

Committee Agenda



**Webcast
Meeting**



**Epping Forest
District Council**

Area Planning Subcommittee East Wednesday, 9th April, 2008

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

Time: 7.30 pm

Democratic Services Officer Mark Jenkins - The Office of the Chief Executive
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 - 18)

To confirm the minutes of the Sub-Committee meeting of 12 March 2008.

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. DEVELOPMENT CONTROL (Pages 19 - 38)

(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.

8. 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.

9. 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 Paragraph Number	Information
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.

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.

Sometimes members of the Council who have a prejudicial interest and would normally withdraw from the meeting might opt to exercise their right to address the meeting on an item and then withdraw.

Such members are required to speak from the public seating area and address the Subcommittee before leaving.

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. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Sub-Committee members.

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'

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee East **Date:** 12 March 2008

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 10.00 pm

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

Other Councillors:

Apologies: Mrs H Harding, C Whitbread, Mrs J H Whitehouse and J M Whitehouse

Officers Present: A Sebbinger (Principal Planning Officer), M Jenkins (Democratic Services Assistant) and G Woodhall (Democratic Services Officer)

76. 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.

77. 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.

78. MINUTES

RESOLVED:

That the minutes of the meeting held on 13 February 2008 be taken as read and signed by the Chairman as a correct record.

79. DECLARATIONS OF INTEREST

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

- EPF/0084/08 – Red Lion, The Street, High Ongar, Ongar

- EPF/0085/08 – Red Lion, The Street, High Ongar, Ongar

(b) 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 that he would stay in the meeting for the consideration of the application and voting thereon:

- EPF/2700/08 – Rear of 4 to 45, Acres Avenue, Ongar

(c) Pursuant to the Council's Code of Member Conduct, Councillors Mrs A Grigg and D Stallan declared personal interests in the following item of the agenda, by virtue of being members of North Weald Parish Council. The Councillors had determined that their interests were not prejudicial and that they would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0174/08 – North Weald Airfield, North Weald, Epping

(d) Pursuant to the Council's Code of Member Conduct, Councillor D Stallan declared a personal interest in the following item of the agenda, by virtue of being the Housing Portfolio Holder. The Councillor had determined that his interest was prejudicial and that he would leave the meeting for the consideration of the application and voting thereon:

- EPF/2700/08 – Rear of 4 to 45, Acres Avenue, Ongar

80. ANY OTHER BUSINESS

The Chairman informed the Sub-Committee that a public meeting was being held regarding the recent planning decision made in respect of St. Margaret's Hospital, Epping. The meeting was taking place at Epping Hall on 17 March 2008 starting at 5.30p.m. and ending at 8.30p.m. Staff from the District Council's Planning Services were attending the meeting to answer questions from the public. Members of the Sub-Committee were urged to attend.

81. DEVELOPMENT CONTROL

RESOLVED:

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

82. DELEGATED DECISIONS

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

CHAIRMAN

Report Item No: 1

APPLICATION No:	EPF/0084/08
SITE ADDRESS:	Red Lion The Street High Ongar Ongar Essex CM5 9NB
PARISH:	High Ongar
WARD:	High Ongar, Willingale and the Rodings
DESCRIPTION OF PROPOSAL:	Works to convert public house to a restaurant including a single storey rear extension for storage and conservatory to rear.
DECISION:	Granted 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 first occupation of the building hereby approved the proposed window and door openings in west flank of the building shall be fitted with obscured glass and have fixed frames, and shall be permanently retained in that condition.
- 4 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.
- 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 development hereby permitted without the prior written approval of the Local Planning Authority.
- 6 Prior to the commencement of the development details of the proposed surface materials for the car park 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.
- 7 Prior to commencement of the development hereby approved, details shall be submitted for approval in writing to the Local Planning Authority of a ventilation,

fume extraction and odour control system which shall be in place and operational prior to the first use of the premises as approved.

- 8 Prior to the commencement of the development, details of soundproofing that will prevent noise transmission from the proposed ground floor function room to surrounding neighbouring properties shall be submitted and agreed in writing by the Local Planning Authority (LPA). These measures shall be implemented and thereafter retained unless the LPA gives its written consent to any variation.

Report Item No: 2

APPLICATION No:	EPF/0085/08
SITE ADDRESS:	Red Lion The Street High Ongar Ongar Essex CM5 9NB
PARISH:	High Ongar
WARD:	High Ongar, Willingale and the Rodings
DESCRIPTION OF PROPOSAL:	Grade II listed building application for the conversion of public house to a restaurant including a single storey rear extension for storage and conservatory to rear.
DECISION:	Granted 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 In the first floor central room, the extent of new openings shall be agreed in writing with the LPA following removal of finishes and inspection of the fabric.
- 3 The window to be removed at ground floor for access into the conservatory shall be reused in a location to be agreed in writing with the LPA.
- 4 Further details of new windows, doors, eaves, verges and sills shall be submitted to and approved by the LPA.
- 5 Samples of materials shall be submitted to and approved by the LPA.
- 6 A sample panel of brickwork shall be constructed on site to show the brick bond, mortar and pointing profile, to be approved by the LPA.
- 7 Further details of any proposed hard landscaping shall be submitted to and approved by the LPA.

Report Item No: 3

APPLICATION No:	EPF/0201/08
SITE ADDRESS:	Gallmans End Farm Manor Road Lambourne Romford Essex RM4 1NA
PARISH:	Lambourne
WARD:	Lambourne
DESCRIPTION OF PROPOSAL:	Use of building G1 as B1 use for the manufacturing of sofas.
DECISION:	Granted Permission (With Conditions)

The Committee's attention was drawn to a letter from the Parish Council, correcting an error within the representation.

CONDITIONS

- 1 The premises shall be used solely for B1 use and for no other purpose (including any other purpose in Class B2 of the Schedule to the Town & Country Planning (Use Classes) Order 2005, or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.
- 2 The B1 use hereby permitted shall not be open to staff and employees outside the hours of 8am to 6pm on Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or public holidays.
- 3 Vehicle movements shall not be increased above the levels detailed within the application hereby approved.

Report Item No: 4

APPLICATION No:	EPF/0027/08
SITE ADDRESS:	Malting Barn Matching Green Matching Essex CM17
PARISH:	Matching
WARD:	Hastingwood, Matching and Sheering Village
DESCRIPTION OF PROPOSAL:	Separation of the Malting Barn to be used as a separate dwelling. (Revised application)
DECISION:	Refused Permission.

REASONS FOR REFUSAL

- 1 This site is within the Metropolitan Green Belt. This proposal is at odds with policy GB8A of the Adopted Local Plan and Alterations in that the use of this building as a separate dwelling would have a significant impact on the Metropolitan Green Belt and would fail to accord with the objectives of the Metropolitan Green Belt, contrary to policy GB2A of the Adopted Local Plan and Alterations.
- 2 The separation of this unit into a separate residential dwelling would give use to increased activity and would be detrimental to the amenities of surrounding residential properties, contrary to policies DBE2 and DBE9 of the Adopted Local Plan and Alterations.

Report Item No: 5

APPLICATION No:	EPF/0174/08
SITE ADDRESS:	North Weald Airfield North Weald Epping Essex
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
DESCRIPTION OF PROPOSAL:	Continued use of part of airfield for Saturday and Bank Holiday outdoor markets with associated parking (Renewal of EPF/1631/00 for a period of five years).
DECISION:	Granted Permission Temporary Consent (5 years)

CONDITIONS

- 1 This consent shall inure for a limited period expiring 5 (five) years from the date of this notice, at which time the development permitted shall be discontinued.

Report Item No: 6

APPLICATION No:	EPF/2700/07
SITE ADDRESS:	Rear of 4 to 45, Acres Avenue Ongar Essex
PARISH:	Ongar
WARD:	Shelley
DESCRIPTION OF PROPOSAL:	Construction of 18 no. residential units with parking. (Revised application)
DECISION:	Refused Permission

The Committee's attention was drawn to a representation from Ongar Town Council, and letters of representation from 14 Acres Avenue, Ongar and 74 Queensway, Ongar.

REASONS FOR REFUSAL

- 1 The development, by reason of its siting, bulk, massing and position, in particular the proximity of the proposed flats to dwellings in Queensway, would represent an overdevelopment of the site and would be detrimental to the amenities of existing surrounding residential properties. This would be contrary to policies CP7, DBE1, DBE2 and DBE9 of the Adopted Local Plan and Alterations.

Report Item No: 7

APPLICATION No:	EPF/0045/08
SITE ADDRESS:	15 Red Oaks Mead Theydon Bois Epping Essex CM16 7LA
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Two storey and single storey rear extensions.
DECISION:	Granted 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 that Order) no enclosure or balcony shall be formed at any time on any part of the roof of the development hereby approved without the prior written approval of the Local Planning Authority.
- 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 development hereby permitted without the prior written approval of the Local Planning Authority.

Report Item No: 8

APPLICATION No:	EPF/0053/08
SITE ADDRESS:	21 Elizabeth Drive Theydon Bois Essex CM16 7HJ
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Two storey side/rear extension and single storey rear extension.
DECISION:	Granted 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 first floor flank elevation 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 that Order) no enclosure or balcony shall be formed at any time on any part of the roof of the development hereby approved without the prior written approval of the Local Planning Authority.
- 5 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.

Report Item No: 9

APPLICATION No:	EPF/0152/08
SITE ADDRESS:	25 Piercing Hill Theydon Bois Epping Essex CM16 7JW
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	First floor rear extension.
DECISION:	Granted 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 solely in accordance with the approved plans unless otherwise agreed in writing with the Local Planning Authority.

Report Item No: 10

APPLICATION No:	EPF/0153/08
SITE ADDRESS:	25 Piercing Hill Theydon Bois Epping Essex CM16 7JW
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Raise roof and erection of rear dormer windows. (Revised application)
DECISION:	Granted 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 solely in accordance with the approved plans unless otherwise agreed in writing with the Local Planning Authority.

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AREA PLANS SUB-COMMITTEE 'EAST'

Date 9 April 2008

INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1	EPF/0178/08	Bar 195 (Former Half Moon), 26 High Street, Epping	Grant Permission	21
2	EPF/0179/08	Bar 195 (Former Half Moon), 26 High Street, Epping	Grant Permission	25
3	EPF/0200/08	87 High Street, Epping	Grant Permission (With Conditions)	27
4	EPF/0302/08	19 Forest Grove, Woodside, Thornwood, Epping	Grant Permission (With Conditions)	30
5	EPF/0386/08	Blunts Farm, Coopersale Lane, Theydon Bois	Grant Permission (With Conditions)	33

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Report Item No: 1

APPLICATION No:	EPF/0178/08
SITE ADDRESS:	Bar 195 (former Half Moon) 26 High Street Epping Essex CM16 4AE
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr S Andrews
DESCRIPTION OF PROPOSAL:	Retention of elevational changes including removal of doors and windows, change of position of doors on front porch, change of window style, rendering and painting, construction of decking and amendments to conservatory.
RECOMMENDED DECISION:	Grant Permission

No Conditions

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).

Description of Proposal:

The applicant seeks planning permission for the retention of elevational changes to the former Half Moon public house that is now known as Bar 195.

The proposed changes include:

- The removal of a door and a window to the front façade. It should be noted that the door was bricked up some time ago before the changes were implemented.
- Change the position of the doors on the front porch. (The doors are in the same position as the original however they have been made slightly wider).
- Change the window styles.
- Rendering and painting.
- Construction of decking.
- Changes to conservatory to include dark roof panels, tinted dark windows and rendering in a black paint colour.

Description of Site:

The subject site is located on the corner of the High Street and Half Moon Lane within the town of Epping. The public house known as the Half Moon occupied the site before it was converted to what is now known as Bar 195.

Located to the south of the site is a petrol filling station, to the north is another public house known as the Duke of Wellington and adjacent to the site there are residential properties in the form of terraces and a garage/car selling business.

Relevant History:

There have been a number of planning applications submitted to Council since the early 1950's ranging from buildings and works to the existing building and a variety of different signage applications.

Policies Applied:

Local Plan Policies;
DBE1 Buildings in Contexts
DBE9 Protection of adjoining occupiers' amenities

Issues and Considerations:

The site is located within a mixture of different uses ranging from residential to commercial and therefore the main issues to be addressed are whether there would be any harm to character of the surrounding area or to the amenities of adjoining occupiers and whether the design and appearance is acceptable.

1. Design and the Built Environment:

The Epping Forest District Local Plan seeks to ensure that buildings and works are satisfactorily located and of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and would not prejudice the environment of occupiers of adjoining properties.

The major change to the building is that the render of the building has been painted black. The smaller changes such as amending the conservatory, window styles, widening of the front door and blocking up of existing openings are not as noticeable. It must be recognised that the rendering of the building and the choice of colour are not matters that are subject to planning control since this is not a listed building (nor is it within the Conservation Area).

In any event, although it was a shock when first carried out, it is considered that the change to render (painted black) is not harmful to the character of the area or the existing street scene as there are other buildings within the High Street that also have had their front facades painted black, e.g. Lathams and the Piano Lounge.

It is also considered that the other minor changes to the façade of the building and the proposed decking have not had a significant impact on the character of the area or a harmful appearance to the street scene.

2. Highways and parking:

It is noted that there would be a couple of vehicle spaces deleted in order for the construction of the decking towards the front of the building. However it is still considered that there are enough parking spaces on the site and in the surrounding area to meet the needs of the existing use.

3. Impact on Neighbours:

The proposed changes to the façade of the building and the decking would not cause harm to the amenities of adjoining occupants.

Conclusion:

In conclusion it is considered that the proposed works are acceptable in terms of design and appearance and are not so detrimental to this varied street scene and adjoining property occupiers as to warrant refusal. It is therefore recommended that application be approved for the reasons outlined above.

SUMMARY OF REPRESENTATIONS:

EPPING TOWN COUNCIL: The committee objects to the application for the following reason:

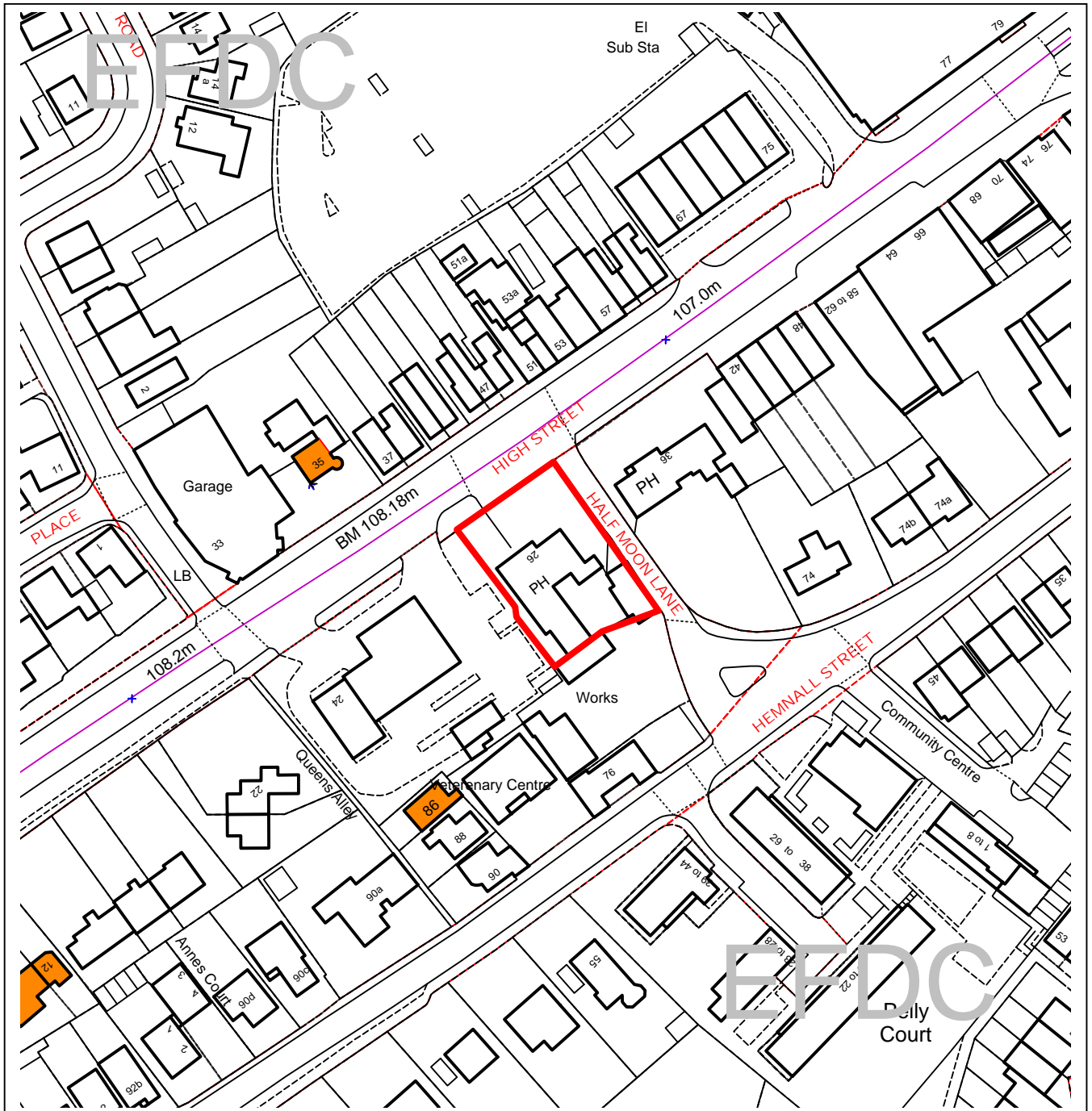
Committee objects to this development because it does not respect the building and adversely affects the street scene. The site is close to, and very visible from, Epping's conservation area and the proposals are out of keeping with the conservation area and will affect this important feature of Epping. Committee also expressed concern that this scale of change should be made without the benefit of a planning consent and feels that this increasing habit is damaging to the credibility of the planning system.

NEIGHBOURS: No objections were received.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	1 and 2
Application Number:	EPF/0178/08 & EPF/179/08
Site Name:	Bar 195, (former Half Moon) 26 High Street, Epping, CM16 4AE
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/0179/08
SITE ADDRESS:	Bar 195 (former Half Moon) 26 High Street Epping Essex CM16 4AE
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr S Andrews
DESCRIPTION OF PROPOSAL:	Erection of illuminated wall sign.
RECOMMENDED DECISION:	Grant Permission

No Conditions

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).

Description of Proposal:

The applicant seeks planning permission for the retention of an illuminated sign to the front façade to the public house known as Bar 195.

The new signage will have a height of 0.78 of a metre by a width of 2.75 metres and will replace the existing sign that advertised the Half Moon public house. The sign comprises of built up mirror steel letters with a polycarbonate back tray and will be illuminated by a white halo light.

Policies Applied:

Local Plan Policies:

DBE1 Buildings in Contexts
DBE9 Protection of adjoining occupiers' amenities
DBE13 Advertisements

Issues and Considerations:

The site is located within a mixture of different uses ranging from residential to commercial and therefore the main issues to be addressed are whether there would be any harm to character of the surrounding area or to the amenities of adjoining occupiers and whether the design and appearance of the sign is acceptable.

Sensitively designed and located advertisements can make a significant contribution to the character of shopping streets, but poorly designed, incongruous signs can detract from the character. Any advertisement should complement the existing building.

The proposed sign is to be the only advertisement to the front façade of the building. In this case, it is considered that the proposed illuminated sign is of an appropriate design response as it is small scale in relation to the wall on which it is located and set well back from the road. The materials, colours and style would reflect the character of the building without causing material detriment to the street scene and the appearance of the surrounding area. As the sign is to be illuminated by a white halo light, it would also not cause harm to the occupiers of the adjacent residential properties. The illumination is discreet when compared to the petrol filling station alongside.

It is considered that the erection of the sign would not cause an impact to highway safety for passing vehicles and pedestrians.

Conclusion:

In conclusion it is considered that the proposed illuminated sign is acceptable in terms of its design response and appearance and that it would reflect the character of the surrounding area without causing material detriment to the street scene and adjoining property occupiers. It is therefore recommended that application be approved for the reasons outlined above.

SUMMARY OF REPRESENTATIONS:

EPPING TOWN COUNCIL: The committee objects to the application for the following reason:

Committee objects to this development because it does not respect the building and adversely affects the street scene. The site is close to, and very visible from, Epping's conservation area and the proposals are out of keeping with the conservation area and will affect this important feature of Epping. Committee also expressed concern that this scale of change should be made without the benefit of a planning consent and feels that this increasing habit is damaging to the credibility of the planning system.

NEIGHBOURS: No objections were received.

Report Item No: 3

APPLICATION No:	EPF/0200/08
SITE ADDRESS:	87 High Street Epping Essex CM16 4BD
PARISH:	Epping
WARD:	Epping Lindsey and Lindsey and Thornwood Common
APPLICANT:	C Cousins
DESCRIPTION OF PROPOSAL:	Change of use from A1 (retail) to A2 (financial and professional).
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 Prior to the commencement of development details of an appropriate window display shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).

Description of Proposal:

This application seeks consent for the change of use from A1 (retail) to A2 (financial and professional services). The application does not detail the nature of the new business to occupy the premises and there are no proposed physical alterations to the building.

Description of Site:

Shop front premises situated on the northern side of High Street within the parade opposite the fire station. The premises is situated within the designated town centre boundary, although outside of the key retail frontage.

Directly adjacent to the site to the south is the Epping Conservation Area.

Relevant History:

EPF/1611/88- a) Change of use from coffee retail shop to on site dry cleaners. b) Change from dry cleaning receiving shop to on site dry cleaners- Approved

Policies Applied:

TC1A – Town centre hierarchy
TC3A- Town centre function
TC5A- Window Displays
HC6- Development affecting Conservation Areas
DBE12- Shop fronts

Issues and Considerations:

The issues relevant to this application are the appropriateness of the development in light of town centre policy and the impact upon the character and appearance of the Conservation Area.

Policy TC4A states that in the revised 'key retail frontage' the balance of retail and non-retail units should not exceed 30% non retail. However, in periphery town centre locations (other non key areas) proposals should be assessed on policies TC1A and TC3A.

In light of the above, the appropriateness of the application turns on whether the proposal will have a detrimental impact upon the vitality and viability of the function of Epping as a principal district centre. The 'non-key' frontages are to support the retail predominance of the key frontage, not needing to be primarily retail in themselves but providing a supportive function. Following an assessment of the other retail units in the vicinity of number 87, there is currently considered to be a reasonably healthy amount of A1 units. Retail units currently trade close by at numbers 71, 77-79 (Tesco) 97, 83 and 74-76 High Street.

Within this terrace of shops adjacent to Crows Road, 3 of the 8 premises are operating as A1 units. Whilst this will be reduced to 2 if this scheme were to be approved, the change would not significantly detract from the shopping options to the south west of the town centre, which supports the key frontage. Comments from the Parish Council are noted, although a new A2 unit in this location is an acceptable town centre use which will complement the retail core within the key frontage.

In terms of the impact on the adjacent Conservation Area, this application does not propose any physical changes to the building. Policy TC3A also seeks to ensure that new development retains an active frontage at ground floor level, which contributes to making the town centre an attractive place to shop. Details of the new A2 unit have not been specified within the application, although the imposition of a suitable planning condition can ensure that the unit retains an active frontage through an appropriate window display.

Conclusion

This application for a new A2 unit is not considered to jeopardise the position of Epping as a principal centre in the District town centre hierarchy. In addition, the appearance of the new unit can be assured to complement the character and appearance of the Conservation Area through the imposition of a suitable planning condition. Approval is recommended.

SUMMARY OF REPRESENTATIONS:

EPPING TOWN COUNCIL - Object due to the loss of another retail unit from the high street.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	3
Application Number:	EPF/0200/08
Site Name:	87 High Street, Epping, CM16 4BD
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/0302/08
SITE ADDRESS:	19 Forest Grove Woodside Thornwood Epping Essex CM16 6NS
PARISH:	North Weald Bassett
WARD:	Epping Lindsey and Lindsey and Thornwood Common
APPLICANT:	Daniel Crocker
DESCRIPTION OF PROPOSAL:	Single storey rear extension. (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 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).

Description of Proposal:

Single storey rear extension with roof terrace (revised application). The extension measures 7.9m wide and has a depth of 4.2m. The extension is set in from the flank walls of the property by 0.2m. The proposal measures 4m in height including terrace walls/railings. The proposal is located 6m from the shared boundary with No. 18 to the east, 6.55m from the side wall of the attached garage at No. 15 to the North and 3m from the side boundary wall to the west.

Description of Site:

19 Forest Grove is located on the north side of Woodside within the Forest Grove estate of properties which were granted planning permission in January 2006. It is located on the edge of the small built up area of Thornwood. It is a two and a half storey end of terrace property with carriage arch parking that provides two parking spaces. It is not within the Metropolitan Green Belt or a Conservation Area.

Relevant History:

EPF/0146/08 – Single storey rear extension – Withdrawn by applicant

Policies Applied:

DBE9 – Impact on amenity
DBE10 – Extensions to dwellings

Issues and Considerations:

The main issues in this case are:

1. Impact on the amenities of neighbouring properties
2. Acceptability of its design in relation to the existing house and street scene

1. Impact on the amenities of neighbouring properties

The proposed extension exceeds the 3m normally accepted by the Council for single storey extensions by 1.2m. However, although this property is terraced, it is an end of terrace and because of the carriage arch for this property and the adjoining carriage arch for No. 18 the proposal is some 6m+ from the rear wall for No.18. In addition, no.18 already projects 3m beyond no.19. Therefore any loss of outlook or light to No.18 is limited due to the distances between the two over the existing rear parking spaces.

In terms of overlooking from the terrace, no.18 has a similar existing terrace that was incorporated into the original design from the 2006 planning application. The proposed terrace has a solid wall 0.65m in height and railings for the additional 0.5m and this will reduce any potential overlooking. There would also be no significant extra overlooking given the residential nature of the surrounding area and the existing terrace at the neighbouring property.

2. Acceptability of its design in relation to the existing house and street scene

In terms of design the extension has been designed to complement that of the existing property and mirrors to a certain degree the rear addition and terrace of no.18 and is therefore not out of keeping with the existing streetscene.

Although there is a loss of amenity space it is considered that there is ample space remaining, over 100sqm, particularly as the rear garden extends around the side of the property.

Conclusion

Although the rear extension exceeds the preferred depth of 3m it is considered that given the circumstances of the location of this property and the design of the existing and adjoining properties it is recommended that conditional planning permission be granted.

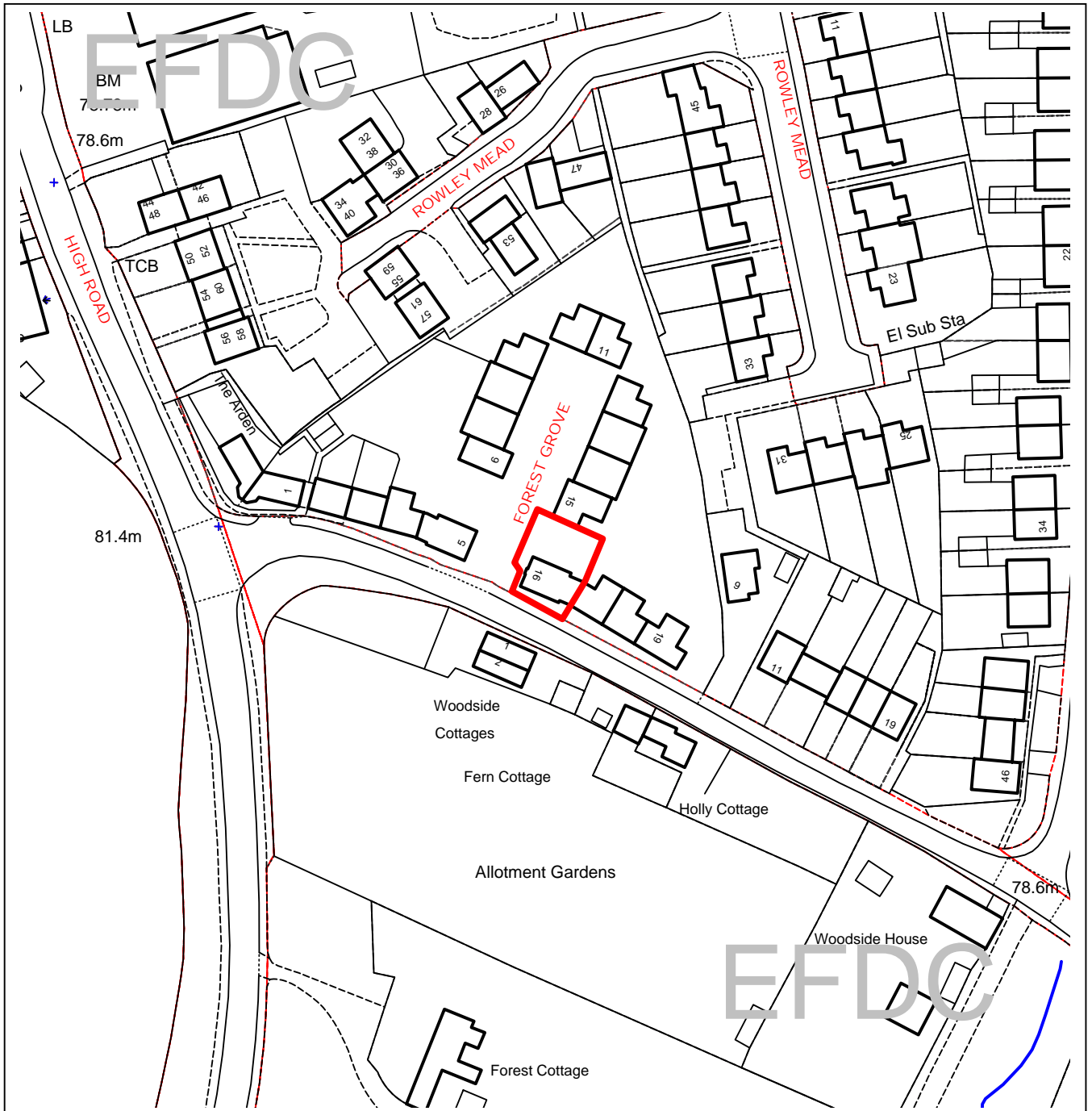
SUMMARY OF REPRESENTATIONS:

NORTH WEALD PARISH COUNCIL: The Council objects to this application as the proposal by its bulk, siting and size would represent an overdevelopment of the site.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	4
Application Number:	EPF/0302/08
Site Name:	19 Forest Grove, Woodside, Thornwood, Epping, CM16 6NS
Scale of Plot:	1/1250

Report Item No: 5

APPLICATION No:	EPF/0386/08
SITE ADDRESS:	Blunts Farm Coopersale Lane Theydon Bois Epping Essex CM16 7NT
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Ms T O'Reilly
DESCRIPTION OF PROPOSAL:	Replacement dwelling.
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 1 Class A, B, E, F shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 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.

- 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 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 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.

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).

Description of Proposal:

Demolition of existing detached two storey house, and erection of a replacement dwelling. The plans have been revised to remove the detached garage from this scheme.

Description of Site:

Existing two storey farmhouse in the Green Belt. The house is set back to the north from Coopersale Lane by about 110m. It has been separated from the Golf Course site to the immediate north, which comprises of part of the former agricultural holding and farm buildings, which will be demolished. The site commands panoramic views over the valley to the north.

Relevant History:

EPF/1240/04	Removal of Agricultural tie	approved
EPF/1594/05	Demolition of existing house and erection of replacement	refused
EPF/1123/06	Demolition of existing house and erection of replacement	withdrawn
EPF/1763/06	Demolition of existing house and erection of replacement	refused
Appeal re above - dismissed		

Policies Applied:

GB2A	Green belt
GB15A	Replacement Dwellings
DBE 1	Design of new buildings
DBE 4	Design in the Green Belt
LL1	Landscaping

Issues and Considerations:

The main issues in this application are:

1. Whether a replacement house is acceptable in principle and if this particular proposal complies with Council policy on replacement houses within the Green Belt.
2. Design
3. Impact on Neighbours
4. Landscaping
5. Other Matters

The previous scheme was dismissed on appeal, with the Inspector's reasoning being that the new dwelling had an increase in built volume of 20% over the existing dwelling when the proposed garage was included, its siting closer to the road, and increase in height. He also regarded the design as inappropriate in this rural area.

1. Green Belt

- This proposal would see the existing farm house demolished and the erection of a two storey four bedroom dwelling, on the same site as the present building.
- The current house has its garden area to the west and south of the access track from Coopersale Lane (although the Inspector did not acknowledge its use as such).
- The current house has a T shaped plan and is 8m high with a pitched roof.

- The replacement house will have a U shaped plan and be 7.6m high with two gables to the front on an otherwise hipped roof. The first floor is largely formed in the roof space with a pitched roof dormer on the front elevation and three pitched roof dormers on the rear elevation.
- The existing building is of no particular merit and its replacement is acceptable in principle.
- Council Policy allows the replacement of existing dwellings in the Green Belt if the building is not materially larger than the existing building. The current building has a footprint of 241m² and a volume of 1203m³.
- This proposal would see a dwelling with a footprint of some 228m² and a volume of 1092m³. This is a reduction in footprint and in volume, by some 9% over the existing house volume.
- Policy in respect of replacement buildings states replacement dwellings will not be allowed if they are materially greater in volume than that which it replaces. This application meets these criteria as the footprint, volume and height are all reduced from the existing dwelling.
- The area of garden proposed would be no greater than that which already exists on the site, notwithstanding the Inspectors comments.
- There will be no impact on the part of Coopersale Lane which is a protected lane.
- Therefore, as the application stands there will no adverse impact on the openness and character of the Green Belt in this location. Indeed there will be a reduction in the built form on the site.
- The permission can be conditioned to remove permitted development rights, which would stop the erection of excessive outbuilding or extensions and the like on the site without having to apply for permission.
- The initial scheme also showed a detached garage at the front on the property. Although only a ground plan was shown the applicant has removed this as there are negotiations underway regarding the ownership of the site in this area.
- However, for completeness the issue of the garage can be addressed. If PD rights were to be removed any garage would need permission and could therefore be assessed as to its impact on the Green Belt.
- The garage originally shown had a footprint of 39m², which would give a rough volume of 195m³ at 5m in height. If this were to be the case, and it is likely that any approved garage would be lower with a reduced volume, then the combined volume increase would be some 6% over the existing structure.
- Therefore the scheme as presented causes no harm to the Green Belt, and any application for a detached garage will need to be considered on its own merits, but it would appear likely that such a structure could be within a tolerable limit for a volumetric increase on this site over the existing building.

2. Design

- The dwelling is of a fairly conservative appearance, with the main unusual feature being a small flat topped stairwell projection on the rear elevation. This is not out of place and adds interest to the structure.
- The rear roof slope has the rooms in the roof, reducing the impact and the roof is hipped on this elevation which further reduces the impact.
- It is considered that the design of the property is acceptable and well designed.

3. Impact on Neighbours

- The nearest neighbours at Blunts Chase (50m to the east) and Blunts Farm Cottages would not be adversely affected by this scheme.

4. Landscaping

- There are a number of mature trees and hedgerows on the site. These can be safeguarded by way of a landscaping condition.

5. Other Matters

- Objectors have commented that the applicant is not the actual applicant and is a front for the development company of the Golf Course site. The Agent refutes this and in any event the application should be dealt with on its merits.
- This scheme is a sensible and appropriate replacement dwelling which is in line with both Local and National Planning Policies. To refuse this application on the grounds of the identity of the applicant would be unsustainable on any appeal.

Conclusion

This scheme causes no harm to the openness and character of the Green Belt, and is an acceptable design which integrates well onto the site. It has overcome the previous reasons for refusal and the recommendation is therefore for approval.

SUMMARY OF REPRESENTATIONS

PARISH COUNCIL – Object, we acknowledge that the design and situation of this replacement dwelling is more sympathetic to the rural environment than the previous application. We are however concerned that the new dwelling would still be materially greater in volume as it is not clear whether the new garage has been taken into account in the total volume measurement quoted in the Design Statement. Given the proposed garage is not detailed we cannot assess the full impact of the combined development will have on the openness of the Green Belt. In the event officers are minded to grant this application we suggest the removal of permitted development rights.

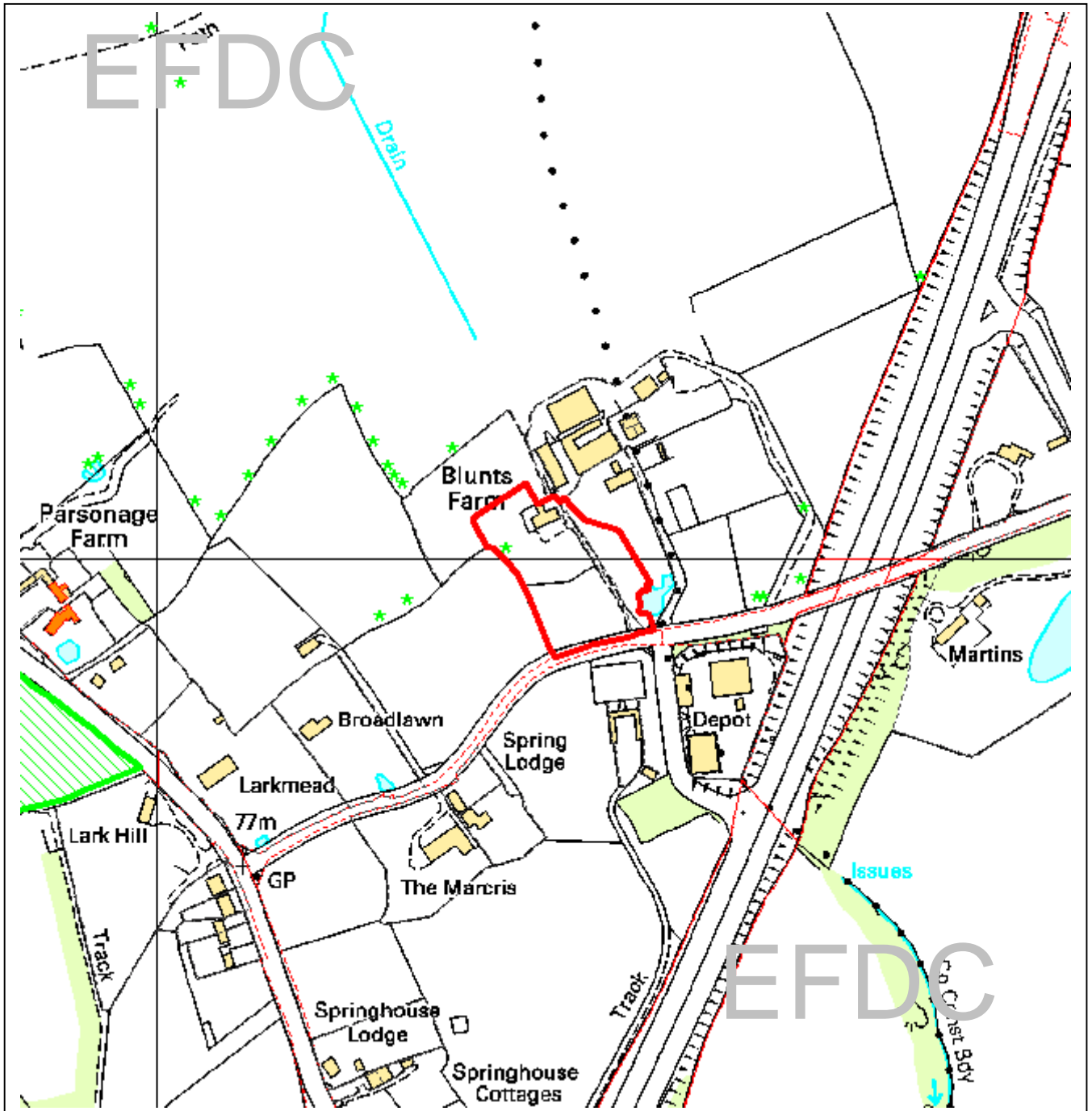
THEYDON BOIS RURAL PRESERVATION SOCIETY – support the application subject to the appropriate conditions to deal with a few reservations.

THEYDON BOIS ACTION GROUP – Object, this is an application that Aitch Group is trying to disguise their involvement in. The original dwelling is not substantial or exclusive. The volume of the existing house quoted by the Planning Inspector was 1200m³. The Inspector stated that the increase of 50m³ on the house and 197m³ on the garage was an increase of 20% and disproportionate. Inspector confirmed PD rights were hypothetical at the planning stage. This will be out of keeping with the area. This development team has caused great harm to the Green Belt with the golf course development, and a grant of permission will reward them for the harm they have inflicted. (Two objections received)



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	5
Application Number:	EPF/0386/08
Site Name:	Blunts Farm, Coopersale Lane Theydon Bois, CM16 7NT
Scale of Plot:	1/5000