

# Committee Agenda



## Epping Forest District Council

### **Area Planning Subcommittee West Wednesday, 31st July, 2013**

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, 31st July, 2013  
at 7.30 pm .**

**Glen Chipp  
Chief Executive**

**Democratic Services  
Officer**

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

#### **Members:**

Councillors Ms Y Knight (Chairman), A Mitchell MBE (Vice-Chairman), R Bassett, R Butler, Mrs R Gadsby, Ms H Kane, Mrs J Lea, Mrs M Sartin, Ms G Shiell, Mrs P Smith, 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/FILMING 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. The meeting may also be otherwise filmed by third parties with the Chairman's permission.

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.

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 or otherwise indicate to the Chairman before the start of the meeting.

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 (or filmed) and will be capable of repeated viewing (or another use by such third parties).

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 5 - 8)**

General advice to people attending the meeting is attached.

**3. APOLOGIES FOR ABSENCE**

**4. MINUTES (Pages 9 - 16)**

To confirm the minutes of the last meeting of the Sub-Committee held on 3 July 2013 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 - 40)**

(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.

## **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](http://www.eppingforestdc.gov.uk). Any information sent to Councillors should be copied to the Planning Officer dealing with your application.

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

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

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

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

### **Further Information?**

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

## Area Planning Subcommittee West 2013-14

Members of the Committee:



Cllr Knight

Cllr Mitchell

Cllr Bassett

Cllr Butler

Cllr  
Gadsby

Cllr Kane



Cllr Lea

Cllr Sartin

Cllr Shiell

Cllr Smith

Cllr  
Stavrou

Cllr Watts



Cllr  
Webster

Cllr Wyatt

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## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Area Planning Subcommittee West   **Date:** 3 July 2013

**Place:** Council Chamber, Civic Offices, High Street, Epping   **Time:** 7.30 - 10.04 pm

**Members Present:** A Mitchell MBE (Chairman), R Bassett (Vice-Chairman), R Butler, Ms H Kane, Mrs J Lea, Mrs M Sartin, Ms G Shiell, Ms S Stavrou, A Watts, Mrs E Webster and J Wyatt

**Other Councillors:**

**Apologies:** Ms Y Knight, Mrs R Gadsby and Mrs P Smith

**Officers Present:** J Godden (Planning Officer), C Neilan (Landscape Officer & Arboriculturist), J Leither (Democratic Services Assistant) and G J Woodhall (Democratic Services Officer)

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### 9. WEBCASTING INTRODUCTION

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

### 10. CHAIRMAN AND VICE CHAIRMAN

In the absence of the Chairman Ms Y Knight, the Vice Chairman Mrs A Mitchell chaired the meeting and asked Members if there was a nomination for Vice Chairman. Members elected Councillor R Bassett to be Vice Chairman for the duration of the meeting.

**RESOLVED:**

That Councillor R Bassett be elected Vice Chairman for the duration of the meeting.

### 11. 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.

**12. MINUTES**

**RESOLVED:**

That the minutes of the meeting of the Sub-Committee held on 5 June 2013 be taken as read and signed by the Chairman as a correct record.

**13. DECLARATIONS OF INTEREST**

(a) Pursuant to the Council's Code of Member Conduct, Councillors Mrs M Sartin, Ms S Stavrou and Mrs E Webster declared a non-pecuniary interest in the following item of the agenda, by virtue of being members of the Lee Valley Regional Park Authority. The Councillors had determined that they would remain in the meeting for the duration of the discussion and voting thereon:

- EPF/0711/13 Hailes Farm, Low Hill Road, Roydon CM19 5JW.

**14. ANY OTHER BUSINESS**

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

**15. DEVELOPMENT CONTROL**

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

**RESOLVED:**

That Planning applications numbered 1 – 5 be determined as set out in the annex to these minutes.

**16. DELEGATED DECISIONS**

The Sub-Committee noted that details of planning applications determined by the Head 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**

<b>APPLICATION No:</b>	EPF/0415/13
<b>SITE ADDRESS:</b>	7 & 8 Acacia Court Lamplighters Close Waltham Abbey Essex EN9 3AF
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey Honey Lane
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/18/90 T1 - Oak - Fell T2 - Oak - Fell TG1 - Oaks x 2 - Fell
<b>DECISION:</b>	Deferred

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=546530](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=546530)

Members deferred this item for further information as follows:

1. To confirm the number of trees to be felled
2. The cost involved
3. Insurance details
4. Other possible options
5. Genetic testing

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/0681/13
<b>SITE ADDRESS:</b>	King Harold Court Sun Street Waltham Abbey Essex EN9 1ER
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey South West
<b>DESCRIPTION OF PROPOSAL:</b>	Conversion of 1-11 King Harold Court (which includes the upper floors of 1, 3, 3a and 5 Sun Street and 7-9 Market Square) from office to residential use comprising 11 units (8x 1-bed and 3x 2-bed).(Revised Application)
<b>DECISION:</b>	Refuse Permission

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=547737](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=547737)

**REASONS FOR REFUSAL**

- 1 The proposed development is unacceptable due to its excessive density and inappropriate development in the centre of Waltham Abbey, contrary to policies CP1, CP2, CP6 and CP7 of the Adopted Local Plan and Alterations and contrary to the National Planning Policy Framework.
- 2 In relation to construction and long term vehicular access, such access to the site is inadequate and would have an adverse impact on the footfall and movement of pedestrians using this part of the pedestrianised shopping area, detrimental to the vitality and viability of the town centre, contrary to policies TC3 of the adopted Local Plan and Alterations and to the National Planning Policy Framework.
- 3 Insufficient justification has been provided for the loss of office accommodation and the introduction of residential use, particularly at ground floor level, and therefore the proposal will be detrimental to the vitality and viability of the town centre, contrary to policy TC3 of the adopted Local Plan and Alterations and to the National Planning Policy Framework, particularly paragraph 23.
- 4 The proposed development does not provide adequate access for waste disposal vehicles to collect domestic waste associated with the proposal, contrary to policies DBE9 and RP5A of the Local Plan and Alterations.

**Positive and Proactive Statement**

Members suggested that a way forward would be to reduce the density of development, provide details of waste disposal, details of construction methods to reduce adverse impact on the shopping centre and market due to storage of materials and disruption, and lower the price of the rental values of the offices.

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/0705/13
<b>SITE ADDRESS:</b>	King Harold Court Sun Street Waltham Abbey Essex EN9 1ER
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey South West
<b>DESCRIPTION OF PROPOSAL:</b>	Grade II listed building application for the conversion of 1-11 King Harold Court (which includes the upper floors of 1, 3, 3a and 5 Sun Street and 7-9 Market Square) from office to residential use comprising 11 units (8x 1-bed and 3x 2-bed).
<b>DECISION:</b>	Refuse Permission

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=547910](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=547910)

- 1 The proposal has insufficient information regarding the impact of the proposed works on the structural integrity of the Listed Buildings contrary to policies HC6, HC10 and HC13 of the adopted Local Plan and Alterations.
- 2 The proposal has insufficient information regarding the impact of the proposed dormer at 3 Sun Street on the adjacent Grade II\* listed building at 1 Sun Street unique architectural features contrary to policies HC12 and HC13 of the adopted Local Plan and Alterations.

**Positive and Proactive Statement**

Members suggested that a way forward would be to provide plans and a method statement of how the proposed development would be implemented.

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/0711/13
<b>SITE ADDRESS:</b>	Hailes Farm Low Hill Road Roydon Harlow Essex CM19 5JW
<b>PARISH:</b>	Roydon
<b>WARD:</b>	Roydon
<b>DESCRIPTION OF PROPOSAL:</b>	Retrospective application for the change of use from B8 (Storage and Distribution) to Sui Generis Use as a bus/coach garage.
<b>DECISION:</b>	Refuse Permission

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=547931](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=547931)

Members were notified of late representations from Roydon Parish Council and Lea Valley Regional Park, and further representations from Roydon Society, White Gables and Burles Farm

**REASONS FOR REFUSAL**

- 1 The retention of the use would cause unacceptable harm to the amenities of neighbouring properties by way of noise, disturbance and odours, contrary to policy DBE9 and RP5A of the Adopted Local Plan and Alterations.
- 2 Inadequate access onto Glen Faba Road which causes damage to neighbouring properties and verges, contrary to policies ST2 and ST4 of the Adopted Local Plan and Alterations.
- 3 The site is too small to accommodate 31 coaches which then leads to pressure to encroach on the Green Belt to the north, contrary to policies ST6 and GB2A of the Adopted Local Plan and Alterations.

**POSITIVE AND PROACTIVE STATEMENT**

Members suggested that a way forward would be to:

- Widen the access,
- Reduce the number of vehicles proposed on site,
- Ensure that vehicle engines would not be left running close to properties

The following information would also need to be submitted with any future application:

- Parking layout for the site
- Traffic plan

- Inclusion of the additional hardstanding to the rear of the red lined application site in any future application.

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/0928/13
<b>SITE ADDRESS:</b>	Richmonds House Parsloe Road Epping Green Epping Essex CM16 6QB
<b>PARISH:</b>	Epping Upland
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>DESCRIPTION OF PROPOSAL:</b>	Grade II listed building consent for refurbishment and internal alterations, with bi-fold door to the rear.
<b>DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=549057](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=549057)

**CONDITIONS**

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 101, 102, 105, 106, 107, 109
- 2 Prior to completion of the works, further details of any timber frame to become exposed, any cleaning of the timber frame and any insulation to be added shall be submitted to and agreed in writing by the Local Planning Authority.
- 3 Within three months from the date of this decision, additional drawings that show details of all new windows and doors, by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to the Local Planning Authority in writing for approval, unless otherwise agreed in writing by the Local Planning Authority. All new windows and doors shall be installed/altered and thereafter retained in accordance with the approved details.



## AREA PLANS SUB-COMMITTEE 'WEST'

31 July 2013

### INDEX OF PLANNING APPLICATIONS

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/0415/13	7 & 8 Acacia Court Lamplighters Close Waltham Abbey Essex EN9 3AF	Grant Permission (With Conditions)	19
2.	EPF/0950/13	Royal Gunpowder Mills Beaulieu Drive Waltham Abbey Essex EN9 1JY	Grant Permission (With Conditions)	31
3.	EPF/1262/13	45 Parkfields Roydon Harlow Essex CM19 5JA	Grant Permission (With Conditions)	36

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**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/0415/13
<b>SITE ADDRESS:</b>	7 & 8 Acacia Court Lamplighters Close Waltham Abbey Essex EN9 3AF
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey Honey Lane
<b>APPLICANT:</b>	Mr Syme
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/18/90 T1 - Oak - Fell T2 - Oak - Fell TG1 - Oaks x 2 - Fell
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=546530](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=546530)

**CONDITIONS**

- 1 The works hereby authorised shall not be undertaken after a period of three years from the date of this consent has expired.
- 2 Prior to the felling hereby agreed, the details of the replacement tree, or trees, of a number, species, size and in an appropriate position shall be approved in writing by the Local Planning Authority. The tree or trees shall then be planted within one month of the implementation as agreed, unless varied with the prior written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 3 The Local Planning Authority shall receive in writing, 5 working days prior notice of the felling of any of the trees.

***This application was deferred at the last meeting following a request from members for more information. The additional information required is listed, as follows:***

1. *genetic testing of the root samples and the trees, so that they may be sure that trees are not being unnecessarily felled,*

2. an understanding from the applicant/agent of the costs and viability of installing a root barrier, given the clear and significant public amenity provided by the trees, and
3. an understanding from the applicant/agent of the costs and viability of carrying out an underpinning solution, again given the clear and significant public amenity provided by the trees.

The committee also made it clear that they felt that, since the engineering of the building had clearly failed to protect against an obvious risk and was substandard, the right approach was to deal with the engineering issues, not to seek to fell the trees. Therefore the costs of remedial works to the building should not fall upon the public purse.

**A response to these questions has been provided, as follows:**

1. We do not propose to undertake a DNA test given results are unpredictable in this case and both the oaks T1 & T2 are within influencing distance of the property, which you have accepted. It is our opinion both trees are influencing the subject property and need to be removed for the property to be returned to stability.

However we are willing to compromise on the tree works and propose the retention of TG1 subject to the trees being managed by the council at a maximum height of 12.0m.

As already agreed replacement trees will be planted subject to agreement on location.

I note your report to committee recommended the application be approved.

2. For the committee's information, root barrier costs are estimated to be £20 - £30k although a detailed design and specification will need to be prepared. At our site meeting we discussed the possible presence of a main drain close to the flank of the property and this may prevent the installation of a root barrier.

3. I have attached the Crawford Addendum report which includes cost estimates for underpinning and superstructure works. **(This can be found at the end of this report)**

The view of the committee that the building is substandard is disputed.

In the event that consent is refused, insurers will seek recovery of their costs for underpinning or a root barrier from the council on the basis that the relevant legal tests confirming the cause of damage to be due to the influence of the oaks has been established.

**The original report is attached below:**

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

**Description of Site:**

The trees stand within a hedgerow, originally a field boundary, immediately north of where it is bisected by Farthingale Lane. The application describes 4 trees, two more mature oaks with a group of 2 younger oaks between, although on site inspection only 1 of the group could be found. The hedge is a wide, unmanaged hedgerow, with blackthorn, hawthorn elm and ash.

This section of the hedge, containing the trees, forms the western boundary of Acacia Court, a block of 8 apartments.

**Description of Proposal:**

4x oak: fell.

### **Relevant History:**

TPO/EPF/18/90 was served in advance of development to protect the most important trees, and the important hedgerows. T1 in this application was identified as T4 in the TPO plan; the other trees are contained within area A2, but were not individually designated.

There is no specific application history on these trees

### **Policies Applied:**

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

LL09 Felling of preserved trees:

*'the council will not give consent to fell a tree...protected by a TPO unless it is satisfied that this is necessary and justified.....any such consent will be conditional upon the appropriate replacement of the tree'*

### **Summary of Representations:**

WALTHAM ABBEY TOWN COUNCIL; as no justifiable reason has been put forward would prefer to see them crown reduced.

15 FARTHINGALE LANE; The 5 trees in jeopardy are majestic old oaks, which marked an ancient boundary; they are a great age, certainly 100years+. They beautify the otherwise bleak estate and are a home for birds, squirrels, insects and other wildlife. It would be a travesty and injustice to fell them. Understand the background of alleged subsidence and the council's legal position in relation to potential costs. Since Acacia Court was built in the 1990's the foundations should not be failing. If they are it is only because of poor construction. The management company should reclaim the costs from their insurance. The respondent's own house is much closer to the trees, as are many others, and no others have suffered such damage.

### **Issues and Considerations:**

The basis of the application is that the evidence demonstrates that the root activity of the oaks is causing structural damage to the building, and that the most cost effective remedy, to avoid underpinning, is to fell the larger trees. The felling of the smaller tree(s) is said to be required to prevent future damage. The oaks concerned are important constituents of an ancient hedgerow, and their loss would be a serious loss of visual and other amenity. On the other hand the building adjacent to the trees is badly cracked and there is evidence linking this to their root activity. As well as assessing the trees' value officers have also commissioned an independent expert's view on the strength of the engineering evidence supplied with the application.

The key issues to be considered are:

- How serious is the damage to the property?
- Whether the damage has been demonstrated to be caused by the oaks? If so:
- Whether in this case a realistic option exists for a solution other than felling? And,
- The value and importance of the trees.

### **Damage**

The independent engineer's opinion, based on a review of the evidence supplied and inspection of the 2 properties concerned, is that the section of 1-8 Acacia Court closest to the trees has started

to move differentially, as against the remainder of the building, causing cracking in the front and rear elevations of no. 7 in particular. The cracking is categorized as slight, according to BRE Digest 251. This means that only superstructure strengthening and repairs would be necessary, providing the cause of the problem can be dealt with.

### Causation

The damage consists of tapering cracks in the walls, internally and externally, with disruption of decor, the location and nature of which points to a source of movement to the West, i.e. towards the trees. The engineer comments that level monitoring carried out, which appears reliable, clearly shows the building moving seasonally by 7-10mm on the flank nearest to the trees. Oak roots have been found to 2m depth in the subsoil, which is shrinkable clay but with a seam of more permeable clay below the foundations. According to the relevant NHBC standard the foundation depth should be 1.7m, whereas it appears to be only 1.5m. However the engineer considers that given the makeup of the soil and the depth of roots found that is not a material factor in this case.

### Alternative solutions

The rationale for the application is that felling is the cost effective solution. Underpinning would be possible but it would be expensive and disruptive, and the costs could be reclaimable from the LPA. A root barrier, together with pruning would be a viable alternative, would be less expensive than underpinning and could be justified having regards to the value and importance of the trees. However again to refuse the application on that basis could give rise to a claim for costs against the LPA. Pruning alone would be likely to lessen but not eliminate the building movement, and so would not avoid the need for an engineering solution.

### The value and importance of the trees

The most prominent oak, T1, is in the first phase of maturity, with a long safe life expectancy. It is some 14m in height with a trunk diameter of 45cm - (a fully mature oak would be 1m plus) and a spreading, attractive crown. Its CAVAT value has been calculated as £19,900. (The CAVAT value expresses value in terms of the expenditure on new trees needed to get immediate and equivalent replacement). Its age is estimated at 50-80 years. The further tree is similar; its trunk is a little larger (trunk diameter 50cm), but is also a little shorter. It is also healthy and attractive with a long potential safe life expectancy. Its CAVAT value is £19,600, taking into account that its location is less prominent publicly. The other oak found mainly registers as a part of the hedgerow. It is a young tree, TD 20cm, with a one-sided crown, and a CAVAT value of £1,100.

The two larger oaks are important in the local landscape, particularly as two of the larger oaks which grow from the hedge at intervals along its length. They could be replaced with field maple, which has a similar appearance and is also attractive to wildlife, but equivalent replacement would not be achieved for many years. The design of the developments on both sides was intended to allow the trees to be retained in perpetuity, for the benefit of local residents. Their value and prominence would be expected to increase considerably with time.

### Discussion

The need for action to resolve the ongoing damage to the building through the root activity of the larger oaks has been demonstrated. A root barrier could be a viable alternative to felling, as opposed to underpinning, but would still have significant cost implications, and there might be technical difficulties. The application in respect of the other tree(s) is on the basis of prevention of future action. While there is no immediate need for replacement, with time, the same situation might recur. While the main trees are important they have only 10-20% of the size or value of a fully mature oak. Need having been established, refusal could only be justified for trees of the highest value. These are not in that category. The desirability of their retention is undoubted; the development has been designed around their retention as part of the hedgerow. However their value could be replaced in time with another appropriate native tree, such as field maple, whose

roots would be less likely to cause subsidence. Field maple and hazel have been agreed as suitable by the agents for the applicants.

**Conclusion:**

The proposal is found to accord with Local Plan Landscape Policy LL09, in that felling is necessary and on balance justified because of the need for repair of the properties, and the fact that the larger oaks are in the first stage of maturity only. It is recommended that permission be granted to fell the oaks and to replace them with 2 oaks and a group of 2 hazel trees.

***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:***

***TPO Application Case Officer: Christopher Neilan  
Direct Line Telephone Number: 01992 564117***

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

# ADDENDUM TECHNICAL REPORT

Crawford Reference: SU1104082

7 & 8 Acacia Court  
Lamplighters Close  
Waltham Abbey  
EN9 3AF



prepared for

**Reich Insurance - RSA**  
Property Claims 17 York Street Manchester M2 3RS

**SUBSIDENCE CLAIM**

DATE 25 January 2013

**Crawford and Company**

SPECIALIST PROPERTY SERVICES – SUBSIDENCE DIVISION

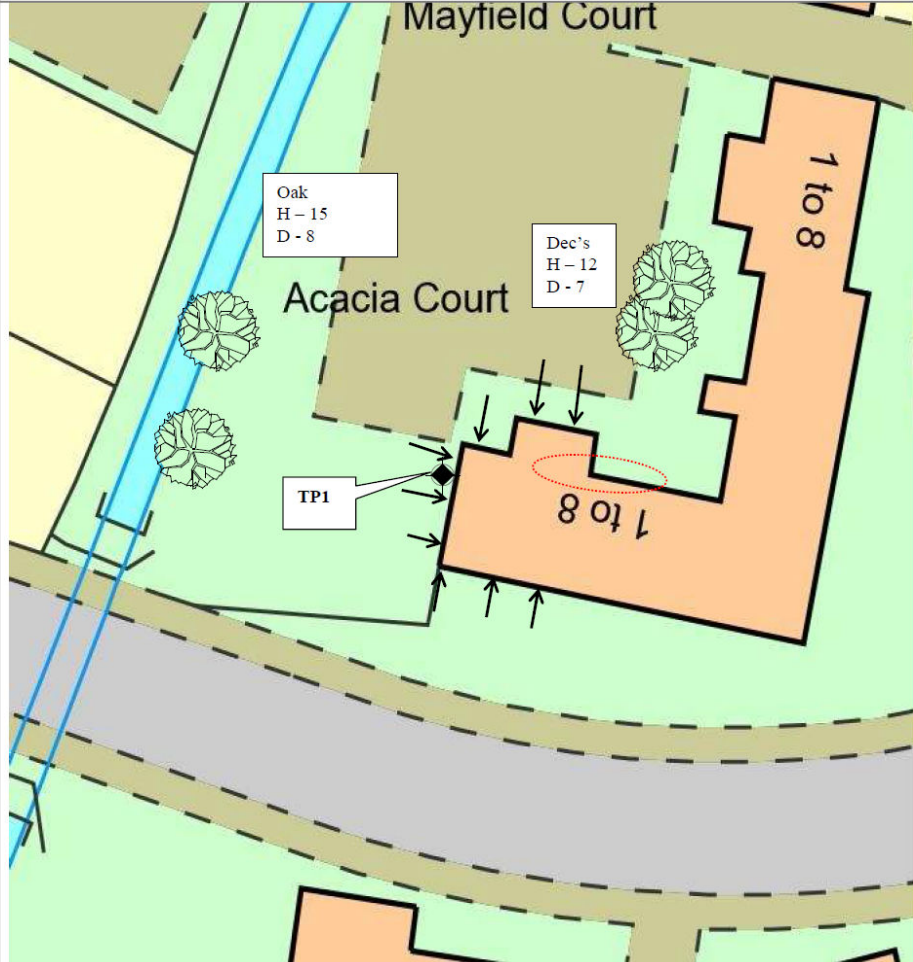
Cartwright House,  
Tottle Road,  
Riverside Business Park,  
Nottingham, NG2 1RT  
Tel: 0115 943 8260  
Fax: 0121 200 0309  
E Mail [subsidence@crawco.co.uk](mailto:subsidence@crawco.co.uk)

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Site Plan **Not to Scale**

This plan is diagrammatic only and has been prepared to illustrate the general position of the property and its relationship to nearby drains and trees etc. The boundaries are not accurate, and do not infer or confer any rights of ownership or right-of-way.



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**Key:**

Deciduous	Conifer	Shrub	Hedge	SWIC	FWIC	SVP	FWG	SWG	SWDP	Trial Hole	Bore Hole	Trial & Bore	Area of Damage	Level Monitor

## INTRODUCTION

We have been instructed by insurers to investigate a claim for subsidence at the above property. The area of damage, timescale and circumstances are outlined in our initial Technical Report. This report should be read in conjunction with that report.

To establish the cause of damage, further investigations have been undertaken and these are described below.

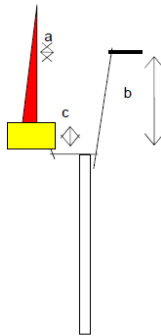
## INVESTIGATIONS

The following investigations were undertaken to identify the cause of movement.

### TRIAL HOLES

A trial hole was excavated to expose the foundations - see site plan for location and the diagram below for details.

Trial Hole 1 revealed the right hand flank wall is built off an 800mm thick concrete trench fill foundation bearing at a depth of 1.40m below ground level onto a firm brown, slightly sandy, CLAY. Root activity of live appearance was noted to the underside of the foundations.



Foundation Details

No.	Borehole Depth	Footing (a)	Underside (b)	Thickness (c)
TH1	3.00 m.	70 mm.	600 mm.	800 mm.

### AUGERED BOREHOLES

A 50mm diameter hand auger was sunk - see site plan for location(s)

Borehole 1 confirmed the continuation of the clay subsoil encountered within the trial pit, with roots up to 1mm in diameter recovered to a depth of 2.00m below ground level. The borehole remained dry and open upon completion.

In-situ Pocket penetrometer testing confirmed the clay subsoil to be very stiff in nature at the underside of the foundation, decreasing to stiff, then firm with depth.

### **SOIL SAMPLES**

The following laboratory tests were carried out on soil samples retrieved from the boreholes:-

#### **Moisture Content**

Values ranged from 21% to 18% over the depth of Borehole 1

#### **Atterberg Limits**

Results indicate that the clay subsoil can be classified as a high plasticity clay in accordance with the Casagrande chart.

#### **Oedometer Tests**

Oedometer testing on disturbed samples is a recognised method of assessing clay desiccation. The results in Borehole 1 indicate evidence of very slight desiccation between a depth of 1.50m and 2.00m.

### **ROOTS**

Roots were retrieved from the borehole and have been submitted to a botanist for identification. Roots in Borehole 1 were identified as Quercus which are Oak trees. Starch was present which indicates that the roots were alive at the time of retrieval.

### **DRAINS**

The trial hole and borehole investigations did not reveal any suggestion that leakage from drainage is adversely affecting the property. As such, a drainage investigation was not warranted.

### **LEVEL MONITORING**

Level Monitoring has been carried out over a period from June 2012 to December 2012. The results indicate downward movement in the area of damage over the summer period and upward movement over the winter period. This is characteristic of the seasonal pattern of foundation movement where vegetation is involved. No other cause produces a similar pattern.

The monitoring readings show cyclical movement and are most prominent nearest the Oak tree. This sort of movement is only associated with clay shrinkage movement. This also rules out nominal clay shrinkage as you would expect the same level of movement around the whole property. Thus confirming the Oak tree is the cause of subsidence damage

## DISCUSSION

The results of the site investigations confirm that the cause of subsidence is root-induced clay shrinkage. The clay is plastic and thus will shrink and swell with changes in moisture content. Roots have extracted moisture below the depth of the footings, this causing differential foundation movement to occur. This is supported by the following investigation results:-

- The foundations are at a depth of 1.40m which is below the level that normal seasonal movement would occur.
- Atterberg limit testing indicates that the soil has a high plasticity and hence will shrink and swell with changes in moisture content.
- Recently active Oak roots were recovered from below the foundations.
- Pocket penetrometer readings indicate compressive strengths above those for equilibrium London Clay indicating desiccation between a depth of 1.40m and 2.50m.
- Level Monitoring indicates seasonal cyclical movement with downward movement in the summer months (as the clay shrinks) and upward movement in the winter months (as the clay swells).
- Based on the evidence collated the Oak tree is the effective and substantive cause of the claim. The absence of any other cause supports this view.

## RECOMMENDATION

The cause of the movement needs to be dealt with first. From the results of the site investigation, we are satisfied that the Oak tree can be removed, Based on our analysis, we are satisfied there is no adverse heave risk to the property.

Our Mitigation Unit is liaising with the Local Authority to arrange an application to be submitted against the Tree Preservation Order and will advise of the outcome when it is received. A decision is normally undertaken by the Local Authority after 8 weeks of submission.

If the decision is favourable, our Mitigation Unit will arrange for the tree works to be undertaken, subject to authority from the tree owner. If the application is refused, there are possible grounds to Appeal or submit a further Application if there is new evidence. This will be reviewed in detail at the time.

Following completion of the tree management works, we will undertake a suitable period of monitoring to confirm stability has been achieved before undertaking repairs to the property.

Provided the tree management works are carried out expeditiously, we anticipate that superstructure repairs and decorations only will be required. If tree management is not carried out, it may be necessary to consider a much more costly and disruptive scheme of stabilisation, such as underpinning. Budget estimates are presently as follows :-

Superstructure repairs and decorations -	£10,229
Underpinning & Repairs	- £30,000

## HISTORY & TIMESCALE

Date of Construction .....	1980
Purchased .....	Unknown
Policy Inception Date .....	29/06/2009
Damage First Noticed.....	August 2011
Claim Notified to Insurer .....	15/08/2011
Date of our Inspection.....	09/09/2011
Issue of Report.....	06/02/2012
Anticipated Completion of Claim .....	November 2013
Anticipated Duration of Works.....	3 Weeks
Anticipated Completion of Works.....	November 2013

Yours faithfully,

***William Anstey***

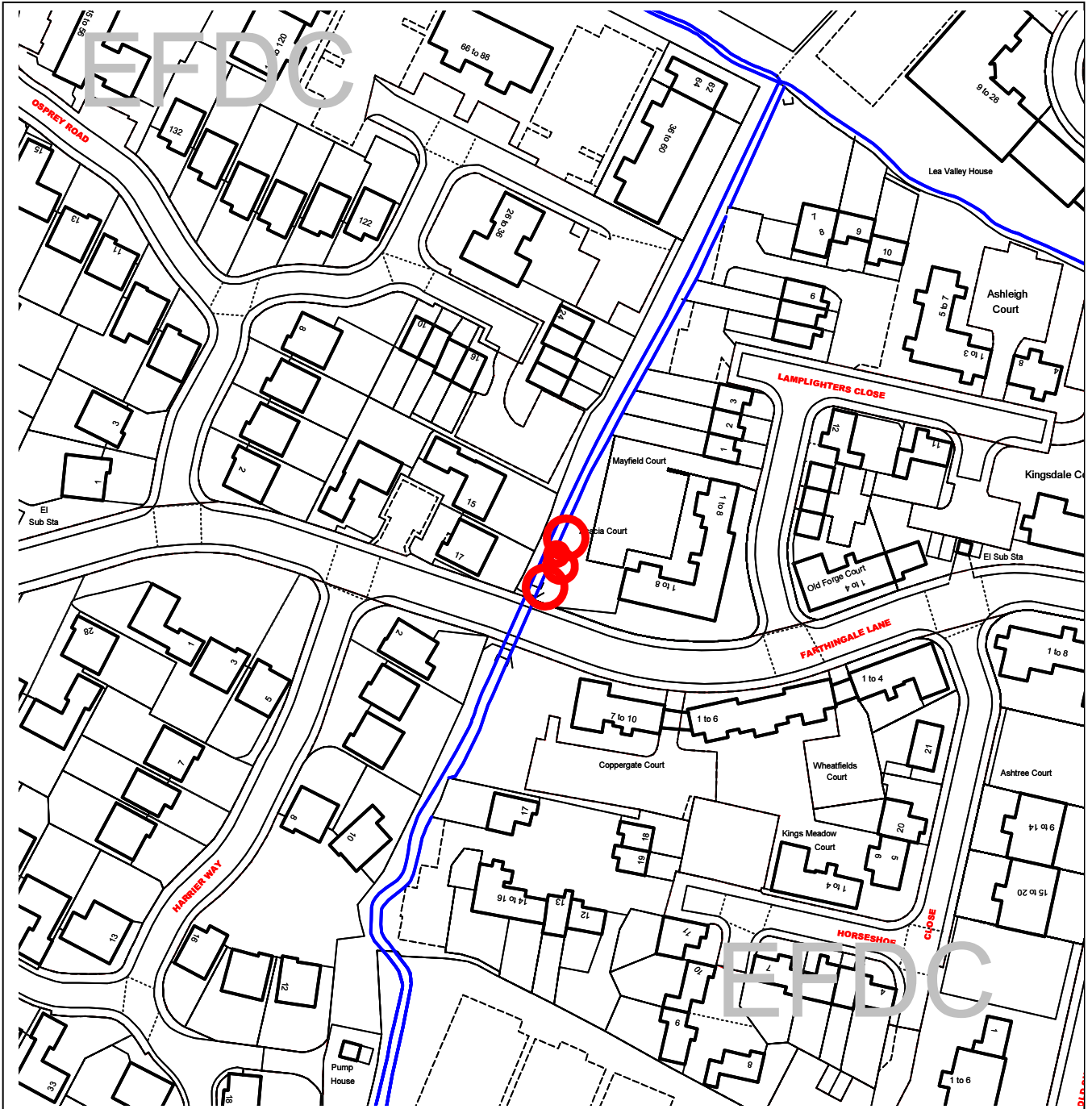
William Anstey BSc (Hons)  
Specialist Property Services - Subsidence Division  
Crawford & Company Adjusters (UK) Ltd  
[subsidence@crowco.co.uk](mailto:subsidence@crowco.co.uk)

25 January 2013



# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	1
<b>Application Number:</b>	EPF/0415/13
<b>Site Name:</b>	7 & 8 Acacia Court, Lamplighters Close Waltham Abbey, EN9 3AF
<b>Scale of Plot:</b>	1/1250

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/0950/13
<b>SITE ADDRESS:</b>	Royal Gunpowder Mills Beaulieu Drive Waltham Abbey Essex EN9 1JY
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey South West
<b>APPLICANT:</b>	Mr Andrew Coates
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use of core visitor attraction buildings - A201, A202, A203, L167, L168, L176 and H7 - from D1 Use (museum and visitor attraction) to uses included within both D1 and D2 (assembly and leisure)
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniteLM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=549232](http://planpub.eppingforestdc.gov.uk/AniteLM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=549232)

**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: PAS/WARGM/CMP/02, PAS/WARGM/CMP/03
- 3 The use hereby permitted shall not be open to customers/members/visitors outside the hours of 10:00 to 23:00 on Monday to Saturday and 10:00 to 22:30 on Sundays and Bank/Public Holidays.

*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 proposal:**

Consent is being sought for the change of use of the core visitor attraction buildings from D1 use (museum & visitor attraction) to a mixed use D1 (museum & visitor attraction) and D2 (assembly & leisure). This would allow for further use of the buildings when not in use as a visitor attraction, such as for fundraising activities, corporate hospitality, private venue hire (i.e. children's parties), etc.

### **Description of site:**

The application site is an established visitor attraction site and museum located on the former Royal Gunpowder Mills site. The entire Gunpowder Mills site covers a large area of land and contains several buildings, many of which are listed, and is within a conservation area. Part of the site also constitutes a Scheduled Ancient Monument. The site lies within the Metropolitan Green Belt and the Lee Valley Regional Park. The buildings proposed for a change of use are A201, A202, A203, L167, L168, L176 and H7.

### **Relevant History:**

There is a long history to the site, however none of the previous applications are directly relevant to this proposal.

### **Policies Applied:**

CP1 – Achieving sustainable development objectives  
CP2 – Protecting the quality of the rural and built environment  
GB2A – Development in the Green Belt  
GB8A – Change of use or adaptation of buildings  
HC1 – Scheduled Ancient Monuments and other archaeological sites  
HC6 – Character, appearance and setting of conservation areas  
HC13 – Change of use of listed buildings  
HC16 – Former Royal Gunpowder Factory site  
RP5A – Adverse environmental impacts  
RST24 – Design and location of development in the LVRP  
DBE9 – Loss of amenity  
ST4 – Road safety  
ST6 – Vehicle parking

The above policy forms part of the Council's 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 policy is broadly consistent with the NPPF and therefore is afforded full weight.

### **Consultation Carried Out and Summary of Representations Received:**

A Site Notice was displayed at the Beaulieu Drive entrance to the site and a Site Notice was displayed in Powdermill Lane on 21/06/13.

TOWN COUNCIL – Object. The Committee were very concerned with the proposed use of very historic buildings that would adversely affect the buildings, leading to a loss of their historic value, and adversely affecting the ethos of the site itself. It was also commented that there are more than sufficient amenities for these activities within the Town that are already under used.

LVRPA – Supports the Royal Gunpowder Mills Trust in their efforts to provide a viable future for the site as primarily a visitor attraction, which respects its location in the Regional Park and Green Belt. No objection to this application on the understanding that the proposed alternative uses fall within Use Class D2 (Assembly and Leisure).

### **Issues and Considerations:**

The key considerations in this instance are the impact on the Green Belt, the Lee Valley Regional Park, the listed buildings and conservation area, and with regards to the overall impact on the surrounding area.



### Green Belt:

The change of use of existing buildings in the Green Belt does not constitute inappropriate development, "provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt". The key considerations under Local Plan policy GB8A that are relevant to this proposal are that the new use would not have "a materially greater impact than the present use on the Green Belt" and that "associated traffic generation would not have a significant detrimental impact on the character or amenities of the countryside".

The existing use of the site is for D1 purposes as a visitor attraction and museum. The proposed change of use would retain this existing use, however would introduce D2 use to allow for the buildings to be used for assembly & leisure purposes when not being used as a visitor attraction. The reasoning behind this is to assist in the viability of the existing site and to attempt to get the visitor attraction 'self funding'. Given the location of the site between the towns of Waltham Abbey and Waltham Cross, the level of buildings and car parking on the site, and the existing use of the site as a visitor attraction, it is not considered that the proposed change of use would have any further impact on the Green Belt than the existing use.

### Lee Valley Regional Park:

The purpose and aims of the LVRPA are to retain and promote recreational use of the Park. The existing visitor centre at Royal Gunpowder Mills complies with these aims. As can be seen above, the LVRPA are in full support of the proposed change of use as it would help ensure a viable future for the existing visitor attraction and would also introduce additional leisure activities to the LVRP.

### Conservation:

The Royal Gunpowder Mill Site is an historically significant site, most of which is a Scheduled Ancient Monument. The entire site constitutes a conservation area and there are 20 listed building of all Grades. It is not considered that the addition of a D2 use would have a detrimental impact on the significance of the buildings or the wider area. The additional uses would not impact on the visitor attraction aspect of the site and, in addition, would make best use of the buildings by utilising existing spaces, without the need for alterations and respecting the fabric of the buildings. Furthermore, the addition of a second use class is required as a means of increasing visitors to the site and, in turn, income. This additional income will better ensure the conservation of the wider site.

Any future internal or external alterations to listed buildings would require listed building consent (and possibly planning permission) and would need to be sympathetic in character, however no such alterations are required for this proposal. Due to this there is no objection to the proposal from either the EFDC Conservation Officer or ECC Historic Buildings Advisor.

### Impact on surrounding area:

The site is currently only used as a visitor attraction at weekends and during holidays, and is therefore not utilised to its full potential. However this site could be more intensively used for D1 purposes if so wished. Although the proposed change of use would result in intensification of use of the site over and above the current use, the buildings are located a sufficient distance from nearby neighbouring residents (the closest being some 30m from building A203) so as not to result in any detrimental impact through noise or any other disturbance.

Although the intensification of use of the site would result in increased vehicle movements the site is well accessed and has sufficient car parking availability. The proposed opening hours for the D2

use have been put forward as 10:00 till 23:00 Monday to Saturday and 10:00 till 22:30 on Sundays and public holidays which, given the distance from nearby residents, is considered acceptable. As such it is not considered that the mixed D1/D2 use of the buildings would be detrimental to the surrounding area.

**Conclusion:**

The proposed change of use would allow for the existing visitor attraction to become more viable and 'self funding', which would ensure both its future vitality and that of the countless listed buildings on the site. The proposal would not constitute inappropriate development in the Green Belt nor would it be harmful to the LVRP or the surrounding area (including neighbouring residents). As such, it is considered that the proposal complies with the relevant Local Plan policies and the application 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:***

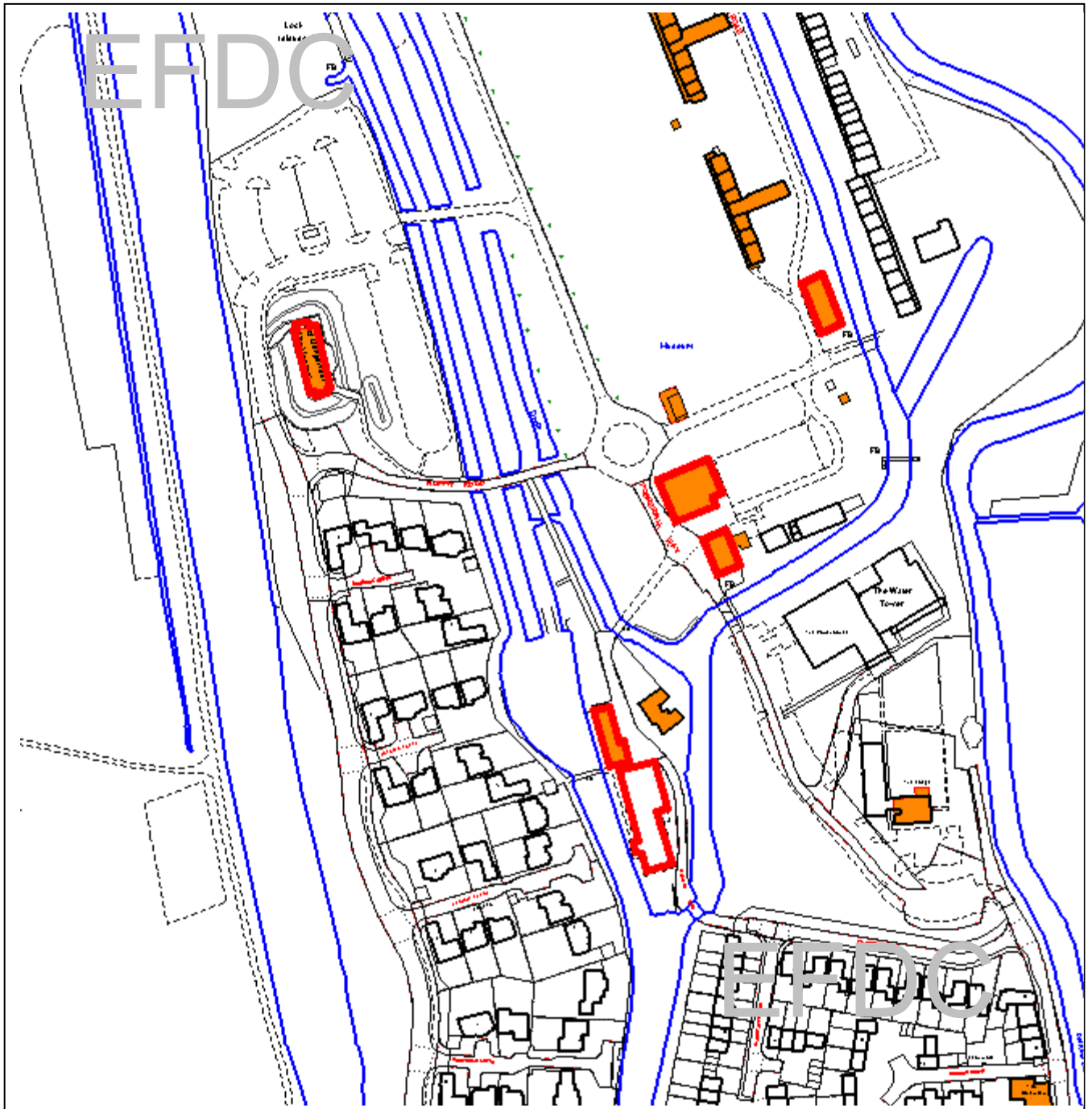
***Planning Application Case Officer: Graham Courtney  
Direct Line Telephone Number: 01992 564228***

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



# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	2
Application Number:	EPF/0950/13
Site Name:	Royal Gunpowder Mills, Beaulieu Drive Waltham Abbey, EN9 1JY
Scale of Plot:	1/2500

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/1262/13
<b>SITE ADDRESS:</b>	45 Parkfields Roydon Harlow Essex CM19 5JA
<b>PARISH:</b>	Roydon
<b>WARD:</b>	Roydon
<b>APPLICANT:</b>	Miss Tanya Korz
<b>DESCRIPTION OF PROPOSAL:</b>	Detached granny flat annexe in rear garden.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=550633](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=550633)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development shall match those specified within the submitted application forms, unless otherwise agreed in writing by the Local Planning Authority.
- 3 The proposed development shall only be used as ancillary accommodation for the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling known as 45 Parkfields, Roydon.
- 4 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), no new boundaries shall be erected subdividing the annexe hereby approved from the main dwellinghouse known as 45 Parkfields, Roydon.
- 5 Prior to first occupation of the development hereby approved, the proposed rooflights in the flank roof slope 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.

*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 Proposal:**

Consent is being sought for the erection of a two storey detached annexe building. The proposed building would be 6.65m wide and 7.65m deep with a dual pitched roof to a ridge height of 5.8m. The second storey would be utilised within the roofspace of the proposed outbuilding.

### **Description of Site:**

The application site is a semi-detached two storey dwelling located on the eastern side of Parkfields, Roydon. To the rear of the site is a footpath running down the backs of the properties. The proposed annexe building would be located within the curtilage of the house, towards the rear of the site.

### **Relevant History:**

None

### **Policies Applied:**

DBE1 – Design of new buildings

DBE9 – Loss of amenity

The above policies form part of the Council's 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:**

6 neighbouring residents were consulted. No Site Notice was required. This report has been produced before the expiration of the 21 day consultation period. Therefore any additional comments received will be verbally reported to Members.

PARISH COUNCIL – Object. The proposed annexe is out of keeping with the area/property and would set a precedent for similar detached garden buildings. The building would also have a negative effect on neighbour amenity.

THE ROYDON SOCIETY – Object for the following reasons:

- Totally out of keeping with the surrounding area
- Intrusive to the neighbours
- If allowed may set a precedent as many of the gardens within this estate are lengthy.

In addition query why the proposed annexe is located at the rear of the garden and question whether the footpath would be used as pedestrian access to the building.

### **Main Issues and Considerations:**

The key considerations are the impact on the neighbours and the overall design of the proposed outbuilding.

The proposed building would provide a self-contained annexe intended for use by the applicant's elderly aunt. This would contain a single room lounge/kitchenette with an under-stairs WC at ground floor and a bedroom and small en-suite shower room at first floor. Although the proposed annexe would be self contained and located a significant distance from the main dwelling (approximately 17.5m) it would nonetheless constitute an 'annexe' type building. Although concern has been raised that the footpath to the rear could provide separate access to the annexe, which

would make separate use of this building easier, this separation would require planning permission. Furthermore, suitable conditions should be imposed to ensure the development remains ancillary to the parent dwelling.

Whilst the proposed outbuilding would be two storeys, the first floor would be incorporated within the roofspace. As such, the ridge height of the proposed building would be 5.8m. The proposed annexe would be located at the rear of the garden area (and as such would be adjacent to the rear sections of the neighbours gardens) and would be set approximately 1.5m from each of the shared boundaries, and between 1.5m and 7m from the rear boundary (adjoining the footpath). Furthermore, the design of the building would be such that the roof slopes away from the adjacent neighbours, which would further reduce any detrimental impact.

At first floor level the proposed outbuilding would contain one gable window overlooking the rear footpath and two rooflights facing No. 47 Parkfields. Whilst the proposed rooflights would be low enough to offer views across the neighbours garden, these can be conditioned to be obscure glazed with fixed frames. As such, this would ensure that no overlooking or loss of privacy would occur to neighbouring residents.

Although the proposed annexe building is somewhat top heavy (in order to gain habitable space within the roof) it is not considered that the development would be out of character with the existing property. It would not be visually prominent within the street scene nor detrimental to the overall appearance of the locality.

### **Conclusion**

Due to the above, whilst the proposed outbuilding would be self contained and a considerable distance from the parent dwelling it is consistent in size and internal layout with a genuine annexe and would not be harmful to the character and appearance of the area or amenities of the neighbouring residents. Therefore, subject to conditions ensuring that the annexe remains ancillary to the main dwellinghouse, the proposal complies with the relevant Local Plan policies and is recommended for approval.

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

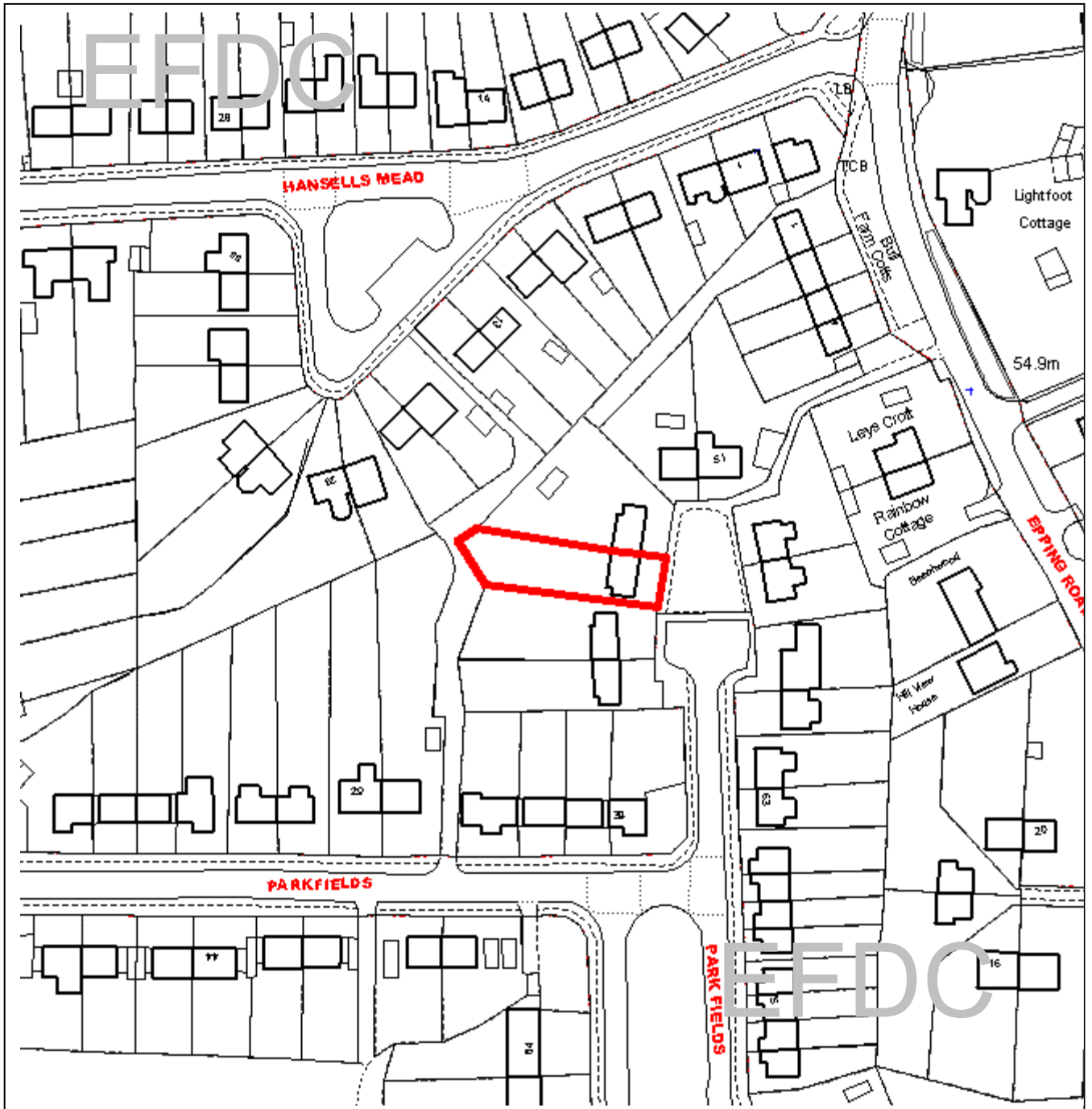
***Planning Application Case Officer: Graham Courtney  
Direct Line Telephone Number: 01992 564228***

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



# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	<b>3</b>
Application Number:	EPF/1262/13
Site Name:	45 Parkfields, Roydon, CM19 5JA
Scale of Plot:	1/1250

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