

# Committee Agenda



**Webcast  
Meeting**



**Epping Forest  
District Council**

## ***Area Planning Subcommittee East Wednesday, 28th January, 2009***

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

**Time:** 7.30 pm

**Democratic Services Officer** Gary Woodhall - The Office of the Chief Executive  
Email: gwoodhall@eppingforestdc.gov.uk Tel: 01992 564607

Members:

Councillors A Green (Chairman), G Pritchard (Vice-Chairman), A Boyce, M Colling, Mrs D Collins, R Frankel, P Gode, Mrs A Grigg, Mrs H Harding, Ms J Hedges, D Jacobs, Mrs M McEwen, R Morgan, J Philip, B Rolfe, D Stallan, C Whitbread, Mrs J H Whitehouse and J M Whitehouse

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

### **WEBCASTING NOTICE**

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy and copies made available to those that request it.

Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area

If you have any queries regarding this, please contact the Senior Democratic Services Officer on 01992 564249.

**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 SUB-COMMITTEES (Pages 5 - 6)**

General advice to people attending the meeting is attached.

**3. MINUTES (Pages 7 - 18)**

To confirm the minutes of the last meeting of the Sub-Committee held on 7 January 2009.

**4. APOLOGIES FOR ABSENCE**

**5. DECLARATIONS OF INTEREST**

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

**6. ANY OTHER BUSINESS**

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs (6) and (24) of the Council Procedure Rules contained in the Constitution requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

In accordance with Operational Standing Order 6 (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks' notice of non-urgent items is required.

**7. TREE PRESERVATION ORDER EPF/32/08 (Pages 19 - 24)**

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

**8. DEVELOPMENT CONTROL (Pages 25 - 60)**

(Director of Planning and Economic Development) To consider the planning applications as set out in the attached schedule

**Background Papers:** (i) Applications for determination – applications listed on the schedule, letters of representation received regarding the applications which are summarised on the schedule. (ii) Enforcement of Planning Control – the reports of officers inspecting the properties listed on the schedule in respect of which consideration is to be given to the enforcement of planning control.

## 9. DELEGATED DECISIONS

(Director of Planning and Economic Development) Schedules of planning applications determined by the Head of Planning and Economic Development under delegated powers since the last meeting of a Plans Subcommittee may be inspected in the Members Room or at the Planning and Economic Development Information Desk at the Civic Offices, Epping.

## 10. EXCLUSION OF PUBLIC AND PRESS

**Exclusion:** To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

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

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

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

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

- (a) disclose any facts or matters on which the report or an important part of the report is based; and

- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

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

## **Advice to Public and Speakers at Council Planning Subcommittees**

### **Are the meetings open to the public?**

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

### **When and where is the meeting?**

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

### **Can I speak?**

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

### **Who can speak?**

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

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 Subcommittee 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:** Area Planning Subcommittee East    **Date:** 7 January 2009

**Place:** Council Chamber, Civic Offices, High Street, Epping    **Time:** 7.30 - 9.15 pm

**Members Present:** A Green (Chairman), G Pritchard (Vice-Chairman), M Colling, Mrs D Collins, R Frankel, Mrs A Grigg, Ms J Hedges, Mrs M McEwen, R Morgan, J Philip, B Rolfe, D Stallan, C Whitbread, Mrs J H Whitehouse and J M Whitehouse

**Other Councillors:**

**Apologies:** A Boyce, P Gode and D Jacobs

**Officers Present:** S Solon (Principal Planning Officer), M Jenkins (Democratic Services Assistant) and G J Woodhall (Democratic Services Officer)

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### 83. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings. The Sub-Committee noted the Council's Protocol for Webcasting of Council and Other Meetings.

### 84. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements adopted by the Council to enable persons to address the Sub-Committee, in relation to the determination of applications for planning permission. The Sub-Committee noted the advice provided for the public and speakers in attendance at Council Planning Sub-Committee meetings.

### 85. MINUTES

#### RESOLVED:

That the minutes of the last meeting held on 3 December 2008 be taken as read and signed by the Chairman as a correct record subject to the following amendments:

(a) Minute 79 (e) (Declarations of Interest) – deletion of reference to planning application EPF/1997/08 (Old Rectory Farm, Church Lane, Stapleford Abbots) in relation to the declarations by Councillors Mrs A Grigg and D Stallan;

(b) Minute 79 (d) (Declarations of Interest) – deletion of reference to a prejudicial interest of Councillor Mrs D Collins in relation to planning

application EPF/1997/08 (Old Rectory Farm, Church Lane, Stapleford Abbots) and substitution of a “personal interest” for that item.

## 86. DECLARATIONS OF INTEREST

(a) Pursuant to the Council’s Code of Member Conduct, Councillor R Morgan declared a personal interest in the following item of the agenda by virtue of having worked with the objector to the application when he had been Chairman of the Council, and had also attended social functions with the objector’s family. The Councillor had determined that his interest was prejudicial and that he would leave the meeting for the consideration of the application and voting thereon:

- EPF/0860/08 Wintry Park Service Station, 37 Thornwood Road, Epping

(b) Pursuant to the Council’s Code of Member Conduct, Councillors A Green, G Pritchard, M Colling, Mrs D Collins, R Frankel, Mrs A Grigg, Ms J Hedges Mrs M McEwen, J Philip, B Rolfe, D Stallan, C Whitbread, Mrs J Whitehouse and J Whitehouse declared a personal interest in the following item of the agenda by virtue of knowing the objector to the application, who was an employee of the District Council. The Councillors had determined that their interest was not prejudicial and they would stay in the meeting for the consideration of the application and voting thereon:

- EPF/0860/08 Wintry Park Service Station, 37 Thornwood Road, Epping

(c) Pursuant to the Council’s Code of Member Conduct, Councillor Mrs J Hedges declared a personal interest in the following item of the agenda, by virtue of being a member of Epping Town Council. The Councillor had determined that her interest was not prejudicial and that she would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0860/08 Wintry Park Service Station, 37 Thornwood Road, Epping

(d) Pursuant to the Council’s Code of Member Conduct, Councillor Mrs A Grigg declared a personal interest in the following item of the agenda, by virtue of having attended a site meeting regarding the application, where she met the applicant’s wife, some of the neighbours involved, she asked questions and listened to the responses. The Councillor had determined that her interest was not prejudicial and she would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2199/08 Hill Top Farm, Toot Hill Road, Greensted, Ongar

(e) Pursuant to the Council’s Code of Member Conduct, Councillor Mrs A Grigg declared a personal interest in the following item of the agenda, by virtue of having attended a site visit regarding the application. The Councillor had determined that her interest was not prejudicial and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/1584/08 27 Piercing Hill, Theydon Bois, Epping

(f) Pursuant to the Council’s Code of Member Conduct, Councillor Mrs D Collins declared a personal and prejudicial interest in the following item of the agenda. The Councillor had determined to leave the meeting for the consideration of the application and voting thereon:

- EPF/2199/08 Hill Top Farm, Toot Hill Road, Greensted, Ongar



(g) Pursuant to the Council's Code of Member Conduct, Councillor Mrs M McEwen declared a personal interest in the following item of the agenda, by virtue of living in the road where the planning application was situated. The Councillor had determined that her interest was not prejudicial and that she would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2191/08 Rockhills Farm, Willingale Road, Willingale

(h) Pursuant to the Council's Code of Member Conduct, Councillor Mrs J Whitehouse declared a personal interest in the following item of the agenda, by virtue of being a member of Theydon Bois Rural Preservation Society. The Councillor had determined that her interest was not prejudicial and that she would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2137/08 6 Orchard Drive, Theydon Bois, Epping

(i) Pursuant to the Council's Code of Member Conduct, Councillor J Philip declared a personal interest in the following items of the agenda, by virtue of being a member of Theydon Bois Parish Council. The Councillor had determined that his interest was not prejudicial and that he would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/1584/08 27 Piercing Hill, Theydon Bois, Epping
- EPF/2137/08 6 Orchard Drive, Theydon Bois, Epping

**87. ANY OTHER BUSINESS**

It was noted that there was no other urgent business for consideration by the Sub-Committee.

**88. DEVELOPMENT CONTROL**

**RESOLVED:**

That the planning applications numbered 1 – 7 be determined as set out in the schedule attached to these minutes.

**89. DELEGATED DECISIONS**

The Sub-Committee noted that schedules of planning applications determined by the Head of Planning and Economic Development under delegated authority since the last meeting had been circulated and could be inspected at the Civic Offices.

**CHAIRMAN**

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**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/0860/08
<b>SITE ADDRESS:</b>	Wintry Park Service Station 37 Thornwood Road Epping Essex CM16 6SY
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Lindsey and Lindsey and Thornwood Common
<b>DESCRIPTION OF PROPOSAL:</b>	Construction of 13 no. two bedroom flats and 1 no. three bedroom flats
<b>DECISION:</b>	Refused Permission

**REASONS FOR REFUSAL**

- 1 By reason of its height, bulk and siting the proposed blocks of flats would have an overbearing impact on the amenities enjoyed by the occupants of neighbouring dwellings. As such the proposed development is contrary to policies DBE2 and DBE9 of the Epping Forest District Local Plan and Alterations.
- 2 By reason of its height, bulk and location on the edge of the built up area of Epping the proposed development would appear excessively prominent in the landscape and result in an abrupt and jarring boundary with the adjacent countryside that is within the Metropolitan Green Belt and includes Epping Forest. It would therefore be harmful to the character and appearance of the locality, the landscape setting of the site and the rural character and visual amenities of the Green Belt. Accordingly, the proposal is contrary to policies CP2, GB7A, DBE1 and LL3 of the Epping Forest District Local Plan and Alterations.
- 3 The proposed development fails to make adequate provision for visitor car parking and therefore is likely to cause indiscriminate on-street vehicle parking in the locality to the detriment of its character, the amenities enjoyed by the occupants of neighbouring dwellings and to the safe and free flow of traffic on the adjoining highways. The proposal therefore is contrary to policies CP2, DBE9 and ST4 of the Epping Forest District Local Plan and Alterations.
- 4 Having regard to the harmful impact of the proposal on amenities enjoyed by the occupants of neighbouring dwellings and the harm to the character and appearance of the locality detailed in reasons 1, 2 and 3, the proposal amounts to an excessively dense development contrary to policy H3A of the Epping Forest District Local Plan and Alterations.

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/2191/08
<b>SITE ADDRESS:</b>	Rockhills Farm Willingale Road Willingale Ongar Essex
<b>PARISH:</b>	High Ongar
<b>WARD:</b>	High Ongar, Willingale and the Rodings
<b>DESCRIPTION OF PROPOSAL:</b>	Siting of portacabin for temporary (3 year) period to provide secure storage facility in connection with existing horticultural operation.
<b>DECISION:</b>	Granted Permission (With Conditions)

**CONDITIONS**

- 1 This consent shall inure for a limited period expiring three years from the date of this Notice, at which time the portacabin shall be removed and the site reinstated.
- 2 No external lighting shall be affixed to the portacabin hereby allowed
- 3 The portacabin shall only be used for the purposes of storage in connection with the use of the land for horticulture and shall not be used for residential purposes or for overnight sleeping accommodation

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/2086/08
<b>SITE ADDRESS:</b>	Brick Works Building Downhall Road Matching Green Harlow Essex
<b>PARISH:</b>	Matching
<b>WARD:</b>	Hastingwood, Matching and Sheering Village
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use of a former gas works building to short term holiday lets accommodation.
<b>DECISION:</b>	Refused Permission

**REASON FOR REFUSAL**

- 1 The works necessary to renovate the building would amount to major reconstruction while its proposed use as short term holiday let accommodation together with the construction of an access road and parking area would have a materially greater impact than the present use on the Green Belt and the purpose of including land in it. Accordingly the proposed development is inappropriate in the Green Belt and by definition harmful to it. Such development can only be permitted where very special circumstances sufficient to override the harm caused exist, however no such very special circumstances have been demonstrated in this case. As such the proposed development is contrary to policies GB2A and GB8A of the Epping Forest District Local Plan and Alterations.

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/2199/08
<b>SITE ADDRESS:</b>	Hill Top Farm Toot Hill Road Greensted Ongar Essex CM5 9LJ
<b>PARISH:</b>	Stanford Rivers
<b>WARD:</b>	Passingford
<b>DESCRIPTION OF PROPOSAL:</b>	Amendments to EPF/0660/07 regarding location and configuration of ancillary structures and proposed external lights. (Resubmitted application)
<b>DECISION:</b>	Granted Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 4 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 2, Class A - E shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 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.

- 6 Within 1 month of the grant of permission a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing. The approved scheme shall be implemented within the first planting season following the completion of the development hereby approved.

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

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

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

- 7 No further external lighting shall be installed on the residence, stables or garage without the prior written approval of the Local Planning Authority.
- 8 The remaining 3 bays of the converted barns and all hardstanding areas shown on the plans as being removed, shall be demolished and removed from the site within 12 months of the grant of this permission.

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/2000/08
<b>SITE ADDRESS:</b>	The Burrows Lake London Road Stapleford Tawney Romford Essex
<b>PARISH:</b>	Stapleford Tawney
<b>WARD:</b>	Passingford
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of 2m high fencing
<b>DECISION:</b>	Granted Permission (with conditions)

**CONDITIONS**

- 1 Within 3 months of the date of this decision a landscaping scheme for the fence hereby approved, shall be submitted in writing, to the Local Planning Authority for its approval.
- 2 The landscaping scheme approved pursuant to Condition 1 shall be implemented in full before the end of the first full planting season, following the approval of the scheme.
- 3 Within 1 month of the date of this decision all barbed wire fixed to the fence together with all supports for fixing the barbed wire to the fence shall be removed. Thereafter, no barbed wire shall be fixed to any part of the fence.



**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/1584/08
<b>SITE ADDRESS:</b>	27 Piercing Hill Theydon Bois Epping Essex CM16 7JW
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>DESCRIPTION OF PROPOSAL:</b>	Retention of garden outbuildings, garden shed, swimming pool and tennis courts, terracing of garden, fencing and front wall and gates.
<b>DECISION:</b>	Granted Permission (with conditions)

**CONDITIONS**

- 1 Within 1 month of the date of this decision gutters will be fixed to the north elevations of the out buildings erected adjacent to the northern site boundary.

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/2137/08
<b>SITE ADDRESS:</b>	6 Orchard Drive Theydon Bois Epping Essex CM16 7DJ
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>DESCRIPTION OF PROPOSAL:</b>	Loft conversion with side and rear dormers.
<b>DECISION:</b>	Granted Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 Prior to first occupation of the building hereby approved the proposed window opening in the South side gable end at first floor shall be fitted with obscured glass and have fixed frames to a height of 1.7metres above the floor of the room in which the window is installed, and shall be permanently retained in that condition.

## ***Report to the Area Plans Sub-Committee East***



**Epping Forest  
District Council**

***Date of meeting: 28 January 2009***

**Subject: Confirmation of Tree Preservation Order EPF/32/08 – 55-69  
Hemnall Street and 19 Theydon Place, Epping.**

**Responsible Officer: Melinda Barham (01992 564120).**

**Democratic Services Officer: Gary Woodhall (01992 564470).**

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### **Recommendation:**

**That Tree Preservation Order EPF/32/08 be confirmed subject to the deletion of T8 Cedar.**

### **Report:**

#### Background

1. This Tree Preservation Order is to protect trees still worthy of preservation that to date have been covered by an Order served and administered by Essex County Council in 1953. It also includes some additional trees considered worthy of protection that have been planting since 1953. This cedar tree falls into this category.

#### Objection

2. An objection to the Order has been received from the owner of 57 Hemnall Street in respect of the cedar (T8).

3. The grounds of the objection are as follows:

- (a) the tree is in an inappropriate position;
- (b) fallen needles block the guttering and then cause the gutter to rust;
- (c) the tree has caused damage to the property; and
- (d) root pruning has been undertaken which in the longer term could destabilise the tree.

#### Head of Planning Services Comments

4. The survey work for this Order was undertaken by external consultants who noted the tree as being a specimen worthy of protection. Unfortunately they did not alert us to the fact that the tree was only 2.6metres from the house, and approx 11m in height.

5. The tree is an Atlas Cedar, which can grow up to 40m at maturity and develop a crown spread capable of reaching up to 20metres. This would mean that the tree would need regular and disfiguring crown management to artificially restrict its natural development.

## Conclusions

6. Whilst this is fine young specimen tree, it has already outgrown its position, and has the potential to cause damage to the fabric of this (Listed) property. The owner has recently planted two new trees in his front garden, and it is considered that they are suitable replacements for the anticipated loss of the cedar.

7. It is therefore recommended that the Order is confirmed, subject to the deletion of T8.



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## AREA PLANS SUB-COMMITTEE 'EAST'

28 January 2009

### INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/2197/08	Tannerwhites, Norwood End, Fyfield	REFUSE	27
2.	EPF/2316/08	End House, London Road, North Weald	GRANT	33
3.	EPF/2318/08	Homeleigh, High Road, Thornwood	GRANT	37
4.	EPF/2291/08	38 Piercing Hill, Theydon Bois	GRANT	43
5.	EPF/2298/08	43 Forest Drive, Theydon Bois	GRANT	49
6.	EPF/2340/08	The Old School House, The Street, Willingale	REFUSE	56

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**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/2197/08
<b>SITE ADDRESS:</b>	Tannerwhites Norwood End Fyfield Ongar Essex CM5 0RL
<b>PARISH:</b>	Fyfield
<b>WARD:</b>	Moreton and Fyfield
<b>APPLICANT:</b>	Mrs Janine McGuire
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing barn, and extension to garage building, erection of detached reception/office building and cat pens building for proposed cattery use.
<b>RECOMMENDED DECISION:</b>	Refuse Permission

**CONDITIONS & REASONS**

- 1 The proposal does not constitute an appropriate development within the Metropolitan Green Belt, and the very special circumstances do not outweigh the overall harm to the Metropolitan Green Belt. As such the proposal is contrary to Government guidance and policy GB2A of the adopted Local Plan and Alterations.
- 2 The proposed development would intensify the vehicles movements using the substandard country road known as Norton Lane, and as such would be detrimental to traffic congestion and road safety, contrary to policy ST4 of the adopted Local Plan and Alterations.
- 3 The proposed site is in an unsustainable location not well served by public transport, and as such would require all trips to be made by motor vehicles, contrary to policies CP3 and ST1 of the adopted Local Plan and Alterations.

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

**Description of Proposal:**

Consent is being sought for the change of use of a site comprising a dwelling house to a mixed use as a dwelling house and a cattery. It would involve the demolition of an existing barn, erection of an extension to a garage building, erection of a reception/office building and erection of cat pens for proposed cattery use.

The extension to the existing garage building would be 5.5m deep and 6.5m wide and would continue the ridged roof, incorporating a hipped end. This extension would be used as a food preparation area, store and toilet in conjunction with the proposed office building. The detached reception/office building would be 5.5m deep and 6.5m wide with a gabled roof with a height of 5.5m. This detached building would have a 1.2m overhang to the rear and a covered link between the detached office building and the extended garage.

The proposed cat pens would be 4.35m deep and consist of two 12.9m wide blocks, separated by a covered accessway. The pens would have mono-pitched roofs to a maximum height of 2.4m.

The proposed cattery element of the new use would utilise the vehicular access serving the existing dwelling and would be served by 3 dedicated parking spaces. In addition to this, there is a large gravelled area available for additional, unmarked parking if/when required.

### **Description of Site:**

The site consists of a detached dwelling with a large garage/barn outbuilding located on the western side of Norwood End. The site is reasonably isolated from any neighbouring dwellings and is located within the Metropolitan Green Belt.

### **Relevant History:**

EPF/0468/92 - Change of use of barn to dwelling, including repairs and alterations – refused 26/06/92 (appeal dismissed 12/01/93)

EPF/0469/92 - Change of use of barn to offices (B1) including repairs and alterations – refused 19/06/92 (appeal dismissed 12/01/93)

EPF/2176/01 - Erection of triple garage – approved/conditions 27/03/02

### **Policies Applied:**

CP1 – Achieving sustainable development objectives  
CP2 – Protecting the quality of the rural and built environment  
CP3 – New development  
GB2A – Development in the Green Belt  
GB7A – Conspicuous development  
DBE4 – Design in the Green Belt  
DBE9 – Loss of amenity  
LL1 – Rural landscape  
LL2 – Inappropriate rural development  
LL11 – Landscaping schemes  
ST1 – Location of development  
ST4 – Road safety  
ST6 – Vehicle parking

### **Issues and Considerations:**

The application proposes to demolish the existing barn and replace it with a commercial building, to extend the existing detached garage for use in conjunction with the new commercial building, to erect cat-pens, and to use the site as a cattery (with the existing residential property remaining).

### **Green Belt Issues**

The re-use of existing buildings within the Green Belt is generally considered acceptable, however the proposed development is to demolish the existing outbuilding and replace it with a new commercial building and extension to the existing garage. The erection of new buildings for

commercial use in the Green Belt constitutes inappropriate development, which by definition is considered harmful, and as such this type of development is unacceptable unless there are very special circumstances demonstrated to outweigh this harm.

The special circumstances put forward in this case are: the reduction in the scale of the replacement building; an overall improvement of the appearance of the outbuilding; that the proposal would provide a required facility to the local area; and as a cattery is required to be located away from neighbouring residential properties but close to a house used in conjunction (for monitoring and surveillance). It is also stated that, as the proposed cattery use is for the keeping of animals, it is more akin to agricultural use, which is considered appropriate in the Green Belt. These 'very special circumstances' are addressed below.

### Scale

The replacement outbuilding and proposed extension to the existing garage would have a floor area of 72 sq. m., and a volume of 294 cu. m. The existing area of outbuilding to be demolished has a floor area of 77 sq. m., and a volume of 337 cu. m. As such the proposed outbuilding and extension would result in a 6% reduction in floor area and 13% reduction in volume to that existing. Whilst this reduction in itself would be considered beneficial to the openness of the Green Belt, it is somewhat counter-balanced by the erection of the proposed cat pens. Although these would be fairly low level, and effectively screened by existing vegetation and the outbuilding itself, the cat pens would have a floor area of 109 sq. m. and a volume of 246 cu. m. This would therefore result in an overall increase in terms of built form on the site, which would clearly outweigh any small reduction in the size of the replacement outbuilding.

### Appearance

It is appreciated that the proposed replacement outbuilding and extension would improve the overall appearance of the site, and the cat pens would not be visible from outside of the site. However, whilst of no architectural merit, the outbuilding as existing is not considered an eyesore or 'blot on the landscape'. Due to this, the improved appearance itself is not considered to be special circumstance enough to warrant this inappropriate use in the Green Belt.

### Need

It is claimed that the proposed cattery would provide a required facility to the local area and that the "existing catteries are sporadic and do not offer the facilities that are required by users of a cattery". No further information has been submitted to explain this statement or to back up the claims. A Yellow Pages search revealed that there are 2 catteries in a 5 mile radius of the application site; one in Moreton and one on Fyfield Road, Ongar, and several within a reasonable distance (including North Weald and Harlow). As previously stated, no evidence has been submitted to explain the flaws of these existing catteries, and without this it cannot be surmised that the 'genuine need' for this cattery exists.

### Location

Although it is accepted that catteries (and dog kennels) are generally found in fairly isolated areas, away from large residential populations, it is fairly common for these to be used as part of an existing agricultural farm complex (often utilising existing farm structures), or to be located as part of, or close to, existing large horticultural sites. This allows for a certain level of isolation away from residential properties, but does not result in catteries/kennels being in completely unsustainable rural locations. The application site however is in an isolated location, approximately 1KM north of Fyfield, and is not well served by public transport. As such almost all trips to and from the site would be via car. Whilst fairly well screened to the west and south, the site is open and visible from the remainder of the surrounding open countryside, and has a very green and rural backdrop. Due

to this, the provision of a commercial cattery in an isolated location such as this would be both unsustainable and would introduce an inappropriate use to an otherwise open rural location. As such the sites location would exacerbate the developments inappropriateness and would be a reason for refusal in itself, rather than constituting a very special circumstance to allow for the proposal.

### Inappropriate use

It is stated in the Design and Access Statement that the use as a cattery is akin to an 'agricultural use', which is deemed as appropriate in the Green Belt. Agricultural use is defined in the Town and Country Planning Act as the breeding and keeping of livestock, including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land. As the keeping of cats at this location would not be for human consumption, or for production for use by humans, this proposal would not constitute an agricultural use. As such the proposal, which is classed as commercial, is clearly inappropriate development in the Green Belt, and as assessed above it is not considered that there are sufficient very special circumstances to allow for its approval.

### Other Considerations

#### *Highways*

The application site is accessed from the single track country lane of Norwood End. A previous application for change of use to small scale B1 offices was refused in 1992, and dismissed on appeal, due to the increased use of this small country lane which would "add to the inconvenience and potential dangers to other road users on this lengthy stretch of highway". Although the previous application was some years ago, there have been no marked changes to the road or immediate surrounding area since this time, and as such the issue regarding increased traffic movements on this small country road is still considered relevant. As previously stated, the location of the application site would require that almost all trips are via car, and as such this proposal would exponentially increase vehicle movements to and from the site. Therefore the proposal would lead to an excessive degree of traffic congestion and potential highway safety issues on this substandard road, contrary to Local Plan policy ST4.

It was also concluded in the 1992 appeal that there were insufficient sightlines available at the entrance to the site, due to land outside of the appellant's control. Although, as previously stated, the road and access has little changed since this time, it is likely that there has been some change to the vegetation/screening on the boundary of the neighbouring field. There has been no objection raised by Essex County Council Highways about the vehicle entrance, and as such it is considered that a reason for refusal on the grounds of lack of visibility may be difficult to uphold on appeal.

The proposed change of use would result in a large increase in cars being parked on the site, however drop-off and pick-up times could be staggered and could be restricted by condition, and as such the total number of cars on site at one time would unlikely be excessive. The three proposed parking spaces, in conjunction with the large gravelled area, would provide sufficient off-street parking for additional staff and users of the proposed cattery. Also the area to be used as parking for the cattery is that which is currently used as parking for the existing residential dwelling, and as such the number of cars on site at any one time would not result in any further unduly detrimental impact to this rural location than the current situation.

#### *Retention of existing dwelling*

The red line of the application site indicates the entire area, both that indicated to be used for the cattery and that shown as the existing dwelling and curtilage, and as such the change of use of

this site would in effect relate to the entire site. Due to this, if approved, it would be necessary to condition that the proposed cattery is not sold off separately to the existing dwelling, particularly as it is stated in the design and access statement that “a cattery can only exist in conjunction with an existing residential property as there is a need for 24 hour monitoring and surveillance of the cats”. As such, were the cattery to be later sold off separately from the existing house, there could be pressure to erect a second dwelling to be used in conjunction with the cattery.

**Conclusion:**

In light of the above, the proposed cattery buildings and use would constitute inappropriate development, which by definition is harmful to the Green Belt, and there are insufficient very special circumstances to overcome this harm. Also the application site is in an unsustainable location and would result in an increase of traffic to the small country road of Norwood End, detrimental to the convenience and safety of other road users. As such this proposal is recommended for refusal.

**SUMMARY OF REPRESENTATIONS:**

FYFIELD PARISH COUNCIL – No comments received.

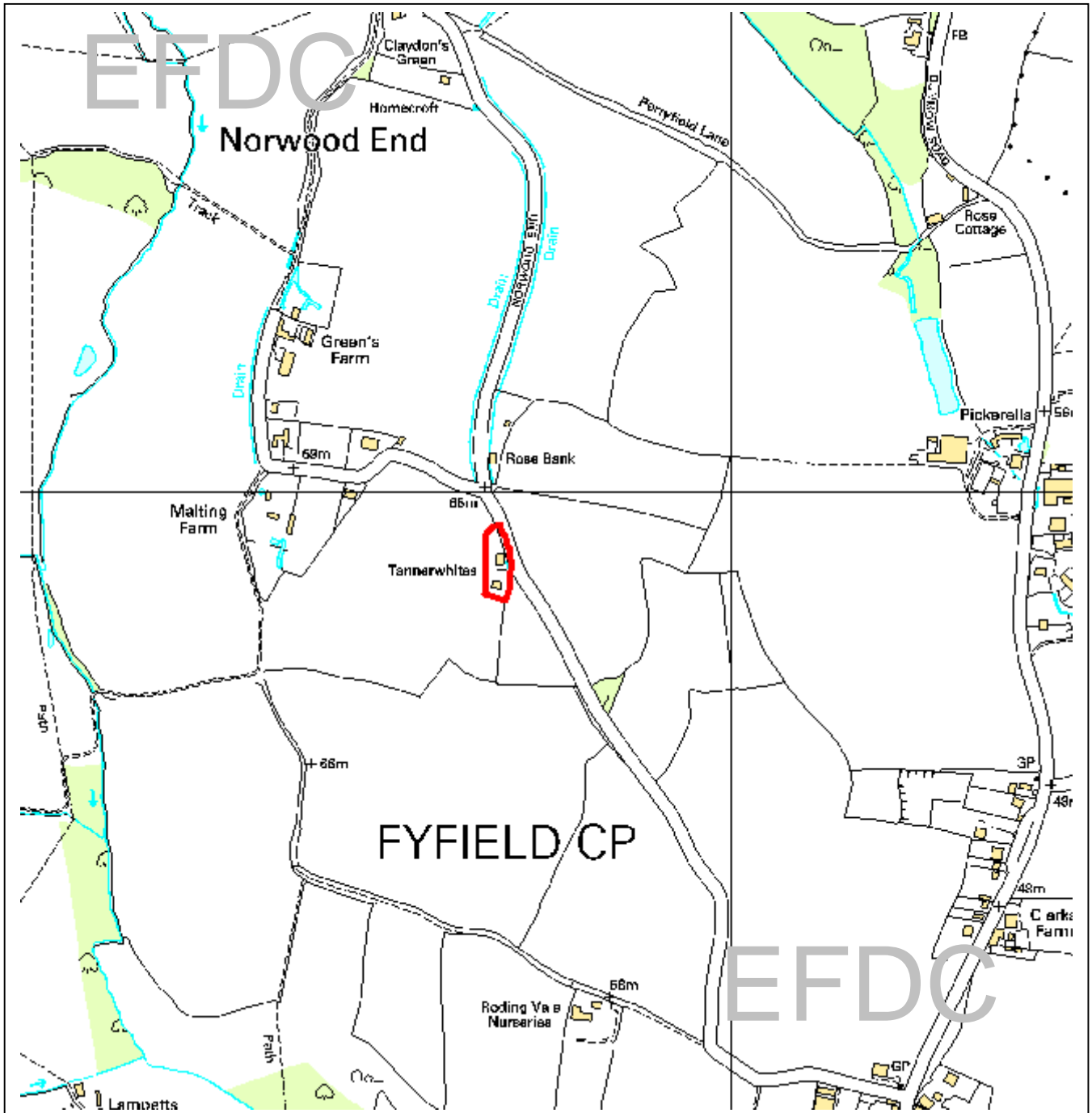
BON-AIRE, NORWOOD END – Object as this is an unnecessary development and would have traffic implications.

LEE FARM – Object to the potential increase in traffic on this unsuitable lane, however do not object to the business use in itself.



# Epping Forest District Council

## Area Planning Sub-Committee East



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Agenda Item Number:	1
Application Number:	EPF/2197/08
Site Name:	Tannerwhites, Norwood End, Fyfield CM5 0RL
Scale of Plot:	1/7500



**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/2316/08
<b>SITE ADDRESS:</b>	End House London Road North Weald Essex CM17 9NG
<b>PARISH:</b>	North Weald Bassett
<b>WARD:</b>	Hastingwood, Matching and Sheering Village
<b>APPLICANT:</b>	Mr Tim Corden
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of a detached garage
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 A sample of the roof tile shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 The garage hereby approved shall be constructed in black feather edged boarding and red stock bricks as shown on the approved plans.

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

**Description of Proposal:**

This proposal is for the erection of a detached garage to be set approximately 2m beyond the rear wall of the existing house and will be accessed through an existing set of double gates to the side of the property. The garage measures 5.4m deep and 3.1m wide with a maximum height of 3.7m. It is proposed that the garage will have a red brick plinth, black feather edge boarding and clay pantiles. The existing drive will be extended to the rear to meet the garage but this does not require planning permission.

### **Description of Site:**

End House is a two storey end of terrace grade II listed building within the small built up enclave within the Green Belt Hastingwood/London Road. The property is one of a row of three terraces that traditionally had entrances to the rear. As such there is a right of way that leads up from the roadway to the side of End House and across the back gardens of the three properties approximately 1m away from the rear wall of End House. This right of way will therefore be between the house and proposed garage.

### **Relevant History:**

No relevant history

### **Policies Applied:**

#### Epping Forest District Local Plan and Alterations

GB2A – Development in the Green Belt

GB14A – Residential Extensions

HC12 – Development affecting the setting of Listed Buildings

DBE9 – Loss of Amenity

ST4 – Road Safety

### **Issues and Considerations:**

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

- Impact on the Metropolitan Green Belt
- Impact on the Listed Building
- Impact on neighbouring amenity
- Road Safety

#### *Impact on the Metropolitan Green Belt*

Policy GB14A of the Local Plan and Alterations, states in the supporting text that outbuildings will only be granted where the proposals are in scale and keeping with the property they serve, and do not unduly impact upon the openness of the Green Belt. This proposal is considered to be a modest single storey outbuilding suitable for the garaging of one car. It is considered that the design of this garage is in keeping with the existing building and does not detract from the character and openness of the Green Belt in this location.

#### *Impact on the Listed Building*

The Council's Conservation Officer was consulted on this application as it affects the setting of a listed building. This proposal will not have a detrimental affect on the setting of the listed building or the listed terrace as a whole as the proposal has been designed to be subservient to the main building. The existing gates to the front of the site will help to screen the garage from view and the materials chosen for construction are traditional for such a building and do not detract from the setting of the listed building. The Conservation Officer also noted that the proposal has taken into consideration the right of way for the neighbouring dwellings and have shown this right of way as retained.

### Impact on neighbouring amenity

The neighbouring property Hill Cottage and the Parish Council have objected to the proposal due to the garage being built with its immediate entrance/exit on the right of way which they feel will inevitably cause an obstruction and therefore loss of amenity to the surrounding properties. Members should be aware that any obstruction of the right of way would be a private matter between the owners of the properties affected by the right of way. Consequently the possibility of obstruction is not a material planning consideration. However, the objection raised has been framed in terms of impact on amenity and impact on amenity is a material planning consideration.

The right of way is solely to provide access on foot and there are existing gates on site that cross the right of way which are lawful in planning terms. The garage itself would not be built on the right of way so it would not obstruct it. Since the garage would be situated adjacent to it, if it was fitted with outward opening garage doors they could partially obstruct it when they are open. However, even with such garage doors open persons using the right of way would be able to walk around them so people using the right of way would continue to benefit from it.

It would be possible for a car to park on the right of way. Since that is the case now, if that occurred it would not solely be a consequence of the construction of the garage. Even if a car did park on the right of way, there is room for pedestrians to walk around it.

Having regard to the lack of impact on the ability of people to benefit from the right of way caused by the proposal it is the case that there will be no significant loss of amenity to the neighbouring properties. Moreover, it is certainly not proposed that the right of way will be developed on.

The garage is not excessive in height and will be finished in traditional materials and it is not considered that the proposal will cause any significant loss of outlook or light to the neighbouring properties particularly given its set back position along the boundary wall.

### Road Safety

Essex County Council Highways Department have no objection to this proposal and it is considered that there are no significant issues of highway safety resulting from this proposal.

### **Conclusion:**

The proposal does not have a significant impact upon the character and openness of the Metropolitan Green Belt or the setting of the listed building. Although it is to be built close to a right of way it is not obstructing the right of way and is therefore not detrimental to the amenities of the neighbouring residents.

### **SUMMARY OF REPRESENTATIONS:**

**NORTH WEALD PARISH COUNCIL:** Members are aware of concerns regarding right of ways if the proposal goes ahead. Members object to this application on the grounds that the proposal would be harmful and detrimental to the amenities of the neighbouring residents.

#### **NEIGHBOURS:**

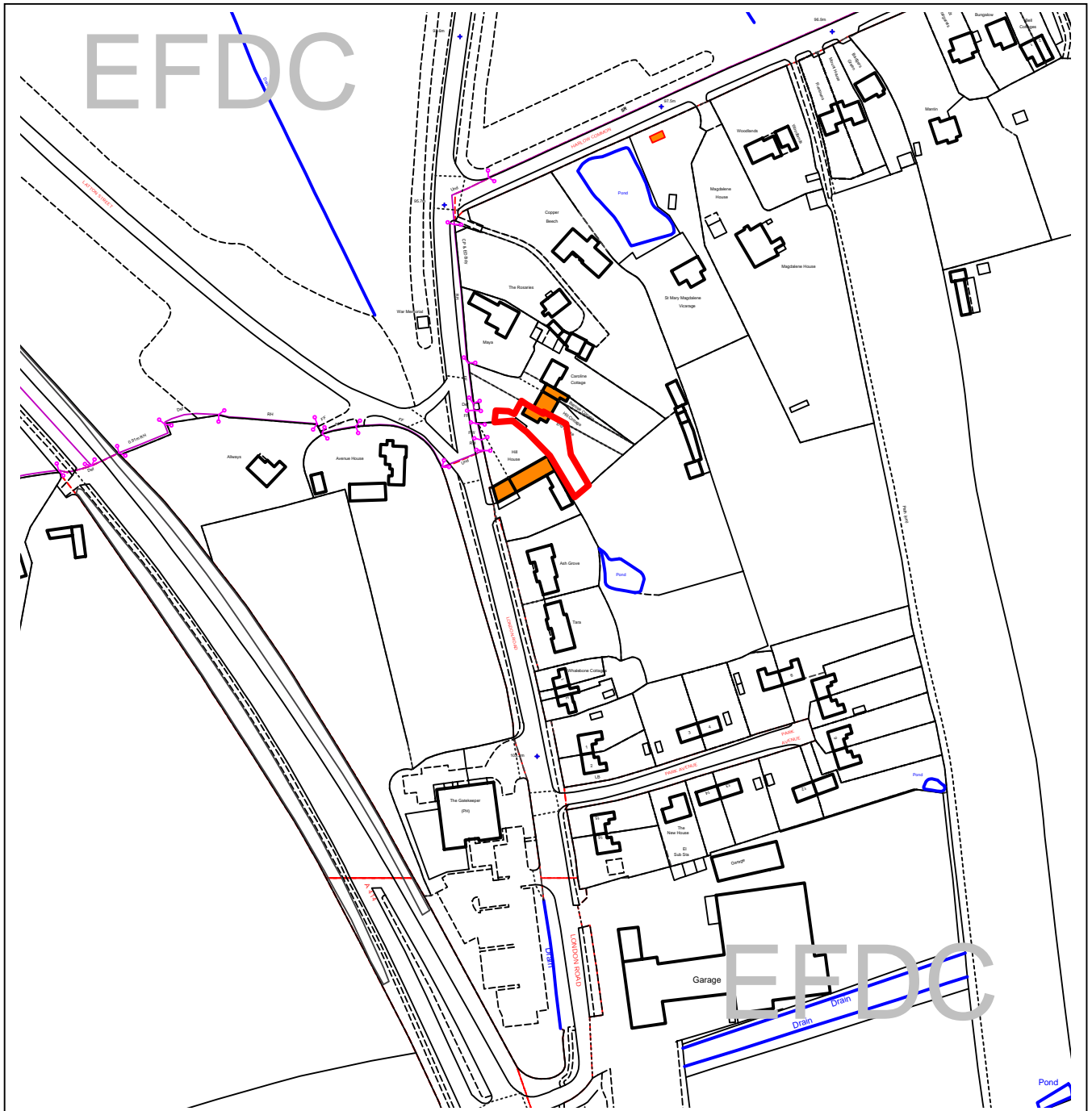
**HILL COTTAGE:** – Object in defence of ancient ‘right of way’ as a garage due to location would inevitably cause an obstruction.

**MAYA:** – Comment – Seems to be a fair proposal, will barely see the proposed garage at all. It should not affect the character of the property at all. It does not appear oversized for the purpose.



# Epping Forest District Council

## Area Planning Sub-Committee East



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<b>Agenda Item Number:</b>	<b>2</b>
Application Number:	EPF/2316/08
Site Name:	End House, London Road, North Weald , CM17 9NG
Scale of Plot:	1/2500

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/2318/08
<b>SITE ADDRESS:</b>	Homeleigh High Road Thornwood Epping Essex CM16 6LU
<b>PARISH:</b>	North Weald Bassett
<b>WARD:</b>	Epping Lindsey and Lindsey and Thornwood Common
<b>APPLICANT:</b>	Mr Brendan Murphy - Camfaud Concrete Pumps Ltd
<b>DESCRIPTION OF PROPOSAL:</b>	Installation of hardstanding and change of use of land (30m) for use as new hardstanding for storage of plant (dry plant) for use on 2012 Olympic site.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 A flood risk assessment shall be submitted to and approved by the Local Planning Authority 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 building hereby approved and shall be adequately maintained in accordance with a management plan to be submitted concurrently with the assessment.
- 3 Stored vehicles, machinery or materials on the approved hardsurface shall not exceed a height of 4 metres.

*This application is before this Committee for two reasons;*

- *It is an application contrary to an approved policy of the Council, and is recommended for approval (Pursuant to Section P4, Schedule A (b) of the Council's Delegated Functions).*
- *The recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).*

### **Description of Proposal:**

The applicant seeks consent to extend existing hardstanding toward the rear of the site for a depth of 30m across the width of the plot for the purpose of stationing vehicles, plant and equipment. This would result in approximately two thirds of the site being hardsurfaced for use in association with the business currently in occupation known as Camfaud Concrete Pumps Ltd.

### **Description of Site:**

The site is located on the western side of Thornwood High Road, known as the B1393, a main route connecting Epping to the M11, Harlow and beyond. The site is approximately 2 hectares in area and is currently hard paved and developed for approximately the front third of the site, with outbuildings along the northern boundary of the site for a further third of the site depth. The lawful use of the entire site is as a depot

The site is well screened by existing planting and landscaping at approximately 5m in height. The site is surrounded by residential properties to the immediate north, with open countryside to the west and south of the site and the B1393 to the east. Beyond the B1393 is open countryside and isolated properties with a nursery to the northeast. The broader surroundings are generally open countryside and agricultural land.

The site is situated within the Metropolitan Green Belt, has no Tree Preservation Orders and is not a Listed Building.

### **Relevant History:**

The site benefits from an extensive history relating to various activities associated with the use of the site and attempts to convert the site to residential use. The most relevant applications are as follows:

EPF/1335/80 (approved)	Outline application for extension to joinery shop and additional vehicle and material store plus staff and visitors car park.
EPF/1380/82 (refused)	Demolition of existing offices and stores and erection of new office unit, storage and light industrial unit and additional car park.
EPF/1435/84 (approved)	Extension to material store and revised and additional parking layout
EPF/1972/01 (approved)	Enlargement (widening) of existing vehicular access
EPF/0304/06 (refused)	Change of use of field to parking area

### **Policies Applied:**

#### **Epping Forest District Local Plan and Alterations policies:**

GB2A – Development in the Green Belt  
GB7A – Conspicuous Development  
GB8A – Change of Use or Adaption of Buildings  
DBE9 – Loss of Amenity

### **Issues and Considerations:**

The main issues that arise with this application for consideration by Members are as follows:

- Principle of development and Green Belt issues
- Layout and form of development
- Impact on neighbouring amenity
- Highways and transportation matters
- Impact on the greenbelt
- Other matters

Principle of development and Green Belt issues

The site is within the Metropolitan Green Belt where development is usually resisted by Government Guidance and Local Planning Policies in order to retain the open character of the Green Belt. The hardsurface is inappropriate development and by definition, harmful to the open character of the Green Belt. Notwithstanding this, there is no restriction across the entirety of the site which would prevent the storage of vehicles and machinery in any area, and furthermore aerial photography indicates that some of the proposed area is already in use. Therefore the hardsurface itself does not enable an intensification of the use, but rather minimises the existing physical constraints, and prevents the situation arising whereby equipment or vehicles sink into the mud causing operational difficulties and dragging mud out onto the public highway.

Local policy GB2A seeks to restrict development in the Green Belt in accordance with the objectives of Government policy contained in PPG2 (Green Belt). Policy GB2A highlights several scenarios where development may be acceptable, the most relevant being the following points;

(iv) for other purposes which preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt

(viii) in accordance with another Green Belt policy.

Policy GB7A seeks to prevent development which would have an excessive adverse impact on openness, rural character or visual amenity. Policy GB8A deals specifically with the change of use and adaption of buildings in the Green Belt. Under this policy development will be allowed subject to all 5 criterion being met. Whilst this policy is aimed specifically at buildings and structures, the proposals result in a structure on the land and the following summarised tests are considered relevant;

- i) *the development is possible without significant alteration to form, design or layout.* In this case the proposals alter only the ground surface.
- ii) *the use would not have a materially greater impact.* As outlined above, there are no restrictions preventing the grassed area from being used as storage, so no intensification takes place as a result of the proposals.
- iii) *use and associated traffic would not have a detrimental impact to countryside.* The proposals alter only the surface treatment and highways have returned no objection. Furthermore it is noted that were this application to be approved, then less mud would be carried onto the adjacent highway as a result of vehicular storage on the unmade ground.
- iv) *historic works over the previous 10 years were not carried out with a view to securing this use.* Whilst works onsite have not been carried out previously, an application for a similar hard surface was refused in 2006.
- v) *the use will not have significant adverse impact on the vitality and viability of the local centres.* Economically the proposals have a positive effect.

Policy GB8A also sets out a preference for employment uses in the Green Belt above other reasonable options, and that proposals which involve significant open storage should be refused. As already explored, the open storage in this area is unrestricted and as such the proposals do not permit this storage to take place, but instead ease the efficient operation.

Paragraph 3.12 of Planning Policy Guidance 2 (Green Belts) sets out that any operational development in the Green Belt is inappropriate unless the openness is maintained and special circumstances are demonstrated. In this instance, the proposals will remain obscured from view by existing landscaping and the applicant has cited the delivery of the 2012 Olympic Games as circumstance justifying the proposed development. Invoice documentation has been provided demonstrating that the applicant is servicing 9 of the current concrete pumping contracts for the Olympic Games. As construction progresses more contracts will become available, this potentially

has positive implications for employment at a relatively small scale in the area. The Olympic Delivery Authority has confirmed that the sites referenced by the applicant are genuine and relate to the approved games sites.

The applicant has sufficiently demonstrated they are working on construction projects relating to the Olympic Games, however available information does not demonstrate that without the proposed scheme then the Olympic Games could not be delivered. This eventuality is unlikely to arise with other companies available nationally. Notwithstanding this, it is acknowledged that potentially the contracts and associated jobs/finance may be displaced to outside the District.

#### Layout and form of development

The proposed development would result in a 30m depth of additional hardsurface across the width of the plot. This hardsurface would be viewed in the context of the existing site from the roadside access and would be well screened by the landscaping on the site boundaries from the surrounding countryside.

#### Impact on neighbouring amenity

The proposals are well separated from neighbouring properties and screened by perimeter hedging. As such the proposed development is unlikely to have significant adverse impact on neighbouring amenities and is in accordance with policy DBE9.

#### Highways and transportation matters

As outlined above, the proposals result in an additional area of hardsurface for the storage of vehicles or machinery. As outlined above this storage is already possible, but with operational difficulties. Highways have raised no objection and should the scheme be allowed, then less mud would likely be deposited onto the highway in wetter periods resulting in an improvement.

#### Other matters

- Noise

The industrial nature of activities on this site is well established, therefore any additional potential noise is considered likely to be minimal. Furthermore no objections have been received from neighbouring properties.

- Contamination

The current and previous uses of the site indicate that the site is potentially contaminated. Notwithstanding this the proposed hardsurface would require minimal excavation and as such on this occasion, no contamination report or condition is required.

- Flooding

The site is situated outside of floodzone 2 and 3, and the application relates to the surfacing of approximately 0.5ha of land and as such does not require a Flood Risk Assessment or referral to the Environment Agency as indicated by the Flood Risk Matrix. Notwithstanding this, Land Drainage have responded to request a less onerous Flood Risk Assessment focussing on drainage and surface run-off as the site is within the Council's Flood Risk Assessment Zone.

- Trees

There are trees surrounding the boundaries of the site, however these would be unaffected by the proposals.

#### **Conclusion:**

In light of the case of need put forward for the development, the mature screening surrounding the site and the opportunity the proposal presents to secure some limitation on the storage use of the site, very special circumstances sufficient to justify the development in the Green Belt do exist.



Moreover, the hardsurface does not result in an opportunity to intensify the site activities any more than presently possible because the lawful use of the entire site is as a depot. Officers therefore recommend consent be granted subject to a condition restricting the height of vehicles, machinery or any stored materials ancillary to the main use of the site to 4m. This is in the interest of ensuring that the current and future occupants of the site do not encroach above the existing boundary vegetation which is approximately 5m as this may result in visual harm.

**SUMMARY OF REPRESENTATIONS:**

NORTH WEALD PARISH COUNCIL: Objection for the following reasons:

*“The Parish Council Objects to this application on the grounds that the proposal is within the Green Belt and is detrimental to the area.*

*It is clearly stated within the Thornwood Village Design Statement that residents do not wish to see an increase to any commercial or industrial sites.”*

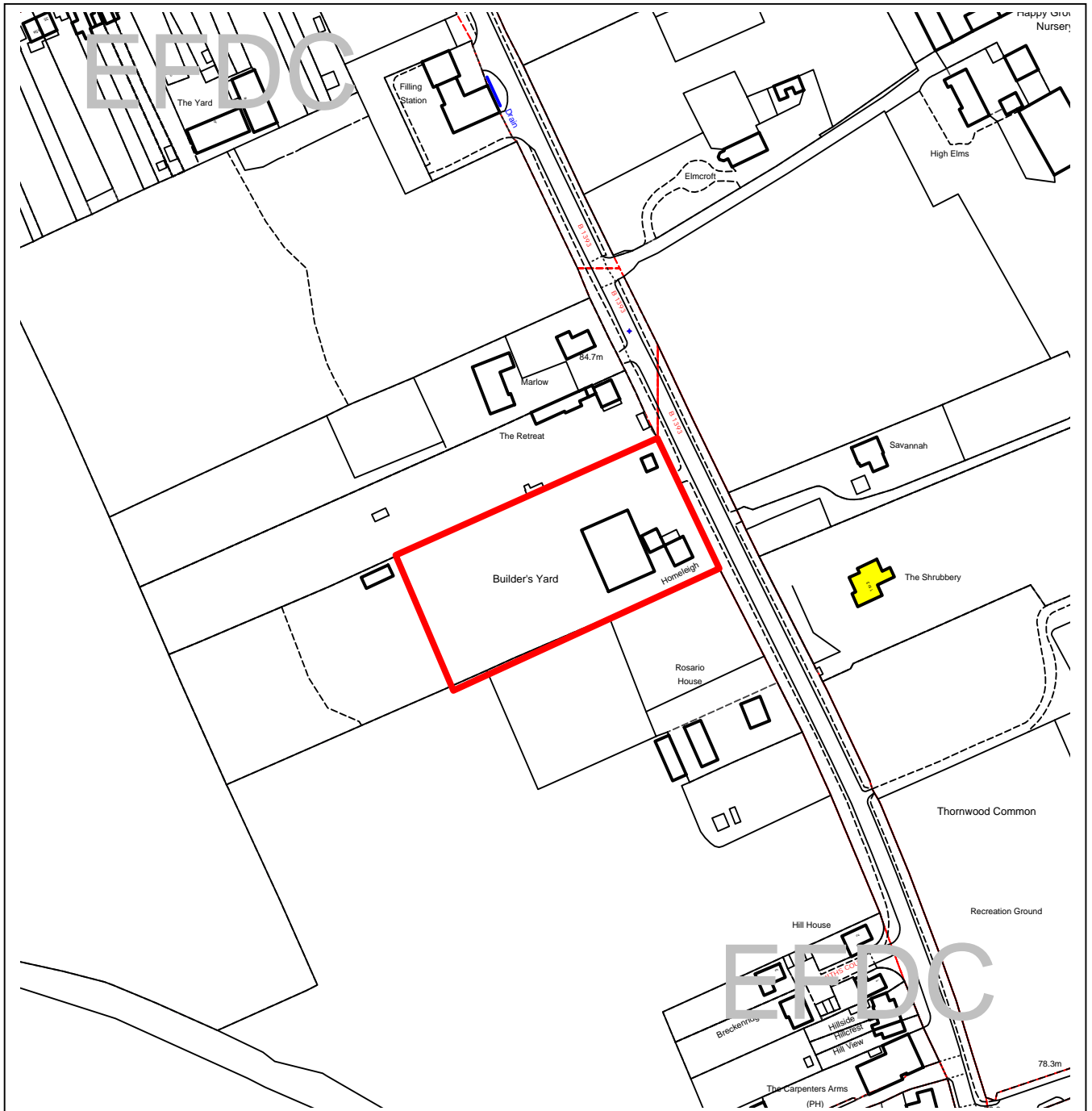
In considering the views of the Parish Council Members should be aware the Thornwood Village Design Statement is a document produced by local residents with the support of the Parish Council. This has not been adopted or endorsed by the District Council. Notwithstanding this, some content does accord with the Council's broader planning objectives set out in the Local Plan. The main body of the Statement explores the existing use of this site, and has reached the view that the storage activities can take place without planning restriction, but that the hard surface would make this operationally feasible. For this reason the proposals are not considered to increase the commercial site area.

NEIGHBOURS: No neighbouring objections have been received.



# Epping Forest District Council

## Area Planning Sub-Committee East



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Agenda Item Number:	3
Application Number:	EPF/2318/08
Site Name:	Homeleigh, High Road, Thornwood CM16 6LU
Scale of Plot:	1/2500

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/2291/08
<b>SITE ADDRESS:</b>	38 Piercing Hill Theydon Bois Essex CM16 7JW
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>APPLICANT:</b>	Mr E Richardson
<b>DESCRIPTION OF PROPOSAL:</b>	Two storey side and rear extension without complying with condition 5 of approved application EPF/886/08 (regarding demolition of outbuilding and part of the existing building).
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Prior to first occupation of the building hereby approved the proposed window openings in the first floor side elevation shall be fitted with obscured glass and have fixed frames up to a height of 1.7 metres above floor level, and shall be permanently retained in that condition.
- 3 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part [1], Class [E] shall be undertaken without the prior written permission of the Local Planning Authority.

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

**Description of Proposal:**

Two storey side and rear extension without complying with condition 5 of approved application EPF/886/08 (regarding demolition of outbuilding and part of the existing building).

This application seeks planning permission for a two storey extension to the side (south elevation) and to the rear of the dwelling and a new bay window to the front elevation. The front elevation of the proposed side extension would almost mirror the two storey extension to the other side of the dwelling.

The extension would replace existing ground and first floor additions to the side and rear of the dwelling. It would project 3m from the rear of the original house and 3.9m from the original side elevation. The rear 4.5m of the rear extension would have a flat roof. That would be set behind the pitched roof of the side extension but be open to views from the north.

The proposal is a revision of recently approved development (planning permission Ref EPF/0886/08) that also includes the retention of an outbuilding and part of a swimming pool enclosure that had previously been proposed by the applicant to be demolished to offset the increased floorspace of the extension. The planning permission for the recently approved development was granted subject to a condition requiring the partial demolition of the swimming pool enclosure and complete demolition of the outbuilding.

Minor changes to the rear elevation from the previously approved scheme are also proposed, including 2 rear Juliet balconies and a rear gable feature. The large area of flat roof to the rear extension is part of the previously approved proposal.

### **Description of Site:**

The application property is a detached dwelling located in Piercing Hill. The property, which is set back from Piercing Hill, is set in a large garden and has been considerably extended previously. The dwelling has two bay windows to the front elevation.

The application site is located within the Metropolitan Green Belt and the adjacent property (39 Piercing Hill) is locally listed.

### **Relevant History:**

EPF/0176/70 Details of garage & extension. Approved 12/05/70.

EPF/0770/73 Details of enclosure to open air swimming pool. Approved 04/09/73.

EPF/1037/80 Two storey rear extension. Approved 08/09/80.

EPF/0382/84 Single storey rear extension. Approved 21/05/84.

EPF/1219/99 Rear conservatory. Approved 17/09/99.

EPF/0553/00 Replacement swimming pool enclosure, conversion of garage to gym and first floor side extension. Approved 12/05/00.

EPF/0588/07 Two storey side and rear extension and new bay window to front elevation. Refused 04/05/07 on the basis that the additions would result in a disproportionate addition to the original dwelling that would be harmful to the objectives of the Metropolitan Green Belt.

EPF/1833/07 Installation of dormer windows to serve existing roof space, rendering to part elevation and installation of bay window. Approved 15/10/07.

EPF/0123/08 Two storey side and rear extension and new bay window to front elevation. Demolition of residential annexe and part of swimming pool building (revised

application). Refused on the basis extension would have a poor design by reason of its inclusion of a large section of flat roof.

EPF/0886/08 Two storey side and rear extension. Demolition of residential annexe and part of swimming pool building. (Revised application) Approved subject to a condition requiring the partial demolition of a swimming pool enclosure and complete demolition of an outbuilding to ensure the development would not be a disproportionate addition within the Metropolitan Green Belt.

### **Policies Applied:**

#### East of England Plan (Regional Spatial Strategy)

LA1 – London Arc

#### Epping Forest District 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 that arise with this application are considered to be the following:

- Impacts upon the Metropolitan Green Belt
- Design Considerations
- Residential Amenity

Before dealing with them it is necessary to consider the context of this proposal within the planning history of the site:

#### Planning History

- There have been 3 relatively similar previous proposals that include a two storey side and rear extension, 2 of which were refused and 1 of which approved.
- Application EPF/0588/07 was refused due to excessive size in the Metropolitan Green Belt and EPF/123/08 was refused due to there being a prominent flat roof.
- However, EPF/0886/08 was approved as it included pitched roofs that were the visible roofs, and included the removal of an existing detached outbuilding and a 3m depth of the existing swimming pool so as to offset the additional floorspace.
- This application includes a slight revision to the approved extension that includes 2 rear Juliet balcony features and a rear gable feature but these are considered minor and do not materially alter the appearance or size of the approved extension, while retaining the outbuilding and swimming pool as existing.

#### Impacts upon the Metropolitan 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 greenbelt, 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.

- The demolition of the existing 3m by 7.4m wide section of swimming pool was considered necessary to offset the extension in the previous application that was approved in June of 2008.
- However, since then, there has been a generally more lenient approach taken by the Local Planning Authority in both delegated and committee decisions with regard to the limits for additional floorspace set out in relevant policy GB14A.
- There have in fact been other large extensions granted approval in Piercing Hill that have been in excess of the limits, and the general character of the ribbon of development in Piercing Hill is of large detached properties.
- The section of swimming pool that was to be demolished was to the rear of the property, is well shielded from view within the Metropolitan Green Belt and its removal would not significantly increase the openness of the Metropolitan Green Belt.
- As such, and having regard to the generally more lenient approach taken in terms of Green Belt extensions it is considered the retention of this section of swimming pool now being acceptable in this location.
- Application EPF/0886/08 also had a condition to also remove the existing outbuilding, which is of roughly 64m<sup>2</sup> of floorspace set on two levels, with a double garage at the ground floor.
- There was not a condition added so as to restrict the construction of detached outbuildings under permitted development rights, and as such another detached building of a similar floorspace could potentially be constructed in place of the existing, without the need to apply for planning permission.
- For a dwelling of this size it is not considered unreasonable to have a garage outbuilding within the curtilage, and such a proposal would usually be acceptable in principle in the Green Belt, despite a property having been extensively extended.
- The outbuilding in question is relatively high and set on 2 levels, but is well set back from the streetscene and screened to the rear and South side by vegetation and is relatively attractive, and as such does not significantly detract from the openness of the Green Belt or the character of the area.
- As such, and bearing in mind the more lenient approach taken recently by the Local Planning Authority, it is considered acceptable to retain this outbuilding, subject to a condition to remove permitted development rights for further outbuildings.

#### Design Considerations

- The proposed extension remains acceptable in terms of design when compared to the previously approved scheme, and the minor changes to the design at the rear are considered acceptable. The proposals would safeguard the appearance of the house and the character and appearance of the locality. The setting of the adjacent locally listed building would be safeguarded.

#### Residential Amenity

- Similarly, the impacts upon the amenities of neighbouring residents remain similar to those of the previously approved scheme and are acceptable subject to a condition to obscure glaze a proposed first floor side window, as was conditioned in the previous approval.

#### **Conclusion:**

A more lenient approach is now being taken with regard to the limits for residential extensions in the Green Belt set out in policy GB14A of the adopted Local Plan and Alterations. As such, the retention of the existing swimming pool and outbuilding are now considered acceptable, subject to a condition to remove permitted development rights for additional outbuildings. Issues of design and impacts upon residential amenity remain acceptable as they are not materially different to those in the previously approved scheme.

**SUMMARY OF REPRESENTATIONS:**

THEYDON BOIS PARISH COUNCIL: Objection on the grounds that the proposal amounts to a disproportionate addition to the dwelling that is harmful to the Green Belt.

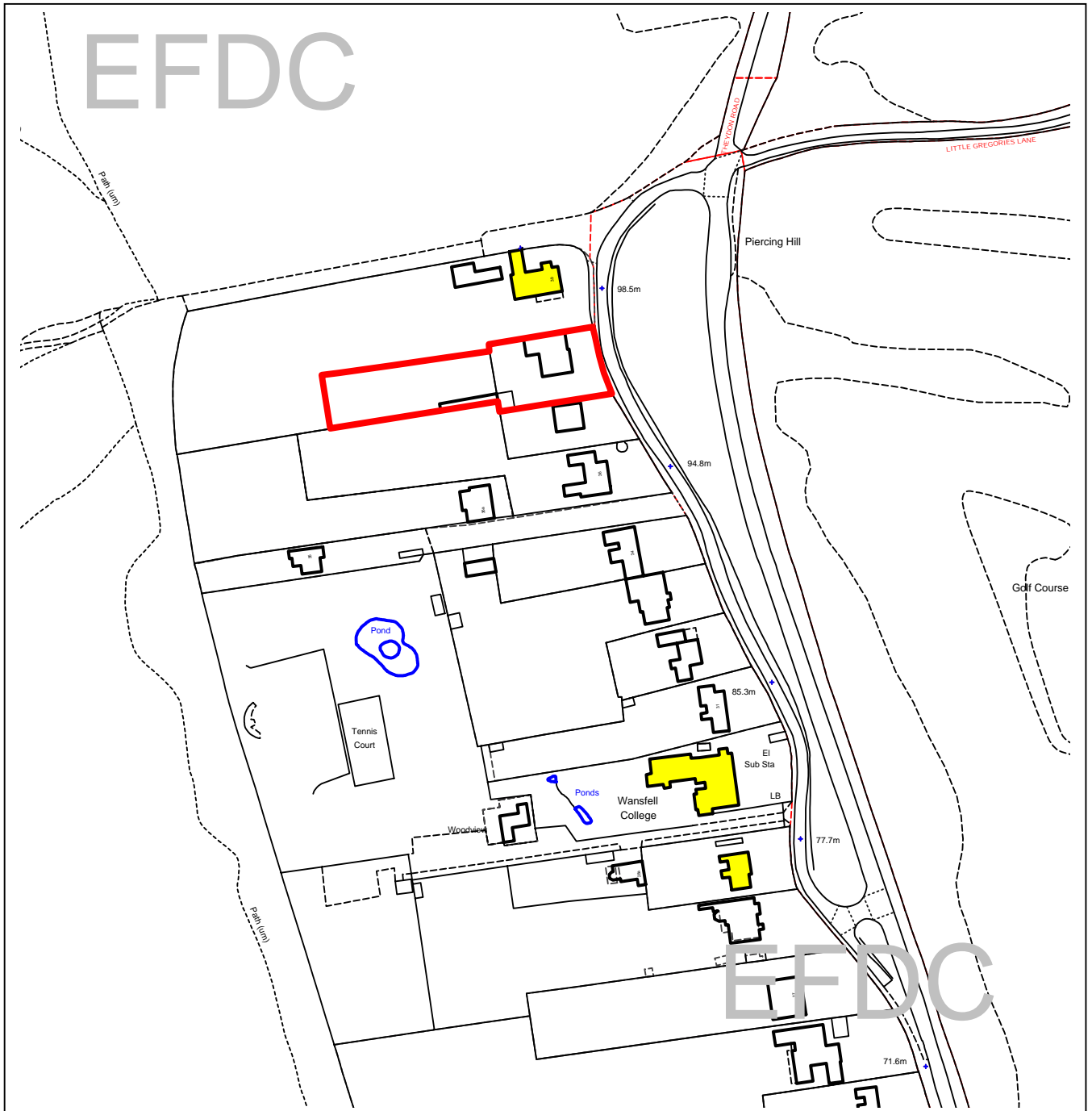
*“Clearly Application EPF/886/2008 was approved strictly on the basis that the Applicant’s Planning Consultant had offered to demolish this outbuilding to compensate for what would otherwise have constituted an excessive extension of the property in the Green Belt. We refer to the letter addressed to Katy Smith from Murdoch Associates dated 29<sup>th</sup> April 2008 in which they state that “ ....my clients have adopted the approach..... of balancing the building of the extensions by removing a compensatory amount of accommodation on the site.....this will be achieved by the removal of a freestanding residential annexe to the rear of the house.” In the light of this offer made by the Applicant’s own Planning Consultant, condition 5 was imposed and we see no reason why it should be removed eight months later. Accordingly we object to the removal of this condition.”*

COUNCILLOR JOHN PHILLIPS: Requested the application be taken to Committee if officers were minded to refuse the application.



# Epping Forest District Council

## Area Planning Sub-Committee East



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<b>Agenda Item Number:</b>	<b>4</b>
Application Number:	EPF/2291/08
Site Name:	38 Piercing Hill, Theydon Bois CM16 7JW
Scale of Plot:	1/2500



**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/2298/08
<b>SITE ADDRESS:</b>	43 Forest Drive Theydon Bois Essex CM16 7HB
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>APPLICANT:</b>	Mr Keith Sambridge
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of a pair of new semi-detached houses to replace an existing bungalow.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 Prior to commencement of the development hereby permitted, a turning space of a design to be agreed in writing by the Local Planning Authority enabling a motor car to enter and leave the highway in a forward gear shall be constructed, surfaced and made available for use and shall be retained for that sole purpose.
- 4 The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing. The approved scheme shall be implemented within the first planting season following the completion of the development hereby approved.

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

The statement must include details of all the means by which successful establishment of the scheme will be ensured, including preparation of the planting area, planting methods, watering, weeding, mulching, use of stakes and ties, plant

protection and aftercare. It must also include details of the supervision of the planting and liaison with the Local Planning Authority.

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

- 5 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the first occupation of the building hereby approved and shall be adequately maintained in accordance with a management plan to be submitted concurrently with the assessment.
- 6 The development shall be carried out in accordance with the amended plans received on 14/01/09 unless otherwise agreed in writing with the Local Planning Authority.
- 7 Prior to first occupation of the building hereby approved the proposed window openings in the North side elevation at first floor level shall be fitted with obscured glass and shall be permanently retained in that condition.

*This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions). Furthermore, this application is before this Committee since it has been 'called in' by Councillor Frankel (Pursuant to Section P4, Schedule A (h) of the Council's Delegated Functions).*

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

Erection of a pair of new semi-detached houses to replace an existing bungalow.

The pair would measure 14.5m wide, 13.2m deep including a 2.2m deep single storey rear element, 5.2m high to eaves level and 9m high to ridge level. The pair would front Forest View, have 18.5m deep rear gardens, hedge planting to front and both side boundaries, have integral garages and 8m deep driveways to the front.

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

Rectangular corner plot of some 39m length and an average of 18m width, with Forest Drive to the East (front) and Elizabeth Drive to the South side.

The existing bungalow is of 16m length, 7.4m width, and there is a detached double garage set alongside Elizabeth Drive. There is a timber fence of 1.8m above pavement level on the Elizabeth Drive boundary along with some sparse and sporadic hedge vegetation atop, and there is a 2.5m high hedge fronting Forest Drive. The site slopes from North to South, and is located in an area containing both bungalows and pairs of two storey semis within the residential area of Theydon Bois.

### **Relevant History:**

EPO/0673/71	Boundary fence	Approved
EPF/1009/87	Garage	Approved
EPF/1195/90	Conservatory at rear	Approved
EPF/0332/94	One bedroom detached house and garage	Refused on design and amenity grounds (Appeal Dismissed)
EPF/1276/94	Two bedroomed detached house with integral garage	Refused on design, amenity and highway safety grounds (Appeal Dismissed on design and amenity grounds only)

### **Policies Applied:**

#### East of England Plan (Regional Spatial Strategy)

LA1 – London Arc

#### Epping Forest District Local Plan and Alterations

CP2 – Protecting the quality of the rural and built environment  
CP3 – New development  
CP6 – Achieving sustainable urban development patterns  
CP7 – Urban form and quality  
H2A – Previously developed land  
H4A – Dwelling Mix  
U2B – Flood Risk Assessment Zones  
DBE1 – Design of new buildings  
DBE2 – Effect on neighbouring properties  
DBE3 – Design in urban areas  
DBE8 – Private amenity space  
DBE9 – Loss of amenity  
ST1 – Location of development  
ST4 – Road safety  
ST6 – Vehicle Parking  
LL10 – Adequacy of provision for landscape retention  
LL11 – Landscaping schemes

### **Issues and Considerations:**

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

- Suitability of this site for the erection of a pair of semi-detached properties
- Design Considerations and Landscaping
- Highways and Parking
- Residential Amenity

#### *Suitability of this site for the erection of a pair of semi-detached properties*

- Policy H4A of the adopted Local Plan and Alterations seeks to retain a housing mix with regard to needs identified in the latest housing needs survey.
- The comments of the Parish Council and by Councillor Frankel are noted, but at present, there is no evidence to suggest that there is an over-riding need to retain bungalows in Theydon Bois.
- The Epping Forest District Supply/Demand Analysis of 2005 used data collected in 2003 and identified a shortfall of 2 bedroomed bungalows in the Loughton, Buckhurst Hill and Theydon Bois sub area. It also identifies a much larger shortfall of 3 and 4 bedroomed houses. No data exists for Theydon Bois alone.

- From an analysis of Building Control completions and previous Annual Monitoring Reports for completions of new properties, it is calculated that 17 bungalows have been lost over the past 3 years, while 20 have been gained in the District as a whole.
- In Theydon Bois specifically, it is calculated that only 1 bungalow has been lost in the past 3 years and none gained.
- Having regard to the small numbers of bungalows lost (1) since the analysis was carried out and the evidence of a much greater shortfall of 3 and 4 bedroom houses, the replacement of the existing bungalow with 2 three bedroom houses would be of benefit in remedying the identified shortfalls.
- National policy in PPS3 and Local Plan policies H2A, CP3, CP6 and CP7 actively encourage the use of previously developed land in sustainable locations such as this.
- The application site is located in an existing built-up area that is well served by public transport, particularly from Theydon Bois underground station some 300m away, and buses that run through the village.
- It is also very close to local shops and amenities, and as such the location is likely to generate less car journeys than a more isolated site.
- As such, it is considered that this site is a sustainable location for housing, and more intensive use of this site, whilst remaining in character with the local properties, is welcome in principle.
- The previously refused applications were for an additional property in the rear garden of number 43, and were quite different schemes to that now proposed.

#### Design Considerations and Landscaping

- In the immediate vicinity of the site, pairs of two storey semi-detached properties are characteristic, although there are detached bungalows further South on the opposite side of Forest Drive, and also as existing on the site itself. Furthermore, there is a two storey detached property to the West of the site on Elizabeth Drive and as such there is a mix of properties in the vicinity. However, along this part of the West side of Forest Drive the application site is the only site containing a detached bungalow.
- The plot width is similarly wide to that of other pairs of properties on Forest Drive, and the 14.5m combined width of the pair is not uncharacteristic.
- The 9m height is not excessive in relation to properties either side, and the applicant has provided a streetscene elevation that shows the pair set at a similar height to the neighbouring pairs.
- As such, a pair of semis of the dimensions now proposed and in this site is acceptable in principle.
- The properties would be of an unobtrusive design containing small front gable features and integral garages and would complement the existing streetscene, where similar features and styles are in evidence.
- The ground level slopes from North to South and the ground level is roughly 0.8m higher on the site than on the pavement level of Elizabeth Drive.
- As such, the properties would appear higher when viewed from Elizabeth Drive to the South, and care must be taken to ensure they do not appear overbearing or obtrusive in this streetscene.
- Despite the pair of semis opposite Elizabeth Drive at 37-39 Forest Drive being extended to the level of the edge of the pavement itself, these properties are not set at a higher level, and it is considered that the higher ground levels to the North side mean that a significant setback is required.
- Following negotiation with the Local Planning Authority, the applicant has set the properties a minimum of 1.75m away from the Elizabeth Drive boundary, while retaining the required 1m separation distance to the North side boundary of the site.
- They have also agreed to retain the existing 1.8m high wooden fence on the boundary and also to plant a thicker hedge behind the fence so as to screen the rear garden and soften the appearance of the properties.
- Due to the slight angle of the properties compared to Elizabeth Drive, all of the two storey element of the proposed properties would be at least 2m away from the boundary.

- This separation distance, coupled with the hedge planting, would mitigate any potential overbearing impact of the original proposal to an acceptable level.
- As such, it is considered that the design is acceptable subject to suitable conditions to ensure acceptable materials, and to ensure that the landscaping provisions are acceptable.

#### Highways and Parking

- There would be a new crossover formed to the South to serve number 41, and 2 off street parking spaces would be created to the front of each dwelling, which is considered acceptable at this site.
- A condition is requested by the Essex County Council Highways for a turning space so as to enable vehicles to enter and leave the site in a forward position, subject to further details to be submitted, and such a condition is now recommended.

#### Residential Amenity

- To the rear a 29m separation distance is left between a facing side dormer of 2a Elizabeth Drive and the proposed first floor rear windows, and a 20.5m distance is left to the rear boundary.
- These separation distances are substantial and it is considered that no severe overlooking or loss of privacy would result.
- To the North side, there is a single storey side extension to number 45 Forest Drive and no main habitable room windows on the facing side elevation, and there would be no significant impact upon habitable rooms or overbearing visual impact.
- The boundary treatment of 2m height shields well the proposed single storey elements, and outlook from the main rear first floor windows of number 45 would not be severely impeded by the proposed properties and the guideline 45° test for outlook from first floor windows is satisfied.
- There are no other neighbouring residents significantly affected, and as such, the pair of semi-detached properties would not significantly impact upon the amenities of neighbours.
- In terms of the amenities of future occupiers, there is an adequate outlook from the proposed main habitable rooms, and an adequate level of private amenity space to the rear, in line with local policy.

#### **Conclusion:**

The proposed pair of semi-detached properties is considered to be of such dimensions and appearance as to acceptably complement the character of the existing streetscenes of both Elizabeth Drive and Forest Drive, and would not be obtrusive in the area. The loss of a bungalow is not considered to be unacceptable in this location in policy terms. Indeed, the more intensive use of this sustainable site is beneficial in addressing an identified shortfall of 3 bedroomed houses. The proposal would respect the character of the locality and would satisfy the provisions of national and local policy in terms of sustainability. Subject to conditions regarding a turning area, landscaping and materials it is considered that the proposal complies with the relevant policy and the application is recommended for approval.

#### **SUMMARY OF REPRESENTATIONS:**

THEYDON BOIS PARISH COUNCIL: Objection

We are very disappointed to see yet another application involving the loss of a bungalow to the detriment of the balance of the housing mix in the village of Theydon Bois. This site is approximately 100 metres from the village centre with its shops, tube line and other amenities and is therefore well located to serve the needs of an elderly or disabled occupant.

We are mindful of Policy H4A of the Local Plan and enclose a copy of our letter of 25th November, addressed to Mr De Wilton Preston in which we set out our concerns regarding the trend to convert smaller dwellings, particularly bungalows, to the detriment of the housing mix in Theydon Bois. We await a response to this letter. We take the view that pending receipt of the results of your monitoring exercise which you committed to producing in the Local Plan that further conversions of bungalows in the village should be resisted. It is important to maintain a healthy mix of dwellings to address the needs of an ageing population. Accordingly we object to this application.

COUNCILLOR FRANKEL: Objected to the loss of another bungalow in the village and enquired about the evidence base used for policy H4A.

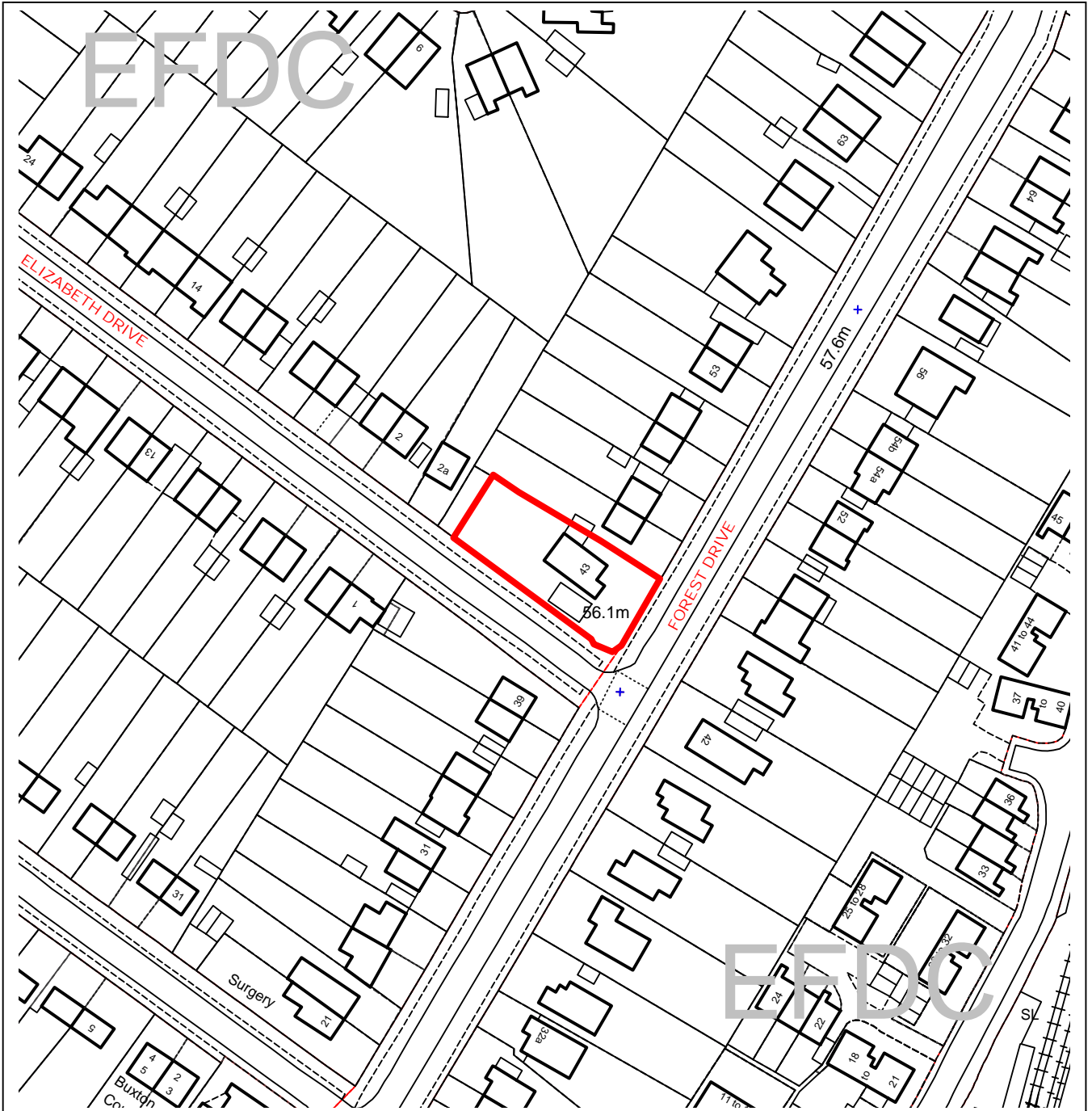
33 FOREST DRIVE: Objected to the loss of yet another bungalow in Theydon Bois.

THEYDON BOIS AND DISTRICT RURAL PRESERVATION SOCIETY: Concerned over loss of another bungalow. Policy H4A in Para 9.23a makes special reference to bungalows, and the need to maintain suitable dwellings for an ageing population. Enquired as to the results of the Annual Monitoring Report on housing mix.



# Epping Forest District Council

## Area Planning Sub-Committee East



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<b>Agenda Item Number:</b>	<b>5</b>
Application Number:	EPF/2298/08
Site Name:	43 Forest Drive, Theydon Bois CM16 7HB
Scale of Plot:	1/1250

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/2340/08
<b>SITE ADDRESS:</b>	The Old School House The Street Willingale Ongar Essex CM5 0SN
<b>PARISH:</b>	Willingale
<b>WARD:</b>	High Ongar, Willingale and the Rodings
<b>APPLICANT:</b>	Mr Sebastian Rate
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed two storey rear extension. (Revised application)
<b>RECOMMENDED DECISION:</b>	Refuse Permission

**REASON FOR REFUSAL**

- 1 The two storey rear extension, when combined with the existing additions, would result in extensions over and above what is considered a reasonable extension in the Green Belt. This therefore represents inappropriate development at odds with PPG2 and contrary to policies GB2A and GB14A of the adopted Local Plan and Alterations.

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

**Description of Proposal:**

Revised application for the erection of a two storey rear extension to replace an existing conservatory. The proposed extension would be 8.75m wide and 4.5m deep with an overhanging first floor gable on the northern elevation. The extension would run directly off the existing roof slope and would result in a relocation of the front entrance to the eastern flank wall. The internal footprint of the proposed extension totals some 66.5 sq. m.

**Description of Site:**

The application site is a grand Victorian school house situated on the western side of The Street. This dwelling is the old headmaster's premises and is a separate unit from the main school building to the south.

The property is on the edge of a small cluster of properties in the village of Willingale. Open countryside is located to the north beyond the rear garden of this dwelling and the whole site and surrounding area is within the Metropolitan Green Belt.



### **Relevant History:**

EPF/1381/82 - Extensions and alterations – approved/conditions 07/02/83  
EPF/0917/83 - Extensions and alterations – approved 19/08/83  
EPF/1142/90 - Erection of rear conservatory – approved/conditions 07/12/90  
EPF/0686/07 - Two storey rear extension – approved/conditions 04/06/07 (not implemented)  
EPF/1674/08 - Proposed two storey rear extension – refused 13/11/08

### **Policies Applied:**

GB2A - Development in the Green Belt  
GB14A - Residential extensions  
DBE4 – Design in the Green Belt  
DBE10 - Design of residential extensions

### **Issues and Considerations:**

The key issues for consideration relevant to this application are the impact upon the openness of the Green Belt and detailed design and street scene considerations. The previous application was refused on the following grounds:

*The two storey rear extension, when combined with the existing additions, would result in extensions over and above what is considered a reasonable extension in the Green Belt. This therefore represents inappropriate development at odds with PPG2 and contrary to policies GB2A and GB14A of the adopted Local Plan and Alterations.*

*The two storey rear extension, due to its size and design, would be an incongruous addition out of keeping with the character and appearance of the original property and the surrounding area, contrary to policies DBE4 and DBE10 of the adopted Local Plan and Alterations.*

Local Plan policy GB14A allows for residential extensions in the Green Belt that do not result in disproportionate additions greater than 40% over and above the original dwelling, up to a maximum of 50 sq. m. Given the sites location within an existing built up enclave the previously approved scheme (EPF/0686/07) was considered acceptable despite resulting in a total increase (including previous additions) of 72 sq. m. in floor area, which equates to a 56% increase over the original property. The latest application (EPF/1674/08), which was refused at Planning Subcommittee, resulted in a total increase of 94 sq. m., which equates to a 74% increase in floor area. The current revised application has reduced the floor area by 2.5 sq. m., and as such would have a total floor area of 91.5 sq. m., or 72%. Whilst it was previously accepted in 2007 that, given the location of this property, a relaxation of the 40% up to 50 sq. m. restriction was acceptable in this instance, the last application was considered an unacceptable increase. The reduction of this by merely 2.5 sq. m., or 2% of the total additions, is not deemed significant enough to overcome the previous reason for refusal and as such this proposal constitutes inappropriate development which, by definition, is harmful to the openness and character of the Green Belt.

It is stated within the submitted design and access statement that the applicant requires additional storage space for the Willingale Montessori School, which they run, that would be located within this property. No evidence has been submitted with regards to this claim and it is not considered that this would be a very special circumstance to allow for this large addition, particularly given that the proposed extension incorporates a very large master bedroom with en-suite bathroom and dressing area. Also a recent application has been granted for the change of use of Tile House Farm, Birds Green (EPF/2127/08 – approved 23/12/08) to be used as the new location for the Willingale Montessori School, and it is considered that there is more than adequate space in this new location for the school and the associated storage.

Additions to the rear of the property require particular scrutiny due to the open countryside northwards and as any rear development is clearly visible in the rural street scene when entering the village. The proposed extensions would substantially alter the appearance of this property. The main entrance to the dwelling would be relocated to the eastern flank wall, which directly faces the road and is a more logical entrance than that which exists. The proposed extension, when viewed from the east, would match the design of the original property and would not be detrimental to the appearance or character of the street scene.

In contrast to the eastern flank, the northern and western elevations are still very modern in design. The previous application was refused on design grounds, with particular emphasis being on these two 'modern' elevations, which were considered out of keeping with the appearance and character of this Victorian dwelling. These views are particularly important as they are clearly visible from the surrounding countryside. This revised application still proposes a more modern design to these elevations, however they incorporate more traditional features than the previous application. The overhanging first floor gable is a fairly traditional feature found on rural properties such as this, however it would incorporate a very modern, full-length triangular bay window. On the western elevation is a part submerged first floor window that is of a very chunky, squared, modern design. Although it may be preferable to see a more traditional styled window in this location, the use of a modern window would not in itself justify a refusal of the application. Due to this, the principal design of the proposed extension would generally be acceptable, however notwithstanding this the proposal would still be an unacceptable size detrimental to the openness and character of the Green Belt.

### **Conclusion**

Whilst the overall design of the proposed extension is now deemed as acceptable the proposal, when combined with the previous additions, does not constitute a limited extension and as such fails to comply with Local Plan policies GB2A and GB14A. Therefore this application is recommended for refusal.

### **SUMMARY OF REPRESENTATIONS:**

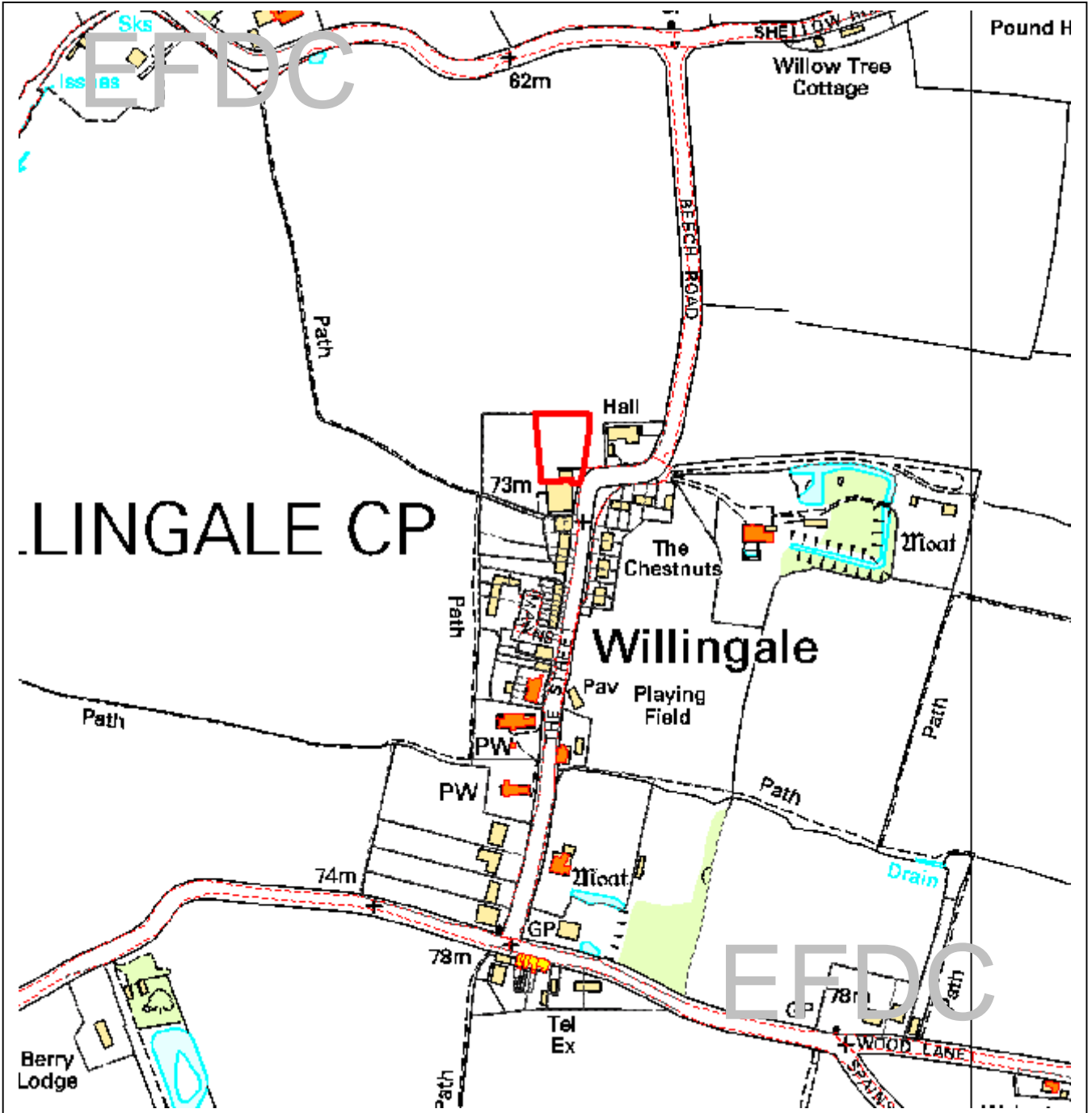
WILLINGALE PARISH COUNCIL – Consider the design an improvement on the previous application, however do not think that the case for additional storage for the Montessori School has been justified. It is thought, firstly, that there is sufficient space in the Village Hall and, secondly, that if the change of use at Tile House Farm, Birds Green (EPF/2127/08 [now approved]) were approved the extension of the Old School House would not be necessary.

THE OLD SCHOOL, THE STREET – Object as the extension would be too large for this Green Belt location, the design is not subordinate and is out of character with the area, this would set a precedent, and the use of the existing front door for business purposes would be intrusive.



# Epping Forest District Council

## Area Planning Sub-Committee East



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<b>Agenda Item Number:</b>	6
Application Number:	EPF/2340/08
Site Name:	The Old School House, The Street Willingale, CM5 0SN
Scale of Plot:	1/5000

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