

committee agenda



District Development Control Committee Tuesday, 5th August, 2008

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

Time: 7.30 pm

Democratic Services Officer: Simon Hill, The Office of the Chief Executive
Tel: 01992 564249 Email: shill@eppingforestdc.gov.uk

Members:

Councillors B Sandler (Chairman), M Colling (Vice-Chairman), K Chana, Mrs A Cooper, R Frankel, Mrs R Gadsby, A Green, Mrs A Haigh, J Hart, J Markham, R Morgan, P Turpin, H Ulkun, J Wyatt and Mrs L Wagland

A BRIEFING WILL BE HELD FOR THE CHAIRMAN, VICE-CHAIRMAN AND GROUP SPOKESPERSONS OF THE-COMMITTEE, AT 6.30 P.M. IN COMMITTEE ROOM 1 PRIOR TO THE MEETING

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.

3. MINUTES (Pages 7 - 10)

To confirm the minutes of the last meeting of the Committee held on 3 June 2008 (attached).

Members will also be asked to confirm the Restricted Minute later in the meeting

4. APOLOGIES FOR ABSENCE

5. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

(Assistant to the Chief Executive) To report the appointment of any substitute members for the meeting.

6. DECLARATIONS OF INTEREST

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

7. 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.

8. PLANNING APPLICATION EPF/2358/07 – 92 CROOKED MILE, WALTHAM ABBEY (Pages 11 - 22)

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

9. PLANNING APPLICATION EPF/0949/08 – 67 HOE LANE, ABRIDGE – REMOVAL OF BOILER ROOM AND ADDITIONS TO EXISTING DWELLING (REVISED APPLICATION) (Pages 23 - 30)

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

10. PLANNING APPLICATION EPF/668/08 - UNITS 1-3, ORBITAL BUSINESS CENTRE, 90 BROOKER ROAD, WALTHAM ABBEY (Pages 31 - 36)

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

11. 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
12	Minutes (Restricted minute)	3 and 5

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.

12. MINUTES (RESTRICTED MINUTE) (Pages 37 - 38)

To approve the attached restricted minute relating to the meeting held on 3 June 2008.

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Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

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

When and where is the meeting?

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

Can I speak?

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

Who can speak?

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

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

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

What can I say?

You will be allowed to have your say about the application but you must bear in mind that you are limited to three minutes. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Sub-Committee members.

If you are not present by the time your item is considered, the Subcommittee will determine the application in your absence.

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

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

How are the applications considered?

The Subcommittee will consider applications in the agenda order. On each case they will listen to an outline of the application by the Planning Officer. They will then hear any speakers' presentations.

The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the Subcommittee propose to follow a course of action different to officer recommendation, they are required to give their reasons for doing so.

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

Further Information?

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

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: District Development Control **Date:** 3 June 2008
Committee

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 9.20 pm
High Street, Epping

Members Present: B Sandler (Chairman), M Colling (Vice-Chairman), K Chana, Mrs A Cooper, R Frankel, Mrs R Gadsby, A Green, Mrs A Haigh, J Markham, R Morgan, P Turpin, H Ulkun, J Wyatt and Mrs L Wagland

Other Councillors:

Apologies:

Officers Present: B Land (Assistant Director Development), S G Hill (Senior Democratic Services Officer) and C Neilan (Conservation Officer)

1. 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.

2. MINUTES

Resolved:

That the minutes of the meeting held on 5 February 2008 be agreed and signed by the Chairman as a correct record.

3. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

No substitutes had been appointed for this meeting.

4. DECLARATIONS OF INTEREST

Pursuant to the Councils Code of Member Conduct, All members of the Committee declared a personal interest in agenda items 7 (Thatched House, Epping) and 8 (92 Crooked Mile, Waltham Abbey by virtue of the applicant being a District Councillor. All members of the Committee stayed in the meeting and took part in the debate on those items.

5. THE THATCHED HOUSE HOTEL, HIGH STREET, EPPING – EPF/0451/08

The Committee considered an application submitted on behalf of a Councillor which, pursuant to Section P4, Schedule A (j) of the Council's Delegated Functions could not be dealt with under delegated action by officer.

The application was a further revised scheme for a single storey side extension to an approved reception building at the Thatched House Hotel, Epping together with proposals for a bedroom with wheelchair access.

The Committee noted that Hotel accommodation was provided at first floor level with limited car parking at the rear of the premises. The proposals, amended now to limit the addition to one bedroom, would mean the loss of car parking spaces. The parking would not comply with current policy in that regard and members of the Committee also considered that the proposals would result in a cramped appearance to the site. The Committee therefore refused the proposal.

Resolved:

That Planning application EPF/0451/08 for the erection of a side extension at the Thatched House Hotel, High Street, Epping be refused for the following reason:

- (1) The proposal would result in a cramped development and the loss of off-street parking that would lead to an insufficient number of spaces for the hotel causing increased congestion. This is contrary to policies DBE1 and ST6A of the adopted Local Plan and Alterations.

6. PLANNING APPLICATION EPF/2358/07 – 92 CROOKED MILE, WALTHAM ABBEY

The Committee considered an application submitted on behalf of a Councillor which, pursuant to Section P4, Schedule A (j) of the Council's Delegated Functions could not be dealt with under delegated action by officer.

A planning application for the site had been previously considered and refused for the erection of a two-storey side extension and change of use of the premises from a single dwelling house to a mixed use of residential and a residential learning disability care home, for up to 9 adults with learning disabilities.

The current application sought the erection of a two storey side extension to create annexe accommodation for use by two family members. The Committee heard from an objector to the application.

The Committee considered issues relating to the proposed use and the limited car parking currently available at the site. The Committee considered and voted upon a motion to defer the application pending further discussion with the applicant regarding parking on the site.

Resolved:

That Planning Application EPF/2358/07 be deferred pending further discussions with the applicant regarding parking provision.

7. CONFIRMATION OF TREE PRESERVATION ORDER TPO/EPF/02/08 – CENTRIC PARADE, LOUGHTON

The Committee considered a report regarding Tree Preservation Order EPF/02/08 which became effective on 24 January 2008 and protected 3 Robinia trees standing at Centric Parade, Loughton.

The Council had made the order to prevent further loss of trees in Centric Parade as a result of the highway improvements to the High Street and Centric Parade and to ensure the long-term retention of the three remaining trees.

An objection had been made to the confirmation of the order on behalf of the owners of the premises at 188-192 High Road, Loughton on the basis of the physical nuisance the trees caused, ie. from leaves and seeds, and on commercial grounds, i.e. the foliage of the trees was dense in summer, obscured the shop signage and threatened their commercial viability. The objector had also pointed out that the trees were in poor condition.

It was the view of officers that commercial losses are un-quantified and in fact liable to be small. This also needed to be set against the general benefit to the public, and indeed to the commercial viability of the centre of Loughton that accrued from an attractive and well-treed environment. It was noted that, in any event, permission to prune the trees could be sought. The condition of the trees would be safeguarded because if the order were confirmed it would be possible for the Planning Authority to insist on a replacement.

The Committee supported the officers view that priority should be given to tree retention in this instance and that the Tree Preservation Order should be confirmed without modification.

Resolved:

That Tree Preservation Order TPO/EPF/0208 be confirmed without modification.

8. ANY OTHER BUSINESS

It was noted that there was no further business to be transacted at the meeting.

9. EXCLUSION OF PUBLIC AND PRESS

RESOLVED:

That, in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the item of business set out below as it would involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12(A) of the Act indicated and the exemption is considered to outweigh the potential public interest in disclosing the information:

Agenda Item No	Subject	Exempt Information Paragraph Number
12	Compensation claim - Tree Preservation Order 30/90 at Bracken Drive, Chigwell	3 and 5

10. COMPENSATION CLAIM - TREE PRESERVATION ORDER 30/90 AT BRACKEN DRIVE, CHIGWELL

The Committee considered a restricted report on a Tree Preservation matter at Bracken Drive, Chigwell. Subsequent to the refusal of a planning application to fell a tree in a rear garden of one of the properties in Bracken Drive, Chigwell, there was now a dispute relating to damage to the property.

The committee considered the circumstances of the case, the legal position and the lack of engineering information on the causes of the damage.

The proper officer has determined that exempt information relating to any likely legal action or response to proceedings on this matter should not be published.

Resolved:

- (1) That the Director of Planning and Economic Development seek an independent engineers review/report on the claim; and
- (2) Restricted – a minute relating to the legal position to be taken by the Council is published separately as a restricted minute.

CHAIRMAN

Report to District Development Control Committee

Date of meeting: 5 August 2008

Subject: Planning Application EPF/2358/07- 92 Crooked Mile, Waltham Abbey



**Epping Forest
District Council**

**Officer contact for further information: Jill Shingler
Committee Secretary: S Hill Ext 4249**

Recommendation(s):

That Members consider Planning Application EPF/2358/07 for the erection of a two storey side extension to create annexe accommodation for two family members, at 92 Crooked Mile, Waltham Abbey, deferred from the last meeting to enable the applicant to address parking and land ownership issues.

Report :

1. (Head of Planning and Economic Development) Members will recall that this application was brought before them on 3 June 2008 with a recommendation for approval subject to following 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 proposed extension shall only be used as ancillary accommodation for the existing dwelling house and shall not be occupied as a unit separately from the dwelling known as 92 Crooked Mile.
 - (3) Materials to be used for the external finishes of the proposed extension shall match those of the existing building.
 - (4) A flood risk assessment shall be submitted to and approved by the LPA prior to commencement of development. The assessment shall include calculations of increased run off and associated volume of storm detention using Windes or other similar programme. The approved measures shall be undertaken prior to the first occupation of the extension hereby approved and shall be adequately maintained in accordance with a management plan to be submitted concurrently with the assessment.

The original report is attached and the Officer recommendations remain unchanged.

2. Members were concerned that the scheme may not provide adequate on site parking for the size and nature of the development and also requested that a land ownership issue raised by neighbours was addressed.
3. The applicant has submitted an amended site plan showing a reduced site area (omitting the disputed area to the front of the site) and indicating the provision of three parking spaces within the site (one within the existing garage and two within the rear garden area), together with a turning area. Access to this parking area is to be

taken through the existing double garage. The applicant has also submitted drawings showing the proposed alterations to the garage to achieve this.

4. These amendments came in on different dates so neighbours were reconsulted twice. At the time of writing the consultation period relating to the amendment to the garage has not expired and any additional comments received will be reported orally at committee.

5. Finally it was suggested by Members that a condition could be attached that would restrict the use of the extended dwelling to C3 use (Dwellinghouse) This description includes use by “not more than 6 residents living together as a single household (including a household in which care is provided for residents)” The applicant has stated that he is happy to accept any normal conditions deemed necessary.

6. The representations, in respect of the amendments, so far received are summarised below:

1 HEReward Close – Although change of use is not applied for the title suggests change of use to a “care unit” we object to this implied change of use. The annexes could be used as separate flats or apartments, which would be unacceptable. The personal circumstances of the applicant’s daughters should be irrelevant. The applicant does not say his daughters will live there. The building will appear bulky, overbearing and out of scale. Is adequate garden area retained? The plans are unclear, what will the garage look like?

4 HEReward Close – Overbearing, inappropriate and out of scale with the residential area. These are self contained flats, that once built can be sold off. The last two applications were for a care home, there is still doubt that this is purely residential, may become a care home in time to the detriment of all residents. There is no elevation drawing of the garage. Three parking spaces are not enough for this massive development; two are needed for the applicant and his wife leaving only one for the two self-contained flats and carers etc. The proposal will cause traffic congestion and confusion in the turning area in front of the access. There is insufficient parking in the close already. The development will lead to additional traffic, pollution and noise and change the quiet cul de sac.

96 CROOKED MILE- Our earlier objections are still valid. Additional objections. The plans are inaccurate and provide inadequate detail. The site area is still being described as .078 hectare (approx) even though the boundary line has changed. Sizes of the car parking spaces are not indicated on the drawings. The application is still for a commercial use and should therefore be submitted on the appropriate application form not as a residential extension.

A further letter from 96 Crooked Mile raises the following issues. Change of use is proposed, should not be treated as householder application. The land edged in blue is not in the applicant’s ownership; notice should have been served on the owner. The development proposed results in development akin to a terrace of three dwellings in bulk, out of character with the area contrary to policies of the Local plan. The development is designed as three self contained units County standards advocate 5 spaces, only 3 are proposed There is no visibility splay at the access causing hazard to highway safety. Cycle storage should be provided. Contrary to ST4 and 6 and PPG3. The design and access statement inadequately addresses flooding, suggests raised thresholds, this would be contrary to building regs. And

disabled access requirements. A smaller extension and more imaginative use of existing space could result in a more acceptable solution.

90 CROOKED MILE –Still object to two self contained flats. Adverse visual impact of overlarge property, out of keeping and scale. Plans still state “care unit”, this will mean carers and helpers will be needed 24/7. The three spaces proposed are inadequate. The spaces are not clear on the plans and there are no proposed elevations. Concerned about increased traffic using this turning point. There is already inadequate parking in the cul de sac; visitors have to park in the close, as there is no parking on Crooked Mile.

2 HEReward CLOSE – The proposal is overbearing out of character and out of scale with adjacent properties and is for two self contained flats not an annexe. This is a development project; the intention is as before to create a care unit. This should be refused. The building is in a flood risk area. Three parking spaces are inadequate for the house and two flats, plus carers and visitors; there are no details of the garage. The additional traffic will cause hazard and congestion. The car parking spaces encroach on the garden amenity area. There is a sub station in my garden and any buildings must be 7 metres away. The development will adversely affect privacy of No 96 Crooked Mile. Planting trees close to that property will not be helpful. The development should be refused, as its future use cannot be controlled.

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Report to District Development Control Committee

Date of meeting: 3 June 2008

Subject: Planning Application EPF/2358/07 – 92 Crooked Mile, Waltham Abbey



**Epping Forest
District Council**

**Officer contact for further information: Jill Shingler
Committee Secretary: S Hill Ext 4249**

Recommendation

That Planning Application EPF/2358/07 for the erection of a two storey side extension to create annexe accommodation for two family members, at 92 Crooked Mile, Waltham Abbey, be granted subject to the following 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 proposed extension shall only be used as ancillary accommodation for the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling known as 92 Crooked Mile.**
- 3. Materials to be used for the external finishes of the proposed extension shall match those of the existing building.**
- 4. A flood risk assessment shall be submitted to and approved by the LPA prior to commencement of development. The assessment shall include calculations of increased run off and associated volume of storm detention using Windes or other similar programme. The approved measures shall be undertaken prior to the first occupation of the extension hereby approved and shall be adequately maintained in accordance with a management plan to be submitted concurrently with the assessment.**

Report Detail

(Director of Planning and Economic development) This application is before the Committee since it is an application that is submitted on behalf of a Councillor (pursuant to Section P4, Schedule A(j) of the Council's Delegated Functions).

Description of Proposal:

This application is for the erection of a two storey side extension to create annexe accommodation for use by two family members. The development essentially creates two self contained flats each with a living room, bedroom, en suite bathroom and kitchen accessed via a separate front door to the main dwelling, .Although an

interlinking internal door is indicated at ground floor between the proposed living room and the lounge of the main house, the layout of the development allows for independent living.

The proposal involves the removal of an existing single storey extension and its replacement with a 7m wide two storey addition and second front porch. The extension is designed to match the existing dwelling.

Description of Site:

Number 92 Crooked Mile is a 4 bed detached two-storey house located at the corner of Crooked Mile and Hereward Close within the residential area of Waltham Abbey. The site has a large side garden and only a small rear yard area. There is a detached garage at the rear with garaging for two cars with access off the turning area within Hereward Close. To the front of the site is a watercourse and there is a large Willow tree within the front garden area.

An electricity sub station abuts the rear garden to the southeast. The adjacent house to the north, 96 Crooked Mile, faces towards the site.

Relevant History:

EPF/740/06 Proposed dwelling house. Refused.

EPF/1225/06 Proposed dwelling house. Refused.

EPF/1621/06 Proposed dwelling house. Refused

EPF/2481/06 Extension and change of use to residential and learning disability home. Withdrawn for additional information.

EPF/448/07 Two storey side extension and change of use from residential to mixed use of residential and learning disability home. Refused.

Policies Applied:

Local Plan and Local Plan Alterations

CP1 – CP7 sustainable development objectives

DBE9 Amenity provision

DBE10 Residential extensions

ST1 Location of development

ST4 Road safety

ST6 vehicle parking

U2A, U2B, U3A, U3B Flooding and sustainable drainage.

NC4 protection of established habitat.

Issues and Considerations:

The site is within the urban area of Waltham Abbey and the main considerations in the determination of this application are the size and design of the development and its impact on the visual amenity of the area, the amenities of neighbours and parking and highway safety.

Concern has been raised that the proposed use is really either a care home, as previously refused or as two flats, rather than an annexe. Whilst it is understood why

there are concerns of this nature, the application is for a residential extension for use as an Annexe for two family members and must be assessed on this basis. Conditions can be attached to prevent the annexe being utilised by non-family members or sold or let separately from the main dwelling if this is considered appropriate. The applicant has stated that the intended occupants are his two daughters with learning disabilities, one of whom is presently living in an elderly care home that is inappropriate for her age. The supporting statement makes it clear that it is not envisaged that permanent outside care staff will be required in the near future.

Design and impact on visual amenity.

The proposed extension has been designed to match the existing dwelling; the eaves, roofline, materials and window style match the existing dwelling. The resulting house is some 20m in width, which is larger than most other dwellings in the vicinity, but it sits within a plot that is about 32 metres wide. The site is not comparable to any of the surrounding dwellings; it has a large side garden and very little rear garden. The proposed addition, because of the inclusion of a second front porch, will give the house the appearance of a pair of semi detached houses; this is considered appropriate to this location. The development will not be overly prominent in the street scene and is considered acceptable in terms of design and visual amenity.

Impact on adjacent residents.

The scheme has been designed to ensure that there is no direct overlooking of the private amenity areas of the surrounding properties and to minimise loss of light and overshadowing. Whilst it is accepted that the surrounding residents may be concerned about the increase in volume it is unlikely that the building itself will result in a significant loss of amenity to neighbours. As has already been stated the proposed use is as a residential annexe and the use will be as a single family home. As such the use should not result in any undue noise or disturbance, or harm to residential amenity. Whilst more people may occupy the dwelling, because of the increase in size, this is no different to any other residential extension, which may allow a larger family to occupy a site.

Parking and Highway safety

The site is within the urban area of Waltham Abbey in a relatively sustainable location with good access to shops and facilities. There is an existing double garage at the site that is to be retained. As the use is as a single family dwelling, there is no requirement for the provision of any additional parking within the site. Whilst the scheme may result in some additional traffic movements, as there may be more visitors to the premises, the level is unlikely to be different to any large family house and it is not considered that the proposal will result in harm to highway safety. The application drawing indicates a parking space within the cul-de-sac turning area in Hereward Close, but this is not within the applicants' ownership or control and has not been included in the officers' assessment of the scheme.

Flooding

The site is within flood risk zone 1, (that is an area identified by the Environment Agency to have a low flood risk and as the development proposed is a household extension there is no requirement to consult with the Environment Agency). The Council is aware however that the site has flooded in the past. Advice from Land

Drainage is that on site surface water storage may be required and a condition can be added requiring details of sustainable drainage to be agreed to prevent increased risk of flooding elsewhere.

Water Voles.

A neighbour has raised concern that there may be water voles at the site as there are burrows within the bank of the adjacent watercourse. Water Voles are a protected species. An Officer from Essex Wildlife has confirmed that the burrows may be those of water voles. Following discussions with Natural England, they confirmed that there is no requirement to formally consult them unless the proposed works would actually affect the burrows. As the actual works are about 6m from the watercourse it is not considered that there will be any significant impact on the burrows and therefore no planning conditions are required. Other legislation exists to protect the voles. The applicant's agent has been made aware of the possible presence of water voles adjacent to the development and the need to be aware of the legal requirements.

Other issues

Neighbours have raised concern over loss of view, damage to electricity cables and harm from tree planting, and ambiguity between the plans and statement.

Loss of view is not a concern that is significant in planning terms and would not amount to a reason for refusal.

There may be cables under the site, this is not a planning issue but would need to be addressed by the developer before starting work.

The supporting statement suggests that additional planting can be provided at the site, this is not however shown on the plans and, as there is no direct overlooking as a result of the development, planting will not need to be required by condition. As mentioned by neighbours there is some ambiguity between the plans and statement, this has been raised with the applicant's agent and is a result of the many amendments that have taken place with this application prior to resubmission, in particular the reference to a turning head was an earlier amendment that was later deleted. There is no intention to provide a new access to the site.

Conclusion.

In conclusion the development now proposed is considered to be in accordance with the adopted policies of the Local Plan which seek to make the best use of urban land, without causing harm to the environment. The use of the annexe can be controlled by condition to prevent use as separate dwellings, which would cause an unacceptable loss of privacy to the existing dwelling and potential highway and parking problems. The design is appropriate to the dwelling and the street scene and the scheme will not cause significant harm to the residential amenity of adjacent residents. The proposals are therefore in accordance with the adopted policies of the Local Plan and Local Plan Alterations and are recommended for approval.

SUMMARY OF REPRESENTATIONS

TOWN COUNCIL – No Observations as all Members have a personal interest.

1 HEReward CLOSE – Strongly object. This is for two self contained annexes which could be used as separate dwellings. Even if conditioned to family members it will lead to all additional activity associated with having three dwellings instead of 1, which will lead to inconvenience to us and other residents. Inadequate parking, loss of space within turning area, inadequate on street parking at present. Condition would be difficult to monitor and enforce, the annexes could be used as separate flats. Why can't existing rooms within house be used for the daughters? Site area appears to include land in ownership of the Council or the Environment Agency.

2 HEReward CLOSE – Object. Appears to be house with two self contained flats at the side with their own front door. The application and the plans suggest a "care unit", both a care unit and additional residential use of the site has been previously refused. The land is designated residential and therefore a care unit would be inappropriate to this area. No allocated parking spaces on the site, at least three are needed. The only space shown is in the turning head that should be kept clear; there is no direct access to the site. There is inadequate on street parking in Hereward Close. Our back gardens constantly get waterlogged. New buildings should be at least 7m from the sub station due to problems of background hum. Statement refers to day room which is not shown on plans. Loss of privacy to 96 Crooked Mile. Tree planting would affect light.

3 HEReward CLOSE – Object. If full care is needed as stated then there will be more vehicles in a small residential area with inadequate parking spaces. Plans state extension reduced and turning area head provided, where is the access to this turning area? Flooding still high risk. The development will cause noise pollution. Lack of privacy. Inadequate parking, unsightly, overbearing, out of character with neighbouring properties. Amazed the Council accepted the very sparse details submitted.

4 HEReward CLOSE – Object too large, overbearing, out of scale and inappropriate for this area. The plans show two self contained flats, but also says they are care units. The large flats are self contained and have no allocated parking. Care unit implies staff are needed again therefore own access and parking are required to prevent problems in the close. There are two large power cables running through the garden which could cause major power problems to the area if damaged.

6 HEReward CLOSE – The building would block our view... the flats require parking spaces; there are no allocated parking spaces for residents. The building is already the size of no's 2/3/4 Hereward Close added together for 3 families. The building has been agreed before as being over extended.

7 HEReward CLOSE – Inadequate parking will cause additional problems in the close. Development will enable property to be sold for profit leaving behind the makings of a Hotel/Hostel type business which would devastate parking around the area.

90 CROOKED MILE – House has already been extensively enlarged. The proposed property is too overbearing, creating its own terrace, out of character and scale with the area. Proposal shows 2 self contained flats but plans refer to care home and statement says full time care is needed. There is no provision for carers, are they needed 24/7, there is no parking on site. The scheme will cause parking and access problems in Hereward Close.

96 CROOKED MILE – The application contradicts itself and previous planning application. House is big enough for his daughters as it stands. Do daughters need full time care or not? Plans indicate two self contained flats with separate front door. If no impact on neighbours why is dense tree screening needed? Tree planting proposed would damage our driveway and possibly our foundations and cause further loss of light. There is no designated parking space in Hereward Close. Plan suggests a care home; such a business use would be unsuitable as in last application. If turning point will be added as suggested this will indicate that the brook would have to be breached, as currently no driveway in garden... Proposal will cause disruption in Hereward Close during construction. How will plant access the site without creating temporary bridge over the brook and risk damaging it? There are large power cables in the garden which could cause major power loss to surrounding area if damaged or rerouted. Proposal will house more than 5 people and lead to parking problems in the future. Too large will block light to number 96. Believe existing property is 5 bed not 3 bed. There are two large mains cables running adjacent to the house along the rear patio, which need to be investigated before development. Need to see accurate dimensions on the plans to comment further.

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Report to District Development Control Committee

Date of meeting: 5 August 2008

Subject: Planning Application EPF/0949/08 – 67 Hoe Lane, Abridge – Removal of Boiler Room and additions to Existing Dwelling (Revised Application).



**Epping Forest
District Council**

**Officer contact for further information:
Committee Secretary: S Hill Ext 4249**

Recommendation:

That the committee considers planning application EPF/0949/08 at 67 Hoe Lane, Abridge for the removal of Boiler Room and additions to existing dwelling (revised application) which has been referred to DDCC by Area Plans Sub-Committee East without a recommendation.

Report Detail

1. (Director of Planning and Economic Development) This application has been referred by the Area Plans Sub Committee East without a recommendation. There was a split vote at their meeting on 10 July 2008 and the Chairman did not make a final vote, but instead referred the matter to District Development Control Committee (DDDC). This was supported by four Members of East Committee. The report to the sub-committee carried a recommendation from officers to refuse planning permission and the planning merits of the case are attached.

Planning Issues

2. The debate at the sub-committee meeting centred mainly on the fact that the extensions to this already previously extended house would or would not harm the open character of the Green Belt. Because of its size, the proposals, plus extensions previously added to the original house, would amount to an increase of 119% over the floorspace of the original bungalow. Policy GB14A of the Adopted Local Plan states that the increase should not result in more than 40% up to a maximum of 50 square metres.

3. The additions are therefore clearly inappropriate development in Green Belt terms, but those Members in support considered that there were very special circumstances, that outweighed this in principle Green Belt harm. The case put forward was that the extensions improved the design of the house, despite the increase in size, and that there was other example's, one being two properties away at no.63, in the vicinity where bungalows have been extensively added to and this precedent should be taken into account. This immediate neighbour example was granted planning permission before Local plan policy changes were made to Policy GB14 in July 2006, when it became policy GB14A.

4. There are three parts to Policy GB14A, the first two of which states that existing dwellings may be permitted where *(i) the open character and appearance of the green belt will not be impaired and (ii) the character and appearance of the*

buildings in their settings will be enhanced or not unduly harmed. If the DDC Members consider that the proposal satisfies these two parts, then the judgement has to be made on whether these outweigh the third part which states: *(iii) they will not result in disproportionate additions of more than 40%, up to a maximum of 50m², over and above the total floorspace of the original building.* It was the introduction of this final part, no. (iii), that was the main change from GB14 to GB14A.

5. Officer's view is that in this case, is that whilst a judgement can be made on this policy, particularly the first two criteria, the proposal is so far in excess of the 40%, that the very special circumstances of design and precedent does not outweigh Green belt harm. This also differs from the example at no.63, because this is a proposal to create a full two storey with a roof void over whilst no.63 has been extended from an original modest bungalow by adding a first floor that partly goes into the void of the roof. There is no objection to the overall design, but it fails because of Green Belt harm.

Conclusion

6. Should the Committee grant planning permission it should be subject to conditions requiring matching external materials, removal of permitted development on outbuildings and obscure glazing a bedroom window to the north facing, first floor flank wall looking towards no.65.

APPLICATION No:	EPF/0949/08
SITE ADDRESS:	67 Hoe Lane Abridge Essex RM4 1AU
PARISH:	Lambourne
WARD:	Lambourne
APPLICANT:	Mr Paul Gershon
DESCRIPTION OF PROPOSAL:	Removal of boiler room and additions to existing dwelling. (Revised application)
RECOMMENDED DECISION:	Refuse Permission

REASON FOR REFUSAL

- 1 The proposed development will significantly increase the bulk of the dwelling and in relation to the adjacent bungalows in this rural location this will result in an overly prominent dwelling within the street scene that will be visually harmful to the street scene and the Green Belt, contrary to policy DBE10 of the Local Plan and Alterations.

- 2 The site is located within the Metropolitan Green Belt. The proposed additions and alterations taken together with the previous extensions to the dwelling amount to additions disproportionate to the size of the original dwelling. The development is therefore inappropriate in the Green Belt and harmful to the openness of the Green Belt contrary to National Guidance and policies GB2 and GB14A of the adopted Local Plan and Local Plan Alterations.

This application is before this Committee since it has been 'called in' by Councillor Brian Rolfe (Pursuant to Section P4, Schedule A (h) of the Council's Delegated Functions).

Description of Proposal:

This is a revised scheme following a previously refused application of a similar description for the demolition of a boiler room and alterations and extensions that will remodel the existing dwelling changing it from a chalet bungalow style dwelling with first floor living accommodation within the roofspace to a full two storey dwelling and including a first floor addition above the existing garage.

Description of Site:

The subject site accommodates a detached chalet bungalow finished in red brick walls with a plain tiled roof that has been altered with dormer windows to allow rooms in the roof. The site is the last dwelling within a small cluster of dwellings located on the northeast of Hoe Lane before an open stretch of countryside in the rural village of Abridge. The properties within this cluster are built in a linear arrangement and comprise of individually styled detached dwellings with an alternate mix of two-storey dwellings and bungalow style dwellings set back from the road.

The site and surrounding area falls within the Metropolitan Green Belt.

Relevant History:

EPO/0478/70 – Extensions: Granted - 08/09/1970

EPO/0264/73 – Dormer windows: Granted - 08/05/1973

EPO/0744/71 – Extension to garage: Granted - 14/12/1971

EPF/0793/93 - Single storey front extension: 21/09/1993

EPF/2516/07 - Convert the chalet bungalow into a two storey dwelling, remodel the existing attached double garage with an additional floor above and erect a first floor extension. Refused on Green Belt grounds and on impact on the street scene.

Policies Applied:

Development Policies from Epping Forest District Council's Replacement Local Plan:

GB2A – Development within the Green Belt.

GB14A – Extensions to residential properties in the Green Belt.

DBE9 – Amenity considerations.

DBE10 – Extension design criteria.

Issues and Considerations:

This is a revised application following a previous submission of a similar description, refused under planning ref: EPF/2516/07. The revisions are relatively minor. The basic design and scale of the development is similar but the revised application has a larger dormer window above the garage and has an additional first floor rear extension. The main issues are considered to be whether the development is appropriate in the Green Belt, impact on neighbours and whether the design is appropriate in the street scene.

1. Development within the Green Belt:

This property is a detached bungalow set within a wide plot of land in the Metropolitan Green Belt. The original bungalow was built circa 1947 after planning permission was sought and granted in 1946. The history at this site shows that the property has been extended from the 1970s with a single storey rear and front extension, extension to the garage and the addition of dormers windows in the roof space.

When considering extensions to dwellings within the green belt, Planning Policy Guidance Note (PPG) 2: Green Belts, emphasises that the appropriateness of extensions to dwellings in the Green Belt should be judged against the size of the original building. Policy GB14A of the Epping Forest District Local Plan Alterations, 2006 further supports this stating '...disproportionate additions of more than 40%, up to a maximum of 50m², over and above the total floor space of the original building' would not normally be approved.

Therefore, in order to approve any extensions to dwellings sited within the MGB, both criteria set within policy GB14A should be met.

The existing extensions to the subject dwelling have been quite substantial additions to the original chalet style bungalow.

The proposal will remove the first floor dormers and remodel the dwelling with a pitched crown style roof, erect a first floor rear extension above the existing single storey ground floor extension and create additional rooms in the roof above the attached garage with front and rear dormer roof additions.

Excluding any extensions to the dwelling, the original chalet bungalow with one bedroom in the roof covered a usable floor area of approximately 127.15m².

As existing, the property has already exceeded the threshold as it has been extended by 58.91%

Taking into account what is proposed together with the existing extensions, this is a potential increase of 119% from the size of the original dwelling

This is clearly contrary to the requirements of Policy GB14A of the Local Plan Alterations and as such the proposed extensions are inappropriate and by definition harmful to the Green Belt. Additionally the proposed alterations and extensions add considerable bulk to the building which has a significant visual impact on openness.

For the development to be acceptable there would need to be very special circumstances applicable to this site which would outweigh the harm to the Green Belt.

It has been suggested that the visual improvements to the dwelling, removing the existing unsightly box dormers and creating a more aesthetically pleasing dwelling should perhaps override the green belt restrictions. It is not accepted that the improvements proposed amount to very special circumstances sufficient to overcome the presumption against inappropriate development. Improvements could be made without such large increases in floorspace.

The additional bulk and two-storey profile would be noticeable from the rear, significantly from the front aspect within the street scene and from the view of the open countryside.

The proposal will therefore be an intrusive form of development within the street scene and the wider landscape especially as the subject site is the last house before open countryside. It is considered that the proposed alteration as revised would harm the open character of the rural area and constitutes inappropriate development in the green belt.

2. Effect on the amenities of surrounding properties:

The various additions to the roof have greatly altered the appearance of the original modest chalet bungalow. However the additional bulk now proposed with its enlarged first floor and roof span will be noticeable from the dwellings immediately northwest of the site nos. 65 and 63, which are both modest chalet style bungalows.

The proposed alterations will be contained within the footprint of the main building and should not cause loss of light,

There is some concern regarding the bedroom window to the north first floor flank wall, which overlooks a habitable room at adjacent dwelling No. 65 however, a condition could secure obscure glazing for this window to overcome any concerns.

3. Design and Appearance within the street scene

While the design put forward with this scheme may result in visual improvement to the rather unattractive extended property that exists, it will due to its bulk and raised eaves level appear more prominent in the street scene and out of keeping with the adjacent dwellings on this side of the road which have lower eaves heights.

Following on from the previous refusal, if anything this revised scheme is more ambitious, and has greater visual impact as it has added upon the usable floor area and the size of the front and rear dormer windows above the existing garage, therefore this scheme has not overcome the reasons for the previous refusal.

Conclusion

The design of this revised scheme remains unacceptable due to its bulk in relation to the adjacent properties. The scale of the proposed alterations to the dwelling goes against government advice and fails to meet with this Council's Adopted Local Plan Policy GB14A and as there are no very special circumstances associated with this application, while the positive comments have been taken into account, this proposal does not constitute a reasonable extension to the dwelling and as such is recommended for refusal.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL - The Parish Council have discussed the above application and have No Objection to this application.

The previous application that was refused stated that this dwelling was originally a bungalow and that the development would create a two storey building and would result in an overly prominent dwelling. However, this building is currently a two storey chalet bungalow and according to local history there is no recollection of it being a one storey building. We are informed by the applicant that this is also the case when checking public records. It is possible that there may have been an error on the previous application regarding this point.

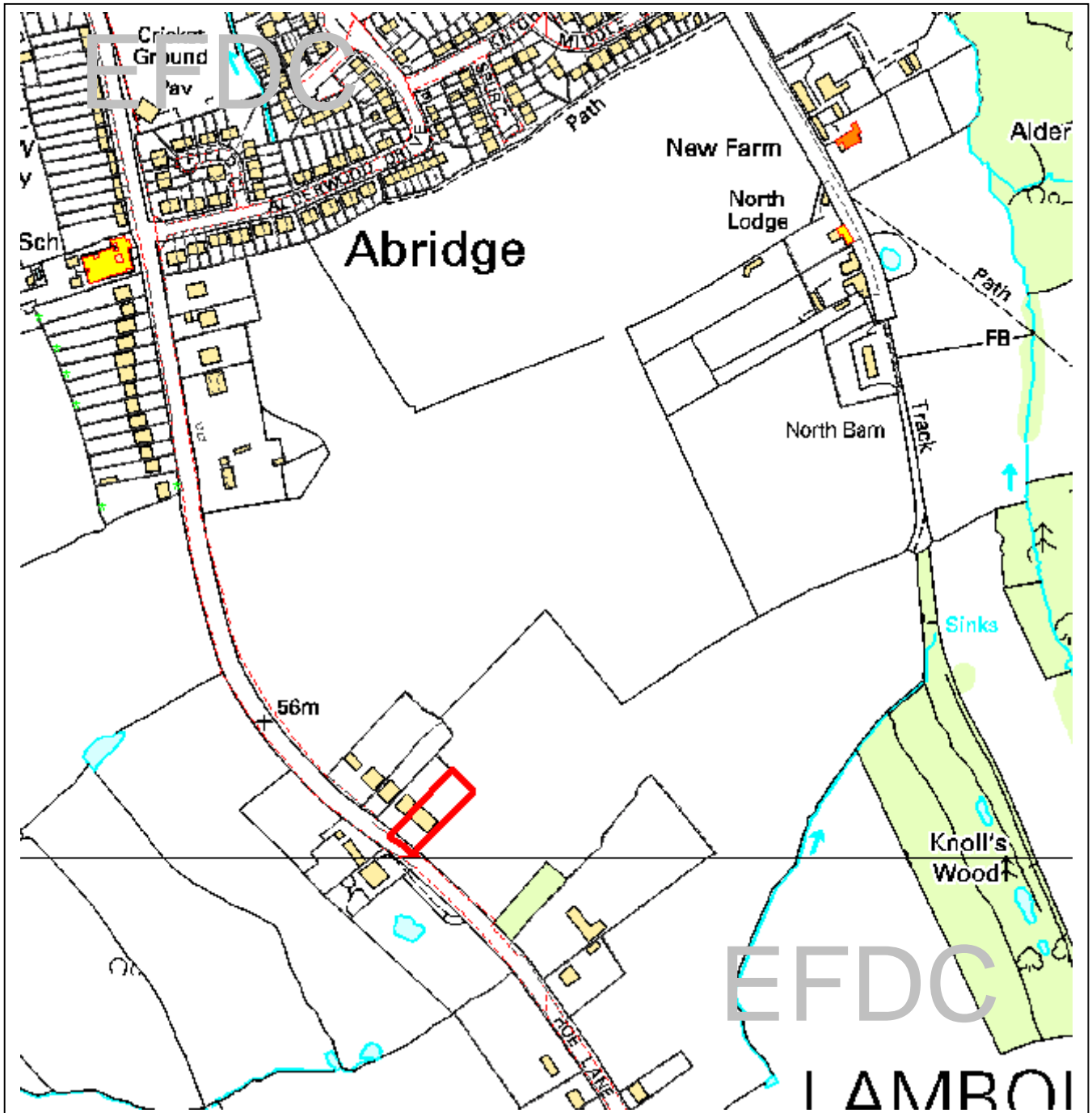
It is also felt that improvements to this dwelling would be welcomed as it has not been maintained for a number of years and appears unkempt in relation to the other properties along the street.

BRENDON, 80 HOE LANE - In support of the proposal as it will enhance the appearance of the dwelling.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	2
Application Number:	EPF/0949/08
Site Name:	67 Hoe Lane, Abridge, RM4 1AU
Scale of Plot:	1/5000

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Report to District Development Control Committee



**Epping Forest
District Council**

Date of meeting:

Subject: Planning Application EPF/668/08 Units 1-3 Orbital Business Centre, 90 Brooker Road, Waltham Abbey.

**Officer contact for further information: Jill Shingler
Committee Secretary: S Hill Ext 4249**

Recommendation(s):

That Planning Application EPF/0688/08 for the change of use of units 1-3 Orbital Business Centre, 90 Brooker Road, Waltham Abbey, from B2 General Industrial use to D2 Children's Play Centre including A3 Café, be refused for the following reason:

- (1) The proposal results in the loss of 3 purpose built industrial units within an identified E1 employment site contrary to policies E1 and E2 of the adopted Local Plan and Local Plan Alterations.**

Report Detail

1. (Director of Planning and Economic Development) This application is before this Committee as it raises issues relating to employment policies that it is considered are of wider significance.

Description of Proposal:

2. This application is for the change of use of 3 small units within a block of 9 industrial units which are in the process of being built, to D2 use, specifically, a children's indoor play centre with ancillary party rooms facilities and A3 café use. No alterations are proposed to the external appearance of the building and parking will be provided on site for 18 cars within a gated car park.

Description of Site:

3. The site is located within the Brooker Road Industrial Estate. A site plan is attached. At the time of the case officer's site visit the units were still under construction. The 3 units are at the northern end of a new development of 9 two storey general industrial units. The proposed parking area is to the front of the site fronting on to Brooker Road, however the access from Brooker Road also serves the remaining units and their parking areas. The site is surrounded by industrial buildings, although opposite the site part of one of these buildings is used as a snooker club.

Relevant History:

4. EPF/1242/04 Demolition of existing brick workshop and redevelopment of 9 new business units and associated parking. Approved.

Policies Applied:

Local Plan and Local Plan Alterations.

E1 Employment Areas

E4B Alternative uses for employment sites

E11 Employment uses elsewhere

RST1 Recreational, Sporting and tourist facilities

ST1 Location of development

ST2 Accessibility of development

ST4 Road safety

ST6 Vehicle Parking

East of England Plan

Policy E1 Job Growth

Policy E2 Provision of Land for Employment

Issues and Considerations:

5. The main issue in the determination of this application is considered to be whether the loss of three purpose built business units within an identified employment site, to an alternative use can be justified.

Employment issues.

6. The East of England plan has identified a need for job growth and the provision of land for Employment. The policies of the Local plan and Local Plan Alterations seek to ensure that existing employment land is not lost to alternative uses.

7. Policy E1 is unequivocal it states simply: "Within existing employment areas subject to this policy (as identified on the proposals map) the Council will grant planning permission for the redevelopment or extension of existing premises for business, general industrial and warehouse uses. The redevelopment of existing sites or premises or their change of use to uses other than business, general industry or warehousing will not be permitted"

8. In this instance the proposed use is not business, general industry or warehousing and the proposal is therefore contrary to this policy and should be resisted.

9. The applicant argues that the development will provide employment (4-5 full time staff and 10-15 part time staff) and is therefore appropriate, however it is considered that to allow the loss of these new purpose built units would undermine the policy. Although it is accepted that service uses, shops, leisure facilities and such like do employ people, the intention of the E1 policy is to ensure that sites that are suitable for heavier industrial uses and warehousing are retained as there are very few such identified sites within the district. Such uses, because of the lack of suitable premises within the urban area are often displaced onto far less suitable sites within the Green Belt.

Suitability of location.

10. The site is located within the urban area of Waltham Abbey and is reasonably accessible; this is what makes it an ideal employment site. The applicant argues that it is therefore also a good location for his proposed recreational use. However, the site situated centrally within the industrial estate, not on the main Sewardstone Road frontage and people including presumably young children will therefore need to negotiate their way through the industrial estate to utilise the facility. The estate is well used and there is considerable heavy traffic parking and manoeuvring in the estate. It is not considered that it is appropriate to locate a children's play centre here.

Need for the facility.

11. Several letters in support of the application have been received, together with a petition signed by over 100 people. It is accepted that many would welcome the provision of an additional facility for children within Waltham Abbey. However this is in itself not good reason to allow the loss of a suitably location employment use at a time that both Regional guidance and Local policies are seeking to maintain and indeed extend existing employment land.

Parking and access

12. The access and parking facilities proposed are the same as those approved for the three industrial units, and are considered acceptable.

Conclusion.

13. The proposed development is directly contrary to policy E1 of the adopted Local Plan and the aims of the East of England Plan and would result in the loss of employment land. Additionally the use will attract children into a busy industrial estate, which it is considered, will lead to potential safety issues. The application is therefore recommended for refusal.

Representations Received.

TOWN COUNCIL – Applicant is a member of the Town Council therefore no observations.

PETITION IN SUPPORT Signed by 106 people.

112 BROOKER ROAD. Support. A children's play centre is greatly needed, conveniently located, easy walking distance.

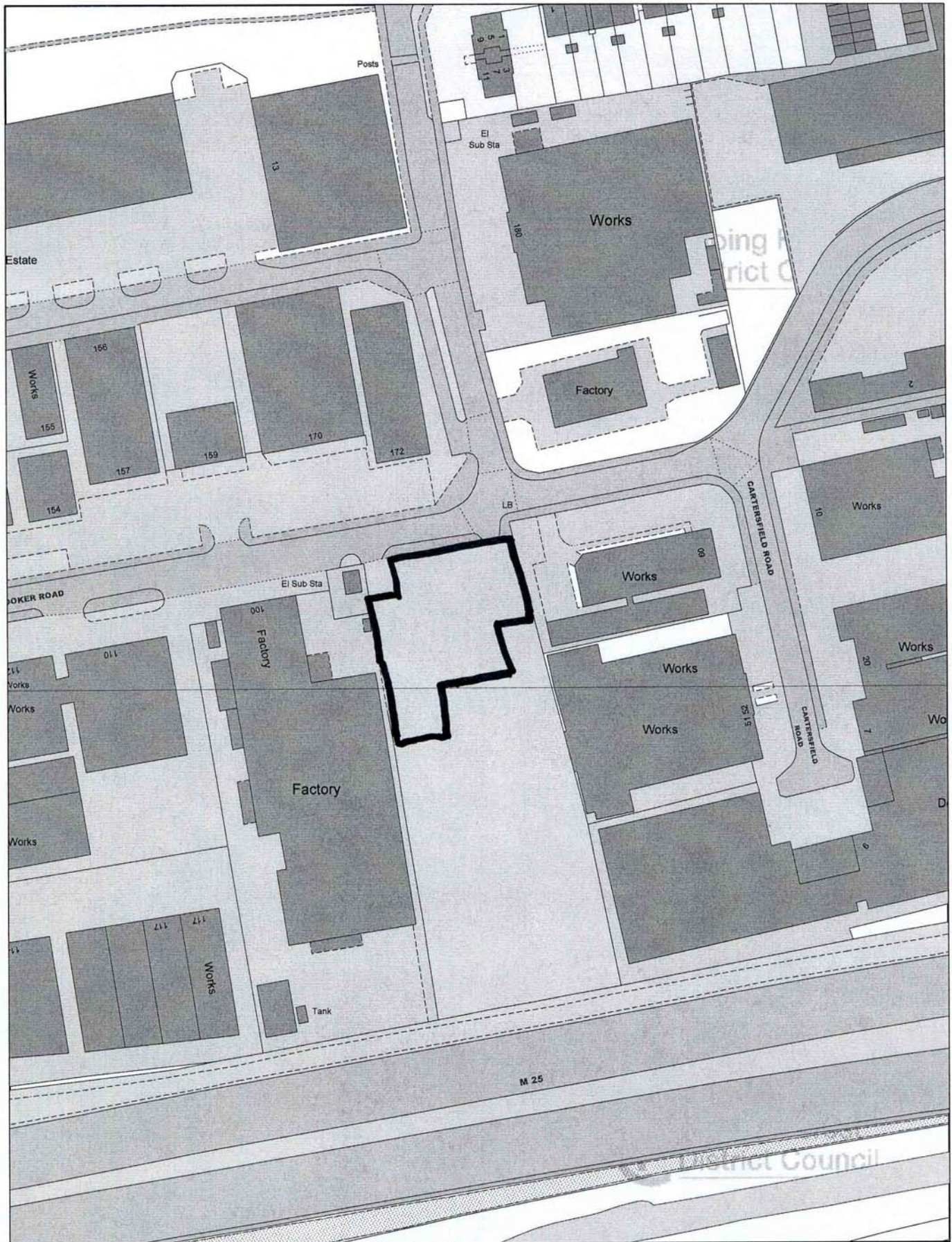
1 MARHERITA PLACE – Great idea, Waltham Abbey will benefit. Within walking distance.

7 WINDMILL CLOSE- The proposal will fulfil many needs. The industrial estate already has attractions for young people, Snooker hall, fitness centre, Youth 2000. Also it is a primary route to the Town Mead Leisure Park so there is no new conflict.

24 BADBURGHAM COURT – Support Need a facility like this in Waltham Abbey, it will also provide job opportunities. A fantastic idea.

2 PRINCESFIELD ROAD – Support. Much needed facility.

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