

# Committee Agenda



**Webcast  
Meeting**



**Epping Forest  
District Council**

## ***Area Planning Subcommittee East Wednesday, 6th October, 2010***

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

**Time:** 7.30 pm

**Democratic Services  
Officer** Gary Woodhall - The Office of the Chief Executive  
Email: [gwoodhall@eppingforestdc.gov.uk](mailto:gwoodhall@eppingforestdc.gov.uk)  
Tel: 01992 564470

Members:

Councillors A Boyce (Chairman), A Green (Vice-Chairman), W Breare-Hall, Mrs D Collins, Ms C Edwards, P Gode, Mrs A Grigg, Ms J Hedges, D Jacobs, Mrs S Jones, B Judd, 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 15 September 2010 (attached).

**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 URGENT 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 - 70)**

(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):

<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 Subcommittee before leaving.

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

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

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

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

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

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

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

The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the

Subcommittee propose to follow a course of action different to officer recommendation, they are required to give their reasons for doing so.

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

**Further Information?**

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

## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Area Planning Subcommittee East   **Date:** 15 September 2010

**Place:** Council Chamber, Civic Offices, High Street, Epping   **Time:** Times Not Specified

**Members Present:** A Boyce (Chairman), P Gode, Mrs A Grigg, Ms J Hedges, Mrs S Jones, B Judd, R Morgan, J Philip, B Rolfe, D Stallan, C Whitbread, Mrs J H Whitehouse and J M Whitehouse

**Other Councillors:** -

**Apologies:** A Green, W Breare-Hall, Mrs D Collins, Ms C Edwards, D Jacobs and Mrs M McEwen

**Officers Present:** N Richardson (Assistant Director (Development Control)), G J Woodhall (Democratic Services Officer) and R Perrin (Democratic Services Assistant)

---

### 43. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

### 44. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements adopted by the Council to enable persons to address the Sub-Committee, in relation to the determination of applications for planning permission. The Sub-Committee noted the advice provided for the public and speakers in attendance at Council Planning Sub-Committee meetings.

### 45. MINUTES

**RESOLVED:**

(1) That the minutes of the meeting held on 25 August 2010 be taken as read and signed by the Chairman as a correct record.

### 46. ELECTION OF VICE-CHAIRMAN

Following the receipt of apologies for absence from Councillor A Green, the Chairman requested nominations for the role of Vice-Chairman.

**RESOLVED:**

(1) That Councillor R Morgan be elected Vice-Chairman for the duration of the meeting.

**47. DECLARATIONS OF INTEREST**

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

(i) EPF/1370/10 Land at Brent House Farm, Harlow Common, North Weald.

(b) Pursuant to the Council's Code of Member Conduct, Councillor Mrs A Grigg declared a personal interest in the following item of the agenda by virtue of being a member of North Weald Bassett Parish Council and having provided information from Planning Services to the Hastingwood Action Group in the past. The Councillor had determined that her interest was not prejudicial and would remain in the meeting for the consideration of the application and voting thereon:

(i) EPF/1370/10 Land at Brent House Farm, Harlow Common, North Weald.

(c) Pursuant to the Council's Code of Member Conduct, Councillors Mrs J Hedges and C Whitbread declared a personal interest in the following items of the agenda by virtue of being well acquainted with the Applicant. The Councillors had determined that their interest was prejudicial and would leave the meeting for the consideration of the applications and voting thereon:

(i) EPF/1389/10 Non-Conformist Chapel Meeting Room, Queens Alley, 86 Hemnall Street, Epping; and

(ii) EPF/1388/10 Non-Conformist Chapel Meeting Room, Queens Alley, 86 Hemnall Street, Epping.

(d) Pursuant to the Council's Code of Member Conduct, Councillors P Gode and B Judd declared a personal interest in the following item of the agenda by virtue of being a member of Ongar Town Council. The Councillors had determined that their interest was not prejudicial and would remain in the meeting for the consideration of the application and voting thereon:

(i) EPF/1566/10 40 Landview Gardens, Ongar.

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

(i) EPF/1272/10 22 Regent Road, Epping;

(ii) EPF/1315/10 Gardeners Farm, Stewards Green Road, Epping; and

(iii) EPF/1537/10 Ploughcroft Cottage, 13 Bridge Hill, Epping.

(f) Pursuant to the Council's Code of Member Conduct, Councillors Mrs S Jones and J Philip declared a personal interest in the following item of the agenda by virtue of being well acquainted with the Applicant and the Objector. The Councillors had determined that their interest was prejudicial and would leave the meeting for the consideration of the application and voting thereon:



(i) EPF/1537/10 Ploughcroft Cottage, 13 Bridge Hill, Epping.

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

(i) EPF/1537/10 Ploughcroft Cottage, 13 Bridge Hill, Epping.

**48. ANY OTHER URGENT BUSINESS**

**RESOLVED:**

(1) That the Planning Application for the Land at Brent House Farm, Harlow Common, North Weald be determined as set out in the first schedule attached to these minutes.

**49. DEVELOPMENT CONTROL**

**RESOLVED:**

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

**50. DELEGATED DECISIONS**

The Sub-Committee noted that schedules of planning applications determined by the Director of Planning and Economic Development under delegated authority since the last meeting had been circulated and could be inspected at the Civic Offices.

**CHAIRMAN**

This page is intentionally left blank

<b>APPLICATION No:</b>	EPF/1370/10
<b>SITE ADDRESS:</b>	Land at Brent House Farm Harlow Common North Weald Essex CM17 9ND
<b>PARISH:</b>	North Weald Bassett
<b>WARD:</b>	Hastingwood, Matching and Sheering Village
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of industrial buildings and associated structures, removal of authorised use of site for car repair, storage and related uses, and replacement with construction of eight residential dwellings, together with associated parking and landscaping.
<b>DECISION:</b>	Referred to District Development Control Committee

**Click on the link below to view related plans and documents for this case:**

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=519534](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=519534)

The Committee agreed with the recommendation and the application shall be reported to District Development Control Committee, as a departure from Local Plan policy, with a recommendation to Grant Planning Permission, subject to a legal agreement under s.106 of the Town and Country Planning Act 1990, for a contribution of £50,000 towards affordable housing provision in the district and £50,000 to North Weald Parish Council for community enhancement in the Local area.

The Committee's attention was drawn to a letter of representation from Robert Halfon MP.

## 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 or preliminary groundworks of any kind shall take place until the applicant/developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
3. Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
4. 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.

5. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Class A, B, C and E shall be undertaken without the prior written permission of the Local Planning Authority.
6. Prior to the commencement of the development details of the proposed surface materials for the access, turning and parking areas 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.
7. A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using Windes or other similar programme. The approved measures shall be undertaken prior to the first occupation of the building hereby approved and shall be adequately maintained in accordance with a management plan to be submitted concurrently with the assessment.
8. Prior to commencement of development, including demolition or site clearance works, a phased contaminated land investigation shall be undertaken to assess the presence of contaminants at the site in accordance with an agreed protocol as below. Should any contaminants be found in unacceptable concentrations, appropriate remediation works shall be carried out and a scheme for any necessary maintenance works adopted.

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

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

Following remediation, a completion report and any necessary maintenance programme shall be submitted to the Local Planning Authority for approval prior to first occupation of the completed development.
9. 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.
10. Prior to occupation of the proposed development, the applicant/developer shall be responsible for the provision of a Travel Information and Marketing Pack for sustainable transport to be approved by the Local Planning Authority in liaison with Essex County Council.
11. 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.

12. 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.

13. Before any preparatory demolition or construction works commence on site, a mitigation strategy for the site shall be submitted to the Local Planning Authority for agreement in writing with a working methodology for site clearance and construction work to minimise impact on any protected species and nesting birds. Development shall be undertaken only in accordance with the agreed strategy and methodology.

14. Details of trees, shrub and hedges present around the perimeter of the site to be retained shall be submitted to and agreed in writing to the Local planning Authority, prior to work commencing on site, inclusive of site clearance. No tree, shrub, or hedge which are shown as being retained on the agreed details/plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (B.S.3998: 1989).

If any tree shown to be retained in accordance with the approved plans and

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

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

# Minute Item 49

For ease of reference, a link is now included to view documents relevant to each application.  
Whilst holding 'Ctrl' key, left click on this link.

As this is still experimental at this stage, please let us know if you encounter any problems by emailing [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/1389/10
<b>SITE ADDRESS:</b>	Non Conformist Chapel Meeting Room Queens Alley 86 Hemnall Street Epping Essex CM16 4LY
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use and external alterations of former chapel to single dwelling house. (Revised application)
<b>DECISION:</b>	Grant Permission (with conditions)

**Click on the link below to view related plans and documents for this case:**

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=519614](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=519614)

The Committee considered that the applicant had demonstrated that there was no demand for a small D1 use building, which had previously been a private meeting room, and the proposed use for residential use was acceptable, subject to the following conditions.

**CONDITIONS**

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
2. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Class A-E shall be undertaken without the prior written permission of the Local Planning Authority.
3. All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.



**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/1388/10
<b>SITE ADDRESS:</b>	Non Conformist Chapel Meeting Room Queens Alley 86 Hemnall Street Epping Essex CM16 4LY
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>DESCRIPTION OF PROPOSAL:</b>	Grade II listed building application for change of use of former chapel to single dwelling including repairs and alterations.
<b>DECISION:</b>	Grant Permission (with conditions)

**Click on the link below to view related plans and documents for this case:**

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=519613](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=519613)

The Committee concurred with the professional advice from the Essex County Council Historic Buildings Advisor and considered that the proposed alterations to allow a residential use would preserve the character and appearance of this Grade II Listed Building, subject to the following conditions:

**CONDITIONS**

1. The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.
2. Additional drawings that show details of proposed new windows, rooflights and doors by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of any works.
3. Prior to commencement of any works, the proposed method of obscuring the glazing in the windows shall be agreed in writing with the Local Planning Authority and be carried out thereafter strictly in accordance with these details.
4. Details of internal works affecting the fabric of the building, including any timber framing, infill panels and walls, shall be submitted and agreed in writing by the Local Planning Authority prior to the commencement of any works.

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/1566/10
<b>SITE ADDRESS:</b>	40 Landview Gardens Ongar Essex CM5 9EQ
<b>PARISH:</b>	Ongar
<b>WARD:</b>	Chipping Ongar, Greensted and Marden Ash
<b>DESCRIPTION OF PROPOSAL:</b>	Retrospective application for retention of two storey rear extension.
<b>DECISION:</b>	Grant Permission (With Conditions)

**Click on the link below to view related plans and documents for this case:**

[http://planpub.eppingforestdc.gov.uk/AniTelM\\_websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=520231](http://planpub.eppingforestdc.gov.uk/AniTelM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=520231)

The Committee's attention was drawn to a letter of representation from 5 Kettlebury Way, Ongar

**CONDITIONS**

1. The shed described in drawing numbers 656.5 A and 656.12 shall be permanently retained in the position shown on those drawings. Should the shed be removed or decay to the extent that it no longer screens views of the ground floor of 5 Kettlebury Way from windows serving the ground floor rooms of the extension hereby approved, or from decking rear of the extension, it shall be replaced by a structure of the same dimensions in the same position within 28 days of its removal or decay to that extent.

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/1272/10
<b>SITE ADDRESS:</b>	22 Regent Road Epping Essex CM16 5DL
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Lindsey and Thornwood Common
<b>APPLICANT:</b>	Mr Mike Tebbutt
<b>DESCRIPTION OF PROPOSAL:</b>	Two storey side and part two, part single storey rear extensions.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**Click on the link below to view related plans and documents for this case:**

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=519275](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=519275)

**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.

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/1283/10
<b>SITE ADDRESS:</b>	Lockwood Farm Bournebridge Lane Stapleford Abbots Essex RM4 1LU
<b>PARISH:</b>	Lambourne
<b>WARD:</b>	Lambourne Passingford
<b>DESCRIPTION OF PROPOSAL:</b>	Retention of building for use as farm office/store
<b>DECISION:</b>	Grant Permission (With Conditions)

**Click on the link below to view related plans and documents for this case:**

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=519285](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=519285)

**CONDITIONS**

1. The portakabin sited to the immediate south of the farm office and store hereby approved shall be removed within 3 months of the date of this permission.
2. The building hereby approved shall only be used for purposes associated with the use of Lockwood Farm as an agricultural unit.

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/1315/10
<b>SITE ADDRESS:</b>	Gardeners Farm Stewards Green Road Epping Essex CM16 7PF
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>DESCRIPTION OF PROPOSAL:</b>	Installation of an 18m monopole with 2 no. 4-stack di-pole antennas and 2 no. 600mm dishes together with equipment cabin, diesel generator, meter cabinet, cable tray supporting GPA within a 8m x 5.5m fenced compound.
<b>DECISION:</b>	Refuse Permission

**Click on the link below to view related plans and documents for this case:**

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=519366](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=519366)

**REASON FOR REFUSAL**

1. The proposal would be an obtrusive feature that would detract from the visual amenities and outlook of nearby residents, as well as detracting from the setting of listed buildings in the close locality, and therefore be contrary to policies U6, DBE9 and HC12 of the Epping Forest District Local Plan and Alterations.

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/1362/10
<b>SITE ADDRESS:</b>	7 Green View The Green Theydon Bois Essex CM16 7JD
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed Basement Extension (to be constructed alongside extensions to the property permitted under application ref. EPF/2198/07)
<b>DECISION:</b>	Deferred

**Click on the link below to view related plans and documents for this case:**

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=519509](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=519509)

This item was deferred to a future meeting to be attended by a Land Drainage representative from the Council's Directorate of Environmental Services and for details of the hydrology technical assessment submitted as part of a Land Drainage Consent application to be attached to the report item.

The Committee's attention was drawn to a further letter of representation from Theydon Bois and District Rural Preservation Society.

**Report Item No: 8**

<b>APPLICATION No:</b>	EPF/1537/10
<b>SITE ADDRESS:</b>	Ploughcroft Cottage 13 Bridge Hill Epping Essex CM16 4ER
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed vehicle crossover.
<b>DECISION:</b>	Grant Permission (With Conditions)

**Click on the link below to view related plans and documents for this case:**

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=520131](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=520131)

**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 drain shown on Plan Ref: APPENDIX 1 shall be installed prior to use of the driveway hereby approved, and shall be retained and maintained thereafter.
3. There shall be no unbound materials used within the proposed driveway area.





## AREA PLANS SUB-COMMITTEE 'EAST'

6 October 2010

### INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/1153/09	Rear of 103 High Street, Chipping Ongar	GRANT	27
2.	EPF/0425/10	The Acorns, Redricks Nursery, Vicarage Lane, North Weald	GRANT	35
3.	EPF/1345/10	Oak Hill Farm, Coppice Row, Theydon Bois	GRANT	40
4.	EPF/1350/10	Northern Showground, North Weald Airfield, Merlin Way, North Weald	GRANT	49
5.	EPF/1409/10	30/30A Piercing Hill, Theydon Bois	GRANT	54
6.	EPF/1474/10	Billie Jeans, 26 High Street, Epping	GRANT	61
7.	EPF/1554/10	12 Ravensmere, Epping	GRANT	65

This page is intentionally left blank

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/1153/09
<b>SITE ADDRESS:</b>	Rear of No.103 High Street Chipping Ongar Essex CM5
<b>PARISH:</b>	Ongar
<b>WARD:</b>	Chipping Ongar, Greensted and Marden Ash
<b>APPLICANT:</b>	Mr R Hilder
<b>DESCRIPTION OF PROPOSAL:</b>	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.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**Click on the link below to view related plans and documents for this case:**

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=500692](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=500692)

**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.
- 10 Notwithstanding the requirements of condition 9, the windows to the newbuild cottages shall be recessed into the wall and shall be timber sashes including "horns" in Victorian style.

*This application is before this Committee since the recommendation conflicts with a previous resolution of a Committee (Pursuant to Section CL56, Schedule A (i) of the Council's Delegated Functions).*

Members may recall this planning application which was considered in December last year, when the Committee resolved to grant planning permission subject to the completion of a Section 106 legal agreement to secure one of the proposed dwellings as affordable housing.

The application had previously been deferred by the Committee, in order that the provision of affordable housing be considered. Following the first Planning Committee, the applicant held discussions with both the Council's Director of Housing and Hastoe Housing Association. Following these discussions, the applicant advised that they were prepared to offer one of the one-bed dwellings as an affordable housing unit. It was anticipated that the unit would be offered, by Hastoe, for shared ownership. That was expected to involve a subsidy by the applicant of £93,000.

The applicant has since submitted details of anticipated construction costs and valuations of the proposed dwellings. The construction costs (including VAT at the 20% rate) are £688,500. This figure excludes any provision for professional (e.g. Architect, Engineer, Planning consultant) fees; Local Authority fees; Party Wall fees and profit. The proposed dwellings are anticipated to have a total value of £915,000 (Plot 1 - £220,000; Plot 2 - £220,000; Plot 3 (affordable unit) - £95,000; Plot 4 - £185,000; Plot 5 - £195,000). The applicant considers, given the balance between costs and sales of approximately £226,500 (which would be further reduced once the additional costs have been taken into consideration), that it is unlikely that the applicant would be able to sell the site to a developer for more than its existing value. On this basis, the applicant contends that the requirement for an affordable housing unit is not reasonable.

The applicant has also drawn comparison with the recently approved development at Matthews Yard, Harlow Road, Morton (EPF/0504/10) for 7 dwellings, which did not provide for affordable housing. However, that site had been subject to a previous planning appeal, in which the applicants had demonstrated through a financial appraisal that the provision of affordable housing would render the scheme unviable.

On the basis of the above, the applicant has requested that the Committee reconsiders its previous resolution to grant planning permission subject to the Section 106 and considers allowing the development to proceed without the affordable housing element. The applicant has advised that, if the Committee is not prepared to accept the removal of the affordable housing on the basis of the figures provided, then they will work with the Council to undertake a full financial appraisal of the development. However, this will obviously have a further cost implication for the developer of approximately £2,500. In the event that the Committee wishes to defer consideration of the proposal pending this financial study, it is recommended that they consider issuing a new resolution that would provide for the legal agreement to be signed within six months of the date of this Committee, thereby extending the existing resolution which is due to expire in December.

This should provide sufficient time for the appraisal to be undertaken and reported back to the Committee for further consideration.

If the resolution to grant subject to the s106 agreement is not extended then the application will lapse in December necessitating submission of a new application for consideration if the site is to be developed which may be considered unreasonable in the current economic climate.

### **Description of Proposal:**

This application seeks planning permission for the redevelopment of the area to the rear of 103 High Street, for residential purposes. It is proposed to convert existing business premises into 3 x one bed cottages and to build a pair of two bed cottages. Associated car parking, bike and bin stores are also proposed. It is proposed that one of the one bed units would be provided as an affordable unit.

### **Description of Site:**

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

### **Relevant History:**

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

Details:-

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

### **Policies Applied:**

#### **Adopted Local Plan and Alterations**

HC12 – Development Affecting the Setting of a Listed Building  
GB7A – Conspicuous Development  
H2A – Previously Developed Land  
H4A – Dwelling Mix  
CP2 – Protecting the Quality of the Rural and Built Environment  
CP7 – Urban Form and Quality  
DBE1 – Design of New Buildings  
DBE2 – Impact of New Buildings  
DBE8 – Amenity Space Provision  
ST1 – Location of Development  
ST2 – Accessibility of Development  
ST4 – Highways Considerations  
ST6 – Car Parking Standards  
LL11 – Landscaping Schemes  
E4A – Protection of Employment Sites  
E4B – Alternative Uses for Employment Sites

### **Summary of Representations:**

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

106 HIGH STREET – Concerned that location plan is out of date and some adjacent properties may not have been consulted. Concern that alleyway is very narrow and often blocked causing blockage of high street.

### **Issues and Considerations:**

The main issues in this case are:

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

### **Loss of Employment Site**

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

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

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

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

In the submitted Design and Access Statement the applicants state that “*although the site has been in commercial and industrial use for many years, the site access is narrow and unsuitable in relation to the operational requirements of modern business. The widening of the access would require the demolition of buildings in the conservation area on the High Street frontage, and this would harm the character and appearance of the conservation area. Therefore the change from commercial and industrial use to residential and the smaller vehicles and reduced vehicle movements that this would entail would be desirable*”.

Since the previous Committee meeting, the applicant has provided additional information relating to the existing and potential employment uses of the site. The applicant states “*there are currently*

*two people employed at the site. The site was originally an old slaughterhouse, but was split up into individual business units in the late 1970's. The access to the site is awkward and its layout is poor. The units are not up to modern standards and are not easy to let. The applicant would not consider redeveloping for business purposes because the narrow access would limit the size of vehicles that could get into the site."*

#### Impact on Neighbouring Dwellings

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

#### Highway Safety

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

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

#### Impact on Conservation Area and Listed Buildings

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

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

#### Fire Tender Access

Due to the difficulties of accessing the site by fire tender, the applicant has suggested that a dry main could be installed within the site so that a hose could be connected to it and water pumped from a fire tender parked in the High Street. The five dwellings would also be fitted with sprinkler systems to provide additional protection. The applicant has also suggested that the provision of such systems could be required by planning condition. However, this may be unnecessary as the matters would be considered by building control.

#### Other Matters



Suitable site landscaping may be controlled by planning condition.

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

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

### **Conclusion**

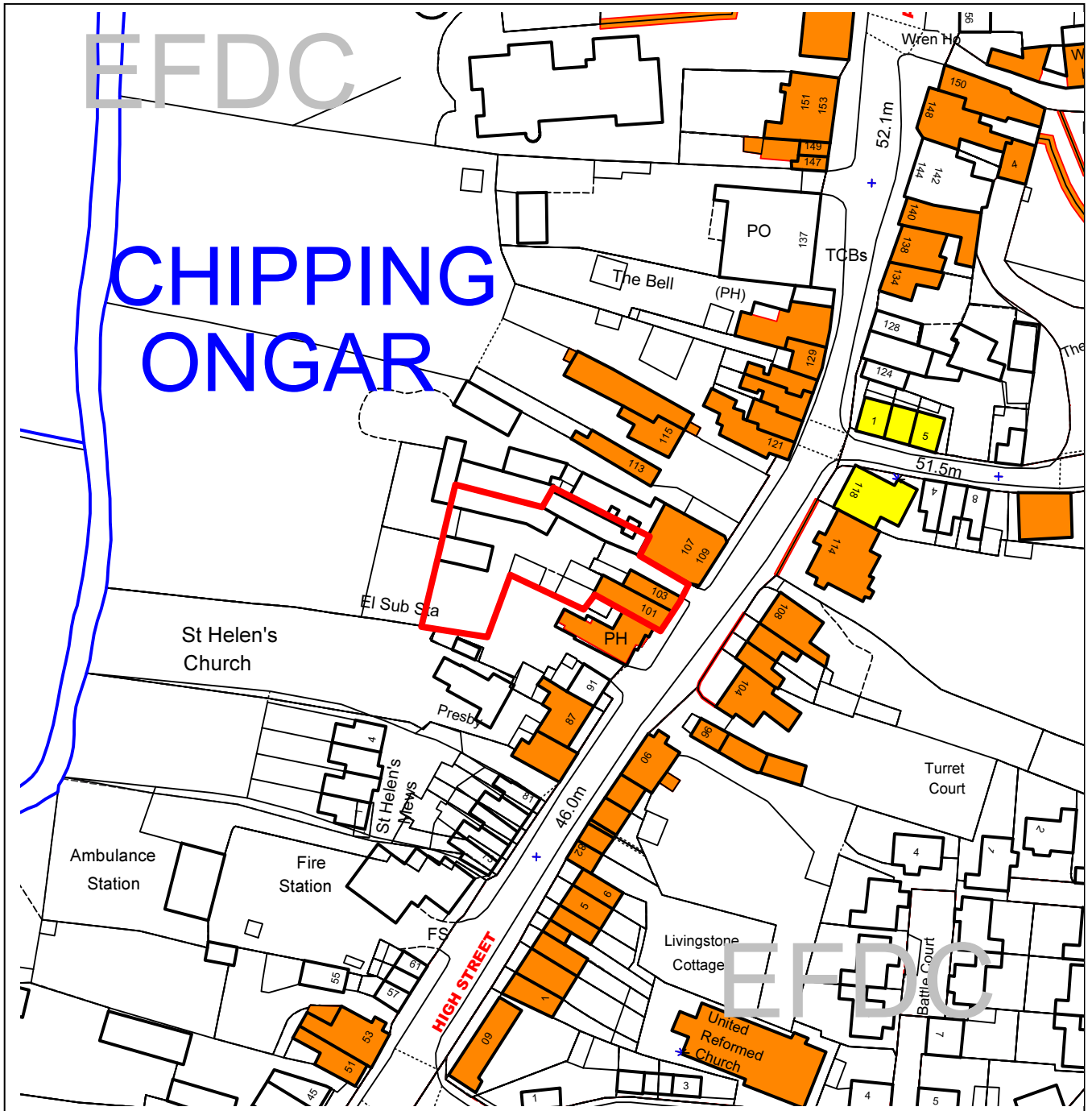
In light of the above appraisal, it is considered on balance that the proposed development may be justified despite the loss of the existing employment use on the site due to the restricted access to the site and having regard to the existing lawful use of the site. The purpose of policy E4A is to prevent the loss of employment uses within the District because of an identified shortfall.

Notwithstanding this, it is clear that this site is unsuitable for its existing use. The applicant has however failed to demonstrate that the site would not be suitable for a general B1 use, but has confirmed that this would require a redevelopment which they are reluctant to undertake. With regard to other matters, it is considered that the proposed development is appropriate to this location in terms of its scale and design. Accordingly it is not considered that there would be any material harm to either the surrounding conservation area or to the setting of the listed buildings. With regard to policy E4B, the proposed development would no longer provide for any community use following the removal of the affordable housing. However, having regard to the planning merits of the proposed development, it is not considered that failure to address this policy would justify the withholding of planning permission, in a situation where the provision of affordable housing would affect the viability of the development. It is, therefore, recommended that planning permission be granted, without the requirement for the applicant to enter into a Section 106 legal agreement.



# Epping Forest District Council

## Area Planning Sub-Committee East



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

EFDC licence No.100018534

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

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/0425/10
<b>SITE ADDRESS:</b>	The Acorns Redricks Nursery Vicarage Lane North Weald Epping Essex CM16 6AL
<b>PARISH:</b>	North Weald Bassett
<b>WARD:</b>	North Weald Bassett
<b>APPLICANT:</b>	Mr Tony Crolla
<b>DESCRIPTION OF PROPOSAL:</b>	Replacement shed for mushroom growing.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**Click on the link below to view related plans and documents for this case:**

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=516028](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=516028)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 The structure hereby approved shall be used solely in connection with or ancillary to horticulture, agriculture and forestry uses. Should the building no longer be required in connection with any such activity named above for a sustained period or in the foreseeable future than it shall be removed in full within 6 months and the land reinstated and landscaped unless otherwise agreed in writing by the Local Planning Authority.
- 4 All mushroom packing and storage of mushroom growing equipment shall take place within the approved building alongside the growing of mushrooms.

*This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section CL56, Schedule A (g) of the Council's Delegated Functions).*

### **Description of Proposal:**

The applicant seeks permission to erect a shed 19.2m long and 7.2m wide reaching 5m high at the ridge, 4m at the eaves with a shallow pitch. The proposals incorporate a double door openings on either gable end to the east and west of the proposed structure. The applicant seeks this structure in lieu of a boiler house which was subject to fire and removed early this year and a disused packing shed which was removed approximately 2004 near the vehicular entrance.

### **Description of Site:**

The Acorns is a detached property on the southern side of Vicarage Lane and an associated nursery site to the south. The application site is a strip of land to the south of the residence and north of the glasshouses.

The applicant has confirmed that the wider Acorns site is also within their ownership and that they generally grow mushrooms, tomatoes and other vegetables as required. The applicant has presently blacked out areas in the present glasshouse to use for mushrooms, but this is not ideal and a temporary measure only.

The site is well established, is within the Green Belt and has relatively good vehicular access from Vicarage Lane.

The applicant has submitted evidence of a former boiler shed of a smaller size in situ, aerial photography supports this and the slab and footing walls of the former packing shed are evident near the vehicular entrance.

### **Relevant History:**

None relevant

### **Policies Applied:**

CP1 – Achieving Sustainable Development Objectives  
CP2 – Protecting the quality of the Rural and Urban Environment  
GB2A – Development in the Green Belt  
GB11 – Agricultural Buildings  
DBE4 – Design in the Green Belt  
ST1 – Location of Development  
ST2 – Accessibility of development

### **SUMMARY OF REPRESENTATIONS:**

4 neighbouring properties were consulted and a site notice was erected at the entrance road to the site close to Vicarage Lane, on the junction with the access to Chase Farm.

72 GLAMIS CLOSE, CHESHUNT, HERTS – As adjacent landowners we should have been notified. I have seen the plans and do not accept that the boundaries are correct, therefore the ownership certificate is wrong. The shed will affect light to my tenant's plants in our working glasshouses. There was not a shed there originally and Mr Crolla has put up two constructions without planning.

NORTH WEALD PARISH COUNCIL: have returned two responses as follows:

7<sup>th</sup> June 2010: The Council has NO OBJECTION to this application.

6<sup>th</sup> July 2010: The Parish Council withdraws its original comments of NO OBJECTION to this application due to the fact that the adjacent property was not written to in relation to the neighbour notification letters which are sent out by the District Council.

The Parish Council OBJECTS to this application due to the impact that the loss of light would have on the adjacent glasshouses worked by World Plants and the impact that this would have on their working business. There is also concern that the plan submitted showing the boundary line is incorrect.

### **Issues and Considerations:**

The main issues to be considered are whether the proposals represent appropriate development within the Green Belt, whether the scale, design and appearance of the proposed development is acceptable and whether the proposals would have any adverse impact on neighbouring amenity, highways or sustainability.

#### Green Belt

Policy GB2A permits development for the purposes of agriculture, horticulture and forestry as one of the primary objectives. The proposed shed for mushroom farming may therefore be considered acceptable development in principle particularly when mindful that the structure replaces previous buildings. Furthermore Officers note that the applicant has historically removed structures onsite at the end of useful function, accordingly a condition requiring the removal of the building proposed if no longer used is considered reasonable.

#### Scale, Design and Appearance

The scale, design and appearance of the structure is functional and relates clearly to the use proposed having no natural light source serving the building. It is situated between and in the context of existing agricultural glasshouses and associated buildings and in place of a former smaller building. The design is an appropriate agricultural barn.

With regard to packing and machinery, the applicant has confirmed that the proposed structure is sufficient to perform all these functions for mushroom purposes within the building sought and this may be secured by condition.

#### Neighbouring amenity

In respect of neighbouring amenity, residences are well separated and would view the proposals in the context of the existing commercial buildings. With regard to adjacent businesses and issues raised, Officers note that objectors are concerned regarding impact from loss of light and associated potential impacts on the adjacent glasshouses. As the applicant had already commenced work installing steels for the building it was easy to view the proposed position of the building onsite and images which will be displayed at the meeting clearly show that the shed is being positioned away from the glasshouses as indicated on the submitted drawings and to the north of them, therefore only minimal overshadowing should arise. Furthermore it should be noted that glasshouses are typically glazed entirely therefore only a small proportion of sun could be lost by any adjacent structure or hedgerow as is common place on the boundaries with many nurseries.

#### Highways

The existing access is already used for agricultural and horticultural purposes with associated traffic. There is no evidence to suggest a separate mushroom shed would increase vehicular movements significantly, particularly as the applicant resides onsite.

### Sustainability

The proposals are located in an area of existing nursery use, the reuse of the site to continue growing produce is not unreasonable and would prevent the erosion of Greenfield sites elsewhere. The site is well located to transport routes and in respect of location is considered acceptable.

### **Conclusion**

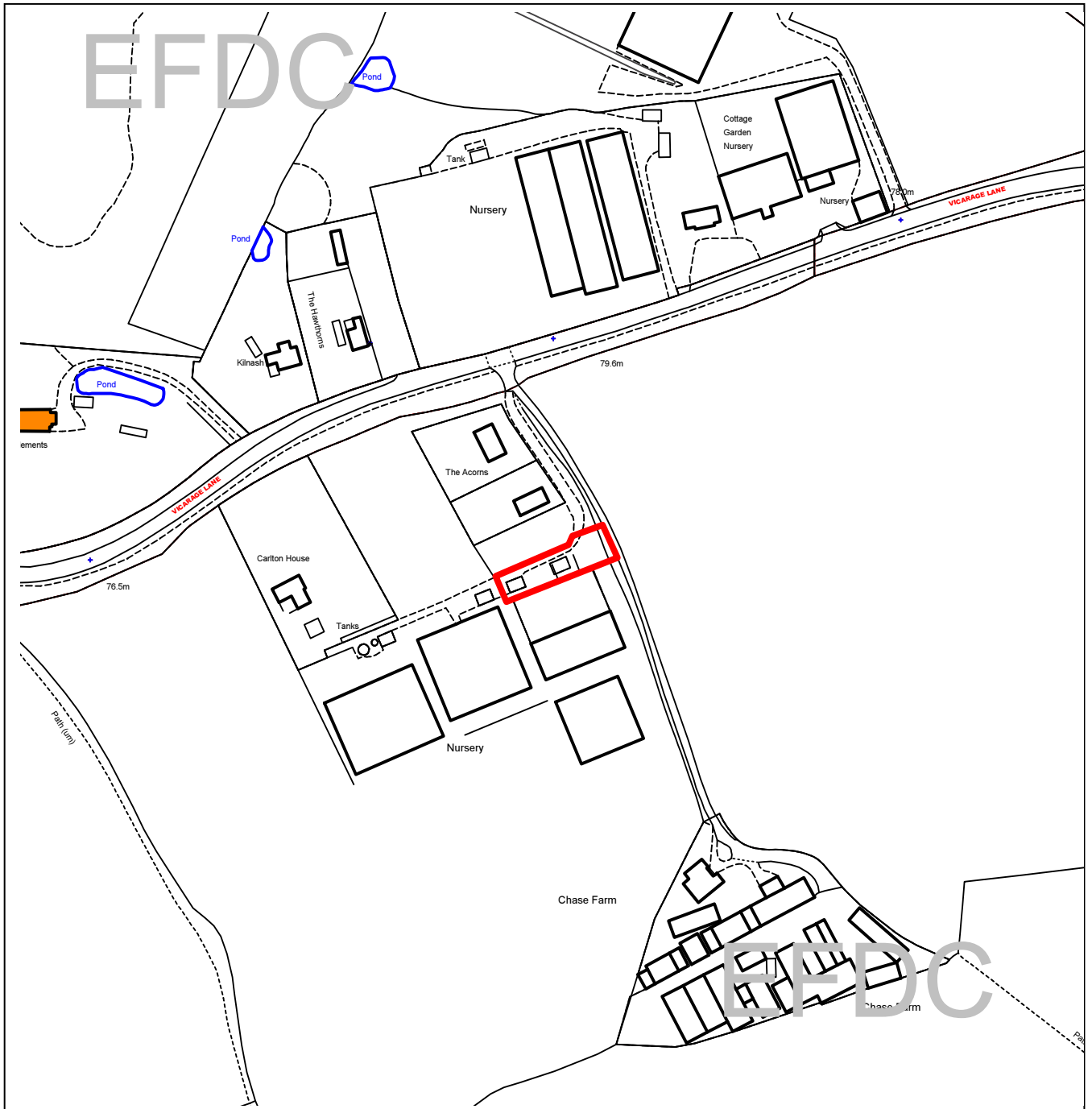
The applicant seeks to provide a structure to grow produce in an area used for nurseries, in place of structures recently removed. This is an acceptable Green Belt development, at a reasonable scale for a commercial operation, at a site with good access and an established horticultural character.

Boundary disputes are not a matter for Council consideration and the applicant has confirmed ownership since 2001. The neighbouring glasshouses which have raised concern appear reasonably separated and not to suffer a loss of direct sunlight or detrimental overshadowing to have significant adverse impact, therefore the proposals are considered acceptable and in accordance with adopted policies and this application is therefore recommended for approval subject to conditions.



# Epping Forest District Council

## Area Planning Sub-Committee East



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

EFDC licence No.100018534

<b>Agenda Item Number:</b>	2
Application Number:	EPF/0425/10
Site Name:	The Acorns, Redricks Nursery Vicarage Lane, North Weald, CM16 6AL
Scale of Plot:	1/2500

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/1345/10
<b>SITE ADDRESS:</b>	Oak Hill Farm Coppice Row Theydon Bois Epping Essex CM16 7DR
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>APPLICANT:</b>	Mr Rai
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of an existing dwelling house and its associated outbuildings and replacement with a new two storey dwelling, with rooms in the roof and basement level. Change of use of land from agriculture to residential curtilage. (Revised application EPF/0539/08)
<b>RECOMMENDED DECISION:</b>	Grant Permission (subject to s106 agreement)

**Click on the link below to view related plans and documents for this case:**

[http://planpub.eppingforestdc.gov.uk/AnitellM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=519464](http://planpub.eppingforestdc.gov.uk/AnitellM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=519464)

**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 24 September 2010 unless otherwise agreed in writing with the Local Planning Authority.
- 3 No demolition or conversion works 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
- 4 Before the commencement of the development, or of any works on site, all existing buildings on the site shall be demolished and existing hardsurfaced areas shall be broken and all resulting debris removed from the site.
- 5 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.



- 6 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.
- 7 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garage(s) hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.
- 8 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Class A, B, C, E and F and Part 2, Class A and B, shall be undertaken without the prior written permission of the Local Planning Authority.
- 9 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 and 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.
- 10 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.
- 11 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.

- 12 Prior to commencement of development, details of levels shall be submitted to and approved by the Local Planning Authority showing the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 13 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 14 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.

- 15 Details of foul and surface water disposal shall be submitted to and approved by the local planning authority before any work commences, and the development shall be implemented in accordance with such agreed details.
- 16 Prior to the commencement of works a full reptile mitigation strategy shall be submitted to and agreed in writing by the Local Planning Authority and an ecological enhancement as laid down in the Windrush Ecology Extended Phase 1 Habitat and Bat Survey report (June 2010) will be incorporated into a revised landscaping plan.

This application is recommended for approval subject to the completion within 6 months of an agreement under S106 of the Town and Country Planning Act 1990 requiring that the replacement dwelling approved under planning application number EPF/0539/08 cannot be erected at any time following the approval of this scheme.

*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:**

Demolition of an existing dwelling house and its associated outbuildings and replacement with a new two-storey detached dwelling with rooms in the roof and a basement level.

Change of use of land from agriculture to residential curtilage.

This is a revised scheme to an approval under planning application reference number EPF/0539/08.

The two-storey core of the building measures 23.0 metres wide by 15.2 metres deep, this include two 5.6 metre deep by 5.8 metre wide projections to the rear elevation of the building both with hipped roof elements.

The maximum overall height of the building will be 9.4 metres to the ridge and 6.3 metres to the eaves.

The design incorporates single storey flank wings. When viewed from the front elevation they will be 2.9 metres and 7.7 metres wide respectively, by 3.5 metres high.

#### **Description of Site:**

The site accommodates an existing two-storey farmhouse dwelling. The site is in the Green Belt. The position of the dwelling house is set back from the south of Coppice Row by about 110m, and is accessed by a single track of unmade gravel road.

The farm buildings form a courtyard to the south and west and there is an extensive area of hard standing. The land falls away steeply to the west (Epping Forest) and less steeply across the site from north to south. The site is currently well screened from Coppice Row.

The site is relatively isolated with the nearest dwellings being Birch Hall and West Lodge some 200m to the west.

### **Relevant History:**

EPF/0466/88 Two storey extension to farmhouse - Approved  
EPF/1982/88 Detached garage - Approved  
EPF/0917/07 CLD for use of buildings as insect breeding - Lawful  
EPF/0539/08 Demolition of existing detached two storey house, garage and various unused farm buildings, and erection of a replacement dwelling. Approved  
EPF/0478/10 Demolition of an existing house and its associated outbuildings and replacement with a new two storey dwelling, with rooms in the roof and a walk out basement level. New detached storage shed and stable building. Change of use of land and increase residential curtilage. Withdrawn

### **Policies Applied:**

GB2A	Development in the green belt
GB15A	Replacement dwelling in the green belt
GB7A	Conspicuous development in the green belt
CP1	Protecting the quality of the built environment
CP2-CP5	Sustainable design/ building objectives
DBE1/ DBE2	Design and appearance of new buildings
DBE 4	Design in the Green Belt
DBE9	Neighbouring occupiers amenity
LL1 and LL10	Landscaping
NC4 and NC5	Habitat and ecology

### **Summary of Representations:**

3 letters were sent out to neighbouring occupiers and no letters of representation have been received.

The following responses have been received:

PARISH COUNCIL – We are very concerned about the full impact that this development will have on the openness of the Green Belt. Although we recognise that the applicant has probably taken the existing outbuildings into account the new build will give a far bulkier appearance and therefore have a greater impact on the openness of the Green Belt than the scattered buildings at present on the site. We would also like to point out that this site is visible from a public footpath.

CONSERVATORS OF EPPING FOREST – No objection to the revised scheme.

THEYDON BOIS RURAL PRESERVATION SOCIETY – The reduction in volume has not addressed the impact this replacement dwelling. Given the size, bulk, and design it will have a greater impact visually on the openness of the green belt than the existing farm buildings. There is some doubt these large buildings can be included to arrive at this volume as required by policy GB15A. The impact from the public footpath will still be severe. It will be intrusive with the forest landscape.

### **Issues and Considerations:**

The principle of erecting a replacement dwelling on this site is considered acceptable and this was decided by Committee under planning application reference EPF/0539/08 in June 2008.

The approval is still within the three year time limit, as such, it can be implemented at any time. This approval is therefore, a material planning consideration for this amended scheme.

The main issues in this application are:

- Whether this new alternative design of the replacement dwelling house is acceptable in design and appearance.
- Whether this particular proposal complies with Council policy on replacement houses within the Green Belt.
- Impact on Neighbours
- Landscaping
- Other Matters

### Green Belt

This proposal would see the existing farmhouse, detached two-storey garage and living accommodation and nine barns/sheds demolished and the erection of a detached two-storey dwelling, with rooms in the roof and a basement.

The dwelling that presently occupies this site is an 'L' plan shaped dwelling. It is 6.7m high with a gable end roof to the east – west portion and a half hipped roof with dormers to the north - south portion. The garage and an outbuilding are to the north and the farm buildings are to the south and west including a two storey structure. The existing buildings on site have no particular merit in architectural terms.

This Council's Policy allows the replacement of existing dwellings in the Green Belt, if the replacement building is not materially greater in volume than the existing building and it has no further impact on openness of the Green Belt than the original dwelling.

The current residential dwelling has a floor area of 142m<sup>2</sup> and a volume of 748m<sup>3</sup>. The remainder of the non-residential buildings within the site have a floor area of 1543m<sup>2</sup> and a volume of 3917m<sup>3</sup>

Whilst the design is completely different from the previous approval, this proposal would see a dwelling with a floor area of 1274m<sup>2</sup>, a footprint of 519m<sup>2</sup> and a volume of approximately 2945m<sup>3</sup>.

The previous approval in 2008 for a new dwelling covered a floor area of 1290m<sup>2</sup>, a footprint of 463m<sup>2</sup> and a volume of 2996m<sup>3</sup>. This amended scheme sees a marginal reduction in the volume of approximately 50m<sup>3</sup>, and a reduction in the floor area. This is acceptable.

An important consideration with the previous approval is that it must be assessed to see if there is an overall reduction in built form, volume and area on the site, to see this as a justification for the increase in the size and volume of the new dwelling. The proposal will increase the size of the existing house but will also result in a 35% reduction in the overall volume of the built form on site to the benefit of the openness of the Green Belt.

It is to be welcomed that this scheme will remove 7 substantial buildings of no visual merit from this Green Belt site. It is the case that the buildings form a significant and diverse mass of built form on the site with a consequent impact on the openness of the Green Belt, which will be significantly lessened by their removal.

The new building is compact, and is a single structure. The spread in area occupied by buildings is greatly reduced compared to the built form already on the site. Although it is significantly higher and bulkier than the dwelling that it replaces, the roofs are hipped to reduce impact, and the overall effect of the scheme removing such a large area of built form from the site is to increase

and improve the overall openness and reduce the visual impact of the built form on the site. On balance, this is considered in this instance to be an acceptable trade off.

The new siting of this replacement dwelling is positioned further away from the public footpath than the previously approved dwelling. This allows greater separation from the forest. The Open Spaces Department of the Conservators of Epping Forest raise no objection to this revised scheme.

The position of the proposed dwelling has been altered and its position is on a flatter area of the site. Therefore, the basement level is now fully below the ground level. Only an 'L' plan shaped light well will wrap around the west corner of the building to provide light to the basement.

The basement volume at 366m<sup>2</sup> is the same as the previous 2008 approval.

Finally, in considering the green belt, the area of residential curtilage has been revised from the previous 2008 taking in a different part of the site, although the total square meterage remains the same. There is no adverse impact from this change. Permitted development for the extensions and the erection of any outbuildings in the new residential curtilage will need to be controlled by the LPA.

Therefore, this scheme is considered acceptable in Green Belt terms.

As the proposed dwelling is on a different footprint to that approved in 2008, a legal agreement is required under section 106 to ensure that only one of the two houses can be built at the site.

### **Design and appearance**

This amended scheme is significantly different in design and appearance when compared with the 2008 approval. However, whilst the design is different, the size of this proposed building is similar in volume with the 2008 approval and it covers a similar floor area. The maximum height of the building at 9.4 metres matches the height of the previous approval and the angles of the roof pitch at 35 degrees also remains the same.

The replacement house will have a rough rectangular plan shape with a single front wing projection and this will accommodate a double garage. It will be built to a maximum height of 9.4m with a pitched roof profile. The dwelling is designed with two, single storey wings on each flank which have flat roof elements.

The previous approval in 2008 included a basement area which could not be seen when viewed from the front elevation, but it would have been clearly visible from the side and the rear due to the fall of land across the site. As revised, the new position of the dwelling is on a level piece of land. The proposed basement is the same area as the previous approval but it cannot be seen from the side and rear. The only light source to the basement is from a proposed 2.0 metre wide, 'L' plan shaped light-well that wraps around the corner of the building, therefore as amended, this scheme is more acceptable in the green belt than the previous approval.

It is not considered that the appearance of the dwelling will result in any greater visual impact than the previous approval.

To summarise, with no immediate dwellings within nearby proximity of the site with which to compare this proposal, the building can only be considered in isolation with respect to the design. Its design and appearance in its rural context is imposing but on balance and taking into account the existing approval, is considered acceptable.

### Impact on Neighbours

The nearest neighbours at Birch Hall (200m to the east) and West Lodge are a considerable distance away from the site and as such, neighbouring occupiers would not be adversely affected by this scheme.

### Landscaping

There are a number of mature trees and hedgerows on the site and there are significant landscaping implications for this site. The tree officer does not wish to raise an objection subject to safeguarding existing landscaping and providing sufficient screening; this can be secured by a landscape condition.

### Archaeological Implications of this site

Oak Hill Farm presently comprises a collection of 19<sup>th</sup> century and later utility and domestic buildings. As depicted on the first edition OS map of c.1874 the site originally functioned as a Brick and Tile works, with extensive extractions to the north, east and west, but by the later 19<sup>th</sup> century the site becomes Oak Hill Farm, and appears to re-organised, re-using some of the existing structures. Although these buildings were not considered important on a national level and not worthy of listing, recent work published in the East Anglian Archaeology: Research and Archaeology: A Framework for the Eastern Counties 2. Research Agenda and Strategy (East Anglian Archaeology Occasional Paper 8, 2000) states that industrial age structures (1750-1914), such as former brick works and farm buildings are an important and understudied component of the historic environment and one which faces increased pressure through re-development, conversion or demolition.

The Historic Environment Management Team of Essex County Council has identified the site as having archaeological implications. Given the nature and scale of the proposals, this is the last chance to record the development of the site and to 'preserve by record' those structures targeted for demolition. In view of this, a condition will be made in line with Planning Policy Statement 5: Planning for the Historic Environment

### **Conclusion**

Whilst the design of the proposed new dwelling has changed, the overall size and volume of the building is marginally reduced. This scheme will not result in any greater harm to the overall openness and character of the Green Belt due to the removal of a third of the built form on the site and the consolidation of the remaining built form into one building in a smaller site, and the removal of permitted development rights.

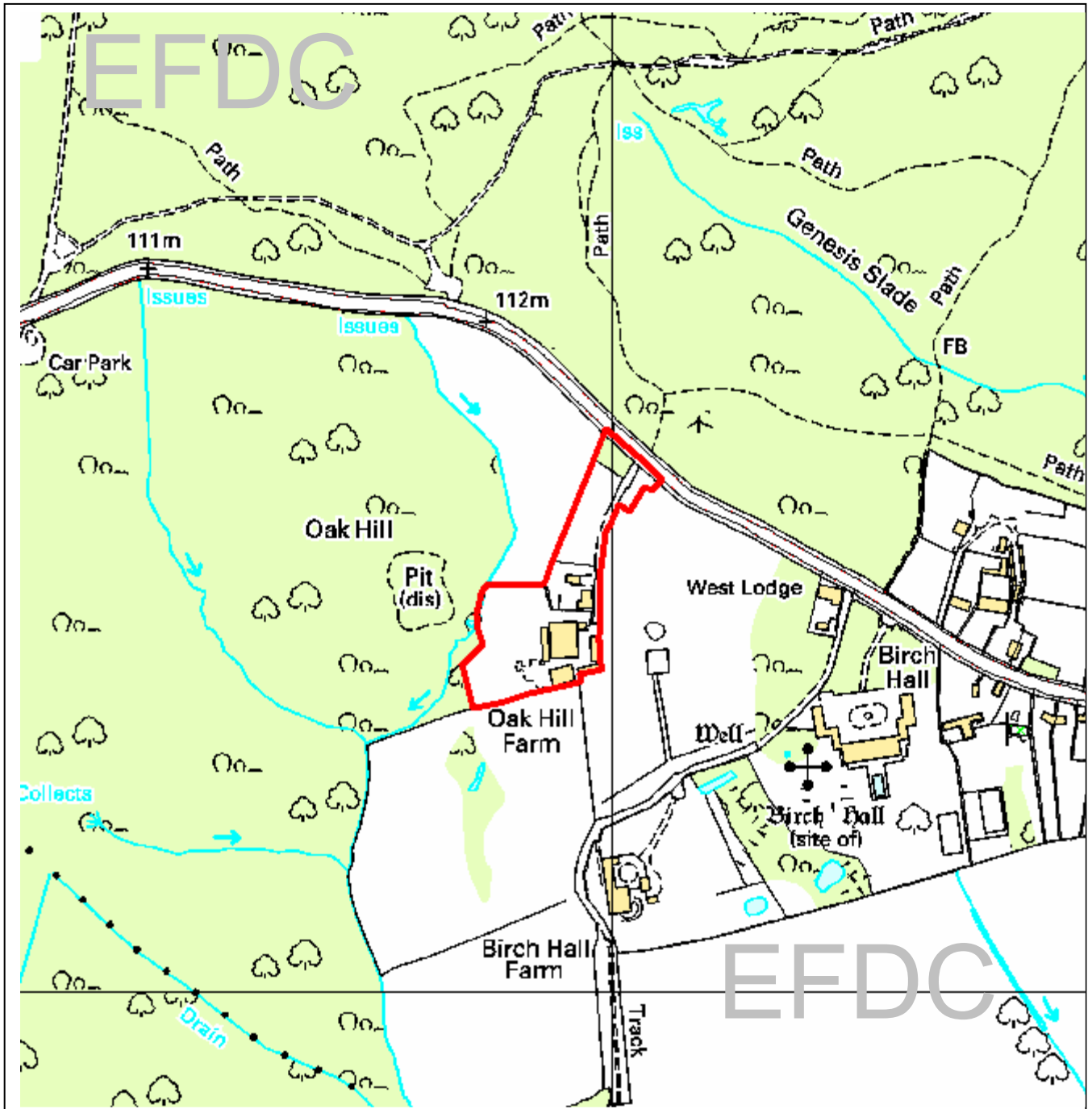
It is of an acceptable design which integrates well into the site.

Subject to the completion of a legal agreement to ensure only one new replacement dwelling can be implemented on this site the recommendation is therefore for approval with conditions.



# Epping Forest District Council

## Area Planning Sub-Committee East



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

EFDC licence No.100018534

<b>Agenda Item Number:</b>	<b>3</b>
Application Number:	EPF/1345/10
Site Name:	Oak Hill Farm, Coppice Row Theydon Bois, CM16 7DR
Scale of Plot:	1/5000



**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/1350/10
<b>SITE ADDRESS:</b>	North Weald Airfield Northern Showground Merlin Way North Weald Essex CM16
<b>PARISH:</b>	North Weald Bassett
<b>WARD:</b>	North Weald Bassett
<b>APPLICANT:</b>	Mr Tim Stevens
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of a marquee for private and corporate Christmas parties for use from 15th November to 31st December. (Parties taking place between 26th November and 21st December 7pm and 12.30am.)
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**Click on the link below to view related plans and documents for this case:**

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=519469](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=519469)

**CONDITIONS**

- 1 The marquee shall accommodate no live music at any time whatsoever. Any amplified sound shall be restricted by a noise limiter. Details of the noise limiter, position of speaker equipment and direction of noise equipment shall be submitted to and approved in writing by the Local Planning Authority prior to each annual first event in the marquee and before 26th November. Any amplified sound shall be restricted by the agreed equipment and details thereafter unless otherwise agreed in writing by the Local Planning Authority.
- 2 The marquee hereby permitted shall not be erected before 15th November and shall be dismantled and removed in its entirety by 31st December annually. Functions, events or meetings may not take place within the marquee outside of the dates of 26th November to 21st December and only between the hours of 7pm and 12.30am.

*This application is before this Committee since the recommendation conflicts with a previous resolution of a Committee (Pursuant to Section CL56, Schedule A (i) of the Council's Delegated Functions).*

**Description of Proposal:**

The application seeks consent to erect a marquee for Christmas parties. The marquee and decoration is substantial and requires a number of days to fully furnish and dismantle therefore the

marquee is sought between 15<sup>th</sup> November and 31<sup>st</sup> December with events taking place from 26<sup>th</sup> November to 21<sup>st</sup> December, 7pm to 12.30am.

The proposed marquee is 30m deep by 40m wide reaching a height of 8m at the maximum point. The additional areas on each end are 10m x 20m to serve as cloakroom and toilet facilities and 12m x 24m for dodgem cars. There is also a dodgems lobby at 4m x 4m for waiting and a smoking shelter 5m by 5m. The separate service area on the rear is 10m x 15m and would accommodate kitchen and staffing areas.

The main marquee would house tables of 10 and in the region of 810 covers. The applicant indicates 80 staff and 120 parking spaces with an additional 12 disabled bays.

### **Description of Site:**

North Weald Airfield is an unlicensed Local Authority-owned airfield. The airfield still operates as an airfield for small scale private aircraft, hosting occasional aerial and motorsport events and a regular weekend market. Many additional and alternate functions assist in the funding of the operation of the aerodrome.

The airfield has previously allowed winter functions in a marquee as temporary development under permitted development tolerances. However a summer tenant (Sophisto Events) hosting parties in a marquee has used these tolerances for this calendar year and as a result the Christmas party company (Best Parties Ever) require consent.

The Best Parties Ever Company has operated from the airfield at Christmas in 2006, 2007, 2008 and 2009.

### **Relevant History:**

The site has a history dating back to 1974 for uses and activities in association with the airfield and recreation.

EPF/0705/10 – Erection of one seasonal marquee events structure and a connected service structure for no more than 34 weeks per calendar year - Refused

### **Policies Applied:**

#### **Epping Forest District Local Plan and Alterations**

GB2A – Development in the Green Belt

DBE2 – Effect on neighbouring properties

DBE4 – Design in the Green Belt

DBE9 – Loss of Amenity

RST28 – Character and historic interest of north weald airfield

RST29 – New Buildings on North Weald Airfield

### **SUMMARY OF REPRESENTATIONS:**

The application was registered on the 24<sup>th</sup> August 2010. A site notice has been erected at the entrance to the site and 9 neighbouring properties have been consulted.

Responses from neighbouring properties and North Weald Parish Council are anticipated and any received will be reported at the time of the Committee meeting.

Unfortunately due to the calendar of meetings, no other Committee meeting will take place before the end of the 8 week application period on 19<sup>th</sup> October, therefore Officers have put this

application forward to Members before the expiry of the consultation period with the anticipation that neighbouring properties and/or North Weald Parish Council are likely to object to the proposals on grounds similar to those raised under recent application EPF/0705/10, which was refused by Members in June this year.

### **Issues and Considerations:**

The main issues that arise with this application are considered to be the appropriateness of the development in the Green Belt, its effect on the openness and character, its impact upon neighbouring properties including matters relating to noise and the operation of the airfield. These issues were all considered previously for application EPF/0705/10. This application was refused for the following reason:

*Due to the excessive number of days proposed and hours of operation and nature of the use, the development will result in unacceptable noise and disturbance to surrounding residents causing harm to residential amenity contrary to policy RP5A of the Adopted Local Plan and Alterations.*

The proposals differ from those previously considered in that they seek consent for a marquee for 7 weeks only with events taking place through 5 weeks all over the winter period. The applicant and operator differs and the accompanying cover letter has indicated that they have experience with noise limiters and are willing to accept a condition requiring one.

#### Green Belt, street scene and airfield related development

Policy GB2A establishes that in principle development which preserves the openness of the Green Belt and does not conflict with the purposes of including land in the Green Belt, is acceptable. It may be argued that as a temporary demountable structure, the marquee may be considered acceptable in principle having only temporary impacts.

In respect of street scene, Merlin Way serves as an access to the Golf Club, industrial units and airfield. The airfield itself maintains a number of functional buildings and structures, the development would be viewed in this context.

In respect of airfield policies, any development which preserves the open character and historic interest of the airfield whilst not threatening the functional use of the airfield as a recreation and leisure centre, having a recreational function and not resulting in an air traffic hazard or adding development pressures, may be considered acceptable, particularly in the interests of long term maintenance and viability for the Airfield.

The use of the marquee for events is recreational albeit for private events, and presents no air traffic hazard. Being a temporary, albeit substantial structure, this leaves no long term implications for development, the Green Belt or historic interest matters, therefore minimal concerns are raised on these matters.

#### Impact to Neighbouring Properties

Policies DBE2 and DBE9 seek to minimise adverse impact to neighbouring properties. Neighbouring properties are all well separated from the proposals, therefore visual impacts are at most minimal, however given the relative open form of the site and surrounding area and the nature of the functions taking place, noise and nuisance must be considered.

It is important to recognise that in this location the background ambient noise levels are relatively low at evenings and weekends when the industrial areas and airfield are generally closed or inactive. The proposals introduce a use which during summer months attracts a number of noise complaints. Members have previously recognised that summer use has caused unacceptable harm to residential amenity and refused the earlier application on these grounds. The present application seeks permission for events during winter periods only, during hours of darkness when

neighbouring properties will make only minimal use of garden areas comparative to summer months and when homes' windows and doors are usually closed and therefore better insulated against noise.

Historically, Environmental Health have suggested conditions to secure a noise limiting device be fitted to any amplified sound equipment in the marquee to minimise noise. Officers maintain that they consider this reasonable and that the positioning of speaker equipment should be fixed and agreed onsite when the level of the noise limiter is set up. This again controls the direction of noise.

#### Access and Highway matters

No concerns are raised, access into the site is more than sufficient and adequate parking may be considered possible with plenty of overspill available, but Officers are mindful many attendees opt not to drive due to the nature of the events.

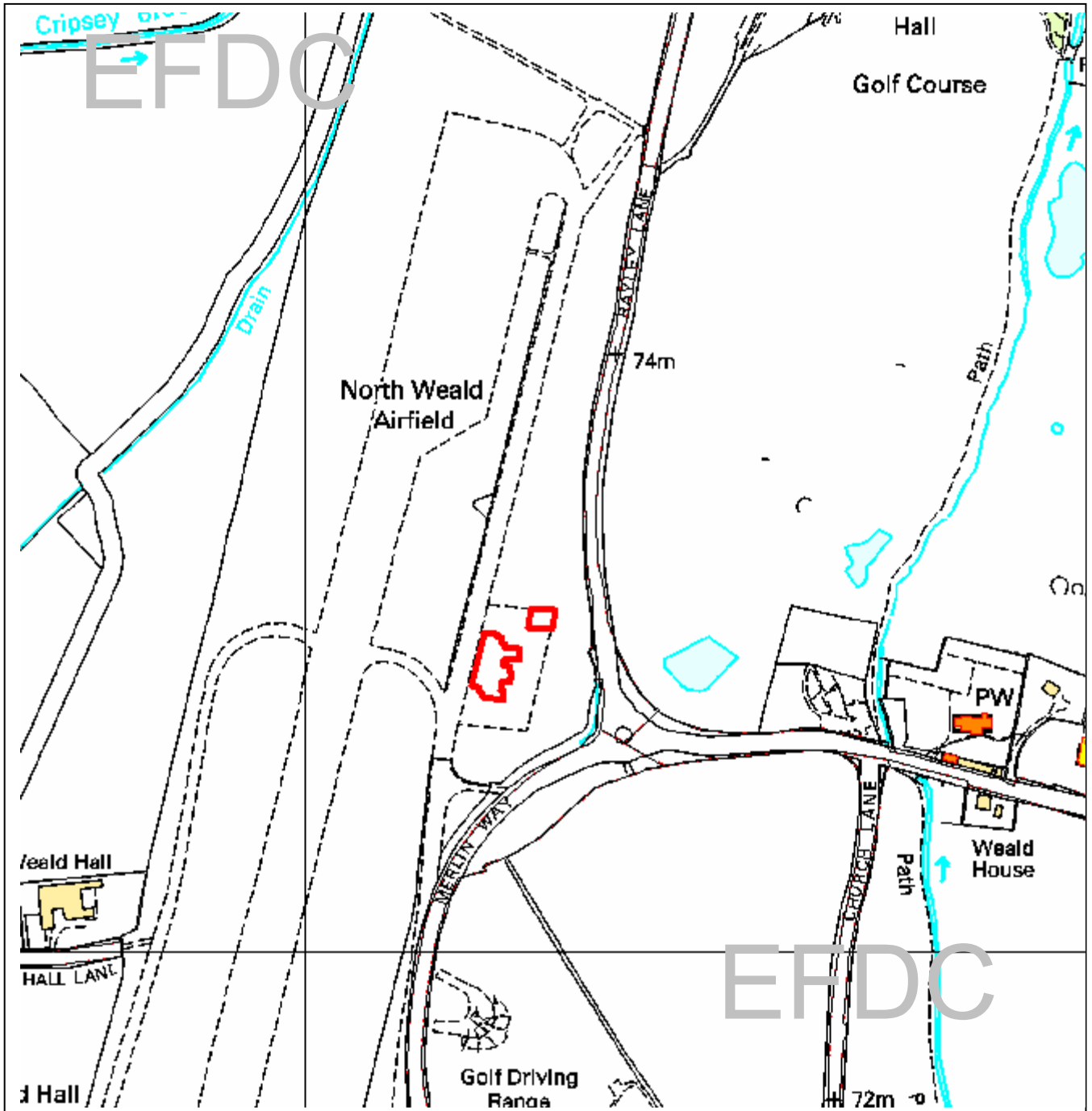
#### **Conclusion:**

The proposed development allows recreational activities within a temporary structure as has historically taken place without issue during winter months. Issues regarding noise may be addressed with suitable conditions and are noted to be less intrusive in winter months. Officers are of the view that the applicant has addressed the previous reasons for refusal by reducing the number of weeks of events and confirming the closure of events at 12.30am. Members may consider it appropriate to make any consent personal to the applicant who has successfully hosted events onsite historically without significant adverse impacts. The application is recommended for approval.



# Epping Forest District Council

## Area Planning Sub-Committee East



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

EFDC licence No.100018534

<b>Agenda Item Number:</b>	<b>4</b>
Application Number:	EPF/1350/10
Site Name:	North Weald Airfield, Northern Showground, Merlin Way, North Weald CM16
Scale of Plot:	1/5000

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/1409/10
<b>SITE ADDRESS:</b>	30/30A Piercing Hill Theydon Bois Epping Essex CM16 7SW
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>APPLICANT:</b>	Mr Jason Cooper
<b>DESCRIPTION OF PROPOSAL:</b>	To use part of land (and the buildings within) for equine use for 2 ponies for personal use, and retention of stable doors to outbuilding (revised application).
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**Click on the link below to view related plans and documents for this case:**

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=519659](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=519659)

**CONDITIONS & REASONS or REASON FOR REFUSAL**

- 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 the use hereby approved, details of protective fencing to be erected around trees within the grazing land shall be submitted to the Local Planning Authority for approval in writing. The fencing shall be erected, in accordance with the approved detail prior to the commencement of the use and shall be retained thereafter.
- 3 Burning of manure and other animal waste shall not take place on the site.
- 4 Prior to the commencement of use, details of the proposed fencing of the equine area shall be submitted to and agreed in writing by the Local Planning Authority, and the agreed fencing shall be erected before the first use of the site for horse keeping and maintained thereafter in accordance with the agreed details.
- 5 Details of means of manure storage shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of development and the agreed details shall be implemented prior to first use and maintained for so long as horses are kept at the site.
- 6 There shall be no external lighting of the stable yard, manege or roadway, unless otherwise agreed in writing by the Local Planning Authority.

- 7 The land and building shall only be used for the stabling and keeping of up to 2 horses or ponies in the ownership of the occupants of 30A Piercing Hill and not for any business or commercial purpose including livery.

*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 and since the recommendation differs from the views of the local council (Pursuant to Section CL56, Schedule A (g) of the Council's Delegated Functions).*

### **Description of Proposal:**

This application seeks planning permission for the change of use of 1.5 acres of the parkland located to the rear of the residential property, 30A Piercing Hill, to equine grazing land. The area of land contains a stable building which was built without planning permission. Planning permission was granted for retention of this building for storage use, but was subject to a planning condition to replace the existing stable doors with solid doors. This current application seeks the retention of the stable doors and use of the building for stabling of 2 ponies. The grazing land is proposed to be enclosed by a timber post and rail fence.

### **Description of Site:**

The application site comprises an area of privately owned parkland to the west of Rothwell Road, which surrounds 30A and its small curtilage. The site is located to the rear of the residential properties 27-34 Piercing Hill and lies within the Metropolitan Green Belt. To the rear (west) of the site is land within Epping Forest. There are several protected trees around the site.

The site is set at a lower level to the parkland to the north. The level of the land is greater than to the east (towards Rothwell Road), but falls by approximately 0.5 metre to the forest land to the west. The parkland is surrounded by metal palisade fencing, which contains a gate (approx 1.2 metres wide) through to the Forest to the west. At present there is no physical demarcation between the land proposed for grazing and the remaining parkland. Remnants of the landscaping of the parkland remain visible, including a large timber structure to the western boundary (outside the land proposed for grazing), with some steps in front and part of a pathway. However, the parkland has become fairly overgrown.

### **Relevant History:**

The application site has a fairly extensive planning history. The recent history most relevant to this application is:

EPF/2464/06. Change of use, alteration and extension of former college building to contain 14 no. residential flats with on-site parking. (Revised application). Refused 22/03/07 – subsequently allowed at appeal.

EPF/1947/09. Erection of replacement sheds. Approved 17/12/09.

EPF/1058/10. To use part of land (and the buildings within) for equine use. Withdrawn.

### **Policies Applied:**

Local Plan

CP2 - Protecting the Quality of the Rural and Built Environment  
GB2A – Development in the green belt  
RST4 – Use of land for horse keeping  
DBE1 – New Development  
DBE2 – Amenity considerations  
DBE9 – Amenity Considerations  
NC1 – Development affecting SPA's, SAC's and SSSI's  
LL1 – The countryside  
ST4 – Highway safety

### **Summary of Representations:**

Notification of this application was sent to Theydon Bois Parish Council and to 13 neighbouring residents.

The following representations have been received:

THEYDON BOIS PARISH COUNCIL. Objection. The objections which we made to the previous application still stand. We object to this application mindful of the Planning Inspector's comments (EPF/2464/06) and also the contents of previous application EPF/1931/08. More specifically we draw attention to the Planning Conditions which were applied in respect of Application Number EPF/1947/09 concerning the erection of replacement sheds on the application site. The latter related to an application for planning permission for the retention of one shed and the erection of a second on the site. The shed which had already been constructed on the site at this time was in fact a block containing two stables and associated storage. The building was quite clearly a purpose built stable block (with stable doors) and with obvious potential for equine use. The Planning Officer pointed out that the land had no lawful planning use for equine activity (it is parkland) and a revised plan was submitted by the applicant proposing the replacement of the stable doors with more traditional shed doors- the applicant was indeed insistent that the purpose was for storage and not for equine use.

Specific conditions were imposed by EFDC on EPF/1947/09 as follows:

**"4. Within two calendar months of the date of this permission, the doors on the shed referred to on the approved plans as "shed P1" shall be replaced in accordance with the details shown on the approved plan P03-01a and shall be retained in that form thereafter."**

This condition has not been complied with- the permission was dated 16<sup>th</sup> December 2009. We would suggest that in the absence of compliance within the prescribed timeframe that enforcement proceedings should have commenced forthwith (technically immediately after 16<sup>th</sup> February 2010) and this does not appear to have happened.

**"5. The sheds approved shall be used only for the storage of equipment and materials relating to the use of the land as parkland".**

**Reason: to ensure that there is no harm to the Green Belt and that the need for storage within the site is met".** We cannot see any reason why these conditions which were imposed so recently should be ignored and overridden and there is an objection on principle here.

We would remind you that 30A Piercing Hill comprises a replacement dwelling surrounded by a small curtilage as delineated by the Planning Inspector and the application site in question does not form part of the curtilage of that property- it is parkland. The extent of the site edged in red on the plan attached to the application does not represent the extent of the defined curtilage, we would wish to have it restated that the extent of the curtilage for 30/30A is as fixed by the Planning Inspector in the Appeal Decision.



The previous "hound-sheds" on the application site were considered by the Planning Inspector and he considered that it would be likely that there would be a future requirement for storage buildings to accommodate the equipment necessary to maintain the parkland- it was for this express reason that the Inspector allowed the retention of these buildings. We would suggest that if this application is granted and the buildings become used for housing equines then there will be unmet storage needs both in relation to the equine use and in relation to the maintenance of the parkland. This would then open the way for further applications for additional storage buildings which would not be acceptable in the Green Belt and in this location directly adjacent to Epping Forest.

28 PIERCING HILL. Objection. The buildings and proposed use of the land are not appropriate to the area. The use will cause considerable nuisance, pollution and environmental threats to my (and others) property and family (baying from the animals, unpleasant odours, flies and vermin). Outlook from rear gardens has suffered due to raised levels, the existing building and the new fence. Additional vehicles in Rothwell Road will increase danger levels.

29 PIERCING HILL. Objection. Would be an intrusion onto Green Belt land and are in addition to those already agreed.

34 PIERCING HILL. Objection. The owners of the land have already started to convert outbuildings. The development within the garden is out of keeping with adjoining gardens. The land has already been developed to its maximum.

THEYDON BOIS AND DISTRICT RURAL PRESERVATION SOCIETY. Objection. We note that the revised application more closely defines and limits the equine use than the previous application EPF/1058/10, but we feel it does not materially alter our main objections to that application or conditions imposed by the Planning Inspector. The site is parkland and does not form part of the residential curtilage. The sheds were identified by the Inspector as being necessary for future storage requirements relating to the residential use of other parts of the site and for the maintenance of the parkland. If this application were to be granted there would be unmet storage needs for the maintenance of the parkland. Would be contrary to planning conditions imposed in earlier consent, relating to the use of the land and the shed doors.

CITY OF LONDON (EPPING FOREST CONSERVATORS). No objection. I refer to Policy RST4 of the Adopted Local Plan concerning the use of land for the keeping of horses or ponies. Providing appropriate fencing is installed between the site and the Forest, appropriate waste management is in place to deal with the manure produced, and no external lighting is installed to the stables, the Conservators have no further comment to make. However, I would like to point out that there is also no direct access from the site onto the Forest and the nearby bridle paths which mean the ponies would be using the highway if access to the Forest was required.

### **Issues and Considerations:**

The main issues to be considered are the impacts of the proposed development on the amenities of the occupiers of neighbouring dwellings, on the character and appearance of the area and the impact of the development on the Green Belt. Highway safety matters will also be taken into consideration.

### **Neighbouring Amenity**

Concern has been raised by neighbouring residents regarding the potential for the use to harm amenity. Concern has also been raised regarding the impact of the building itself. However, the structure is lawful. It is located at the end of the garden of 28 Piercing Hill approximately 80 metres from the dwelling and is screened by trees to the rear. Due to this distance and having regard to the number of ponies/horses proposed, it is not considered that there would be a material disturbance caused to the occupiers of this property in terms of noise from the animals

and the activity/vehicle movements. Further details regarding the storage of manure may be sought by the use of a planning condition. A planning condition may also be used to prevent the burning of animal waste on the site, which may be harmful to neighbouring amenity.

### Character and Appearance

The building is already in place. This application seeks the retention of the stable doors, which would not be harmful to the character and appearance of the area. The area of land is presently enclosed by metal palisade fencing along the southern, eastern (adjacent to 28 Piercing Hill) and western (Forest) boundaries. An additional means of enclosure will be required along the boundaries of the land with the retained parkland. The applicant proposes that this will be a post and rail fence. Further information may be secured by planning condition, if consent is granted. The character of the land will differ from the formal parkland landscaping. However, there is no requirement for the parkland to continue to be landscaped in such a formal fashion. It is not, therefore, considered that the change in character would be sufficient to justify the refusal of planning permission.

A neighbouring resident has raised concern that the development would be out of keeping with surrounding gardens. The site is designated as parkland, not residential garden and accordingly, it is not considered that such a comparison may be made.

### Green Belt

Policy GB2A of the Local Plan identifies appropriate development in the Green Belt as including development for the purposes of outdoor participatory sport and recreation or associated essential small scale buildings. Government advice in PPG2 states that possible examples of essential facilities include small stables for outdoor sport and outdoor recreation. The stables proposed are small scale, proposing accommodation for two horses/ponies with additional storage to the side. It is considered that the development is appropriate within the Green Belt.

Some concern has been raised as to whether the use of the shed for stables would give rise to a need for additional storage within other parts of the applicant's land, for the maintenance of the parkland which could, in turn, be harmful to the open character of the Green Belt. The stable building within the area in which the change of use is proposed comprises two stables and a storage area to the side. It is considered that this level of accommodation would be sufficient to cover the storage requirements of the equine use. Within the remaining area of parkland there would be a shed measuring 2.35 x 3.6 metres which would provide storage for equipment relating to the maintenance of the parkland. The applicant has advised that there will be a maintenance contract for the parkland and the small private amenity area, which means that all necessary equipment will be brought in as required rather than stored on site. Accordingly it is considered that adequate storage accommodation would be retained and that further buildings for this purpose could be resisted. There are no permitted development rights for building on this parkland area which is not residential curtilage.

### Highway Safety

The proposed use would be for the stabling of two horses/ponies for the personal use of the applicant. The level and personal nature of the use may be controlled by the use of planning conditions. Subject to the use being restricted in this way, it is not considered that there would be any harm to highway safety.

Policy RST4 of the Local Plan requires that the amount of horse riding would not lead to excessive highway danger. City of London has confirmed that there is no authorised access from the site into the Forest (despite the presence of an existing gate). Accordingly they have advised that horses would need to use the highway access to gain entry to the Forest. Having regard to the

number of horses using the site, it is not considered that this would cause excessive harm to highway safety. There is additionally sufficient land available to exercise horses within the site.

### Equine Welfare

Policy RST4 also requires that the amount of land is adequate for the welfare requirements of the number of horses intended to use it. The relevant guidance is provided by Welfare Department of The British Horse Society. This guidance states that as an average, pasture will maintain approximately two horses per hectare (1-1.5 aces per individual) as permanent grazing. However, the guidance notes a distinct difference between acreage requirements for horses where the grassland is to provide the total grazing and where it is only to provide supplementary grazing or turnout exercise. The guidance states that in the combined system of management, where the horses are stabled for part of the time, 1 acre per horse may be more than adequate (i.e. or 3.7 acres).

In this instance, two ponies are proposed in an area of 1.5 hectares, on a site in which stables are also provided. It is, therefore, considered that this would be acceptable. The guidance also advises regarding fencing surrounding the grazing land, stating that fence heights of 1-1.3 metres are generally suitable for ponies. The detailing of the fencing may be controlled by the use of a planning condition, if consent is granted.

### Other Matters

*Flooding/Water Quality* – the Council's Land Drainage Team have no objection to the proposed development. A planning condition can be used to require details of the storage of manure within the site, to prevent any pollution to surface water from the site

*Trees* - Subject to the erection and retention of protective fencing around trees which may be vulnerable to the proposed use, there would not be any harm to trees within the site arising from the proposed development. This may be controlled by the use of a planning condition.

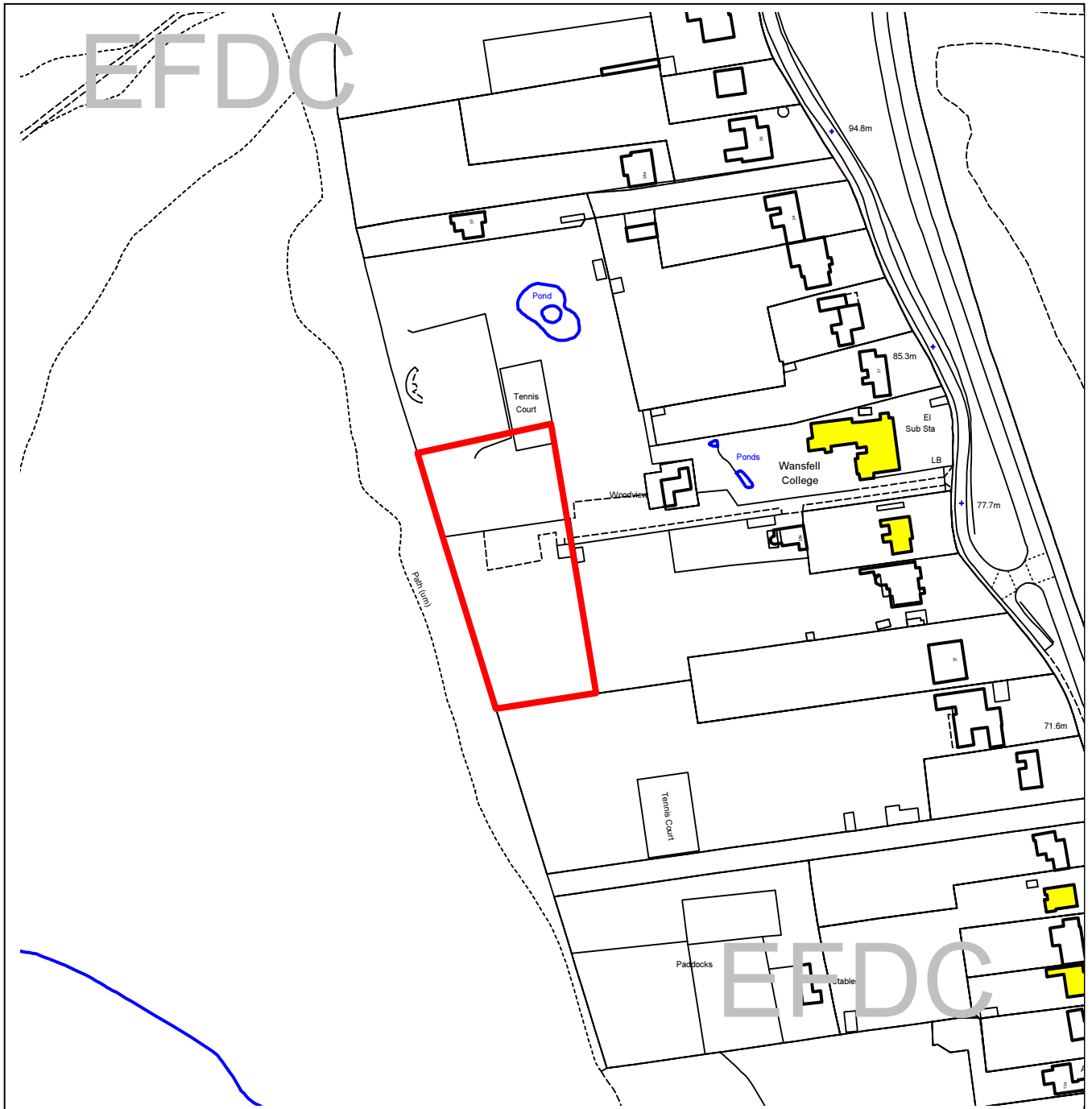
### **Conclusion:**

In light of the above appraisal, it is considered that the proposed use of the land would be an appropriate activity within the Green Belt, which would not be harmful to neighbouring amenity, the character and appearance of the area or to highway safety. Furthermore the site would provide an adequate level of equine welfare. For these reasons, it is recommended that planning permission be granted, subject to the use of the conditions discussed.



# Epping Forest District Council

## Area Planning Sub-Committee East



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

EFDC licence No.100018534

<b>Agenda Item Number:</b>	<b>5</b>
Application Number:	EPF/1409/10
Site Name:	30/30A Piercing Hill, Theydon Bois, CM16 7SW
Scale of Plot:	1/2500

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/1474/10
<b>SITE ADDRESS:</b>	Billie Jeans 26 High Street Epping Essex CM16 4AE
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>APPLICANT:</b>	Mr Gary Smith
<b>DESCRIPTION OF PROPOSAL:</b>	Illuminated sign at front of building. (Retrospective application)
<b>RECOMMENDED DECISION:</b>	Grant Permission

**Click on the link below to view related plans and documents for this case:**

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=519914](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=519914)

**CONDITIONS**

Standard advertisement conditions only:

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
2. No advertisement shall be sited or displayed so as to –
  - a. endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
  - b. obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
  - c. hinder the operation of any device used for the purpose of security or surveillance or for the measuring the speed of any vehicle.
3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site
4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity

*This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section CL56, Schedule A (g) of the Council's Delegated Functions).*

**Description of Proposal:**

The applicant seeks advertisement consent retrospectively for a sign reading 'Billie Jeans' 1.09m high, 2.44m wide and with a 0.14m deep projection from the wall. The sign has a black background, blue edged frame, blue and white lettering and a pink underline.

The sign is internally illuminated.

The building is noted to have been recently painted. The painting of the building does not require consent and does not form part of this application.

### **Description of Site:**

The site is the former Half Moon public house, it is presently used as a bar and fronts the High Street and Half Moon Lane, a narrow road between the application site and the Duke of Wellington public house.

The site is not within either the Epping or the Bell Common Conservation Areas which lie some 140 and 190 metres away from the premises.

### **Relevant History:**

EPF/0179/08 – Erection of illuminated wall sign – Approved by committee

### **Policies Applied:**

#### Epping Forest District Local Plan and Alterations

DBE9 – Loss of amenity

DBE13 – Advertisements

### **Summary of Representations:**

A site notice has been erected but no letters of representation have been received relating to this application.

EPPING TOWN COUNCIL: Committee object to this application on the basis that, when combined with the garish painting scheme of this building, it creates even further damage to the street scene and very visible from two Conservation Areas.

### **Issues and Considerations:**

The only issues which may be considered for advertisement consent are visual amenity and public safety. These must be considered in direct relation to the signage sought.

Epping High Street by nature maintains a number of properties with illuminated signage on the frontage and the present sign replaces one which previously existed advertising the former Bar195 business. The colouring, scale and illumination are not unacceptable and pose no risk to public safety either by way of design or highway matters.

With regard to visual amenity the sign which is already in place does not have a significant adverse impact to visual amenity. Furthermore the signage is viewed in the context of various other signs across the frontage of the adjacent public house and commercial properties in the High Street, therefore the signage does not appear unacceptably prominent, nor given the distance from the adjoining conservation areas is it considered to have an impact on the character of those areas.

Whilst it is accepted that the colouring of the building is garish and has a significant visual impact, the painting of non-listed buildings is not under planning control and does not form part of this application. The signage must be considered on its own merits and its context and on this basis, the signage is not considered harmful to amenity.

Given the position and level of luminance of the sign it is not harmful to public safety.

## **Conclusion**

No significant harm has been identified towards visual amenity or public safety from the advertisement alone which is under consideration therefore approval is recommended.



# Epping Forest District Council

## Area Planning Sub-Committee East



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

EFDC licence No.100018534

<b>Agenda Item Number:</b>	<b>6</b>
Application Number:	EPF/1474/10
Site Name:	Billie Jeans, 26 High Street Epping, CM16 4AE
Scale of Plot:	1/1250



**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/1554/10
<b>SITE ADDRESS:</b>	12 Ravensmere Epping Essex CM16 4PS
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>APPLICANT:</b>	Mr Gareth Knight
<b>DESCRIPTION OF PROPOSAL:</b>	Single and two storey rear and front extension. Single storey side extension, rear balcony, revised roof with addition of 1 front and 2 rear dormer windows and alterations to elevations, including garage alterations. (Revised application EPF/0784/10)
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**Click on the link below to view related plans and documents for this case:**

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=520175](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=520175)

**CONDITIONS**

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

- 4 Prior to first occupation of the extensions hereby approved the proposed window openings in the southern flank wall shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 5 The landscaping on the boundary with number 11 shall be permanently retained and maintained unless otherwise approved in writing by the Local Planning Authority.

*This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section CL56, Schedule A (g) of the Council's Delegated Functions).*

### **Description of Proposal:**

The applicant seeks permission to carry out a number of extensions. The extensions would comprise single and two storey rear extensions encompassing a central rear facing balcony, a front single and two storey extension, ground floor side extension and raising of the roof with addition of two rear and one front facing dormer and a front gable projection feature over the two storey front extension.

The proposals would extend to the front for 2m for the two storey front projection, 3m at ground floor to the rear, 1.5m at the first floor and 0.9m to the side at ground floor for the garage.

The extensions would provide a generous kitchen/dining area, a utility area, a garage 3.3m x 5m, a ground floor canopy between the front projection and garage, 3 bedrooms to be extended in size and an ensuite.

The proposals include a a single additional first floor window serving a bathroom and 3 additional ground floor windows, one serving the garage, one serving wc and one serving the study although this is formed in the existing building and does not require consent.

### **Description of Site:**

The application site is a two storey detached property in the built up, urban Epping area to the south of the Town Centre. The site is not within the Conservation Area however there is a preserved tree in the rear garden.

The site is located in a relatively secluded cul-de-sac backing onto open countryside. The cul-de-sac is formed of a variety of single and two storey properties at a range of scales and the cul-de-sac slopes significantly to the southern side. The immediately neighbouring properties are a two storey detached property fractionally uphill at number 11 and a single storey bungalow at number 13 downhill.

### **Relevant History:**

EPF/0784/10 – Single and two storey rear and front extension. Single storey side extension, rear balcony, revised roof with addition of dormer windows and elevation alterations – Withdrawn by applicant

This application was of a subtly greater height than that presently under consideration, incorporated a gable end adjacent number 13 as oppose to the present hip and involved first floor and roof level flank windows on the boundary.

The proposals have been reduced for the present submission

## **SUMMARY OF REPRESENTATIONS:**

9 neighbouring properties were notified, no responses were received.

EPPING TOWN COUNCIL: Committee object to this application on the basis that it would result in a development of excessive height.

## **Policies Applied:**

### Epping Forest District Local Plan and Alterations

CP2 – Protecting the quality of the rural and built environment

DBE9 – Loss of amenity

DBE10 – Design of Residential Extensions

LL7 – Planting, protection and care of trees

## **Issues and Considerations:**

The main issues that arise with this application are considered to be the appropriateness of the development, its effect on the street scene, neighbouring amenity and potential issues to protected trees.

### Principle

The proposed extension of a residential property in an urban area is reasonable subject to potential impacts on the street scene and neighbouring amenity.

### Design and street scene

The proposed alterations to the appearance of the proposed property and increase in overall height by about 1.7 metres will increase the visual prominence of the property in the street and provide a more substantial building on the plot, however the surroundings are generally urban and the proposals would be viewed in the context of other extended and altered properties (namely those on the opposite side of the turning head) which maintain individual characters and designs in the street therefore the proposals would not appear unacceptable.

Whilst the dwelling is being significantly remodelled the resulting design is relatively traditional and appropriate to this location.

The bungalow at number 13 is well screened by vegetation and offset so that it is viewed primarily in the context of the neighbouring bungalow at number 14 therefore it is not considered that the proposal will appear unduly prominent or out of scale with that property.

### Neighbouring amenity

The earlier scheme was withdrawn due to Officer level concerns regarding impact to neighbouring amenity, namely number 13 Ravensmere, as this property is single storey and situated on the downward slope from the application site looking out towards the flank of the application site, albeit offset towards the frontage of the application site.

Subsequent to the withdrawal of that application, the applicant has reduced the proposals by introducing a hip as opposed to gable on both the side elevation and the rear projection to reduce impact to the adjacent neighbour. This results in an eaves height which matches that which presently exists and a first floor external width which is unchanged. The neighbouring property at number 13 is offset therefore the outlook to the front would remain largely unchanged and impact to the side garden area would be minimal as it is to the south and the proposed roof lines pitch away from the site.

With regard to impact to the neighbouring property at number 11, the proposals extend only 1.5m to the rear at first floor, this is offset from the boundaries and considered to have negligible impact on neighbouring outlook or amenity. The proposed balcony may be considered to result in overlooking, however this replaces an existing balcony which is presently the width of the property and likely to result in greater overlooking, the proposals therefore improve the site beyond the existing circumstance and boundary screening can be retained by condition.

Protected trees

The tree subject to TPO is a beech on the rear boundary and a front tree which is well separated from works but can be protected by condition as a precaution against damage during works from the storage of equipment, materials and machinery.

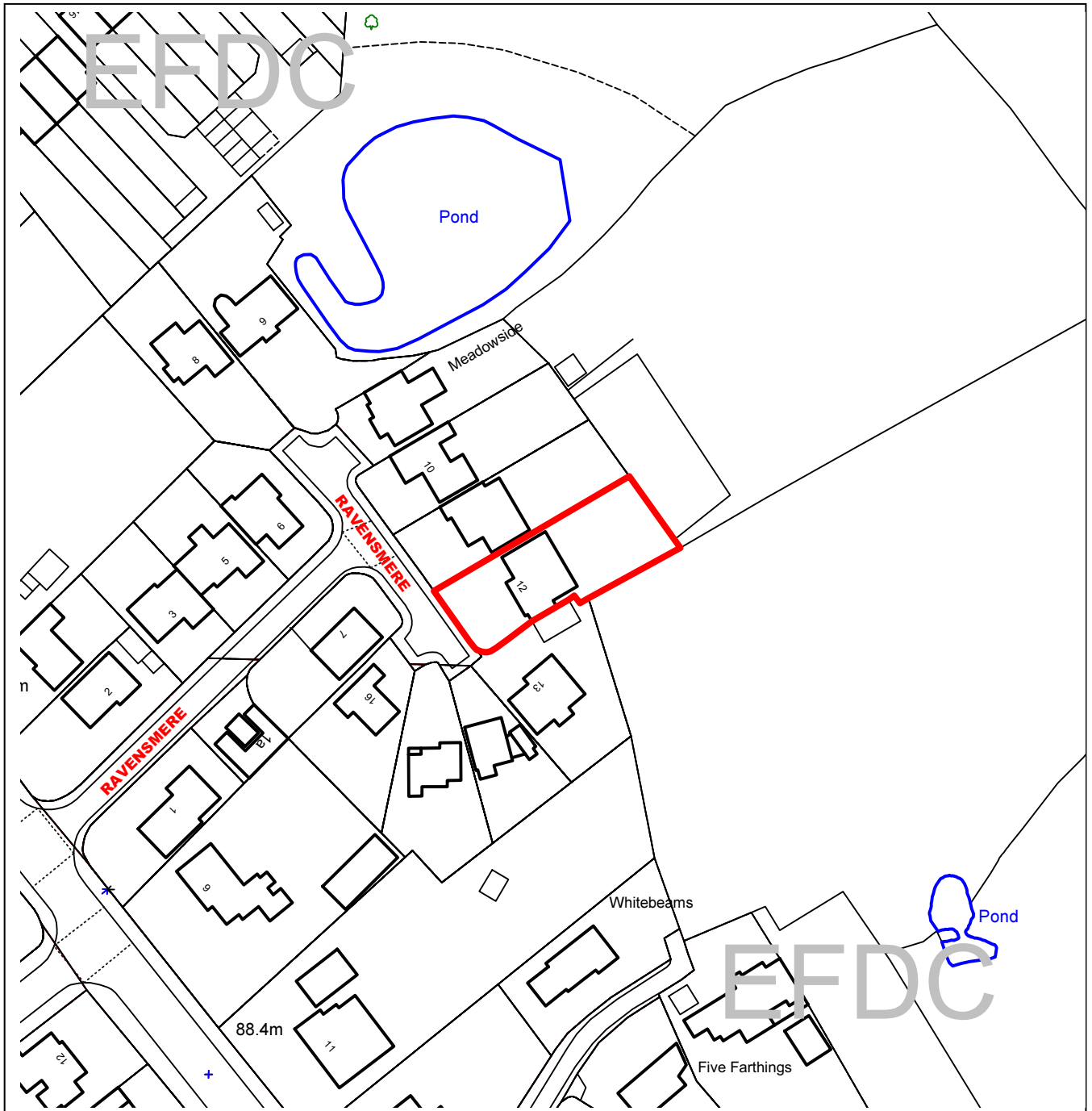
**Conclusion:**

The proposed works, whilst extensions, will not result in significant adverse impact to either street scene or neighbouring amenity therefore the proposals are considered to be in accordance with the adopted policies of the Local Plan and the application is recommended for approval subject to conditions.



# Epping Forest District Council

## Area Planning Sub-Committee East



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

EFDC licence No.100018534

<b>Agenda Item Number:</b>	7
<b>Application Number:</b>	EPF/1554/10
<b>Site Name:</b>	12 Ravensmere, Epping, CM16 4PS
<b>Scale of Plot:</b>	1/1250

This page is intentionally left blank