

Committee Agenda



**Webcast
Meeting**



**Epping Forest
District Council**

Area Planning Subcommittee East Wednesday, 17th October, 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 (Chairman), Mrs M McEwen (Vice-Chairman), Mrs D Collins, R Frankel, P Gode, A Green, Mrs A Grigg, Mrs H Harding, Ms J Hedges, D Jacobs, D Kelly, 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

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy and copies made available to those that request it.

Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area

If you have any queries regarding this, please contact the Senior Democratic Services Officer on 01992 564249.

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.

If you are seated in the lower public seating area it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

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

General advice to people attending the meeting is attached.

3. MINUTES (Pages 7 - 20)

To confirm the minutes of the Sub-Committee meeting of 19 September 2007.

4. APOLOGIES FOR ABSENCE

5. DECLARATIONS OF INTEREST

(Assistant to the Chief Executive) 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. DIVERSION OF PUBLIC FOOTPATH 76 NORTH WEALD BASSETT (Pages 21 - 24)

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

8. DEVELOPMENT CONTROL (Pages 25 - 106)

(Director 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

(Director 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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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee East **Date:** 19 September 2007

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 pm - 9.00 pm

Members Present: M Colling (Chairman), Mrs M McEwen (Vice-Chairman), Mrs D Collins, R Frankel, P Gode, A Green, Mrs A Grigg, Mrs H Harding, Ms J Hedges, D Jacobs, D Kelly, R Morgan, G Pritchard, B Rolfe, Mrs P K Rush, D Stallan and C Whitbread

Other Councillors:

Apologies: Mrs J H Whitehouse and J M Whitehouse

Officers Present: B Land (Assistant Head of Planning Services), M Jenkins (Democratic Services Assistant) and G Woodhall (Democratic Services Officer)

30. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings. The Sub-Committee noted the Council's Protocol for Webcasting of Council and Other Meetings.

31. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements adopted by the Council to enable persons to address the Sub-Committee, in relation to the determination of applications for planning permission. The Sub-Committee noted the advice provided for the public and speakers in attendance at Council Planning Sub-Committee meetings.

32. MINUTES

RESOLVED:

That the minutes of the meeting held on 22 August 2007 be taken as read and signed by the Chairman as a correct record.

33. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillors M Colling and C Whitbread declared a personal interest in the following items of the agenda. The Councillors had determined that their interest was prejudicial and they would leave the meeting for the consideration of the application and voting thereon:

- EPF/1473/07 The Old Rectory, Coopersale Common, Epping

- EPF/1474/07 The Old Rectory, Coopersale Common, Epping

(b) Pursuant to the Council's Code of Member Conduct, Councillor Mrs M McEwen declared a personal interest in the following item of the agenda by virtue of being acquainted with the speakers. The Councillor had determined that her interest was not prejudicial and she would stay in the meeting for the consideration of the application and voting thereon:

- EPF/1472/07 162 High Street, Ongar

(c) Pursuant to the Council's Code of Member Conduct, Councillor P Gode declared a personal interest in the following item of the agenda, by virtue of being a member of Ongar Town Council. The Councillor had determined that his interest was not prejudicial and he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/1472/07 162 High Street, Ongar

(d) Pursuant to the Council's Code of Member Conduct, Councillor Mrs A Grigg declared a personal interest in the following item of the agenda, by virtue of her husband being a member of the club in question. The Councillor had determined that her interest was prejudicial and she would leave the meeting for the consideration of the application and voting thereon:

- EPF/0308/07 North Weald Golf Club, Rayley Lane, North Weald

(e) Pursuant to the Council's Code of Member Conduct, Councillor Mrs A Grigg declared a personal interest in the following item of the agenda, by virtue of being a member of North Weald Parish Council. The Councillor had determined that her interest was not prejudicial and she would remain in the meeting for the consideration of the application and voting thereon:

- EPF/1575/07 41 Duck Lane, Thornwood, North Weald

(f) Pursuant to the Council's Code of Member Conduct, Councillor Mrs J Hedges declared a personal interest in the following items of the agenda, by virtue of being a member of Epping Town Council. The Councillor had determined that her interest was not prejudicial and she would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/1652/07 179 High Street, Epping
- EPF/1668/07 11 Institute Road, Epping
- EPF/1473/07 The Old Rectory, Coopersale Common, Epping
- EPF/1474/07 The Old Rectory, Coopersale Common, Epping

(g) Pursuant to the Council's Code of Member Conduct, Councillor D Stallan declared a personal interest in the following items of the agenda, by virtue of being a member of North Weald Parish Council. The Councillor had determined that his interest was not prejudicial and he would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/0308/07 North Weald Golf Club, Rayley Lane, North Weald

- EPF/1575/07 41 Duck Lane, Thornwood, North Weald

34. ANY OTHER BUSINESS

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

35. DEVELOPMENT CONTROL

RESOLVED:

That the planning applications numbered 1 – 10 be determined as set out in the schedule attached to these minutes.

36. DELEGATED DECISIONS

The Sub-Committee noted that schedules of planning applications determined by the Head of Planning and Economic Development under delegated authority since the last meeting had been circulated and could be inspected at the Civic Offices.

CHAIRMAN

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Report Item No: 1

APPLICATION No:	EPF/1652/07
SITE ADDRESS:	179 High Street Epping Essex CM16 4BL
PARISH:	Epping
WARD:	Epping Lindsey and Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	New shopfront.
DECISION:	Grant Permission (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.

Report Item No: 2

APPLICATION No:	EPF/1668/07
SITE ADDRESS:	11 Institute Road Epping Essex CM16 7QY
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	Two storey side and rear extension.
DECISION:	Grant Permission (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 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 The development shall be carried out in accordance with the amended plans received on 28 August 2007 unless otherwise agreed in writing with the Local Planning Authority.

Report Item No: 3

APPLICATION No:	EPF/1473/07
SITE ADDRESS:	The Old Rectory Coopersale Common Epping Essex CM16 7QT
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	Single storey rear extension. (Revised application)
DECISION:	Grant Permission (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 types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the building hereby permitted without the prior written approval of the Local Planning Authority.

Also resolved that an enforcement investigation be carried out into recent alterations to the detached garage at this site.

Report Item No: 4

APPLICATION No:	EPF/1474/07
SITE ADDRESS:	The Old Rectory Coopersale Common Epping Essex CM16 7QT
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	Grade II listed building application for a single storey rear extension. (Revised application)
DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 The development shall be carried out in accordance with the amended plans received on 15 August 2007 unless otherwise agreed in writing with the Local Planning Authority.

Report Item No: 5

APPLICATION No:	EPF/1538/07
SITE ADDRESS:	Black Hall Bridge Road Moreton Ongar Essex CM5 0LJ
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
DESCRIPTION OF PROPOSAL:	Erection of extension to garage with the addition of rear dormer windows to roof space.
DECISION:	Grant Permission (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 The garage, which is the subject of these alterations shall only be used as ancillary accommodation for the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling known as Black Hall.
- 3 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.

Report Item No: 6

APPLICATION No:	EPF/0308/07
SITE ADDRESS:	North Weald Golf Club, Rayley Lane North Weald
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
DESCRIPTION OF PROPOSAL:	Construction of additional golf course landscaping.
DECISION:	Grant Permission Subject to Section 106 agreement

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development shall be carried out in accordance with the phasing proposals indicated on plan sheet 1 received 6 August 2007, unless otherwise agreed in writing by the Local Planning Authority. No phase shall be commenced until the previous phase is completed.
- 3 Prior to the commencement of each phase an existing and proposed contour plan for that phase together with an as built contour plan for the last completed phase shall be submitted to the Local Planning Authority for approval. The plans shall indicate contours at 0.5m intervals.
- 4 No phase shall be commenced until the Council gives written approval to the drawings submitted pursuant to condition 5 and agrees in writing the previously completed phase was carried out in accordance with the approved proposed 0.5m contour plan for that phase.
- 5 The development shall not be commenced until details of the following have been submitted to and agreed in writing by the Local Planning Authority:
 - 1) The location and function of any processing areas, associated plant and buildings.
 - 2) Where waste materials are proposed to be imported, details of the proposed methods to check for toxicity and arrangements for notifying the Local Planning Authority of the result of checks for toxicity.
 - 3) A method statement of soil handling, to include separation of topsoil and sub soil, the location and total heights of temporary mounds, depth of replacement topsoil and sub soil.
 - 4) Details of the proposed method to suppress dust from the site throughout the period of implementation works.
 - 5) Details of methodology for preventing surface water on the site draining on to adjoining land.
 - 6) Measures to protect the safe use of rights of way on the land during and after implementation works.The development shall be carried out in accordance with the approved details unless the Local Planning Authority gives written consent to any variation.

- 6 No implementation works shall be carried out outside the following times:
7am to 5pm Monday to Friday.
- 7 There shall be no movements of heavy goods vehicles or tipper lorries within the site or to and from it outside the following times: 7am to 5pm Monday to Friday, and not at all on Saturdays, Sundays or Public/Bank Holidays.
- 8 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with the details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities shall be installed prior to the commencement of any building works on site and shall be used to clean vehicles leaving the site.
- 9 No building or land raising shall take place in those areas adjacent to the 9th hole and the existing reservoir lying below 64.46m AOD.
- 10 No building or land raising shall take place in those areas adjacent to the 7th hole lying below 63.15m AOD.
- 11 A buffer zone 8m wide, measured from the bank top alongside the Cripsey Brook and the North Weald Stream and 5m along any ditch or drain for the full extent of the site shall be established in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority before the development commences.
- 12 A buffer zone of 5m wide, measured from the bank top, around the ponds along the eastern boundary of the development site shall be established in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority before the development commences.
- 13 No development shall take place, including site clearance or other preparatory work, until all details relevant to the implementation of hard and soft landscape works and tree planting, hereafter called the Landscape Method Statement, have been submitted to the Local Planning Authority, and the development shall not commence until the Landscape Method Statement has been approved by the LPA in writing. All landscape works shall be undertaken in accordance with the approved details, unless the Local Planning Authority has given its prior written consent to any variation.

The Landscape Method Statement shall include soil handling; the sequence of operations for impaction and spreading of materials and any ancillary operations; designated storage and handling zones and details of site supervision and liaison with the Local Planning Authority.

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

plant, unless the Local Planning Authority has given its prior written consent to any variation.

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

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

Also subject to the variation of the section 106 Agreement dated 23/03/2006 to ensure that the restrictions re phasing, sourcing materials and lorry routing are applied to this development in the same way as to the previous phased programme.

Report Item No: 7

APPLICATION No:	EPF/1575/07
SITE ADDRESS:	41 Duck Lane Thornwood North Weald Epping Essex CM16 6NF
PARISH:	North Weald Bassett
WARD:	Epping Lindsey and Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	Two storey front and single storey rear extensions. (Revised application)
DECISION:	Refuse Permission

REASON FOR REFUSAL

- 1 The proposed two storey front extension would result in loss of daylight and sunlight to significant windows in the side wall of 39 Duck Lane to the detriment of the amenities enjoyed by that property, contrary to policies DBE10 of the adopted Local Plan and Alterations.

Report Item No: 8

APPLICATION No:	EPF/1472/07
SITE ADDRESS:	162 High Street Ongar Essex CM5 9JJ
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
DESCRIPTION OF PROPOSAL:	Change of use from Wine Merchants to restaurant (A3) at ground floor level only.
DECISION:	Grant Permission (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 The restaurant hereby permitted shall not be open to customers / members outside the hours of 0900.00 to 2300.
- 3 Prior to commencement of development equipment shall be installed in accordance with details first submitted to and approved by the Local Planning Authority, to suppress and disperse fumes and/or smell produced by cooking and food preparation. The equipment shall be effectively operated and maintained for so long as the use continues. The equipment shall be installed and be in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use.
- 4 The rating level of noise (as defined by BS4142:1997) emitted from any kitchen extract unit, air conditioning and other mechanical plant shall not exceed the prevailing background noise level. The measurement position and assessment shall be made according to BS4142:1997.
- 5 Prior to commencement of the use hereby approved, additional drawings that show details of the proposed flue, at a scale of 1:50, shall be submitted to and approved by the local planning authority. The drawing shall detail the external finish of the proposed flue. Work shall be carried out in accordance with such plans.
- 6 Deliveries to the premises shall not take place outside of the hours of 0800 to 1930.
- 7 During cooking times the windows and doors of the kitchen shall remain closed.
- 8 There shall be no use of the garden/yard of the premises by customers.

- 9 Details of refuse storage facilities shall be submitted to and approved by the Local Planning Authority and shall be provided as approved prior to first use of the restaurant hereby approved.

Report Item No: 9

APPLICATION No:	EPF/1615/07
SITE ADDRESS:	Autumn Lodge Abridge Road Theydon Bois Epping Essex CM16 7NN
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Single storey garden room extension.
DECISION:	Grant Permission (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 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.

Report Item No: 10

APPLICATION No:	EPF/1616/07
SITE ADDRESS:	Autumn Lodge Abridge Road Theydon Bois Epping Essex CM16 7NN
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Grade II listed building application for a single storey garden room extension.
DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.

Report to Area Plans Sub-Committee 'East'



**Epping Forest
District Council**

Date of meeting: 17th October 2007.

Subject: Diversion of Public Footpath 76 North Weald Bassett.

Officer contact for further information: Jill Shingler (x4106)

Democratic Services Officer:

Recommendation:

- That, the Sub Committee determines to authorise the Director of Corporate Support Services, to make and seal a footpath diversion order under Section 257 of the Town and Country Planning Act 1990 (as amended) ("the Act") in respect of Footpath 76 North Weald Bassett, as shown on the attached plan.
- That, the Director of Corporate Support Services be authorised to confirm the order in accordance with the Act, subject to no objection being made within the statutory consultation period.
- That, should the order be objected to during the statutory consultation period that it be referred to the Secretary of State for confirmation in accordance with the Act.
- That, the developer be required to pay the Councils administrative and legal costs incurred in the preparation, making and confirmation of the order, the carrying out of the statutory processes required under the Act, including all costs incurred if the order is referred to the Secretary of State for confirmation and that a deposit be paid, in an amount to be determined by the Director of Corporate Support Services, before the order is made.

Background:

Section 257 of the 1990 Town and Country Planning Act allows for the diversion of public footpaths where this is needed in connection with a planning application.

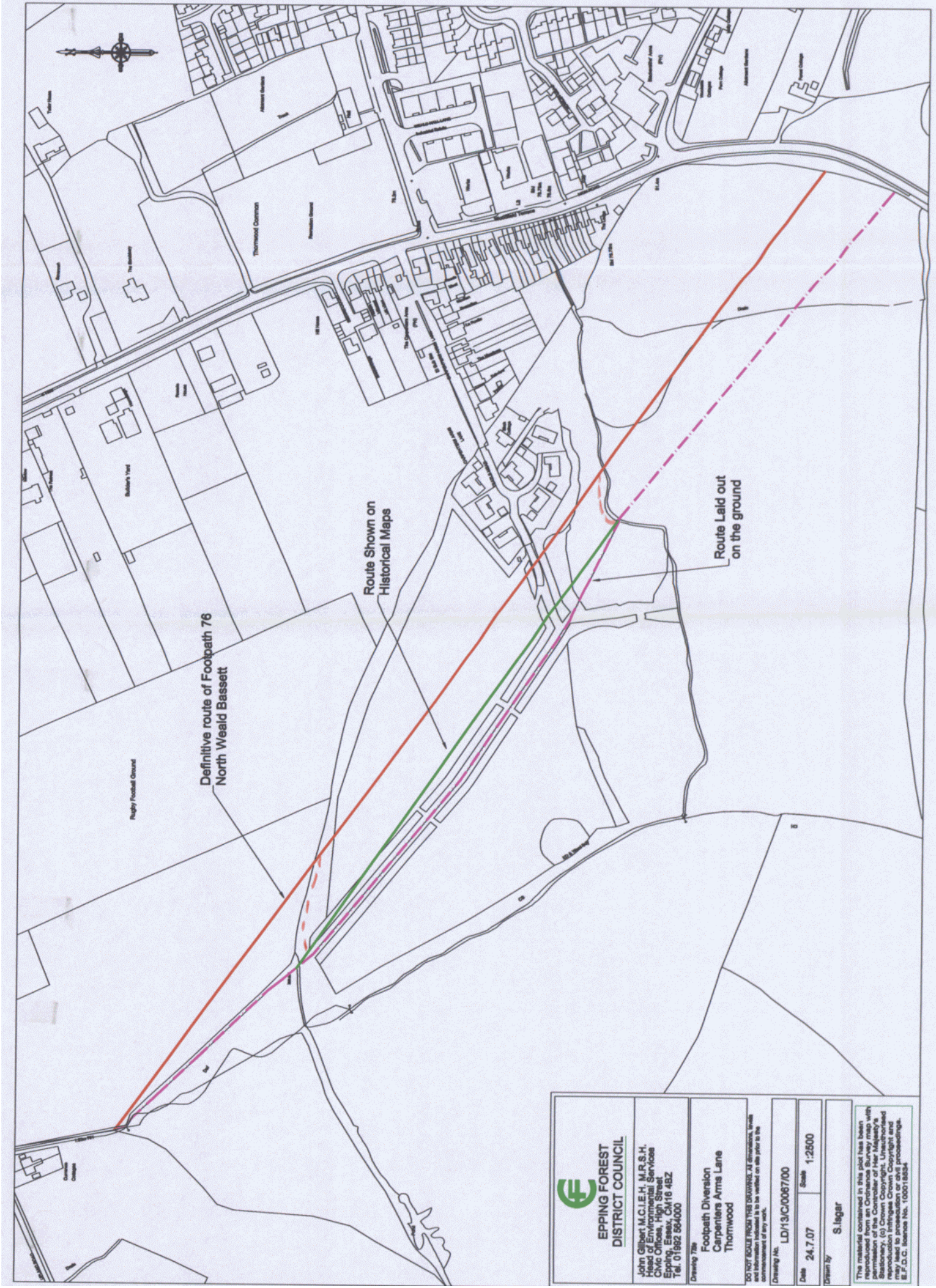
In this instance, planning permission was granted on appeal in 2004 for the creation of fishing lakes on land at Thornwood Camp, Carpenters Arms Lane (reference EPF/1007/03), however one of the lakes obstructs the recognised "definitive" line of Public Footpath 76. A developer now wishes to implement the planning consent but is unable to do so because of the impact on the definitive footpath.


In reality, the lake will not impact on the actual line of any current footpath. The definitive line as defined by Essex County Council, does not appear to have ever been the actual position of any footpath. Indeed the "definitive" line appears to have passed through buildings when the site was a military camp. Essex County Council had been planning to review their definitive footpath map (back in 1999 this was scheduled for 2005) but we are now told that this is unlikely to be in their programme of work for several more years.

The footpath, as it currently exists through this section of land, is close to the route which appears to have existed in the 1920s and was established and enhanced by Epping Forest Countrycare, in 1999, following the flood relief works in this area. The path is well delineated and marked and provides a logical route. The intention is that the line of the "definitive" footpath be diverted to follow this actual footpath, so there will be no actual change to the path on the ground. As this order will only relate to the area of land within the planning application site (and not the whole length of the footpath), two short additional areas of footpath are also required to join up with the definitive line until such time as the County Council can review their maps.

The recommendation is therefore that the Sub Committee agrees that the diversion order can be made. If this is agreed then formal notice is given to all interested parties, and a period of objection is allowed. The Council can only confirm the order if there are no objections to its making. If objections are received and not withdrawn, the order must be submitted to the Secretary of State for confirmation which may result in a local inquiry being held

As the making of such an order is for the benefit of the developer it has not been this Council's practise to use Council resources. Accordingly, the developer has been informed that the Council will only make the order on the understanding that the Council's administrative and legal costs of preparing, making and confirming the order, (including advertising) are to be borne by the developer. The developer will also be responsible for the costs of carrying out any additional works required by the Highway Authority as necessary to join up the footpath with the definitive line.



 EPHING FOREST DISTRICT COUNCIL	
John Gilbert M.C.I.E.H. M.R.S.H. Head of Environmental Services Civic Offices, High Street Epping, Essex, CM16 4BZ Tel. 01862 864000	
Drawing No. LD/13/IC/0067/00	
Date 24.7.07 Scale 1:2500	
Drawn by S. Jagar	
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AREA PLANS SUB-COMMITTEE 'EAST'

Date 17 October 2007

INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1	EPF/1555/07	Coniston Court, Bower Hill, Epping, Essex CM16 7BH	Grant Permission (With Conditions)	29
2	EPF/1629/07	16 Crows Road, Epping, Essex CM16 5DE	Grant Permission (With Conditions)	33
3	EPF/1947/07	8 Beaconsfield Avenue, Epping, Essex CM16 5AU	Grant Permission (With Conditions)	36
4	EPF/1905/07	Oak Lodge, New Farm Drive, Abridge RM4 1BT	Grant Permission (With Conditions)	39
5	EPF/1937/07	Bracken House, Church Lane, Abridge, Lambourne, Essex RM4 1AH	Refuse Permission	43
6	EPF/2036/07	1 Greensted Green, Greensted, Ongar, Essex CM5 9LG	Refuse Permission	47
7	EPF/1152/07	Land at Builders Yard, The Street, Sheering, Harlow, Essex CM22 7LY	Grant Permission (With Conditions)	52
8	EPF/1721/07	Highlands Farm	Refuse Permission	59

		Old Rectory Road, Stanford Rivers, Ongar, Essex CM5		
9	EPF1252/07	Haylands, Bournebridge Lane, Stapleford Abbots, Epping, Essex RM4 1LT	Grant Permission (With Conditions)	63
10	EPF/1553/07	Land to rear of "The Trail", Poplar Row, Theydon Bois, Epping, Essex CM16 7NB	Grant Permission (With Conditions)	69
11	EPF/1554/07	Land to rear of "The Trail", Poplar Row, Theydon Bois, Epping, Essex CM16 7NB	Grant Permission (With Conditions)	76
12	EPF/1587/07	The Coach House, Little Gregories Lane, Theydon Bois, Epping, Essex CM16 7JP	Grant Permission (With Conditions)	79
13	EPF/1671/07	64 Morgan Crescent, Theydon Bois, Epping, Essex CM16 7DX	Grant Permission (With Conditions)	83
14	EPF/1807/07	28 Woodland Way, Theydon Bois, Epping, Essex CM16 7DZ	Grant Permission (With Conditions)	93
15	EPF/1954/07	Bowlands Meadow, Theydon Road, Epping, Essex CM16 4EE	Grant Permission (With Conditions)	97

16	EPF/1641/07	Rockhills Field, Willingale Road, Willingale, Ongar, Essex	Grant Permission (With Conditions)	101
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Report Item No: 1

APPLICATION No:	EPF/1555/07
SITE ADDRESS:	Coniston Court Bower Hill Epping Essex CM16 7BH
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mrs M Farrow
DESCRIPTION OF PROPOSAL:	TPO 10/76; Oak: crown lift to 5m; selected crown thin as specified.
RECOMMENDED DECISION:	Grant Permission (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 The crown thinning authorised by this consent shall consist only of the removal of the following minor branches :
 1. 2 x 150mm diameter lateral boughs from main stem at 8m.
 2. 1 x 80mm diameter pendulous bough and 1 closely growing 70mm diameter branch on large lateral on south eastern section of crown.
 3. 2 x 80mm diameter branches on stem at approximately 10m on flat block side.
 4. 1 x 120mm diameter branch growing from lateral bough growing over road at 13m.It shall result in no reduction of height or spread of the crown.
- 3 The crown lifting authorised by this consent shall extend only to the whole or partial removal of branches necessary to give 5 metres clearance above ground level, where branch diameter does not exceed 100mm and to give statutory clearance to public highways.
- 4 All work authorised by this consent shall be undertaken in a manner consistent with British Standard 3998 (1989) (or with any similar replacement Standard).
- 5 The works hereby authorised shall not be undertaken after a period of three years from the date of this consent has expired.

Description of Proposal:

T1. Oak: crown lift to 5m and selective crown thinning, as specified.

Description of Site:

The tree stands at a narrow point in a narrow side garden of this residential apartment complex. This 17m tall tree dominates the group of mixed native hedge line trees and shrubs it stands amongst and overhangs Hillcrest Way from which the tree features as an outstanding landscape feature.

Relevant History:

TRE/EPF/2023/05 granted permission to crown lift this oak to 5m on flat side. A claim was made by the insurers of a neighbouring property at 10 Hillcrest Way alleging structural damage caused by the tree. The claim was invalidated but a requirement to manage the tree's size and foliage area was stipulated within the tree owner's insurance policy, which resulted in the recent pruning proposals.

Relevant Policies:

LL8: Pruning of preserved trees.

Issues and Considerations:

Introduction

The application is made on the basis that branches of the tree are affecting the nearby flat block and the need to continue tree management in relation to a previous subsidence incident.

Considerations

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

1. What is the condition and pruning history of the tree?
2. What is the likely impact of this pruning specification to the tree's health and appearance?

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

This large tree shows normal levels of vigour, with good foliage coverage and vigorous new shoot growth from previous pruning wounds. Older stem wounds are now either partially or wholly occluded by wound wood and there appears to be very little deadwood within the main crown or peeling or loose bark around the base of the trunk.

There have been minor works carried out to specific areas of the lateral crown on the apartment side recently, which has improved light conditions into the apartments of the residential block closest to the tree.

2. What is the likely impact of this pruning specification to the tree's health and appearance?

The crown lifting will have little effect on the tree's health but may produce a more clean stem appearance and a reduction in its screening presence.

The selective branch removals now agreed will improve certain structurally compromised crossing and congested branch formations and not affect the tree's overall canopy outline noticeably. The

avoidance of growth becoming entangled in itself will benefit the tree's long term health and crown structure.

Conclusion

In response to the objection raised by the Town Council, a renegotiation of the 20% crown thinning specification and a detailing of the crown lifting has been successfully achieved thanks to close scrutiny of the form and condition of the crown. The individually identified limbs selected for removal will result in a more moderate pruning operation than originally sought.

It would seem reasonable, in this instance, to allow specific pruning works that would alleviate the stated problems to inhabitants of the apartments and satisfy the requirements of the insurers.

It is recommended that permission is granted on the grounds that the revised pruning specification represents an acceptable management proposal unlikely to harm the tree's health or appearance. The proposal therefore accords with Local Plan Landscape Policy LL8.

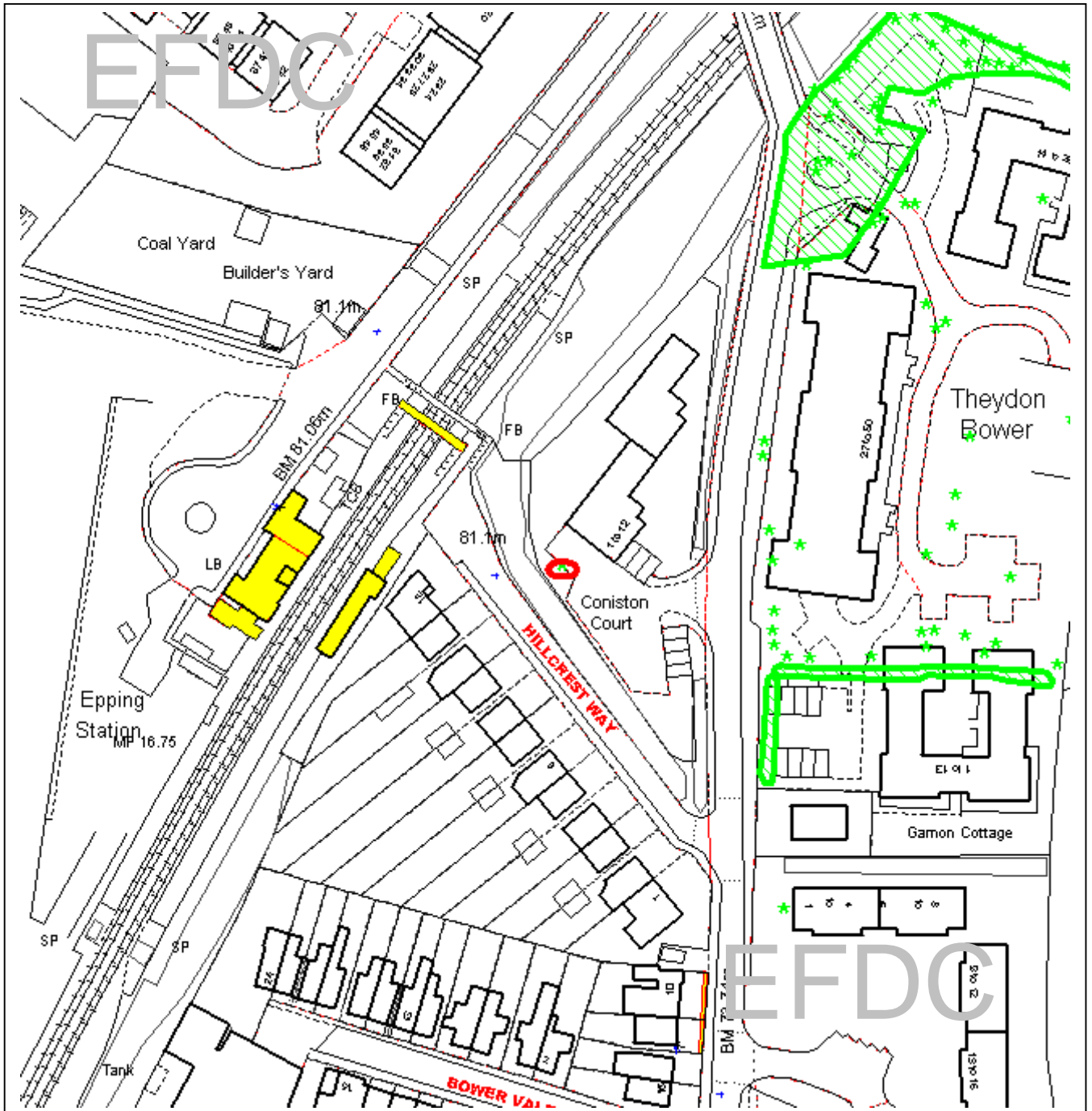
SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL – Committee object to this application and are concerned that excessive works are proposed to this attractive tree.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	1
Application Number:	EPF/1555/07
Site Name:	Coniston Court, Bower Hill, Epping, CM16 7BH
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/1629/07
SITE ADDRESS:	16 Crows Road Epping Essex CM16 5DE
PARISH:	Epping
WARD:	Epping Lindsey and Lindsey and Thornwood Common
APPLICANT:	Mr & Mrs J Batchelor
DESCRIPTION OF PROPOSAL:	Two storey rear extension including linked garage conversion.
RECOMMENDED DECISION:	Grant Permission (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 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 Prior to first occupation of the building hereby approved the proposed window openings in the flank elevation overlooking number 18 Crows Road shall be fitted with obscured glass and have fixed frames up to a height of 1.7m, and shall be permanently retained in that condition.

Description of Proposal:

This application seeks consent for the erection of a 2 storey rear extension to include a linked garage conversion.

The extension projects by 4m to meet the existing garage outbuilding. The existing conservatory will be demolished.

Description of Site:

Detached property situated on the eastern side of Crows Road, occupying a rectangular plot. The property is within the urban area of Epping.

Relevant History:

EPF/1055/90 - Extensions consisting of front porch and rear conservatory - Approved.

Policies Applied:

Adopted Local Plan

DBE 9 - Excessive loss of amenity to neighbouring properties

DBE 10 - Design of residential extensions

Issues and Considerations:

The key issues relevant to this application are the impact upon neighbouring properties and the overall design and appearance.

With regard to amenity, the main concern is the visual impact of the extensions. The extension will project by 4m at two storey level, which has prompted objections from the Town Council. Whilst these concerns are noted, the extension does not project beyond the rear of no.18 and its first floor window will pass the 45° angle test for light loss, as recommended by the Building Research Establishment (BRE). In addition, there will be a distance of some 4m separating this property with the new extension.

The neighbouring number 14 to the south will also pass the 45° angle test from the first floor window and there is 1m either side of the common boundary separating the two properties. Consequently, the extension is not considered to harm the amenities currently enjoyed by the occupants of this house. In light of the plot dimensions in relation to the existing building, these additions can be accommodated without undue visual impact.

The extension proposes various new window openings, particularly to the southern flank elevation. However, the imposition of a planning condition can ensure that these new windows are fitted with obscured glass to prevent any overlooking.

In terms of design, the extension is a seamless addition which follows the existing roof line to meet the garage in the rear garden. This design solution is acceptable in accordance with design policies.

Conclusion

The proposed extensions will not unduly impact on the neighbouring properties and the overall design is acceptable. Approval is recommended.

SUMMARY OF REPRESENTATIONS:

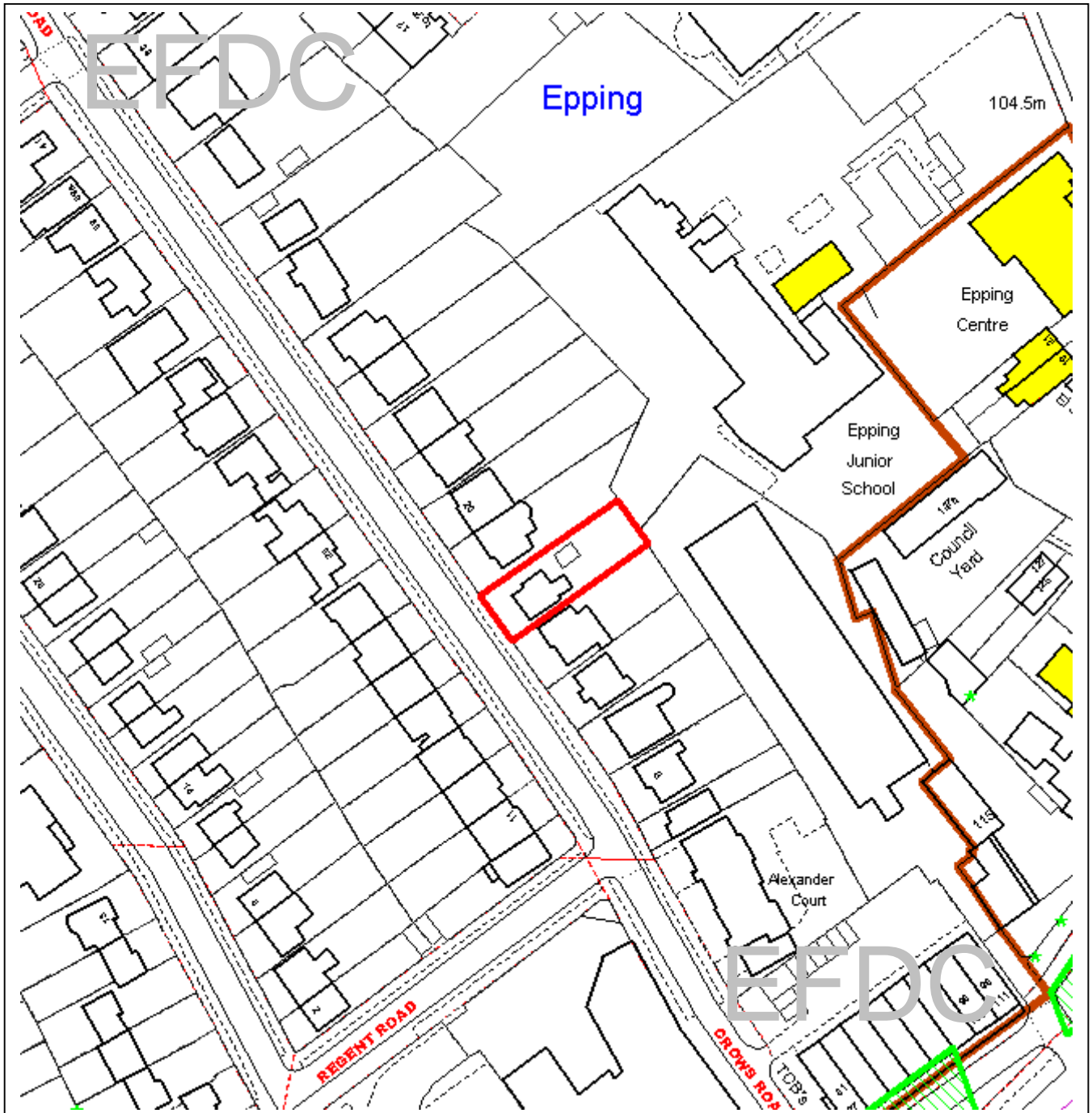
TOWN COUNCIL- The committee object as it is felt the extension is overbearing, detrimental to the adjacent property.

NEIGHBOURING PROPERTIES- No objections received.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	2
Application Number:	EPF/1629/07
Site Name:	16 Crows Road, Epping, CM16 5DE
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/1947/07
SITE ADDRESS:	8 Beaconsfield Avenue Epping Essex CM16 5AU
PARISH:	Epping
WARD:	Epping Lindsey and Lindsey and Thornwood Common
APPLICANT:	Scott & Michelle Williams
DESCRIPTION OF PROPOSAL:	Two storey side extension, single storey rear extension and new roof to porch.
RECOMMENDED DECISION:	Grant Permission (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 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.

Description of Proposal:

This proposal seeks consent for the erection of a 2 storey side extension, single storey rear extension and a new roof to the porch. The extension will contain an integral garage.

The single storey rear extension projects by 3.5m into the garden following the building line of the adjoining property. The 2 storey addition would replace an existing single storey garage that has a flat roof.

This application represents a revised scheme following a previous refusal and withdrawal and is presented to committee following an objection from the Town Council.

Description of Site:

Semi detached property situated on the western side of Beaconsfield Avenue. To the south west of the plot is a detached flat roofed garage abutting the neighbouring boundary, which would be demolished as a result of the proposal.

Relevant History:

EPF/1940/06- 2 storey side extension- Refused.

EPF/1400/07- 2 storey side extension and single storey rear extension- Withdrawn.

Policies Applied:

Adopted Local Plan

DBE9- Impact of extensions on amenity

DBE10- Design of residential extensions

Issues and Considerations:

The key issues relevant to this scheme are of detailed design and appearance in the street scene and the impact upon the amenities of neighbouring properties. In addition, whether this application overcomes the previous reasons for refusal.

1. Design and street scene issues

The form bulk and design of the proposed extension seeks to replicate the similar extensions to the adjoining number 6 Beaconfield Avenue. The extension will continue seamlessly at the height of the existing roof ridge terminating with a gabled end. This will re-establish the symmetry of the 2 properties and its general appearance will be improved with the demolition of the flat roof garage.

2. Amenity Concerns

In terms of amenity, the proposal will impact to some degree upon numbers 10 and 10a. Whilst the 2 storey flank extension will be more prominent for these properties, it will not diminish light or outlook from main bedroom windows. The principal outlook from the front and rear of these houses is unaffected by the additions.

3. Previous reasons for refusal

Extensions to this property have been unacceptable on 2 previous occasions. The first scheme (EPF/1940/06) proposed development on the common boundary, with a rear projection at 2 storey level of some 3.5m. Extensions which are 2 storey are generally unacceptable on the boundary as they erode the characteristic spaces between buildings. The rear projection was also considered to be overbearing and unneighbourly for numbers 10 and 10a.

The second scheme (EPF/1400/07) established a 1m tapering gap with the common boundary (in accordance with policy DBE10), although the 2 storey rear projection remained. However, this current scheme now omits the bulky rear projection and only seeks to continue the rear extension at single storey level in common with the adjoining number 6. Whilst the concerns of the Town Council are noted, in the view of officers the revised scheme can be now be accommodated successfully within the plot.

Conclusion

This revised scheme now proposes a more satisfactory design solution in relation to the common boundary and the bulk and mass has been significantly reduced in relation to the neighbouring properties number 10 and 10a. Approval is recommended.

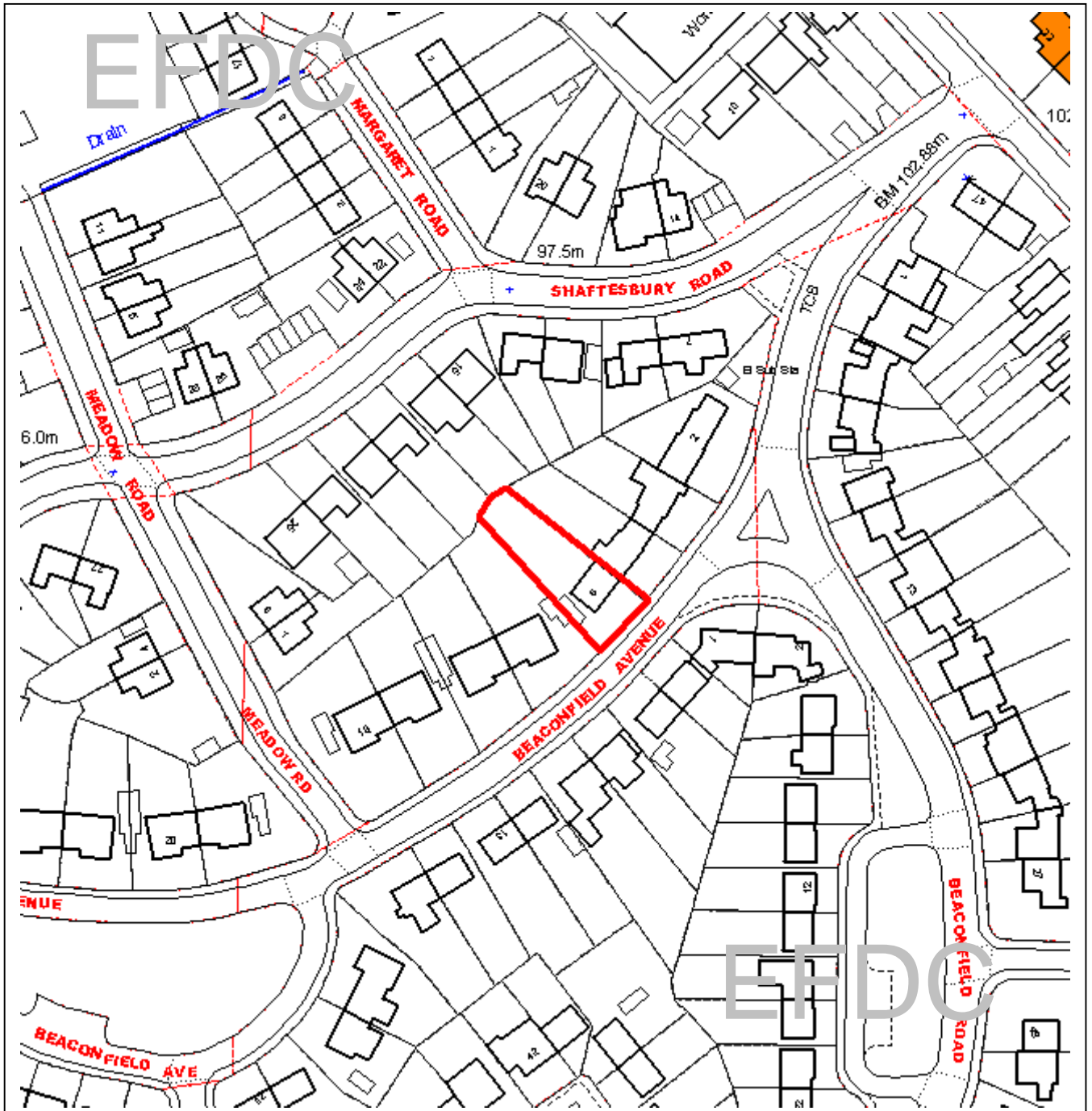
SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL- Committee feel the application is an overdevelopment of the site.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	3
Application Number:	EPF/1947/07
Site Name:	8 Beaconfield Avenue, Epping, CM16 5AU
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/1905/07
SITE ADDRESS:	Oak Lodge New Farm Drive Abridge RM4 1BT
PARISH:	Lambourne
WARD:	Lambourne
APPLICANT:	Barry O'Connor
DESCRIPTION OF PROPOSAL:	Two storey side extension.
RECOMMENDED DECISION:	Grant Permission (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 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.

Description of Proposal:

Two storey side extension, measuring 4.0m x 8.3m, by 6.9m high to a gable end roof, on the south flank of the building. A flat roofed dormer would be erected on the front roof slope and a pitched roof dormer erected on the rear roof slope.

Description of Site:

A semi-detached chalet bungalow on a rectangular corner plot. The road has a mix of housing styles and types. The site is screened by a 2m brick wall to the front and side, and a 4m high hedge on the front and side, and on the front boundary with the other semi of the pair. The site slopes down to the north

Relevant History:

EPO/1132/72	Dormer windows	approved	
EPO/1098/73	Boundary wall	approved	
EPF/385/92	Rear dormer & detached garage		refused
EPF/105/04	Extensions to garage	approved	
EPF/1926/05	2 storey side extension	approved	

Policies Applied:

DBE 9 Excessive Loss of amenities for neighbours
DBE 10 Design of residential extensions

T14 Parking

Issues and Considerations:

The main issues in this application are the

1. effects on the street scene
2. design
3. effect on the amenities of neighbouring properties.

1. Impact on Street Scene

- This proposal would see the two-storey side extension continuing the current form of the building, built onto a recent side extension which was 4.5m wide. A gap of 1.7m to the side boundary, and to the front boundary of 4m, will remain. The rear garden will remain in its current form.
- The site is well screened to the front and side by the high hedge, and only the rear of the extension will be visible to the rear from Knights Walk. It is the case that there will be little further impact when viewed from this area.
- The design integrates acceptably with the existing building.
- The Parish Council has commented that this scheme is disproportionate on this site. However, this is a fair sized plot, and the scheme is logical and integrates well with the existing building. The extension will still leave a significant gap to all of the site boundaries, beyond that which would be required in the local plan, and this scheme will cause no harm to the character and appearance of this diverse and mixed area.

2. Design

- The main design issues are the front and rear dormers. Both of these match the styles of the existing dormers. The front dormer is a modest structure which integrates well into the roof slope. The rear dormer is far larger and more imposing.
- The rear roof slope already has a twin pitched roof dormer and a single dormer on the recent extension. This new dormer will match the existing style of dormer on the previous extension and is acceptable.
- Materials will match.
- It is considered that the design is acceptable.

3. Residential Amenity

- The only site that would be overlooked would be the side elevation of No 2 Knights Walk. However this elevation is screened by an existing car port and the garage in the rear garden of Oak Lodge, and there would be no adverse impact.
- There will be no loss of light.

Conclusion:

As explained above the site can easily accommodate this extension without the site appearing cramped or over developed. Therefore the recommendation is for approval.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL – OBJECT, this property already has a side extension in 2005 (EPF/1926/05) and this extension is in addition to this previous extension. It was felt that this could be disproportionate in size to the original building.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	4
Application Number:	EPF/1905/07
Site Name:	Oak Lodge, New Farm Drive, Abridge, RM4 1BT
Scale of Plot:	1/1250

Report Item No: 5

APPLICATION No:	EPF/1937/07
SITE ADDRESS:	Bracken House Church Lane Abridge Lambourne Essex RM4 1AH
PARISH:	Lambourne
WARD:	Lambourne
APPLICANT:	Mr C Longman
DESCRIPTION OF PROPOSAL:	Two storey and single storey rear extensions. (Revised application)
RECOMMENDED DECISION:	Refuse Permission

REASON FOR REFUSAL

- 1 The proposed extension when combined with existing extensions has a floor area in excess of that laid down in the adopted Local Plan and Alterations and as such is disproportionate in size to the original house in this Green Belt area, and thus would have an adverse affect on the character and appearance of the area, contrary to policy GB2A and GB14A of the adopted Local Plan and Alterations. No very special circumstances have been put forward that overcome the harm caused by this scheme.

This application is brought to Committee at the request of Cllr Knapman

Description of Proposal:

Two storey rear extension measuring 7.35m x 2.3m by 6.3m high, on the north elevation, and a single story side extension 2.6m x 2.1m by 4.5m high with a monopitch roof on the east flank.

The scheme has seen a reduction from the earlier 2007 application by reducing the depth of the extension from 2.6m to 2.3m.

Description of Site:

A semi detached two storey house on a rectangular plot, in an isolated hamlet in Church Lane. The whole site is within the Green Belt.

Relevant History:

ONG/66/48	Extensions	approved
EPF/829/80	1 st floor rear extension	approved
EPF/1311/85	Porch	approved
EPF/0802/86	Garage	approved

EPF/0080/07 2 story rear extension refused

Policies Applied:

GB2A Green Belt Policies
GB14A Green Belt Extensions
DBE 9 Excessive Loss of amenities for neighbours
DBE 10 Design of residential extensions

Issues and Considerations:

The main issues in this application are :

1. The effects of this development on the Green Belt,
2. Design
3. Amenity

and whether it overcomes the previous reason for refusal which was the size of the extension being disproportionate in this Green Belt area.

1. Green Belt

- The current building has a floor area of some 116m² internally; the original building had an area of 67m². Therefore the property has already been extended by some 73% (or 49m²).
- The new scheme would see a further 35m² added to the property, an overall increase of some 124% in floor area over the original scheme. This is a slight decrease from the previous scheme.
- It should be noted that these figures do not include the adjacent large outbuilding which is within 5m of the property which would make these figures even worse.
- Therefore the current building exceeds the limits for extensions in the Green Belt as laid down in the Local Plan Alterations and this application would make a bad situation worse by allowing a disproportionate extension to be erected.
- The applicant has argued that whilst they agree that the building has been extended as shown by the Council records, the 1948 approval was only just after the commencement of the 1948 Planning Act, which is the determining date for calculating Green Belt extensions.
- They further argue that the extension does not add additional living accommodation but to provide adequate facilities for a family home of this size, as it has inadequate kitchen and dining facilities and only one bathroom for 5 occupants. Therefore they contend the extension will not harm the Green Belt and is justifiable.
- Whilst Officers have sympathy with the circumstances of the applicant it is the case that personal circumstances can but rarely outweigh Green Belt policy.
- It is quite clear in the supporting text of policy GB14A that "this policy should cover the reasonable requirements of modern living standards and should not need to be breached in any foreseeable circumstances. It is intended to provide transparency and consistency for all parties".
- Therefore to allow this application would be a clear breach of the recently adopted policy in relation to Green Belt extensions to which there is no justification.

- It is also the case that there is a large outbuilding on the site which adds to the argument against allowing this disproportionate extension.

2. Design

- The scheme is in keeping with the existing property and is of an acceptable appearance.
- Materials will match.

3. Amenity

- There will be no further overlooking of any garden area as a result of this scheme.
- There will be an effect on light to the first floor rear windows of No1 Church Cottages but it is considered that this would not be serious enough to justify a refusal.

Conclusion

The scheme is above the limits as laid down in the Local Plan and is therefore disproportionate and has an adverse effect on the character and openness of the Green Belt.

SUMMARY OF REPRESENTATIONS:

Parish Council Comments have not been received at time of agenda preparation

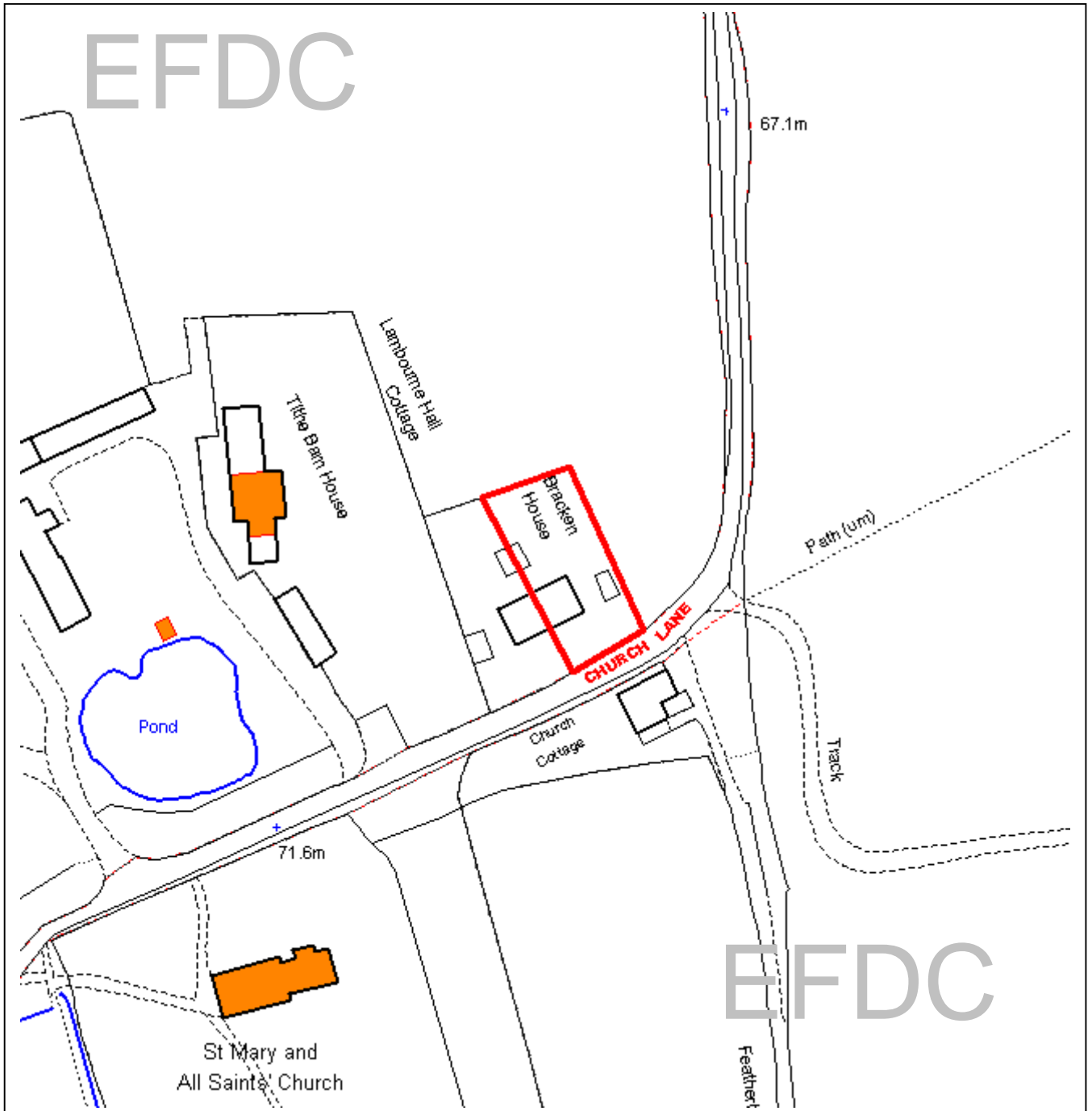
TITHE BARN HOUSE – OBJECT, might intrude on my domestic privacy, infrastructure issues

HILL FARM – OBJECT, extension will block light to my cottage which is adjoined to Bracken House.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	5
Application Number:	EPF/1937/07
Site Name:	Bracken House, Church Lane, Lambourne, RM4 1AH
Scale of Plot:	1/1250

Report Item No: 6

APPLICATION No:	EPF/2036/07
SITE ADDRESS:	1 Greensted Green Greensted Ongar Essex CM5 9LG
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
APPLICANT:	Adam & Jo Sayer
DESCRIPTION OF PROPOSAL:	Demolition of existing single storey rear extension and porch and erection of a two storey side and single storey front extensions.
RECOMMENDED DECISION:	Refuse Permission

REASON FOR REFUSAL

- 1 The site is located within the Metropolitan Green Belt. The proposed development is at odds with Government advice in PPG 2 and the policies of the adopted Local Plan and Alterations and the Essex and Southend-on-Sea Replacement Structure Plan, in that it does not constitute a reasonable extension to an existing dwelling. This application is unacceptable, because the proposed extension by reason of its size and siting would result in a disproportionate addition to the original dwelling that would be harmful to the objectives of the Metropolitan Green Belt, contrary to Policy GB14A of the adopted Local Plan and Alterations.

This application has been called to the Committee at the request of Councillor Derek Jacobs.

Description of Proposal:

This application seeks planning permission for the erection of two storey side and single storey front extensions. The two storey extension would be set back from the front of the dwelling by approximately 0.6 metre and would extend to the rear by approximately 1.8 metres. It would be 3.6 metres in width. The front extension would be approximately 1.9 metres in depth and would extend across the front of the extension and also across part of the main dwelling.

The scheme has been reduced in volume following the refusal of planning permission for a similar proposal earlier this year.

Description of Site:

The application property is a semi detached dwelling located in Greensted on the south western side of Greensted Road. The dwelling has a single storey projection to the rear and a small porch extension to the side. There is a large area of garden to the rear, side and front of the dwelling and some space to the front for off street parking. The site is located within the Metropolitan Green Belt.

Relevant History:

EPF/1039/07. Demolition of existing single storey rear extension and porch and erection of a two storey side and single storey front extensions. Refused 28/06/07.

Policies Applied:

Adopted Local Plan and Alterations

DBE9 – Neighbouring Amenity

DBE10 – Residential Extensions

GB2A – Development in the Green Belt

GB14A – Residential Extensions in the Green Belt

Issues and Considerations:

The main issues in this case are:

1. The impacts of the proposed development on the amenities of the occupiers of neighbouring dwellings;
2. The impacts of the proposed extensions on the character and appearance of the area; and
3. The acceptability of the development in terms of green belt policy.

1. Neighbouring Amenity

Due to the location of the extension, separated from the neighbouring dwelling by approximately 6 metres, it is not considered that there would be a material loss of light or outlook. Furthermore, subject to a condition ensuring that there are no windows added in the first floor side elevation in the future, it is not considered that there would be a material loss of privacy.

2. Impact on Appearance of the Area

As a result of the set back of the extension from the front elevation of the main dwelling, the extension would have a subservient ridge height. As a result, it is considered that the extension would not be an overly prominent addition and would not result in the pair of dwellings appearing unbalanced. The extension would be located approximately 8 metres from the site boundary and would not, therefore, have a cramped appearance. The design of the extension is considered to be in keeping with the main dwelling.

3. Green Belt Policy

Turning to the issue of the location of the proposed development within the Green Belt, policy GB2A of the Local Plan Alterations states that extensions to existing buildings within the Green Belt may be acceptable where it is a limited extension to an existing dwelling that is in accordance with Policy GB14A of the Plan. Policy GB14A of the Local Plan Alterations states that residential extensions may be acceptable where there would not be any harm to the open appearance of the Green Belt, there would not be any harm to the appearance of the building, and the extension would not result in a disproportionate addition of more than 40%, up to a maximum of 50m² over and above the total floor space of the original dwelling.

With regard to the matter of disproportionate development, the proposed additions would result in an additional 53.6 m² of floor space, which amounts to an increase of 72.13% above the original floor space, significantly above the Local Plan threshold.

In the supporting text, the policy states that when assessing applications for extensions within the Green Belt, the Council will have regard to the appearance of the extension when viewed from the

surrounding rural area. Having regard to the location of the proposed extension at the end of a terrace, it would be encroaching further into the open space to the side of the existing building and as such it is considered that it would impact on the Green Belt. However, the development would be within the residential curtilage. The text also states that the Council will have regard to the size of the existing house in relation to the character of the plot and its proximity to site boundaries. In this instance, there would be adequate space retained to the side of the extension that it is not considered that the development would appear overly cramped within the site. The text refers to the likelihood of an undesirable precedent being set and in this instance, due to the large plot sizes along the row of houses, this could be the case. However, a number of the dwellings within the vicinity of the site already have large additions that were approved prior to the adoption of the Local Plan Alterations in July 2006. The text also refers to the impact of the development on the rural character, and in this case it is considered that the extension would reduce the open character of the area. Finally, the text states that the Council will have regard to the need to retain a range of small accommodation and rural housing consistent with the character of the Green Belt as a whole and affordable to as many of the residents of the district as possible. The application dwelling would remain a three bedroom property, albeit with additional space.

Conclusion

In light of the above appraisal, it is considered that the proposed development would not result in any material harm to either the amenities of the occupiers of neighbouring dwellings or to the appearance of the area. It is, however, considered that the proposed extension would be harmful to the open character of the Metropolitan Green Belt. The floor area of the extension is considerably larger than that which is permitted by policy GB14A of the Local Plan. Whilst the Local Plan does state that some minor extensions (for example porches) may be allowed in excess of the maximum, even by excluding the footprint of the porch from the total the increased floor space would still be significantly greater than that which is considered as proportionate in the Local Plan.

SUMMARY OF REPRESENTATIONS:

This agenda item has been prepared prior to the expiration of the consultation period. Accordingly, any additional comments received after the preparation of the agenda will be reported verbally by the presenting officer.

LITTLE HARDINGS, GREENSTED GREEN. Support. Feel that there is nothing that would affect either mine or any other properties around them.

THE ORCHARD, GREENSTED GREEN. Support. Additional work does not seem excessive in view of the plot size. Proposed extension is not overlooked by any close neighbours. The addition does not deter from the street scene. Majority of similar properties have been extended. Provision of an upstairs bathroom is almost a necessity today.

4 GREENSTED GREEN. Support. The plans are pleasing to the eye and in keeping with the other houses. Also, it won't cut out any light or infringe on their next door neighbour which is good. All in all we think it looks very nice.

9 GREENSTED GREEN. Support. Most of the neighbouring properties have had extensions, some bigger than this, and this has improved these houses and the area immensely. The applicant is my son and having him and his wife just up the lane has given me a great sense of security. It will be very helpful to me as I get older to have the support of my son.

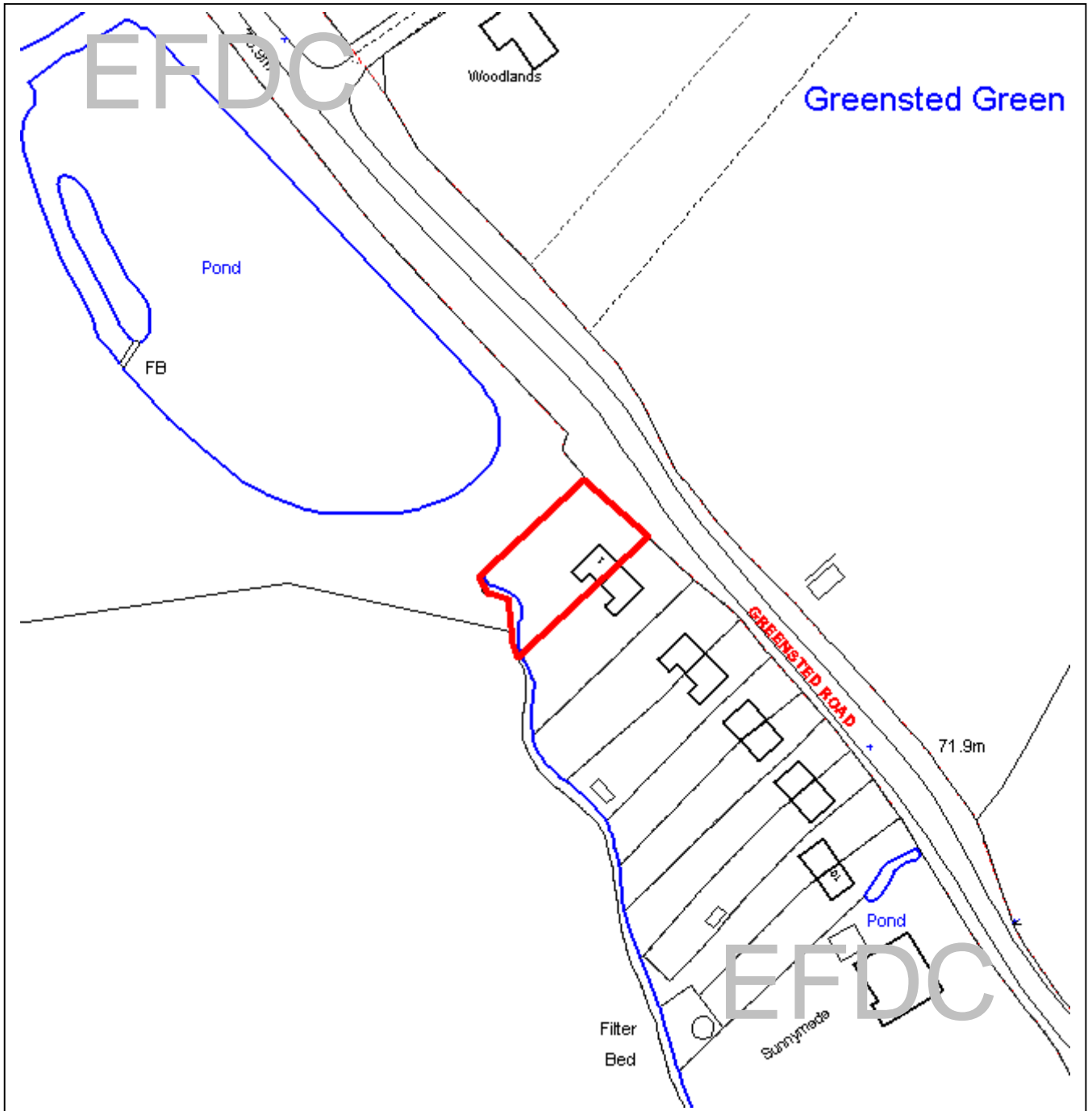
10 GREENSTED GREEN. Support. The proposed extension would be in keeping with the existing properties which have been extended. Having seen their plans, the proposed extension is in fact smaller than some of the extensions that others in the road have already had. The

extensions would have no adverse effects on anyone in the road and would in fact enhance the looks of the area.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	6
Application Number:	EPF/2036/07
Site Name:	1 Greensted Road, Greensted Green, CM5 9LG
Scale of Plot:	1/1250

Report Item No: 7

APPLICATION No:	EPF/1152/07
SITE ADDRESS:	Land at Builders Yard The Street Sheering Harlow Essex CM22 7LY
PARISH:	Sheering
WARD:	Hastingwood, Matching and Sheering Village
APPLICANT:	Mr M A Crust
DESCRIPTION OF PROPOSAL:	Change of use to car sales.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

1 Notwithstanding the provisions of Regulation 6 of the Town & Country Planning (Control of Advertisements) Regulations 1992 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting those Regulations), no signs, advertisements or bunting shall be displayed on the premises without the previous consent in writing of the Local Planning Authority.

2 No vehicle or trade effluent, including cooling water containing chemical additives, vehicle wash waters, steam cleaning effluent or pressure wash effluent can be discharged to the surface water system.

All sewage and trade effluent, excluding clean roof water, must be discharged to the foul sewer, if available, subject to the approval of Thames Water Utilities or its sewerage agent.

Within 3 months of the date of the grant of consent hereby permitted a written scheme detailing an acceptable provision for polluted water drainage for the site must be submitted to the Local Planning Authority for agreement in writing. The scheme shall be implemented in accordance with the approved details within 2 months of the agreement of the scheme and permanently retained as such.

3 Within 3 months of the date of the consent hereby permitted details for the drainage of an acceptable scheme for foul water shall be submitted to the Local Planning Authority for agreement in writing. The scheme shall be implemented in accordance with the approved details within 2 months of the agreement of the scheme and permanently retained as such.

- 4 The use hereby permitted shall not be open to customers outside the following times:

09:00 - 18:00 hours Monday to Friday
09:00 - 17:00 hours Saturdays
11:00 - 14:00 hours Sundays and Public/Bank Holidays
- 5 No deliveries shall be taken at or dispatched from the site outside the following times:

08:00 - 18:30 hours Monday to Friday
08:00 - 17:30 hours Saturdays
- 6 No external lighting shall be put in place on the site without the express consent in writing of the Local Planning Authority.
- 7 Within 3 months of the date of the grant of the consent hereby given, a written scheme detailing an acceptable provision for the storage of refuse at the site must be submitted to the Local Planning Authority for agreement. The scheme shall be implemented in accordance with the approved details within 2 months of the agreement of the scheme and permanently retained as such.
- 8 There shall be no vehicular access from the application site outlined in red on the approved plans to the adjoining land south of the site for the purposes of manoeuvring, parking and storing of vehicles.
- 9 Within 3 months of the date of the grant of the consent hereby given a written scheme detailing an acceptable means of enclosure, of a minimum height of no less than 1.2m, for the southern boundary of the application site must be submitted to the Local Planning Authority for agreement in writing. The scheme shall be implemented in accordance with the approved details within 2 months of the agreement of the scheme and permanently retained as such.
- 10 No cars other than those owned by employees and or vehicles for sale shall be parked on the site at any time whatsoever.
- 11 Notwithstanding the present arrangements on the site, within 3 months of the date of the grant of the consent hereby given a written scheme detailing acceptable turning spaces enabling a motor car to enter and leave the highway in a forward gear must be submitted to the Local Planning Authority for agreement. The scheme approved shall be fully implemented and made available for use in accordance with the approved details within 2 months of the agreement of the details and permanently retained as such.
- 12 Notwithstanding the present arrangements on the site, within 3 months of the date of the grant of the consent hereby given a written scheme detailing acceptable parking facilities for cars, powered two wheelers and bicycles shall be submitted to the Local Planning Authority for agreement in writing. The scheme approved shall be implemented and made available for use in accordance with the approved details within 2 months of the agreement of the details and permanently retained as such. The facilities specified shall not be used for any purpose other than the parking of cars, powered two wheelers and bicycles that are used by customers and staff for transport to and from the site.

- 13 The development shall be carried out in accordance with the amended plans received on 12/10/07 unless otherwise agreed in writing with the Local Planning Authority.

Description of Proposal:

The application seeks planning permission for the retention of the change of use of the site from a builders yard to use for car sales. The applicant has indicated that vehicles are advertised on the internet with potential customers making appointments before coming to view vehicles.

Description of Site:

The application site is a former builders yard situated on the south-east side of The Street, Sheering, west of its junction with Church Lane. The land to the east and west of the site contains residential dwellings, as does the land on the northern side of The Street at this point. The application site falls on the edge of the Metropolitan Green Belt. The lawful use of the site is as a builders yard. However, consent was granted for the use of the site for a taxi hire business in 2006.

Relevant History:

EPF/0929/06 'Change of use to taxi-hire business' Granted (2006).
EPF/0284/90 'Change of use of builder's yard, offices and stores to office accommodation (including car parking facilities)' Refused (1990).

Policies Applied:

CP1 (Sustainable Development Objectives);
CP2 (Rural and Built Environment);
CP3 (New Development);
CP4 (Energy Conservation);
CP5 (Sustainable Building);
CP6 (Development Patterns);
CP7 (Urban Form and Quality);
CP8 (Economic Development);
CP9 (Sustainable Transport);
GB7A (Conspicuous Development);
RP3 (Water Quality);
RP5A (Environmental Impacts);
U2A (Flood Risk Area Development);
U2B (Flood Risk Assessment Zones);
U3A (Catchment Effects);
U3B (Sustainable Drainage);
DBE9 (Amenity);
ST1 (Location);
ST2 (Accessibility);
ST4 (Road Safety);
ST6 (Parking);
LL1 (Rural Landscape);
LL3 (Edge of Settlement Development);
LL7 (Trees of Amenity Value);
LL10 (Landscape Protection);
LL11 (New Planting);
E4A (Protection of Employment Sites);

E4B (Alternative Uses for Employment Sites);
E12 (Small Scale Business);
E14 (Seek Relocation/Discontinuance);
E15 (Resist Consolidation)

Issues and Considerations:

The main issues to be considered in this case are the appropriateness of the development on the edge of the Metropolitan Green Belt and the character of the surrounding area, the impact of the development on the environment and amenities of neighbouring occupiers, the acceptability of the proposal in terms of sustainability matters, parking and highways matters, landscaping and employment policies.

1. Impact on adjacent Green Belt and surrounding area.

The site does not lie within the Metropolitan Green Belt, but is directly adjacent to the Green Belt boundary. As such Council policies require that it is not unduly conspicuous from the Green Belt. Similarly, development must maintain the quality and character of rural and urban areas.

The nature of the use for which consent is sought (cars sold through advertising on the internet and the making of appointments to view prospective purchases) is such that it would not unduly harm the character, appearance and quality of the area. The site is surrounded by a brick wall, which would have the effect of screening the use from the wider street-scene, and a fence is also proposed along the rear boundary of the site that would assist in screening the parked vehicles from the adjacent Green Belt.

It is considered that any possible concerns regarding the future change of the site to a more traditional form of car sales, which might result in the proliferation of advertising that could harm the character of the area, can be controlled by relevant planning conditions. The application is therefore deemed to be acceptable in terms of policies which seek to protect the character, quality and appearance of areas and it would not unduly affect the character or openness of the adjacent Green Belt.

The use of the site for car sales would have less potential impact to both the adjacent Green Belt and the surrounding area than the lawful use of the site as a builders yard and the use as a taxi-hire business granted consent for the site in 2006. As such the application is considered to be acceptable in this respect.

2. Amenity and Environmental Issues:

It is considered that the impact of the use for which consent is sought is deemed to be less than that of the present lawful use of the site and that for which consent was previously granted. As such the resultant reduced impact on the environment and neighbouring occupiers is deemed to be a positive aspect of the application. Any impact from the present use, in terms of noise and disturbance, is also mitigated to an extent by the site's location on a relatively busy road and the background noise that this generates. Environmental Health Officers raise no objections to this application.

While the site falls within a flood risk assessment area it is not considered that it would result in materially greater surface water runoff levels. As such officers are satisfied that the proposal is acceptable in this regard.

3. Parking, Sustainability, Highways and Access Matters:

The County Council Highways Group have not raised any objections to the proposal and consider that any concerns regarding the scheme can be adequately addressed with the conditions recommended. Officers support this approach and find the application acceptable in terms of parking, highways and access matters. The location of the site is such that it is reasonably accessible by bus. As such the application is deemed to be adequate in terms of sustainability matters.

4. Landscaping

Land to the rear of the site contains a tree with a preservation order. However, this would be unaffected by this proposal and the Council Landscaping team have not raised any objections to the application. With the conditions recommended the application is therefore deemed to be acceptable in terms of landscaping matters.

5. Employment Matters:

Council policies seek to safeguard sites with employment uses, such as the current site, from changes to other land uses. The use for which consent is sought is deemed to be acceptable in this regard as it would continue to generate employment. That the existing lawful use of the site is deemed to be in conflict with the adjoining residential land uses is considered to offer further justification for the acceptability of the proposal.

Conclusion:

For the reasons outlined above the application is deemed to be acceptable and in accord with planning policies with the conditions recommended. As such the application is recommended for approval subject to conditions.

SUMMARY OF REPRESENTATIONS:

SHEERING PARISH COUNCIL: Agree to business but would like the following clauses to be implemented:-

- The rear area to be landscaped and sympathetically fenced off.
- No mechanical repairs, valeting only.
- Further visitor parking required as there are only two spaces marked out for visitors at present.
- Visitors should be discouraged from parking on The Street.
- No further signage on fence wall and none to protrude above the wall.

GREENLEAVES, CHURCH LANE: Oppose application due to the potential for impact on the Green Belt, amenity and highway safety. They have also suggested that the development should be controlled to restrict the number of cars in the yard, ensure this does not become airport parking, that car parking in The Street does not occur and that opening times are limited (with closure on Sundays).

SAXMUNDHAM, CHURCH LANE: Stated that the conditions imposed on the previous application be imposed upon the new scheme.

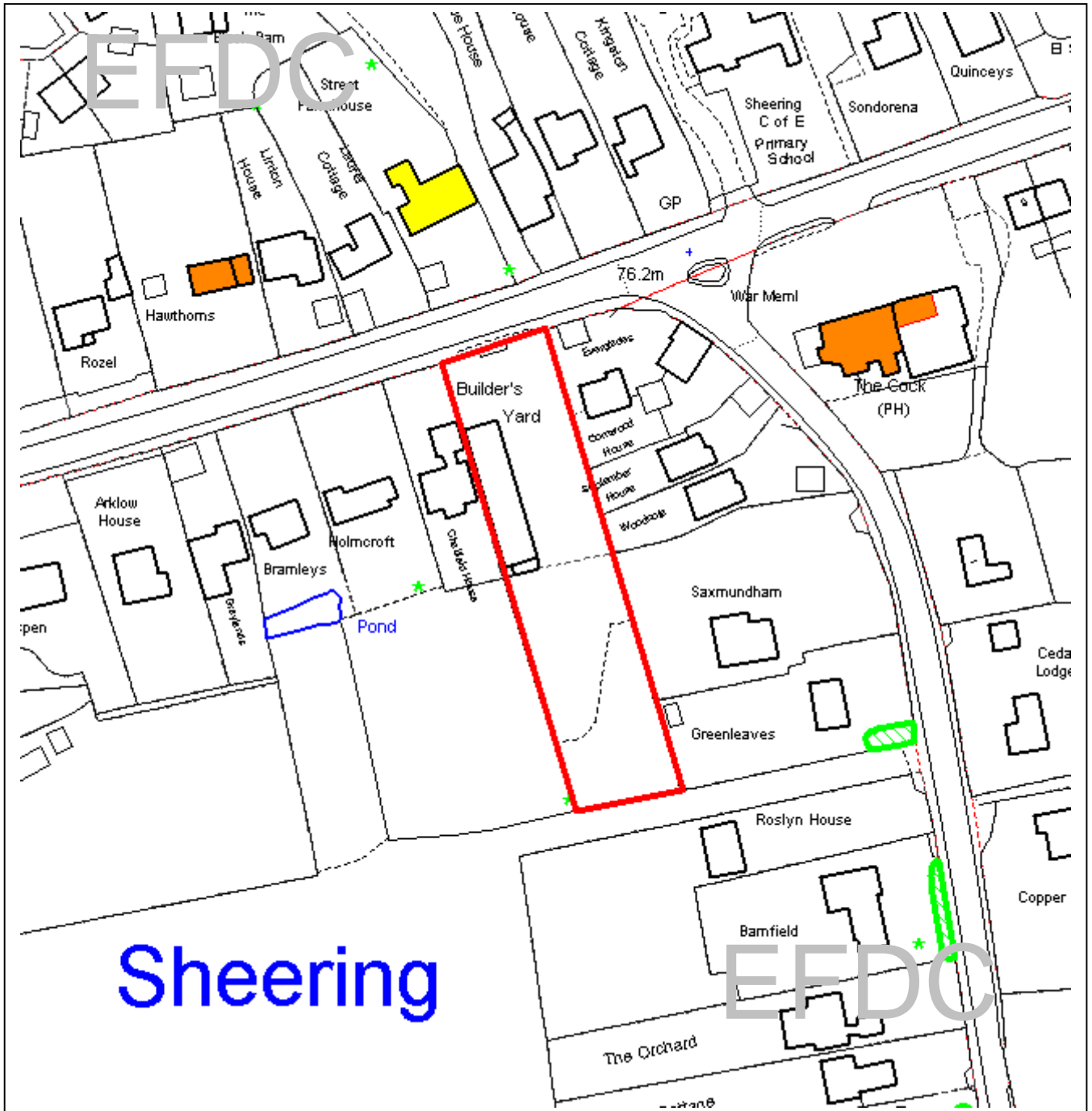
SEPTEMBER HOUSE, CHURCH LANE: Objection that the development will result in pollution, noise, disturbance, loss of privacy, light pollution, increased security risks, not be in tune with the character of the neighbourhood and reduce the appeal of the village.

CORNWOOD HOUSE, THE STREET: Objection due to the development not being in keeping with and appropriate for the surrounding area and the resultant noise from the use.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	7
Application Number:	EPF/1152/07
Site Name:	Land at Builders Yard, The Street, Sheering, CM22 7LY
Scale of Plot:	1/1250

Report Item No: 8

APPLICATION No:	EPF/1721/07
SITE ADDRESS:	Highlands Farm Old Rectory Road Stanford Rivers Ongar Essex CM5
PARISH:	Stanford Rivers
WARD:	Passingford
APPLICANT:	Mr J Mason
DESCRIPTION OF PROPOSAL:	Retention of agricultural barn incorporating a farm office and the creation of an associated access road and hardstanding.
RECOMMENDED DECISION:	Refuse Permission

REASON FOR REFUSAL

- 1 The building of this size and nature is not demonstrably necessary for the purposes of agriculture and represents inappropriate development in the Metropolitan Green Belt contrary to policies GB11 and GB2A of the adopted Local Plan and Alterations.
- 2 The building by reason of its design (in respect of the two rooflights), size and siting would be intrusive and out of keeping in this rural locality and result in a material loss of openness to the Green Belt, contrary to policy GB2A of the adopted Local Plan and Alterations.

Description of Proposal:

Retention of two-storey, timber-framed agricultural building clad in black stained weatherboarding, and associated access road and hard-standing. The ground floor of the building to remain as workshop area, storage area for hay, animal feed, farm machinery and animals (if necessary) plus a pen and kennel for applicant's dog within two open bays and two enclosed bays. The first floor is currently unauthorised residential and in this application it is proposed to convert this into a farm office.

Description of Site:

Application building is situated in the north-east corner of the site on a small agricultural holding of some 2.6 ha located north of the A113 London Road and boarded on its western boundary by Old Rectory Road. The access to the site via a gated entrance is off Old Rectory Road, close to a public footpath. The surrounding area is open countryside and the site is within the Green Belt..

Relevant History:

Enforcement Notice served 14/4/04 seeking removal of this building, access road and hardstanding. Appeal lodged and Public Inquiry held in April 2007. Appeal was dismissed.

Planning application meanwhile had been submitted to retain the building, hardstanding and access for agricultural use (EPF/764/05) – refused planning permission by Area “C” Committee in October 2005.

Policies Applied:

Local Plan – GB2A: Green Belt Restraint, GB11 (agricultural buildings), DBE4 (Buildings in the Green Belt), LL2 (Development in countryside).

Issues and Considerations:

The main issue is whether the development is inappropriate development in the green belt and if so, is it outweighed by other considerations which amount to very special circumstances.

1. Background

The background to this planning application is an attempt by the applicant to overcome the previous dismissed appeal against the same building, albeit that it included living accommodation on the first floor which is now proposed to be a farm office. This is the only change from the previously dismissed appeal.

The Planning Inspector in dismissing the appeal against the Council’s serving of an enforcement notice concluded that what the applicant had alleged was for occasional use or overnight stay (and therefore the residential accommodation was ancillary to the agricultural use) was in fact a self-contained flat, laid out and fitted to a high quality of specification. It was not an ancillary use for say, someone who needed to be on the site overnight and form part of the agricultural use. In this respect, the first floor dwelling was in conflict with GB2A and therefore inappropriate development in the Green Belt. This was the first reason for dismissing the appeal.

However, she also crucially concluded that a more economic utilisation of internal space would be possible if the dwelling was to go and that could reduce the size and bulk of the building. The building is well designed to appear as a traditional agricultural barn and well constructed, but it is isolated from other buildings, on the higher northern corner of the site and readily seen from particularly the adjacent public footpath and the wider countryside as well as from the A113 and Old Rectory Lane, despite the applicant adding further tree planting. She concluded that it is therefore particularly noticeable in the landscape. The two velux rooflights serving the first floor are too domestic in character and she also concluded that these were also incongruous additions. The second grounds for dismissing the appeal therefore was that the building, because of its size, location and appearance (because of the velux rooflights) would result in loss of openness of the Green Belt and harm the quality of the rural area. This was the second reason for dismissing the appeal.

2. Current Application

The proposal by the applicant to remove the residential accommodation and not externally change the external appearance or size of the building aims to address the first reason for dismissing the appeal but not the second one.

In respect of the first reason, the alternative use of the first floor as a farm office would depend how essential this is to the holding. The applicant’s agent has provided a supporting statement and states that the first floor contains a reception area/kitchenette, office and washroom. The use of this floor is for the purposes of storing and making refreshments, completion of paperwork and the holding of meetings. However, this just appears to be a means of retaining the current building because for a small agricultural holding like this and the floor space proposed (comparatively large reception area!) appears excessive. The Planning Inspector had concluded that there was a

functional need for a building with an access drive and hardstanding to serve it, specifically stating that the amount of agricultural (ground floor) floorspace within the building meets the test of being demonstrably necessary for the purposes of agriculture within the unit, but the first floor has a comparatively large reception area and retains the shower/toilet room. Despite re-assurances from the applicant, officers are concerned not only that this easily lends itself to return to residential accommodation, but it does not address the size, siting or appearance of the building.

The Parish Council have now concluded on this application that they have no objection and appear to support the application, which is a u-turn from their previous “strong objection” on the last planning application. However, this comment appears to rely on regular inspections by the Parish and the Local Planning Authority to ensure no residential use is taking place. Officers are of the view that this is unenforceable and practically unworkable. The holding is certainly tidy and organised and there is no objection to how the enterprise is managed. The livestock is present and land opposite is also been used by the applicant for the farming of Highland cattle. However, the applicant has not addressed the reasons for the serving of the enforcement notice or the conclusions of the appeal decision.

There are no highway objections. This has not formed part of previous objections to this development. The access road and associated hardstanding appear necessary for the enterprise and do not cause undue harm to the openness of the Green Belt or the visual amenities of the countryside.

Members should be aware the applicant has challenged the appeal decision in the High Court. The applicant’s agent has intimated that the Council should not rely on the Planning Inspector’s decision, which dismissed that appeal, because of this legal challenge and if it does, the Council would be liable for costs in the future. The legal view sought by the Council is that in law, the Inspector’s decision stands unless at such time, it is quashed. The Inspector’s decision is a relevant material consideration which outweighs the planning officer’s previous recommendation to grant planning permission on the 2005 planning application, which in turn was not supported by the Area Committee who refused the planning application.

Conclusion

In summary, this is the same planning development that was dismissed on appeal. The only change is the use of the first floor in the roof void, now proposed to be a farm office rather than a dwelling. It does not overcome the previous appeal decision and Members need to consider whether the Parish Council comments are material in coming to a more favourable decision than officers are recommending in this case. The public inquiry concluded that there does not need to be a building of this size, demonstrably necessary for the purposes of agriculture and therefore it is contrary to Policy GB11. Secondly, because of its size, siting and appearance, the building harms the openness of the Green Belt and is visually harmful to the surrounding rural area. It is therefore contrary to policy GB2A. The planning application is recommended for refusal.

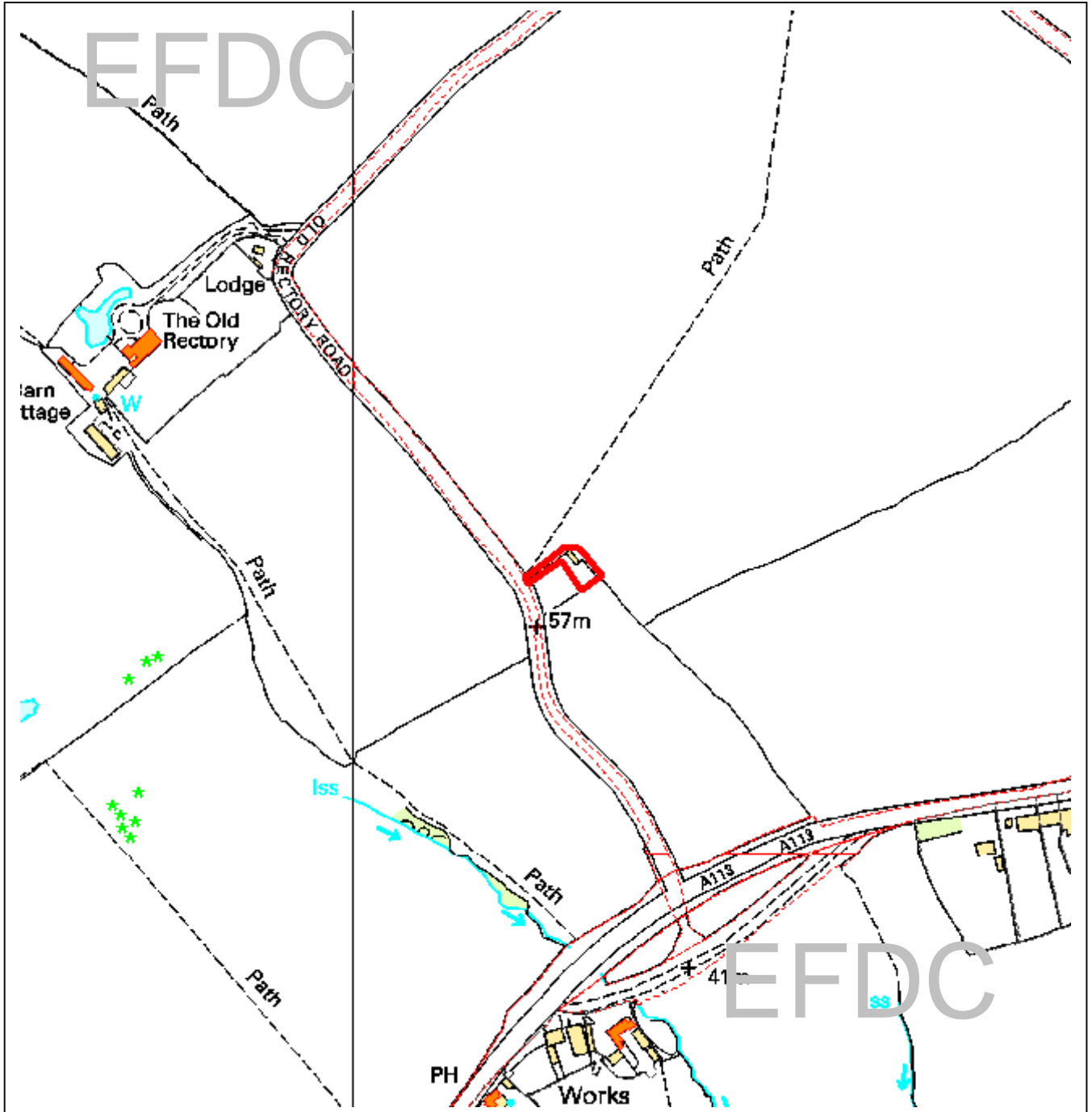
SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL – No Objection. Parish Council have inspected the premises at the invitation of the owner and it has been established that the residential element at first floor level within the Barn has been removed leaving only the kitchen facilities and the toilet amenity which are essential for the establishment. If the Parish Council obtain a written undertaking that the residential element is omitted from the scheme, the Parish Council will support the retaining of the building on the site, appertaining to the keeping of animals and their welfare. From inspection on site, the establishment seems to be well run and a tidy development and as such the Parish Council feel there is no mileage in removing the building on this site. Regular inspections have been invited for both Local Authority and Parish Council to check compliance.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	8
Application Number:	EPF/1721/07
Site Name:	Highlands Farm, Old Rectory Road, Stanford Rivers, CM5
Scale of Plot:	1/5000

Report Item No: 9

APPLICATION No:	EPF/1252/07
SITE ADDRESS:	Haylands Bournebridge Lane Stapleford Abbots Epping Essex RM4 1LT
PARISH:	Stapleford Abbots
WARD:	Passingford
APPLICANT:	Mr R Raymond
DESCRIPTION OF PROPOSAL:	Demolition of existing bungalow and erection of new chalet style dwelling with detached double garage to front. (Revised application)
RECOMMENDED DECISION:	Grant Permission (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 types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 4 Prior to first occupation of the building hereby approved the proposed window openings in first floor flanks shall be fitted with obscured glass and have fixed frames, and shall be permanently retained in that condition.
- 5 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the building hereby permitted without the prior written approval of the Local Planning Authority.

- 6 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.

- 7 Prior to the commencement of the development details of the proposed surface materials for the driveway shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
- 8 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 9 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the first occupation of the building hereby approved and shall be adequately maintained in accordance with a management plan to be submitted concurrently with the assessment.
- 10 No tree, shrub, or hedge which are shown as being retained on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (B.S.3998: 1989).

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

If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 11 The development shall be carried out in accordance with the amended plans received on 13/09/07 unless otherwise agreed in writing with the Local Planning Authority.

This application was deferred at Committee to allow negotiation over the siting of the detached garage at the front of the scheme. The applicant has now removed the detached garage and has modified the internal layout of the scheme to accommodate an integral garage.

Description of Proposal:

Demolition of existing bungalow and erection of new chalet style dwelling with an integral garage (revised scheme).

Description of Site:

A roughly rectangular area to the west of Bournebridge Lane in a ribbon of urban development. The ground is flat in this location, and the Green Belt boundary is to the west and east of the site. There is a public footpath on the northern boundary of the site, which is in an overgrown state.

Relevant History:

EPO/94/71	Garage with rooms above	approved
EPF/1935/06	Demolition of existing bungalow and erection of a house	refused
EPF/793/07	Demolition of existing bungalow and erection of a house	withdrawn

Policies Applied:

DBE 1 New buildings
DBE 2 new buildings amenity
DBE 6 Car Parking
DBE 8 Amenity space
DBE 9 Neighbour Amenity
ST 4 & 6 Traffic Criteria
GB7A Conspicuous development
LL10 Landscaping and Trees
RST 3 Rights of Way

Issues and Considerations:

The main issues in this application are:

1. Whether the site can accommodate a new building & its effect on the street scene
2. Residential amenity
3. Highway safety
4. Effect on the adjacent Green Belt land

The previous 2006 application was refused on the grounds that the dwelling would be out of character with the street scene by reason of its overall size and bulk, loss of amenity to “Normead” and adverse effect on the adjacent Green Belt Land.

This scheme has been revised three times to take into account concerns over its size and sitting on the plot, and the position of the detached garage.

1. Building in Context & Street Scene

- The plot 14m wide and about 50m deep, with a public footpath on the northern boundary. The existing property is an extended bungalow with rooms in the roof, and is square in plan, measuring 6m in height, and is set back some 13m from the road. It is in line with ‘Sundown’ to the north, and about 18m in front of ‘Normead’ to the south.
- The existing property stands in line with the front elevation of ‘Sundown’ to the north. However, partly due to the gentle change in the orientation of Bournebridge Lane in this area, ‘Normead’s front elevation is set back by about 18m from Haylands, and lines up with the property to its south (‘Jacquin’).
- The character of this ribbon of development is detached houses and bungalows, many of which have been converted into chalet bungalows.
- This property would be some 1.9m higher than ‘Normead’ and a very similar height to ‘Sundown’.
- The new dwelling would be ‘T’ Shaped and have a sharply pitched roof some 7.4m high. It would be set back some 15m from the road, in line with the front elevation with ‘Sundown’.
- A gap of 1m would remain to the Public Footpath.
- This scheme has been reduced in height and size, and repositioned on the site of the existing property, as opposed to being in line with ‘Normead’.
- This scheme results in a more modest and less bulky dwelling which is in keeping with other properties within the street scene in terms of size, bulk and height.
- The proposed garage has been removed and internal alterations made to accommodate an integral garage. This revision has not affected the footprint or volume of the proposed house.
- Therefore the scheme causes no harm to the character and appearance of the street scene.

2. Residential Amenity

- The two properties that would be affected are ‘Normead’ and ‘Sundown’.
- There will be no adverse loss of light or sunlight to either of the neighbouring properties.
- There will be no overlooking of ‘Sundown’.
- There would be some overlooking of the side elevation of ‘Normead’ from 1st floor bedroom windows in the rear elevation of the scheme, but these are some 17m from the side elevation at an angle, and there is screening provided by boundary fences and existing hedgerow. A refusal on these grounds would not be justified.
- There would be no adverse loss of outlook for either of the neighbours.

3. Highways

- The scheme would use an existing access and provide adequate parking.

4. Effect on the Green Belt

- The site is bounded by the Green Belt, and this scheme has been amended to reduce the size and bulk of the scheme. It now has no adverse impact on the openness and character of the Green Belt.

5. Other Matters

- The scheme recognises the footpath and will clearly be delineated between the footpath and the site.
- There are a number of trees of the site, and these are not protected. It is considered that a landscaping condition would be appropriate.

Conclusions

For the reasons laid out above this application has overcome the previous reason for refusal and now causes no harm to the street scene, the neighbour's amenities or the adjacent Green Belt. It is therefore recommended for approval.

SUMMARY OF REPRESENTATIONS:

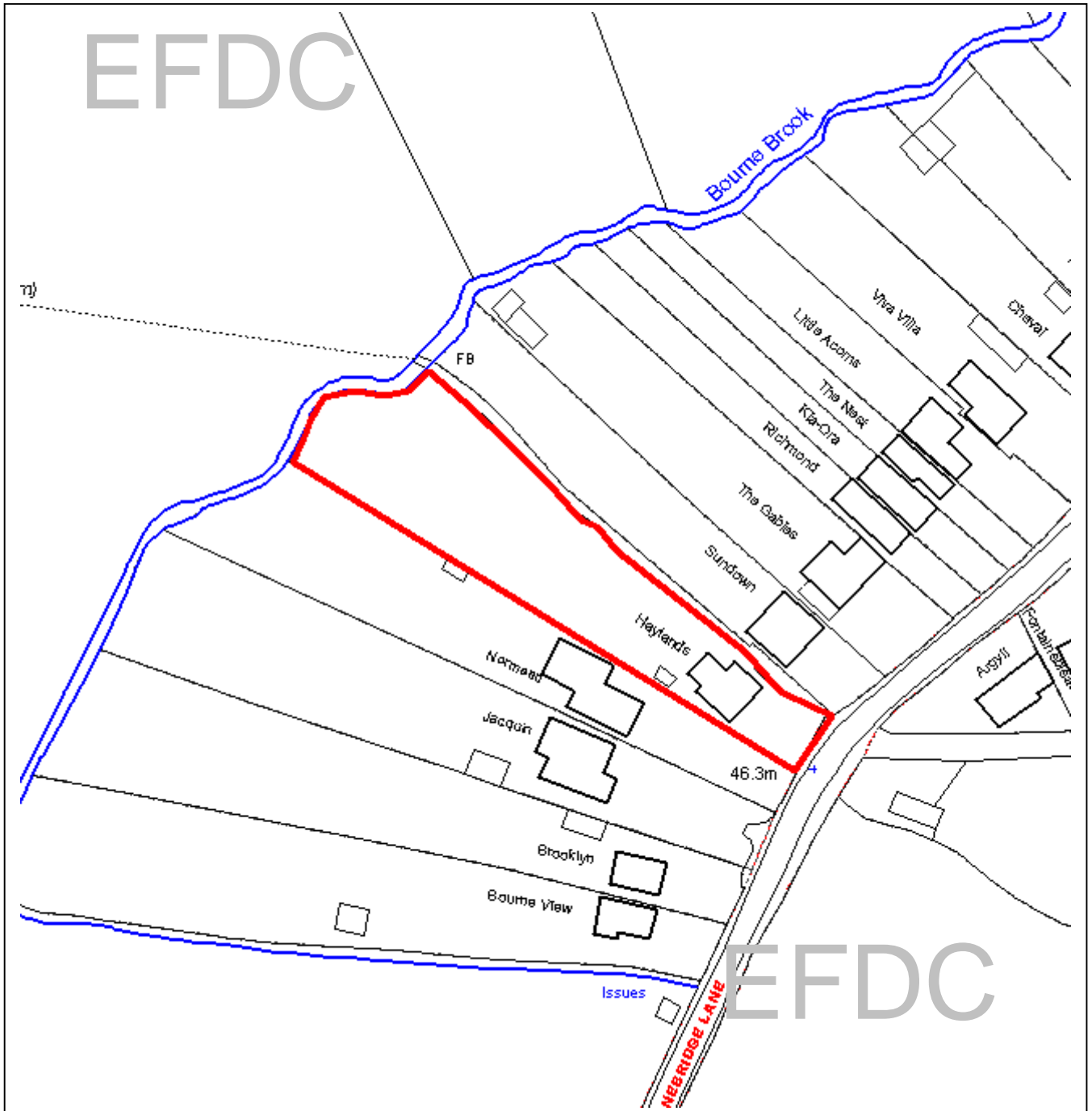
ORIGINAL SCHEME

PARISH COUNCIL – OBJECT, as it is felt that whilst the house is in keeping, the large garage in the front garden is not in keeping with the local area and if built would set a precedent.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	9
Application Number:	EPF/1252/07
Site Name:	Haylands, Bournebridge Lane, Stapleford Abbots, RM4 1LT
Scale of Plot:	1/1250

Report Item No: 10

APPLICATION No:	EPF/1553/07
SITE ADDRESS:	Land to rear of 'The Trail' Poplar Row Theydon Bois Epping Essex CM16 7NB
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr David White
DESCRIPTION OF PROPOSAL:	New residential unit adjoining existing barn. (Revised application)
RECOMMENDED DECISION:	Grant Permission (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 types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 4 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 , Classes A, B, D, E shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents (staff) and visitors vehicles.
- 6 The windows of the proposed new dwelling shall be traditional double hung vertical sliding sash windows.

- 7 Notwithstanding the requirements of condition 6, additional drawings that show details of proposed new windows, by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of any works.
- 8 Prior to commencement of development a full frame survey shall be submitted to and approved by the local planning authority to show the extent of historic fabric and the extent of repairs and alterations required to be carried out.
- 9 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.

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

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

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

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

- 11 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using Windes or other similar programme. The approved measures shall be undertaken prior to the first occupation of the building hereby approved and shall be adequately maintained in accordance with a management plan to be submitted concurrently with the assessment.

Description of Proposal:

This application seeks planning permission for a new dwelling that would adjoin the existing barn, replacing the existing swimming pool. The dwelling would be finished in brick and would have a projecting gable to the front, facing onto Green Glade. The dwelling would be two storey, with the first floor accommodation being provided partly within the roof space.

A similar application was refused planning permission earlier this year, on the basis of harm to the listed building due to the excessive scale and massing of the proposed dwelling and also due to a lack of any provision of off-street parking.

Description of Site:

The application property comprised a detached two storey house, which is set back from Poplar Row by approximately 32 metres. The dwelling is a Grade II listed building. To the rear of the property there is a detached barn, which appears to be in a fairly dilapidated condition. Adjacent to the barn there is an outside swimming pool.

Relevant History:

EPF/0375/05. Demolition of existing side and rear extensions; erection of two storey rear extension and installation of new vehicular entrance & driveway (Trail) (In conjunction with LB/EPF/374/05). Withdrawn 11/05/05.

EPF/1137/05. Demolition of existing side and rear extension and erection of two storey side extension and construction of new vehicle crossover. Approved 12/10/05.

LB/EPF/1146/05. Grade II Listed building application for the demolition of existing side and rear extension and erection of two storey side extension and construction of new vehicle crossover. Approved 12/10/05.

EPF/0437/07. New residential unit adjoining existing barn. Refused (on the basis of scale and bulk and lack of parking) 18/04/07.

EPF/0453/07. Grade II listed building application for a new residential unit adjoining existing barn. Refused 18/04/07.

EPF/1554/07. Grade II listed building application for a new residential unit adjoining existing barn. (Revised application). Pending consideration...

Policies Applied:

DBE1 – Design of New Buildings
DBE2/9 – Impact of New Development
DBE8 – Private Amenity Space

LL10 – Retention of Site Landscaping
ST4 – Road Safety
ST6 – Vehicle Parking
HC12 – Development affecting the setting of Listed Buildings
H2A - Previously Developed Land

Issues and Considerations:

The main issues to be considered in the determination of this planning application are as follows:

1. The impact of the proposed dwelling on the amenities of the occupiers of neighbouring dwellings;
2. The impact of the proposed dwelling on the character and appearance of the area;
3. The impact of the proposed dwelling on the adjacent grade II listed building; and
4. The acceptability of the proposed parking/highway arrangements.

It should be noted that this site lies within the built up area of Theydon Bois. Development Plan Policies, together with Government Guidance encourage maximising the use of urban land, and it is considered that this proposal is in accordance with these principles.

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

The site is bounded by 2 Green Glade to the east (the garden of this property extends to the rear of the garage block), 2 and 4 Pakes Way to the south east and 'Alwyn' to the south.

With regard to the impact on 2 Green Glade, there would be some overlooking of part of the side garden of this dwelling. However, it is not considered that it would amount to an unreasonable loss of privacy as it would be over a small part of the garden, away from the main dwelling. There would also be some loss of light to this part of the garden. However, due to the amount and the area of the garden that would be affected, it is not considered that this would result in a material loss of amenity.

Turning to the impact on 2 & 4 Pakes Way and 'Alwyn', the only impact on these properties would be with regards to privacy. However, the proposed dwelling would have a rear garden of approximately 19 metres and it is not considered that any loss of privacy to the occupiers of these dwellings would be material.

2. The impact of the proposed dwelling on the character and appearance of the area.

The dwelling would be located fairly close to the highway, when compared to other properties within the street. At its closest point (level with the front of the barn) it would be set back from the pavement by approximately 2.2 metres. This set back would extend to approximately 4.6 metres at the far end of the dwelling. Due to the shape of the road and the location of the property, it would not be read against the building line of other dwellings in Green Glade. However, following the previous application, the height of the proposed dwelling has been reduced by a metre to approximately 6.3 metres. Having regard to this reduced height, it is not considered that the dwelling would appear overly prominent, despite its proximity to the highway.

With regard to its design, the dwelling would have a forward facing gable at the front and two gabled sections to the rear. It is considered that the design of the dwelling is in keeping with both the barn and the adjacent dwelling, 'The Trail'.

3. The impact of the proposed dwelling on the adjacent Grade II listed building.

Following the reduction in the height of the proposed dwelling following the previous refusal of planning permission, it is considered that it would not be harmful to the character and setting of 'The Trail', which is located a distance of approximately 7.5 metres from the barn and 12.5 metres from the new build.

4. The acceptability of the proposed parking/highway arrangements.

A single parking space is proposed, with the vehicular access being from Green Glade, adjacent to the garages. Having regard to the location of the site and its proximity to the Underground station, it is considered that this would be acceptable.

Conclusion

In light of the above appraisal, it is considered that the proposed new dwelling would have an acceptable appearance and would not be harmful to the amenities of the occupiers of neighbouring dwellings. It is considered that the proposed off-street parking and access is acceptable. Accordingly, it is recommended that planning permission be granted.

SUMMARY OF REPRESENTATIONS:

THEYDON BOIS PARISH COUNCIL. Objection. We note the reasons that EFDC refused permission previously and do not feel that the changes in this application address those reasons to meet the requirements.

Following a revision to the application, the following comments were received from the Parish Council:

These revised plans indicate a single parking space which we consider to be totally inadequate for a property of this size, especially as the access point is so close to a bend in the road. We therefore object to this revised plan. We feel that the proposed location of the new property within the site could be altered in order to ensure better parking provision.

1 GREEN GLADE. Objection. The proposed property, even if it has been reduced in height from the previous application, is still considerably higher than the existing barn, making it a dominant feature to the facing properties. Positioning the property so close to the public highway means that it has only been possible to provide one parking space. The location of the property on the inside of a bend means that it is likely to be unsafe to park further vehicles outside the property. This can only add to existing parking problems in Green Glade.

2 GREEN GLADE. Objection. The boundary between our properties must be clearly defined before any work starts. While the height has been reduced we feel it is not in keeping with surrounding properties. The vehicular access is on a curve in the road which hinders sight of oncoming traffic we are aware of the number of vehicles using Green Glade and with the proposed new parking regulations will cause more sight line problems.

7 WOODLAND WAY. Objection. We believe that the development would amount to inappropriate and over development of this special site and would also create a new and artificial building line behind the established building line of Trail, which is a historic and Listed building. There would be a serious loss of visual amenity and this new building would have a cramped appearance and would destroy the character and setting of Trail, for which we feel there should be a planning 'duty of care'. Associated additional parking for the new build would undoubtedly spill over into Green Glade.

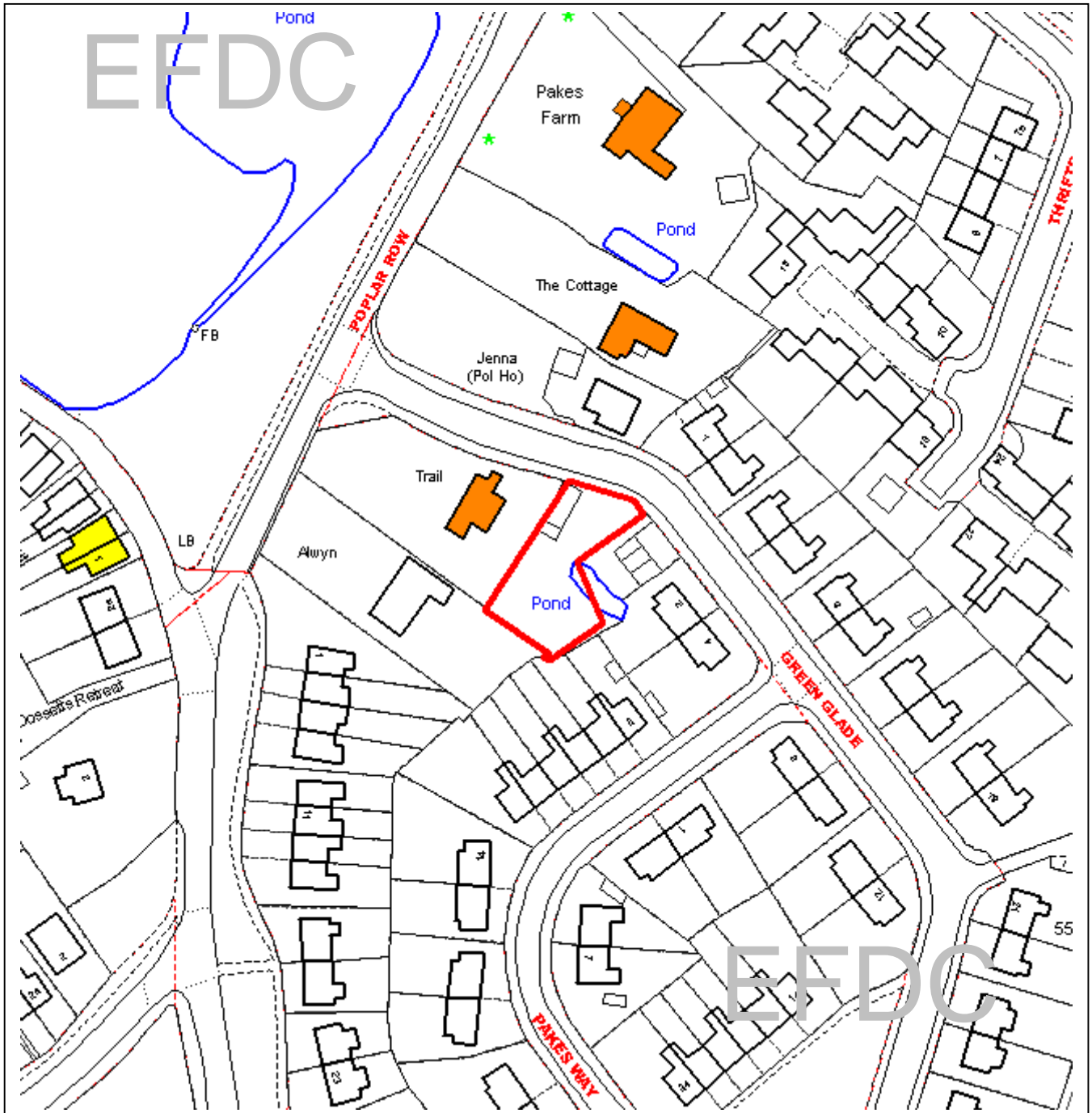
THEYDON BOIS & ABRIDGE ACTION GROUP. Objection. The replacement three bedroom dwelling that would be crowded in the grounds of the cottage which we assume would by then be extended under EPF/1137/05 would represent a serious loss of the building's character and its setting, close to the heart of the village. Trail is one of the oldest and most significant buildings in Theydon Bois and therefore its character should be protected.

THEYDON BOIS AND DISTRICT RURAL PRESERVATION SOCIETY. This application for a large new dwelling on the site will do further damage to the character of this part of our village. We find the size and height of the dwelling unacceptable and overdevelopment in this location. The new build together with the approved extension to 'The Trail' is all to the rear of the site and will create a closed in look especially when viewed from Green Glade and the north. We also have concerns about traffic movements, particularly as the vehicle access is very close to the playground.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	10 & 11
Application Number:	EPF/1553/07 & EPF/1554/07
Site Name:	Land to rear of 'The Trail', Poplar Row, Theydon Bois, CM16 7NB
Scale of Plot:	1/1250

Report Item No: 11

APPLICATION No:	EPF/1554/07
SITE ADDRESS:	Land to rear of 'The Trail' Poplar Row Theydon Bois Epping Essex CM16 7NB
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr David White
DESCRIPTION OF PROPOSAL:	Grade II listed building application for a new residential unit adjoining existing barn. (Revised application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.
- 2 Samples of the types and details of colours of all the external finishes shall be submitted for approval by the Local Planning Authority prior to the commencement of the development, and the development shall be implemented in accordance with such approved detail.
- 3 The windows of the proposed new dwelling shall be traditional double hung vertical sliding sash windows.
- 4 Notwithstanding the requirements of condition 3, additional drawings that show details of proposed new windows, doors, rooflights, eaves, verges, fascias, cills, structural openings and junctions with the existing building, by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of any works.
- 5 Prior to commencement of development a full frame survey shall be submitted to and approved by the local planning authority to show the extent of historic fabric and the extent of repairs and alterations required to be carried out.

Description of Proposal:

This application seeks listed building consent for a new dwelling that would adjoin the existing barn, replacing the existing swimming pool. The dwelling would be finished in brick and would have a projecting gable to the front, facing onto Green Glade. The dwelling would be two storey, with the first floor accommodation being provided partly within the roof space.

A similar application was refused listed building consent earlier this year, on the basis of harm to the listed building due to the excessive scale and massing of the proposed dwelling.

Policies Applied:

HC12 – Development affecting the setting of Listed Buildings

Issues and Considerations:

The main issue to be considered in the determination of this application is the impact of the proposed dwelling on the adjacent grade II listed building.

With regard to its design, the dwelling would have a forward facing gable at the front and two gabled sections to the rear. It is considered that the design of the dwelling is in keeping with both the barn and the adjacent dwelling, 'The Trail'.

Following the reduction in the height of the proposed dwelling by approximately 1 metre following the previous refusal of listed building consent, it is considered that it would not be harmful to the character and setting of 'The Trail', which is located a distance of approximately 7.5 metres from the barn and 12.5 metres from the new build. Conservation officers raise no objections to this proposal.

Conclusion

In light of the above appraisal, it is considered that the proposed new dwelling would not be harmful to the character and setting of the adjacent Grade II listed building. Accordingly, it is recommended that planning permission be granted.

SUMMARY OF REPRESENTATIONS:

THEYDON BOIS PARISH COUNCIL. Objection. We note the reasons that EFDC refused permission previously and do not feel that the changes in this application address those reasons to meet the requirements.

Following a revision to the application, the following comments were received from the Pariah Council:

These revised plans indicate a single parking space which we consider to be totally inadequate for a property of this size, especially as the access point is so close to a bend in the road. We therefore object to this revised plan. We feel that the proposed location of the new property within the site could be altered in order to ensure better parking provision.

1 GREEN GLADE. Objection. The proposed property, even if it has been reduced in height from the previous application, is still considerably higher than the existing barn, making it a dominant feature to the facing properties. Positioning the property so close to the public highway means that it has only been possible to provide one parking space. The location of the property on the inside of a bend means that it is likely to be unsafe to park further vehicles outside the property. This can only add to existing parking problems in Green Glade.

2 GREEN GLADE. Objection. The boundary between our properties must be clearly defined before any work starts. While the height has been reduced we feel it is not in keeping with surrounding properties. The vehicular access is on a curve in the road which hinders sight of oncoming traffic we are aware of the number of vehicles using Green Glade and with the proposed new parking regulations will cause more sight line problems.

7 WOODLAND WAY. Objection. We believe that the development would amount to inappropriate and over development of this special site and would also create a new and artificial building line behind the established building line of Trail, which is a historic and Listed building. There would be a serious loss of visual amenity and this new building would have a cramped appearance and would destroy the character and setting of Trail, for which we feel there should be a planning 'duty of care'. Associated additional parking for the new build would undoubtedly spill over into Green Glade.

THEYDON BOIS & ABRIDGE ACTION GROUP. Objection. The replacement three bedroom dwelling that would be crowded in the grounds of the cottage which we assume would be then extended under EPF/1137/05 would represent a serious loss of the buildings character and its setting, close to the heart of the village. Trail is one of the oldest and most significant buildings in Theydon Bois and therefore its character should be protected.

THEYDON BOIS AND DISTRICT RURAL PRESERVATION SOCIETY. This application for a large new dwelling on the site will do further damage to the character of this part of our village. We find the size and height of the dwelling unacceptable and overdevelopment in this location. The new build together with the approved extension to 'The Trail' is all to the rear of the site and will create a closed in look especially when viewed from Green Glade and the north. We also have concerns about traffic movements, particularly as the vehicle access is very close to the playground.

Report Item No: 12

APPLICATION No:	EPF/1587/07
SITE ADDRESS:	The Coach House Little Gregories Lane Theydon Bois Epping Essex CM16 7JP
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr & Mrs D Warrington
DESCRIPTION OF PROPOSAL:	Proposed office and rest room facilities in lieu of existing stable block.
RECOMMENDED DECISION:	Grant Permission (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 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.

Description of Proposal:

This application seeks planning permission for the replacement of the existing stable block with an office and restroom. The footprint of the proposed building would be smaller than the stables, although the roof would be higher and would extend across to abut the adjacent building, creating a dry grooming area.

Description of Site:

The application site comprises a flat roofed building that houses three stables and two hay stores. The building, which is approximately 3.9 meters in height at its highest point, has a footprint of approximately 72 m². The site is located within the Metropolitan Green Belt and is surrounded by buildings housing stables and an indoor riding school.

Relevant History:

Recent history includes:

- EPF/1195/03. Replacement stable block. Approved 08/08/03.
- EPF/1285/03. Alterations and access road to front of stables. Approved 19/08/03.
- EPF/1286/03. Erection of replacement stables. Approved 11/08/03.

Policies Applied:

GB1 – Green Belt Boundary
GB2A – Development in the Green Belt
DBE1 – Design of New Buildings
DBE2 – Detrimental effect on existing surrounding buildings
DBE4 – Development in the Green Belt

Issues and Considerations:

The main issues in this case are:

1. The impacts of the proposed development on the occupiers of neighbouring dwellings;
2. The impacts of the proposed development on the character and appearance of the area;
3. The acceptability of the proposal in terms of green belt policy.

1. Impact on neighbours

The proposed building would be located alongside The Coach House. Due to its location, it is not considered that there would be any material loss of amenity.

2. Design and Appearance

The proposed building would have a steeply pitched roof, in keeping with that of the main dwelling. It is considered that the proposed building would have an acceptable appearance that would not be harmful to the character and appearance of the site or the wider area.

3. Green Belt Considerations

Policy GB2A of the local plan defines what is considered to be inappropriate development within the green belt. The extension of non-residential buildings within the green belt is considered to be inappropriate development. As such, proposals will need to demonstrate very special circumstances that outweigh the harm to the green belt.

In this instance, the proposed development is not a conventional extension. Whilst the building would be higher and would link to the adjacent building, its footprint would be smaller. The Parish Council has commented that the building will be over 2 metres higher than the stable block and that the proposed height and volume is contrary to policy and will significantly affect the openness of the green belt. However, having regard to the location of the proposed development, between the two remaining buildings and viewed against the backdrop of the indoor riding school, it is not considered that there would be any material harm to the openness of the green belt.

4. Other Matters

Contrary to the concern expressed by the Parish Council, the building could not be used as a new house without the need for further planning permission. Furthermore, if planning permission was sought at a later date for the use of the building as a dwelling, the Council would have regard to policy GB8A of the Local Plan, which states that the Council will need to be satisfied that works within the last ten years were not completed with a view to securing a use other than that for which they were ostensibly carried out.

Conclusion

In light of the above appraisal, it is considered that the proposed development would not be harmful to the amenities of the occupiers of neighbouring dwellings, or to the character and appearance of the area. Furthermore, it is considered that the proposed development would be acceptable with the green belt. Accordingly, it is recommended that planning permission be granted.

SUMMARY OF REPRESENTATIONS:

THEYDON BOIS PARISH COUNCIL. Objection, there is not adequate justification that these proposals are necessary. It is a significant extension as a residential/commercial development within the Green Belt in a highly prominent position over the Village, particularly Dukes Avenue.

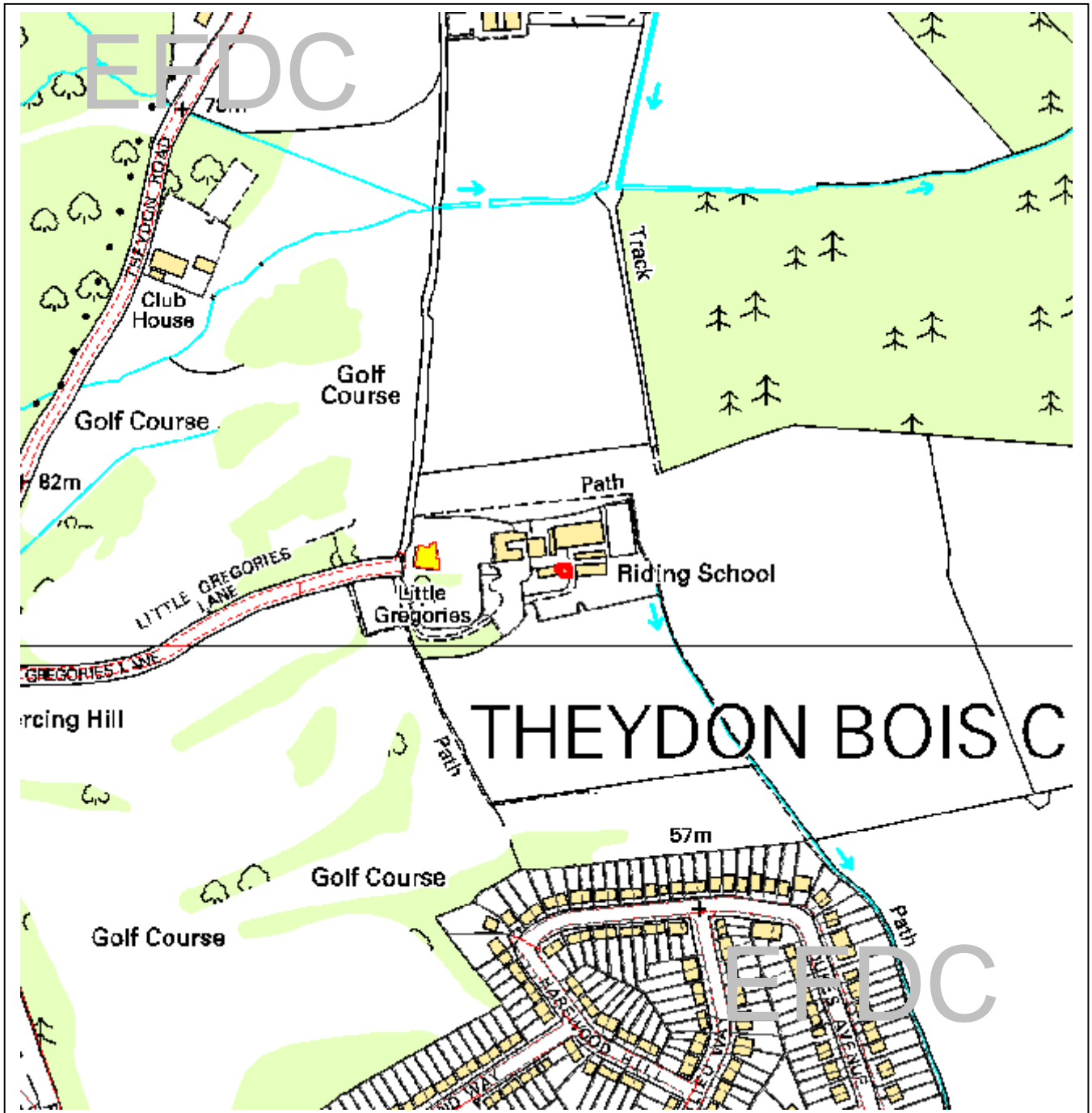
“LITTLE GREGORIES” LITTLE GREGORIES LANE. No objection provided that the new accommodation is ancillary to the existing accommodation and is not utilised in any way as a separate dwelling.

THEYDON BOIS AND DISTRICT RURAL PRESERVATION SOCIETY. Objection. We believe that this present application will have greater visual impact detrimental to the rural nature of the Green Belt than these present stables. Although the footprint of the building will be smaller, it will be over two metres higher than the stable block. We believe that the proposed height and volume is contrary to policy and will significantly affect the openness of the Green Belt. Further concerned that the proposed change of use and facilities are not dissimilar to a new house in the Green Belt and the building could easily be used as such even without permission being obtained. A building with facilities such as this would be used as a precedent to avoid the provisions for special circumstances in PPG2.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	12
Application Number:	EPF/1587/07
Site Name:	The Coach House, Little Gregories Lane, Theydon Bois, CM16 7JP
Scale of Plot:	1/5000

Report Item No: 13

APPLICATION No:	EPF/1671/07
SITE ADDRESS:	64 Morgan Crescent Theydon Bois Epping Essex CM16 7DX
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Tradpin Construction Ltd
DESCRIPTION OF PROPOSAL:	Reserved matters application for a proposed dwelling.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 2 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 3 Prior to first occupation of the building hereby approved the proposed window openings in the north, south and east first floor elevations shall be fitted with obscured glass and have fixed frames, and shall be permanently retained in that condition.
- 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 building hereby approved without the prior written approval of the Local Planning Authority.

6 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.

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

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

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

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

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

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

Description of Proposal:

Reserved matters application for a proposed dwelling following the grant of outline permission on appeal.

Description of Site:

The area is residential and consists largely of detached and semi detached two storey houses and bungalows, within the urban envelope of Theydon Bois. This is a corner plot at the junction of Morgan Crescent and Woodland Way.

Relevant History:

EPF/0189/05 Erection of new dwelling refused
EPF/0401/06 Erection of new dwelling (revised) refused – allowed on appeal
EPF/1164/07 Reserved Matters for dwelling Withdrawn

Policies Applied:

Local Plan

DBE 1 & 2 New Buildings
ST4 & 6 Highways & Parking
DBE 8 Amenity Space
DBE 9 Amenity for neighbours
LL11 Landscaping

Issues and Considerations:

The main issues in this application are:

1. Context and Street scene
2. Design
3. Neighbours Amenity
4. Landscaping
5. Parking & traffic

It must be noted that a Planning Inspector has accepted the principle of a dwelling and garage on this site. The decision notice refers to the “The development proposed is the erection of a dwelling and garage”, and grants outline permission for the erection of a dwelling and garage at 64 Morgan Crescent.

The main paragraphs of the decision which are referred to by the objectors are:

“2. Although Application plan 2614/A provides full details of the proposed development, the application was submitted in outline form with all matters reserved for later determination, and the appellants have stated that the plan is for illustrative purposes only. Also the Councils report indicates that the proposal was determined on the basis of an amended plan which omits the proposed garage to the existing dwelling at No 64. Consequently, I have dealt with this appeal based on the above with an amended description being: the erection of a dwelling and garage.

“5. At the site visit I observed the appeal site is larger than most of the plots along Morgan Crescent, due to its corner location. There is a relatively small bungalow at the rear of the site that fronts Woodland Way and is adjacent to another Bungalow along that road. In my opinion, a dwelling of a similar scale to the adjacent bungalows and sited over the footprint of the existing garage would not appear incompatible with the nearby pattern of development. Also I am satisfied

that the appeal site is large enough to ensure that the proposed dwelling would not be cramped and there would be sufficient space around the existing and proposed buildings to ensure the proposal would be in keeping with the area.

A copy of the appeal decision is appended after this report.

1. Building in Context, Street Scene

The plot measures a maximum of 28m deep by 21m wide, in a roughly rectangular plan, and comprises part of the rear garden of No 64 Morgan Crescent. The plot faces onto Woodland Way. No2 Woodland Way is to the immediate north of the site.

The proposal will see the erection of a chalet bungalow style of dwelling. The building will be 15.6m x 9.2m and a maximum of 7m high. There will be 2 parking spaces provided at the front of the property and a single garage attached to the north flank of the building. Hard and soft landscaping will be provided.

The Appeal Decision stated that the scheme to which outline permission has been granted is a dwelling, with no mention made of being a bungalow. It is also the case that the Inspector commented that the dwelling should "**be of a similar scale** to the adjacent bungalows" as to not appear incompatible with the street scene (Officer's emphasis). This is clearly at odds with the comments of the Parish Council who state the Inspector said that "Only a bungalow of a similar scale ...would not appear incompatible". The Inspector cleared stated that the plan produced at the site visit was only for illustrative purposes, but also did not say that what was proposed on the plan was inappropriate for the plot.

This building has the appearance of a chalet bungalow and is some 7m high. The adjacent bungalow at No 2 Woodland Way is about 6.4m high. 64 Morgan Crescent is some 7m high. There is a minimum gap of 1m to the boundary with No 2 Woodland Way, and thus the scheme does not span the full width of the plot. Whilst the gap to the boundary with 64 Morgan Crescent is only 0.25 this is on a flank that is unlikely to ever be developed, and the gap to the actual house at No 64 is some 10m.

This proposal would therefore not be out of keeping with the street scene and would not overpower the adjacent bungalows or amount to overdevelopment on this plot, due to its modest height, scale and mass.

Therefore it is considered that this scheme will cause no adverse harm to the character and appearance of the street scene in this location.

2. Design

The design of the new dwelling is a traditional one with the appearance of a chalet bungalow, especially when viewed from the side and front. The front dormers are small scale and integrate well into the property, and the rear projection is not excessive or out of keeping with the scheme, especially at the less sensitive rear of the dwelling.

The whole scheme has been designed to integrate into the plot and is appropriate in this fairly diverse urban area. The materials are acceptable subject to conditions.

3. Amenity & Impact on Neighbours

The main neighbour to be affected will be No 2 Woodland Way. There will be no adverse overlooking of any neighbouring property. All of the roof windows in the rear elevation can be conditioned to be obscured.

There will be some minor loss of sunlight and daylight to the ground floor flank window at No 2 Woodland Way in the afternoon and evening, but this window is some 5m from the rear single storey element of the scheme, and the design of the roof reduces the impact further. Therefore any loss will be minor and would not justify a refusal on these grounds. There would be no significant loss of outlook to any neighbouring property.

The amenity space required for a development of this size is some 120m², and this scheme provides a minimum of 130m² easily achieving this area.

4. Landscaping

The Landscape Officer has commented that the scheme is acceptable and subject to the appropriate conditions will be able to compensate for the loss of the lime tree by planting a similar tree close by.

5. Highways & Parking

The proposal provides three off road parking spaces and meets the current parking standards, and it should be noted that the site is within easy walking distance of local facilities including good public transport links.

6. Other Matters

Objectors make mention to potential damage with a gas main in the street, this would be dealt with as part of the Building Regulations. Further mention is made of maintenance of the flank wall (presumably the southern flank), which would be a matter for the occupier, and would not be an unusual scenario.

The issue of the property having 4 bedrooms is a result of the internal subdivision of the first floor, it could as easily be a three or even two bedroom property if the internal layout were different. This internal layout is a matter for the applicant as the plot and parking are sufficient for a modest 4 bedroomed property.

Conclusion

This scheme has attracted a significant amount of local objection. However it is clear from reading the Inspector's report that a scheme of this size and design is not incompatible to the street scene and the site, and has the appearance of a chalet bungalow. There is no harm caused to the amenity of neighbours and the landscaping concerns can be surmounted with the appropriate conditions. The recommendation is for approval.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL – strongly object to this application. It does not address the Inspectors Decision in Clauses 2 and 5. In clause 2 the Inspector states “the appellants have stated that the plan (2614/1A, the plan for a large house that accompanied the appeal application) is for illustrative purposes only...and consequently I have dealt with this appeal based on the above with an amended description being: the erection of a dwelling and garage.” In Clause 5 the Inspector states, “that only a bungalow of a similar scale to the adjacent bungalows and site over the footprint of the existing garage would not appear incompatible with the nearby pattern of development”. Therefore the principle of a detached house has not been established. Furthermore, a bungalow would add more appropriate housing stock to the village as per the local plan regarding dwelling mix. The size and bulk of the proposed house is totally inappropriate for the site and is gross overdevelopment. The development will have a significant impact on No.2 Woodland Way. From a health and safety aspect it will be difficult to maintain the flank wall.

THEYDON BOIS RURAL PRESERVATION SOCIETY – OBJECT, our objections to the initial scheme still apply, this is out of scale and character and will be to the detriment of the street scene. Will cause overlooking and disturbance. This should be a smaller bungalow in line with the Inspectors comments.

62 MORGAN CRESCENT – OBJECT, objections to original scheme are still valid. Approval not given to the original Sadler drawing. This drawing was an example and Mr Sadler later withdrew it as part of the planning application. Inspector stated in his report permission for the plot not the specific dwelling. He also states in point 5 that “a bungalow would not appear incompatible”. Concerned re flooding.

45 MORGAN CRESCENT – OBJECT, my comments on the original plans still apply.

1 WOODLAND WAY – OBJECT, does not meet the Inspectors requirements, out of scale, he did not approve original plans, threat to lime tree, house too big in terms of rooms

2 WOODLAND WAY – OBJECT, the ground floor utility window should be obscured.

7 WOODLAND WAY – OBJECT, development spans full width of plot, original plans were purely illustrative, scale and bulk incompatible with the appeal and local policies, not a good dwelling mix, cross over will damage the lime tree on the verge, could cause damage to gas main.

9 WOODLAND WAY – OBJECT, excessive size of development and damage to Lime Trees.

11 WOODLAND WAY – OBJECT, plans totally disregard the stipulations made by the Inspector, and indeed show an increase in footprint. In the reports items 5 and 6 show what should be allowed on the site. This 4 bedroomed house is too tall, wide and far too big for the site and would completely dominate. Damage to trees is likely; this site is only suitable for a bungalow.



Appeal Decision

Site visit made on 12 December 2006

by **Martin Whitehead** LLB BSc(Hons) CEng MICE

an Inspector appointed by the Secretary of State for
Communities and Local Government

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Temple Quay House
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Date: 12 January 2007

Appeal Ref: APP/J1535/A/06/2021934

64 Morgan Crescent, Theydon Bois, Epping, Essex CM16 7DX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Mr and Mrs W T Barritt against the decision of Epping Forest District Council.
- The application Ref EPF/0401/06, dated 21 February 2006, was refused by notice dated 31 May 2006.
- The development proposed is the erection of a dwelling and garages.

Decision

1. I allow the appeal, and grant outline planning permission for the erection of a dwelling and garage at 64 Morgan Crescent, Theydon Bois, Epping, Essex CM16 7DX in accordance with the terms of the application, Ref EPF/0401/06, dated 21 February 2006, and the plans submitted with it, subject to the following conditions:
 - 1) Details of the siting, design, external appearance of the buildings, the means of access thereto, and the landscaping of the site (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
 - 2) Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.
 - 3) The development hereby permitted shall begin either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
 - 4) All windows above ground floor level on the north, south and east elevations of the dwelling hereby permitted shall be obscure glazed.
 - 5) The garage hereby permitted shall be used for the parking of cars and ancillary storage associated with the dwelling hereby permitted and for no other purpose.
 - 6) Any gates to be erected shall be in accordance with details that shall first be submitted to and approved in writing by the local planning authority.
 - 7) The dwelling hereby permitted shall not be occupied until space has been laid out within the site in accordance with details that shall first be submitted to and approved

in writing by the local planning authority for 2 cars to be parked. This space shall be retained for the parking of cars thereafter.

Reasons

2. Although application plan No 2614/1A provides full details of the proposed development, the application was submitted in outline form with all matters of detail reserved for later determination, and the appellants have stated that the plan is for illustrative purposes only. Also, the Council's report indicates that the proposal was determined on the basis of an amended plan which omits the proposed garage to the existing dwelling at No 64. Consequently, I have dealt with this appeal based on the above with an amended description being: *the erection of a dwelling and garage*.
3. I consider that the main issues are the effect of the proposal on the character and appearance of the surrounding area; and the living conditions of the occupiers of adjacent dwellings, with particular regard to matters of outlook, sunlight, daylight and privacy.
4. The appeal site consists of a semi-detached house and its curtilage, which are located at the corner of the junction of Woodland Way with Morgan Crescent. I consider that the surrounding area is characterised by a mix of relatively low density residential development, which includes semi-detached and detached houses, set back from the road with mature front and rear gardens.
5. At the site visit I observed that the appeal site is larger than most of the plots along Morgan Crescent, due to its corner location. There is a relatively small bungalow at the rear of the site that fronts Woodland Way and is adjacent to another bungalow along that road. In my opinion, a dwelling of a similar scale to the adjacent bungalows and sited over the footprint of the existing garage would not appear incompatible with the nearby pattern of development. Also, I am satisfied that the appeal site is large enough to ensure that the proposed dwelling would not appear cramped and that there would be sufficient space around the existing and proposed buildings on the site to ensure that the proposal would be in keeping with the character of the area.
6. With regard to the effect of the proposal on the neighbours' living conditions, a side window to the bungalow at 2 Woodland Way faces the northern boundary of the site. I am satisfied that the proposed dwelling could be designed so that it would be low enough and sited a sufficient distance away from that window to ensure that it would not result in any significant reduction in the amount of sunlight and daylight received by that room. In terms of privacy, in my opinion, by ensuring under a condition that any window above ground floor level on the north, south or east elevations would be obscure glazed, boundary treatment could be provided under reserved matters to ensure that there would be no unacceptable overlooking of the rear of 62 and 64 Morgan Crescent or 2 Woodland Way.
7. I have noted the concerns expressed by local residents, but I am satisfied that the proposal could provide a safe means of vehicular access to the site and sufficient parking to ensure that there would be no unacceptable harm to highway safety or parking in the area. With respect to the other concerns, including flooding and a nearby gas installation, I consider that I have been given insufficient information to attach significant weight to them.
8. For the reasons given above, I have found that the proposal would not have an adverse effect on the character and appearance of the surrounding area or the living conditions of

the occupiers of adjacent dwellings. Also, it would accord with Policy BE1 of the Essex and Southend-on-Sea Replacement Structure Plan 1996-2011 and policies DBE1, DBE2 and DBE9 of the Epping Forest District Local Plan. Therefore, having regard to all matters raised, I conclude that the appeal should succeed.

Conditions

9. I have considered the 16 conditions that the Council has suggested should the appeal be allowed. I have included conditions regarding standard timescales and details of reserved matters. For the reasons previously given, I consider that a condition regarding obscure glazing to windows is necessary to protect the neighbours' privacy. Conditions to control the use of the garage and the location of gates and secure off-street parking are necessary in the interests of highway safety. I have worded the conditions to reflect the advice in Circular 11/95: *The Use of Conditions in Planning Permissions*. A condition regarding the plans is unnecessary as they form part of the application. Conditions regarding materials, boundary treatment, tree replacement and protection, and landscaping are unnecessary as these matters should be covered under approval of reserved matters. I am satisfied that drainage should be adequately dealt with under other legislation.

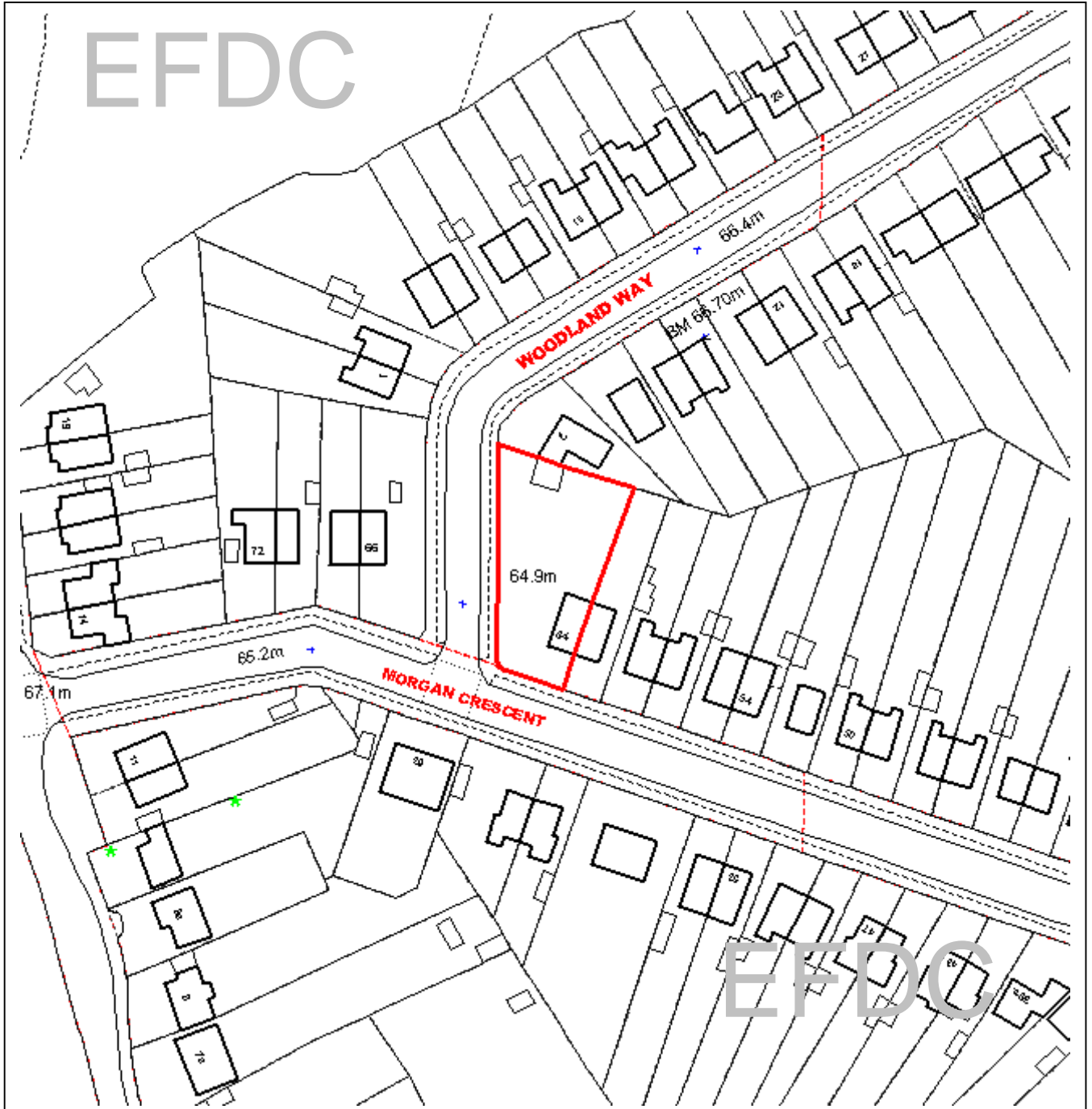
M J Whitehead

INSPECTOR



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	13
Application Number:	EPF/1671/07
Site Name:	64 Morgan Crescent, Epping, CM16 7DX
Scale of Plot:	1/1250

Report Item No: 14

APPLICATION No:	EPF/1807/07
SITE ADDRESS:	28 Woodland Way Theydon Bois Epping Essex CM16 7DZ
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	J Philip
DESCRIPTION OF PROPOSAL:	Single/double storey rear extension and loft conversion.
RECOMMENDED DECISION:	Grant Permission (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 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the building hereby permitted without the prior written approval of the Local Planning Authority.

Description of Proposal:

Revised application for a part two storey, part single storey rear extension and a loft conversion with rear dormer window. The two storey rear extension would be 5.8m wide and 3m deep and would have a stepped down ridged roof with a hip end. The single storey rear extension would be 3m wide and 3m deep to the west of the two storey addition and 1m wide and 3m deep to the east. Both sections would have pitched roofs to a maximum height of 3.7m. The rear dormer window would be 3.4m wide and 2.7m deep with a double pitched ridged roof with hip ends.

Description of Site:

Two storey semi-detached property located on the southeastern side of Woodland Way, Theydon Bois.

Relevant History:

EPF/178/71 – Extension – approved/conditions 13/4/71

EPF/1445/04 – Loft conversion with rear dormer windows and roof extension – refused 10/9/04

EPF/2206/04 – Loft conversion with rear dormer windows and roof extension (revised application) – refused 7/1/05 (appeal dismissed 28/10/05)
EPF/608/07 – Rear extension, part single/part double storey, loft conversion with rear dormer – refused 10/5/07

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. The previous application was refused on the following grounds:

The proposed two storey rear extension, due to its depth and proximity to the shared boundary, would result in a loss of light and visual amenity detrimental to the occupiers of No. 30 Woodland Way.

This revised application has reduced the width of the two storey rear extension and set it back a further 1m off the shared boundary.

1. Impact on No. 26

The proposed single storey rear extension would be 3m deep and would be built to the shared boundary. It would not extend beyond the single storey extension to the rear of No. 26 and would therefore have no detrimental impact. The two storey rear extension would be located 3m from the shared boundary with No. 26 and would be sufficient distance from the nearest first floor neighbour's window so as not to result in an undue loss of light or visual amenity.

2. Impact on No. 30

The proposed two storey rear extension would be set back 1.6m from the shared boundary and would reach a depth of 3m. The neighbouring property has a part two storey and part single storey side extension built to the boundary. The two storey element contains a bedroom with one side dormer window and one rear window and is set back 3m from the rear wall of the house. Given its location it currently gets very little sun at present. Although the proposed two storey extension would increase the overall depth of the property, given the 1.6m set back and the hip ended pitched roof, the proposal would not result in further undue loss of light over that which is enjoyed at present.

The proposed ground floor extension would be located 600mm from the shared boundary and would be to an acceptable depth of 3m with a pitched roof. Due to this there would be no detrimental impact on the neighbour as a result of this addition.

3. Design

The proposed two storey rear extension would have a subordinate roof to the main roof line and would be hip ended. The proposed single storey rear extension would be of a standard design with a pitched roof and would not be out of character with the original property. The proposed rear dormer would have a double pitched, hip ended roof and would be predominantly glazed. This would be an acceptable design that would retain the appearance and character of the main dwelling.

The Parish Council have partly objected as they feel “the change to the roof line will detrimentally impact the symmetry on the semi-detached pair”. Although at the rear a new hipped roof addition

will be added there would be no alteration to the main roof line and the street scene would be unaffected, except by the inclusion of 2 no. velux windows which do not require planning consent. Therefore this proposal would not result in any form of unbalancing to the front of the semi-detached properties, and the impact on the symmetry to the rear is not considered a problem.

Conclusion:

In light of the above the proposed two storey and single storey rear extension and rear dormer window would comply with policies DBE9 and DBE10 and are therefore recommended for approval.

Summary of Representations:

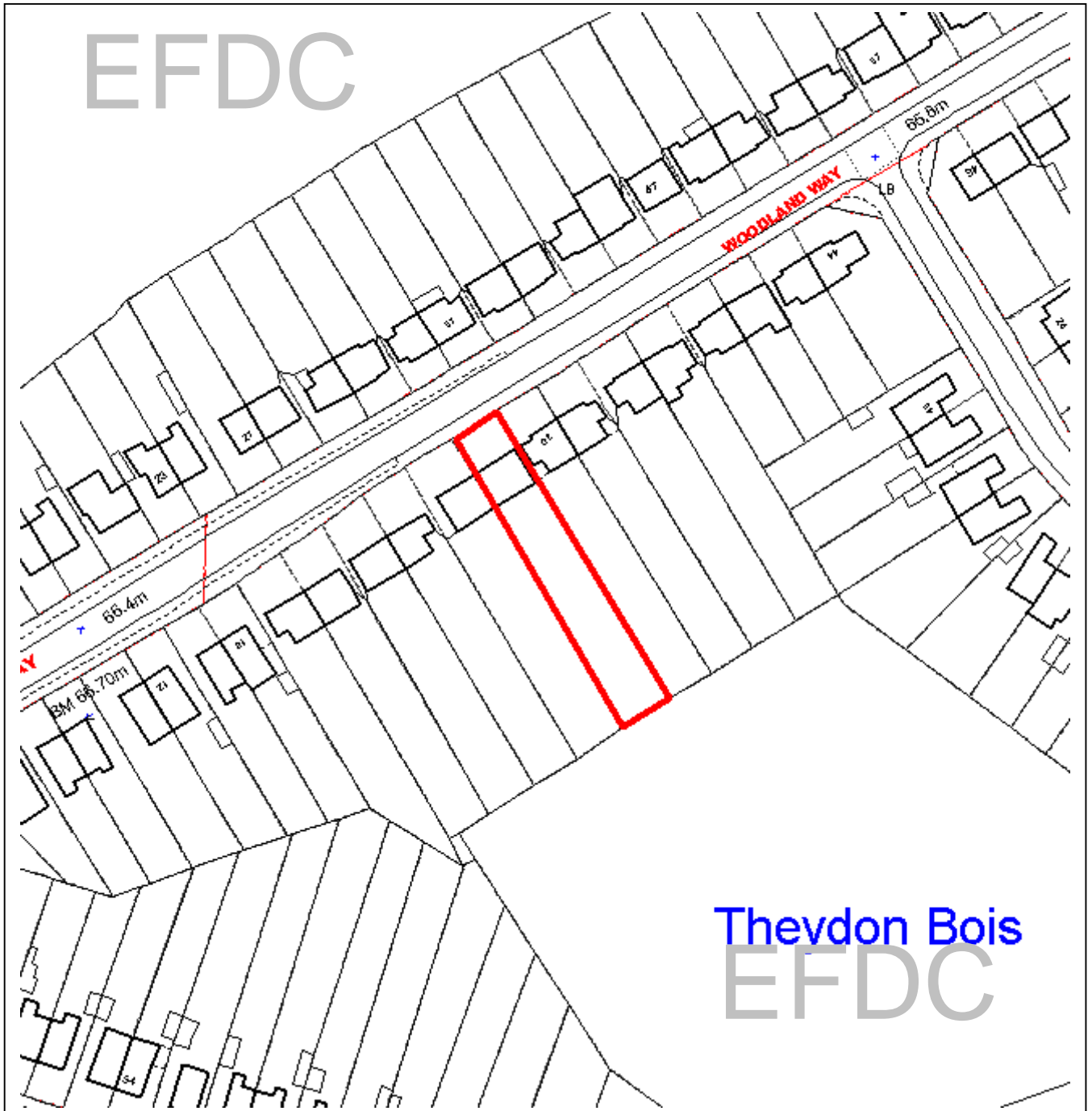
PARISH COUNCIL – The bulk and depth of these proposals will have an adverse effect on adjacent properties. In addition, the inclusion of a velux window on the front elevation is inappropriate in the street scene and the change to the roof line will detrimentally impact the symmetry on the semi-detached pair.

30 WOODLAND WAY – Object due to the loss of light that would result.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	14
Application Number:	EPF/1807/07
Site Name:	28 Woodland Way, Theydon Bois, CM16 7DZ
Scale of Plot:	1/1250

Report Item No: 15

APPLICATION No:	EPF/1954/07
SITE ADDRESS:	Bowlands Meadow Theydon Road Epping Essex CM16 4EE
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr F Carter
DESCRIPTION OF PROPOSAL:	Erection of boundary wall.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 Within 3 months of the grant of this permission the wooden boarding hereby approved shall be erected and stained a dark colour and thereafter maintained as such so that the brickwork of the wall between the piers is not visible from Theydon Road.
- 2 Prior to the commencement of the works hereby approved the colour of the materials to be installed shall be agreed by the Local Planning Authority in writing and thereafter maintained to the agreed scheme.

Description of Proposal:

Retention of a boundary wall, some 130 m long, consisting of brick piers, 2.2m high and rendered brickwork some 2m high. Timber cladding will be attached to the front face of the wall (Revised application).

Description of Site:

A large 2 storey detached house to the east of the bridge over the adjacent M25 motorway. The building is set back from the road, and is screened from the road by a mature 4m high treeline. The whole site is within the Green Belt. The site slopes down to the east.

Relevant History:

Various including:
EPF/1519/07 Retention of wall - withdrawn

Policies Applied:

GB2A	Green Belt
GB 7A	Conspicuous Development
DBE 1 & 2	Design and Amenity policies
ST4	Highway policies
LL10	Landscape issues

Issues and Considerations:

The main issues with this application are:

1. The amenities of the Green Belt & the street scene
2. Impact that on highway safety
3. Landscaping

It is the case that the wall and piers have already been erected. Whilst this is regrettable the application must be treated on its merits.

1. Green Belt & Street Scene

- The previous scheme was withdrawn to deal with the concerns that the appearance of the wall as existing was detrimental to the character and appearance of the Green Belt and street scene.
- The previous boundary treatment was a 2m high wooden fence which has been removed, and was of a simple and rural design.
- The new wall is closer to the back of the footway than the previous fence.
- The existing metal gates and brick piers will continue to be used, and do not form part of this application.
- The scheme has now been revised so that wooden fencing will be fixed to the wall areas between the pillars, which would be the only areas of the wall that would be visible.
- This simple change results in a far more appropriate appearance of the development, which is in keeping with this rural area and one that does not have an urban or bulky appearance.
- The Parish Council have also raised the issue of maintenance of the fence, but this can be made subject of the appropriate conditions, and due to the proposed fixing it is unlikely that this will become a rubbish trap.
- Therefore this scheme is now in keeping with the character and appearance of the area.

2. Highways

- The County Council's Highways have no objections to this proposal, and there are no implications for highway safety. They are investigating the issue of whether there has been any encroachment onto highway land as a separate issue.

3. Landscaping

- The Council's Landscape Section have commented that none of the trees in the treeline at the front of the property are protected.

- It is likely some damage to root systems has occurred with the installation of foundations along the boundary, but this is not considered to have resulted in a long term adverse effect on the overall appearance of the tree line.

Conclusion

The scheme has been revised to deal with the concerns over its visual impact in the street. The scheme that is proposed is appropriate for this area and overcomes the concerns of the original scheme. The recommendation is for approval.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL – Object. The height of the wall is in excess of 2m which is unacceptable, in particular with regard to its proximity to the highway. It is also noted that this is a retrospective application. Our objection is therefore made against the backdrop that planning permission was required for the wall and had the applicant followed proper procedure then he would have ascertained that the proposed wall was too high.

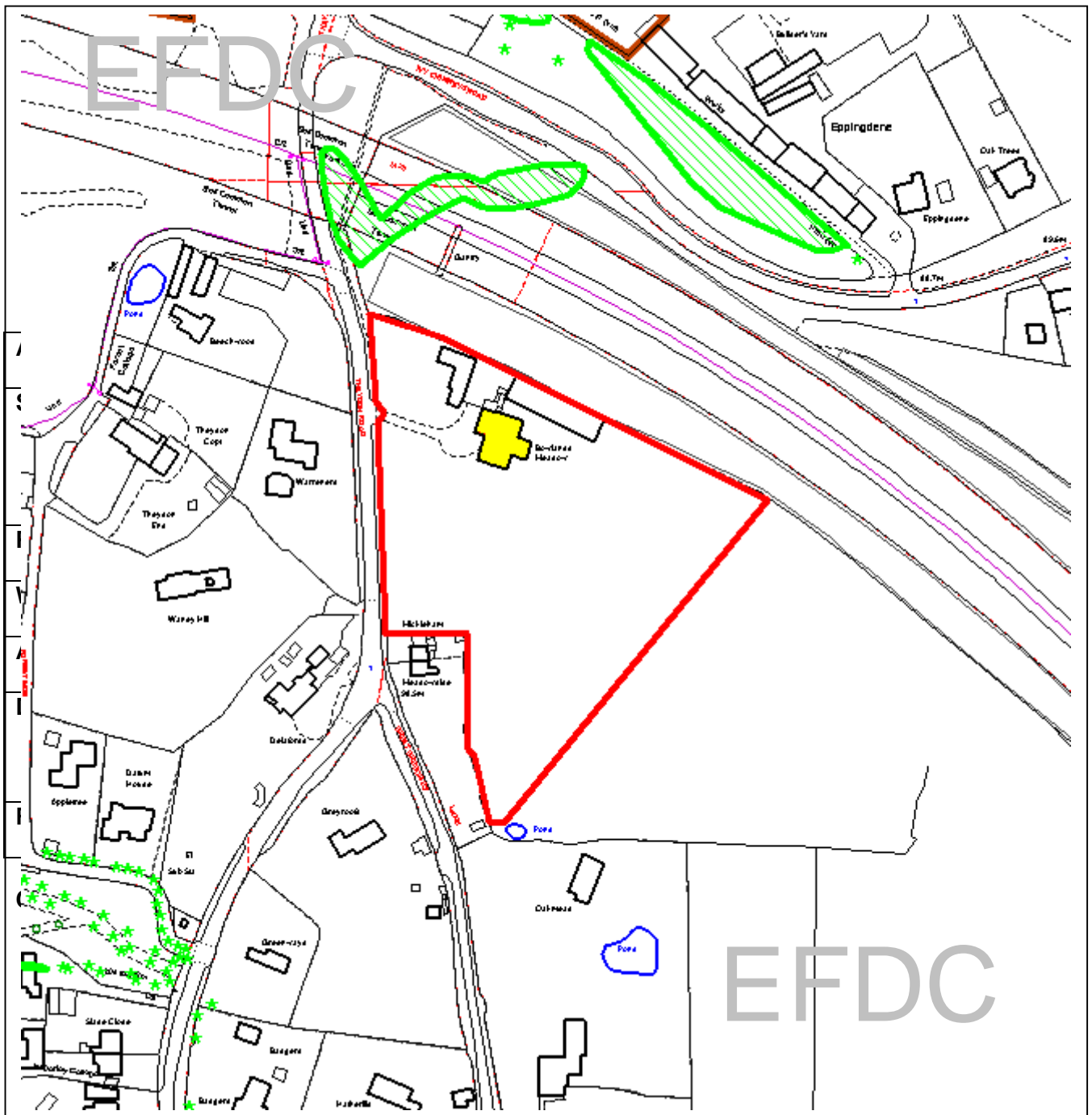
The wall is as yet incomplete but we are very concerned that completed wall with the proposed brick piers will be so overpowering as to be totally unacceptable in an environmentally sensitive location in such close proximity to Epping Forest.

We are also concerned that the wooden, feather boarding may only provide cover of a temporary nature and could easily fall into disrepair which could require its removal. In that event, the result may be that the feather boarding may not be replaced in the future, thus leaving the rendered brick wall, which as we stated in our previous submission, is wholly inappropriate in this rural setting.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	15
Application Number:	EPF/1954/07
Site Name:	Bowlands Meadow, Theydon Road Epping, CM16 4EE
Scale of Plot:	1/2500

Report Item No: 16

APPLICATION No:	EPF/1641/07
SITE ADDRESS:	Rockhills Field Willingale Road Willingale Ongar Essex
PARISH:	High Ongar
WARD:	High Ongar, Willingale and the Rodings
APPLICANT:	Premier Plants Uk
DESCRIPTION OF PROPOSAL:	Erection of polytunnel, shade frame, sales office and associated works including the formation of a new access, in respect of a horticultural operation. (Revised application)
RECOMMENDED DECISION:	Grant Permission (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 Notwithstanding the details otherwise hereby approved no development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) for the whole site have been submitted to and approved in writing by the Local Planning Authority, and these works shall be carried out as approved. These details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle artefacts and structures, including signs and lighting and functional services above and below ground. Details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers / densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 3 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no fences, walls or other means of enclosure shall be erected on or within the site without the express written consent of the Local Planning Authority.
- 4 Prior to the commencement of the development hereby permitted, details of provision for drainage shall be submitted to and approved in writing by the Local

Planning Authority. The approved drainage shall be fully implemented and retained while the site is in use.

- 5 The use hereby permitted shall not be operational outside the following times:
07:30 - 18:00 hours Monday to Friday
- 6 Details of any external lighting of the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. This information shall include a layout plan with beam orientation, hours of use and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its prior consent in writing.
- 7 Prior to commencement of the development visibility splays with dimensions of 4.5m by 120m as measured from and along the nearside edge of the carriageway shall be provided on both sides of the access. The area within each splay shall be kept clear of any obstruction exceeding 600mm in height.
- 8 Prior to commencement of the development hereby permitted a turning space of a design to be agreed in writing by the Local Planning Authority enabling a motor vehicle to enter and leave the highway in a forward gear shall be constructed, surfaced and made available for use and be permanently retained for this sole purpose.
- 9 No unbound material shall be used in the surface finish of the driveway within 12m of the highway boundary of the site.
- 10 The vehicle access shall be constructed at right angles to the existing carriageway and details of the design shall be agreed in writing with the Local Planning Authority prior to the commencement of the works.
- 11 Immediately the new access is used the existing access shall be permanently closed in accordance with details which shall have been previously submitted to and approved in writing by the Local Planning Authority.
- 12 Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained at all times.
- 13 Notwithstanding the details otherwise hereby approved a scheme specifying the parking arrangements for the site shall be submitted to and approved in writing prior to the commencement of the development. The parking area shall be fully implemented and not used for any other purpose without the express written consent of the Local Planning Authority.
- 14 The proposed development shall be used solely for the sale of plants grown on the site and not for the storage of plants or the sale of plants not grown on the site.

Description of Proposal:

The application comprises the following elements:

1. The erection of one timber sales office. This would measure 5.5m by 5.5m and 3.5m high.
2. The formation of one shade frame area. The shade frames would measure approximately 2m high and comprise steel tubing covered in green mesh.
3. Alterations to the existing access from the site onto Willingale Road.
4. Container growing areas.
5. An open growing area.
6. Two parking areas.
7. A water storage tank.
8. A storage area for compost.
9. The erection of a polytunnel constructed of high tensile steel tubing measuring 10m by 50m, with a maximum height of 3.7m.

Description of Site:

The application site is an area of agricultural land on the west side of Willingale Road. The site lays west and north of the residential properties 1 and 2 Rockhill Cottages. The site and surrounding land open in character and falls within the Metropolitan Green Belt.

Relevant History:

EPF/0185/07 'Erection of two polytunnels, two shade frames, one timber office and a potting shed for horticultural operation and alterations to access' Withdrawn.

EPF/1140/07 'Erection of polytunnel, shade frame, sales office and associated works including the formation of a new access, in respect of a horticultural operation' Withdrawn.

Policies Applied:

Local Plan:

CP1 (Sustainable Development Objectives)
CP2 (Rural and Built Environment)
CP3 (New Development)
CP4 (Energy Conservation)
CP5 (Sustainable Building)
CP6 (Sustainable Development)
CP8 (Economic Development)
CP9 (Sustainable Transport)
GB2A (Green Belt Development)
GB7A (Conspicuous Development)
GB11 (Agricultural Buildings)
RP3 (Water Quality)
RP5A (Environmental Impacts)
ST1 (Development Location)
ST2 (Accessibility of Development)
ST3 (Transport Assessment)
ST4 (Road Safety)
ST5 (Travel Plans)
ST6 (Vehicle Parking)
DBE1 (Design)
DBE2 (Amenity)
DBE4 (Buildings and Spaces)
DBE9 (Amenity)

U1 (Infrastructure)
U2A (Flood Risk Area Development)
U2B (Flood Risk Assessment Zones)
U3A (Catchment Effects)
U3B (Sustainable Drainage)
LL1 (Rural Landscape)
LL2 (Rural Landscape)
LL4 (Agriculture/Forestry Developments)
LL10 (Landscape Protection)
LL11 (New Planting)

Issues and Considerations:

The main issues for consideration in the assessment of this proposal are the appropriateness of and the impact of the development on the Green Belt, the acceptability of the proposal in terms of environmental matters, character and landscaping issues, the amenity of neighbouring and surrounding occupiers, transport matters and economic factors.

1. Green Belt, Character, Appearance and Landscaping Matters:

The development proposed is deemed to be for the purposes of horticulture. As such it is accepted that the proposed development represents, in principle, appropriate development in the Metropolitan Green Belt. Council policies require that buildings in the Green Belt are demonstrably necessary for the purposes of agriculture within that unit, would not be detrimental to the character or appearance of the locality and would not threaten any sites of importance for nature conservation. Officers accept that for the nature of the agricultural operation sought, the buildings proposed are demonstrably necessary. Other relevant amenity, highway and environmental concerns are addressed elsewhere in this report. Policies more widely require the protection of the character, appearance and quality of areas.

It is noted that concerns have been raised regarding the visual impact of the development and the harm that it may cause to the character and appearance of the area. Officers accept that the form of the landscape is such that there is the potential for the development to have a considerable impact on the character and appearance of the area. However, officers are satisfied that there is scope within the layout proposed to provide landscaping to such an extent that any impact on the character and appearance of the area will be acceptably mitigated. Furthermore, with a careful choice of native species, as could be controlled by conditions, the landscaping of the site could enhance the biodiversity of the area and therefore produce an environmental gain.

Aesthetically, the buildings proposed (as well as the structures for the horticultural activity) are of an acceptable design and massing and would not be unduly intrusive in the rural setting.

On balance it is considered that the proposal is acceptable in terms of its location within the Green Belt and impact on the character, appearance and landscaping of the site with the conditions recommended.

2. Amenity and Environmental Matters:

Council policies require that new buildings not be detrimental to the neighbouring or surrounding properties in either amenity or functional terms. Development more generally is expected to not result in excessive adverse environmental impacts or loss of amenity for neighbouring properties. Officers consider that with the conditions recommended the development proposed would not be detrimental to the amenities of neighbouring and surrounding properties or result in excessive adverse environmental impacts. The concerns raised by consultees regarding noise and disturbance are deemed to be adequately addressed in this way.

3. Economic Development:

Council policies seek to make provision for development that encourages local economic diversity and which would result in economically sustainable activities. In this regard, as an economic activity, the proposal is considered to be beneficial. It is noted that concerns have been raised that the impact of the business may increase if it were to develop. However, any development that were to require planning permission would need to be assessed on the basis of its individual merits. As set out in this report the present development is deemed by officers to be acceptable with the conditions recommended.

4. Transport Matters:

It is noted that there are numerous concerns in the responses received from the consultation process regarding the highways implications of the proposed development. However, the County Council Highways Group consider that, with the conditions recommended, the proposal is acceptable on highways grounds. While officers accept that the proposal would increase the flow of traffic in the area, and its resultant impact, on balance it is not considered that this would occur to such an extent that the proposal would result in material harm. Officers therefore find the proposal acceptable on transport grounds.

Conclusion:

For the reasons outlined above the application is deemed by officers to be acceptable with the conditions recommended. The application is therefore recommended for approval subject to conditions.

SUMMARY OF REPRESENTATIONS:

HIGH ONGAR PARISH COUNCIL: The parish council wishes to object strongly to this application, on the same grounds as was the case in the previous planning application for this site (EPF/1140/07). You will have on file our objections regarding the Green Belt limitations, and principally the associated size and volume of traffic, which would be inappropriate to the local roads. Erosion of historic verges would almost certainly follow, given the size of vehicles associated with such a business. This council hopes that the district council will refuse this application, and urges that should permission be granted, it will be limited to an initial period of, say, three years.

HEATHLANDS, WILLINGALE ROAD: Objection on the grounds that the proposal will be detrimental to the Green Belt, cause unacceptable visual impact and traffic concerns. Specific highways concerns raised relate to the erosion of historic verges, impacts on neighbouring residential properties and suitability of the road for the traffic that the proposal would generate. It is also stated that conditions could not adequately address these concerns and that impacts may increase if the business develops.

OFFINS COTTAGE, WILLINGALE ROAD: Objection on grounds that the proposal would result in unacceptable visual impact, traffic and highway safety concerns.

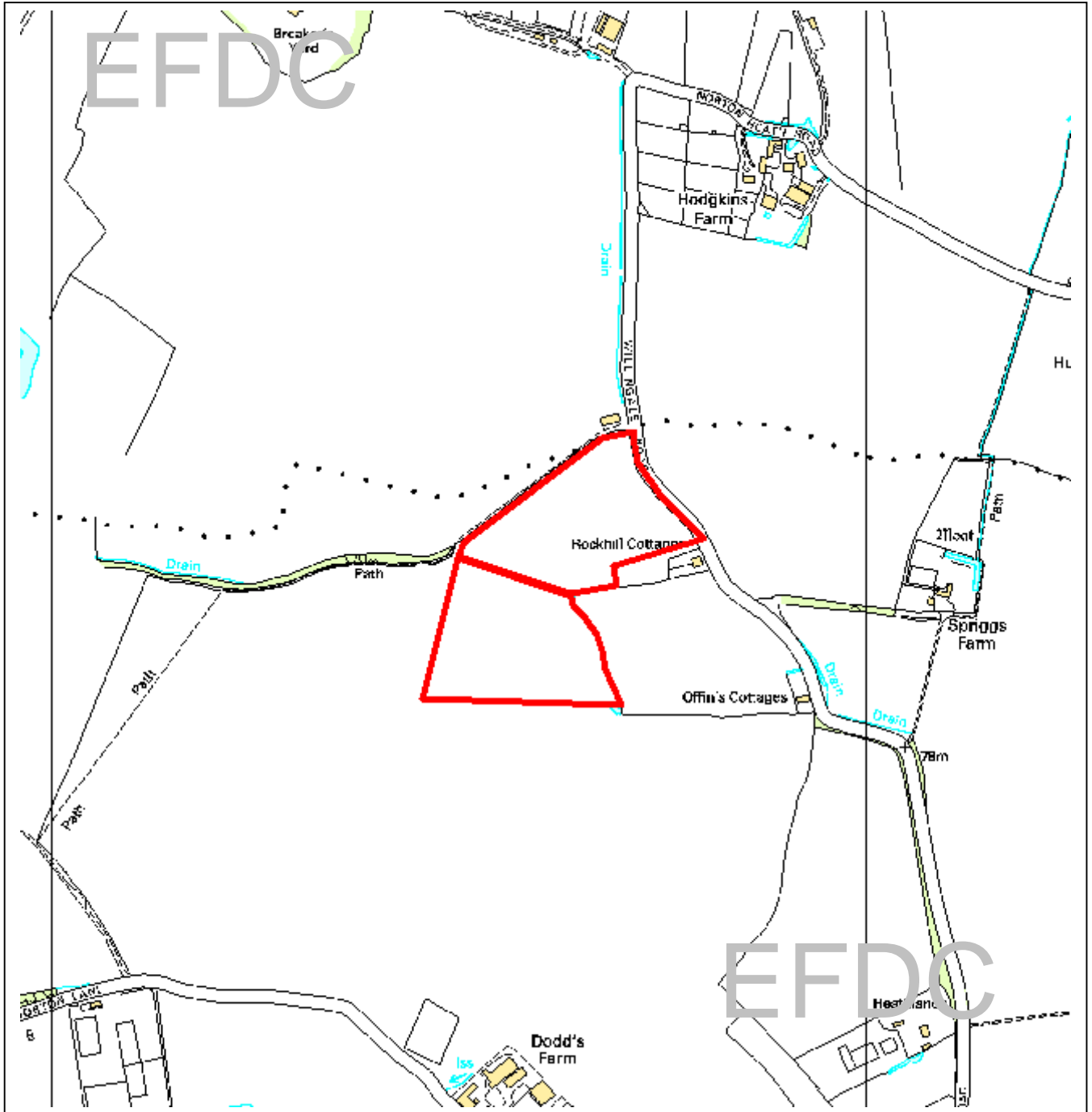
LOWER BROOK, NORTON HEATH ROAD: Objection on grounds that the proposal would result in an unacceptable visual impact, noise and disturbance, traffic and highway safety concerns.

ROCKHILLS FARM, WILLINGALE: Objection on the grounds that the proposal would cause highway safety and traffic problems and there are inconsistencies in the information submitted.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	16
Application Number:	EPF/1641/07
Site Name:	Rockhills Field, Willingale Road, Willingale, Ongar,
Scale of Plot:	1/7500