

# Committee Agenda



**Webcast  
Meeting**



**Epping Forest  
District Council**

## ***Area Planning Subcommittee West Wednesday, 20th February, 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 - 16)**

To confirm the minutes of the last meeting of the Sub-Committee held on 23 January 2008 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 17 - 76)**

(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](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'

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## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Area Planning Subcommittee West   **Date:** 23 January 2008

**Place:** Council Chamber, Civic Offices, High Street, Epping   **Time:** 7.30 - 8.57 pm

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

**Other Councillors:**

**Apologies:** A Watts and Mrs E Webster

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

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### 64. 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.

### 65. 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.

### 66. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs P Smith declared personal interest in agenda items 7 (1) (EPF/2451/07 The Dairy, Home Farm, Copped Hall Estate, Epping) by virtue of being a member of the Parish Planning Committee. 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 R Bassett declared a personal interest in agenda items 7 (3) (EPF/2369/07 8 North Street, Nazeing) by virtue of being acquainted with the applicants. The Councillor declared that his interests were prejudicial and indicated that he would leave the meeting during the consideration and voting on the item.

### 67. MINUTES

**RESOLVED:**

That the minutes of the meeting of the Sub-Committee held on 19 December 2007 be taken as read and signed by the Chairman as a correct record.

**68. ANY OTHER BUSINESS**

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

**69. DEVELOPMENT CONTROL**

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

**RESOLVED:**

That, Planning applications numbered 1 – 5 be determined as set out in the annex to these minutes.

**70. 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/2451/07
<b>SITE ADDRESS:</b>	The Dairy Home Farm Copped Hall Estate Epping Essex CM16 5HS
<b>PARISH:</b>	Epping Upland
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>DESCRIPTION OF PROPOSAL:</b>	Conversion of dairy into 4 bedroom dwelling with extension to rear and removal of half of an existing agricultural building (Revised application)
<b>DECISION:</b>	Deferred

This item was deferred to seek clarification from the applicant of:

- 1) The extent of the curtilage of the proposed dwelling
- 2) Details of the retention of the south wall of the agricultural building to be partially removed, and
- 3) The intentions and timetable for bringing forward proposals for the remainder of the farmyard and the prospect for delivering community benefits as described in planning application EPF/1084/06

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/2298/07
<b>SITE ADDRESS:</b>	16 Pound Close Nazeing Essex EN9 2HR
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Lower Nazeing
<b>DESCRIPTION OF PROPOSAL:</b>	Two storey rear extension.
<b>DECISION:</b>	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 development 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.

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/2369/07
<b>SITE ADDRESS:</b>	8 North Street Nazeing Essex EN9 2NL
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Lower Nazeing
<b>DESCRIPTION OF PROPOSAL:</b>	Two storey and single storey side extensions and alterations to roof space with front dormer window.
<b>DECISION:</b>	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 development 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.
- 6 The single-storey side extension to the north facing flank of the house shall not be used separately from the house and there shall be a permanent internal access between the house and the extension.
7. No infilling of the area under the canopy to the front elevation shall take place.

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/2396/07
<b>SITE ADDRESS:</b>	North Cottage Betts Lane Nazeing Essex EN9 2DN
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>DESCRIPTION OF PROPOSAL:</b>	Two storey side extension.
<b>DECISION:</b>	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 development hereby permitted without the prior written approval of the Local Planning Authority.

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/2145/07
<b>SITE ADDRESS:</b>	Kingsmead Epping Road Roydon Harlow Essex CM19 5HU
<b>PARISH:</b>	Roydon
<b>WARD:</b>	Roydon
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use of existing offices to 9 flats involving external alterations.
<b>DECISION:</b>	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 Local Planning Authority is provided with written certification that 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.

Informative: The information submitted pursuant to condition 6 should include an assessment of the adequacy of the existing public sewer to cope with any additional discharge to it from the development hereby approved.

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## AREA PLANS SUB-COMMITTEE 'WEST'

Date 20 February 2007

### INDEX OF PLANNING APPLICATIONS

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/2451/07	The Dairy, Home Farm, Copped Hall Estate, Epping	GRANT	19
2.	EPF/2482/07	1 & 2 Copped Hall Cottages, Copped Hall Estate, Epping	GRANT	26
3.	EPF/2644/07	The Woodhouse, Copped Hall Estate, Epping	GRANT	31
4.	EPF/1914/07	Greenleaver, Mobile Home Park, Hoe Lane, Nazeing	GRANT	35
5.	EPF/2324/07	27 Hoe Lane, Nazeing	GRANT	42
6.	EPF/2028/07	Unit 2, Spanners, Threeways Nursery, Sedge Green, Roydon	GRANT	47
7.	EPF/2310/07	Land to rear of Lynfield, Harlow Road, Roydon	GRANT	53
8.	EPF/2421/07	Roydon Garage, High Street, Roydon	GRANT	59
9.	EPF/2422/07	Roydon Garage, High Street, Roydon	GRANT	67
10.	EPF/2665/07	The Scout Association, Gilwell Park, Bury Road, Sewardstone	GRANT	69

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**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/2451/07
<b>SITE ADDRESS:</b>	The Dairy Home Farm Copped Hall Estate Epping Essex CM16 5HS
<b>PARISH:</b>	Epping Upland
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>APPLICANT:</b>	Steven Nicholls
<b>DESCRIPTION OF PROPOSAL:</b>	Conversion of dairy into 4 bedroom dwelling with extension to rear and removal of half of an existing agricultural building (Revised application)
<b>RECOMMENDED DECISION:</b>	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 an 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 Prior to the commencement of the development details of the proposed surface materials for the driveway and hard surface area shall be submitted to and approved

in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.

- 5 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents (staff) and visitors vehicles.
- 6 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..
- 7 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.

- 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, Class A, B, D and E shall be undertaken without the prior written permission of the Local Planning Authority.
- 9 The development shall be carried out in accordance with the amended plans received on 5/2/08 unless otherwise agreed in writing with the Local Planning Authority.
- 10 The development hereby approved shall not be commenced until details of the methodology for demolishing the part of the barn shown to be demolished on drawing nos.PL/02, PL/06 and PL/07 has been submitted to and approved in writing by the Local Planning Authority. The methodology shall include details of the retention of the entire southern wall of the barn. The barn shall be so removed before first occupation of the dwelling hereby approved.

*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).*

It should be noted that the application was deferred at the last committee meeting (23<sup>rd</sup> January 2008). This item was deferred to seek clarification from the applicant of:

- 1) The extent of the curtilage of the proposed dwelling,
- 2) Details of the retention of the south wall of the agricultural building to be partially removed,
- 3) The intentions and timetable for bringing forward proposals for the remainder of the farmyard and the prospect for delivering community benefits as described in planning application EPF/1084/06

### **Description of Proposal:**

The applicant is seeking planning permission for 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 12<sup>th</sup> century and includes the remains of the 18<sup>th</sup> 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 and 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 to Council 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 Policies:

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

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:**

Since the application was deferred at the last committee meeting the applicant has provided further information regarding the three concerns Council had with the proposed scheme.

The applicant has revised the location and block plans to show the extent of the curtilage which also shows the boundary treatments (refer to plan number PL/07)

The applicant has stated in writing that they are happy for a condition to be placed on the granted permission to retain the south wall of the redundant agricultural building and to show details of how this is to be achieved. The submitted plans now indicate that the building to be removed does not include the free-standing boundary wall alongside.

In relation to the intentions and timetable for bringing forward the proposals of the remainder of the farmyard, the applicant has written a letter to the owner, Mr P Magri requesting information on his

intentions for the future development of the site. At the date of preparing the agenda, the applicant or Council have not heard anything from Mr Magri regarding his intentions with the remainder of the farmyard. It is hoped that officers will be able to update members orally at the committee.

With regard to the specific proposal that is the subject of this planning application, officers assessment of the proposal has not changed beyond welcoming clarification of details of the site boundary, limits of residential curtilage and acceptance of the need to retain the southern wall of the barn. Officer's assessment is set out below.

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 for 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 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.

In relation to the concern made by the City of London that the development would be contrary to Policy NC2, it is noted that in this instance the policy does not apply to this proposal as the subject site does not fall within a County Wildlife Site.

### **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 a 106 Agreement. The proposed application ignores the terms of the 106 Agreement that was placed on an early application, thus seeking to avoid the terms of the agreement.

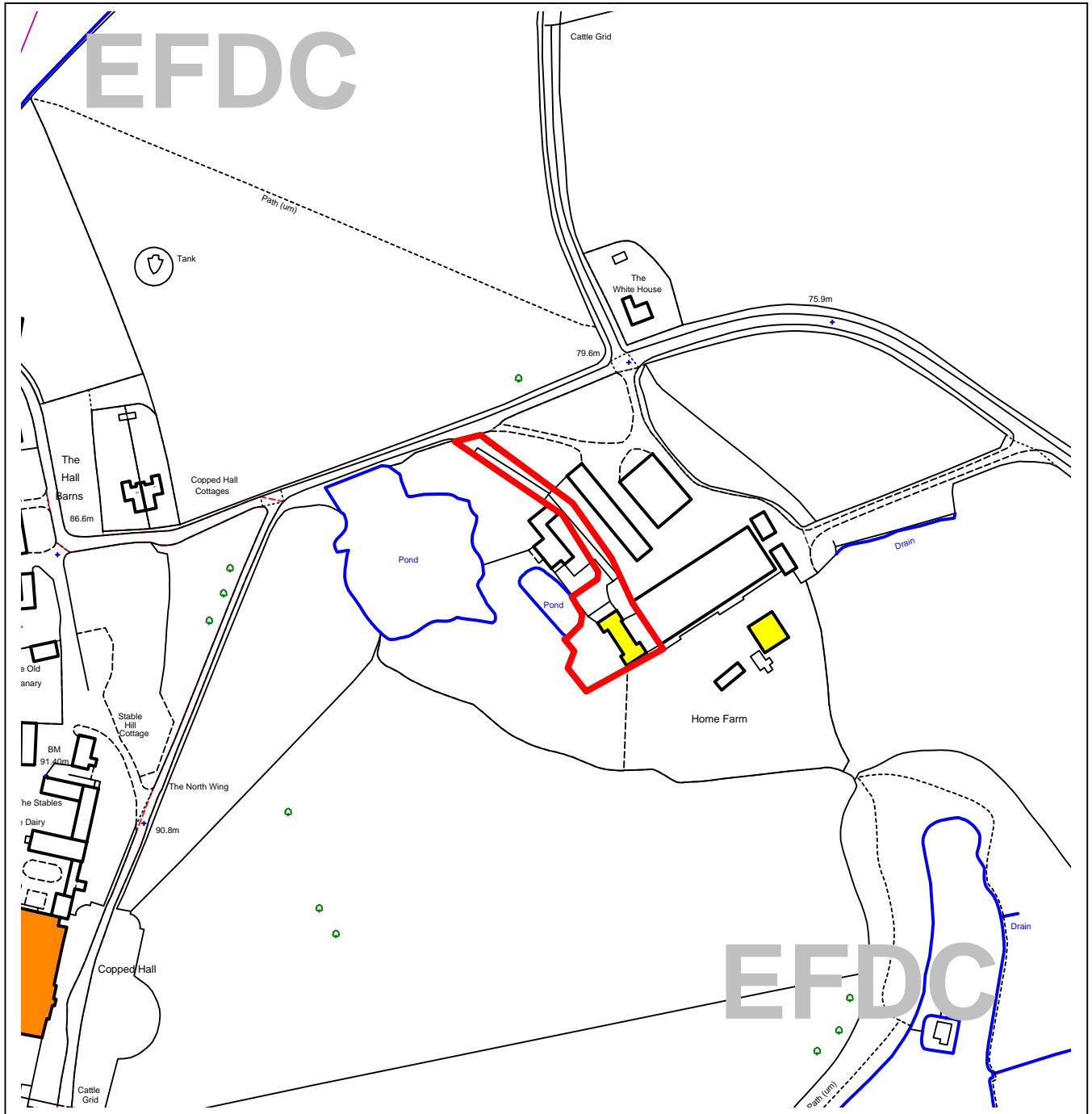
CITY OF LONDON – The application would be contrary to Policies GB2A and GB14A and the rear extension would cause light pollution into the surrounding area to the potential detriment of wildlife. Also the development would be contrary to Policy NC2





# 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**

<b>APPLICATION No:</b>	EPF/2482/07
<b>SITE ADDRESS:</b>	1 & 2 Copped Hall Cottages Copped Hall Estate High Road Epping Essex CM16 5HS
<b>PARISH:</b>	Epping Upland
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>APPLICANT:</b>	Mr J R Penn & Mr D Seal
<b>DESCRIPTION OF PROPOSAL:</b>	Removal of existing single storey extensions, construction of new two storey extensions and conservatory, provision of drive, access gate and car parking space.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Prior to commencement of the development signed contracts for the completion of the development in its entirety shall be submitted to the Local Planning Authority.
- 3 The proposed extensions to both dwellings shall be constructed concurrently and completed to the same extent with regard to external dimensions on each dwelling.
- 4 Details of the types and colours of the external finishes for all extensions, means of enclosure and hard surfaced areas 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.

*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 planning permission for the extensions and other works to two adjoining houses:

The works comprise the removal of the existing single storey rear extensions that project 4.3m and the construction of part single, part two storey rear extensions to both dwellings.

The two storey part of the extensions would project 3.9 from the original rear wall of the houses. That to 1 Copped Hall Cottages would be 4.2m wide while that to No. 2 would be 5.8m wide.

The single storey elements of the proposal would extend 3.5m beyond the 2 storey extensions. At 1 Copped Hall Cottages the single storey element rear of the 2 storey addition would be a conservatory while the limits of a small single storey addition to the side of the 2 storey extension would align with the original flank wall and rear to the two storey addition.

It is also proposed to provide a drive at 1 Copped Hall Cottages and a car parking space at 2 Copped Hall Cottages, but these works are permitted development and therefore do not require planning permission from the Council. A proposed farm gate at the entrance to the drive that would generally be 1.1m high with part 1.5m high does require planning permission and is part of this application.

### **Description of Site:**

The application site comprises a pair of semi-detached dwellinghouses situated on the Copped Hall Estate, east of The Hall Barns and west of The White House. The site falls within the Metropolitan Green Belt, the Copped Hall Conservation Area, and Copped Hall Registered Park and Garden (Grade II\*). The site is also situated in a district-designated Flood Risk Assessment Zone but is not in an Environment Agency designated Flood Risk Zone.

### **Relevant History:**

#### 1 Copped Hall Cottages

EPF/1398/07 'Two storey side extension and single storey rear extension and replace existing conservatory and single storey rear projection. Enlarge gate at front to form new vehicle access' Refused.

#### 2 Copped Hall Cottages

EPF/1600/07 'Erection of cart lodge for private cars and garden machinery' Refused.

EPF/1601/07 'Erection of part two-storey and part single storey rear extension' Refused.

EPF/1602/07 'Erection of a single storey garden room extension' Refused (2007).

### **Policies Applied:**

#### Local Plan:

CP2 (Rural and Built Environment);  
DBE9 (Neighbour Amenity);  
DBE10 (Extension Design);  
GB2A (Green Belt Development);  
GB14A (Green Belt Residential Extensions);  
HC3 (Registered Parks and Gardens),  
HC6 and HC7 (Conservation Areas);  
U2A (Flood Risk Area Development);  
U2B (Flood Risk Assessment Zones);  
U3A (Catchment Effects);  
U3B (Sustainable Drainage)

## **Issues and Considerations:**

The main issues in this case are the impact of the development on the Metropolitan Green Belt, impact on the Copped Hall Conservation Area and Registered Park and Gardens and the amenities of the occupiers of neighbouring properties.

### **1. Metropolitan Green Belt:**

Council policies require that extensions to existing dwellings in the Green Belt do not impair the open character and appearance of the Green Belt; unduly harm the character and appearance of the buildings in their setting; and result in disproportionate additions of more than 40% over and above the total floor space of the original dwelling up to a maximum of 50m<sup>2</sup>.

40% of the original floor space of each house is 47.3m<sup>2</sup>. The proposed extensions to 1 Copped Hall Cottages would result in the property having been extended by approximately 35.51m<sup>2</sup> of additional floor space. The proposed extensions to 2 Copped Hall Cottages would result in the property having been extended by approximately 47.96m<sup>2</sup> of additional floor space. This is less than 50m<sup>2</sup> and, in the case of 1 Copped Hall Cottages, less than 40% of the floor area of the original dwelling. While the extensions to 2 Copped Hall Cottages marginally exceeds 40% of the floor area of the original dwelling, it is not considered that so limited a breach of policy is in itself resulting in any demonstrable harm in this instance. The extensions to both dwellings are deemed to comply with the remaining aspects of Green Belt policy for works of this nature. It is considered that, as could be controlled with suitable conditions, the design, size and siting of the extensions and other alterations at both properties is such that they are acceptable in Green Belt terms.

### **2. Impact on Conservation Area and Registered Park and Garden:**

In general, Council Local Plan Policies require that residential extensions complement the existing building and street scene. Development more widely is required to respect the character and quality of areas. Policies in terms of conservation areas state that the Council will not give consent for development which would be detrimental to the character, appearance or setting of the conservation area and that development will have to be of a particularly high standard to reflect the quality of the built environment. In respect of Registered Parks and Gardens, Council policy seeks to ensure development has no adverse impact on them.

The proposed drive at 1 Copped Hall Cottages and the parking space in the front garden of No. 2 are minor development of no consequence in design terms. As pointed out above, they do not need planning permission from the Council. The gate at the entrance to the drive is appropriate in this rural setting.

The proposed extensions would not impact on the setting of any of the key buildings and structures in the Registered Park and Garden and due to their modest scale and sympathetic design would appear as appropriate additions to the houses. Their impact on the Park is therefore acceptable. For the same reasons, and subject to the conditions recommended, the proposals would also preserve the character and appearance of the Copped Hall Conservation Area. The development is therefore in accord with Council policies in respect of these matters.

### **3. Environmental and amenity matters:**

Council policies require that proposals do not result in the occupiers of the neighbouring properties suffering an excessive loss of amenity or unacceptable environmental impacts occurring. It is considered that, with the conditions recommended in respect of implementation and materials, the proposed development would preserve the amenities of the occupiers of neighbouring properties and not result in any unacceptable environmental impacts. Conditions 2 and 3 are especially

important in safeguarding amenity since it would allow the Council to ensure the extensions are constructed together and facilitate enforcement of that requirement. As such the proposal is considered to be acceptable in terms of environmental and amenity matters.

**Conclusion:**

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

**SUMMARY OF REPRESENTATIONS:**

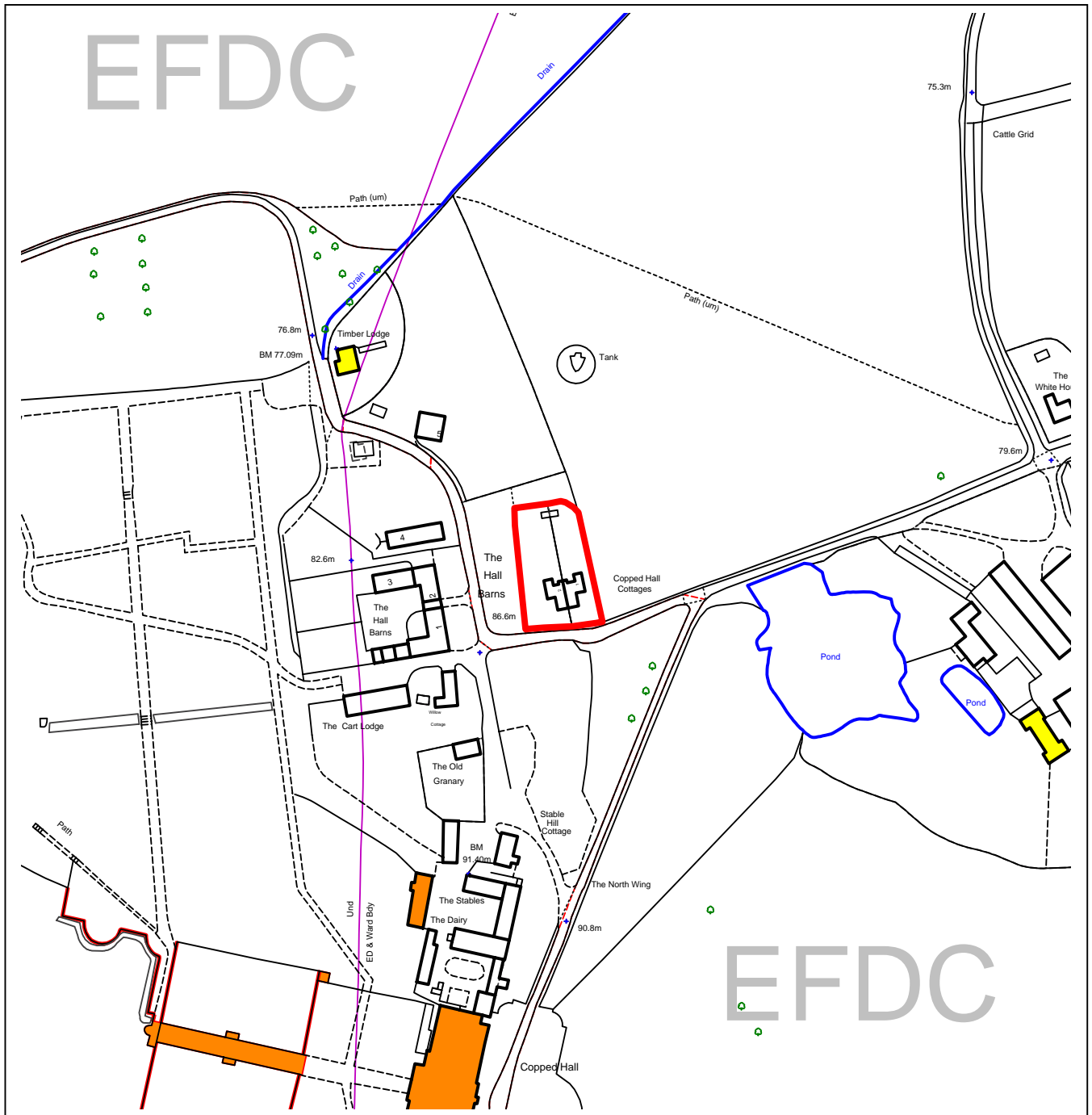
EPPING UPPLAND PARISH COUNCIL: - The Council OBJECTS to the above mentioned application. The proposed in-balance of the two dwellings does not reflect the character of the existing buildings, it is considered an over-development of the site and out of character to the locality. It is felt the proposed car parking area is excessive in size and in consideration of the scale of the existing property, which is in the Metropolitan Green Belt.

NEIGHBOURS: - No comments received.



# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	<b>2</b>
Application Number:	EPF/2482/07
Site Name:	1 & 2 Copped Hall Cottages, Copped Hall Estate, High Road, Epping, CM16 5HS
Scale of Plot:	1/2500

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/2644/07
<b>SITE ADDRESS:</b>	The Woodhouse Copped Hall Estate Epping CM16 5HT
<b>PARISH:</b>	Epping Upland
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>APPLICANT:</b>	Mr O Lancaster
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of two single storey timber framed garden rooms replacing existing structures
<b>RECOMMENDED DECISION:</b>	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.

*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 is seeking planning permission for the erection of two single-storey timber-framed primarily glazed structures that are to be used as garden rooms.

The smaller of the two structures is to have a width of 3 metres by a length of 4.6 metres and will have a height of 3.6 metres to the ridgeline of the roof.

The larger structure will have a width of 5.3 metres by a length of 7 metres and will also have a height of 3.6 metres to the ridgeline of the roof.

Both structures will result in a combined floor area of 42 square metres and they will be constructed from brick, hardwood and lightweight materials that include double glazed windows.

The proposed garden houses are to replace a pergola and gazebo adjacent to a swimming pool.

### **Description of Site:**

The subject site is known as The Woodhouse which is located on the outskirts of Epping. Access to the site is via a private road that runs off Epping High Road. Mature vegetation and undulating slopes are located throughout the site. Located in the middle of the site is the main building, The Woodhouse. It is a Grade II listed building that is used as a private residence. The building is a large three storey L-shape building that was constructed in the late 19<sup>th</sup> century. Associated outbuildings, stables and garages are located within the vicinity of the main building. A swimming pool is located south west of the main building and the development would replace small structures adjacent to the pool.

The subject site and the surrounding area are located within the Metropolitan Green Belt and Copped Hall Estate Conservation Area. It is adjacent to the eastern boundary of the Conservation Area and is surrounded by open fields. It is not in the Registered Park and Gardens.

### **Relevant History:**

There have been a number of planning application submitted to Council over the years however none of them are directly relevant to the proposed scheme.

### **Policies Applied:**

#### Local Plan and Alterations Policies:

DBE1, DBE2, DBE4, DBE9 and DBE10 relating to design, impact on neighbours and locality.  
HC6 & HC7 Development in Conservation Areas  
HC12 Development that could affect the setting a listed building.  
GB2A Development in Green Belt  
GB7A Conspicuous Development  
GB14A Residential Extensions

### **Issues and Considerations:**

Having regard to the location of the site within the Green Belt and within the curtilage of a Grade II listed building in a Conservation Area the main issues are the impact on the Green Belt, the setting of the listed building and whether the character and appearance of the Conservation Area is preserved or enhanced.

#### *1. Green Belt:*

Local Plan policy sets out the forms of development that are appropriate in the Green Belt. These include small outbuildings at existing dwellings that preserve the openness and visual amenities of the Green Belt.

The proposed structures are located within the residential curtilage of the site and they will not be viewed from adjoining properties or from any public view due to their secluded location away from the site boundaries. Although larger in scale than the structures to be replaced, they are sufficiently modest in scale to respect their setting.

Accordingly, it is considered that the proposed development will preserve the open character of this part of the Green Belt and safeguard its visual amenities.



2. Listed Building and Conservation Area:

The design of any development within the setting of a listed building requires careful consideration. Close attention to the setting of the site and massing, detailing and materials of the proposed development is essential. It is considered that the proposed development will be constructed of a high standard to reflect the character of the surrounding area and will not cause material detriment. It should be noted that the application was referred to Council's heritage officer who advised that there were no objections to the proposed development. Consequently it is considered that the proposed works would not detract from the setting of The Woodhouse and that it would preserve the character and appearance of the Copped Hall Estate Conservation Area.

3. Other matters:

Given the remote location and siting of the proposed garden buildings in relation to adjoining properties they would have no impact on amenity.

**Conclusion:**

In conclusion, it is considered that the proposed development is appropriate in the Green Belt and would safeguard it's visual amenities. It would not have any impact on the setting of the Woodhouse and would preserve the character and appearance of the Copped Hall Estate Conservation Area. There would be no harm caused to the amenities of neighbouring properties. Accordingly it is recommended that planning permission be granted.

**SUMMARY OF REPRESENTATIONS:**

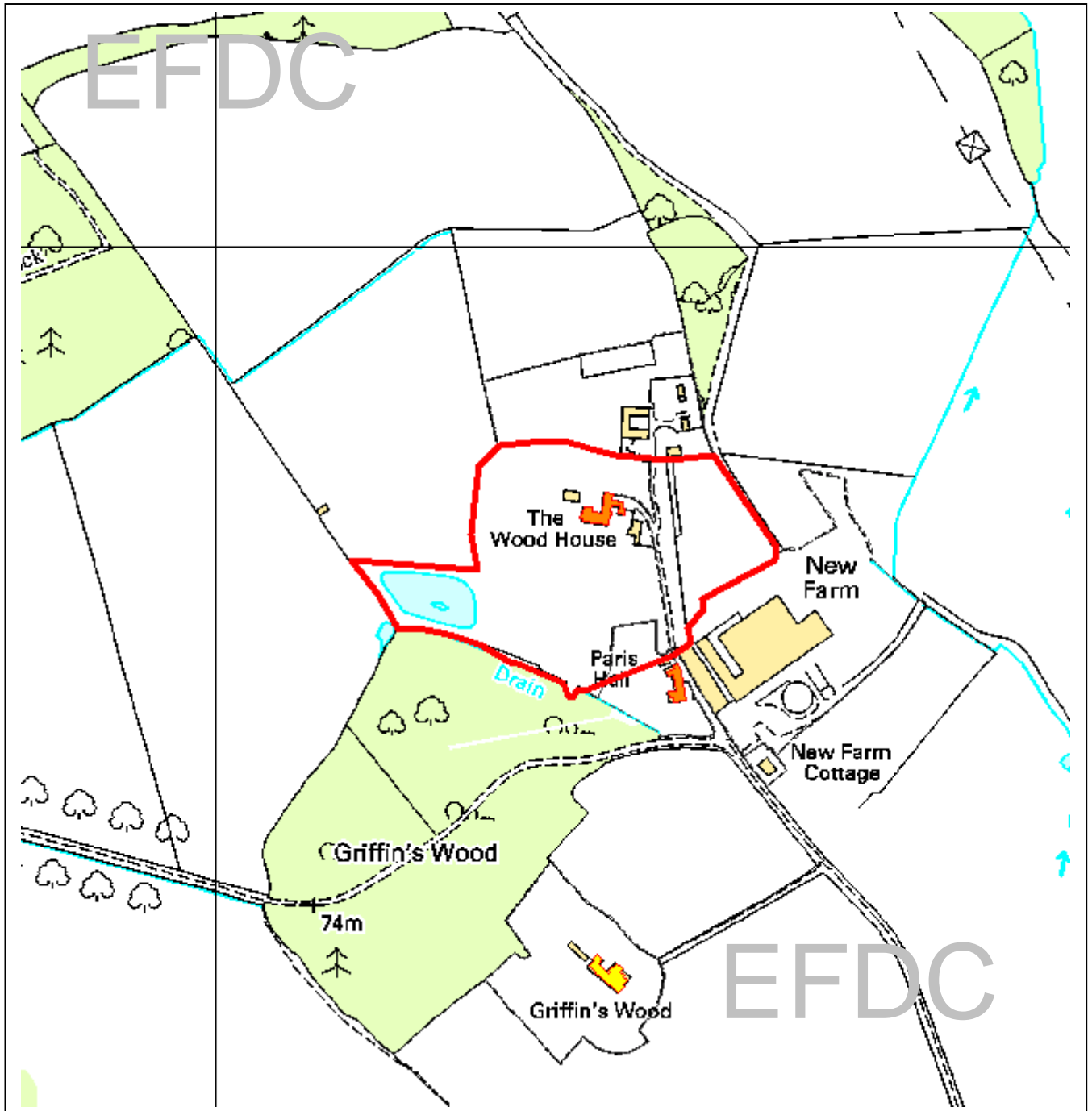
EPPING UPLAND PARISH COUNCIL: The committee objects to the application on the grounds that the proposal represents an inappropriate development within the Metropolitan Green Belt.

NEIGHBOURS: No response received.



# Epping Forest District Council

## Area Planning Sub-Committee West



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Agenda Item Number:	3
Application Number:	EPF/2644/07
Site Name:	The Woodhouse, Copped Hall Estate CM16 5HT
Scale of Plot:	1/5000

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/1914/06
<b>SITE ADDRESS:</b>	Greenleaver Mobile Home Park Hoe Lane Nazeing Essex
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Lower Nazeing
<b>APPLICANT:</b>	Joe Jones
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use of land to form extension to existing mobile home park to allow 4 (four) additional gypsy pitches.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The use of the land and the occupation of the caravans shall inure for the sole benefit of the following persons;  
(i) Mr John Buckland and his wife Maria Buckland (daughter of Joe Mitchell Senior)  
(ii) Joe Mitchell Jnr (Son of Joe Mitchell Senior) and Tracey Mitchell, his wife.  
(iii) Thomas Lee and his wife Charmaine Lee (daughter of Joe Mitchell Senior)  
(iv) James Russell and his wife Lila Russell (daughter of Tony Marshall)  
and their immediate dependents (below the age of majority) and for no other person or persons.
- 3 When the land ceases to be occupied by those persons listed in condition 2 above and their immediate dependents (below the age of majority), the use hereby permitted shall be discontinued and the caravans, vehicles, trailers and structures (including sheds and fences) shall be permanently removed from the site.
- 4 There shall be no more than 1 static caravan and 1 touring caravan stationed on each pitch at any one time (a total of 4 static caravans and 4 tourers on the site as a whole) No more than 2 vehicles shall be parked on each pitch at any one time.
- 5 The site shall be used solely for residential purposes. No commercial, industrial or retail activity shall take place on the site, including the storage of goods, materials, or other items (other than household/domestic effects relating to the specific pitch on which they are stored).
- 6 There shall be no stationing, parking, or storage of vehicles over 1.5 tonnes, or the maintenance or repair of vehicles on the entire site.

- 7 The site layout showing the size and location of each pitch shall be implemented strictly in accordance with the submitted plan 624 drawing no 11, unless otherwise agreed in writing by the Local Planning Authority.
- 8 Prior to commencement of development details of all sheds including size and materials shall be submitted to and approved in writing by the Local Planning Authority. There shall be no more than 1 shed per pitch and any sheds erected shall only be done in accordance with the previously approved details.
- 9 The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing. The approved scheme shall be implemented within the first planting season following the completion of the development hereby approved.

The scheme must include details of the proposed planting including a plan, details of species, stock sizes and numbers/densities where appropriate, and include a timetable for its implementation. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand, and in writing.

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

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

*This application is before this Committee since it is an application for development of a significant scale and/or wider concern and is recommended for approval (Pursuant to Section P4, Schedule A (c) of the Council's Delegated Functions).*

### **Description of Proposal:**

Change of use of land to form an extension to existing mobile home park to allow for four additional gypsy pitches. Each pitch to site 1 mobile home and 1 touring caravan together with an ancillary shed, and to be utilised by nominated family members. The new plots would be accessed and serviced from the existing access driveway off Hoe Lane.

### **Description of Site:**

The red lined application site is a rectangular area of land measuring 55m x 26m, currently used as a paddock, located immediately to the south of the existing Greenleaver Mobile Home Park which is located on the eastern side of Hoe Lane. The existing site has 6 plots. The site is

accessed via a private access off Hoe Lane which crosses the Nazeing Brook. The site and the larger area of land within the applicant's ownership is well screened from the road and from adjacent residential properties by substantial hedgerows and lies between an established business park and horticultural development.

The site is in the Metropolitan Green Belt. It is not in the Nazeing and South Roydon Conservation Area but the entrance to the site is adjacent to a narrow part of the Conservation Area that comprises Hoe Lane and a narrow strip of land off the south side of the road.

### **Relevant History:**

The Greenleaver site has the following planning history:

In 1991 an Enforcement Notice was issued regarding the stationing of a mobile home on the land. An appeal against the notice was upheld and planning permission for the stationing of 6 mobile homes for named persons was granted in September 1992.

An application for the erection of a stable block and refurbishment of a barn was refused in June 1994.

An application for use of the site as a transit caravan site for 15 pitches was refused in January 1999.

An application for the erection of a toilet block, including showers and a recreation room was refused in January 1999.

The site was extended without planning permission and Enforcement Notices were issued in October 2001 in respect of change of use of use of the land and breach of various conditions as imposed by the appeal inspector when allowing the 6 units on the land in 1992.

Planning permission was granted in October 2003 for the 6 pitches that now exist on the land, each with one mobile home, one touring caravan and ancillary sheds, parking and access. This permission was personal to named gypsies and their dependants (under the age of majority).

### **Policies Applied:**

GB2A Development in the Green Belt.  
GB7A Conspicuous Development  
H10A Gypsy caravan sites  
RP5 Development likely to cause a nuisance.  
DBE9 Amenity issues  
ST1, ST2 Location and accessibility of development  
ST4 Road safety.  
CP2 quality of environment  
HC6 Development affecting conservation areas.  
LL1, LL2 impact on landscape.

### **Issues and Considerations:**

Policy H10A of the Local Plan Alterations states: "In determining applications for Gypsy Caravan sites within the Green Belt the Council will have regard to (i) whether there are any very special circumstances which would justify an exception to the Green Belt policies of restraint, and (ii) The

impact on the openness of the Green Belt and the character and appearance of the Countryside". In addition, the potential for the development to impact on the character of the adjacent Nazeing and South Roydon Conservation Area, and impact on visual amenity, the free flow of traffic and highway safety, residential amenity and sustainability need to be taken into account together with the need for Gypsy sites in the District.

### 1. Green Belt

The site lies within the Metropolitan Green Belt and the proposal is inappropriate development, by definition, harmful to the Green Belt and permission should only be given therefore if there are considerations that outweigh this harm.

The applicant argues that as Greenleaver is an already established and lawful Gypsy site and the proposed development is to provide additional pitches for nominated family members of the same Gypsy families and there is a recognised need for additional Gypsy pitches in the District, this amounts to very special circumstances. The need for gypsy sites will be addressed later in this report.

The four couples that now wish to occupy the site are in their twenties and one spouse from each couple has grown up at the Greenleaver site. Having reached the age of majority, these children of the authorised occupants of the site are no longer allowed to reside at the existing site, and having now married they clearly wish to settle and establish their own families in proximity to their wider extended families as is traditional for gypsies. The couples have each completed a questionnaire, which explains this relationship and sets out their own needs. Three of the couples have children, none of whom is yet of school age. They would like to ensure that they have a settled base for their families.

### 2. Visual amenity and potential impact on adjacent conservation area

The site area is part of a much larger field that is presently used as a paddock and is all within the ownership of the applicant. The proposed development will not be prominent from the road, from which only the entrance is visible and the existing mobile homes cannot be seen. No alterations are proposed to the entrance to the site. Accordingly, it will not be seen in the context of the adjacent conservation area therefore its character and appearance will be preserved. A public footpath runs to the north of the existing development but the new proposal will not have an adverse impact on it.

The larger site is surrounded by established hedgerows and there are preserved trees along the western boundary between the site and the nearest residential property (Sparrows Walk). The proposed layout of the new site is logical and utilises the existing access track, reducing the need for additional road and hard surfacing. Whilst the introduction of mobile homes and associated paraphernalia into an area of countryside is never ideal visually, this site appears particularly well hidden between an established business park and horticultural nurseries - therefore its visual impact will be minimal.

The existing site appears well maintained and tidy and there is no sign of any business activity taking place. The planning conditions have been met.

### 3. Highway Issues

The addition of 4 further plots to the established site will result in additional traffic movements in Hoe Lane and additional turning movements into and out of the site. However, the increase in traffic will be relatively small in comparison with the current level of vehicular movements in Hoe Lane and it is not considered that the development will be harmful to the free flow of traffic or to highway safety.

#### 4. Sustainability

The core policies of the Local Plan Alterations seek to ensure that new development is directed to urban areas with good access to facilities and public transport, to reduce reliance on the private car. This site is not ideally located, in that access is from a narrow and winding road with no pavement which will not encourage people to access it on foot. However the site is not an isolated rural site and it lies less than 1.5km from the shops in Nazeing and the primary school, and less than 1km from a bus route. As such it is not considered that it would be reasonable to object on sustainability grounds.

#### 5. The Need for Gypsy sites in the District

The Housing Act 2004 placed a duty on Local Authorities to include Gypsies and Travellers in their housing needs assessment. This assessment in Essex is still ongoing, but the latest suggest a need to provide a further 52 gypsy pitches in Epping Forest District. The indication of need is clear, the only uncertainty being the precise level of need that exists. Circular 1/06 requires Local Authorities to identify sites to meet Gypsy and Traveller needs in their Development Plan Documents. This work has still to be carried out in this District and at present we still have a reactive approach to meeting such need. The fact that there is a need for additional sites for Gypsies and Travellers in the District is reinforced by the Secretary of State's decision to direct the Council to prepare a Gypsy and Travellers Accommodation Development Plan Document.

The fact that there are currently no identified suitable gypsy sites in the District to meet this need is of some weight in the determination of this application. The expansion of this existing established well maintained site, which is well located in relation to roads and facilities, has minimal impact on the character and appearance of the countryside and provides a good living environment, would go some way to meeting that need. By doing so, the level of need in the District would be reduced and this could be recognised in the housing needs assessment and the final version of the single issue review of the East of England Plan. That review deals with Gypsy and Traveller issues and will set the number of new gypsy sites the Council will have to identify in its DPD.

#### 6. Other Issues

Several local people and the Parish Council have raised concern that the original applicant, Mr J Jones has not occupied the site. The site is owned by Mr J Jones and he has consent to occupy the site (one of the approved pitches). It is not known whether he is currently in occupation since at the time of the officer site visit not all the authorised pitches were occupied by mobile homes and some of the usual occupants were away travelling. However, the 4 units now proposed are for relatives of Mr Joe Mitchell (senior) and Mr Tony Marshall who are also named authorised occupants of the original site. The Council has no evidence that anyone other than those authorised to do so are currently residing at the site nor that Mr J Jones never resides at the site.

#### **Conclusion.**

In conclusion, it is accepted that the proposed named occupants of the site comply with the legal definition of a gypsy on a continuing basis and that they have strong links with this part of the District and family links with the adjacent site. The site is well located, relatively close to shops and services and has only minimal impact on the character and amenity of the countryside, being located between an established industrial estate and the existing Gypsy site and well screened from public view. There is an unmet requirement to provide for Gypsies and Travellers in the District that needs to be addressed and this site provides an opportunity to potentially reduce the number of sites that will need to be found in the future.

It is considered therefore that there are very special circumstances in this instance, which are sufficient to outweigh the harm to the Green Belt from inappropriateness. Subject to the imposition of conditions similar to those that cover the existing site, to restrict occupation to named individuals and their dependant children and prevent the use of the site for any business purpose, the development is in accordance with the adopted policies of the Local Plan and Local Plan Alterations and is recommended for approval.

### **SUMMARY OF REPRESENTATIONS**

PARISH COUNCIL – Object. There are no special circumstances that warrant this expansion into the Green Belt and it remains contrary to Policy GB2. There are no reasons why additional pitches should be created. There is no proper evidence that the occupants are members of the “Jones” family. Indeed there are reasons for believing that other occupants are not members of the “Jones” family either. No one has ever appeared on the register of electors.

EVA END, HOE LANE – (Two Letters) Object. There are no special needs, Additional noise will be generated, there will be additional light pollution, Increased traffic night and day including HGVs, danger to pedestrians, loss of privacy to the 4 adjacent properties, people using the 2 adjacent footpaths will be further intimidated, permission originally restricted to 6 mobile homes for Mr Jones, who does not and never has lived at the site. Inappropriate and unnecessary.

SILVERDALE, HOE LANE – Object Mr Jones does not appear to have ever lived at the site, development will give more light, footpaths less likely to be used due to intimidation, no special needs to encroach on Green Belt, it is unnecessary.

CPRE – Object. This is Green Belt land and there are already sufficient Gypsy pitches in the village of Nazeing.

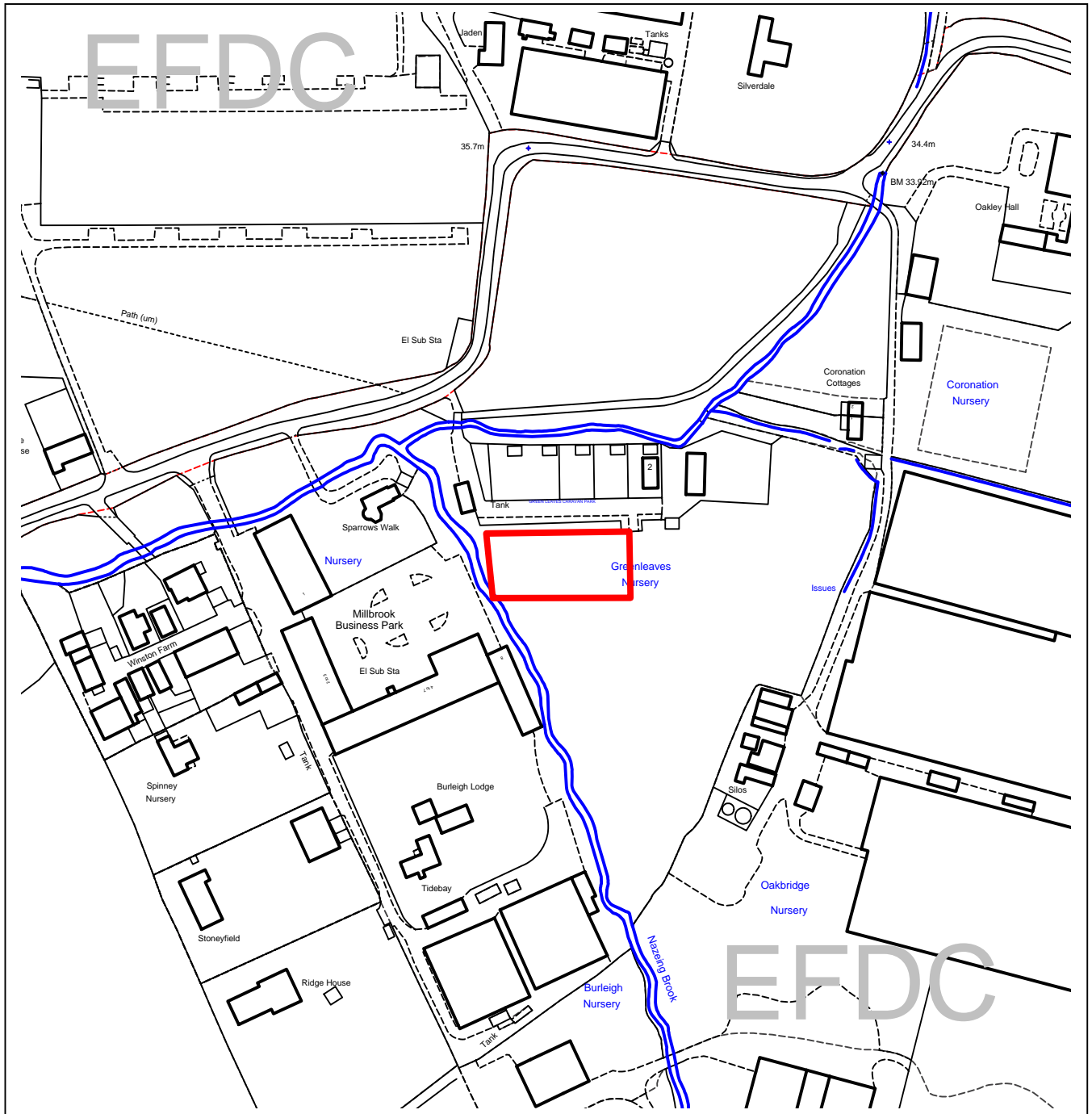
NAZEING CONSERVATION SOCIETY – The road is unsuitable for additional traffic including touring caravans.





# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	<b>4</b>
Application Number:	EPF/1914/06
Site Name:	Greenleaver Mobile Home Park, Hoe Lane, Nazeing, EN9 2RJ
Scale of Plot:	1/2500

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/2324/07
<b>SITE ADDRESS:</b>	27 Hoe Lane Nazeing Essex EN9 2RQ
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Lower Nazeing
<b>APPLICANT:</b>	Saied Mahmoud
<b>DESCRIPTION OF PROPOSAL:</b>	Alteration and conversion of a single dwelling unit into two dwelling units and erection of two garages.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The two garages shown on the approved plan number 01 (Rev A) 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.
- 3 Prior to occupation of the development 1.5 x 1.5 driver to pedestrian sight splays shall be provided to each side of the enlarged access. These shall be formed to give a clear and continuous view of traffic and shall not contain obstructions above the crown of the adjacent road.
- 4 Prior to the commencement of development details of screen walls, fences or such similar structures for the enclosure of the rear garden shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 5 Notwithstanding the 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 and E shall be undertaken on the properties hereby approved without the prior written permission of the Local Planning Authority.
- 6 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.

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

### **Description of Proposal:**

The application seeks planning permission to convert a single dwellinghouse into two dwelling houses and erect a replacement garage building at the end of the gardens.

The existing house is an end of terrace house previously enlarged by a two storey side extension. It has 4 bedrooms and this proposal will result in its subdivision to provide two 2 bedroom houses, one in the part of the building that comprised the original dwelling prior to extension and one in the side extension. A small porch and store would be erected to the front elevation as part of the conversion.

The rear garden of the existing house would be subdivided to provide private amenity space for each house. The house that would be equivalent to the original dwelling prior to extension would have 65.5sqm of amenity space. The house formed in the extension to the original house would have 105sqm of amenity space.

There would be 2 off street parking spaces for each house provided within the proposed replacement garage and in front of the garage. They would be accessed both off Palmers Grove and directly from the rear gardens of each house. The garage building would have a pitched roof finished in tiles to match the roof of the existing house.

### **Description of Site:**

The application site is a dwellinghouse situated on the north-west side of Hoe Lane at its junction with Palmers Grove. It is within the urban area of Nazeing. The property has previously undergone two-storey side and single storey rear extensions.

### **Relevant History:**

EPP/0722/98 'Two storey side extension and single storey rear extension' Granted (1998).

### **Policies Applied:**

#### Local Plan:

CP1 (Sustainable Development);  
CP2 (Rural and Built Environment);  
CP3 (New Development);  
CP7 (Urban Form and Quality);  
RP5A (Environmental Impacts);  
ST1 (Development Location);  
ST2 (Accessibility of Development);  
ST4 (Road Safety);  
ST6 (Vehicle Parking);  
H2A (Previously Developed Land);  
H3A (Density);  
H4A (Dwelling Mix);  
DBE3 (Buildings and Spaces);  
DBE6 (Parking);

DBE8 (Amenity Space);  
DBE9 (Amenity);  
DBE10 (Design);  
DBE11 (Subdivision)

### **Issues and Considerations:**

The issues for consideration in the assessment of this development are the acceptability of the proposal in terms of parking, access, highways, design, character, amenity, sustainability and environmental matters.

#### **1. Amenity and environmental matters:**

Council policies require that proposed developments not result in the occupiers of the neighbouring properties suffering a loss of amenity or unacceptable environmental impacts occurring. 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.

#### **2. Transport, parking and access 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 proposal and officers find the proposal to be acceptable on transport, parking and access grounds and in accord with the relevant transport, parking and access policies with the conditions recommended.

#### **3. Character and design matters:**

Council policies require that such developments complement the existing building and street scene, relate suitably to the surrounding spaces, respect their setting and employ sympathetic materials. Development more widely is expected to protect the character and quality of areas. Having had regard to the character of the area and existing building and the size, scale, siting and design of the proposed alterations, it is considered that, as controlled by the conditions recommended, the development would preserve the character, quality and appearance of the building, street scene and wider area. As there are no other relevant material considerations the proposal is deemed to be acceptable in these regards.

### **Conclusion**

The development is deemed to be acceptable subject to the imposition of suitable conditions. As such the application is recommended for approval subject to conditions.

**SUMMARY OF REPRESENTATIONS:**

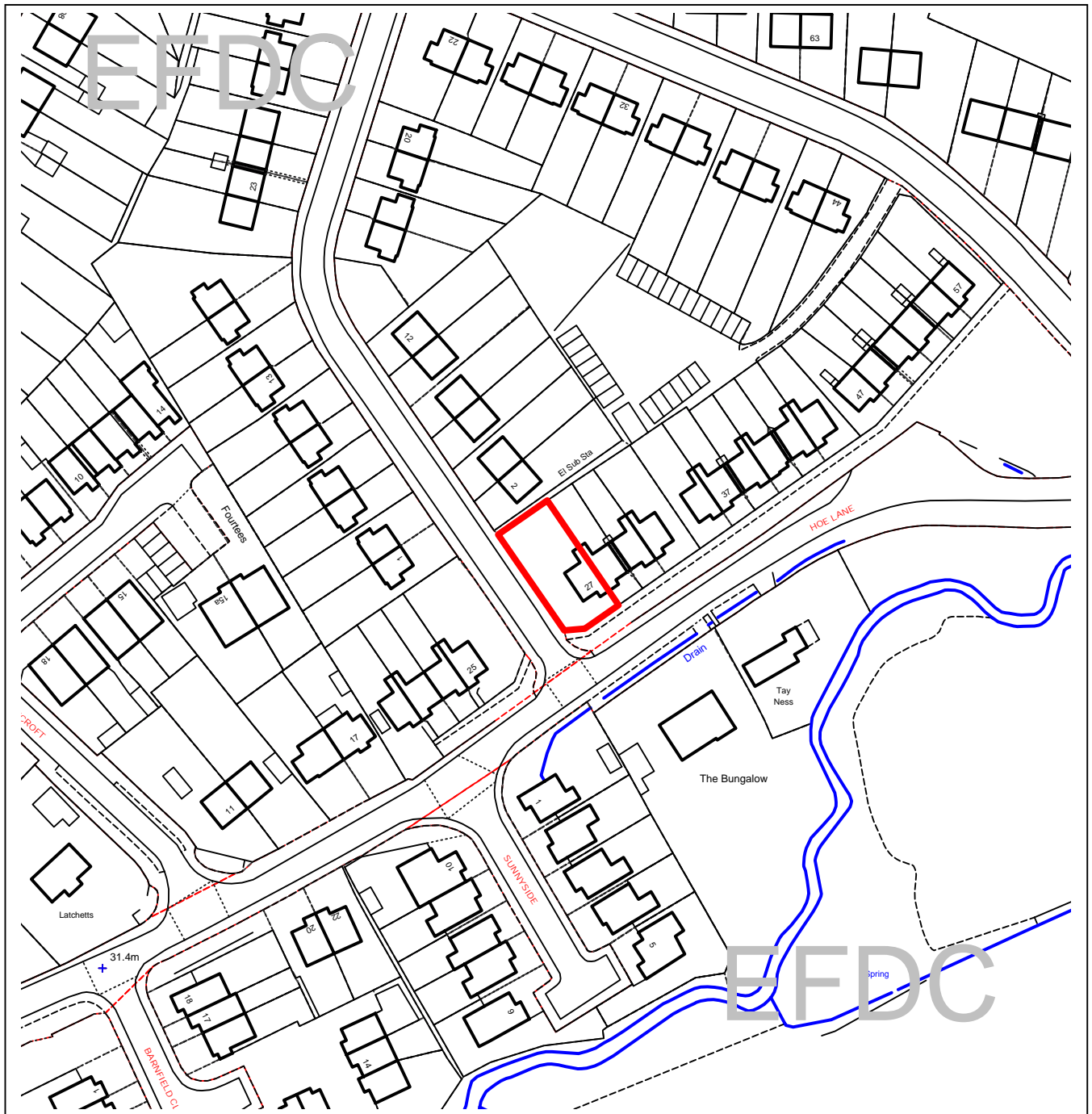
NAZEING PARISH COUNCIL - members of Nazeing Parish Council consider that the above proposals are overdevelopment of a small site and therefore object to the application.

NEIGHBOURS: - No response received.



# Epping Forest District Council

## Area Planning Sub-Committee West



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Agenda Item Number:	5
Application Number:	EPF/2324/07
Site Name:	27 Hoe Lane, Nazeing, EN9 2RQ
Scale of Plot:	1/1250

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/2028/07
<b>SITE ADDRESS:</b>	Unit 2, Spanners Threeways Nursery Sedge Green Roydon Harlow Essex CM19 5JS
<b>PARISH:</b>	Roydon
<b>WARD:</b>	Roydon
<b>APPLICANT:</b>	Mr J Schillaci
<b>DESCRIPTION OF PROPOSAL:</b>	Change of Use to MOT Testing Station
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The use hereby approved shall not commence until the area of land abutting the southern site boundary identified on the approved plan (drawing number 2640/3) as "To be kept permanently free of vehicles" has been cleared of all vehicles and the derelict building in the centre of that area has been demolished and all resulting debris removed from the site. Thereafter the area of land shall be kept permanently free of vehicles and shall not be used for open storage or for the storage or deposit of waste.
- 3 The area marked on the approved plan (drawing number 2640/3) for the parking of vehicles shall only be used for the parking of cars and not for the storage of any materials or for the storage or deposit of waste.
- 4 The use hereby approved shall not be commenced until the site as identified on the approved drawings (drawing number 2640/1) has been surfaced in accordance with details previously submitted to and approved in writing by the Local Planning Authority.
- 5 The use hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority, a plan indicating the existing hedge or hedges which are to be retained, the minimum heights at which they will be maintained and appropriate trees within the hedge or hedges which shall be retained and allowed to grow on. The plan shall also show where the hedgerows are to be reinforced with further planting, details of which indicated in a timetable of implementation. The hedges shall thereafter be maintained in accordance with the approved details.

- 6 The use hereby permitted shall not be commenced until details of tree planting, including positions or density, species and planting size have been submitted to and approved in writing by the Local Planning Authority. The approved planting scheme shall be carried out within the first planting season following the commencement of the use, or in accordance with a timetable agreed in writing with the Local Planning Authority. If within a period of five years from the date of planting any tree, or replacement, 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.
- 7 The Units referred to in this condition are those identified on the approved drawing (drawing number 2640/3). The use of Unit 1 hereby approved shall only be carried out in connection with the use of Unit 2.

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

### **Description of Proposal:**

This application seeks consent to use a small building of 91m<sup>2</sup> known as 'Unit 2' as an MOT testing station in connection with an existing adjacent motor vehicle repair workshop at Unit 1 (Use Class B2: general industrial).

The MOT testing station would operate from 08:00 – 18:00 Monday to Friday and from 08:00 – 13:00 Saturdays, which are the same opening hours of the adjacent workshop. The business as a whole would continue to be carried out by the current 2 full-time staff.

The application also proposes enlarging the area of land used in connection with the business by including land between the limit of the land lawfully used for the repair of motor vehicles south of Unit 1 and a glasshouse south of Unit 1. That land is 12m wide adjacent to Unit 1 and includes a 30m length of a private access road leading to other vacant premises to the east. The land also includes a 50m long and 7.5m wide area adjacent to the glasshouse currently used for storing/parking cars in various states of repair. The applicant proposes that the land adjacent to the glasshouse will be kept permanently free of vehicles but has no proposal for the length of access road to be included in the site.

It is proposed to further enlarge the site used in connection with the business by incorporating a 5m wide strip of land east of Units 1 and 2 between those units and a vacant building to the east. The applicant proposes to use that land for stationing staff/customer vehicles.

### **Description of Site:**

The site comprises of two existing commercial buildings (Units 1 and 2) and adjacent land situated directly opposite the junction of Sedge Green with Dobb's Weir Road. The site, together with land to the east, was originally used in connection with a former nursery on the site known as Threeways Nursery but has been used for purposes in connection with horticulture for well over 10 years. To the south and east are glasshouses previously part of Threeways Nursery but now used



as part of Lowershot Nursery. Threeways Nursery therefore no longer exists other than as a convenient address for the application site and land to the east.

The garage workshop known as 'Spanners' operates from Unit 1 and a certificate of lawfulness was issued in 2007 for its use for "the servicing and repair of motor vehicles falling within Class B2".

Unit 2, the subject of this application, is located to the north of Unit 1 with Unit 3 positioned immediately to the rear and abutting the road, Sedge Green. The lawful use of Unit 2 is for a mixed use comprising of purposes within both Use Classes B1 (business i.e. light industry, office and research) and B8 (storage and distribution). The lawful use of Unit 3 is for purposes within Use Class B1.

The land adjacent to the glasshouse south of the site is used for stationing cars in various states of repair by the applicant. It also includes a small derelict building adjacent to the glasshouse. Land between Unit 1 and a vacant building to the east is used for the same purpose.

The part of the access road included in the application site is in very poor condition with a large number of potholes. The surface of the remaining land that forms part of the application site is also in a poor condition.

The nearest residential property is 'Adams View', some 100m to the north-east.

The entire site is within the Green Belt and is in an area designated for glasshouses.

### **Relevant History:**

The relevant history relates to Unit 1 only:

EPF/725/07 – Certificate of Lawfulness for the existing use for the servicing and repair of motor vehicles falling within Class B2 – Lawful.

### **Policies Applied:**

#### Adopted Local Plan

GB2A – Development within the Green Belt  
GB8A – Change of use or adaptation of buildings  
ST4A – Road Safety  
E13B – Protection of glasshouses

### **Issues and Considerations:**

The key issues relevant to this application are the appropriateness of the development in the Green Belt, highways issues and impact on visual amenity.

Although the site is designated as an area for glasshouses, given its small size and that the land together with adjacent land already has lawful use for purposes unrelated to horticulture (i.e. light and general industry and for storage and distribution), this proposal will not in any way prejudice the implementation of broader glasshouse policy objectives. There is no realistic prospect of this site being used for purposes in connection with horticulture other than in connection with the enlarged Lowershot Nursery to the south and it is very unlikely to be required for that purpose.

## 1. Green Belt and visual amenity

Green Belt policy GB8A allows for conversions of buildings in the Green Belt, provided that a number of criteria are addressed, concerning the condition of the building and impact of the use.

The building is clearly of permanent and substantial construction capable of conversion to an MOT testing station without major or complete reconstruction. The change of use would not require any structural changes to the building itself. On this basis, the principle of conversion is considered acceptable.

The lawful use of the Unit 2 is for a mixed use comprising of purposes within both Use Classes B1 (business i.e. light industry, office and research) and B8 (storage and distribution). Whilst the MOT testing station would be a more intensive activity in terms of the actual building, the use would not have any greater material impact on the locality than the existing use.

The applicant argues the actual amount of trips generated will decrease as MOT testing must be conducted by appointment only and there would be little in the way of backlog from cars waiting to be tested. It is argued that at present each MOT customer generates 4 vehicle movements, 2 from the customer delivering and picking up the car, and 2 from the applicant visiting and returning from another MOT testing station.

Although it is not accepted that the new use would necessarily result in a decrease in vehicle movements, having regard to the small size of the building and that there would be no increase in staff employed at the site, the actual numbers of vehicle movements generated by the use of the building would be small. Accordingly, the impact of the use on the Green Belt would be no greater than that of the lawful use of the building.

The application proposes an increase in the area of the business to include land adjoining the nursery buildings to the south. The applicant proposes to keep that land free of vehicles which would result in an improvement in the appearance of the land that would most probably be difficult to achieve outside the scope of this application. This improvement to visual amenity can be secured by the imposition of a suitable condition on any consent granted.

The proposed enlargement of the site includes a 30m length of private access road serving units to the east. In order to ensure access to them is maintained, it is necessary to impose a condition requiring it to be kept clear.

This application provides a further opportunity to gain improvements to visual amenity by requiring improvements to the entire surface of the site, the provision of landscaping and the removal of the existing derelict building adjacent to the glasshouse to the south. This can be secured by an appropriate condition imposed on any consent granted.

In order to further improve the visual amenities of the locality the area of the site used for the parking and stationing of vehicles can also be limited to that shown on the submitted drawings through the imposition of an appropriate condition.

The proposal as controlled by the imposition of suitable conditions would result in an improvement in the visual amenities of the locality that could not otherwise be achieved given the lawful use of most of the site.

## 2. Highways and access

The access to the site is unsatisfactory, positioned on the inside of a bend and opposite the junction with Dobbs Weir Road. Any further increase in the number of vehicle movements to the site should therefore be resisted. However, based on the information submitted, the number of

trips would not differ significantly from the current vehicle movements. On this basis, whilst the Parish Council have serious concerns on this issue, the application does not attract a recommendation of refusal from the Highways Authority.

The application proposes an increase in the area of the business to include land adjoining the nursery buildings to the south. That land includes a length of private access road servicing units to the east and in order to ensure access to them is maintained, it would be necessary to impose a condition requiring it to be kept clear.

The plans indicate 4 parking spaces for both staff and customers with ancillary storage space to the west of 'Unit 1'. This is considered adequate space for both units and is to the satisfaction of the Highways Authority. Its provision could be secured through the imposition of a condition on any consent granted.

### **Conclusion**

The reuse of Unit 2 as a MOT testing station in connection with the use of an adjacent lawful vehicle repair business is appropriate development in the Green Belt and would not prejudice the aims of Council policy relating to glasshouses. Whilst the proposed change of use of Unit 2 increases the business curtilage of Spanners workshop, the proposal provides an opportunity to secure improvements to the visual amenities of the locality through the imposition of appropriate planning conditions. Accordingly it is recommended that planning permission be granted.

### **SUMMARY OF REPRESENTATIONS**

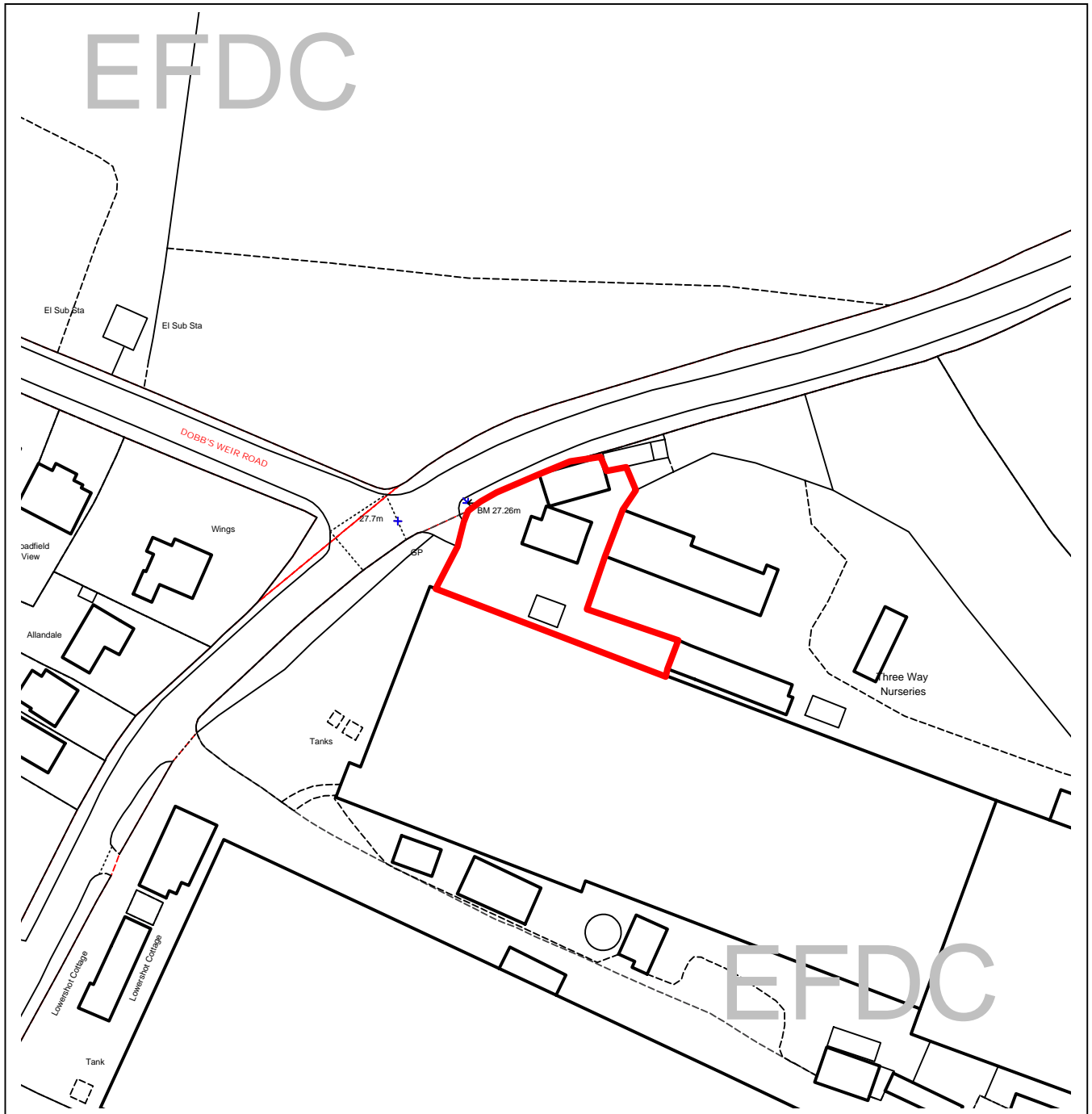
PARISH COUNCIL – Object. Unsatisfactory access onto the highway which is very restricted.

ADAMS VIEW – Strongly object. MOT traffic will increase traffic and general pollution in the area.



# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	<b>6</b>
Application Number:	EPF/2028/07
Site Name:	Unit 2, Spanners, Threeways Nursery Sedge Green, Roydon, CM19 5JS
Scale of Plot:	1/1250

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/2310/07
<b>SITE ADDRESS:</b>	Land to rear of Lynfield Harlow Road Roydon Essex CM19 5HH
<b>PARISH:</b>	Roydon
<b>WARD:</b>	Roydon
<b>APPLICANT:</b>	George Harvey
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of 4 bedroom bungalow.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 4 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Class [B] (enlargement of a dwellinghouse consisting of an addition or alteration to its roof) shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 No tree, shrub, or hedge which are shown as being retained on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (B.S.3998: 1989).

If any tree shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub, or hedge shall be planted at the same place, and that tree, shrub, or

hedge shall be of such size, specification, and species, and should be planted at such time as may be specified in writing by the Local Planning Authority.

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

- 6 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

*This application is before this Committee since it is an application for commercial or other development and the recommendation differs from more than one expression of objection and contrary to views of a local council (Pursuant to Section P4, Schedule A (f) of the Council's Delegated Functions).*

#### **Description of Proposal:**

Erection of a detached 4 bedroom bungalow within rear garden of existing house with access off Harlow Road. The proposed bungalow would have an L shaped footprint and its front wall would align with the front elevation of an existing building containing a garage and ancillary accommodation for Lynfield. The house would have a ridge height of 6.1m and an eaves height of 2.6m.

#### **Description of Site:**

The site is a rectangular area of land located to the rear of Lynfield and the Village hall, accessed via an existing concrete access track from Harlow Road. Lynfield is the end property in a ribbon of development and the site abuts the Green Belt boundary but is within the built-up boundary. It has an L shaped garden and the site comprises the rear part of the "L". The site is bounded by a close-boarded fence on three sides and there is a belt of trees to the east and west of the site. The site contains an existing outbuilding, which it is intended to retain for garaging. It also has three small sheds.

#### **Relevant History:**

The site has an extensive planning history; the following list is of the most relevant applications only.

EPF/166/86 - Creation of 3 detached dwellings. Refused. Dismissed on appeal

EPF/386/98 - Erection of 2 chalet bungalows. Refused. Dismissed on appeal

EPF/1805/98 - Detached bungalow with driveway and parking spaces. Refused. Dismissed on appeal.

### **Policies Applied:**

Core Policies C1 – C7 relating to sustainability and quality of environment.  
GB7A Conspicuous development  
DBE1 Design  
DBE2 effect on existing and surrounding properties,  
DBE6 car parking  
DBE8 Amenity space  
LL1, LL2, LL3, LL10, LI11 relating to landscaping  
ST1 Location of development  
ST4 Road safety.  
ST6 Vehicle Parking

### **Issues and Considerations:**

This site is within the residential area of Roydon, not within the Green Belt and as such there is a presumption in favour of making the best use of the land. The main issues in determining the application are the visual impact of the development on the adjacent Green Belt and the character of the area, the impact on the amenity of adjacent residents, sustainability and highway and access issues.

#### *1. Visual Impact*

The last application for a similar bungalow on this site was refused back in 1998 on two grounds; firstly the fragmentation of the curtilage of the existing property out of character with the locality, leading to loss of privacy to neighbours, and secondly that views of the proposed development from within the Green Belt would be detrimental to the open character of the area.

On appeal however the Inspector did not agree that there would be harm to residential amenity and dismissed the appeal solely on the basis that the proposal would be clearly and prominently visible from a wide area and would harm the sense of openness at a conspicuous location on the edge of the Green Belt.

The application site lies at the top of a ridge such that it is can be viewed from a significant distance when approaching Roydon from the east and there are also a number of footpaths in the locality, which also provide views of the site. The question therefore is whether there has been any material change in circumstances since the previous appeal decision.

Since 1999 the applicant has carried out a substantial planting scheme on the land to the east and north of the site, comprising over 70 semi-mature trees including, oak, sycamore, ash, birch and chestnut. These trees are well established and have reached a height of 4m or more. They provide a significant visual screen around the site, which will be particularly effective in summer, although clearly less so during the winter months.

It is considered that this tree screening, while not hiding the proposed development, (which is taller than the current height of trees) will have a significant softening effect, such that the proposed bungalow will no longer present a conspicuous hard edge to the urban area intruding visually on the openness of the Green Belt. The trees are not within the application site, but are on land within the applicant's ownership, and their retention can be required by condition. It is considered therefore that the significant harm previously identified will no longer arise, and indeed over time, as the trees further mature the impact will further reduce. The proposed development is not in

open countryside but is viewed against a backdrop of other development, it is not considered that it will be excessively prominent or harmful to the character of the area.

The design of the proposed dwelling is considered appropriate to this village location.

## 2. Impact on residential amenity.

The proposed bungalow is located behind the existing dwelling known as Lynfield and is sited such that there will be no loss of light or overlooking of that property. The access track to the proposed dwelling runs to the side of Lynfield, but it is not considered that the use of this existing track in connection with a single domestic use will cause unacceptable levels of noise or disturbance.

To the west and separated from the site by a substantial row of trees lies another bungalow (Benmore). There will be well over 30m between these properties and no harm to residential amenity should arise.

The property known as Nimba that lies immediately to the west of the village hall will have oblique views over the site, but it is not considered that the bungalow, or the more intensive use of the garden area will cause any significant harm to residential amenity.

## 3. Sustainability.

The core policies of the Local Plan Alterations, seek to direct new development to urban areas where there is good access to a variety of employment, shops and facilities. This site is on the edge of Roydon and not ideally situated in sustainability terms as the facilities within the village are relatively limited, but the site is not isolated, it is on a main road and within walking distance of shops, pubs, a school and a bus route to Harlow. Therefore, although any occupants of the dwelling will probably require access to a car they will not be reliant on it for all trips and activities. It is not considered therefore that the proposal can be refused on sustainability grounds.

## 4. Highway Safety

The proposal is to utilise an existing established access onto Harlow Road, which meets adopted standards. Essex County Highways have raised no objection to the proposal on safety or congestion grounds, and it is not considered that the increased use of the access will cause harm to either safety or the free flow of traffic.

## 5. Other Issues

Concern has been raised that development of this backland site would set a precedent for surrounding properties. Whilst precedent can be a concern where there are similar circumstances repeated close by, in this instance there do not appear to be other properties with similar potential, i.e. with existing access, no overlooking, not within the Green Belt and not within the Roydon Conservation Area. In any case each application must be treated on its own merits.

Concern has also been raised that this area of land was agricultural land and should be returned to such use rather than be developed. Although the land may not have originally been part of the garden of Lynfield, it was never Green Belt Land and it appears to have been used as garden for many years, such that its use for that purpose is lawful. There is no mechanism for requiring it to be returned to agricultural use.



## **Conclusion**

In conclusion it is considered that now that the site has been effectively surrounded on its two open sides by extensive tree planting, the impact of the development of a single storey dwelling will be significantly softened such that it will not be overly prominent from views from the Green Belt and will not have a significant impact on the openness of the area. The development is in accordance with the adopted policies of the Local Plan and Local Plan Alterations and will not have an adverse impact on the character or amenity of the area or on the amenities of neighbours. The application is therefore recommended for approval subject to conditions.

## **SUMMARY OF REPRESENTATIONS:**

PARISH COUNCIL – Object. This proposal would create visual intrusion into the Green wedge (MGB) between Roydon and Harlow (as identified by the Inspector when dealing with the nearby Bulls Farm planning application EPF/0203/04) this would also constitute backland development and would create a precedent. There are also highway concerns- visibility is restricted towards the village hall.

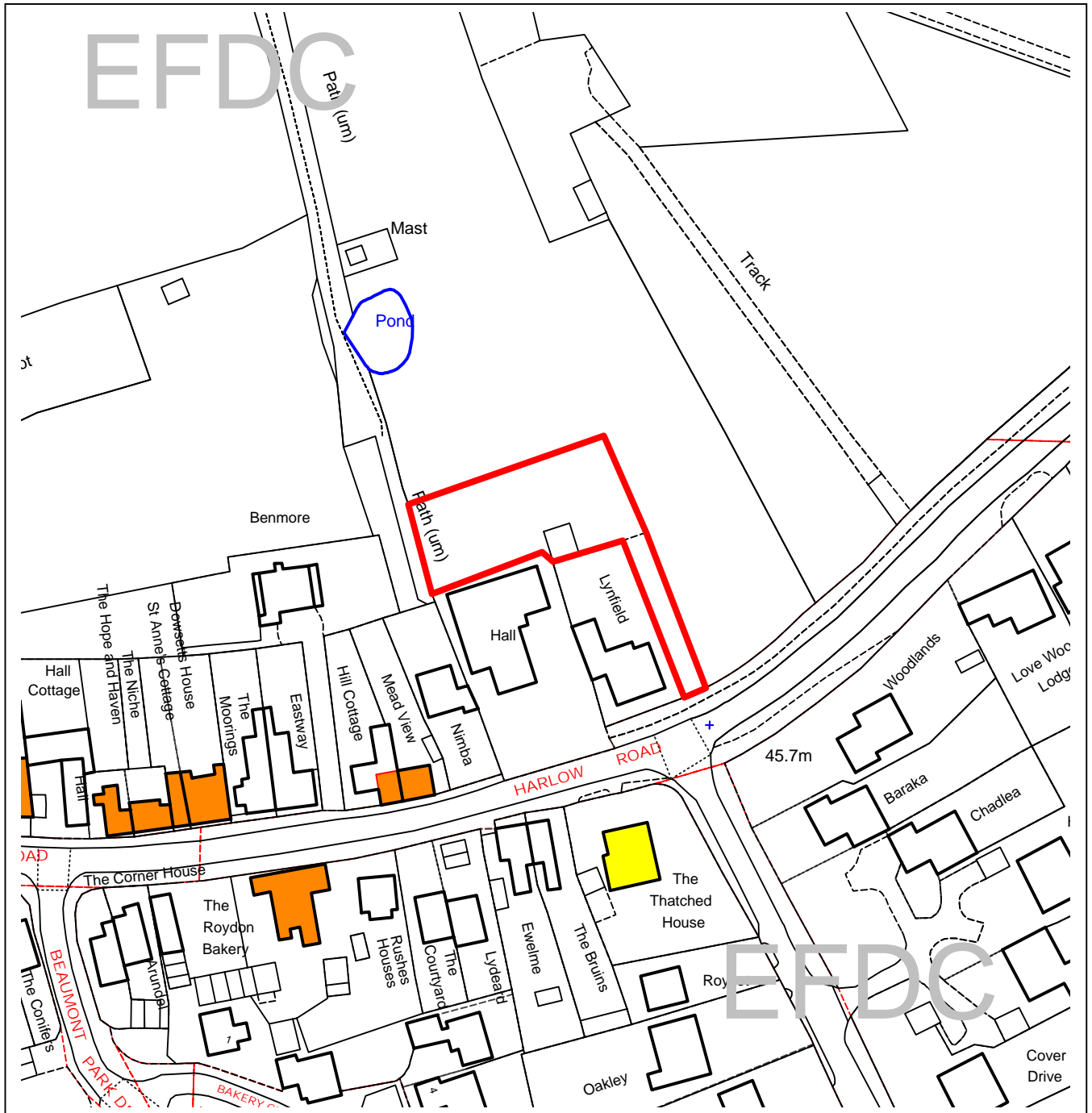
BENMORE, HARLOW ROAD – Object. A chalet type building has been erected and the access gated and named to give the impression of a separate development. The adjacent land has been identified as an important green wedge that should be returned to agricultural land, this also applies to the land behind Lynfield that was once agricultural. The new property will be clearly visible from the main road despite the screening. Concerned about noise. Lynfield has a number of vehicles visiting on a regular basis creating some noise. Proposal will set a precedent of backland development.

THE ROYDON SOCIETY (BENMORE, HARLOW ROAD) - Object. As above.



# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	7
Application Number:	EPF/2310/07
Site Name:	Land to rear of Lynfield, Harlow Road Roydon, CM19 5HH
Scale of Plot:	1/1250

**Report Item No: 8**

<b>APPLICATION No:</b>	EPF/2421/07
<b>SITE ADDRESS:</b>	Roydon Garage High Street Roydon Harlow Essex CM19 5HJ
<b>PARISH:</b>	Roydon
<b>WARD:</b>	Roydon
<b>APPLICANT:</b>	Grecize Ltd T/A Roydon Garage
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing garage buildings and erection of 8 dwellings for residential use with parking courtyard. (Revised application)
<b>RECOMMENDED DECISION:</b>	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.  
Act 1990 (as amended).
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 Prior to first occupation of the building hereby approved the proposed window openings in the flank elevations and at first floor in the rear elevations of plots 4,5, 6 and 7 shall be fitted with obscured glass and shall be top opening only, and shall be permanently retained in that condition.
- 4 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time without the prior written approval of the Local Planning Authority.
- 5 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 and B shall be undertaken without the prior written permission of the Local Planning Authority.
- 6 The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of its implementation have been

submitted to the Local Planning Authority and approved in writing. The approved scheme shall be implemented within the first planting season following the completion of the development hereby approved.

The scheme must include details of the proposed planting including a plan, details of species, stock sizes and numbers/densities where appropriate, and include a timetable for its implementation. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand, and in writing.

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

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

- 7 Prior to the commencement of the development details of the proposed surface materials for the access and parking areas shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
- 8 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.
- 9 Prior to commencement of the development details of provision for parking for people with disabilities shall be submitted to and agreed in writing by the Local Planning Authority and the development shall subsequently be completed in accordance with the agreed details, prior to the first occupation of any of the dwellings hereby approved.
- 10 Prior to commencement of the development details of the number, location and design of powered two wheelers and bicycle parking facilities shall be submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be completed prior to the first occupation of any of the dwellings hereby approved and thereafter retained at all times.
- 11 Prior to the first use of the access hereby approved a 1.5 metre x 1.5 metre pedestrian visibility sight splay, measured from the highway boundary, shall be provided on both sides of the vehicular access. There shall be no obstruction above the height of 600mm as measured from the finished surface of the access within the area of the visibility spays thereafter.
- 12 The access shall be laid at a gradient not exceeding 4% for the first 6 metres from the highway and not exceeding 8% thereafter.
- 13 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.

- 14 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 15 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
- 16 Prior to commencement of development a full noise survey shall be carried out, to establish which noise category the proposed plots fall into with regard to PPG24. Following the survey a scheme for protecting the proposed new dwellings from noise, shall be submitted to and agreed in writing by the Local Planning Authority for any dwellings, gardens and recreation areas that fall into NEC B and C (as detailed in PPG240, or bedrooms likely to be exposed to noise levels that do not meet reasonable resting/sleeping conditions specified in British Standard BS8233;1999 - Sound insulation and noise reduction for buildings - Code of practice. All works which form part of the agreed scheme shall be completed prior to the first occupation of any of the dwellings hereby approved.
- 17 Additional drawings that show details of proposed windows, doors, eaves, verges, and cills, to be used by section and elevation at scales between 1:20 and 1:1 as appropriate shall be submitted to and approved by the local planning authority in writing prior to the commencement of the works. The works shall be implemented in accordance with such approved details and permanently retained as such.

*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:**

Demolition of existing garage buildings and erection of 8 dwellings in two blocks with an associated garage court with parking for 12 vehicles. The proposal is to provide a terrace of 4, two storey dwellings along the High Street frontage, in line with the adjacent properties and incorporating vehicular access to the rear area through an arch, and a further terrace of 4, three bed properties with accommodation on three floors, located to the rear at right angles to the fronting terrace. Each property has a private garden to the rear and there is a communal parking courtyard, with one parking space for each dwelling and 4 visitor spaces.

**Description of Site:**

The site is located on the western side of Roydon High Street about 35m north of the junction with Harlow Road within the Roydon Conservation Area. There are residential properties to either side of the site and to the rear. The site is currently occupied by a commercial garage building, which is set back from the road frontage, which has been used as a filling station and for car sales. There are substantial and unattractive buildings to the rear used for vehicle repair, and there is a large parking and turning area. The site slopes down to the north.

**Relevant History:**

Retention of petrol pumps on this site was originally approved in 1951 and there have been a variety of garage related consents since that date. Last year a similar application to that now under consideration was submitted, but was withdrawn before determination as further information was required.

**Policies Applied:**

CP1 Sustainable development objectives  
CP2 Quality of the environment  
CP3 New development  
CP4 Energy conservation  
CP5 sustainable building  
CP6 Sustainable urban development patterns  
CP7 Urban form and quality

H1A Housing provision  
H2A Previously developed land  
H3A Housing density  
H4A dwelling mix  
H9A Lifetime homes

E4A protection of employment sites  
E4B Alternative uses of employment sites

ST1 Location of development  
ST2 Accessibility

ST4 Road safety  
ST6 Travel plans

HC6 & 7 Development within conservation areas  
HC9 Demolition within conservation areas

DBE1 Design of new buildings  
DBE2 Effect on existing properties  
DBE3 Development in urban areas  
DBE5 Design and layout  
DBE6 Car parking  
DBE8 Private amenity space  
DBE9 Amenity of neighbours

LL10 and LL11 Landscaping provision and retention.

### **Issues and Considerations:**

The site is within the village envelope of Roydon, within the Conservation Area and is currently an employment site. The main issues to be considered in determining the application are: whether the loss of the site from employment can be justified, the impact of the development on the character of the conservation area, the impact of the development on the amenity of neighbours, sustainability issues and parking and access issues.

#### **1. Loss of Employment**

Policy E4A of the Local Plan Alterations requires that sites currently or last used for employment are safeguarded from redevelopment in order to ensure that there is an ongoing and adequate supply of land for employment, unless it can be shown that the site is either unsuitable for such continued use or that it has been marketed and there is no demand for it for employment purposes. The garage site once employed 8 people and as well as providing employment in Roydon, also provided a service to local residents which will be lost if the site is redeveloped for housing. However the applicants have submitted with their application details indicating that the garage has over the last 5 years seen a decline in turnover by over 20% and that now the business operates at a loss each year. The used car sales business has been let to a third party for over 10 years and is independent from the garage, but has not proved economically viable. The business has been marketed as a going concern since September 2006 but without success. Assuming therefore that the reuse of the site for its current purpose will not be viable, we need to establish whether redevelopment for other employment uses would be appropriate. The applicants have submitted letters from local commercial surveyors confirming that there is no demand for office premises in this location and information indicating that several retail units in the village have closed over the years due to lack of demand. It is not therefore considered that redevelopment for offices or retail use would be commercially viable. Use of the site for storage or industrial uses would be unacceptable due to the proximity to residential properties and the likely harm to residential amenity.

Policy E4B requires that before a site can be considered for housing we must be satisfied that the site is not suitable to meet any identified community need. In this instance no such community need has been identified.

It is considered therefore that attempting to refuse redevelopment of this site on the grounds of loss of employment land, would be likely to result in the site becoming more run down and potentially disused, to the detriment of the character and amenity of the area, which is not the intention of the safeguarding policy.

## 2. Design and Character of the Conservation Area

The existing site presents an ugly and incongruous frontage to Roydon High Street, detrimental to the character of the area, and the original suggestion of redevelopment of the site was raised by the Council's Assistant Conservation Officer, back in September 2006, in a proactive attempt to facilitate improvement to the amenity of the conservation area.

The design of the scheme has been drawn up in consultation with conservation officers. The front element of the scheme reflects the original pattern of development along the High Street by placing the houses right on the back edge of the pavement, creating enclosure of the street. The design of the proposed dwellings also reflects the design of adjacent properties, and a good level of detailing has been provided. Subject to the use of suitable materials the development will significantly enhance the conservation area.

The density of the development is about 61.5 dwellings per hectare, which is slightly above the indicative range of 30 -50 dwellings per hectare set out in PPS3, but it is considered to be appropriate to this previously developed site within the urban area of Roydon. The proposed garden areas of the dwellings are small, but this is not unusual for this form of small terraced cottage style development and is considered appropriate to this context. It is appropriate however to remove permitted development rights for extensions to the dwellings to ensure that adequate amenity space is retained.

## 3. The Amenity of Neighbours

The redevelopment of this site for residential use will remove a use which is potentially harmful to residential amenity, through noise, disturbance and fumes, and replace it with a use which is more appropriate to the location. It is not considered that the fronting block of dwellings will cause any harm to the amenity of surrounding neighbours, there will be no overshadowing and although there may be obscure views from plot 1 to the rear of the property known as Stepping Stones, this is at a distance of over 20m away and it is not considered that excessive harm to amenity will result.

The rear block of houses is set just over 14m (back to back) from the rear of Stepping Stones and the occupant of that property raised understandable concern that his rear garden and windows would be overlooked. Since this issue was raised the applicants have amended their proposal so that the first floor rear windows are now shown to be into a bathroom and a landing only and will be obscure glazed, so that there will be no overlooking. A rooflight is now provided in the rear roof elevation to provide light into the third bedroom, but this will not cause overlooking. The proposed dwellings are located to the north of Stepping Stones so will not result in loss of light to that property.

The proposed car ports, bin store and parking/turning area is located adjacent to the northern boundary of the site, which backs on to an existing access road and parking area so that there will not be undue noise or disturbance to existing residents.

It is considered that the revised plans overcome the identified problem of overlooking and will not cause excessive harm to the residential amenity of neighbours. Loss of view has also been raised by the occupant of Stepping Stones, but this is of very little weight in determining the application.



#### 4. Sustainability

The policies of the Local Plan seek to direct new development to areas which have good access to shops, schools, work and public transport in an attempt to reduce reliance on the private car. This site, although clearly not the most sustainable location is at least within walking distance of a school and shops and a bus route. Additionally the proposal makes good use of a Brownfield site, thereby potentially reducing pressure to develop in less sustainable locations.

#### 5. Parking and Access

The proposal has maintained the access to the site in the same position as existing and the proposed use should result in less traffic movements than the existing use, so it is not considered that the proposal will cause any harm to highway safety or to the free flow of traffic. The access to the site is low which will restrict access to the site for larger vehicles, this is not an ideal situation, but in this instance where it is important to ensure that the development enhances the conservation area it is not considered that access requirements should dictate the design. The Highway Authority has raised no objection to this restricted height and the distance from the High Street to the properties at the rear is not considered excessive.

One parking space for each dwelling plus 4 visitor spaces are being proposed. Although there is some concern from neighbours that this is an under provision, given the relatively small nature of the houses proposed, their position within the village centre and the fact that the current parking standards restrict parking to a maximum of just 2 spaces per dwelling, the proposal is considered to be in accordance with national and local policies that seek to reduce reliance on the private car. The Highway Authority has raised no objection to the proposal subject to conditions.

### **Conclusion**

In conclusion it is considered that the proposed development is in accordance with the adopted policies of the Local Plan and Local Plan Alterations and will provide a positive contribution to the character and amenity of the Conservation Area. The application is therefore recommended for approval subject to conditions.

### **SUMMARY OF REPRESENTATIONS:**

TOWN COUNCIL – No objection.

STEPPING STONES - Object. Loss of garage business, this will result in more journeys to surrounding area for petrol, car servicing and repairs hardly a sustainable environment. Overlooking of existing property, loss of privacy, loss of view. Accommodation in the roof has been resisted elsewhere in the conservation area, what has changed? Density, the development is well over maximum density recommendation. Parking. The proposed 1.5 spaces per unit are inadequate, where will people park? No doubt on the pavement causing hazard just 45m from the T junction. Access. The height of the access way is too low to allow access of removal vans, refuse collection vehicles and fire engines, this has clear congestion and safety implications. The access is also too narrow and likely to cause accidents.



# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	<b>8 &amp; 9</b>
Application Number:	EPF/2421/07 & EPF/2422/07
Site Name:	Roydon Garage, High Street, Roydon CM19 5HJ
Scale of Plot:	1/1250

**Report Item No: 9**

<b>APPLICATION No:</b>	EPF/2422/07
<b>SITE ADDRESS:</b>	Roydon Garage High Street Roydon Harlow Essex CM19 5HJ
<b>PARISH:</b>	Roydon
<b>WARD:</b>	Roydon
<b>APPLICANT:</b>	Grecize Ltd T/A Roydon Garage
<b>DESCRIPTION OF PROPOSAL:</b>	Conservation area consent for the demolition of existing garage buildings. (Revised application)
<b>RECOMMENDED DECISION:</b>	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 All demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

*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:**

This is an application for Conservation Area Consent to demolish the existing buildings on the site of Roydon Garage.

**Policies Applied:**

HC9 Demolition in Conservation Areas

**Issues and Considerations:**

Conservation Area Consent is required for the demolition of buildings within conservation areas to ensure that buildings which make a positive contribution to the character and amenity of such areas are not lost. In this instance the buildings proposed to demolish are of no architectural merit and have been identified by the Council's conservation officers as detracting from the character of the area.

The proposal to demolish is linked with the previous item on the agenda to redevelop the site so it is not envisaged that the buildings will be demolished and the site left undeveloped. It is considered therefore that the removal of these unattractive buildings from the site will not be detrimental to the Conservation Area and the proposal is therefore in accordance with policy HC9 of the Adopted Local Plan and is recommended for approval.

**SUMMARY OF REPRESENTATIONS:**

PARISH COUNCIL – No objection.

**Report Item No: 10**

<b>APPLICATION No:</b>	EPF/2665/07
<b>SITE ADDRESS:</b>	The Scout Association Gilwell Park, Bury Road Sewardstone Chingford E4 7QW
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey High Beach
<b>APPLICANT:</b>	The Scout Association
<b>DESCRIPTION OF PROPOSAL:</b>	New single storey building to house a Muslim place of worship for Scout Association.
<b>RECOMMENDED DECISION:</b>	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 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 building hereby approved shall be used only for purposes ancillary to the main use of Gilwell Park for scouting and by visitors whose principal purpose for visiting is to use the Scout Association's main facilities within the Park.
- 5 No amplified sound shall be emitted from the building at any time.

*This application is before this Committee since it is an application for commercial or other development and the recommendation differs from more than one expression of objection (Pursuant to Section P4, Schedule A (f) of the Council's Delegated Functions).*

### **Description of Proposal:**

Erection of a single storey building of 87 square metres of floorspace to house a Muslim place of worship for the use of scouts attending the Scout Association's international centre of scouting at Gilwell Park.

The proposed building is a flat roofed timber construction 3.7m high with a raised skylight (4.6m) to provide light into the main space. The proposal includes provision of toilets, a small kitchen area and a small storeroom and a semi external area for ablutions and shoe storage.

### **Description of Site:**

Gilwell Park is a 32 Hectare site that is the world headquarters of the Scouting Association comprising woodland, open camping fields, recreational centre, administrative centre, staff accommodation, and accommodation blocks for young campers. It is located to the western side of Bury Road, Sewardstonebury. The site of the proposed development is to the west of Gilwell House, and close to other buildings in the central area of the park. Access is via the main entrance to the park, and no independent access or parking in connection with the development is proposed. The siting is amongst mature trees and existing facilities within the camp for other faith groups including a Roman Catholic Chapel, Anglican Chapel, Synagogue and Buddhist Sala.

### **Relevant History:**

There is an extensive history of alterations and erection of buildings and facilities for the Scout Association. In 1992 a master plan was approved for renovation of the White House and new work to locate the administrative centre of the Scout Association to the site.

In 2001 outline permission was given for the erection of an additional 6,326 square metres of floorspace at the site, to upgrade the facilities to a level consistent with it being the world centre of scouting. Most recently permission was granted last year for a 60 bed dormitory building with meeting room and ancillary areas, and there have been applications for various outdoor recreational facilities.

### **Policies Applied:**

GB2A, Green Belt  
CF8 Provision of places of worship  
RST 15 Recreational facilities in/adjacent to rural settlements  
DBE1 Design of new buildings  
DBE2 Impact on existing surrounding properties  
DBE4 Development in the Green Belt  
LL7, LL10, LL11 Trees and landscaping  
ST4 Highway safety

## **Issues and Considerations:**

The site is within the Metropolitan Green Belt and the main consideration is therefore whether the proposal is appropriate within the Green Belt and if not whether there are very special circumstances, sufficient to outweigh the harm that would arise from the development. Other issues to be considered are, design, impact on residential amenity, impact on trees and traffic issues.

### **1. Green Belt**

One of the purposes of the Green Belt is to provide opportunities for outdoor sport and recreation within the countryside, and this is the basis on which the existing quite extensive development at Gilwell Park has been allowed over the years. The use of the land by the Scouting Association is intrinsically linked with outdoor sport and recreation. The building now proposed, although not in itself for outdoor recreation, is part of the wider provision of facilities within the site to meet the requirements of the scouts who visit the site from all over the world, and as such is regarded as ancillary to this main use, in the same way as ablution blocks, a museum and dormitories have been accepted. This principle has previously been accepted in respect of adjacent existing facilities within the camp for other faith groups (Roman Catholic Chapel, Anglican Chapel, Synagogue and Buddhist Sala, which were constructed between 1947 and 1967). Indeed the applicants state that there was an earlier Muslim Prayer Area dating from 1967, which was demolished in 1981. The applicants advise about a third of the all scouts worldwide are Muslim, including a growing number based in Britain and this facility is intended only to meet the needs of Muslim scouts visiting the centre and not to cater for members of the public.

Since the principle of providing places of worship at the site in connection with the lawful use of the site by the Scouting Association is acceptable, it is necessary to consider the impact of the proposal on the openness of the Green Belt. In this case the proposed building would be sited amongst mature trees in the vicinity of buildings of a variety of scale used as places of worship by scouts of other faiths. The scale of the proposed building is small with a low profile and it would be finished in soft materials. Given its modest size and sensitive location its visual impact will be minimal. Accordingly the openness and rural character of the Green Belt would be preserved by the proposal.

It is considered therefore that although the proposal by itself might be regarded as technically inappropriate development in the Green Belt, the ancillary nature of the use to the existing established development of the site in connection with residentially based outdoor recreation amounts to very special circumstances sufficient to outweigh the harm by reason of inappropriateness that would result from the development.

### **2. Design**

The proposed development is a simple low level building with an external finish of timber. The design in this instance is modern, (as is the recently approved dormitory block) but it is modest and unassuming and fits well with its woodland setting. The building is somewhat larger in footprint than some of the other (older) places of worship within the park, as it incorporates a semi external foyer area for ablution and shoe storage prior to entry to the main hall and small toilet and kitchen facilities to meet modern requirements. The hall itself is comparable in size to the other places of worship at about 50 square metres.

It is considered that the development is in accordance with the design policies of the Local Plan and Alterations.

### 3. Residential Amenity

The site proposed for the development is over 300m as the crow flies from any residential property not within the park itself, and will not be visible from outside of the park. Concern has been raised that the use of the building will result in additional traffic movements and noise that may be harmful to residential amenity, but as the building is only to be utilised in connection with the existing scouting use of the wider park and will not be utilised by members of the public it is not considered that there will be any increase in traffic disturbance. The proposal does not incorporate a minaret and it is not intended to sound out a call to prayer that may cause concerns to local residents. A condition to prevent amplified sound emanating from the building can be attached. A condition can also be added that requires the use of the building to be ancillary to the main use of Gilwell Park and for scout activities only, to ensure that there are no additional traffic movements to the site as a result of the development.

### 4. Trees and Landscaping

A tree survey has been submitted with the application and the siting has been drawn up to minimise impact on trees. An arboricultural report submitted with the application explains the development will require the loss of four small trees: a Yew, a Holly, a Sorbus and a Robina. Only the Robina is of good quality in landscape terms but the constraints imposed by the location of other good trees and the presence of buildings dictate that this location is nevertheless the most appropriate for the building. Moreover, replacement planting secured by condition would mitigate the loss of all four trees. Even accounting for the loss of those trees, it is considered that the building would be well sited and that important trees will not be adversely affected by the development, subject to a tree protection condition.

### 5. Highway Issues

As has been discussed above, it is not expected that this small building will result in significant additional traffic movements over and above those already associated with the site. No new access or parking facilities are proposed and the building will not be used by members of the public, or as a destination in its own right, but only by Scouts in connection with their visit to the larger Scouting facility. The Highway Authority has raised no objection to the proposal.

### 6. Other Issues

Concern has been raised by neighbours that the rooflight, designed to allow light into the hall from above is unnecessary. This is a small design feature which adds interest to the external appearance of the building as well as providing light, it is not considered that this has any adverse impact and it is not clear why residents have raised objection to this aspect.

It has been pointed out that the application forms state that this development is part of a larger scheme for which planning permission has not yet been sought. This has been queried with the applicants agent who has confirmed in writing that this is a typing error (simply putting the X in the wrong box) and that there are no plans for any larger scheme.

Concern has been raised over traffic levels during construction: for such a small development, this is not considered to be a major issue in the determination of the application.

## **Conclusion**

In conclusion it is considered that the development, which adds to the facilities already available to the Scout Association, on a site which has long been recognised as the international centre of Scouting will have limited impact on the openness of the Green Belt and will not detract from the character or amenity of the area or from residential amenity and is in accordance with the policies



of the Local Plan and Local Plan Alterations. The development is therefore recommended for approval subject to conditions.

### **SUMMARY OF REPRESENTATIONS:**

TOWN COUNCIL – No objection. Providing the building is in scale with the other denomination places of worship.

Cllr R LAW ON BEHALF OF BNP GROUP – Object. Our objections are that the building is an overdevelopment and not in keeping with the surrounding area, detrimental and negative effect on the area, and to local residents. Also with affect to policies DBE1 and DBE2, DBE9 impact of new development.

OAKTREES, WOODMAN LANE – Opposed. Feel the building is far too large in proportion to the amount of Muslim Scouts and also in relation to the other sizes of places of worship.

EWTOR HOUSE, FARM END – A condition should be applied that the building shall only be used by the Muslim scouts. What check will be in place to make sure the use is not changed in the future?

CITY OF LONDON, SUPERINTENDENT OF EPPING FOREST – No Observations.

TEWKESBURY HOUSE, WOODMAN LANE – Object. Green Belt, area already overdeveloped. Design and location, the design is too big, this is out of proportion with the buildings for other faiths, Muslims are a minority in the Scouts and a building of this size is unnecessary. Noise, we already suffer noise from the camp in the summer, this large capacity building will add to this problem. Traffic, additional building will bring additional people and the traffic will be worse. Residents objections to the previous application should be taken into account and no further application allowed.

SANTANA, BURY ROAD – Object. The overall size of the Mosque is too big and we feel it could be reduced to a size for 35-40 people. A skylight is not necessary; we feel that an extra window would be sufficient.

WOODPECKER, BURY ROAD – No objection to a mosque but it should be no larger than any other religious building and be limited to say 40 places and there is no need for a skylight, another window could provide light.

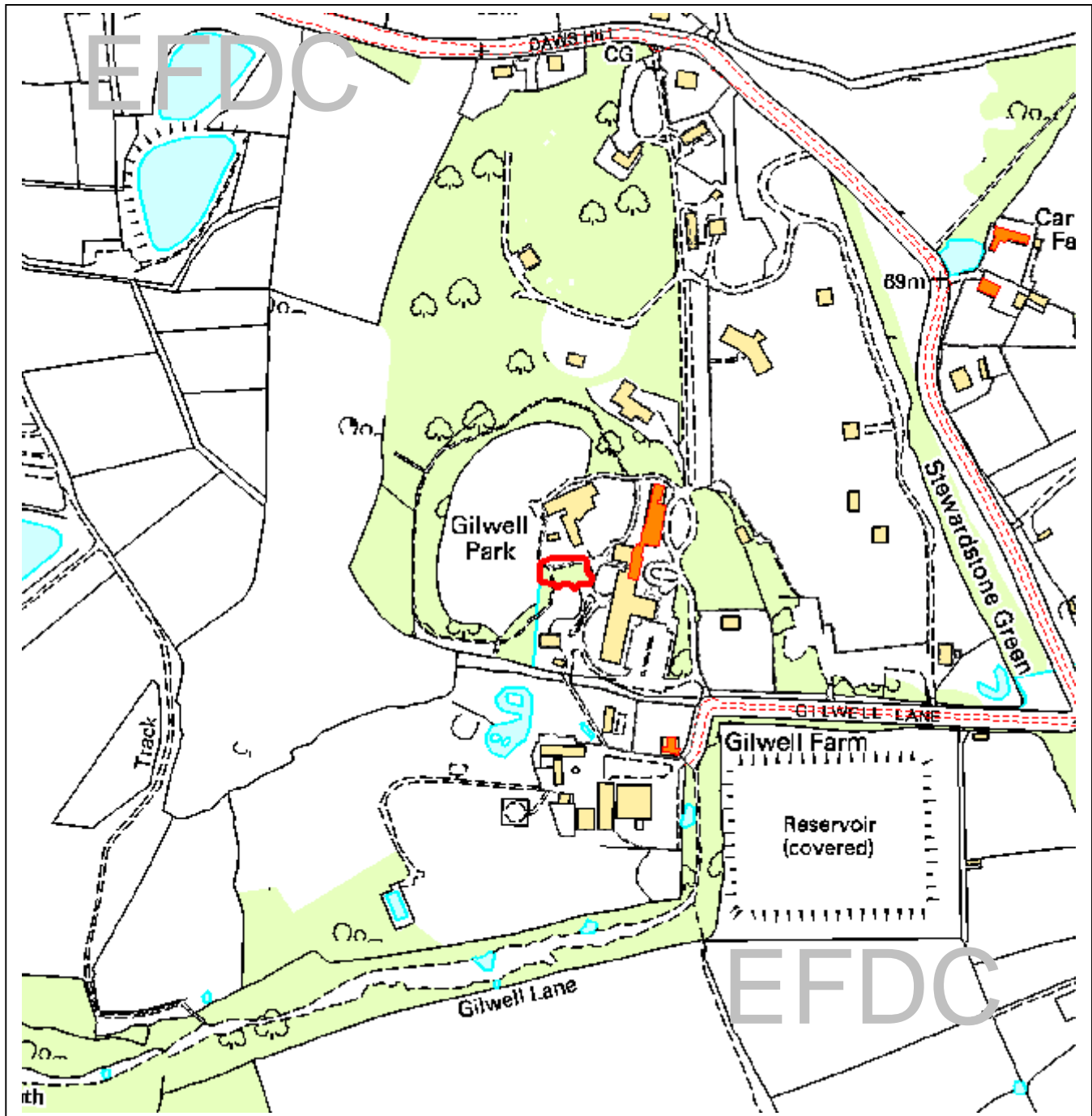
GREAT OAKS, WINTERSTOKE AND GREYFRIARS BURY ROAD (Joint letter) – Green Belt. No very special circumstances have been put forward. Traffic, if the proposal is to cater for groups who do not currently use the complex this is likely to cause an increase in traffic, contrary to sustainability policies, The application forms state that this is part of a larger scheme for which planning permission is not yet sought, concerned therefore that it may be difficult to stop further development if this is approved. What is the "larger scheme"? The provision of places of worship is not necessary or ancillary to the primary use of the site. Concerned about cumulative impact and piecemeal development encroaching on open countryside. If to be approved the Council should carefully consider wording of condition or legal agreement to limit the use to visitors whose principal purpose is to use the main facilities at the site. Enforcing this may be difficult. Suggest possible condition preventing amplified sound from the building to prevent noise disturbance to local residents.

ANONYMOUS (“RESIDENTS OF BURY ROAD”) – Concerned about heavy lorries using the road during construction period, causing hazard to highway safety. Concerned about noise from the minaret, and from coach parties, or from regular visits to the park. We understand that there is already a hall for their worship on site for the children.



# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	<b>10</b>
Application Number:	EPF/2665/07
Site Name:	The Scout Association, Gilwell Park, Bury Road, Waltham Abbey, E4 7QW
Scale of Plot:	1/5000

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