

**Area Planning Subcommittee East
Wednesday, 7th March, 2012**

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

Time: 7.30 pm

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

Members:

Councillors A Boyce (Chairman), Mrs S Jones (Vice-Chairman), K Avey, W Breare-Hall, Mrs D Collins, P Gode, Mrs A Grigg, D Jacobs, P Keska, Mrs M McEwen, R Morgan, J Philip, B Rolfe, D Stallan, G Waller, 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 - 8)

General advice to people attending the meeting is attached.

3. MINUTES (Pages 9 - 30)

To confirm the minutes of the last meeting of the Sub-Committee, held on 8 February 2012 (attached).

4. APOLOGIES FOR ABSENCE

5. DECLARATIONS OF INTEREST

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

6. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs (6) and (24) of the Council Procedure Rules contained in the Constitution requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

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

7. DEVELOPMENT CONTROL (Pages 31 - 106)

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

Background Papers:

(i) Applications for determination – applications listed on the schedule, letters of

representation received regarding the applications which are summarised on the schedule.

(ii) Enforcement of Planning Control – the reports of officers inspecting the properties listed on the schedule in respect of which consideration is to be given to the enforcement of planning control.

8. DELEGATED DECISIONS

(Director of Planning & Economic Development) Schedules of planning applications determined by the Head of Planning & Economic Development under delegated powers since the last meeting of the Sub-Committee could be inspected in the Members' Room or on the Planning & Economic Development Information Desk at the Civic Offices in Epping.

9. EXCLUSION OF PUBLIC AND PRESS

Exclusion

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

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

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

Confidential Items Commencement

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

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

Background Papers

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

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

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

Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

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

When and where is the meeting?

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

Can I speak?

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

Who can speak?

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

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

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

What can I say?

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

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

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

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

How are the applications considered?

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

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

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

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

Further Information?

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

Area Planning Subcommittee East 2011-12
Members of the Committee:



This QR links to
contact information for
this Committee



Cllr Boyce

Cllr Avey

Cllr Breare-
Hall

Cllr Collins



Cllr Gode

Cllr Grigg

Cllr Jacobs

Cllr Jones

Cllr Keska



Cllr
McEwen

Cllr Morgan

Cllr
Packford

Cllr Philip

Cllr Rolfe



Cllr Stallan

Cllr Waller

Cllr
Whitbread

Cllr Janet
Whitehouse

Cllr Jon
Whitehouse

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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee East **Date:** Wednesday, 8 February 2012

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 10.27 pm

Members Present: Mrs S Jones (Vice-Chairman), K Avey, W Breare-Hall, Mrs D Collins, P Gode, Mrs A Grigg, D Jacobs, P Keska, Mrs M McEwen, J Philip, B Rolfe, D Stallan, G Waller, C Whitbread, Mrs J H Whitehouse and J M Whitehouse

Other Councillors:

Apologies: A Boyce and R Morgan

Officers Present: J Shingler (Principal Planning Officer) and A Hendry (Democratic Services Officer)

71. WEBCASTING INTRODUCTION

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

72. Election of Vice Chairman

In the absence of the Chairman the Vice Chairman took the Chair and requested nominations from the Sub-Committee for the role of Vice-Chairman.

Resolved:

That Councillor A Grigg be elected Vice-Chairman for the duration of the meeting.

73. 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.

74. MINUTES

RESOLVED:

That the minutes of the meeting held on 11 January 2012 be taken as read and signed by the Chairman as a correct record.

75. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillors W Breare-Hall, K Avey and Jon Whitehouse declared a personal interest in the following items of the agenda by virtue of being members of Epping Town Council. The Councillors had determined that their interest was not prejudicial and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/1084/11 – Quality Hotel (The Bell Hotel), High Road, Epping;
- EPF/1603/11 – St Johns C of E School, Tower Road, Epping;
- EPF/1604/11 – St Johns C of E School, Tower Road, Epping;
- EPF/2538/11 – 208 - 212 High Street, Epping;
- EPF/2539/11 – 208 – 212 High Street, Epping.

(b) Pursuant to the Council's Code of Member Conduct, Councillors Jon Whitehouse and Janet Whitehouse declared a personal interests in the following items of the agenda by virtue of being members of the Epping Society. The Councillors had determined that their interest was not prejudicial and they would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2538/11 – 208 – 212 High Street, Epping; and
- EPF/2539/11 – 208 – 212 High Street, Epping.

(c) Pursuant to the Council's Code of Member Conduct, Councillor J Philip declared a personal interest in the following items of the agenda, by virtue of having been a statutory consultee. The Councillor had determined that his interest was prejudicial and he would leave the meeting for the consideration of the application and voting thereon:

- EPF/2385/11 – Theydon Bois County Primary School, Orchard Drive, Theydon Bois;

(d) Pursuant to the Council's Code of Member Conduct, Councillor M McEwen declared a personal interest in the following item of the agenda by virtue of being the Portfolio Holder for Housing. The Councillor had determined that her interest was prejudicial and she would leave the meeting for the consideration of the application and voting thereon:

- EPF/1898/11 – Rear of 25 Millfield, High Ongar, Ongar.

(e) Pursuant to the Council's Code of Member Conduct, Councillor M McEwen declared a personal interest in the following item of the agenda. The Councillor had determined that her interest was not prejudicial and she would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/2385/11 – Theydon Bois County Primary School, Orchard Drive, Theydon Bois.

(f) Pursuant to the Council's Code of Member Conduct, Councillor D Stallan declared a personal interest in the following items of the agenda. The Councillor had determined that his interest was not prejudicial and he would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/1603/11 – St Johns C of E School, Tower Road, Epping;
- EPF/1604/11 – St Johns C of E School, Tower Road, Epping.

(g) Pursuant to the Council's Code of Member Conduct, Councillor D Stallan declared a personal interest in the following items of the agenda, by virtue of being a former Housing Portfolio Holder. The Councillor had determined that his interest was prejudicial and he would leave the meeting for the consideration of the applications and voting thereon:

- EPF/1898/11 – Rear of 25 Millfield, High Ongar, Ongar.

(h) Pursuant to the Council's Code of Member Conduct, Councillor D Stallan declared a personal interest in the following items of the agenda. The Councillor had determined that his interest was prejudicial and he would leave the meeting for the consideration of the applications and voting thereon:

- EPF/2522/11 – En Casa, Oak Hill Road, Stapleford Abbots.

(i) Pursuant to the Council's Code of Member Conduct, Councillor G Waller declared a personal interest in the following items of the agenda, by virtue of being a former consultee for Hastoe Housing Association. The Councillor had determined that his interest was not prejudicial and he would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/1898/11 – Rear of 25 Millfield, High Ongar, Ongar.

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

- EPF/2538/11 – 208 – 212 High Street, Epping;
- EPF/2539/11 – 208 – 209 High Street, Epping.

(k) Pursuant to the Council's Code of Member Conduct, Councillor P Gode declared a personal interest in the following items of the agenda, by virtue of being a member of Ongar Town Council. The Councillor had determined that his interest was not prejudicial and he would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/2345/11 – Woodlands, Greensted Green, Ongar;
- EPF/2417/11 – 47 Moreton Road, Ongar.

(l) Pursuant to the Council's Code of Member Conduct, Councillor S Jones declared a personal interest in the following items of the agenda, by virtue of having previously taught at this school. The Councillor had determined that her interest was prejudicial and she would leave the meeting for the consideration of the application and voting thereon:

- EPF/2385/11 – Theydon Bois County Primary School, Orchard Drive, Theydon Bois;

76. ANY OTHER BUSINESS

It was noted that there was no other urgent business for consideration by the Subcommittee.

77. DEVELOPMENT CONTROL

RESOLVED:

That the planning applications numbered 1 – 11 be determined as set out in the schedule attached to these minutes.

78. DELEGATED DECISIONS

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

CHAIRMAN

Report Item No: 1

APPLICATION No:	EPF/1084/11
SITE ADDRESS:	Quality Hotel (The Bell Hotel) High Road Epping Essex CM16 4DG
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common Broadley Common, Epping Upland and Nazeing
DESCRIPTION OF PROPOSAL:	Extension of time limit on EPF/0279/08 (Outline application for the partial demolition of The Bell Inn and erection of new extension and Care Home)
DECISION:	Refuse 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=528373

REASON FOR REFUSAL

- 1 The application constitutes inappropriate development that is harmful to the openness of the Green Belt. No very special circumstances exist that outweigh the harm from this and as such the proposed development is contrary to PPG2 and policy GB2A of the adopted Local Plan and Alterations.
- 2 The proposed development fails to mitigate the additional stress and harm that would result to existing health care facilities, contrary to policies CP1, CP2 and CF2 of the adopted Local Plan and Alterations.

Report Item No: 2

APPLICATION No:	EPF/1603/11
SITE ADDRESS:	St Johns C of E School Tower Road Epping Essex CM16 5EN
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	Variation of condition 12 of planning permission EPF/1400/04.(For the demolition of existing school, construction of new secondary school and residential development.) To allow an increase in the gross floorspace of the approved school from 7,880m2 to 7,950m2.
DECISION:	Grant Permission (Subject to S106)

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=530241

CONDITIONS

- 1 The new school hereby permitted shall not exceed 2 storeys or have a floor area greater than 7,950sq metres.

And subject to the applicant first completing deeds of variation with regard to the existing Unilateral Agreements and Legal Agreement Under Section 106 in relation to EPF/1400/04 to ensure that they also apply to this revised decision.

Report Item No: 3

APPLICATION No:	EPF/1604/11
SITE ADDRESS:	St Johns C of E Secondary School Tower Road Epping Essex CM16 5EN
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	Variation of condition 1 of planning permission EPF/1225/11. (Non material amendment to EPF/0585/09. Reserved matters application (siting, design, external appearance and landscaping) for the demolition of existing school, construction of new secondary school and residential development of 149 dwellings including 38 affordable dwellings) to enable minor material amendments to this approved secondary school including alterations to elevations, fencing and layout.
DECISION:	Grant Permission (With Conditions) and Subject to the prior approval of EPF/1603/11.

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=530242

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos:

School site: DPA/201 Rev. 03, DPA/202 Rev. 02, DPA/203 Rev. 02, DPA/204 Rev. 02, DPA/301 Rev. 02, DPA/302 Rev. 01, DPA/303 Rev. 02, DPA/401 Rev. 03, DPA/402 Rev. 03, DPA/501 Rev. 01, MCA0508/02b

Residential Site: 1331-P001, 1331-P002, 1331-P003, 1331-P004, 1331-P005, 1331-P006, 1331-P007, 1331-P008, 1331-P009, 1331-P010, 1331-P011, 1331-P012, 1331-P013, 1331-P014, 1331-P015, 1331-P016, 1331-P017, 1331-P019, 1331-P020, 1331-P022 Rev A, 1331-P023 Rev A, 1331-P024, 1331-P025, 1331-P030, 1331-P035, 1331P101-A
- 2 The materials for the school development hereby approved shall be those set out in the schedule of materials drawing DPA/701 Rev. 1. Details of the types and colours of the external finishes for the approved housing development shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development of the housing, and the development shall be implemented in accordance with such approved details.

- 3 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 4 Wheel washing facilities detailed in the submitted site logistics plan and method statement shall be used during the school construction to clean all vehicles leaving the site.

Wheel washing or other cleaning facilities for vehicles leaving the site during construction works on the housing development shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
- 5 The radii of the new road off Tower Road shall be the maximum possible, within the land ownership of the applicant and the details of this shall be submitted to, and agreed in writing by, the Local Planning Authority, prior to commencement of development of the residential element of the development.
- 6 The carriageways of the proposed estate roads shall be constructed up to and including at least road base level, prior to the commencement of the erection of any dwelling intended to take access. The carriageways and footways shall be constructed up to and including base course surfacing to ensure that each dwelling prior to occupation has a properly consolidated and surfaced carriageway and footway, between the dwelling and the existing highway. Until final surfacing is completed the footway base course shall be provided in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or bordering the footway. The carriageways, footways and footpaths in front of each dwelling shall be completed with final surfacing within 12 months from the occupation of such dwelling.
- 7 Any new planting by the vehicular access to plots 40 and 41 shall be set back outside of a sight splay of 2m x 31m.
- 8 Where existing trees in close proximity to the roadway are retained, details of protective measures to ensure the roadways/footpaths are constructed to an adequate standard shall be submitted to, and agreed in writing by, the Local Planning Authority. The works shall then be completed in accordance with these agreed measures.
- 9 Any trees proposed within the highway shall be submitted to and agreed in writing by the Local Planning Authority in consultation with the Highway Authority and sited clear of all underground services and visibility sight splays.
- 10 The development of the residential area and the public open space (green wedge), must not commence until a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing. The approved scheme shall be implemented within the first planting season following the completion of the development hereby approved.

The scheme must include details of the proposed planting including a plan, details of species, stock sizes and numbers/densities where appropriate, and include a

timetable for its implementation. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand, and in writing.

The statement must include details of all the means by which successful establishment of the scheme will be ensured, including preparation of the planting area, planting methods, watering, weeding, mulching, use of stakes and ties, plant protection and aftercare. It must also include details of the supervision of the planting and liaison with the Local Planning Authority.

The landscaping must be carried out in accordance with the agreed scheme and statement, unless the Local Planning Authority has given its prior written consent to any variation.

- 11 If any tree, shrub or hedge shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.
- 12 Within 1 month of the date of this approval, full revised details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) with regard to the school site shall be submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 13 A Landscape Management Plan for each phase of development, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of each phase of the development for its permitted use. The landscape management plan shall be carried out as approved.
- 14 The landscape scheme shall include full details of the proposed drainage for the playing fields and an associated swale pond including levels, layout and planting proposals for the pond.

- 15 No development within each phase of development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. The landscape maintenance plan shall be carried out in accordance with the approved schedule.
- 16 Prior to any works, including works of demolition or site clearance, on any phase of development, a Tree Protection Plan and Arboricultural Method Statement in accordance with BS:5837:2005 (Trees in relation to construction) for that phase shall be submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved Tree Protection Plan and Arboricultural Method Statement unless the Local Planning Authority gives its written consent to any variation.
- 17 The public foot/cycle paths to link the school and residential development on the site and shown on the approved plans shall be implemented and retained in accordance with the approved scheme.
- 18 The garaging and parking spaces shown on the approved plans shall be provided prior to the first occupation of the development and shall be retained thereafter for the parking of residents and visitors vehicles.
- 19 The school hereby approved shall not be occupied until an access and car park management strategy has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved strategy shall thereafter be implemented unless otherwise agreed in writing with the Local Planning Authority.
- 20 The school hereby approved shall not be occupied until space has been provided within the site to accommodate the parking, loading, unloading and turning of all vehicles visiting the site clear of the highway, including provision for school buses. Such space shall be adequate to allow all vehicles to enter and leave the site in forward gear. It shall be retained thereafter free of any impediment to its designated use.
- 21 The scheme for improving the quality of the playing fields (including ground levelling and drainage and maintenance) submitted under EPF1444/11 shall be implemented in accordance with the submitted details prior to occupation of the site.
- 22 The school hereby permitted shall not be occupied until a scheme for the community use of the school's sports facilities (including the sports hall, hard courts, and playing fields) has been submitted to and approved by the Local Planning Authority in consultation with Sport England. The scheme as approved shall be implemented unless otherwise approved in writing by the Local Planning Authority. The approved scheme shall be reviewed at not less than 3 year intervals to include the resubmission to, and approval in writing by, the Local Planning Authority.
- 23 The school hereby permitted shall not be occupied until a scheme for the community use of the school buildings has been submitted to and approved by the Local Planning Authority. The scheme as approved shall be implemented unless otherwise agreed by the Local Planning Authority. The approved scheme shall be reviewed at not less than 3 year intervals to include the resubmission to, and approval by, the Local Planning Authority.

- 24 The school hereby permitted shall not be occupied until provision has been made for a minimum of 22 staff and 300 pupil secure covered cycle spaces in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority.
- 25 No more than 44 permanent car parking spaces shall be provided for staff and visitors within the new school site hereby permitted. Any proposals for the dual use of hard surfaced areas to provide additional parking out of school hours or for special events shall not be implemented without the prior written approval of the Local Planning Authority.
- 26 Prior to the occupation of the new school hereby permitted, a school travel plan, including arrangements for its monitoring and updating, shall be submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority. The approved travel plan shall be implemented in accordance with an approved programme.
- 27 The existing school buildings shall not be demolished until the replacement school has been substantially completed.
- 28 No external lighting shall be installed within the grounds of the proposed school unless a scheme for its provision has first been submitted to and approved in writing by the Local Planning Authority.
- 29 Highway works in connection with this development shall be carried out in accordance with the details set out in the Legal Agreement under section 278, dated 18 July 2011 or any subsequent variation.
- 30 No part of the residential or school developments shall commence until details of on site drainage works to serve that part of the development have been submitted to, and approved in writing by, the Local Planning Authority in consultation with the sewerage undertaker. No works which result in the discharge of foul or surface water from the site shall be commenced until the onsite drainage works referred to above have been completed.
- 31 The existing pond and associated planting shall be protected during the course of the construction works from damage arising from the works. The landscaping scheme shall include plans and specifications for the protection measures (which shall include measures intended to retain existing water levels in the pond during and after the works) and a programme of implementation and monitoring of the pond protection measures.

Report Item No: 4

APPLICATION No:	EPF/1898/11
SITE ADDRESS:	Rear of 25 Millfield High Ongar Ongar Essex CM5 9RJ
PARISH:	High Ongar
WARD:	High Ongar, Willingale and the Rodings
DESCRIPTION OF PROPOSAL:	Proposed affordable housing development (4 dwellings.)
DECISION:	Deferred

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=531280

Officer reported 2 additional objections. 18 Millfield and 24 Millfield.

The application was deferred for a Members' site visit and to enable further investigation into improving the access.

Report Item No: 5

APPLICATION No:	EPF/2144/11
SITE ADDRESS:	Flanders Oak Hill Road Stapleford Abbots Romford Essex RM4 1JL
PARISH:	Stapleford Abbots
WARD:	Passingford
DESCRIPTION OF PROPOSAL:	Loft Conversion with addition of rear dormers and change from hip to gable. (Amended application)
DECISION:	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=532130

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 building, unless otherwise agreed in writing by the Local Planning Authority.

Report Item No: 6

APPLICATION No:	EPF/2345/11
SITE ADDRESS:	Woodlands Greensted Green Ongar Essex CM5 9LF
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
DESCRIPTION OF PROPOSAL:	Change of use of Meadow land to private wild life garden and construction of lake.
DECISION:	Deferred

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=532852

The Officer reported 3 additional objections, 22 Sunnymede, 7 Greensted Road and 10 Greensted Road.

The application was deferred to enable a Members' site visit with a request that a land drainage officer attend the visit.

Report Item No: 7

APPLICATION No:	EPF/2385/11
SITE ADDRESS:	Theydon Bois County Primary School Orchard Drive Theydon Bois Epping Essex CM16 7DH
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Development of site to rear of school to include installation of a 5 bay modular building for use as a 23 Place Nursery. (Revised application)
DECISION:	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=533033

The Officer reported that one of the summaries of an objection in the report was incomplete and read out the second page of the objection from 20 Graylands that had been missed.

The application was approved with amendments to conditions.

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
Act 1990 (as amended).
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Appendix 1, 3, 5.
- 3 The use hereby permitted shall inure for a period of ten years beginning with the date of this decision notice unless otherwise agreed by the Local Planning Authority.
- 4 The nursery use hereby permitted shall not be open to customers outside the hours of 7:30 am to 18:30 pm Monday to Friday and not at all on Saturdays, Sundays or Bank/Public Holidays, unless otherwise agreed in writing by the Local Planning Authority. Prior to commencement of development, details of a management plan to ensure staggered starting and finishing times for customers of the nursery shall be submitted to and agreed in writing by the Local Planning Authority and the agreed details shall thereafter be complied with.
- 5 There shall be no more than 23 children in attendance at the nursery premises hereby approved at any given time.

- 6 The premises shall be used solely for Pre-School Day Nursery and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.
- 7 No external lighting shall be provided on or adjacent to the nursery site and access way other than in accordance with details previously submitted to and approved in writing by the Local Planning Authority.
- 8 Details of a solid screen or other means to prevent views from the nursery play area into residential properties in Morgan Crescent, shall be submitted to and approved in writing by the Local Planning Authority in consultation with neighbours. The approved means of preventing views of properties in Morgan Crescent from the nursery play area shall be provided prior to the first use of the nursery and thereafter be permanently retained.
- 9 No development shall take place until details of the proposed surface materials for the play area have been submitted to and approved in writing by the Local Planning Authority. The agreed surfacing shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property. The agreed surface treatment shall be completed prior to the first occupation of the development or within 1 year of the substantial completion of the development hereby approved, whichever occurs first.
- 10 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tool. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.

Report Item No: 8

APPLICATION No:	EPF/2417/11
SITE ADDRESS:	47 Moreton Road Ongar Essex CM5 0AP
PARISH:	Ongar
WARD:	Shelley
DESCRIPTION OF PROPOSAL:	Demolition of existing bungalow and erection of 3 no replacement detached three storey houses including formation of new vehicular access,
DECISION:	Refuse 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=533180

REASON FOR REFUSAL

- 1 The proposed development, due to the size, bulk, design and siting of the properties would result in a cramped and overdominant form of development, out of keeping with the character and amenity of the area and contrary to policies CP3, CP7 and DBE1 of the Adopted Local Plan and Alterations.

Report Item No: 9

APPLICATION No:	EPF/2522/11
SITE ADDRESS:	En Casa Oak Hill Road Stapleford Abbots Essex RM4 1JL
PARISH:	Stapleford Abbots
WARD:	Passingford
DESCRIPTION OF PROPOSAL:	Demolition of existing chalet bungalow to be replaced with 2 detached homes. (Revised application)
DECISION:	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=533553

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 construction works above ground level shall have taken place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing, prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
- 3 Prior to first occupation of the development hereby approved, the proposed window opening(s) on the flank elevations for both dwelling houses at first floor level shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 4 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously

damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 5 No development shall take place until details of the proposed surface materials for the driveway have been submitted to and approved in writing by the Local Planning Authority. The agreed surfacing shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property. The agreed surface treatment shall be completed prior to the first occupation of the development or within 1 year of the substantial completion of the development hereby approved, whichever occurs first.
- 6 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the substantial completion of the development hereby approved and shall be adequately maintained in accordance with the approved management and maintenance plan.
- 7 Prior to first occupation of the development the proposed vehicular access, at its junction with the highway, shall be constructed with a minimum width of not less than 3 metres and shall be provided with an appropriate dropped kerb vehicular crossing of the footway.
- 8 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.
- 9 Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
- 10 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.

Report Item No: 10

APPLICATION No:	EPF/2538/11
SITE ADDRESS:	208 - 212 High Street Epping Essex CM16 4AQ
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	Demolition of buildings and redevelopment of site to provide a mixed use development comprising A3 restaurants and 8 residential units. (Revised application)
DECISION:	Refuse 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=533633

REASON FOR REFUSAL

- 1 Historically the loss of the locally listed building to enable continuation and expansion of the retail use of the site in this important central location within the conservation area was accepted as a suitable compromise. However, the proposed redevelopment of the site for A3 use, expanding the non retail frontage and undermining the historic character of the High Street as a retail shopping area does not outweigh the harm that will accrue from the loss of the building which is of local historic and architectural interest in the same way. As such the proposal is considered contrary to the intentions of policies HC9 and HC13a of the Adopted Local Plan and Alterations.
- 2 The proposed change of use would result in a significant loss of A1 retail floorspace through the loss of 2 existing units within the Epping Town Centre key Frontage, which would be detrimental to the vitality and viability of the retail centre, contrary to Policy TC4 of the Adopted Local Plan and Alterations.

Report Item No: 11

APPLICATION No:	EPF/2539/11
SITE ADDRESS:	208 - 212 High Street Epping Essex CM16 4AQ
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	Conservation area consent for the demolition of buildings and redevelopment of site to provide a mixed use development comprising A3 restaurants and 8 residential units. (Revised application)
DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=533634

REASON FOR REFUSAL

- 1 The proposed demolition would result in the loss of a locally listed building which makes a positive architectural contribution to the character and appearance of the Conservation area, contrary to policies HC9 and HC13A of the Adopted Local Plan and Alterations.

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AREA PLANS SUB-COMMITTEE 'EAST'

Date 7 March 2012

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		Ongar		
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Report Item No: 1

APPLICATION No:	EPF/0248/12
SITE ADDRESS:	Woodhouse 3 Woodend Lane Abbess Beauchamp And Berners Roding Ongar Essex CM5
PARISH:	The Rodings - Abbess, Beauchamp and Berners
WARD:	High Ongar, Willingale and the Rodings
APPLICANT:	Mrs Sylvia Phillips
DESCRIPTION OF PROPOSAL:	TPO/EPF/05/78 T16 - Oak - Fell
RECOMMENDED DECISION:	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=534904

CONDITIONS

NONE

This application is before committee since all applications to fell preserved trees are outside the scope of delegated powers.

Description of Proposal:

T1 . Oak - Fell to ground level.

Description of Site:

The Oak is a broad crowned, early mature specimen, standing around 13 metres tall with a similar crown spread. It is located on the field boundary of the rear garden of this extended farmhouse. It is clearly visible from the small lane leading to this isolated rural dwelling. It stands about 4 metres from the corner of the house and less than 2 metres from a garage. The tree forms part of a line of large oaks that mark the boundary between the property and open farmland.

Relevant History:

TPO/EPF/05/78 is an extensive order. It was served following widespread hedgerow removals, uncontrolled stubble burning and excessive flail damage to field and hedge trees in this area. The opening up of the farmland was said to have given the area a desolate appearance. This oak would have been included as a younger tree, because it was planted in the older hedge line.

Records do not show any permission for works to this tree despite evidence of old pruning wounds on the lower stem.

Relevant Policies:

LL9 The Council will not give consent to fell a preserved tree unless it is satisfied that this is necessary and justified; any tree lost must be replaced.

SUMMARY OF REPRESENTATIONS

No neighbours were consulted due to the isolated location of the property.

THE RODINGS PARISH COUNCIL had yet to make comment at the time of writing report. Any comments received will be reported verbally to Committee.

Issues and Considerations:

Issues

The application is supported by a letter listing reasons for wanting the tree felled. These are summarised, as follows:

- Sometime ago a large bough fell into a car parking area.
- Dead branches are seen in the crown
- Leaf and acorn debris fills gutters and peppers people and cars.
- Climate change appears to promote increased growth of acorns and weaken roots in drought periods
- The very strong winds cause apprehension and a sense of vulnerability
- The tree's dominant presence has led to fears from its roots, which might be causing problems to drains and building foundations

Considerations

i) Tree condition and life expectancy.

The tree shows normal levels of vigour, has a well formed, wide spreading crown structure and, apart from some deadwood limbs, is in good condition. Oaks are very long lived and it is reasonable to expect this tree to live for at least the next 40 years.

ii) Amenity value

The tree stands at some distance from any public place. It is visible from the lane leading to Wood House but this is an unfrequented long and winding single closed road, used only by the applicants and their visitors and the local farmer. From this aspect the tree has moderate amenity. When looking south from the nearest road to the north of the property, at Black Cat, the tree merges with outbuildings, house and the many other trees in the locality. Its impact is reduced considerably. From this view its amenity is low.

iii) Suitability of location and associated problems.

At around 4 metres from the house and less from the garage, such a large and broad crowned tree does have an overbearing presence and the problems of leaf, twig and acorn debris will be amplified at this close range. Similarly, it is accepted that fears of further branch failure are reasonable since significant boughs extend over rooflines and could damage structures if they failed, although there is no evidence that this is likely.

The exposed location increases the possibility of damage to the tree from high winds but no substantial evidence indicates that the production of acorns or weakening of roots will result from

climate change. Similarly, no evidence is produced to argue the threat of root damage to either drains or the house footings.

iv) Replacement planting

The applicants are willing to plant more suitable replacements a little further from the property, but also have plans to reinforce their perimeter hedgerows with new hedging, including a proportion of trees.

Conclusion

The tree is not well suited to its position so close to the dwelling. Realistic pruning options would give limited relief, and for only a short time. The remote location and marginal public amenity weighs in favour of allowing the felling on the grounds that its species characteristics are unsuitable in such close proximity to the dwelling. The proposal is considered to accord with Local Plan Landscape Policy LL9 and is therefore recommended for approval.

In the event of members granting permission to fell this tree, a single replacement (all that is legally available according to the TPO legislation) could be required. However because of the remote location and minimal public amenity it is not recommended that this be conditioned in this case.

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:

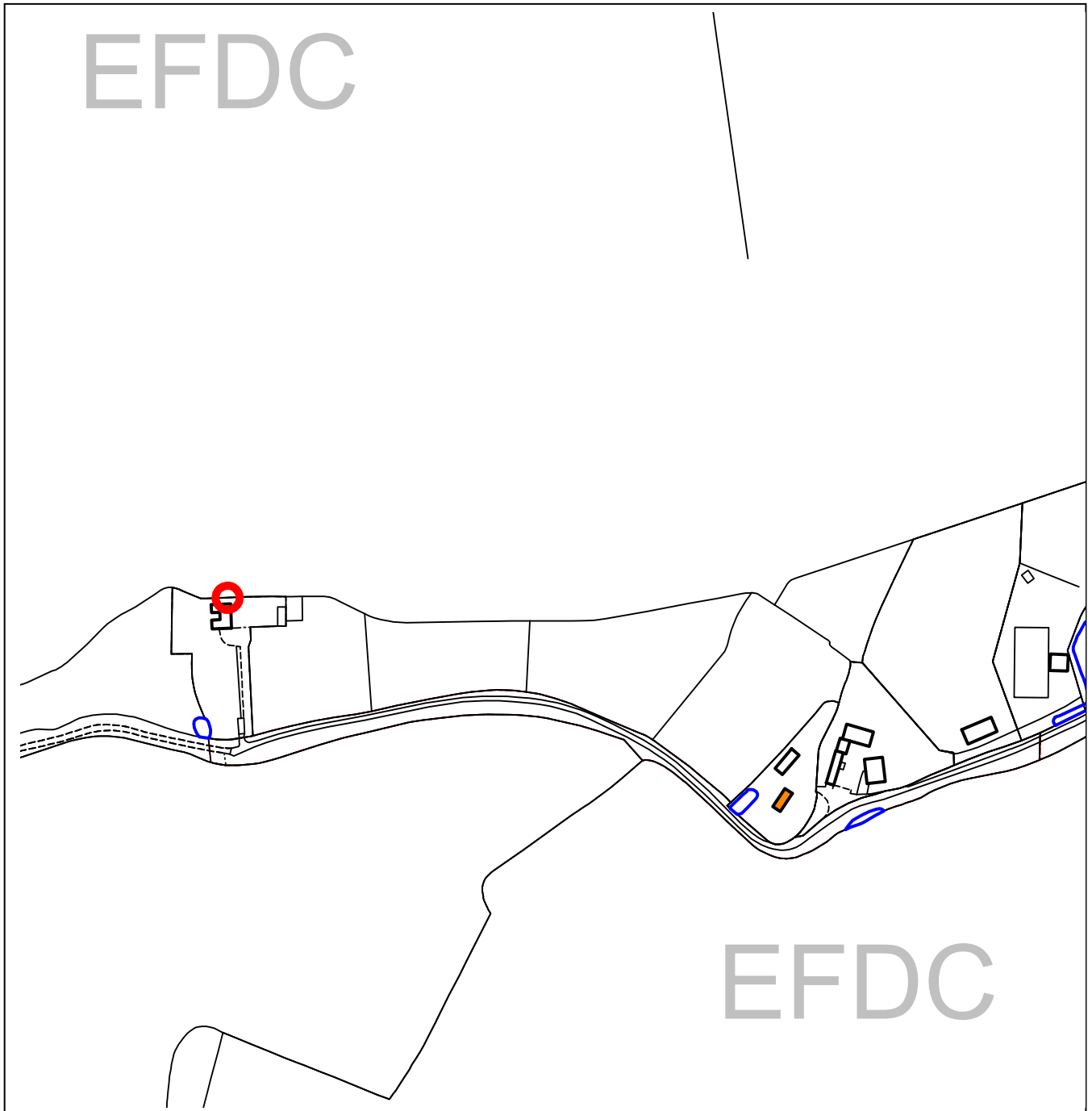
**Planning Application Case Officer: Robin Hellier
Direct Line Telephone Number: 01992 564546**

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	1
Application Number:	EPF/0248/12
Site Name:	Woodhouse, 3 Woodend Lane, Abbess Beauchamp And Berners Roding, CM5
Scale of Plot:	1/3000

Report Item No: 2

APPLICATION No:	EPF/1898/11
SITE ADDRESS:	Rear of 25 Millfield High Ongar Ongar Essex CM5 9RJ
PARISH:	High Ongar
WARD:	High Ongar, Willingale and the Rodings
APPLICANT:	Hastoe Housing Association
DESCRIPTION OF PROPOSAL:	Proposed affordable housing development (4 dwellings.)
RECOMMENDED DECISION:	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=531280

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 construction works above ground level shall have taken place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing, prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
- 3 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 2898.03 rev.1; 2898.10 rev. D; 2898.11 rev. D; 2898.12 rev.A
- 4 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 1. The parking of vehicles of site operatives and visitors
 2. Loading and unloading of plant and materials
 3. Storage of plant and materials used in constructing the development
 4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 5. Measures to control the emission of dust and dirt during construction
 6. A scheme for recycling/disposing of waste resulting from demolition and construction works.

- 5 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan and Arboricultural Method Statement in accordance with BS:5837:2005 (Trees in relation to construction) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved Tree Protection Plan and Arboricultural Method Statement unless the Local Planning Authority gives its written consent to any variation.
- 6 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 7 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 8 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model

Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]

- 9 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]
- 10 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report (referred to in PPS23 as a Validation Report) that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 11 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 12 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 13 Prior to the commencement of the development hereby approved, details of the proposed method for the drainage of surface water within the site shall be submitted to the local planning authority for approval in writing. The drainage system shall be implemented in accordance with the agreed detail, prior to the first occupation of the development.

- 14 Prior to the commencement of the development hereby approved, details of the proposed method for the disposal of foul sewerage from the site shall be submitted to the local planning authority for approval in writing. The system shall be installed in accordance with the agreed detail, prior to the first occupation of the development.
- 15 Details of the proposed surface materials for the access road shall be submitted to the local authority for approval in writing. The access road shall be provided in accordance with the agreed detail and as shown on approved plan no. 2898.06 rev.i, prior to the first occupation of the development.
- 16 Prior to the first occupation of the dwellings hereby approved, the parking spaces shown on approved plan 2898.06 rev.i shall be provided.
- 17 No unbound materials shall be used in the construction of the access road within 6 metres of its junction with Millfield.
- 18 Prior to the commencement of the development hereby approved, a method for storing and collecting waste at the application site shall be submitted to the local planning authority for approval in writing. The development shall proceed in accordance with the agreed detail and the provisions for storing/collecting waster shall be implemented prior to first occupation of the dwellings hereby approved.
- 19 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Schedule 2, Part 1, Classes A, B and E shall be undertaken without the prior written permission of the Local Planning Authority.
- 20 Prior to first occupation of the development hereby approved, the proposed window opening(s) at first floor level in the flank elevation(s) of the dwellings at plots 2 and 3 shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 21 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

This application is before this Committee since it for a type of development that cannot be determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(f).) and since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))

This item was deferred at the meeting of 8th February 2012 in order to enable Members to visit the site prior to taking a decision on the application and for the access issues to be reassessed. A Members site visit has since been arranged for Friday 24th February 2012 and accordingly the item is reported back to Members for further consideration.

Description of Site:

The application site comprises an area of vacant land located between the residential development of Millfield and the agricultural land to the west. At present the site is fairly overgrown and contains some waste items.

The rear gardens of neighbouring residential properties bound the site to the north, east and south. Along the eastern boundary the line of existing boundary fence is irregular and in the case of one property, there is no physical boundary at present.

The land level falls from the south to the north – as a result the neighbouring dwellings 33 and 34 Millfield are set at a lower land level.

The site is located outside of the Metropolitan Green Belt, although the green belt boundary does run along the western boundary of the site.

Description of Proposal:

This application seeks planning permission for a residential development to provide four affordable semi detached dwellings, which will be available for affordable rent through Hastoe Housing Association.

Both pairs of houses would be two storeys in height with traditional form hipped pantile roofs. The dwellings would have a simple rectangular footprint. The pair of 2 bed houses (at plots 1 & 2 – closest to the access road) would have a combined footprint of 6.5 x 15.3 metres; a height to eaves of 4.8 metres; and a ridge height of 7.6 metres. The pair of 3 bed houses (at Plots 3 & 4) would have a combined footprint of 7.8 x 14.5 metres; a height to eaves of 4.8 metres; and a ridge height of 8.1 metres.

All four houses would be constructed using straw bales within a load-bearing timber frame and other sustainable construction methods/materials would be utilised, including the use of sedum roofs to the front porches. The submitted plans indicate that renewable technologies including photovoltaic panels, air-source heat-pumps and water butts will also be installed. Access will be via the existing access onto Millfield, although this will be widened and improved. The plans have been amended to retain the existing right of way through the site to the agricultural land at the rear.

9 allocated and 2 visitor parking spaces would be provided within the development.

Relevant History:

None relevant.

Policies Applied:

Local Plan

Core Policies-

- CP1 - Achieving Sustainable Development Objectives
- CP2 - Protecting the Quality of the Rural and Built Environment
- CP3 - New Development
- CP4 – Energy Conservation
- CP5 – Sustainable Building
- CP6 – Achieving Sustainable Urban Development Patterns

- CP7 – Urban Form and Quality

Design and the Built Environment-

- DBE1, 3 - Design
- DBE 2, 9 – Amenity
- DbE6 = Car Parking
- DbE8 – Private amenity Space

Landscape and Landscaping-

- LL10 - Adequacy of Provision for Landscape Retention

Green Belt-

- GB7A - Conspicuous Development

Housing-

- H3A – Housing Density
- H4A – Dwelling Mix
- H5A – Provision for Affordable Housing
- H8A – Provision of Affordable housing in Perpetuity

Sustainable Transport –

- ST4 – Road Safety
- ST6 - Vehicle Parking

Recycling and Pollution-

- RP4 – Development of Contaminated Land

Utilities-

- U3 – Resist Development resulting in increased risk

Summary of Representations:

Notification of this application was sent to High Ongar Parish Council and to 53 neighbouring properties.

The following representations have been received:

HIGH ONGAR PARISH COUNCIL: Objection. High Ongar Parish Council supports EFDC's efforts to provide much needed affordable housing in the District. However, after consultation with local residents, the consensus of opinion is to object for the following reasons:

- The development is situated on disused back land with no proper road frontage.
- There is inadequate access to the development, both in terms of where the access road would be located and width of said access road. We are extremely concerned that no-one from ECC Highways appears to have actually visited the site. We have been told that an officer viewed the plans and does not raise any concerns. However, it is apparent to anybody that actually visits the proposed entranceway how extremely narrow and hazardous it is. This entrance would have a severe impact on existing parking and would certainly cause problems for dustcarts/emergency access vehicles.
- The proposed dwellings are not well integrated with or complementary to the surrounding properties.
- Sewerage issues; residents believe the current drainage system would not cope with an additional four properties. As responsibility for the sewer was only assumed by Thames Water in October 2011 it is felt that they are not in a position to advise with any degree of certainty as to whether the existing sewer capacity is adequate enough to cope with an additional four properties. Residents have continually cited sewer problems over the years as a reason why they are against this development.

- Disturbance to local residents due to increased vehicular traffic during the expected seven month construction period, together with the loss of parking spaces that will result on completion of the build in order to access the new properties.

High Ongar Parish Council feel it is imperative that a site visit is made by members of planning committee to fully appreciate the detrimental impact that this proposed development will have on the surrounding area and trust that if this has not yet taken place then arrangements will be made for one.

Letters of objection have also been received from 6, 7, 18, 19, 24, 29, 30 Millfield and a petition has been received signed by the occupiers of 45 properties in Millfield. The concerns raised are summarised below:

Parking - Is inadequate – some houses have up to 4 cars.

Access – Concerned regarding emergency access – if the Fire Brigade require yellow lines outside nos. 5, 6 & 7 Millfield then there will be less parking available. The new access joining Millfield will be hazardous and dangerous for drivers and pedestrians - particularly as there will be no footway along the access road.

Sustainability – there are poor transport links and access to shops and services are limited without the use of a vehicle.

Sewerage Disposal – there are already constant problems with the sewerage system. An additional 4 houses will put a huge strain on this sewer and we are concerned that the electric pump which is suggested for the new houses will in fact make the situation worse – pumping sewage through may increase the chances of blockages under people's properties.

Loss of Amenity/Devaluation of Properties – Caused by loss of view over the fields, additional noise and disturbance from the access and the siting of the bin store, disruption during construction.

Design – the straw bale houses would not be in keeping with rest of the Millfield estate.

Principle – residents feel that the small village has already contributed to affordable housing through the estate at Mill Grove and an additional 2 houses being built in Mill Lane.

Refuse Store – size of the bin store is insufficient to accommodate all the required bins. Because of the distance the bin store would be located from the houses; future residents are likely to leave the bins permanently in situ within the bin store.

Safety – safety of occupants of number 25 who will step out of doorway into the access road.

Services – Additional pressure on local school and doctors.

Issues and Considerations:

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

Principle of Residential Development

The site, although not previously developed, is located outside of the Metropolitan Green Belt and on the edge of an existing residential development.

The proposal would contribute to the considerable demand within the District for affordable housing and accordingly the principle of the proposed development is to be encouraged. The following sections of this report will further consider the detail of the proposed development.

Design, Character and Appearance

Within the Design and Access statement, the applicant explains that the design of the proposal has been influenced by the requirements of straw bale building. Notwithstanding this, the style of the proposed development has a simple and traditional appearance that, whilst not replicating development within Millfield, is largely in keeping with the wider local vernacular.

Whilst the development would be at a higher density than surrounding development it provides modest sized semi detached houses in keeping with the form and scale of the rest of the estate.

When viewed against the context of the existing residential development, it is not considered that the proposed dwelling would appear overly conspicuous when viewed from nearby land within the Green Belt.

Neighbouring Amenity

The frontages of the proposed dwellings would face towards the rear gardens of nos. 25-29 Millfield. Plots 1 & 2 would be separated from the rear gardens by a distance of ranging between 8-10 metres. These dwellings would not have any habitable windows facing forwards, only a landing and a smaller bathroom window. Plots 3 & 4, would be located approximately 6-11.5 metres from the site boundary. These would each have a bedroom window facing forward – the closest being located approximately 8 metres from the boundary with 28 Millfield (the closest and therefore most affected property). Whilst this relationship will result in some loss of privacy to the garden area of 35 Millfield, due to its length of approximately 35 metres it is not considered that the reduction in privacy would cause detriment to the occupiers' enjoyment of their property. On this basis, it is not considered that this provides justification for the refusal of this planning application.

The lengths of the rear gardens of the houses in Millfield (no. 34 having the shortest garden and being some 20m from the nearest proposed dwelling) are such that an adequate level of outlook would be retained. Some occupiers have objected to the loss of view across the open land – however, in planning terms the loss of view is not afforded such weight as to justify withholding planning permission.

The occupiers of 25 Millfield (and to a slightly lesser degree no. 24) are likely to experience increased disturbance, particularly within their gardens, from the use of the access road. However, due to the limited number of vehicle movements which will relate to the four new dwellings, it is not considered that this harm would be excessive, as would be required under current policy for it to amount to grounds for refusal.

Parking and Access

In response to concerns raised by local residents during pre-application consultation, the application proposes parking in excess of the Council's normal standards. Two parking spaces are provided for each of Plots 1-3, three spaces for Plot 4 and two additional visitor spaces. This is considered acceptable in this location and should ensure that there is no increase in on street parking as a result of the development.

The access would be via the existing access point from Millfield, which serves the right of way to the agricultural land. The access point onto Millfield would be widened in line with advice provided

by County Highways. The access road, which would be 4.2 metres wide and approximately 43 metres in length, would be finished with a permeable surface.

Surface Water and Foul Drainage

Concern has been raised by both High Ongar Parish Council and local residents regarding the matter of foul drainage, due to some local concern regarding the capacity of the existing sewer.

The Council's Engineering, Drainage and Water Team has been consulted on the planning application and has commented to confirm that they have been involved in discussions with officers of the Housing Directorate and Hastoe Housing Association concerning outstanding matters which need to be addressed prior to a connecting foul sewerage to the main sewer. Accordingly they suggest the imposition of a planning condition requiring the approval of foul drainage details prior to the commencement of the development.

In addition, planning conditions are also suggested that will ensure improved surface water run-off rates from the site and also the drainage surface water. All of these conditions are considered to be necessary, if planning permission is granted.

Trees and Landscaping

There are several existing trees within the application site. These have been considered within a tree survey which accompanied the application and this has been reviewed by the Council's Arboricultural Officer, who has noted that an oak tree (misidentified as a maple within the survey) is worthy of retention. The tree is located in a position which sits between the rear gardens of Plots 2 and 3. Subject to the use of piled foundations for the dwellings (which are stated with the Design and Access statement) and subject to a no-dig method being used for the construction of adjacent parking spaces it is considered that this tree can be retained within the proposed development. A planning condition requiring measures to protect this tree is, therefore, recommended.

Furthermore, a planning condition is also recommended to require suitable hard and soft landscaping within the development.

Refuse Storage and Collection

A refuse store was initially proposed close to the entrance to the development from Millfield. This was relocated further along the access road, in order to improve the amenity for the occupiers of no 25 – due to the location of the bin store close to the front boundary of their property. It was also considered that relocating the store closer to the new houses would improve the convenience of this facility. However, officers within the Council's Environment Services section have expressed concern regarding the ability of a dustcart to access the bins further within the development.

It is, therefore considered necessary to impose a planning condition requiring the approval of details for the location and design of a bin store facility within the development. The details will be discussed with officers from Environmental Services and the amenity of neighbouring residents will be taken into account.

Land Contamination

A Phase 1 land contamination report was submitted with the planning application. This report identified potential risks from a landfill site within 250m of the site and also possible risks from potentially contaminated imported soils. Accordingly, there is a need for further investigations, and possible mitigation, to take place prior to the occupation of the development. This may be secured by the use of planning conditions.

Conclusion:

In light of the above appraisal, it is considered that the proposed development would provide much needed affordable housing within the District, whilst utilising sustainable construction methods and renewable technologies. The development is broadly in keeping with the style and character of the surrounding residential development and would not cause any material harm to the character and appearance of the area. Whilst the amenities presently enjoyed by the occupiers of some nearby neighbouring dwellings would be affected, this would not be to the degree that there would be significant harm caused. The development utilises an existing access which will be widened and improved to provide adequate access into the site and the development proposes an acceptable number of parking spaces, in excess of the Council's normal standard. All other material planning considerations have been addressed and accordingly, subject to the imposition of the planning conditions discussed within this report, it is recommended that planning permission be granted.

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:

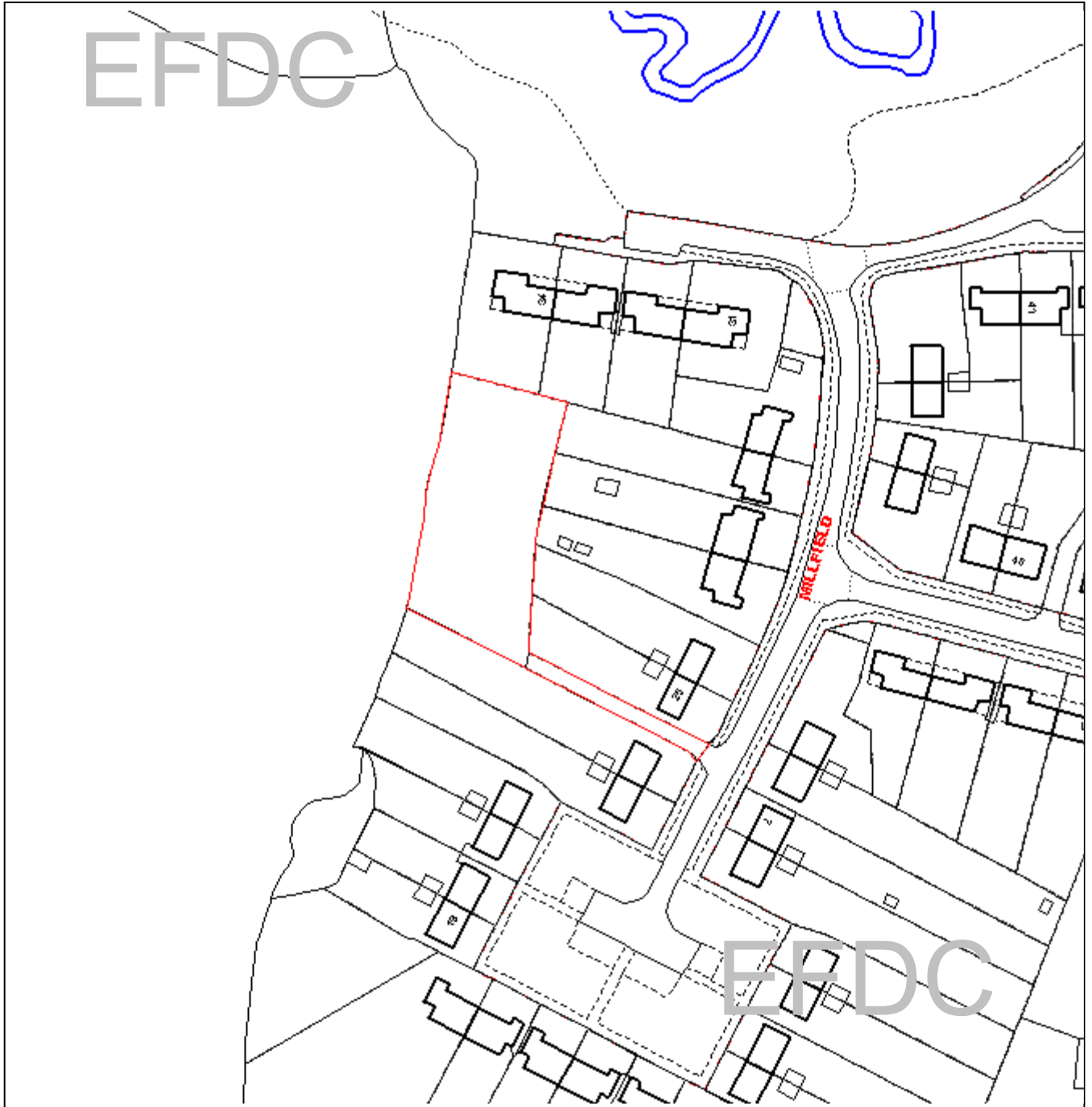
***Planning Application Case Officer: Mrs Katie Smith
Direct Line Telephone Number: (01992) 564109***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	2
Application Number:	EPF/1898/11
Site Name:	Rear of 25 Millfield, High Ongar CM5 9RJ
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/2185/11
SITE ADDRESS:	Land Bordered by Mount End/Mount Road Theydon Mount Epping Essex CM16 7PL
PARISH:	Theydon Mount
WARD:	Passingford
APPLICANT:	Tillship Limited
DESCRIPTION OF PROPOSAL:	Change of use of land and the erection of stables on a concrete slab base.
RECOMMENDED DECISION:	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=532261

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Site location plan, block plan of proposed stable layout, plan/ elevations and supporting Design and Access Statement, photographs and Clipper Range sample brochure.
- 3 No construction works above ground level shall have taken place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing, prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
- 4 The stable block hereby approved shall be used only for private stabling of horses and not for any business purpose, including use as a livery.
- 5 Prior to first use of the development, a vehicular turning facility, of a design to be approved in writing by the Local Planning Authority, shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose.
- 6 No unbound material shall be used in the surface treatment of the vehicular access within 6.0 metres of the highway boundary.
- 7 Prior to commencement of the development, details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved

scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.

- 8 No external lighting shall be erected at the site without the prior written approval of the Local Planning Authority.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))

Description of Site

The site is a parcel of farmland of some 8 acres (3.24 hectares), formerly part of North Farm used for grazing cattle. The site is situated northeast of Mount End/ Mount Road and is in the Metropolitan Green Belt. The site has some tree screening along its boundary with an open aspect within the envelope of its curtilage. There are a number of preserved trees situated along its eastern boundary. The site is devoid of any buildings.

Description of Proposal

Construction of a concrete base 16.0m by 14.0m and erection of a stable block with 6 stables and ancillary storage. The stable block forms a 'U' shape with yard area in the middle and is 14.3 metres by 12.3 metres (each stable will measure 3.6m by 3.6m), its eaves height will be 2.2 metres and ridge 3.0 metres.

The building will be sited some 13.5 metres from Mount Road, approximately 11 metres east of the entrance gates.

Relevant History

None

Policies Applied

CP2 – Protecting the quality of the built environment
GB2A – Development in the Green Belt
GB7A – Conspicuous development in the Green Belt
RST4 and RST5 – Stable building
DBE1, DBE2 and DBE4 – Design of new buildings/ Design in the Green Belt
DBE9 – Neighbours amenity
ST4 and ST6 – Highways safety and parking
LL1, LL2 and LL10 – Rural landscape

Summary of representation:

5 letters were sent out to neighbouring occupiers, a site notice displayed at the front of the site, and no letters of representation have been received.

THEYDON MOUNT PARISH COUNCIL – Object to this planning application:

1. It is detrimental to the open rural aspect.
2. Scale – the number of stables are excessive; four would be more appropriate

3. Some concern is expressed regarding access.

Issues and Considerations

The main issues are whether the proposal is for private use, the design and appearance of the building in the Green Belt, access and impact on highway safety and the rural landscape.

Appropriateness of the development in the Green Belt

According to the Design and Access Statement, the plot of land would be used primarily for grazing of retired horses with a small part of the site used to construct a hard base and erect a stable block. The stable block and storage building will provide for up to six horses.

The block will be for private use only and is not intended to be used for livery or any business use. The size of the building is modest, clearly designed for stabling with a low ridge height and its siting would be screened by some dense vegetation at the front of the site. It would be constructed with traditional materials i.e. timber and shiplap cladding with black roof sheeting which is acceptable in the context of its rural setting.

For the above reasons the proposed stable block will have a negligible effect upon the openness of the Green Belt. It therefore complies with the requirements of policies RST4 and RST5 on keeping horses and erection of new stable buildings.

Whilst the parish council objects in principle to this application on grounds that it will have a detrimental impact upon the open rural aspect and the number of stables is excessive, the stabling of up to 6 horses is, on balance, acceptable for the size of the plot and it will be used seasonally for open grazing. The height, scale and siting of the stable block is considered acceptable in this location and is not out of keeping with the rural area. There is adequate grazing land available for the number of horses proposed, which is considered to be a small scale facility related to outdoor recreation and is therefore appropriate development.

Neighbours

This is an isolated site with no immediately properties close to the site. There are no amenity issues regarding neighbouring occupiers amenity raised by this proposal.

Landscape and Trees section

With respect to trees, there are no concerns raised or landscape issues in connection with this application. The proposals will not have any significant adverse impact upon the character and appearance of the landscape.

Highway safety and parking

The parish council raises some concern regarding the access. The proposal will not be detrimental to highway safety or efficiency in the locality because the existing access will be used and presently it provides good visibility onto Mount Road. Furthermore, as the proposal is for private use, not livery, it will not generate excessive vehicle movements to and from the site. For this reason, the Highway Authority would not wish to raise an objection to this proposal subject to conditions.

Conclusion

The proposed stable building complies with relevant policies. Permission is recommended subject to conditions ensuring the stables are used for the purposes intended.

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:

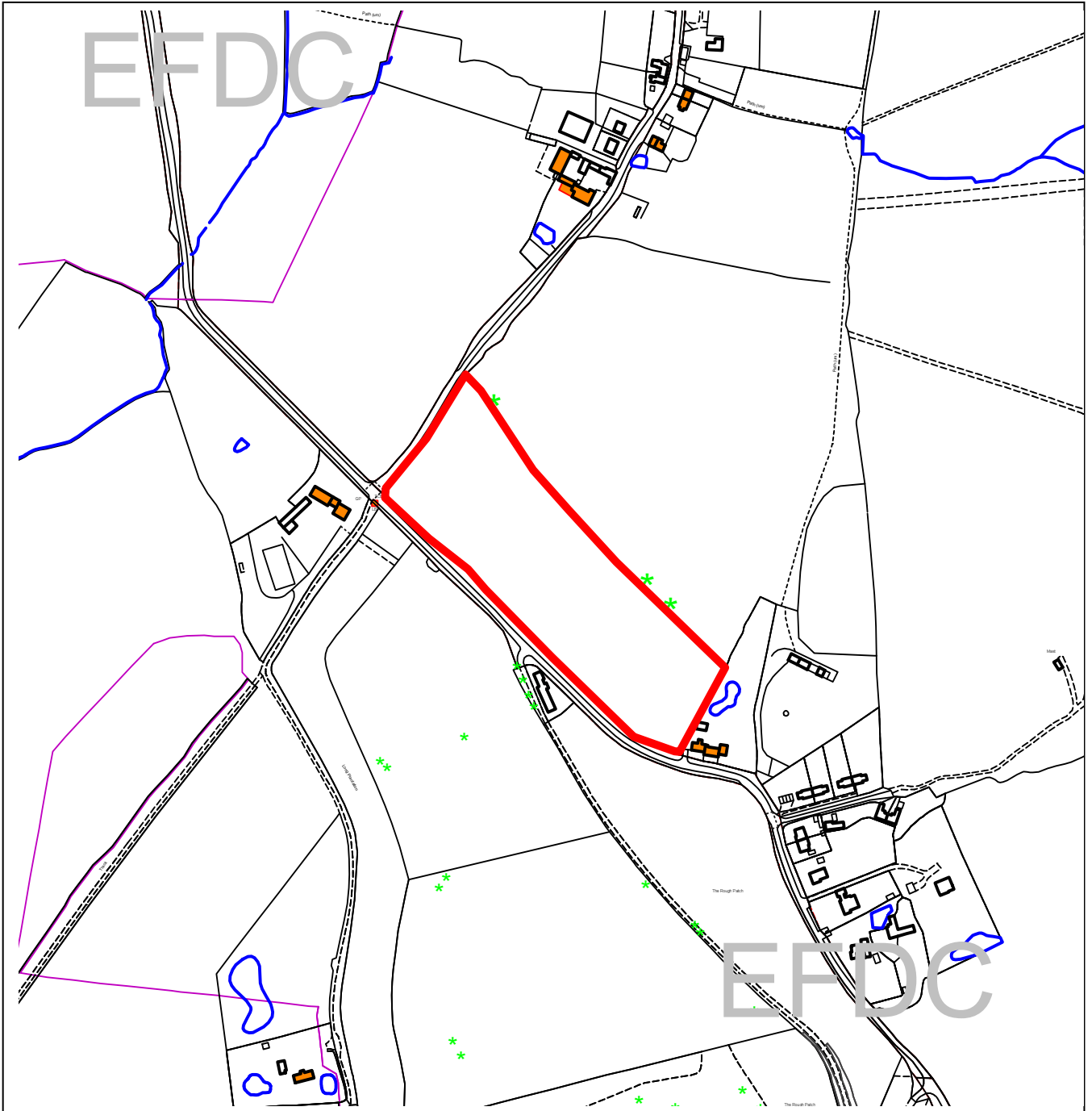
Planning Application Case Officer: Ms Paula Onyia
Direct Line Telephone Number: (01992) 564103

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	3
Application Number:	EPF/2185/11
Site Name:	Land Bordered by Mount End/Mount Road, Theydon Mount, CM16 7PL
Scale of Plot:	1/5000

Report Item No: 4

APPLICATION No:	EPF/2528/11
SITE ADDRESS:	44 Dukes Avenue Theydon Bois Epping Essex CM16 7HF
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr John Little
DESCRIPTION OF PROPOSAL:	Two storey side extension with one front dormer, one rear dormer and new roof over existing rear flat roof.
RECOMMENDED DECISION:	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=533592

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 building, unless otherwise agreed in writing by the Local Planning Authority.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))

Description of Site:

The application site is situated on the east side of Dukes Avenue, north of its junction with Heath Drive. It comprises a two-storey semi-detached house with a prominent gable feature to the front elevation that continues in the attached house. The house has a prominent side dormer window in the side facing roof slope. It is recessed some 3m from the front elevation and continues rearwards where it links to a 1.8m deep part width and flat roofed two-storey rear extension. A flat roofed detached garage is situated to the side of the house on the boundary with 46 Dukes Avenue.

The house is set at a slightly lower level than the street and approximately 1m lower than the level of 46 Dukes Avenue. Land levels fall to the rear of the house. Beyond the rear garden boundary is in the Metropolitan Green Belt.

Planning permission was given for substantial additions to 46 Dukes Avenue in 2011.

Description of Proposal:

It is proposed to erect a two-storey side extension replacing the existing side dormer and detached garage. It is also proposed to erect a hipped roof over the existing two-storey rear extension.

The side extension would be designed with the first floor contained within a mansard roof. A single front and single rear dormer window would provide light to two additional bedrooms. A previously proposed smaller front dormer window has been deleted from the originally submitted proposal and a small roof-light provided in its place. In addition, the ridge height of the extension has been lowered so it would be 600mm below that of the existing roof of the house and the profile of the side extension altered to drop the eaves level on the flank elevation.

The first floor of the side extension would be set 1m from the site boundary with 46 Dukes Avenue and approximately 1.5m from the face of the gable feature of the existing house.

At ground floor level the addition would extend up to the boundary with 46 Dukes Avenue. Its rear elevation would align with that of the existing two-storey rear extension and the front elevation would be set 600mm rear of the gable feature of the existing house.

Relevant History:

EPF/1268/77 Side dormer window Approved
EPF/0352/83 First floor side extension Approved

Policies Applied:

CP2 Quality of Rural and Built Environment
DBE9 Loss of Amenity
DBE10 Residential Extensions

Consultation Carried Out and Summary of Representations Received

Consultation has only been carried out on the original submission. There was insufficient time to reconsult on the revised proposal in advance of the deadline for the preparation of reports for inclusion on this agenda.

Number of neighbours consulted; 5

Site notice posted. No – not required:

Responses received: One neighbour, the occupant of 43 DUKES AVENUE, responded setting out comments and raising objection to the original submission, which are summarised as follows:

- As a consequence of the side extension not being distinctly set back from the front elevation its bulk would appear overly dominant in relation to the existing house. A similar addition at 38 Dukes Avenue appears more sympathetic because of its set back from the front elevation. The existence of a further similar addition at 48 Dukes Avenue is acknowledged. A more visible set back from the frontage may be effective in reducing the bulk of the proposal in relation to the original façade of the house and be more in keeping with other extensions in the street scene.
- The two front dormer windows would not be proportionate to each other and be set lower than the pitch of the upper part of the roof with the consequence that the addition would have a poor appearance of itself.

- The relatively high ridgeline of the extension together with the proposed hipped roof over the existing rear extension and the existing main roof would present a combination of conflicting roof slopes visible from the north-west, between 44 and 46 Dukes Avenue. This would appear rather awkward.

THEYDON BOIS PARISH COUNCIL: OBJECTION

By reason of the fact that the front elevation is not sufficiently 'set back' the overall bulk and size would result in an unacceptably overbearing and dominant impact on the street scene. If there were to be a more visible 'set-back' from the frontage the overall mass and impact of the extension would be reduced and the end result would be more acceptable from a design point of view. By way of a completed example, an extension of similar size and scale exists at number 38 Dukes Avenue but it has less impact on the street scene given the degree of set-back from the frontage.

We also have concerns about the unbalanced appearance resulting from the proposed front dormers. These differ dramatically in size and are a curious design feature which would have a negative impact on the architectural merit of the development.

Main Issues and Considerations:

The proposal would not give rise to any excessive loss of amenity for the occupants of neighbouring dwellings and, as indicated in the comments and objections received, the main matter to deal with when assessing the merits of this proposal is its design and consequence for the character of the locality.

The proposal has been modified significantly in response to the comments and objections received. The inconsistency between front dormer windows has been addressed by the deletion of the smaller dormer while the roof has been lowered and its profile altered to achieve a more subordinate appearance in relation to the main roof.

Consideration has been given to comments in respect of the set-back from the gable feature in the front elevation of existing house and comparison to a similar extension to 38 Dukes Avenue. The extension to 38 was given planning permission in 2002, ref EPF/1145/02. The approved drawings show the first floor set back 3.3m, but that it has a width, as measured from the original ground floor flank wall, of 5m. Its width is sufficient at first floor to accommodate two large front dormer windows. The ridge is shown 1m below the ridge of the original main roof of the house.

In comparison, the proposed addition to 44 Dukes Avenue would only project 3.7m from the existing ground floor flank and can only accommodate a single front dormer of a similar scale to those at 38. Although it would not be set back as far as that at 38 Dukes Avenue, the proposed set back of 1.5m is sufficient for it to be seen as distinct from the main gable feature of the house. In making that assessment weight has been given to the fact that it would project significantly less at first floor than the approved addition to no. 38 and that the ridge of the roof, as modified, is clearly well below that of the main roof of the house.

The cumulative impact of the alterations to the original submission is that the proposed side addition would appear very much subordinate to the original house. They result in a simpler design that is less cluttered than the original and as a whole the proposal would complement the design of the original house. Indeed, it would result in an improvement in its present appearance by replacing a disproportionately large side dormer and providing a sympathetically designed roof over the existing rear extension. When seen in the context of the existing street scene the proposal would enhance its appearance while ensuring the original strong gable feature of the front elevation remains the dominant element of the pair of semi-detached houses the application site is part of.

Conclusion:

The proposed addition, as modified in the light of comments received would respect and enhance the appearance of the house and consequently that of the character of the locality. On that basis, and since it would cause no harm to amenity, it is recommended the proposal be granted planning permission.

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:

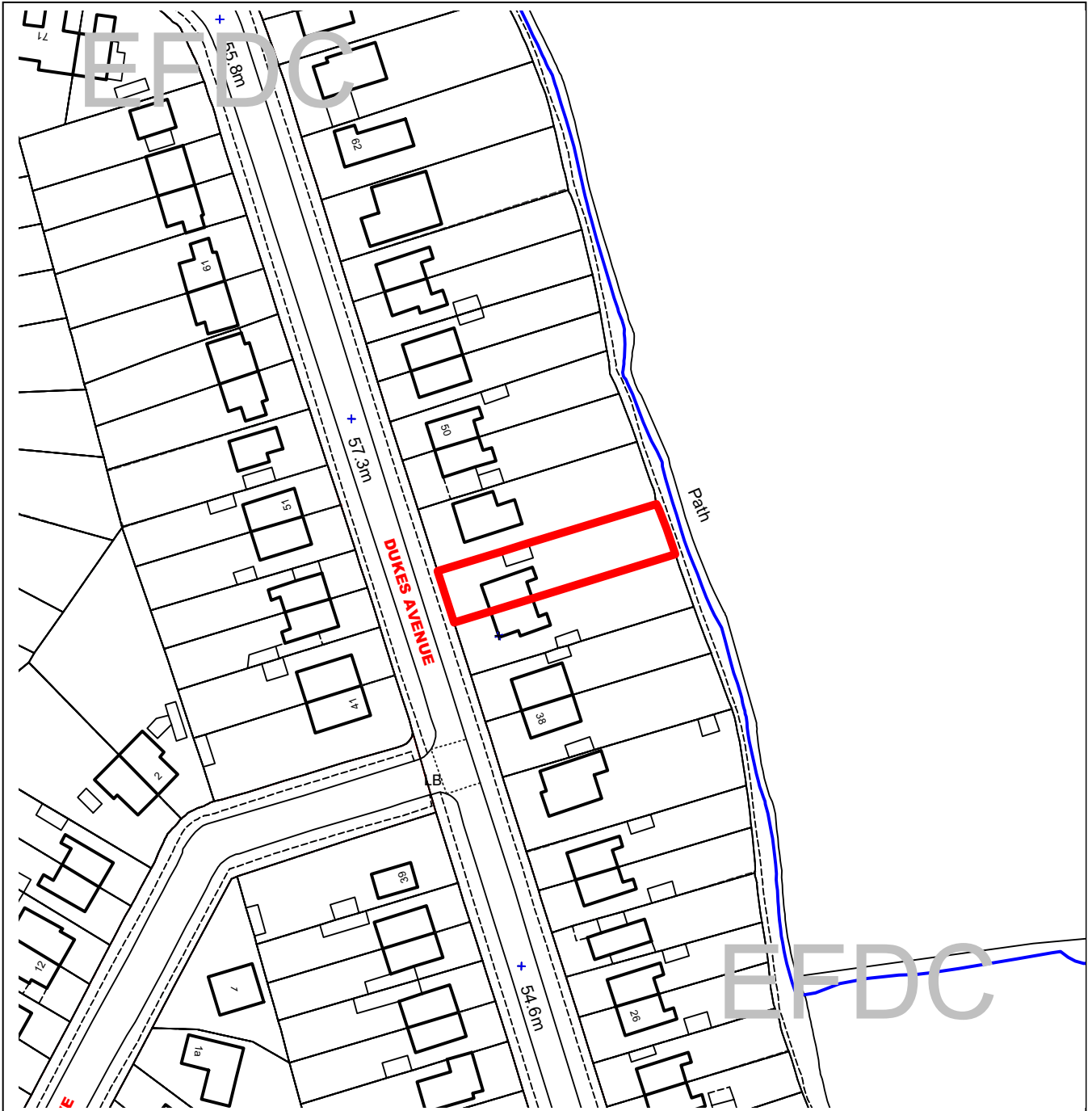
***Planning Application Case Officer: Stephan Solon
Direct Line Telephone Number: 01992 564018***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	4
Application Number:	EPF/2528/11
Site Name:	44 Dukes Avenue, Theydon Bois CM16 7HF
Scale of Plot:	1/2500

Report Item No: 5

APPLICATION No:	EPF/2547/11
SITE ADDRESS:	Land adj Horseshoe Farm London Road North Weald Essex CM17 9LH
PARISH:	North Weald Bassett
WARD:	Hastingwood, Matching and Sheering Village
APPLICANT:	Mr Ian Padfield
DESCRIPTION OF PROPOSAL:	Extension to existing grain storage facilities.
RECOMMENDED DECISION:	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=533676

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 208239DWG020 Rev B, 208239DWG021 Rev B and 208239DWG022 Rev B
- 3 Materials to be used for the external finishes of the proposed development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 4 No development, including site clearance, shall take place until a scheme of soft landscaping and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule), have been submitted to the Local Planning Authority and approved in writing. The landscape scheme shall be carried out in accordance with the approved details and the agreed timetable. 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 in writing.
- 5 Prior to first occupation of the development the vehicular turning facility as shown on drawing no.208239DWG022 Rev B, shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose.
- 6 The premises approved shall be used solely for storage and operations in association with agriculture and not for any other use whatsoever at any time.

- 7 On the cessation of the agricultural use of the buildings hereby approved cease, the buildings shall be demolished and all resulting materials removed from the land.
- 8 The approved hard-surface shall not be used for open storage at any time, with the surface intended solely for use for vehicles turning and waiting, loading and unloading.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A. (g))

This application is before this Committee since it is an application for major commercial and other developments, (e.g. developments of significant scale and/or wide concern) and is recommended for approval (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(c))

This application is before this Committee since it for a type of development that cannot be determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(f).)

Description of Site:

The application site is located on the eastern side of Thornwood High Road, known as the B1393 which is a main route connecting Epping to the M11, Harlow and beyond. The application site is restricted to the area of the proposed structure and turning area only, although the accompanying statement with the application states that Horseshoes forms part of a 507 hectare holding. The site is adjacent to Horse Shoe Farm and backs and sides onto open fields.

There is an existing grain store on the site which has a footprint of some 440m². This is a typical modern agricultural building type structure, metal profiled sheeting, with a breeze block base and two large roller shutter doors. The maximum height of this existing unit is 9m.

The site is above the level of the roadside and screened partly from view by unmanaged vegetation along the roadside. Access to the site is shared with Horse Shoe Farm from the B1393 and the site is located within the Metropolitan Green Belt.

The existing grain store building on the site was built on the assumption that it was agricultural permitted development. It has subsequently been established that due to its proximity to North Weald Airfield, it was not in fact permitted development. However, as it has been built more than 4 years, it is lawful.

Description of Proposal:

The applicant seeks consent to extend the existing grain store which will quadruple the size of the existing building. The proposal will result in a building with a footprint of some 1770m² and will follow the same height and design as the existing building.

Relevant History:

EPF/0713/07 – Erection of agricultural storage building – Prior approval required and approved.

EPF/0111/09 – New grain store incorporating extension to existing grain store at Horseshoe Farm
– Refused and dismissed at appeal
EPF/1201/09 – Agricultural grain storage building - Withdrawn by Applicant
EPF/0718/10 – Agricultural determination for a grain store – Withdrawn by Council
EPF/1313/10 – Extension to existing agricultural building - Refused

Policies Applied:

Epping Forest District Local Plan and Alterations

CP2 – Protecting the Quality of the Rural and Built Environment
GB2A – Development in the Green Belt
GB11 – Agricultural Buildings
DBE2 – Effect on Neighbouring Properties
DBE4 – Design in the Green Belt
LL1 – Rural Landscape
LL4 – Agricultural/Forestry related development
ST4 – Road Safety

Summary of Representations:

NORTH WEALD PARISH COUNCIL: Objects to this application on the following grounds:
It has not been proven that this application complies with the following policies under GB11 of the local plan:

- (i) Are demonstrably necessary for the purposes of agriculture with that UNIT.
- (ii) be detrimental to the character or appearance of the locality or to the amenities of nearby residents
- (iii) have an unacceptable adverse effect on Highway Safety

NEIGHBOURS

15 neighbours were consulted and a site notice erected
HERB FARM HOUSE, LONDON ROAD – Concerned with increase in commercial vehicles and design of buildings will be to the further detriment of the local environment.

HORSESHOE HOUSE, LONDON ROAD – Increase in pests with a larger store

HORSESHOE FARM, LONDON ROAD – Strong objection – concerned with future use of the site, farm machinery being stored outside, existing building is an eyesore, highway problems due to slow moving vehicles, contrary to green belt policy

HORSE SHOE FARM, LONDON ROAD – Objection – Development in the Green Belt, requirement under GB11 (i) has not been proven, not intended for long term grain storage, other alternatives available, highway safety issues, not central to farm holdings, increase in vermin, industrialisation of countryside. (25 page comments received)

Issues and Considerations:

The main issues that arise with this application for consideration are the application history and the following issues which were assessed as part of the previous applications:

- Application History
- Principle of development and Green Belt/Landscape issues
- Impact on neighbouring amenity
- Highways and transportation matters

Application History

Historically a similar application EPF/0111/09 (for the same building but excluding the proposed bunding) was refused by Committee as it failed part ii) of policy GB11 and this has been upheld at appeal. A second application EPF/1313/10 was refused under delegated powers for similar reasons along with concerns regarding the traffic movements at the site and the impact on neighbouring amenity and highway safety.

At the 2009 application appeal the inspector upheld the appeal but with an emphasis on the criteria of policy GB11, namely parts i) and ii).

Policy GB11 sets out the following requirements:

- i) That the proposals are demonstrably necessary for the purposes of agriculture within that unit.
- ii) Would not be detrimental to the character or appearance of the locality or to the amenities of nearby residents
- iii) Would not have an unacceptable adverse effect on highway safety, or with regard to water quality and a supply, any watercourse in the vicinity of the site.
- iv) Would not significantly threaten any sites of importance for nature conservation.

This current application has been accompanied by a supporting statement which seeks to overcome the initial issues raised by the Inspector along with the issues relating to traffic movements. The Inspector raised the following points regarding the demonstration of need in their assessment of the 2009 proposal:

A clear demonstration of need was highlighted as being required as opposed to an assertion of need and the Inspector concluded that no firm case had been made. The following details were identified as being required:

- Details of potential cereal crops and storage potentially required.
- Details of the land previously used as set-aside
- Details of increase in production
- Explanation of why the existing building can not provide segregated storage
- Details of chemicals to be stored and space required should there be no other buildings available for this purpose and why this is.
- Clarification is required with regard to the applicants land holdings and buildings available within.

The current application includes additional information in an attempt to address the Inspector's views as follows:

Potential cereal crops and storage potentially required:

The applicant has identified 5 different types of wheat, along with winter rape and winter beans which are the main crop. 4,176 tons of crops are produced annually with the main wheat crop (harvested in July/August) resulting in 3,364 tons. With current storage (at this site and at Weald Hall) providing for 1,600 tons there is therefore a current shortfall of 2,576 tons of storage space. The crops can be stored for varying lengths of time as it is stored until the 'price is right' rather than straight from the combine which is not a cost effective option given the varying crop prices.

Details of the land previously used as set aside

The abolition of fixed set aside has resulted in a further increase in arable land and has resulted in an increase of storage of up to 15% more tonnage. The set aside scheme was replaced to a degree by the Stewardship Scheme but in this holding's case the Stewardship Scheme only affects small areas of land in field corners, edges and margins and this land has not been included as part of the total arable land in production.

Details of increase in production

The supporting statement has provided information regarding the increase in production with the arable business expanding in 2000 due to the ceasing of the dairy herd at the holding. The inclusion of the land 'set aside' as outlined above has also increased production in recent years. The applicant has also suggested that technical advancements are also continually increasing production on the holding.

The existing grain store was erected in 2007 and the applicant has used 'Camgrain', an agricultural storage firm based in Cambridge to provide for the shortfall in storage space within the holding. However, as outlined within the supporting statement the cost of outsourcing the storage is high and figures have been provided for the 2011 harvest. Due to fluctuating wheat and oil seed rape prices, crops can be stored to achieve the best price as often it is not viable to sell the crops directly from the combine. Furthermore, the supporting statement continues that if a wet harvest, grain has to be stored to be dried before it can be sold as buyers will reject crops with too high a moisture content.

Explanation of why the existing building cannot provide segregated storage

The existing buildings cannot support the required amount of storage required whether separate or not. The proposed building is open plan in two sections but if further separation is required portable concrete partitions can be put in place and moved within the building and removed as and when necessary providing greater flexibility for crop yields.

Details of chemicals to be stored and space required

The Inspector was concerned that chemicals or fertilisers were to be stored in the proposal therefore taking away storage space for grain. However, the Agent has confirmed that there is no intention to store chemicals within the building and therefore no specific storage space is required.

Clarification of applicant's land holdings and buildings available within

The supporting statement provides details of the size of the arable land holding, which includes the land at Horeshoes, along with Weald Hall, Hayleys Manor and Esgors. This figure has been confirmed by the applicant as being only for land currently in arable production and not for any areas of buildings/non-farming uses or areas within the Stewardship Scheme. Detailed information has been provided by the applicant with regards to why other buildings within the holding are not suitable for the grain storage.

A large amount of buildings are not suitable due to their age, particularly those at Hayleys Manor which were built in the 1950's and 1960's and do not accommodate the large modern machinery.

At Esgors and the remaining buildings at Weald Hall problems occur with the access and conflict with other commercial uses at the site. Many tenants at the sites are in long term leases and even if the buildings were available, due to the buildings physically adjoining each other the risk of cross contamination would be high. The commercial uses of the sites were established prior to the cessation of the dairy farming on the holding and therefore the need for additional storage exists.

Although it is clearly unfortunate that the existing buildings within the applicant's ownership are either unsuitable or in other uses it is considered that a strong justification as to why the existing buildings remain unsuitable has been put forward by the applicant.

Principle of development and Green Belt/Landscape issues

Agricultural development may in principle be acceptable in the Green Belt provided any proposal meets the requirements of policy GB11. The Inspector at the 2009 appeal agreed that the harm to the character and appearance of the area would be limited but not non-existent and the Council agrees with this view. The proposal is for a very large addition to an existing building within the Green Belt, however it is for an agricultural use and therefore buildings of this style (albeit perhaps not of this size) are common features within the more rural agricultural landscape.

Concern has been raised by neighbours with regards to the future use of the proposed building. It is considered that this concern is valid given that other buildings within the applicant's ownership have changed in use from agricultural to commercial over the years and it is appreciated that a commercial use may be far more intensive than the proposed agricultural storage use.

Council Officers suggested to the Agent that the applicant enters into a legal agreement to remove the grain store should the agricultural use and need cease, however, the applicant is unwilling to enter into such an agreement due to the additional costs involved. However, the applicants have agreed to a condition to ensure that in the event the proposal is no longer required for agricultural purposes it is removed from the site and therefore only the existing building would remain and after consultation with the Council's legal team it is accepted that such a condition would be enforceable and therefore sufficient in this case. This is considered to overcome any concerns over the long term future use of the site and to be a reasonable condition.

This application has included 3.4m high bunding along the north and east sides of the building, with planting which is considered to help to screen the proposal and existing building, particularly from the M11. There is some screening along the B1393, although it is not the densest planting, it too affords some screening when the site is viewed from the B1393. The Council's Tree and Landscape Officer has no objection to the proposal subject to a condition ensuring a landscape scheme is submitted and carried out.

Neighbouring Amenity

The proposal is some 100m from the nearest residential property and therefore, it is not considered that there is any significant impact on residential amenity in the surrounding area. It is adjacent to a haulage yard and commercial units and it is not considered that such a use, in this location will result in such a rise in impact on amenity to justify a refusal.

Highways and transportation matters

This application has been accompanied by information regarding transport movements at the site and the application includes a turning circle to the front of the proposal. 133 movements over the harvest period have been suggested, which over the two month harvest period (July and August) would equate to approximately 2 vehicle movements a day. Along with these peak movements it is also anticipated by the applicants that a further 67 movements per year will also be required equating to approximately just over 1 movement per week.

The Highway Authority has raised no objection to the proposal as the increase in vehicle movements equates to 2 lorries a day in the harvest period with an insignificant amount throughout the rest of the year. All movements will be through an existing access that affords the appropriate visibility splays for the speed of the road and the appropriate geometry for HGV's. Accident records for the last 3 years have been interrogated and there have been no recorded accidents associated with this access within this time period. Consequently the proposed development will not have any detrimental impact on safety, capacity or efficiency of the highway network at this location. The Highway Authority has requested a condition ensuring the turning area is constructed prior to first use and maintained free from obstruction at all times thereafter.

Comments on Representations Received

Other than the issues raised within the points above comments from neighbours have included the existing problems caused by vermin at the site. However, the refusal of this application would not prevent this problem and as the 2009 Planning Inspector suggests, this is a 'non-planning' issue where an alternative solution needs to be sought.

Concerns have also been raised with regards to vehicles using the site straying from the right of way, however this is a private, civil matter and not one that planning can be involved in.

A further issue has been raised by a neighbour as the applicant has suggested that farm machinery will also be stored within the grain store and therefore the neighbour is concerned that the proposal will become a multipurpose building. The applicant's agent has clarified that the proposal's main function is to be a grain store and not a multi-purpose building. However, the Agent has pointed out that at times when the building is not at full capacity, the applicant has the option to store farm machinery within the building should the need arise. This is considered acceptable provided as stated it is for agricultural purposes and this could be conditioned as such.

Conclusion:

Notwithstanding neighbour and Parish Council objections the application has been supported by detailed information regarding the need for the additional storage within the holding. The application includes sufficient turning space for vehicles and bunding has been proposed with planting to aid the screening of the building from the wider area. Notwithstanding the above, it is unfortunate that other buildings within the applicant's ownership are unsuitable due to being let on long commercial leases, with poor access or not suitable for modern farming methods and that the area was once an open field. However, on balance the Council has no evidence to dispute the amount of storage required for the size of holding or that the location, well related to existing buildings with good road access is logical and more appropriate than other sites within the applicant's ownership. Therefore it is considered that the proposal complies with policy GB11A and has therefore overcome the previous reasons for refusal and approval with conditions is 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:

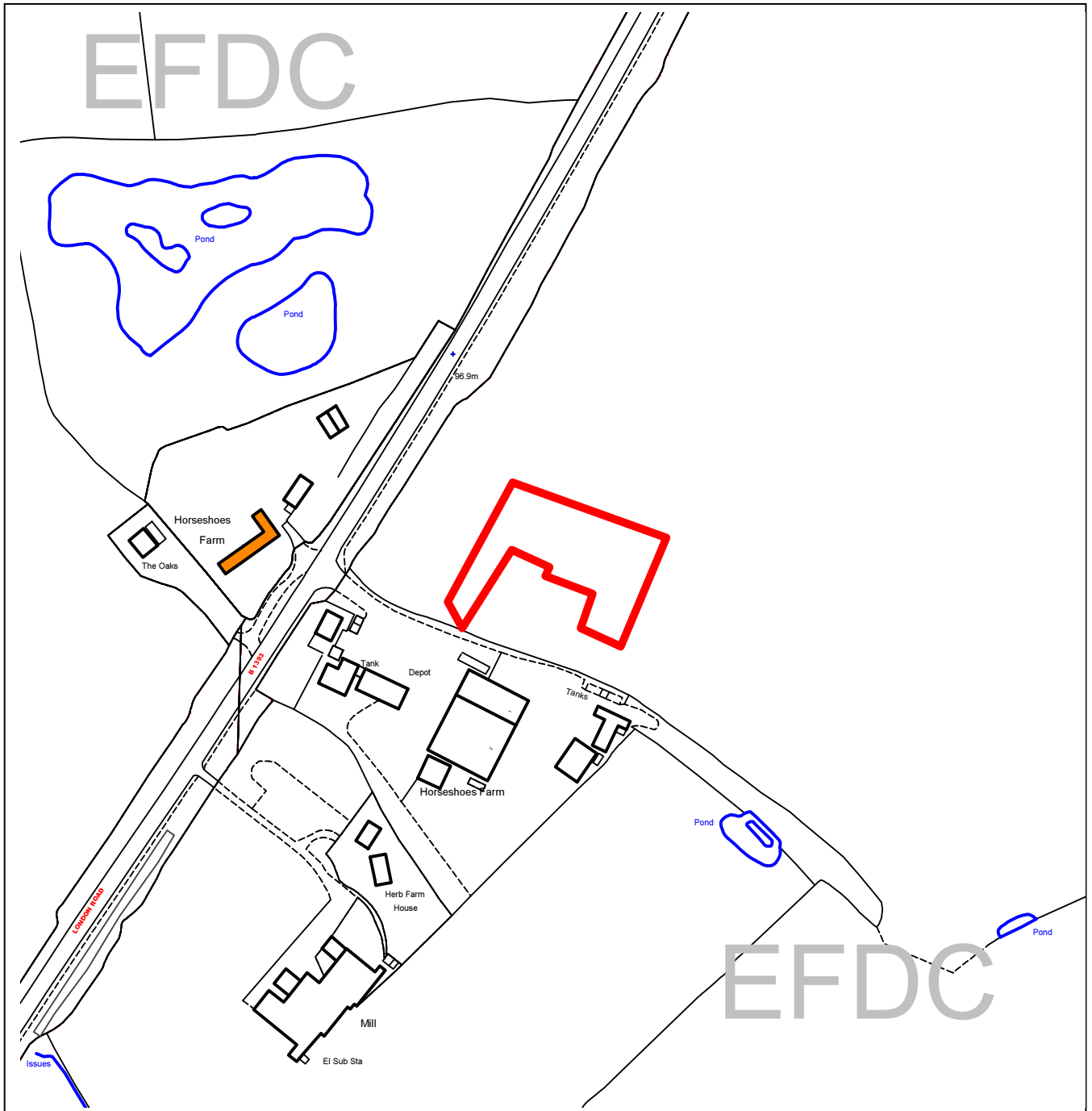
***Planning Application Case Officer: Marie-Claire Tovey
Direct Line Telephone Number: 01992 564371***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	5
Application Number:	EPF/2547/11
Site Name:	Land adj Horseshoe Farm, London Road, North Weald, CM17 9LH
Scale of Plot:	1/2500

Report Item No: 6

APPLICATION No:	EPF/2552/11
SITE ADDRESS:	Rolls Farm Barns Hastingwood Road Magdalen Laver Ongar Essex CM5 0EN
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
APPLICANT:	Mrs Rosemary Padfield
DESCRIPTION OF PROPOSAL:	Erection of Two New Buildings to Accommodate Insect Breeding and Storage associated with Peregrine Livefoods Ltd. (Revised application)
RECOMMENDED DECISION:	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=533693

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 construction works above ground level shall have taken place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing, prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
- 3 No development, including site clearance, shall take place until a scheme of soft landscaping and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule), have been submitted to the Local Planning Authority and approved in writing. The landscape scheme shall be carried out in accordance with the approved details prior to the commencement of any construction works. 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 in writing.
- 4 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.

- 5 The buildings hereby approved shall be used only for the purposes set out within the application. That is breeding of insects, within the extension to barns 1 to 3 and storage and staff welfare facilities ancillary or incidental to the wider use of the site for insect breeding, in Building 8. Should the use for these purposes cease then the buildings shall be demolished and all resulting materials shall be removed from the land.
- 6 No external lighting shall be erected at the site in connection with this development without the prior written approval of the Local Planning Authority.
- 7 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Unnumbered site Location Plan, 1101 3A, 4, 5A, 6A, 7, 8, 9, and unnumbered landscaping scheme.
- 8 There shall be no external storage at the site.

This application is before this Committee since it is an application that is considered by the Director of Planning and Economic Development as appropriate to be presented for a Committee decision (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(k))

Description of Site:

Rolls Farm Barns comprises a cluster of agricultural buildings located on the eastern side of Hastingwood Road, about 2.5km from the A414/M11 junction at a tight right-angled bend in the road. The site which comprises approximately 2.13 Hectares contains about 4000sq metres of existing, portal framed agricultural style storage buildings, originally used for potato storage. The buildings are currently in use for the breeding and storage of live insects with associated office and staff facilities. There is hardstanding for parking between the buildings. To the south of the site and within the same ownership lies Rolls Farmhouse which is a listed building and to the north is Wynters Armourie which is listed and a scheduled Ancient Monument. The other nearest properties are Wynters Cottages to the west and Chestnut Cottage on the opposite side of the Road to the South. To the north and east there is open farmland which is part of Rolls Farm and within the same ownership as the application site.

Description of Proposal:

The proposal is for the erection of two additional buildings in connection with the existing insect breeding business on the site. The first is an extension to Barn 1 measuring 17m x 17.5 m, which will continue the form of the existing building with an additional portal framed bay. It is intended that this will contain 3 breeder rooms and a cleaning and preparation area at ground level with further breeder rooms above on a mezzanine level.

The second building is a freestanding building measuring 47m x 30m which is proposed to be located at the rear of the site behind the existing main production building. The proposed building is of similar design to the existing and comprises a two bay metal portal building with a ridge height of 8.8 metres, the same as the existing main building. The intention is that this building will be used for storage of feed, packaging and other equipment needed in connection with the business. At present there are overhead electric cables that cross this part of the site, and it is intended that these will be placed underground. The proposals include a rationalisation of the existing parking on the site so that there will be 50 car parking spaces and in addition a temporary lorry parking space has also been allocated adjacent to the access. The proposals also include planting of a

native hedge to the rear of the site and along the access track to the east of Wynters Farm, to soften views of the site together with planting of mixed oak and beech trees to the front of the site and at the eastern corner.

Relevant History:

EPF/0494/06 Change of use of former potato store for the breeding and storage of live insects and associated facilities, by Peregrine Live Foods- Approved

EPF/0781/11 - Retrospective change of use of 2 redundant buildings and erection of two new buildings to accommodate livestock (insect) breeding and associated storage. Refused. As new buildings were considered contrary to green belt policy and harmful to the setting of the listed building.

EPF/1621/11- Retrospective change of use of two redundant buildings to accommodate livestock breeding and storage associated with Peregrine Livefoods Ltd. Approved.

Policies Applied:

PPG2 Green Belts

PPS4 Planning for sustainable Economic Growth.

PPS7: Sustainable Development in Rural Areas

Epping Forest District Local Plan and Alterations policies:

CP1 – Achieving Sustainable Development Objectives

CP2 – Protecting the quality of the Rural and Urban Environment

GB2A – Development in the Green Belt

DBE4 Design in the Green Belt

RP05 Adverse impacts

DBE9 – Loss of amenity

HC12 – Development affecting the setting of Listed Buildings

E12A – Farm diversification

LL11 – Landscaping schemes

ST1 – Location of Development

ST2 – Accessibility of development

ST6 – Parking

SUMMARY OF REPRESENTATIONS:

11 neighbours were consulted and a site notice was erected at the entrance to the site.

The following responses were received.

PARISH COUNCIL- No objection.

CHESTNUT COTTAGE, MAGDALEN LAVER- Strongly object. Our objection is based on the contents of our objection to EPF/1621/11 – i.e. design, location, environmental impact, heavy traffic, noise pollution, and unknown livestock breeding which infringes our human rights and will substantially decrease our standard of living. Since the arrival of Peregrine Live Foods Ltd we have suffered heavy traffic, noise and light pollution as well as the aforementioned problems.

WYNTERS COTTAGE< MAGDALEN LAVER – *NB these comments refer to the earlier application for change of use although they were received after that application was determined, the objector was informed of the new application and advised that his objection would be taken into account on the new application but if he wished to make additional comments relating specifically to what is now proposed there was still time to do so, no additional comments were received.*

Object- Concerned about increase in traffic, we are on direct route to M11 which is where most delivery vans and lorries come from during the local traffic jam every morning, cannot walk dogs at this time. Road too narrow, their regular 6pm TNT mega lorry takes up whole road, making cars pull over onto verge. Lane is not suitable for such traffic. Also we suffer light pollution from security lights on all night pointing into our bedroom windows. Object to any increase in size, staff and traffic. Concerned that we were not consulted.

WYNTERS ARMOURIE- MAGDALEN LAVER- Support. The business is a good neighbour, bringing employment. No worry over security as the site is occupied by just one company. It would be a great shame if they had to leave.

2 POPLAR COTTAGES – No Objection, and having viewed the details we support the application.

Issues and Considerations:

The main considerations in the determination of this application are the impact on the Green Belt, the impact on neighbouring amenity, highway and parking issues, impact on setting of adjacent listed buildings and scheduled ancient monument.

Green Belt.

The site is within the Metropolitan Green Belt and although the buildings are proposed to be used in connection with the breeding of live food, as this is food for the pet industry and not for humans, it is not generally accepted that this is an agricultural use. As such the erection of new buildings at the site for this purpose is inappropriate development and therefore by definition harmful to the green belt. For the development to be acceptable therefore (unlike with the previously approved change of use applications) there need to be very special circumstances that outweigh the harm to the Green Belt and any other harm from the development. The previous application EPF/0781/11 which included new buildings was refused on the basis that very special circumstances had not been proven and that the development (particularly due to the introduction of parking into an area that is currently undeveloped) would be harmful to the setting of the listed building. Since that refusal the applicant has provided further information in support of the application, to overcome the Green Belt objection.

The circumstances they highlight are:

1. The business is now an established and successful business in redundant buildings at Rolls Farm.
2. The business needs to expand and they have considered relocating to a larger site or a split into two sites but neither of these options is sustainable or cost effective. (review of the market and the business development plan has been submitted with the application to fully explain why this is the case.
3. The business would like to remain in the District and have been searching for a site for 3 years but no such site has been forthcoming,
4. The nature of the breeding activity is such that it requires a site away from traditional industrial premises, preventing contamination of the breeding insect colony.
5. The siting of the warehouse and storage area within this site will likely reduce traffic movements compared to if they had to operate from a split site, for a while they operated overflow warehousing from Weald Farm and this generated an estimated 12 additional movements a day between the sites.
6. The stability that expansion of the existing site would create makes financial sense with economies of scale.
7. The site is an important local employer largely of unskilled labour. 34% of the current workforce is under 25. This sector has traditionally had high unemployment.
8. The Peregrine Foods use of existing buildings at Rolls Farm was an important diversification of the farm following the move out of potato growing which had ceased to be profitable. The income generated from the letting of the site for this business supports the farm income. The certainty of

income from the Peregrine Foods development is important to the farm which is subject to increasing volatility in commodity prices.

Impact on Amenity

The proposed buildings are set well within the site and are not close enough to any residential property to cause loss of light or to be overbearing, the amenity issues therefore largely relate to the potential to result in increased traffic generation which will utilise Hastingwood Road, which is relatively narrow in parts and passes close to residential properties. The proposal allows the business to maximise economies of scale. It will prevent the double handling that occurred previously from the temporary use of buildings at Weald Hall for storage of dry goods. At present on an average weekday the applicants state that 44 cars, 3 cycles and 3 motorcycles come to the site plus 3 7.5 ton Lorry visits, 3 articulated trailers, 5 - 10 light vans. A skip lorry visits generally every second day. The operating hours are 8am to 5.30 weekdays and on average only 4 staff attend the site during the weekend to monitor the insect rearing facilities. No deliveries take place after 4.30pm or before 8.30am. It is not anticipated that there will be a significant increase in movements as a result of the development and as already stated should it be necessary to find a different site for the dry goods store then this would likely generate an additional 12 lorry movements a day between the sites. The application will not result in an increase in workforce, which currently stands at 97 full time and 5 part time, it simply allows for more efficient and effective working. As such the impact on the amenity of the area is considered to be minimal. Hours of use conditions can be attached to ensure that night time noise is not an issue. Concern has been raised from 2 neighbours with regard to light pollution. A condition can also be added to ensure that details of any external lighting are submitted for approval to ensure that it is appropriate and shielded so as not to cause problems.

Highway and Parking issues

The site is located on a very sharp bend in the road, but on the outside of the bend and with a wide bellmouth such that sight lines are good, and road speeds are relatively low. The Highway Authority does not consider that the proposals will generate additional traffic to the detriment of the highway network or compromise highway safety in the locality, also the access to the site is acceptable both in terms of safety and geometry. The business has been operational for some time and there are no recorded accidents at the locality within the last 3 years, as such it is not considered that the proposal generates highway safety issues. The Highway Authority has no objections to this proposal as it is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, and policies ST4 & ST6 of the Local Plan.

With regard to car parking the 50 spaces proposed together with adequate lorry parking and turning facilities is considered acceptable.

Impact on the setting of the listed building

The last application that included new buildings on the site was refused in part because of the impact of the development on the setting of the adjacent listed buildings. The buildings proposed have not been altered but the position of the larger building to the rear of the site has been shifted so that is closer to the existing main building and in line with it so that it does not intrude so far into the open area. In addition extensive car parking that was proposed to be located on a part of the site that is currently undeveloped has been removed. Finally, previously proposed landscape bunding to the rear of the site, which would in officer's view have been a further incursion and unnatural feature in this location has been removed. Despite this it is clear that the Historic Buildings Advisor's original concerns have not been fully overcome.

The historic setting of the listed buildings in this case was originally open countryside and this has in officer's view already been substantially eroded by the existing buildings on the site. The erection of two more large modern buildings cannot benefit this setting. However given the nature of the current setting and that the proposed buildings are essentially modern farm buildings that are not out of place in a farmyard setting officers are of the opinion that despite the reservations of the Conservation Officer, they do not further erode the setting significantly. The removal of the car park and the shifting of the larger building so that it does not intrude further north when viewed from the east is considered on balance to be sufficient to overcome the reason for refusal, subject to adequate and appropriate landscaping. The landscape condition proposed would require the proposed hedge and tree planting to take place before the new buildings are erected to ensure that the landscape setting is maintained.

Other Issues

Human Rights. The neighbour at Chestnut Cottage which lies approximately 120 metres to the south of the site and is not on the road frontage has suggested that the development infringes their human rights and will decrease their standard of living. It is not considered that the proposed development will have an excessive impact on residential amenity as discussed above. The insects that are being bred at the site are not dangerous and there is no health and safety requirement for the use to operate in an isolated location, there is no known harm to residential amenity from the breeding process. It is not considered therefore that approval of the use would result in an infringement of human rights.

Judicial Review.

Members should be aware that following the approval of the previous application EPF/1621/11 for retrospective consent for use of two existing buildings at the site for insect breeding, an objector has lodged an application for permission to apply for a Judicial Review of that decision. This application has not been processed yet by the Administrative Court. In the meantime the permission exists and remains in force.

Conclusion

In conclusion, this is a balanced case. The development is inappropriate in the Green Belt, but a compelling argument for very special circumstances has been made. Refusal of consent is likely either to result in the need for split site working, which is impractical and results in additional traffic movements to the detriment of sustainability, or the wholesale relocation of the business elsewhere, which will have significant knock on impacts for local employment and may also result in redundant buildings on the site which if left empty would potentially undermine the viability of the larger farm landholding, or alternatively change of use to other business uses would need to be considered, which could have knock on traffic and environmental impacts.

Given the current emphasis on economic growth and farm diversification Officers consider that the balance is tipped in favour of this development, which although not agricultural is not dissimilar in character and is a use which it seems logical to locate within the rural area.

Whilst the erection of the new buildings will not enhance the setting of the listed buildings and scheduled ancient monument, again on balance it is not considered, given the current nature of the site, that they will have a particularly negative impact. The proposal will not cause excessive harm to the amenity of neighbours or result in any other harm that would warrant refusal of the application and on this basis the application is recommended for approval subject to 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:

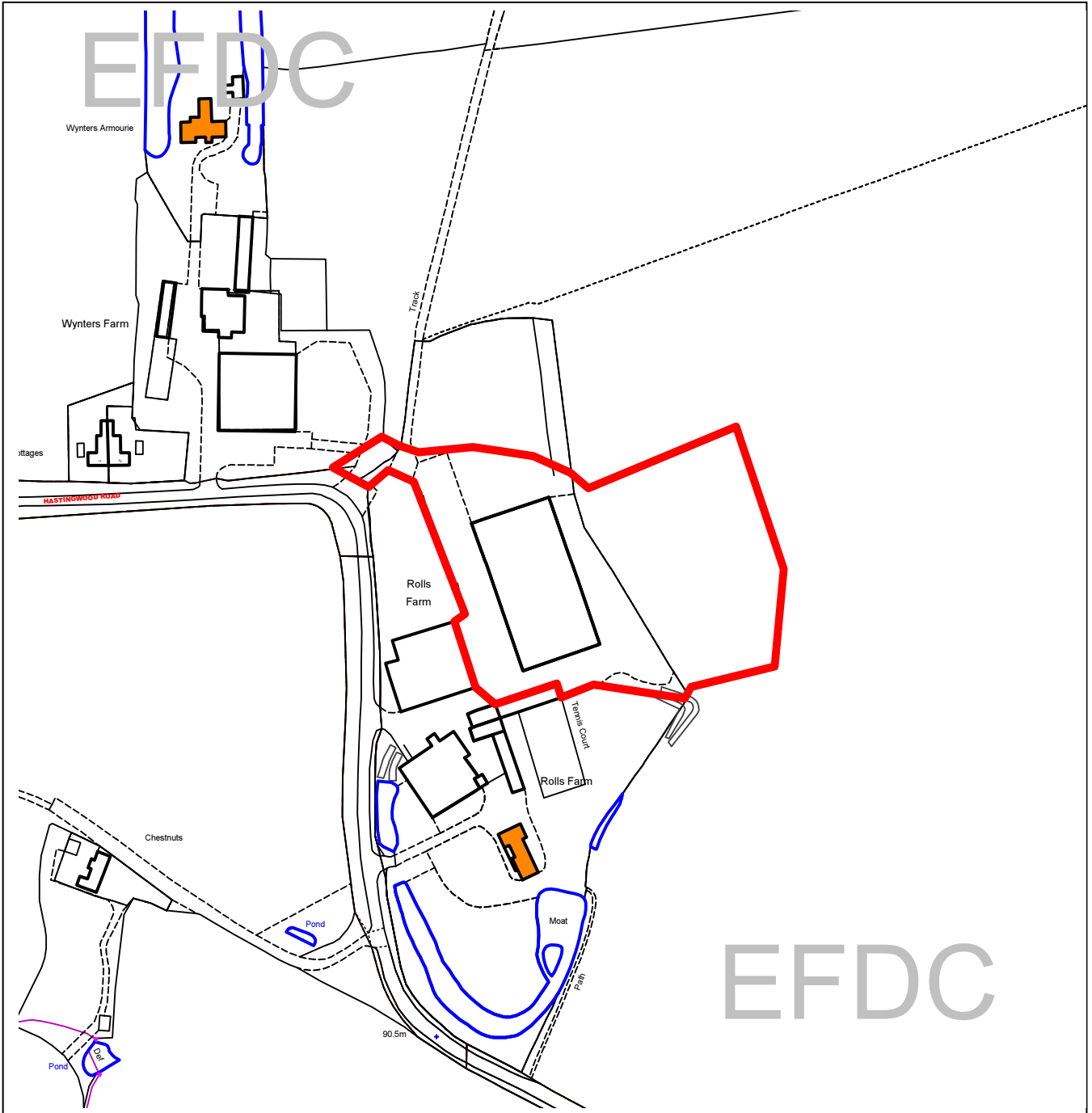
**Planning Application Case Officer: Mrs Jill Shingler
Direct Line Telephone Number: 01992 564106**

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	6
Application Number:	EPF/2552/11
Site Name:	Rolls Farm Barns, Hastingwood Road Magdalen Laver, CM5 0EN
Scale of Plot:	1/2500

Report Item No: 7

APPLICATION No:	EPF/2565/11
SITE ADDRESS:	11 Onslow Gardens Ongar Essex CM5 9BG
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
APPLICANT:	Mr & Mrs C Ponsford
DESCRIPTION OF PROPOSAL:	Single storey front and rear extensions, loft conversion and detached garage (Revised application)
RECOMMENDED DECISION:	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=533772

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 building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 Prior to first occupation of the development hereby approved, the proposed roof lights on both slopes of the roof shall be entirely fitted with obscured glass and shall be permanently retained in that condition.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))

Description of Site:

The subject site is located on the northern side of Onslow Gardens approximately 110 metres south of Mayflower Way within the town of Ongar. The site itself is located on a bend and as such the frontage of the site is quite wide compared to surrounding properties. However, its width significantly reduces the further the site extends towards the rear. The site is relatively level.

A modest size bungalow is located towards the front of the site finished from facing brickwork and render. Hard paving is located to the east of the bungalow which provides off street parking. There is a garden area located to the rear of the site. A small brick wall forms the boundary treatment

along the front boundary whilst a hedge and timber paling fence are located on the side and rear boundaries.

The subject site is located within a well established residential area that comprises a mixture of bungalows and semi detached dwellings.

Description of Proposal:

The applicant seeks planning permission for the construction of single storey front and rear extensions, a loft conversion and a detached garage.

The single storey rear extension would project 3 metres from the original rear façade and have a width of 7.5 metres. The front extension would be constructed in line with the existing eastern flank elevation and project 1 metre from the existing front façade. A projecting front gable element would be retained.

The loft conversion would consist of raising the ridge height of the bungalow from 5.7 metres to 6.7 metres. The new roof would extend the length of the bungalow including over the proposed front and rear extensions. Additional living accommodation containing two bedrooms, one with en-suite, and a bathroom would be within the new roof space.

The detached garage is to be located to the west of the existing bungalow. It would measure 3.67 metres by 5.4 metres. It would have a dummy pitch towards the front with the remainder of the garage comprising of a flat roof.

A new vehicle crossover would provide vehicle access to the garage. Planning permission is not required for the new crossover as Onslow Gardens is an Unclassified Road. The existing crossover is to remain.

Relevant History:

EPF/1271/11 - Single storey front and rear extensions, loft conversion and detached garage (withdrawn 3/8/11).

Policies Applied:

Local Plan policies relevant to this application:

DBE9 – Loss of Amenity

DBE10 – Residential Extensions

CP2 - Protecting the Quality of the Rural and Built Environment

Summary of Representations

ONGAR TOWN COUNCIL:

Ongar Town Council accepts that the application is materially different to a previous one, but is still concerned about the height of the proposed development. The Council objects on the ground that the proposal would result in excessive massing and over-development. In particular the development would substantially affect the integrity of the street scene where it is important to preserve the distinctive design features of the existing bungalows. The Council is aware of residents' concern about the adequacy of some measurements on the submitted plans and would draw attention to the possibility of overlooking needing to be assessed carefully from confirmed measurements.

NEIGHBOURS:

Ten neighbouring properties were notified and the following representations have been received:

5 ONLSOW GARDENS – Object

The proposed development would appear large and overbearing.
The proposed development would lead to a loss of privacy due to overlooking.
The proposed development will be out of character with the surrounding area.

9 ONSLOW GARDENS – Object

The proposed development including the garage would result in a loss of light and would be an overbearing development.

15 ONSLOW GARDENS – Object

The development, in particular raising the height of the ridgeline by a metre, would be out of character to the surrounding area and the adjoining bungalow of number 9.

Issues and Considerations:

The main issues to address in this case are:

- Design and appearance
- Impact upon neighbouring amenities

Design and appearance:

A distinctive feature that is unique to the bungalows within Onslow Gardens is the front projecting gable end which is an important component to the character of the surrounding area. The applicant has picked up on this fact and has deliberately designed the front of the building so this remains as the standout feature. The proposed single storey front extension would remain set back behind the gable end feature ensuring that the front façade of the building would still be well articulated and visually interesting when viewed from public vantage points.

It is noted that the roof pitch of the front gable end feature is steeper and therefore has a higher ridge than at present. The applicant has designed it this way in order for it to match the pitch of the main roof form. Although it is not ideal as it would be nice to keep distinctive gable end features found on these types of bungalows similar to one another, on balance it is a practical solution that would keep the roof of the gable end feature parallel with the roof pitch of the bungalow.

The raising of the height of the existing bungalow by a metre would not result in an unsatisfactory amount of bulk and massing to the overall appearance of the bungalow. In fact, it is considered that as a result of the loft conversion, the overall appearance of the building would be improved as it would result in the removal of the existing side dormer windows. Currently these dormer windows are unsightly. The increase in height is not considered so great as to dwarf the adjoining bungalow.

The addition of the rear extension with the continuous roof form over is appropriate as it would appear an integral part of the bungalow.

The proposed detached garage has been set back behind the front façade of the dwelling to ensure that the front projecting gable end feature remains as the standout feature. It should be noted that although it has been designated as a garage, the internal measurements do not meet

Council's adopted parking standards and therefore it cannot be regarded as an off street parking space. However there is more than enough room on the hard paving areas of the site to accommodate adequate off street parking.

Neighbouring amenities:

It is noted that roof lights are proposed in both the roof slopes of the dwelling and there would be a new window inserted in the rear gable end. It is considered that there would not be a greater material detriment in relation to overlooking from that of existing conditions as currently the side dormer windows have the potential for overlooking into adjoining properties. Nevertheless, in order to improve upon the current situation and prevent any direct overlooking of adjoining properties, it shall be conditioned that the proposed roof lights be obscured glazed as they are below 1.7 metres of the finished floor level of the second level.

The proposed development would not result in an unsatisfactory amount of overshadowing to adjoining properties to warrant a reason for refusal. It is considered that adequate sunlight and daylight would be achieved to adjoining properties habitable room windows and private garden areas for the majority of the day.

It is noted that the proposed garage is located along the western boundary that is shared with number 9 however it has been kept low in height (2.7m) and set back an appropriate distance from the adjoining neighbour such that it will not be excessively visually intrusive or overbearing.

Conclusion:

The proposed development is appropriate in terms of its design and appearance in that it would not be detrimental to the character and appearance of the existing building and the surrounding locality. The proposed development would also not have a detrimental impact to the amenities enjoyed by adjoining occupiers. The proposal is in accordance with the policies contained within the Adopted Local Plan and Alterations and therefore it is recommended that the application be granted permission subject to 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:

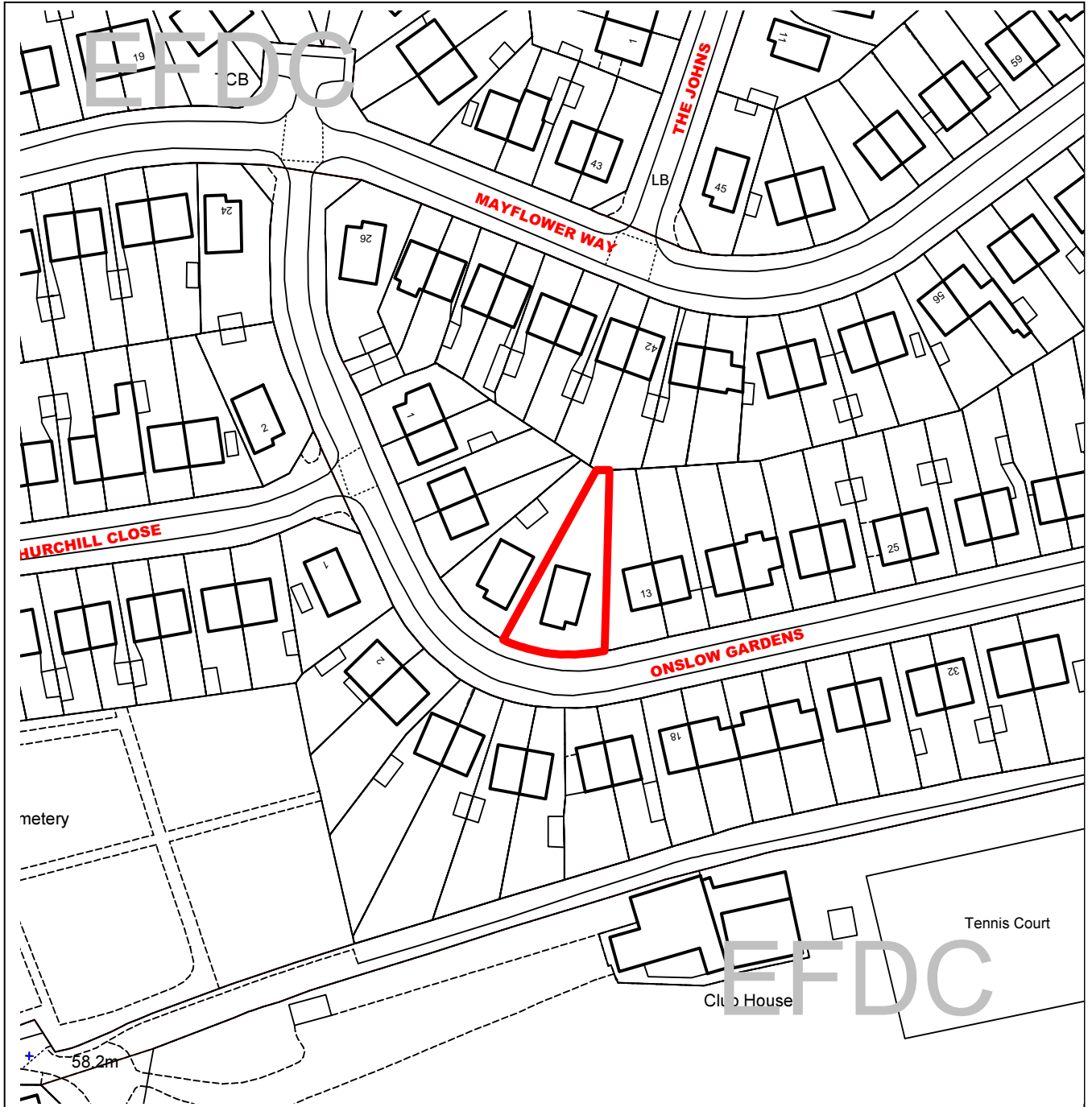
**Planning Application Case Officer: Lindsay Trevillian
Direct Line Telephone Number: 01992 564 337**

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	7
Application Number:	EPF/2565/11
Site Name:	11 Onslow Gardens, Ongar CM5 9BG
Scale of Plot:	1/1250

Report Item No: 8

APPLICATION No:	EPF/2603/11
SITE ADDRESS:	Cloverleaf Farm Pig Meadow King Street High Ongar Ongar Essex
PARISH:	High Ongar
WARD:	High Ongar, Willingale and the Rodings
APPLICANT:	Mr J Roberts
DESCRIPTION OF PROPOSAL:	Construction of nine fish ponds and extension to existing building.
RECOMMENDED DECISION:	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=533935

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 building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 4 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 5 Within three months of the substantial completion of the extension hereby approved the three steel storage containers shall be removed from the site and the site shall remain clear of outdoor storage facilities. No outdoor storage facilities shall be erected on the site without the written approval of the Local Planning Authority.

- 6 No development shall take place on site until a scheme for the provision of and management of compensatory habitat creation, by the locating of three bird boxes within the site, has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented as approved.
- 7 Prior to commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority for an upgrade of the bellmouth access into the site to include minimum kerb radii of 8m, no unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary. The approved details shall be implemented within three months of the completion of the development hereby approved.
- 8 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.
- 9 Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety and shall be retained at all times.
- 10 The material excavated from the below ground works shall be removed from site unless otherwise agreed by the Local Planning Authority.
- 11 The building hereby approved shall only be used for purposes ancillary or incidental to the use of the wider site for fish production and for the storage and assembly of aquatic filtration systems and shall not be sold or let for any separate business or storage use.
- 12 No retailing shall take place from the site at any time without the prior written approval of the Local Planning Authority.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))

Description of Site:

The site is located within the boundaries of the Metropolitan Green Belt and the immediate area is characterised by sparse development and arable farmland. The site which is bound to the north by the A414 and to the west by King Street covers approximately 5 hectares. The site contains a large prefabricated structure and three steel containers which are currently being used to store materials in connection with the fish farm which operates from this property. Thirteen fish ponds are located along the northern section of the site. There is also a lake located in the southern section of the site. A number of trees are within, and along the boundary of the property. Access to the highway is gained from an existing access, which leads to a hardstanding parking area in front of the prefabricated building.

Description of Proposal:

The proposal is to extend an existing steel clad building at the site. The current building measures 30.5m x 15.0m x 6.0m in height. The extension would measure 18.5m x 15.0m with a height

commensurate with the existing building. Matching materials are proposed. Such a proposal has been previously refused consent (EPF/1017/10, EPF/1157/11).

Consent is also sought to increase the number of fish ponds from 13 to 22 with the addition of nine ponds aligned either side of the lake covering approximately 1,800 sq m.

Relevant History

AGR/EPF/0893/02 - Agricultural determination formation of 9 fish ponds. Permission Required and Granted - 18/11/2002.

AGR/EPF/2121/03 - Agricultural determination for erection of fish hatchery. Permission Required and Granted – 02/02/04.

EPF/0939/07 - Agricultural determination for erection of fish hatchery. Withdrawn Decision - 29/06/2007.

EPF/1017/10 - Extension to existing steel farm building. Refuse Permission – 31/01/11.

EPF/0139/11 - Erection of agriculturally tied farmhouse for accommodation of a key worker at Cloverleaf Fish Farm. Refuse Permission – 15/03/11.

EPF/1157/11 - Extension to existing steel framed fish farm building. (Revised application). Refuse Permission – 01/08/11.

Enforcement

ENF/0015/10 - Fish equipment business being run from agricultural barn and hardstanding areas have been created – 06/01/10.

Policies Applied:

CP2 – Protecting the Quality of the Rural and Built Environment

GB2A – Development in the Green Belt

GB7A – Conspicuous Development

GB11 – Agricultural Buildings

DBE1 – Design of New Buildings

DBE2 – Effect on Neighbouring Properties

DBE4 – Design in the Green Belt

DBE9 – Loss of Amenity

ST4 – Road Safety

LL10 – Adequacy of Provision for Landscaping

NC4 – Protection of Established Habitats

SUMMARY OF REPRESENTATIONS:

20 neighbours consulted and site notice displayed – No replies received.

HIGH ONGAR PARISH COUNCIL: Objection. Inappropriate in the Green Belt and increased capacity could cause increased traffic/waste which impact negatively of local residents. Could cause possible non-compliance with DEFRA rules.

Issues and Considerations:

The main issues regarding this development relate to any impacts the proposal may have, given its location within the Metropolitan Green Belt. Potential impact on neighbour amenity, trees, ecology and highways will also be assessed.

Green Belt

The application was previously refused consent on 01/08/11 for the following reason;

“The proposed development is not for agricultural purposes and is inappropriate development in Green Belt terms and therefore, by definition, harmful. In such cases the applicant must demonstrate very special circumstances. As no case has been sufficiently put forward the proposal is contrary to policies GB2A and GB7A of the adopted Local Plan and Alterations”.

The local plan, and Government guidance outlined in PPG2, informs that development for the purposes of agriculture is not by definition inappropriate within the boundaries of the Metropolitan Green Belt. The criteria for assessing planning applications for agricultural buildings within the Green Belt are outlined in Policy GB11. This states, inter alia, that the structure is demonstrably necessary for the purposes of agriculture and would not be detrimental to the character and appearance of the area or the amenities of nearby residents.

However, throughout the planning history of the proposal to extend the building on site there has been some reservations from the Local Planning Authority that the site has not been in use as an agricultural activity. Therefore applications have been refused. Fish farming is agriculture, where fish are kept for the purpose of food production. The activity is defined in the GPDO as including shellfish (including any form of crustacean or mollusc). However, this is not the case with ornamental fish production. It was evident from a site visit, and subsequent information obtained from a website, that the site is being used for the farming and supply of ornamental fish, such as Japanese Koi.

It is also apparent that a significant commercial element is a component part of the operations at the site with the assembly and supply of filtration systems evident. The website heavily promotes the filtration systems and their associated paraphernalia.

It has, until now, been uncontested by the applicants that notwithstanding the previous history of the site the use no longer falls within the definition of agriculture. However the supporting statement submitted as part of the application refers to the production of Doitsu and Tilapia for food, in essence for the purposes of agriculture. The layout of the existing building and the website promotion clearly indicate that the site is in use primarily as commercial premises for the assembly of filtration systems. Whilst Tilapia can be processed as kosher food, this is at best an ancillary activity to the rearing and supply of Koi Carp/assembly of filtration systems. It is therefore not accepted that the site is in agricultural use and that the development is for agricultural purposes.

Notwithstanding these points there is an existing use at the site which can be judged accordingly against Green Belt policy.

The supporting statement refers to the use being an appropriate Green Belt development in that it provides “...essential facilities for...other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land within it...”, as referred to at paragraph 3.4 of Planning Policy Guidance 2 (PPG2) However paragraph 3.5 relates that this is generally regarded as development in connection with outdoor participatory sport or recreation such as stables, small changing rooms. Extensions to a commercial premises and the excavation of ponds could not be classed as such development.

With an agricultural use discounted, the proposal also fails to comply with any of the land uses deemed appropriate within the Metropolitan Green Belt when tested against the listed criterion in Policy GB2A. In such circumstances the obligation is on the applicant to display that very special circumstances exist which would outweigh the harm caused to the Metropolitan Green Belt.

The applicant's submission outlines the need for the extension to this building. This states that the established business has been trading profitably and now needs additional facilities to remain viable. There is a need to provide secure facilities to store stock in line with Environment Agency guidance. There is also a need to provide a quarantine area for fish imported onto the site in line with Department of Environment, Food and Rural Affairs (DEFRA) guidance. If an issue arises whilst the fish are in secure quarantine this would guard against the entire stock at the fish farm having to be destroyed. Only the fish in the quarantine facility would have to be destroyed. The need for the quarantine facility has previously been verified by the Centre for Environment, Fisheries and Aquaculture Science (Cefas) (EPF/1157/11).

The layout of the existing building and the fact that the three shipping containers are currently being used as ancillary storage space suggest a need for an extension. This business has clearly diversified from its original operations and whilst there is an argument that the site has never been in agricultural use, it has a lawful use and diversification is supported by Planning Policy Statement 7 Sustainable Development in Rural Areas (PPS7). PPS7 states that diversification can contribute to "very special circumstances" for otherwise inappropriate schemes. It is therefore considered that a need for the extension has been justified. The fish ponds would have no serious impact on the openness of the Green Belt. There is the added benefit that the unsightly shipping containers could be removed from site.

The business is a local employer within the rural community. It is conceivable that in the current harsh economic climate such a development is necessary to ensure the ongoing viability of the business. The extension itself would be in part screened by the existing building and taken in the context of the existing built form it would not seriously encroach on openness. The applicant states that the reason for the height of the building is to incorporate a mezzanine level for storage. This is deemed acceptable and would result in an appropriate design to the extension. It is therefore considered that an approval of this scheme allows a rural based enterprise, which provides local employment, to expand without serious harm to the Green Belt.

Neighbour Amenity

The extension to this building would have no adverse impact on the amenities of neighbouring residents and has no adjacent neighbours.

Design

The design follows the form and appearance of the existing building and raises no serious issues.

Tree Issues

It has been demonstrated that this proposal will not impact on the trees and hedges within and surrounding the site.

Land Drainage

Due to the increase in size of the building the Land Drainage section has requested the standard condition requiring a Flood Risk Assessment. The application will be conditioned accordingly.

Highway Issues

The Highways Authority at Essex County Council raise no objections to the proposal subject to conditions relating to a general clean up of the currently unbound access. The application will be conditioned accordingly.

Ecology

The Countrycare section of the Council has expressed concern that the amphibian section of the submitted ecology survey was carried out at the wrong time of the year. There is agreement with the survey's recommendation that no work should be carried out within 5m of a tree with a nest in and three bird boxes to be erected somewhere on the site. The Countrycare section suggests another amphibian/reptile survey is carried out at the optimal time of year. The surveys have been carried out with professional rigour and do not record the presence of reptiles or amphibians. Notwithstanding the time of year that the survey was carried out it is considered unreasonable to request further testing. An informative advising the applicant of their responsibilities with regards to protected species is deemed more appropriate and shall be attached to the decision notice. The condition with regards to bird boxes is deemed reasonable and necessary.

Parish Council Comments

High Ongar Parish Council has expressed concern that the increased intensity in the use of this site could lead to increased waste and traffic movements. Increasing the size of the building will, if anything, reduce the need for unsightly outside storage and is not a serious concern. Although there may be an increase in traffic movements to and from the site they would not compromise road safety and would only cause a minor encroachment on neighbour amenity.

The Parish Council also expresses concern that the proposal would possibly be non-compliant with DEFRA guidance. DEFRA requirements are covered by separate legislation which the applicant would have to comply with. It is therefore deemed unnecessary to impose restrictions or conditions on an aspect of the development that is governed by separate legislation and which would contribute little to securing planning objectives with this scheme.

Conclusion:

The proposed development is not considered to be in connection with an agricultural use and does not conform to other uses deemed appropriate in Green Belt terms. The proposal is therefore deemed inappropriate development requiring justification of "very special circumstances". However the site is used by an established business providing local employment. The proposed quarantine facility offers the opportunity for this business to expand and grow. The outside storage and submitted building layout suggests a need to increase the size of the existing building. The extension would be part screened within the site and the fish ponds would have no impact on openness. PPS7 does support diversification and states that this can contribute to very special circumstances. There are no serious concerns with regards to amenity, highway safety, trees or ecology. It is considered that the above points, taken as a whole, do warrant consideration as very special circumstances and it is therefore recommended that the application is approved 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:

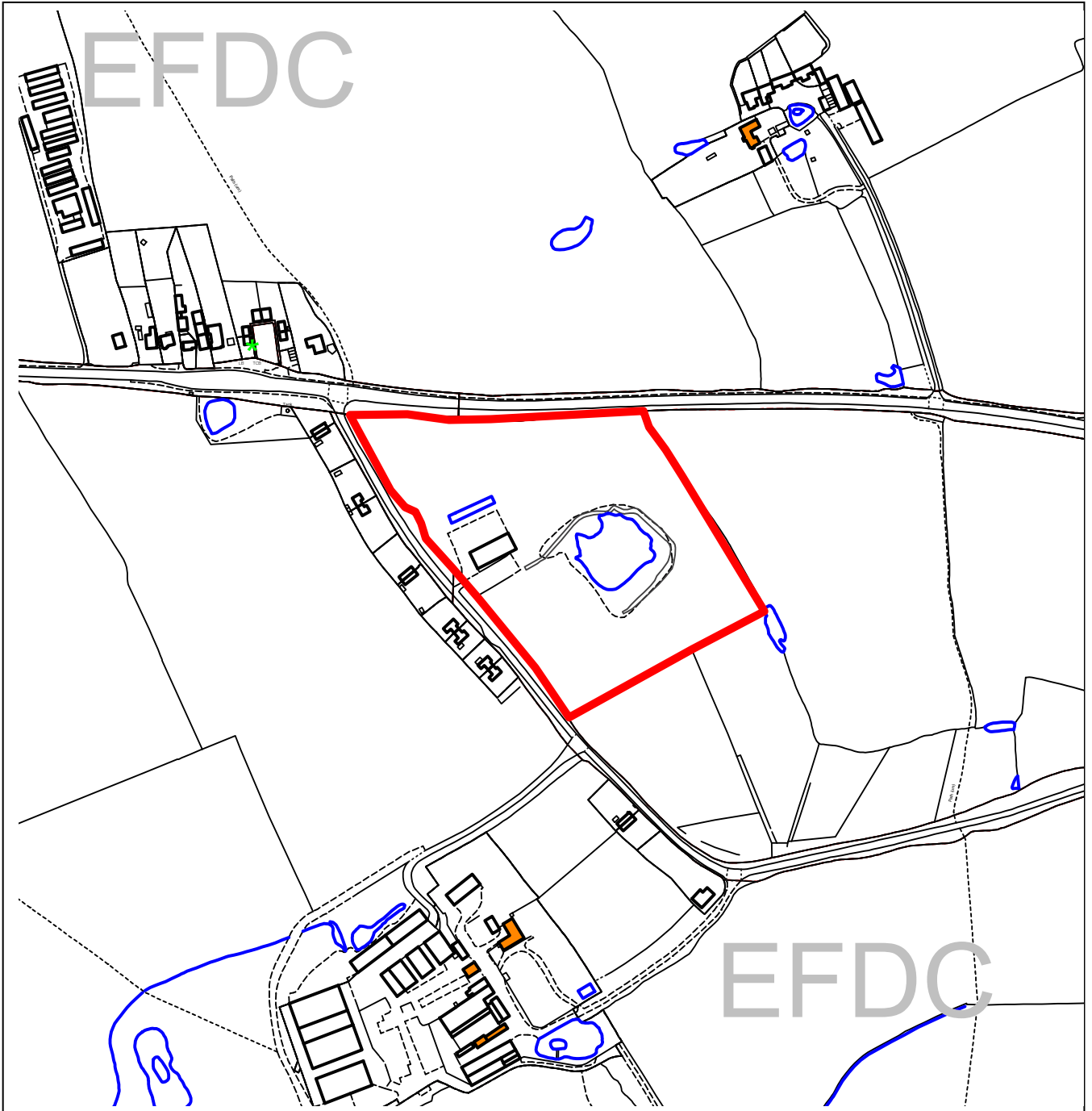
***Planning Application Case Officer: Mr Dominic Duffin
Direct Line Telephone Number: (01992) 564336***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	8
Application Number:	EPF/2603/11
Site Name:	adj, 24 Bower Vale, Epping, CM16 7AS
Scale of Plot:	1/5000

Report Item No: 9

APPLICATION No:	EPF/0001/12
SITE ADDRESS:	74 - 76 High Street Epping Essex CM16 4AE
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Willowcity Estates Plc
DESCRIPTION OF PROPOSAL:	Change of use of premises from A1 (Retail) use to a shared use A3 (Restaurant and Cafe) and A5 (Hot Food Takeaway)
RECOMMENDED DECISION:	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=534013

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The use hereby permitted shall not be open to customers outside the hours of 09.00 to 23.00 Monday to Saturday and 12.00 to 22.30 Sundays and Public/Bank Holidays.
- 3 The use hereby approved shall not commence until a scheme providing for the adequate storage of refuse from the use has been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be carried out as approved and maintained as long as the use continues unless otherwise agreed in writing by the Local Planning Authority.
- 4 Details of foul and surface water disposal shall be submitted to and approved by the Local Planning Authority prior to the unit being brought into use and the development shall be implemented in accordance with such agreed details.
- 5 Equipment shall be installed to suppress and disperse cooking/food preparation fumes and smell to a minimum. The equipment shall be effectively operated and maintained for as long as the use continues. Details of the equipment shall be submitted to, and approved, by the Local Planning Authority prior to the commencement of the use.
- 6 The rating level of noise (as defined by BS4142: 1997) emitted from the extraction system agreed pursuant to Condition 5 shall not exceed 5dB (A) above the prevailing background noise level. The measurement position and assessment shall be made according to BS4142: 1997.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g)) and since it is for a type of development that cannot be determined by Officers if more than four objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(f.)). It has been 'called in' by Councillor Janet Whitehouse (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(h))

Description of Proposal:

Consent is sought to change the use of the premises from a purpose within Use Class A1 (Shops) to a mixed use within Classes A3 (Restaurants) and A5 (Hot food takeaways).

Description of Site:

The existing building is single storey with a frontage of approximately 11.7m. The internal floorspace amounts to approximately 200 sq m. Its former use as a furniture store has ceased and a charity shop is currently trading at the premises. A yard area is located to the rear. The premises are bordered on either side by two storey buildings which trade as A1shops at their ground floor.

The application unit forms part of Epping Town Centre but is outside the Key Retail Frontage as designated on the proposals map of the Local Plan and Alterations.

Relevant History

No Relevant History.

Policies Applied:

TC1 – Town Centre Hierarchy
TC3 – Town Centre Function
DBE9 – Loss of Amenity
RP5A – Adverse Environmental Impacts
ST6 – Vehicle Parking
CP2 – Protecting the Quality of the Rural and Built Environment.

SUMMARY OF REPRESENTATIONS:

13 neighbours were consulted and a site notice displayed – 5 replies were received.

EPPING SOCIETY: Objection. There are sufficient restaurant, café and takeaway premises on the high street. Loss of another retail unit and lack of parking.

68 HIGH STREET: Objection. The ratio of A3/A5 to other retail in Epping is already very high. The High Street West of the Church has a particularly high concentration of A3/A5 already (15 or more within 200m). There are residential flats within the immediate vicinity including mine and my neighbour, odours and particularly late night noise is already a concern. Litter is already a very serious problem in this part of the high street caused in the main by takeaway food waste and packaging. There is insufficient parking to support the proposed change of use. Lack of need.

72 HIGH STREET: Objection. Too many food outlets already with a wide array of choice. Increased in parking and disturbance outside my flat. Noise and smells from the restaurant, especially in the summer. The flue will be noisy and an eyesore. Increase in litter around the premises.

78 – 80 HIGH STREET: Objection. Lack of parking and issues with litter generation. Increased burden on the sewage system.

82a HIGH STREET: Objection. Lack of need and parking. Concern about increased rubbish and pests.

EPPING TOWN COUNCIL: Objection. Further loss of retail provision.

Issues and Considerations:

The main issues to consider are the impact on the vitality and viability of the retail centre and on residential amenity. The concerns and comments of objectors will also be addressed.

Town Centre

Policies TC1 and TC3 aim to promote town centres and will permit uses that makes the centres attractive places to shop, work and visit. The unit was vacant for a short time and is currently used in an ad hoc manner as a charity shop. A café/restaurant/take away use is the kind of use that is appropriate to this location outside the Key Retail Frontage area, and it is considered that bringing the unit back into permanent use would have benefits for the overall wellbeing of the town centre.

The proposed use is as a restaurant/takeaway with no further details provided. The use would be conducted outside of the Key Frontage of Epping High Street where more rigorous policies protect the character of the town centre. With regards to the relevant policies there are no clear reasons to withhold consent having regard to impact on the vitality and viability of the town centre. Policy TC3 does discourage uses which would result in stretches of “dead” daytime frontage. However the proposed opening hours are from 09.00 in the morning and such a use would be likely to remain open for the majority of a typical working day. Therefore the proposal would have no significantly adverse impact on the vitality and viability of Epping Town Centre or its position within the hierarchy of retail centres within the district. The Key frontage policy seeks to maintain the predominance of retail within the central area of the High Street, while allowing the more peripheral areas to provide the A3, A5 and A2 uses that one would normally expect within Town Centres.

It is not considered that the loss of this unit from retail would adversely affect the Town Centre’s position within the hierarchy of retail centres.

Neighbour Amenity

A number of flats are located adjacent to the application site. The proposed hours of use are not considered unreasonable for this Town Centre location. No details with regards to odour control have been provided but given the distance to adjacent flats it is envisaged that this issue could be dealt with sufficiently. A suitable extraction system could be agreed by condition ensuring that impact on neighbours from fumes and odours is kept to a minimum. This can be agreed prior to the first use of the site. The objectors have raised concern about the potential for an increase in litter around their premises if this use was granted consent. The area is well served by refuse bins and although this issue is a material planning consideration it is not of such concern as to justify withholding consent, littering is dealt with under other legislation. Details of refuse storage in connection with the use can be agreed by condition.

Parking

Concern has also been expressed with regards to parking problems which may result from a grant of consent. The Highway Authority at Essex County Council has no objections to this proposal as it is not contrary to the Highway Authority's Development Management policies. The premises are in a sustainable location with a bus stop to the front and parking facilities are available within walking distance from Epping Town Centre. The local underground station is an approximately 5 -10 minute walk from the unit. The current parking standards for uses of this kind are still *maximum* standards and in such town centre locations we cannot therefore require spaces to be provided. In addition the parking standard for shops is higher than that for takeaway use, so it could be argued that the proposal is more compliant than the existing use.

Lack of Need

Whilst a number of residents have raised the issue of an over provision of A3 and A5 uses within the Town Centre, and it is not disputed that there are a large number of such facilities, this is again not grounds to refuse planning permission as it is not the role of planning to restrict competition in the market.

Town Council Comments

Epping Town Council has expressed concern about the loss of the retail unit. As stated in the main body of the report there are no clear policy reasons to withhold consent. Indeed the premises are outside the key frontage where less strict controls are enforced. The high street is currently relatively vibrant with low levels of vacancy and this use outside the identified key frontage would have no serious impact on the vitality and viability of Epping.

Conclusion

The proposed application would have no significant impact on the vitality and viability of the area, impact on amenity is not to an excessive level, and there are no serious concerns with regards to extraction equipment or parking. The proposed use generally accords with local policy and 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:

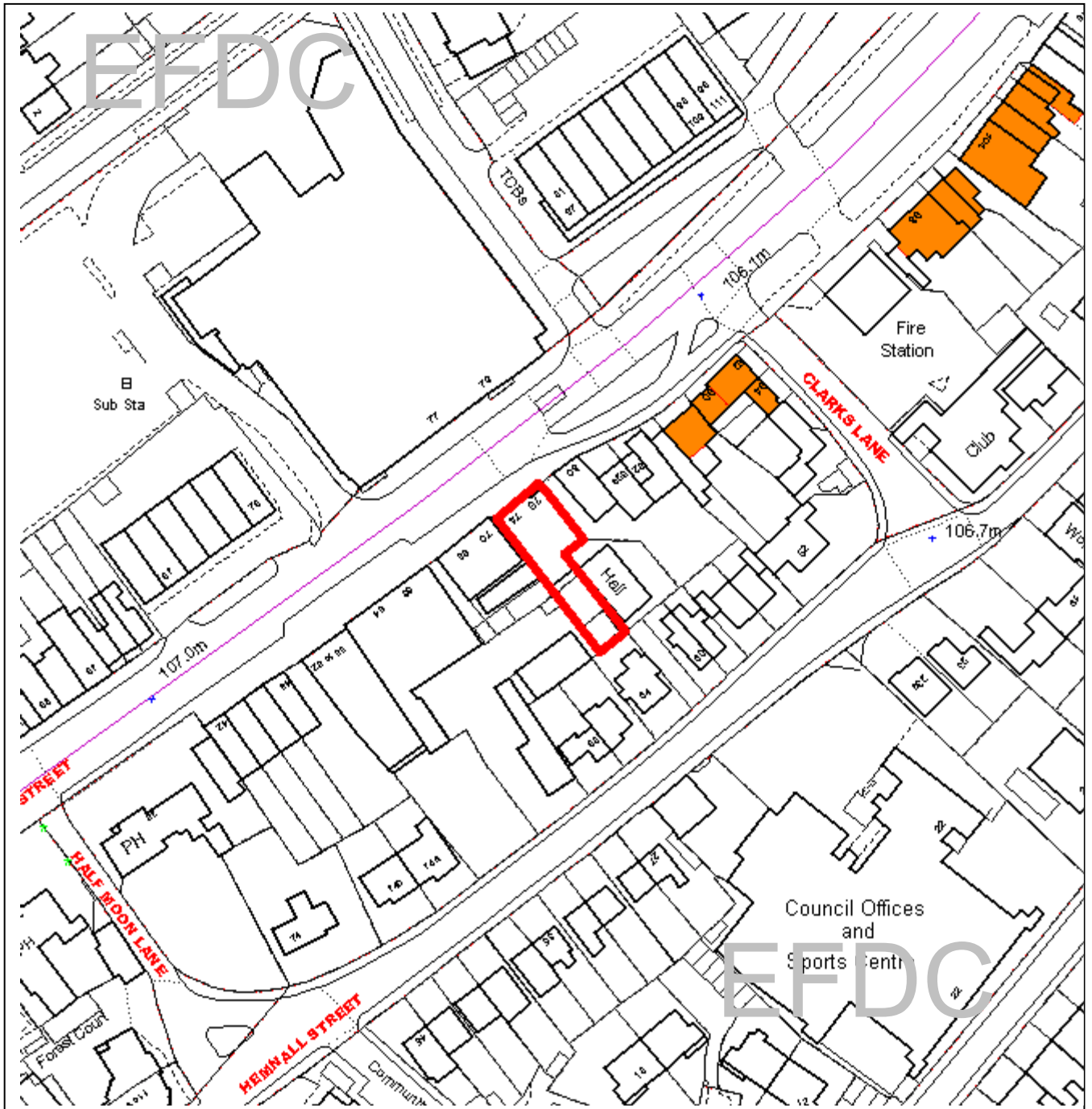
***Planning Application Case Officer: Mr Dominic Duffin
Direct Line Telephone Number: (01992) 564336***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	9
Application Number:	EPF/0001/12
Site Name:	74 - 76 High Street, Epping, CM16 4AE
Scale of Plot:	1/1250

Report Item No: 10

APPLICATION No:	EPF/0022/12
SITE ADDRESS:	Cross Diamond Cottage Three Hurdles Lane Beauchamp Roding Ongar Essex CM5 0PL
PARISH:	The Rodings - Abbess, Beauchamp and Berners
WARD:	High Ongar, Willingale and the Rodings
APPLICANT:	Mr & Mrs John and Amanda Cattle
DESCRIPTION OF PROPOSAL:	Two storey side/rear extension (Revised application)
RECOMMENDED DECISION:	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=534034

REASON FOR REFUSAL

- 1 The proposed extensions result in disproportionate additions to a dwelling in the Green Belt which are by definition harmful and unacceptably impact on the openness of the Green Belt contrary to the aims and objectives of policies CP2 and GB2A of the Adopted Local Plan and Alterations and government guidance contained in Planning Policy Statement 2 (PPG2).

This application is before this Committee since it has been 'called in' by Councillor Mc Ewan (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(h))

Description of Proposal:

The proposal is a revised application to extend the dwelling over two storeys on the side and rear elevation.

At ground floor level, the side extension would project for 2.75m for a distance of 9.0m and the rear section would measure 5.6m x 4.0m. At first floor the proposals would extend to the side/rear for 6.1m in width and for a depth of 8.8m. The proposals result in extensions in the region of 90sqm of additional floor space.

The proposal would have a double gabled side elevation with a gable feature to the rear.

Description of Site:

The site is located within the Metropolitan Green Belt just north of Beauchamp Roding. The site is irregular in shape with the curtilage comprising of approximately 1500 square metres. The

remainder of the land outlined in red would appear beyond the original curtilage but within the applicant's ownership. The applicants have also indicated they own a further area of land outlined in blue opposite the site.

Located to the front of the site is a double storey detached dwelling which has had a number of extensions erected. There are also a number of detached outbuildings towards the front and rear of the dwelling. A large garden area is located to the rear of the dwelling and vehicle parking is either within the detached garage or on the hard surfacing towards the front of the dwelling.

Relevant History:

The most recent planning applications are as follows:

EPF/0375/74 – Alterations, extensions and double garage (approved with conditions)
EPF/1183/03 – First floor side and ground floor rear extension (approved with conditions)
EPF/1247/05 – Erection of timber stables, hard standing and manage (approved with conditions)
EPF/0957/07 – Single storey side extension and demolition of outbuilding (refused)
EPF/1421/07 – Single storey side extension and demolition of outbuilding (revised) (Approved)
EPF/0572/11 - Two storey rear and side extension and single storey front extension, and single storey side extension with balcony above. (Refused) – Appeal dismissed on 17/10/11.

SUMMARY OF REPRESENTATIONS:

BEAUCHAMP RODING PARISH COUNCIL: Support. Suitable and appropriate at this location.

Site Notice Displayed: No replies received.

Policies Applied:

CP2 – Protecting the Quality of the Rural and Built Environment
GB2A – Development in the Green belt
GB7A – Conspicuous Development
DBE4 – Design in the Green Belt
DBE9 – Loss of Amenity
DBE10 – Residential Extensions

Issues and Considerations:

The main issue to determine is whether previous reasons to withhold consent pursuant to application EPF/0572/11 and the subsequent appeal, have been overcome. The previous application was approved as it was considered to result in disproportionate additions harmful to the openness of the Green Belt and contrary to GB2a and CP2 of the adopted Local Plan.

The previous application was refused planning consent and the subsequent appeal was dismissed on 10/10/11. The main difference with this application is the removal of an extension to the front porch, a slight set back in the side ground floor, and a balcony area to the side.

The original dwelling (including the porch area and rear conservatory area indicated on drawings from 1974) was 132sqm. This is a generous interpretation as this floor space does not date back to 1947; the porch and conservatory may well be later additions. However using this as the original floor space, the property at present has 73sqm of additions; coupled with those proposed the total floor area of additions would be 163sq m. This is approximately 123% of additions to the original dwelling. This cannot be interpreted as a limited addition and is contrary to Green Belt policy.

The decision of the Planning Inspectorate is fairly clear in its support of the Local Planning Authority about the inappropriateness of this development. On this occasion additions of 135% were described thus *“By any measure, the level of increase proposed on its own, or in combination with other extensions, would result in disproportionate additions to the original building”* The removal of the front porch extension and side extension set back can be judged as a relatively tokenistic concession following on from this refusal. Previous extensions were cumulatively in the region of 55%, therefore as the property stands, exception to usual policy has already been made. It is therefore the position of the Local Planning Authority that this proposal is contrary to policy and inappropriate in this location.

With regards to design the previous officer’s report stated *“The proposed design and bulk of the additions is such that the proposals would result in an increased depth and width of dwelling which whilst not directly comparable with neighbouring properties due to site isolation is still uncharacteristic of cottages in the Green Belt. The isolation of the site is such that the additions would be visible from a significant distance to the detriment of the openness of the area”*. Again the Planning Inspectorate were in support of this analysis stating *“The extent of increase in the buildings footprint, its volume and height of new roof would inevitably encroach on openness of the Green Belt”* It is not considered that the removal of the extension to the front porch, the side extension set back and balcony warrants a reversal of this analysis.

The proposals result in no adverse neighbouring impacts due to the isolation of the site.

Supporting Statement

The application is supported by a Planning Statement which makes a number of points.

The statement firstly makes the point that the extensions proposed enhance the dwelling. As stated it is the Local Planning Authority’s position that the extensions are bulky and erode the simple cottage style of the existing dwelling. They would be visible as excessive additions to the dwelling from the surrounding countryside resulting in an erosion of openness.

The statement also offers to accept a condition removing permitted development rights for extensions at the cottage. It is estimated that 30 sq m could be added to the rear of the dwelling. This is much less than the 90 sq m proposed and in any case any additions under permitted development fall outside the control of the Local Planning Authority. The issue is whether the additions proposed are proportionate, in line with local policy and national guidance contained in Planning Policy Statement 2 (PPS2), and this is clearly not the case. The removal of permitted development rights would not compensate for such a clear breach in policy. The statement further opines that permitted development rights have resulted in the alteration of local plan policy. Whilst policy GB14A, which related to limited extensions, has been deleted local policy still refers to “limited” extensions in Policy GB2A.

The case is made that the reduction in the built form addresses the inspector’s concerns and could now be considered limited. Members are asked to consider if a reduction from approximately 105 sq m to approximately 90 sq m makes a material difference between these two schemes. It is the Local Planning Authority’s opinion that this is not the case.

The Planning Statement declares that planning decisions should be fair at all levels and refers to a number of extended properties nearby which, it states, justify the extensions to this dwelling. These, it states, go beyond the scope deemed acceptable in policy GB14A (40% or to a maximum of 50 sq m). Whilst this may be the case local policy still requires extensions to be proportionate. As no calculations have been provided with regards to these properties, their justifying this proposal can be given little weight. It is also a requirement of planning to judge each application on its individual merits, as no two sites are the same. It is clearly evident that the more than doubling of a dwelling goes beyond a proportionate extension.

Conclusion:

The slight reduction in the floor area of the proposed extension does not warrant a reversal of the original decision to withhold consent. At 123% as opposed to 135% total additions this could not now be considered a “limited” extension to the dwelling as required by GB2A. The proposed additions would appear bulky and would encroach on the openness of the Metropolitan Green Belt. It is not considered that the removal of permitted development rights by condition would compensate for this clear stray from local and national policy. No very special circumstances sufficient to outweigh the harm to the Green Belt exist. Therefore, as there is nothing to determine otherwise, the proposal is contrary to policy and recommended for refusal.

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:

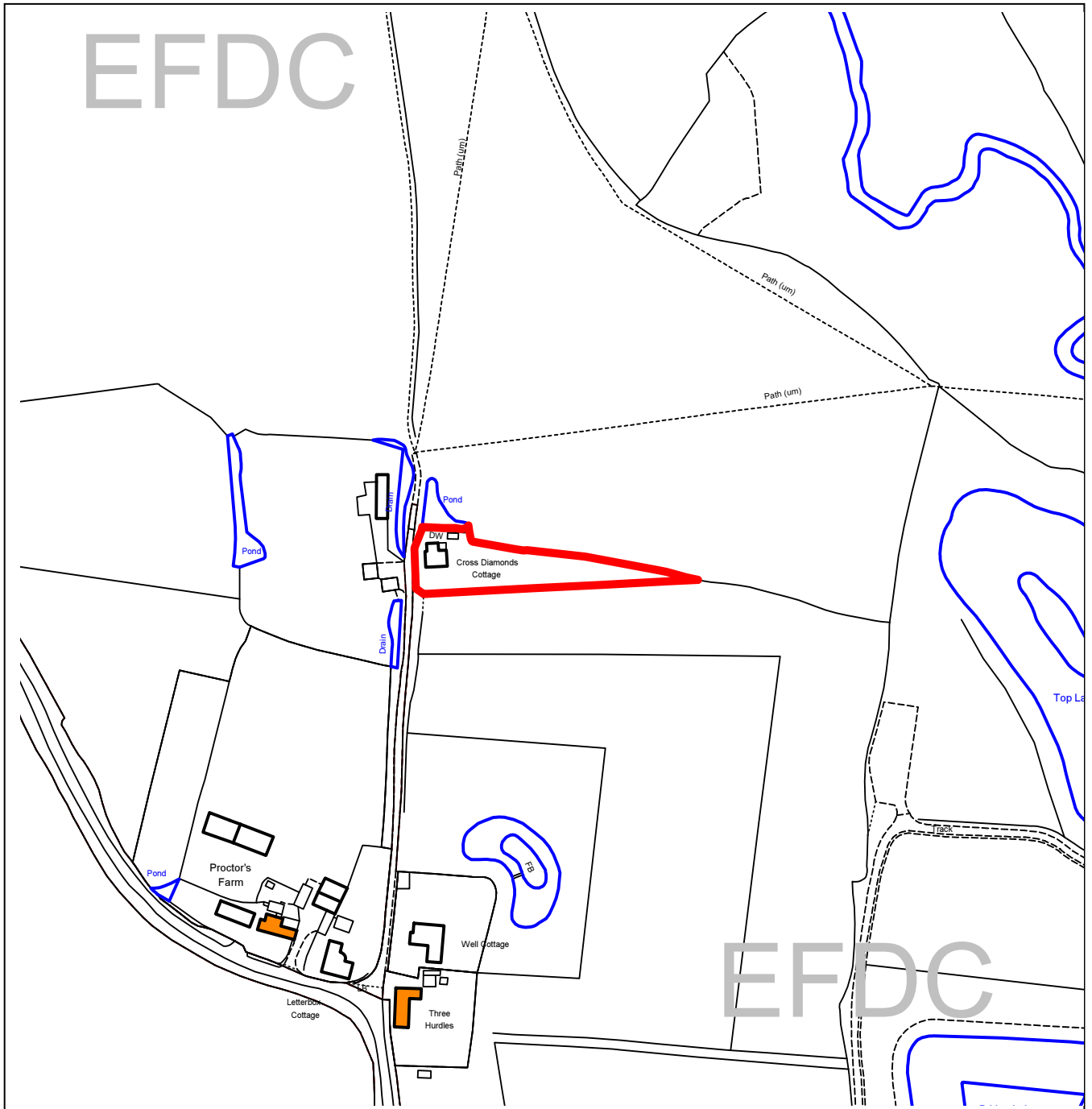
***Planning Application Case Officer: Mr Dominic Duffin
Direct Line Telephone Number: (01992) 564336***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	10
Application Number:	EPF/0022/12
Site Name:	Cross Diamond Cottage, Three Hurdles Lane, Beauchamp Roding, CM5 0PL
Scale of Plot:	1/2500

Report Item No: 11

APPLICATION No:	EPF/0029/12
SITE ADDRESS:	95 High Street Epping Essex CM16 4BD
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	Dominos Pizza Group Ltd
DESCRIPTION OF PROPOSAL:	1 no externally illuminated fascia sign, 1 no internally illuminated double-sided projecting sign, 1 no LED illuminated window sign mounted internally and window graphics.
RECOMMENDED DECISION:	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=534112

CONDITIONS

- 1 The existing internally illuminated bar sign on the side elevation of the property shown to be removed on the approved plans, shall be completely removed and the wall made good prior to the erection of the signage hereby approved.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A. (g))

Description of Site:

95 High Street is an existing A3 restaurant unit at the end of a parade of 8 units with residential units above the front part of the shops. The parade is set back and down a slope some 14m from the High Road with a service road directly to the front. Access to the telephone exchange to the rear of the site is directly to the east of No. 95, with a service yard and garages to the rear. The application site is just outside of the Conservation Area and is within the area designated as Epping Town Centre but not within the key frontage. The application site has received a recent approval for change of use from A3 (restaurant) to A5 (hot food takeaway), but this has not yet been implemented.

Description of Proposal:

1 externally illuminated fascia sign, 1 internally illuminated double-sided projecting sign, 1 LED illuminated window sign mounted internally and window graphics. The signage will have a blue background with white lettering and red and yellow detailing.

Relevant History

EPF/2328/11 – Change of use from A3 with ancillary take-away to A5 – App/Con

Representations Received

EPPING TOWN COUNCIL: Objection – Committee object to the intrusive internally illuminated projecting sign proposed. Committee do note and have no objection to the externally illuminated fascia sign.

25 Neighbours consulted and a site notice erected

EPPING SOCIETY – Objection internally illuminated signage not permitted within Conservation Area, internal illumination of the fascia sign which is the full width and depth is too bright and intrusive

100 HIGH STREET – Objection, detrimental impact on the Conservation Area, prominent to historic buildings, emphasise incongruity between the modern premises and historic buildings

Policies Applied

Epping Forest District Local Plan and Alterations

DBE13 – Advertisements

HC6 – Development within or adjacent to Conservation Areas

Issues and Considerations

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

- Impact on Amenity, particularly the adjacent Conservation Area
- Impact on Public Safety

Impact on Amenity

The proposal is located within a modern stretch of shop units and is located just outside of the Epping Conservation Area. The proposal has been amended since first submission and the fascia sign is now externally illuminated by a trough light rather than internally illuminated. It is considered that this is a welcome compromise as the overall brightness of the signs will be reduced and the Parish Council now has no objection to this element.

The Parish Council have retained their objection to the other signage; however it is not considered that the internally illuminated projecting sign and open sign are out of keeping with the existing building or surrounding area. Several other shops within the parade have internally illuminated projecting signs and these are not considered to detract from the Conservation Area. The Conservation Officer has no objections to the internal illumination of the small projecting sign, but had raised concern that the originally proposed internally illuminated fascia would have been far too visually intrusive adjacent to the Conservation Area and this has been amended accordingly.

The existing fascia sign at the application site is externally illuminated, however there is an internally illuminated fascia sign on the side elevation which is to be removed as part of this application and this is considered to be an improvement to this part of the High Street.

Impact on Public Safety

The signage is to be located on a building that is set back and down a slope from the main road, it is not considered that the proposed signage will have a negative impact on public safety, particularly that of highway safety.

Conclusion:

Notwithstanding neighbour and Town Council objections, the proposed signage is not located within a Conservation Area and the signage is considered an acceptable design that is not harmful to visual amenity of the area. Therefore approval with conditions is 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



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	11
Application Number:	EPF/0029/12
Site Name:	95 High Street, Epping CM16 4BD
Scale of Plot:	1/1250

Report Item No: 12

APPLICATION No:	EPF/0106/12
SITE ADDRESS:	Kings Inn Hotel 177 High Street Ongar Essex CM5 9JG
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
APPLICANT:	Mr Paul Thornton
DESCRIPTION OF PROPOSAL:	Two storey detached building to provide ten bedrooms with ensuite bathrooms.
RECOMMENDED DECISION:	Refuse 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=534366

REASON FOR REFUSAL

- 1 Due to the excessive height and mass of the proposed building in close proximity to the boundary with adjacent residential building Abby Rose Court to the north-east, it will result in excessive loss of outlook and harm the visual amenity of the neighbouring occupiers. Furthermore, the proposed first floor balcony areas to the south aspect of the building and window/ door openings, would potentially overlook the private rear gardens and first floor windows of George House and the first floor east facing balcony could also potentially overlook the rear facing windows and balcony area of Abby Rose Court. This would cause an unacceptable loss of privacy to these immediate neighbours. As such, this proposal fails to comply with policy DBE9 of the Adopted Local Plan and Alterations.

This application is before this Committee since it would otherwise have been refused under delegated powers by the Director of Planning and Economic Development, but there is support from the relevant local Parish/Town Council and no other overriding planning consideration necessitates refusal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(I))

Description of Site:

The Kings Inn or Kings Head is a prominent building located in the centre of Ongar and being a Grade II listed structure of undoubted historic interest plays a significant role in the character and appearance of this conservation area. The building dates from the late 17th Century and has a symmetrical front elevation characterised by its orange/red brick finish and entrance archway. There are a number of other structures on the site of varying historical interest including an unlisted outbuilding, which probably predates the buildings on site and is earlier 17th Century.

The site extends to the rear to the edge of the riverbank of Crispey Brook and continues at a right angle to the edge of a public footpath at the bottom of Banson's Way. As such, the entire site is right angled in shape. The rear section of the site is within Flood Zones 2 and 3 as designated by the Environment Agency and is within the Metropolitan Green Belt. This area is covered by vegetation and there are a number of protected trees. The main building is Grade II listed and the site falls within the Ongar Conservation area boundary.

Description of Proposal:

Consent is being sought for a detached, two storey building. It will be situated at the rear of the site of The Kings Inn Hotel Development and will provide separate hotel accommodation.

The block is to provide 5 ensuite bedrooms on the ground floor and 5 at first floor level. The building will be 7.0 metres by 24.6 metres. Its eaves height will be 3.2 and ridge 6.6 metre with 7.2 metre high gable end features to its north and south elevations.

The rear part of the site, which will provide parking for the hotel, is within the Metropolitan Green Belt and whilst the proposed building abuts onto this to the west, it does not fall within the Green Belt.

Relevant History:

There is an extensive history to the site the most relevant and recent being;

EPF/1474/98 - External rear staircase and internal alterations. Withdrawn - 05/02/1999.

LB/EPF/1475/98 - Listed building application for external rear staircase, internal works to provide fire protection and repositioning of bathroom. Withdrawn - 05/02/1999.

EPF/1475/08 - Grade II listed building application for internal and elevational alterations. Single storey rear extension to kitchen. Associated external works including formation of garden terrace area, disabled person ramped approach, realignment of internal driveway and erection of 1800mm high wall enclosing service yard. Grant Permission (With Conditions) - 19/09/2008.

EPF/1474/08 - Internal and elevational alterations. Single storey rear extension to kitchen. Associated external works including formation of garden terrace area, disabled person ramped approach, realignment of internal driveway and erection of 1800mm high wall enclosing service yard. Grant Permission (With Conditions) - 19/09/2008.

EPF/1779/10 - Refurbishment of main pub building, ancillary timber-framed building repaired and restored and a new mezzanine added with a new single storey extension containing a toilet, new single storey extension to rear with a raised seating area, new single storey accommodation to rear of the site, new alternative access to the site via Banson's Lane with a new car park to the rear lower level. Grant permission

Policies Applied:

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

CP3 – New Development

GB2A – Development in the Green Belt

GB7A – Conspicuous Development

HC6 – Character, Appearance and Setting of Conservation Areas

HC7 – Development within Conservation Areas

HC12 – Development Affecting the Setting of a Listed Building

NC4 – Protection of Established Habitat

U2A – Development in Flood Risk Areas

DBE1 – Design of New Buildings
DBE2 – Effect on Neighbouring Properties
DBE6 – Car Parking in New Development
DBE9 - Neighbours amenity
LL10 – Adequacy of Provision for Landscape Retention
LL11 – Landscaping Schemes
ST4 –Road Safety
ST6 – Vehicle Parking

SUMMARY OF REPRESENTATIONS:

Site notice displayed and 16 neighbours consulted and the following replies have been received

GEORGE HOUSE, HIGH STREET - No objections to the proposed building. On the proviso that the wall between the properties, which has collapsed with, be replaced to a height whereby their property is not overlooked.

ONGAR PARISH COUNCIL: Resolved to Support.

Issues and Considerations:

The main issues to consider are;

- The impact of the proposed development on Chipping Ongar Conservation Area
- The conspicuousness of the development from the Metropolitan Green Belt
- Highway safety and parking issues
- Tree and landscape issues
- Design and appearance of the additions
- Neighbour amenity
- The flood risk area (zones 2 and 3) at the rear of the site
- Impact on the established habitat at the rear of the site

The scheme has previously been approved as part of a comprehensive development under planning application number EPF/1779/10. The consent involved extensions and alterations to the existing building as well as additional building work on the site. A new access way was approved to be created from Basons Way with parking at the rear. This would run parallel to Crispey Brook providing access to the rear of the buildings where an area of hardstanding would provide 29 parking spaces. These elements do not form part of this application.

The most relevant element from the previous approval is the single storey accommodation block, housing 5 ensuite bedrooms. This is to be situated along the northern boundary of the site. The amended detail will see a two-storey block in place of the approved single storey building.

Green Belt Considerations

The rearmost part of the site edged in blue, the car park and access road, are within the boundaries of the Metropolitan Green Belt. The proposed building abuts onto the Green Belt and this could appear as a conspicuous building when seen from the Green Belt. The issue therefore, is whether the benefits of this scheme outweigh the impact on the Metropolitan Green Belt.

The wider community and regeneration benefits of the scheme are clearly apparent. Although, the incursion of a conspicuous two storey building does not enhance the rural character when seen from the Green Belt, however, because of its narrow plan form and reduced ridge, this reduces the building's prominence and is therefore acceptable.

Design and Appearance

The proposed building is sited towards the rearmost part of the site and as such will not be seen from the street. The proposed building has been designed to complement the adjacent listed building. The traditional form, scale, height, proportions and the external detailing and materials will not look out of place in its setting and is acceptable.

Historic Buildings and Conservation Area

The Kings Inn has not been in use in recent years and although not dilapidated, it would be beneficial to the character and appearance of the conservation area if the building is brought back into use. The building also occupies a prominent position within the conservation area.

A single storey ancillary residential block was approved in this location under EPF/1779/10. Its impact on the setting of the listed inn raised no objection given the number of buildings, which once occupied the rear of the site.

This application seeks to provide additional first floor accommodation within the range. The proposal was discussed with the listed buildings adviser in order to ensure the height of the building is kept to a minimum, while maintaining traditional proportions and characteristics of an ancillary range. The building is akin to a brick coach-house and stables, with hayloft.

The listed buildings adviser considers the proposed new building sufficiently in keeping with the historic context of the listed building, on the proviso that appropriate materials and details are maintained.

Neighbour Amenity

The proposed double storey building will provide ground and first floor accommodation. The building is sited towards the rear of the main building. It could therefore be described as back land development and sensitivity must be given to these types of development because of the potential impact upon neighbouring properties amenity.

The proposed building would be sited close to the northern boundary onto private rear gardens of nearby residential properties at Abby Rose Court. A building of this height, mass and elongated depth built virtually onto the site's boundary, will appear prominent and visually obtrusive when seen from the adjacent flats north-east of the building. Due to its excessive height and mass, it will cause loss of outlook and visual harm to the amenities of the adjacent occupiers, Abby Rose Court.

There is also another further issue that concerns neighbour amenity; this is because there is the additional potential for overlooking and loss of privacy. The proposed new building would be sited some 10.0 metres from the rear wall of a three storey residential block, Abby Rose Court, situated to northeast with rear facing balcony areas. Due to the siting of the external staircase to the east flank, their balcony and entrance doorway at first floor level would directly overlook these properties and also, their private balcony area. Furthermore, whilst there are no windows proposed to the northern aspect of the building, there will be several first floor windows and a balcony on the south facing elevation of the building. This will allow views of part of the private amenity area of the gardens of George House to the south even with a wall along the boundary. With little or no tree screening and inadequate soft landscaped areas that could provide this, it would result in their private rear gardens being overlooked. In addition, there will be direct views from the first floor walkway into the rear facing first floor windows of George House at a distance of about 15metres. Whilst for side to rear residential overlooking window to window at this distance is often

acceptable, the fact that the overlooking could be direct, from someone standing on this balcony area will, in the view of officers, lead to an unacceptable loss of private amenity.

The proposal therefore fails to respect the privacy of immediate neighbouring occupiers and will harm their visual outlook and amenity.

Archaeological Advice

The Historic Environment Management Team of Essex County Council has identified the above application as having archaeological implications. Full archaeological recording is therefore recommended with any approval given.

Trees and Landscaping Issues

The building will be sited in a similar position to that which was previously approved. There are no landscape issues with this proposal.

Highway/Parking Issues

The parking provided on the site has previously been adequately addressed the standards as advised by Essex County Council in terms of spaces on the site. The Highways Authority does not wish to raise any objection to this proposal as amended.

Flood Zone

The rear section of the site is adjacent to Crispey Brook and is partly within Flood Zones 2 and 3. The Environment Agency has been consulted and raises no issue with the proposal subject to the appropriate conditions. These include that the development is carried out in accordance with the submitted Flood Risk Assessment and that there is no parking of vehicles in Flood Zone 3. A scheme for the creation of a compensatory habitat should be required with any approval given.

Ecological Issues

An extensive Ecological Scoping Survey has been submitted as part of this application. This has been considered by the Countryside section of the council. The report contains a number of recommendations and habitat enhancement measures concerning birds, great crested newts, grass snakes, bats, invertebrates and water voles. The advice given is that these recommendations should be adhered to with any approval given and fully implemented.

Conclusion:

This proposal for a double storey building represents significant changes from the previous approval. For the reasons above, this application is not acceptable because it results in visual harm to neighbours and will result in excessive overlooking and loss of privacy, thus harmful to neighbours' amenity. As such, it is recommended that it be refused, as it conflicts with policy DBE9 of this Council's Adopted Local Plan and Alterations.

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:

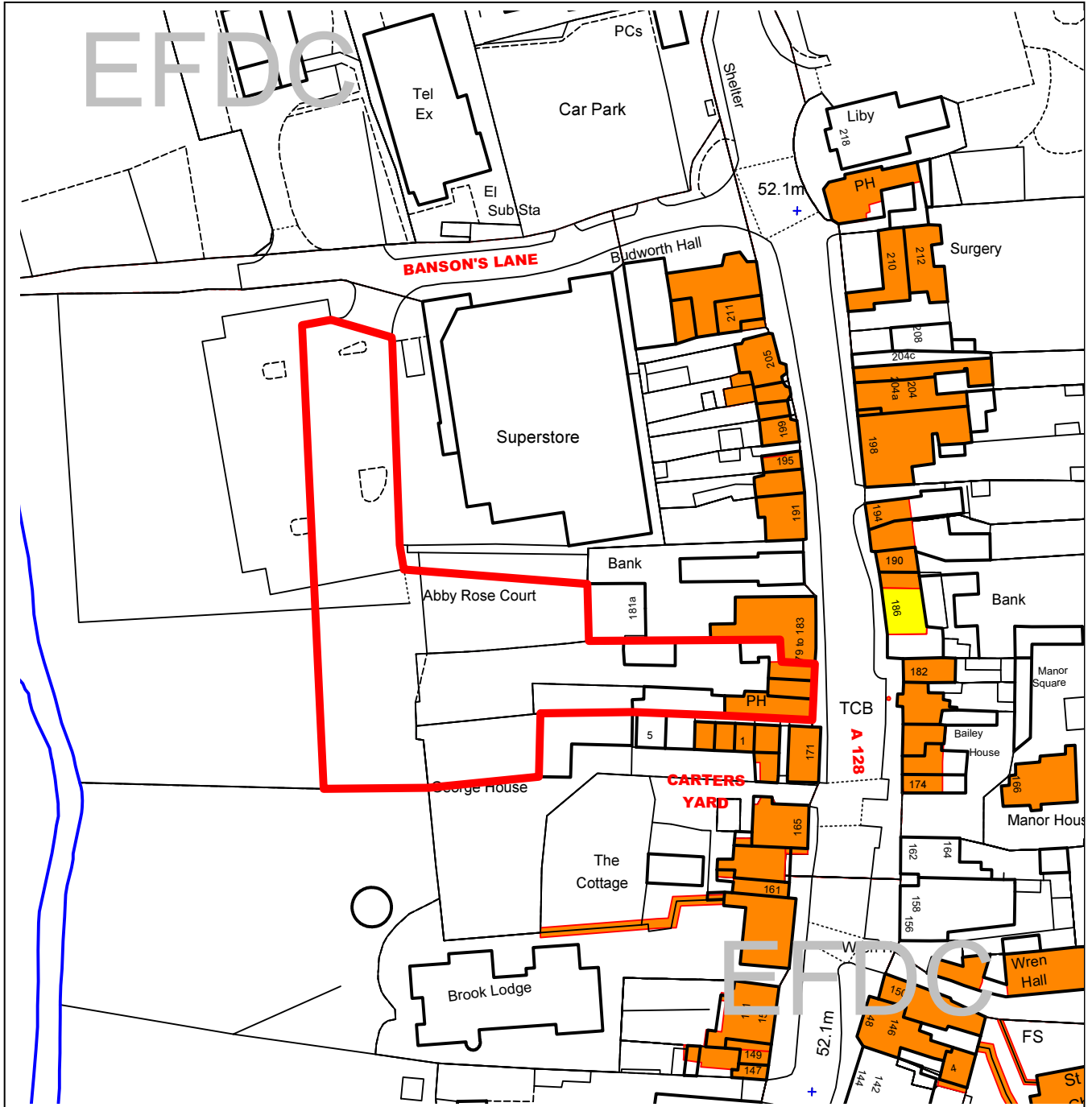
***Planning Application Case Officer: Ms Paula Onyia
Direct Line Telephone Number: (01992) 564103***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	12
Application Number:	EPF/0106/12
Site Name:	Kings Inn Hotel, 177 High Street Ongar, CM5 9JG
Scale of Plot:	1/1250

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