

# Committee Agenda



**Webcast  
Meeting**



**Epping Forest  
District Council**

## ***Area Planning Subcommittee West Wednesday, 21st November, 2007***

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

**Room:** Council Chamber

**Time:** 7.30 pm

**Democratic Services Officer** Adrian Hendry - Research and Democratic Services  
Email: ahendry@eppingforestdc.gov.uk Tel: 01992 564246

### **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.**

Members:

Councillors P McMillan (Chairman), J Wyatt (Vice-Chairman), R Bassett, Mrs P Brooks, Mrs A Cooper, R D'Souza, J Demetriou, Mrs R Gadsby, Mrs J Lea, Mrs M Sartin, Mrs P Smith, Ms S Stavrou, A Watts and Mrs E Webster

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

**1. 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 SUBCOMMITTEES (Pages 5 - 6)**

General advice to people attending the meeting is attached together with a plan showing the location of the meeting.

**3. APOLOGIES FOR ABSENCE**

**4. MINUTES (Pages 7 - 12)**

To confirm the minutes of the last meeting of the Sub-Committee held on 24 October 2007 as correct record (attached).

**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 25 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 13 - 24)**

(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. PROBITY IN PLANNING - APPEAL DECISIONS, APRIL TO SEPTEMBER 2007 (Pages 25 - 30)**

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

**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):

<b>Agenda Item No</b>	<b>Subject</b>	<b>Exempt Information Paragraph Number</b>
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.

### **What can I say?**

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

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

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

### **How are the applications considered?**

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

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

### **Further Information?**

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

This page is intentionally left blank

## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Area Planning Subcommittee West   **Date:** 24 October 2007

**Place:** Council Chamber, Civic Offices, High Street, Epping   **Time:** 7.30 - 8.50 pm

**Members Present:** P McMillan (Chairman), J Wyatt (Vice-Chairman), R Bassett, Mrs P Brooks, Mrs A Cooper, R D'Souza, Mrs J Lea, Mrs M Sartin, Mrs P Smith, A Watts and Mrs E Webster

**Other Councillors:**

**Apologies:** J Demetriou, Mrs R Gadsby and Ms S Stavrou

**Officers Present:** S Solon (Principal Planning Officer), A Hendry (Democratic Services Officer) and Z Folley (Democratic Services Assistant)

---

### 40. 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.

### 41. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements agreed by the Council, to enable persons to address the Sub-Committee in relation to the determination of applications for planning permission.

### 42. MINUTES

#### RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 26 September 2007 be taken as read and signed by the Chairman as a correct record.

### 43. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs P Brooks declared a personal interest in agenda items 7 (EPF/01/07 Confirmation of Tree Preservation Order – Land adjacent to Park Farm Nursery, Sewardstone Road, Waltham Abbey) by virtue of being a members of the Lea Valley Regional Park Authority. The Councillor declared that her interests were not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the items.

(b) Pursuant to the Council's Code of Member Conduct, Councillor Mrs E Webster declared a personal interest in agenda items 7 (EPF/01/07 Confirmation of Tree Preservation Order – Land adjacent to Park Farm Nursery, Sewardstone Road, Waltham Abbey) by virtue of being a members of the Lea Valley Regional Park Authority. The Councillor declared that her interests were not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the items.

#### **44. ANY OTHER BUSINESS**

It was reported that there was no urgent business for consideration at the meeting.

Councillor Mrs Smith took the opportunity to report back to the Sub-Committee that the Standards Board for England has produced an informative DVD on the conduct of Councillors at planning meetings including the new declaration of interest rules. She urged the members to take the opportunity to view this when offered.

#### **45. CONFIRMATION OF TREE PRESERVATION ORDER EPF/01/07 – LAND ADJACENT TO PARK FARM NURSERY, SEWARDSTONE ROAD, WALTHAM ABBEY**

The tree preservation order was made as a result of this site being marketed for sale. Whilst it had not been possible to fully access the site, from aerial photographs it was evident that the site was well treed. The purpose of the area order was to ensure that the trees are taken into account should any planning application be received.

After consideration of the report the sub-committee agreed to the confirmation of the tree preservation order.

##### **RESOLVED:**

That Tree Preservation Order EPF/01/07 be confirmed.

#### **46. DEVELOPMENT CONTROL**

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

##### **RESOLVED:**

That, Planning applications numbered 1 – 3 be determined as set out in the annex to these minutes.

#### **47. DELEGATED DECISIONS**

The Sub-Committee noted that details of planning applications determined by the Head of Planning Economic Development under delegated authority since the last meeting had been circulated to all members and were available for inspection at the Civic Offices.

**CHAIRMAN**



**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/0362/07
<b>SITE ADDRESS:</b>	Villa Nursery Reeves Lane Roydon Essex CM19 5LE
<b>PARISH:</b>	Roydon
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use of horticultural site to a mixed use of horticulture and packing and distribution use. (Revised application)
<b>DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The packing and distribution hereby approved shall only take place between the hours of 0700 and 1730 Monday to Friday and 0700 -1400 on Weekends and Public/Bank Holidays.
- 2 The packing and distribution hereby approved shall be limited to handling of fresh horticultural food produce and shall not include the handling of any other goods or foodstuffs.
- 3 Sufficient space shall be set aside and identified on the site for the access and parking of staff vehicles and all heavy goods vehicles in accordance with a plan submitted to and agreed in writing by the Local Planning Authority within 3 months of the date of this decision.
- 4 The percentage turnover at this site represented by fresh salad crops originating from outside the UK shall not exceed 30% per annum.
- 5 Heavy Goods Vehicle movements to and from the site shall only take place between the hours of 0730 and 2100 Monday to Friday and between 0730 and 1600 on weekends and public/bank holidays.
- 6 Within 3 months of the date of this permission a scheme for the routing of Heavy Goods Vehicles to and from the site together with mechanisms for enforcing the scheme shall be submitted to and agreed by the Local Planning Authority. The routing shall avoid use of Reeves Lane to the north of the application site. All HGV's using the site thereafter shall adhere to the agreed routing.

- 7 Within 3 months of the date of this permission a scheme for the display of signage identifying the site shall be submitted to and agreed by the Local Planning Authority. The signage agreed shall be displayed within 3 months of it being agreed and thereafter permanently retained unless otherwise agreed in writing by the Local Planning Authority.

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/0705/07
<b>SITE ADDRESS:</b>	Villa Nursery Reeves Lane Roydon Harlow Essex CM19 5LE
<b>PARISH:</b>	Roydon
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use and conversion of domestic outbuilding to bungalow annexe including replacement of flat roof with pitched roof. For use of extended family of occupants of Villa Nursery.
<b>DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The building the subject of this permission shall be used only as an annexe to the main dwelling known as The Villa, Villa Nursery and shall be occupied only by members of the extended family of the occupants of The Villa. The building shall not be sold or let as a separate dwelling unit.

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/1793/07
<b>SITE ADDRESS:</b>	87a Monkswood Avenue Waltham Abbey Essex EN9 1 LJ
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey North East
<b>DESCRIPTION OF PROPOSAL:</b>	Rear conservatory extension, shed and front velux windows.
<b>DECISION:</b>	Grant Permission

**CONDITIONS**

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

## AREA PLANS SUB-COMMITTEE 'WEST'

Date 21 November 2007

### INDEX OF PLANNING APPLICATIONS

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/1215/07	Love Apple Farm, 156 Crooked Mile, Waltham Abbey	REFUSE	15
2.	EPF/1996/07	80 High Street, Roydon	GRANT	20

This page is intentionally left blank

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/1215/07
<b>SITE ADDRESS:</b>	Love Apple Farm 156 Crooked Mile Waltham Abbey Essex EN9 2ES
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey North East
<b>APPLICANT:</b>	Mr R Brackenbury
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of a replacement dwelling
<b>RECOMMENDED DECISION:</b>	Refuse Permission

**REASON FOR REFUSAL**

- 1 The site is within the Metropolitan Green Belt. The proposed works represent inappropriate development and are at odds with Government advice and policies GB2A and GB15A of the Adopted Local Plan and Alterations. In the view of the Local Planning Authority the application does not comply with these policies because the proposed dwelling and garage would have a greater volume than the building that they would replace, harm the openness of the Metropolitan Green Belt and be contrary to the objectives of including land within the Metropolitan Green Belt. As no very special circumstances sufficient to overcome the harm to the Green Belt have been put forward the application is deemed to be unacceptable.

***This application is before this Committee since it has been ‘called in’ by Councillor Mrs Lea (Pursuant to Section P4, Schedule A (h) of the Council’s Delegated Functions).***

**Description of Proposal:**

The application seeks planning permission for the erection of a replacement dwellinghouse following the demolition of the existing dwelling. This would include a new detached garage.

**Description of Site:**

The application site is a detached dwellinghouse situated on the east side of Crooked Mile, Waltham Abbey. The dwelling forms part of a linear collection of buildings north of Marle Gardens and south of Holyfield. The property has previously undergone various alterations and extensions. The site falls within the Metropolitan Green Belt and an area known to be at risk from local flooding.

### **Relevant History:**

WHX/0051/57 Bathroom and extra living room' Granted (1957).

### **Policies Applied:**

Local Plan:

CP1 (Sustainable Development); CP2 (Rural and Built Environment); CP3 (New Development); CP4 (Energy Conservation); CP5 (Sustainable Building); CP6 (Sustainable Urban Development Patters); CP9 (Sustainable Transport); DBE1 (Design); DBE2 (Amenity); DBE4 (Buildings and Spaces); DBE6 (Parking); DBE8 (Amenity Space); DBE9 (Amenity); GB2A (Green Belt Development); GB15A (Replacement Dwellings); ST1 (Development Location); ST2 (Accessibility); ST4 (Road Safety); ST6 (Parking); RP3 (Water Quality); RP5A (Environmental Impacts); LL1 (Rural Landscape); LL2 (Rural Landscape); LL10 (Landscape Protection); LL11 (New Planting)

### **Issues and Considerations:**

The issues in this case relate to the impact of the development on the Metropolitan Green Belt, environment, character and appearance of the locality, amenities of neighbouring properties and the adequacy of amenity space provision, the suitability of the parking proposed, the developments implications for highway safety and the acceptability of the proposal in terms of sustainability matters.

#### **1. Green Belt matters**

Council policies require that replacement dwellings in the Green Belt are not materially greater in volume than the dwelling replaced, do not have a greater impact on the openness of the Green Belt than the original building and do not result in an increase in the size of cultivated garden. Development may only contravene these requirements if there are very special circumstances sufficient to overcome any harm caused to the Green Belt by the development.

The proposed dwelling has a volume approximately 34.8% larger than that of the dwelling that it replaces and has a greater maximum dimensions. It is therefore considered that the proposal would have a significantly greater impact on the openness of the Green Belt than the dwelling which would be replaced. The substantial double garage also proposed further exacerbates this impact.

It is noted that a range of circumstances have been put forward, which the applicant considers to outweigh any harm caused by the proposal. These include:

1. The poor standard of accommodation provided by the existing property;
2. the need to provide disabled access;
3. the view that total living accommodation on one level for the applicants is needed alongside support accommodation for family members at a first floor level;
4. the wish to improve the situation with regard to local flooding on the site;
5. the desire to replace the existing incongruous building with a more appropriate building.

It is accepted that the provision of these benefits would offer some improvement, in planning terms on the site. However, it is not considered that the points either individually or collectively represent



very special circumstances sufficient to overcome the harm caused by the considerable impact the development would have on the Metropolitan Green Belt. Points 1, 2, 4 and 5 could all be achieved without the erection of a larger building, with a garage, on the site. In terms of point 4 the desire for additional accommodation to be provided due to the personal circumstances of the applicant is noted. However, it is not considered to constitute very special circumstances which are sufficient to overcome the considerable harm that the proposal would cause to the Green Belt. Officers deem the proposal to harm the openness of the Green Belt and be contrary to the objectives of including land within the Green Belt. As the circumstances quoted are not regarded as sufficiently special to overcome this harm, the proposal is felt to be unacceptable in this regard.

## 2. Design, character and sustainability matters

Council policies require that new buildings respect their setting, relate suitably to the surrounding spaces, are of a size and position that they adopt a significance appropriate to their function, safeguard character and townscape, employ materials which are sympathetic to their context and are accompanied by suitable landscaping. The design, size and siting of the development are such that, as they could be controlled with suitable conditions, the development would comply with these Council policies. Similarly landscaping matters are deemed to be adequately addressable through the imposition of conditions.

## 3. Amenity and environmental impact matters

Council policies require that new development does not have excessive environmental impacts or a detrimental effect upon the function and amenity of neighbouring or surrounding properties. Officers consider the design of the development to be such that, as controlled by suitable conditions, the proposal would not be detrimental to the amenities of neighbouring and surrounding properties or result in excessive adverse environmental impacts. More specifically it is noted that the proposal falls within an area with a flooding problem, despite the fact that it falls outside a flood risk assessment zone. As such the Council Land Drainage Group have requested that a condition relating to flood risk assessments and sustainable drainage systems be placed upon any grant of consent. This is deemed by officers to be reasonable. The Environment Agency has not raised any objections to the proposal.

Proposals for new residential development are required to provide adequate amenity space and an attractive place to live. It is considered that the design and layout of the proposal is such that it would provide adequate amenity space and an attractive living environment, with sufficient amenity for the future occupiers of the dwelling.

## 4. Highways and parking matters

Council policies require that proposed developments provide a suitable number of parking spaces, are well related to the road hierarchy, unlikely to lead to excessive congestion, appropriately located, would not be detrimental to highway safety and are not likely to result in excessive adverse effects from traffic generation. The County Council Highways Group have not raised any objection to the development and it is considered that the proposal, as could be controlled with suitable conditions, is acceptable in all these regards.

## Conclusion

While the proposal, as could be controlled by suitable conditions, is deemed to be acceptable in certain regards, this is not considered to outweigh the harm that the proposed buildings would cause to the Metropolitan Green Belt as outlined above. The application is therefore recommended for refusal.

**SUMMARY OF REPRESENTATIONS:**

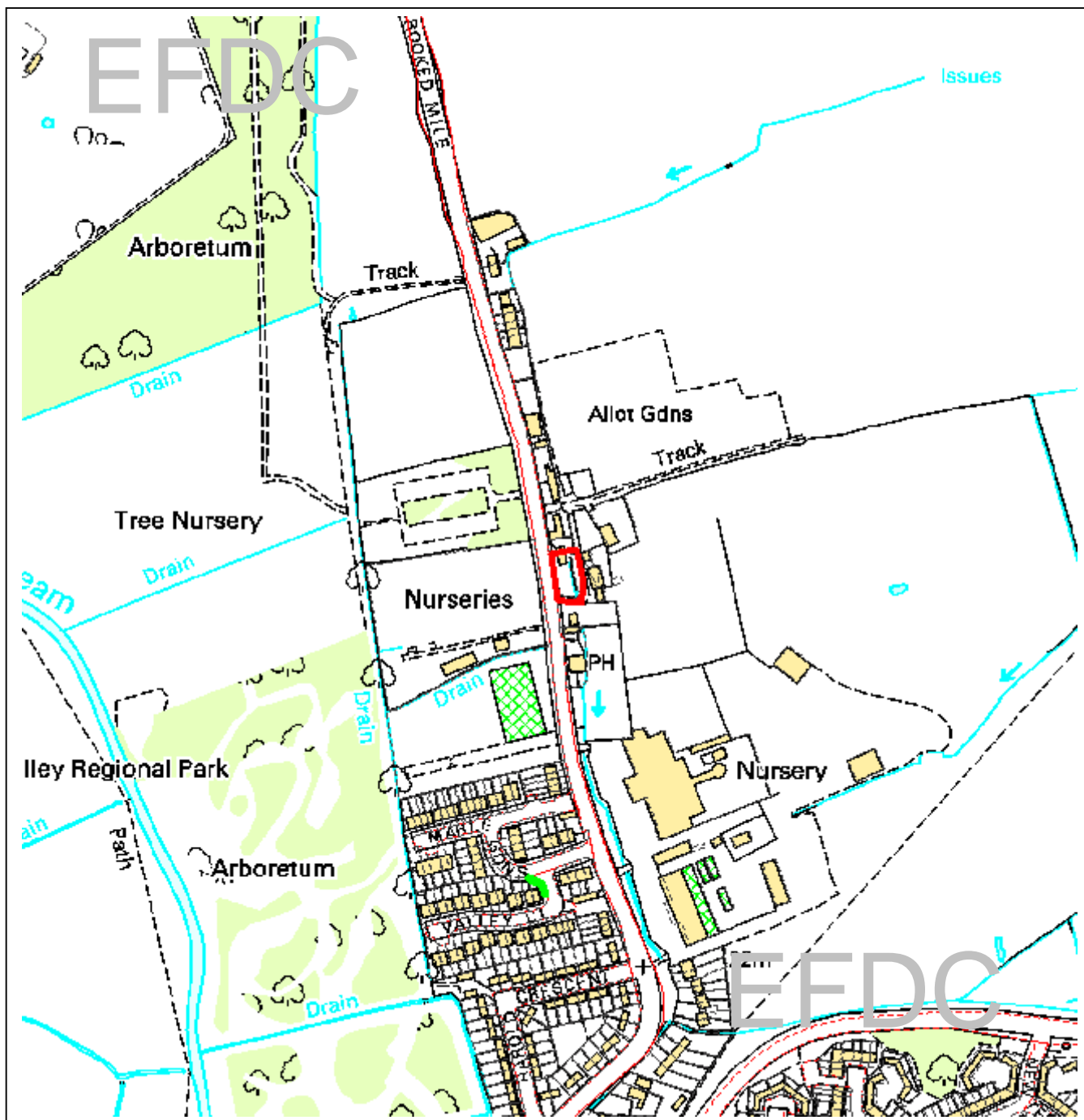
WALTHAM ABBEY TOWN COUNCIL – No Objection.

No neighbour representations have been received in respect of the application.



# Epping Forest District Council

## Area Planning Sub-Committee West



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

Agenda Item Number:	1
Application Number:	EPF/1215/07
Site Name:	Love Apple Farm, 156 Crooked Mile, Waltham Abbey, EN9 2ES
Scale of Plot:	1/5000

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/1996/07
<b>SITE ADDRESS:</b>	80 High Street Roydon Essex CM19 5EE
<b>PARISH:</b>	Roydon
<b>WARD:</b>	Roydon
<b>APPLICANT:</b>	Mr & Mrs S Greaves
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of a garden shed and tool store.
<b>RECOMMENDED DECISION:</b>	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 application seeks consent for the retention of a garden shed/outbuilding and tool store situated at the end of the back garden of a house.

The shed/outbuilding has a footprint of some 7 square metres and is 3m in height. The exterior walls are finished in black weatherboarding and it has a tiled roof.

The tool store abuts the rear elevation of the shed/outbuilding and has a footprint of some 2 square metres with a height of approximately 1.2m high. It has a green felt roof and weatherboard finish.

Planning permission for the shed/outbuilding and tool store is required because the property is situated in a conservation area and the structure exceeds a volume of 10 cubic metres.

**Description of Site:**

Terraced property situated on the eastern side of High Street, Roydon. The site is within the Roydon Conservation Area. The adjoining house to the north, number 82 is a Listed Building. Land beyond the rear garden boundary is within the Metropolitan Green Belt.

The property has an unusual rear garden shape, part of which is rear of the rear elevation of number 82. The garden is enclosed by planting with trees to the rear.

## **Relevant History:**

None relevant

## **Policies Applied:**

### *Adopted Local Plan*

DBE1 New buildings

HC7 Development within Conservation Areas

HC12 Development affecting the setting of a listed building

## **Issues and Considerations:**

The key issues relevant to this scheme relate to the detailed design and appearance in the Conservation Area, impact upon the setting of the adjoining listed building and impact on the amenities enjoyed by the occupants of neighbouring properties. The development is not conspicuous from the Green Belt.

### 1. Design and Appearance

New buildings in a Conservation Area should preserve or enhance the character and appearance of the area. Development in the vicinity of listed buildings should not adversely affect their setting. This outbuilding is relatively small and is of an appropriate scale and proportion in relation to the dwelling which it serves. The materials of construction are appropriate to its setting, with traditional black weather boarded walls and a tiled roof. There is some concern over the height of the building, although the building is not considered to be unduly prominent and does not attract any adverse comment from the Council's conservation officers.

### 2. Amenity

In terms of amenity, the outbuilding is located at the end of the rear garden and is not within 30m of any residential properties. There is also some vegetation screening which softens its impact. The neighbouring number 78 objects to the use of the building, although given its small scale, it is clearly intended for domestic, ancillary use.

As a separate issue the Parish Council has concerns that the plans do not accurately represent the outbuilding as constructed. However, having regard to the location and nature of the development, officers are of the opinion that the plans are sufficiently accurate to describe the development and enable an assessment of it to be made.

### Conclusion

Having regard to the small scale and sympathetic design of the development, together with its distance from the nearest buildings, it preserves the character and appearance of the Roydon Conservation Area and has no adverse effect on the setting of 82 High Street. For the same reasons the development has no adverse effect on the amenities enjoyed by the occupants of neighbouring properties.

**SUMMARY OF REPRESENTATIONS:**

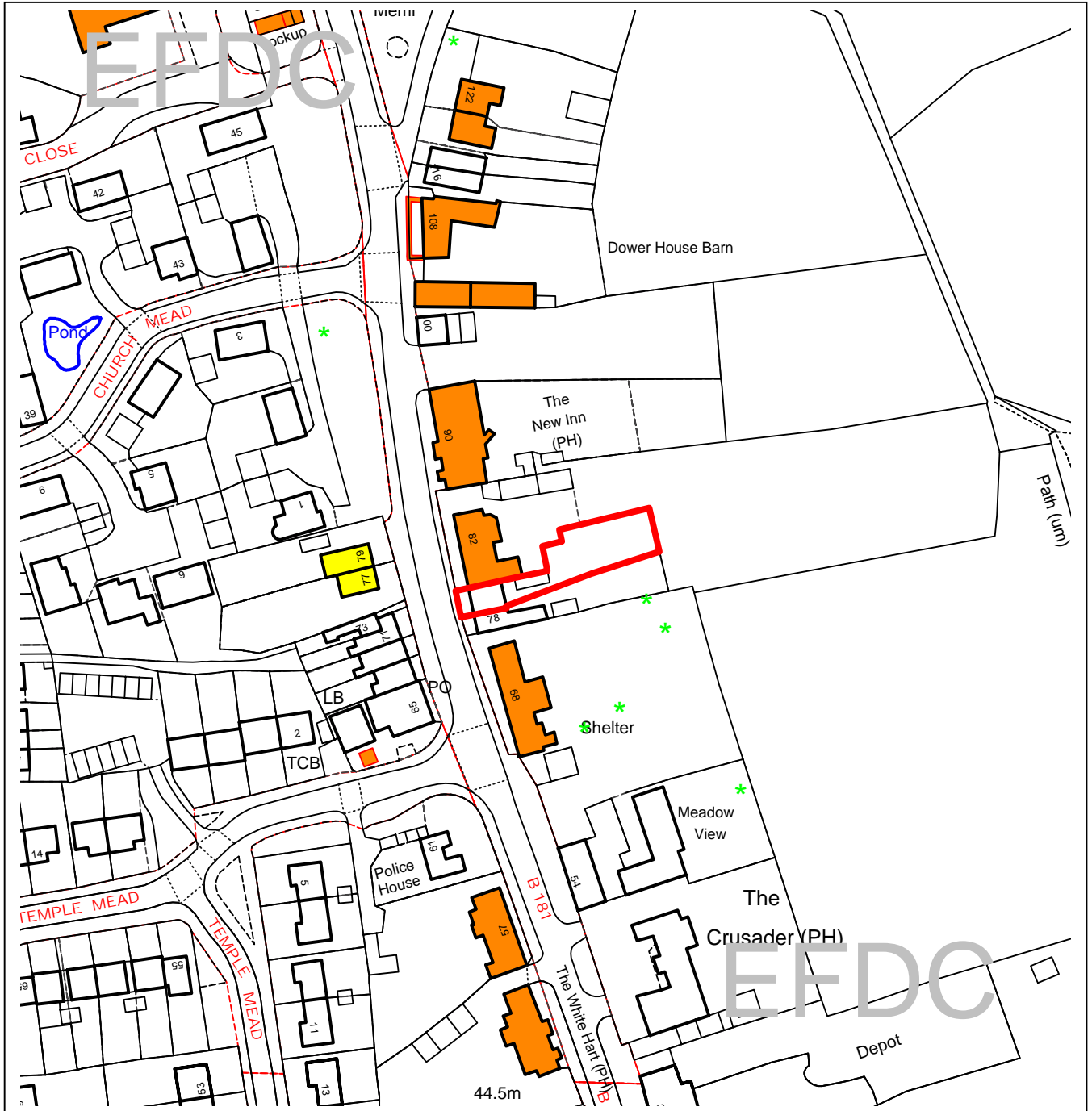
PARISH COUNCIL- Object. The building has not been constructed as described on the plans.

78 HIGH STREET- Has concerns over the use of the building and state that the building spoils the landscape.



# Epping Forest District Council

## Area Planning Sub-Committee West



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

<b>Agenda Item Number:</b>	2
Application Number:	EPF/1996/07
Site Name:	80 High Street, Roydon, CM19 5EE
Scale of Plot:	1/1250

This page is intentionally left blank



## ***Report to Area Plans Sub-Committee South, East and West***



**Epping Forest  
District Council**

---

***Date of meeting: West – 21/11/07***

**Subject: Probity in Planning – Appeal Decisions, April to Sept 2007.**

**Officer contact for further information:** Barry Land, (01992 – 564110).

**Democratic Services Officer:** Adrian Hendry

---

### **Recommendation:**

**That the Planning Appeal Decisions be noted.**

### **Report:**

#### **Background**

1. (Director of Planning & Economic Development) In compliance with the recommendation of the District Auditor, this report advises the decision-making committees of the results of all successful appeals, particularly those refused by committee contrary to officer recommendation. The purpose is to inform the committee of the consequences of their decisions in this respect and, in cases where the refusal is found to be unsupportable on planning grounds, an award of costs may be made against the Council.

2. To set the context, a Best Value Performance Indicator was for district councils to aim to have less than 40% of their decisions overturned on appeal with the national average of about 33%. That BVPI was scrapped but recently replaced by one which records planning appeals only (not advertisement, listed buildings, enforcements, telecommunications or tree related appeals) and where the Council sets its own target – set this year at 25%, equivalent to the top quartile performance. In fact in recent years the Council has been more successful than the national average with only 18% in 2003/04, 29% in 2004/05 and 22% in 2005/06.

#### **Performance**

3. Over the six-month period between April and September 2007, the Council received 54 decisions on appeals – 47 planning and related appeals and 7 enforcement appeals. Of the 47 planning and related appeals, 11 were allowed (23%) and none of the 7 enforcement appeals – a combined total of 20.3% of the Council's decisions being overturned.

4. For the BVPI, which only considers appeals against the refusal of planning permission (so does not include advertisement, listed building, enforcement, telecommunications or tree-related appeals, nor appeals against conditions), the performance figure is 20.5% - within target and one of the top quarter performing authorities.

## Planning Appeals

5. As with the previous 6-month period, the proportion of appeals that arose from decisions of the committees to refuse contrary to the recommendation of officers was at a relatively high level at around 23%. Of the 47 appeal decisions, 11 arose in such circumstances, but the Council only lost 3 of those cases, which is a much lower proportion than previously.

6. Therefore, the committees are urged to continue to heed the advice that if they are considering setting aside the officer's recommendation it should only be in cases where members are certain they are acting in the wider public interest and where the committee officer can give a good indication of some success at defending the decision.

7. It will be apparent then that of the 11 appeals allowed, 7 were in the face of officers' decisions to refuse under delegated powers (and 1 where the officer recommendation to refuse was agreed by committee).

8. The 3 appeals allowed following decisions by committee to refuse contrary to officer's recommendation were:

EPF/2443/06 – 34 Bracken Drive, Chigwell – replacement bungalow with conservatory (Area Plans A 07/02/07)

EPF/0975/06 – 46 Pyrles Lane, Loughton – installation of an automated teller machine (Area Plans A 19/07/06)

EPF/1799/06 – 34 Upper Park, Loughton – two storey front extension and dormer windows (Area Plans A 08/11/06)

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

EPF/1411/06 – 34 Scotland Road, Buckhurst Hill – two storey rear extension (Area Plans A 13/09/06)

EPF/435/06 – Former Beagles Hut, Retreat Way, Chigwell – erection of 13four-bedroomed house (Area Plans A 26/04/06)

EPF/0736/06 – East 15 Acting School, Rectory Lane, Loughton – two temporary rehearsal buildings (Area Plans A 21/06/06)

EPF/2377/06 – 10 Pump Hill, Loughton – construction of two houses (Area Plans A 07/02/07)

EPF/1467/06 – 17 Lynceley Grange, Epping – two storey side and rear extensions (Area Plans B 20/09/06)

EPF/1763/06 – Blunts Farm, Coopersale Lane, Theydon Bois – replacement dwelling (Area Plans B 13/12/06)

EPF/1030/06 – Former Parade Ground, Merlin Way, North Weald – 141 dwellings and ancillary works (District Development Control Committee 10/10/06)

EPF/0850/06 – 9 The Paddocks, Stapleford Abbots – alterations to garage to provide ancillary residential accommodation (Area Plans C 05/07/06)

## **Costs**

10. No awards of costs were made during this period.

## **Conclusions**

11. The Council's performance for this 6-month period has been highly satisfactory. The support for the Council's decisions to take enforcement action is particularly encouraging and the efforts made to support members' decisions contrary to recommendations has been notable.

12. The decisions are listed in the Council Bulletin from time to time but a full list of decisions over this six month period appears below.

## **Appeal Decisions April to September 2007**

### **Planning Appeals Allowed:**

1. EPF/0944/06 – 134 Hainault Road, Chigwell – replacing bungalow with two storey house
2. EPF/1755/06 – 35 Chigwell Park Drive – two storey side extension
3. EPF/2443/06 – 35 Bracken Drive, Chigwell – replacement bungalow with conservatory
4. EPF/0975/06 – 46 Pyrles Lane, Loughton – installation of automated teller machine
5. EPF/1249/06 – 61 Hillcroft, Loughton – conversion of extension to form 2 one-bedroomed apartments
6. EPF/1799/06 – 34 Upper Park, Loughton – two storey front extension with dormer windows in roof
7. EPF/2135/06 – Aysbrooke, Middle Street, Nazeing – detached garage
8. EPF/2486/06 A – The Gatekeeper, London Road, North Weald – new illuminated signage
9. EPF/1740/05 – Land at Station Approach, Ongar – residential development
10. EPF/2251/06 – 21 Sheering Lower Road, Sheering – two storey side extensions
11. EPF/0797/06 – Thrift Cottage, Sewardstone Road, Waltham Abbey – single storey retail unit at rear

### **Planning Appeals Dismissed**

12. EPF/1411/06 – 34 Scotland Road, Buckhurst Hill – two storey rear extension
13. EPF/0435/06 – Former Beagles Hut, Retreat Way, Chigwell – erection of detached house
14. EPF/0977/06 – Wayback, 179 Lambourne Road, Chigwell – rear dormer window
15. EPF/1565/06 – 32 Grange Crescent, Chigwell – side extension
16. EPF/1829/06 – 18 High Elms, Chigwell – retention of boundary wall
17. EPF/0932/06 – Lanes Boutique, 263 High Street, Epping – change of use to wine bar
18. EPF/0939/06 – Lanes Boutique, 263 High Street, Epping – listed building application for alterations to form wine bar
19. EPF/1467/06 – 17 Lynceley Grange, Epping – two storey side and rear extensions

20. EPF/1375/06 – Drummaids, Parsloe Road, Epping Upland – first floor side extension
21. EPF/0381/06 – Land adj 18 Dunmow Close, Loughton – two bedroomed detached house
22. EPF/0736/06 – East 15 Acting School, Rectory lane, Loughton – temporary rehearsal rooms
23. EPF/1529/06 – Sainsburys Supermarket, Old Station Road, Loughton – variation of delivery hours
24. EPF/1638/06 – 2A, The Uplands, Loughton – erection of 5 apartments
25. EPF/1791/06 – 121 Roding Road, Loughton – change of use to A2 offices
26. EPF/2267/06 – Warren House, Manor Road, Loughton – second floor roof extension and glazed extension
27. EPF/2377/06 – 10 Pump Hill, Loughton – construction of 2 houses
28. EPF/2424/06 – 1 & 1A, Warren Hill, Loughton – erection of 6 detached dwellings
29. EPF/0112/07 – 24 Palmers Grove, Nazeing – gates and fence
30. EPF/1159/06 – Coronation and Prospect Nurseries, Hoe Lane, Nazeing – 24 houses and ancillary works
31. EPF/1253/06 – Land at Havenslea, Nazeing Common, Nazeing – change of use to residential
32. EPF/1394/06 – Vine Cottage, Betts Lane, Nazeing – residential annexe
33. EPF/1470/06 – Willow Lodge, Old House Lane, Nazeing – replacement dwelling and garage
34. EPF/1535/06 – 63 & 65 North Street, Nazeing – erection of 4 detached houses
35. EPF/1773/06 – Fort Payne, Paynes Lane, Nazeing – continued use for repair of motor vehicles
36. EPF/1898/06 – Byrneville, Back Lane, Nazeing – rear conservatory
37. EPF/1030/06 – Former Parade Ground, Merlin Way, North Weald – erection of 141 dwellings with ancillary works
38. EPF/2200/06 – Fyfield Business Park, Fyfield Road, Ongar – erection of 90 dwellings and ancillary works
39. EPF/1965/06 – Land rear of The Deri, Meadow View and The White House, Derby Road, Roydon – erection of 1 bungalow
40. EPF/2007/06 – Cranalyn, Barn Hill, Roydon – two storey extension and roof extension
41. EPF/0850/06 – 9 The Paddocks, Stapleford Abbots – alterations to garage to provide ancillary accommodation
42. EPF/1763/06 – Blunts Farm, Coopersale, Lane, Theydon Bois – construction of replacement dwelling
43. EPF/1998/06 – 21 Elizabeth Drive, Theydon Bois – two storey side and rear extension
44. EPF/1220/06 – 29 Deer Park Way, Waltham Abbey – change of use of public open space to garden
45. EPF/1441/06 – 101 Broomstick Hall Road, Waltham Abbey – two storey side and rear extensions to create 6 flats
46. EPF/2061/06 – Southend Farm, Southend Lane, Waltham Abbey – retention of hay store
47. EPF/2239/06 – 1 Cornmill Mews, Highbridge Street, Waltham Abbey – retention of conservatory

#### **Enforcement Appeals Dismissed**

48. Conversion of barn to two residential properties on Site at 1 Game Farm, Cottages, Old House Lane, Roydon

49. Erection of a barn and dwelling at Highlands Farm, Old Rectory lane, Stanford Rivers
50. Erection of a chalet at Plot 20, Roydon Lodge Chalet Estate, Roydon
51. Mixed use for retail and coffee shop at 271 High Street, Epping. (This decision is currently under appeal to the High Court)
52. Commercial parking of motor vehicles at Water Tower Site, Anchor Lane, Abbess Roding
53. Boundary wall at 18 High Elms, Chigwell
54. Entrance gates at 2 Halley Road, Waltham Abbey

This page is intentionally left blank