

# Committee Agenda



**Webcast  
Meeting**



**Epping Forest  
District Council**

## ***Area Planning Subcommittee East Wednesday, 18th February, 2009***

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

**Time:** 7.30 pm

**Democratic Services Officer** Rebecca Perrin - The Office of the Chief Executive  
Email: rperrin@eppingforestdc.gov.uk Tel: 01992 564532

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 previous meeting of the Sub-Committee held on 28 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. DEVELOPMENT CONTROL (Pages 19 - 52)**

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

**Background Papers:** (i) Applications for determination – applications listed on the schedule, letters of representation received regarding the applications which are summarised on the schedule. (ii) Enforcement of Planning Control – the reports of

officers inspecting the properties listed on the schedule in respect of which consideration is to be given to the enforcement of planning control.

## 8. DELEGATED DECISIONS

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

## 9. EXCLUSION OF PUBLIC AND PRESS

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

Agenda Item No	Subject	Exempt Paragraph Number	Information
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:** 28 January 2009

**Place:** Council Chamber, Civic Offices, High Street, Epping    **Time:** 7.35 - 9.40 pm

**Members Present:** G Pritchard (Chairman), R Morgan (Vice-Chairman), A Boyce, M Colling, Mrs D Collins, R Frankel, P Gode, Mrs A Grigg, Mrs H Harding, D Jacobs, J Philip, B Rolfe, D Stallan, C Whitbread, Mrs J H Whitehouse and J M Whitehouse

**Other Councillors:**

**Apologies:** A Green, Ms J Hedges and Mrs M McEwen

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

---

### 90. 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.

### 91. 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.

### 92. APPOINTMENT OF VICE-CHAIRMAN

The Chairman invited nominations from the Sub-Committee for the appointment of a Vice-Chairman for the duration of the meeting.

**RESOLVED:**

That Councillor R Morgan be appointed as Vice-Chairman for the duration of the meeting.

### 93. MINUTES

**RESOLVED:**

That the minutes of the meeting held on 7 January 2009 be taken as read and signed by the Chairman as a correct record.

**94. DECLARATIONS OF INTEREST**

(a) Pursuant to the Council's Code of Member Conduct, Councillors Mrs A Grigg and D Stallan declared a personal interest in the following items of the agenda by virtue of being members of North Weald Parish Council. The Councillors had determined that their interests were not prejudicial and would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/2316/08 End House, London Road, North Weald; and
- EPF/2318/08 Homeleigh, High Road, Thornwood.

(b) Pursuant to the Council's Code of Member Conduct, Councillor G Pritchard declared a personal interest in the following item of the agenda, by virtue of being acquainted with the Applicant's Agent. The Councillor had determined that his interest was not prejudicial and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2291/08 38 Piercing Hill, Theydon Bois.

(c) Pursuant to the Council's Code of Member Conduct, Councillor J Phillip 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 would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/2291/08 38 Piercing Hill, Theydon Bois; and
- EPF/2298/08 43 Forest Drive, Theydon Bois.

(d) Pursuant to the Council's Code of Member Conduct, Councillor R Frankel declared a personal interest in the following item of the agenda, by virtue of having fettered his discretion in correspondence with Planning Officers. The Councillor had determined that his interest was prejudicial and would leave the meeting for the consideration of the application and voting thereon:

- EPF/2298/08 43 Forest Drive, Theydon Bois.

(e) Pursuant to the Council's Code of Member Conduct, Councillor Mrs J H Whitehouse declared a personal interest in the following item of the agenda, by virtue of being a member of the Theydon Bois and District Rural Preservation Society. 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/2298/08 43 Forest Drive, Theydon Bois.

**95. ANY OTHER BUSINESS**

It was noted that there was no other urgent business for consideration by the Subcommittee.

**96. TREE PRESERVATION ORDER EPF/32/08**

The Principal Planning Officer presented a report regarding the confirmation of tree preservation order EPF/32/08 at 55-69 Hemnall Street and 19 Theydon Place in Epping. The order had originally been served and administered by Essex County Council in 1953, but the County Council had recently announced that it would no



longer seek to reconfirm any of its existing tree preservation orders. Accordingly, those within the District were being reviewed by the District Council and replacement tree preservation orders were being issued where appropriate. This replacement order had contained additional trees, including an Atlas Cedar tree. The inclusion of that tree had been the subject of an objection by the owner of 57 Hemnall Street on the grounds that it was in an inappropriate position and causing damage to the property. It was felt that although this tree was a fine young specimen tree, it had outgrown its position and would cause further damage to the property. Two new trees had been planted at the property and it was felt that this particular tree preservation order could be confirmed with the deletion of the Atlas Cedar tree in question.

**RESOLVED:**

That tree preservation order EPF/32/08 be confirmed subject to the deletion of tree T8, an Atlas Cedar tree at 57 Hemnall Street.

**97. DEVELOPMENT CONTROL**

**RESOLVED:**

That the planning applications numbered 1 – 6 be determined as set out in the schedule attached to these minutes.

**98. 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**

This page is intentionally left blank

## 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>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>DECISION:</b>	Grant Permission (with conditions)

The Committee came to the opinion that the use was not harmful to the openness of the green belt and that very special circumstances sufficient to override the harm caused by the development existed. The Committee also took the view that the development was a sustainable form of development in the countryside and the potential for harm to be caused by the development could be adequately controlled through the imposition of suitable conditions on a planning permission.

## CONDITIONS & REASONS

1. The cattery use hereby approved shall only be carried out by an occupant of the adjacent dwellinghouse known as Tannerwhites and the site as shown on the approved location plan shall not be subdivided.
2. The cattery use hereby approved shall not be accessed by customers out side the following times:  
  
1200 to 1900 Mondays to Fridays  
0800 to 1300 Saturdays  
  
The cattery use shall not be accessed by customers on Sundays, public and bank holidays.
3. Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.

**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>DESCRIPTION OF PROPOSAL:</b>	Erection of a detached garage
<b>DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
2. 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.

**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>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>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 hard surface shall not exceed a height of 4 metres.
4. This consent shall inure for a limited period expiring on 31 December 2012, at which time the development permitted by this Notice shall be discontinued, the hardstanding taken up, its materials removed from the site and the site reinstated as a grassed field.
5. 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.
6. The hedgerow on the northern, southern and western boundaries of Homeleigh marked red and blue on the approved location plan shall be maintained at a height of not less than 4m above the adjacent ground level of Homeleigh throughout the life of this permission.

**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>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>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.

**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>DESCRIPTION OF PROPOSAL:</b>	Erection of a pair of new semi-detached houses to replace an existing bungalow.
<b>DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
2. 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.
8. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Class B shall be undertaken without the prior written permission of the Local Planning Authority.
9. Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garage(s) hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.



**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>DESCRIPTION OF PROPOSAL:</b>	Proposed two storey rear extension. (Revised application)
<b>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 page is intentionally left blank

## AREA PLANS SUB-COMMITTEE 'EAST'

18 February 2009

### INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/0017/09	7 Green Trees, Epping	Grant Permission (With Conditions)	21
2.	EPF/0006/09	22 Lynceley Grange, Epping	Grant Permission (With Conditions)	26
3.	EPF/0073/09	Land to rear 40-62 Hoe Lane Abridge, Lambourne	Grant Permission (With Conditions)	29
4.	EPF/2367/08	29 High Road North Weald	Grant Permission (With Conditions)	34
5.	EPF/2410/08	Wayletts 28 London Road Stanford Rivers Ongar	Grant Permission Subject to Section 106 agreement	38
6.	EPF/2433/08	56 Morgan Crescent Theydon Bois Epping	Grant Permission (With Conditions)	43
7.	EPF/2441/08	7a Piercing Hill Theydon Bois	Grant Permission (With Conditions)	47

This page is intentionally left blank

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/0017/09
<b>SITE ADDRESS:</b>	7 Green Trees Epping Essex CM16 4PT
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>APPLICANT:</b>	Mr M J Coggins
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/32/04  T2 (T742) Wild Cherry - Lateral reduction to clear flank wall  G1 Ash x6 (T743, T746, T748, T750a, T751, T751a)- Fell  G1 Ash x2 (T744)- Height and lateral crown reduction by 20% and (T749) - Minor lateral reduction  G1 Sycamore (T745)- Height and lateral crown reduction by 25%  G1 Sycamore (T747) - Height and lateral crown reduction by 25% and crown lift to 4.5m
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 A replacement tree or trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted within one month of the implementation of the felling hereby agreed, unless varied with the written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 2 The work authorised by this consent shall be carried out under the direct supervision of the Local Planning Authority, who shall receive in writing, 5 working days notice of such works.

- 3 The crown reduction authorised by this consent shall consist of the following:  
T2.(T742) Cherry. Lateral reduction to clear flank wall.  
G1.(T744 ) Ash. 20% height and lateral crown reduction.  
G1.(T749 ) Ash. Minor lateral crown reduction.  
G1.(T745) Sycamore. 25% height and lateral crown reduction.  
G1.(T747 ) Sycamore. 25% height and lateral crown reduction.
- 4 All work authorised by this consent shall be undertaken in a manner consistent with British Standard 3998 (1989) (or with any similar replacement Standard).
- 5 The works hereby authorised shall not be undertaken after a period of three years from the date of this consent has expired.
- 6 The crown lifting to G1.(747) Sycamore, authorised by this consent shall extend only to the whole or partial removal of branches necessary to give 4.5 metres clearance above ground level and to give statutory clearance to public highways.

*This application is before this Committee since it is an application to fell preserved trees and is recommended for approval (pursuant to Section P4, (3) of the Council's Delegated Functions)*

**Description of Proposal:**

**T2 (T742) Wild Cherry** - Lateral reduction to clear flank wall

**G1 (T743, T746, T748, T750a, T751, T751a) Ash x6.** - Fell

**G1 Ash x2 (T744)**- Height and lateral crown reduction by 20% and  
**(T749)** - Minor lateral reduction

**G1 (T745) Sycamore** - Height and lateral crown reduction by 25%

**G1 (T747) Sycamore** - Height and lateral crown reduction by 25% and crown lift to 4.5m

**Description of Site:**

This group of trees occupies a triangular piece of land at a deviation in the access road to the cul-de-sac that is Green Trees. The housing development implemented a landscape scheme, which has seen the planting of a Whitebeam and a Wild Cherry in the grassed segment of the small triangular front garden area. A group of Ash and Sycamore line the boundary between 7 Green Trees and 6A Kendal Avenue. Collectively, these closely growing trees form a tall green screen when viewed from Ambleside.

**Relevant History:**

TRE/EPF/2083/06 granted permission for minimal lateral pruning of branches to G1 where overhanging branches were deemed to be causing excessive shade and preventing the growth of vegetables grown at 6A Kendal Avenue.

A previous application to reduce G1 was withdrawn following considerable objection made by local residents, who feared for the ground water dynamics influenced by the tree roots. Despite protracted negotiations between the Council tree officer, the applicant and the resident group a compromise drawn up by the case officer was not taken forward.

**Relevant Policies:**

LL9: Felling of trees

LL8: Pruning of preserved trees.

**Issues and Considerations:**

The application is made on the basis that the trees are, in one case, too close to the house and in all others in poor structural condition, due to highly competitive growing conditions. It is submitted that a comprehensive management plan for this group is necessary to ensure the best long term future for this focal landscape area.

The issue is whether or not the removal of selected trees within the group is justified and necessary due to the problems occurring in the form of damage to the side of the house and boundary fence and the likelihood of branch and stem failure.

**Considerations**

i) Physical damage

The allegation of roof and flank wall damage to the applicant's house is clearly visible. Similarly, several of the tree stems are coming into contact with the boundary fence between the applicant's property and the rear garden of 6A Kendal Avenue.

The trees are not yet fully grown and will continue to cause further damage if allowed to continue to grow unchecked.

ii) Tree condition

The trees appear to be in a vigorous condition with a group life expectancy of at least 20 years. The applicant's arboricultural consultant identified structural faults with trees 743, 746, 748, 750A, 751 and 751A caused by crowded planting, which has produced narrow formed drawn up crowns with weak and tight forks. The last three trees grow from a poor root base at the top of a steep slope and from beneath the base of the fence line, which will have stability implications in the future.

iii) Amenity value

The trees stand prominently at a focal point in the cul-de-sac. Their group effect is very significant and therefore the amenity they offer to the area is high. They also screen views into gardens of properties along Kendal Avenue, when viewed from Ambleside and Green Trees.

The proposed works will open gaps in this dense line of trees but with well chosen and carefully positioned replanting and the subsequent crown development of the retained trees there will be no loss of amenity value in the medium and long term. Furthermore, with sympathetic pruning control of the retained trees and the successful establishment of ornamental new trees it is anticipated that the general appearance of the group of trees will be improved over time.

On site discussions with the applicant have resulted in a positive response to the suggested positions of at least two small tree replacements.

## **Conclusion:**

The trees are currently vigorous and highly prominent in the landscape of Green Trees and Ambleside but are in need of management. The proposal instigates a sound programme of structural improvement of the group and will produce a visual benefit to both the public street scene and the properties of both 7 Green Trees and 6A Kendal Avenue.

It is recommended to grant permission to this application on the grounds that the problems suffered justify the need to remove the selected trees. The proposal therefore accords with Local Plan Landscape Policy LL9.

It is recommended that, in the event of Members granting permission to fell these six trees, a condition be attached to the decision notice requiring the replanting of an agreed number of suitable replacements at an agreed location on the site.

In the event of members refusing permission for the trees that are to be felled, it is recommended that a split decision is issued as the pruning element of the proposal is of benefit in its own right.

## **SUMMARY OF REPRESENTATIONS**

EPPING TOWN COUNCIL made no objection provided that the works are supervised by council tree officer.

6A KENDAL AVENUE supports the application as follows:

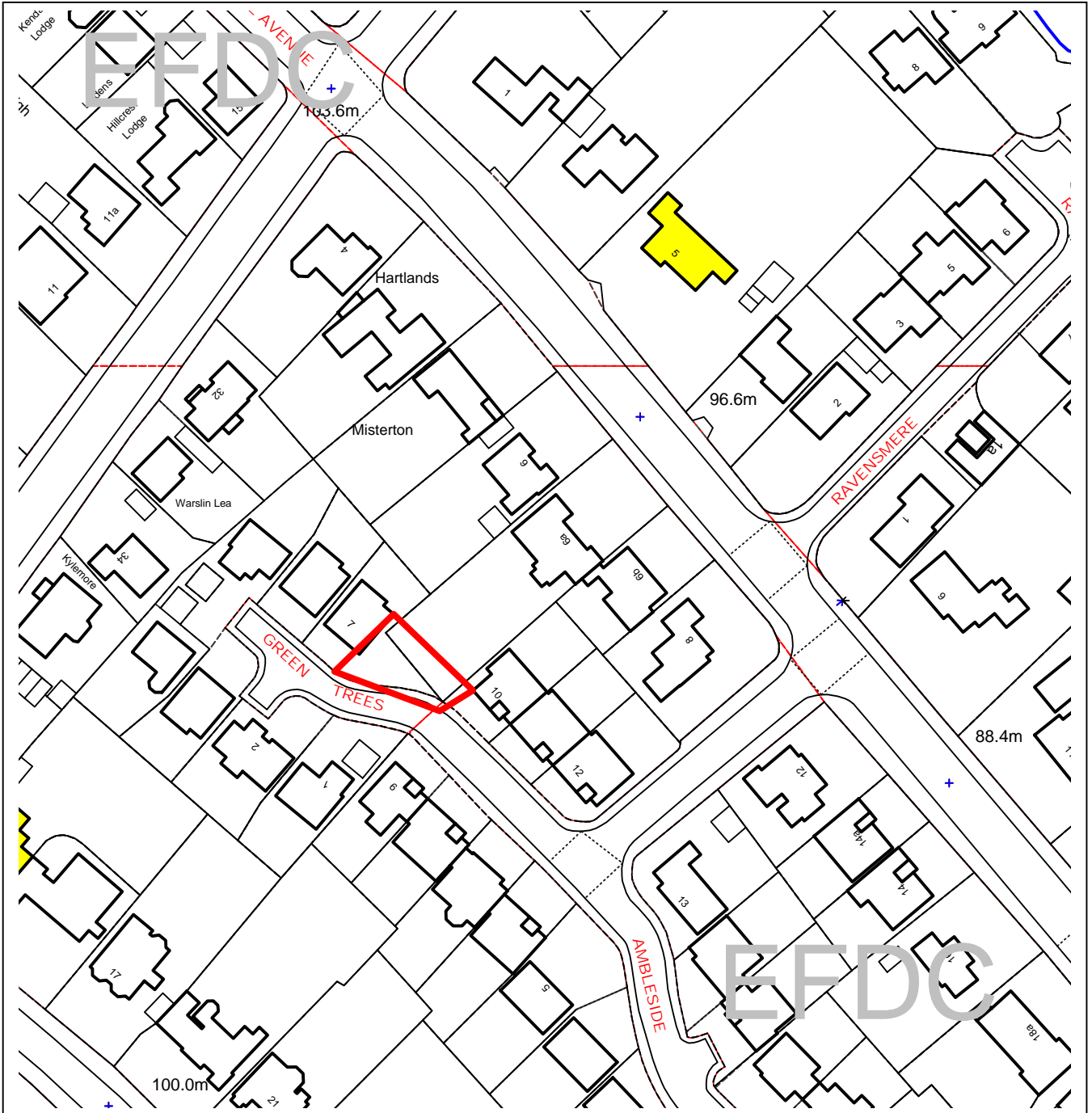
1. Previous attempts to initiate a tree management programme have failed.
2. The trees have been planted too closely resulting in very thin, tall trees, which clash and break off branches
3. The trees are detrimental to the growth of vegetables within my plot and to the paved area because of shade and root invasion.
4. Leaves are a problem and appear to be diseased.
5. By removing six trees the remaining trees will flourish and encourage wildlife activity currently absent at present.
6. This proposal represents proper tree management and preservation for everyone's benefit.





# Epping Forest District Council

## Area Planning Sub-Committee East



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

<b>Agenda Item Number:</b>	1
Application Number:	EPF/0017/09
Site Name:	7 Green Trees, Epping, CM16 4PT
Scale of Plot:	1/1250

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/0006/09
<b>SITE ADDRESS:</b>	22 Lynceley Grange Epping Essex CM16 6RA
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Lindsey and Lindsey and Thornwood Common
<b>APPLICANT:</b>	Mr & Mrs Martin
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of new garage with pitched roof over the north flank of 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 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.

*This application is before this Committee since the recommendation differs from the views of the local town council (pursuant to section P4, schedule A (g) of the Council's delegated functions)*

**Description of Proposal:**

Erection of new garage with pitched roof over on north flank of bungalow.

**Description of Site:**

A bungalow located in the cul-de-sac of Lynceley Grange. Bungalows predominate in this cul-de-sac, with some having rooms in the roof. The site is not in a conservation area.

**Relevant History:**

EPF/1987/08 A certificate of lawful development application, for the erection of a rear dormer window, pitched roof over garage, and storey side extension, was determined to be development requiring planning permission.

EPF/0014/09 Certificate of lawful development application for rear dormer window and single storey extension on southern flank. This revised application has yet to be determined but is likely to be determined as lawful i.e. planning permission not required.

**Policies Applied:**

DBE9 - Loss of amenity;  
DBE10 - Residential extensions.

**Issues and Considerations:**

The application proposes a replacement of a flat roofed garage on the north side of the bungalow with a new garage with pitched roof over to match the profile and ridge height of the existing roof on the bungalow. Although neighbours have not made comments on the application Epping Town Council object, stating that the profile above the garage is an unappealing design in this location, and will give an impression of terracing with adjacent properties. However, in terms of design, the provision of a pitched roof (to match the existing bungalow) as opposed to a flat one is desirable and will improve the appearance of the property. A different angle of pitched roof would also look somewhat unusual, and there is no justification in insisting on such a revision. With regard to terracing effect, this replacement garage and roof over is located one metre away from the side boundary with number 24 Lynceley Grange, and hence a terracing effect cannot result from this development. In any event number 24 is set further back from the road than number 22, and hence the gable ends of each bungalow are not parallel with each other, and this also reduces any impression of any terracing effect.

Building works are well advanced on this property, in part because a rear dormer window associated with loft conversion, and single storey extension on the southern flank, lies within the scope of permitted development.

**Conclusion:**

The appearance and position of this side extension is acceptable and conditional approval is recommended.

**SUMMARY OF REPRESENTATIONS:**

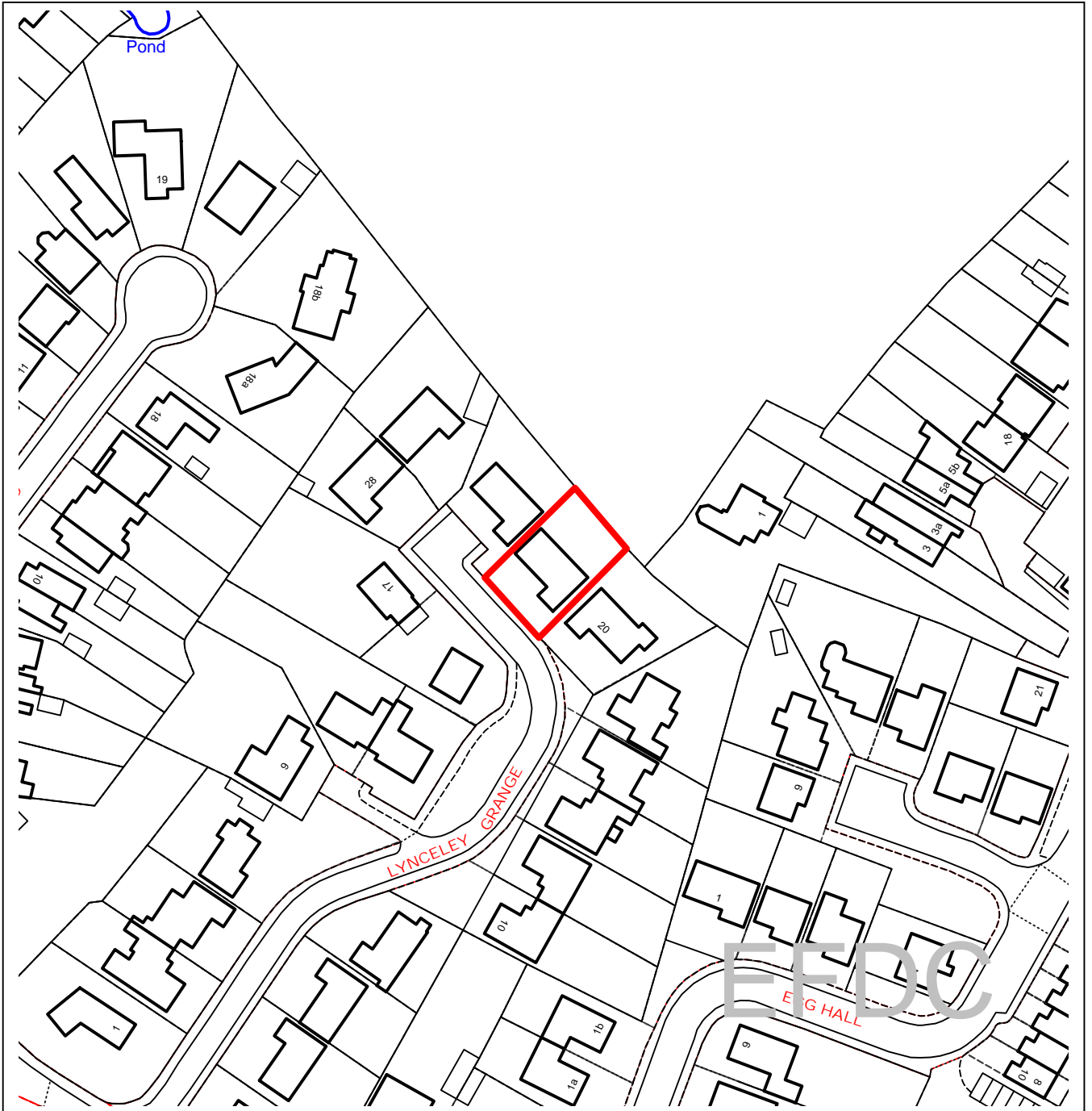
EPPING TOWN COUNCIL – object to this application. The profile above the garage is an unappealing design in this location, and will give an impression of terracing with adjacent properties. Committee request an amendment to the roof profile to reduce the terracing effect.

NEIGHBOURS - no response



# Epping Forest District Council

## Area Planning Sub-Committee East



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

<b>Agenda Item Number:</b>	2
Application Number:	EPF/0006/09
Site Name:	22 Lynceley Grange, Epping CM16 6RA
Scale of Plot:	1/1250

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/0073/09
<b>SITE ADDRESS:</b>	Land to rear 40-62 Hoe Lane Abridge Lambourne Essex RM4 1AU
<b>PARISH:</b>	Lambourne
<b>WARD:</b>	Lambourne
<b>APPLICANT:</b>	Mr James Phillips
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed erection of cattle shelters.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The premises shall be used solely for the shelter of cattle grazed upon the land, and for no other purpose.
- 3 No external lighting shall be installed without the prior written approval of the Local Planning Authority.
- 4 Details of the means of storing and disposing of manure shall be submitted to and approved in writing by the Local Planning Authority and completed in accordance with these details prior to first occupation of the shelter.
- 5 The shelter hereby approved shall be constructed of natural Green profiled sheeting

*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:**

Erection of a cattle shelter. The shelter would comprise a building 16m in length, 5m deep and 3m high with a flat roof. It would be constructed of a lightweight frame and clad in green profiled sheeting. One long side would be open. It would be situated adjacent to a mature hedge.

### **Description of Site:**

A 7.7 hectares plot to the west of Hoe Lane, forming a staggered area from the south of a ribbon of residential development along Hoe Lane to the south of Abridge Park, a mobile home site. Great Downs Farm, which is in separate ownership, is to the west of the site. The site is divided in two by a fence. There is a public footpath through the western side of the site.

The whole site is within the Green Belt, and the site slopes down to the north. There are recently constructed accesses to the field off Hoe Lane which are the subject of an ongoing enforcement investigation. An access track is partially constructed on land south and west of 62 Hoe Lane and is the subject of enforcement action against which an appeal has been made.

A hedgerow on the eastern boundary of the site was removed in early 2008, and subsequently a large amount of demolition waste was deposited on land to the south of No 62 Hoe Lane. Both of these matters are also subject to enforcement action and appeals have been made. The removal of the hedgerow is also the subject of legal action by the Council.

### **Relevant History:**

EPF/0699/08	New Access and gates	withdrawn
EPF/0700/08	Retention of gates, access and fences	withdrawn
EPF/1694/08	Agg determination for new barn	Not Lawful
EPF/1769/08	Agg Workers Dwelling	Refused
EPF/2389/08	Agg determination for cattle shelter	Not Lawful
EPF/2220/08	General Purpose Agricultural Building	Refused
EPF/0055/09	Repositioning of gateway by removal of existing and creation of new gateway and construction of track and removal of existing features. Application received 09/01/09. No decision at time of writing report. Decision due by 06/03/09	

### **Policies Applied:**

#### National Policy

PPS 7 Sustainable Rural Development

#### East of England Plan

SS7 Green Belt

#### Local Plan

CP2	Protecting the quality of the rural environment
GB2A	Green Belt Policy
GB11	Agricultural Buildings
GB7A	Conspicuous development
DBE 1,2, 4	Design
DBE 9	Neighbour Amenity
LL1, 2	Rural landscapes
ST4, 6	Highways

### **Issues and Considerations:**

The main issues in this application are

1. Whether there is an agricultural need for this building and its impact on the Green Belt
2. Design
3. Amenities of neighbouring properties

It should be noted that the ongoing issue of access and tracks to the site is subject of planning applications and enforcement investigation/action.

### Green Belt

The site is currently used for the grazing of a small herd of Cattle which are owned by a local Farmer, who is not the applicant. This is a use which started in the last few months; previously the land had been fallow. The applicant wishes to bring a further 20 animals onto the site.

The applicant wishes to erect a detached open fronted cattle shelter, measuring 5m x 16m with a floor area of 80m<sup>2</sup> and a height of 3m on the eastern edge of the site, in the northern of the two fields on the site. This would provide adequate room for 40 cattle.

The criteria for agricultural buildings in policy GB11 are:

- (i) are demonstrably necessary for the purposes of agriculture within that unit;
- (ii) would not be detrimental to the character or appearance of the locality or to the amenities of nearby residents;
- (iii) would not have an unacceptable adverse effect of the locality or, with regard to water quality and supply, any watercourse in the vicinity of the site;
- (iv) would not significantly threaten any sites of importance for nature conservation.

In this instance it is accepted that there are a small number of cattle on the site (about 20) and that their number may grow in due course. The cattle on the site belong to a local farmer, who has been identified by local residents and the Councils' Planning Enforcement Team, who has a farm about 3km from the site, and who has no other ties to the site. The Council is of the opinion that the previous schemes have been speculative ventures which are not based on any genuine agricultural enterprise, and the applicant has previously admitted as much to Officers in pre application discussions. The herd of cattle appears to have been originally imported by the local farmer on behalf of the applicant to shore up an unsustainable case to erect a new house in the Green Belt and are now part of a longer term plan for the site.

Whilst the Council is still of the opinion that this is not a genuine agricultural business, as explained above, it is accepted that the two fields are used by a local farmer for the grazing of his cattle. This use is not part of a separate genuine and sustained agricultural enterprise on this site. Therefore the use of the land is a genuine agricultural use, but is not a separate farm business.

Therefore the need for this scheme should be assessed on the ongoing agricultural use of the land for cattle grazing. The structure is designed to be used for the shelter of the cattle already on the land and an increase in numbers which is proposed. In the opinion of Officers the use of the land for the grazing of cattle, which is a genuine agricultural use, would justify the erection of a modest structure to provide shelter for the cattle. Therefore it meets criteria (i) of the policy.

With regard to criteria (ii) the shelter is a relatively modest structure which is simple and utilitarian in character and appearance and wholly appropriate in this rural area. In particular the height is modest and acceptable. The impact on the amenities of local residents will be dealt with later in this report.

The siting is acceptable and probably the best location on the site, avoiding the low ground and swampy conditions in winter, the Abridge Park mobile home site and is sufficiently far removed from Great Downs Farm and properties in Hoe Lane. In addition it avoids the sky lining and prominence of a site in the southern field.

Criteria (iii) is met as the scheme has been examined by the Council's Land Drainage Section and Environmental Health Sections and neither has raised any objection. The nearby pond does not have any ingress or egress of water into local drainage ditches.

Criteria (iv) is not relevant in this case.

## *2. Design and Landscape*

The proposed scheme is for a modest and appropriate structure which is typical of modern farm buildings. The structure can be conditioned to be of an appropriate colour and will not have an adverse impact on the openness, character and appearance of the Green Belt in this location.

The siting does not have an adverse effect on the landscape setting of the site due to its siting, design and appearance.

### *Amenity of Neighbours*

The main issue is the impact on the immediate neighbours to the east in Hoe Lane, and Great Downs Farm to the west. They are 150m and 100m distant respectively. At this distance it is considered that there will be no disturbance from either animal noises or smells to the amenities of local residents. Environmental Health has raised no objections to the scheme.

### **Conclusion**

It is therefore recommended that this application be approved for the reasons outlined above.

### **SUMMARY OF REPRESENTATIONS**

LAMBOURNE PARISH COUNCIL – Object: the cubic size of the proposed cattle shelter is disproportionate to the size of the holding. A more suitable plot for the cattle shelters would be further south of the holding to minimise disturbance to neighbouring properties. The size, and in particular the width of 16m of these cattle shelters, would have an unacceptably overbearing impact and intrusive effect on properties which surround the holding and are not associated with the agricultural land. We therefore believe that the cattle shelters are an inappropriate development in the green belt and do not satisfy exceptional circumstances. If, in spite of the above objections, EFDC have a mind to grant permission for this cattle shelter, we request that the position of the cattle shelter be moved further south of the holding to minimise disturbance to the residential properties that are adjacent to this land.

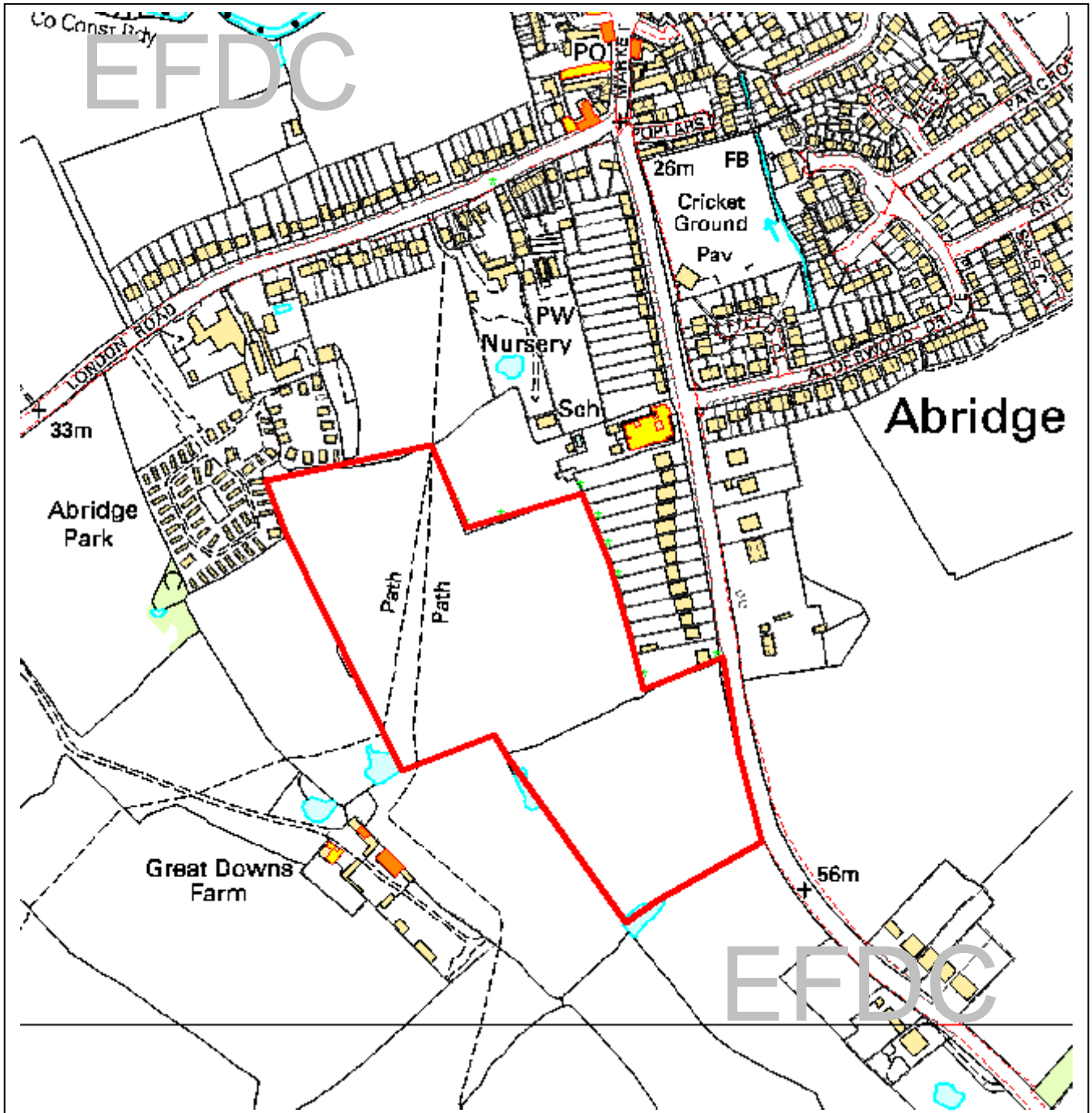
NEIGHBOURS – No response received at the time of writing. Any response received subsequently will be reported verbally.





# Epping Forest District Council

## Area Planning Sub-Committee East



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

<b>Agenda Item Number:</b>	<b>3</b>
Application Number:	EPF/0073/09
Site Name:	Land to rear 40-62 Hoe Lane, Abridge, RM4 1AU
Scale of Plot:	1/5000

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/2367/08
<b>SITE ADDRESS:</b>	29 High Road North Weald Essex CM16 6HW
<b>PARISH:</b>	North Weald Bassett
<b>WARD:</b>	North Weald Bassett
<b>APPLICANT:</b>	Mr Desmond Pitter
<b>DESCRIPTION OF PROPOSAL:</b>	Rear extension part single storey and part two storey. New pitched roof over existing front porch/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 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 extension hereby approved the proposed window openings in the side flank wall facing No. 31 shall be fitted with obscured glass and have fixed frames to a height of 1.7m above the floor of the room in which the window is installed, and shall be permanently retained in that condition.

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

**Description of Proposal:**

Part single storey, part two storey rear extension and new pitched roof over existing flat roof front porch/garage. The rear extension projects by 4m to the rear and the single storey element extends the width of the property (8m). The two storey element follows the line of the existing flank wall adjacent to No. 31 and is 4.6m wide. The existing flat roof porch and garage will be topped with a pitched roof to the front elevation.

### **Description of Site:**

The property is two storey detached property on the north side of the High Road within the built up area of North Weald. This property and the two semi-detached properties to the east (Nos. 31 and 33) were built at the same time and follow a similar design. The property is set slightly lower than No. 31, and also set slightly forward of No. 31 by 1.7m. The property is not within a Conservation Area or the Metropolitan Green Belt.

### **Relevant History:**

No relevant history

### **Policies Applied:**

#### Epping Forest District Local Plan and Alterations

DBE9 – Loss of Amenity

DBE10 – Extensions to dwellings

### **Issues and Considerations:**

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

- Impact on neighbouring amenity
- Appropriateness of Design

#### *Impact on neighbouring amenity*

No. 31 High Road have objected to this application due to the detrimental effect the proposal will have on their property and garden due to the length and height of the flank wall creating an overbearing addition, causing a loss of light to the kitchen and living room. However, No. 29 is set forward of No. 31 and although the extension has a depth of 4m at both ground and first floor adjoining No. 31, the extension will only protrude approximately 2.3m beyond the main rear wall of No. 31.

Although it is recognised that there may be some loss of amenity to No. 31 it is not considered to be excessive enough to justify refusal for this reason. There is also a distance of 2.4m between the two properties which may help to reduce any negative impact.

The proposal will extend some 3.5m beyond the rear wall of 27A which is set forward of No.29. As this proposal is only single storey at the side adjacent to No. 27A, it is not considered to have a detrimental impact on the amenity of this property, particularly as the eaves height is relatively low on the flank wall at 2.2m.

It is not felt that the proposed pitched roof alterations to the front elevation will impact on either neighbouring property.

#### *Appropriateness of Design*

In terms of design the proposal complements the existing house and matching materials to existing are proposed. The rear proposal will not disrupt the appearance of the streetscene as it will not be visible from the road. The Parish Council have objected to this application on the grounds the proposal represents an overdevelopment of the site due to bulk and mass. Although the proposal extends the width of the existing building, it is only 4m deep which is not considered to be overdevelopment of the site given the length of the garden at some 30m+.

Although the pitched roof addition to the front elevation will alter the appearance of this set of three similarly designed properties, the High Road has a mix of designs and it is therefore considered to be an appropriate design.

**Conclusion:**

The proposal does not have a significant detrimental impact on the neighbouring properties to justify a refusal and the design is sufficient to the size of the plot and the character of the existing house. It is therefore recommended that conditional planning permission be granted.

**SUMMARY OF REPRESENTATIONS:**

NORTH WEALD PARISH COUNCIL: Object to this application on the grounds that the proposal by its bulk and mass represents an overdevelopment of the site. If the District Council is minded to grant the application we ask that obscure glass is placed in the windows overlooking the neighbouring property.

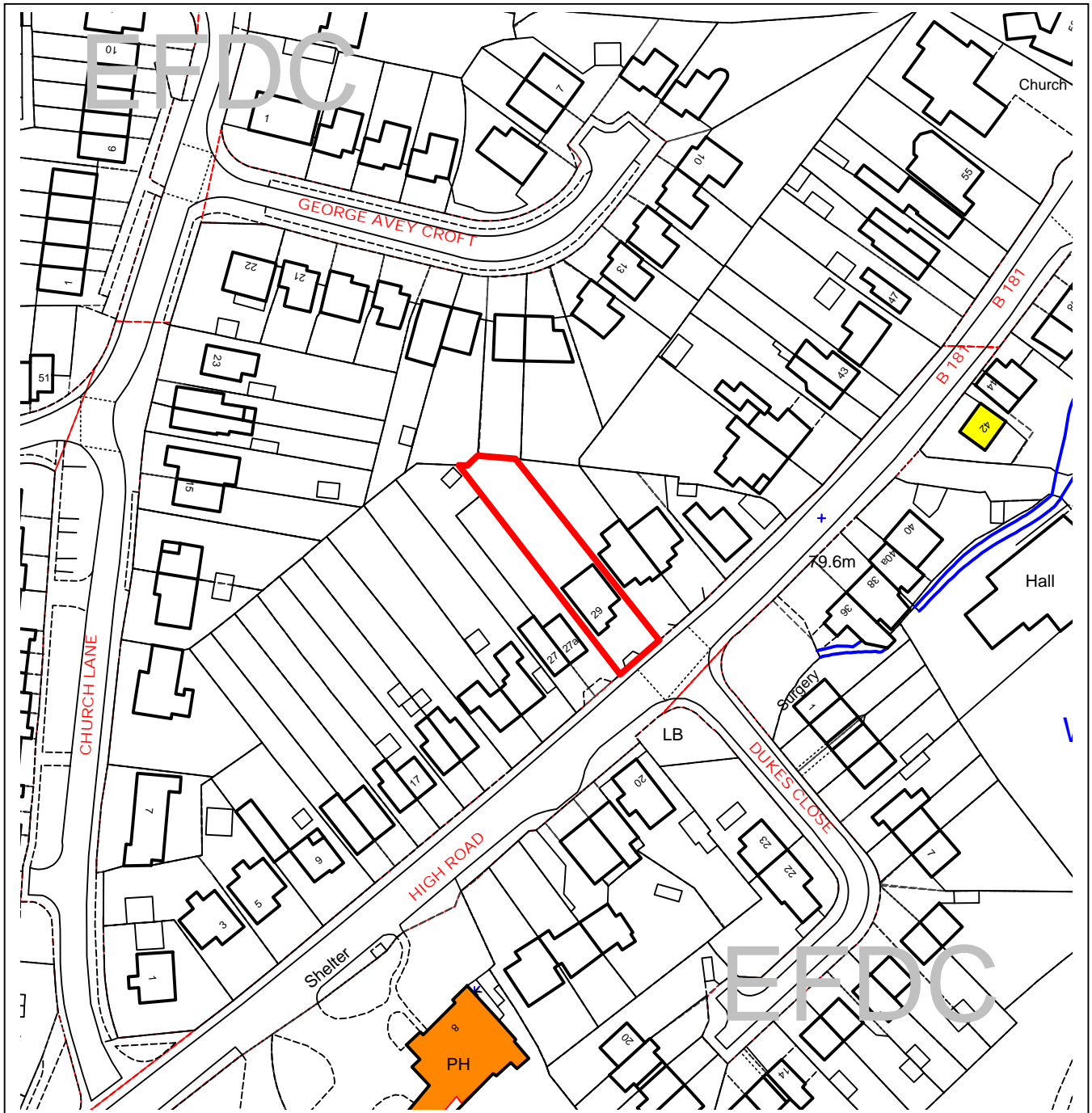
**NEIGHBOURS**

31 High Road - Objection - the extension to the rear will be far too overbearing, the length and height of the brick wall will cause a drastic and unacceptable loss of light to kitchen and living room, the extension is out of proportion compared to the original house.



# Epping Forest District Council

## Area Planning Sub-Committee East



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

<b>Agenda Item Number:</b>	<b>4</b>
Application Number:	EPF/2367/08
Site Name:	29 High Road, North Weald CM16 6HW
Scale of Plot:	1/1250

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/2410/08
<b>SITE ADDRESS:</b>	Wayletts 28 London Road Stanford Rivers Ongar Essex CM5 9QB
<b>PARISH:</b>	Stanford Rivers
<b>WARD:</b>	Passingford
<b>APPLICANT:</b>	Mr & Mrs Calder
<b>DESCRIPTION OF PROPOSAL:</b>	Conversion of outbuilding into annexe accommodation with link extension.
<b>RECOMMENDED DECISION:</b>	Grant Permission Subject to Section 106 agreement

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 The outbuilding shall not be severed or sold separately from the remainder of the site and, on occupation of either the dwellinghouse approved under planning permission EPF/1163/08 or any other dwellinghouse subsequently given planning permission to be erected in replacement of the demolished original house known as Wayletts, shall only be used as ancillary accommodation to that new house.
- 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 No tree, shrub, or hedge which are shown as being retained on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (B.S.3998: 1989).

If any tree shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub, or hedge shall be planted at the same place, and that tree, shrub, or hedge shall be of such size, specification, and species, and should be planted at such time as may be specified in writing by the Local Planning Authority.

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

- 6 Prior to commencement of development, including demolition or site clearance works, a phased contaminated land investigation shall be undertaken to assess the presence of contaminants at the site in accordance with an agreed protocol as below. Should any contaminants be found in unacceptable concentrations, appropriate remediation works shall be carried out and a scheme for any necessary maintenance works adopted.

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

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

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

*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:**

Conversion of two outbuildings into annexe accommodation with link extension. The scheme would see the refurbishment of the existing outbuilding and rebuild of the stable block to the immediate northeast. These would be to the north west of an approved but not yet built main dwelling.

**Description of Site:**

Site of demolished detached building and existing outbuilding located on the north western side of London Road, Stanford Rivers. The chimney of the property was previously listed; however the property burnt down and the chimney has since been de-listed. One of the outbuildings was also listed and again has been recently de-listed.

### **Relevant History:**

EPF/0123/02	Two storey side and single storey rear extension to form granny annexe – refused 01/03/02
LB/EPF/0124/02	Listed building application for a two storey side, single storey rear extension and alterations to form a granny annexe – refused 01/03/02
LB/EPF/2351/03	Grade II Listed Building application for repairs and reinstatement of cellar, ground and first floors due to fire damage – approved/conditions 26/07/04
EPF/2465/04	Reinstatement and reconstruction of fire damaged dwelling; and conversion of outbuildings into living accommodation with erection of link lobby – approved/conditions 01/04/05
LB/EPF/2349/04	Grade II Listed Building application for re-construction of dwelling following fire damage and conversion of outbuildings into residential accommodation – approved/conditions 01/04/05
EPF/0577/08	Erection of replacement house – Refused
EPF/1155/08	Demolish listed building and rebuild outhouse - withdrawn
LB/EPF/1156/08	Listed Building application for above - withdrawn
EPF/1163/08	Erection of replacement house – Approved

### **Policies Applied:**

CP2	Protection of the rural environment
GB2A	Development in the Green Belt
GB7A	Conspicuous development in the Green Belt
GB15A	Replacement Dwellings
DBE1	Design of New Buildings
DBE2	Effect on Neighbouring Properties
DBE9	Loss of Amenity

### **Issues and Considerations:**

The main considerations are:

1. Green Belt
2. Design
3. Neighbour Amenity

The current situation is that there is an existing permission to erect a detached two storey house on the site of the previous house. An appeal is currently ongoing over a refusal of the erection of a larger house on the site.

There are no longer any listed buildings on the site.

The 2004 approved application gave permission for the conversion of the two outbuildings to a very similar scheme to this proposal.

#### **Green Belt**

- The proposal will see the refurbishment of the southern outbuilding, which still exists, albeit mostly as a wooden frame and brick chimney, the erection of a replacement outbuilding on the site of the stables and a link between the two buildings.
- The building will be used as ancillary accommodation to the main house once this is erected, and the applicants have stated that they wish to use the annex as accommodation during the building works, moving out of their current mobile home accommodation.
- The Council has already accepted the principle of the refurbishment, rebuild and ancillary use of the outbuildings in 2004 and this scheme is practically identical in design and footprint with a



few minor changes in the design. The major change is a 1m increase in the height of the roof on the southern, existing, building.

- There are no rooms provided in the roof and the increase in height is designed to give a better appearance to the scheme.
- Therefore, since the principle of the scheme has already been accepted by the Council and it is considered that it is not unreasonable to provide accommodation during the building works for the main house for the family. It can also be required to only be used as ancillary accommodation and not sold off as a separate unit by way of an agreement under s106 of the Town and Country Planning Act 1990. The 2005 permission only sought to achieve this through a planning condition.
- Whilst it is the case that the building is slightly higher than the existing one it is considered that the increase in height, whilst on the edge of what is acceptable, would not result in a harmful impact on the openness and character of the Green Belt in this location.

#### Design

- This is an acceptable design which respects the previous and existing buildings on the site and is in keeping with the rural and Green Belt character of the site.
- Materials can be conditioned

#### Neighbour Amenity

- The site is fairly isolated and is some 55m from the closest neighbouring property, which is on the opposite side of London Road. Due to this the replacement house would have no impact on this neighbour.

#### Other Matters

- There are no highway objections to the scheme

#### **Conclusion:**

The scheme is acceptable in principle, and similar in detail to that already approved, and the design changes and modest increase in roof height do not cause any harm to the openness of the Green Belt. This scheme is not an overdevelopment of the site and is therefore recommended for conditional approval subject to the completion of an agreement under s106 of the Town and Country Planning Act 1990 requiring the building not be severed or sold separately from the remainder of the site and, on occupation of the dwellinghouse approved under planning permission EPF/1163/08 or any other dwellinghouse subsequently given planning permission to be erected in replacement of the demolished original house, to only be used as ancillary accommodation to that new house.

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

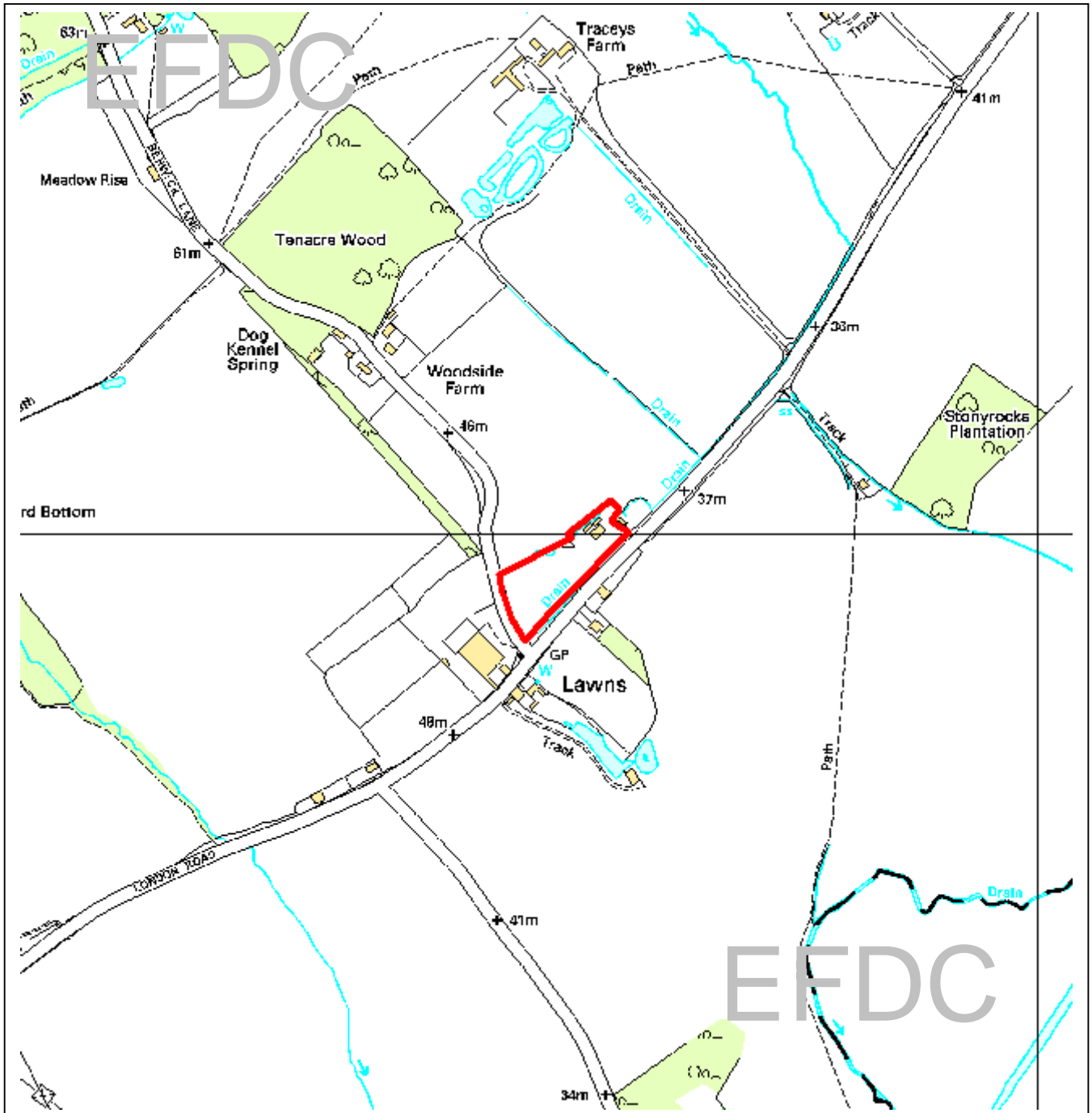
STANFORD RIVERS PARISH COUNCIL – Object, The Council are mindful that no main dwelling exists on the site and is subject to appeal and consideration will not be given to a conversion of annexe accommodation.

NEIGHBOURS – No response received.



# Epping Forest District Council

## Area Planning Sub-Committee East



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

Agenda Item Number:	5
Application Number:	EPF/2410/08
Site Name:	Wayletts, 28 London Road, Stanford Rivers, CM5 9QB
Scale of Plot:	1/7500

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/2433/08
<b>SITE ADDRESS:</b>	56 Morgan Crescent Theydon Bois Epping Essex CM16 7DX
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>APPLICANT:</b>	Mr Darren Byrne
<b>DESCRIPTION OF PROPOSAL:</b>	Two storey rear and side extension with integral garage and single storey rear extension. (Revised application)
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 The eastern flank wall of the single storey rear extension shall be set a minimum of 200mm from the boundary with the attached house, no. 54 Morgan Crescent.
- 4 Prior to first occupation of the building hereby approved the proposed window openings in the first floor flank elevation 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.

*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**

It is proposed to erect single, two storey and first floor side and rear additions to the house. The proposal is a revision of a previously withdrawn application (EPF/2192/08).

A first floor side addition to the front half of the house, a first floor and two storey side extension to the rear half that would extend 3m rear of the rear wall of the house and wrap around the existing rear elevation. That part would be set 2.5m from the boundary with the attached house, 54 Morgan Crescent.

The single storey side addition would take the form of a ground floor projection of the proposed two storey side addition. It would be 1m wide and extend to the boundary with 58 Morgan Crescent.

There would be two distinct single storey rear additions. One would be to the rear of the single/two storey side addition abutting the boundary with 58 Morgan Crescent. It would have a width of 3.5m and project 3.4m beyond the rear of the proposed single/two storey side addition. The other single storey rear addition would infill the area between the boundary with 54 Morgan Crescent and the two storey addition and would have a pitched roof descending towards boundary. The flank wall would be set 200mm from the boundary.

A garage and car port would be removed to accommodate the side additions.

### **Description of Site:**

A two-storey semi-detached house with single storey element to side located on the north side of Morgan Crescent. It has a hipped roof that takes a gable form over the single storey element and includes a small side dormer window. The locality is characterised by a mix of detached and semi detached houses. It does not form part of a conservation area.

### **Relevant History:**

EPF/2192/08 Two storey rear and side extension with integral garage and single storey rear extension. Withdrawn Decision - 17/12/2008.

### **Policies Applied:**

Policy DBE9 – Loss of Amenity  
Policy DBE10 – Design of Residential Extension

### **Issues and Considerations:**

The main issues to consider are any potential loss of amenity, and the design of the extension in relation to the existing building and its setting.

#### **Impact on Appearance of Area**

Policy DBE10 requires residential extensions to complement, and where appropriate enhance the street scene and existing building.

The first floor side addition would alter the shape of the existing roof close to the front elevation but is set back sufficiently to retain the original hip and the front part of the gabled roof over the original single storey side projection of the house. Although the house forms part of a pair the attached dwelling has a large side dormer addition to the side. Since the proposal would retain strong original design elements of the front elevation and having regard to the visual impact of the existing alteration to the attached house, the visual impact of the proposal at the front of the house would be sympathetic to it.

The main bulk of the side extensions would be located 6m rear of the front elevation where its impact on the appearance of the area would be significantly reduced. In design terms it would appear as clearly subordinate to the original house. Furthermore, it would be set 1m from the boundary with 58 Morgan Crescent at first floor, which, together with the large set-back, would ensure the proposal did not contribute to creating any potential terracing effect.

As a whole, the proposed extension would appear as a large but nevertheless sympathetic addition that respects both the character and appearance of the house enlarged and the locality. Consequently it complies with adopted planning policy relating to the design of extensions.

#### Impact on Neighbours' Amenity

Policy DBE9 requires that residential extensions do not lead to excessive loss of neighbour amenity, particularly in respect of their visual impact, overlooking or loss of daylight/sunlight.

The proposal would include two small first floor windows in the flank elevation. They would serve bathrooms and can reasonably be required to be obscure glazed, in which case there would be no overlooking caused to 58 Morgan Crescent. There would be no windows facing no. 56. Consequently, there would be no harm caused to the amenities of either by reason of overlooking.

Although bulky to the rear, the visual impact of the extension on no. 58 Morgan Crescent is mitigated by a detached garage with pitched roof situated adjacent to the boundary in the rear garden of no 58. That building is approximately 4.5m in length while its front elevation approximately aligns with the rear elevation of the existing houses at both 56 and 58 Morgan Crescent. That significantly mitigates any overbearing impact that could be caused by the two storey part of the proposed side extension where it would project rear of the existing rear elevation. Having regard to the degree of separation between the two storey part of the side extension and the house at no. 58, the proposal would not cause loss of light that could be excessively harmful to the amenities of no. 58.

The proposal would not cause any loss of light to no. 54 Morgan Crescent. Furthermore, due to the distance separating the two storey addition from the boundary (2.5m), no harm would be caused by reason of the proposal appearing overbearing.

#### **Conclusion:**

The proposal is a significant enlargement of this property. However, by way of sensitive design the additions would appear subordinate and the house would retain strong original elements of its design. The combination of good design, the orientation of the house and the position of an adjacent garage would result in the extension causing no excessive harm to amenity. Accordingly the proposal complies with adopted planning policy and it is recommended the proposal be approved subject to appropriate conditions to safeguard amenity.

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

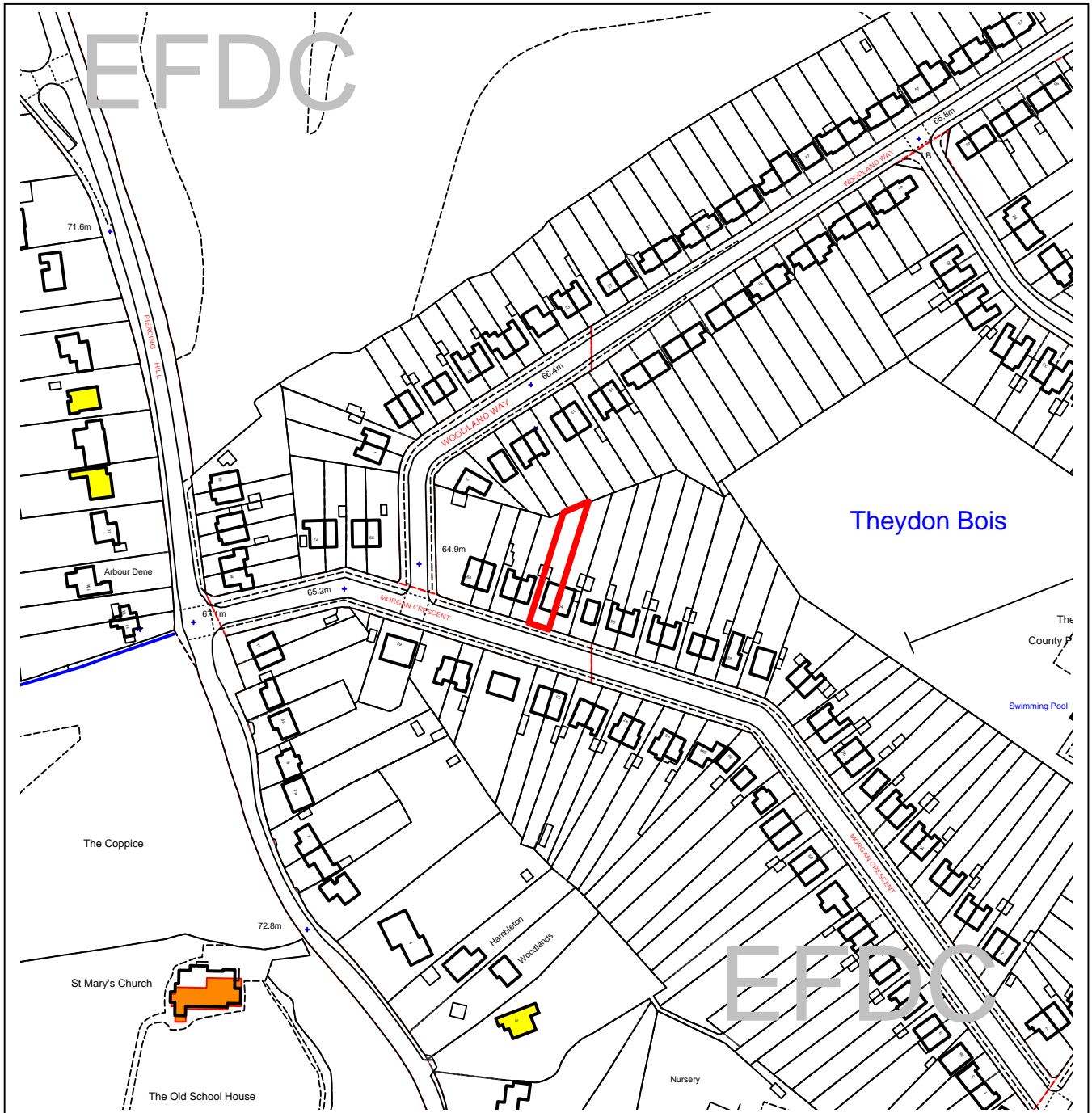
THEYDON BOIS PARISH COUNCIL: Objection. Concern over size and bulk of the development and impact on No 58.

54 MORGAN CRESCENT: Objection. Blocks light to first floor room causing loss of light and view.



# Epping Forest District Council

## Area Planning Sub-Committee East



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

Agenda Item Number:	6
Application Number:	EPF/2433/08
Site Name:	56 Morgan Crescent, Theydon Bois CM16 7DX
Scale of Plot:	1/2500

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/2441/08
<b>SITE ADDRESS:</b>	7a Piercing Hill Theydon Bois Essex CM16 7JN
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>APPLICANT:</b>	Mr Stephen Price
<b>DESCRIPTION OF PROPOSAL:</b>	Two storey rear and side extensions, first floor front extension, new basement to rear and alterations to roof to include loft conversion with dormers to front and rear.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The 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.

- 3 The development shall be carried out in accordance with the amended plans received on 28/01/09 unless otherwise agreed in writing with the Local Planning Authority.
- 4 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.

- 5 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS). The approved measures shall be carried out prior to the first occupation of the building hereby approved and shall be adequately maintained in accordance with a management plan to be submitted concurrently with the assessment..
- 6 Prior to the commencement of development details of screen walls, fences or such similar structures on the boundaries 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.
- 7 Prior to commencement of development, details of screening to be erected on the North side of the proposed terraced areas is to be submitted to and approved in writing by the Local Planning Authority. The development is to be built in accordance with the approved details and retained as such thereafter.

*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 rear and side extensions, first floor front extension, new basement to rear and alterations to roof to include loft conversion with dormers to front and rear.

At the rear, it would project back by 5.4m at basement level, by 4m at ground floor level and by 1.6m at first floor level. Amended plans show the rear elements set 2.2m away from the north side boundary, with no increase to the existing terrace where it is on the north side boundary.

To the south side, it would extend by 1.6m over ground and first floors, leaving 1m to the south side boundary.

The ridge would be raised by 1m to 9.4m. There would be a new front gable feature, a replacement integral garage and a pitched roofed dormer at the front and at the rear.

**Description of Site:**

Large detached property in a row of other large mainly detached properties on the East side of Piercing Hill. It is set on sloping ground, at a raised level to the neighbours at number 8 to the north but lower than number 7 to the south. The site is within the built up area of Theydon Bois, the boundary of the Metropolitan Green Belt being located on the west side of Piercing Hill. The site is not in a conservation area.

**Relevant History:**

EPF/1890/08 Two storey rear and side extensions, first floor front extension and basement, alterations to roof to include loft conversion with dormers to front and rear.  
Withdrawn



### **Policies Applied:**

DBE9	Excessive Loss of amenities for neighbours
DBE10	Design of residential extensions

### **Issues and Considerations:**

The main issues in this application are:

1. Design Considerations
2. The amenities of neighbouring properties

The previous scheme was withdrawn following advice from the Local Planning Authority so as to reduce impacts upon the neighbouring residents. This revised application was further amended so as not to increase the terraced area at the side beyond the existing situation.

#### **Design Considerations**

- The revised frontage would be wider and higher and include a front gable feature and new front dormer, and as such represents a significantly different appearance for the property.
- However, there would be at least 1m left to either side boundary, the height would be in line with the properties either side when taking into account the sloping ground levels.
- Furthermore, the new appearance of the property remains in keeping with the other properties in the row, where there are varied sizes and similar front dormer and front gable features to that now proposed.
- The separation distances to either side would be at least 1m at the front, and this acceptably reduces a potential terracing effect and any possible appearance of overdevelopment of the plot.
- As such, it is considered that the extended property would remain in keeping with the character of the streetscene and would not appear obtrusive.
- The rear elevation, including rear extension, a loft conversion and additional basement, would be significantly larger than at present in terms of height, but it is considered that it is acceptable due to the limited rear projection, the complementary design features and the fact that it is not visible from a highway.
- It is considered necessary to add a condition for details of materials so as to ensure there is no unacceptable impact upon the visual amenity of the area.

#### **Residential Amenity**

- To the front the new front gable would not significantly block the outlook from the front windows of number 8 to the north side, and to the south side it appears that there are no main habitable room windows facing on the side elevation of the neighbouring property, 7 Piercing Hill,. As such it is considered that the front extension and side extension would not significantly affect the amenities of neighbouring residents.
- The rear extension would block some sunlight and have an element of overbearing impact upon the rear aspect of the neighbouring property to the North, 8 Piercing Hill.
- However, and on balance, it is considered that the 2.2m separation distance to the boundary shown in amended plans, coupled with the limited 1.6m rear projection of the extension on the top 2 floors, leaves the level of loss of light and overbearing impact at a level that would not warrant a refusal.
- The potential overlooking from the raised terrace is mitigated in amended plans through the 2.2m separation distance, and a condition is recommended for details of a screen to be submitted so as to limit the potential overlooking yet further.
- There would remain approximately 35m to the boundary of number 63 Morgan Crescent to the rear, and approximately 55m to the actual property itself, and these significant separation distances mean that no unacceptable level of overlooking would result to the rear.

### Other Matters

- It is proposed to add a condition for a flood risk assessment to be carried out, and issues relating to drainage are matters dealt with under alternative legislation.

### **Conclusion**

It is considered that the scheme is an acceptable addition to the area in design terms, and that the level of impact upon the amenities of neighbouring properties is not to an extent as to warrant a refusal, subject to a condition for screening of the rear terraced areas.

### **SUMMARY OF REPRESENTATIONS**

#### THEYDON BIOS PARISH COUNCIL – OBJECTION

We note the revisions to the original application but our original objection still stands in respect of the proposed rear elevations which will result in loss of light and privacy to the neighbouring property, 8 Piercing Hill. In particular, we consider that the proposed height of the terrace to the rear will be harmful to the amenity of the neighbouring property and would result in unacceptable overlooking. The adverse impact on 8 Piercing Hill is exacerbated by the topography of the land, number 8 being situated on much lower ground.

#### 8 PIERCING HILL: OBJECTION:

- Visual intrusion from rear extensions
- Loss of natural daylight and sunlight impacting upon rear windows of number 8.
- Overlooking from patio area and sideways.
- The rear elevation drawing does not show neighbouring properties and as such the effects upon number 8, at a lower level, are not made clear.
- Size of extensions are totally out of keeping with the other properties in the row.
- Flood risk.

#### 9 PIERCING HILL: OBJECTION:

- Risk of flooding.
- Overdevelopment of the site.
- Would look unsightly and overbearing, and out of character in the neighbourhood.

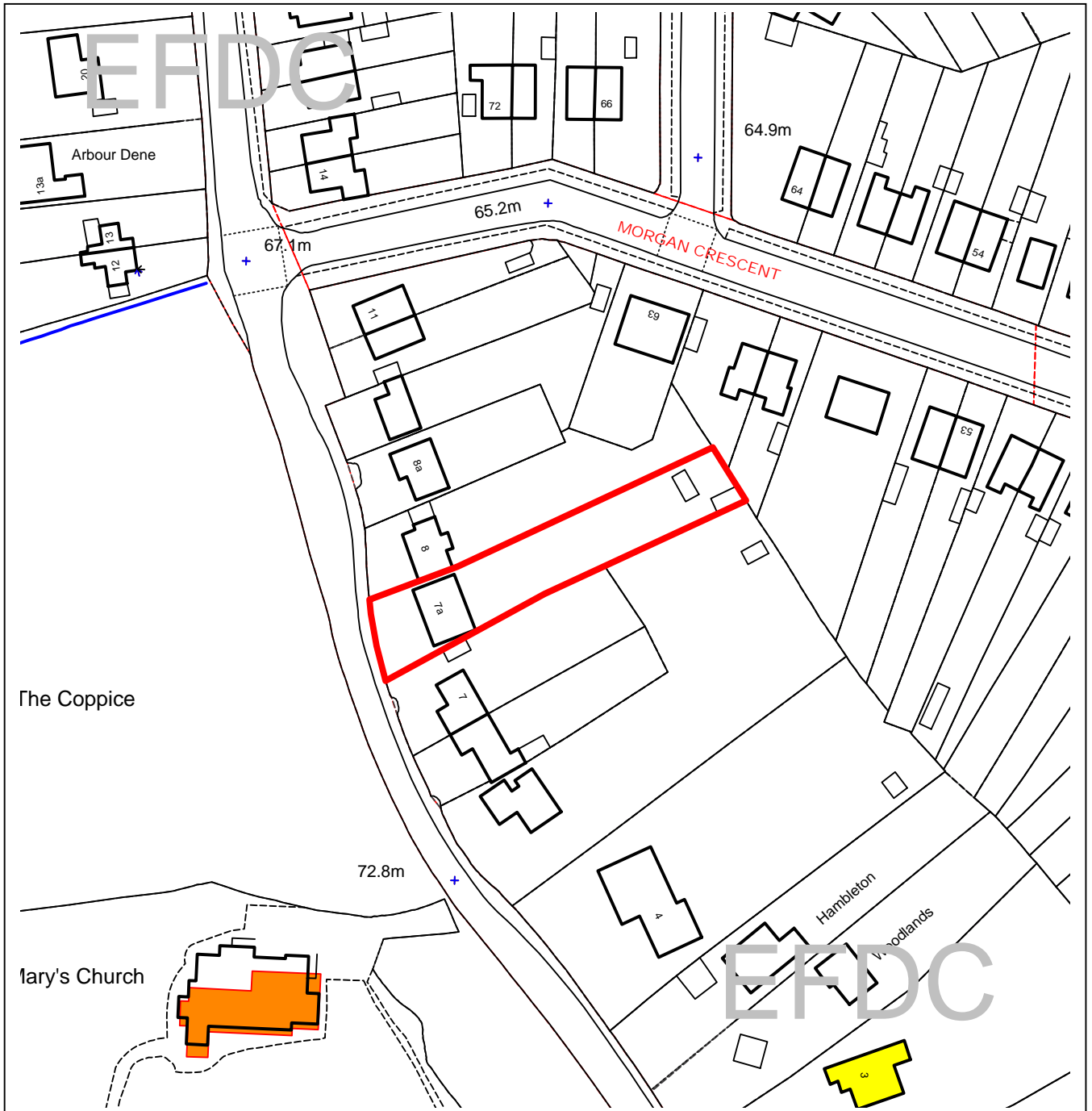
#### 63 MORGAN CRESCENT: OBJECTION:

- Increased overlooking to rear from loft conversion.
- Full drainage survey is required.



# Epping Forest District Council

## Area Planning Sub-Committee East



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

<b>Agenda Item Number:</b>	7
Application Number:	EPF/2441/08
Site Name:	7a Piercing Hill, Theydon Bois CM16 7JN
Scale of Plot:	1/1250

This page is intentionally left blank