



Epping Forest District Council

AREA PLANNING SUBCOMMITTEE EAST **Wednesday, 14th October, 2009**

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

Room: Council Chamber

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 M Colling (Chairman), G Pritchard (Vice-Chairman), A Green, A Boyce, Mrs D Collins, R Frankel, P Gode, 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

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 - 32)

To confirm the minutes of the last meeting of the Sub-Committee held on 23 September 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 33 - 80)

(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):

<i>Agenda Item No</i>	<i>Subject</i>	<i>Exempt Information Paragraph Number</i>
<i>Nil</i>	<i>Nil</i>	<i>Nil</i>

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

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

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

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

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

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

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Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

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

When and where is the meeting?

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

Can I speak?

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

Who can speak?

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

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

Such members are required to speak from the public seating area and address the 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. 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:** 23 September 2009

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 10.02 pm

Members Present: M Colling (Chairman), A Green, Mrs D Collins, R Frankel, P Gode, Mrs A Grigg, Mrs M McEwen, R Morgan, J Philip and B Rolfe

Other Councillors:

Apologies: G Pritchard, A Boyce, Mrs H Harding, Ms J Hedges, D Jacobs, D Stallan, C Whitbread, Mrs J H Whitehouse and J M Whitehouse

Officers Present: A Hall (Director of Housing), S Solon (Principal Planning Officer), R Rose (Senior Lawyer), C Neilan (Conservation Officer), J Cordell (Senior Planning Officer), M Jenkins (Democratic Services Assistant) and R Perrin (Democratic Services Assistant)

43. WEBCASTING INTRODUCTION

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

44. 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.

45. MINUTES

RESOLVED:

That the minutes of the meeting held on 2 September 2009 be taken as read and signed by the Chairman as a correct record.

46. 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.

47. DECLARATIONS OF INTEREST

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

- EPF/0081/09 Former Parade Ground, Merlin Way, North Weald;
- EPF/0291/09 Land off York Road, North Weald;
- EPF/1311/09 Land adjacent 68 York Road, Blenheim Way, North Weald;
- EPF/1400/09 Threeways, Foster Street, North Weald Bassett; and
- EPF/1242/09 Land behind Charnwood Dale, Weald Bridge Road, North Weald

(b) Pursuant to the Council's Code of Member Conduct, Councillor Mrs D Collins declared a personal interest in the following items of the agenda by virtue of knowing the applicant. The Councillor had determined that her interest was not prejudicial and would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/0840/09 and EPF/0841/09 Nether Hall, Moreton, Ongar

(c) Pursuant to the Council's Code of Member Conduct, Councillor J Phillip declared a personal interest in the following item 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/1267/09 Indian Ocean Restaurant, Coppice Row, Theydon Bois

(d) Pursuant to the Council's Code of Member Conduct, Councillor R Morgan declared a personal interest in the following items of the agenda, by virtue of knowing the applicant. 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/0840/09 and EPF/0841/09 Nether Hall, Moreton, Ongar

48. ANY OTHER BUSINESS

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

49. DEVELOPMENT CONTROL

RESOLVED:

That the planning applications numbered 1 - 13 be determined as set out in the schedule attached to these minutes.

50. 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

APPLICATION No:	EPF/1180/09
SITE ADDRESS:	82 - 84 High Street Epping Essex CM16 4AE
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	Covered access to existing front entrance to office and ground floor extension to restaurant. (Revised application)
DECISION:	Granted Permission (with Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 No demolition/conversion or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

Report Item No: 2

APPLICATION No:	EPF/0840/09
SITE ADDRESS:	Nether Hall Moreton Ongar Essex CM5 0JA
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
DESCRIPTION OF PROPOSAL:	Retention of first floor and single storey rear extensions, roof alterations and removal of sun room.
DECISION:	Granted Permission

CONDITIONS:

None

Report Item No: 3

APPLICATION No:	EPF/0841/09
SITE ADDRESS:	Nether Hall Moreton Ongar Essex CM5 0JA
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
DESCRIPTION OF PROPOSAL:	Grade II listed building application for the retention of first floor and single storey rear extensions, roof alterations and removal of sun room.
DECISION:	Granted Permission

CONDITIONS:

None

Report Item No: 4

APPLICATION No:	EPF/0081/09
SITE ADDRESS:	Former Parade Ground Merlin Way North Weald Epping Essex CM16 6HT
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
DESCRIPTION OF PROPOSAL:	Reserved matters application for the construction of 126 no. two, three and four bedroom apartments and houses with associated roads, parking, ancillary buildings and landscaping.
DECISION:	Granted Permission subject to completion of a Deed of Variation

The committee approved this application subject to the completion of a deed of variation to the S106 agreement with planning permission EPF/1655/02, requiring construction traffic to access the site from the A414 via Merlin Way only and to require the developer carries out his best reasonable endeavours to secure grant funding for additional affordable housing from the Homes and Communities Agency.

CONDITIONS

- 1 Prior to the commencement of construction the applicant shall submit and have approved in writing by the Local Planning Authority a Construction Method Statement. This statement shall include detail of the phased order of construction, site storage compound, contractor and visitor parking and location of wheel washing facilities. This statement shall set out working hours for contractors operating on site and detail of any Membership to a Considerate Constructors Scheme. Work shall then be carried out in accordance with the approved statement.
- 2 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.
- 3 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.

- 4 The development, including site clearance shall be carried out in accordance with the details submitted as part of the application comprising:
- Revised Arboricultural Report dated 16th June 2009
 - EA-982-1900 Rev H Planting Plan
 - EA-982-1903 Rev C Landscape Master Plan
 - GR15 Tree Pits System Installation
 - 6325-001 Rev C - Tree Constraints Plan
 - 1111-001 Rev I - Tree Removal and Protection Plan
- The approved details shall be implemented within the first planting season following the completion of the development hereby approved.
- 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 landscaping shall be carried out in accordance with the above details, unless the Local Planning Authority has given its prior written consent to any variation.
- 5 The methods of refuse storage and disposal shall be carried out in accordance with the approved details contained within:
- Drawing 7239/87 Rev A - Bin Store
 - Drawing 7239/88 Rev C - Bike and Bin Stores to flats
 - Drawing 7239/90 Rev F - Site Plan - Bin Collection diagram
- No departure shall be made from the approved detail unless otherwise agreed in writing by the Local Planning Authority.
- 6 The developer shall provide a schedule of tenure of the occupied units onsite at the end of March 2011 and upon the occupation of the last unit onsite.
- 7 Prior to the commencement of construction details are to be agreed showing accurate dimensions of the size 3 turning heads in accordance with the Essex Design Guide: one to the front of plots 30/31 and one by the parking for plots 21 and 10, and the works shall be carried out in accordance with the agreed details.
- 8 Prior to commencement of construction, details of traffic calming features within the site shall be submitted to and approved in writing by the Local Planning Authority, and the development shall be completed in accordance with the approved details.
- 9 No unbound material shall be used in the surface finish of any driveway within 6m of the highway boundary to the individual properties.

- 10 The carriageway of the proposed estate road shall be constructed up to and including at least base level, prior to the erection of any dwelling intended to use the access. The carriageway and footpaths 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 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 twelve months from occupation of the dwelling.
- 11 The principal access to serve the development shall be constructed as shown on the approved plans prior to the construction of any dwelling.
- 12 Prior to commencement of development, details of levels shall be submitted to and approved by the Local Planning Authority showing the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 13 Prior to further demolition and the clearance or groundworks in the area of the former Operations Centre to the North-East of the Parade Ground the developer shall secure a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Report Item No: 5

APPLICATION No:	EPF/0291/09
SITE ADDRESS:	Land off York Road North Weald Essex CM16 6HT
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
DESCRIPTION OF PROPOSAL:	Erection of electrical substation and construction of hard-standings for car parking.
DECISION:	Granted Permission (With Conditions)

CONDITIONS

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

- 2 The development, including site clearance shall be carried out in accordance with the details submitted as part of the application comprising:
 - Revised Arboricultural Report dated 16th June 2009
 - EA-982-1900 Rev H Planting Plan
 - EA-982-1903 Rev C Landscape Master Plan
 - GR15 Tree Pits System Installation
 - 6325-001 Rev C - Tree Constraints Plan
 - 1111-001 Rev I - Tree removal and Protection PlanThe approved details shall be implemented within the first planting season following the completion of the development hereby approved.

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 landscaping must be carried out in accordance with the above details, unless the Local Planning Authority has given its prior written consent to any variation.

- 3 Prior to the commencement of works the applicant shall submit and have approved in writing by the Local Planning Authority a Construction Method Statement. This statement shall include detail of the phased order of construction, site storage compound, contractor and visitor parking and location of wheel washing facilities. This statement shall set out working hours for contractors operating onsite and detail of any Membership to a Considerate Constructors Scheme.

- 4 No development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

- 5 Prior to the demolition of the Stand by Set house/substation structure, the developer shall secure a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

Report Item No: 6

APPLICATION No:	EPF/1311/09
SITE ADDRESS:	Land adjacent 68 York Road Blenheim Way North Weald Essex CM16 6HT
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
DESCRIPTION OF PROPOSAL:	The construction of hardstanding for car parking
DECISION:	Deferred

The Committee deferred a decision on this proposal to seek a revised proposal that secures the retention of a tree on the land.

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Prior to the commencement of works the applicant shall submit and have approved in writing by the Local Planning Authority a Construction Method Statement. This statement shall include detail of the phased order of construction, site storage compound, contractor and visitor parking and location of wheel washing facilities. This statement shall set out working hours for contractors operating onsite and detail of any Membership to a Considerate Constructors Scheme.
- 3 Prior to the commencement of the development details of the proposed surface materials for the parking area 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.

Report Item No: 7

APPLICATION No:	EPF/1400/09
SITE ADDRESS:	Threeways Foster Street North Weald Bassett Epping Essex CM17 9HR
PARISH:	North Weald Bassett
WARD:	Hastingwood, Matching and Sheering Village
DESCRIPTION OF PROPOSAL:	Change of use of land from agricultural to residential curtilage.
DECISION:	Granted Permission (With Conditions)

CONDITIONS

- 1 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 E shall be undertaken without the prior written permission of the Local Planning Authority.
- 2 Within 28 days of the date of this permission, the triangular area of land to the southwest of the application site shown outlined in blue on the block plan of drawing number 1023/01 shall be separated from the curtilage of Threeways by a fence between 1 metre and 2 metres high. The fence shall thereafter be permanently retained and the triangular area of land shall not be used for any purpose ancillary to the use of Threeways as a dwellinghouse including as a garden or for open storage. No structures shall be stationed and no buildings shall be erected on the triangular area of land.

Report Item No: 8

APPLICATION No:	EPF/1242/09
SITE ADDRESS:	Land behind Charnwood Dale Weald Bridge Road North Weald Essex CM16 6AU
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
DESCRIPTION OF PROPOSAL:	Removal of existing dwelling and erection of replacement including ancillary works.
DECISION:	Granted Permission (with conditions)

The Committee considered the location of the site in a built up enclave in the Green Belt, the need to provide accommodation facilitating modern living standards, the restricted visibility of the site and the removal of the existing house together with outbuildings, when taken together amounted to very special circumstances that outweighed the harm caused by the development being inappropriate in the Green Belt.

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 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.

- 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.
- 4 Within 6 months of substantial completion or occupation of the house hereby approved, whichever happens first, the existing house shown to be demolished on drawing number 2774/1 together with all but one outbuilding on the site shall be demolished and all resulting materials, including materials of their foundations, shall be removed from the site. The outbuilding to be retained shall be agreed in writing prior to the commencement of the development.
- 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 Classes A, B & E of Part 1, Schedule 2 shall be undertaken without the prior written permission of the Local Planning Authority.

Report Item No: 9

APPLICATION No:	EPF/0976/09
SITE ADDRESS:	Land at The Maltings Waterside Place Sheering Lower Road Sheering Essex CM21 9RF
PARISH:	Sheering
WARD:	Lower Sheering
DESCRIPTION OF PROPOSAL:	Erection of detached block containing nine, two bedroom apartments and ancillary works.
DECISION:	Granted Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development shall be carried out in accordance with the amended plans received on 11/08/09 unless otherwise agreed in writing with the Local Planning Authority.
- 3 Prior to occupation of the building hereby approved:
 1. The existing car park bays shown within the area edged blue on Plan Ref: 2 shall be marked out in brick as 2.4m wide bays and re-gravelled in accordance with details agreed in writing by the Local Planning Authority.
 2. Details of the works to the trees and proposed lighting columns shown on Plan Ref: 12 shall be submitted to and agreed in writing by the Local Planning Authority, and carried out prior to occupation of the development hereby approved.
 3. A scheme to carry out necessary works to prevent flooding and pooling of water on the existing parking area within the area edged blue on Plan Ref; 2 shall be implemented in accordance with details previously submitted to and approved in writing by 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. This shall include the bricks to be used to mark out the car park area.
- 5 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

- 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.

- 7 The development hereby permitted shall be carried out in accordance with the submitted Flood Risk Assessment (Waterco, May 2009).

- 8 Prior to commencement of the development details of the proposed refuse and bicycle store shall be submitted to and agreed in writing by the Local planning Authority, and shall be carried out and retained in accordance with the agreed details.

- 9 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. This shall include the trees located within the blue line indicated on Plan Ref: 2.

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.

- 10 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.

- 11 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: 10

APPLICATION No:	EPF/1267/09
SITE ADDRESS:	Indian Ocean Restaurant Coppice Row Theydon Bois Epping Essex CM16 7ES
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Installation of raised patio with balustrade and awning. (Revised application)
DECISION:	Granted Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 There shall be a minimum distance of 1.85m between the patio and bollards adjacent to the highway.
- 3 No part of the awning hereby approved shall project beyond the approved patio area, and the awning shall be maintained at a minimum height of 2.2m above ground level.
- 4 No food or drink shall be served on the patio and no tables or chairs shall be placed on the patio between 23.00 and 08.00 the following day.

Report Items Nos: 11 & 12

ITEM 11 APPLICATION No:	EPF/1007/09
SITE ADDRESS:	Gaynes Park Mansion Banks Lane Theydon Garnon Epping Essex CM16 7RJ
PARISH:	Theydon Garnon
WARD:	Passingford
DESCRIPTION OF PROPOSAL:	Conversion of existing Grade II* Mansion into 7 no. flats, new rear garage block,. 4 no. new build houses as enabling works and associated landscape works and restoration.
DECISION:	Granted Permission (Subject to S106 agreement, conditions, and the views of the Secretary of State)

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 At least 48 hours prior notice shall be given to the Archaeological Advisory Group of Essex County Council of the date works will be commenced on this site or any part thereof, and persons authorised shall be afforded access for inspection of the site, and for carrying out works of excavation for the purpose of recording any features thereon of historical or archaeological significance.
- 3 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
- 4 The enabling development hereby permitted shall only be carried out in accordance with detailed plans and particulars which shall have previously been submitted to and approved by the Local Planning Authority. Such details shall show the existing and proposed site levels, layout, scale and appearance of the buildings, access details for the development and landscaping.
- 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 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.
- 7 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 Classes A, B, C, D and E of Part 1 of Schedule 2 to the Order, and Class A of Part 2 of Schedule 2 to the Order, shall be undertaken without the prior written permission of the Local Planning Authority.
- 8 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.

- 9 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.
- 10 Within 3 months of the grant of this permission details of earthworks shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of the proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.
- 11 Within 3 months of the grant of this permission a tree protection plan, to include all the relevant details of tree protection shall have 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.

- 12 Within 3 months of the grant of this permission a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing. The approved scheme shall be implemented within the first planting season following the completion of the development hereby approved.

The scheme must include details of the 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.

- 13 Prior to the commencement of the development details of the proposed surface materials for the parking areas, driveways and access roads 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.

- 14 Within 3 months of the grant of this permission details of levels shall be submitted to and approved in writing by the Local Planning Authority showing the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.

- 15 No occupation of the development shall take place until such time as the following has been completed to the satisfaction of the Highway Authority: Access to the development site is to be provided in principle with the submitted plan drawing no. TSP/AWC/P1898/02 Option 2 Double Access

- 16 Provision and implementation of a Transport Information and Marketing Scheme for sustainable transport, approved by Essex County Council, to include vouchers for 12 months free bus travel within an applicable zone (covering the relevant zone as set out by the local operator and Essex County Council) for each eligible member of

every residential household, valid for exchange during the first 6 months following occupation of the individual dwelling. Details of the uptake of the vouchers to be provided to Essex County Council's Travel Plan Team on a 6 monthly basis as indicated in Policy F32 Essex Road Passenger Transport Strategy 2006-2011.

- 17 The public rights of way in the vicinity of the site (Bridleway No. 4 and Footpath No. 5) shall not be obstructed or restricted by the development hereby approved or by construction works and activity for the development hereby approved. Details of any changes to the start of the bridleway, at the access to the site, will need to be agreed by the relevant PROW officer at the ECC Highways Office, Harlow.
- 18 Prior to commencement of the development details shall be approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained at all times.
- 19 No unbound material shall be used in the surface finish of the driveway within 20 metres of the highway boundary of the site.
- 20 Measures shall be provided to ensure that no mud and/or debris are deposited in the public highway by any vehicle associated with the proposal. Details are to be agreed with the County Planning Authority and Highway Authority.
- 21 Prior to commencement of development of the enabling 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.

- 22 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of development of the enabling 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.

- 23 Construction work, including groundworks and site preparation works for the houses hereby approved, shall not be commenced until details of the extent of curtilage of the houses is submitted to and approved in writing by the Local Planning Authority. The curtilage of the houses shall be as approved and no land outside the curtilage shall be used as garden for the houses.

Report Item No 12

ITEM 12 APPLICATION No:	EPF/1008/09
SITE ADDRESS:	Gaynes Park Mansion Banks Lane Theydon Garnon Epping Essex CM16 7RJ
PARISH:	Theydon Garnon
WARD:	Passingford
DESCRIPTION OF PROPOSAL:	Grade II* listed building application for the conversion of existing Grade II* Mansion into 7 no. flats, new rear garage block, 4 no. new build houses as enabling works and associated landscape works and restoration.
DECISION:	Granted Permission (Subject to S106 agreement, conditions, and the views of the Secretary of State)

CONDITIONS

- 1 The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.
- 2 Samples of the types and details of colours of all the external finishes, shall be submitted for approval by the Local Planning Authority prior to the commencement of the development, and the development shall be implemented in accordance with such approved detail.
- 3 Additional drawings that show details of proposed new windows, doors, rooflights, eaves, verges, fascias, cills, structural openings and junctions with the existing building, by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of any works.
- 4 No part of the fabric of the building, including any timber framing, infill panels and external brickwork shall be removed, cut cleaned or coated without the prior written approval of the Local Planning Authority, unless specified on the approved plans.
- 5 Samples of all new rainwater goods and soil and vent pipes shall be submitted to and approved in writing by the Local Planning Authority.

Report Item No: 13

APPLICATION No:	EPF/1297/09
SITE ADDRESS:	Nether Street Depot Dunmow Road Abess Beauchamp And Berners Roding Ongar Essex CM5 0JT
PARISH:	The Rodings - Abess, Beauchamp and Berners
WARD:	High Ongar, Willingale and the Rodings
DESCRIPTION OF PROPOSAL:	Redevelopment of heavy plant depot to provide 4 no. detached houses.
DECISION:	Refused Permission

REASON FOR REFUSAL

- 1 The proposal represents inappropriate development within the Metropolitan Green Belt, which by definition is harmful to the objectives of including land within it, and would be detrimental to the openness and character of the Green Belt. Furthermore very special circumstances sufficient to outweigh this harm do not exist. As such the development is contrary to Government guidance in PPG2 and policy GB2A of the adopted Local Plan and Alterations.
- 2 The proposed development is in an unsustainable location not well served by public transport or local services. As such the development would result in an increase in vehicle commuting contrary to policies CP1, CP3, CP6 and ST1 of the adopted Local Plan and Alterations.
- 3 The proposed development makes inadequate provision for affordable housing and does not contain an acceptable housing mix, contrary to policies H4A, H5A, H6A and H7A of the adopted Local Plan and Alterations.
- 4 The proposed development would result in the loss of an established employment site. The site has not been marketed for a sufficient period to prove that there is no further need for employment uses on this site and no consideration has been given for reuse for community purposes. Due to this the proposed development is contrary to policies E4A and E4B of the adopted Local Plan and Alterations.

AREA PLANS SUB-COMMITTEE 'EAST'

Date 14 October 2009

INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1	EPF/1054/09	Plots 2, 13, 14 and 15 Kings Wood Park, St. Margarets Hospital The Plain Epping	Grant Permission (With Conditions)	35
2	EPF/1536/09	69 High Road North Weald Bassett Epping	Grant Permission (With Conditions)	41
3	EPF/1537/09	Rear of 69 High Road North Weald Bassett Epping	Grant Permission (With Conditions)	46
4	EPF/1153/09	Rear of No.103 High Street Chipping Ongar	Grant Permission (With Conditions)	53
5	EPF/1446/09	Land rear of 21 and 23 Forest Drive Theydon Bois Epping	Grant Permission (With Conditions)	60
6	EPF/1455/09	20 Elizabeth Drive Theydon Bois Epping	Grant Permission (With Conditions)	67
7	EPF/1623/09	Land Adjacent 55 Theydon Park Road Theydon Bois	Grant Permission (With Conditions)	71
8	EPF/1069/09	The Old Rectory Mount Road Theydon Mount Epping	Grant Permission (With Conditions)	76

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Report Item No: 1

APPLICATION No:	EPF/1054/09
SITE ADDRESS:	Plots 2, 13, 14 and 15 Kings Wood Park, St. Margarets Hospital The Plain Epping Essex CM16 6TL
PARISH:	Epping
WARD:	Epping Lindsey and Lindsey and Thornwood Common
APPLICANT:	Bellway Homes Ltd
DESCRIPTION OF PROPOSAL:	Erection of four detached houses.
RECOMMENDED DECISION:	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 shall be carried out in accordance with the amended plans received on 03/09/09 unless otherwise agreed in writing with the Local Planning Authority.
- 3 The materials used in the development shall be those set out in the application forms unless otherwise agreed in writing by the Local Planning Authority.

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).

Description of Proposal:

Consent is being sought for the erection of four detached houses to replace those originally approved on Plots 2, 13, 14 and 15 of the recently approved St. Margaret's hospital development (EPF/1350/08). The proposed new dwellings are larger than those on the original scheme and have altered the design of the properties, and it is further proposed to relocate the house on Plot 2 closer to the approved estate road by 1m.

Description of Site:

The site was formerly occupied by the single storey hospital wards of St Margaret's and a number of two and single storey associated hospital buildings. These formed part of the old facilities at the hospital before the new community hospital was built and opened. The entire site (marked blue on

Plan Ref: BW032-01-02 Rev: A) is approximately 5.5 hectares in area. A reserved matters application was granted for 132 dwellings in 2008, which covered the entire site outlined in blue. This specific application only refers to four plots towards the front (east) of the site, known as Plot No's. 2, 13, 14 and 15.

Relevant History:

In 2000 outline planning permission was granted for redevelopment proposals to provide new hospital accommodation and housing (EPF/1586/97). This followed on from consideration by the District Development Control Committee of a long-term plan for the entire hospital site. The outline permission was renewed in 2002 (EPF/1949/02) and again in 2006 (EPF/2297/04). Details of the new hospital building were approved in 2004 (EPF/0600/04) with an application for 46 key worker units on an adjacent hospital site which was approved in February of this year. A reserved matters application was approved for 132 dwellings in 2008 (EPF/1350/08).

Policies Applied:

East of England Plan (Regional Spatial Strategy)

SS1 - Achieving Sustainable Development
H1 - Regional Housing provision 2001 – 2021
H2 - Affordable housing
T1 - Regional Transport Strategy Objectives and Outcomes
T8 - Local Roads
ENV3 - Biodiversity and Earth Heritage
ENV7 - Quality in the Built Environment

Epping Forest District Local Plan and Alterations

CP1 - Achieving Sustainable Development Objectives
CP2 - Protecting the Quality of the rural and built environment
CP3 - New Development
CP7 - Urban Form and Quality
GB7 - Conspicuous Development
NC1 - Sites of Special Scientific Interest
NC4 - Protection of Established Habitat
RP4 - Contaminated Land
H2A - Previously Developed land
H3A - Housing Density
H4A - Dwelling Mix
H5A - Provision of Affordable Housing
H6A - Site Thresholds for Affordable Housing
H7A - Levels of Affordable Housing
H8A - Availability of Affordable Housing In Perpetuity
DBE1 - Design of New Buildings
DBE2 - Effect on Neighbouring Properties
DBE3 - Design in Urban Areas
DBE5 - Design and Layout of New development
DBE6 - Car Parking in New Development
DBE7 - Public Open Space
DBE8 - Private Amenity Space
DBE9 - Loss of Amenity
LL10 - Adequacy of Provision for Landscape Retention
LL11 - Landscaping Schemes
ST1 - Location of Development

ST4 - Road Safety
ST6 - Vehicle Parking
ST7 - New Roads and Extensions or improvements to Existing Roads
I1A - Planning Obligations

Summary of Representations:

146 neighbours were consulted and a Site Notice displayed for this application, with all 146 neighbours re-consulted on 11th September regarding the amended plans received.

TOWN COUNCIL – No objection

PLAINLY SAY NO CAMPAIGN – Object due to the impact on neighbouring residents, the increase in floor area, the overlooking that would occur from additional clear window in the rear elevations, the impact on the street scene resulting from the relocation on Plot 2, and with regards to the overall design of the dwellings.

31 LABURNUM ROAD – Object on same grounds as above.

7 TIDYS LANE – Object on same grounds as above.

70 THE PLAIN – Object to the increase in size and impact on the neighbours.

Issues and Considerations:

It should be noted that the principle of residential development and the use of this part of the hospital site for housing has long since been determined. The approval of the outline consent in 2000 considered the matters of principle, including access, and this consent was renewed on two occasions, with the final design, layout and detailing being approved in 2008. The hospital services were consolidated into the new main building (to the west of the site) leaving this area to the east surplus to requirements. Consequently, matters of fundamental principle cannot now be raised at this stage.

The main issues that arise with this application are therefore with regards to the design of the four dwellings, the impact within the newly created street scene, and the impact on neighbouring properties.

Design

The proposed redesigned house type has enlarged the previously approved dwellings and altered the design. The proposed new dwellings would have a total floor area of 319 sq. m, which equate to a 10% increase on the previously approved houses (which had a total floor area of 289 sq. m.). The new house design would involve a 300mm increase in ridge height and a reduced roof pitch of 40 degrees (as opposed to the previous roof pitch of 45 degrees). The front elevation of the dwellings would remain unchanged (with the exception of the slight increase in ridge height), however the flank and rear elevations would be significantly altered.

The previously approved dwellings had shallower depth flank walls with a central two storey rear protrusion with hipped roof, and a single storey addition to the rear with a catslide roof.

The redesigned dwellings under consideration here have enlarged the depth of the flank walls and propose a dual pitched roof stretching the entire span of these. This has been achieved by the altered roof pitch and raised ridge height. A considerably shallower two storey rear protrusion is proposed with a hipped roof, with two flat roofed rear dormers remaining. No velux windows have been indicated within the roof slopes.

Although there has been an increase in size, bulk and height it is considered that the overall design of these dwellings is acceptable. The two storey appearance of the houses has been retained, with rooms in the roof being incorporated, and there are no incongruous additions or features to the building. Although somewhat uninspired the houses are of a fairly standard and traditional design that would reflect the character of the larger housing estate.

Impact on street scene

As previously stated it is considered that the proposed dwellings are acceptable in terms of their design. Although the height has increased by 300mm and the roof pitches have altered since previous it is considered that this would be a negligible alteration when viewed from the street. Furthermore there are a range of roof pitches approved on the larger scheme (under EPF/1350/08) and surrounding the site in The Plain.

The dwelling sited on Plot 2 would be relocated 1m closer to the road as the enlargement of the house would interfere with the garage on Plot 3 if retained in the original location. Due to this the flank wall of the dwelling would be more visible when entering the estate. However it is not considered that this alteration would unduly impact on the views of the estate or the street scene as a whole, nor would it detrimentally enclose the entrance road.

Impact on neighbouring amenity

Concern has been raised with regards to increased overlooking of neighbouring dwellings as a result of this redesign. Although the overall size and bulk of these dwellings have increased as a result of the redesign the distance to the boundary of the site (at its closest point) has not changed from previous. The house on Plot 2 is the only dwelling that would impact on neighbouring residents, as Plots 13, 14 and 15 back onto the existing ambulance station. The distance of this house from the site boundary has increased by 1m due to the relocation of the dwelling, and as a result it would be located some 19m from the rear boundary. This complies with the requirements laid out in the Essex Design Guide. Furthermore, the rear boundary of this plot adjoins a public highway (The Plain), and does not therefore face any form of private amenity space.

Concern has been raised with regards to an increase in clear windows to the rear elevation of the houses. Previously the houses proposed 2 first floor windows (1 clear and 1 obscured) and an obscure glazed rooflight, and 2 second floor dormer windows (1 clear and 1 obscured) and 2 clear rooflight windows. The redesigned houses propose 3 first floor windows (1 serving a dressing room so possibly obscure glazed) and 2 second floor windows (1 clear and 1 obscured). As can be seen there would be a general reduction in the number of windows and no difference in the number of clear windows proposed. Furthermore, given the adequate distance from the boundary, it is not considered that the redesigned house would impact any further on neighbouring residents than the previously approved scheme.

Other matters

The reserved matters application relating to the entire site was subject to several conditions and a S106 Agreement. As this proposed development only relates to four of the 132 houses (which are currently being constructed), no additional obligations would be required, however all conditions and obligations under the previous application remain valid.

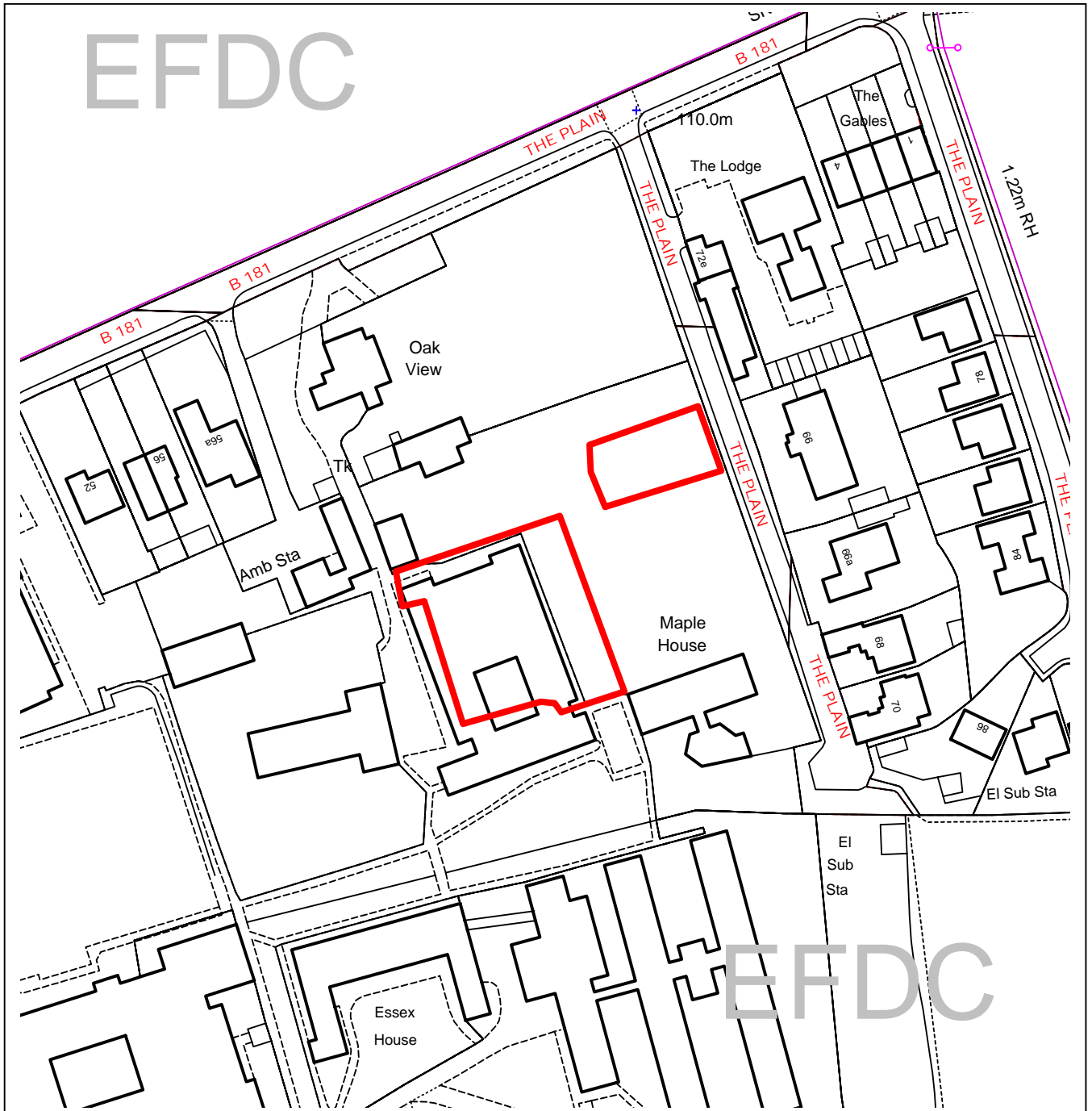
Conclusion:

In conclusion it is considered that the proposed alterations to the four plots would not further impact on the neighbouring residents or on the character and appearance of the street scene and surrounding area. Due to this the proposal complies with all relevant Local Plan policies and is therefore recommended for approval.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	1
Application Number:	EPF/1054/09
Site Name:	Plots 2, 13, 14 and 15 Kings Wood Park, St. Margarets Hospital, The Plain, Epping, CM16 6TL
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/1536/09
SITE ADDRESS:	69 High Road North Weald Bassett Epping Essex CM16 6HW
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	Mr Andrew Wach
DESCRIPTION OF PROPOSAL:	Conversion of single dwelling unit into two dwellings.
RECOMMENDED DECISION:	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 flank wall shall be entirely 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.
- 3 Materials to be used for the external finishes of the development shall match those of the existing building.
- 4 Prior to occupation of the new development hereby approved a 1.5 metre x 1.5 metre pedestrian visibility sight splay as measured from the highway boundary shall be provided on both sides of the vehicle access. 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.
- 6 There shall be no obstruction above a height of 600mm within a parallel band visibility splay 2.4 metres wide, as measured from the back edge of the carriageway across the entire site frontage.

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) and as 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).

Description of Proposal:

Consent is being sought for the conversion of a single dwelling unit into two dwellings. The alterations involved in this proposal are the subdivision of the existing garden area and removal of existing front porch and 3 no. rear outbuildings. Also the insertion of an additional front door, two flank windows, and a new vehicle crossover and parking area. The submitted plans show several trees to be lost, however the site visit revealed that these have already been removed, as have two of the three outbuildings and the porch. Whilst the plans show both this scheme and the proposed bungalow to the rear of the site, the latter development is being assessed under a separate planning application. Therefore the following report deals solely with the site outlined in red on Plan Ref: 1048/04b stamped EPF/1536/09.

Description of Site:

The application site is located on the western side of the High Road, and consists of an end terrace dwelling with a large two storey side extension. The land to the side and rear of the site is also within the applicant's ownership, and is subject to a separate planning application. The site is located within the built up area of North Weald with direct vehicular access off of the High Road. The site lies within a Flood Risk Assessment zone and is partly within the Environment Agency Flood Zone 2.

Relevant History:

EPF/0457/76 - Erection of two storey side extension – approved 20/09/76
EPF/1798/79 - Proposed erection of porch – lapsed 27/02/80
EPF/1537/09 - Erection of new bungalow – currently under consideration

Policies Applied:

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
H2A – Previously developed land
DBE3 – Design in urban areas
DBE8 – Private amenity space
DBE9 – Loss of amenity
LL10 – Adequacy of provision for landscape retention
LL11 – Landscaping schemes
ST1 – Location of development
ST4 – Road safety
ST6 – Vehicle parking
U2A – Development in flood risk areas
U2B – Flood Risk Assessment zones

Summary of Representations:

PARISH COUNCIL (relating to this and EPF/1537/09) – Object on the grounds of:

- Highway safety, it should be noted that there have been two fatal accidents very close to this location.
- The proposal by its bulk and mass represents an overdevelopment of the site.
- Detrimental to the amenities of adjacent residents.
- Insufficient parking space.
- Overlooking.
- Concern at ingress and egress of site.

14 neighbours were consulted on this application and the following responses were received.

66 HIGH ROAD – Object due to the impact on highway safety.

10 GEORGE AVEY CROFT – Object to the parking provision and impact on highway safety.

5 HARRISON DRIVE – No objection.

Issues and Considerations:

The key issues in this consideration are the location of the development, the overall design and impact on the street scene, with regards to amenity considerations for both neighbouring residents and future occupiers, highways and parking considerations, impact on existing and future landscaping, and with regards to potential flood risk.

Location

Local Plan policy H2A encourages the use of previously developed land for residential development and policies CP3 and ST1 encourage developments in sustainable locations that are well served by public transport and promote the reduction in private car use. Furthermore PPS3 states that “*using land efficiently is a key consideration in planning for housing*”. It is due to this that the conversion of the existing dwelling, which given its wide plot and existing sizeable side extension already has the appearance of two dwellings, is considered acceptable. The North Weald local shopping parade is almost directly opposite and, whilst not particularly frequent, there is a bus service that runs along the High Road. As such this development makes better use of a sustainable site within an existing urban location.

Design

The majority of alterations proposed to the existing building are the removal of outbuildings and the front porch, although an additional door and two flank windows would also be added. Given the minor nature of the changes this development would not be detrimental to the existing building or the street scene. Whilst the creation of a second vehicle access and additional parking area would result in a dominance of cars within this location, this would be similar to many of the surrounding properties. Furthermore the applicant could use the entire front garden as parking at present. Therefore this would not be detrimental to the character of the area.

Amenity considerations

The only alteration to the existing building that may impact on neighbouring residents is the insertion of the flank windows. These would consist of 1 ground floor and 1 first floor window, which would serve a bathroom and therefore would be obscure glazed. Furthermore, there are no flank windows in the flank wall of No. 73 High Road and the application site is divided from the neighbour by an existing access road/public footpath serving the fields to the west of the site. Due to this the proposed development would have no detrimental impact on neighbours.

In terms of private amenity space, the existing dwelling would retain 80 sq. m. of rear garden area, with the subdivided plot allowing 81 sq. m. for use by the new dwelling. This would comply with the requirements of DBE8 and the Essex Design Guide.

Highways/parking

Concern has been raised with the potential highway problems that the new access could have on both the free flow of traffic on the High Road and on highway safety. This is of particular concern as there is not sufficient room within either property to manoeuvre a car so that it enters and exits

the site in forward gear. As such vehicles would be required to either stop on the highway and reverse into the site, or alternatively would reverse out onto the highway. Whilst this situation is not ideal other examples of this can be seen on the High Road, and furthermore no objection to the scheme has been raised by Essex County Council Highway Services (subject to conditions regarding visibility splays). As such it is considered that the proposed new vehicle access and parking layout is acceptable.

With regards to the amount of parking, given the site's location almost directly opposite the North Weald shopping parade and as there is, albeit limited, public transport available, one parking space per dwelling is considered acceptable. Concern has been raised with regards to visitor parking availability and the potential stress this could cause on surrounding roads, however such visitor parking would result in a limited increase to the overall parking in the area and would not in itself be detrimental to the surrounding locality. Furthermore, public parking is available outside the shopping parade, which could also be utilised for deliveries, brief visitors, etc. As such the proposed parking provision complies with policy ST6.

Landscaping

It is proposed within the submitted drawings to remove several trees within the application site. However the trees have already been removed. As these trees were wholly within the applicant's site and were not covered by Tree Preservation Orders permission was not required to remove them. Given the limited space available and lack of visibility (of the rear) from the street it would not be necessary to require a landscaping scheme for the site.

Flood risk

The application site lies within a Flood Risk Assessment zone and is partly within the Environment Agency Flood Zone 2, however as this development is utilising an existing building the development is considered minor causing a negligible increase in surface water runoff and therefore does not require a flood risk assessment.

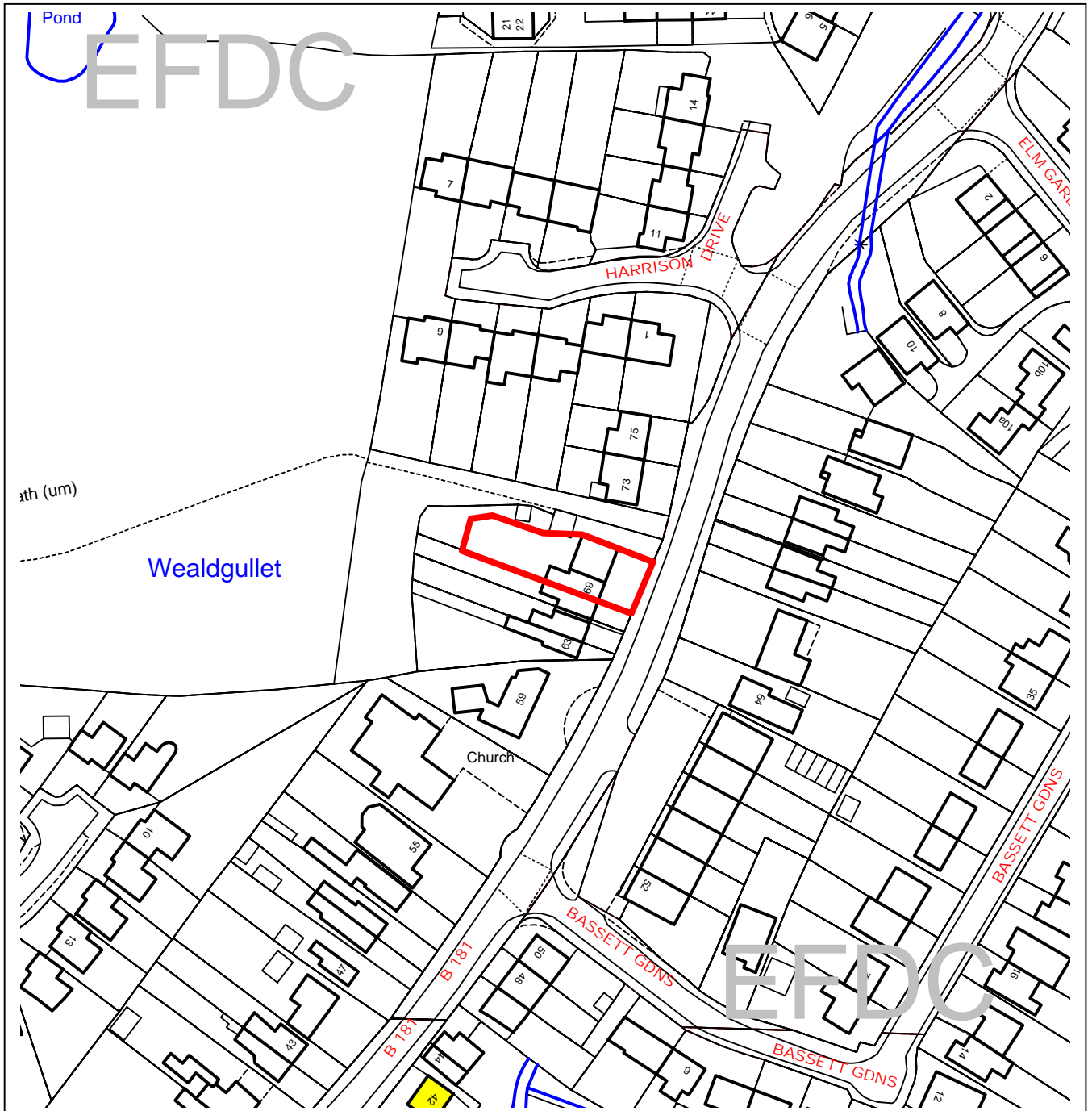
Conclusion:

The proposed conversion of the single dwelling into two properties makes better use of urban land and is located in a, reasonably, sustainable location. There would be no impact on neighbouring residents and little visual alteration to the site. The parking provision proposed is sufficient to meet current standards and the impact on highway safety is considered acceptable. Due to this the proposal complies with the relevant Local Plan policies and is therefore recommended for approval.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	2
Application Number:	EPF/1536/09
Site Name:	69 High Road, North Weald Bassett CM16 6HW
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/1537/09
SITE ADDRESS:	Rear of 69 High Road North Weald Bassett Epping Essex CM16 6HW
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	Mr Andrew Wach
DESCRIPTION OF PROPOSAL:	Erection of new bungalow.
RECOMMENDED DECISION:	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 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 the dwelling hereby approved and maintained in the agreed positions. This shall include a form of boundary treatment to the north of the access road to protect against encroachment onto the public footpath.
- 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 Classes A, B and E (extensions, roof additions and outbuildings) shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 Prior to the commencement of the development details of the proposed surface materials for the access road shall be submitted to and approved in writing by the Local Planning Authority and shall contain no unbound material within 6 metres of the highway boundary of the site. The agreed surface treatment shall be completed prior to the first occupation of the development.
- 6 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.

- 7 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..
- 8 The public right of way in the vicinity of the site shall not be obstructed or adversely affected in any way by the proposed works.
- 9 Prior to occupation of the new development hereby approved a 1.5 metre x 1.5 metre pedestrian visibility sight splay as measured from the highway boundary shall be provided on both sides of the vehicle access. 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.
- 10 There shall be no obstruction above a height of 600mm within a parallel band visibility splay 2.4 metres wide, as measured from the back edge of the carriageway across the entire site frontage.
- 11 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.
- 12 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.
- 13 Prior to commencement of development, details of levels shall be submitted to and approved by the Local Planning Authority showing the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.

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) and as 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).

Description of Proposal:

Consent is being sought for the erection of a new bungalow to the rear of the application site. The proposed bungalow would be 7m wide and 10.2m deep with a hipped roof to a height of 4.1m. The proposed bungalow would have two bedrooms and would have associated parking and amenity space. The property would be accessed by a new proposed vehicle and pedestrian access to the north of 69 High Road. Whilst the plans show both this scheme and the proposed subdivision of 69

High Road into two properties, the latter development is being assessed under a separate planning application. Therefore the following report deals solely with the site outlined in red on Plan Ref: 1048/04b stamped EPF/1537/09.

Description of Site:

The application site is located on the western side of the High Road, behind No's. 63-69 (inclusive), and currently consists of the garden to No. 69 High Road. This dwelling is an end of terrace property with a large two storey side extension and is also within the applicant's ownership. This dwelling and the remainder of the garden is subject to a separate planning application. The site is located within the built up area of North Weald with direct vehicular access off of the High Road. The site lies within a Flood Risk Assessment zone and the start of the proposed access road lies within the Environment Agency Flood Zone 2.

Relevant History:

EPF/0457/76 - Erection of two storey side extension – approved 20/09/76
EPF/1798/79 - Proposed erection of porch – lapsed 27/02/80
EPF/1536/09 - Conversion of single dwelling unit into two dwellings – currently under consideration

Policies Applied:

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
CP3 – New development
H2A – Previously developed land
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE3 – Design in urban areas
DBE8 – Private amenity space
DBE9 – Loss of amenity
LL10 – Adequacy of provision for landscape retention
LL11 – Landscaping schemes
ST1 – Location of development
ST4 – Road safety
ST6 – Vehicle parking
U2A – Development in flood risk areas
U2B – Flood Risk Assessment zones

Summary of Representations:

12 neighbours were consulted on this application and the following responses were received:

PARISH COUNCIL (relating to this and EPF/1536/09) – Object on the grounds of:

- Highway safety, it should be noted that there have been two fatal accidents very close to this location.
- The proposal by its bulk and mass represents an overdevelopment of the site.
- Detrimental to the amenities of adjacent residents.
- Insufficient parking space.
- Overlooking.
- Concern at ingress and egress of site.

63 HIGH ROAD – Object as this is overdevelopment, due to insufficient parking, impact on highway safety, and regarding noise pollution.

67 HIGH ROAD – Object as the development would be out of keeping with the area, it would be overbearing and intrusive, and it would cause noise and pollution to neighbours. This would also be dangerous to users of the public footpath and would not be accessible by emergency vehicles.

10 GEORGE AVEY CROFT – Object as it is overbearing and out of scale with the neighbouring properties and may not be accessible to the fire services.

11 GEORGE AVEY CROFT – Comment that the access is probably inadequate and would not be large enough for emergency vehicles, there would be likely encroachment on the public footpath, there is inadequate parking provision and the proposal would constitute overdevelopment.

3 HARRISON DRIVE – Object as the building would be inappropriate, it's an overdevelopment of the site, and due to parking and poor highway access.

4 HARRISON DRIVE – Object as this is inappropriate and unacceptable back-fill out of line with the existing buildings. Also there would be an impact on highway safety, insufficient parking provision, and light and noise pollution to neighbours.

5 HARRISON DRIVE – Object due to the potential impact on highway safety and on the adjacent public footpath, potential light and noise pollution, and as the bungalow is in an inappropriate location out of position with regards to the existing housing layout.

Issues and Considerations:

The key issues in this consideration are the location of the development, the overall design, with regards to amenity considerations for both neighbouring residents and future occupiers, highways and parking considerations, impact on existing and future landscaping, and with regards to potential flood risk.

Location

Local Plan policy H2A encourages the use of previously developed land (PDL) for residential development, which under PPS3 includes existing residential curtilage. There are both national and local targets that require 60% of new housing development to be built on PDL, as this takes pressure off releasing Green Belt land for additional housing. Further to this PPS3 states that *“using land efficiently is a key consideration in planning for housing”*. Policies CP3 and ST1 also encourage developments in sustainable locations that are well served by public transport and promote the reduction in private car use.

Given the location of the site within the urban area of North Weald, with the local shopping parade almost directly opposite and a bus service that runs along the High Road, it is considered that in principle the proposed bungalow makes better use of a sustainable site within an existing urban location and is therefore appropriate in this location.

Whilst the proposed bungalow would be located to the rear of 63 to 69 High Road, with a new access road required to service the dwelling, it is not considered that this form of 'backland development' is inappropriate in this particular location. Given the presence of both George Avey Croft and Harrison Drive, which sit behind the dwellings in the High Road and do not follow the 'linear building line' evident in this location, it is not considered that an additional development to the rear of this row of terrace properties would in principle constitute an inappropriate development.

Design

In isolation the design of the proposed bungalow is considered acceptable. The bungalow would be of a standard, traditional design. Its ridge height would be 4.1m, which precludes any potential for additional rooms in the roof space, and given the location and low height of the building this would not be visible from within the street scene. Whilst views of the building would be available from surrounding properties and the public footpath, it is not considered that this dwelling would be detrimental to the overall appearance or character of the area.

Whilst the additional vehicle access proposed to the north of No. 69 High Road, which would run adjacent to the existing field access and public footpath, is not ideal as it would appear as a double width access road, it is not considered that this in itself would warrant a refusal. Furthermore, the erection of boundary treatment would help to improve this situation by 'breaking up' this wide access into two considerably smaller access roads.

Amenity considerations

The proposed bungalow would have an eaves height of 2.2m and would be set off the closest boundary by 1m. Due to this the majority of the building would not be visible above standard 2m high boundary treatment. Whilst some views of the roof would be visible, given its low ridge height and hipped design these would not be unduly detrimental to neighbouring residents. The only proposed windows that would extend above a 2m high boundary treatment are the proposed rooflights, however these would be used to bring additional light to the ground floor of the development and would not serve first floor rooms. As such these would not allow future occupiers of the site any views onto or across neighbouring properties.

The proposed vehicle access to the new dwelling and intensification of use of the site would have an impact on noise levels and pollution to surrounding properties, however as the proposed use would be for one 2 bed dwelling the level of noise and pollution would be at a level low enough not to be unduly detrimental to neighbours.

Given the size of the proposed bungalow this property would require 60 sq. m. of private amenity space to meet the requirements of DBE8. Furthermore, the Essex Design guide requires that the rear of houses (at first floor level) should not encroach any closer than 15m to neighbouring rear gardens for them to be classed as 'private'. The development proposes 90 sq. m. of amenity space and whilst the garden would be located to the rear of two storey dwellings (fronting the High Road), the closest first floor windows in these neighbouring properties are 17m from the shared boundary with the new property. As such the proposed development complies with policy DBE8.

Highways/parking

Concern has been raised with the potential highway problems that the new access could have on both the free flow of traffic on the High Road and on highway safety. No objection to the scheme has been raised by Essex County Council Highway Services (subject to conditions) and there is sufficient room within the site to manoeuvre vehicles so that they can enter and leave the site in forward gear. As such it is considered that the proposed new vehicle access and parking layout is acceptable. Concern has also been raised with regards to the inability for emergency vehicles to access the site (given the relatively narrow, 2.4m wide vehicle access), however a letter from Essex Fire and Rescue Service has been submitted with the application stating that the "*fire authority would be looking for a domestic sprinkler installation to compensate for the excessive travel distance as laid out in Building Regulations*". These measures will be required for the building to gain building consent, and due to this the accessibility (or lack of) of the site by the fire service is acceptable.

The proposed new access road runs adjacent to a public footpath (located outside of this site). Whilst concerns have been raised with regards to potential encroachment onto the public footpath, and in terms of safety risk to users of it, the proposed road can be conditioned so that some form of boundary treatment is erected between the application site and the adjoining land. This will ensure that no users of the site encroach (particularly in vehicles) onto the public footpath and will protect against danger to users of the footpath. Furthermore a condition should be added ensuring that the public footpath is not obstructed or adversely affected in any way, either during the construction phase of the development or thereafter.

With regards to the amount of parking, there is adequate room within the front garden of the proposed bungalow to allow for the parking of two vehicles, which complies with the Essex Vehicle Parking Standards. Furthermore, given the site's location almost directly opposite the North Weald shopping parade and as there is, albeit limited, public transport available, less parking provision than that proposed would likely be acceptable. As such the proposed parking provision complies with policy ST6.

Landscaping

It is proposed within the submitted drawings to remove several trees within the application site, however these trees have already been removed. As these trees were wholly within the applicant's site and were not covered by Tree Preservation Orders permission was not required to remove them.

Given the limited space available and lack of visibility from the street it is not considered necessary to require a landscaping scheme for the site or additional tree planting to replace those lost.

Flood risk

The application site lies within a Flood Risk Assessment zone and is partly within the Environment Agency Flood Zone 2 (albeit just the front most part of the access road). As this development is of a size where it is necessary to avoid generating additional runoff a flood risk assessment should be sought, which can be secured via condition.

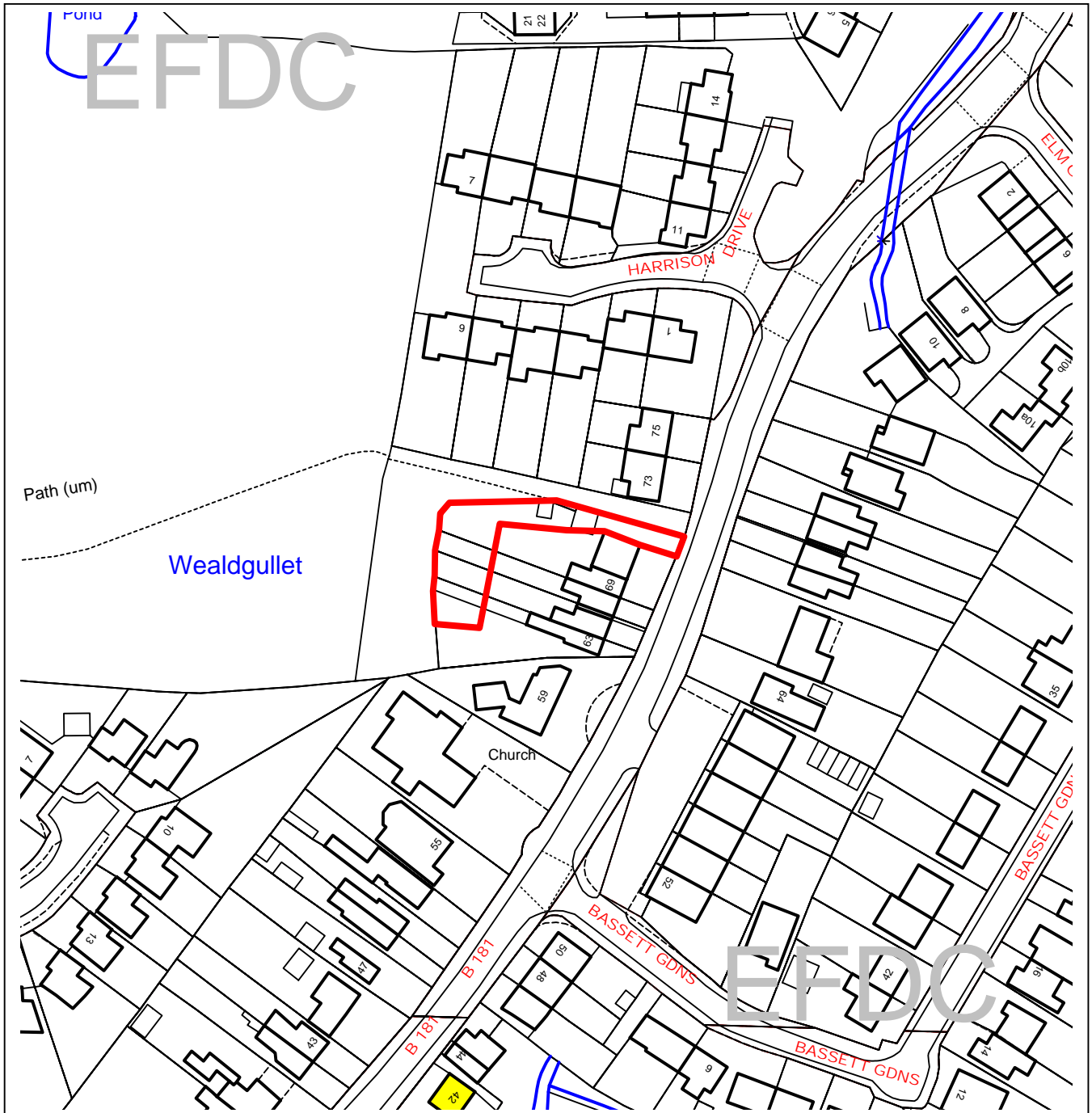
Conclusion:

The proposed development utilises previously developed land within a, reasonably, sustainable location. There would be no unduly detrimental impact on neighbouring residents and little visual intrusion to the area. The parking provision proposed is sufficient and the impact on highway safety is considered acceptable. Due to this the proposal complies with the relevant Local Plan policies and is therefore recommended for approval.



Epping Forest District Council

Area Planning Sub-Committee



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Agenda Item Number:	3
Application Number:	EPF/1537/09
Site Name:	Rear of 69 High Road, North Weald Bassett, CM16 6HW
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/1153/09
SITE ADDRESS:	Rear of No.103 High Street Chipping Ongar Essex CM5
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
APPLICANT:	Mr R Hilder
DESCRIPTION OF PROPOSAL:	Partial demolition of existing buildings, conversion and adaptation of existing business units to form 3 x 1 bedroom cottages, construction of 2 x 2 bedroom cottages, bin stores, bike stores and provision of parking spaces.
RECOMMENDED DECISION:	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 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 Classes (A-H) and Part 2 Class A shall be undertaken without the prior written permission of the Local Planning Authority.
- 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 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.
- 6 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.
- 7 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.

- 8 No demolition/ conversion or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.
- 9 Additional drawings that show details of proposed new windows, doors, rooflights, eaves, rainwater goods, verges, fascias, cills, structural openings and junctions with the existing building, by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the LPA in writing prior to the commencement of any works.

- 11 Notwithstanding the requirements of condition 11, the windows to the newbuild cottages shall be recessed into the wall and shall be timber sashes including "horns" in Victorian style.

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 the redevelopment of the area to the rear of 103 High Street, for residential purposes. It is proposed to convert existing business premises into 3 x one bed cottages and to build a pair of two bed cottages. Associated car parking, bike and bin stores are also proposed.

Description of Site:

The application site is accessed via a narrow vehicular entrance between 103 and 107 High Street. The buildings along the High Street frontage are listed and the site is located within the Chipping Ongar Conservation Area. There are several buildings within the site which benefit from B1, B8 and A1 uses following the issue of a certificate of lawful use.

Relevant History:

EPF/1513/07. Certificate of lawful development for existing use of units as B1, B8 and A1 uses. Lawful 16/10/2007.

Details:-

The local authority is satisfied that the units listed below have been occupied by the said uses for a period of 10 years or more before the date of this application:- Unit1- B1 use, Unit 2 - B8 use, Unit 3 - B1 use, Unit 4 - B1 use, Unit 5 - B8 use, Unit 6 - B1 use, Unit 7 - A1 use, Store adjacent to Unit 7 - B8 use and Unit 11 - mixed B1/B8 use.

Policies Applied:

East of England Plan

H1 – Regional Housing Provision 2001-2021
T14 - Parking
ENV7 – Quality in the Built Environment
ENV6 – Historic Environment

Adopted Local Plan and Alterations

HC12 – Development Affecting the Setting of a Listed Building
GB7A – Conspicuous Development
H2A – Previously Developed Land
H4A – Dwelling Mix
CP2 – Protecting the Quality of the Rural and Built Environment
CP7 – Urban Form and Quality
DBE1 – Design of New Buildings
DBE2 – Impact of New Buildings

DBE8 – Amenity Space Provision
ST1 – Location of Development
ST2 – Accessibility of Development
ST4 – Highways Considerations
ST6 – Car Parking Standards
LL11 – Landscaping Schemes
E4A – Protection of Employment Sites

Summary of Representations:

ONGAR TOWN COUNCIL – Objection - The Council believes that this application represents an unwarranted overdevelopment of the site. Members believe that there would be an increase in vehicle movements if this application were to be granted. Councillors are also concerned that the reduction of parking for remaining businesses would exacerbate the longstanding problems associated with illegal parking in this narrow part of the High Street.

29 properties were consulted, no responses were received

Issues and Considerations:

The main issues in this case are:

- The loss of an existing employment use on the site;
- The impact of the proposed development on the occupiers of neighbouring dwellings;
- The impacts on highways safety; and
- The impacts of the development on the surrounding conservation area and on the setting of the listed buildings.

Loss of Employment Site

Policy E4A of the Local Plan seeks the protection of employment sites within the District. It states that redevelopment for residential uses will only be permitted where it has been shown that either:

- (i) The site is poorly located in relation to housing or access by sustainable means;
- (ii) There are material conflicts with adjoining land uses (e.g. due to noise, disturbance, traffic, environmental and amenity issues);
- (iii) Existing premises are unsuitable in relation to the operational requirements of modern business; or
- (iv) There is a demonstrable lack of market demand for employment use over a long period that is likely to persist during the development plan period;

And there are very significant development or infrastructure constraints making the site unsuitable or uneconomic to redevelop for employment purposes.

No evidence has been submitted by the applicants relating to criteria i and iv. With regard to criteria ii and iii, the standard of the existing vehicular access is poor and due to the close proximity of listed buildings, there appears to be limited potential for improvements. The applicant has submitted data showing that the traffic movements associated with the use would be substantially less than those in relation to the existing lawful use of the premises.

In the submitted Design and Access Statement the applicants state that *“although the site has been in commercial and industrial use for many years, the site access is narrow and unsuitable in relation to the operational requirements of modern business. The widening of the access would require the demolition of buildings in the conservation area on the High Street frontage, and this*

would harm the character and appearance of the conservation area. Therefore the change from commercial and industrial use to residential and the smaller vehicles and reduced vehicle movements that this would entail would be desirable”.

Impact on Neighbouring Dwellings

There is some residential use on the upper floors of buildings surrounding the proposed development site. It is considered that the residential use of the site would be more compatible with these neighbouring dwellings than the lawful commercial use of the site. It is considered that the dwellings proposed would have a satisfactory relationship with one another and would have an acceptable level of amenity for the future occupiers.

Highway Safety

The existing site access is of a poor standard. However, the applicants have submitted information demonstrating that the vehicle movements associated with the proposed use would be substantially less than those in relation to the existing lawful use of the site. County Highways have responded to the consultation exercise confirming that they have no objection to the proposed development. It is considered that the removal of the building to the rear of 103 High Road would improve visibility along the site access and provide an increased area in which vehicles may pass.

The application proposes 9 car parking spaces (5 of which would be allocated to the 5 dwellings).

Impact on Conservation Area and Listed Buildings

The Council's Conservation Officer considers that the proposal will not have a detrimental impact upon this part of the conservation area nor the setting of the listed buildings and that the building style and finishes of these cottages would represent the simple vernacular cottage style of this part of Essex. Conversely, the Historic Buildings advisor has concerns with the detailed design of the proposed new build cottages. Following negotiations, an amended plan has been received detailing some changes to the design of the cottages. However, the applicant feels that further alterations would be contrary to the principles of the Essex Design Guide. The outstanding concerns of the Historic Buildings advisor generally relate to matters which are often controlled by condition – for example the detailed design of the windows. Other matters, relating to the roof design are noted, but it is not considered that they would justify the refusal of planning permission in this instance as it is considered that the buildings, in the form proposed, would not be detrimental to the setting of the listed buildings.

A separate application for Conservation Area consent will be required for the demolition of the buildings.

Other Matters

Suitable site landscaping may be controlled by planning condition.

The Council's Land Drainage section has no objection to the proposed development.

The site has been identified as potentially contaminated and also as potentially of archaeological significance. Both of these matters may be dealt with by planning condition.

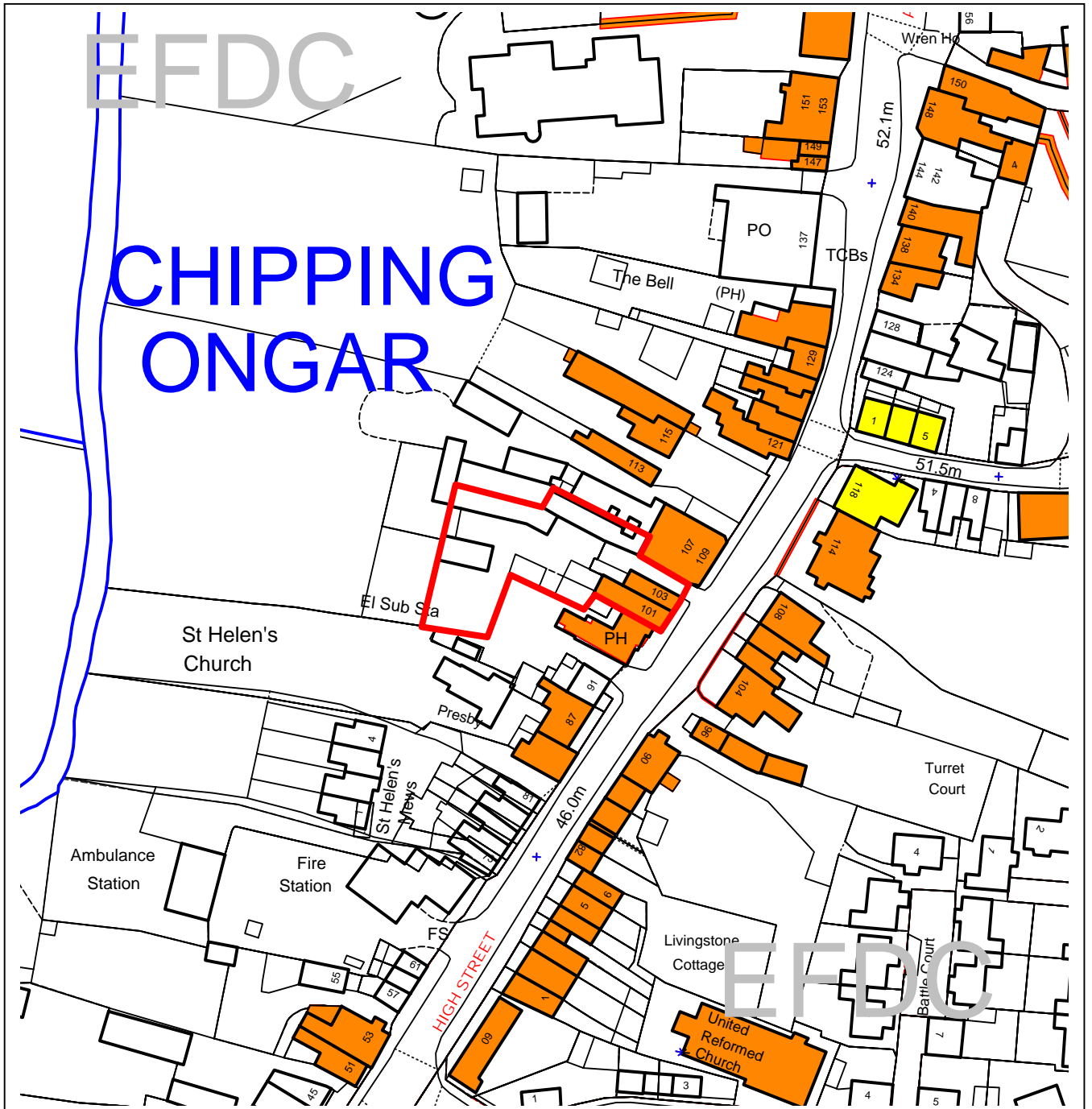
Conclusion

In light of the above appraisal, it is considered on balance that the proposed development may be justified despite the loss of the existing employment use on the site due to the restricted access to the site and having regard to the existing lawful use of the site. The purpose of policy E4A is to prevent the loss of employment uses within the District because of an identified shortfall. Notwithstanding this, it is clear that this site is unsuitable for its existing use. The applicant has failed to demonstrate that the site would not be suitable for a general B1 use, but has confirmed that this would require a redevelopment which they are reluctant to undertake. With regard to other matters, it is considered that the proposed development is appropriate to this location in terms of its scale and design. Accordingly it is not considered that there would be any material harm to either the surrounding conservation area or to the setting of the listed buildings. It is, therefore, recommended that planning permission be granted.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	4
Application Number:	EPF/1153/09
Site Name:	Rear of No.103 High Street Chipping Ongar , CM5
Scale of Plot:	1/1250

Report Item No: 5

APPLICATION No:	EPF/1446/09
SITE ADDRESS:	Land rear of 21 and 23 Forest Drive Theydon Bois Epping Essex CM16 7HA
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr William Botha
DESCRIPTION OF PROPOSAL:	Demolition of existing garages and erection of a two bedroom detached house with conservatory. (Revised application)
RECOMMENDED DECISION:	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 No development shall take place on site, including site clearance, tree works, demolition, storage of materials or other preparatory work, until all details relevant to the retention and protection of trees, hereafter called the Arboricultural Method Statement, have been submitted to the Local Planning Authority and approved in writing. Thereafter the development shall be undertaken only in accordance with the approved details, unless the Local Planning Authority has given its prior written consent to any variation.

The Arboricultural Method Statement shall include a tree protection plan to show the areas designated for the protection of trees, shrubs and hedges, hereafter referred to as Protection Zones. Unless otherwise agreed, the Protection Zones will be fenced, in accordance with the British Standard Trees in Relation to Construction-Recommendations (BS.5837:2005) and no access will be permitted for any development operation.

The Arboricultural Method Statement shall include all other relevant details, such as changes of level, methods of demolition and construction, the materials, design and levels of roads, footpaths, parking areas and of foundations, walls and fences. It shall also include the control of potentially harmful operations, such as burning, the storage, handling and mixing of materials, and the movement of people or machinery across the site, where these are within 10m of any designated Protection Zone.

The fencing, or other protection which is part of the approved Statement shall not be moved or removed, temporarily or otherwise, until all works, including external works have been completed and all equipment, machinery and surplus materials removed from the site.

The Arboricultural Method Statement shall indicate the specification and timetable of any tree works, which shall be in accordance with the British Standard Recommendations for Tree Works (BS.3998: 1989).

The Arboricultural Method Statement shall include a scheme for the inspection and supervision of the tree protection measures. The scheme shall be appropriate to the scale and duration of the works and may include details of personnel induction and awareness of arboricultural matters; identification of individual responsibilities and key personnel; a statement of delegated powers; frequency, dates and times of inspections and reporting, and procedures for dealing with variations and incidents. The scheme of inspection and supervision shall be administered by a suitable person, approved by the Local Planning Authority but instructed by the applicant.

- 3 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) have been submitted to an approved in writing by the Local Planning Authority, and these works shall be carried out as approved. These details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle artefacts and structures, including signs and lighting and functional services above and below ground. Details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers / densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant 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.
- 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 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.
- 6 Prior to first occupation of the building hereby approved the proposed window openings in the first floor flank and rear elevation shall be entirely fitted with obscured glass as shown in drwg ksd/09/30/03 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.
- 7 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.

- 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 2 Class A - E shall be undertaken without the prior written permission of the Local Planning Authority.
- 9 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.
- 10 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 11 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.
- 12 Prior to commencement of development, details of levels shall be submitted to and approved by the Local Planning Authority showing the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.

This application is before this Committee since it is an application for residential 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).

Description of Proposal:

Demolition of existing garage and erection of a two bed roomed house with conservatory (revised application).

Description of Site:

The site consists of a pair of detached garages used by No's 21 and 23 Forest Drive and part of the rear curtilage of these same properties. No. 21 was previously a dental surgery and No. 23 was a residential property, however the dental surgery has now moved to No. 23 and No. 21 has reverted back to its original use as a residential dwelling. As well as housing the dental surgery No. 23 has a self contained flat on its upper floor. There is a TPO Oak in the rear garden of No 21.

Relevant History:

EPF/574/06 – Outline application for the erection of a chalet bungalow – refused - appeal dismissed
EPF/1146/07 – 2 bed house with garage – refused – appeal dismissed

Policies Applied:

CP1, 2, 3, 6, 7 & 9 Core Policies re sustainable development
H1A, H2A, H3A, H4A Housing Provision
DBE 1, 2 Design of new buildings
ST4 & 6 Highways & Parking
DBE 1 Design of New Buildings
DBE 2 Effect on Neighbouring Properties
DBE 6 Parking
DBE 8 Amenity Space
DBE 9 Amenity for neighbours
LL10 Landscaping

Summary of Representations

PARISH COUNCIL – No objection, we note the revisions made to the previous planning application on this site and accept that the main reasons for refusal have been addressed. However, we recommend the following conditions – removal of PD rights, obscured windows at rear, mature oak tree to be protected.

5 BUXTON ROAD – Object as this would lead to further traffic and parking problems, size and location of dwelling and reduction of light to rear of 31. Oak tree will lose its visual appeal if crowded by additional dwelling, also silver birch trees earmarked for removal maintain established 'green' feel of road.

6 BUXTON ROAD – Object as this would lead to further traffic and parking problems.

7 BUXTON ROAD – Object if planning granted we will lose 4 parking spaces in a road with limited parking.

31 BUXTON ROAD – Object as this would result in a loss of privacy and a loss of light to my property, loss of trees and parking will be a problem.

THEYDON BOIS ROYAL PRESERVATION SOCIETY – addresses most of our previous concerns and the Inspector's report, in particular it is smaller and set back in line with No 31 Buxton Road. PD rights should be removed, and the oak should be protected.

Issues and Considerations:

The main issues in this application are:

1. Context
2. Neighbours Amenity
3. Landscaping
4. Highways Matters

This proposal is for an infill development which would split the existing established curtilage of No's 21 and 23 Forest Drive. This would provide an additional dwelling in the rear gardens of two properties in Forest Drive; however the new dwelling itself would be accessed via Buxton Road. The current use of the site is as a pair of detached garages serving No's. 21 and 23 Forest Drive.

The previous application was refused at appeal due to the restricted rear gardens of the scheme being untypical of the area, the increased bulk and proportions of the building which was forward of No 31 Buxton Road resulting in an unacceptable impact on the street scenes character and appearance. However a previous Inspector had accepted that the site could support a detached dwelling.

The scheme has been revised to remove the attached garage, reduce the depth and width of the building (from 7.4m x 9.1m to 8.5m x 6.5m with the conservatory being 3m x 3.5) and an increase in height from 7.7m to 8.5m with a pyramidal roof.

Building in Context and design

- The properties in Buxton Road are all two storey semi-detached houses with quite spacious gardens. The exception to this is a block of 4 self contained flats with 5 garages known as Buxton Court, which is located opposite the site. This development is quite different from the rest of the street and has no amenity space, however it appears to pre-date the Planning Act and therefore it should not set a precedent for this case.
- The new plot would be a maximum of 15.5m wide and 21.5m deep.
- The scheme will see a two storey detached house erected next to No 31 Buxton Road with a gap of 3.5m between the two dwellings. The roof will be the same height as No 31.
- A gap of 14m would remain to the single storey rear extensions at No 23 Forest Road.
- Two parking spaces will be provided on the forecourt facing Buxton Road. Two other spaces would be retained at the rear of No 21.
- The internal layout has been revised to deal with the concerns expressed about the previous application, and this has allowed a reduction in the bulk of the building.
- Although a detached house it is of a very similar height scale and bulk to each half of the pairs of semis within Buxton Road, and while slightly deeper than No 31 (0.9m) this would not be particularly noticeable when viewed from the junction with Forest Drive.
- It has been designed to reflect the predominant styles within Buxton Road, with detailing of the eaves on the front elevation reflecting the road detailing of the other houses, and the materials can be conditioned to respect the local vernacular.
- Whilst it is higher than the previous scheme this has resulted in a building which is more in keeping with the street scene and has enabled the reduction in width and depth to result in a more pleasing proportioned building, and one more in keeping with the street scene in this location.
- Whilst it is the case that the issue of a smaller garden than the rest of Buxton Road cannot be overcome in any application of this nature, the building itself is now one which is in proportion and not cramped on this site.
- It is the case, that on balance, the scheme has overcome the previous reasons for refusal, and the lack of a long garden does not fatally harm this application.
- It is also the case that this site is classed as previously developed land in an urban area. The efficient reuse of such urban land is a national and local priority and this scheme complies with this priority without causing harm to the local environment.

Amenity

- Although this application is now for a two storey dwelling the first floor rear windows would serve the bathroom, which would be obscure glazed, and a bedroom which would have a partially obscured glazed window, as would the flank window on the first floor. Due to this there would be no loss of privacy to neighbouring dwellings in Elizabeth Drive.
- The proposed house would not extend more than 0.9m beyond the rear wall of No. 31 Buxton Road and there would be an excess of 7m from the shared boundary with No. 25 Forest Drive (of which any effect would be to the very rear part of a large garden), and would be 7m from the newly created rear boundaries of No's. 21 and 23 Forest Drive. Due to this there would be no undue loss of light or visual amenities to these neighbours.
- The new dwelling meets the requirements for amenity space as does both of the other properties which garden space.

Highways

- The new parking provision for No. 21 Forest Drive would be off Buxton Road and the parking area for the new dwelling would utilise the existing access to the garages. These would both be acceptable and would not be detrimental to highway safety.
- The provision of two parking spaces for No.21 Forest Drive and two spaces for the new dwelling would be acceptable given the sustainable location of the site close to the train station and local shops, and served by local bus services.

Landscaping

- There is a large oak tree and two street trees close to/within the site. The oak tree would form part of the boundary between the proposed house and No. 21 Forest Drive and is protected, being important to the visual amenities of the area. Although concern was initially raised regarding the proximity of the tree to the new dwelling it is felt, subject to adequate protection measures, that this development would not be detrimental to the health and wellbeing of this tree.
- Similarly the protection of the street trees during construction and the use of adequate materials and methods of construction for the vehicle crossover and parking area for No. 21 Forest Drive is required to ensure there would be no undue harm to these trees.

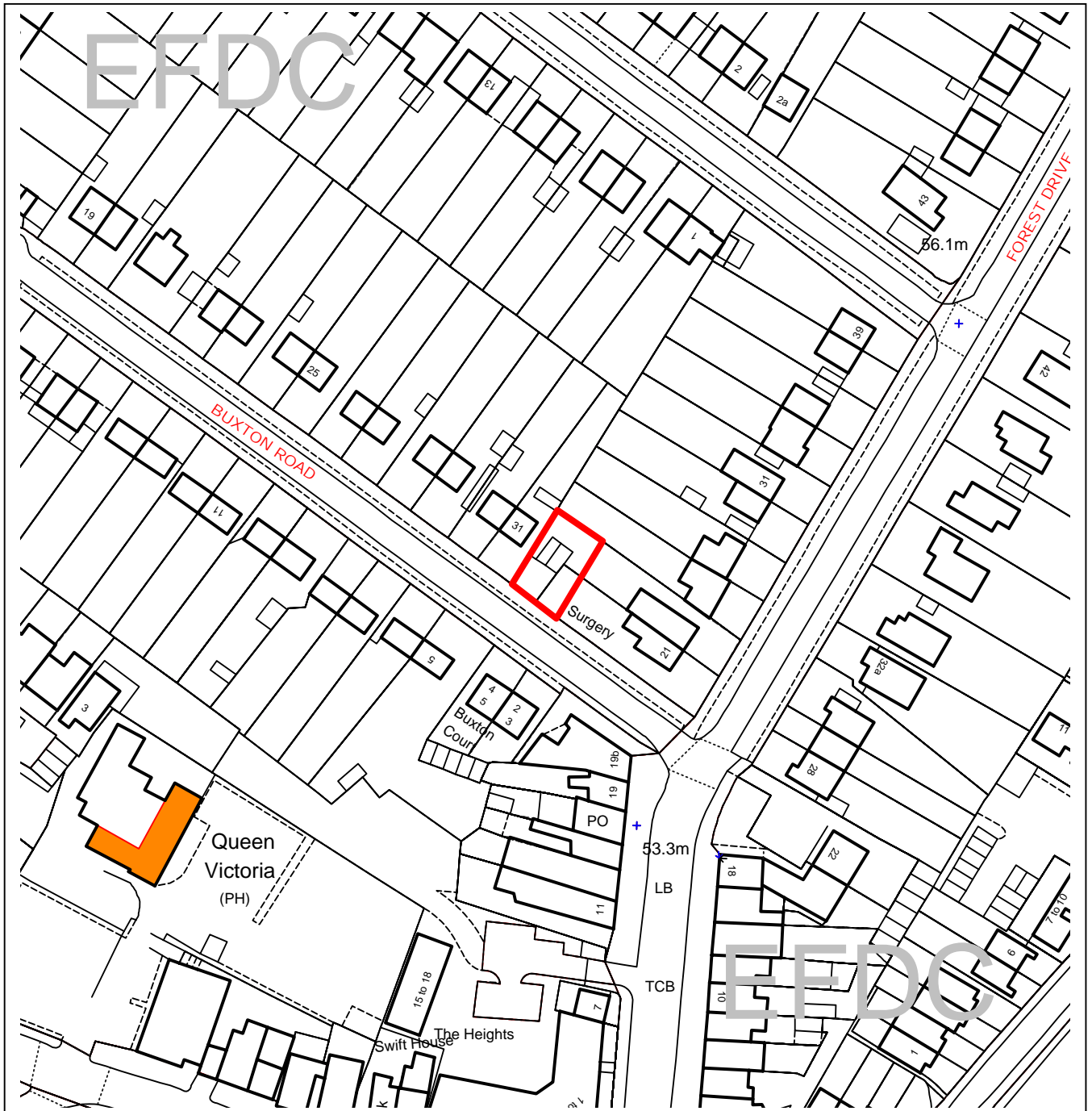
Conclusion:

The proposed two storey house has been revised successfully from the previous scheme and is no longer a cramped form of development, but one which respects the character and appearance of the street scene. There is no harm to the neighbouring properties or the trees and parking is more than adequate. The recommendation is for approval.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	5
Application Number:	EPF/1446/09
Site Name:	Land rear of 21 and 23 Forest Drive Theydon Bois, Epping, CM16 7HA
Scale of Plot:	1/1250

Report Item No: 6

APPLICATION No:	EPF/1455/09
SITE ADDRESS:	20 Elizabeth Drive Theydon Bois Epping Essex CM16 7HJ
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr John Hinton
DESCRIPTION OF PROPOSAL:	Two storey side and rear extensions and single storey rear extension. (Revised application)
RECOMMENDED DECISION:	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 proposed window openings in the flank elevation at first floor level 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.
- 3 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 4 The proposed two storey side/rear extension shall retain a gap of at least 1.0m, at first floor level, from the boundary with the north west neighbouring property (No22).
- 5 The proposed two storey rear extension shall retain a gap of at least 3.4m from the boundary with the south east neighbouring property (No18).

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 to extend the property to the side from 1m forward of the existing front building line to a depth of 13.0m. This would extend the property 3.5m beyond the existing rear building line on this side. The first floor is stepped in to retain a gap of 1.0m to the boundary. The single storey element on the other boundary would extend 4.1m from the irregular rear wall to come out flush with the two storey element.

Description of Site:

The proposal property is semi-detached with both properties having garages to the side. The style of the area is uniform rows of dwellings on either side of the road. Rear gardens are fairly generous and rise steadily to a height of approximately one storey, in relation to the properties, at the rear. There is evidence of some similar extensions within the vicinity.

Relevant History:

EPF/0644/09 - Two storey side and rear extensions and single storey rear extension. Refuse Permission (Householder) - 14/07/2009.

Policies Applied:

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

SUMMARY OF REPRESENTATIONS:

8 properties were consulted, no responses have been received:

PARISH COUNCIL: Objection. The original objections regarding the streetscene have been addressed however the other reason for refusal has not been met. Note: The other reason for refusal was intrusiveness from No. 22.

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 states that a residential extension should “complement, and where appropriate enhance” the streetscene and existing building in relation to such things as scale, form and separation from neighbouring buildings.

Properties in the immediate vicinity are characterised by bay windows at ground and first floor which form a section that projects out from the building line. The previous proposal suggested forming a similar section at first floor with the garage beneath. It was considered that this would have resulted in a cluttered front elevation which would have upset the regular pattern of front elevations to the detriment of the streetscene. This application has removed this element and replaced it with a traditional window. This would be more in keeping with the original property and as such would blend within the streetscene in a much more consistent way. The proposal does retain the requisite gap of 1m to the boundary. There is a relatively long flank wall created on the property. However this would be partly obscured by the neighbouring property and as such would not have significant impact on the character of the area. The extension is generally a subservient addition, with a similar example already in place on the road.

Impact on Neighbours Amenity

Policy DBE9 requires that residential extensions do not lead to loss of neighbour amenity in relation to such things as visual impact, overlooking or loss of daylight/sunlight.

The proposal would replace an existing garage filling the space between the dwelling and the north-west neighbour, No22. This property has a number of openings on the side elevation. However these are all obscure glazed and do not seem to serve habitable rooms. It is not considered there would be a highly detrimental loss of light to these windows. Rear facing windows would receive an adequate supply of light and there would be no material loss. There will be some loss of outlook due to the depth and proximity of the two storey rear extension, which will project beyond the main rear wall of No22. However, there is a reasonable separation distance between this and No 22's house, such that there will be no undue loss of amenity. The proposal contains two flank elevation windows at first floor level. However any concerns in relation to overlooking can be addressed by conditions.

The Parish Council make the point that the extension would still be visually intrusive when viewed from the north-west neighbouring property No22. This is a balanced decision in relation to this point. The flank wall is long; however the removal of the gabled bay window from the extended section would reduce impact. The insertion of an extra window in the side elevation also helps to provide a visual break in the flank wall. On balance it is considered that the proposal would be acceptable in relation to the neighbouring dwelling.

Whilst the two storey extension is set well back from No18 the single storey element of the proposal would be adjacent to the common boundary. This property has a set of patio doors close to the boundary and is separated from the proposal site by a solid wooden 2.0m fence. This fence extends to close to the top of the set of doors. The pitched roof and top section of the wall of the proposal would project above this fence. Due to its position west of the windows there will be no loss of sunlight. The fence already cuts out some light to their patio doors and the proposed extension would only have a marginal increase in impact on daylight loss. Loss of outlook would not be a concern and the occupants are also served by a generous rear garden. On balance the proposal would be acceptable on amenity considerations.

Note: The plans do not seem to be accurate in relation to the size of the plot and it is considered that conditions should be applied in relation to retaining adequate separation distances to neighbouring properties.

Conclusion:

As impact on neighbouring properties is to an acceptable level and the proposal would be acceptable in relation to the existing streetscene it is recommended it be approved with conditions.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	6
Application Number:	EPF/1455/09
Site Name:	20 Elizabeth Drive Theydon Bois CM16 7HJ
Scale of Plot:	1:1250

Report Item No: 7

APPLICATION No:	EPF/1623/09
SITE ADDRESS:	Land Adjacent 55 Theydon Park Road Theydon Bois Essex CM16 7LR
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr S Kaya
DESCRIPTION OF PROPOSAL:	Construct new dwelling with integral garage at site adjoining 55 Theydon Park Road.
RECOMMENDED DECISION:	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 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.
- 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 roof extensions generally permitted by virtue of Part 1, Class B shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 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.
- 6 Prior to first occupation of the building hereby approved the proposed window openings in the north flank elevation shall be entirely 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.

- 7 Prior to commencement of development, details of levels shall be submitted to and approved by the Local Planning Authority showing the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.

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 new dwelling on land adjacent to 55 Theydon Park Road. Planning permission was granted at appeal in March 2007 for a dwelling on this site and this application seeks some amendments to that approved scheme. The alterations to the approved scheme are:

- The use of Dutch hips on the front and rear gables;
- The addition of a canopy above the garage and front floor;
- The removal of the ramp access to the front door; and
- The insertions of French doors with a Juliet balcony to the rear elevation and ground floor level.

The dwelling would be two storey to the front, with a lounge at basement level to the rear of the property, making use of the change in levels across the site.

Description of Site:

The site is located on the eastern side of Theydon Park Road. Following the approval of the previous application at appeal, the site has been cleared and the trees shown to be removed in the application drawings have been felled. There is a significant change in levels across the site, with the land level decreasing at the rear of the site.

Relevant History:

EPF/0620/06. Demolition of garage and erection of new detached dwelling. (Revised application).
Refused 02/06/06. Subsequently allowed at appeal 13/03/07.

Policies Applied:

East of England Plan

ENV7 – Quality in the Built Environment

Adopted Local Plan and Alterations

DBE1 – New Buildings
DBE2 – New Buildings Amenity
DBE6 – Car Parking
DBE8 – Amenity Space
DBE9 – Neighbour Amenity
ST1 – Location of Development

ST2 – Accessibility of Development
ST4 – Road Safety
ST6 – Vehicle Parking
CP2 – Protecting the Quality of the Rural and Built Environment

Summary of Representations:

8 neighbouring properties were consulted, no responses were received.

THEYDON BOIS PARISH COUNCIL. Objection. We accept that the principle of a dwelling in this location has been agreed with application for outline consent previously granted on appeal. However we consider this proposal to be unacceptable in design terms for the following reasons:

1. It would appear from the plans of the proposed development that the window in the side elevation which will be looking directly into what we assume comprises the neighbour's bedroom.
2. We note that there is a discrepancy in the position of the boundary with number 55 as is shown on Drawing Numbers 6 and 7 respectively. It would appear that the relevant distance as shown on Plan 6 is approximately 0.714 metre whereas it is shown on Plan 7 as extending to 0.8 metre. We understand that the relevant distance should in fact extend to at least 1 metre and for this reason we query the accuracy of the Plans.

We would also comment that should consent be granted then condition should be applied whereby future permitted development rights are removed to safeguard against overdevelopment of the site and to control any future development.

Issues and Considerations:

The main issues in this case are the impacts of the changes to the already approved scheme on the amenities of the occupiers of neighbouring dwellings and on the character and appearance of the area.

Neighbouring Amenity

The main change which would affect the amenities of the occupiers of neighbouring dwellings would be the replacement of a window in the ground floor rear elevation with French doors. This would give rise to some additional overlooking of neighbouring gardens. However, this would be limited by the boundary treatments and also due to the rearward projection of no. 53 in relation to the proposed dwelling. For these reasons it is not considered that there would be a material loss of privacy.

Character and Appearance

The alterations to the dwelling which would be visible from the street (the Dutch hip, the canopy and the removal of the ramp access to the front door are considered to be fairly minor in relation to the approved scheme. Having regard to the variety of property designs within the locality, it is not considered that these alterations would be out of keeping with the street scene or detrimental to visual amenity in any other way. Furthermore the alterations to rear of the dwelling (the Dutch hip and the insertion of French doors) are also considered to be in keeping with the approved dwelling.

Other Matters

The comments made by Theydon Bois Parish Council are noted. However, with regard to points 1 and 2 in their representation (regarding the flank windows and the boundary positions) as these matters remain unchanged from the previous approval it is not considered that these would now justify the refusal of planning permission. Notwithstanding this, the Inspector's decision was subject to a planning condition requiring that these windows be obscure glazed and fixed closed and it is considered that it would be both reasonable and necessary to apply a similar condition in this instance. Furthermore, with regard to the boundary treatments, both drawings show a distance of approximately 1.9 metres between the flank elevations of the proposed dwelling and no. 55. Finally with regard to the removal of permitted development rights, the Inspector's decision only removed rights relating to rook extensions and new windows in the sides of the dwelling. Since that decision, there has been a change in legislation. However, having regard to the provisions of the new legislation, it is still not considered to be necessary to remove further permitted development rights in relation to other extensions or outbuildings, having regard to the specific circumstances of the site (not least because no. 53 extends further to the rear). Further still, as the new legislation required that any new side windows must be obscure glazed and fixed closed it is no longer considered necessary to prevent future additional windows.

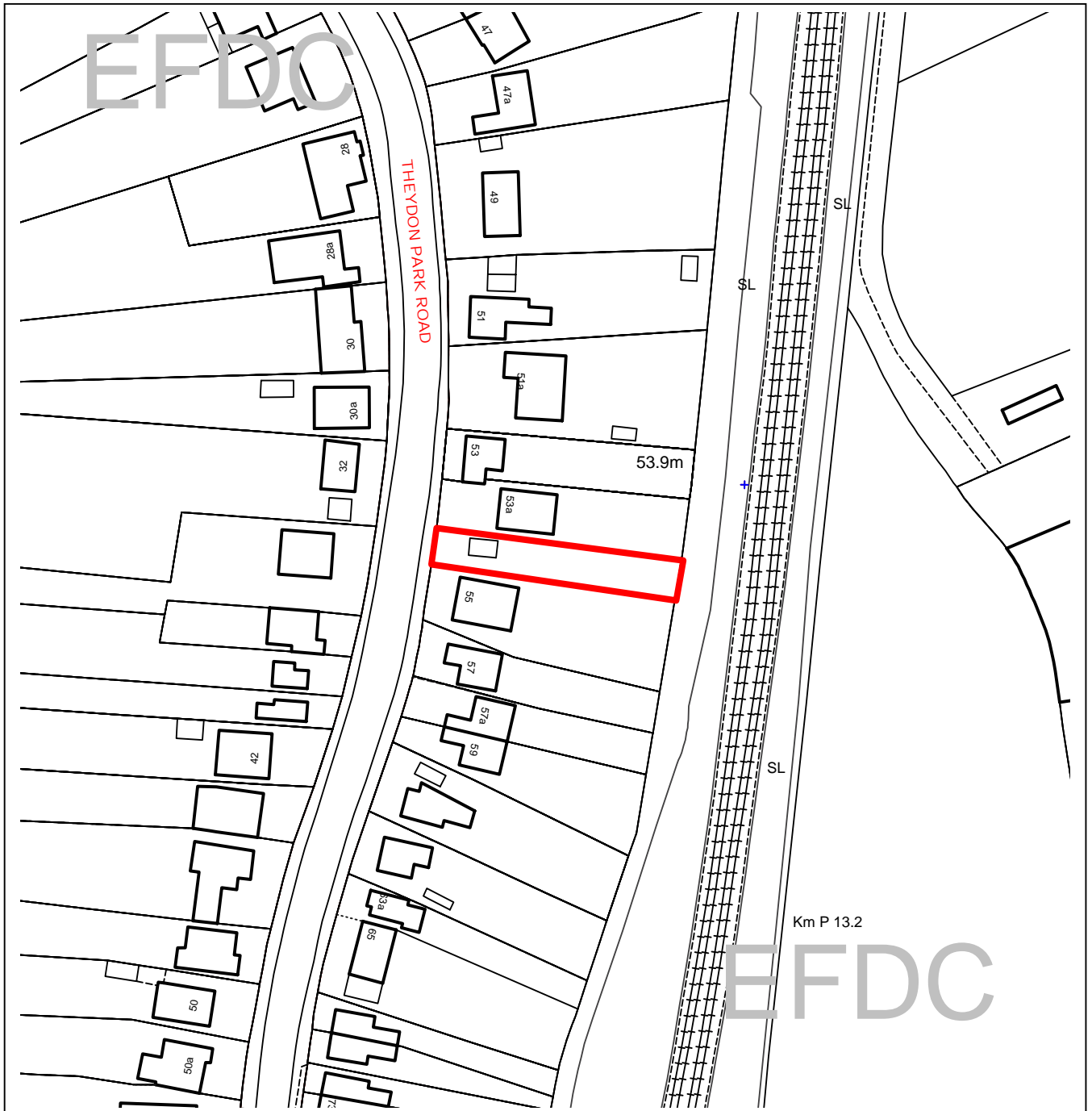
Conclusion:

In light of the above appraisal, it is considered that the proposed changes to the approved scheme would not be harmful to either the amenities of the occupiers of neighbouring dwellings or to the character and appearance of the area. Accordingly, subject to the conditions discussed above and others applied by the Inspector, it is recommended that planning permission be granted.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	7
Application Number:	EPF/1623/09
Site Name:	Land Adjacent 55 Theydon Park Road, Theydon Bois, CM16 7LR
Scale of Plot:	1/1250

Report Item No: 8

APPLICATION No:	EPF/1069/09
SITE ADDRESS:	The Old Rectory Mount Road Theydon Mount Epping Essex CM16 7PW
PARISH:	Theydon Mount
WARD:	Passingford
APPLICANT:	Mr Gary Littwin
DESCRIPTION OF PROPOSAL:	Proposed boundary fence with in and out drive and gates hung on brickwork piers including new crossover.
RECOMMENDED DECISION:	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 Notwithstanding the details shown on the submitted plan TMLEF/09/06A, no development shall take place until details of the replacement hedge that includes its position, density, species, timing of planting and a 5 year maintenance regime, have been submitted to and approved in writing by the Local Planning Authority. The hedge will then be planted and maintained in accordance with the approved details.
- 3 No unbound material shall be on the surface finish of the driveway within 6 metres of the highway boundary of the site.

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 applicant seeks planning permission for the erection of railings and gates along the front boundary of the site and the creation of an additional crossover. It should be noted that the existing hedge is to be removed to make way for the development.

The fence will comprise of wrought iron railings with a maximum height of 1.9 metres. The two proposed gateways will include brickwork piers 2.3 metres high and simple wrought iron gates.

Description of Site:

The subject site is located on the eastern side of Mount Road on the outskirts of the village known as Theydon Mount. The site itself is relatively level, regular in shape and is located within a small built up enclave of residential buildings within the Green Belt.

Currently located towards the front of the site is a double storey detached dwelling constructed from brick with a plain tile roof. A detached garage is located to the side of the dwelling. Vehicle parking is located either within the garage or on the hard surface towards the front of the dwelling.

Relevant History:

EPF/01784/08 - Construction of boundary wall and entrance gates and erection of a detached 3 no. car garage. (refused)

EPF/0186/09 - Proposed boundary wall and in and out drive. (Revised application to EPF/1784/08) (refused)

Policies Applied:

GB2A Development within the Green Belt
GB7A Conspicuous Development
DBE1 Design and Appearance
DBE4 Development within the Green Belt
DBE9 Loss of amenity

Summary of Representations

THEYDON MOUNT PARISH COUNCIL – Objects, as the proposed fence is of an urban design resulting in a detrimental impact to the character of the surrounding area and it would also result in the removal of an established hedge.

The application was advertised to adjoining property owners by mail. Six letters of objection were received by the Council from the following addresses:

- 43 Brickfield Cottage, Theydon Mount
- Birchfield, Mount Road, Theydon Mount
- 1 Beachett Cottage, Theydon Mount
- 2 Beachett Cottage, Theydon Mount
- 42 Mount Road (also known as 42 Brickfield Cottage), Theydon Mount

Their concerns regarding the application are as follows:

- The proposed fence and gates would be out of character with the surrounding area due to their urban appearance and design.
- The proposed fence should be replaced by a timber fence so that it is more in keeping with the surrounding area.
- The submitted plans fail to show dimensions of the height of the fence.
- The fence would be out of character in relation to the Green Belt.
- The application is misleading as a fence is normally a wooden structure and not wrought iron railings.

Issues and Considerations:

It should be noted that the Council refused the previous planning application (EPF/0186/09) as it was considered that the design of the fence would be out of character within the surrounding area due to its urban like design.

The main difference between the scheme that was refused and the proposed scheme is that the refused scheme incorporated a brick plinth with railings above and included brick piers between each section of wall. The current scheme has simplified the design by the removal of the walling and the piers leaving just 1.9m railings and only the four piers required in connection with the gates.

Therefore the main issue to be addressed in this case is whether the proposed scheme has overcome the Council's initial reason of refusal in terms of its design and appearance and whether it would reflect the character of the surrounding area.

Firstly, it is noted that the existing front boundary hedge would need to be removed to make way for the proposed fence and gates, which is regrettable. However it should be noted that the hedgerow is not protected and the applicant could remove the hedgerow at any stage without any requirement to replace it with landscaping or a fence which would lead to the driveway and parking area being exposed to view. Additionally the existing hedge is in relatively poor condition.

The design and appearance of the currently proposed railings and gates is simpler and with the loss of a significant amount of brickwork it has a less suburban character and less prominence in the street scene. The proposal includes provision of a replacement hedge, which can be planted behind the railings which would further soften their appearance and this can be required by a condition.

It should be noted that although adjoining properties don't have wrought iron fences, they do have large wrought iron gates with some of these incorporating large brick piers. Approximately 500 to 600 metres south of the subject site a similar set of fences and gates that incorporate just iron railings have recently been erected and these are set within the conservation area. It is difficult to argue therefore that the proposed development would be out of character with the surrounding area.

It is considered therefore that the proposed railings and gates are acceptable in terms of their design and appearance subject to the planting of a hedge immediately behind the railings.

It is not considered that the development will have a significant impact on the openness of the Metropolitan Green Belt in this location.

The application was referred to Essex County Council's highways officer who stated that they have no objection to the construction of a new crossover.

The gates are setback sufficient distance from the highway to enable vehicles to pull into the site and off the highway when the gates are being opened. It is not considered that the new crossover will cause harm to highway safety or result in traffic congestion along Mount Road.

The proposal will not cause harm to the residential amenity of any adjacent occupants.

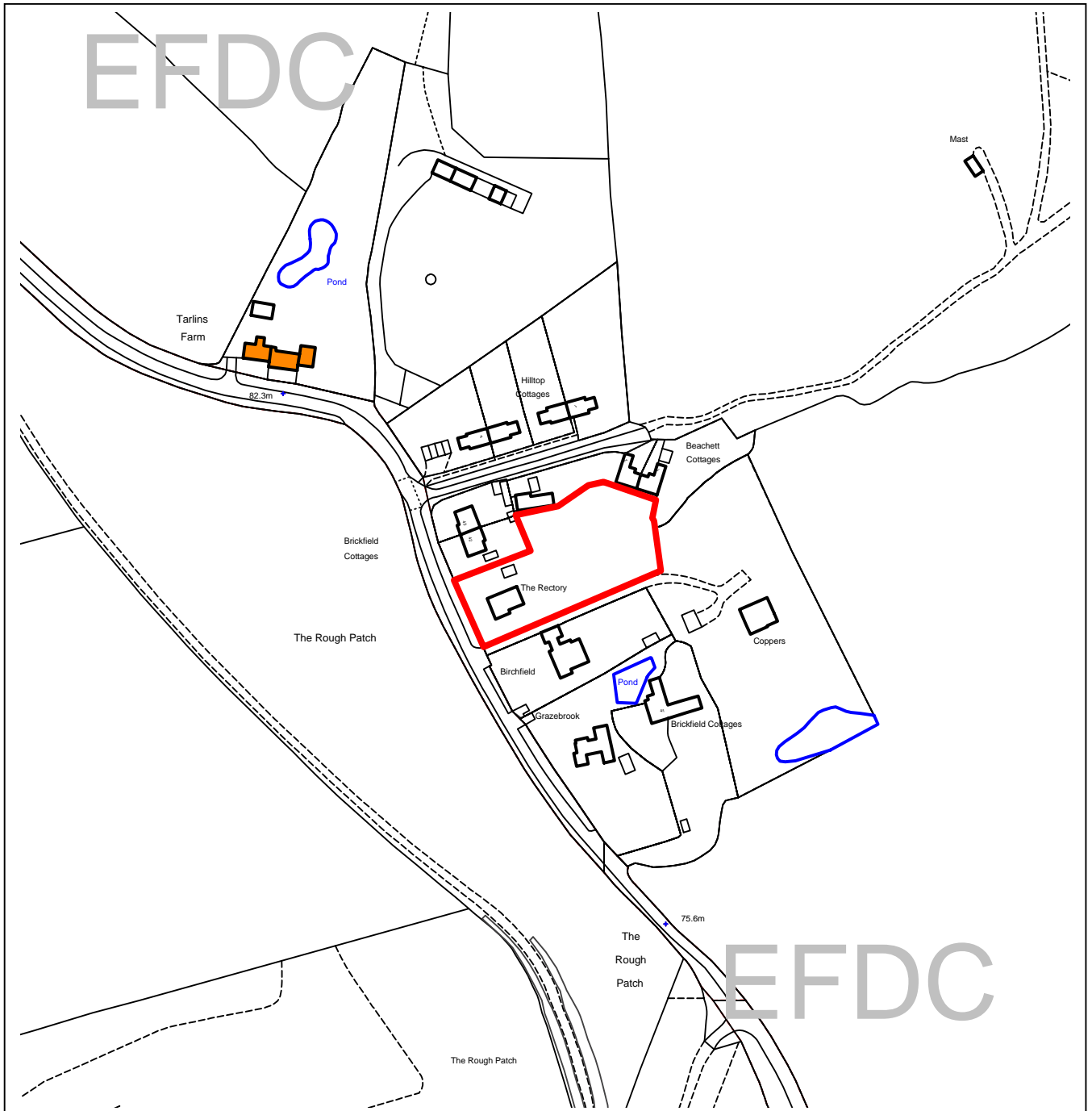
Conclusion:

In conclusion it is considered that the revised proposal is acceptable and it is therefore recommended for approval subject to conditions.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	8
Application Number:	EPF/1069/09
Site Name:	The Old Rectory, Mount Road Theydon Mount, CM16 7PW
Scale of Plot:	1/2500

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