

Committee Agenda



**Webcast
Meeting**



**Epping Forest
District Council**

Area Planning Subcommittee West Wednesday, 23rd January, 2008

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. DECLARATIONS OF INTEREST

(Assistant to the Chief Executive) To declare interests in any item on this agenda.

5. MINUTES (Pages 7 - 14)

To confirm the minutes of the last meeting of the Sub-Committee held on 19 December 2007 as correct record (attached).

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 15 - 44)

(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 Information Paragraph Number |
|----------------|---------|-------------------------------------|
| Nil | Nil | Nil |

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Confidential Items Commencement: Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

Background Papers: Paragraph 8 of the Access to Information Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential

information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.

Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

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

When and where is the meeting?

Details of the location, date and time of the meeting are shown at the top of the front page of the agenda along with the details of the contact officer and members of the Subcommittee.

Can I speak?

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

Who can speak?

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

What can I say?

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

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

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

How are the applications considered?

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

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

Further Information?

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

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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee West **Date:** 19 December 2007

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 8.39 pm

Members Present: P McMillan (Chairman), J Wyatt (Vice-Chairman), R Bassett, Mrs P Brooks, Mrs A Cooper, Mrs R Gadsby, Mrs M Sartin, Mrs P Smith, Ms S Stavrou and A Watts

Other Councillors:

Apologies: R D'Souza, Mrs J Lea and Mrs E Webster

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

56. 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.

57. MINUTES SILENCE

The Sub-committee held a minutes silence for former Councillor Don Spinks who recently passed away.

58. 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.

59. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor A Watts declared a personal interest in agenda items 7 (2) (EPF/0365/07 Skillet Hill Farm, Honey Hill, Waltham Abbey). The Councillor declared that his interests were not prejudicial and indicated that he would remain in the meeting during the consideration and voting on the item.

60. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 21 November 2007 be taken as read and signed by the Chairman as a correct record.

61. ANY OTHER BUSINESS

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

62. DEVELOPMENT CONTROL

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

RESOLVED:

That, Planning applications numbered 1 – 4 be determined as set out in the annex to these minutes.

63. 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

| | |
|---------------------------------|--|
| APPLICATION No: | EPF/2214/07 |
| SITE ADDRESS: | Eastlea Harlow Road Roydon Essex CM19 5HE |
| PARISH: | Roydon |
| WARD: | Roydon |
| DESCRIPTION OF PROPOSAL: | Demolition of existing dwelling and erection of a two-storey four bedroom detached dwelling house with a garage (revised application). |
| DECISION: | Grant Permission (With Conditions) |

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Classes A, B and E shall be undertaken without the prior written permission of the Local Planning Authority.
- 3 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.
- 4 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.

Report Item No: 2

| | |
|---------------------------------|---|
| APPLICATION No: | EPF/0365/07 |
| SITE ADDRESS: | Skillet Hill Farm Honey Lane Waltham Abbey Essex EN9 3QU |
| PARISH: | Waltham Abbey |
| WARD: | Waltham Abbey Honey Lane |
| DESCRIPTION OF PROPOSAL: | Change of use of land to Lorry Park for 25 lorries, change of use of existing house to drivers' facilities and offices and alteration to existing access. (Revised application) |
| DECISION: | Refused |

REASONS FOR REFUSAL

- 1 The development has resulted in an increase in the use of an existing access to Honey Lane which, at this location is a Main Distributor (PR1). The primary function of this route is the carrying of traffic freely and safely between major centres in the region. The increased use of the access is prejudicial to that function and as such is contrary to Policy 1.2.1 of the Essex County Council 2006-2011 Local Transport Plan and to Policy ST4 of the adopted Local Plan and Alterations.
- 2 The development is inappropriate in the Metropolitan Green Belt in that it is harmful to its openness and visual amenities. The special circumstances put forward by the applicant do not amount to very special circumstances sufficient to override the harm caused by the development. The use is therefore prejudicial to the purposes of including the land in the Metropolitan Green Belt and, accordingly, is contrary to the provisions of PPG2, and policies GB2A and GB7A of the adopted Local Plan and Alterations.

Report Item No: 3

| | |
|---------------------------------|---|
| APPLICATION No: | EPF/2029/07 |
| SITE ADDRESS: | 34 Princesfield Road Waltham Abbey Essex EN9 3PH |
| PARISH: | Waltham Abbey |
| WARD: | Waltham Abbey Paternoster |
| DESCRIPTION OF PROPOSAL: | Single storey front and rear extensions. |
| DECISION: | Grant Permission (With Conditions) |

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting 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.

Report Item No: 4

| | |
|---------------------------------|--|
| APPLICATION No: | EPF/2030/07 |
| SITE ADDRESS: | Adjacent 34 Princesfield Road Waltham Abbey Essex EN9 3PH |
| PARISH: | Waltham Abbey |
| WARD: | Waltham Abbey Paternoster |
| DESCRIPTION OF PROPOSAL: | Erection of attached new house.(amendment to EPF/356/04). |
| 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 provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the building hereby permitted without the prior written approval of the Local Planning Authority.
- 5 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting that Order) no enclosure or balcony shall be formed at any time on any part of the roof of the development hereby approved without the prior written approval of the Local Planning Authority.
- 6 The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing. The approved scheme shall be implemented within the first planting season following the completion of the development hereby approved.

The scheme must include details of the proposed planting including a plan, details of species, stock sizes and numbers/densities where appropriate, and include a

timetable for its implementation. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand, and in writing.

The statement must include details of all the means by which successful establishment of the scheme will be ensured, including preparation of the planting area, planting methods, watering, weeding, mulching, use of stakes and ties, plant protection and aftercare. It must also include details of the supervision of the planting and liaison with the Local Planning Authority.

The landscaping must be carried out in accordance with the agreed scheme and statement, unless the Local Planning Authority has given its prior written consent to any variation.

- 7 The two parking spaces indicated on the approved plan shall be made up to a gradient not exceeding 1:10 and in a surface finish, including the access thereto, that has been agreed in writing by the Local Planning Authority. The parking spaces shall be provided in accordance with the approved details prior to the first occupation of the dwelling hereby approved and shall thereafter be retained free of obstruction for the parking of residents and visitors.
- 8 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Classes A, B and E shall be undertaken without the prior written permission of the Local Planning Authority.
- 9 Prior to first occupation of the building hereby approved the proposed window openings in the flank elevation shall be fitted with obscured glass and have fixed frames, and shall be permanently retained in that condition.

AREA PLANS SUB-COMMITTEE 'WEST'

Date 23 January 2008

INDEX OF PLANNING APPLICATIONS

| ITEM | REFERENCE | SITE LOCATION | OFFICER RECOMMENDATION | PAGE |
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| 2. | EPF/2298/07 | 16 Pound Close, Nazeing, EN9 2HR | GRANT | 23 |
| 3. | EPF/2369/07 | 8 North Street, Nazeing, EN9 2NL | GRANT | 27 |
| 4. | EPF/2396/07 | North Cottage, Betts Lane, Nazeing, EN9 2DN | GRANT | 32 |
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Report Item No: 1

| | |
|---------------------------------|--|
| APPLICATION No: | EPF/2451/07 |
| SITE ADDRESS: | The Dairy Home Farm Copped Hall Estate Epping Essex CM16 5HS |
| PARISH: | Epping Upland |
| WARD: | Broadley Common, Epping Upland and Nazeing |
| APPLICANT: | Steven Nicholls |
| DESCRIPTION OF PROPOSAL: | Conversion of dairy into 4 bedroom dwelling with extension to rear and removal of half of an existing agricultural building (Revised application) |
| RECOMMENDED DECISION: | Grant Permission (With Conditions) |

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes including the glass extension 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. The new windows should match the existing in terms of style and materials and the doors should be timber.
- 3 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) have been submitted to and approved in writing by the Local Planning Authority, and these works shall be carried out as approved. These details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle artefacts and structures, including signs and lighting and functional services above and below ground. Details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers / densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 4 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents (staff) and visitors vehicles.
- 5 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS). The approved measures shall be carried out prior to the first occupation of the building hereby approved and shall be adequately maintained in accordance with a management plan to be submitted concurrently with the assessment..
- 6 Prior to commencement of development, including demolition or site clearance works, a phased contaminated land investigation shall be undertaken to assess the presence of contaminants at the site in accordance with an agreed protocol as below. Should any contaminants be found in unacceptable concentrations, appropriate remediation works shall be carried out and a scheme for any necessary maintenance works adopted.

Prior to carrying out a phase 1 preliminary investigation, a protocol for the investigation shall be agreed in writing with the Local Planning Authority and the completed phase 1 investigation shall be submitted to the Local Planning Authority upon completion for approval.

Should a phase 2 main site investigation and risk assessment be necessary, a protocol for this investigation shall be submitted to and approved by the Local Planning Authority before commencing the study and the completed phase 2 investigation with remediation proposals shall be submitted to and approved by the Local Planning Authority prior to any remediation works being carried out.

Following remediation, a completion report and any necessary maintenance programme shall be submitted to the Local Planning Authority for approval prior to first occupation of the completed development.

- 7 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Class A, B, D and E shall be undertaken without the prior written permission of the Local Planning Authority.
- 8 The development shall be carried out in accordance with the amended plans received on 4/1/08 unless otherwise agreed in writing with the Local Planning Authority.
- 9 Prior to the occupation of the dwelling hereby approved, the area of the farm building indicated as being removed on the submitted documentation shall be demolished and all materials removed from the site.

This application is before this Committee since it is an application that is considered by the Director of Planning and Economic Development as appropriate to be presented for a Committee decision (Pursuant to Section P4, Schedule A (k) of the Council's Delegated Functions).

Description of Proposal:

The applicant is seeking planning permission the conversion of a disused dairy building into a 4 bedroom dwelling with a rear extension. The scheme involves the removal of half of a large agricultural building.

The proposed development is a revised application as the previous application (EPF/2134/07) was refused as it was considered that the proposed conversion of the disused dairy building into a dwelling would not provide adequate amenities to future occupiers, nor result in an acceptable setting in view of the large, redundant agricultural building immediately in front of the building. A double garage was also proposed to be constructed north of the proposed dwelling. Although the design of the garage was acceptable, it was considered it would have an impact in relation to the open character of the Green Belt. Apart from that, the rest of the proposal was considered to be appropriate.

The only differences between the application that was refused (EPF/2134/07) and the proposed scheme is that the applicant has now proposed to remove the garage and replace it with two car parking spaces and to remove half of the large redundant agricultural building in the attempt to provide a better setting for the proposed dwelling. There are to be no material changes either internally or externally to the proposed converted dwelling from the previous scheme.

The rear extension will still comprise of approximately an additional 43 square metres to provide more living accommodation on the ground floor. The extension will still be constructed from lightweight glass to provide more light into the original building.

The two wings of the building will still contain the bedrooms whilst the central part of the building will contain the main living space. A fourth bedroom will still be located within the loft.

Description of Site:

The Copped Hall Estate was an old hunting park dating back to the 12th century and includes the remains of the 18th century mansion. The site itself is located approximately 2.7 miles east of the town of Epping. Access to it is via a private road that runs off Epping High Road. The site has undulating slopes with much of the land now registered as a Historical Park. The application site is situated outside the Historical Park and Gardens but adjoins its eastern edge.

Home Farm historically produced livestock, fruit and vegetables for the mansion but is now currently unused. Little Copped Hall is a double storey detached dwelling which was used as the farm house is located in the middle of the site. The four outbuildings on the site are post war and of a concrete construction. Also located on the site is the old dairy to which the proposal relates.

The subject site and the surrounding area are located within the Metropolitan Green Belt and a Conservation Area.

Relevant History:

There is an extensive history of planning applications submitted since 1948. The most relevant, recent applications are as follows:

EPF/1084/06 – Part conversion and part replacement of redundant farm buildings to form four dwellings together with preservation and enhancement of Grade II* registered parkland (Revised

application) – resolution to approve subject to Section 106 agreement, which has yet to be completed.

EPF/1637/07 – Conversion of dairy into 4 bedroom dwelling with extension to rear and porch to front - refused

EPF/2134/07 – Conversion of dairy into 4 bedroom dwelling with extension to rear and the construction of a double car space garage - refused

Policies Applied:

Local Plan Polices:

DBE1, DBE2, DEB4, DBE6, DBE8 and DBE9 relating to design, impact on neighbours and locality.

LL2 Development and Rural Landscape

LL10 Impact on existing landscaping

LL11 Landscaping provisions

HC7 Development within Conservation Areas

HC12 Development affecting the setting of a Listed Building

Revised Local Plan Policy:

CP3 New Development

CP4 Sustainable Development

GB2A Development in Green Belt

GB4A Extensions to Residential Curtilages

GB8A Change of Use or Adaptation of Buildings

GB9A Conversion to residential use

Issues and Considerations:

The application is for the conversion of the existing disused dairy building into a dwelling with a rear extension and the removal of half of a large agricultural building. The main issues to be addressed are whether the revised scheme has satisfied Council's reasons for refusal in relation to planning application EPF/2134/07.

Given that half of the large redundant agricultural building is to be removed, it is now considered that the proposed dwelling would provide adequate amenities to future occupiers and would result in an appropriate setting. With half of the building being removed, there would be a distance of approximately 35 metres between the proposed dwelling and the remainder of the redundant agricultural building. This will ensure that the redundant agricultural building would not be visually intrusive or a dominant feature to the future occupiers of the dwelling.

As mentioned above, the proposed double garage that was proposed under the previous scheme has also been deleted from the current scheme. As a result, it also resolves Council's second reason for refusal from the previous application. There would be now no additional impact to the open character of this part of the Green Belt. Instead two car parking spaces on a hard surface will be provided for future occupiers.

Although there is to be a rear extension constructed as part of the conversion of the building into a dwelling, it is considered that this is only minor and that it would not have an impact on the openness of this part of the Green Belt. The proposed changes to the external appearance of the building would not be unsympathetic nor adversely affect the façade of the building. The building is also of a substantial construction which is capable of being converted.

Apart from some minor alterations to the design of the building which is at the request of Council's heritage adviser, it is now considered that the conversion of the disused dairy into a dwelling with a rear extension is of an appropriate design response in terms of its setting, materials, bulk and scale. These minor alterations will be imposed via conditions on the recommendation to grant planning permission.

Furthermore, the building would not be suitable for any other new use in view of its location in a Conservation Area and adjacent to the Historic Park boundary and since the access to a public road is fairly remote. Thus policy GB9A is satisfied.

It is also considered that the proposed vehicle access, parking and residential curtilage is appropriate to meet the needs of future occupiers of the dwelling.

The proposal is therefore fully compliant with policy GB8A for the conversion of existing buildings in the Green Belt to an alternative use and the removal of a large part of the redundant agricultural building not only provides an acceptable setting for the new dwelling but also enhances the Conservation Area.

This proposal does not, however, provide the enhancement and benefits of the earlier negotiated scheme which included the removal of all the redundant farm buildings on this site and secured adjacent grassland and lake for the Copped Hall Trust. However, that was based upon a scheme which provided 3 new dwellings as well as this conversion. Such a scheme was not appropriate in the Green Belt unless there were very special circumstances sufficient to overcome the Green Belt objection and that was represented by the significant public benefit offered by the legal agreement.

This application, however, is satisfactory in its own right and a similar level of public benefit cannot be sought from this scheme. There is no prospect however of the remainder of the new development (the 3 new houses) being granted permission without very special circumstances being shown.

Conclusion:

In conclusion it is considered that the proposed development is acceptable since it meets policy GB8A and resolves the earlier concerns from previous applications. It is now considered that the conversion of the disused dairy into a dwelling with a rear extension is of an appropriate design response due to the removal of half of the large redundant agricultural building and the double garage.

It is therefore recommended that the application be granted permission subject to conditions.

SUMMARY OF REPRESENTATIONS

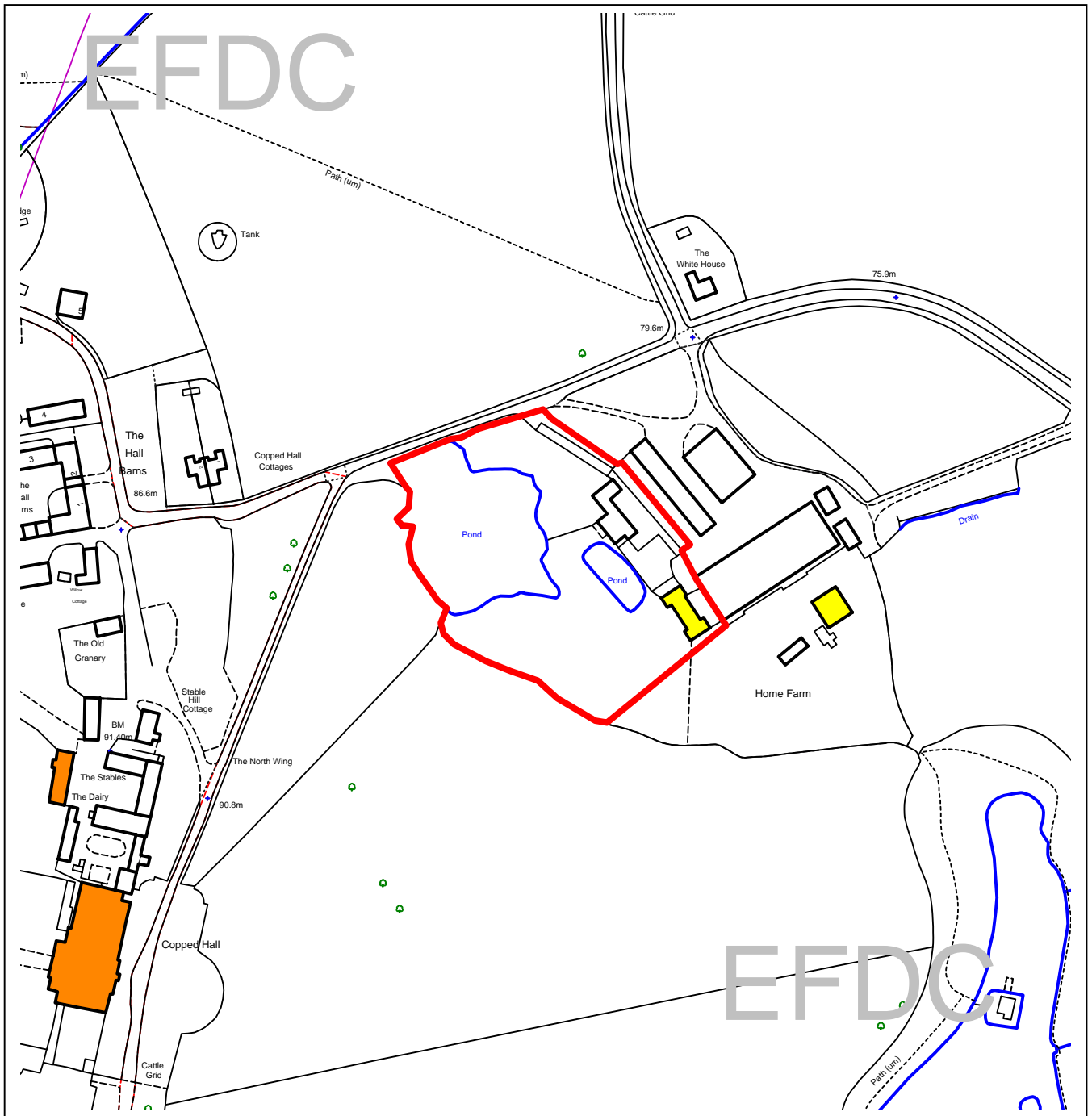
PARISH COUNCIL - The committee has no objections regarding the application.

EPPING SOCIETY – An earlier application that was approved on the site was subject to an S106 Agreement. The proposed application ignores the terms of the Agreement that was placed on an early application, thus seeking to avoid the terms of the agreement.



Epping Forest District Council

Area Planning Sub-Committee West



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|----------------------------|--|
| Agenda Item Number: | 1 |
| Application Number: | EPF/2451/07 |
| Site Name: | The Dairy, Home Farm, Copped Hall Estate, Epping, CM16 5HS |
| Scale of Plot: | 1/2500 |

Report Item No: 2

| | |
|---------------------------------|---|
| APPLICATION No: | EPF/2298/07 |
| SITE ADDRESS: | 16 Pound Close Nazeing Essex EN9 2HR |
| PARISH: | Nazeing |
| WARD: | Lower Nazeing |
| APPLICANT: | Mr & Mrs Jacques |
| DESCRIPTION OF PROPOSAL: | Two storey rear extension. |
| RECOMMENDED DECISION: | Grant Permission (With Conditions) |

CONDITIONS

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

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 is for the construction of a part single and part double storey rear extension to an existing building.

The entire extension would project 3.6m rear of the original rear wall. The single storey part of the extension would be set on the boundary with the adjoining house and have a width of 2.5m. It would have a pitched roof with an eaves height of 2.4m and ridge height of 3.7m.

The two storey part of the extension would have a width of 5.6m with the north flank aligning with the existing northern first floor flank wall and set 0.85m from the boundary with 17 Pound Close. The southern flank wall would be separated from the boundary with 15 Pound Close by the width of the single storey part of the extension. It would have a hipped roof matching the pitch of the existing main roof of the house.

Materials of the extension will match those of the existing building.

Description of Site:

The subject site is located on the western side of Pound Close approximately 80 metres from the Hyde Mead Junction. The site is regular in shape comprising of 320 square metres. Located on the side and rear boundaries is a medium size timber paling fence. Located to the front of the site is a double storey semi detached dwelling constructed of brick.

The subject site is located within a well established built up area where buildings are similar in form, scale and bulk. Front setbacks are consistent and gaps/spaces between building blocks form an important component of the character in the street scene. The adjoining property to the south (15 Pound Close) has a rear conservatory while the rear wall of the property to the north (17 Pound Close) is set 2.5m rear of the existing rear wall of 16 Pound Close. A 4.5m wide single storey structure with a flat roof separates the 2 storey parts of nos. 16 and 17 Pound Close. The structure serves to provide additional living accommodation for both houses. Its internal subdivision gives an L shaped area of floorspace to each house.

Relevant History:

There is no relevant recorded planning history for the subject site although a single storey side extension has been constructed, most likely under permitted development rights.

Policies Applied:

Local Plan Polices:

DBE1, DBE2, DBE9 and DBE10 relating to design, impact on neighbours and locality.

Issues and Considerations:

The site is located within an established residential area where the main issues to be addressed are the design of the development, its impact on the character of the surrounding area and amenities enjoyed by the occupants of adjoining properties.

1. Design and the Built Environment:

New extensions should be consistent with the overall shape and form of those dwellings which are predominant in the street and general neighbourhood. Although there are no other double storey rear extensions that have been constructed in the surrounding area, it is considered that the construction of the extension would not appear bulky or large in scale. The two storey nature of the extension would not appear dominant or an overdevelopment of the site and that it would blend in and reflect the character of the surrounding area. The proposed development will provide articulation to the rear façade which will create visual interest and it will appear subservient to the original dwelling.

2. Impact on Neighbours:

Consideration has been given to the impact of the proposal to the adjoining and adjacent properties, primarily in respect to privacy and overshadowing.

Given the orientation of the site and the siting of dwellings, overshadowing to the adjoining properties private open space is minor, with the shadow generally cast over the subject site itself. It is noted that the development will cast a shadow into adjoining properties, however adequate sunlight will still be received to secluded open areas and windows serving habitable rooms at the properties throughout the day.

It is considered that there would not be a significant difference between existing conditions and proposed conditions in relation to overlooking as the only proposed first floor flank window would serve a bathroom and can reasonably be conditioned to be obscured glazed to prevent any direct overlooking.

The construction of the extension would not result in any direct overlooking into habitable room windows.

Conclusion:

In conclusion it is considered the extension is acceptable as the design would reflect the original building and the character of the area without causing any impact to the amenities of adjoining property owners.

Therefore it is recommended that planning permission be granted subject to conditions.

SUMMARY OF REPRESENTATIONS:

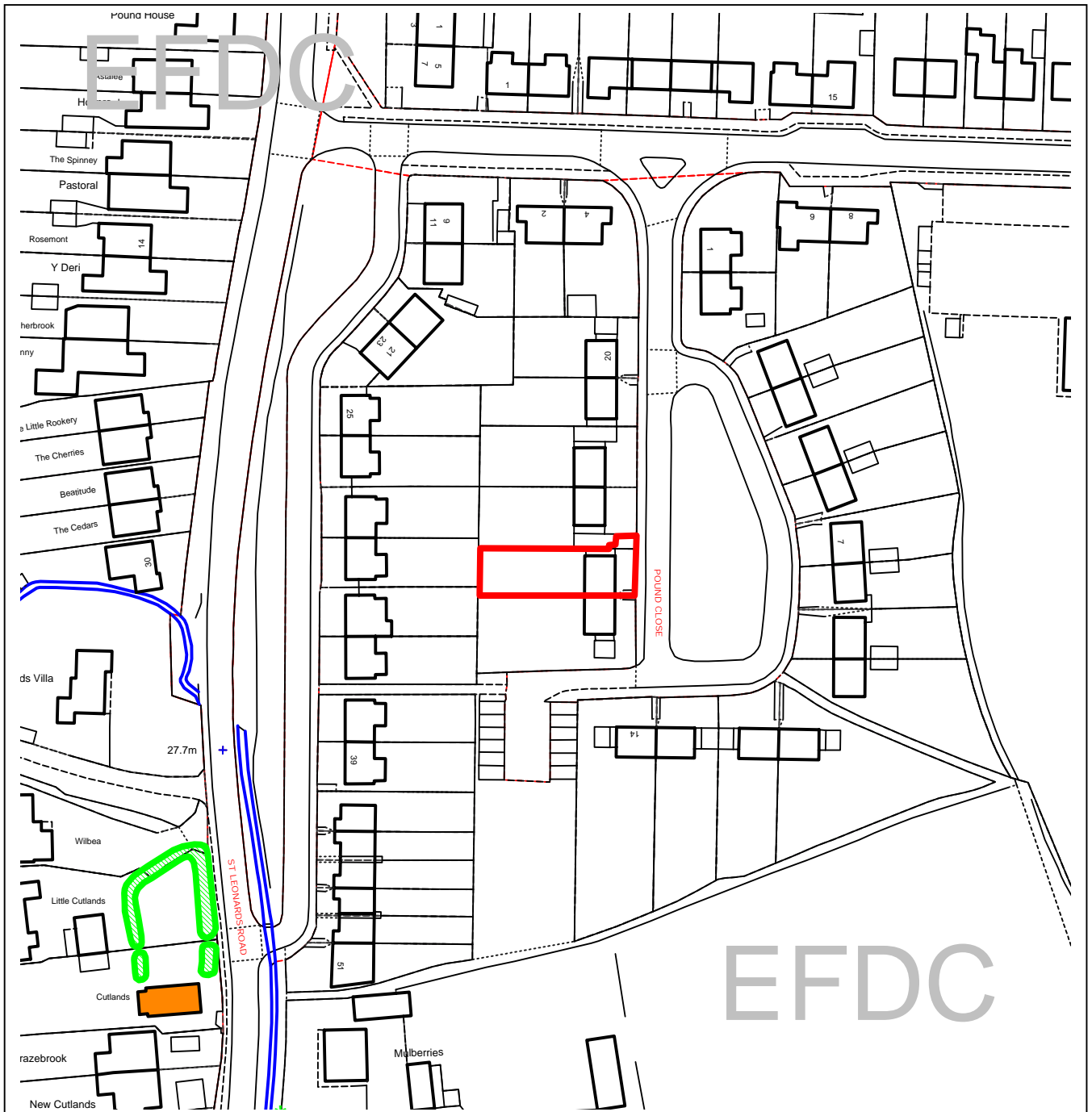
PARISH COUNCIL: The committee feels that the extension should be pulled back so that it is in line with other rear extensions of adjoining properties to prevent loss of daylight.

NEIGHBOURS: No response received.



Epping Forest District Council

Area Planning Sub-Committee West



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|----------------------------|----------------------------------|
| Agenda Item Number: | 2 |
| Application Number: | EPF/2298/07 |
| Site Name: | 16 Pound Close, Nazeing, EN9 2HR |
| Scale of Plot: | 1/1250 |

Report Item No: 3

| | |
|---------------------------------|--|
| APPLICATION No: | EPF/2369/07 |
| SITE ADDRESS: | 8 North Street Nazeing Essex EN9 2NL |
| PARISH: | Nazeing |
| WARD: | Lower Nazeing |
| APPLICANT: | G Bartlett |
| DESCRIPTION OF PROPOSAL: | Two storey and single storey side extensions and alterations to roof space with front dormer window. |
| RECOMMENDED DECISION: | Grant Permission (With Conditions) |

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the building hereby permitted without the prior written approval of the Local Planning Authority.
- 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 The development shall be carried out in accordance with the amended plans received on 13/12/07 unless otherwise agreed in writing with the Local Planning Authority.

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 construction of a single storey side/rear extension to the northern elevation of the existing building and a double storey side extension to the southern elevation which incorporates a single storey rear extension. It is also proposed to construct a front dormer window and alterations in the roof space to provide living accommodation.

The single storey side/rear extension will have a width of 4.2 metres by a depth of 12.5 metres which includes a projection of 3 metres from the original rear façade. The extension will be setback a metre from the side boundary and it will comprise of a hipped roof form. The extension is to form a separate annexe from the main building and will comprise of a bedroom, ensuite, kitchen and living room. Access to the annex is via the side northern elevation.

The double storey side extension will have a width of 4 metres by a depth of 9.5 metres. The single storey rear extension that forms part of the double storey side extension is to project 3 metres from the original rear façade. The extension will also be setback a metre from the side southern boundary and will have a hipped roof form with a gable end projecting from the front façade to match the existing building. The ground floor will comprise of a garage, utility room and a kitchen and the first floor will comprise of two bedrooms.

The proposed front dormer is to be located between the two projecting gable ends and it will have a width of 1.8 metres by a height of 1.95 metres. The dormer will have a pitch roof. Living accommodation is to be provided within the roof space which will comprise of a bathroom, large games room and the potential for a bedroom.

Description of Site:

The subject site is located on the eastern side of North Street approximately 22 metres south of Western Road and is within the village of Nazeing. The site is mainly regular in shape comprising of approximately 710 square metres. A medium size timber paling fence is located on the side and rear boundaries. Located towards the front of the site is a double storey detached dwelling constructed from brick and render. A single car space garage is attached to the southern side elevation of the existing dwelling.

Located within the surrounding area there is a mixture of building forms and styles comprising of either bungalows and double storey detached and semi detached dwellings. Front setbacks are mainly consistent within the street scene and spaces/gaps between building blocks form an important part to the character of the area. Bungalows are located on either side of the subject site.

Relevant History:

EPF/1196/07 – Front porch (approved with conditions).

Policies Applied:

Local Plan Policies:

DBE1, DBE2, DBE3, DBE9 and DBE10 relating to design, impact on neighbours and locality.

Issues and Considerations:

The site is located within an established residential area where the main issues to be addressed are the design of the development, its impact on the character of the surrounding area and any impact to adjoining property owners.

1. Design and the Built Environment:

Policies DBE1, DBE2 and DBE10 of the Epping Forest District Local Plan seeks to ensure that a new development is satisfactorily located and is 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.

Dwellings in the area range from single to double fronted facades, with many dwellings incorporating a porch, decorative details and a mixture of materials to provide articulation. The proposed extensions include articulation at both ground and first floor levels. Each façade is appropriately articulated to reflect the general patterns found within the street scene and it will create visual interest.

New extensions should be consistent with the overall shape and form of those dwellings which are predominant in the street and general neighbourhood. Although the adjoining properties to the north and south of the site are single storey, it is considered that the construction of the extensions would not make the dwelling appear dominant in relation to the form of the street scene as there are other large dwellings within the surrounding area.

Building bulk and scale should be consistent with the nature of the surrounding and adjacent properties. It is considered that the bulk and scale of the proposed extensions would reflect the character of the area without causing material detriment to adjoining property owners.

The size of the site is approximately 710 square metres and this is considered to be an acceptable amount of area to accommodate additional extension to the existing dwelling. It is considered that proposed development would not be an overdevelopment of the site or out of scale with the surrounding environment.

In relation to the siting of the development, the extensions would be required to conform to the existing street pattern and little deviation from the general building line. It is considered that the proposed extensions integrate well into the street scene in terms of sitting. Both side extensions are to be setback off both side boundaries by a metre which maintains spaces/gaps between building blocks and they are also in line with the front façade.

Council's design policy also states that rear extensions should not project more than 3 metres from the original rear façade of a building. In this case, the rear components of the side extensions only project 3 metres which is in accordance with Council's policy and ensuring that the development does not appear overly bulky.

It is considered that the proposed development complies with the objectives of the above policies and would integrate with the surrounding environment in terms of scale, form, bulk and sitting. The extensions will appear subservient to the original dwelling and they will not have an impact to the character of the street scene.

2. Impact on Neighbours:

Consideration has been given to the impact of the proposal to the adjoining and adjacent properties, primarily in respect to privacy and overshadowing.

Given the orientation of the site and the siting of dwellings, overshadowing to the adjoining properties private open space is minor, with the shadow generally cast over the subject site itself. It is noted that the development will cast a shadow into adjoining properties however adequate sunlight will still be received to secluded open spaces areas and habitable room windows of the properties throughout the day.

It is considered that there would not be a significant difference between existing conditions and the proposed conditions in relation to overlooking as there are already first floor windows that have the potential to overlook into private open space of adjoining properties or the highway. It is considered that there would be no direct overlooking into adjoining properties habitable room windows as there are no flank windows and there is a large distance between the rear facades of the subject building and the adjoining properties to the (east) rear.

It is noted that there are flank windows and doors on the ground floor, however it is considered that the existing fence will screen and prevent any direct overlooking.

Conclusion:

In conclusion it is considered that the development complies with the objectives of the relevant policies and it would integrate with the surrounding environment in terms of scale, form, bulk and siting without having any impact to adjoining occupiers or the character of the surrounding area.

SUMMARY OF REPRESENTATIONS:

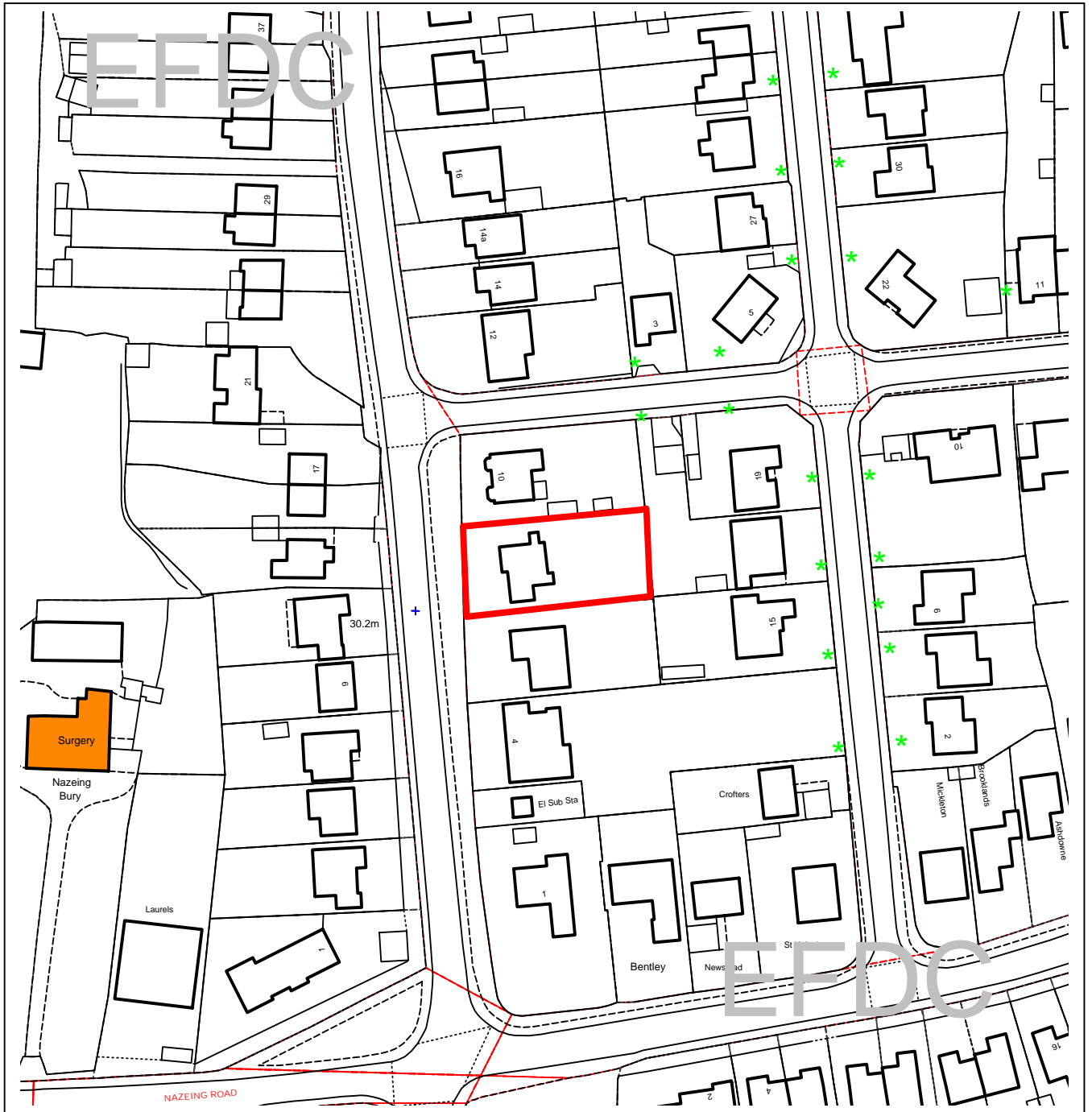
PARISH COUNCIL: The committee objects to the application on the grounds that the proposal is an overdevelopment and would be out of keeping with the surrounding area.

17 HIGHLAND ROAD, NAZEING – The proposed development would cause a loss of privacy as it would directly overlook our rear garden.



Epping Forest District Council

Area Planning Sub-Committee West



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| Agenda Item Number: | 3 |
| Application Number: | EPF/2369/07 |
| Site Name: | Southwood Lodge, 8 North Street, Nazeing, EN9 2NL |
| Scale of Plot: | 1/1250 |

Report Item No: 4

| | |
|---------------------------------|--|
| APPLICATION No: | EPF/2396/07 |
| SITE ADDRESS: | North Cottage Betts Lane Nazeing Essex EN9 2DN |
| PARISH: | Nazeing |
| WARD: | Broadley Common, Epping Upland and Nazeing |
| APPLICANT: | Mr Andrew Trow |
| DESCRIPTION OF PROPOSAL: | Two storey side extension. |
| RECOMMENDED DECISION: | Grant Permission (With Conditions) |

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the building hereby permitted without the prior written approval of the Local Planning Authority.

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 construction of a two storey side extension to the northern elevation of the existing building.

The extension is to be setback behind the front façade and will have a width of 3.4 metres by a depth of 5.9 metres. The extension will have a gable roof with the ridgeline being slightly lower than the existing. A front and rear dormer window is also proposed to provide more head room within the roof space. The ground floor will comprise of a dining room and a study and the first

floor will comprise of a bedroom and ensuite. Materials of the extension are to match those of the existing building. The extension will be setback approximately 2 metres from the side northern boundary.

Description of Site:

The subject site is known as North Cottage which is situated on the north western side of Betts Lane, on the outskirts of Nazeing. The site itself is relatively level with mature vegetation scattered throughout and on the boundaries. A public footpath runs parallel with the northern side boundary.

Located in the middle of the site is a double-storey semi-detached dwelling constructed from a timber frame and cladding. Vehicles currently park on the hard surface towards the side of the dwelling. A large private open space area is located towards the rear of the site.

It should be noted that the subject site and the surrounding area are located within the Metropolitan Green Belt and the South Roydon and Nazeing Conservation Area. Open fields are situated to the north and west of the site. The property to the south is known as South Cottage which forms the other half of the building. The surrounding area is primarily used for agriculture.

Relevant History:

There is no relevant recorded planning history for the subject site.

Policies Applied:

Local Plan Polices:

DBE1, DBE2, DBE3, DBE9 and DBE10 relating to design, impact on neighbours and locality.
HC6 & HC7 Development within a Conservation Area.

Revised Local Plan Policy:

GB2A Development in Green Belt
GB14A Residential Extensions

Issues and Considerations:

The site is within the Green Belt and a Conservation Area where the main concerns to be addressed in relation to the development are the impact on the openness of the Green Belt, the character and appearance of the conservation area, the appearance of the building and the impacts on adjoining neighbours.

1. Green Belt:

The Local Plan states that residential extension may be permitted where they do not result in disproportionate additions of more than 40% of the total floor space of the original building up to a maximum of 50 square metres.

Currently the original dwelling comprises approximately 94.7 square metres of floor space. The proposed development proposes to add an additional 37.9 square metres of floor space to the original dwelling which results in a total increase of 40%.

It is considered that the proposed development will not have an impact to the open character of this part of the Green Belt as the development is small in size and it does not result in disproportionate additions. The development is therefore in accordance with Council's Green Belt Policies GB2A and GB14A.

2. Visual Amenity and Impacts to the Conservation Area:

Policies DBE1, DBE2 and DBE10 of the Epping Forest District Local Plan seeks to ensure that a new development is satisfactorily located and is 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.

Policy HC7 states that within Conservation Areas, all development and materials will be required to be of a particularly high standard to reflect the quality of the environment. The design of any development in a Conservation Area requires careful consideration. Close attention to the setting of the site and massing, detailing and materials of the proposed development is essential.

As the subject site is located within a Conservation Area the application was referred to Council's heritage advisor who advised that they had no objections in principal. It is considered the two storey nature of the extension would not appear dominant or an overdevelopment of the site. The proposed development will appear subservient to the original dwelling and it will not cause material detriment to the adjoining occupiers. In particular, it was noted the proposed front dormer window is an acceptable design response as it will have the same dimensions as the existing front dormers. It will not result in an excessively busy elevation as the proposed extension and dormer will be setback behind the existing front façade which will provide articulation and visual interest.

It is considered that the development would be sympathetic to the character and appearance of the Conservation Area in term of materials, massing and design. The proposed development will not have an impact to the historical significance to the Conservation Area as the development has been designed to a high standard that will reflect and enhance the character and appearance of the Conservation Area.

3. Impact on Neighbours:

Consideration has been given to the impact of the proposal to the adjoining and adjacent properties, primarily in respect to privacy and overshadowing.

Given the orientation of the site and the siting of dwellings, no overshadowing of the adjoining house or private garden would occur.

It is considered that there would not be a significant difference from existing conditions to what is proposed in relation to a loss of privacy to adjoining properties as there are already first floor windows that have the potential to overlook into adjoining private open space and the proposed extension would be 7.5m from the boundary with the neighbouring house. There would be no direct overlooking into habitable room windows of adjoining properties as a result of the development.

Conclusion:

In conclusion it is considered that the design of the development is acceptable and that it wouldn't have an impact to the Conservation area, the Green Belt and to adjoining property occupiers.

It is therefore recommended that the application be approved subject to conditions.

SUMMARY OF REPRESENTATIONS:

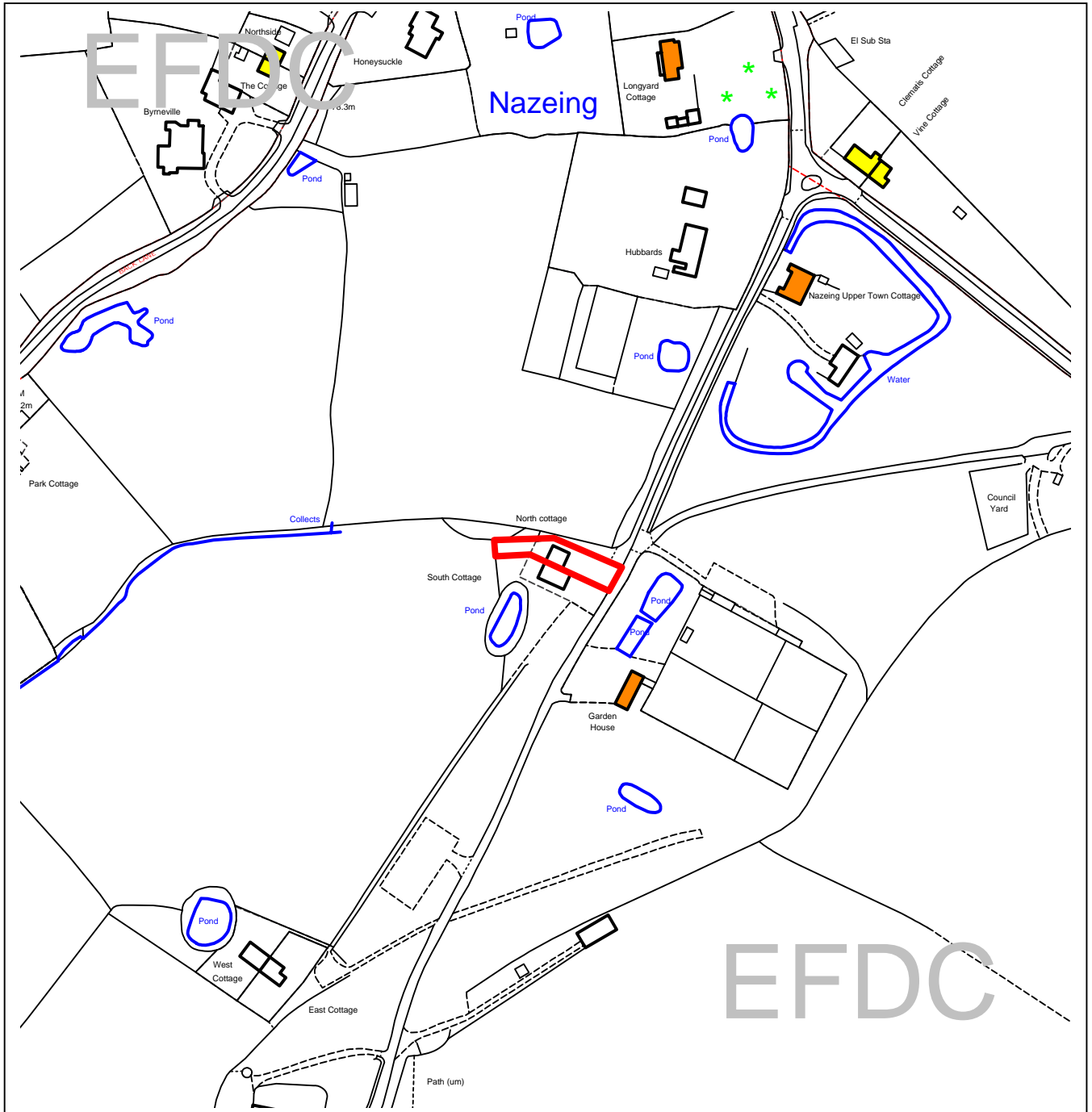
PARISH COUNCIL - The committee objects to the application on the grounds that the proposal is contrary to Policy GB2A.

NEIGHBOURS: No response received



Epping Forest District Council

Area Planning Sub-Committee West



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|----------------------------|---|
| Agenda Item Number: | 4 |
| Application Number: | EPF/2396/07 |
| Site Name: | North Cottage, Betts Lane, Nazeing, EN9 2DN |
| Scale of Plot: | 1/2500 |

Report Item No: 5

| | |
|---------------------------------|--|
| APPLICATION No: | EPF/2145/07 |
| SITE ADDRESS: | Kingsmead Epping Road Roydon Harlow Essex CM19 5HU |
| PARISH: | Roydon |
| WARD: | Roydon |
| APPLICANT: | St John Spencer Estates & Developments Ltd |
| DESCRIPTION OF PROPOSAL: | Change of use of existing offices to 9 flats involving external alterations. |
| 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 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.

- 3 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.

- 4 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.

- 5 Materials to be used for the external finishes of the proposed extensions and alterations shall match those of the existing building.

- 6 Work on the development shall not commence until details showing adequate foul drainage improvements are submitted to and approved in writing by the Local Planning Authority. The flats shall not be occupied until the approved drainage has been installed in accordance with the approved details.

- 7 The parking area shown on the approved plan number 347/3A shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.

- 8 Notwithstanding the details shown on the plans otherwise hereby approved before the development hereby permitted is commenced details of the provision of refuse and recycling facilities within the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such approved details.

- 9 Prior to first occupation of the development hereby approved the window opening for the kitchen to flat 6 shown as obscured glazed on plan 347/10A shall be fitted with obscured glass and have fixed frames, and shall be permanently retained in that condition.

This application is before this Committee since it is an application for residential development of 5 dwellings or more and is recommended for approval (Pursuant to Section P4, Schedule A (d) of the Council's Delegated Functions).

Description of Proposal:

The application seeks planning permission for the change of use of the building from offices (B1) to 9 self-contained residential flats. This would involve the making of various external alterations. These include the erection of dormer window roof extensions, alterations to the fenestration and doors and the removal of an external staircase. 19 parking spaces would be provided. The proposed development is the same as that proposed under application EPF/1576/07.

Description of Site:

The application property is a detached two-storey building with rooms in the roof space. The building has an office use; however, it is only partly occupied at present. The site is accessed by a road which enters onto the east side of Epping Road, south of Kingsmead Close and falls within the Metropolitan Green Belt.

Relevant History:

EPF/1576/07 'Change of use of existing offices to 9 flats involving external alterations' Refused (2007).

EPF/0137/07 'Change of use of existing offices to 9 flats involving external alterations and extensions. Extension to existing building to create 3 houses and erection of detached carports' Refused (2007). Appeal dismissed (2007).

EPF/1209/05 'Change of use from offices to a boarding school for approximately 100 pupils' Withdrawn (2005).

EPF/0091/90 'Two storey extension together with ancillary parking' Refused (1990).

EPF/0699/89 'Three storey extension and ancillary parking' Granted (1989).

EPF/1014/81 'Extension of office car parking' Granted (1981).

EPF/1620/80 'External staircase between first and second floors of existing offices' Granted (1980).

Policies Applied:

Local Plan:

CP1 (Sustainable Development);
CP2 (Rural and Built Environment);
CP6 (Sustainable Development);
CP8 (Economic Development);

CP9 (Sustainable Transport);
GB2A (Green Belt Development);
GB8A (Change Use);
GB9A (Residential Conversions);
RP5A (Environmental Impact);
E4A (Employment Site Protection);
E4B (Alternative Uses);
ST1 (Location);
ST2 (Accessibility);
ST4 (Road Safety);
ST6 (Parking);
DBE1 (Design);
DBE2 (Amenity);
DBE6 (Parking);
DBE8 (Amenity Space);
DBE9 (Neighbour Amenity);
LL2 (Rural Landscape);
LL3 (Settlement Edge);
LL10 (Landscape Protection);
LL11 (New Planting);
LL12 (New Trees);
H2A (Previously Developed Land);
H3A (Density);
H4A (Dwelling Mix)

Issues and Considerations:

The issues for consideration in the assessment of this proposal are the resultant loss of an employment generating use, the impact of the development on the Metropolitan Green Belt and parking, access, highways, design, character, amenity, environmental impact and infrastructure matters.

1. Employment matters:

Council policies seek to protect employment sites located outside the defined employment areas and safeguard them from a change to other uses. Change will only be permitted where the site is particularly poorly located in relation to housing or access by a suitable means; there are material conflicts with adjoining land uses; the existing premises are unsuitable in relation to the operational requirements of modern business; or there is a demonstrable lack of market demand for employment use over a long period that is likely to persist. Significant infrastructure or development constraints are also required to exist, which would make the site unsuitable or uneconomic to redevelop for employment purposes. The supporting text to the employment policies states that 'The Council may consider making an exception to this policy by granting planning permission for uses other than business, general industry and warehousing, where it can be clearly demonstrated that a site or building has been actively marketed for a reasonable period, at a reasonable price for the use concerned, and where no suitable development proposal has come forward, or is likely to do so in the foreseeable future.'

The Inspector when dealing with the appeal for application reference EPF/0137/07 considered that one or more of the exceptions in policy E4A had been met by the evidence submitted with the application at that time. He also considered that if a community use had been a viable option for the site one would have come forth as a result of the marketing that was carried out. Overall the Inspector's view was that this application did not conflict with the aims of policies E4A and E4B. This material consideration is deemed to carry sufficient weight to allow the Council to adopt a

different position from that taken under application EPF/1576/07. On balance the application is therefore deemed to be acceptable with regard to employment matters in this instance.

2. Metropolitan Green Belt matters:

Changes of use and the adaptation of buildings in the Green Belt are required to meet policies GB2A, GB8A and GB9A. Policies state that the Council will grant consent for such development in the Green Belt where the building is of permanent and substantial construction; the development would not have a materially greater impact than the present use on the Green Belt; the use would not have a significant detrimental impact on the character or amenities of the countryside; the Council is satisfied that works within the last ten years were not carried out with a view to securing a use other than for which they were ostensibly carried out; and the use would not have a significant adverse impact upon the vitality and viability of a town centre, district centre, local centre or village shop. Preferences are given to employment generating uses, business and agricultural related schemes. Under the assessment of the previous application at the site the proposal was not objected to in these regards and it is considered that the development would be acceptable in accord with these policies in this instance.

3. Parking, access and highways matters:

Council policies require that proposed developments provide suitable access, an adequate number of parking spaces, are well related to the road hierarchy, unlikely to lead to excessive congestion, 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 objections to the development on highways, access or parking grounds. Similarly the Inspector who considered an appeal at the site for a greater amount of development did not object to the proposal on highways, parking or access grounds, despite the appeal being dismissed overall. The concerns of local residents regarding highways and access matters are noted; however, officers find the proposal to be acceptable on parking, access and highways grounds and in accord with the relevant policies with the conditions recommended (condition 7).

4. Design and character matters:

Council policies require that developments respect their setting, relate suitably to the surrounding spaces, are of a size and position that they adopt a significance appropriate to their function, are suitably landscaped, respect local character, quality and townscape and employ materials which are sympathetic to their context. It is considered that, as controlled by the conditions recommended, the proposal would be acceptable and in accord with planning policies in these regards.

5. Amenity and environmental impact matters:

Council policies require that development not result in excessive adverse environmental impacts or a loss of amenity for neighbouring properties. Residential developments are also required to provide an adequate level of amenity for future occupiers. 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. The development is felt to provide adequate amenity for future occupiers of the dwelling. As controlled by the requirements of other legislation the development is deemed to be acceptable in terms of built sustainability matters in this instance.

6. Infrastructure matters:

It is noted that concerns have been expressed regarding the adequacy of the existing drainage infrastructure in the area to cope with the present situation and that any changes may exacerbate this. This issue is deemed to be adequately addressed by the conditions recommended (condition 6).

Conclusions:

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

SUMMARY OF REPRESENTATIONS:

ROYDON PARISH COUNCIL – No objections. If permission is granted please could a condition be added to ensure that the mains drain from the house (which runs through Kingsmead Close and Epping Road) is upgraded. This drainage system is inadequate for the buildings past uses and alterations will only make matters worse.

BARDWELLS, EPPING ROAD – Concern expressed that that the existing drainage system is inadequate at present and the proposed development would exacerbate this situation. Highways safety and access objections raised.

2 KINGSMEAD CLOSE – Concern expressed regarding drainage matters, if the intention is to use the existing system.

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