

Committee Agenda



**Webcast
Meeting**



**Epping Forest
District Council**

Area Planning Subcommittee East Wednesday, 4th November, 2009

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

Time: 7.30 pm

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

Members:

Councillors 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

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

WEBCASTING NOTICE

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

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

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

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

1. WEBCASTING INTRODUCTION

1. This meeting is to be webcast. Members are reminded of the need to activate their microphones before speaking.

2. The Chairman will read the following announcement:

“I would like to remind everyone present that this meeting will be broadcast live to the Internet and will be capable of repeated viewing and copies of the recording could be made available for those that request it.

If you are seated in the lower public seating area it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

This may infringe your human and data protection rights and if you wish to avoid this you should move to the upper public gallery”

2. ADVICE TO PUBLIC AND SPEAKERS AT COUNCIL PLANNING SUB-COMMITTEES (Pages 5 - 6)

General advice to people attending the meeting is attached.

3. MINUTES (Pages 7 - 24)

To confirm the minutes of the last meeting of the Sub-Committee held on 14 October 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 25 - 46)

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

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

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

8. DELEGATED DECISIONS

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

9. EXCLUSION OF PUBLIC AND PRESS

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

Agenda Item No	Subject	Exempt Paragraph Number	Information
Nil	Nil	Nil	

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

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

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

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

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

advice of any political advisor.

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

Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

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

When and where is the meeting?

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

Can I speak?

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

Who can speak?

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

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

Such members are required to speak from the public seating area and address the Subcommittee before leaving.

What can I say?

You will be allowed to have your say about the application but you must bear in mind that you are limited to three minutes. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Sub-Committee members.

If you are not present by the time your item is considered, the Subcommittee will determine the application in your absence.

Can I give the Councillors more information about my application or my objection?

Yes you can but it must not be presented at the meeting. If you wish to send further information to Councillors, their contact details can be obtained through Democratic Services or our website www.eppingforestdc.gov.uk. 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:** 14 October 2009

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.14 pm

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

Other Councillors:

Apologies: P Gode, Mrs A Grigg and Mrs M McEwen

Officers Present: J Shingler (Senior Planning Officer), M Jenkins (Democratic Services Assistant) and R Perrin (Democratic Services Assistant)

51. 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.

52. 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.

53. MINUTES

RESOLVED:

That subject to the following amendments, the minutes of the Sub-Committee held on 23 September 2009 be signed by the Chairman as a correct record:

Item 11 & 12 – Gaynes Park Mansion, Banks Lane, Theydon Garnon, Epping

“Resolved to Grant subject to the agreement of the Secretary of State, the conditions listed, and that the applicant first entering into a planning obligation under S.106 of the Town and Country Planning Act 1990 requiring the completion of all works necessary to preserve the special architectural and historic character of Gaynes Park Mansion prior to the commencement of any work on proposed enabling development of 4 houses.”

54. DECLARATIONS OF INTEREST

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

- EPF/1054/09 72 Plots 2,13,14 & 15 Kings Wood Park, St Margarets Hospital, The Plain, Epping

(b) Pursuant to the Council's Code of Member Conduct, Councillor D Stallan 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 his interest was not prejudicial and he would stay in the meeting for the consideration of the application and voting thereon:

- 69 High Road, North Weald Bassett, Epping
- Rear of 69 High Road, North Weald Bassett, Epping

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

- 69 High Road, North Weald Bassett, Epping
- Rear of 69 High Road, North Weald Bassett, Epping
- The Old Rectory, Mount Road, Theydon Mount, Epping

d) Pursuant to the Council's Code of Member Conduct, Councillor R Frankel declared a personal interest in the following item of the agenda by virtue of being acquainted with the applicant. The Councillor had determined that his interest was not prejudicial and he would stay in the meeting for the consideration of the application and voting thereon:

- Land rear of 21 & 23 Forest drive, Theydon Bois, Epping

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

- Land rear of 21 & 23 Forest drive, Theydon Bois, Epping

f) Pursuant to the Council's Code of Member Conduct, Councillor J Philip declared a personal interest in the following item of the agenda by virtue of being a member of Theydon Bois Parish Council and acquainted with Applicant. The Councillor had determined that his interest was not prejudicial and he would stay in the meeting for the consideration of the application and voting thereon:

- Land rear of 21 & 23 Forest drive, Theydon Bois, Epping

g) Pursuant to the Council's Code of Member Conduct, Councillor J Philip 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 he would stay in the meeting for the consideration of the application and voting thereon:

- Land adjacent, 55 Theydon Park Road, Theydon Bois

h) Pursuant to the Council's Code of Member Conduct, Councillor J Philip declared a personal interest in the following item of the agenda by virtue of being a member of Theydon Bois Parish Council and acquainted with Applicant. The Councillor had determined that his interest was not prejudicial and he would stay in the meeting for the consideration of the application and voting thereon:

- The Old Rectory, Mount Road, Theydon Mount, Epping

55. ANY OTHER BUSINESS

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

56. DEVELOPMENT CONTROL

RESOLVED:

That the planning applications numbered 1 – 8 be determined as set out in the schedule attached to these minutes.

57. 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/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
DESCRIPTION OF PROPOSAL:	Erection of four detached houses.
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.

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
DESCRIPTION OF PROPOSAL:	Conversion of single dwelling unit into two dwellings.
DECISION:	Refuse Permission

REASONS FOR REFUSAL

- 1 The proposal provides an inadequate number of parking spaces for 2 properties and no turning area within the site to enable vehicles to access and egress in a forward gear. This proposal is therefore likely to result in increased on-street parking and harm to highway safety contrary to policies ST4 and ST6 of the Adopted Local Plan and Alterations.

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
DESCRIPTION OF PROPOSAL:	Erection of new bungalow.
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.

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
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.
DECISION:	Deferred

The Committee deferred a decision on this proposal awaiting further information.

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.

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
DESCRIPTION OF PROPOSAL:	Demolition of existing garages and erection of a two bedroom detached house with conservatory. (Revised application)
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.

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
DESCRIPTION OF PROPOSAL:	Two storey side and rear extensions and single storey rear extension. (Revised application)
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).

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
DESCRIPTION OF PROPOSAL:	Construct new dwelling with integral garage at site adjoining 55 Theydon Park Road.
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.

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
DESCRIPTION OF PROPOSAL:	Proposed boundary fence with in and out drive and gates hung on brickwork piers including new crossover.
DECISION:	Refused Permission

Members considered the officers report but were of the opinion that the differences between this application and the previous scheme which was refused, were minimal and that the proposal would introduce suburban design inappropriate in this rural location and harmful to the character and amenity of the area and to the Metropolitan Green Belt. They considered that the loss of the fronting hedge and its replacement with high railings and pillars would be harmful, as would the introduction of a second vehicular access that results in the loss of a further area of grass verge. This view is in accordance with the views expressed by an Appeal Inspector in his decision letter of 23 March 2009 in relation to application EPF/1517/08 (for a replacement dwelling and garage block on this site). Appeal ref: APP/J1535/A/08/2092412 Paragraph 11 of that report includes the following... "The proposal also includes two access points and an extensive parking and turning area between the house and Mount Road. The combined effect of all these features would be to create a much more intensive form of development with a suburban character which would be out of keeping with the rural surroundings."

Members agreed with this view and resolved to refuse the application for the reasons set out below.

REASONS FOR REFUSAL

- 1 The proposal will remove the hedgerow at the front of the site and replace this with high pillars and railings to the front boundary and introduce a second vehicular access over the green verge. This will appear as a visually prominent feature resulting in an intrusive form of development out of keeping with this rural location, contrary to policies DBE1 and LL2 of the Adopted Local Plan and Alterations.
- 2 The site is located within the Metropolitan Green Belt, the proposed development will have a detrimental impact on openness and detract from the rural character and appearance of the countryside and thus will constitute inappropriate development within the locality and this fails to comply with policy GB2A of the Adopted Local Plan and Alterations.

AREA PLANS SUB-COMMITTEE 'EAST'

Date 4 November 2009

INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1	EPF/1271/09	The Green Man School Road Toot Hill Ongar	Refuse Permission	27
2	EPF/1311/09	Land adjacent 68 York Road Blenheim Way North Weald	Grant Permission (Subject to S106)	32
3	EPF/1339/09	22 Forest Drive Fyfield Ongar	Grant Permission (With Conditions)	37
4	EPF/1744/09	19-23 High Street Epping	Grant Permission (With Conditions)	40

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Report Item No: 1

APPLICATION No:	EPF/1271/09
SITE ADDRESS:	The Green Man School Road Toot Hill Ongar Essex CM5 9SD
PARISH:	Stanford Rivers
WARD:	Passingford
APPLICANT:	Mr D Hunt
DESCRIPTION OF PROPOSAL:	Replacement of former stables with accommodation block and rear extension to form conservatory and storage.
RECOMMENDED DECISION:	Refuse Permission

REASON FOR REFUSAL

- 1 The proposed accommodation block is inappropriate development in the Green Belt, by definition harmful, additionally the position, size, and scale of the accommodation block would have a materially greater impact on the openness of the Green Belt than the stable building and hedgerow that it would replace, and would therefore be physically harmful to the openness of the Green Belt. No very special circumstances sufficient to outweigh this harm have been demonstrated. The proposal is therefore contrary to policy GB2A of the Adopted Local Plan and Alterations.
- 2 The proposed accommodation block due to its size and position within the site and its detailing, including the uncharacteristic dormer windows within the roof, is considered out of character with the rural location and harmful to visual amenity contrary to policy DBE4 and of the Adopted Local Plan and Alterations.

This application is before this Committee since it is an application for commercial development and the recommendation differs from more than one expression of support (Pursuant to Section P4, Schedule A (f) of the Council's Delegated Functions).

Description of Proposal:

The proposal is for the replacement of a former stable block within the curtilage of The Green Man Public House with a much larger structure, measuring 40m x 5m to provide 7 No. guest rooms for ancillary overnight accommodation. The building would have a hipped roof to a height of 4.8m with dormer windows breaking the roofline. The external materials proposed are brick and tile. The application also includes an attached conservatory and storage space to the rear of the existing Public House.

Description of Site:

The proposed accommodation block has been substantially completed with the external walls, internal walls and a number of brick piers for roof support completed. A Temporary Stop Notice was served when it became apparent that the works did not have planning permission but work has continued since its expiration on 23/09/09. The site is within The Metropolitan Green Belt but the public house is not listed and the site is not within a conservation area. The Public House is located on the eastern side adjacent to the roadway with a yard area, which could be used for parking at the rear. The rear of the site is fairly well screened by existing trees. The immediate area is residential with arable farmland bordering the proposal site at the rear.

Relevant History

EPF/1232/76 - Use of land for car park. Grant Permission (with conditions) - 01/11/1976.

EPF/1477/76 - Change of use of outbuildings to public house and alterations to elevations. Grant Permission (with conditions) - 13/12/1976.

EPF/0277/83 - Single storey side and rear extensions and porch. Grant Permission (with conditions) - 20/04/1983.

EPF/0239/00 - Proposed rear conservatory extension. Grant Permission (with conditions) - 09/06/2000.

EPF/0573/04 - Conversion of stable block into 5 no. units of ancillary accommodation (Guest Bedrooms). Grant Permission (with conditions) - 14/05/2004.

LB/EPF/0574/04 - Conversion of stable block into 5 no. units of ancillary accommodation (Guest Bedrooms) within curtilage of Listed Building. Grant Permission (with conditions) - 14/05/2004.

NB despite the above reference to Curtilage Listed Buildings, neither the public house nor the stable block is listed.

Policies Applied:

Policy CP2 – Protecting the Quality of the Rural and Built Environment

Policy GB2A – Development in the Green Belt

Policy DBE4 – Design in the Green Belt

Policy DBE9 – Loss of Amenity

Policy LL10 – Adequacy of Provision for Landscape Retention

SUMMARY OF REPRESENTATIONS:

4 properties were consulted and a site notice was displayed, the following replies were received;

1 BARN MEAD: Objection. Out of keeping and exceeds previous stable block in terms of height and length. Emergency services would have difficulty accessing garages at rear.

2 BARN MEAD: Objection. New building is substantially larger, both the height of the walls and pitch of the roof. Previous building was not visible and now an expanse of brickwork is visible from rear of the house and garden, replacing an existing hedge which has been removed. Dormer windows indicate an upper floor. Could the pub not have been renovated to provide accommodation? Issues with emergency services reaching garages at the rear. Reduction in parking due to increased demand. Previous reduced scheme was more acceptable.

PETITION: SUPPORT. A petition in support of the application has been received and signed by 66 members of the public.

PARISH COUNCIL: No Objection.

Issues and Considerations:

The main issues to consider in this case are appropriateness of this development in the Green Belt and issues in relation to neighbour amenity.

Green Belt Location

The submitted plans show the proposed accommodation block structure recessed back from the building line of the Public House, when it in fact projects approximately 0.5m forward from the corner of the building. Planning Approval was granted for the conversion of an existing stable block in 2004 into 5 No guest rooms. This building was much smaller at 20m long and was subsequently demolished. The applicant has indicated in a supporting statement that this was on safety grounds, as the building proved to be structurally unsound during the conversion works. The officer's report at the time stated that "this is a brick built structure of solid appearance and substantially suitable for conversion" and therefore worthy of retention.

Notwithstanding this point, Policy GB2 permits appropriate development in the Green Belt and defines eight categories in which development may be permitted and deemed appropriate. The proposed development does not fall within any of these categories, and is inappropriate development, by definition harmful. (whereas the conversion of an existing building is appropriate in policy terms. Additionally the proposal is also much longer than the building it replaces and has a higher eaves and ridge line and introduces a dormer window feature which is not a traditional feature of ancillary buildings in the rural area. The building would be harmful to its Green Belt setting in terms of size and scale and detailing. PPG2 states that where inappropriate development is proposed very special circumstances that are of sufficient importance to outweigh harm to the Green Belt should be clearly demonstrated by the applicant. In relation to this the applicant has briefly stated thus; that the structure and its proposed use are needed in order to maintain the viability of the business, by attracting overnight guests using other local businesses. This would, it is hoped, secure the Public House as a Local facility. It is evident from the submitted petition that there is also some local support for the proposal, but the applicant has not submitted any supporting evidence to show that the business is not currently viable or any business plan to show how the provision of overnight accommodation will secure the future of the pub.

It is considered that the building represents inappropriate development and the special circumstances provided do not outweigh harm to the Green Belt setting. The work has been carried out insensitively resulting in the loss of hedge cover along this boundary. The building is therefore exposed and overly dominant resulting in an excessively long featureless wall clearly visible from the roadway. The potential of landscaping softening the impact of the proposal on this elevation has been lost.

The point has been made of a previous building on the site close to where this building will be constructed. Council records do show a building in position but it is evident that this has been demolished some time ago and this bears no influence on the decision.

The conservatory and storage room extension to the main building is not considered to be contentious and in design terms would be acceptable. Its position at the rear of the building, and tree cover would mean it would largely go unseen and would have no impact on the local streetscene, although it does impact on openness it is not considered to be excessive.

Neighbour 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 has replaced a hedge, when viewed from the rear of the neighbouring properties. Although this is regrettable the existence of a 2.0m fence at the neighbouring boundary and the position of an access road between the proposal and the neighbouring properties reduces impact and is not considered a strong enough reason to warrant refusal in this instance. The structure on the front elevation would not be significantly more dominant than the stable block it replaced in terms of neighbour amenity.

Parking/Highway Concerns

Objection letters make the point that access will be affected to garages at the rear of the access road and that parking will become an issue. Essex County Council Highways Department have been consulted and have no objection to the application and suggest no conditions to an approved application. It is considered that additional parking could be accommodated within the site and the increased traffic generated would not significantly harm the Green Belt location. It is further considered that as the building is, in part, in the same position as a demolished brick structure, access to the rear should not be further compromised.

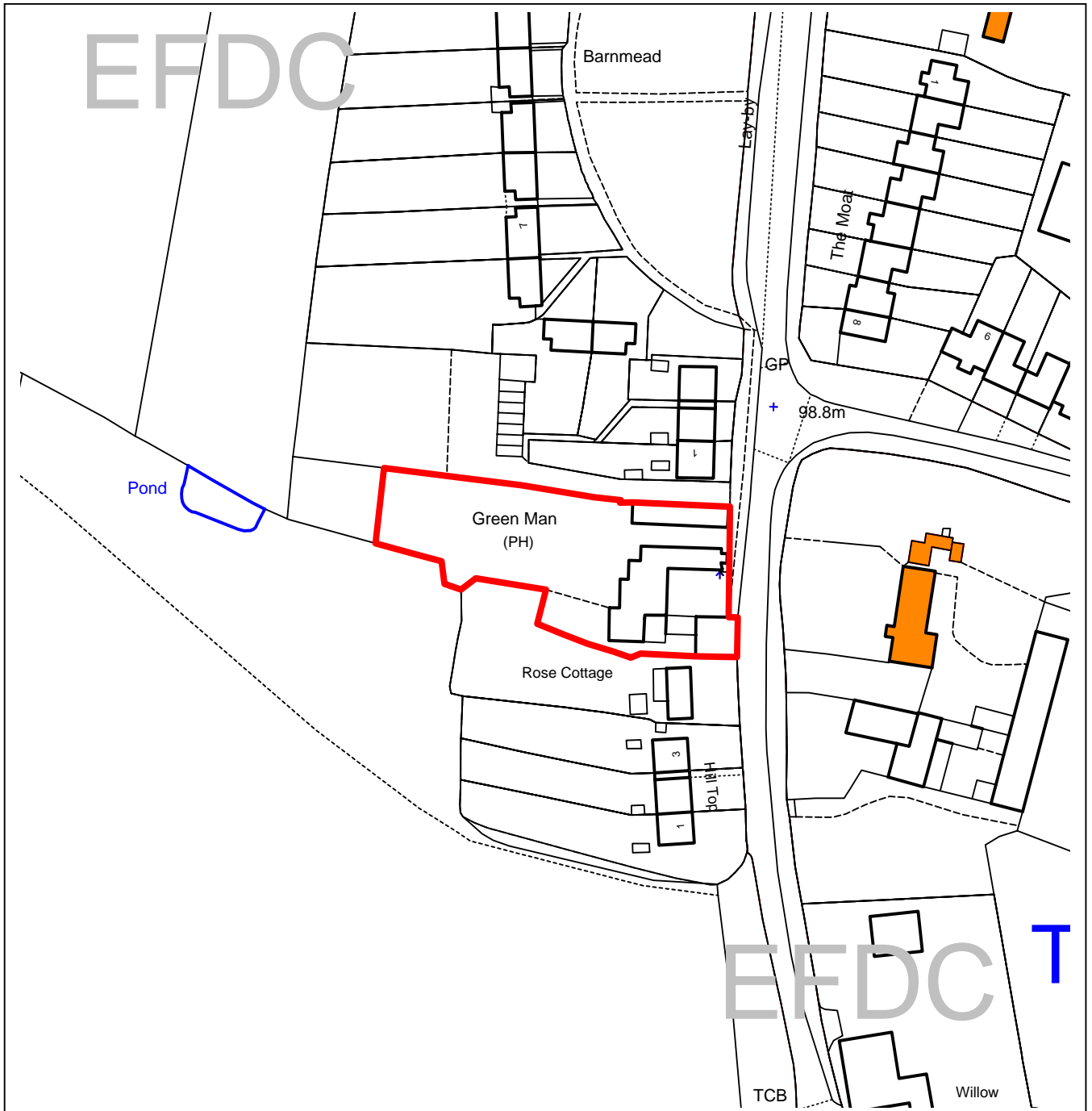
Conclusion:

This application represents inappropriate development in the Green Belt, whereby a case of very special circumstances must be made to warrant an approval. The applicant cites a need for the proposal to maintain the viability of the business and therefore its current use as a focal point for village life. Current planning guidelines recognise the importance of maintaining the sustainability of rural communities and local support for the scheme is recognised. Officers are not wholly against the provision of such a facility within the grounds of the public house and recognise the importance of the community facility. The Council has approved similar developments of overnight accommodation elsewhere in the District's Green Belt in similar circumstances. However in this instance the proposed development is considered poorly located within the curtilage of the pub and of poor design. The works that have been carried out are unsympathetic to its surroundings, leave little space for replacement landscaping, are harmful to the green belt and the rural character of the area and a case has not been made for the need for the development, on this basis the application is recommended for refusal.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	1
Application Number:	EPF/1271/09
Site Name:	The Green Man, School Road, Toot Hill CM5 9SD
Scale of Plot:	1:1250

Report Item No: 2

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
APPLICANT:	Crest Nicholson (Eastern) Ltd
DESCRIPTION OF PROPOSAL:	The construction of hardstanding for car parking
RECOMMENDED DECISION:	Grant Permission (Subject to S106)

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 any storage compound, contractor and visitor parking, location of wheel washing facility and details of main access. This statement shall set out working hours for contractors operating onsite and detail any Membership to a Considerate Constructors Scheme.
- 3 Before the commencement of the development, or of any works on the site, and concurrently with the detailed design plans, a tree survey shall be submitted to the Local Planning Authority. The survey shall contain relevant details on all trees on or adjacent to the site, and with a stem diameter of 100mm or greater, to include the following:
 - (a) Reference number, species, location, girth or stem diameter, and accurately planned crown spread.
 - (b) An assessment of condition, and value.
 - (c) Existing ground levels, including contours where appropriate, adjacent to trees, where nearby changes in level, or excavations, are proposed.
 - (d) Trees to be removed in conjunction with the proposed development shall be clearly marked as such on a plan.

- 4 The development, including site clearance, must not commence until a tree protection plan, to include all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing.

The statement must include a plan showing the area to be protected and fencing in accordance with the relevant British Standard (Trees in Relation to Construction-Recommendations; BS.5837:2005). It must also specify any other means needed to ensure that all of the trees to be retained will not be harmed during the development, including by damage to their root system, directly or indirectly.

The statement must explain how the protection will be implemented, including responsibility for site supervision, control and liaison with the LPA.

The trees must be protected in accordance with the agreed statement throughout the period of development, unless the Local Planning Authority has given its prior written consent to any variation.

- 5 Prior to the commencement of the development details of the proposed surface materials 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 use of the development.

- 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.

This application is before this Committee because:

- *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).*

The application was deferred at a previous meeting to enable negotiation and to address concerns of Members and Local residents. A revised layout has been submitted and the parking area has been moved forward adjacent to the road, leaving a green space and tree to the rear. Neighbours have been reconsulted on the amended scheme.

The report has been amended to address the changes to the proposal.

Description of Proposal:

The applicant seeks consent to provide 7 parking spaces in a hard surfaced area adjacent to 68 York Road. The parking layout has been revised subsequent to Officer discussions seeking to retain a street tree.

The proposals are inextricably linked to the determination of applications EPF/1655/02 and EPF/0081/09 as the provision of parking in this location is required by the S106 relating to the outline consent. The obligation is that the developer of the former parade ground site must provide additional parking in identified areas for the use by residents and visitors in the wider area.

Description of Site:

The site is situated adjacent 68 York Road, near a building currently owned by the Council and used for record storage and a flat roof building which is understood to be a defunct pumping station.

The immediately adjacent highway is currently a turning head leading onto York Road and further along to the presently unadopted Blenheim Way. The gated highway at this point is presently used by residents as parking.

Relevant History:

EPF/1655/02 – Outline application for redevelopment to provide residential development with access from Blenheim Way and York Road – Approved with a S106.

EPF/0081/09 – Reserved Matters Application for 126 unit - Approved

Policies Applied:

Epping Forest District Local Plan and Alterations

CP01 - Achieving Sustainable Development Objectives
CP02 - Protecting the quality of the Rural and Built Environment
GB02A - Development in the Green Belt
GB07A - Conspicuous Development
DBE06 - Car Parking in new developments
DBE07 - Public Open Space
ST04 - Road Safety
ST06 - Vehicle Parking

SUMMARY OF REPRESENTATIONS:

10 neighbouring properties were notified originally, the following comments were received:

68 YORK ROAD – Both occupants have provided the same letter as objection. Object due to the loss of the green space, the increased noise and disturbance and car fumes impacting garden and property here. Object due to existing parking issues in the area and insufficient spaces for existing and new residents. Loss of a play area, and potential for increased parking from visitors to the market. Security and overdevelopment concerns are also raised.

1 YORK ROAD

Object to the loss of a green space used as a play area. Concerns relating to noise and pollution in proximity to gardens and the loss of existing spaces (9 if double parked) The proposals provide 7 independent spaces.

NORTH WEALD PARISH COUNCIL:

The Council Objects to this application, however we would be happy to consider a revised application which takes into consideration the privacy of local residents.

Following a revised layout of the parking area 10 neighbours were re-notified and the following comments have been received:

66 York Road – Object due to satisfactory existing parking arrangement and concerns that the proposals are intended to serve the nearby residential development on the former parade ground. Objections are also raised towards the opening of the access between York Road and Hurricane Way, the resultant loss of existing parking and traffic generation.

68 York Road – Object due to loss of the existing parking area used in the turning head serving the street, the loss of green space, the potential damage to tree roots and potential impacts to the structural integrity of the neighbouring residences and adjacent currently unused building.

NORTH WEALD PARISH COUNCIL: No objection

Members should be aware that this report has been drafted before the end of the neighbour consultation period. Any further representations received will be reported direct to Members at the meeting.

Issues and Considerations:

The main issues for consideration relate to the layout of the car parking, the location of the additional parking provided and neighbouring amenity.

The S106 associated with the outline application required the applicant to provide a parking area in this location and had stipulated a layout which the applicant had previously followed. At the request of Officers and in light of objections raised, the applicant has revised this layout to retain a greater landscaped area and an established tree to the rear of this space.

The applicant has indicated they are willing to enter an agreement to vary the original S106 to enable a departure from the previous layout.

The layout of the car parking remains acceptable, with spaces remaining easily accessible, furthermore the proposals have no greater impact on neighbouring amenity, and whilst more visible in the streetscene, the revised layout does improve visual amenity with the retention of the tree and a greater area of soft landscaping.

Neighbouring objections relating to the opening of the access have no bearing on this application as the access and highway alterations are beyond the scope of this application. The Council's Tree and Landscape Officer has requested conditions to ensure the preservation of the existing tree, and issues relating to structural integrity are not a planning consideration.

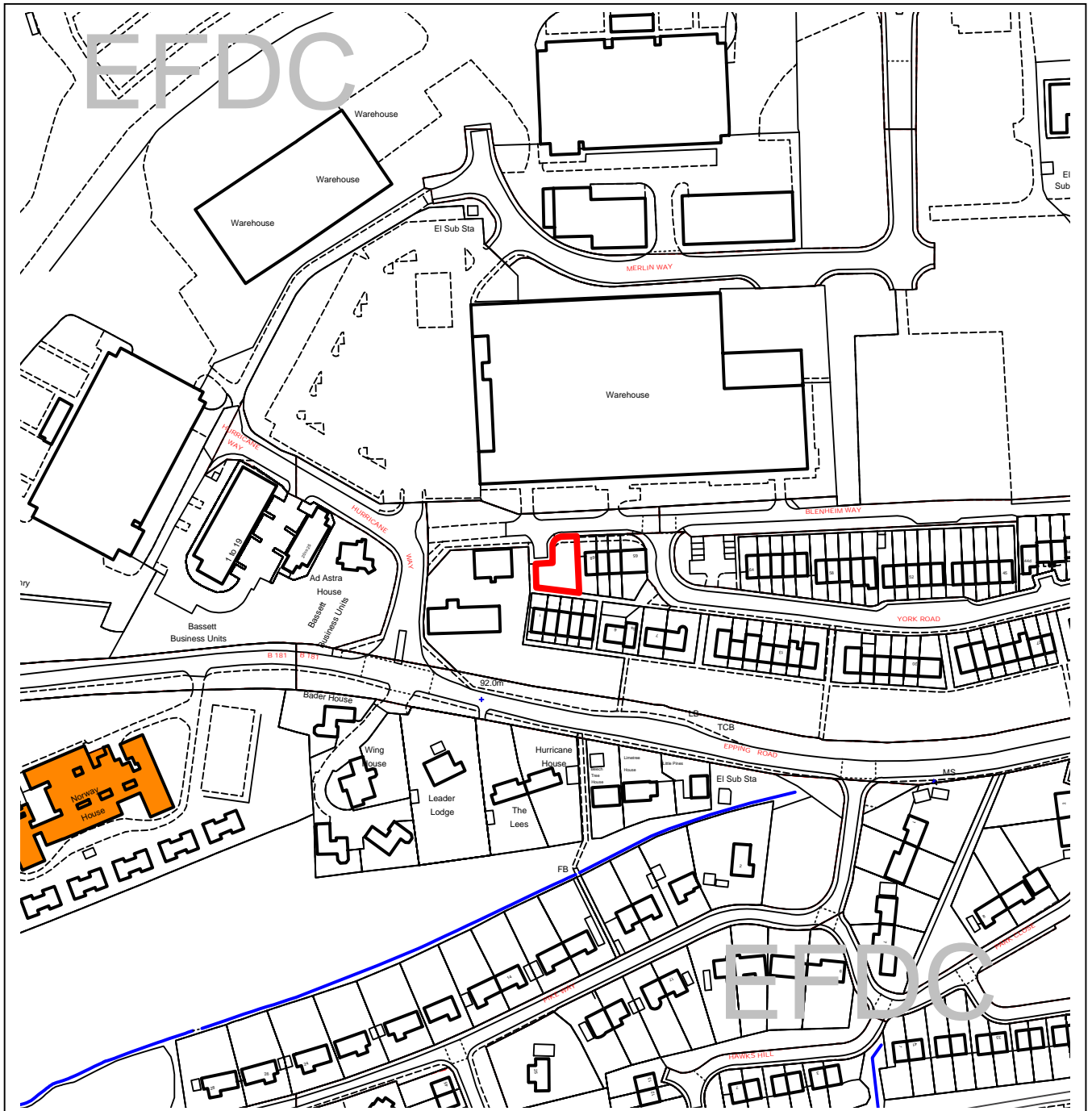
Conclusion:

With no significant adverse impacts identified, the proposals are recommended for approval subject to conditions and the variation of the original S106 to which this application relates.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	2
Application Number:	EPF/1311/09
Site Name:	Land adjacent 68 York Road, Blenheim Way, North Weald, CM16 6HT

Report Item No: 3

APPLICATION No:	EPF/1339/09
SITE ADDRESS:	22 Forest Drive Fyfield Ongar Essex CM5 0TP
PARISH:	Fyfield
WARD:	Moreton and Fyfield
APPLICANT:	Mr Nick Housden
DESCRIPTION OF PROPOSAL:	To convert existing carport into garage through installation of timber door across opening.
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 A solid timber dark brown garage door shall be installed.

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 Councils delegated functions).

Description of Proposal:

The proposal is to convert existing carport into a garage through insertion of timber door across opening.

Description of Site:

The application site is part of a rectangular building, containing 4 car ports serving 4 houses on this relatively new housing development at the former Elmbridge Hall School to the site south of Fyfield. The site lies within the Metropolitan Green Belt.

Relevant History:

None.

Policies Applied:

Adopted Local Plan and Alterations

DBE2 - Effect on neighbouring properties;
GB2A - Development in the Green Belt.

SUMMARY OF REPRESENTATIONS:

3 neighbours were consulted, and a site notice erected, but no representations have been received from neighbours/residents.

FYFIELD PARISH COUNCIL – object since the application would set a precedent which adversely affects the open aspect of the development. The proposal is not in keeping with surrounding structures and would spoil the aspect of the whole area.

Issues and Considerations:

This is a minor development which requires planning permission in this instance because this car port building lies outside the curtilages or domestic gardens of houses on this development.

The car port building has a roof and solid walls/cladding on 3 sides with brick piers at the front delineating the 4 car ports used by residents of nos. 20, 22, 24, and 18 Forest Drive. The provision of a timber door to enclose one of these 4 openings has a negligible impact on the openness of the Green Belt, particularly because the space inside is enclosed already on 3 sides. If other similar proposals were made in respect of the other 3 car ports the open aspect of the Green Belt would still not be compromised.

In terms of amenity this is a small change to the appearance of this car port building and an appropriate dark brown timber solid door is to be used. Whilst this will of course be different to the remaining three spaces within the block, in visual terms a door rather than a gap or a parked car is not considered harmful. The appearance of the proposal is therefore considered satisfactory.

Conclusion:

The addition of a door to of this car port will not adversely impact on parking, openness or on visual amenity and the application is therefore recommended for approval.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	3
Application Number:	EPF/1339/09
Site Name:	22 Forest Drive, Fyfield Ongar CM5 0TP
Scale of Plot:	1:500

Report Item No: 4

APPLICATION No:	EPF/1744/09
SITE ADDRESS:	19-23 High Street Epping Essex CM16 4AY
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	McCarthy & Stone (Dev) Ltd
DESCRIPTION OF PROPOSAL:	Installation of electricity sub-station to comply with utility company (EDF) requirements in connection with approved sheltered housing development. (Revised application with alterations to height and position of sub-station.)
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 materials of construction shall be in accordance with the details submitted in the planning application unless otherwise agreed in writing by the Local Planning Authority.
- 3 The rating level of noise (as defined by BS4142:1997) emitted from the sub station unit shall not exceed 5dB(A) above the prevailing background noise level. The measurement position and assessment shall be made in according to BS4142:1997.

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

Description of Proposal:

This is a revised application, following a refusal and seeks permission for the installation of an electricity sub station in connection with the sheltered housing development which was allowed on appeal. The sub station, designed to meet EDF requirements, is to be housed within a brick built

pitched roofed structure measuring 3.52m square with an eaves height of about 2.6m and a ridge height of 3.6m. The building is to be sited 2.1m from the eastern boundary of the site, about 49m from the road frontage and 5m from the rear boundary.

Description of Site:

The wider development site is located on the northern side of the High Street, with residential properties on either side and allotment gardens to the rear. The site is currently being redeveloped for sheltered accommodation in accordance with a scheme that was allowed on appeal. The proposed sub station site is 2.1m from the rear boundary of number 6 Beech Place and 5m from the rear garden boundary of number 7. There is an existing 1.8m high brick wall between the site and No.6.

Relevant History:

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

EPF/0116/09. Installation of electricity sub station. Refused by committee for the following reason: The proposed building due to its height and bulk and its siting close to the boundaries of adjacent residential properties will have an overbearing visual impact harmful to the residential amenity of the occupants of 5,6 and 7 Beech Place, contrary to policies DBE2 and DBE9 of the Adopted Local Plan and Alterations.

Policies Applied:

Epping Forest District Local Plan and Alterations

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

SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL: No comments received at time of writing. Any comments will be reported orally at Committee.

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

4 BEECH PLACE, EPPING –Strongly object. The sheer size of the building behind a very small garden with a 1.9m wall would be overbearing, towering above the wall by 6ft, even though it is 1.2m away from the wall. The structure is potentially a very dangerous high voltage mechanism, which if vandalised could cause mayhem. Too close to gardens, noisy, smelly, overbearing to children in gardens, will seriously affect neighbours amenity space. The developers stated at the public inquiry that a sub station was not needed.

5 BEECH PLACE, EPPING- Strongly object. Too close to boundary with residential properties. Serious health and safety concerns, concerns about noise levels, impact on quality of life.

Reducing the height of the building does not resolve these issues. How can the application be accepted without details of the type of transformers they propose and what type of electrical load will be present? Continued applications are having a stressful impact on our lives.

6 BEECH PLACE, EPPING. Strongly object. There are other places within the site which would not impact on us, why should it be placed so close to our properties. The proposal will seriously impact on residential amenity. Our living rooms are at the rear of the house. The sub station will tower over our wall. The 70cm reduction in height from the previous application will not make much difference. Worried about safety issues that arise with sub stations. Worried because there are underground wells and electricity and water do not mix. Concerned it will attract vandals and thieves. Why was the substation removed from the plans that were determined at appeal?

7 BEECH PLACE, EPPING – Strongly object. The developers told the public inquiry the sub station was not needed and it was not on the approved plans. The substation is too close to the house and garden, health risks are worrying and buzzing will be detrimental to the use of our garden.

15 HIGH ROAD, EPPING - the revised application does not address the height and overbearing intrusion to the immediate families in small gardens. The sub station adds to the harm that the surrounding properties will suffer from the flatted development that should not have been allowed. At appeal it was stated that there would not be a sub station, I am sure that the addition of the sub station would have rendered the site totally unsuitable.

Issues and Considerations:

Planning permission was granted on appeal for the redevelopment of this site for 28 sheltered flats with associated landscaping and parking back in December 2007 following a Public Inquiry. Although earlier proposals for the site did indicate an electricity sub station may be included, references to it were removed from later plans and did not form part of the scheme that was considered by the planning inspector and therefore need to be the subject of a separate application. The current proposal is an amended scheme following the refusal of the earlier proposal (EPF/0116/09) The differences between this application and the refused scheme are: The maximum height of the building has been reduced from 4.4m to 3.6m. The building is to be sited 1m further from the boundary with No 6 Beech Place and 1m further from the side boundary of No 7 Beech Place,

The main issues in the consideration of the proposal are therefore:

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

Design and siting

The proposed electricity sub station is to be located a considerable distance back from the High Road and will not have any significant impact within the street scene. It is to be housed within a brick built enclosure to match the approved brick for the main building and will have a pyramid roof of clay tile. The design is simple and appropriate for the use. Double access doors are located facing towards the flat development and can be accessed from the parking area. The proposed siting is 2m from the rear boundary of number 6 Beech Place and will be visible from the gardens and rear windows of that and other properties in Beech Place, but will not be dominant when viewed from any public vantage point.

Impact on Residential Amenity.

The proposed enclosure is to be located 2.1 metres from the rear garden wall of No 6 Beech Place (about 10 metres from the back of the dwelling and about 9m from the nearest corner of No 7 Beech Place). The wall between the application site and No.6 is about 1.8m (6ft) tall. The height of the proposed enclosure to the top of the pyramid roof measures 3.6m. The roof of the building will therefore clearly be visible from the adjacent gardens. However the scale and design of the building is similar to that of a domestic outbuilding or garage and given the intervening boundary wall it is not considered that the building will have an excessively dominant impact that would cause significant harm to residential amenity. The full brick enclosure is intended to reduce noise from the sub station and given the distance to the adjacent dwellings and the additional boundary treatment between the building and the dwellings it is not considered that noise from the sub station would be of a level to cause undue disturbance. A condition can be added to restrict noise levels from the sub station to ensure that there is no harm to residential amenity. Environmental Health Officer has raised no objection to the proposal. It must be remembered that sub stations of this type are found throughout residential areas. This is a standard EDF facility and will be maintained by them.

Members should also be aware that the switching station equipment itself within the building could be installed by EDF Energy in this position without the need for planning permission as it is permitted by the General Permitted Development Order, and it could be simply enclosed by fencing. It is only the brick enclosure that requires consent and officers have encouraged the applicants to provide such an enclosure on both aesthetic and amenity grounds, to maintain the visual amenity within the site and more importantly to reduce the noise that would otherwise be audible in adjacent gardens.

To put the size of the building in context, had the development site still been the rear garden of a single dwelling house then in this position (at least 2 metres from the boundary of any adjacent property) the householder could erect a detached outbuilding with a ridge height of 4m and an eaves height of 2.5m covering up to 50% of their garden area without the need for planning permission. As stated above therefore, the building proposed is of small domestic outbuilding scale.

Impact on parking and amenity space.

The proposed sub station building does not result in the loss of any parking bays. The design and access statement submitted with the application mentions that in the event that the sub station equipment needs to be replaced at any time then 2 of the parking spaces would need to be temporarily vacated to enable this. This does not in any way mean that there is an intention to reduce the parking within the site and the loss of spaces would be contrary to the condition on the main planning permission.

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

Other issues:

Flooding

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

Size of unit.

Concern has been raised about the size of the sub station proposed. The application states that the development is required to serve the approved scheme. The brick housing is the smallest possible to accommodate the sub station. The switching equipment of whatever size EDF energy require can be installed without the need for planning permission. Planning permission is only required for the building within which it is housed.

Safety

The proposed sub station is a standard EDF Energy facility. It is to be totally enclosed within a locked brick building. It is not considered that the development presents any undue health and safety risks and in any event this would be controlled under other legislation. Again the provision of the building is seen as an advantage over the fallback position of providing the equipment within a fenced enclosure.

The Inspectors Decision

Objectors to the proposal have raised concern that in considering the original application for the sheltered flats the development did not include a sub station, and that this was not therefore considered by the Planning Inspector in his determination of that application. Whilst it is regrettable that the developers chose not to have the sub station included within the original scheme, the fact remains that they are now applying, and the application must be determined on its merits.

Siting the substation elsewhere within the development

The sheltered housing development that was approved on appeal is a large development within a relatively small site. Very little space is retained around the building and the sub station needs to be accessible. There is inadequate space around to the rear of the building to provide proper access to install and maintain the switching equipment in a position adjacent to the allotments to the rear. Alternative positions within the site would result in the loss of parking or would be located close to the road frontage which would result in a reduction in landscaping and building forward of the building line, which would be detrimental in this location, to the street scene. The siting that has been proposed must be considered on its merits.

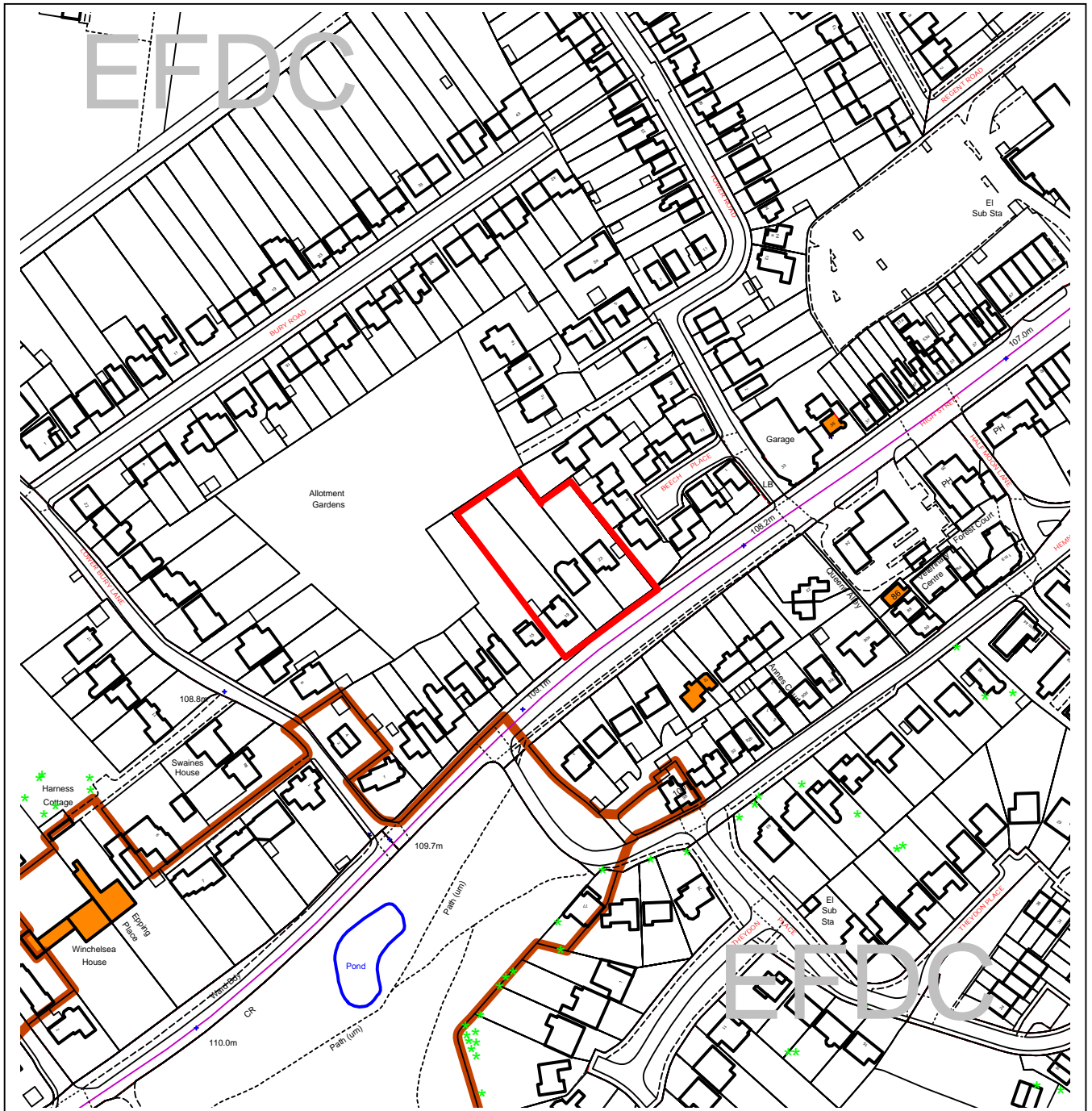
Conclusion:

In conclusion, it is considered that the proposed sub station will not cause any significant harm to residential amenity, will not adversely affect the visual amenity of the site and is appropriately designed and located within the site. The reduction in height since the previous refusal and the increased distance from the residential properties is considered to overcome the previous reasons for refusal and the proposal is in accordance with the adopted policies of the Local Plan and Local Plan Alterations and is recommended for approval subject to conditions.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	4
Application Number:	EPF/1744/09
Site Name:	19-23 High Street, Epping CM16 4AY
Scale of Plot:	1:2500

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