

# Committee Agenda



**Webcast  
Meeting**



**Epping Forest  
District Council**

## **Area Planning Subcommittee West Wednesday, 19th May, 2010**

**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 J Wyatt (Chairman), Mrs P Brooks (Vice-Chairman), R Bassett, J Collier, Mrs R Gadsby, Mrs J Lea, W Pryor, Mrs M Sartin, Mrs P Smith, Ms S Stavrou, A Watts and Mrs E Webster

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**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 SUBCOMMITTEES (Pages 5 - 6)**

General advice to people attending the meeting is attached.

**3. APOLOGIES FOR ABSENCE**

**4. MINUTES (Pages 7 - 12)**

To confirm the minutes of the last meeting of the Sub-Committee held on 21 April 2010 as a correct record (attached).

**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 25 of the Council Procedure Rules contained in the Constitution requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

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

**7. TREE PRESERVATION ORDER (Pages 13 - 14)**

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

**8. DEVELOPMENT CONTROL (Pages 15 - 38)**

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

Background Papers

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

**9. DELEGATED DECISIONS**

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

**10. EXCLUSION OF PUBLIC AND PRESS**Exclusion

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

<b>Agenda Item No</b>	<b>Subject</b>	<b>Exempt Information Paragraph Number</b>
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 Sub-Committee before leaving.

### **What can I say?**

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

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

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

**Yes you can but it must not be presented at the meeting.** If you wish to send further information to Councillors, their contact details can be obtained through Democratic Services or our website [www.eppingforestdc.gov.uk](http://www.eppingforestdc.gov.uk). Any information sent to Councillors should be copied to the Planning Officer dealing with your application.

### **How are the applications considered?**

The Subcommittee will consider applications in the agenda order. On each case they will listen to an outline of the application by the Planning Officer. They will then hear any speakers' presentations.

The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the Subcommittee propose to follow a course of action different to officer recommendation, they are required to give their reasons for doing so.

The Subcommittee cannot grant any application, which is contrary to Local or Structure Plan Policy. In this case the application would stand referred to the next meeting of the District Development Control Committee.

### **Further Information?**

Can be obtained through Democratic Services or our leaflet 'Your Choice, Your Voice'

## EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Area Planning Subcommittee West      **Date:** Wednesday, 21 April 2010

**Place:** Council Chamber, Civic Offices, High Street, Epping      **Time:** 7.30 - 7.50 pm

**Members Present:** J Wyatt (Chairman), Mrs P Brooks (Vice-Chairman), R Bassett, Mrs M Sartin, Mrs P Smith, Ms S Stavrou and Mrs E Webster

**Other Councillors:**

**Apologies:** Mrs R Gadsby, Mrs J Lea, W Pryor and A Watts

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

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### 85. 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.

### 86. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements agreed by the Council, to enable persons to address the Sub-Committee in relation to the determination of applications for planning permission.

### 87. Minutes

#### RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 31 March 2010 be taken as read and signed by the Chairman as a correct record.

### 88. Declarations of Interest

(a) Pursuant to the Council's Code of Member Conduct, Councillor R Bassett declared a personal interest in the following item of the agenda by virtue of deputising for Epping Forest District Council members on the Lee Valley Regional Park Authority. The Councillor determined that his interest was prejudicial and that he would leave the meeting for the duration of the discussion and voting thereon:

- EPF/0300/10 Sewardstone Campsite, Sewardstone Road, Waltham Abbey

(b) Pursuant to the Council's Code of Member Conduct, Councillor Mrs E Webster declared a personal interest in the following item of the agenda by virtue of being a member of the Lee Valley Regional Park Authority. The Councillor

determined that her interest was prejudicial and that she would leave the meeting for the duration of the discussion and voting thereon:

- EPF/0300/10 Sewardstone Campsite, Sewardstone Road, Waltham Abbey

(c) Pursuant to the Council's Code of Member Conduct, Councillors Mrs M Sartin and Ms S Stavrou declared a personal interest in the following item of the agenda by virtue of being Epping Forest District Council representatives on the Lee Valley Regional Park Authority. The Councillors determined that their interests were prejudicial and that they would leave the meeting for the duration of the discussion and voting thereon:

- EPF/0300/10 Sewardstone Campsite, Sewardstone Road, Waltham Abbey

(d) Pursuant to the Council's Code of Member Conduct, Councillor Mrs P Brooks declared a personal interest on the following items of the agenda by virtue of being a member of Waltham Abbey Town Council Planning Committee. The Councillor determined that her interest was not prejudicial and would stay in the meeting for the duration of the meeting and voting thereon:

- EPF/0300/10 Sewardstone Campsite, Sewardstone Road, Waltham Abbey; and
- EPF/0430/10 89 Honey Lane, Waltham Abbey

#### **89. Any Other Business**

It was reported that there was no urgent business for consideration at the meeting.

#### **90. Development Control**

The Sub-Committee considered a schedule of applications for planning permission.

##### **RESOLVED:**

That, Planning applications numbered 1 – 3 be determined as set out in the annex to these minutes.

#### **91. Delegated Decisions**

The Sub-Committee noted that details of planning applications determined by the Head of Planning Economic Development under delegated authority since the last meeting had been circulated to all members and were available for inspection at the Civic Offices.

**CHAIRMAN**



**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/0357/10
<b>SITE ADDRESS:</b>	10 John Elliot Close Nazeing Waltham Abbey Essex EN9 2NZ
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Lower Nazeing
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/25/84 T3, T7 (G3) Silver Birch - Fell T1, T2, T4, T6, T8, T9 (G3) Silver Birch - Crown reduce as specified T10 Cherry - Prune back to fence line
<b>DECISION:</b>	Granted Permission (With Conditions)

## CONDITIONS

- 1 The felling authorised by this consent shall be carried out only after the Local Planning Authority has received, in writing, 5 working days prior notice of such works.
- 2 The crown reduction authorised by this consent shall be as follows:
  - i) side branches pruned back by up to 2 metres in length to suitable unions.
  - ii) reduce height by pruning branches up to 60 mm in diameter and up to 2.5 metres in branch length.

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/0300/10
<b>SITE ADDRESS:</b>	Sewardstone Campsite Sewardstone Road Waltham Abbey Essex E4 7RA
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey High Beach
<b>DESCRIPTION OF PROPOSAL:</b>	Variation of condition 2 on EPF/2180/06. (Use of part of existing campsite for 45 static caravans.) To allow for occupation of the site between 1st March and 31st January in any year.
<b>DECISION:</b>	Deferred

This item was deferred as the Committee was not quorate due to several Members also being Members of the Lee Valley Regional Park Authority (the applicants).

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/0430/10
<b>SITE ADDRESS:</b>	89 Honey Lane Waltham Abbey Essex EN9 3QS
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey Honey Lane
<b>DESCRIPTION OF PROPOSAL:</b>	Retrospective application for a change of use from residential to house of multi-occupation.
<b>DECISION:</b>	Granted Permission

**CONDITIONS**

NONE

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## **Report to Area Plans West Sub-Committee**

**Date of meeting: 19 May 2010**

**Subject: CONFIRMATION OF TREE PRESERVATION ORDER  
EPF/32/10 Monkams Hall Estate, Waltham Abbey, Essex**



**Epping Forest  
District Council**

**Officer contact for further information: M Barham, Tree and Landscape Officer  
(Ext 4120)**

**Committee Secretary: R Perrin Ext 4532**

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### **Recommendation(s):**

That Tree Preservation Order 32/10 is confirmed subject to amendment of the locations of T7 and T8 and the inclusion of the details of G4 within schedule 1 of the Order.

### **Report Detail**

#### **Background :**

This Tree Preservation Order is to protect those trees still worthy of preservation that to date have been covered by an Order served and administered by Essex County Council in 1949. It also includes some additional trees considered worthy of protection that have been planted since 1949.

#### **Head of Planning Services Comments :**

After having served this Order the following errors within the documentation have been brought to our attention –

1 – T7 and T8 have been incorrectly plotted on the plan, neither are within the grounds of Eagle Lodge, both are situated further to the north on the boundary with Crooked Mile.

2 – 'G4 Limes x18' has been omitted from Schedule 1 of the Order, although it is included on the plan and on the plan key.

#### **Conclusions :**

It is recommended that the Order is confirmed, subject to modifications.

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## AREA PLANS SUB-COMMITTEE 'WEST'

19 May 2010

### INDEX OF PLANNING APPLICATIONS

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/0300/10	Sewardstone Campsite Sewardstone Road Waltham Abbey Essex E4 7RA	Grant Permission (With Conditions)	17
2.	EPF/0449/10	Powder Mill Powder Mill Way Waltham Abbey Essex EN9 1BN	Grant Permission (With Conditions)	22
3.	EPF/0524/10	Woodbury Harlow Road Roydon Essex CM19 5DX	Grant Permission (With Conditions)	27
4.	EPF/0641/10	15 Palmers Grove Nazeing Essex EN9 2QG	Grant Permission (With Conditions)	35

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**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/0300/10
<b>SITE ADDRESS:</b>	Sewardstone Campsite Sewardstone Road Waltham Abbey Essex E4 7RA
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey High Beach
<b>APPLICANT:</b>	Mr Steven Wilkinson
<b>DESCRIPTION OF PROPOSAL:</b>	Variation of condition 2 on EPF/2180/06. (Use of part of existing campsite for 45 static caravans.) To allow for occupation of the site between 1st March and 31st January in any year.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The static caravans shall be used for recreational purposes only and shall not be occupied or used for any purpose after 31st January or before 1st March in any year.
  
- 2
  - i) The static caravans on the site shall be occupied for holiday purposes only and for no other purpose.
  
  - ii) The static caravans stationed within the site shall not be occupied as a person's main or sole place of residence (for the avoidance of doubt, on the specific days of occupation the occupants shall be on holiday and not engaged in any paid work, or school or further/higher education attendance).
  
  - iii) The owners/operators of the site shall maintain an up to date register of the names of all occupants of the individual static caravans on the site and of their main home addresses, together with proof of home address in the form of a copy of a driving license, utility bill or council tax bill or other proof as agreed in writing by the Local Planning Authority. This information shall be kept available for inspection by the Local Planning Authority at all reasonable times and shall be forwarded by the owners/operators of the site to the Local Planning Authority annually on or before the 31st January each year.

*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).*

**This item was deferred from Area Plans West on 21/04/10 as the Committee was not quorate due to several Members also being Members of the Lee Valley Regional Park Authority (the applicants).**

**Description of Proposal:**

This application is to vary condition 2 of EPF/2180/06 to allow for occupation of the site between 1<sup>st</sup> March and the 31<sup>st</sup> January in any year, resulting in a total of 11 months usage.

**Description of Site:**

Lee Valley Campsite is an established 5.7 hectare recreational camping ground located on the western side of Sewardstone Road and lies within the Lee Valley Regional Park. The site is located within the Metropolitan Green Belt, partly within the EFDC Flood Risk Assessment zone, and is covered by a blanket Tree Preservation Order. The camp site currently contains approximately 46 static mobile homes and 18 touring caravan pitches, with planning permission for a further 42 pitches and 10 camping pods. The specific area that relates to this application is the south western corner of the site, which contains 45 static caravans and associated facilities.

**Relevant History:**

EPF/2180/06 - Use of part of existing campsite for 45 static caravans – approved/conditions 08/01/07

EPF/0457/09 - Construction of pathway between shower blocks B and C, formation of car parking area, 18 touring caravan pitches and three roadways – approved 27/05/09

EPF/1796/09 - Installation of 10 no. camping pods, and creation of 42 additional touring caravan pitches – approved/conditions 10/12/09

**Policies Applied:**

GB2A – Development within the Green Belt

GB10 – Development in the Lee Valley Regional Park

DBE9 – Impact on amenity

RST1 – Recreational, sporting and tourist facilities

RST12 – Leisure plots

RST 23 – Outdoor Leisure Uses in the Lee Valley Regional Park

RST 24 – Design and Location of Development in the Lee Valley Regional Park

RST 32 - Leisure Caravans and Camping

**Summary of Representations:**

PARISH COUNCIL – No objection subject to any site residency conditions.

MILL HOUSE, MILL LANE – Object due to the likelihood of permanent residence.

MULBERRY HOUSE, SEWARDSTONE ROAD – Object due to the potential for the site to be used as a permanent housing complex.

PARIMA, SEWARDSTONE ROAD – Object as this would cause additional noise, pollution, parking nuisances and visual impact.

CLOCKHOUSE, DAWS HILL – Object due to highway implications, the unsustainable location, increased parking problems in surrounding streets, and due to the difficulty in enforcing against permanent residence.

## **Issues and Considerations:**

The existing recreational caravan and camp site is well established and run/owned by Lea Valley Regional Park Authority. Outdoor recreation is considered appropriate within the Green Belt, however there is a general presumption against the development of land for leisure plots under policy RST12. Notwithstanding this, Local Plan policy RST32 states "*the stationing of touring or static caravans, and the use of land for camping, will be permitted in the areas identified as such on the Proposals Map. Such development will not normally be permitted in any other part of the district*". As this campsite is identified on the Proposals Map the overall use and principal of this site as a recreational caravan park is acceptable. Furthermore such a use is in line with the objectives of the Lea Valley Regional Park Authority to retain and enhance the LVRP as a recreational facility.

The specific part of the caravan site to which this condition relates was granted planning consent for use for the stationing of 45 static caravans in 2006. This was subject to a time limit condition to ensure the site is not used as a permanent residential site. This application is to amend the existing restrictions on the site such that the use would remain for holiday purposes only but would allow the site to be occupied for 11 months of the year rather than the currently lawful 8 months. The main issue therefore is whether this proposed amendment would result in any significant harm to the locality from use of the caravans for holiday purposes during the additional 3 months, and whether the alteration to this restriction would be sufficiently enforceable and adequate to ensure that the caravan site will not be utilised for permanent residential purposes, which would constitute inappropriate development within the Green Belt.

### **Harm from holiday use in winter:**

The existing recreation site has lawful use for the stationing of static caravans subject to the following condition:

*The static caravans shall be used for recreational purposes only and shall not be occupied or used for any purpose after 30th November or before 1st March in any year.*

*Reason:- Seasonal recreational use of the site is considered acceptable in this location whereas residential use would be inappropriate within the Green Belt.*

Whilst such seasonal conditions are the most common way to restrict against permanent residential use on holiday parks, these forms of conditions have been proven to be easily avoided as the caravans may be used as an occupiers main home even if they vacate it for a few months of the year (i.e. they could vacate the unit for three months of the year to occupy a holiday home elsewhere).

Circular 11/95 details how conditions can be used in planning and states it may be "*reasonable for the local planning authority to grant planning permission for holiday accommodation...with a condition specifying its use for holiday accommodation only*" and due to the inherent problems with time limiting conditions (as outlined above) Annex B of the Department for Communities and Local Government publication entitled *Good Practice Guide on Planning for Tourism* (GPG), issued in May 2006, suggests a more enforceable and restrictive condition ensuring a site is only used as holiday use. This includes three criteria and has recently been imposed on Roydon Mill Leisure Park. These criteria are:

- (i) *The caravans (or cabins/chalets) are occupied for holiday purposes only;*
- (ii) *the caravans (or cabins/chalets) shall not be occupied as a person's sole, or main place of residence;*
- (iii) *the owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans/log cabins/chalets on the site, and of their*

*main home addresses, and shall make this information available at all reasonable times to the local planning authority.*

This form of condition, which requires details to be kept of the owners and occupiers main place of residence, has been proven within several appeal decisions throughout the Country as a better way of controlling the use than the standard seasonal condition, as it would enable Planning Enforcement or Compliance Officers to check the records rigorously and check the validity of the main addresses given on a regular basis, hence ensuring that the caravans are not occupied for permanent residential purposes.

Notwithstanding this, the advantage of a seasonal use condition in relation to holiday use is helpful in that it is clear and relatively easy to establish when there is a breach. Therefore, the combination of a time limit condition relating to a one month vacant period alongside a condition relating to the above criteria will allow for greater control over the potential use of the site as a permanent residential site.

**Impact on surrounding area:**

Although there are some detached residential properties located adjacent to the campsite and on the opposite side of Sewardstone Road, the part of the site that this application relates to is the south western corner, which is bordered to the west by the River Lea, the north and south by open fields, and the east by a residential property known as Willow Tree Lodge. Due to this the majority of increased noise and disturbance from the site (i.e. the occupation of and activity surrounding the static caravans themselves) would be a considerable distance from the majority of neighbouring dwellings. However, it is appreciated that all visitors to the site would require access from the single vehicle entrance on Sewardstone Road, which is close to neighbouring residents. Given the nature of Sewardstone Road and the frequency/level of traffic using this area, it is considered that any increased use of this site in particular would be unlikely to detrimentally impact on neighbouring residents in terms of additional noise.

Similarly, whilst it is appreciated that the application site is located within an unsustainable location, the established caravan site is currently used for 8 months of the year and it is not considered that an additional 3 months use would be unduly detrimental to this.

Objections have been raised by local residents with regards to parking problems occurring from/as a result of the site; however sufficient space exists on site for adequate off-street parking provision to serve this holiday park.

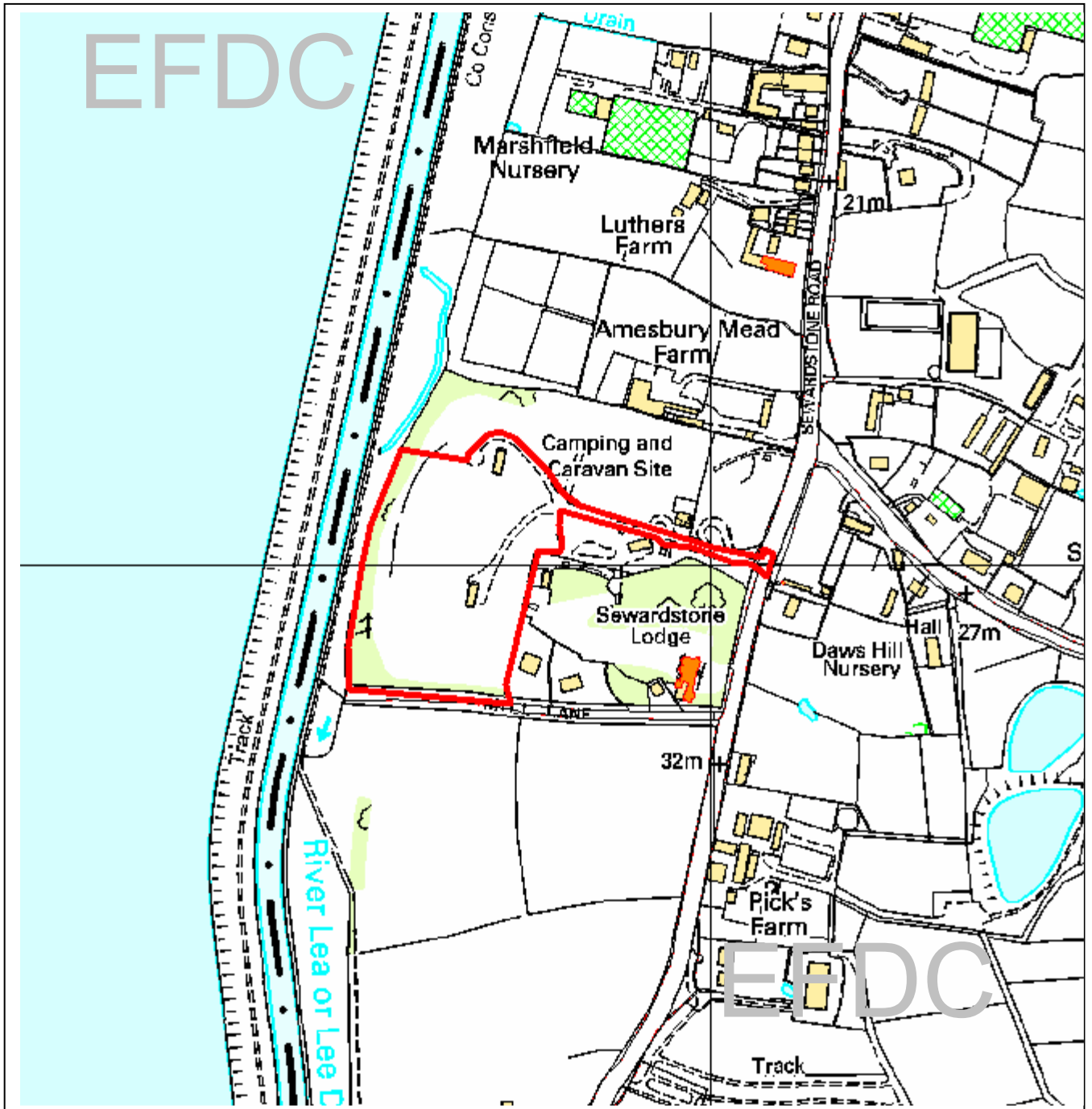
**Conclusion:**

In conclusion, the initial requirement of a closure period throughout the winter months was to ensure that the site did not become a permanent residential site, however the imposition of the new condition (as imposed on Roydon Mill Leisure Park, which now has no restriction on the time of year to which it can be occupied) would allow greater protection against this. Therefore it is considered that, subject to a relevant condition regarding an up-to-date register and the caravans only being used for holiday use alongside a closure period consisting of one month per year, the use of this site can be better controlled and the application is therefore recommended for approval.



# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	1
Application Number:	EPF/0300/10
Site Name:	Sewardstone Campsite, Sewardstone Road, Waltham Abbey, E4 7RA
Scale of Plot:	1/5000

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/0449/10
<b>SITE ADDRESS:</b>	Powder Mill Powder Mill Way Waltham Abbey Essex EN9 1BN
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey South West
<b>APPLICANT:</b>	Hill Partnerships Ltd - Mr Nick Parkinson
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed construction of Wind Turbine. (Revised application)
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of post-construction monitoring of the impact of the turbine on bats shall be submitted and agreed in writing prior to the commencement of development and the monitoring implemented as agreed.
- 3 The wind turbine shall not be active between dusk to 7.00am.

*This application is before this Committee as it is for a form of development that cannot be approved at Officer level if there are more than two expressions of objection to the proposal. (Pursuant to Section CL56, Schedule A(f) of the Council's Delegated functions).*

**Description of Proposal:**

Proposed construction of wind turbine (revised application) 15m to the hub with a 5m spiral rotor above; located within the car park of Powder Mill. The turbine is proposed to generate between 5,000 and 11,000 kWh per year and will provide energy for the adjoining Head Office building.

**Description of Site:**

The Royal Gunpowder Mills are located to the north of the Waltham Abbey town centre and can be accessed via Powder Mill Lane.

The site has a long history, used for 300 years as the centre for gunpowder research and production. Redevelopment of some parts of the site have included housing, a visitor centre and

'Area 6' where the turbine is to be located, developed as an office building with associated car parking and landscaping.

The site and surrounding area is within the Waltham Abbey Gunpowder Mill Conservation Area, the Metropolitan Green Belt and is adjacent to a SSSI. There are several listed buildings in the vicinity with the nearest some 36m to the east. The subject site is boarded by Flagstaff Road to the south, the Old River Lea to the east and by a canal that drains into the Old River Lea to the north and west.

### **Relevant History:**

There have been a number of planning applications and listed building applications submitted to the Council in the past, the most relevant of which is:

EPF/2044/08 – Proposed construction of Wind Turbine – Refused on 18/03/09 for the following reason:

*The proposed wind turbine due to its height, modern appearance and siting would appear out of character and unsympathetic to the surrounding Royal Gunpowder mills Conservation Area and would be detrimental to the setting of the nearby Grade II Listed Building, contrary to policies HC6, HC7, HC12 and CP10 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.  
CP3 New Development  
CP4 Energy conservation  
CP7 Urban Form and Quality  
CP10 Renewable Energy Schemes  
DBE1 Design of New Buildings  
DBE2 Effect on Adjoining Properties  
DBE9 Loss of Amenity  
HC6 character, Appearance and Setting of Conservation Areas  
HC7 Development within Conservation Areas  
HC12 Development Effecting the Setting of a Listed Building  
HC16 Former Royal Gunpowder Factory Site, Waltham Abbey.  
ST1 Location of development.  
GB2A – Development within the Green Belt  
GB7A Conspicuous Development  
U2A Development in Flood Risk Areas  
U2B Flood Risk Assessment Zones  
U3A Catchment Effects

### **SUMMARY OF REPRESENTATIONS:**

WALTHAM ABBEY TOWN COUNCIL: No Objection

#### **NEIGHBOURS**

49 properties were consulted and a site notice erected; 3 responses received  
3 Flagstaff Road – Objection – large and unsightly structure, noise pollution  
1 Flagstaff Road – Objection – Noisy and inefficient turbine  
9 Flagstaff Road – Objection – Visually dominate area and audibly intrusive

## **Issues and Considerations:**

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

- Amenity of Neighbouring Properties
- Design Issues
- Impact on the setting of the nearby listed buildings and Conservation Area
- Impact on Wildlife
- Flood Risk
- Other issues

The difference between this and the previously refused application is the change in the design of the turbine.

### *Amenity of Neighbouring Properties*

The proposal is some 70m to the north of the nearest residential properties and although 20m at the maximum height is not considered to be visually intrusive due to the distance and the level of screening provided by an area of woodland to the south of the site. The spiral rotor is considered less dominating than the previously refused blade rotor, particularly as the moving parts of the turbine are far smaller. Furthermore existing buildings on site are approximately 15m in height and therefore it is considered that the scale and size of the surrounding buildings on the site would reduce any potential visual dominance the turbine might cause.

Neighbours have objected to the proposal on the grounds of the noise generated by the turbine. This turbine has been selected by the applicants not only for its design appearance but also for its quieter operation. Information provided by the manufacturer details that likely impact on noise sensitive properties will at the most be minimal and rare. The Council's Environment and Streetscene Directorate have no objection to the proposal as it is unlikely to cause any significant disturbance to nearby neighbours. The previous application was refused only on design grounds not on noise and disturbance.

### *Design Issues*

The turbine is a contemporary design, differing to the common blade turbine. It is considered that the proposal, although a very modern design is sculptural in appearance and does complement this historic area and wider setting.

### *Impact on the setting of the nearby listed buildings and Conservation Area*

The Council's Conservation Officer has no objection to the proposal and the development was the subject of a pre-application meeting and subsequent discussions. Although within the Conservation Area and close to a Grade II Listed Building the proposal is considered acceptable, and is considered a feature development. It is therefore considered an improvement to the previously refused standard blade turbine.

### *Impact on Wildlife*

The application was accompanied by a Bat Survey which outlined the commuting and foraging routes of bats in the area, none of which pass through the proposed turbine site. Research on the impact of wind turbines on bats is in the relatively early stages with DEFRA commissioning a research project on the impact in March 2009, the details of which have not yet been published. However, on the basis of the details provided the Council's Countryside Manager has no objection



to the proposal subject to post-development monitoring of any potential impact on any bats (as outlined in best practice).

Natural England were also consulted, on the advice of the Countryside Manager, and again have no formal objection to the proposal. They agree with some form of post development monitoring regime. As a further condition Natural England have also suggested restricting the hours of use to avoid times when bats fly (predominantly dusk to dawn). This is considered acceptable and may also negate any perception of night time noise to surrounding residents.

### Flood Risk

The application was accompanied by a flood risk assessment as the proposal falls within Environment Agency Floodzones 2 and 3. The Council's Land Drainage team have no objection to the proposal and agree with the findings outlined in the flood risk assessment.

### Other issues

Several of the neighbours have commented on the lack of power that will be generated by the wind turbine and by the applicant's own admission the turbine will provide a centrepiece to the Head Office development. Lack of energy output is not considered a reason for refusal in itself; Planning Policy Statement 22: Renewable Energy outlines within the key principles that

*'Small-scale projects can provide a limited but valuable contribution to overall outputs of renewable energy and to meeting energy needs both locally and nationally. Planning authorities should not therefore reject planning applications simply because the level of output is small'.*

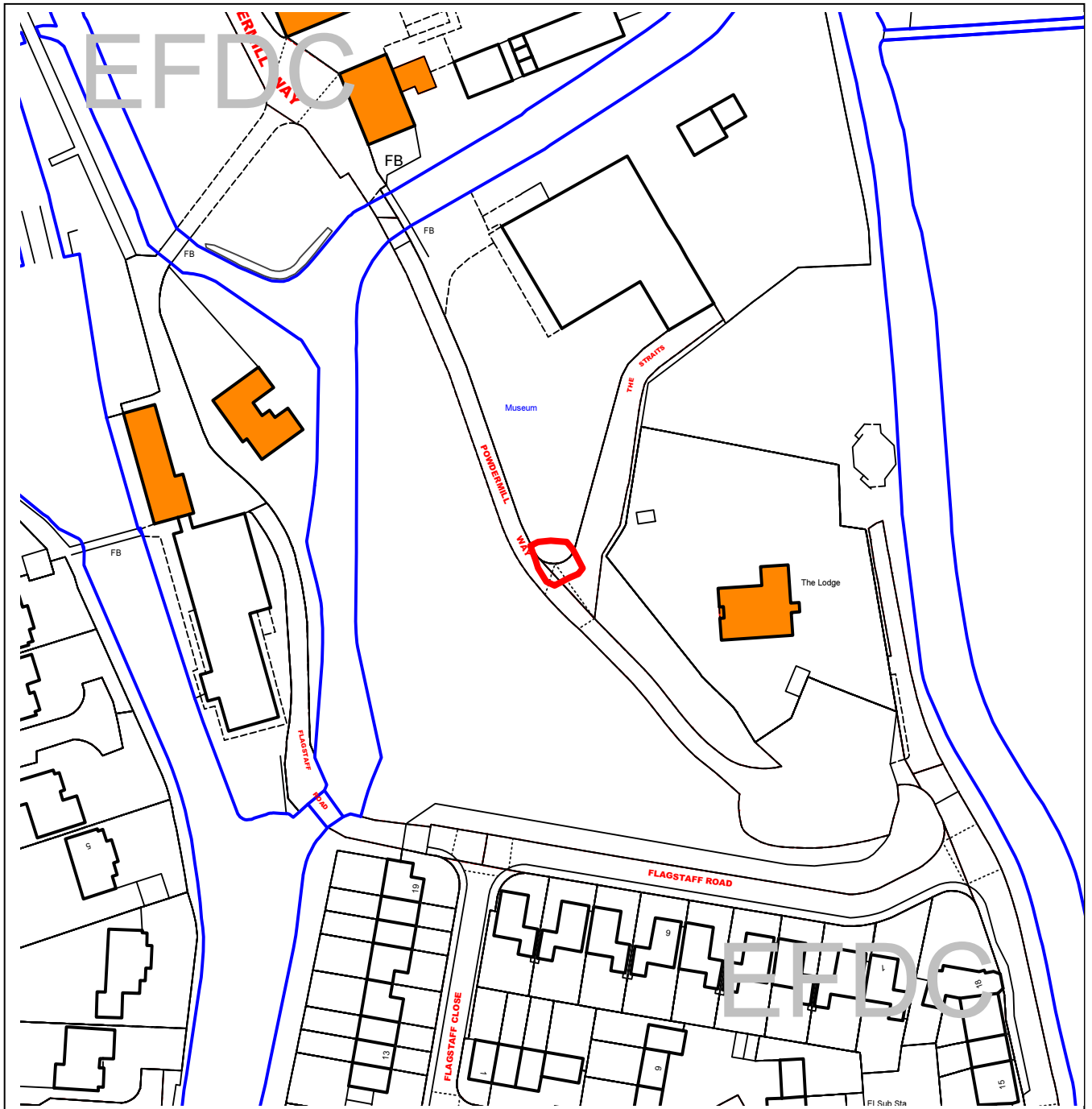
### **Conclusion:**

The proposal is considered a satisfactory design within the Conservation Area, which is not considered to be significantly detrimental to neighbouring amenity or surrounding wildlife. It is considered the previous reason for refusal has been overcome by the change in the wind turbine design and approval is therefore recommended.



# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	<b>2</b>
Application Number:	EPF/0449/10
Site Name:	Powder Mill, Powder Mill Way Waltham Abbey, EN9 1BN
Scale of Plot:	1/1250

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/0524/10
<b>SITE ADDRESS:</b>	Woodbury Harlow Road Roydon Essex CM19 5DX
<b>PARISH:</b>	Roydon
<b>WARD:</b>	Roydon
<b>APPLICANT:</b>	Ms Susan Borges
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of a 4 bedroom house to rear of Woodbury with new driveway and new access way onto Harlow Road.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development shall match those specified within the submitted application. Otherwise the details of any alternative materials to be used shall be submitted and agreed in writing by the Local Planning Authority.
- 3 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Class A and C shall be undertaken without the prior written permission of the Local Planning Authority.
- 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 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.

- 6 The proposed new access shall be constructed in accordance with the drawing numbered AL(0)01 Rev: A, and shall include a driveway width of not less than 4.1 metres to be retained for the first 6 metres within the site, from its junction with the highway boundary.

- 7 No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.

- 8 Prior to commencement of the development hereby approved, details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out and retained in accordance with the approved details.

- 9 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.

- 10 Prior to occupation of the dwelling hereby approved, the turning area shown on plan Ref: AL(0)01 Rev: A shall be provided and thereafter maintained to the satisfaction 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 as it is for a form of development that can not be approved at Officer level if there are more than two expressions of objection to the proposal. (Pursuant to Section CL56, Schedule A(f) of the Council's Delegated functions).*

### **Description of Proposal:**

Revised application for the erection of a new dwelling to the rear of the application site. The proposed new dwelling would be 11.8m wide and a maximum of 14.7m deep. The dwelling would be two storeys in height and split level due to the existing gradient of the site. The maximum ridge height (when measured from the adjoining ground level) would be 7.3m, with the eaves heights reaching 5.7m (west) and 5.2m (east) respectively. The proposed dwelling would have four bedrooms, associated parking (including a double external cart lodge to serve Woodbury) and amenity space. The property would be accessed by a new proposed vehicle and pedestrian access to the west of Woodbury and accessed directly from Harlow Road.

### **Description of Site:**

The application site is a detached two storey dwelling on the southern side of Harlow Road. This dwelling is the last property within Roydon before the Green Belt designation and is adjacent to a large open green area. The west and southern boundaries of the site are bordered by the gardens of residential dwellings in Harlow Road and Grange Lane, and the lower half of the eastern boundary of the site adjoins No's. 21 and 23 Little Brook Road, which are part of a relatively new housing estate within the Green Belt. The neighbouring sites to the west are covered by a Blanket Tree Preservation Order and contain individually preserved trees, and there is one preserved tree located within the application site.

### **Relevant History:**

EPF/1525/09 - New build house in the garden of the existing house Woodbury with new vehicle driveway and access to Harlow Road. Associated garden fencing and landscaping and installation of pitched roof on existing dormer on Woodbury and part demolition of rear extension – withdrawn 12/10/09

EPF/2278/09 - New five bed roomed house with new driveway and new access way onto Harlow Road, and new pitched roof on dormer and alterations to single storey rear protrusion on existing dwelling (revised application) – refused 29/01/10

### **Policies Applied:**

CP1 – Achieving sustainable development objectives  
CP2 – Protecting the quality of the rural and built environment  
CP3 – New development  
CP7 – Urban form and quality  
GB7A – Conspicuous development  
H2A – Previously developed land  
DBE1 – Design of new buildings

DBE2 – Effect on neighbouring properties  
DBE8 – Private amenity space  
DBE9 – Loss of amenity  
DBE10 – Residential extensions  
LL3 – Edge of settlement  
LL10 – Adequacy of provision for landscape retention  
LL11 – Landscaping schemes  
ST1 – Location of development  
ST4 – Road safety  
ST6 – Vehicle parking

### **Summary of Representations:**

19 neighbouring properties were consulted on this application. This Committee report was prepared prior to the expiration of the consultation period. As such any further comments received will be verbally reported to Councillors.

PARISH COUNCIL – None received.

LOVEWOOD LODGE, HARLOW ROAD – No objection provided access is granted to the rear of their property via the new drive. Also require that an adequately fenced boundary is created and the driveway complies with proper and safe vehicular access.

18 LITTLE BROOK ROAD – Object as this is backland development, due to the impact on neighbours, as the dwelling is inappropriate and out of character with the area, and due to inadequate access.

21 LITTLE BROOK ROAD – Object to the overall size and scale of the dwelling, the loss of privacy and amenities to neighbours, and due to inadequate access.

HOBSONS GREY, GRANGE LANE – Object due to the potential impact on trees and the existing hedge, due to the loss of privacy and impact on neighbours amenities, and as this is an inappropriate site for such a dwelling.

WHITE CEDARS, GRANGE LANE – Object due to inadequate access, impact on trees, and due to the impact on neighbours visual amenities.

### **Issues and Considerations:**

The previous application was refused on the following grounds:

*The proposed new dwelling, by reason of its location on the site, in an area of varying ground levels, and its height, bulk and design has an unacceptable impact on the amenities of the street scene and surrounding area contrary to policies DBE2 and CP2 of the adopted Local Plan and Alterations.*

*The site is immediately adjacent to the Metropolitan Green Belt, and has an unacceptable impact on the character and appearance of the Green Belt due to its design, height and bulk, contrary to policy CP7 of the adopted Local Plan and Alterations.*

The key issues in considering this revised application are therefore whether these previous reasons for refusal have been overcome. Specifically, the impact on the neighbours and street scene that result from the height, bulk and design of the dwelling, and regarding the impact on the character and appearance of the adjacent Green Belt. Further to this, consideration needs to be

given to amenity space provision for future occupiers, highways and parking considerations, and impact on preserved trees and existing landscaping.

This revised application has reduced the overall size, layout and design of the proposed dwelling from that previously refused. The maximum height of the proposed dwelling has been reduced by 1.5m and as a result of this the linear ridge (which runs in line with the ridge on No. 23 Little Brook Road) would be 400mm above the neighbour, with the highest part of the roof (which is the furthest from the neighbouring property) being 600mm higher. Given the gradient of the site and the distance between the dwellings it is considered that this slightly higher ridge would not appear detrimental within the street scene or unduly impact on the character of the adjoining Green Belt. Due to the reduction in height the resulting dwelling has been altered from a five bed, three-storey house to a four bed, two-storey house with insufficient space to later create rooms in the roof area. The overall footprint of the dwelling would be similar to that of No. 23 Little Brook Road and has been further set off the boundary than previous (now 3m distance rather than previous 2m).

Another major alteration to the revised application is the removal of the previous two storey front and single storey rear sections that protruded beyond the neighbour's front and rear walls. As a result of this the proposed dwelling would only extend 1m beyond the neighbour's front wall and 1.4m beyond the rear wall. Given the 4.2m distance between these two properties it is not considered that this slight projection would be sufficient to detrimentally impact on the amenities of this neighbour. Whilst the entrance to the new dwelling would be approximately 1.3m higher than the neighbouring ground level, this would be located some 6.9m from the shared boundary and as such would not result in undue loss of privacy to this neighbour.

The neighbouring properties to the west of the proposed dwelling back onto the application site, and therefore the closest dwelling in this direction would be some 23m from the new house. Although a two storey protrusion has been added to the southwestern corner this is a considerable distance from the neighbouring residents in Grange Lane. Furthermore, the new dwelling would sit 2m off the shared boundaries with Hobsons Grey and White Cedars and would be heavily screened by existing preserved trees within the rear garden of the neighbouring property. Due to this it is not considered that this development would adversely affect the amenities of these neighbouring residents.

The only proposed flank windows would be obscure bathroom windows on the western flank. Due to this there would be no loss of privacy as a result of this dwelling. Whilst objections have been received regarding overlooking to the rear gardens of No's. 21 and 23 Little Brook Road from the proposed rear windows, the relationship between the new dwelling and these properties would be no different from the existing relationship between these properties and the rear garden of Woodbury. The overlooking of the garden to No. 21 Little Brook Road would be less than that which exists from No. 23 Little Brook Road, and the overlooking of No. 23 would be the same as that which results from this neighbour (and has done for several years).

The closest front window of the new dwelling would be 19m from the proposed new rear boundary of Woodbury, and 42m from the rear windows of this property. This far exceeds the recommended distances laid out within the Essex Design Guide and therefore would be acceptable.

The proposed vehicle access to the new dwelling and intensification of use of the site would have some impact on noise levels and pollution to both Woodbury and Love Wood Lodge, however as the proposed use would be for a single new dwelling the level of noise and pollution would be at a level low enough not to be unduly detrimental to these occupiers. This has been justified on appeal on several occasions.

Although the proposed dwelling would be located to the rear of Woodbury, with a new access road required to service the dwelling, it is not considered that this 'backland development' is inappropriate in this particular location. Given the presence of No's. 20-23 Little Brook Road

(inclusive) and the dwellings to the east that were constructed within the garden of Woodlands, which do not comply with any 'linear building line' evident in this location, it is not considered that an additional dwelling to the rear of this property would in principle constitute an inappropriate development. Furthermore the new dwelling would be located adjacent to No. 23 Little Brook Road and, if not for its separate access road, could be viewed as part of the Little Brook Road development.

Whilst the gradient of the site from west to east and the proposed split level to the dwelling forces a slightly unusual design, and it is proposed to use more modern, contemporary external materials, the general design of the dwelling is more conventional and traditional than previously proposed. Whilst the properties within Little Brook Road are fairly uniform in design and appearance the properties within Harlow Road and Grange Lane vary greatly. Due to this, the more appropriate design of the dwelling, and the considerably reduced height and bulk, it is considered that this revised application has overcome the previous reasons for refusal.

### Amenity space

Given the size of the proposed dwelling this property would require 120 sq. m. of private amenity space to meet the requirements of DBE8. The development proposes more than 300 sq. m. of amenity space, which is far in excess of the minimum requirements. The original dwelling (Woodbury) would also retain approximately 300 sq. m. of amenity space, which again is well in excess of the requirement for this five bed dwelling.

### 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 Harlow 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 internal 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 domestic sprinkler installation can be implemented to compensate for inadequate access, which would be dealt with under Building Regulations. Due to this the accessibility of the site (or lack of) by Emergency Services is considered acceptable.

With regards to the amount of parking, the revised application proposes a double cart lodge to serve the new dwelling (rather than the previously proposed integral garage) alongside a double cart lodge to serve Woodbury. Further to this there is adequate room within the front garden of the proposed dwelling to allow for the parking of several vehicles and to allow for manoeuvrability space. The cart lodges would be of a standard low key design and located between the proposed dwelling and the original property some 3m from the side boundary of the site. Due to this the cart lodges would not be detrimental to neighbouring residents, to the health and wellbeing of existing trees on site, and would not be particularly visible from the street scene. Furthermore these provide sufficient covered off-street parking for both dwellings in line with the requirements of the Essex Vehicle Parking Standards and Local Plan policy ST6.

### Landscaping

It is proposed to retain the majority of trees on site, in particular the recently preserved tree, and consideration has been given to the health and wellbeing of the preserved trees within the neighbouring sites. The application has been submitted with a full Arboricultural Report, which followed a site visit and advice from the Council Arboricultural Officer, and is considered acceptable subject to tree protection measures being put in place during construction and an additional landscaping scheme to ensure sufficient additional landscaping is undertaken.



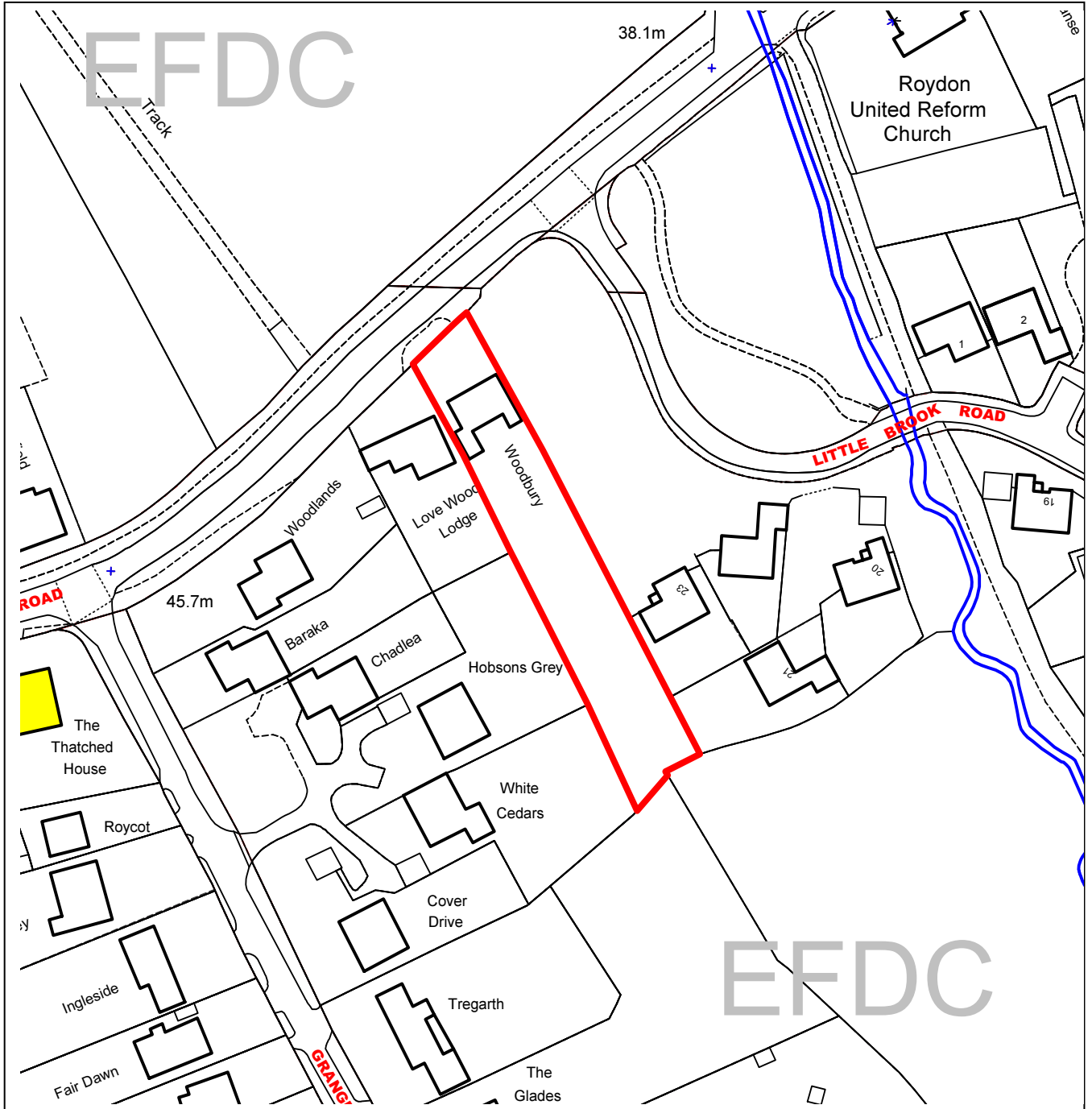
**Conclusion:**

The revised application has reduced the height, bulk and proximity to neighbouring properties and altered the design to that of a more traditional and conventional dwelling than previously proposed. It is considered that these alterations have overcome the previous reasons for refusal and would not detrimentally impact on the amenities of neighbouring residents. 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 West



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<b>Agenda Item Number:</b>	<b>3</b>
Application Number:	EPF/0524/10
Site Name:	Woodbury, Harlow Road, Roydon CM19 5DX
Scale of Plot:	1/1250

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/0641/10
<b>SITE ADDRESS:</b>	15 Palmers Grove Nazeing Essex EN9 2QG
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Lower Nazeing
<b>APPLICANT:</b>	Mr Bob Currell
<b>DESCRIPTION OF PROPOSAL:</b>	First floor rear extension. (Revised application)
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

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

*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:**

First floor rear extension (revised application) 3m deep and 3.3m wide, it is set in from the boundary with No. 13 by 2m and will be finished as a gable end.

**Description of Site:**

15 Palmers Grove is a two storey semi-detached property located on the south west side of Palmers Grove surrounded by similar semi-detached properties. The property is on the edge of the built up area of Epping and is not within the Green Belt or a Conservation Area. The property has the benefit of a lawful development certificate for a single storey side and rear extension, which has recently been started on site.

**Relevant History:**

EPF/0173/10 – First floor rear extension – Refused on 29/03/10 for the following reason:

*The proposal would lead to a loss of privacy to the neighbouring property, no 17 Palmers Grove due to the first floor side facing window. This would detract from the amenities that the residents of this property can reasonably expect to enjoy. The proposal is therefore contrary to Policy DBE9 of the Adopted Local Plan and Alterations.*

EPF/2504/09 – CLD for proposed single storey side and rear extensions - Lawful

**Policies Applied:**

Epping Forest District Local Plan and Alterations

DBE9 – Impact on Amenity

DBE10 – Extensions to Dwellings

**SUMMARY OF REPRESENTATIONS:**

NAZEING PARISH COUNCIL: Objections. Not in keeping with the streetscene

NEIGHBOURS

4 properties were consulted no responses received

**Issues and Considerations:**

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

- Amenity of Neighbouring Properties
- Design Issues

The difference between this and the previously refused application is the removal of the side facing window overlooking No. 17 Palmers Grove.

*Amenity of Neighbouring Properties*

The proposal extends beyond the rear wall of No. 17 Palmers Grove by approximately 5m due to the set back of No. 17. However, the proposal is set in from the shared boundary by 3m which is considered to reduce any loss of light or overbearing impact.

The proposal is set in from the boundary with No. 13 by 2m and respects the 45 degree rule from both nearest neighbouring windows and therefore not considered to unduly impact on No. 13.

The removal of the side facing window has removed the overlooking to the rear garden of No. 17 and therefore overlooking is no longer considered an issue.

*Design Issues*

The proposal complements the existing property and matching materials are proposed. The Parish Council have objected due to the proposal not being in keeping with the streetscene, however as the extension is located to the rear it is not considered to disrupt the appearance of the streetscene.

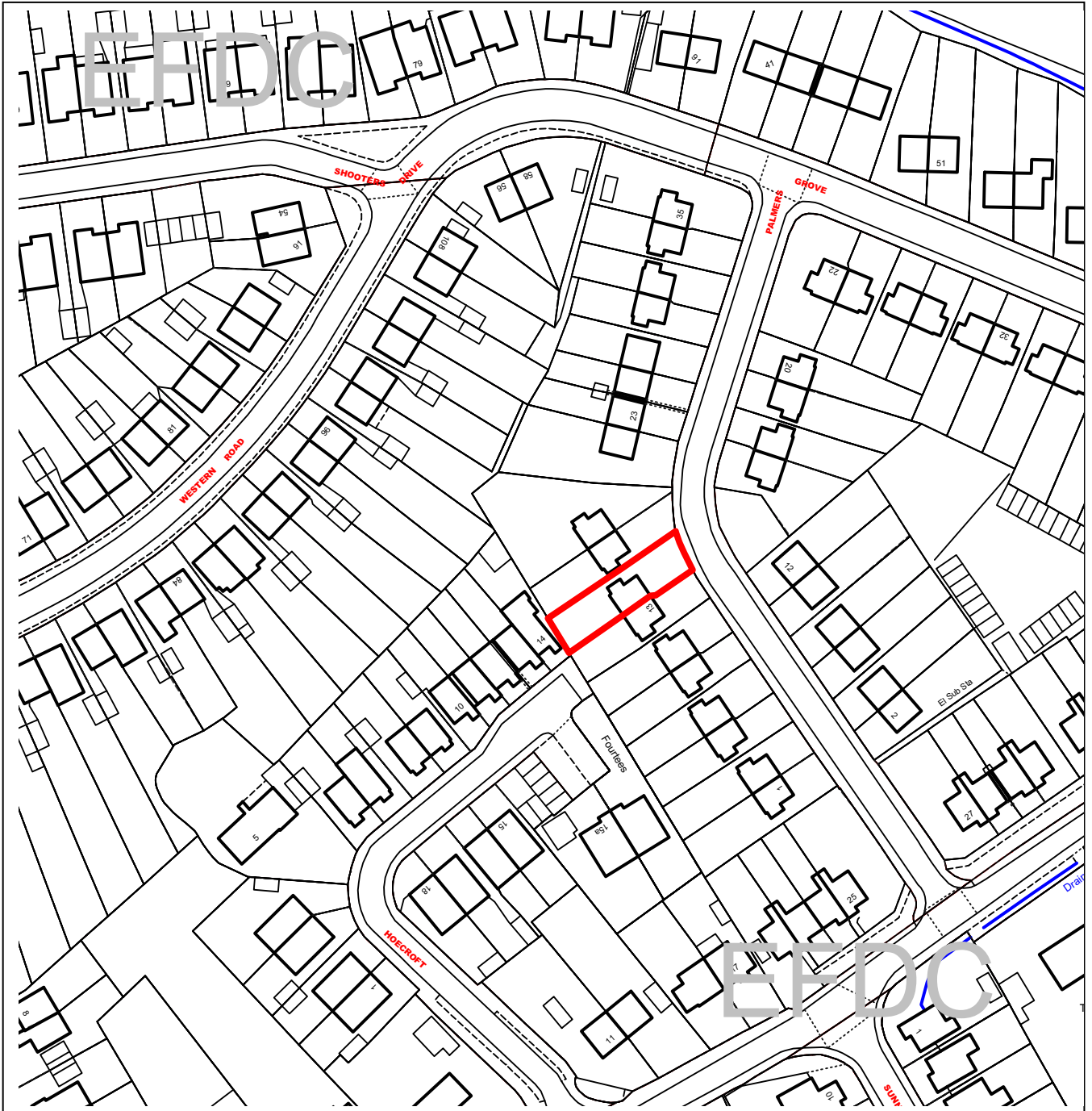
**Conclusion:**

The proposal is considered a satisfactory design, which is not considered to be significantly detrimental to neighbouring amenity. It is considered the previous reason for refusal has been overcome by the removal of the side facing window and approval is therefore recommended.



# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	<b>4</b>
Application Number:	EPF/0641/10
Site Name:	15 Palmers Grove, Nazeing, EN9 2QG
Scale of Plot:	1/1250

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