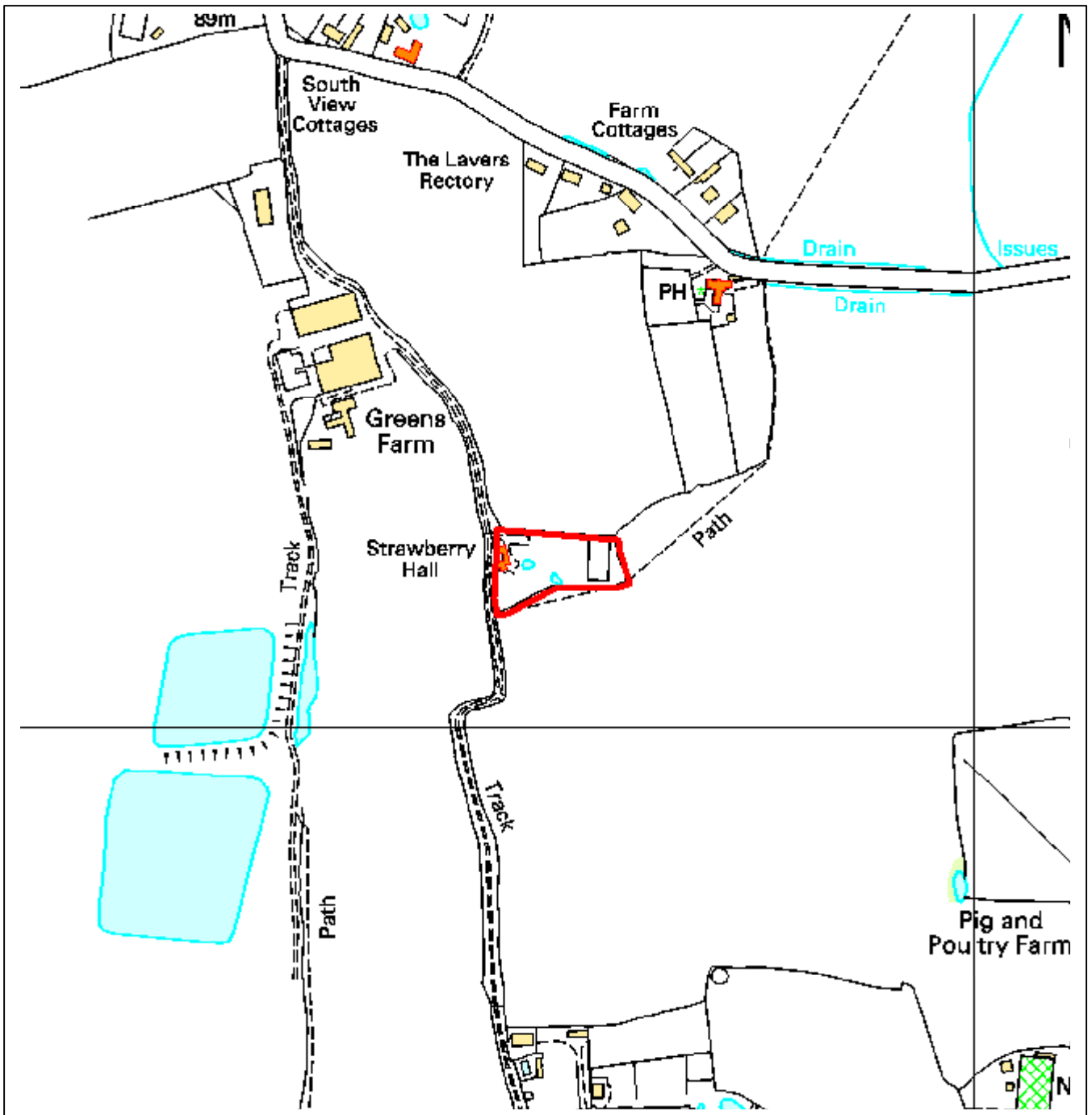
SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL – Support application.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	4 & 5
Application Number:	EPF/278 & 279/07
Site Name:	Strawberry Hall, Greens Farm Lane, Magdalen Laver
Scale of Plot:	1/5000

Report Item No: 5

APPLICATION No:	EPF/0279/07
SITE ADDRESS:	Strawberry Hall Greens Farm Lane Magdalen Laver Ongar Essex CM5 0EP
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
APPLICANT:	Mrs J Bussey
DESCRIPTION OF PROPOSAL:	Grade II Listed Building application for the erection of garden room to replace existing utility room and approved conservatory. (Revised application)
RECOMMENDED DECISION:	REFUSE

REASON FOR REFUSAL

- 1 The proposed side extension, by reason of its inappropriate span, massing and appearance, detracts from the visual quality and character of this Grade II building of special architectural or historic interest. The proposal is at odds with policy HC10 of the adopted Local Plan, and policy HC3 of adopted Essex and Southend on Sea Replacement Structure Plan.

Description of Proposal:

Listed building application for the erection of a side extension to a Grade II listed building. See EPF/278/07 on the agenda for details.

Policies Applied:

Structure Plan:
Policy HC3 protection of Listed Buildings.

Local Plan and Local Plan Alterations:
Policy HC10 Works to listed buildings.
Policy DBE10 Design of residential extensions.

Issues and Considerations:

The only issue in this listed building application is the impact of the proposal on the character and historic interest of the listed building. As is explained fully in the report relating to the concurrent planning application, it is considered that the proposed addition due to its size, scale and detailing, detracts from the character of the listed building, contrary to the adopted policies of the Structure and Local Plan and the application is therefore recommended for refusal.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL – Support application

Report Item No: 6

APPLICATION No:	EPF/0729/07
SITE ADDRESS:	Part of Toll House Field Woodside North Weald Epping Essex
PARISH:	North Weald Bassett
WARD:	Epping Lindsey and Lindsey and Thornwood Common
APPLICANT:	Mrs I M Alldis
DESCRIPTION OF PROPOSAL:	Change of use to proposed archery range, a container to store equipment, shelter, toilet, car parking and fencing. (Resubmitted application)
RECOMMENDED DECISION:	GRANT (with conditions)

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 proposed fencing around the car park area to the south of the site to be submitted and approved by the Local Planning Authority prior to the construction of the car park area. The development shall be carried out in accordance with these approved details.
- 3 Details of fence screening to the length of the site which adjoins the motorway shall be submitted to and approved by the Local Planning Authority prior to the first occupation of the site for the use hereby approved. The fence shall then be constructed in accordance with these approved details.
- 4 The use of the site for the purposes of archery shall be limited to 40 persons at any one time and shall only be undertaken during the hours of 08.30 and 17:30 Monday to Saturday and 9.30 and 16:30 on Sundays.
- 5 The Access should be formed by way of radius kerbs returning to a minimum width of 4.8 metres to a specification agreed with the Local Planning Authority.
- 6 Notwithstanding the indicative target plan, a distance of at least 30m from each boundary of the site shall be left as a buffer.

- 7 Prior to the commencement of the use hereby approved details of any additional ancillary relocatable structures shall be submitted for approval in writing by the Local Planning Authority. Only those structures previously agreed shall be placed on the land unless the Local Planning Authority gives its consent to any variation.

Description of Proposal:

This revised application seeks consent for the change of use of the land to provide a recreational use on the site, for the practice of archery. The built development associated with the use entails: a container to store equipment; shelter; portaloo; car parking; fencing; target zones including a large 4m target to the north of the site ('Clout zone').

Normal operating hours are proposed to be 8:30 – 17:30 Monday to Saturday and 9:30 to 16:30 Sundays. The application proposes a maximum of 40 individuals present at any given time.

Description of Site:

Pentagonal site situated on the northern side of Woodside, with the M11 Motorway running along side to the east. There are 2 residential properties in the vicinity (both of which are Listed Buildings), The Toll house (close to the site entrance) and Park Place to the west.

The current use of the land is general open pasture land. To the south of the site and Woodside is the Lower Forest, part of Epping Forest and a Site of Special Scientific Interest.

Relevant History:

EPF/579/06- Change of use to proposed archery range, a container to store equipment, shelter, toilet, car parking and fencing - Refused.

Policies Applied:

Southend on Sea and Essex Structure Plan:

C2- Development within the Green Belt
T12- Vehicle parking
LRT3- Formal countryside recreational facilities

Adopted Local Plan:

CP2A- Protecting the quality of the rural and built environment
GB2A- Development within the Green Belt
RST1- Overall approach to development
ST4A- Road Safety
ST6A- Vehicle Parking

Issues and Considerations:

The key issues relevant to this application are the impact and compatibility of the proposal in light of Green Belt policy, the impact upon neighbouring properties and the M11 motorway and other highway issues.

The previous scheme was refused due to inadequate plans and information regarding highway safety.

Green Belt considerations

Local Plan policy GB2A details that development for the purposes of outdoor participatory sport and recreation (small scale) is not inappropriate development in principle. Furthermore, Green Belts should have a positive role in promoting active sport participation, and therefore the use of this land for archery does accord with these objectives.

Given that the use is not inappropriate in principle, the main issue in terms of Green Belt policy is therefore the visual impact of the development. The scheme requires a container to be stationed on site for the storage of materials. In addition, a small portaloo and shelter. These are all proposed to be situated close to the site entrance, (to the south of the site), which benefits from high hedge screening. The land also gently rises north in the direction of the motorway, reducing the containers prominence in the landscape.

In terms of the impact on the wider landscape, the main visible feature will be the larger 4m target at the end of the 'clout zone' (which the City of London are opposed to) and the moveable target zones around the field. These are not considered to unduly impact upon the openness of the countryside and will not permanently alter the appearance of the landscape. Furthermore, the site is unsuitable for the growing of crops, due to the large amount of rubble in the soil. The site was originally part of the airfield and then later used in association with the construction works of the M11 motorway.

The car parking area will be positioned to the south west of the site, which would be most practical for vehicles entering the site. The applicant has stated that the car park will be surfaced with spent road chippings with no binding agent. On this basis the impact upon the openness of the area is not considered to be compromised. The general infrastructure put forward to support the 'archery for fun' enterprise is small scale and reasonable in nature in accordance with policy GB2A.

Impact upon neighbours and the Motorway

Given the nature of the proposal, consideration in particular is required as to the safety of the use with regard to users of nearby roads (particularly the M11), and the occupants of the nearby residential properties.

The Highways Agency have not objected to this proposal, subject to the applicant and Local Authority being satisfied that reasonable precautions are taken to reduce the likelihood of 'errant arrows' reaching the motorway. The applicant has provided justification and assurances that this is highly unlikely and the indicative siting of the arrow targets are no closer than 30m to the motorway sidings. Whilst the construction of a close weave fencing screen can be ensured (through the imposition of a suitable planning condition) along the side of the field, inevitably the activity is by its very nature potentially hazardous. The day to day safety procedures and qualified

supervision as detailed in the applicant's design and access statement, will be very important for the safe and responsible use of the site.

With regard to the other boundaries around the perimeter of the site, notwithstanding the submitted indicative plan of the target zones, it would be expedient to allow for a gap of 30m to ensure that the use is contained within the site boundaries and does not impact on Woodside to the south and 'Park Place' to the south west.

Highway and access Issues

The key issue regarding the access off Woodside relates to visitor numbers and the scale and nature of the business venture.

The applicant proposes that the advance bookings will be made, typically for 4 to 8 individuals, with a maximum of 40 individuals present at any given time. The County Highways Authority have been consulted on this proposal and do not object, subject to various conditions in relation to sight spays and the surfacing of the parking area. Whilst concerns have been raised regarding traffic generation, the scale of the use as given in the applicants access statement would not appear to jeopardise the flow of traffic or highway safety in the vicinity of the site.

The imposition of a planning condition can ensure that limits are placed on the numbers of users per day and the hours of operation to contain the growth of the activity.

Conclusion

This scheme is appropriate development in the Green Belt and is not considered to unduly impact upon the openness of the countryside. In addition, whilst the prospect of stray arrows can never be 100% prevented, the provision of fencing and a buffer zone are reasonable measures to manage and contain the risks to nearby roads and residential properties. In light of the above, approval is recommended.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL –No objections, subject to controls on hours of activity. (Days of the week, hours per day and number of visitors per day)

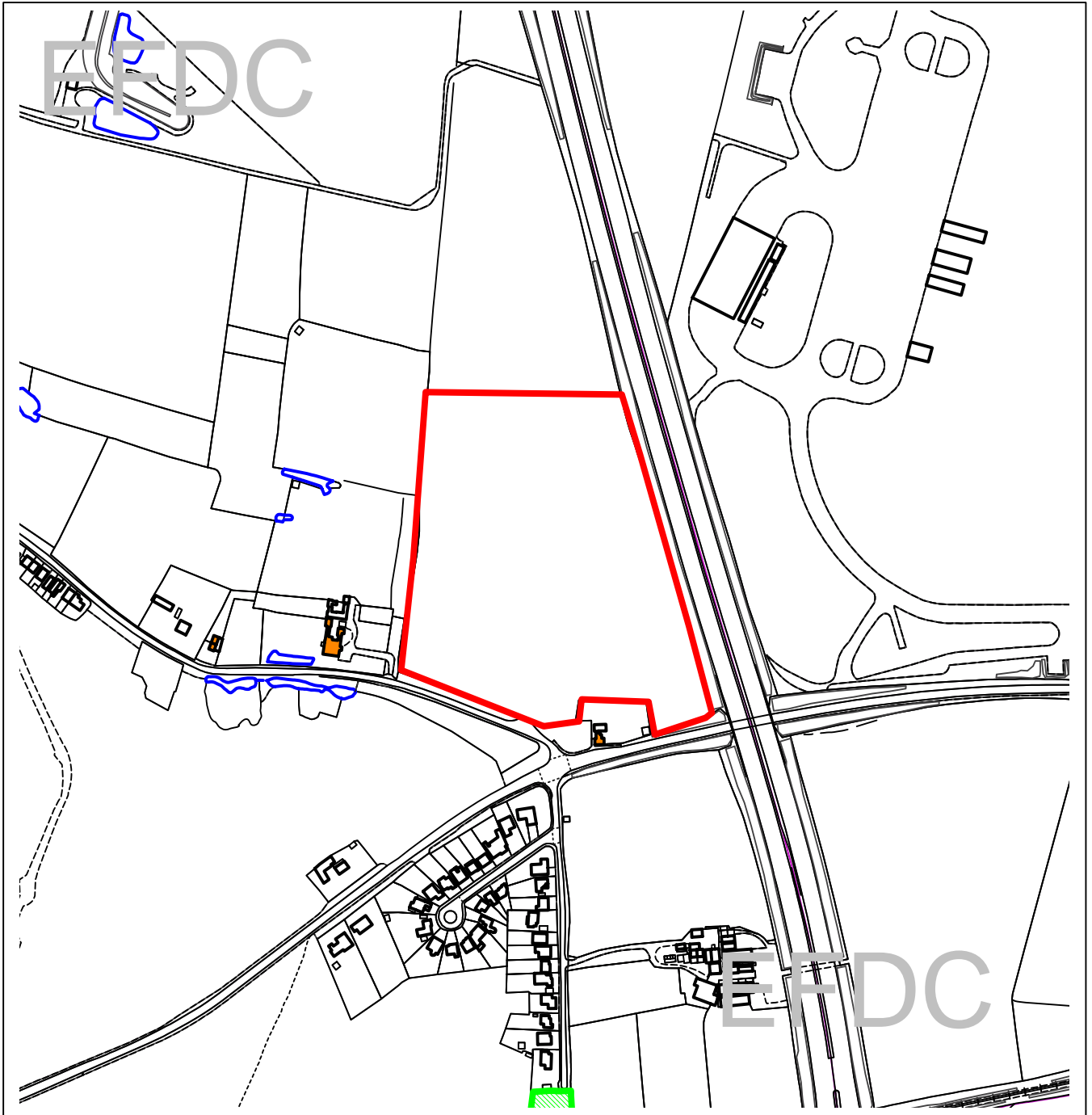
THE CITY OF LONDON- The use, (32 targets and a permanent 4m high target) will change the character of the area and no longer preserve the openness of the Green Belt. Also it will increase traffic generation.

CAMPAIGN TO PROTECT RURAL ENGLAND- Inappropriate in the Green Belt and car parking would add to congestion of the area.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	6
Application Number:	EPF/729/07
Site Name:	Part of Toll House Field, Woodside, North Weald
Scale of Plot:	1/5000

Report Item No: 7

APPLICATION No:	EPF/0397/07
SITE ADDRESS:	11 Great Stony Park High Street Ongar Essex CM5 0TH
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
APPLICANT:	Mr Daniel Williams
DESCRIPTION OF PROPOSAL:	Retention of a satellite dish to rear.
RECOMMENDED DECISION:	GRANT

NO CONDITIONS

Description of Proposal:

This application is for the retention of a satellite dish located at the rear of the dwelling.

Description of Site:

The application site is a two storey dwelling located on the southern side of Great Stony Park, a gated community estate that lies on the south eastern corner of The Four Wantz roundabout and is accessed from the northern end of the A128. The front of the site overlooks a large, oval green open space that serves as a central focal point for all the dwellings.

The estate originally formed part of a school site built in 1905 that was converted to residential dwellings in 1998, resulting with a layout of these properties whereby dwellings are linked in a terrace of four houses with vehicular access for parking provision to the rear.

The property has been extended with a rear conservatory.

Relevant History:

EPF/0633/06: Erection of rear conservatory. Granted 03/08/2006

Policies Applied:

Residential Development Policies from Epping Forest District Council's Adopted Local Plan and Alterations: -

DBE9 and DBE10 – Residential Development Policies

HC7 – Development in Conservation Areas

Issues and Considerations:

The main issues and considerations in relation to this application are the potential impact on the neighbouring properties and with the effect on the Conservation area.

- The proposed satellite dish is small and of a relatively standard design. It is situated at the rear of the property, well hidden in a gulley behind the conservatory and it would not be visible from the front of the site or the highway.
- The satellite dish in its current location would not cause undue harm to the amenities of adjoining neighbours at no.12 and 13. It would not be detrimental to the character or appearance of the conservation area and neither would it cause an imbalance to the design of the existing dwelling.
- As this property is within a Conservation area, sensitivity is required for all forms of development and concern has been expressed by the Parish Council in relation to the heritage value of the site. Although concern has also been raised on the grounds that this application could set a precedent, every application should be judged on its own merits. In this instance the application is sought to retain a satellite dish, which offers alternative viewing channels to cable TV. Positioning the dish at the rear is preferable to those on the front of dwellings that would be clearly visible from the central communal oval green that would be unacceptable.

Conclusion

On balance the application is considered acceptable and complies with Local Plan Policies DBE9, DBE10 and HC7 and is therefore recommended for approval with conditions.

SUMMARY OF REPRESENTATIONS:

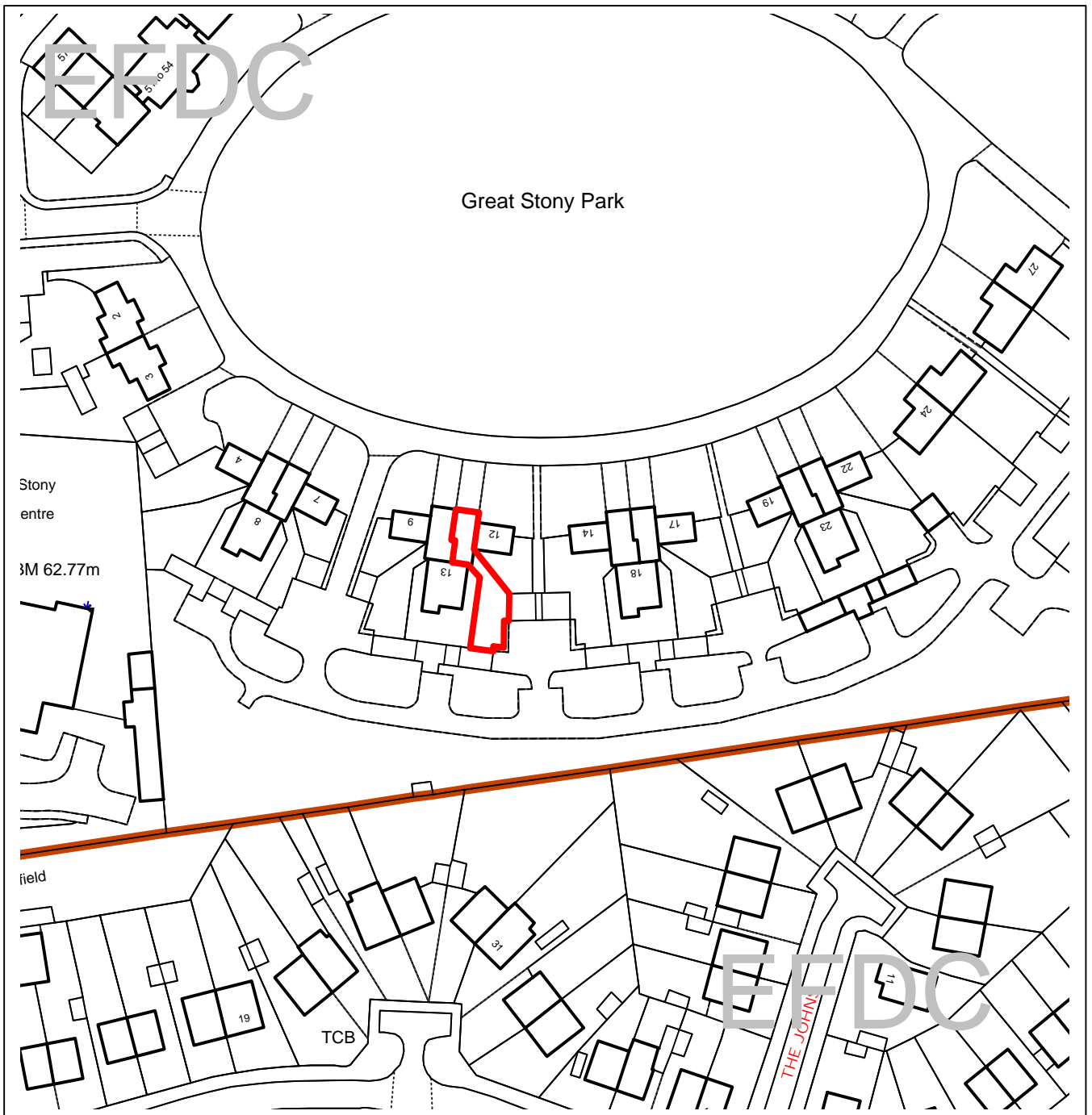
PARISH COUNCIL – The Council considered that the erection of a satellite dish is inappropriate in a conservation area with significant heritage value.

12 GREAT STONY PARK – Objects the satellite dish would set a precedent and is not in keeping with the amenity of a conservation area. Restrictive covenants request these are located in the garden and concealed.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	7
Application Number:	EPF/0397/07
Site Name:	11 Great Stony Park, Ongar
Scale of Plot:	1/1250

Report Item No: 8

APPLICATION No:	EPF/0603/07
SITE ADDRESS:	9 Great Stony Park High Street Ongar Essex CM5 0TH
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
APPLICANT:	Sharon Burke
DESCRIPTION OF PROPOSAL:	Retention of a satellite dish.
RECOMMENDED DECISION:	GRANT

NO CONDITIONS

Description of Proposal:

This application is for the retention of a satellite dish located at the rear of the dwelling.

Description of Site:

The application site is a two storey dwelling located on the southern side of Great Stony Park, a gated community estate that lies on the south eastern corner of The Four Wantz roundabout and is accessed from the northern end of the A128. The front of the site overlooks a large, oval green open space that serves as a central focal point for all the dwellings.

The estate originally formed part of a school site built in 1905 that was converted to residential dwellings in 1998, resulting with a layout of these properties whereby dwellings are linked in a terrace of four houses with vehicular access for parking provision to the rear.

The property has been extended with a rear conservatory.

Relevant History:

EPF/0723/05: Erection of rear conservatory. Refused 17/06/2005

EPF/1788/05: Erection of rear conservatory (Revised). Granted 05/01/2006

Policies Applied:

Residential Development Policies from Epping Forest District Council's Replacement Local Plan: -
DBE9 and DBE10 – Residential Development Policies
HC7 – Development in Conservation Areas

Issues and Considerations:

The main issues and considerations in relation to this application are the potential impact on the neighbouring properties and with the effect on the Conservation area.

- The proposed satellite dish is small and of a relatively standard design. It is situated at the rear of the property and it would not be visible from the front of the site or the highway.
- The satellite dish in its current location would not cause undue harm to the amenities of adjoining neighbour. It would not be detrimental to the character or appearance of the conservation area and neither would it cause an imbalance to the design of the existing dwelling.
- As this property is within a Conservation area, sensitivity is required for all forms of development and concern has been expressed by the Parish Council in relation to the heritage value of the site. Although concern has also been raised on the grounds that this application could set a precedent, every application should be judged on its own merits. In this instance the application is sought to retain a satellite dish, which offers alternative viewing channels to cable TV. Positioning the dish at the rear is preferable to those on the front of dwellings that would be clearly visible from the central communal oval green that would be unacceptable.

Conclusion

The application is considered acceptable and complies with Local Plan Policies DBE9, DBE10 and HC7 and is therefore recommended for approval.

SUMMARY OF REPRESENTATIONS:

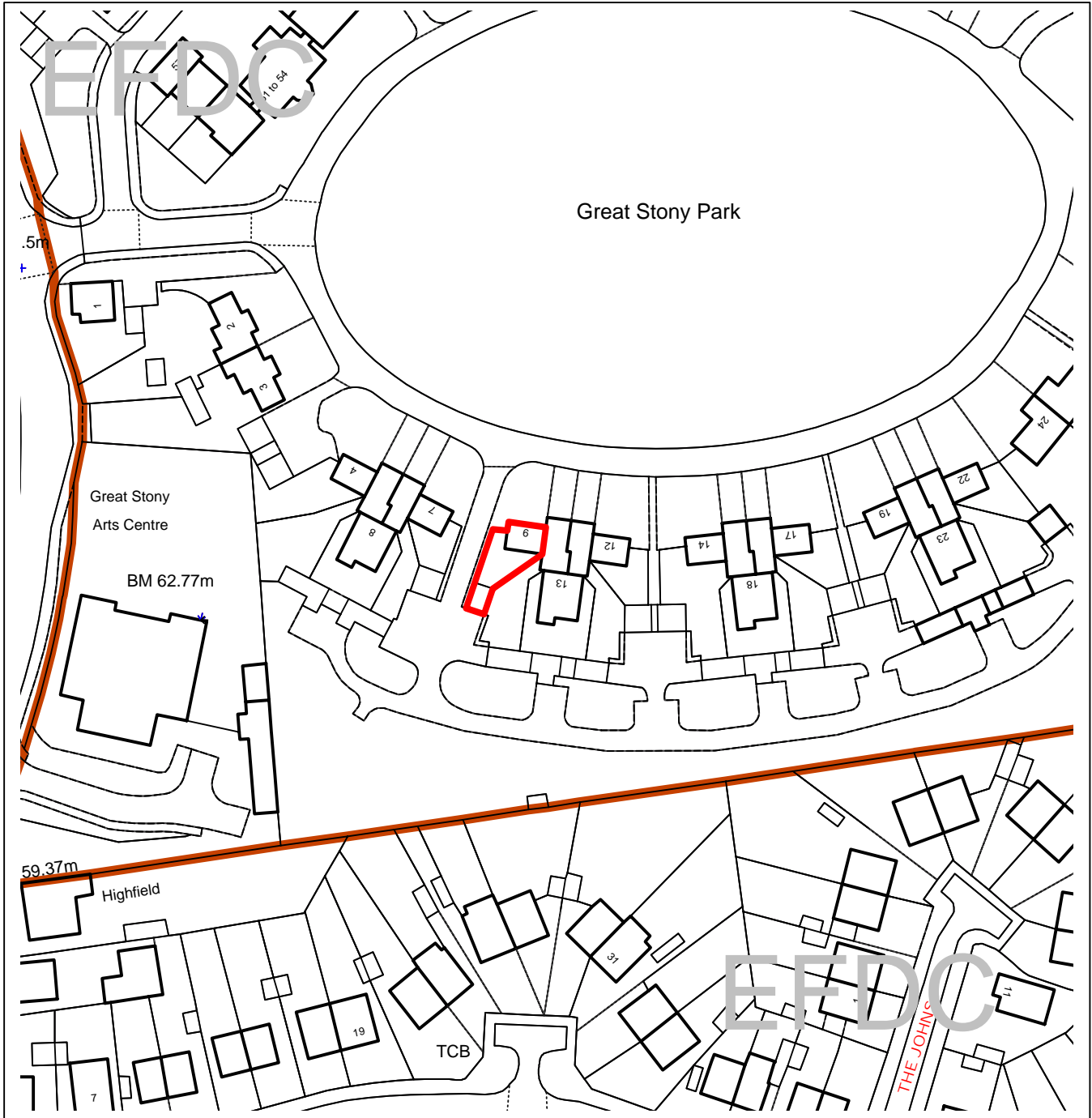
PARISH COUNCIL – The Council considered that the erection of a satellite dish is inappropriate in a conservation area with significant heritage value.

CONSERVATION OFFICER: No objections on the grounds of impact on the character and appearance of the Conservation Area.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	8
Application Number:	EPF/0603/07
Site Name:	9 Great Stony Park, Ongar
Scale of Plot:	1/1250

Report Item No: 9

APPLICATION No:	EPF/0198/07
SITE ADDRESS:	Stewarts Farm School Road Stanford Rivers Ongar Essex CM5 9PT
PARISH:	Stanford Rivers
WARD:	Passingford
APPLICANT:	Washroom Washroom Ltd
DESCRIPTION OF PROPOSAL:	Change of use to Class B2 with ancillary offices, parking and storage for Washroom Washroom Ltd.
RECOMMENDED DECISION:	GRANT (with conditions)

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 storage of potentially polluting substances shall be submitted to and approved in writing by the Local Planning Authority before development commences.

- 3
The construction of the Surface and Foul water systems shall be carried out in accordance with the details submitted to and approved in writing by the Local Planning Authority before the development commences.

- 4 No soakaways shall be constructed in contaminated ground.

- 5 No work using electrical equipment, or which is likely to generate noise, shall occur outside the structure. All work shall be carried out within buildings with doors and windows closed.

- 6 The rating level of the noise emitted from the site shall not exceed the prevailing background level by more than 5 dB during the permitted hours of operation. The noise levels shall be determined at the site boundary, and measurements shall be taken in accordance with BS 4142(1997).

- 7 No machinery shall be operated and no process shall be carried out site outside the following times 06.00-20.00 Monday to Friday, 07.00-17.00 on Saturdays, nor at any time on Sundays, Bank or Public Holidays.
- 8 No deliveries shall be taken at or despatched from the site outside the hours of 07.30-18.30 hours Monday to Friday, 08.00-13.00 Saturday nor at any time on Sundays, Bank or Public Holidays.
- 9 The premises shall be used solely for the manufacture of commercial washrooms, bars, seating and sales displays, reception counters, wall panelling, specialist features and screens as outlined in the planning statement submitted with the application and for no other purpose (including any other purpose in Class B2 of the Schedule to the Town & Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.
- 10 The use hereby approved shall not be commenced until details of a Green Travel Plan containing a travel to work car use and car parking arrangement strategy of the development as a whole has been submitted to and approved in writing by the Local Planning Authority. The Plan shall comprise details to reduce car dependence and vehicle emissions and to establish and encourage the use of alternative transport modes of journeys to and from work and during working hours, including how to deter visitors arriving and departing by motor car. Details of the proposals shall include measures to secure increases in car sharing, public transport use, cycling and walking, proposals for car parking restrictions and controls and details of on-site facilities to promote alternative modes of travel to the site. The plan shall contain relevant surveys, publicity and marketing; review and monitoring mechanisms shall identify targets, timescales and phasing programmes and on-site management responsibilities. The plan shall be implemented as approved and be subject to annual review for the first 5 years. This shall be carried out in conjunction with the Local Planning Authority.
- 11 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 approved scheme shall be implemented within the first planting season following the completion of the development hereby approved.

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.

Description of Proposal:

This application seeks planning permission for the change of use of Stewarts Farm to B2 use with ancillary offices, parking and storage. The application seeks a personal planning permission to 'Washroom Washroom Ltd', a company which presently operates from Hill Farm, Abridge and manufactures products such as commercial washrooms, bars and sales displays. It is proposed that the use would operate from the existing buildings and accordingly no operational development is proposed.

The planning statement submitted with the application details the proposal in depth. It explains that the proposed use includes the delivery of raw products to the site and ancillary storage, office facilities, document storage and parking. The product would be manufactured on site and delivered and fitted at the clients' address. It would not have a retail trade counter and would not be open to visiting members of the public. Raw materials, such as glass, metal and timber boards, and packing materials such as bubble wrap would be delivered in bulk and stored on the site.

Description of Site:

The application site contains two main building blocks. To the west is a block comprising three main elements and to the east is the building referred to in the planning history as 'Building 1'. To the south of Building 1 is a hard standing that was formerly the siting of 'Building 2', a building erected following planning approval granted in 1992, but incorrectly sited and demolished following unsuccessful appeals against enforcement notices served by the Council. The site is bounded to the south by School Lane and running across the northern part of the site is Stanford Hall Brook.

As can be seen below, the site has an extensive planning history. It is considered that the lawful planning use of the site is mixed retailing of animal feed and other ancillary products and storage. However, for a number of years there has been no activity on the site.

Relevant History:

There is an extensive planning history relating to this site. Relevant history relating to the use of the farm is outlined below:

EPF/0329/84. Retailing of animal feed (Building "A"). Approved 21/05/84.

EPF/1774/86. Use of premises for retail sales and storage of animal feed and ancillary products (Building "B"). Refused 02/06/87, allowed on appeal 13/05/88.

Two enforcement notices served on 28/07/87 for contraventions of conditions under EPF0329/84 and EPF/1774/86.

EPF/102/91. Conversion of vacant building for extension to farm office. Approved 25/03/91.

EPF/557/92. Erection of agricultural building, change of use of agricultural building to retail use, expansion of building for retail use and formation of access and car park. Approved 20/10/92.

EPF/319/94. Erection of a 4 bedroom dwelling house. Refused 17/05/94.
EPF/1611/98. Retention of building 2 in position where erected; retention of water storage tank; and use of buildings one and two for B8 (storage) use. Refused 15/02/99 and appeal dismissed 02/12/99.

*Two enforcement notices served on 15/12/99 for the unauthorised erection of a building and change of use to haulage and distribution centre and storage.
Appeals against enforcement notices dismissed 29/09/00.*

EPF/1129/02. Outline application for the demolition of existing buildings and hard standing and erection of seven dwellings, new access and landscaping. Refused 11/12/02.

EPF/1566/03. Change of use to form 7 no. dwellings and 12 live-work units, ancillary amenity space, parking and landscaping including demolition of 1,400 m² of existing buildings and flood alleviation measures. Withdrawn 05/11/04.

Policies Applied:

Adopted Local Plan and Alterations

HC12 – Development affecting the setting of Listed Buildings
LL10 – Adequacy of landscaping provision for retention
LL11 – Landscaping Schemes
GB1 – Green Belt Boundary
GB2 – Development in the Green Belt
GB8A – Change of Use or Adaptation of Buildings in the Green Belt
E4A – Protection of Employment Sites
U2A – Development in Flood Risk Areas
ST4 – Road Safety
ST5 – Travel Plans
ST6 – Vehicle Parking

Issues and Considerations:

The main issues in this case are:

1. the impact of the proposed use on the amenities of the occupiers of neighbouring dwellings;
2. the impact of the proposed use on the Green Belt;
3. the impact of the proposed use on the surrounding highway;
4. flooding and land drainage issues; and
5. the impact on the adjacent listed building.

1. The impact of the proposed use on the amenities of the occupiers of neighbouring dwellings

The nearest residential dwelling to the application site is Stewart's Farmhouse, which is within the ownership of the applicants. This dwelling is located approximately 6 metres from the nearest part of the building on the west of the site. The nearest dwelling that would be outside the ownership of the applicants is 47 Stewart's Cross, which is located a distance of approximately 127 metres away from the nearest building on the site.

The main impact that the development would have on the amenities of neighbouring residential properties is likely to be noise generated by the activity. The Council's Environmental Health section has proposed conditions to be imposed should planning permission be granted, that would require that doors and windows are closed during the operation of machinery and preventing machinery from being operated outside the buildings. A restriction on the noise levels at the site boundary is proposed and subject to the level of noise generated and the effectiveness of the closure of the doors and windows, soundproofing may be required to comply with this condition. It is considered that compliance with these conditions would ensure that there would be no material loss of amenity to the occupiers of neighbouring dwellings and would also render the hours of operation proposed by the applicants (06.00-20.00 Monday to Friday and 07.00-17.00 on Saturdays) acceptable. The requirement for doors and windows to be kept closed would also minimise any dust from the use.

2. The impact of the proposed use on the Green Belt

The application site lies within the Metropolitan Green Belt. Government guidance in PPG2 states that the re-use of buildings within the Green Belt is not inappropriate development, providing:

- a) it does not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land in it;
- b) strict control is exercised over the extension of re-used buildings, and over any associated uses of land surrounding the building which might conflict with the openness of the Green Belt and the purposes of including land in it (e.g. because they involve extensive external storage, or extensive hard standing, car parking, boundary walling or fencing);
- c) the buildings are of permanent and substantial construction, and are capable of conversion without major or complete reconstruction; and
- d) the form and bulk and general design of the buildings are in keeping with their surroundings.

The application does not propose any extension to the existing buildings and the planning statement confirms that as commercial storage and retail buildings, they are already of an acceptable design to meet the requirements of the manufacturing use.

No alteration is proposed to the existing buildings and it is not, therefore, considered that the proposed development would have a materially greater impact on the openness of the Green Belt. Furthermore, it is considered that increased landscaping around the site would improve its visual appearance.

3. The impact of the proposed use on the surrounding highway

The planning statement explains that the business presently operates with three 3.5 tonne lorries and three company cars. Following the move to Stewart's Farm, it is proposed that the business will expand, to employ five additional office staff and one additional factory worker. Accordingly, some increase in the number of vehicles may be anticipated. It is considered that there is ample space within the site to accommodate the parking of these vehicles. In addition to the vehicles that would be parked on the site, a number of delivery vehicles would also access the site. At present, deliveries arrive approximately five times a day in 7.5 tonne lorries, once a day in a rigid HGV and approximately 4-6 times a year in an articulate HGV. As above, the number of delivery vehicles may increase with the expansion of the business.

The highway infrastructure around the site is poor, with the roads being extremely narrow in places. However, when considering the impact of the proposed use, regard must be had to the existing lawful use of the site. At the appeal in 2000 a traffic survey was submitted by the appellants agents. This indicated that traffic movements from the site (occupied at the time by the CWG animal feed business) were in the region of 67 movements per day. At that time, the site held an operators licence for 15 lorries and 8 trailers.

It is considered that the vehicle movements associated with the proposed use, even when taking account of reasonable future expansion, would be significantly less than those associated with the existing lawful use of the site and would not, therefore, result in a greater impact on the adjoining highway network.

An agreement has been reached between the Parish Council and the applicant regarding financial contributions towards highway improvements and the provision of signage within the site directing vehicles to exit the site using specific route. Whilst it is considered that such a contribution would be of benefit to the local area, it is considered that as there would not be a greater impact on the adjoining highway network than that of the existing lawful use, the Council would not be justified in requiring such provision through either a planning condition or a Section 106 agreement, as it would not be either reasonable or necessary. Accordingly, whilst such provision by the applicant is encouraged, it is not proposed for it to be formally required by the Council through any planning permission which may be granted.

4. Flooding and land drainage issues

The site is located partly within a Flood Zone and has a history of flooding. The Environment Agency have confirmed that as the proposed use of the site would have a 'less vulnerable' classification under PPS25 they would not object to the use. However, a number of conditions are proposed that seek to ensure that there would be no pollution of the watercourse caused by surface water.

No additional buildings or hard standings are proposed and it is not, therefore, considered that the flood risk from this site would be exacerbated by the change of use.

5. The impact on the adjacent listed building

As no physical alteration is proposed to the site, it is not considered that the impact on Stewart's Farmhouse would be any greater than at present. Furthermore, it is considered that the reduction in the vehicle movements from those generated previously would be beneficial to the listed building.

6. Other Matters

Policy E4A states "sites currently or last in use for employment but outside the defined employment areas will be safeguarded from redevelopment or change of use other land uses." Accordingly, it is considered that the proposal would be acceptable in accordance with this policy, as the site would be retained for employment purposes. Furthermore, the applicants are an existing employer within the District and their relocation to alternative premises still within the local area is welcomed.

It is considered that the planting of additional hedgerow along the eastern boundary of the site and the planting of trees within the site itself would improve the appearance of the site and reduce the impact of the proposed use on the visual amenity of the area. It is considered that details of landscaping on the site may be dealt with by condition.

The applicant has sought consent for a restricted permission, that would be personal to Washroom Washroom Ltd. Having regard to Government advice contained within Circular 11/95, it is not considered that a personal planning permission would not be appropriate in this instance as another company, operating in a similar way to Washroom Washroom Ltd., could operate from the site in the same way without giving rise to additional planning concerns. Notwithstanding this, it is considered that some other uses falling within the B2 class would be inappropriate to this site, having regard to its green belt location and the constraints of the surrounding highway. This situation may be avoided by any planning permission which may be granted being subject to a condition restricting the use of the site to that proposed by the applicant.

The applicant has stated that they would not be willing to operate in accordance with the Council's recommended condition relating to delivery times, which restricts incoming and outgoing deliveries to the hours of 07.30-18.30 hours Monday to Friday, 08.00-13.00 Saturday. The applicant has advised that whilst they would be able to comply with the condition in relation to incoming deliveries, they would require their outgoing deliveries, which presently leave the existing site in three vans, to leave prior to 7.30am. They have requested that the condition be altered to allow vehicles to leave the site after 5.30am. It is considered that whilst this may not result in a material loss of amenity to the occupiers of neighbouring dwellings if the number and type of vehicles allowed to leave the site prior to 7.30 were restricted, it is not considered that such a restriction would be enforceable. Accordingly, it is recommended that if planning permission is granted, the recommended condition should apply.

Conclusion

In light of the above appraisal, it is considered that, subject to the imposition of the planning conditions discussed, the proposed use would not result in a material loss of amenity to neighbouring residents or any material harm to the open appearance of the green belt or to the safe operation of the adjacent highway. Furthermore, it is not considered that the proposed development would result in an increased flood risk to the site and it is not considered that there would be any adverse impact on the listed Stewart's Farmhouse. The proposed use would retain the site for employment purposes and would accommodate an existing local employer.

Accordingly, it is considered that the proposed use of this site, which has proved difficult to market over recent years, would be acceptable and it is therefore recommended that planning permission be granted.

SUMMARY OF REPRESENTATIONS:

STANFORD RIVERS PARISH COUNCIL. Are mindful that this particular site will not remain unused and could generate greater activity than that which is proposed. Parish Council have liaised directly with the agents regarding a number of issues including parking requirements, soundproofing, financial contribution towards the provision of additional signage and lane marking, delivery times, that the permission would be personal to 'Washroom Joinery' and the provision of signage within the site. Providing that the concerns are addressed and that the Parish Council are kept informed and can comment on the exact details we are mindful not to object to the proposals.

13 letters of objection have been received from the following neighbouring properties:

1, 2, 3, 5 The Hall Barns, Church Road, Stanford Rivers
"The Coach House" Stanford Rivers Hall, Church Road, Stanford Rivers
2, 5 Church Cottages, School Road, Stanford Rivers
49 School Road, Toot Hill
47, 48 Stewarts Cross, School Road, Stanford Rivers

39 London Road, Stanford Rivers
Hardings Farm, Toot Hill Road, Greensted
8 Cloverley Road, Ongar

The grounds of objection covered by the letters from residents are:

The Green Belt.

The proposed development would be totally inappropriate. The noise vibration generated by the machinery would be totally inappropriate in a rural setting situated in the Green Belt.

Highway Matters

School Road is a narrow and twisting country lane. It is used by elderly motorists, cyclists, horse riders, school mini buses and other vulnerable road users and it simply cannot cope with this sort of commercial traffic. At several points including just past Stewarts Farm the road narrows to the width of one small vehicle. It would be impossible to police the traffic situation. Children use the road to get to and from school bus pick up points. The application indicates that the business may be expanding – this would result in additional traffic. There have been a number of accidents around St Margaret's Church. Have observed that at Hill Farm there are usually 6-8 HGV lorries in the yard queuing to unload and a lot of other vehicles coming and going.

Pollution.

The possibility of escape waste products is potentially very high. The site is adjacent to the Sheldon Brook and the possibility of contamination of this brook by waste products generated on the site is high. Any waste products generated would need to be removed by commercial waster collectors, which would involve the use of large HGV's.

Noise

The huge increase in traffic would increase noise pollution in the area. The electric powered machinery including saws routers and presses would generate a significant amount of noise. If the business were to expand the level of noise would increase. On the visit to the existing premises at Hill Farm, staff listed to music on radios turned up to be heard above the machinery. Reversing sirens on fork lift trucks could also be heard.

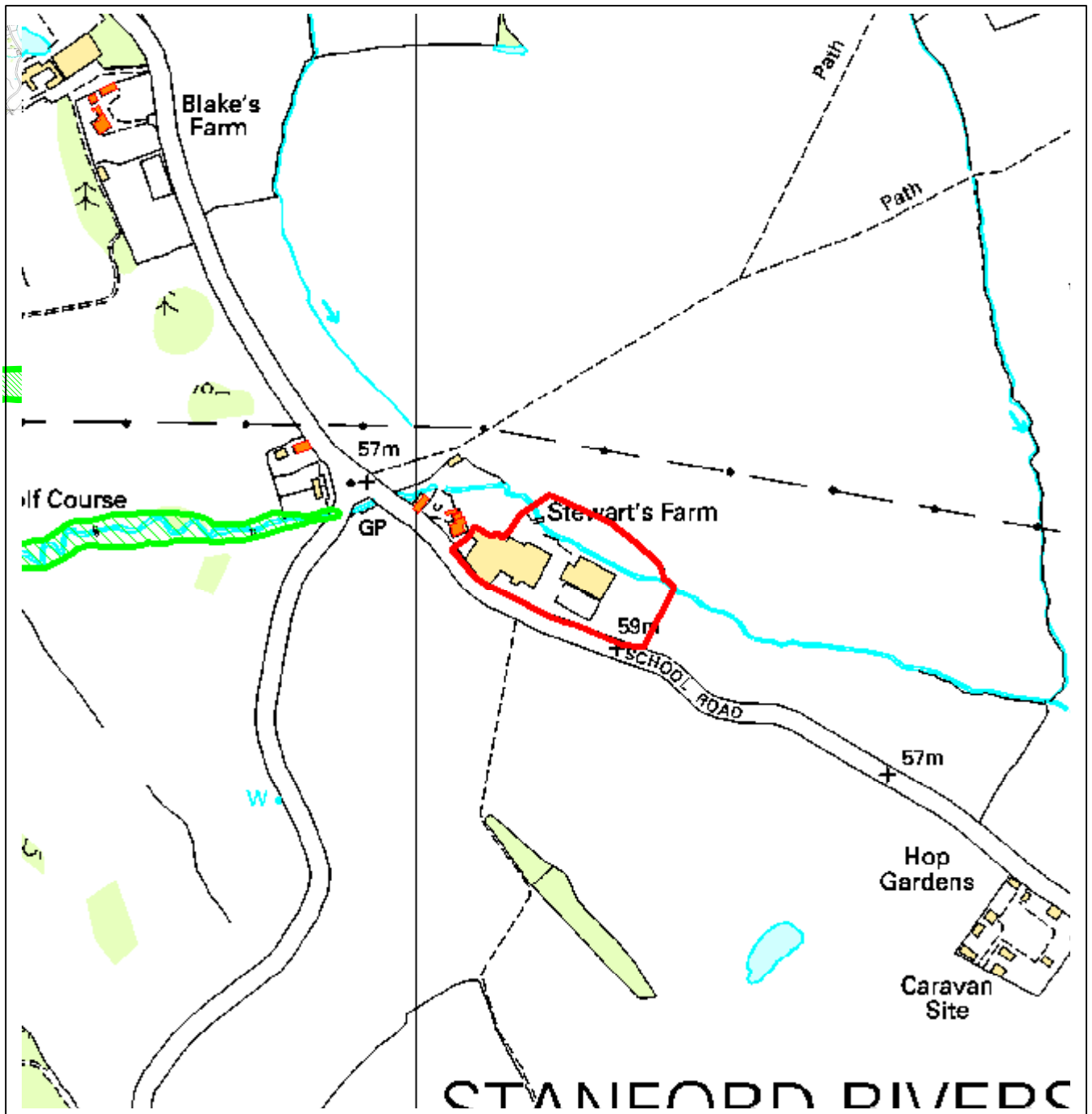
Other Matters

The farmhouse is a listed building and should remain so. The problems and difficulties associated with this site are well known to both local residents and the District Council. The various activities on the site have over an extended period of time caused considerable difficulties to local residents. The site does not have a general commercial use, but restricted permissions from which we conclude that the site only has a use associated with agriculture.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	9
Application Number:	EPF/0198/07
Site Name:	Stewarts Farm, School Road, Stanford Rivers
Scale of Plot:	1/5000

Report Item No: 10

APPLICATION No:	EPF/0595/07
SITE ADDRESS:	Land at Bons Farm (next to 2 Bons Farm Cottages) Stapleford Road Stapleford Abbots RM4 1RP
PARISH:	Stapleford Abbots
WARD:	Passingford
APPLICANT:	Mrs L Flower
DESCRIPTION OF PROPOSAL:	Change of use of part of former chicken house building to self-contained flat. (flat J)
RECOMMENDED DECISION:	GRANT (with conditions)

CONDITIONS

- 1 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 E shall be undertaken without the prior written permission of the Local Planning Authority.

This application is before this Committee at the request of Cllr Mrs. Collins.

Description of Proposal:

This application seeks retrospective planning permission for the conversion of part of a former chicken house to a self contained flat. The building comprises two flats at present, the flat to which this application relates is referred to as "Flat J" and the other, referred to as "Flat K" is the subject of a current application for a certificate of lawful proposed development. Both flats have one bedroom, a lounge, a kitchen and a bathroom. Both flats are presently occupied.

Description of Site:

The application site comprises part of a former chicken house and is located at Bons Farm. The area of land around the site is enclosed with close boarded timber fencing of a height of approximately 1.8 metres. Adjacent to the site are two cottages, both of which have been converted into flats. There is also a large area of land to the south of the site which, although not hard surfaced, is used for the parking of vehicles. The application site, cottages, parking area and farm are all within the ownership of the applicant.

Relevant History:

There is extensive history on the Bons Farm Site. Relevant history includes:
EPF/0229/93. Conversion of dwelling into four flats. Approved 29/04/1993.
EPF/0526/96. Conversion of house into 4 self contained flats. Approved 24/06/1996.

Policies Applied:

GB2A – Development in the Green Belt
GB8A – Change of use or adaptation of buildings
GB9A – Residential conversions

Issues and Considerations:

The main issues in this case are:

1. The acceptability of the conversion in terms of the Council's Green Belt policies;
2. The level of amenity of the occupiers of the converted flat;
3. The impacts of the conversion on the amenities of the occupiers of neighbouring properties;
4. The acceptability of the conversion with regard to highway and parking matters.

1. Green Belt Policy

Policy GB8A of the local plan alterations states that the Council will grant planning permission for changes of use to buildings within the green belt, subject to a number of criteria. The policy requires that the building should be of permanent and substantial construction, capable of conversion without major or complete reconstruction. As the application has been submitted retrospectively, this is considered to be the case. Furthermore, it is not considered that the conversion has a greater impact on the green belt than the previous agricultural use and would not result in a significantly greater traffic generation that could be harmful to the countryside.

Policy GB9A states that residential conversions will not be permitted unless the conversion would be in accordance with policy GB8A (discussed above) and would also meet one of the criteria set out in policy GB9A. The first criteria states that business use of the building would be unsuitable. In this case having regard to the proximity of the site to other residential units, it is considered to be unlikely that a business use could be accommodated within the building without resulting in a material loss of amenity to the occupiers of adjacent dwellings.

2. Level of Amenity of Occupiers of the unit

The unit has an acceptable level of amenity with the windows of the lounge and bedroom facing onto the area of amenity space that is shared with the occupiers of "Flat K".

3. Neighbouring Amenity

The only residential properties within close proximity to the site are the adjacent unit (which is currently pending a decision as to whether it is lawful) and the converted cottages which lie approximately 5 metres from the site. It is considered that the use of the site does not result in any material loss of amenity to the occupiers of these neighbouring properties and, to the contrary, complements their use.

4.. Highway and Parking Matters

There is no provision for parking within the application site itself, although there is a large area of parking to the south of the site, within the applicant's ownership, which is presently used for parking for the units contained within the former chicken house and also those contained within the converted cottages. It is considered that there is more than sufficient space within the site to accommodate the parking of vehicles for the unit.

Conclusion

In light of the above appraisal, it is considered that the conversion has an acceptable appearance and does not result in any material loss of amenity to the occupiers of neighbouring dwellings and is in accordance with green belt policies. Furthermore, it is considered that the occupiers of the flat have an acceptable level of amenity and the parking and access arrangements are acceptable. Accordingly, it is recommended that planning permission be granted.

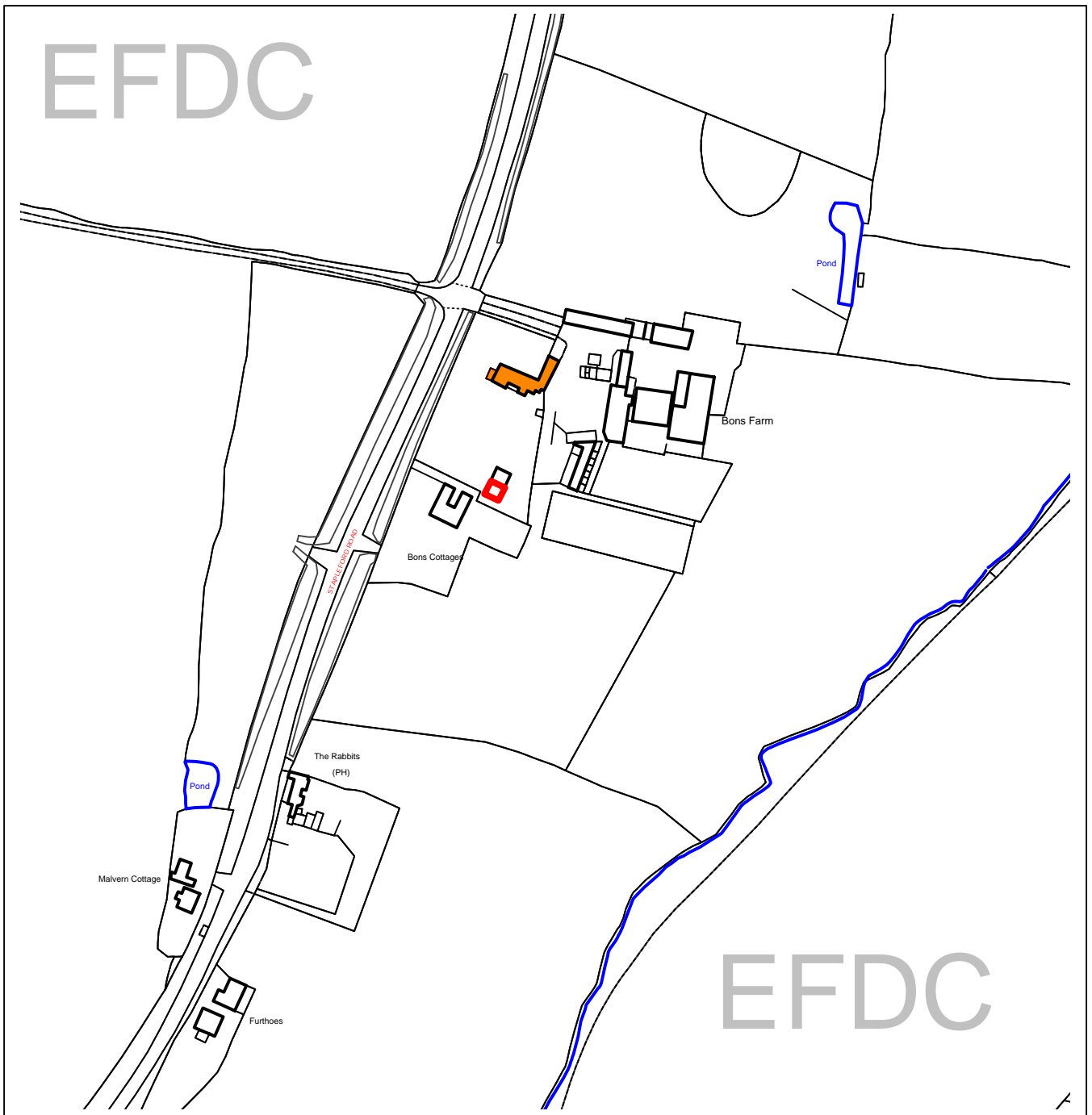
SUMMARY OF REPRESENTATIONS:

STAPLEFORD ABBOTTS PARISH COUNCIL. Recommend that District Councillors pay a visit to the site to accurately assess the situation.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	10 & 11
Application Number:	EPF/595/07 & EPF/596/07
Site Name:	Bons Farm, Stapleford Road, Stapleford Abbots
Scale of Plot:	1/2500

Report Item No:11

APPLICATION No:	EPF/0596/07
SITE ADDRESS:	Land at Bons Farm (next to 2 Bons Farm Cottages) Stapleford Road Stapleford Abbots RM4 1RP
PARISH:	Stapleford Abbots
WARD:	Passingford
APPLICANT:	Mrs L Flower
DESCRIPTION OF PROPOSAL:	Certificate of lawfulness for an existing change of use of part of former chicken house to a self contained dwelling house (flat K).
RECOMMENDED DECISION:	GRANT

REASON

- 1 The use of the unit as a self contained flat is considered to be lawful under the provisions of Section 172b of the Town and Country Planning Act 1990.

This application is before the Committee at the request of Councillor Mrs. Collins.

Description of Proposal:

This application seeks confirmation that "Flat K" is exempt from planning enforcement controls and thereby lawful, on the basis that it has been occupied continuously for a period of at least four years under the provisions of Section 191 of the Town and County Planning Act 1990.

Description of Site:

The application site comprises part of a former chicken house and is located at Bons Farm. The building comprises two flats at present, the flat to which this application relates is referred to as "Flat K" and the other, referred to as "Flat J" is the subject of a current planning application. The area of land around the site is enclosed with close boarded timber fencing of a height of approximately 1.8 metres. Adjacent to the site are two cottages, both of which have been converted into flats. There is also a large area of land to the south of the site which, although not hard surfaced, is used for the parking of vehicles. The application site, cottages, parking area and farm are all within the ownership of the applicant.

Relevant History:

None relevant.

Policies Applied:

None.

Issues and Considerations:

The main issue in this case is whether the unit has been occupied continuously for a period of at least four years.

Section 171b of the Act requires that where there has been a breach of planning control consisting in the change of use of any building to use as a single dwellinghouse, no enforcement action may be taken after the end of the period of four years beginning with the date of the breach. Accordingly, the use would become lawful.

The applicant has submitted a statutory declaration from Mr Edward Flower of Bons Farm, stating that he occupied the flat that is the subject of this application continuously from August 2000 to August 2005. At the time of the occupation, a partition wall was inserted separating the bedroom and lounge. The layout of the flat during the period of occupation was, accordingly, as present. Supporting evidence confirming the occupation of the unit over this period has also been submitted by a number of family members, friends and tradesmen who have confirmed fitting a carpet in August 2000, repairing an immersion heater in August 2000, changing a basin and fixing a toilet in April 2001, replacing a light fitting in the kitchen in July 2004 and repairing the occupiers' vehicle in August 2000 and November 2004.

Following Mr Flowers vacating the unit in August 2005, it remained vacant until it was occupied again in January 2006. The unit is presently occupied.

Conclusion

It is considered that the supporting evidence submitted with the application demonstrates that the unit was occupied continuously for a period of at least four years and is, therefore, exempt from planning enforcement control under the provisions of Section 171b of the Act. Accordingly, it is recommended that a certificate of lawful existing use be issued.

SUMMARY OF REPRESENTATIONS:

STAPLEFORD ABBOTTS PARISH COUNCIL. Recommend that District Councillors pay a visit to the site to accurately assess the situation.

Report Item No: 12

APPLICATION No:	EPF/0606/07
SITE ADDRESS:	94 Dukes Avenue Theydon Bois Epping Essex CM16 7HF
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr K Swales
DESCRIPTION OF PROPOSAL:	Two storey side and rear and front garage extension, internal alterations.
RECOMMENDED DECISION:	GRANT (with conditions)

CONDITIONS

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

Description of Proposal:

Consent is being sought for a two storey side extension, part two storey-part single storey rear extension, and a single storey front garage extension.

The two storey side extension would be 7.5m deep and 2.8m wide and would incorporate an existing single storey side garage.

The single storey rear extension would be 3m deep and 2.7m wide with a flat roof to a height of 3.6m.

The two storey rear extension would be 3m deep and 6.5m wide with a hip ended ridged roof tied into the proposed side extension.

The front garage extension would be 1.7m deep and 5.1m wide and would incorporate a new front porch, which would bring the front door of the property forward by 1m. This would have a pitched roof to a maximum height of 4m.

Description of Site:

Two storey detached dwelling located on the northern side of Dukes Avenue, Theydon Bois. The house has an existing single storey side extension and single storey rear extension.

Relevant History:

None

Policies Applied:

DBE9 and DBE10 – Residential Development Policies

Issues and Considerations:

The main issues here relate to the potential impact on the neighbouring properties and with regards to the design.

Impact on No. 92

The neighbouring dwelling has a two storey side extension and single storey rear extension. The proposed two storey side and rear extension would be built 800mm from the shared boundary, and the proposed two storey rear extension would stretch 3m beyond the rear wall of the neighbouring property. Although there is one side window and a back door serving the garage at ground floor level, and one rear first floor window on the neighbours side extension, consent has recently been granted for the further extension of No. 92 on first floor level towards the rear and on ground floor level across the back. With the erection of this application the existing rear window of the neighbours extension, which currently serves a bedroom, would be replaced by a window serving an ensuite, which does not require protection from loss of light. Also the proposed extension would not extend beyond the recently approved ground floor rear extension and therefore would not be detrimental to visual amenities.

Impact on No. 96

The proposed single storey rear extension would be set 700mm off the side boundary with No. 96. This extension would be to an acceptable depth of 3m and would have a flat roof to minimise the height of the proposal. Due to this there would be no detrimental impact on this neighbouring property.

Therefore complies with Local Plan policy DBE9.

Design and appearance

The proposed side extension would be located 800mm from the side boundary. The two storey side extension on No. 92 is also 800mm from the shared boundary and therefore, in this instance, a slightly smaller gap than the standard 1m would be acceptable.

When viewed from the front the two storey side extension would appear similar to that on the adjacent property, No. 92. Also there are other examples of two storey side extensions in the surrounding locality. The extension would have a hip ended ridge roof that would tie in to the original property and would not appear out of keeping with the surrounding area.

The proposed rear extension would have a hip ended ridged roof and would be designed to respect the character and appearance of the main dwelling.

The proposed single storey rear extension is flat roofed, however as it is located at the rear, and would not be viewed from the street scene, this is considered acceptable.

The proposed front extension to the garage would bring the front wall of the house slightly beyond the existing front protrusion of No. 96, and would have a pitched roof to match the existing dwelling. There are other examples of similar examples in the surrounding area and therefore there would be no detrimental impact on the character or appearance of the street scene. The parish council has objected to bringing the front of the house beyond the existing building line, however there is no uniform building line to this part of Dukes Avenue and therefore this is not felt to be an issue.

Complies with Policy DBE10 of the Local Plan.

Conclusion:

In light of the above the side, rear and front extension are acceptable and are therefore recommended for approval.

Summary of Representations:

PARISH COUNCIL – Object as the garage and front door are beyond the natural and existing building line which will detract from the street scene and symmetry of adjacent houses. This excessively large extension will lead to an inappropriate bulky appearance and will not be in keeping with the street scene.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	12
Application Number:	EPF/0606/07
Site Name:	94, Dukes Avenue, Theydon Bois
Scale of Plot:	1/1250

Report Item No: 13

APPLICATION No:	EPF/0842/07
SITE ADDRESS:	Albanridge Theydon Park Road Theydon Bois Epping Essex CM16 7LS
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr A T Squires
DESCRIPTION OF PROPOSAL:	Loft conversion with extension to roof. (Revised application)
RECOMMENDED DECISION:	REFUSE

REASON FOR REFUSAL

- 1 The site is located within the area identified in the Epping Forest District Local Plan Alteration as Metropolitan Green Belt. Advice from Government Planning Policy Guidance Note (PPG) 2, The Essex Structure Plan and the Local Plan considers that extensions in the green belt should not impair upon the appearance of the open countryside.

This item is before the committee at the request of Cllr Frankel

Description of Proposal:

This is a revised application to extend the existing pitched roof to the rear with a gable end.

Description of Site:

The application site comprises of an attractive, post-war detached bungalow. The site is located on the south-eastern side of Theydon Park Road. The site and surrounding area falls within the Metropolitan Green Belt boundary in a residential area with a varied mix of individually styled detached dwellings.

The property faces open fields to the north-west and railway lines run to the rear of the boundary fence beyond which there are more green open fields.

There is hard-standing to the front of the property used for a driveway with sufficient amenity space provision at the rear.

Relevant History:

The property has been extended with a single storey rear extension, an attached side garage; beyond this to the rear is a single storey side extension, all of which have flat roofs. Additionally, there is a small side porch extension.

CHI/0342/57 - Addition to dwelling: Granted - 15/01/1958

CHI/0419/61 – Additional rooms and garage: Granted - 17/01/1962

CHI/0041/62 – Additional rooms and garage: Granted - 21/03/1962

CHI/0041A/62 – Alterations and additions: Granted - 01/08/1963

EPF/0010/89 - Retention of side porch: Granted - 20/04/1989

EPF/0925/96 - Single storey extension to rear: Refused - 18/11/1996

EPF/0003/97 - Single storey extension to rear: Granted - 04/02/1997

EPF/2482/06 - Loft conversion with extension to roof: Refused - 05/02/2007

This most recent application was refused on the basis of its size and the effect on the Green Belt.

Policies Applied:

Countryside Policy from the Essex and Southend on Sea Replacement Structure Plan: -

C2 – Development within the Metropolitan Green Belt.

Green Belt and Residential Development Policies from Epping Forest District Council's Adopted Local Plan and Alterations: -

GB2A – Development within the Green Belt.

GB14A – Extensions to residential properties in the Green Belt.

DBE9 – Amenity considerations.

DBE10 – Extension design criteria.

Issues and Considerations:

This is a revised application to a previous application submitted and refused. Details submitted for this current application that relate to the size, style and appearance of the proposed development are exactly the same as previously submitted.

The additional information the applicant refers to as 'special circumstances', is submitted in the form of a letter from the applicant and a supporting doctors letter on the basis of ill health following a diagnosis of multiple sclerosis.

While the contents of the letter have been acknowledged and officers are sympathetic to the situation of the applicant, rarely in planning do personal circumstances alone determine a planning decision. There is always the possibility that should the property be subsequently sold or change ownership, the justification for granting an application on that basis would no longer be effective.

Therefore, the main issues and considerations in relation to this application remain the design, appearance, amenity of neighbouring properties and the impact on the metropolitan green belt.

Green Belt

- The site is located within the metropolitan green belt.
- Advice given in paragraph 3.6 of Planning Policy Guidance Note (PPG) 2: Green Belts, emphasises the appropriateness of extensions to dwellings in the Green Belt. This should be judged against the original building and Policy GB14A of the Epping Forest District Local Plan Alterations, 2006 further supports this stating 'disproportionate additions of more than 40%, up to a maximum of 50m², over and above the total floor space of the original building' would not normally be approved.
- The proposed first floor roof extension would not increase the footprint of the existing dwelling however, the additional roof extension would increase the usable floor area and as the history shows there have been extensive additions for a garage with additional extensions up to 49% of the original dwelling house.
- The proposal would create additional floor space of approximately 24m²; this with the existing extensions, would constitute inappropriate development in the green belt due to the cumulative effect on the openness of the Green Belt.
- The dwelling as existing has accommodation that meets contemporary living standards with nothing provided to substantiate otherwise.
- The proposed development by reason of its size would harm the objectives of the metropolitan green belt as it goes against Government advice and the Councils adopted Local Plan, it does not constitute a reasonable extension to the existing dwelling.

Neighbours amenity

- The proposed roof extension would match the height and width of the existing roof and the rear window that exist on the gable end would be maintained in the same position and size on the proposed gable end with no significant impact to neighbours amenity.
- Roof lights would be inserted to the existing roof however, this falls within permitted development additionally, there would be no overlooking caused to neighbours as a result.

Design

- The proposed extension incorporates a roof with a pitch that matches that of the existing property.
- There is an extended single storey flat roof on the southern flank wall that appears imbalanced when compared with the existing roof profile. The proposal would create an aesthetical improvement when viewed from the side of the dwelling.
- The proposal cannot be seen from the front, therefore there would be no visible impact on the street scene.
- The design is acceptable in appearance and would not be visually intrusive or cause any impact to the neighbouring properties.

Conclusion

Notwithstanding the additional information supplied exacting 'special circumstances', the proposed development is exactly the same as what was submitted previously and as such this application

remains unacceptable according to this council's adopted policy GB14A and is recommended for refusal

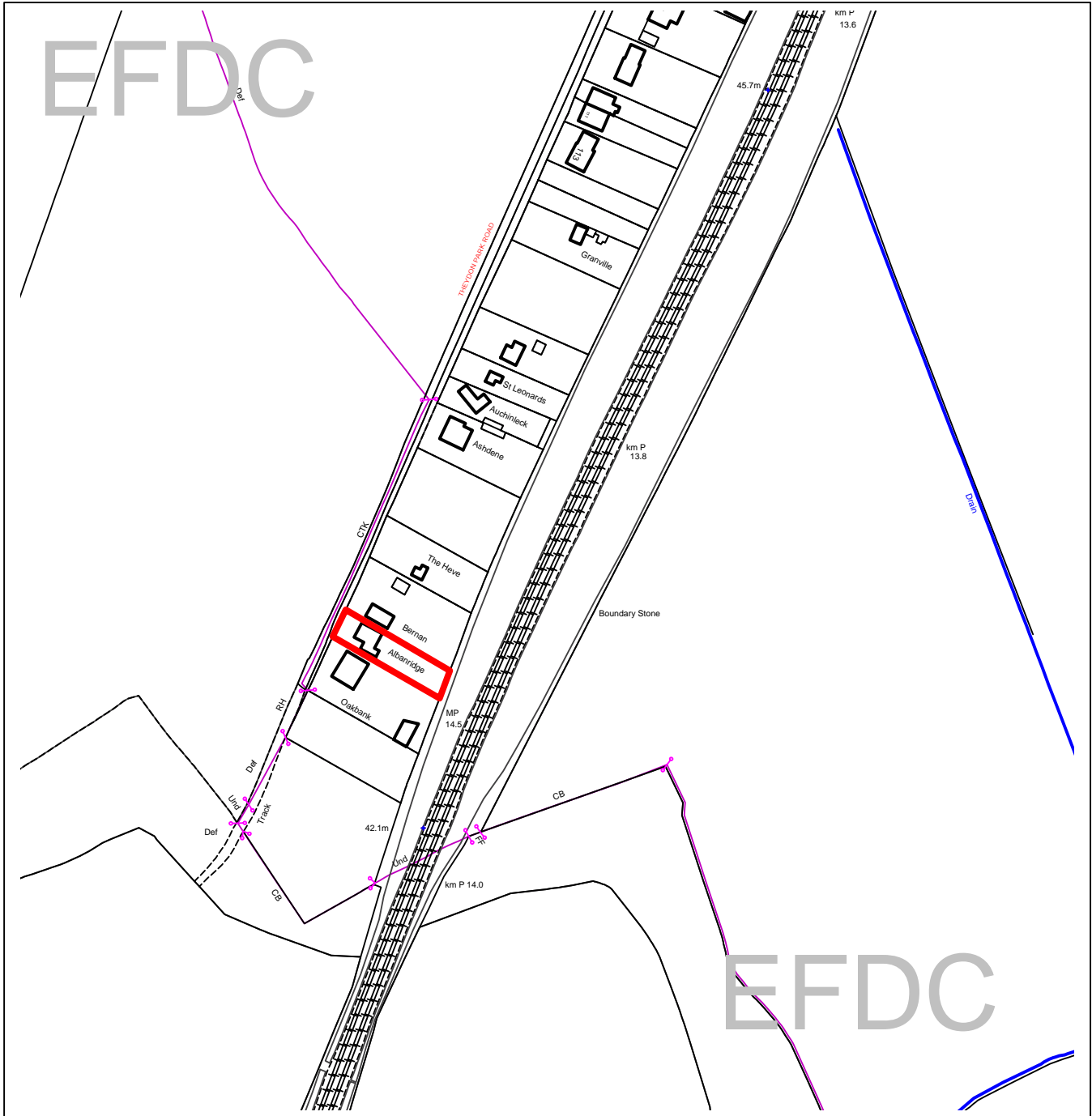
SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL – No objection



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	13
Application Number:	EPF/0842/07
Site Name:	Albanridge, Theydon Park Road, Theydon Bois
Scale of Plot:	1/2500

Report Item No: 14

APPLICATION No:	EPF/0517/07
SITE ADDRESS:	Barkers Farm Mount End Road Theydon Mount Epping Essex CM16 7PS
PARISH:	Theydon Mount
WARD:	Passingford
APPLICANT:	Mr Leonard Barker
DESCRIPTION OF PROPOSAL:	New roof to existing building.
RECOMMENDED DECISION:	GRANT (with conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.

Description of Proposal:

New roof to existing outbuilding. Height to central ridge line of proposed hipped-end roof to be 4.7m from the ground. Plain tile roof finish.

Description of Site:

Outbuilding located close to front boundary of this site, behind a hedge, adjacent to the road. It's longer side projects from the site boundary eastwards into the site and into a large area of hardstanding. There is a "u"-shape group of buildings comprising offices and barn further into the site, beyond which the land rises into a larger area of rough grass. This is a holding of 2.4 hectares located on the east side of Mount Road, part of the Metropolitan Green Belt. There are a scattering of houses here, irregularly sited either side of the road which makes up this small hamlet.

Relevant History:

Numerous planning applications, though not relevant to this outbuilding.

Most recently, planning permission was granted for a porch and ramp to the former dairy building. Planning applications for mobile homes, a permanent dwelling and conversion of goat pens into residential have been refused planning permission and in some cases dismissed on appeal.

Policies Applied:

Local Plan Policies:-

GB2A (Green belt, general restraint).

DBE1 and 2 (Visual Appearance).

Issues and Considerations:

The main issue is whether the addition to the roof of this building will have a harmful effect on the visual amenities of the locality and the Green Belt.

The outbuilding is in-situ and is built in predominantly in red brick and until recently had a very shallow, almost flat roof. Looking through the exhaustive planning history of the site, there has been some differing of opinion how long the current structure has been here. The applicant in the past has evidence that the current structure has been in-situ since 1996, although it was repaired some time in early 2000. No planning permission exists for the building but enforcement officers investigated the matter in 2001 and concluded that there was some evidence to show a building, since repaired, had been there for more than 4 years and therefore was immune from enforcement action. The building itself is used as a covered patio/barbecue/games area with a smaller element used for garden storage.

The reason for the planning application is that there has been a fire in the building which damaged the roof. It was made of corrugated tin and is in a poor condition. The applicant had pre-application discussions of a replacement roof and wished to improve the appearance of the building with something more sturdy and weather-resistant. He has second-hand Roseland plain tiles stored behind his main barn and would use these on a new pitch roof.

The new roof would be more visible from the road than the current roof. However, it is well designed and the bulk has been reduced by hipping both ends of the roof to reduce its overall scale. There is a good hedge screen along this roadside boundary and because the longer part of the outbuilding projects away from the road, only the shorter end of the new roof will be most visible. Even so, this will not be an intrusion into the street scene.

In design terms, it far more acceptable than the previous flat roof. The materials respect neighbouring buildings and are of a vernacular appearance.

In summary, the proposal represents very minor works in Green Belt terms and it would not have a detrimental impact upon the locality. The current building cannot be forcibly removed and the appearance of the building is improved and in design terms it is acceptable. The proposal therefore complies with policies GB2A and DBE1 and 2 of the Local Plan and is recommended for approval.

SUMMARY OF REPRESENTATIONS:

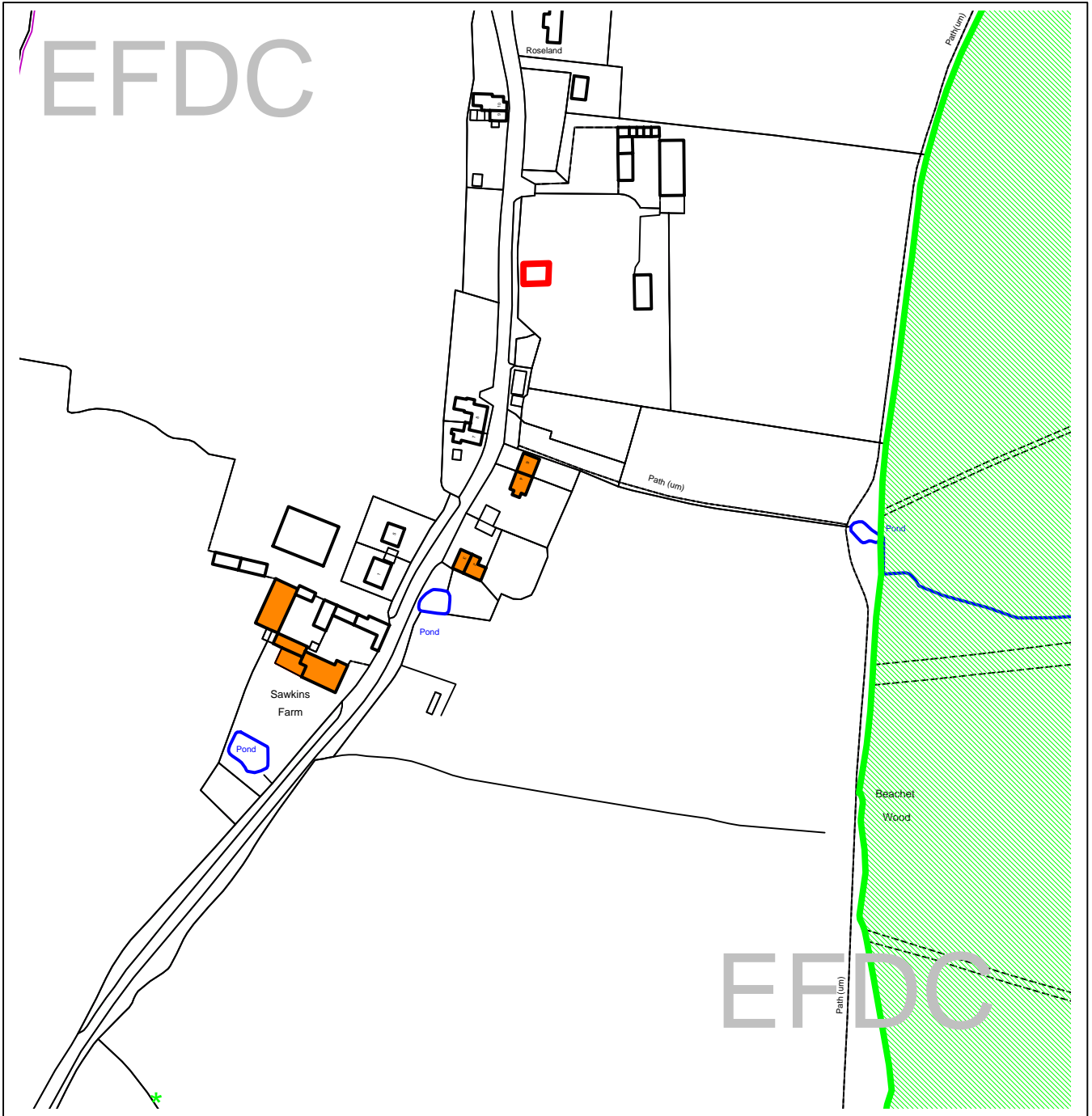
PARISH COUNCIL (two letters) – Object, raising of the roofline will make the building far more undesirably visible, make “legitimate” the current illegal building which was previously a replacement of two wooden goat sheds and result in a building looking remarkably like a dwelling, the applicants sole long term aim for this Green Belt site. Proposal will have a detrimental impact

on the Green Belt. If consent is granted, a condition be imposed that prohibits residency in any form.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	14
Application Number:	EPF/517/07
Site Name:	Barkers Farm, Theydon Mount
Scale of Plot:	1/2500

Report Item No: 15

APPLICATION No:	EPF/0686/07
SITE ADDRESS:	School House The Street Willingale Ongar Essex CM5 0SN
PARISH:	Willingale
WARD:	High Ongar, Willingale and the Rodings
APPLICANT:	Mrs V Bright
DESCRIPTION OF PROPOSAL:	Two storey rear extension.
RECOMMENDED DECISION:	REFUSE

REASON FOR REFUSAL

- 1 The site is within the Metropolitan Green Belt. The proposed works represent inappropriate development and are therefore at odds with Government advice, as expressed in PPG2, the policies of the adopted Local Plan and alterations and the Approved Essex and Southend on Sea Replacement Structure Plan. The latter state that within the Green Belt permission will not be given, except in very special circumstances for the construction of new buildings or for the change of use or extension to existing buildings except for the purposes of agriculture, mineral extraction or forestry, small scale facilities for outdoor participatory sport and recreation, cemeteries, or similar uses which are open in character. In the view of the Local Planning Authority the application does not comply with these policies because the proposed 2 storey extension is over and above what is acceptable for a limited extension in the countryside and as such is contrary to policy GB14A of the Adopted Local Plan and Alterations.

This application is before the Committee at the request of Cllr Mrs. McEwen.

Description of Proposal:

The application seeks consent for the erection of a 2 storey rear extension, to replace an existing conservatory. The footprint of the proposed extensions totals some 46m².

Description of Site:

Grand Victorian School house situated on the western site of The Street. This old headmaster's premises is a separate unit from the main school building to the south.

The property is within the village envelope, on the edge of a small cluster of properties in the village of Willingale. Sweeping open countryside extends northwards after the rear garden of this dwelling. The site is wholly within the Metropolitan Green Belt.

Relevant History:

EPF/1381/82- Extensions and alterations - Approved
EPF/917/83- Extensions and alterations - Approved
EPF/1142/90- Erection of rear conservatory - Approved

Policies Applied:

Adopted Local Plan
GB2A - Development in the Green Belt
GB14A - Residential extensions
DBE9 - Excessive loss of amenity to neighbouring properties
DBE10 - Design of residential extensions

Issues and Considerations:

The key issues for consideration relevant to this application are the impact upon the openness of the Green Belt and detailed design and street scene considerations.

The Local Plan Alterations detail residential extensions might be acceptable, provided they do not result in disproportionate additions greater than 40% over and above the original dwelling, however this is capped at a maximum of 50m². This scheme combined with previous extensions at the property proposes an increase of some 72m² which equates to approximately a 56% increase in floor area. The size of the extension from these figures is over and above the criteria of a limited extension as detailed within the policy criteria.

Additions to the rear of the property require particular scrutiny due to the open countryside northwards and the fact that any development is clearly visible in the rural street scene when entering the village. These extensions which will create a side elevation which will alter the character of the property. The detailed design does not follow the original lancet style windows of the original Victorian property. Whilst this is not unacceptable in itself (it distinguishes old additions from new) it does highlight the large percentage increase of extensions compared to the original house, which is over and above what is normally considered to be acceptable (ie. above 50m²).

As existing, the school house has a rather large rear conservatory which does not contribute to the character and appearance of the property. However, due to the previous extensions at this small premises (in the 1980s) there is no longer sufficient potential for this proposed size of extension. If the applicant were to reduce the size of the proposed extension to meet policy GB14A, then some additions would be likely to be acceptable. However, allowing consent for this addition in the knowledge of the planning history of the property would set an undesirable precedent for other houses in the area.

Conclusion

The proposed extensions are over and above what is acceptable for a limited extension in the countryside and this application is therefore recommended for refusal.

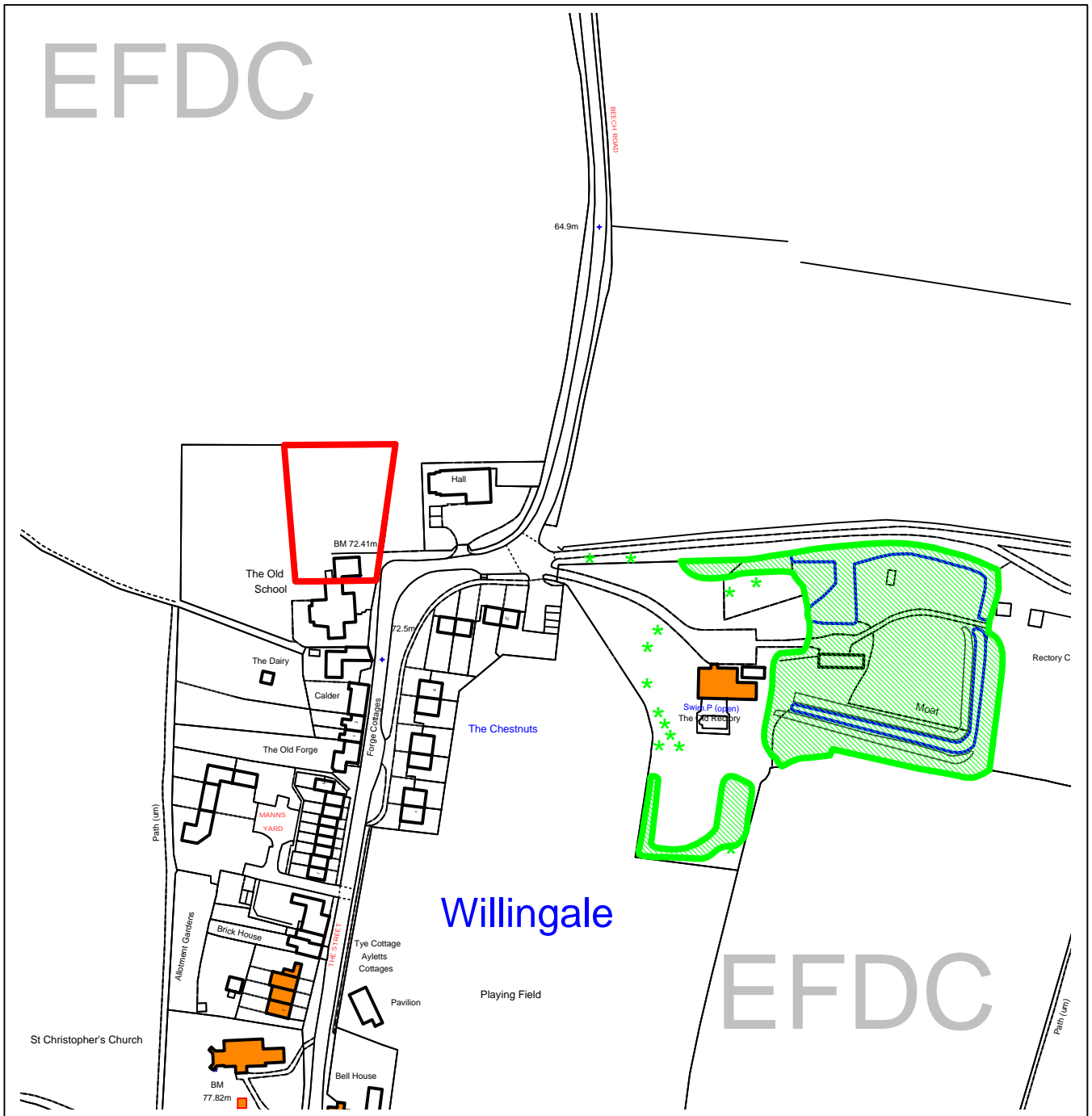
SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL- No objection



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Area Planning Sub-Committee East



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Agenda Item Number:	15
Application Number:	EPF/686/07
Site Name:	School House, The Street, Willingale
Scale of Plot:	1/2500

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