



***District Development Control Committee
Wednesday, 27th March, 2013***

You are invited to attend the next meeting of **District Development Control Committee**, which will be held at:

**Council Chamber, Civic Offices, High Street, Epping
on Wednesday, 27th March, 2013
at 7.30 pm .**

**Glen Chipp
Chief Executive**

**Democratic Services
Officer**

Simon Hill, The Office of the Chief Executive
Tel: 01992 564249 Email:
democraticservices@eppingforestdc.gov.uk

Members:

Councillors B Sandler (Chairman), A Boyce (Vice-Chairman), C Finn, J Hart, Mrs S Jones, J Knapman, Ms Y Knight, J Markham, R Morgan, J Philip, Mrs C Pond, Mrs P Smith, Ms S Watson, J M Whitehouse and J Wyatt

**A BRIEFING WILL BE HELD FOR THE CHAIRMAN, VICE-CHAIRMAN AND GROUP
SPOKESPERSONS OF THE-COMMITTEE, AT 6.30 P.M.
IN COMMITTEE ROOM 1 PRIOR TO THE MEETING**

SUBSTITUTE NOMINATION DEADLINE:

18:30

1. WEBCASTING INTRODUCTION

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

2. The Chief Executive will read the following announcement:

“This meeting will be webcast live to the Internet and will be archived for later viewing. Copies of recordings may be made available on request.

By entering the chamber's lower seating area you are consenting to becoming part of the webcast.

If you wish to avoid being filmed you should move to the public gallery or speak to the webcasting officer"

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

General advice to people attending the meeting is attached.

3. APOLOGIES FOR ABSENCE

4. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

(Assistant to the Chief Executive) To report the appointment of any substitute members for the meeting.

5. DECLARATIONS OF INTEREST

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

6. MINUTES (Pages 7 - 10)

To confirm the minutes of the last meeting of the Committee (attached).

7. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and 25 of the Council Procedure Rules contained in the Constitution requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

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

8. PLANNING APPLICATION EPF/1996/12 - VALLEY VIEW, CURTIS MILL LANE, STAPLEFORD ABBOTTS - PART RETROSPECTIVE APPLICATION FOR THE CHANGE OF USE OF LAND TO INCLUDE STATIONING OF CARAVANS FOR OCCUPATION BY GYPSY-TRAVELLER FAMILY WITH NEW ACCESS, FENCING, GATES, HARDSTANDING, UTILITY BLOCK AND CESS POOL/SEPTIC TANK. (Pages 11 - 18)

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

9. PLANNING APPLICATION EPF/2430/12 - 49 HAINAULT ROAD, CHIGWELL - FRONT PORCH AND FIRST FLOOR REAR EXTENSION (AMENDMENT TO EPF/1433/10) (Pages 19 - 24)

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

10. PLANNING PROTOCOL - SITE VISITS (Pages 25 - 30)

To consider the attached report.

11. EXCLUSION OF PUBLIC AND PRESS

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

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 Sub-Committee before leaving.

What can I say?

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

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

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

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

How are the applications considered?

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

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

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

Further Information?

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

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: District Development Control **Date:** 30 January 2013
Committee

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 9.13 pm
High Street, Epping

Members Present: B Sandler (Chairman), A Boyce (Vice-Chairman), C Finn, Mrs S Jones, J Knapman, Ms Y Knight, J Markham, R Morgan, J Philip, Mrs C Pond, Mrs P Smith, D Stallan, Ms S Watson and J M Whitehouse

Other

Councillors: K Avey, B Rolfe, G Waller and C Whitbread

Apologies: J Hart and J Wyatt

Officers Present: N Richardson (Assistant Director (Development Control)), S G Hill (Senior Democratic Services Officer) and G J Woodhall (Democratic Services Officer)

25. WEBCASTING INTRODUCTION

The Assistant to the Chief Executive reminded everyone present that the meeting would be broadcast live to the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

26. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

The Committee noted that Councillor D Stallan was present as a substitute member for Councillor James Hart.

27. DECLARATIONS OF INTEREST

No declarations of interest were made pursuant to the Councillor Code of Conduct.

28. MINUTES

Resolved:

That the minutes of the meeting held on 3 October be taken as read and signed by the Chairman as a correct record.

29. ANY OTHER BUSINESS

It was noted that there were no further items of urgent business to transact at the meeting.

30. PLANNING APPLICATION EPF/0817/12 FOR REPLACEMENT CLUB HOUSE AND ASSOCIATED DEVELOPMENT AND OUTLINE APPLICATION FOR 8 SEMI DETACHED HOUSES DEVELOPMENT, AT UPPER CLAPTON FOOTBALL CLUB, UPLAND ROAD, THORNWOOD

The Committee considered an application for a replacement club house and associated enabling development at Upper Clapton Football Club in Thornwood. The application had been referred to the Committee by Area Plans Subcommittee at their meeting on 24 October 2012.

The site lay within the Metropolitan Green Belt and the Committee were asked to consider whether the provision of housing on the site to fund the proposed new facilities amounted to very special circumstances to outweigh the harm to the green belt.

Since the meeting of the Planning Subcommittee the applicant had provided financial information to support the number of housing units proposed and alternative outline plans showing a new indicative layout of 8 semi-detached properties with parking to the front of the houses rather than the rear. Revised plans were shown to the Committee.

The Committee also noted the proposed Section 106 agreement which would enable the proceeds from the sale of the enabling development site to be held by the Council and utilised only for the provision of the sporting facilities.

The Committee heard from the applicants agent.

The Committee were of the view that the club had demonstrated its community work in the area particularly with local schools and therefore was an asset to the local community. The proposed enabling development was immediately adjacent other houses and was on the site of the existing hard standing parking area. The proposals would provide additional off street car parking and regulate the hours of use of the clubhouse.

The Committee asked for details of the proposed floodlighting to be subject to careful consideration by officers and asked that the Parish Council and Local Ward members be consulted, when those details were submitted. Additionally officers were asked to condition the revised layout of parking, house gapping and amenity space proposed for the residential element.

The Committee were of the view that given the above factors, the application should be granted.

Resolved:

That Planning Application EPF/0817/12 at Upper Clapton Football Club be granted subject to:

- (i) a legal agreement to secure that all proceeds from the sale of the land for residential purposes are held by the Council and utilised only for the provision of the facilities set out in the application; and
- (ii) to the planning conditions set out in Appendix 1 to these minutes.

31. PLANNING APPLICATION EPF/0457/12 – COPPICE FARM, COPPICE ROW, THEYDON BOIS – DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF SINGLE DWELLING, INCLUDING CHANGE OF USE PART OF SITE TO RESIDENTIAL GARDEN.

The Committee considered an application referred to it from Area Plans Subcommittee East at its meeting on 24 October 2012. The application sought the demolition of existing buildings and the erection of a single dwelling at Coppice Farm, Coppice Row, Theydon Bois. The application also sought the change of use of part of the site to residential garden. The application had been referred with a recommendation that permission be granted.

The Committee's attention was drawn to letters of representation from London Green Belt Council, Theydon Bois & District Rural Preservation Society and a resident of Hemnall Street, Epping. The Committee also heard from a local resident, the Parish Council and the Applicants Agent.

The Committee considered that the harm to the Metropolitan Green Belt resulting from the proposed development was not outweighed by the very special circumstances being forwarded as part of this application and determined that the application should be refused.

The Committee agreed that the Council had acted positively and proactively in assessing this application, however, the principle of a new house in the Green Belt was unacceptable and therefore there was no feasible way forward through the re-submission of a revised planning application.

Resolved:

That planning application EPF/0457/12 at Coppice Farm, Coppice Row, Theydon Bois be refused for the following reason:

(1) The proposed dwelling and change of use to residential garden represents inappropriate development in the Metropolitan Green Belt. It will fail to preserve the openness of the Green Belt and there are no very special circumstances that clearly outweigh this harm. It is therefore contrary to Policy GB2A of the Adopted Local Plan and Alterations and the National Planning Policy Framework.

32. PLANNING APPLICATION EPF/2361/09 – REDEVELOPMENT OF LAND FORMERLY IN USE AS A GARDEN CENTRE AT 212 MANOR ROAD, CHIGWELL TO PROVIDE 21 FLATS 80% OF WHICH WILL BE AFFORDABLE HOUSING. (REVISED APPLICATION)

The Committee considered and approved a request by the developer of the former Jennykings Garden Centre to vary the existing legal agreement on the site by the deletion of a clause preventing construction of the buildings exceeding one metre in height until a site access road had been constructed. Members noted that there were other clauses within the agreement preventing occupation of the buildings until after the completion of the access road.

Resolved:

That the Committee approve a variation of the existing Section 106 Agreement attached to planning permission EPF/2361/09, by deletion of Clause 5.51 of the agreement.

CHAIRMAN

Report to District Development Control Committee

Date of meeting: 27 March 2013



**Epping Forest
District Council**

Subject: Planning Application EPF/1996/12 – Valley View, Curtis Mill Lane, Stapleford Abbots – Part retrospective application for the change of use of land to include stationing of caravans for occupation by gypsy-traveller family with new access, fencing, gates, hardstanding, utility block and cess pool/septic tank.

**Officer contact for further information: Marie-Claire Tovey
Committee Secretary: S Hill Ext 4249**

Recommendation:

That the committee considers the recommendation of the Area Plans Subcommittee East to grant planning permission subject to the following conditions:

- 1. The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Plan 1, Plan 2 and Plan 3**

Reason: To ensure the proposal is built in accordance with the approved drawings. The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Plan 1, Plan 2 and Plan 3

- 2. The change of use of the land and the siting of the mobile home hereby permitted shall be for the benefit of Ms Emma Stevens and Mr Jack Smith and their resident dependants, and shall be for a limited period ending in January 2017, or at such time the premises are no longer occupied by the persons named above, whichever is the shorter.**

Reason: Insufficient very special circumstances exist to justify the permanent grant of planning consent on the site.

- 3. When the land ceases to be occupied by those named in condition 1 above, or at the end of January 2017, whichever shall first occur, the use hereby permitted shall cease and all caravans, buildings, structures, materials and equipment brought on to the land, or works undertaken to it in connection with the use shall be removed and the land restored to its condition before the development took place.**

Reason:- To ensure the site is returned to its former use after the expiration of the temporary consent.

- 4. No more than 2 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 shall be stationed on the site at any time.**

Reason:- To control against the intensification of use of the site which is inappropriate in the Green Belt and in an area liable to flood.

- 5. Unless within 3 months of the date of this decision a Flood Risk Assessment is submitted in writing to the Local Planning Authority for approval, and unless the approved scheme is implemented within 3 months of the Local Planning Authority's approval, the use of the site hereby permitted shall cease until such time as a Flood Risk Assessment is approved and implemented; and if no scheme in accordance with this condition is approved within 18 months of the date of this decision, the use of the site hereby permitted shall cease until such time as a scheme approved by the Local Planning Authority is implemented.**

Reason:- To protect the occupants of the site and surrounding areas from additional flood risk.

Report

1. (Director of Planning and Economic Development) This application has been referred by the Area Plans Sub Committee East with a recommendation for approval. The report to the sub-committee on 23rd January 2013 carried a recommendation from officers to approve planning permission subject to the above conditions. The officer's report is reproduced in full below.

Planning Issues

2. The sub-committee generally agreed with the Planning Officers recommendation to grant planning permission subject to the planning conditions.

Conclusion

3. The application in this case, was referred to District Development Control Committee because the area committee although agreeing with the Planning Officers recommendation considered the proposal was contrary to Green Belt policy, despite the justification to approve based on very special circumstances that outweighed Green Belt and any other harm.

Extract from Area Plans East 23 January 2013

APPLICATION No:	EPF/1996/12
SITE ADDRESS:	Valley View Curtis Mill Lane Stapleford Abbots Romford Essex RM4 1HS
PARISH:	Stapleford Abbots
WARD:	Passingford
APPLICANT:	Ms E Stevens and Mr J Smith
DESCRIPTION OF PROPOSAL:	Part retrospective application for the change of use of land to include stationing of caravans for occupation by gypsy-traveller family with new access, fencing, gates, hardstanding, utility block and cess pool/septic tank.
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=542497

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Plan 1, Plan 2 and Plan 3
- 2 The change of use of the land and the siting of the mobile home hereby permitted shall be for the benefit of Ms Emma Stevens and Mr Jack Smith and their resident dependants, and shall be for a limited period ending in January 2017, or at such time the premises are no longer occupied by the persons named above, whichever is the shorter.
- 3 When the land ceases to be occupied by those named in condition 1 above, or at the end of January 2017, whichever shall first occur, the use hereby permitted shall cease and all caravans, buildings, structures, materials and equipment brought on to the land, or works undertaken to it in connection with the use shall be removed and the land restored to its condition before the development took place.
- 4 No more than 2 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 shall be stationed on the site at any time.
- 5 Unless within 3 months of the date of this decision a Flood Risk Assessment is submitted in writing to the Local Planning Authority for approval, and unless the approved scheme is implemented within 3 months of the Local Planning Authority's approval, the use of the site hereby permitted shall cease until such time as a Flood Risk Assessment is approved and implemented; and if no scheme in accordance

with this condition is approved within 18 months of the date of this decision, the use of the site hereby permitted shall cease until such time as a scheme approved by the Local Planning Authority is implemented.

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 red lined application site is roughly rectangular measuring 25m x 20m fronting onto Curtis Mill Lane, an unmade road within a relatively rural area. The proposal has been implemented with 2m high fencing, a utility block, and mobile home already in situ. The application site is within the Metropolitan Green Belt and is within an Epping Forest District Council flood risk assessment zone. The opposite side of Curtis Mill Lane is within Brentwood Borough Council as is the entrance to Curtis Mill Lane from Murthing Lane.

Description of Proposal:

The proposal seeks retrospective planning permission for the change of use of the land to include stationing of caravans for occupation by gypsy-traveller family with new access, fencing, gates, hard standing, utility block and cess poll/septic tank. The works have, in the main, now been completed. This application was submitted following an enforcement investigation.

Relevant History:

No relevant history

Policies Applied:

Epping Forest District Local Plan and Alterations

GB2A - Development in the Green Belt.

H10A - Gypsy Caravan Sites

DBE2 – Effect on Neighbouring Properties

CP2 - Protecting the Quality of the Rural and Built Environment

LL1 - Rural Landscape

LL2 - Inappropriate Rural Development

U2B – Flood Risk Assessment Zones

Summary of Representations:

STAPLEFORD ABBOTTS PARISH COUNCIL – The Parish Council strongly oppose the application on the following grounds:

1. The land is designated Green Belt
2. The development is not sustainable
3. The hardstandings are likely to cause a drainage problem

NEIGHBOURS

7 neighbours were consulted and a site notice erected: No responses received

BRENTWOOD BOROUGH COUNCIL – Inappropriate within the Green Belt, applicant must show special circumstances to justify granting planning permission

Issues and Considerations:

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

- Impact on the Green Belt
- Flood Risk

Impact on the Green Belt

The site lies within the Metropolitan Green Belt and the proposal constitutes inappropriate development which, by definition, is harmful to the Green Belt as it does not fall within the exemptions listed within the NPPF/policy GB2A. Notwithstanding this policy H10A of the Local Plan Alterations states: *“In determining applications for Gypsy Caravan sites within the Green Belt the Council will have regard to (i) whether there are any very special circumstances which would justify an exception to the Green Belt policies of restraint, and (ii) The impact on the openness of the Green Belt and the character and appearance of the Countryside”*. As such planning permission should only be given if there are considerations that outweigh this harm.

Given the distance to neighbouring properties it is not considered that amenity is an issue and therefore other than flood risk (discussed in detail below), the determination of this application rests on the issue of whether there are ‘very special circumstances’ to justify an exception to Green Belt policy.

The application was accompanied by a detailed statement providing further details of the circumstances of this application. The site was gifted to one of the applicants (Ms. Stevens) by her parents who own nearby Oak Farm. Ms Stevens is from the settled community however her partner, Mr Smith, is a Romany Gypsy and Ms. Stevens has adopted the travelling way of life.

Previously the couple have travelled during the summer and over-wintered with Ms. Stevens’ parents or with cousins of Mr Smith, they now need to be settled for their 4 year old daughter who has a place at Stapleford Abbots Primary School, where she is currently at nursery. Mr Smith’s family own an authorised site in Collier Row, however there is no additional room at this site for the applicant’s family. Both applicants are from the area and Mr Smith has never lived in housing and would not consider doing so. Both applicants therefore have ties to the wider area and immediate locality

In addition to this the site is considered particularly suitable as although in a relatively rural location it is adjacent to grazing land within the same ownership for the couple’s horses which they buy and sell.

It is not considered however that this information, on its own, would amount to very special circumstances. However, notwithstanding this, there is a recognised need for additional Gypsy/Traveller pitches within the District and the Council does not have an up-to date five-year supply of sites. Government guidance issued in March 2012 ‘Planning policy for traveller sites’ states that:

‘if a local planning authority cannot demonstrate an up-to-date five-year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission’.

Therefore a temporary permission, where there is no presumption that a temporary planning permission should become permanent, is an option until such time as the five year supply can be demonstrated and other sites made available.

The argument for an outstanding need for Gypsy sites was assessed by the Planning Inspector on the Auburnville appeal (Carthegena Estate, Nazeing), which was dealt with thoroughly at a Public Inquiry, and it is stated within the appeal decision that:

“The Council indicates that Policy H10A was prepared and adopted having regard to quantitative assessments at that time. Even so, this criteria-based policy is now somewhat out-of-date and does not reflect the Circular 01/2006 guidance. The current inadequacies of the Development Plan Gypsy policy background is a material consideration of some weight in this appeal”.

It is acknowledged that the application will have some impact on the Metropolitan Green Belt as it is new development within the Green Belt, however it is an expectation that most sites will be within the Metropolitan Green Belt given the wording of policy H10A. With regards to part ii) of the policy it is to what extent this impact may have on the surrounding Green Belt area. This site, although enclosed by panel fencing to the front, to the rear is enclosed by post and rail fencing which retains a degree of openness, and the buildings are relatively low level, which again reduces any prominence of the development.

There is a general concern that most of this Council's current Gypsy provision is concentrated within the western part of the District. This application helps towards redressing this imbalance.

Flood Risk

The site lies within an Epping Forest District flood risk assessment zone, as the impervious surfaces have increased beyond the threshold of 50m² there is likely to be an increase in surface water runoff. The Council's land drainage team have requested a flood risk assessment condition to address any runoff issues. In addition to this the application included details of the foul drainage and the Land Drainage Team consider these to be adequate.

Conclusion:

Although there is clearly some impact on the openness of the Green Belt it is considered that on balance given the above special circumstances and the unmet need for Gypsy/Traveller pitches within the District this application is recommended for approval on a temporary basis.

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:

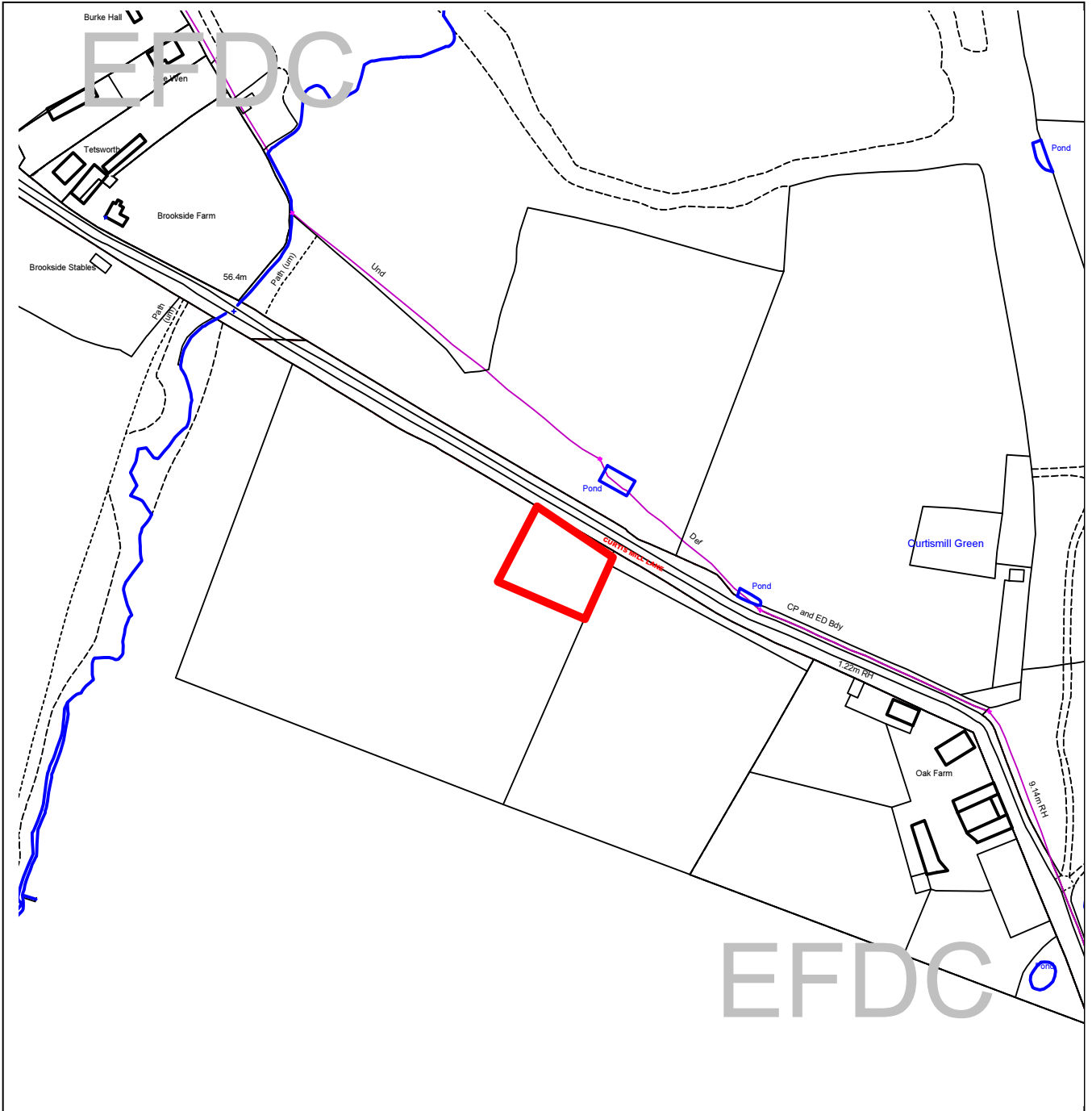
***Planning Application Case Officer: Marie-Claire Tovey
Direct Line Telephone Number: 01992 564371***

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



Epping Forest District Council

Area Planning Sub-Committee East



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

EFDC licence No.100018534

Agenda Item Number:	5
Application Number:	EPF/1996/12
Site Name:	Valley View, Curtis Mill Lane Stapleford Abbots, RM4 1HS
Scale of Plot:	1/2500

This page is intentionally left blank

Report to District Development Control Committee

Date of meeting: 27th March 2013



**Epping Forest
District Council**

**Subject: Planning Application EPF/2430/12 – 49 Hainault Road, Chigwell –
Front porch and first floor rear extension (amendment to EPF/1433/10).**

Officer contact for further information: K Smith

Committee Secretary: S Hill Ext 4249

Recommendation:

That members of the Committee grant planning permission for the development described above, subject to the following planning conditions:

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 Notwithstanding the detail provided on the application forms and approved drawings, no construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such approved details.

Reason:- To ensure a satisfactory appearance in the interests of visual amenity.

- 3 Prior to first occupation of the development hereby approved, the proposed window opening(s) in the flank elevation(s) at first and second floor levels 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.

Reason: To prevent overlooking and loss of privacy to the occupants of neighbouring properties.

- 4 Prior to the first occupation of the extensions hereby approved,

privacy screens shall be erected to both sides of the rear balcony hereby approved, to a height of 1.7m above the balcony floor level.

Reason: to prevent excessive overlooking of neighbouring properties.

Report Detail

Site Description

1. The existing dwelling on the site is two storey and detached, set on a substantial wedge shaped plot. The rear of the site backs onto the golf course. The northern boundary of the site is adjacent to a public footpath providing access to the golf course. This boundary is very well screened with a detached dwelling the other side of the access. The southern neighbouring dwelling is also a large detached dwelling and there is some screening along this rear boundary.

Proposed Development

2. This application seeks planning permission for alterations to a previously approved extension, including changes to the roof of the dwelling, the erection of a front porch and a first floor rear extension. It is necessary for this application to be considered by members of this Committee, as the application site is the residence of a District Councillor.

3. The proposed development comprises ground floor front, side and rear extensions, very similar to those approved previously under planning application EPF/1433/10 (which remains extant until September this year) The extensions include a 5m deep infill extension to the rear of the dwelling, a 2.9m deep infill extension at the front of the dwelling and a 'wedge shaped' side extension to the northern elevation that would abut the side boundary of the site. Also as previously approved are first floor extensions to the side (2.7m retaining a gap of one metre to the site boundary), rear (3m deep) and front (2.5m). This current application seeks additions to those extensions previously approved which would result in a two storey rear extension of 5 metres in total depth (with 1m deep balcony beyond) and a 2m deep front porch with first floor balcony above to the front elevation.

4. Also proposed are alterations to the roof of the dwelling, including the addition of three dormers in the front and rear roof slopes and also ones in the side elevations (previously only three were proposed in the rear and one in the front roof slope).

Relevant Planning History

EPF/1122/04 - Single storey side and rear extensions. Grant Permission (with conditions) - 02/08/2004.

EPF/1736/04 - Proposed front and rear double storey extensions. Grant Permission (with conditions) - 07/02/2005.

EPF/0456/06 - Two storey side extension. Refuse Permission - 25/04/2006.

EPF/2159/07 - Two storey side extension. Refuse Permission - 30/04/2008.

EPF/1433/10. Two storey front, side and rear extensions and rooms in loft with front and rear dormer windows. Approved 10/09/2010.

Consultations and Representations Received

5. Notification of this planning application was sent to 7 neighbouring residents and to Chigwell Parish Council. The following representations have been received:

CHIGWELL PARISH COUNCIL. No objection.

Planning Policies

CP02 - Protecting the quality of the Rural and Built Environment
DBE02 - Effect on neighbouring properties
DBE09 - Loss of Amenity
DBE10 - Design of residential extensions

Planning Issues

6. The main issues to be considered are the impacts of the proposed development on neighbouring amenity and on the character and appearance of the area.

Neighbouring Amenity

7. The existing two storey element of the dwelling would be extended at both the front and rear elevations adjacent to No 49A. This would retain a gap in excess of 1.0m to the boundary and would not extend any significant distance beyond the front and rear elevations of this dwelling. It would not appear over dominant. This dwelling contains a number of side elevation windows at ground and first floor. These windows are north east facing and would not suffer any great increase in loss of sunlight. There would be an increase in overshadowing. However in a dwelling of such a size any loss of light to side elevation windows would not result in an excessive loss of amenity. The dwelling has a large rear conservatory across two thirds of the rear elevation of the dwelling. This is served by large rear facing glass windows and the proposal would not impact excessively on amenity. The rear garden of this property is substantial and would suffer no loss. A balcony on the rear elevation would be situated approximately 3.0m from the boundary, closer than previously approved and extending further into the garden by 1.0m. However, as there is some screen cover close on the boundary; and the balcony can (as previously) be conditioned to include a side screen it is not considered that any material overlooking would arise. The dormer windows would not increase overlooking to any great degree more than existing rear facing windows and side facing window openings can reasonably be conditioned as obscure glazed.

8. A two storey side extension would be located adjacent to the boundary of the footpath and close to No 47. There is a fall in ground level of approximately 0.75m from the proposal site to No 47. Prior to the previous approval, recent two storey extensions at the property have resulted in planning permission being refused. In both instances (EPF/0456/06, EPF/2159/07) the extension was to the boundary over two storeys with a gable roof. This was considered to result in a loss of outlook for occupants of No 47 and users of the footpath and to be a bulky over dominant addition. This proposal is stepped at first floor level with distances between 1.0m and

1.8m retained to the boundary, with the roof being hipped away from this dwelling, further reducing its impact. This proposed amendment would increase the depth of the extension by 2 metres, although this would be situated in place of the previously approved balcony. The proposed balcony would project an additional metre. The additional depth of the rear extension would be set back from the side balcony of the site by 2.5m. No. 47 is further separated from the dwelling by the width of the public footpath leading through to the Golf Course. The proposed development would reduce outlook to this neighbouring property. However, due to the set back of the extension from this neighbouring boundary, it is considered that this reduction would not be so significant as to justify withholding planning permission.

Character and Appearance

9. The proposed dwelling would alter significantly as a result of the works proposed – particularly those in relation to the alterations and extensions to its roof. Most of these works have previously been accepted through the approval of the 2010 planning application. The most significant changes visible to the front of the dwelling would be the addition of the three front dormers (previously one was proposed along with the retention of the existing gable), the side dormers and also the adoption of the balcony, supported by stone pillars. The detail of the elevation has also changed and despite the application forms referring to the walls being brickwork, the front elevation does appear to propose stone work at ground floor level. Careful consideration will be required as to whether or not this is acceptable within the street scene and it is, therefore, necessary to impose a planning condition requiring full details of materials to be used within the construction.

10. Front dormers at second floor level are not common within the street scene of the immediate vicinity of the site, but their use would not overly detract from the character and appearance of the area. Side dormers are also not common within the street and, given the level of space that would be achieved within the roof space are not necessary to facilitate the use of this level. However, the dormers are well set back from the front elevation and the introduction of additional bulk is limited, as the existing dwelling has gable ends.

Other Matters

11. The works to the dwelling would be extensive involving additions to three elevations and the rebuilding of the roof. It is possible that these works may be undertaken as extensions to the existing dwelling and it is on this basis that planning permission is sought. However due to the scale of works proposed it is considered necessary to attach an informative to any consent which is granted advising the applicant that if the dwelling is actually demolished and entirely rebuilt – a further planning permission would be required. This is to avoid any uncertainty.

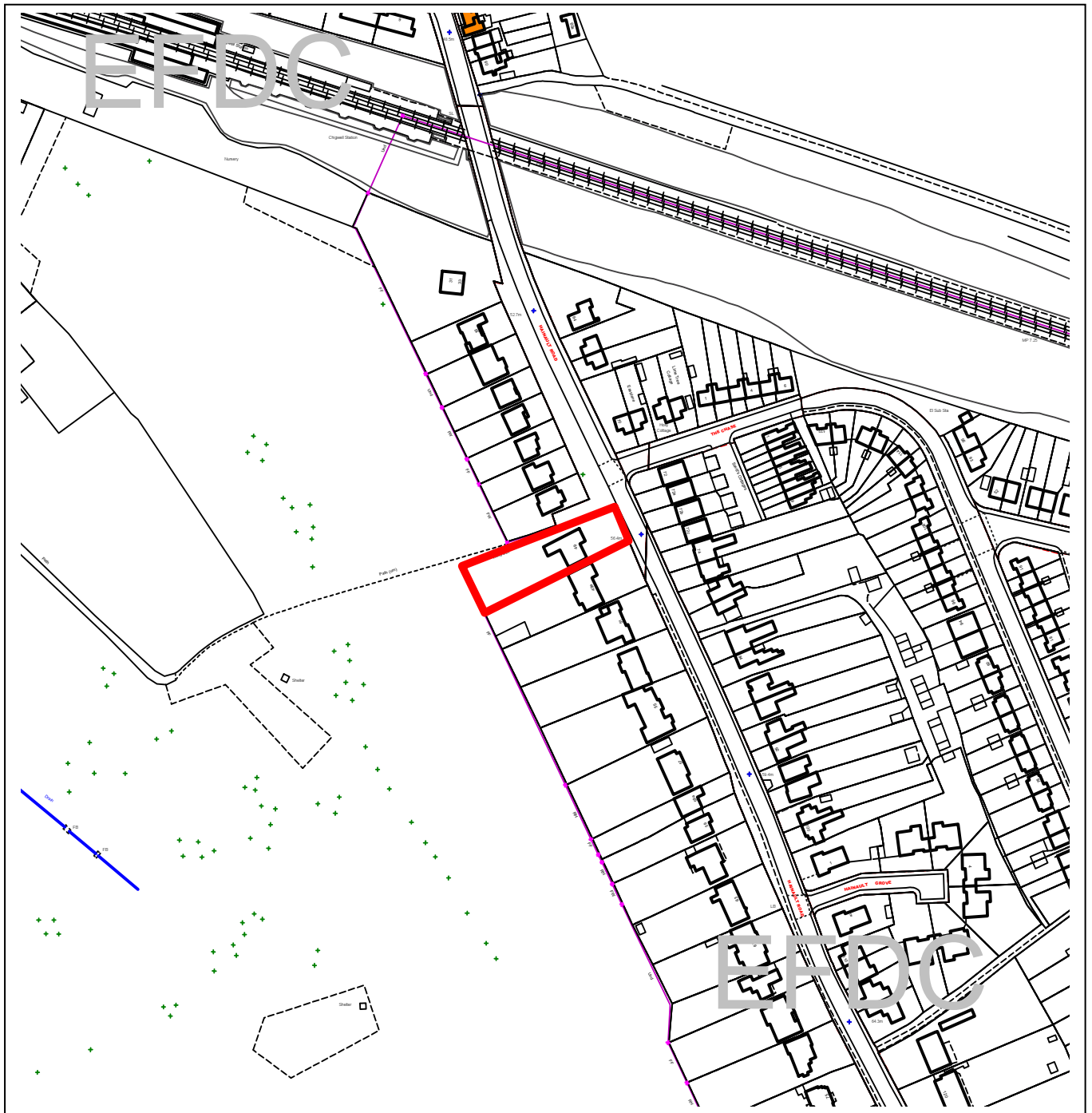
Conclusion

12. In light of the above appraisal, it is considered that the proposed development would have an acceptable appearance and would not cause material harm to the amenities presently enjoyed by the occupiers of neighbouring dwellings. It is, therefore, recommended that planning permission be granted, subject to the planning conditions set out above.



Epping Forest District Council

District Development Control Committee



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

EFDC licence No.100018534

Agenda Item Number:	
Application Number:	EPF/2430/12
Site Name:	49 Hainault Road, Chigwell IG7 5DH
Scale of Plot:	1/2500

This page is intentionally left blank

Report to District Development Control Committee/Standards Committee

Date of meeting(s): 27 and 28 March 2013

Subject: Planning Protocol – Site Visits



**Epping Forest
District Council**

**Officer contact for further information: Simon Hill
Committee Secretary: S Hill Ext 4249**

Recommendation(s):

- (1) To consider prepared guidance on undertaking planning site visits for inclusion as supplementary information in the Council's Planning Protocol;
- (2) That the Planning Subcommittees be asked to note this guidance in undertaking future site visits and an item placed on their forthcoming agenda on the matter;
- (3) That this guidance be published on the Council's website, sent to members, applicants and objector (if known) when a site visit is organised

Report Detail

1. At a meeting of the Overview and Scrutiny held on 29 January 2013 consideration was given to a request of Councillor Stallan to establish a task and finish panel to review procedures at planning site visits. It was agreed at that meeting that it was appropriate for the Chairman and Vice Chairman of the Council's planning committees to meet to discuss the matter and bring forward any recommendations for procedural changes felt necessary.
2. This meeting was held on 25 February 2013. It was felt that further guidance should be drafted for both members and public attending such visits to avoid the perception of pre-determination and to ensure that there is a consistent approach during each visit.
3. This guidance is attached as Appendices 1 and 2 to this report. It has been split into two documents, one aimed at members and the second at other interested parties. It is proposed that these documents form supplementary guidance to the council's Planning Protocol. The guidance brings together information from the protocol.
4. It is further proposed that an item be placed on each planning committee to reiterate the process for future visits. It will also be sent to members, applicants and objectors (if known) when a site visit is organised.
5. It was agreed by the Assistant Director of Planning and Economic Development that officers would also meet to ensure a consistent approach by officers.

This page is intentionally left blank

Proposed Guidance for Members at Site Visits

Formal site visits may be requested by any Planning Committee. These can be requested either before a planning meeting or resolved at the meeting concerned. However, these consume resources and delay determination of an application. It is good practice to consider site visits only where there is a substantial benefit to the decision-making process, e.g. when the impact of the proposed development is difficult to visualise from prior inspection from a public place, or from the plans and the supporting material; or it is particularly contentious.

It is recognised that Councillors are subject to lobbying on specific applications. In such cases, it is essential that care is taken to maintain the Council's and its members' integrity so as to protect the credibility of the planning process.

Members are asked to bear in mind the following guidance when undertaking planning site visits so as to avoid the perception of pre-determination.

- Site visits should be undertaken at an agreed predetermined time and conducted in a single group with a planning officer present at all times.
- Members of the committee concerned should be encouraged to attend site visits.
- The site visit is managed by the Chairman, Vice-Chairman or planning officer present. The Chairman or Vice Chairman will remind members of the guidance at the beginning of each visit. Members of the committee or subcommittee should not enter into discussions with interested parties, such as the applicant, the agent or neighbours during the visit.
- Councillors/Planning Officers should not allow interested parties to use the site visit as an opportunity of lobbying members of the committee. It is made clear to other parties at the outset that the purpose is to gather information and to view the site only.
- Any questions from members should be limited to questions of fact and directed, in the first instance, to the planning officer present and not directly to interested parties present.
- In the interests of fairness to all parties, members as a single group should consider the desirability of viewing an application site from more than one property when the site visit is arranged.
- Councillors must ensure that the application is not determined at the site visit
- Councillors should avoid acceptance of any hospitality at a site visit, (apart from routine courtesies), which could be misinterpreted by third parties;

This page is intentionally left blank

Proposed Guidance for Applicants, Agents and interested parties at Site Visits

Formal site visits may be requested by any Planning Committee. These can be requested either before a planning meeting or resolved at the meeting concerned. However, these consume resources and delay determination of an application. Site visits will only normally be considered where there is a substantial benefit to the decision-making process, e.g. when the impact of the proposed development is difficult to visualise from prior inspection from a public place, or from the plans and the supporting material; or it is particularly contentious.

It is recognised that Councillors are subject to lobbying on specific applications by Applicants, agents and other interested parties. Our members follow guidance when undertaking planning site visits so as to avoid the perception of pre-determination.

- Site visits will be undertaken at an agreed predetermined time and conducted in a single group with a planning officer present at all times.
- You will not be allowed to use the site visit as an opportunity of lobbying members of the committee. It will be made clear to other parties at the outset that the purpose of the site visit is to gather information and to view the site only.
- The site visit is managed by the Chairman, Vice-Chairman or planning officer present. Members of the committee or subcommittee will not enter into discussions with interested parties during the visit.
- Members of the committee concerned are encouraged to attend site visits.
- Members may ask questions of fact which will be directed, in the first instance, to the planning officer present and not directly to interested parties present.
- In the interests of fairness to all parties, members will consider the desirability of viewing an application site from more than one property when the site visit is arranged if this is appropriate.
- The application is not determined at the site visit.
- Councillors will not normally accept any hospitality at a site visit, (apart from routine courtesies), as these could be misinterpreted by third parties.

Further Information:

Email: democraticservices@eppingforestdc.gov.uk

Tel: 01992 564249 and ask for the Committee Officer for the relevant Subcommittee which is shown on the front sheet of the agenda.

This page is intentionally left blank