

# Committee Agenda



**Webcast  
Meeting**



**Epping Forest  
District Council**

## ***Area Planning Subcommittee East Wednesday, 17th November, 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. APOLOGIES FOR ABSENCE**

**4. MINUTES (Pages 7 - 20)**

To confirm the minutes of the last meeting of the Sub-Committee, held on 27 October 2010 (attached).

**5. DECLARATIONS OF INTEREST**

(Assistant to the Chief Executive) To declare interests in any item on this agenda.

**6. CONFIRMATION OF TREE PRESERVATION ORDER TPO/EPF/93/10 - LAND TO THE REAR OF 25 - 45 UPLAND ROAD, THORNWOOD (Pages 21 - 26)**

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

**7. CONFIRMATION OF TREE PRESERVATION ORDER TPO/EPF/99/10 - LAND ADJACENT TO THE A414, SECTION 1 (Pages 27 - 30)**

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

**8. DEVELOPMENT CONTROL (Pages 31 - 68)**

(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.

#### 9. 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.

#### 10. 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.

#### 11. 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:** 27 October 2010

**Place:** Council Chamber, Civic Offices, High Street, Epping    **Time:** 7.30 - 10.10 pm

**Members Present:** A Boyce (Chairman), R Morgan, W Breare-Hall, Mrs D Collins, Ms C Edwards, P Gode, Mrs A Grigg, D Jacobs, B Judd, Mrs M McEwen, J Philip, B Rolfe, D Stallan, C Whitbread, Mrs J H Whitehouse and J M Whitehouse

**Other Councillors:** -

**Apologies:** A Green, Ms J Hedges and Mrs S Jones

**Officers Present:** J Shingler (Principal Planning Officer), A Hall (Director of Housing), S Stranders (Principal Team Leader), B Meuli (Assistant Engineer), G J Woodhall (Democratic Services Officer) and R Martin (Website Assistant)

### 58. 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.

### 59. 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.

### 60. 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.

### 61. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor P Gode declared a personal interest in the following item of the agenda by virtue of being a member of Ongar Town Council. The Councillor had determined that his interest was

not prejudicial and would remain in the meeting for the consideration of the application and voting thereon:

(i) EPF/0457/10 Land at Ongar Station, High Street, Chipping Ongar.

(b) Pursuant to the Council's Code of Member Conduct, Councillor B Judd declared a personal interest in the following item of the agenda. The Councillor had determined that his interest was prejudicial and, after exercising his right to speak as a member of the public, would leave the meeting for the consideration of the application and voting thereon:

(i) EPF/0457/10 Land at Ongar Station, High Street, Chipping Ongar.

(c) 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 the Housing Portfolio Holder. 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/0457/10 Land at Ongar Station, High Street, Chipping Ongar.

(d) Pursuant to the Council's Code of Member Conduct, Councillor J Philip declared a personal interest in the following item of the agenda by virtue of being acquainted with both the applicant and objectors. The Councillor had determined that his interest was prejudicial and, after exercising his right to speak as a member of the public, would leave the meeting for the consideration of the application and voting thereon:

(ii) EPF/1362/10 7 Green View, The Green, Theydon Bois.

(e) 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:

(ii) EPF/1362/10 7 Green View, The Green, Theydon Bois.

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

(iii) EPF/1613/10 2 Lower Bury Lane, Epping.

(g) Pursuant to the Council's Code of Member Conduct, Councillor A Boyce declared a personal interest in the following item of the agenda, by virtue of having served on the Parish Council in the past with the applicant. 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:

(v) EPF/1910/10 Ashlyns Organic Farm Shop, Epping Road, North Weald Bassett.



(h) Pursuant to the Council's Code of Member Conduct, Councillors Mrs D Collins and Mrs M McEwen declared a personal interest in the following item of the agenda. The Councillors had determined that their interest was prejudicial and would leave the meeting for the consideration of the application and voting thereon:

(v) EPF/1910/10 Ashlyns Organic Farm Shop, Epping Road, North Weald Bassett.

(j) Pursuant to the Council's Code of Member Conduct, Councillor R Morgan declared a personal interest in the following item of the agenda, by virtue of owning the adjacent farm. 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:

(v) EPF/1910/10 Ashlyns Organic Farm Shop, Epping Road, North Weald Bassett.

**62. MINUTES**

**RESOLVED:**

(1) That the minutes of the meeting held on 6 October 2010 be taken as read and signed by the Chairman as a correct record.

**63. ANY OTHER URGENT BUSINESS**

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

**64. DEVELOPMENT CONTROL**

**RESOLVED:**

(1) That the planning applications numbered 1 – 6 be determined as set out in the schedule attached to these minutes.

**65. CONFIRMATION OF TREE PRESERVATION ORDER - SUTTONS MANOR, LONDON ROAD, STAPLEFORD TAWNEY**

The Principal Planning Officer presented a report concerning the confirmation of Tree Preservation Order 108/10 at Suttons Manor Clinic, London Road, Stapleford Tawney.

The Principal Planning Officer reported that a planning application had been received for an extension to the existing facilities and additional car parking at Suttons Manor Clinic, which would have necessitated the removal of a highly prominent mature Swamp Cypress tree. A Tree Preservation Order was made on the tree and the planning application was refused in part for not making adequate provision for its retention. The tree was a very prominent feature and dominated the grassed area in front of the clinic as an outstanding landmark feature. The tree was an excellent example of its species and was in good condition. Following the making of the Tree Preservation Order, the owners of the Clinic had objected to the Order on the grounds that the planning application had proposed planting eight new trees to compensate for the loss of this particular one, and as the tree was already mature its life expectancy was limited.

The Director of Planning & Economic Development had acknowledged that the application did intend to plant eight new trees, however as they would be planted to the rear of the buildings their visual amenity value would be reduced; the existing specimen was a dominant feature at the entrance to the property. There was no indication that the tree was in ill health and as such there was no reason to believe that the tree would not still be a significant feature for the next 20 years. Therefore, the proposed new trees were not considered adequate compensation and to allow its felling would be contrary to Local Plan Policies LL9 and LL10. The Sub-Committee was requested to confirm the Order without modification.

**RESOLVED:**

- (1) That Tree Preservation Order 108/10 be confirmed without modification.

**66. DELEGATED DECISIONS**

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

**67. EXCLUSION OF PUBLIC AND PRESS****RESOLVED:**

- (1) That, in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the item of business set out below as it would involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12(A) of the Act indicated and the exemption was considered to outweigh the potential public interest in disclosing the information:

<b><u>Agenda Item No</u></b>	<b><u>Subject</u></b>	<b><u>Exempt Information Paragraph Number</u></b>
11	Planning Appeal – 40 Forest Drive, Theydon Bois	5

**68. PLANNING APPEAL - 40 FOREST DRIVE, THEYDON BOIS**

The Principal Planning Officer presented a report regarding the forthcoming Planning Appeal in respect of 40 Forest Drive in Theydon Bois.

The Principal Planning Officer reported that planning application EPF/0888/10 proposed the erection of a replacement bungalow at 40 Forest Drive in Theydon Bois. This Sub-Committee had refused to grant planning permission for the following reasons:

(i) *The proposed dwelling by reason of its size, bulk and inappropriate design is visually dominant and harmful to the character and visual amenity of the street scene and to the amenity of neighbours, contrary to policies DBE1 and DBE2 of the Adopted Local Plan and Alterations; and*

(ii) *The proposal results in the loss of a bungalow in an area where there is a strong demand for such small properties to meet the needs of the ageing population. The development is therefore contrary to policy H4A of the Adopted Local Plan and Alterations.*

The applicant had now appealed against the decision, which would be heard at the Civic Offices on 11 January 2011. The appeal was linked to an appeal against the earlier refusal of a planning application for a similar development by Officers under delegated powers - ref EPF/0250/10. That application was refused solely on design grounds. Officers had submitted the Council's statement of case in respect of both reasons for refusal of application EPF/0888/10. Prior to the appeals being linked by the Planning Inspectorate, Officers had submitted a separate statement of case in respect of the refusal of planning application EPF/0250/10.

The Principal Planning Officer advised the Sub-Committee that there was no evidence to support the second reason for refusal in respect of EPF/0888/10 and that Officers would not be able to defend that reason at the appeal hearing. Consequently, it was very likely that an award of costs would be made against the Council if the second reason for refusal was pursued. The Sub-Committee was requested to either agree that the second reason for refusal should not be pursued or that individual members of the Sub-Committee be nominated to support the second reason for refusal at the appeal hearing.

The local Member for Theydon Bois stated his willingness to attend the appeal with his fellow Ward Member and the Parish Council to defend the reason for refusal. It was highlighted that the retention of bungalows was contained within the Village Plan, and that there was a large demand for small bungalows within the village. However, the Sub-Committee felt that the Council should not defend the second reason for refusal on the grounds that the possible costs against the Council would be prohibitive and that the Theydon Bois Village Plan was only in draft form at the current time. The Sub-Committee duly resolved to defend the appeal on the first reason for refusal only.

**RESOLVED:**

(1) That the second reason for refusing planning application EPF/0888/10, which proposed the erection of a replacement bungalow at 40 Forest Drive in Theydon Bois, be not pursued by Officers at the planning appeal on 11 January 2011.

**CHAIRMAN**

This page is intentionally left blank

## Report Item No: 1

<b>APPLICATION No:</b>	EPF/0457/10
<b>SITE ADDRESS:</b>	Land at Ongar Station High Street Chipping Ongar Essex CM5
<b>PARISH:</b>	Ongar
<b>WARD:</b>	Chipping Ongar, Greensted and Marden Ash
<b>DESCRIPTION OF PROPOSAL:</b>	Development for 60 Assisted Living apartments for the frail elderly including communal facilities and associated parking and landscaping.
<b>DECISION:</b>	That Members agree that had an appeal against non determination not been lodged, the application would have been refused for the reason shown below.

### 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=516191](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=516191)

### REASONS FOR REFUSAL

1. The applicants failure to provide an appropriate financial contribution in lieu of on-site affordable housing provision for a development of this size results in this proposal failing to comply with the aims of this Council's Adopted Local Plan Policies H5A, H6A, H7A and I1A.
2. The design of the development, including its density, site coverage, bulk, massing and detailing, is out of character with the surrounding area and harmful to the character and usual amenity of the locality and the High Street in particular, contrary to policies CP2, CP7, H3A and DBE1 of the adopted Local Plan and Alterations.
3. The proposed development due to its size, scale and design, and also due to the loss of the cartilage listed building (355 High Street) would have an adverse impact on the setting of the adjacent grade II station building contrary to policy HC12 of the adopted Local Plan and Alterations.
4. The proposal will introduce a significant number of frail elderly people into the locality in close proximity to Ongar High Street. A contribution should therefore be provided (via a legal agreement under Section 106) to secure the provision of a pedestrian crossing on the High Street in the vicinity of the development in the interests of accessibility and safety and in accordance with policies ST2, ST4 and I1A of the Adopted Local Plan and Alterations.

**Report Item No: 2**

<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>	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=519509](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=519509)

**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. 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 08.00 to 17.00 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
4. The proposed basement extension shall be carried out in accordance with the submitted plans and shall remain subterranean with the garden reinstated to the level shown on drawing No's 662255/207, 209 and 600 received amended on 20/08/10. The garden shall be reinstated within three months of the substantial completion of the basement and extensions.
5. 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.
6. The basement area hereby approved shall be used for purposes incidental to the enjoyment of the dwelling house as such, and shall at no time be used for bedroom or living room accommodation.

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/1613/10
<b>SITE ADDRESS:</b>	2 Lower Bury Lane Epping Essex CM16 5HA
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Lindsey and Thornwood Common
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of detached workshop, first floor extension over existing garage and boundary wall and gates. (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=520382](http://planpub.eppingforestdc.gov.uk/Anitelm.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=520382)

**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. 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 proposed garage extension shall only be used as ancillary accommodation for the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling known as 2 Lower Bury Lane.
6. The existing garage retained shall only be used for garaging of vehicles and domestic storage, and shall not be used for additional residential accommodation.
7. The use of the workshop/storage building hereby approved shall remain incidental to the existing dwellinghouse and used for no other purposes, including any commercial or business use.



**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/1869/10
<b>SITE ADDRESS:</b>	37 Bury Road Epping Essex CM16 5ET
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Lindsey and Thornwood Common
<b>DESCRIPTION OF PROPOSAL:</b>	Single storey side and rear extension. (Revised size and door/window location).
<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=521332](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=521332)

**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 window and door in the side elevation of the rear extension and the agreed rooflights shall be obscured glazed prior to the first use of the extension and permanently retained as such thereafter.

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/1910/10
<b>SITE ADDRESS:</b>	Ashlyns Organic Farm Shop Epping Road North Weald Bassett Epping Essex CM16 6RZ
<b>PARISH:</b>	Moreton, Bobbingworth and the Lavers
<b>WARD:</b>	Moreton and Fyfield
<b>DESCRIPTION OF PROPOSAL:</b>	Retrospective application for erection of rear extension, patio and decking area and change of use from A1 to mixed A3/A1 use (revisions to application EPF/1292/10)
<b>DECISION:</b>	Grant Permission (Subject to Section 106 agreement).

**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=521459](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=521459)

Members agreed to grant consent subject to the applicant first entering into a legal agreement under Section 106 of the Town and Country Planning Act, (within 12 months), to ensure that the agreed A1/A3 development shall remain part of the Ashlyns Organic Farm and can not be sold or let away from the large farm unit as a separate business and additionally that only organic goods shall be sold from the premises.

The reason for requiring this is that the development is considered acceptable only on the basis of the very special circumstances that have been put forward with regard to the community benefits provided by the farm and the use of the shop and restaurant to introduce people to the farm, and associated outdoor activities.

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/1980/10
<b>SITE ADDRESS:</b>	Epping Forest Burial Park Kiln Road North Weald Epping CM16 6AD
<b>PARISH:</b>	North Weald Bassett
<b>WARD:</b>	North Weald Bassett  Passingford
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/37/10 Carry out works according to submitted management plan for the Burial Park, including phased thinning of woodland
<b>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=521670](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=521670)

**CONDITIONS**

None.

This page is intentionally left blank



## **Report to Area Planning Sub-Committee East**

**Date of meeting: 17 November 2010.**

**Subject: Confirmation of Tree Preservation Order TPO/EPF/93/10 – Land to the rear of 25 - 45 Upland Road, Thornwood.**

**Responsible Officer: Robin Hellier (01992 564546).**

**Democratic Services: Gary Woodhall (01992 564470).**

---

### **Recommendation:**

**(1) That Tree Preservation Order 93/10 be confirmed subject to a modified site plan.**

### **Report:**

#### Background

1. TPO/EPF/93/10 became effective on 3 June 2010 and was served to protect woodland screening a concrete crushing plant from the rear of the properties along Upland Road. Public views of the plant from Thornwood Road are obscured by the eastern boundary of the woodland. Residents along Upland Road had become increasingly concerned with the loss of privacy they enjoy, following the extensive removal of a large number of trees within the area.

#### Objection to the Tree Preservation Order

2. An objection to the Order has been received from the owner of the woodland. The objection is made on the grounds that:

- (a) the residents live over 300 metres away from the area of processing and the boundary is screened by a Hawthorn hedge;
- (b) encouragement from the Council's Environment and Enforcement officers was given to clear the area;
- (c) a new building would hide recycling activities and insulate noise;
- (d) there are no broadleaf trees in the woodland;
- (e) an Essex County Council tree officer and an ecologist recommended clearing and reinstating the land with an earth bund, landscaped with new trees and shrubs;
- (f) Highways Officers recommended a new entrance through the adjacent field for vehicle queuing safety reasons; and
- (g) the Tree Preservation Order adds an unnecessary line of bureaucracy before the removal of dead trees rubbish and a boundary fence can be carried out.

3. Representations were made by four local residents, who supported the serving of the Order with the following summarised comments:

- (i) the woodland provides a rich wildlife habitat in the locality;
- (ii) the woodland shields against noise, dust pollution and unsightly views of the plant and its industrial activities, also light pollution from the nearby driving range is reduced by the dense tree presence; and
- (iii) the woodland, as part of the Metropolitan Green Belt, helps to secure boundaries between properties and maintains the value of the houses.

#### Comments of the Director of Planning and Economic Development

4. The woodland subject of the order is at least partly a derelict orchard with a naturally regenerated mix of native broadleaf species, including Hawthorn, Blackthorn, Goat willow, Ash, Apple, Damson plum and Pear. Understorey plants such as Wild Rose, Elder and Bramble provide the shrub layer with moss and ground ivy dominating the ground or herb layer. The woodland has a closed canopy with a high density of trees at general maximum heights of about 7 metres.

5. The remaining wooded zone is an irregularly shaped southern and western fringe with a right angled northern and eastern boundary approximately 110 metres by 120 metres in length respectively. Originally, this area was broadly rectangular but the extensive clearance has eroded this block to its current shape. The site is contaminated by sporadic layers and piles of fly tipped concrete, glass, appliances and garden waste deposits. There are many dead or dying specimens both standing and collapsed. The crowded natural re growth has given rise to drawn up and often multi stemmed individuals, which appear liable to instability as the clearance works has exposed them. The ground is gently sloping downwards to the south west.

6. In serving this Order the woodland will continue to offer valuable screening from the intensely industrial operation of the concrete crushing plant and mitigate views, noise and dust from the processing. Furthermore, the order will protect the varied wildlife within the closed canopy areas not yet managed. The Order will require the replanting of areas of trees that have been cleared to allow for the erection of boundary fencing and the removal of dumped materials from within the marked area, shown on the amended plan.

7. The issues raised by the objection are addressed in turn, as follows:

(i) The distance from the current recycling activities to the rear of residents' houses is approximately 180 metres. At the time of surveying the site, following the most recent clearance of trees, an area of bare ground extended to within 5 metres of the northern boundary fence of 45 Upland Road. This does expose views into the recycling area to residents of this and the neighbouring property, although both long rear gardens are well planted with screening trees.

(ii) The encouragement to clear all the trees on this part of the site comes from officers whose priorities lie with matters other than trees landscape and wildlife habitat conservation.

(iii) A new building has not yet been built or even proposed in any detail and therefore can carry no weight in the argument to revoke the Order.

(iv) The term broadleaf refers to the general shape of the leaf on mostly deciduous trees, which shed their leaves in autumn, as opposed to the generally needle like leaflets that conifer species more commonly possess. The woodland consists of mixed broadleaf species including Ash Willow, Hawthorn, Blackthorn, Plum, Apple and Pear. It is publicly visible from the main Thornwood Road and screens views into the plant from this aspect.

Distant partial views can be obtained from public footpaths to the south and west of the site.

(v) There is no evidence of a report submitted by the Essex Tree Officer. In any event, the service of the Tree Preservation Order is consistent with a desire to improve the quality of the woodland. More detailed advice can be given by District Council Officers in respect of retention of the most valuable trees and replacement planting. The Order will allow the District Council to influence the replacement planting on the site in the event that further trees are agreed to be removed.

(vi) Highways advice in respect of the new entrance is likely to have a minimal impact on the body of the woodland along its eastern boundary and therefore presents no argument against the confirmation of the order.

(vii) The key issue in relation to the confirmation of the Order is whether the woodland has sufficient public value to justify the protection. In this case the woodland is considered to be worthy of preservation due to the relief it gives to users of Thornwood Road in terms of the screening of views and wildlife benefits it might offer to local residents.

(viii) Although a TPO is a bureaucratic burden to the owner, advice has been offered that the submission of a Woodland Management Plan, which sets out basic short, medium and long term objectives under headings given to controlled operation phases to restore and enhance this area to become a well stocked mixed native woodland. Such a plan should not place an undue burden on the owner, who has asserted that he considers the trees of value.

#### Amendment of the Site Plan

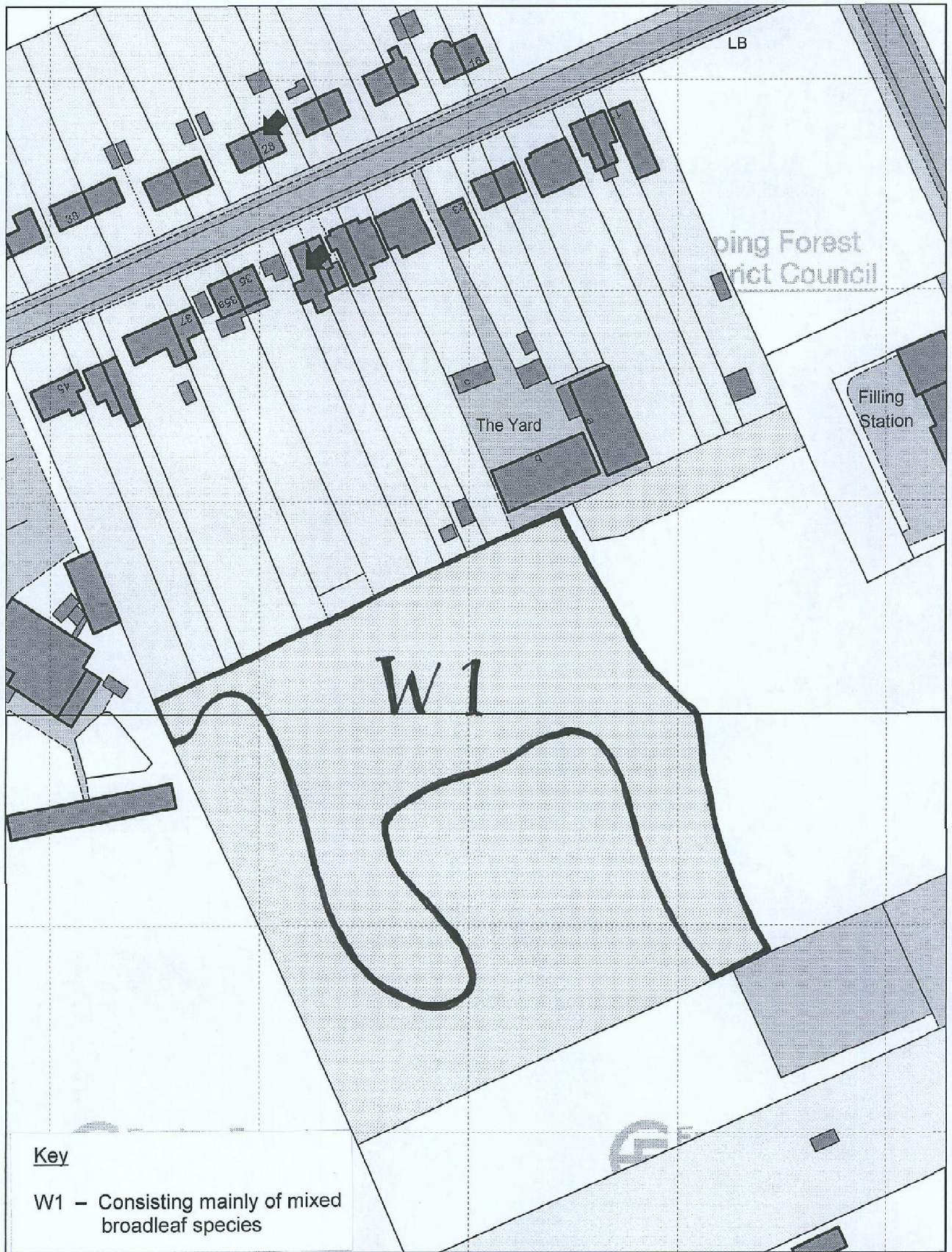
8. The original service of the order relied on a recent but historical aerial view of the broadly rectangular wooded zone. A detailed site survey achieved some approximate measurements of the remaining areas of standing wood, which have been drawn up subsequently on an amended site plan, which is attached as an appendix to the agenda.

#### Conclusion

9. It is recommended that in the interests of public amenity the Order be confirmed, subject to the modification of the site plan to show the approximate area of remaining tree cover at the time of the service of the Order.

This page is intentionally left blank





**Key**

W1 - Consisting mainly of mixed broadleaf species



**Epping Forest District Council**  
**Planning Services**  
 Civic Offices  
 High Street  
 Epping CM16 4BZ

TPO/EPF/93/10  
 Land to the rear of  
 25-45 Upland Road, Thornwood

Centre X: 546801.948  
 Centre Y: 204997.672  
 Width : 225.000  
 Angle : .000

Scale : 1:1250      Date : 5 Nov 2010      Time : 01:19:03 PM

Reproduced from the Ordnance Survey Mapping with the permission of the controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecutions or civil proceedings. Epping Forest District Council - Licence 100018534



This page is intentionally left blank



## **Report to Area Planning Sub-Committee East**

**Epping Forest  
District Council**

**Date of meeting: 17 November 2010.**

**Subject: Confirmation of Tree Preservation Order TPO/EPF/99/10 – Land  
Adjacent to the A414, Section 1.**

**Responsible Officer: Chris Neilan (01992 564117).**

**Democratic Services: Gary Woodhall (01992 564470).**

---

### **Recommendation:**

**(1) That Tree Preservation Order TPO/EPF/99/10 be confirmed without modification.**

### **Report:**

#### Background

1. Tree Preservation Order TPO/EPF/99/10 became effective on 29 June 2010. It was made as one of a number of strategic TPOs protecting trees along the A414 from Ongar to North Weald. The particular order covers a total of 13 trees, within Coles Yard, and in adjacent properties to the east.
2. All of the trees are Oak; most are large and mature trees but the order includes a number of smaller trees close to the Talbot Roundabout and in the front of Choles Yard, included for their potential longer term contribution to public amenity.

#### Objection

3. An objection has been received from agents for the owners of Coles Yard, R E Coles Ltd. The trees concerned are T1 to T6 inclusive. T1 and T6 are not owned by the objector, the objection is as a result of the encroachment of branches, and the need to manage that encroachment.
4. The objector explains generally that trees T1-T6 inclusive are not considered worthy of a Tree Preservation Order, with the comment that, since the main stated aim of the order is to protect visual amenity for the benefit of users of the A414 the attention of drivers should be focussed on the road, rather than adjacent trees. The imposition of the Order imposes severe constraints and costs upon tree owners, and that therefore this should not be done indiscriminately. It is contended that none of the trees has any significant public amenity value.
5. The specific grounds of objection are as follows:
  - (a) T1: This tree does not appear to be visible at all from the A414, and is half hidden behind the buildings. It has no visual amenity. There is a foreseeable need to have it pruned, and the owner does not wish to have to go through the ensuing bureaucratic nightmare.

(b) T2- T5: These trees are on an industrial site and appear to have sprung up haphazardly. T2 & T3 are 2 metres apart, and their canopies intertwine. Similarly with T2 & T5, which are a little further apart. The trees are only visible from the roundabout, and have little visual amenity for users of the A414.

(c) T6: This is situated behind the builder's yard, which partially obscures it. The top half is only visible from the roundabout. It has no visual amenity, and is not even an oak, as stated in the Order.

#### Comments of the Director of Planning & Economic Development

6. The several Tree Preservation Orders protecting trees along the A414 are of a strategic nature. The instructions for the survey, undertaken by an Arboricultural Consultant following on from the Essex County TPO re-protection programme, was to protect those trees which were of most current value and which might be threatened in the event of future improvements or realignments to the A414 were that to take place, and also those younger trees of most amenity potential along what is an important strategic route.

7. In relation to the reasons given for the Order, the majority of the protected trees are immediately adjacent to car users, who form a relevant part of the population, even allowing for the road safety responsibilities of drivers. Users of the A414 who then turn into the B181, the North Weald High Road, or indeed who leave North Weald by this route will be aware of all these trees. The rationale given for the Order is not intended to be exhaustive; the decision on confirmation can legitimately take into account the wider value of the trees to public amenity.

8. In extending the Order to trees it was taken into account that this was an industrial site, and that it might well be at any time the wish of current or future owners to intensify its use, at which time there would be likely to be a threat to any unprotected trees.

9. T1 is a large and fully mature Oak. It is a well shaped and attractive tree of considerable stature. It is glimpsed from the A414, but has great visual importance from the High Road from where it is clearly visible over the industrial buildings. It is not hidden in any meaningful degree.

10. T2, T3, T4 and T5 are relatively young Oak Trees, collectively forming a strategically important group. As stated in the objection, they are in pairs, T2 & 3 being younger, and more closely grouped. They are in good health, and, standing at the entrance to the site are all visible from the adjacent A414, and also from the High Road. Should any redevelopment of Coles Yard be proposed these trees would be of particular importance, and it would be a priority to ensure that they were retained.

11. T6 is a mature tree, although not as large or old as T1. It is an Oak, as stated in the Order. It set to the rear of the adjacent reclamation yard. It is able to be seen through the hedge from the A414, and glimpsed from the high Road. However, as a more mature tree it contributes to public amenity as one of a group of larger trees, around the reclamation yard, and also protected by the order.

#### Conclusion

12. All 6 Oaks contribute to the setting of the entrance to the village and T 2-6 have particular significance as a result of their proximity to the major transport route. Taking this together with the importance of safeguarding them in respect of any future

development of Coles Yard or road realignment the Order is fully justified.

13. It is recommended therefore that TPO/EPF/99/10 be confirmed without modification.

This page is intentionally left blank

## AREA PLANS SUB-COMMITTEE 'EAST'

17 November 2010

### INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/1209/10	Weald Hall Care Home, Weald Hall Lane, North Weald Bassett	REFUSE	33
2.	EPF/1806/10	Ovenden Papers, Swordfish House, Bower Hill, Epping	GRANT	40
3.	EPF/1889/10	Glanmire, Oak Hill Road, Stapleford Abbots	GRANT	45
4.	EPF/1951/10	George & Dragon Public House, 206 High Street, Epping	GRANT	49
5.	EPF/1988/10	3 Middle Boy, Lambourne	REFUSE	53
6.	EPF/2036/10	12A Hemnall Street, Epping	GRANT	58

This page is intentionally left blank



**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/1209/10
<b>SITE ADDRESS:</b>	Weald Hall Care Home Weald Hall Lane North Weald Epping Essex CM16 6ND
<b>PARISH:</b>	North Weald Bassett
<b>WARD:</b>	Epping Lindsey and Thornwood Common  North Weald Bassett
<b>APPLICANT:</b>	Mr P Sohal
<b>DESCRIPTION OF PROPOSAL:</b>	Single and one and a half storey extensions to existing care home to provide 9 additional bedrooms and improved facilities. (EMI) (Revised application)
<b>RECOMMENDED DECISION:</b>	Refuse Permission

**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=519120](http://planpub.eppingforestdc.gov.uk/AnitellM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=519120)

**REASON FOR REFUSAL**

- 1 The site is within the Metropolitan Green Belt where development is by definition harmful. The applicant has provided no very special circumstances to justify the proposals and accordingly the development is contrary to policy GB2A of the Adopted Local Plan and Alterations and PPG2.
- 2 The proposals result in additional accommodation in a rural and isolated location, encouraging dependence on private car use, contrary to the aims and objectives of policies CP1, ST1 and ST2 of the Adopted Local Plan and Alterations.
- 3 Insufficient information is provided to assess whether the development can be accommodated within the existing, committed or planned health care infrastructure capacity of the locality, contrary to policy CP3 of the Adopted Local Plan and Alterations.

*This application is before this Committee since it has been 'called in' by Councillor Breare-Hall (Pursuant to Section CL56, Schedule A (h) 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:**

The applicant seeks consent for single and one and half storey extensions (with accommodation at first floor provided partially above the eaves) to provide an additional 9 bedrooms and a new relocated laundry facility.

All rooms would be en-suite with sufficient space to meet current Council minimum standards regarding access and mobility.

There has been no physical change to the development from that recently refused under EPF/2312/09, instead this application seeks the Council's views towards the scheme in light of additional information supplied within the body of the previous Design and Access Statement and within a letter of support from the Alzheimer's Society.

The application was heard by Members at Committee on 25<sup>th</sup> August 2010. Members deferred the application to allow the applicant to provide a demonstration of need for the facilities and to carry out discussions with the Primary Care Trust regarding potential contributions. These issues are covered in this amended report

### **Description of Site:**

The application site is an existing 38 bed care home for elderly residents suffering from Alzheimers and senile dementia (as indicated from information submitted in support of the application).

The site is well established, has been extended historically and is located adjacent North Weald Airfield at the end of Weald Hall Lane a single track lane.

The site is within the Green Belt and has no immediate neighbouring plots with nearby development evolving either in a ribbon along the highway or in clusters of existing or historic farm buildings.

### **Relevant History:**

EPF/1143/90 – Alterations and extensions - Approved

EPF/0060/94 – Extensions and Alterations –Approved

EPF/1260/94 – 1st Floor bedroom en-suite accommodation & corridor – Approved

EPF/1532/96 – New Fire exit, porch and various external alterations - Approved

EPF/2195/04 – Demolition of existing 40 bed care home and erection of 24 bed independent hospital - Approved

EPF/2312/09 – Single and one and a half storey extensions to existing care home to provide 9 additional bedrooms and improved facilities – Refused

### **Policies Applied:**

#### Government Policy

PPS3 – Housing – Published November 2006

#### Epping Forest District Local Plan and Alterations

CP1 – Achieving Sustainable Development Objectives

CP2 – Protecting the Quality of the Rural and Built Environment

GB2A – Development in the Green Belt

DBE4 – Design in the Green Belt

DBE9 – Loss of amenity

ST1 – Location of development

ST2 – Accessibility of development

ST6 – Vehicle Parking  
I1A – Planning Obligations

### **Representations Received**

5 neighbouring properties were consulted, a single letter of objection was received as follows:

HAYLEYS MANOR: Object due to Intensification of activities and traffic on a narrow lane, potential increase in traffic, parking and turning in the narrow lane and external lighting. Issues are also raised regarding provision for waste effluent, issues relating to requests for listing and speculation regarding future operation are also raised but cannot be considered as part of this application.

NORTH WEALD PARISH COUNCIL: Strongly supports this application

Since the initial consultation 26 letters of support have been received. These have been provided either as agreement to a petition in favour or as a standard response supporting the proposals as described on the signed letter.

### **Issues and Considerations:**

Application EPF/2312/09 was refused for the following reasons:

1) The site is within the Metropolitan Green Belt where development is by definition harmful. The applicant has provided no very special circumstances to justify the proposals and accordingly the development is contrary to policy GB2A of the Adopted Local Plan and Alterations and PPG2.

2) The proposals result in additional accommodation in a rural and isolated location, encouraging dependence on private car use, contrary to the aims and objectives of policies CP1, ST1 and ST2 of the Adopted Local Plan and Alterations.

3) Insufficient information is provided to assess whether the development can be accommodated within the existing, committed or planned health care infrastructure capacity of the locality, contrary to policy CP3 of the Adopted Local Plan and Alterations.

The main issues that arise with this application are whether the reasons for refusal above have been overcome and issues previously considered, mainly:

- The need for Care accommodation
- The principle of development in the Green Belt
- The Sustainability of this location
- Design Issues
- Neighbour issues
- Highways, access and Parking Issues
- Other matters

#### Principle of provision of care accommodation

Policy H1A recognises that the need for market housing has been met through the Council's land allocations, however applications will continue to be considered for windfall sites or areas of previously developed land, policy H2A reaffirms this view.

Policy H9A and supporting text acknowledges the increasing need for mobility housing as a result of an increasing elderly population who typically suffer with greater levels of disability or

dependency as people live longer and develop these disabilities. The aging population is a national trend demonstrated by the national census data and identified in the Council's last Housing Need Survey in 2003. Therefore, in principle additional accommodation that would assist in meeting the need for care facilities in the District is accepted. Furthermore the proposals are considered to accord with the objectives of the draft Housing Strategy 2009-2012 supporting older people and other vulnerable groups in accommodation suitable for their needs with appropriate levels of support.

However, policy H1A also sets out that previously developed land in itself does not justify development, as sites which rely solely on private car use and are distanced from local services may not be suitable for development. Whilst a need for accommodation is realised generically in respect of the District, no evidence has been provided to demonstrate that this need is in the North Weald Area, or that no alternate, better located and less isolated site is available.

Since the previous Committee Meeting the applicant has provided details of the former homes of the occupants presently in the care home: of the 39 beds, 18 occupants are from Epping previously, one occupant is from Cornwall with family in Epping and the remaining 20 beds accommodate persons from Harlow, Bishops Stortford and Enfield. The applicant has also provided a supporting statement summarising the differing levels of care available and what these entail, those which are able to accommodate dementia sufferers and extrapolating an estimated number of the local population with Dementia. This results in the report estimating 149 residents in the Epping Lindsay, Thornwood and North Weald areas. The report clearly sets out that Dementia is a degenerative disease and often goes unnoticed in the early stages, therefore Officers are of the view that not everyone diagnosed with dementia requires admission to residential care accommodation, and that as with any care, it is likely that the need is accommodated as it arises as Dementia progresses.

The applicant has identified that within a 3km radius of the application site there are 39 beds in the existing home onsite and a further 36 beds at Ashlar House totalling 75 beds catering for 50% of the identified need. A brief search by Officers has also revealed the Cunningham house facility in Pike Way, North Weald also offering dementia care and 54 beds. This totals 129 beds, and considering that not every person diagnosed with Dementia immediately requires residential care and that some people will chose to reside in family care situations, Officers are of the view there is still no evidence that this facility is required in this Green Belt location on the basis of these figures, particularly as evidence suggests half the existing facility is catering for residents from outside of the District.

The submission provides a letter of support from the Alzheimer's Society highlighting the increased care need for Dementia nationally and that Epping Forest has 20 Dementia specific homes at present. The Alzheimer's Society continues to indicate that rural care accommodation is more popular due to a general trend of larger grounds and these increase the quality of life for occupants. This advice does not however indicate whether there is a shortfall of accommodation for Dementia needs in Epping Forest and it does not specify whether the existing or additional accommodation caters for a local or indeed District need as opposed to the national need. This letter also does not examine issues relating to isolated communities and quality of life resulting from isolation from services and facilities. There is no reference to any Care Regulatory Standards or Primary Care Trust statistics.

There is no indication beyond the size of grounds associated with Greenfield sites, why satisfactory additional care accommodation cannot be provided in more urban areas in accordance with Council policies regarding where sustainable development should be located.

*Principle of development in the Green Belt*

The provision of additional care accommodation in the Green Belt is not considered an acceptable exemption to the Green Belt policies of restraint as identified by policy GB2A. The proposals are therefore by definition harmful to the Green Belt.

The applicant has provided no demonstration that the extensions proposed are not harmful to the openness of the Green Belt and with extensions proposed to the building footprint, particularly those which could be viewed in addition to the existing mass, from Weald Hall Lane and the countryside to the north of the site, the proposals are considered materially harmful to the openness of the Green Belt. Furthermore, the original property has benefitted historically from various previous extensions.

The applicant was advised in pre-application correspondence that the site was within the Green Belt and that in principle objections would require justification for a departure from usual policies. No very special circumstances have been supplied accompanying this application and the generic need for care facilities is not considered very special circumstance, particularly in light of previous extensions which were approved at a time when there was a Local :Plan policy that allowed extension and consolidation of existing businesses in the Green Belt.

#### Sustainability Issues

The site is situated at the end of Weald Hall Lane, a narrow track some distance from the nearest village which has only limited facilities. There is no footpath along the lane and access to the site is dependant predominantly on private car use with visitors likely to need a car to visit residents. Whilst the proposals provide care accommodation for an aging population, no information is provided to indicate that there is need in this area any more than other, more suitable urban locations which would be accessible from public transport and close to facilities for more able occupants, staff and visitors. The proposals would result in an increase in occupants separated from any offsite recreation, transport or facilities and the proposals conflict with the objectives of Policy CP1.

#### Design issues

In respect of design, no issues are raised relating to the design and appearance of the proposals other than that the development would further extend the footprint of the development which results in additional visual harm to the surrounding Green Belt.

#### Neighbouring amenity

The development is well separated from neighbouring properties therefore no adverse impacts arise to neighbours.

In respect of existing occupants, the proposals result in a reduction in amenity space onsite and potentially the further accommodation may obscure the outlook from some of the existing rooms and recreation areas. This is not unacceptable however, with similar relationships between blocks not uncommon.

#### Highways and Access issues

Weald Hall Lane is already cited as being a narrow track unsuitable for large volumes of traffic. The proposals do not represent a significant increase in vehicular movements for staff or service vehicles as the premises already exist and the additional rooms would not significantly increase vehicular demand aside from potential visitor traffic. There is a reasonable provision of parking onsite and at the staffing levels referred to in the supporting documentation, no additional parking is likely to be required.

Access to the site remains unchanged and no objection has been raised from highways.

#### Other Matters

The proposals would result in the provision of an additional 9 residents in the North Weald area all with established health problems. No indication has been provided to confirm whether these new residents would be from the surrounding Parish or District or elsewhere. These residents would be registered with local healthcare providers and would be likely to place added burden on the Primary Care Trust either as additional patients or in respect of administration for the NHS redistributing funding accordingly.

Since the previous Committee deferral the applicant has indicated to the Primary Care Trust they would be willing to provide a contribution of £5000.00 towards meeting the costs of the Primary Care Trust, and whilst the Trust have indicated this will not meet all the costs incurred, this will ease the financial burden of additional patients.

**Conclusion:**

To conclude, the application seeks to erect further structures in the Green Belt where there is a presumption against development to preserve the Green Belt for its own sake. Officers have considered whether there is sufficient very special circumstance set out to justify further development and found that based on the evidence supplied, whilst there may be market need for more care spaces within the District and those nearby, this is not a localised need in the Epping Lindsay, Thornwood and North Weald areas, accordingly policy directs the development to elsewhere where a local demand may exist. Weald Hall Care Home is accessible only by car or cycle on a narrow highway and it is not therefore a sustainable location for this form of development.. Therefore whilst Officers recognise this may be a popular or well run facility serving the Epping and Harlow communities, Officers are of the view the arguments put forward by the applicant do not amount to the very special circumstances needed to justify such development and are insufficient to justify approval.

Should Members disagree with the view of Officers, then Officers recommend at minimum a S106 be drafted to secure the Primary Care Trust Contribution of £5000.00 offered and that conditions be attached regarding materials, provision of a landscaping scheme and travel plan.

***Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:***

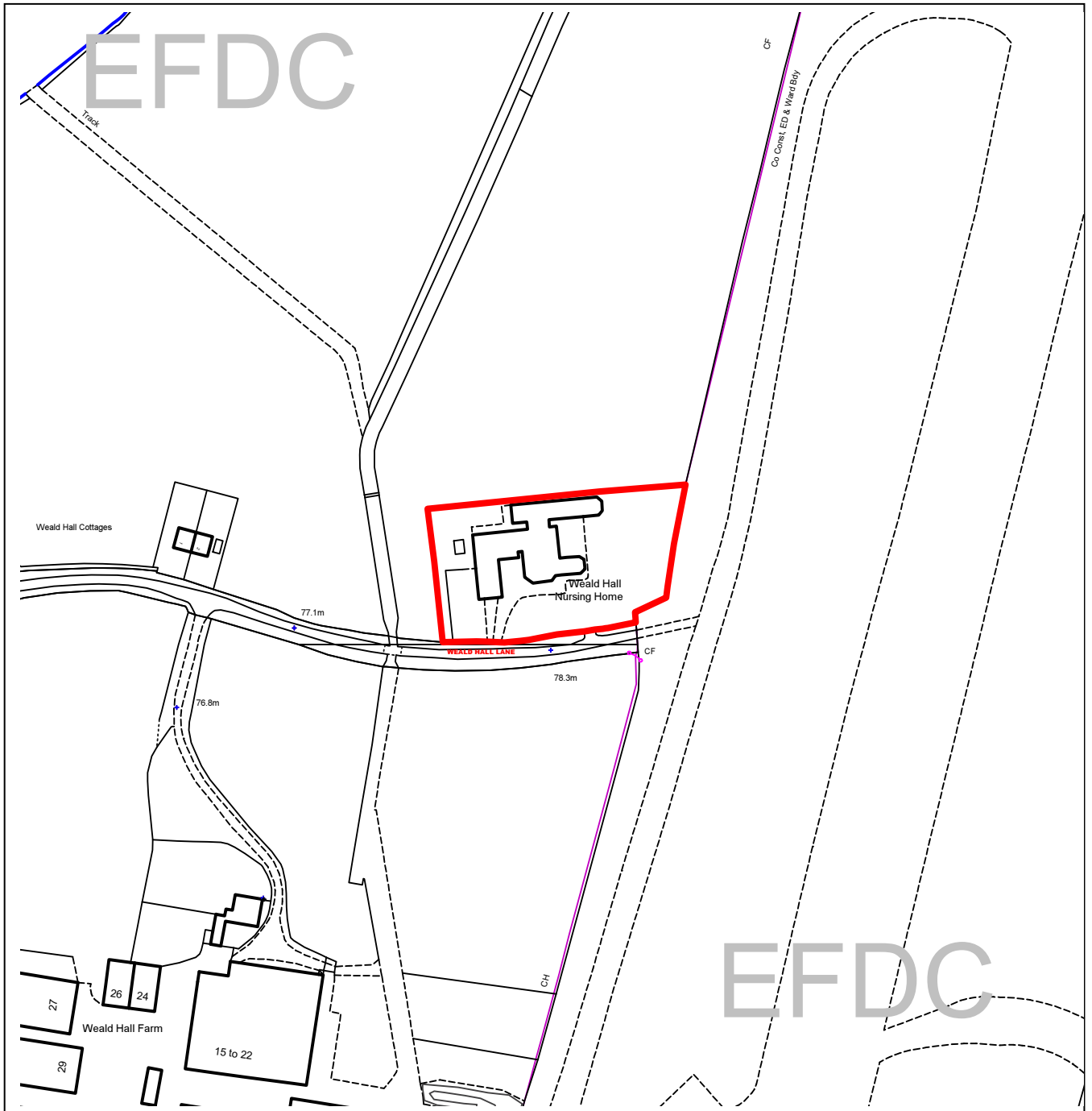
***Planning Application Case Officer: Jenny Cordell  
Direct Line Telephone Number: 01992 564294***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# 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>1</b>
Application Number:	EPF/1209/10
Site Name:	Weald Hall Care Home, Weald Hall Lane, North Weald, CM16 6ND
Scale of Plot:	1/2500

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/1806/10
<b>SITE ADDRESS:</b>	Ovenden Papers Swordfish House Bower Hill Epping Essex CM16 7AQ
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>APPLICANT:</b>	Globalresort Limited
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use and subdivision of buildings A, B and C to 12 B1 (Office), B2 (General Industry) and B8 (Storage) units and material changes to elevations.
<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=521079](http://planpub.eppingforestdc.gov.uk/AniteLM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=521079)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development shall match those of the existing buildings, unless where otherwise noted within the submitted planning application or agreed in writing by the Local Planning Authority.
- 3 The premises shall be used solely for B1, B2 and/or B8 use and for no other purpose.
- 4 The units hereby permitted shall not be open outside the hours of 07:30 to 19:30 on Monday to Friday, 08:00 to 13:00 on Saturday, and not at all on Sundays or public holidays.
- 5 The parking areas shown on plan ref: 2292\_PL15 shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of staff and visitors vehicles.
- 6 Prior to commencement of development, including demolition or site clearance works, a phased contaminated land investigation shall be undertaken to assess the presence of contaminants at the site in accordance with an agreed protocol as below. Should any contaminants be found in unacceptable concentrations, appropriate remediation works shall be carried out and a scheme for any necessary maintenance works adopted.



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

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

Following remediation, a completion report and any necessary maintenance programme shall be submitted to the Local Planning Authority for approval prior to first occupation of the completed development.

*This application is before this Committee since it is an application for development of a significant scale and/or wider concern and is recommended for approval (Pursuant to Section CL56, Schedule A (c) of the Council's Delegated Functions).*

**Description of Proposal:**

Consent is being sought for change of use, subdivision and external alterations to the existing buildings A, B and C which currently have storage and distribution use. This would result in 12 smaller units with B1 (Office), B2 (General Industry) and B8 (Storage) use. The external changes would primarily consist of the insertion of additional doors and shutters however a large section of building C is proposed to be demolished (177 sq. m.).

**Description of Site:**

The application site consists of three large buildings previously used for storage and distribution (B8) purposes for Ovenden Papers. These buildings sit within a small industrial estate to the west of Bower Hill and adjacent to the railway line. Access to the site is via a small road directly off of Bower Hill that also serves residential garages. To the immediate south of the application site is a further area of residential garages (accessed from Charles Street), and to the immediate east is an area of unkempt green space with unknown usage. The site is a designated Employment Area within the Local Plan.

**Relevant History:**

There is a long history to the industrial estate and the individual parts of the site (including the application site) dating between the 1950's and the 1980's, however none of these applications are directly relevant to this application.

**Policies Applied:**

- E1 – Employment areas
- E2 – Redevelopment/extension of premises for business and general industrial uses
- E3 - Warehousing
- E5 – Effect on nearby developments
- DBE3 – Design in urban areas
- DBE9 – Loss of amenity
- ST6 – Vehicle parking

### **Summary of Representations:**

3 neighbours were consulted and a Site Notice displayed on 13/09/10

TOWN COUNCIL – No objection.

7 BOWER TERRACE – Concerned about potential increased vehicular movements and impact on residential properties. Query whether conditions can be added to control hours of use and size/weight of vehicles.

### **Issues and Considerations:**

The existing site consists of three large B8 units within a designated employment area. The proposed works would result in a subdivision of the three large units into 12 smaller units (varying in size) with B1, B2 or B8 uses, to allow for greater flexibility. Local Plan policy E1 states that:

*Within the existing employment areas subject to this policy the Council will grant planning permission for the redevelopment or extension of existing premises for business, general industrial and warehouse uses. The redevelopment of existing sites or premises or their change of use to uses other than business, general industry or warehousing will not be permitted.*

The proposed change of use would provide all three of the above uses and therefore is in line with this policy. Although the proposal incorporates the loss of a large section of building C, this is to improve the overall usage and desirability of the application site and to ensure that it remains economically viable. As there is a need for additional employment sites throughout the district, the redevelopment and retention of existing employment areas is also considered essential.

Concerns have been raised by a neighbouring resident that this development may result in increased vehicular movements, however traffic movements and car parking standards are based on overall floor area, which has actually been reduced in this scheme due to the demolition of 177 sq. m. of building C. Whilst more vehicle movements may be seen from the site being brought into full use, the actual level should not be significantly different than if the existing use intensified. Furthermore, an additional 40 parking spaces would be provided as part of this proposal. As such there would be no detrimental impact on highway use or vehicle parking as a result of this proposal, which is confirmed by Essex County Council Highway Services raising no objection to the scheme.

It appears that no restrictions on opening hours were previously imposed on the site, however given its location behind residential properties and the change to the nature of the site with this application; it is considered that some form of restriction should now be introduced. The submitted planning application form requests opening hours of 07:30 till 19:30 Monday to Friday, which is considered reasonable, and it would also be justified to add additional (reduced) opening hours for Saturdays.

The application site is surrounded by the remainder of the employment area, the railway line, a residential garage area and an area of unused space. As such, the external alterations would not result in any further loss of amenity on any sensitive neighbouring properties.

### **Conclusion:**

In light of the above the proposed works are considered acceptable and therefore the application is recommended for approval.

**Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:**

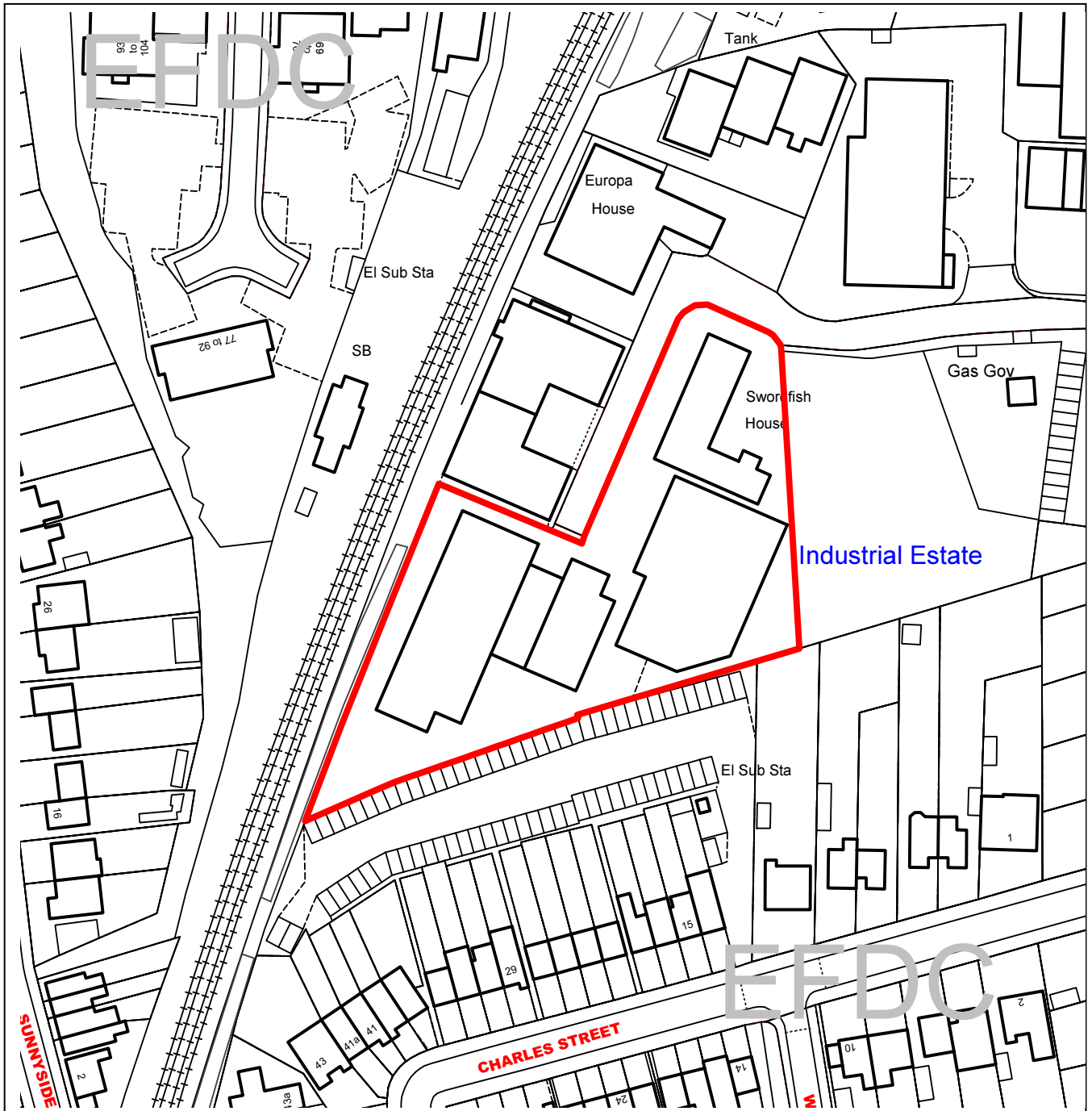
**Planning Application Case Officer: Graham Courtney  
Direct Line Telephone Number: 01992 564228**

**or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)**



# 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>2</b>
Application Number:	EPF/1806/10
Site Name:	Ovenden Papers, Swordfish House, Bower Hill, Epping, CM16 7AQ
Scale of Plot:	1/1250

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/1889/10
<b>SITE ADDRESS:</b>	Glanmire Oak Hill Road Stapleford Abbots Romford Essex RM4 1EH
<b>PARISH:</b>	Stapleford Abbots
<b>WARD:</b>	Passingford
<b>APPLICANT:</b>	Mr Paul Higgs
<b>DESCRIPTION OF PROPOSAL:</b>	Conversion of detached garage to summer house.
<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=521413](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=521413)

**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 building shall be as detailed on the submitted plan No10/09/PL1.

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

**Description of Proposal**

The proposal is to remodel an existing outbuilding located to the rear of the existing dwelling for use as a summerhouse. The changes proposed are to clad the building in horizontal timber boarding and to add a dual pitched roof, to a height of approximately 4.4m at its highest point.

**Description of Site:**

The plot is located along a section of Oak Hill Road which has residential properties on one side of the road. The surrounding countryside is within the defined boundaries of the Metropolitan Green Belt; however only the bottom of gardens in this development of dwellings is within its boundaries. The site contains a detached dwelling and the plot descends steeply from front to rear.

The existing structure is flat roofed and in something of a dilapidated state. The position of the building is well screened from the north-west neighbour, Kaloma. The south east neighbour, Hill View, has an existing outbuilding adjacent to the proposal building. This extends for roughly half

the distance of the proposal structure. The submitted plans denote a fence between the buildings; however the boundary is open in this position.

**Relevant History:**

EPF/0370/96 - Rebuilding of rear section of garage. Grant Permission - 30/04/1996.

**Policies Applied:**

Policy CP2 – Protecting the Quality of the Rural and Built Environment  
Policy DBE1 – Design of New Buildings  
Policy DBE2 – Effect on Neighbouring Properties  
Policy DBE9 – Loss of Amenity

**SUMMARY OF REPRESENTATIONS:**

(2 properties consulted – 0 replies)

PARISH COUNCIL: Objection. Refusal is recommended. Although on the same footprint of the existing building the proposal seems a bit more involved than a summerhouse. Councillors felt the structure would have a detrimental impact on the amenities of neighbouring residents particularly with 5 rooflights in each side. If approved, the council asked that stringent conditions relating to use are attached.

**Issues and Considerations:**

The main issues to consider are any potential loss of amenity and the design of the structure and its relationship within the local streetscene.

**Impact on the Appearance of the Area**

The existing structure is in a dilapidated state and although not easily seen from outside the site it detracts from the visual amenity of the area. The use of the materials proposed would provide a structure that looked more appropriate within the countryside. Therefore the remodelling of this utilitarian structure would improve the character and appearance of the immediate area.

**Impact on Neighbours' Amenity**

The cladding of the building would have no impact. The only significant change is the addition of the gabled roof above. This does add significant height to the structure. However it pitches away from the boundary which would reduce its impact when viewed from Hill View. The rooflights are set high in the roof to allow the influx of natural light and would raise no overlooking issues. The structure would be largely obscured from views from within the house or outside patio area, by an existing garage. The size of the rear garden which is relatively long would further reduce any overbearing impact. The impact on the amenity of residents of Hill View is not deemed excessive. There would be no impact on the amenities of residents of Kaloma.

**Parish Council Concerns**

Stapleford Abbots Parish Council has expressed concerns about the use of the building and its future uses. The structure in its present form could be converted to a summerhouse without the need for a planning application as the use remains ancillary to the main use of the dwelling. Effectively it is the pitched roof that has required the need to receive express planning consent.

Change of use to any other purpose would require a new planning application, therefore a condition restricting use is unnecessary.

**Conclusion:**

The proposed outbuilding is considered acceptable. It is therefore recommended for approval with conditions.

***Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:***

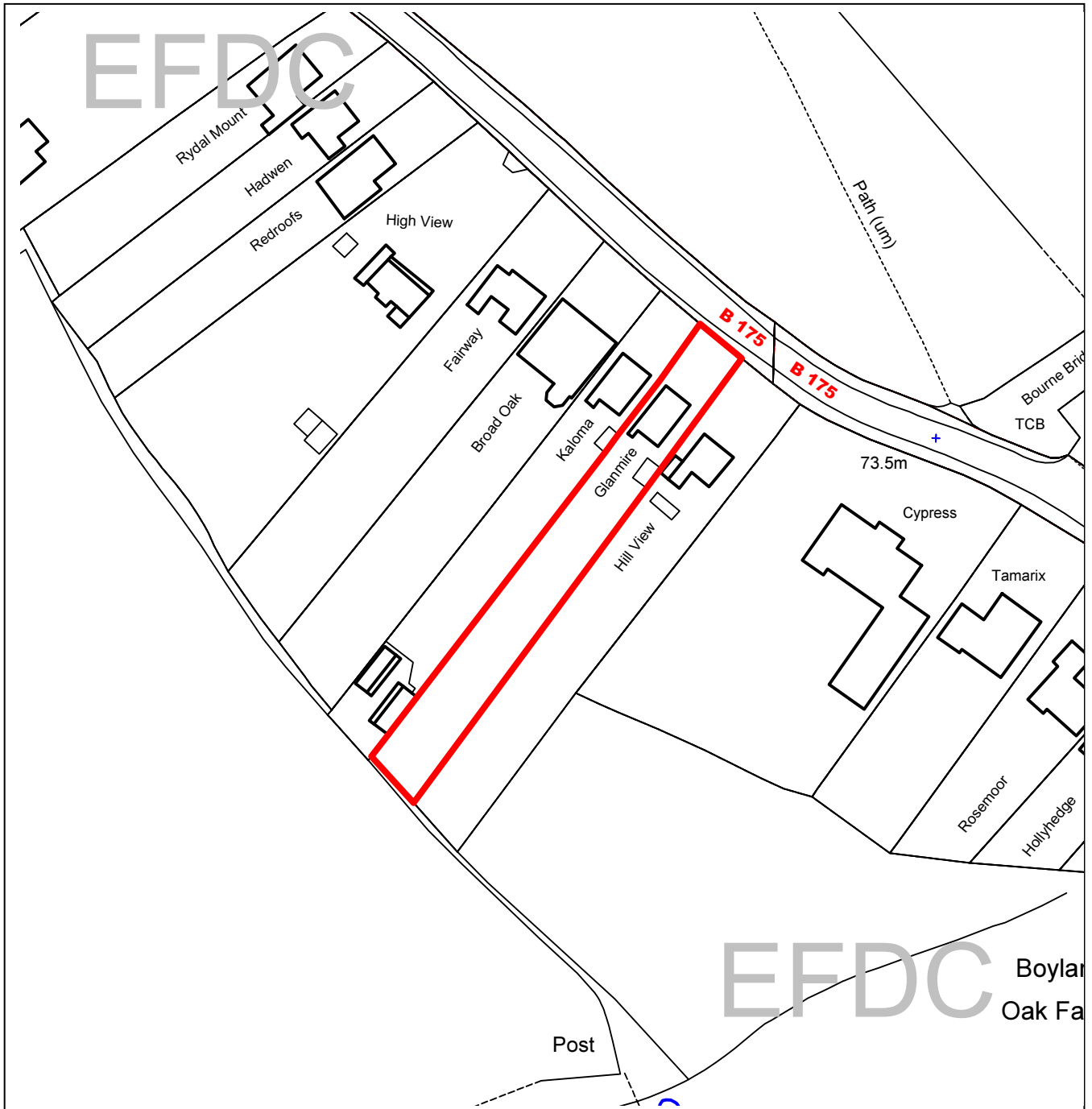
***Planning Application Case Officer: Dominic Duffin  
Direct Line Telephone Number: 01992 564336***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# 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/1889/10
Site Name:	Glanmire, Oak Hill Road Stapleford Abbots, RM4 1EH
Scale of Plot:	1/1250



**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/1951/10
<b>SITE ADDRESS:</b>	George and Dragon Public House 206 High Street Epping Essex CM16 4AQ
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>APPLICANT:</b>	Mr Patrick Askham
<b>DESCRIPTION OF PROPOSAL:</b>	Externally illuminated signage, 2 no. single sided signs fitted to walls, 1 no. double sided hanging sign and 1 no. single sided freestanding sign on posts by entrance car park.
<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=521570](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=521570)

**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 Additional drawings that show details of the proposed signage by section and elevation, detailing the frames at an appropriate scale shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of any works.
- 3 The existing metal bracket shall be retained and re-used for the hanging sign.

*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:**

Externally illuminated signage with 2 single sided signs to main building, 1 double-sided hanging sign and 1 non-illuminated single-sided freestanding sign on posts by the entrance to the car park. All signs are to be timber, with a painted finish and are to be red with silver and red signwriting. The largest sign to be fitted on the front of the building measures 1.9m wide and 2m in height. The hanging sign measures 1.1m wide and 1.1m in height. The sign fitted to the rear of the building measures 1.25m wide and 1.25m in height. The car park sign measures 1.6m wide and 0.8m in height, and will be fixed on two posts 0.6m in height. The wall signs will be up-lit and the hanging sign will be down-lit.

### **Description of Site:**

The George and Dragon is a Grade II listed public house dating back to the 18<sup>th</sup> Century and is situated in a prominent position on Epping High Street within the Epping Conservation Area. The public house is currently being refurbished. The site is not within the Metropolitan Green Belt.

### **Relevant History:**

Various applications the most relevant of which:

EPF/1640/10 - External works to include removal of pergola and replacement glass to ground floor front window; planting beds to front elevation and replacement fences to rear; and installation of new extract system – App

EPF/1641/10 - Grade II listed building application for internal works to include removal of modern partitions and fixed seating; erection of new partitions to allow kitchen to be enlarged; external works to include removal of pergola and replacement glass to ground floor front windows, and installation of new extract system – App/Con

EPF/2108/10 – Grade II listed building application for external decoration works – Concurrent Application

### **Policies Applied:**

DBE13 – Advertisements

HC6 – Character, Appearance and Setting of Conservation Areas

HC7 – Development within Conservation Areas

HC10 – Works to Listed Buildings

### **SUMMARY OF REPRESENTATIONS:**

EPPING TOWN COUNCIL: Committee object to this application in respect of the wall sign at the front of the building where they feel the sign would be detrimental to the streetscene within a conservation area. However, Committee did not object to the other signs and, in principal, do not object to the imposition of signs of a reasonable size and design.

#### NEIGHBOURS

10 properties were consulted and a site notice erected – No responses received

### **Issues and Considerations:**

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

- Impact on amenity, particularly within the Conservation Area and Listed Building
- Impact on Public Safety

#### Amenity

The application site is a listed building within a prominent part of the Conservation Area on the main High Street. The signs are considered to be sympathetic in style and design for a historic building within a Conservation Area. The use of timber painted signs are traditional in nature and have been used historically as a way of advert for Public Houses. Essex County Council's Historic Buildings Advisor has no objection to the proposal subject to a condition ensuring that the frames are moulded and the existing hanging frame is reused. The illumination is also considered acceptable and is in accordance with the Council's Shopfronts and Advertisements Design Guidelines leaflet which states:

*'It will not normally be appropriate to illuminate projecting or hanging signs externally **unless** they belong to a public house, restaurant or similar late-opening premises'.*

The two wall signs will be illuminated by up lighters and the hanging sign will be illuminated by the existing downlighters on the hanging frame.

The Parish Council have objected to the large wall sign which is to be situated to the front of the building. Although large, the sign is in proportion with the window detailing at first floor level and is considered an appropriate size on this building.

#### *Impact on Public Safety*

The illuminated signage will be positioned at a high level and it is not considered that the signage as a whole, will have a negative effect on public safety, particularly that of highway safety.

#### **Conclusion:**

The proposals are not considered to have a detrimental impact on amenity or public safety and approval is therefore recommended.

***Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:***

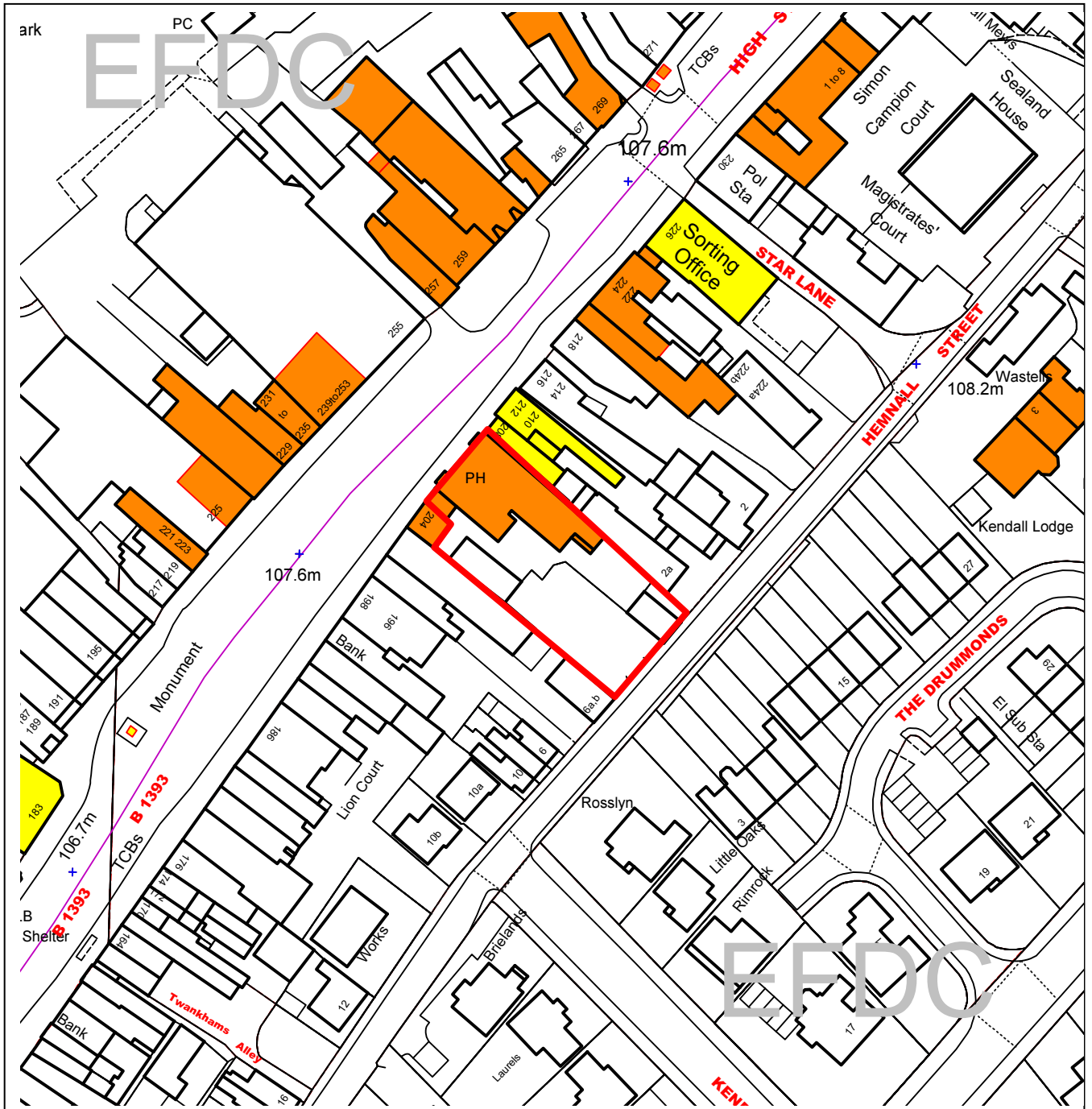
***Planning Application Case Officer: Marie-Claire Tovey  
Direct Line Telephone Number: 01992 564371***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# 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/1951/10
Site Name:	George and Dragon Public House 206 High Street, Epping, CM16 4AQ
Scale of Plot:	1/1250

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/1988/10
<b>SITE ADDRESS:</b>	3 Middle Boy Lambourne Romford Essex RM4 1DT
<b>PARISH:</b>	Lambourne
<b>WARD:</b>	Lambourne
<b>APPLICANT:</b>	Mr Ronald Gunning
<b>DESCRIPTION OF PROPOSAL:</b>	Installation of trellis on top of 1 metre high boundary fence.
<b>RECOMMENDED DECISION:</b>	Refuse Permission (Householder)

**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=521682](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=521682)

**REASON FOR REFUSAL**

- 1 The proposed fence by reason of its height and prominent position on a corner site would be harmful to the character and appearance of the area and provide a means of enclosure which would be visually intrusive to the local streetscene, contrary to Policy DBE1 of the Adopted Local Plan and Alterations.

*This application is before this Committee since it has been 'called in' by Councillor Rolfe (Pursuant to Section P4, Schedule A (h) of the Council's Delegated Functions).*

**Description of Proposal:**

The proposal is a revised application following recent refusals (EPF/1551/09, EPF/0141/10) and the dismissal of subsequent appeals relating to these applications (APP/J1535/D/09/2117266 and APP/J1535/D/10/2126430). The applicant on this occasion seeks permission to top 1.0m sections of concrete panels with 0.70m trellis along the length of the boundary, which is approximately 19.0m.

**Description of Site:**

The dwelling is a semi detached house on a link road which joins Middle Boy and Knights Walk. The immediate area is made up of similar dwellings. The road rises from Knights Walk and sweeps round into Middle Boy. As such No3 is situated on a bend on the road and has a much more generous garden plot than most properties in the vicinity. Boundary treatments in the immediate area are predominantly low set walls or open plan.

### **Relevant History:**

EPF/0435/95 - First floor rear extension, ground floor front extension, and alterations. Refuse Permission - 26/06/1995.

Enforcement notice service 17/12/09 requiring reduction of fence to 1m, or its removal

EPF/1551/09 - Retention of fencing. Refuse Permission (Householder) - 30/10/2009. Dismissed on appeal – 08/01/10.

EPF/0141/10 - Retention of fencing. (Revised application). Refuse Permission (Householder) – 23/03/10. Dismissed on appeal – 14/05/10.

### **Policies Applied:**

Policy DBE1 – Design of New Buildings

Policy DBE2 – Effect on Neighbouring Properties

Policy ST4 – Road Safety

### **SUMMARY OF REPRESENTATIONS:**

(11 properties consulted – 1 reply received at the time of the report).

10 MIDDLEBOY: Objection. The fence is probably the worst example of a fence in Abridge. Poorly constructed, considering it surrounds a private garden. The posts have been left at 2.15m high and the fence at 1.0m. There are numerous deposits of concrete on the pavement. All this is in a prominent position, and the owner now wants to add a trellis which will increase the height and obtrusive nature of the structure. As it stands it already sticks out like a sore thumb.

PARISH COUNCIL: No Comment received at time of the report.

### **Issues and Considerations:**

The main issues to consider are the appearance of the structure in relation to the existing streetscene, impact on neighbour amenity and road safety issues.

#### Road Safety

The only other property potentially affected is No5 Middle Boy. However residents of this dwelling could still exit from their entryway/garage safely. The applicant has a parking space located adjacent to the rear of the fence on Middle Boy. Nonetheless the fence would not result in road safety issues with regards to the use of this space.

#### Neighbour Amenity

The fence is not close enough to any neighbouring properties to result in loss of amenity.

#### Impact on the Appearance of the Area

The boundary treatment for this application has previously been refused planning permission and subsequently dismissed on appeal on two occasions. The issue of concern has been the height of the structure and the prominent position it would adopt within the streetscene.

The fence had initially replaced a dwarf wall and some Leylandii trees which have varied in size over the years, having at one time measured 3-4m in height. The trees did not provide a particularly attractive boundary treatment and were subsequently reduced by the owner to about half their size before being replaced by the fence.

The first fence (EPF/1551/09) applied for retrospectively was close boarded to a height of 2.1m. This provided a relatively stark boundary treatment which was exacerbated by the general style of the area which, as stated, is relatively low set walls and open plan.

The second application (EPF/0141/10) proposed replacing the top 0.60m of the fence with a trellis. This was also deemed excessively high and prominent and this conclusion was upheld on appeal. The main concern therefore is whether the proposed 400mm reduction in height of the trellis is sufficient to overcome the previous reason for refusal that was upheld on appeal.

An enforcement notice was served on the 17/12/09 requiring the reduction of the structure to 1.0m or its total removal.

At present the concrete posts from the original fence are still in place and an approximately 1.0m section of concrete panels are in place along its length. The proposal is to top this with trellis to a height of 1.7m. The concrete posts would be reduced in height to match this. The applicant has initiated a planting scheme of laurel bushes behind, which is still in its infancy. The issue is whether the fence has a detrimental impact on the appearance of the area.

The immediate area of both Middle Boy and Knights Walk is characterised by front boundaries which are either open plan or enclosed by dwarf walls or low fencing. The property opposite is enclosed by a high hedge behind a fence topped wall. Both the application property and the hedge opposite face a link road between Knights Walk and Middle Boy, and therefore do not play as prominent a role in shaping the existing streetscene of these roads as may be the case. However, conversely the site is also on a prominent corner in the vicinity, and the fence continues for quite a distance along the boundary.

This proposal reduces the overall height of the structure from 2.1m to 1.7m. However this is still deemed excessive, having regard to the prominent position it would adopt within the streetscene at this location, and the overall character and appearance of the area. The previous Appeal Inspector stated that the then 2.1m fence would be harsh and unattractive development that would harm the openness of the streetscene. It is not considered that the fence now proposed would have significantly less impact. The planting to the rear would, in time, soften the impact but this would take a reasonable period to become established. However it would not reduce the starkness of the structure enough in order to render it acceptable.

The opposite corner property has a fairly sizable boundary treatment, of a hedge topped wall. This is much softer in appearance and the physical elements of the treatment are not as stark. Although there are examples of high fences adjacent to the road in the vicinity, they generally follow the flank wall of the dwelling to enclose rear gardens. Therefore they are not as prominent. They are also evidently long established elements of the existing streetscene and in no way justify this addition.

Given the issue of the history of this site "a way forward" seems pertinent in this case. A similar sized structure set further into the site, perhaps following the line of the front elevation of the dwelling, and allowing for planting to the front would be reasonable. This would soften the appearance of the site and still provide the applicant with a reasonable amount of privately screened amenity space.

There is some sympathy that the applicant removed a boundary treatment which would serve the purpose of this application. However that was a tree screen, the height of which was not under the control of the Local Planning Authority and any built replacement over 1.0m in height and fronting a highway requires planning permission and must be judged against the relevant Local Plan policies of the Council.

**Conclusion:**

The revised fence still provides an unsympathetic addition to the streetscene which is considered to be excessive in its overall height with specific regard to its location; it is therefore recommended that the application be refused. The appeal decision on the last application is appended for information.

***Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:***

***Planning Application Case Officer: Dominic Duffin  
Direct Line Telephone Number: 01992 564336***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***





# 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/1988/10
Site Name:	3 Middle Boy, Lambourne RM4 1DT
Scale of Plot:	1/1250

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/2036/10
<b>SITE ADDRESS:</b>	12A Hemnall Street Epping Essex CM16 4LW
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>APPLICANT:</b>	Mr Darren Hunt
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing metalwork shop and erection of a new building comprising 6 self-contained apartments and 900 Sq ft self contained office accommodation.
<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=521855](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=521855)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
- 3 Details of the types and colours of the external finishes and surface materials 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 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 5 Prior to first occupation of the building hereby approved the proposed window openings in the south western 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 or shall have a cill no lower than 1.5m in height.
- 6 The ground floor office shall be used solely for B1 and for no other purpose (including any other purpose in Class B of the Schedule to the Town & Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.

- 7 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.

- 8 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, staff, and visitors vehicles.

*This application is before this Committee since it is an application for residential development of 5 dwellings or more and is recommended for approval (Pursuant to Section CL56, Schedule A (d) of the Council's Delegated Functions).*

### **Description of Proposal:**

Consent is being sought for the demolition of the existing metalwork shop and erection of a new building comprising 6 self-contained apartments and 900 sq. ft. self-contained office accommodation. The proposed building would be three storeys high with an L-shaped footprint. It would reach a maximum width of 18.8m and maximum depth of 16.6m. The building would have a flat topped pitched roof with a pitched front projection to a maximum height of 10.1m.

The building would be served by seven off-street parking spaces, four of which would be located within the ground floor of the building. The remaining ground floor area would be used for office accommodation and a bin and cycle storage area. The two upper floors would each contain 3 no. two bed flats. There is a small landscaped area proposed to the front of the site however no amenity space for the proposed residential units.

### **Description of Site:**

Detached single storey metalwork shop located on the north western side of Hemnall Street. The section of road serving the site is a one-way street accessed from Station Road. Adjacent to the site to the southwest is a residential dwelling that contains two flats. To the northwest is the service yard of the shops within the High Street. To the immediate northeast is a service road leading to the aforementioned yards, and beyond this are residential dwellings. Opposite the site

are further residential properties. The site is currently a working metalwork shop and is located within the designated Epping Town Centre and the conservation area.

The existing building is 14.1m wide and 5.8m high and is bounded along the road front and side boundary (adjacent to the access to the yards) by a 2m high concrete fence. The remainder of the site consists of an area of hardstanding and open storage.

**Relevant History:**

None.

**Policies Applied:**

CP1 – Achieving sustainable development objectives  
CP2 – Protecting the quality of the rural and built environment  
CP3 – New development  
CP6 – Achieving sustainable urban development patterns  
H2A – Previously developed land  
H3A – Housing density  
HC6 – Character, appearance and setting of conservation areas  
HC7 – Development within conservation areas  
HC9 – Demolition within conservation areas  
TC1 – Town centre hierarchy  
TC3 – Town centre function  
DBE1 – Design of new buildings  
DBE2 – Effect on neighbouring properties  
DBE3 – Design in urban areas  
DBE8 – Private amenity space  
DBE9 – Loss of amenity  
LL11 – Landscaping schemes  
ST1 – Location of development  
ST4 – Road safety  
ST6 – Vehicle parking

**Summary of Representations:**

26 neighbours were consulted and a Site Notice displayed on the 18<sup>th</sup> October.

TOWN COUNCIL – Object as they feel the proposal would be detrimental to the street scene.

R.G.CLARK AND SONS (BLACKSMITHS), HEMNALL STREET – Support the application as this retains commercial use on the site whilst providing well designed housing. Also contains:

PETITION FROM 5 RESIDENTS – Support from 12 Hemnall Street; Tabara, Hemnall Street; Stoneleigh, Hemnall Street; Rimrock, Kendall Avenue; and Brielands, Kendall Avenue.

12A HEMNALL STREET – Object due to the height, the loss of light and outlook, loss of privacy, and as it would be out of keeping with the rest of Hemnall Street. (Also raised concerns about the address being shown as 12A).

(OWNERS OF) 12 & 12A HEMNALL STREET – Object due to loss of light and overshadowing, loss of privacy, and due to a noise nuisance and fumes from the car park area. (Also raised concerns about address being shown as 12A).

(OWNERS OF) 178-182 HIGH STREET – Object as this amounts to overdevelopment, due to loss of light, outlook and privacy of neighbouring properties, as the three storey nature is out of keeping with Hemnall Street, is detrimental to the conservation area, it would detrimentally impact on the aspirations to develop 178-182 High Street, and as there is a lack of private amenity space and insufficient level of parking provision.

224 HIGH STREET – Support the application as it better uses the site for residential and office space and would enhance the town centre.

### **Issues and Considerations:**

The key issues within this application are the suitability of the site for such a development, amenity considerations, design, highway and parking concerns, and with regards to the impact on the town centre.

#### Suitability of site:

The application site is located within the urban area of Epping and is in the designated town centre. Epping is one of the larger built up towns within the District and is well served by local services and amenities, and has good public transport links. Due to this the principle of an intensified development within the town of Epping is considered acceptable

Furthermore, given that the site currently contains an ironworks the site is classified as 'previously developed land'. PPS 3 and Local Plan policy H2A encourage the reuse and intensification of use on such sites, however applications still need to be assessed on their individual merits.

#### Amenity considerations:

The proposed development would replace an existing single storey building with a considerably larger three storey property. This would be located 1.5m from the south western (side) boundary, a minimum of 1m and maximum of 1.5m from the rear boundary, and 700mm from the north eastern (side) boundary. The bulk of the proposed building would be set back some 7m from the edge of the highway, however the front protrusion would be built close to the edge of the boundary, divided by a small planting area (to a minimum of 500mm in depth). This floor area has been drawn up so that the front most wall (on the projection) aligns with the front wall of the neighbouring flats at No. 12 Hemnall Street, and the set back front wall to the main bulk of the building would line up with No's. 10a and 10b Hemnall Street. The building would reach a maximum height of 10.1m.

The flank wall of the adjacent flats to the southwest of the site (No. 12 Hemnall Street) forms the boundary between the application site and the neighbouring property and contains two first floor flank windows. Due to the presence of these windows the main bulk of the proposed development would be set back some 7m from the edge of the highway and beyond the existing windows on the neighbouring property. As such this avoids the neighbour's flank windows looking onto the side wall of the development and retains an aspect of outlook to neighbouring residents. However, due to this setback, the proposed building would extend some 8.6m beyond the rear two-storey wall of the neighbour's property. Notwithstanding this, the neighbour has a single storey rear protrusion, which extends to a depth of 3.5m, and approximately 3m beyond this is No. 14 Hemnall Street, which is a single storey building with dormer windows (none of which overlook the application site). The closest first floor rear window in No. 12 Hemnall Street is approximately 4m set in from the flank wall adjacent to the application site. Objection has been received from the owners of the adjacent site with regards to the loss of light and outlook to windows and the rear courtyard garden. The proposed development would be located to the north of the neighbouring property, and as such this would not result in a loss of direct sunlight, and given the distances involved there would not be a detrimental loss of daylight to neighbours' windows. The courtyard garden is currently enclosed on three sides by No. 12 Hemnall Street, its rear projection, and No. 14

Hemnall Street, and to the fourth side by a detached garage building. As such it is considered that the level of light and outlook enjoyed within this courtyard area is already severely limited and this proposal would not significantly worsen this situation.

Whilst there are first and second floor windows located within the flank wall of the development facing No. 12 Hemnall Street, these either serve bathrooms or are high level windows with cills some 1.5m above floor level. This would ensure that no overlooking occurs from these flank windows and can be secured by condition. An objection has been received with regards to overlooking that would result from the front windows within the proposed building (to the flank windows of the neighbouring flat). Whilst there would be a line of sight between the first floor windows these would be set at an obscure angle that would alleviate much of the harm. Furthermore, given the location of the windows that are subject to this objection, any overlooking from the proposed new windows would not be any more harmful than that which currently occurs from the public highway.

Concern has been raised with regards to the noise and disturbance that would result from cars parking below the existing flank windows in No. 12 Hemnall Street. Whilst it is understood that the parking of vehicles directly beneath these windows may result in some noise pollution, the current use of the site as an ironworks would be considerably noisier and more harmful to this neighbour, particularly if intensified in terms of usage. As such it is not considered that the proposed car park would be unduly detrimental to neighbouring residents.

The neighbouring residential property to the northeast is separated from the application site by a minimum 6.4m wide access road serving the shops on the High Street. As such, the closest point of the proposed building would be some 7.1m from the neighbour's side boundary, which is sufficient distance to overcome any undue loss of light or visual harm to the residents outlook. There are no windows within the flank wall of the neighbouring property and the rear wall of the proposed building is roughly in line with the rear wall of No. 10b Hemnall Street (excluding their additional rear conservatory). Although there are habitable windows proposed in the flank wall of the new building, these would only give severely limited views into the rear garden of No. 10b Hemnall Street due to the position of the buildings and distances involved.

Whilst there are existing flats in the upper storeys of the properties behind the site (fronting the High Street), to which access is gained from the rear, the distance between these and the proposed buildings are greater than 20m, and therefore these would not suffer from an unduly detrimental loss of light or privacy. The remainder of the adjacent sites to the rear are service yards for the business on the High Road and the rear elevations of shops. These areas do not require rigorous protection in terms of loss of amenity. An objection has been received from the owners of No's. 178-182 High Street with regards to the detrimental impact this would have on the development potential of their site, and even state that there would be a loss of privacy to "*any potential residents of the land at 172-182 High Street*". No planning application has been received with regards to the development of the site, no development has taken place, and to refuse this application on the potential harm to an unknown and undetermined development on the adjacent site would be unacceptable. It is not considered that the development would unacceptably restrict development potential for the adjoining site.

Due to the above, whilst the erection of a three storey building on this site would clearly have a greater impact on neighbouring residents than the existing single storey ironworks building, it is considered that the impact would not be unduly detrimental to neighbouring amenities.

Local Plan policy DBE8 and the Essex Design Guide expect 25 sq. m. of communal amenity space for each unit of new accommodation in flatted developments, however this development does not provide any amenity space for the flats. Notwithstanding this, small flats within Epping Town Centre (and other town centres within the District) have been accepted without any amenity space. Furthermore, the site is located fairly close to a variety of public amenity areas, such as

Epping Forest, Bell Common and the Town Common. Also the Essex Design Guide allows for zero amenity space within “*town centre or other core locations*” (although this primarily relates to one bedroom flats), and the Local Plan states that the standards can be relaxed when “*the size and/or disposition of a plot does not quite facilitate what, in all other terms, would be an acceptable form of development*”. Due to this it is not considered that, in these circumstances, the lack of amenity space would warrant a refusal of planning permission.

#### Design:

The proposed development is three storeys in height and is of a relatively large scale and has been designed to an ‘industrial theme’ to reflect the existing use of the site. Although the immediate surrounding properties in this section of Hemnall Street are two storeys in height, other three storey properties can be seen within Hemnall Street, such as those on the corner plots of Hemnall Street and Station Road and the buildings around Hemnall Mews. Also, several of the properties to the rear (facing the High Street) are three storeys in height. Furthermore, whilst containing an additional storey the maximum height of the building would be just 700mm higher than No. 12 Hemnall Street and 1.7m higher than No. 10b Hemnall Street (which would be softened by the 7.5m separation). As such it is not considered that the overall height of the development or introduction of a three storey building in this location would be detrimental to the street scene.

Although the immediate neighbouring properties are relatively small scale detached or semi-detached properties, there are several examples of much larger scale buildings within Hemnall Street that are not dissimilar in size to this proposal. As such the principal of the development is not considered detrimental to the character of the area.

The specific design of the proposal was subject to pre-application discussions between the applicant, Planning Officers, and the Council’s Conservation Officer, and it was considered that the details, materials and overall appearance would not be detrimental to the character or historic appearance of the conservation area. The current building on site is unsightly and out of keeping with the area, and the yard at present is surrounded by a large concrete fence and contains open storage. Furthermore, given the single storey nature of the existing ironworks the unsightly rear parts of the buildings fronting the High Street can be viewed from Hemnall Street at this point, which does not enhance or improve the appearance of the conservation area. The proposed building would effectively screen much of these rear yard areas from view and would be a visual improvement over the current site.

Suitable materials and detailing would be required for the building to ensure that it conserves the historic appearance of the conservation area, however this can be secured and controlled by condition.

Whilst landscaping on the proposed development is minimal, with just a small planting area to the front of the office building, the current site is covered in hardstanding, enclosed by a concrete fence, and has no vegetation on it at present. No. 12 Hemnall Street, and the properties beyond this to the southwest, contain little if any soft landscaping and as such, whilst only a small amount, this planting area would be an improvement on the existing situation.

#### Highways and parking issues:

The proposed dwellings would be served by seven off-street parking spaces. The Essex County Council Vehicle Parking Standards requires 2 spaces per 2+ bedroom residential units, 2 visitor parking spaces, and 3 spaces for the office accommodation, which equates to 17 parking spaces. However, the parking standards state that “*a lower provision of vehicle parking may be appropriate in urban areas (including town centre locations) where there is good access to alternative forms of transport and existing car parking facilities*”. Given the sustainable town centre location of the site,

which is well served by local facilities and public transport, it is considered that seven off-street parking spaces would be acceptable in this instance.

There is adequate manoeuvring space to allow for vehicles to enter and leave the site in forward gear, and therefore it is not considered that the proposal would be detrimental to highway safety or the free flow of traffic on this section of Hemnall Street.

Impact on town centre:

As the proposed site is currently used for employment purposes and is located within the designated town centre, the loss of employment should be resisted. However, the development proposes to retain the majority of the ground floor area as a B1 office, and therefore would retain employment use to the benefit of the vitality and viability of the town centre. Furthermore, the introduction of additional residential properties to this town centre location would make better use of this site and provide additional customers to other local shops and facilities.

Other matters:

Concern has been raised with regards to the reference to the site as '12A Hemnall Street', as the neighbouring flats consist of 12 and 12A and the site is supposedly known as 'R G Clarks & Sons' or simply 'the ironworks'. This issue was raised with the applicant and it was confirmed that this address was supplied by the Planning Portal (which is the Government's online planning and building regulations resource), and that the address of R G Clarks & Sons was not recognised on here. As such no other address apart from 12A Hemnall Street could be given to the site. Furthermore, the submitted Location Plan clearly shows the site area and the description of development refers to "*demolition of existing metalwork shop*", so it is not considered that any confusion could be had over which site is referred to in this application.

**Conclusion:**

In light of the above the proposed works are considered acceptable. Whilst there would be some impact on neighbouring amenities, these are not considered so excessive as to justify refusing planning permission. The town centre location of the site justifies providing less than the required amenity space and parking provision and the introduction of landscaping, albeit it a small amount, would be an improvement on the existing situation. The overall design of the building is considered acceptable within the street scene and the conservation area, and as such the application is recommended for approval.

***Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:***

***Planning Application Case Officer: Graham Courtney  
Direct Line Telephone Number: 01992 564228***

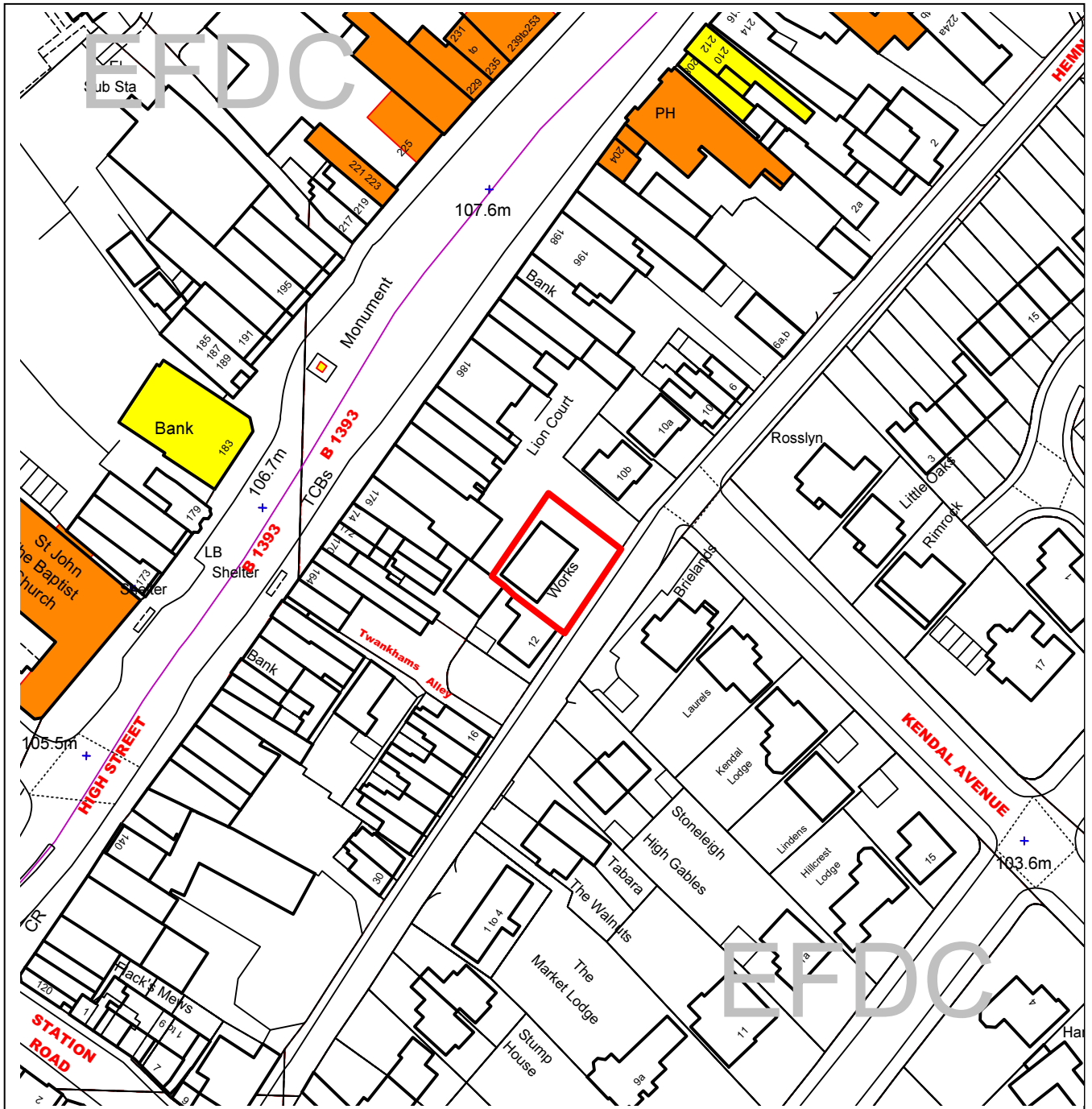
***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***





# 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/2036/10
Site Name:	12A Hemnall Street, Epping CM16 4LW
Scale of Plot:	1/1250

This page is intentionally left blank



# Appeal Decision

Site visit made on 11 May 2010

by **David Nicholson** RIBA IHBC

an Inspector appointed by the Secretary of State  
for Communities and Local Government

The Planning Inspectorate  
4/11 Eagle Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

☎ 0117 372 6372  
email: [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk)

**Decision date:**  
**14 May 2010**

---

## Appeal Ref: APP/J1535/D/10/2126430 3 Middle Boy, Abridge, Romford RM4 1DT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Ronald Gunning against the decision of Epping Forest District Council.
- The application Ref PL/EPF/0141/10, dated 19 January 2010, was refused by notice dated 23 March 2010.
- The development proposed is removal of Leylandii tree, replace existing brick dwarf wall with chain link fencing above with concrete gravel boards and good quality feather edged close boarded panels and trellis.

---

### Decision

1. **I dismiss the appeal.**

### Procedural Matter

2. The tree, dwarf wall and chain link fencing have been removed and a fence similar to that proposed has been erected.

### Main issue

3. The main issue is the effect of the proposals on the character and appearance of the area.

### Reasons

4. Middle Boy is a residential street with houses set back behind front gardens. Most of the front gardens are open or have low front walls. No.3 stands on a bend in Middle Boy such that its front boundary extends not only to the area in front of the house but around the corner as well. The proposed fence panels would stand 2.1m high on the back of the footway. The fencing would run from a point in front of the house, but to one side, around the corner. It would differ from that erected in that the top section would be an open trellis rather than solid boards.
5. The proposed fencing would be considerably taller than the majority of front boundary walls in the area and much of it would stand forward of the line of the front wall of the house. It would be in a prominent position where it would intrude into the relationship between opposing houses. In my assessment the fencing would be a harsh and unattractive development which would harm the openness of the streetscene.

6. I acknowledge that the house opposite has a substantial hedge enclosing its garden. However, not only is this planting much softer in appearance than the proposed fencing but it is unlikely that the hedge is subject to any planning controls. I have noted, from my visit and from the photographs submitted, that there are a number of other fences in the area but many of these look like they have been there for some time and they only appear in a small proportion of the gardens. In any event, the existence of other fences, some of which damage the streetscene, is not a good reason to allow further harmful fencing to be erected.
7. I note that the appellant had supportive discussions with a planning officer and that the fence replaced taller Leylandii trees and higher chain link fencing. However, I have considered the appeal afresh and on its own merits on the basis of the streetscene and the boundary as I saw it with the previous fencing removed. I sympathise with the appellant's wish to exclude footballs but I find that this would not justify the harm to the area. I accept that in some senses the fencing would be around the rear garden but I find its prominent position on the back of the footway to be a more important consideration.
8. For the above reasons I find that the proposed fencing would harm the character and appearance of the area. It would be contrary to saved Policy DBE1 of the adopted Epping Forest District Local Plan 1998 which requires that new buildings respect their setting with regard to scale, proportion, siting, massing, height, orientation, and detailing.
9. For the reasons given above I conclude that the appeal should be dismissed.

*David Nicholson*

INSPECTOR