

# committee agenda



## ***District Development Control Committee Tuesday, 7th October, 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](mailto: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

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**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 together with a plan showing the location of the meeting.

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

To confirm the minutes of the last meeting of the Committee held on 5 August 2008 (attached).

**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/1340/08 – THE THATCHED HOUSE HOTEL, 236 HIGH STREET EPPING, ESSEX, CM16 4AP – ERECTION OF NEW RECEPTION AREA, RENEWAL OF PLANNING CONSENT EPF/1892/05 (Pages 13 - 18)**

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

**9. PLANNING APPLICATION EPF/1319/0/8 – THEYDON CROFT, THEYDON ROAD, THEYDON BOIS – DEMOLITION OF EXISTING SINGLE STOREY EXTENSION AND ERECTION OF PART TWO AND PART SINGLE STOREY SIDE AND REAR EXTENSION WITH PART ATTIC (REVISED APPLICATION). (Pages 19 - 26)**

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

**10. PLANNING APPLICATION EPF/1433/08 – SCATTERBUSHES COTTAGE, FERNHALL LANE, WALTHAM ABBEY, ESSEX, EN9 3TJ – ERECTION OF A DETACHED GARAGE/GARDEN STORE (Pages 27 - 32)**

(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
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.

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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](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'

## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** District Development Control Committee      **Date:** 5 August 2008

**Place:** Council Chamber, Civic Offices, High Street, Epping      **Time:** 7.30 - 9.25 pm

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

**Other**

**Councillors:** Mrs P Brooks, Mrs D Collins, Mrs J Lea and C Whitbread

**Apologies:** Mrs R Gadsby and A Green

**Officers Present:** R Rose (Senior Lawyer), S Solon (Principal Planning Officer) and S G Hill (Senior Democratic Services Officer)

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### 11. 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.

### 12. MINUTES

**Resolved:**

- (1) That the minutes of the meeting held on 3 June 2008 be taken as read and signed by the Chairman as a correct record; and
- (2) That the restricted minute 10 from the meeting held on 10 June 2008 be taken as read and signed by the Chairman as a correct record.

### 13. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

It was noted that Councillor Pryor was substituting for Councillor Gadsby and Councillor Stallan was substituting for Councillor Green at the meeting.

### 14. DECLARATIONS OF INTEREST

**(a) 92 Crooked Mile, Waltham Abbey**

Pursuant to the Councils Code of Member Conduct, All members of the Committee, except Councillor Stallan, declared a personal interest in agenda items 8 (92 Crooked Mile, Waltham Abbey) by virtue of the applicant being a District Councillor.

In addition Councillor Hart, Pryor and Wagland declared a further personal interest in item 8 by virtue of being members of the Conservative Group and Councillor Pryor declared a personal interest in item 8 as a member of Waltham Abbey Town Council.

Councillor Stallan and Councillor Mrs D Collins (a non member of the Committee), declared personal and prejudicial interests in agenda items 8 (92 Crooked Mile, Waltham Abbey) and indicated that they proposed to leave the meeting for the duration of the debate and voting on that item.

All members of the Committee except Councillors Stallan and Collins, stayed in the meeting and took part in the debate on those items.

**(b) Units 1-3, Orbital Business Centre, 90 Brooker Road, Waltham Abbey**

Pursuant to the Councils Code of Member Conduct, Councillors Stallan, Wyatt, Hart, Wagland, Colling, Sandler and Councillors' P Brooks and J Lea (non members) declared a personal interest in agenda items 10 (Units 1-3, Orbital Business Centre, 90 Brooker Road, Waltham Abbey) by virtue of the applicant being a Conservative Town Councillor.

Councillor Pryor declared a personal and prejudicial interests in agenda item 10 (Units 1-3, Orbital Business Centre, 90 Brooker Road, Waltham Abbey) by virtue of personal association with the applicant. Councillor Pryor indicated that he proposed to speak in support of the application then leave the meeting for the duration of the debate and voting on that item.

**15. ANY OTHER BUSINESS**

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

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

The Committee gave further consideration to an application at 92 Crooked Mile, Waltham Abbey which had been deferred at the last meeting for clarification of land, legal and parking matters.

The application proposed a two storey side extension on the northern flank of the house at 92 Crooked Mile and comprised two ancillary units (flats) of accommodation.

The Planning Officer reported that the applicant had submitted an amended site plan showing a reduced site area (omitting the disputed area to the front of the site adjacent the Crooked Mile) and indicating the provision of three parking spaces within the site (one within the existing garage and two within the rear garden area) giving a net increase of one further space.

Officers considered that the proposal was acceptable in terms of design and amenity and had therefore recommended approval of the application. It was suggested that this approval could be subject to a legal agreement to ensure that the flats remained as ancillary accommodation to the main house. The planning officer outlined a number of additional letters of objection which had been received after the compilation of the report including a formal complaint which was being dealt with under the Council's complaints procedure.



Following a query from an objector it was clarified that the application description was for the demolition of a conservatory for the provision of double storey side extension to create care unit extension to family home. This was agreed by the officers and the Committee proceeded to consider the application on that basis.

The committee heard from an objector to the scheme.

The committee considered a proposal, following debate on the merit of the application, to approve the application subject to a legal agreement which was supported.

**Resolved:**

That subject to the completion of an agreement under s.106 of the Town and Country Planning Act 1990 requiring:

- (i) That the extension be used only for purposes ancillary to the use of the existing house as a dwellinghouse, and
- (ii) That the extension, or any part of it, shall not be severed from or sold separately from the existing house, and
- (iii) That a connecting internal door be provided between the extension and the existing house as shown on drawing no. C.H.3c prior to the occupation of the extension and thereafter be permanently retained without obstruction and capable of being opened.

Planning application EPF/2358/07 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.

**17. PLANNING APPLICATION EPF/0949/08 – 67 HOE LANE, ABRIDGE – REMOVAL OF BOILER ROOM AND ADDITIONS TO EXISTING DWELLING (REVISED APPLICATION)**

The Committee considered an application referred by Area Planning Subcommittee East without a recommendation. The application sought to remodel the existing dwelling at 67 Hoe Lane, Abridge from a chalet style dwelling to one with two story accommodation together with associated works.

The original application had been recommended for refusal on visual amenity and green belt grounds but this had not been supported by the Subcommittee.

The Committee heard from the applicant.

The Committee considered that, in this instance, given the proposed improvement in appearance to the property proposed and the setting of the dwelling within other improved properties, that Green belt considerations were outweighed by these special circumstances and that the application should be approved subject to conditions.

**Resolved:**

That planning application EPF/0949/08 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) Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.

(3) 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 Class E, Part 1 of Schedule 2 shall be undertaken without the prior written permission of the Local Planning Authority.

(4) Prior to first occupation of the building hereby approved the proposed window openings in the bedroom window to the north facing, first floor flank wall looking towards no. 65 Hoe Lane, Abridge, shall be fitted with obscured glass and have fixed frames to a level of up to 1.5m above internal floor level, and shall be permanently retained in that condition.

**18. PLANNING APPLICATION EPF/668/08 - UNITS 1-3, ORBITAL BUSINESS CENTRE, 90 BROOKER ROAD, WALTHAM ABBEY**

The Committee considered an application for the change of use of 3 small units within a block of 9 industrial units which were in the process of being built within the Brooker Road Industrial Estate, Waltham Abbey, to D2 use, for a children's indoor play centre with ancillary party rooms facilities and A3 café use with parking provided on site for 18 cars within a gated car park.

The application was before the Committee as it raised issues relating to employment policies that were considered to be of wider significance.

The committee noted that in this case the proposal resulted in the loss of purpose built industrial units within an identified employment site contrary to policies of the adopted local plan and alterations.

The Committee heard from Councillor Pryor and the applicant in support of the proposals.

The Committee considered that the location was not ideal but noted the considerable local support for such a facility and that there were currently a number of vacant units

within the Industrial Estate. On balance the Committee supported the granting of permission subject to conditions.

**Resolved:**

That planning application EPF/668/08 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) Prior to the commencement of the use hereby approved, details of a secure means of enclosing the area between Brooker Road and units 1 and 2 shall be submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure shall be provided prior to the commencement of the use and thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.
- (3) The premises shall be used solely as a children's play area and for no other purpose, including any other purpose in Use Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.
- (4) The element of the use comprising a cafe shall only be operated in connection with the use of the premises as a children's play area. Food or drink shall only be sold or provided at the premises while the children's play area is open for customers.

**CHAIRMAN**

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## **Report to District Development Control Committee**

**Date of meeting: 9 October 2008**



**Epping Forest  
District Council**

**Subject: Planning Application EPF/1340/08 – The Thatched House Hotel, 236  
High Street Epping, Essex, CM16 4AP – Erection of new reception  
area, renewal of planning consent EPF/1892/05**

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

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### **Recommendation:**

**That the committee considers the Officer recommendation to grant  
planning application EPF/1340/08 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.**

**Reason: To comply with the requirements of Section 91 of the Town  
and Country Planning Act 1990 (as amended).**

**2. 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.**

**Reason:- To comply with the duties indicated in Section 197 of the  
Town & Country Planning Act 1990 so as to ensure that the amenity  
value of the existing tree is potentially maintained by the provision of an  
adequate replacement tree.**

**3. Details of the types and colours of the external finishes shall be  
submitted for approval by the Local Planning Authority in writing prior  
to the commencement of the development, and the development shall  
be implemented in accordance with such approved details.**

**Reason:- To ensure a satisfactory appearance in the interests of visual amenity.**

**4. The fascia sign shall be painted timber and have a moulded frame; the lettering shall be painted by a signwriter, subject to the approval of the design.**

**Reason: In order to protect the character of the Listed Building.**

**5. Additional drawings that show details of proposed new windows, doors, eaves, verges and cills by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the LPA in writing prior to the commencement of any works.**

**Reason: In order to protect the character of the Listed Building.**

## **Report**

1. This application is before this Committee since it is an application that is submitted by Councillor Demitriou (Pursuant to Section P4, Schedule A (j) of the Council's Delegated Functions). All planning applications, where the applicant is a District Councillor, is considered by District Development Committee instead of the Area Committee.

## **Planning Issues**

### Description of Proposal:

2. Renewal of planning consent EPF/1892/05 for the erection of a detached single storey reception area for the Thatched House Hotel. The building is proposed to be 'L' shaped measuring approximately 7.3m wide and 6.9m deep, with a height between 3.7m and 5m. There have been no changes to the design or siting of the 2005 approved application.

### Description of Site:

3. The proposal is within the curtilage of a Grade II Listed building that is part restaurant/part hotel. The site is within the Epping Town Conservation Area and within the Epping Town Centre.

4. The proposed reception area will replace an existing modern shed outbuilding. It is not within the Metropolitan Green Belt.

### Relevant History:

5. There have been various applications on this site including:

EPF/1892/05 – Erection of new reception area – App/Con

EPF/1213/06 – Single storey side extension to approved reception for two proposed bedrooms with wheelchair access. (Revised Application) Refused

EPF/2328/07 – Erection of side extension to reception area for 2 no. bedrooms with wheelchair access. (Revised application) Refused

EPF/0451/08 – 1 no. proposed bedroom with wheelchair access. (Revised application) Refused

Policies Applied:

DBE1 – Design of New Buildings

DBE2 – Effect on Neighbouring Properties

HC6 – Character, Appearance and Setting of Conservation Areas

HC7 – Development within Conservation Areas

HC12 – Development affecting the setting of a Listed Building

LL10 – Adequacy of Provision for Landscape Retention

Issues and Considerations:

6. The main issues that arise with this application are considered to be the following:

- Design and Amenity
- Impact on Conservation Area
- Impact on Listed Building
- Impact on Trees
  
- In terms of design the building is a modest in sized, single storey development that is set back from the High Street by some 13m. It has been designed to complement the existing Listed Building. It will be screened from view by the existing wall and railings and the two mature lime trees to the front elevation. It is not felt to impact significantly on the amenity of surrounding neighbours because of its small size and that it will not be used for residential accommodation – only as a reception area.
  
- Given its small scale, siting and design it is felt that any impact on the Conservation Area will be minimal.
  
- With regards to impact on the listed building, Epping Town Council have objected to this application as they view the application for this listed building as an over-development of the site. However, Essex County Councils' Historic Building and Conservation Officer, has no additional comments to the previous approval with no objection to the proposal as it is not felt to harm the setting of the listed building subject to conditions.
  
- The two mature lime trees are felt to have amenity value as they are visible from the High Street. The Council's Tree and Landscape Officer's view has not altered since the previous application and has recommended a condition to protect the trees during construction.

**Conclusion**

7. The proposals are acceptable development that accord with the requirements of adopted planning policy. It is therefore recommended that conditional planning permission be granted.

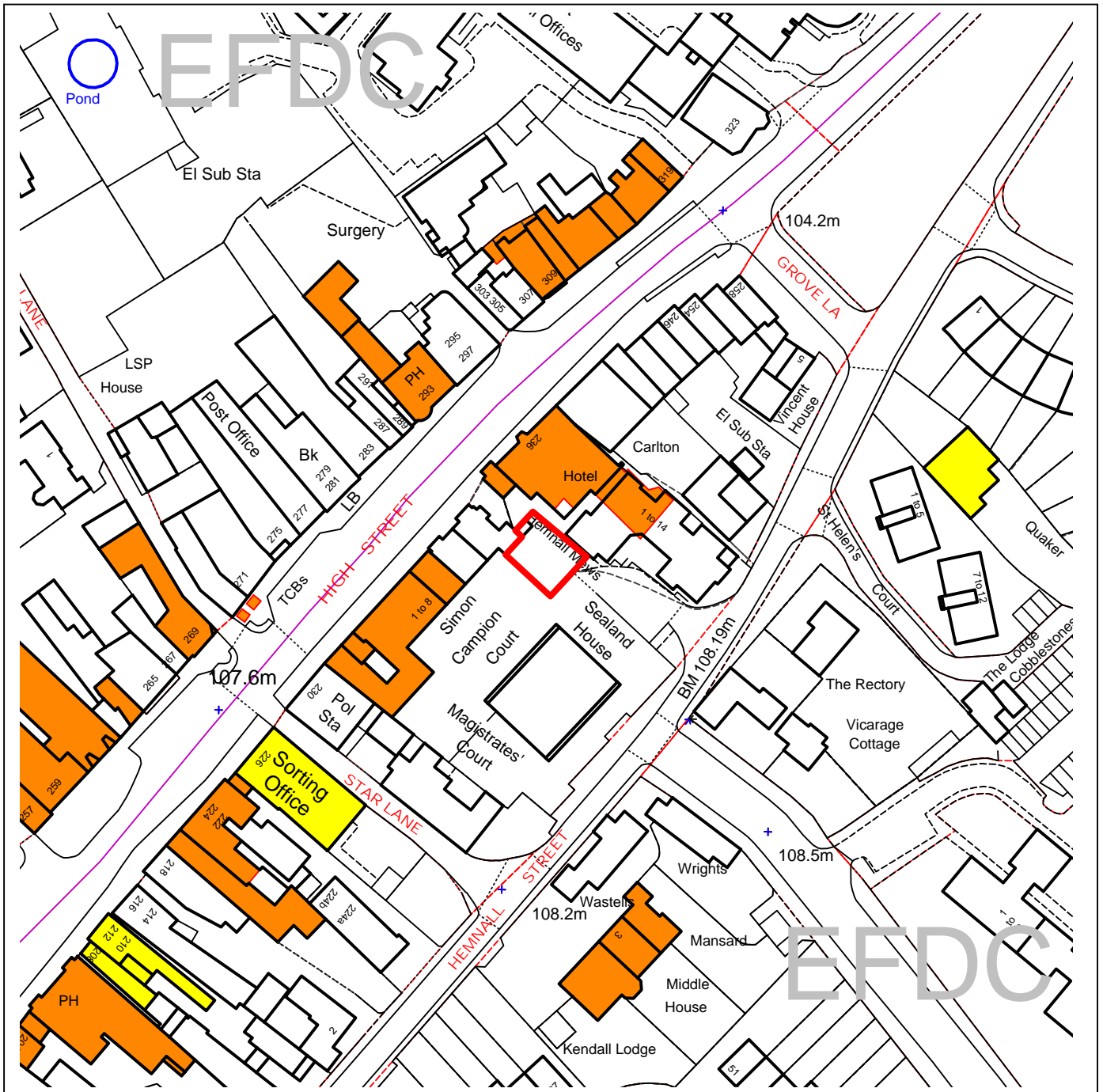
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# Epping Forest District Council

## Area Planning Sub-Committee East



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**Agenda Item Number:**

Application Number: EPF/1340/08

Site Name:

The Thatched House Hotel, 236 High Street, Epping, CM16 4AP

Scale of Plot:

1/1250

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## **Report to District Development Control Committee**

**Date of meeting: 7 October 2008**



**Epping Forest  
District Council**

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**Subject: Planning Application EPF/1319/0/8 – Theydon Croft, Theydon Road, Theydon Bois – Demolition of existing single storey extension and erection of part two and part single storey side and rear extension with part attic (revised application).**

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

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### **Recommendation:**

That the committee considers the recommendation of the Area Plans subcommittee East to grant planning permission subject to conditions.

### **Report Detail**

This application has been referred by the Area Plans Sub Committee East with a recommendation for approval. 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**

The debate at the sub-committee meeting centred mainly on the merits of the proposed development in relation to policy GB14A of the Local Plan. The sub-committee felt that having regard to the context of the site in terms of the scale of surrounding development, an exception to the threshold set out in that policy would be justified.

### **Conclusion**

Should the Committee grant planning permission it should be subject to conditions requiring matching external materials and a restriction on the insertion of further side windows and a requirement that those proposed be fixed closed and obscure glazed.

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<b>APPLICATION No:</b>	EPF/1319/08
<b>SITE ADDRESS:</b>	Theydon Croft Theydon Road Theydon Bois Epping Essex CM16 4EF
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing  Theydon Bois
<b>APPLICANT:</b>	Mr & Mrs S Mardell
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing single storey extension and erection of part two and part single storey side and rear extension with part attic. (Revised application)
<b>RECOMMENDED DECISION:</b>	Refuse Permission

## REASON FOR REFUSAL

- 1 The proposed extension would be a disproportionate addition within the Metropolitan Green Belt, which would be detrimental to the open character and appearance of the Metropolitan Green Belt, contrary to policy GB14A of the Adopted Local Plan and Alterations.

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

### **Description of Proposal:**

This application seeks planning permission for a two storey extension to the side of the dwelling which would project to the rear. The side extension would be approximately 4.3 metres in width and would project to the rear by approximately 5.1 metres, replacing the existing structures at ground floor level. The side extension would form a continuation of the main roof of the dwelling and the rear extension would have a rear facing gable, which would run back into the main roof. Following the refusal of the previous planning application, the depth of the first floor of the extension has been reduced by approximately 1.5 metres and the maximum height of the extension has been reduced from 8.5 metres to 7.5 metres in an attempt to overcome the reasons for refusal.

### **Description of Site:**

The application site comprises a detached dwelling, which is set back from the road by approximately 20 metres. There are several protected trees to the front and southern side of the site, which is located within the Metropolitan Green Belt.

The neighbouring dwelling to the south, "Oak Grove" is separated from the site by its detached double garage which is located close to the site boundary. "Woodlands", to the north, is also separated by its detached double garage which is located close to the site boundary. This neighbouring dwelling has primary windows serving a bedroom and the living room in the side elevation facing towards the site.

### **Relevant History:**

EPF/0430/91. Two storey and single storey side extension. Refused 27/09/91.

EPF/1148/91. Two storey side extension. Approved 28/07/92.

EPF/0658/04. Erection of entrance gates and pillars. Approved 12/07/04.

EPF/0148/08. Two storey side and rear extension with part attic. Refused 17/03/08.

*The above application was refused planning permission for the following reasons:*

- 1 *The proposed development by virtue of its proximity to the neighbouring dwelling would result in a material loss of outlook to habitable rooms within the neighbouring dwelling with their primary windows facing towards the application site, contrary to policy DBE9 of the adopted Local Plan and Alterations.*
  
- 2 *The proposed extension would be a disproportionate addition within the Metropolitan Green Belt, which would be detrimental to the open character and appearance of the Metropolitan Green Belt, contrary to policy GB14A of the adopted Local Plan and Alterations.*

### **Policies Applied:**

#### **Adopted Local Plan and Alterations.**

DBE9 – Neighbouring Amenity

DBE10 – Residential Extensions

GB2A – Development in the Green Belt

GB14A – Residential Extensions in the Green Belt

### **Issues and Considerations:**

The main issues in this case are:

1. The impacts of the proposed development on the amenities of the occupiers of neighbouring dwellings;
2. The impacts of the proposed extensions on the character and appearance of the area; and
3. The impacts of the proposed development on the open character of the Metropolitan Green Belt.

#### 1. Neighbouring Amenity

With regard to the impacts of the proposed development on the amenities of the occupiers of neighbouring dwellings, due to the location of the development, "Woodlands" would be the neighbouring property most affected. The proposed extension would increase the length of the flank elevation and would move it closer to "Woodlands", thereby reducing the distance to the side windows of this neighbouring dwelling to approximately 10 metres. The windows in the side elevation are the primary windows serving a bedroom and the living room and accordingly any material reduction in light or outlook would constitute a material loss of amenity. Despite the location of the proposed development to the south of this neighbouring property, having regard to its location in the context of the main dwelling it is not considered that there would be a material

loss of sunlight. Due to the distance that would be retained between the window and the proposed extension, it is not considered that there would be a material loss of daylight either. During the consideration of the previous planning application, it was considered that the reduction in the distance from the building to the windows and the increased length of the flank would give rise to a material loss of outlook. It is considered that the revisions to the scheme following that refusal have reduced the impact on Woodlands. It is considered that whilst a reduction in outlook would still remain, this would no longer be to a degree that can be considered material and would, therefore, no longer be justification for the refusal of planning permission.

**2. Impact on Appearance of the Area**

Turning to the impact of the proposed development on the character and appearance of the area, it is considered that it would have an acceptable design that would be in keeping with the character and appearance of the area. Whilst the dwelling would have a substantial frontage following the development, there are large dwellings within the vicinity of the site and for this reason it is not considered that it would appear out of character.

**3. Impact on the Green Belt**

With regard to the issue of the location of the proposed development within the Green Belt, Policy GB2A of the Local Plan Alterations states that extensions to existing buildings within the Green Belt may be acceptable where it is a limited extension to an existing dwelling that is in accordance with Policy GB14A of the Plan. Policy GB14A of the Local Plan Alterations states that residential extensions may be acceptable where there would not be any harm to the open appearance of the green belt, there would not be any harm to the appearance of the building, and the extension would not result in a disproportionate addition of more than 40%, up to a maximum of 50m<sup>2</sup> over and above the total floor space of the original dwelling.

Original Floor space	160 m <sup>2</sup> (approximate figures)	
Existing Floor space	270m <sup>2</sup>	+68%
Proposed Floor space	416.5 m <sup>2</sup>	+160%

The dwelling has previously been extensively extended, in excess of that permitted by policy GB14A. The proposed additions would constitute a substantial further increase in floor area and would also be a substantial addition in terms of the footprint of the building. As such, it is considered that the proposed extension would be a disproportionate addition within the green belt, which would be detrimental to the open character of the green belt.

**Conclusion**

In light of the above appraisal, it is considered that the proposed development would be a disproportionate addition within the Green Belt, which would be contrary to policy and harmful to the open character of the green belt. For this reason, it is recommended that planning permission be refused.

**SUMMARY OF REPRESENTATIONS:**

PARISH COUNCIL: No objection

CITY OF LONDON: No objection

WOODLANDS, THEYDON ROAD. Objection. The revised proposal appears to provide for a slight lessening in the height of the new west facing roofline and the second storey will protrude westwards a little less. However, the northern elevation which is our main concern for the reasons which we set out in our earlier letter remains unchanged. *(Comments made in respect of previous*

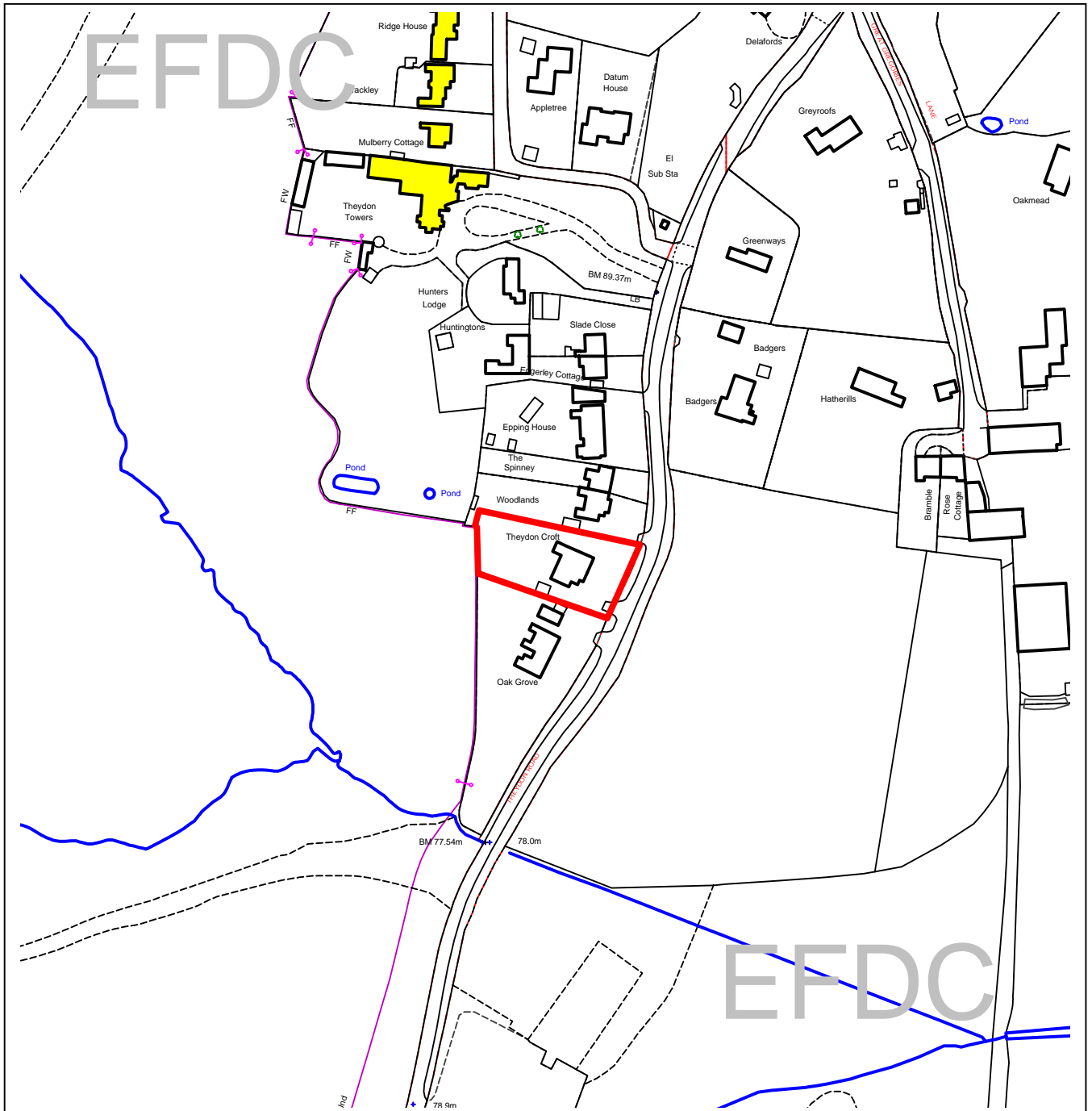
*planning application*) - The size of the extensions will considerably increase the ground area, volume and height of Theydon Croft. The extension would be more than four metres nearer to our boundary. Detrimental to our light and privacy particularly as our bay windows face southwards. Loss of privacy from windows facing north and west. Light pollution.





# Epping Forest District Council

## Area Planning Sub-Committee East



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<b>Agenda Item Number:</b>	7
<b>Application Number:</b>	EPF/1319/08
<b>Site Name:</b>	Theydon Croft, Theydon Road Theydon Bois, CM16 4EF
<b>Scale of Plot:</b>	1/1250

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## **Report to District Development Control Committee**

**Date of meeting: 9 October 2008**



**Epping Forest  
District Council**

**Subject: Planning Application EPF/1433/08 – Scatterbushes Cottage,  
Fernhall Lane, Waltham Abbey, Essex, EN9 3TJ – Erection of a  
detached garage/garden store**

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

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### **Recommendation:**

**That the committee considers the Officer recommendation to grant  
planning application EPF/1433/08 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.**

**Reason: To comply with the requirements of Section 91 of the Town  
and Country Planning 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.**

**Reason:- To ensure a satisfactory appearance in the interests of visual  
amenity.**

**3. Within 1 month of first occupation of the building hereby approved,  
the existing garage shall be demolished and all resulting materials  
removed from the site.**

**Reason: To ensure a satisfactory appearance of the development and  
prevent an additional outbuilding being created in the Green Belt.**

### **Report**

1. This application is before this Committee since it is an application that is submitted by Councillor Webster (Pursuant to Section P4, Schedule A (j) of the Council's Delegated Functions). All planning applications, where the applicant is a District Councillor, are considered by District Development Committee instead of the Area Committee.

### **Planning Issues**

*Description of Proposal:*

2. Consent is being sought for the erection of a garage/garden store. This would be 5.5m deep and 9.2m wide with a pitched roof to a height of 4.6m. It would contain two parking bays and a storage space for garden equipment. The appearance of the building would be that of a traditional style cart-lodge, with two cart-lodge doors and one open bay. It would be located within the extensive front garden of the site, in place of the original dwelling.

Description of Site:

3. The proposal is on an isolated site in the Metropolitan Green Belt, however there are other detached properties nearby. It is located on the western side of Fernhall Lane, approximately 50m southwest of the junction with Long Street. The site has recently had a new replacement dwelling erected, and is well landscaped with many mature trees. The site is also located within the Conservation Area.

Relevant History:

4. There have been various applications on this site including:

EPF/1194/99 - Demolition of existing dwelling and garage and erection of replacement dwelling and garage – approved/conditions 15/10/99

EPF/1937/00 - Revised details and re-siting of approved replacement dwelling – approved/conditions 25/04/01

Policies Applied:

DBE1 – Design of New Buildings

DBE4 – Design in the Green Belt

GB2A – Development within the Green Belt

GB14A – Residential Extensions

HC6 – Character, Appearance and Setting of Conservation Area

HC7 – Development within Conservation Areas

Issues and Considerations:

5. The main issues that arise with this application are considered to be the following:

- Design of the proposal
- Impact on Conservation Area
- Impact on Green Belt
  
- In terms of design the building is a reasonably modest sized cart-lodge style outbuilding that is not uncommon in rural locations such as this. It has been designed to complement the new replacement dwelling and is subordinate in scale to this. Although it would be closer to the road than the new dwelling, and would be more visible within the street scene, given the size and design of the development this would not be detrimental to the character or appearance of the area.
  
- Given its scale, siting and acceptable design it is felt that any impact on the Conservation Area will be minimal.

- With regards to impact on the Green Belt, policy GB14A allows for outbuildings to residential properties when they are in scale and in keeping with the property which they serve. The previously approved replacement house (EPF/1194/99) included a replacement double garage to a footprint of 35 sq. m. This proposed garage/garden store, whilst larger than previously granted, is considered to be in scale and in keeping with the main dwelling, and is of an acceptable design. As such this is deemed appropriate development in the Green Belt.
- Although there are many mature trees on site, as the proposed garage would be built atop the original dwelling (the foundations of which are still visible), there would be no impact on trees or landscaping.

### **Conclusion**

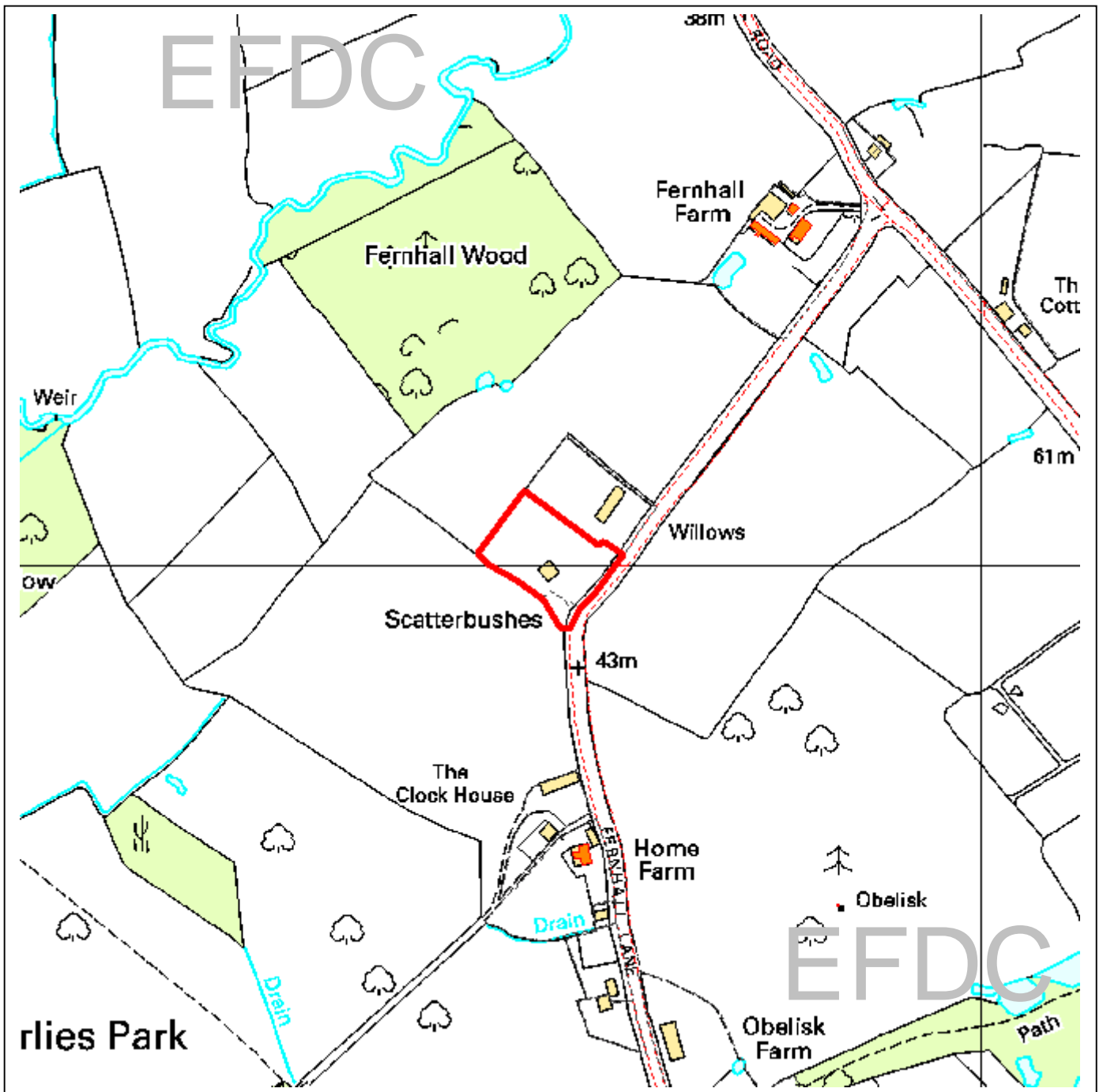
6. The proposal is an acceptable development that accord with the requirements of adopted planning policy. It is therefore recommended that conditional planning permission be granted.

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# Epping Forest District Council

## District Development Committee



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**Agenda Item Number:**

Application Number:

EPF/1433/08

Site Name:

Scatterbushes Cottage, Fernhall Lane, Waltham Abbey, EN9 3TJ

Scale of Plot:

1/5000

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