

# Committee Agenda



**Webcast  
Meeting**



**Epping Forest  
District Council**

## **Area Planning Subcommittee East Wednesday, 22nd July, 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](mailto:gwoodhall@eppingforestdc.gov.uk) #  
Tel: 01992 564607

Members:

Councillors M Colling (Chairman), G Pritchard (Vice-Chairman), A Green, A Boyce, 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 - 26)**

To confirm the minutes of the previous meeting of the Sub-Committee held on 1 July 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 27 - 46)**

(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.

## 8. DELEGATED DECISIONS

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

## 9. EXCLUSION OF PUBLIC AND PRESS

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

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

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

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

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

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

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

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

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

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

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

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

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

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

### **Can I speak?**

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

### **Who can speak?**

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

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:** 1 July 2009
- Place:** Council Chamber, Civic Offices, High Street, Epping    **Time:** 7.40 -11.05 pm
- Members Present:** M Colling (Chairman), A Boyce, Mrs D Collins, R Frankel, P Gode, A Green, Mrs A Grigg, 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
- Other Councillors:** J Knapman
- Apologies:** G Pritchard and Mrs H Harding
- Officers Present:** N Richardson (Principal Planning Officer), R Hellier (Aboriculturist, Planning Services), J Godden (Planning Officer), E Feathertone (Essex County Council Highways) and M Jenkins (Democratic Services Assistant)
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### 10. WEBCASTING INTRODUCTION

The Chairman informed the Sub-Committee that there was no webcast being made of this meeting because the Webcasting Officer had been called away on urgent business.

### 11. 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.

### 12. MINUTES

#### RESOLVED:

That the minutes of the meeting held on 10 June 2009 be taken as read and signed by the Chairman as a correct record.

### 13. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs J Hedges declared a personal interest in the following items 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 stay in the meeting for the consideration of the application and voting thereon:

- EPF/0649/09 Birch Hall, Coppice Row, Theydon Bois, Epping CM16 7LR

- EPF/0585/09 St John's C of E Secondary School, Tower Road, Epping CM16 5EN
- EPF/0744/09 5 Centre Drive, Epping CM16 4JH

(b) Pursuant to the Council's Code of Member Conduct, Councillors Mrs D Collins, D Stallan and C Whitbread declared a personal interest in the following item of the agenda by virtue of being Portfolio Holders. 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/0736/09 Land adjacent to Hanger 2, North Weald Airfield, Merlin Way, North Weald Bassett, Epping

(c) Pursuant to the Council's Code of Member Conduct, Councillor C Whitbread declared a personal and prejudicial interest in the following item of the agenda. The Councillor had determined that he would leave the meeting for the consideration of the application and voting thereon:

- EPF/0605/09 Wansfell College, 30 Piercing Hill, Theydon Bois, Epping CM16 7SW

(d) 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 an Essex County Councillor. 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/0585/09 St. Johns C of E Secondary School, Tower Road, Epping CM16 5EN

(e) Pursuant to the Council's Code of Member Conduct, Councillor P Gode declared a personal interest in the following items of the agenda, by virtue of being a member of Ongar Town 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/0853/09 40 Landview Gardens, Ongar CM5 9EQ
- EPF/0892/09 Sunnymede, Greensted Road, Ongar CM5 9LG

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

- EPF/0736/09 Land Adjacent to Hanger 2, North Weald Airfield, Merlin Way, North Weald Bassett, Epping

(g) Pursuant to the Council's Code of Member Conduct, Councillor D Stallan declared a personal interest in the following item of the agenda, by virtue of his children having attended the school concerned and also, as an objector to the application had been his wife's employment manager. 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/0585/09 St. John's C of E Secondary School, Tower Road, Epping, CM16 5EN

(h) 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 would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0649/09 Birch Hall, Coppice Row, Theydon Bois, Epping CM16 7LR
- EPF/0605/09 Wansfell College, 30 Piercing Hill, Theydon Bois, Epping CM16 7SW

(i) Pursuant to the Council's Code of Member Conduct, Councillor M Colling declared a personal and prejudicial interest in the following item of the agenda by virtue of having fettered his discretion at a previous meeting. Councillor M Colling said he would be leaving the meeting after exercising his right to address the Sub-Committee under paragraph 12 (1) (a) (i) of the Code of Conduct on the same basis as a member of the public and before any further debate and voting took place:

- EPF/0585/09 St. John's C of E Secondary School, Tower Road, Epping Road, Epping CM16 5EN

#### 14. ANY OTHER BUSINESS

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

#### 15. TREE PRESERVATION ORDER TPO/EPF/0/09 - MAPLE TREE, 5 KENSINGTON GROVE, OAKHILL ROAD, STAPLEFORD ABBOTTS

The Sub-Committee received a report from R Hellier, Assistant Landscape Officer, regarding Confirmation for Tree Preservation Order (TPO/EPF/01/09) at 5 Kensington Grove, Oakhill Road, Stapleford Abbots. It covered one Field Maple tree and was made as part of protection of trees retained on a development comprising 7 properties. An objection to the TPO had been received. The tree was originally protected under Tree Preservation Order TPO/EPF/11/08 but, as a result of a transcription error, had been named as an Oak Tree. The current TPO was for the avoidance of any doubt as to the status of the tree and to ensure that tree protection was effective.

The Members were advised by officers that the plan attached to the agenda for the TPO, was inadequate. It was felt better to defer the item to the next meeting of the Sub-Committee and provide a more an accurate plan.

#### RESOLVED:

That Tree preservation Order TPO/EPF/0/09 – Maple Tree, 5 Kensington Grove, Oakhill Road, Stapleford Abbots, be deferred to the next meeting of the Sub-Committee.

#### 16. DEVELOPMENT CONTROL

**RESOLVED:**

That the planning applications numbered 1 - 11 be determined as set out in the schedule attached to these minutes.

**17. ERECTION OF A DWELLING HOUSE WITHOUT PLANNING PERMISSION AT RED COTTAGE, NEW FARM DRIVE, ABRIDGE RM4 1BU**

The Sub-Committee received a report regarding Erection of a Dwelling House without Planning Permission at Red Cottage, New Farm Drive, Abridge RM4 1BU.

A part single, part two storey 8 bedroom detached house with basement had been built without planning permission on land within the Metropolitan Green Belt. The house replaced a small single storey house. Although planning permission was granted in 2004 for a replacement dwelling with amendments to this approval granted in August 2005, the building constructed was considerably larger and of significantly different design to the approved house.

The house replaced was an extended single storey building with a rectangular footprint having a width of 13m, depth of 7.5m and maximum height of 4m. Its total volume was 315 cubic metres. A comparison of these dimensions, with those of the existing house, revealed that while the width was 1.5m greater, the depth was 25.5m greater, a total increase of 170%. Its height was an average of 4m greater representing a 100% increase. In volume, the new house was approximately 500% larger.

A retrospective planning application retaining the two storey part of the house (on the basis of it being an alteration to the house approved in 2005), together with a separate retrospective planning application for the retention of the single storey part (described as a conservatory), were both refused under delegated powers on 18 May 2009, on the basis that the development caused unjustifiable harm to the Green Belt. Although the owner had split the house in two for the purposes of seeking retrospective planning permission, the house as a whole was built within the last 4 years without planning permission. It was necessary to consider it as a whole when considering the expediency of taking enforcement action against it.

It was advised that the option of securing the demolition of the single storey rear projection only, could be done in the context of considering a planning application retaining the two storey element of the house. Consent being given would include appropriate conditions and an appropriate timescale for submitting a valid planning application. However this option would still leave a house on-site that was disproportionately larger than the house that was replaced. Furthermore such a requirement amounted to giving planning permission for a house without any conditions limiting permitted development rights to extend the house.

Officers had given consideration to requiring that the house be modified to accord with the previous building approved under planning permission. However, the Council's Building Control Manager had advised that it was extremely difficult modifying the building, at a reasonable cost, due to its method of construction. Any such requirement therefore amounted to the demolition of the house and the building of a different house. In the event of an appeal against issue of an enforcement notice, requirement to construct a new house would undoubtedly be beyond what was reasonably required to remedy the harm caused by the development.

The issue of an enforcement notice in this case amounted to interference with the rights of the owner/occupier of the land given under the First Protocol of the European Convention of Human Rights. However there was a fair balance to be struck between individual's rights, the public interests protected by the planning system and those of other persons. It was considered that since the unauthorised house caused clear harm to the Green Belt and rural environment the balance fell against the rights of the owner/occupier of the property. The Council had already refused retrospective planning applications for the development and the owner still had time to submit an appeal against those decisions. The owner would also have a right of appeal against the issue on enforcement notice. The requirement of the notice to remove the dwelling was considered to be the minimum necessary step to remedy the harm caused by it as identified in this report and therefore it was considered to be proportionate.

Some of the Sub-Committee Members felt that the building concerned should be allowed to remain, but with demolition of the single storey extension only. However, equally, Members felt that planning permission having been breached, it was therefore unavoidable that permission should be given for demolition of the entire structure.

When the application was finally considered, Councillors were unable to make a decision. 8 votes were recorded in favour of the recommendation, with 8 votes recorded against the recommendation. The Committee Chairman declined to use his casting vote, and accordingly, the application was referred to the District Development Control Committee. Members did advise that a site visit would be appropriate for the District Development Control Committee members.

**RESOLVED:**

That the Erection of a Dwelling House without Planning Permission at Red Cottage, New Farm Drive, Abridge RM4 1BU, be referred to the District Development Control Committee for consideration.

**18. 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/0649/09
<b>SITE ADDRESS:</b>	Birch Hall Coppice Row Theydon Bois Epping Essex CM16 7LR
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/03/89  T1 (W1) Oak - Fell
<b>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.

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/0585/09
<b>SITE ADDRESS:</b>	St Johns C of E Secondary School Tower Road Epping Essex CM16 5EN
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Lindsey and Lindsey and Thornwood Common
<b>DESCRIPTION OF PROPOSAL:</b>	Reserved matters application (siting, design, external appearance and landscaping) for the demolition of existing school, construction of new secondary school and residential development of 149 dwellings (including 38 affordable dwellings)
<b>DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 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.
- 2 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 3 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
- 4 The radii of the new road off Tower Road shall be the maximum possible, within the land ownership of the applicant and the details of this shall be submitted to, and agreed in writing by, the Local Planning Authority, prior to commencement of development of the residential element of the development.
- 5 Any new planting by the vehicular access to plots 40 and 41 shall be set back outside of a sight splay of 2m x 31m.

- 6 Where existing trees in close proximity to the roadway are retained, details of protective measures to ensure the roadways/footpaths are constructed to an adequate standard shall be submitted to, and agreed in writing by, the Local Planning Authority. The works shall then be completed in accordance with these agreed measures.
- 7 The carriageways of the proposed estate roads shall be constructed up to and including at least road base level, prior to the commencement of the erection of any dwelling intended to take access. The carriageways and footways shall be constructed up to and including base course surfacing to ensure that each dwelling prior to occupation has a properly consolidated and surfaced carriageway and footway, between the dwelling and the existing highway. Until final surfacing is completed the footway base course shall be provided in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or bordering the footway. The carriageways, footways and footpaths in front of each dwelling shall be completed with final surfacing within 12 months from the occupation of such dwelling.
- 8 Any trees proposed within the highway shall be submitted to and agreed in writing by the Local Planning Authority in consultation with the Highway Authority and sited clear of all underground services and visibility sight splays.
- 9 The development, including site clearance, of the proposed residential area and public open spaces (green wedge), 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.

- 10 Prior to commencement of development further details of the proposed drainage for the playing fields shall be submitted (in accordance with the Environment Agency's letter of 1st June 2009) to the Local Planning Authority and agreed in writing. The development shall then be carried out in accordance with the agreed details.

- 11 The garaging and parking spaces shown on the approved plans shall be provided prior to the first occupation of the development and shall be retained thereafter for the parking of residents and visitors vehicles.



**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/0744/09
<b>SITE ADDRESS:</b>	5 Centre Drive Epping Essex CM16 4JH
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>APPLICANT:</b>	Mr Darren Hunt
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed new attached dwelling.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

The Committee's attention was drawn to a further letter of representation from 1 Centre Green

**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 hedgerow shown on the southern boundary of the site shall be retained throughout construction and occupation of the approved dwelling unless otherwise agreed in writing by the Local Planning Authority.
- 4 Prior to the first occupation of the development hereby permitted, there shall be no obstruction within a parallel band visibility splay 2.4m wide as measured from the back edge of the carriageway across the entire site frontage. There shall be no obstruction above a height of 600mm as measured from the finished surface of the access within the area of the visibility sight splays thereafter.
- 5 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/0871/09
<b>SITE ADDRESS:</b>	Tudor Oak 9A London Road Abridge Romford Essex RM4 1UT
<b>PARISH:</b>	Lambourne
<b>WARD:</b>	Lambourne
<b>DESCRIPTION OF PROPOSAL:</b>	Two storey side extension.
<b>DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 The windows shown to be obscured glazed on the approved plans shall be fitted with obscured glazing and fixed shut prior to the first use of the extension and permanently retained as such thereafter.
- 4 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Class A-E shall be undertaken without the prior written permission of the Local Planning Authority.

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/1348/08
<b>SITE ADDRESS:</b>	Matthews Yard Harlow Road Moreton Ongar Essex CM5 0LH
<b>PARISH:</b>	Moreton, Bobbingworth and the Lavers
<b>WARD:</b>	Moreton and Fyfield
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing dwelling and commercial buildings and erection of 8 dwellings including surface water sewer to existing watercourse. (Revised application)
<b>RECOMMENDED DECISION:</b>	Refuse Permission

**REASONS FOR REFUSAL**

- 1 The site is within the area identified in the Epping Forest District Local Plan as Metropolitan Green Belt. The Local Plan and Government Guidance as set out in Planning Guidance Note 2 (Green Belt) is that in order to achieve the purposes of the Metropolitan Green Belt it is essential to retain and protect the existing rural character of the area and that new developments will only be permitted if not disproportionate. The construction of 8 open market dwellings in this location is inappropriate development which will have a detrimental effect to the open character and objectives of the Green Belt. The proposal is therefore contrary to Policies GB2A and GB16A of the Adopted Local Plan and Alterations.
- 2 The proposed development would, by reason of the design, bulk, mass, and siting of the dwellings appear unacceptably dominant and visually intrusive and would be out of character with the surrounding area contrary to Policies DBE1, DBE2 and DBE4 of the Adopted Local Plan and Alterations.
- 3 This is a Green Belt site where the presumption is against the development of new housing. This restraint may be set aside for small scale affordable housing schemes. There is no such on-site provision as part of this planning application, contrary to policies GB16A and H7A of the Adopted Local Plan and Alterations.

**Report Item No:6**

<b>APPLICATION No:</b>	EPF/0736/09
<b>SITE ADDRESS:</b>	Land Adjacent to Hangar 2 North Weald Airfield Merlin Way North Weald Bassett Epping Essex
<b>PARISH:</b>	North Weald Bassett
<b>WARD:</b>	North Weald Bassett
<b>DESCRIPTION OF PROPOSAL:</b>	Temporary (1st July 2009 to 30th June 2010) change of use of land extending the existing wheeled bin storage area. Erection of temporary HERAS fencing.
<b>DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 This permission shall inure until 30 June 2010, following which date all wheelie bins together with the enclosure shall be removed from the site.

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/0853/09
<b>SITE ADDRESS:</b>	40 Landview Gardens Ongar Essex CM5 9EQ
<b>PARISH:</b>	Ongar
<b>WARD:</b>	Chipping Ongar, Greensted and Marden Ash
<b>DESCRIPTION OF PROPOSAL:</b>	Alteration and retention of existing raised decking.
<b>DECISION:</b>	Refuse Permission

**REASON FOR REFUSAL**

- 1 The proposed alteration and retention of the existing raised decking veranda with an extension to the height of the boundary fence results in loss of amenity to the occupants of 5 Kettlebury Way and harms the appearance of the surrounding environment, contrary to policies DBE9 and DBE10 of the Adopted Local Plan and Alterations.

**Report Item No: 8**

<b>APPLICATION No:</b>	EPF/0892/09
<b>SITE ADDRESS:</b>	Sunnymede Greensted Road Ongar Essex CM5 9LG
<b>PARISH:</b>	Ongar
<b>WARD:</b>	Chipping Ongar, Greensted and Marden Ash
<b>DESCRIPTION OF PROPOSAL:</b>	Loft conversion including raising of roof height, front dormers and rear dormer windows with balconies. (Revised application)
<b>DECISION:</b>	Grant Permission (with conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 Notwithstanding the 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.

**Report Item No: 9**

<b>APPLICATION No:</b>	EPF/0713/09
<b>SITE ADDRESS:</b>	Millrite Engineering 151 - 153 London Road Stanford Rivers Ongar Essex CM5
<b>PARISH:</b>	Stanford Rivers
<b>WARD:</b>	Passingford
<b>DESCRIPTION OF PROPOSAL:</b>	Retaining store/forge to front and converting to two bedroom single storey unit, retaining spray and bending building and conversion to a two bedroom bungalow, retaining two, two storey workshops and office building and converting to a four bedroom house. (Resubmitted application)
<b>DECISION:</b>	Grant Permission (subject to 106 agreement)

The Committee agreed to Grant Permission subject to the applicant/developer entering into and signing an s106 agreement regarding the sum of £100,000 for off-site affordable housing, within 6 months of the Committee's resolution.

**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 hereby permitted shall be carried out in accordance with detailed plans and particulars which shall have previously been submitted to and approved by the Local Planning Authority, showing the layout of proposed development including the provision of garaging/visitors' car parking spaces/vehicles loading or unloading, and turning areas, and the siting, design and external appearance of each of the buildings and the means of access thereto.
- 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 Details of foul and surface water disposal shall be submitted to and approved by the Local Planning Authority before any work commences and the development shall be implemented in accordance with such agreed details.
- 5 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Class A-E shall be undertaken without the prior written permission of the Local Planning Authority.

- 6 The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing. The approved scheme shall be implemented within the first planting season following the completion of the development hereby approved.

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

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

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

- 7 Prior to the commencement of the development details of the proposed surface materials for the driveway shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.

- 8 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.

- 9 No development hereby approved shall take place until measures to meet the Council's requirements for affordable housing within the Epping Forest District Council area are secured.



**Report Item No: 10**

<b>APPLICATION No:</b>	EPF/0824/09
<b>SITE ADDRESS:</b>	Oxford Lodge Tysea Hill Stapleford Abbots Romford Essex RM4 1JP
<b>PARISH:</b>	Stapleford Abbots
<b>WARD:</b>	Passingford
<b>DESCRIPTION OF PROPOSAL:</b>	Conversion of existing garage to habitable room and construction of new detached garage block.
<b>DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed garage, shall match those of the adjacent existing house known as Oxford Lodge.

**Report Item No: 11**

<b>APPLICATION No:</b>	EPF/0605/09
<b>SITE ADDRESS:</b>	Wansfell College 30 Piercing Hill Theydon Bois Epping Essex CM16 7SW
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>DESCRIPTION OF PROPOSAL:</b>	Discharge of condition 4 'surface materials and details of car parking', condition 12 ' hard and soft landscaping', condition 14 ' soft landscaping', conditions 15 and 16 ' tree protection measures' on EPF/2464/06.
<b>DECISION:</b>	Approve the details submitted

## AREA PLANS SUB-COMMITTEE 'EAST'

22 July 2009

### INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

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**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/0857/09
<b>SITE ADDRESS:</b>	Gaynes Park Mansions Coopersale Epping CM16 7RJ
<b>PARISH:</b>	Theydon Garnon
<b>WARD:</b>	Passingford
<b>APPLICANT:</b>	AWC Ltd
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/33/91 T31 and T35 Ash, T32 ,T33, T34 and T37 Sycamore - Fell Ash adjacent to side elevation - Fell Sycamore adjacent to 2 Japanese Maples - Fell Sycamore adjacent to T160 and T161 - Crown lift to give 2m clearance over maple Sycamore adjacent to T161 - Fell
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 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.
- 2 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, and shall be inspected by the Local Planning Authority and agreed to be in accordance with the details prior to implementation of the felling hereby agreed, unless varied with a 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, or dies, or becomes seriously damaged and defective another tree of the same species and size of that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

*This application is before committee since all applications to fell preserved trees are outside the scope of delegated powers.*

**Description of Proposal**

Felling of 7 Sycamore and 2 Ash and cutting back of one Walnut (\*see below).

## **Description of Site**

Gaynes Park is a Grade II star listed mansion in the parish of Theydon Garnon. The mansion was rebuilt in the late 19<sup>th</sup> century, incorporating remains of earlier houses on the site; the grounds include the remains of a medieval deer park and its ancient trees. The application trees stand in the gardens adjacent to the house. These gardens are mentioned in the listing details as having been considered 'until quite recently' among the best in Essex. They still include many notable and rare trees, but over the last 25 years have become severely overgrown and invaded by self sown Sycamore and Ash in particular.

## **Relevant History**

Tree Preservation Order TPO/EPF/33/91 was made in 1991 and is in the form of an area order providing blanket protection for all trees present at that time. Because of time restraints and the difficulty of mapping with sufficient accuracy this form of order was preferred to applying individual tree protection only to the most important trees. Had the individual approach been undertaken none of the trees to be felled under this application would have been included.

## **Policies Applied**

LL9. The Council will not give consent to fell a tree protected by a Tree Preservation Order unless it is satisfied that this is necessary and justified ..... any such consent will be conditional upon appropriate replacement of the tree'.

## **Issues and Considerations**

The application may be divided into four groups of trees; 2 Ash and 4 Sycamore to the front of the house; one Ash at the side; 3 Sycamores south of the house and in a group above the pond; and finally one Walnut below the pond. Dealing with these in turn:

### **Group 1 - 2 Ash and 4 Sycamore**

These trees make an informal group, in a line between 2 fine Oak trees running parallel to the front of the House. There are self-seeded trees some 20 to 30 years in age growing above a hedgerow of Laurel. They are not seen from any external vantage point, being surrounded by mature Oak, Lime and other species. Replacement has been suggested by the applicants, with 2 Birch and one Cedar. It is agreed that a less than one-for-one replacement could be appropriate (the space is not large enough for the mature growth of 6 trees), however, the species chosen could be improved by substitution of longer lived species, such as Tulip Trees or Liquidamber instead of the Birch.

### **Ash Tree, to the side**

This 40 year old tree is growing only a few metres from the flank of the property. There is not room for it to grow to maturity in the current situation; to retain it would require substantial crown reductions, it appears likely it has grown up in what was originally a hedge. The tree has no landscape importance and is not visible from any external vantage point. There is a woodland area to the east with many fine trees, which are to be retained and managed.

### **3 Sycamores, in the woodland garden north of the pond**

The 3 Sycamores stand in an area planted with Japanese Maples. These Maples appear to be part of the original landscaping of the formal garden and are of considerable age and importance. Japanese Maples will grow in shade; nevertheless Sycamore is not an ideal tree to stand above

them. Surrounding trees will be retained. The Sycamores concerned have no wider landscape significance and will not be missed from any public vantage point.

#### *\*Walnut south of the pond*

This is a mature tree which became partially uprooted some years ago. The tree is still growing vigorously with a substantial crown. The proposal as submitted was to cut back the part of the crown that had extended horizontally over the pond, and partially obstructed the surrounding footpath. This tree is seen to some extent from the open parkland to the south; however the pruning would not affect the public views of the tree, and would therefore have been recommended for consent.

Unfortunately, however, inspection of the tree showed that the work had been undertaken without waiting for the Council's consent. There is no ability to grant retrospective consent for works to protected trees, therefore this aspect of the application should be treated as having been withdrawn.

#### *Replacement planting*

As noted above, replacement planting is intended for the Ash/Sycamore to the front of the house. It has not been proposed for the other locations. In relation to the Ash tree east of the building, it is not a location where replacement planting is called for because of the proximity to the house, and as noted there is a substantial woodland nearby. In the case of the Sycamores adjacent to the Maples it will be better to allow the Maples to grow freely without being directly under the canopy of stronger growing trees. Members should note, however, that there is a current planning application with substantial replanting proposals, with the proviso, of course, that such planting cannot be enforced until a suitable proposal has been accepted for the mansion and environs and conditions have been imposed.

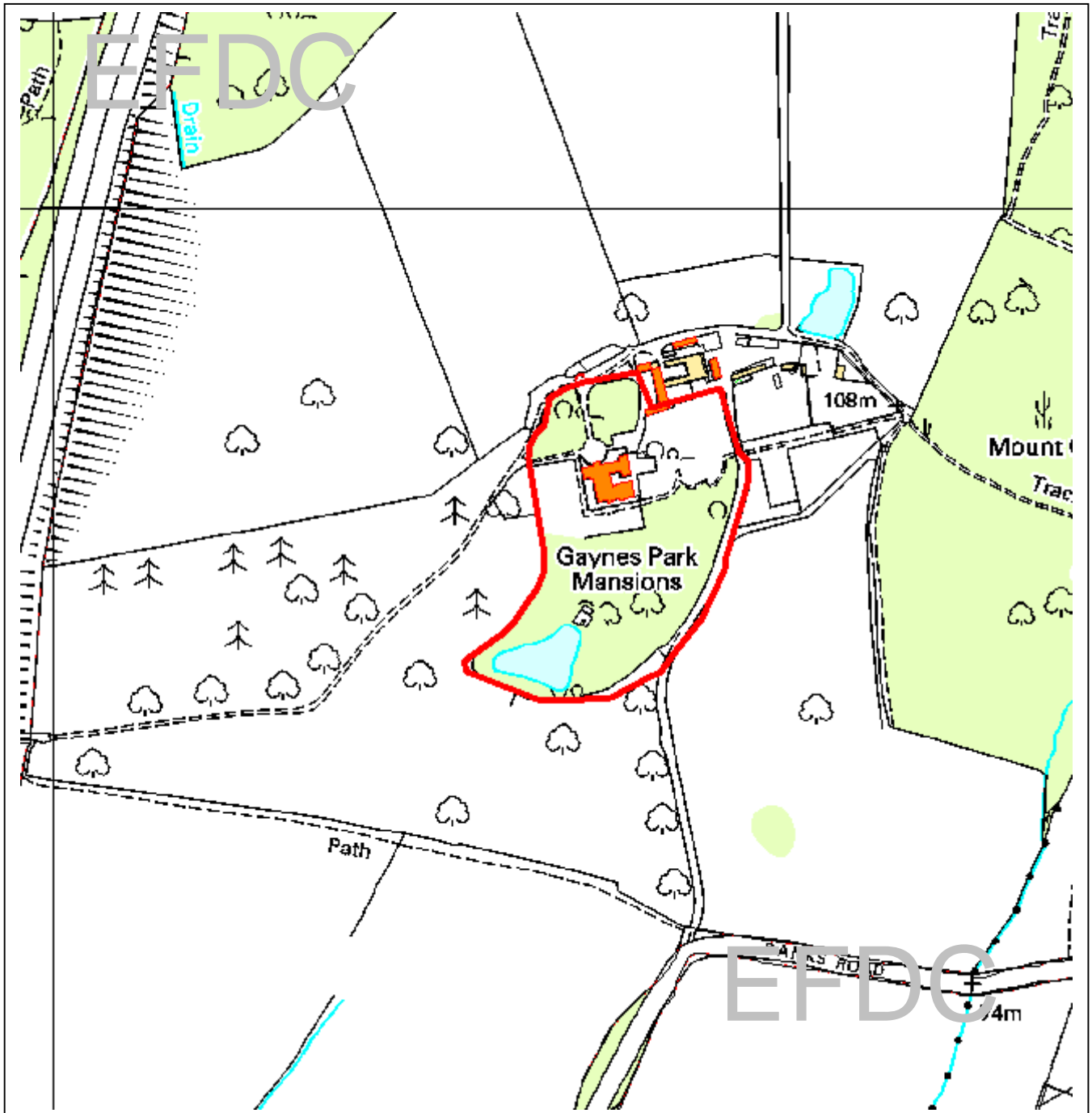
#### **Conclusion**

The proposal is recommended for approval, on the basis that removal of the various self-seeded trees will be to the benefit of the setting of the mansion and, in some cases, of other adjacent trees. It will, in the case of one group of trees, allow more appropriate replanting. The pruning of the Walnut is to the benefit of the tree involved.



# Epping Forest District Council

## Area Planning Sub-Committee East



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Agenda Item Number:	1
Application Number:	EPF/0857/09
Site Name:	Gaynes Park Mansions, Coopersale CM16 7RJ
Scale of Plot:	1/5000



**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/0116/09
<b>SITE ADDRESS:</b>	19-23 High Street Epping Essex CM16 4AY
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Lindsey and Lindsey and Thornwood Common
<b>APPLICANT:</b>	McCarthy & Stone (Dev) Ltd
<b>DESCRIPTION OF PROPOSAL:</b>	Installation of electricity sub-station to comply with utility company (EDF) requirements in connection with approved sheltered housing development.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 The rating level of noise (as defined by BS4142:1997) emitted from the sub station unit shall not exceed 5dB(A) above the prevailing background noise level. The measurement position and assessment shall be made according to BS4142:1997.

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

**Description of Proposal:**

The application seeks permission for the installation of an electricity sub station in connection with the sheltered housing development which was allowed on appeal. The sub station, designed to meet EDF requirements, is to be housed within a brick built pitched roofed structure measuring 3.6m square with an eaves height of about 2.5m and a ridge height of about 4.2m. The building is to be sited 1m from the eastern boundary of the site, about 49m from the road frontage and 4.5m from the rear boundary.

### **Description of Site:**

The wider development site is located on the northern side of the High Street, with residential properties on either side and allotment gardens to the rear. The site is currently vacant following the demolition of the detached houses that previously occupied it. The proposed sub station site is 1m from the rear boundary of number 6 Beech Place. There is an existing 2m high brick wall along this boundary.

### **Relevant History:**

EPF/0468/07. Redevelopment to form 28 sheltered apartments for the elderly, communal facilities, associated car parking and landscaping. Refused but allowed on appeal 7/12/07 subject to conditions.

### **Policies Applied:**

#### Epping Forest District Local Plan and Alterations

CP2 Protecting the quality of the rural and built environment  
RP5A adverse Environmental Impacts  
DBE1 Design and the built environment  
DBE2 Effect on neighbouring properties  
DBE3 Design in urban areas  
DBE9 Loss of amenity

### **SUMMARY OF REPRESENTATIONS:**

TOWN COUNCIL: Objection. Committee object to the siting of this development so close to the residential properties and at 4.5m it will represent an excessively tall building on the boundary of the adjacent residential properties. At the original planning inquiry the developer stated that it would not be necessary to have a sub station on the site and Committee is concerned that this was not one of the reserved issues and may have had a material impact on the decision of the planning inspector. Committee also expressed concern about the potential noise nuisance which may be caused by this development so close to neighbouring properties and the loss of further amenity space for this development which has already suffered some loss due to the imposition of a large fish pond to the rear of the site.

5 neighbouring properties were notified and a site notice was erected. The following responses were received.

1 HIGH ROAD, EPPING – Why was the sub station not shown on the original plans? Will there be a loss of parking spaces? Is the size of sub station required just for the proposed flats or would it be sufficient for future development of the allotment sites to the rear?

3 HIGH ROAD, EPPING – Why was sub station not shown on original plans? The substation will further reduce parking spaces. Is the sub station KVA rating restricted to the size needed for the flats?

15 HIGH ROAD, EPPING – Strongly object. The substation was not considered by the Inspector when the flat development was allowed. The developer told the Inspector that no sub station was planned for the site. Too close to neighbouring homes and gardens, noise issues, harmful effect from sub-stations, loss of 2 parking bays. Number of bays is totally inadequate, further loss of amenity space, the whole site is ugly, industrial and lacking style. Concerned that Inspector's decision was unfounded and based on inaccurate information.

4 BEECH PLACE, EPPING –Strongly object. The bulk will impact directly on 5, 6 and 7 Beech place. Too close to boundary, risk to children in gardens, noise and smell will seriously affect neighbours amenity space. The developers stated at the public inquiry that a sub station was not needed. The position reduces the already inadequate car parking spaces. The position would leave it vulnerable as a prime target to any misfit or terrorist intent on causing maximum mayhem in an enclosed area.

5 BEECH PLACE, EPPING- Strongly object. Too close to boundary with residential properties. Serious health and safety concerns, concerns about noise levels, impact on quality of life. The unit seems larger than is needed for 28 units, why? The loss of 2 parking spaces is not acceptable, already insufficient parking. There are flood risk issues that need to be addressed. My property value will decrease if the development goes ahead.

6 BEECH PLACE, EPPING – Object. Too close to my rear boundary, within touching distance and in direct line of vision from living room and kitchen. Less than 20 feet from the wall of my house. Significantly higher than the wall. Loss of light to my garden and house. Additional noise and potential health risks. Loss of parking is not acceptable as there is already insufficient provision. The sub station is far too big and far too close to current dwellings.

7 BEECH PLACE, EPPING – Strongly object. The developers told the public inquiry the sub station was not needed and it was not on the approved plans. The boundary labelled D-E on the plans belongs to me and I do not want anything erected on this line higher than the current fence height of 5 feet. The substation is substantially larger than is necessary for 28 flats. What is the electrical output of the substation? It is too close to the house and garden, health risks are worrying and buzzing will be detrimental to the use of our garden. Loss of two car parking spaces is not acceptable, already insufficient. The scale of the submitted plans do not reflect the true size of the building as stated in the documents.

A further joint letter on behalf of 4, 5, 6 and 7 BEECH PLACE, reiterating all the above concerns and reiterating objections to the design, bulk layout and impact of the approved scheme has been received.

### **Issues and Considerations:**

Planning permission was granted on appeal for the redevelopment of this site for 28 sheltered flats with associated landscaping and parking back in December 2007 following a Public Inquiry. Although earlier proposals for the site did indicate an electricity sub station may be included, references to it were removed from later plans and did not form part of the scheme that was considered by the planning inspector and therefore need to be the subject of a separate application. The main issues in the consideration of the proposal are therefore:

- Design and siting
- Impact on residential amenity
- Impact on parking and amenity space

### **Design and siting.**

The proposed electricity sub station is to be located nearly 40m back from the High Road and will not have any significant impact within the street scene. It is to be housed within a brick built enclosure to match the approved brick for the main building and will have a pyramid roof of slate, again to match the main roof of the flat development. The design is simple and appropriate for the use. Double access doors are located facing towards the flat development and can be accessed from the parking area. The proposed siting is 1m from the rear boundary of number 6 Beech

Place and will be visible from the gardens and rear windows of that and other properties in Beech Place, but will not be dominant when viewed from any public vantage point.

#### Impact on Residential Amenity.

The proposed enclosure is to be located 1 metre from the rear garden wall of No 6 Beech Place (about 9 metres from the back of the dwelling and about 8m from the nearest corner of No 7 Beech Place). The wall between the application site and No.6 is about 1.8m (6ft) tall. The height of the proposed enclosure to the top of the pyramid roof measures 4.2m. The roof of the building will therefore clearly be visible from the adjacent gardens. However the scale and design of the building is similar to that of a domestic outbuilding or garage and given the intervening boundary wall it is not considered that the building will have an excessively dominant impact that would cause significant harm to residential amenity. The full brick enclosure is intended to reduce noise from the sub station and given the distance to the adjacent dwellings and the additional boundary treatment between the building and the dwellings it is not considered that noise from the sub station would be of a level to cause undue disturbance. A condition can be added to restrict noise levels from the sub station to ensure that there is no harm to residential amenity. Environmental Health Officer has raised no objection to the proposal. It must be remembered that sub stations of this type are found throughout residential areas. This is a standard EDF facility and will be maintained by them.

#### Impact on parking and amenity space.

Many of the objections to the proposal refer to the loss of two car parking spaces from the approved sheltered housing scheme. This is not the case. The approved scheme includes 11 parking spaces and there is a condition requiring the retention of 11 spaces. The proposed sub station building does not result in the loss of any parking bays. The design and access statement submitted with the application mentions that in the event that the sub station equipment needs to be replaced at any time then 2 of the parking spaces would need to be temporarily vacated to enable this. This does not in any way mean that there is an intention to reduce the parking within the site and the loss of spaces would be contrary to the condition on the main planning permission.

The proposal inevitably does take up space within the site and add to the overall level of development, however, the area proposed for the building is an area of land between a parking area and a 1.8m brick wall. It is not an area that would have been actively used as a sitting out area and it is not considered vital to the amenity provision for the proposed flats.

#### Other issues:

##### Flooding

Concern has been raised that the proposal will add to flood risk at the site. The site is not within an identified flood risk zone and given the small scale of the building there is no requirement to submit a flood risk assessment.

##### Size of unit.

Concern has been raised about the size of the sub station proposed. The application states that the development is required to serve the approved scheme and that the brick housing is the smallest possible to accommodate the sub station.

##### Safety

The proposed sub station is a standard EDF Energy facility. It is to be totally enclosed within a locked brick building. It is not considered that the development presents any undue health and safety risks and in any event this would be controlled under other legislation.

##### The Inspector's Decision

Objectors to the proposal have raised concern that in considering the original application for the sheltered flats the development did not include a sub station, and that this was not therefore

considered by the Planning Inspector in his determination of that application. Whilst it is regrettable that the developers chose not to have the sub station included within the original scheme, the fact remains that they are now applying for it and it must be considered on its planning merits.

Query over scale of plans

One neighbour has raised concern that the plans do not reflect the size of the development proposed. In fact the drawings are accurate and truly reflect the measurements quoted in the application and design and access statement.

**Conclusion**

In conclusion, it is considered that the proposed sub station will not cause any significant harm to residential amenity, will not adversely affect the visual amenity of the site and is appropriately designed and located within the site. The proposal is therefore in accordance with the adopted policies of the Local Plan and Local Plan Alterations and is recommended for approval subject to conditions.



# Epping Forest District Council

## Area Planning Sub-Committee East



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Agenda Item Number:	2
Application Number:	EPF/0116/09
Site Name:	19-23 High Street, Epping, CM16 4AY
Scale of Plot:	1/1250

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/0801/09
<b>SITE ADDRESS:</b>	Richmond Bournebridge Lane Stapleford Abbots Romford Essex RM4 1LT
<b>PARISH:</b>	Stapleford Abbots
<b>WARD:</b>	Passingford
<b>APPLICANT:</b>	Mr Graham Spicer
<b>DESCRIPTION OF PROPOSAL:</b>	Two storey front extensions and alterations.
<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 council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions*

**Description of Proposal:**

This application seeks planning permission for a two storey extension to the front of the application property. The extension would be approximately one metre in depth at ground floor level and would bring the first floor out into a gable. The gable would have two windows at first floor level. The other alterations proposed to the dwelling comprise the insertion of an additional roof light in the side elevation at first floor level and an additional window in the side elevation at ground floor.

**Description of Site:**

The application site comprises a detached dwelling located outside of the Metropolitan Green Belt and it's long (in excess of 70 metres) rear garden which is located partly within the green belt boundary. The neighbouring dwelling, Kia-Ora, is of a similar design although there is no further uniformity within the street scene in terms of the style of buildings, There is, however, a noticeable building line, with dwellings in the immediate vicinity of the site being set back a similar distance from Bournebridge Lane. Notwithstanding this the application dwelling is set back from Kia-Ora by approximately one metre (this was checked on site by the Planning Officer following the receipt of

the representation made by the occupiers of this neighbouring dwelling). There is a slight fall in levels across the site from north to south.

### **Relevant History:**

Several applications including:

EPF/1942/03. Two storey rear extension. 11/11/03.

EPF/0525/06. Amendments to EPF/1942/03 for a two storey rear extension with the addition of side dormer windows and rear conservatory. Approved 03/05/06.

### **Policies Applied:**

#### East of England Plan

ENV7 – Quality in the Built Environment

#### Adopted Local Plan and Alterations

CP2 – Protecting the Quality of the Rural and Built Environment

DBE2/9 – Neighbouring Amenity

DBE10 – Residential Extensions

GB7A – Development Conspicuous from the Green Belt

### **Summary of Representations:**

STAPLEFORD ABBOTTS PARISH COUNCIL. Objection. Recommend refusal as the building line would not be in line with neighbouring buildings.

4 properties were consulted and the following response was received:

KIA-ORA BOURNEBRIDGE LANE. Objection. 1. The extension would extend past the boundary line of our property and therefore severely restrict light into our property. This would have an adverse affect on my wife's living as she is partially blind and requires good light to see easily around the house. We would need to use more electricity. 2. The extension being 2-storey with flat face to match rear of their property would be out of character with the surrounding properties and would just as severely impact on light into our main bedroom at the front of our property. 3. The property seems to be overdeveloped from the original size of house.

### **Issues and Considerations:**

The main issues in this case are the impacts of the proposed development on the amenities of the occupiers of neighbouring dwellings and on the character and appearance of the area.

#### Neighbouring Amenity

With regard to the impact of the proposed extension on the amenities of the occupiers of neighbouring dwellings, there has been an objection received from the occupiers of Kia-Ora, the dwelling to the north, on the basis that there would be a material loss of light, particularly to their front bedroom. This neighbouring dwelling extends slightly forward of the application dwelling and as a result, the front extension would project less than a metre beyond the front dormer of Kia-Ora. Having regard to the depth of this projection and bearing in mind that the dormer is positioned towards the centre of the front elevation and is therefore some distance from the proposed extension, it is not considered that any reduction of light or outlook would be material. At ground



floor level, whilst the window is closer to the proposed extension, it is considered again that having regard to the depth of the extension and the separation to the window there would be no material reduction in amenity. The occupier of the neighbouring dwelling is partially sighted and the representation from this property advises that the extension would have a more adverse effect because of this, as the occupier requires good light to see easily. However, whilst there is sympathy with this situation, it is not considered that such individual circumstances carry sufficient weight to justify the refusal of planning permission for this reason.

The additional windows are positioned such that it is not considered that there would be a material loss of privacy to neighbouring property. The change in levels across the site is slight and accordingly it is not considered that there would be any material harm from the ground floor extension. The roof light would be in the upper part of the roof and it is considered that it would be high enough and set at such an angle that there would be no material overlooking.

### Design and Appearance

Turning to the impact of the proposed extension on the character and appearance of the area, as noted previously, there is an established building line running to the front of the application dwelling and neighbouring buildings. However, it is not considered that the marginal increase in the depth of the property (the extension would be approximately 1.1 metres deep) would visually harm this building line, particularly due to the existing set back of a similar distance from the front elevation of Kia-Ora. With regard to the design of the proposed extension, there are other properties within the vicinity of the site which have front gables and accordingly it is not considered that this would be harmful to the street scene.

The representation received from the occupiers of Kia-Ora states that the property seems to be an overdevelopment of the original size of the house. Whilst it is noted that the original dwelling has been considerably extended, the nature of these extensions has been to elongate the original dwelling within the site, this is viewed in the context of neighbouring buildings and also in relation to the site, which is itself of considerable length. Bearing this in mind, it is not considered that the resultant building following this proposed extension would be an overdevelopment.

### Green Belt

The proposed development would be to the front of the dwelling and would not be visible from the Green Belt land to the rear of the property. Accordingly, it is not considered that it would appear conspicuous from the Green Belt.

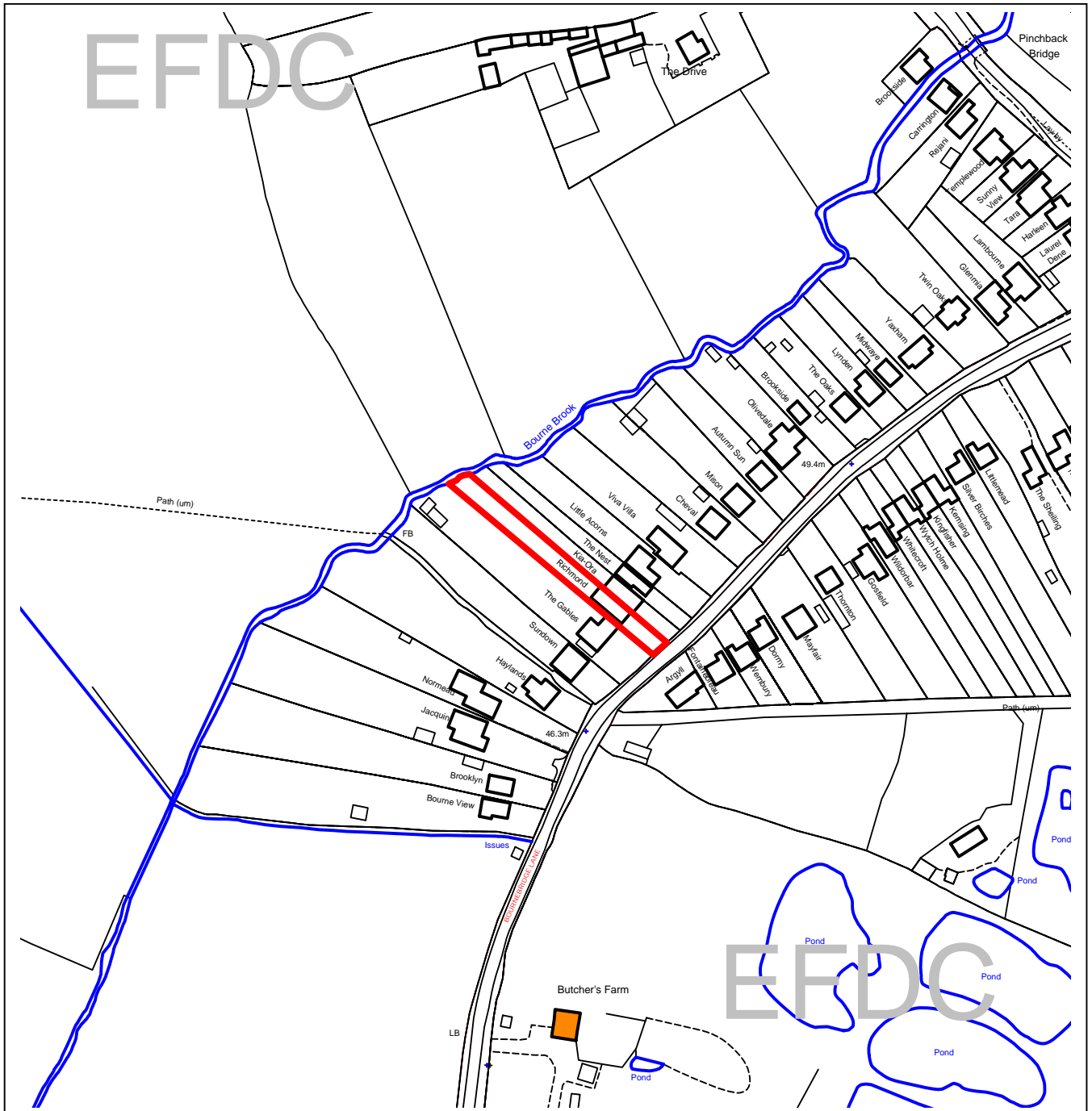
### Conclusion

In light of the above appraisal, it is considered that the proposed extension would not be detrimental to either the amenities of the occupiers of neighbouring dwellings or to the character and appearance of the area. The Parish Council's comments are noted, and the presence of an established building line is acknowledged. However, the application proposes a fairly minor increase in the depth of the property and it is considered that this would be visually acceptable. Accordingly it is recommended that planning permission be granted.



# Epping Forest District Council

## Area Planning Sub-Committee East



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<b>Agenda Item Number:</b>	<b>3</b>
Application Number:	EPF/0801/09
Site Name:	Richmond, Bournebridge Lane Stapleford Abbots, RM4 1LT
Scale of Plot:	1/2500

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/0984/09
<b>SITE ADDRESS:</b>	Indian Ocean Restaurant Coppice Row Theydon Bois Epping Essex CM16 7ES
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>APPLICANT:</b>	Indian Ocean
<b>DESCRIPTION OF PROPOSAL:</b>	Illuminated fascia sign
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The level of luminance for the sign hereby approved shall not exceed 600 candelas per sq.m. at any time.
- 2 The sign hereby approved shall not be illuminated when the restaurant is closed.

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

**Description of Proposal:**

The proposal is for an illuminated sign above the front entrance to the restaurant. The sign would measure 11.5m x 0.85m. The name of the business would be halo lit letters with small letters, such as contact details, on either side of this lit by trough lighting from above. The submitted plans include details of a proposed raised platform, balustrade and awning but this is the subject of a separate application.

**Description of Site:**

The property is currently in use as an Indian Restaurant, with a flat above. An access entryway to the rear of the property exists on the north-west boundary. The area is part of the designated shopping area of Theydon Bois, with the Tesco Express bordering one side of the premises and a row of small independent shops on the other side. The restaurant faces the green across Coppice Row.

**Relevant History:**

The history of the site is relatively extensive, the most relevant and recent being:

EPF/2324/02 - Change of use from florist shop to restaurant. Refuse Permission - 10/01/2003.  
EPF/1384/04 - Change of use from florists to restaurant. Grant Permission (with conditions) - 04/10/2004.  
EPF/0682/05 – Retention of shopfront. Grant Permission - 23/05/2005.  
EPF/0854/08 - First floor rear extension forming additional bedroom to flat. Grant Permission (With Conditions) - 07/07/2008.

**Policies Applied:**

Policy DBE13 - Advertisements

**SUMMARY OF REPRESENTATIONS:**

PARISH COUNCIL: Objection. Out of keeping with other fascias and would result in light pollution contrary to dark skies policy.

3 properties were consulted and the following response was received:

THEYDON BOIS AND DISTRICT PRESERVATION SOCIETY: No Objection, though would recommend a condition limiting levels of luminance.

**Issues and Considerations**

The main issue to consider is any possible impacts the proposed sign would have on the immediate area in terms of design and on neighbour amenity.

**Considerations**

Policy DBE13 advises that illuminated signs should be in keeping with the building in relation to materials, colours and proportion and should not affect the amenity of nearby residential properties.

The sign would replace an existing sign of a similar size and would therefore be acceptable from this perspective. This sign is totally trough lit. The Parish Council have objected, stating that the sign is out of keeping and would result in light pollution. It is considered that although a halo lit sign would be different from existing signs this offers scope for individuality with no significant impact, and no significant deviation from the traditional signs. The proposal can be conditioned to control levels of luminance and this should address any concerns of light pollution. There is a flat above the restaurant; however the same condition should address any concerns of loss of amenity.

**Conclusion:**

The proposed sign would have no significant impact on the appearance of the area and loss of amenity and concerns of light pollution can be controlled by conditions. It is therefore recommended that the application be approved.



# Epping Forest District Council

## Area Planning Sub-Committee East



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<b>Agenda Item Number:</b>	<b>4</b>
Application Number:	EPF/0984/09
Site Name:	Indian Ocean Restaurant, Coppice Row, Theydon Bois, CM16 7ES
Scale of Plot:	1/1250

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