

Committee Agenda



Epping Forest District Council

Area Planning Subcommittee West Wednesday, 10th October, 2012

You are invited to attend the next meeting of **Area Planning Subcommittee West**, which will be held at:

**Council Chamber, Civic Offices, High Street, Epping
on Wednesday, 10th October, 2012
at 7.30 pm .**

**Derek Macnab
Acting Chief Executive**

**Democratic Services
Officer**

Mark Jenkins - The Office of the Chief Executive
Email: democraticservices@eppingforestdc.gov.uk Tel:
01992 564607

Members:

Councillors Mrs P Smith (Chairman), Ms Y Knight (Vice-Chairman), R Bassett, Mrs R Gadsby, D C Johnson, Ms H Kane, Mrs J Lea, A Mitchell MBE, Mrs M Sartin, Ms G Shiell, Ms S Stavrou, A Watts, Mrs E Webster and J Wyatt

**A BRIEFING FOR THE CHAIRMAN, VICE-CHAIRMAN AND
APPOINTED SPOKESPERSONS WILL BE HELD AT 7.00 P.M. IN
COMMITTEE ROOM 1 ON THE DAY OF THE SUB-COMMITTEE.**

WEBCASTING NOTICE

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy and copies made available to those that request it.

Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area

If you have any queries regarding this, please contact the Senior Democratic Services Officer on 01992 564249.

1. WEBCASTING INTRODUCTION

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

2. The Chairman will read the following announcement:

“I would like to remind everyone present that this meeting will be broadcast live to the Internet and will be capable of repeated viewing and copies of the recording could be made available for those that request it.

If you are seated in the lower public seating area it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

This may infringe your human and data protection rights and if you wish to avoid this you should move to the upper public gallery”

2. ADVICE TO PUBLIC AND SPEAKERS AT COUNCIL PLANNING SUBCOMMITTEES (Pages 7 - 10)

General advice to people attending the meeting is attached.

3. APOLOGIES FOR ABSENCE

4. MINUTES (Pages 11 - 16)

To confirm the minutes of the last meeting of the Sub-Committee held on 12 September 2012 as a correct record (attached).

5. DECLARATIONS OF INTEREST

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

6. ANY OTHER BUSINESS

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

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

7. DEVELOPMENT CONTROL (Pages 17 - 30)

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

Background Papers

(i) Applications for determination – applications listed on the schedule, letters of representation received regarding the applications which are summarised on the

schedule.

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

8. DELEGATED DECISIONS

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

9. EXCLUSION OF PUBLIC AND PRESS

Exclusion

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

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.

This page is intentionally left blank

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'

Area Planning Subcommittee West 2012-13

Members of the Committee:



Cllr Smith

Cllr Knight

Cllr Bassett

Cllr
Gadsby

Cllr
Johnson

Cllr Kane



Cllr Lea

Cllr Mitchell

Cllr Sartin

Cllr Shiell

Cllr Stavrou

Cllr Watts



Cllr Wyatt

Cllr
Webster

This page is intentionally left blank

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee West **Date:** 12 September 2012

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 8.30 pm

Members Present: Mrs P Smith (Chairman), Ms H Kane, Mrs J Lea, A Mitchell MBE, Mrs M Sartin, Ms G Shiell, Ms S Stavrou, A Watts, Mrs E Webster and J Wyatt

Other Councillors: -

Apologies: Ms Y Knight, R Bassett and Mrs R Gadsby

Officers Present: J Godden (Planning Officer), A Hendry (Democratic Services Officer) and G J Woodhall (Democratic Services Officer)

31. 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.

32. WELCOME AND INTRODUCTION

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

33. MINUTES

Resolved:

(1) That the minutes of the meeting of the Sub-Committee held on 15 August 2012 be taken as read and signed by the Chairman as a correct record.

34. DECLARATIONS OF INTEREST

There were no declarations of interest pursuant to the Council's Code of Member Conduct.

35. ANY OTHER BUSINESS

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

36. DEVELOPMENT CONTROL

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

Resolved:

(1) That the planning applications numbered 1 – 3 be determined as set out in the attached annex to these minutes.

37. DELEGATED DECISIONS

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

CHAIRMAN

Report Item No: 1

APPLICATION No:	EPF/0899/12
SITE ADDRESS:	The Scout Association Gilwell Park London E4 7QW
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
DESCRIPTION OF PROPOSAL:	Residential building (International Staff Lodge) which includes social and service spaces and demolition of two maintenance buildings.
DECISION:	Refer to District Development Control Committee

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=537370

Members agreed to refer this item to District Development Control Committee with a recommendation to Grant Permission subject to suggested conditions below.

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: FO-001, FO-002 ex, FO-002 pro, FO-100, HO -001, A3-101, A3-102, TCP_01, TPP_01.
3. Materials to be used for the external finishes of the proposed development, shall be as detailed on the submitted plans and particulars, unless otherwise agreed in writing by the Local Planning Authority.
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 works to the proposed mound) 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 (including planting details included at section 5.3 of the submitted Ecological Survey). 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, including works of demolition or site clearance, shall take place until a Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule in accordance with BS 5837:2012 (Trees in relation to design, demolition and construction - Recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
6. No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
7. Prior to commencement of development details of bird and bat boxes shall be submitted to the Local Planning Authority for approval. The proposed boxes shall be installed on trees within the site prior to the site clearance.
8. No development shall take place until details of further bat and reptile survey works, as stated in para.5.1. of the Ecological Scoping Survey Report by Greenlink Ecology Ltd, accompanying this application, have been submitted to and approved in writing by the Local Planning Authority. If these surveys reveal that these protected species are likely to be affected, then before the development proposal commences on site, appropriate mitigation proposed shall be submitted to and approved in writing by the Local Planning Authority, including any timetable for mitigation to be carried out.

Report Item No: 2

APPLICATION No:	EPF/1015/12
SITE ADDRESS:	The White Lion 11 Sun Street Waltham Abbey Essex EN9 1ER
PARISH:	Waltham Abbey
WARD:	Waltham Abbey South West
DESCRIPTION OF PROPOSAL:	Conversion of a redundant pub to provide two no. 1 bed flats at first floor with 1 cafe (A3) and 1 vets (D1) at ground floor including ground and first floor extensions.
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=537866

Despite the Officers recommendation to approve planning permission, Members were concerned with regards to the impact on parking on public highways and the impact on the character and appearance of the locally listed building and the conservation area and determined to refuse for the reasons set out below:

REASONS FOR REFUSAL

1. The proposed development fails to provide adequate parking to meet the current adopted standards, and does not provide any off street parking for service and delivery vehicles, resulting in an overall loss of parking provision such that it is likely to result in increased on street parking to the detriment of the character, appearance and amenity of the area, contrary to policies CP2, ST6, HC6 and HC 7 of the adopted Local Plan and Local Plan Alterations.
2. The proposed development in the rear courtyard of the premises would result in a cramped form of development which would result in a bulky and excessive form of built development. This detracts from the character and appearance of the building, the conservation area, and the streetscene, contrary to policies CP2, HC6, HC7, DBE3 and HC13A of the adopted Local Plan and Local Plan Alterations.

Report Item No: 3

APPLICATION No:	EPF/1022/12
SITE ADDRESS:	The White Lion 11 Sun Street Waltham Abbey Essex EN9 1ER
PARISH:	Waltham Abbey
WARD:	Waltham Abbey South West
DESCRIPTION OF PROPOSAL:	Conservation area consent for partial demolition
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=537905

Despite the Officers recommendation to approve planning permission, Members were concerned with regards to the impact on the character and appearance of the locally listed building and the conservation area and determined to refuse for the reasons set out below:

REASON FOR REFUSAL

1. The proposed demolition of the rear single storey projection in the premises would cause unacceptable harm to the character and appearance of the building, the conservation area, and the streetscene, contrary to policies CP2, HC6, HC7, DBE3 and HC13A of the adopted Local Plan and Local Plan Alterations.

AREA PLANS SUB-COMMITTEE 'WEST'

10 October 2012

INDEX OF PLANNING APPLICATIONS

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/1188/12	Elm Cottage, Epping Road, Epping Upland, Epping CM16 6PH	Grant Permission (With Conditions)	19
2.	EPF/1278/12	26 Old Nazeing Road, Nazeing EN10 6RW	Grant Permission (With Conditions)	24

This page is intentionally left blank

Report Item No: 1

APPLICATION No:	EPF/1188/12
SITE ADDRESS:	Elm Cottage Epping Road Epping Upland, Epping, CM16 6PH
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
APPLICANT:	Mr M Bristowe
DESCRIPTION OF PROPOSAL:	Retention of existing solar panels.
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=538493

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: P4512
- 2 The solar panels hereby approved shall not be used as a separate solar farm and shall only be used in connection to the dwellinghouse and equestrian site known as Elm Cottage, Epping Road, Epping Upland.
- 3 Once the development ceases being used or functional as operational solar panels all structures and works shall be removed from the site together with any associated materials, and the land restored to its former use as undeveloped grassland.

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 located within a field to the rear of Elm Cottage, Epping Road, to the north of the small built up enclave of Epping Upland. The proposed development is located behind an existing bund and ménage and takes up an area of land approximately 142 sq. m. in size. The site is located within the Metropolitan Green Belt and served by an existing access track.

Description of Proposal:

Consent is being sought for the retention of 32 ground sited solar panels measuring a total area of approximately 142 sq. m. The panels are less than 1m in height to the topmost point and are surrounded by a 3 bar post and rail fence (which in itself does not require planning permission).

The development is located in a field to the rear of an existing ménage and bund that is used for horse keeping by the residents of Elm Cottage.

Relevant History:

None

Policies Applied:

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
CP3 – New development
CP10 – Renewable Energy Schemes
GB2A – Development in the Green Belt
GB7A – Conspicuous development

The above policies form part of the Councils 1998 Local Plan. Following the publication of the NPPF, policies from this plan (which was adopted pre-2004) are to be afforded due weight where they are consistent with the Framework. The above policies are broadly consistent with the NPPF and therefore are afforded full weight.

Consultation Carried Out and Summary of Representations Received:

2 neighbouring properties were consulted and a Site Notice was displayed on 01/08/12.

PARISH COUNCIL – Objects as this is inappropriate development in the Green Belt and due to the visual impact on the Green Belt. Concerned about use in view of number of panels, e.g. commercial or industrial.

Issues and Considerations:

The provision of renewable energy generation equipment is broadly in line with wider sustainability objectives both nationally and locally, therefore it remains at a more detailed level to be considered whether the broad sustainability merits of the proposals are acceptable in terms of location in the Green Belt and visual amenities in the area.

Green Belt:

In terms of Green Belt, the NPPF states that:

“When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources”.

Whilst the NPPF does not specify which ‘elements’ of renewable energy projects will or will not compromise inappropriate development, solar farms and stand alone solar panel developments are not identified as being acceptable within the NPPF, and therefore constitute inappropriate development that are, in principle, harmful to the openness of the Green Belt. However, the NPPF also clearly identifies that *“the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open”*. Therefore, as well as the above ‘in principle’ harm, any physical harm to the openness of the Green Belt must also be considered.

The development consists of 34 stand-alone, ground mounted panels. Whilst this operation constitutes inappropriate development and therefore, in principle, is harmful to the Green Belt, the development is relatively small scale and the solar panels are less than 1m in height. To the south, between the development and the road, is an existing 2m high bund that adequately screens the development from public viewpoint. Whilst the solar panels are visible from the north, east and west, their height does not exceed the surrounding post and rail fence (which does not require planning permission) and as such the physical harm caused by this development is minimal.

Notwithstanding the above, the application nonetheless constitutes inappropriate development. However such inappropriate development can be considered acceptable if sufficient very special circumstances exist to outweigh the harm from inappropriateness. This can include any environmental benefits from such renewable energy schemes.

The solar panels are relatively small scale (in terms of a 'solar park') and have been installed to produce renewable energy for the applicant's house (Elm Cottage) and stables. Amongst the Core Planning Principles of the NPPF it states that planning should "*encourage the use of renewable resources (for example, by the development of renewable energy)*" and also identifies that:

"Local planning authorities should not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide valuable contribution to cutting greenhouse gas emissions".

Based on the above national guidance, and given that the physical impact from this development is minimal, it is considered that the benefits from renewable energy generated in this instance is sufficient to outweigh the minimal harm to the Green Belt. However conditions should be added to ensure the solar panels are not used as a separate commercial solar park and that they are removed once they are no longer used/functional.

Visual amenity:

As stated above, the visual impact from the retention of the solar panels is minimal due to their small scale and limited height.

Other Considerations:

The parish council are concerned about the potential for the development to be used for commercial/industrial purposes. The number of solar panels is fairly small scale in terms of a solar park and as such is unlikely to be commercially viable as a stand-alone development, nonetheless a condition can be added ensuring that the development is not used for commercial purposes and that the panels are removed once they are no longer used/functional.

Conclusions

Whilst the solar panels constitute inappropriate development within the Green Belt, the very special circumstances by way of the renewable energy produced would outweigh the relatively small harm to the openness and character that would result from this development. As such it is considered that the development would be in line with the NPPF and Local Plan policies and is therefore recommended for approval.

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

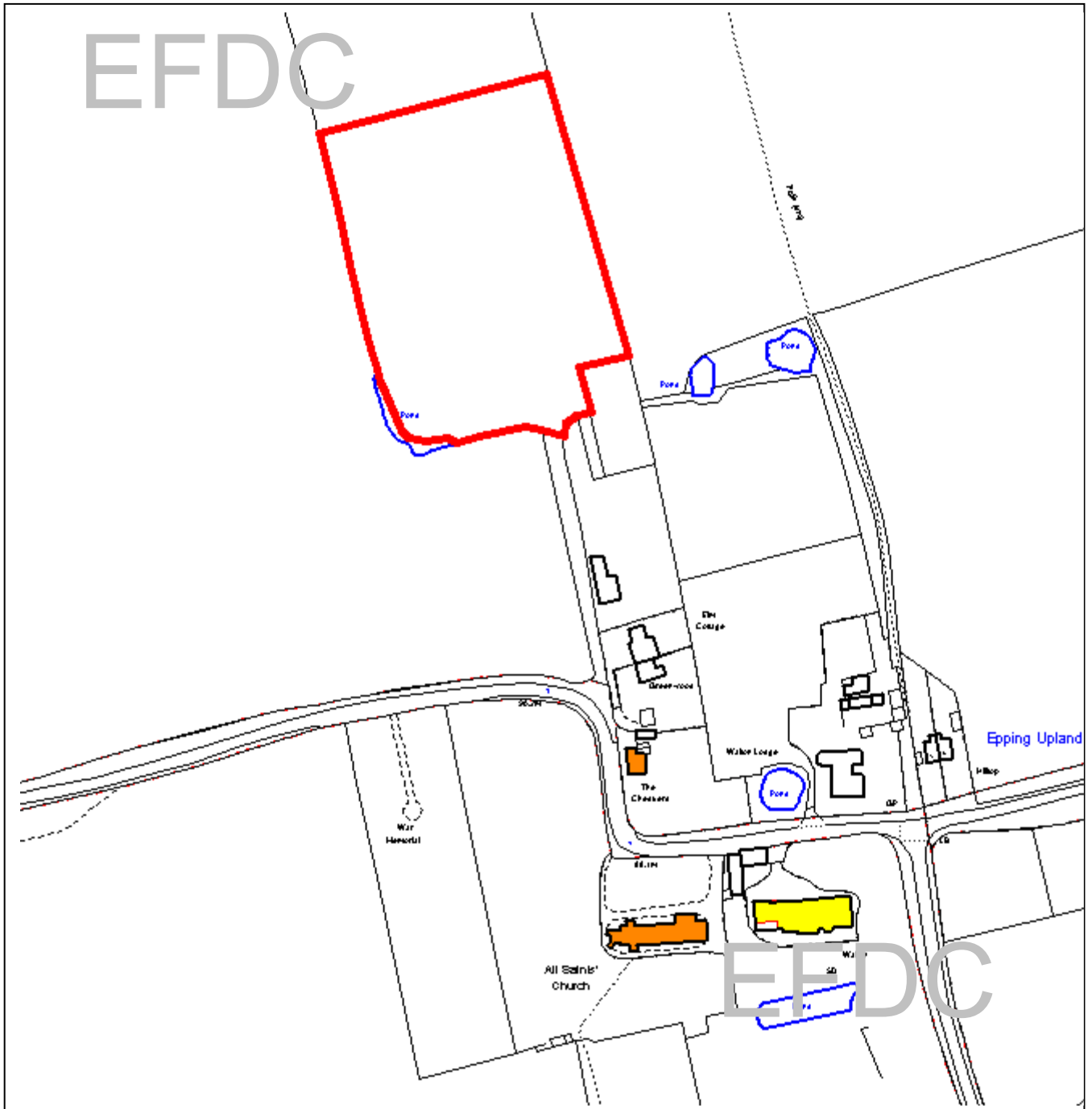
**Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228**

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



Epping Forest District Council

Area Planning Sub-Committee West



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:	1
Application Number:	EPF/1188/12
Site Name:	Elm Cottage, Epping Road Epping Upland, Epping, CM16 6PH
Scale of Plot:	1/2500

Report Item No: 2

APPLICATION No:	EPF/1278/12
SITE ADDRESS:	26 Old Nazeing Road Nazeing Essex EN10 6RW
PARISH:	Nazeing
WARD:	Lower Nazeing
APPLICANT:	Mr Stephen Downes
DESCRIPTION OF PROPOSAL:	Demolition of the existing bungalow and the construction of a pair of semi-detached houses.
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=539038

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: 1502/01-05 submitted as part of application EPF/1278/12.
- 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 proposed window openings in the eastern flank elevation at first and second floor level shall be 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.
- 5 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.

- 6 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule in accordance with BS 5837:2012 (Trees in relation to design, demolition and construction - Recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 7 The proposed development shall follow the findings of the submitted Flood Risk Assessment by EAS and dated 19/01/12 and the finished floor levels of the development hereby approved shall be set no lower than 24.90m Above Ordinance Datum (AOD) as detailed in the submitted Flood Risk Assessment by EAS at Section 3, Page 4.
- 8 There shall be no obstruction above ground level within a 2 metre wide parallel band visibility splay as measured from and along the nearside edge of the carriageway across the entire site frontage. Such vehicular visibility splay shall be provided before the vehicular accesses are first used by vehicular traffic and retained free of any obstruction at all times.
- 9 Prior to first occupation of the development the vehicular accesses shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the accesses at the junction with the highway shall not be less than 3 metres, shall be retained at that width for 6metres within the site and shall be provided with an appropriate dropped kerb vehicular crossing of the highway verge.
- 10 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Class A and B shall be undertaken without the prior written permission of the Local Planning Authority.
- 11 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed and maintained in working order throughout the course of the development. The equipment will be used to clean the wheels of vehicles leaving the site.
- 12 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 08.00 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.
- 13 No development shall take place until details of the proposed surface materials for the parking areas/terrace 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.

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:

26 Old Nazeing Road is a detached bungalow situated on the north side of the road at the end of a run of 6 terrace properties. This group of properties are the only dwellings on this side of the road, with detached properties (mainly chalet style bungalows, with one pair of semi-detached properties) located on the opposite side. The property is not within the Green Belt but the boundary for the Green Belt is directly to the side and rear and this also forms the boundary for the Lea Valley Park. There is an entrance to the park directly to the west of the site. The site has been cleared of vegetation but an evergreen hedge has been retained to the rear and partly to the side. The site is currently vacant and fenced off with construction hoarding.

Description of Proposal:

The proposal is a revised application following the refusal of an application for a new dwelling (EPF/0186/12). This proposal has just been dismissed on appeal (23/08/12, APP/J1535/A/12/2174941). This application is to demolish the existing bungalow on the site and replace it with a pair of two storey houses. The dwellings would measure approximately 12.0m wide x 10.8m deep. Two 3.5m deep single storey extensions would be added to the rear, giving a total length of 14.3m. The houses would have an eaves height of 4.9m and a ridge level of 8.6m. The roofs would be half hipped. Accommodation is proposed in the roof and this would be facilitated by rear dormer windows.

Relevant History:

EPF/0186/12 - Demolition of the existing bungalow and construction of a new dwelling with associated works. Refuse Permission - 26/03/2012.

Policies Applied:

CP2 – Protecting the Quality of the Rural and Built Environment
CP3 – New Development
CP6 – Achieving Sustainable Urban Development Patterns
CP7 – Urban Form and Quality
DBE1 – Design of new buildings
DBE2 – Effect on Neighbouring properties
DBE3 – Design in Urban Areas
DBE8 – Private Amenity Space
RST24 – Design and Location of Development within or adjacent to the LVRP
GB7A – Conspicuous development within or adjacent to the Green Belt
ST1 – Location of Development
ST2 – Accessibility of Development
ST4 – Road Safety
ST6 - Vehicle Parking
LL3 - Edge of Settlement Landscaping
LL11 – Landscaping Schemes

SUMMARY OF REPRESENTATIONS:

11 neighbours were consulted and two replies received.

69 OLD NAZEING ROAD: Strong Objection. This is overdevelopment of this site. The proposed buildings will be much taller than the adjoining houses and will affect the view from our property. With two 3 bedroom houses the parking will soon become a problem. This site is suited to a bungalow or a single two storey house. I understand that the developer would want to maximise his profit on this development but should not be allowed to build something which is out of character with the existing buildings on this road

71 OLD NAZEING ROAD: Objection. These houses look more like townhouses and are out of character with the rest of the road. Concern that parking will be a real issue with this development. A ditch has been filled in by the current owner and we are concerned about potential flooding.

NAZEING PARISH COUNCIL: Objection. Objection as per previous application – due to the height and bulk of the proposed development and not in keeping with the streetscene. No objection to a house replacing the bungalow on the same footprint and in keeping with adjacent properties. There seems to be an infringement onto Environment Agency land.

Issues and Considerations

The main issues with this proposal relate to impact on the adjacent Green Belt and Lee Valley Park, amenity, design and highway and parking issues. The recent planning history of the site is another material consideration.

Green Belt/Lea Valley Park

The previous application to develop this site for one large 5 bedroom property was dismissed on appeal, with impact on the Green Belt/Lea Valley Park being the reason to withhold consent. It is therefore useful to consider the comments of the Inspector in this case and to ascertain if previous concerns have been addressed.

The main concern with the proposed single dwellinghouse was that it had a higher ridge line and was significantly deeper than the adjacent end terrace dwelling, No 24. The overall bulk and massing at first floor and roof level was considered out of keeping with adjoining properties. A projecting gable above the proposed garage was considered particularly conspicuous from the park. In this scheme for two dwellings the ridge level has been reduced to just half a metre higher than the adjacent terrace. The two storey depth has been reduced at the rear of the dwelling. The eaves level has been lowered to match that of no. 24, and a double span gable roof has been replaced by a half hipped roof. The deeply gabled garage has been omitted. Collectively these changes are considered to overcome the previous concerns on bulk and massing.. This is sufficient to reduce the overall conspicuous nature of this development from both the surrounding Green Belt and the adjacent park. It is noted that the Lea Valley Regional Park Authority have no objection to this scheme subject to a suitable landscaping condition whereas they were extremely concerned about the impact of the previous proposal. The Inspector also expressed concern that there would not be suitable space provided along the western flank to allow for some planting which could soften the impact of the proposed development. This proposal indicates a suitable degree of space between the flank wall and boundary fence to allow for some planting. A landscaping scheme could be secured with an appropriate condition ensuring a softer finish along this boundary. Overall the proposed scheme although clearly larger than the building it replaces, would not be unduly conspicuous from the Lea Valley Park/Green Belt. The reduction in bulk and massing now renders the proposal acceptable from this perspective.

Design

The previous application was considered relatively “boxy” and its bulk and general appearance out of character with the general style of residential properties along the road. This proposal, providing 2 modest properties, is more in keeping with the size of dwellings nearby. The design differs from the adjacent terrace but this pair of symmetrical dwellings would add positively to the overall character of the vicinity. Suitable materials for the finish can be agreed by condition. A neighbour has expressed concern that the proposed dwellings would appear more like townhouses. The half hipped roof would add bulk to the dwelling but there are no front dormer windows and generally the houses, although different in character from neighbouring houses, would not appear unduly out of place. The overall bulk and scale from the previous scheme has been significantly reduced.

Amenity

Previous concern had been expressed that the depth of the single dwellinghouse would have an overbearing impact on the adjacent neighbour. The depth of the rear projection of these dwellings has been reduced by approximately 2.0m. The proposal would now project approximately 2.0m beyond the rear building line of the neighbour. This dwelling is also set in from the boundary. It is therefore considered that the changes significantly reduce any overbearing impact down to an acceptable level. Side facing windows can be reasonably conditioned as obscure glazed. The two proposed dwellings would have no impact on each other’s amenity. The amount of private amenity space for each dwelling is adequate.

Highways/Parking

Two parking spaces are proposed for each dwelling and this is adequate and in compliance with local policy. The Highways Authority has no objection to the proposal subject to suitable conditions.

Flood Risk/ Environment Agency Comments

The Council’s Land Drainage section has advised that the existing ditch to the front boundary of the property is redundant and now serves no useful purpose. They therefore have no objection to its removal. The Environment Agency had previously no concerns with regards to the initial development subject to a condition relating to the findings of the submitted Flood Risk Assessment by EAS. They now express concern that the increased culverting of this ditch would stop a wildlife corridor and that this could have an impact on wildlife in the vicinity, particularly Water Voles. The site visit confirmed that the ditch to the front of the site has been backfilled. The Environment Agency concern relates to how the Nazeing main river is approximately 120m downstream from the site and connects to the site via the ordinary watercourse. It is reasoned that as Water Voles are present on the main river they could use the drain to the front of the site. As stated the advice from the Council’s Land Drainage Section, who have visited the site and carried out a detailed appraisal, is that the ditch to the front of the site is obsolete. The ditch that ran along the front of the row of terrace dwellings has, at least been culverted, or backfilled. It is therefore highly unlikely that the ditch to the front of this site is being used as a haven for Water Voles. It is therefore deemed unreasonable and unnecessary to refuse the application for this reason or to require conditions requesting Water Vole surveys.

Trees/Landscaping

The Local Planning Authority would want to see the existing hedge retained along the northern and part of the western boundary. A further condition agreeing suitable landscaping to soften the impact of this development can also be secured by condition.

Other Issues

Neighbours on the opposite side of the road facing the site have raised concerns about overdevelopment and loss of view. The two proposed properties have more than adequate private amenity space to meet current standards and are comparable to adjacent properties in terms of scale, so cannot be considered overdevelopment.

There is no 'right' to a view in planning terms. Loss of view in this instance would be minimal and would not be grounds to refuse the application.

Conclusion:

This proposal follows a recent application for a single dwellinghouse which was refused consent and a subsequent appeal dismissed. It is considered that previous concerns with regards to the overall bulk and scale of this proposal have been overcome. There are no concerns with regard to amenity. Appropriate conditions can mitigate other concerns with regards to this development. It is therefore recommended that this 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***

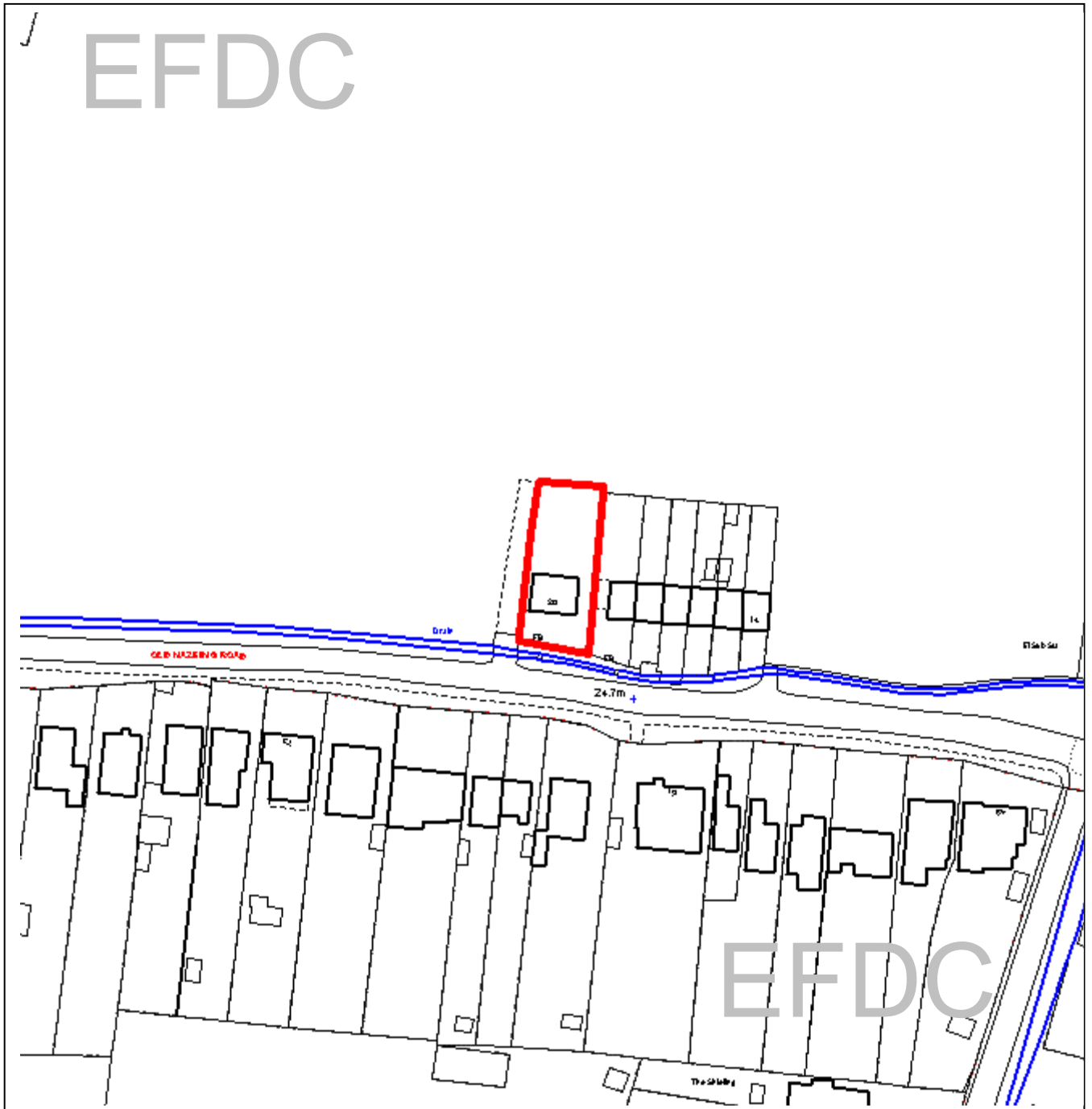
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee West

J
EFDC



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:	2
Application Number:	EPF/1278/12
Site Name:	26 Old Nazeing Road, Nazeing EN10 6RW
Scale of Plot:	1/1250