

Committee Agenda



Epping Forest District Council

Area Planning Subcommittee East Wednesday, 9th October, 2013

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

**Council Chamber, Civic Offices, High Street, Epping
on Wednesday, 9th October, 2013
at 7.30 pm .**

**Glen Chipp
Chief Executive**

**Democratic Services
Officer**

Jackie Leither - The Office of the Chief Executive
Email: democraticservices@eppingforestdc.gov.uk Tel:
01992 564756

Members:

Councillors Mrs S Jones (Chairman), P Keska (Vice-Chairman), K Avey, W Breare-Hall, A Boyce, Mrs H Brady, T Church, P Gode, Mrs A Grigg, D Jacobs, Mrs M McEwen, R Morgan, J Philip, B Rolfe, D Stallan, G Waller, C Whitbread, Mrs J H Whitehouse and J M Whitehouse

A BRIEFING FOR THE CHAIRMAN, VICE-CHAIRMAN AND APPOINTED SPOKESPERSONS WILL BE HELD AT 6.30 P.M. IN COMMITTEE ROOM 1 ON THE DAY OF THE SUB-COMMITTEE.

WEBCASTING/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 SUB-COMMITTEES (Pages 5 - 8)

General advice to people attending the meeting is attached.

3. MINUTES (Pages 9 - 28)

To confirm the minutes of the last meeting of the Sub-Committee, held on 18 September 2013 (attached).

4. APOLOGIES FOR ABSENCE

5. DECLARATIONS OF INTEREST

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

6. ANY OTHER BUSINESS

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

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

7. DEVELOPMENT CONTROL (Pages 29 - 62)

(Director of Planning and Economic Development) To consider planning applications

as set out in the attached schedule

Background Papers:

- (i) Applications for determination – applications listed on the schedule, letters of representation received regarding the applications which are summarised on the schedule.
- (ii) Enforcement of Planning Control – the reports of officers inspecting the properties listed on the schedule in respect of which consideration is to be given to the enforcement of planning control.

8. DELEGATED DECISIONS

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

9. EXCLUSION OF PUBLIC AND PRESS

Exclusion

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

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

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

Confidential Items Commencement

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

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

Background Papers

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

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

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

Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

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

When and where is the meeting?

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

Can I speak?

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

Who can speak?

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

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

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

What can I say?

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

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

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

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

How are the applications considered?

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

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

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

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

Further Information?

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

Area Planning Subcommittee East 2013-14
Members of the Committee:



Cllr Jones	Cllr Keska	Cllr Avey	Cllr Boycel	Cllr Brady
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Cllr Breare-Hall	Cllr Church	Cllr Gode	Cllr Grigg	Cllr Jacobs
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Cllr McEwen	Cllr Morgan	Cllr Philip	Cllr Rolfe	Cllr Stellan
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Cllr Waller	Cllr Whitbread	Cllr Janet Whitehouse	Cllr Jon Whitehouse
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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee East **Date:** 18 September 2013

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.30 pm

Members Present: Mrs S Jones (Chairman), P Keska (Vice-Chairman), K Avey, A Boyce, Mrs H Brady, T Church, Mrs A Grigg, Mrs M McEwen, R Morgan, J Philip, D Stallan, C Whitbread, Mrs J H Whitehouse and J M Whitehouse

Other Councillors:

Apologies: W Breare-Hall, P Gode, D Jacobs, B Rolfe and G Waller

Officers Present: J Preston (Director of Planning and Economic Development), J Shingler (Principal Planning Officer), C Neilan (Landscape Officer & Arboriculturist), J Leither (Democratic Services Assistant) and G J Woodhall (Democratic Services Officer)

44. 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.

45. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements adopted by the Council to enable persons to address the Sub-Committee, in relation to the determination of applications for planning permission. The Sub-Committee noted the advice provided for the public and speakers in attendance at Council Planning Sub-Committee meetings.

46. MINUTES

Resolved:

(1) That the minutes of the meeting held on 14 August 2013 be taken as read and signed by the Chairman as a correct record.

47. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillors A Grigg and D Stallan declared a personal interest in the following item of the agenda by virtue of being members of the North Weald & District Rural Preservation Society. The Councillors had determined that their interest was non-pecuniary and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/1630/13 Upper Clacton Rugby Football Club, Upland Road, Thornwood.

48. ANY OTHER BUSINESS

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

49. DEVELOPMENT CONTROL**Resolved:**

(1)) That the planning applications numbered 1 – 9 be determined as set out in the schedule attached to these minutes.

50. BIRCH FIELD, EPPING LANE, STAPLEFORD TAWNEY - UNAUTHORISED USE AS TRAVELLERS' CARAVAN SITE IN CONTRAVENTION OF AN EXISTING ENFORCEMENT NOTICE AND AN EXISTING INJUNCTION

The Principal Planning Officer presented a report regarding the unauthorised use of Birch Field in Epping Lane, Stapleford Tawney as a Travellers' caravan site, in contravention of an existing Enforcement Notice and an existing injunction.

The Principal Planning Officer stated that the lawful use of the land was for agriculture and, prior to the carrying out of works in 2002 to facilitate its unauthorised use as a travellers' caravan site, it was used for grazing animals. The unauthorised use of the land was intensified to eventually form 24 pitches and a bund between 2m and 3m high built on a 10m wide base adjacent to the M25 along most of its northern boundary. The history of the site was outlined, which in the first instance culminated in the Secretary of State dismissing an appeal against the refusal of planning application EPF/1313/05, on the grounds that the proposal was harmful to the Green Belt in December 2006.

The Principal Planning Officer reported that on 24 August of this year, Travellers moved back onto the site and Officers found 16 adults and 19 children occupying 10 caravans. The adults occupying the site was identified as those named in the Injunction granted in February 2006. On 5 September, the Travellers' legal representative submitted a schedule of occupiers to the Council identifying 73 people in 12 family groups. This appeared to be more than an inspection by Enforcement Officers the previous day and appeared to be an indication of both current and anticipated occupants.

The Principal Planning Officer outlined the current Planning Policy position, and emphasised that the Council had granted permission for 47 permanent pitches between January 2008 and June 2013. Although the Planning Policy context had changed, the use of the site as a gypsy caravan site remained inappropriate development in the Green Belt. There had been no material change in the condition of the site and it had been concluded that very special circumstances to permit the present use had not been demonstrated. The occupiers had confirmed to Officers that they were aware of their breach of the Injunction, which was considered flagrant and wilful and amounted to a contempt of the High Court. Officers considered that the most effective course of action in this case would be to secure compliance with the Enforcement Notice by commencing committal proceedings in the High Court, and the Sub-Committee was requested to confirm and authorise this intended action.

The Local Ward Member for Passingford informed the Sub-Committee that local residents were disappointed legal proceedings did not begin when the site was re-occupied as the Travellers were in contempt of court, and that enforcement action should begin as soon as possible. The Principal Planning Officer responded that it was felt appropriate to submit a report to the Sub-Committee to demonstrate that all aspects of the case had been considered, especially in the light of recent changes to planning policy. If approved by the Sub-Committee, legal proceedings in respect of the site would begin as soon as was practically possible. The Sub-Committee requested that progress on the site be reported in the Council Bulletin.

Decision:

- (1) That the Director of Corporate Support Services be authorised to commence criminal and/or civil proceedings to secure compliance with the Enforcement Notice as varied by the Secretary of State in his decision letter dated 13 May 2004; and
- (2) That the Director of Corporate Support Services be authorised to commence committal proceedings in the High Court to secure compliance with the terms of an Injunction Order granted by the Court on 16 February 2006 requiring compliance with the Enforcement Notice.

51. DELEGATED DECISIONS

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

CHAIRMAN

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Report Item No: 1

APPLICATION No:	EPF/0311/13
SITE ADDRESS:	51 Hornbeam Road Theydon Bois Epping Essex CM16 7JU
PARISH:	Theydon Bois
WARD:	
DESCRIPTION OF PROPOSAL:	TPO/EPF/04/12 T1 - Oak - Fell
DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=545837

Members asked that the welfare of the tree be maintained in the future.

REASON FOR REFUSAL

1. The supporting information and site inspection have not demonstrated that removal of the oak will have any significant impact on achieving a solution to the structural issues at 51 Hornbeam Road. In particular the substandard foundation of the conservatory would have made it liable to movement even without the presence of the tree and the damage is likely to be too serious for tree removal to be a solution; the movement to the rear extension is minor, and capable of being resolved through structural strengthening which would be required in any case and the impact of the illegal ring-barking of the tree on its future water uptake has not been properly assessed. The loss of the tree's significant existing and potential visual amenity is therefore contrary to policy LL7 and LL9 of the Council's Adopted Local Plan and Alterations.

Report Item No: 2

APPLICATION No:	EPF/1341/13
SITE ADDRESS:	Elmbridge Hall Fyfield Ongar Essex CM5 0TN
PARISH:	Fyfield
WARD:	Moreton and Fyfield
DESCRIPTION OF PROPOSAL:	TPO/EPF/05/98 T34 - Sycamore - Fell T36 - Lime - Fell
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=550951

CONDITIONS

1. The felling authorised by this consent shall be carried out only after the Local Planning Authority has received, in writing, 5 working days prior notice of such works.
2. A replacement tree or trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted and inspected and agreed to be in accordance with the details prior to implementation of the felling hereby agreed, unless varied with a 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, or dies, or becomes seriously damaged and defective another tree of the same species and size of that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Report Item No: 3

APPLICATION No:	EPF/0434/13
SITE ADDRESS:	Maltings Nursery Chelmsford Road Norton Heath Essex CM4 0LN
PARISH:	High Ongar
WARD:	High Ongar, Willingale and the Rodings
DESCRIPTION OF PROPOSAL:	Use of land for a mixed use comprising a horticultural nursery and outdoor recreation including fishing and tennis together with ancillary camping, retail, cafe and club activity. Alterations to appearance of existing single storey building, involving the addition of 3 new windows and a rear door in connection with ancillary retail use. Construction of a new single storey building. Construction of 6 proprietary camping huts and fishing piers around lake. Alterations to appearance of existing single storey building involving the addition of 2 new windows and a new door in connection with clubhouse and ancillary cafe use. Construction of a new all weather tennis court.
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=546631

Members agreed to grant consent subject to the conditions set out but requested that when the details in respect of condition 4 are submitted they are brought to Area Plans East Committee for approval to ensure that the scale and design of the huts is acceptable.

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: EZB_100 rev B, EZB_101, EZB_102, EZB_103, EZB_104 rev A, EZB_201, EZB_202, EZB_203 and L5660 (sheets 1-4)
3. The application site shall only be enclosed by boundary treatment, prior to the first use of the site for the purposes hereby approved, details of which shall be submitted to and approved in writing by the Local Planning Authority.
4. The use hereby approved shall not be commenced and no camping/fishing huts and fishing piers erected until details of the design of the camping/fishing huts and fishing piers have been submitted to and approved in writing by the Local Planning Authority. The camping/fishing huts and fishing piers shall be constructed in

accordance with the approved details.

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 shall commence until a scheme to enhance the nature conservation interest of the site has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved.
7. No tents, marquees or temporary buildings shall be erected on the application site and no caravans or mobile homes shall be stationed on the application site without the prior written consent of the Local Planning Authority.
8. No external lighting shall be provided at the application site other than in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The tennis court hereby approved shall not be lit.
9. There shall be no amplified sound outside of any building on the application site.
10. The car parking area identified on drawing number EZB_100 rev B shall only be used for parking vehicles in connection with the use hereby approved.

Report Item No: 4

APPLICATION No:	EPF/0622/13
SITE ADDRESS:	Ongar Bakery 107 High Street Ongar Essex CM5 9DX
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
DESCRIPTION OF PROPOSAL:	Grade II listed building application for new external signage
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=547431

CONDITIONS

1. The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.
2. The two existing fascia signs shall be removed within one month of the date of this decision.
3. Details of the material and finish of the anchor motifs to be applied to the fascia signs hereby approved shall be submitted to and approved by the local planning authority before they are installed.

Report Item No: 5

APPLICATION No:	EPF/0623/13
SITE ADDRESS:	Ongar Bakery 107 High Street Ongar Essex CM5 9DX
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
DESCRIPTION OF PROPOSAL:	Advertisement application for 2 externally illuminated fascia signs
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=547432

CONDITIONS

1. The two existing fascia signs shall be removed within one month of the date of this decision.
2. Details of the material and finish of the anchor motifs to be applied to the fascia signs hereby approved shall be submitted to and approved by the local planning authority before they are installed.
3. The illuminance levels of the trough lights hereby approved shall not exceed 80.00 cd/m.
4. The signs hereby approved shall be illuminated only from a maximum of 30 minutes before opening time until up to 30 minutes after closing time of the premises and at no time outside of these hours.

Report Item No: 6

APPLICATION No:	EPF/0981/13
SITE ADDRESS:	13 Forest Drive Theydon Bois Essex CM16 7EX
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Retrospective application for retention of rear conservatory store and external wall mounted air conditioning units at the rear.
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/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=549391

This application was referred to District Development Control Committee without recommendation but with an instruction that the report be accompanied by a report from Environmental Health with regard to noise issues in relation to the operation of the air conditioning units.

Report Item No: 7

APPLICATION No:	EPF/1234/13
SITE ADDRESS:	13 Forest Drive Theydon Bois Essex CM16 7EX
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Retrospective advertisement consent for canopy, fascia sign and projecting sign.
DECISION:	Split Decision: Canopy & Fascia Signs: Grant Permission (With Conditions) Projecting Sign: 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=550577

The Officer drew Members' attention to a further objection that had been received since the report was written which was from 44 Orchard Drive and objected to the internally illuminated projection box sign.

CANOPY AND FASCIA SIGNS

Members considered that the canopy and fascia sign were acceptable and these were granted subject to the standard advertisement conditions.

PROJECTING SIGN

The internally illuminated box projecting sign however was considered unacceptable and was refused for the following reason:

REASON FOR REFUSAL

1. The projecting sign, due to the design and level of internal illumination, is out of keeping with the building and the street scene and harmful to the visual amenity of Forest Drive, contrary to policy DBE13 of the Adopted Local Plan and Alterations.

Report Item No: 8

APPLICATION No:	EPF/1053/13
SITE ADDRESS:	Cloverleaf Pig Meadow King Street High Ongar Essex CM5 9QZ
PARISH:	High Ongar
WARD:	High Ongar, Willingale and the Rodings
DESCRIPTION OF PROPOSAL:	Mixed use of existing building for the breeding of fish, the storage of products related to the breeding of fish, the assembly of aquatic filtration systems, and the retail sale of fish and fish related products.
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=549830

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: 3130/1C
3. The mixed retail and wholesale fishery use hereby permitted shall not be open to customers / members outside the hours of 7.30am to 6.30pm on Monday to Friday and 8am to 1pm on Saturdays with no opening permitted whatsoever on Sundays and Bank/Public Holidays.
4. The premises shall be used solely for retail and wholesale in relation to the fishery onsite and for no other purpose in the Town & Country Planning (Use Classes Order 1987 (as amended), or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.

Report Item No: 9

APPLICATION No:	EPF/1073/13
SITE ADDRESS:	14 Bury Road Epping Essex CM16 5EU
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	Demolition of existing bungalow and construction of three storey house.
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=549891

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 drawing no. 1306/02 and the Existing ground floor plan (un-numbered).
3. Prior to first occupation of the development hereby approved, the proposed window openings in the flank elevations and roofslopes shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
4. 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.
5. 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 first floor rear extensions generally permitted by virtue of Part 1, Class A shall be undertaken without the prior written permission of the Local Planning Authority.
6. 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.

Report Item No: 10

APPLICATION No:	EPF/1115/13
SITE ADDRESS:	19 Forest Grove Woodside North Weald Bassett Epping Essex CM16 6NS
PARISH:	North Weald Bassett
WARD:	Epping Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	Erection of new two-storey, three bedroom house on vacant land adjoining 19 Forest Grove.
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=550070

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 No's: 384_02 and the submitted location and block plan.
3. 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, B and E shall be undertaken without the prior written permission of the Local Planning Authority.
4. Materials to be used for the external finishes of the proposed development, shall match those of the existing house on site, No19 Forest Grove, unless otherwise agreed in writing by the Local Planning Authority.
5. The proposed window opening serving the first floor shower room 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.
6. The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.

Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the Local Planning Authority contacted and a scheme to investigate the risks and / or the

adoption of any required remedial measures be submitted to, agreed and approved in writing by the Local Planning Authority prior to the recommencement of development works.

Following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.

7. 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.
8. An assessment of flood risk, focussing on surface water drainage, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS). The development shall be carried out and maintained in accordance with the approved details.
9. Parking space for two vehicles shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents vehicles thereafter.
10. Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be provided prior to the commencement of development. The cleaning facilities shall be used to clean vehicles immediately before leaving the site.
11. Prior to first occupation of the development the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 3 metres and shall be provided with an appropriate dropped kerb vehicular crossing of the footway.
12. Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
13. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary of the site.
14. Details of the proposed screen wall or fencing along the side boundary between the site and No19 Forest Grove shall be submitted to the Local Planning Authority for approval. The scheme shall proceed in accordance with the agreed details.

Report Item No: 11

APPLICATION No:	EPF/1162/13
SITE ADDRESS:	Threshers Hastingwood Road Hastingwood North Weald Essex CM17 9JS
PARISH:	North Weald Bassett
WARD:	Hastingwood, Matching and Sheering Village
DESCRIPTION OF PROPOSAL:	Outline application for existing commercial skip site to be redeveloped to 10 dwellings.
DECISION:	Grant Permission (Subject to Legal Agreement)

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=550311

CONDITIONS

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters as defined in condition 2 below, whichever is the later.
2. a) Details of the reserved matters set out below ("the reserved matters") shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:
 - (i) layout;
 - (ii) scale;
 - (iii) appearance;
 - (iv) access; and
 - (v) landscaping.b) The reserved matters shall be carried out as approved.
c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.
3. No development or preliminary groundworks of any kind shall take place until the applicant/developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
4. Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
5. No development shall take place until details of the landscaping of the site, including retention of trees and boundary vegetation and including the proposed times of proposed planting (linked to the development schedule), have been submitted to

and approved in writing by the Local Planning Authority. The approved landscaping shall be carried out in accordance with the approved details and at those times.

6. No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
7. Prior to occupation of the proposed development, the applicant/developer shall be responsible for the provision of a Travel Information and Marketing Pack for sustainable transport to be approved by the Local Planning Authority in liaison with Essex County Council.
8. All parking within the development shall accord with the Parking Standards Design & Good Practice September 2009, including visitor provision and bay sizes.
9. Prior to the commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained thereafter.
10. A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using Windes or other similar programme. The approved measures shall be undertaken prior to the first occupation of the building hereby approved and shall be adequately maintained in accordance with a management plan to be submitted concurrently with the assessment.
11. Prior to commencement of development, details of levels shall be submitted to and approved by the Local Planning Authority showing the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
12. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 1. The parking of vehicles of site operatives and visitors

2. Loading and unloading of plant and materials
 3. Storage of plant and materials used in constructing the development
 4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 5. Measures to control the emission of dust and dirt during construction
 6. A scheme for recycling/disposing of waste resulting from demolition and construction works.
13. No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
14. Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]
15. Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

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

16. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval in writing. The approved monitoring and maintenance programme shall be implemented.
17. In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

And subject to the applicant entering into a legal agreement under section 106 of the Town and Country Planning Act, (within 3 months of the decision) to secure a contribution of £100,000 towards the provision of affordable housing within the District.

AREA PLANS SUB-COMMITTEE 'EAST'

Date 9 October 2013

INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

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5	EPF/1667/13	39 Dukes Avenue Theydon Bois Epping Essex CM16 7HG	Grant Permission (With Conditions)	50
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Report Item No: 1

APPLICATION No:	EPF/1634/13
SITE ADDRESS:	52 Tempest Mead North Weald Bassett Epping Essex CM16 6DY
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	Mr Stuart Allen
DESCRIPTION OF PROPOSAL:	TPO/EPF/40/98 T52 - Oak - Fell
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=552433

CONDITIONS

- 1 A replacement tree of a species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted and inspected and agreed to be in accordance with the details prior to implementation of the felling hereby agreed, unless varied with a 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, or dies, or becomes seriously damaged and defective another tree of the same species and size of that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 2 The Local Planning Authority must be given 5 working days notice in writing of the intended felling.

This application is before this Committee because any application to fell preserved trees falls outside the scope of delegated powers

Description of Site:

The Oak is one of a line of various native broadleaf trees marking a longstanding field boundary, incorporated as a key landscape feature within this large new residential extension on land between the railway the main village envelope. The estate is screened successfully from distant views by retention of boundary hedgerows, with many mature trees.

Description of Proposal:

T52. Oak– Fell

Relevant History:

TPO/EPF/40/98 was served to preserve numerous rural hedgerow trees prior to extensive development of the fields into a modern housing estate.

There are no records of previous works to this address but of the five trees originally plotted T51 and T54, hawthorn are no longer present in the garden.

EPF/1631/13: parallel application to reduce crown of adjacent ash, not determined at time of writing.

Relevant Policies:

LL9: 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 appropriate replacement of the tree'.

Summary of Representations

NORTH WEALD PARISH COUNCIL: object, unless the case officer determines that the felling is necessary.

Issues and Considerations:

Introduction

The owner applicant wishes to improve ground conditions on the patio near to the house and abate concerns about the tree's safety.

Application

The reasons given for this application have been summarised, as follows:

- i) The tree leans towards the house and is a worry in high winds.
- ii) Leaf debris fills and blocks gutters.
- iii) Bird mess is a nuisance, hard to remove and germ ridden.
- iv) The tree excessively shades the house.
- v) The applicant has planted 25 leylandii and three maples around the garden edge indicating that replanting has already been undertaken

Key issues and discussion

The tree is a relatively young tree, approx. 10m in height with a small, but healthy crown, and considerable potential to grow. There is a twin-stemmed field maple immediately adjacent, with a larger ash towards the middle of the garden. It is an estimated 7m due south from the closest corner of the house, just beyond the paved patio. The stem has a considerable lean towards the house, which straightens towards its top. This is not unusual for a hedgerow tree and there is no reason to consider it unstable, despite this. It is acknowledged however that the tree's presence must inhibit enjoyment of the patio, for the reasons given and clearly there will be some other leaf-fall issues. Nevertheless neither of these reasons by themselves would justify felling. The tree also significantly blocks light to the rear rooms, particularly the kitchen. Pruning alternatives to felling could help, but only to a degree.

The extensive new planting of 25 cypress and three ornamental maples will enhance and screen the property but will not directly mitigate for the loss of the oak.

The key issue however is felt to be what potential the tree has to contribute to wider public amenity in this location. The sections of hedgerow West and East of the access road remain of strategic importance, however the extension through the garden of no. 52 is less prominent, and here only the large ash is of clear visual importance. Neither can the oak realistically be expected to grow to its potential here; the house itself is well within its potential spread. However the pollarding that would be required would mean that it would never have visual significance

Conclusion

On balance the low visual amenity and restricted potential of the oak in this location does not give sufficient justification for refusal, given that the tree's presence does restrict reasonable enjoyment of the property. In accordance with LL9, Local Plan and Alterations, it is, therefore, recommended to grant permission subject to replacement with a large growing, native species, at a place to be agreed in the rear garden.

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

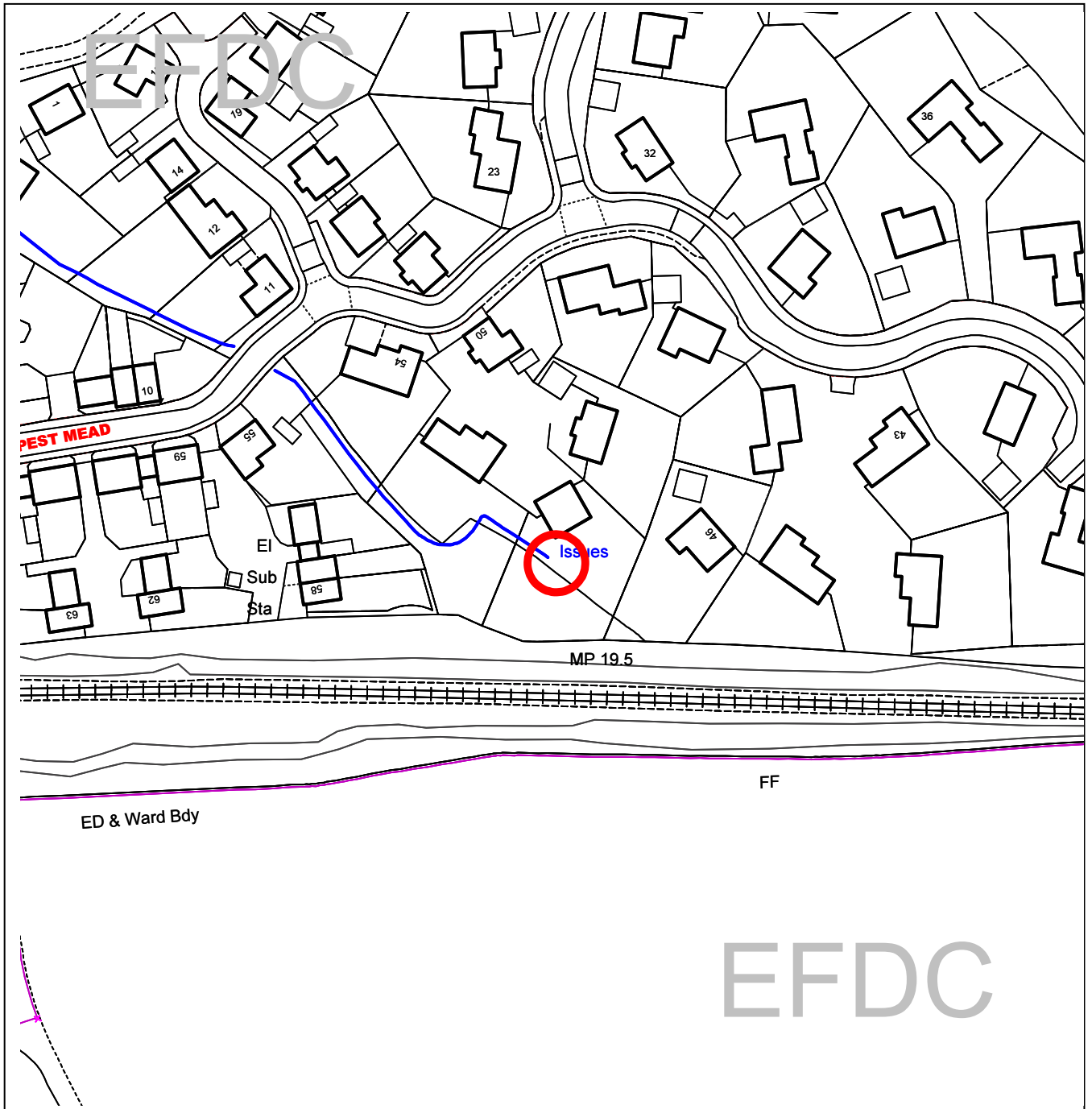
***Planning Application Case Officer: Robin Hellier
Direct Line Telephone Number: 01992 564546***

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



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	1
Application Number:	EPF/1634/13
Site Name:	52 Tempest Mead, North Weald Bassett, CM16 6DY
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/1730/13
SITE ADDRESS:	Bowes House High Street Ongar Essex CM5 9FB
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
APPLICANT:	Four Wantz Management Co.
DESCRIPTION OF PROPOSAL:	TPO/EPF/01/00 G1 - Yew x 20 - Reduce height to approximately 3 metres as specified
RECOMMENDED 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=552870

REASON FOR REFUSAL

- 1 The reasons provided for the application do not show the need for the reduction of the trees, or provide sufficient justification for the consequential loss of their visual and other amenity. The proposal to reduce the trees to a 3 metre hedge is therefore contrary to policy LL9 of the Council's Adopted Local Plan and Alterations.

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

Description of Site:

The row of some 20 yew trees, each 9 metres tall, forms the side boundary of the applicant's garden. They screen views from the gated road entrance and the communal car park and garaging. The property, a grand red brick building has been converted into six residential dwellings.

Description of Proposal:

G1. Yew x 20 – Reduce height to approximately 3 metres, as specified.

Relevant History:

TPO/EPF/01/00 was served to protect a visually prominent row of trees which were at risk from unsympathetic pruning. The TPO was intended to ensure that the trees would be able to continue to develop reasonably naturally.

TRE/EPF/744/00: APP/CON selective pruning.

TRE/EPF/582/07: APP/CON crown reduction in height by up to 1.7 metres and spread by up to 1 metre in branch length.

Relevant Policies:

LL9: 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 appropriate replacement of the tree'.

Summary of Representations

ONGAR PARISH COUNCIL had made no comment at the time of writing this report. Any comments will be reported orally.

Issues and Considerations:

Introduction

The application is to convert this line of trees into a hedge, the applicant considering that this row of trees is in need of attention but valuing the privacy they provide. However to agree the application would be the equivalent of felling, in terms of loss of their public amenity as trees.

Application

The applicant's tree surgeon gives the following reasons for this application:

- vi) The applicant's house is within range of these trees and could be damaged in the event of a failure, which is more likely because of poor past pruning.
- vii) Reducing the hedge will prolong its life span.
- viii) Ground compaction has restricted the root system. Reduction will place less demands on the root system.

The director of the management company also lists the following concerns:

- i) Falling debris from the dying trees present risks to children playing nearby and cars parked next to them
- ii) The yew trees are very close to 1 Bowes House.
- iii) Ivy is suffocating the trees and preventing light into their middles making them weak because they grow too high
- iv) Two tree surgeons agree that the trees are in urgent need of attention

Key issues and discussion

Both the arborist and the director raise the issue of the trees' proximity to 1 Bowes House. While the trees show areas of bare wood on stems and some dead branches there is no evidence of significant weakness or any general threat that could not be alleviated by sympathetic, minor pruning. Neither is debris an issue that would justify effective loss of the trees. Ivy might be contributing to the sparse areas of crown but could be stripped out. Nor is there any clear sign of root based symptoms from ground compaction in the tops of the trees, which are growing vigorously.

It is accepted that the growth of the hedgerows along the frontage means that the line of trees is not as prominent as it was and the main contribution comes from the trees towards the eastern, High Road end. However the reasons given do not demonstrate either the need to reduce the

trees to 3m, nor offer any sufficient justification. The application is therefore contrary to Local Plan Landscape Policy LL9 and is recommended for refusal.

In the event of Members allowing the reduction of the trees, it is recommended that a condition be imposed requiring the planting of 5 trees, to be spaced along the existing hedge to replace the existing trees' visual amenity. This is required on the basis that the reduction is *de facto* removal, and should be treated as such.

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

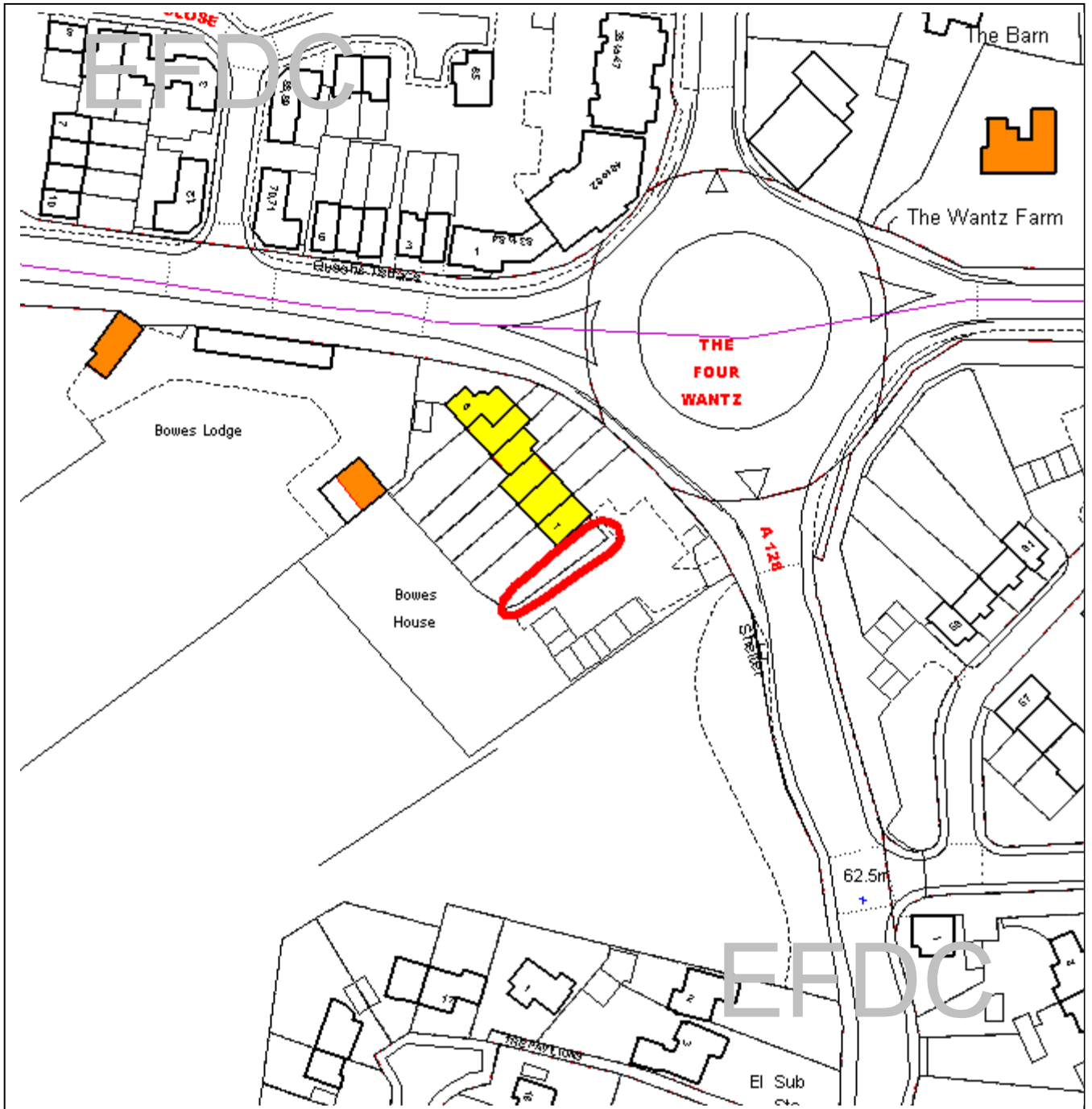
***Planning Application Case Officer: Robin Hellier
Direct Line Telephone Number: 01992 564546***

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



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	2
Application Number:	EPF/1730/13
Site Name:	Bowes House, High Street Ongar, CM5 9FB
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/1527/13
SITE ADDRESS:	11 Bower Hill Epping Essex CM16 7AD
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr Brian Grove
DESCRIPTION OF PROPOSAL:	Demolition of existing bungalow and erection of a new chalet bungalow.
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=551922

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 No's: 786.02, 786.03 and the submitted location plan.
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such approved details.
- 4 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.
- 5 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.
- 6 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.

- 7 No development shall take place until details of levels have been submitted to and approved in writing by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 8 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.
- 9 Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
- 10 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary of the site.
- 11 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.
- 12 The proposed window opening in the northern flank elevation at first 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.

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

No11 Bower Hill is the end plot in a row of bungalows which extend for some distance along the eastern side of the road. The road descends steadily along this part of Bower Hill such that the dwelling on the site is set approximately 1.0m above the property to the south. No11 is set further towards the road than this dwelling. The plot is regular shaped, with a frontage of approximately 16.0m, and a reasonably deep garden. A public footpath abuts the site to the north and beyond this is a development of houses set back from the road. The western side of the road contains more of a mix of styles including older dwellings and bungalows. A number of the bungalows on Bower Hill have been extended in the roof to form chalet style houses.

Description of Proposal:

This is a revised application following the refusal of consent at the Area Plans East Committee meeting held on 19/06/13 for a replacement dwelling on the site (EPF/0891/13). The previous scheme was for the following works;

“A new dwelling which would have a ridge height of 7.0m and an eaves level of 2.5m. The roof would be flat topped with a glass atrium feature. The front elevation would be 13.7m wide with a fully hipped roof above. The rear elevation would have a half hipped roof with a full two storey wall below. Two dormer windows would be installed on the front elevation with one on each side elevation. The existing crossover to the front would be widened to 4.0m”.

This scheme differs in that the width of the dwelling has been reduced by 1.3m to 12.4m. The proposed dwelling is now a full chalet style with a hipped roof over the entire structure and the two storey wall removed from the rear. The dormer windows on the front elevation have been reduced in size. The dormer window on the southern side has been removed. The length of the northern flank wall has been reduced from 20.0m to 14.5m. A gap of 2.0m would be retained to both boundaries.

Relevant History:

EPF/0190/13 - Demolition of existing bungalow and erection of a new chalet bungalow and alterations to existing crossover. Withdrawn by applicant - 09/04/2013.

EPF/0891/13 - Demolition of existing bungalow and erection of a new chalet bungalow and alterations to existing crossover. (Revised application) Refuse permission – 21/06/13.

Policies Applied:

CP1 – Achieving Sustainable Development Objectives
CP2 – Protecting the Quality of the Rural and Built Environment
CP3 – New Development
DBE1 – Design of New Buildings
DBE2 – Effect on Neighbouring Properties
DBE3 - Design in Urban Areas
DBE9 – Excessive Loss of Amenity to Neighbouring Properties
ST4 – Road Safety

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

Summary of Representations:

EPPING TOWN COUNCIL: Objection. Committee objects to this application as it results in the further loss of a bungalow.

11 neighbours consulted: 1 reply received.

16 BOWER COURT: Objection. The proposed development has been reduced in height from the earlier scheme which is welcomed. The footprint, bulk and massing, and overall scale have been slimmed down from the previously refused scheme, which again is welcomed, but I feel that the architect has not gone far enough. The footprint of the proposed building is still almost twice the size of the existing dwellinghouse. My concerns regarding the detailed design of the proposed development remain, the scheme lacks any form of imagination, it is bland and uninteresting. Again I am surprised that the Council has validated this application on the basis of the information submitted. There are no existing and proposed long-sections through the site which means it is unclear whether the applicant is proposing any change to the land levels in the front and rear garden, this is fundamental to establishing the impact of the development. The proposed development has for the third time been described by the applicant as the ‘creation of a new chalet bungalow’. The Council’s latest letter yet again describes the works in this manner. The

description of development is as I stated previously misleading and incorrect. I consider that the level of car parking is totally excessive and unnecessary and does not accord with the principles of the NPPF to deliver sustainable development. The application form states that there are trees on the proposed development site (as well as adjoining) which would be affected by the development, but again no information has been provided to look at the impact. I feel that even with the obscure glazing in place there will be a perception of being overlooked because of the close proximity of the dormer window to the side boundary.

Issues and Considerations:

The main issues that arise with this application relate to the design of the new dwelling, amenity, the comments of consultees and the previous decision by committee.

Design

The application was refused by committee in June for the following reason;

“The proposed dwelling, due to its bulk, massing and design would be over dominant and out of keeping with, and harmful to the street scene, and the visual amenity of the area, contrary to policies CP7 and DBE1 of the adopted Local Plan and Alterations”.

Previous concern has been expressed at committee about the overall bulk of the building. The applicant has tried to address these issues by reducing the overall bulk and massing. This has included reducing the footprint of the house and by doing this a reasonable gap of 2.0m will be retained to each boundary. The bulky two storey rear section, which would have been clearly visible within the streetscene, has been reduced by the incorporation of a full hipped roof into the design. The dormer windows on the front elevation have been reduced in size and the dormer on the southern elevation removed. It is for Members to determine if the reduction adequately addresses the previous reason for refusal. Officers have formed the view that the alterations render this scheme appropriate at this location. The building is still bulkier than its immediate neighbour to the south but this proposal benefits from a much wider plot. It also benefits from the fact that it “bookends” this row of dwellings on Bower Hill. The Town Council has objected on the loss of a bungalow along the road. However the character of this side of Bower Hill is in a state of flux and a number of bungalows have altered in appearance or have permission to do so. This scheme is very similar to an application approved at No51 Bower Hill (EPF/2278/12) which is also characterised by a deeply hipped roof with two front dormer windows. Indeed that scheme would have a ridge height higher than both neighbouring dwellings and in some respects would appear more prominent in the streetscene. Epping Town Council has objected to the loss of a bungalow but the retention of the bungalows in their current format enjoys no policy support in terms of locally adopted policy or national guidance contained in the NPPF. It is not a reason to refuse consent that would be easily substantiated. Overall the reduction in bulk and mass is considered to significantly decrease the size of this dwelling and from a design perspective it is considered acceptable.

Amenity

The dormer on the northern side would overlook a public footpath and semi-private amenity land serving Bower Court. They serve a w.c. and en suite and a condition requiring obscured glazing is considered appropriate. Objections have also been received from No16 Bower Court. There would be no loss of outlook to residents of Bower Court and the proposed building is located some distance from the flats. The new dwelling would not appear overbearing or result in loss of outlook from No13 Bower Hill, the immediate neighbour to the south.

Concern has been expressed by a neighbour of the development about the loss of trees and hedgerows on the site. No trees on site are preserved but the applicant does indicate on the plans

that they would be retained. The trees and hedgerow do have some amenity value particularly as the hedge abuts the public footpath adjacent to the site. A condition relating to tree protection measures is deemed reasonable and necessary.

Similarly a condition requiring details of proposed finished levels to be submitted and agreed can be required by condition.

Crossover

The increase in width of this crossover raises no issues and would have road safety benefits. This element of the scheme is suitable subject to appropriate conditions.

Permitted Development Rights

It is deemed reasonable to remove permitted development rights for extensions and roof additions as these could add considerable bulk to an already large dwelling. This could have a detrimental impact on the existing streetscene.

Conclusion:

It is considered that the applicant has addressed previous concerns that committee have expressed. It is therefore recommended that the application is approved with conditions.

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

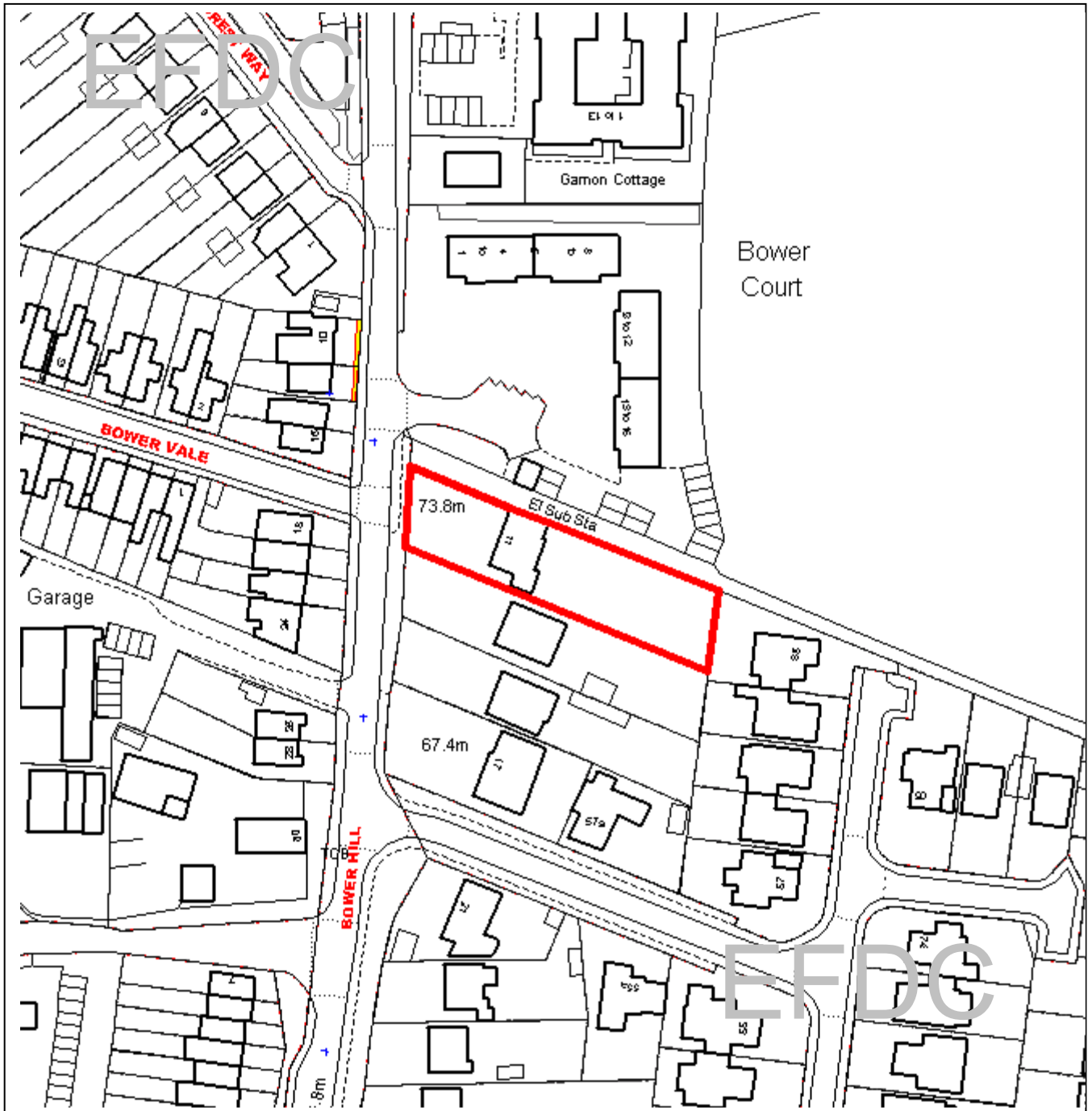
***Planning Application Case Officer: Mr Dominic Duffin
Direct Line Telephone Number: (01992) 564336***

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



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	3
Application Number:	EPF/1527/13
Site Name:	11 Bower Hill, Epping CM16 7AD
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/1577/13
SITE ADDRESS:	Tesco Stores Ltd 77 High Street Epping Essex CM16 4BA
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	Tesco Stores Ltd
DESCRIPTION OF PROPOSAL:	New signage both illuminated and non-illuminated on and around the existing building.
RECOMMENDED DECISION:	Split Decision: Part Approved/Part Refused

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=552093

REFUSE PERMISSION: The new branding sign and blip on the gable at the vehicle entrance to the store.

REASON FOR REFUSAL

- 1 The proposed sign by reason of its excessive size in relation to the size of the gable wall and by reason of the design with its excessive area of internally illuminated white background would be over prominent within the street scene and harmful to the visual amenity of the area, contrary to policy DBE13 of the adopted Local Plan and Alterations.

GRANT PERMISSION (with conditions): All other signage shown on drawing no. 8850(20)01, 8877(90)01, 8877(SG)02, 8877(SG)01. The gantry sign (G1), new branding sign on the Crows Road elevation, vinyl window signs, ATM machine signage, the "Hello" sign at the Crows Road corner of the building (ED), "Hello" sign within the curtilage of the building (H1), directional signage within the curtilage, Delivery signage, disclaimer signage, flag signage, finger post signage, Department of Transport signage, and the promotional banner (PB).

CONDITIONS

- 1 The level of luminance for the illuminated signage hereby approved shall not exceed 800 candelas per sq.m..

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 contains a large retail store with an area of parking to the front of the building. A number of fairly typical business advertising and directional signs are on or around the building. The site is outside the locally designated Epping Conservation Area.

Description of Proposal:

The applicant seeks consent to display a number of advertising signs on and around the building. This includes;

Sign G1 - A gantry sign, internally illuminated, adjacent to the entrance to the store car park at the junction with the High Road. This would be 4.3m high x 2.2m wide and internally illuminated.

A Tesco brand sign to replace an existing sign on the gable on the eastern side of the building adjacent to Crows Road (3.0m x 1.6m). This sign will be internally illuminated.

A Tesco brand sign to replace an existing sign on the gable beside the site entrance (4.8m x 2.4m). This sign will be internally illuminated.

A number of store vinyl graphic advertisement panels, 3 on the High Street Frontage and 1 on a window on the entrance frontage and 2 further wall panels advertising produce.

An array of minor directional signs within the curtilage of the building (16 in total).

A promotional banner (3.5m x 0.90m) along the entranceway into the store.

A welcome sign at the south east corner of the site (ED), adjacent to Crows Road, 2.0m x 0.75m. This sign would be non-illuminated.

Signage around the ATM machine on the High Street elevation.

Relevant History:

There is a long history of applications, mainly for signage, but none are particularly relevant to this application.

Policies Applied:

DBE13 – Advertisements

Summary of Representations:

A site notice was erected on 14.08.13

TOWN COUNCIL -Objection. Committee objected to the signage on the frontage of the building to the High Street because although not within the Conservation Area its proximity to the Conservation Area makes any changes to the building particularly important. Therefore enlarged gantry signs such as in G1 or ED which are internally lit, or large adverts on the High Street frontage, may be in keeping with out of town superstores but not in keeping with a small market town. Committee viewed the application as making the Tesco brand over dominant.

EPPING SOCIETY – Object. The very large graphics on the street frontage along with the 23 foot high internally illuminated store gantry are too dominant in this location. When the store was constructed in the early 1980's some effort was made to provide a sympathetic design. The Tesco

red brick and the arches formed into the walls being more in keeping with the vernacular than their normal constructions. The store is adjacent to the Epping Conservation Area and 300 yards from the Bell Common Conservation Area. Unfortunately this draws negative attention to the Tesco store.

Issues and Considerations

The main issues to consider relate to amenity and public safety.

The signs would have no impact on public safety. The vast majority of the signage is fairly minor and is of little consequence. The array of directional signs and window panels are generally an accepted element of such a business practice. The application is before committee because of objections from the Town Council. The concern is particularly raised with signs G1 and ED and the replacement signs on the gables of the building which will be internally illuminated, together with the large vinyl graphics proposed on the High Street elevation. It is worth considering each sign individually.

G1 – This sign would be located at the junction of the High Road and the entrance to the store grounds. This sign would measure 4.3m high x 2.2m wide and would be internally illuminated. This sign replaces an existing sign. The sign is some distance from the Conservation Area boundary and although large, seen in the context of the building is not considered excessively prominent. Internal illumination is not in itself considered inappropriate in this location where the sign is intended to highlight the vehicular entrance to the store car park, (similar to the signage at petrol stations), it is not considered that the proposal is harmful to the amenity of the area. The sign is not excessive in size and the level of luminance can be agreed by condition.

ED – This sign would be located at the south east corner of the building, would be 2.0m in height and it should be noted would not be illuminated. This sign is located in a relatively prominent position close to the conservation area boundary and will be visible from the conservation area but is not illuminated and is a simple unassuming design which it is not considered will harm the character or amenity of the area.

Crows Road brand sign. This would replace an existing sign and is set high on the gable facing towards Crows Road. It would measure 3.0m x 1.0m. The sign would be internally illuminated. The existing sign is non-illuminated. This is not considered an overly large sign and owing to its position on a gable on the side of the building it will be visible from the High Street and the Conservation Area, but again in the context of the large scale modern building would not be particularly prominent or harmful to amenity.

Tesco brand sign on the gable entrance to the store. This sign would replace an existing sign and would measure 4.3m x 2.2m. The existing sign is non-illuminated. This sign would be internally illuminated, and is larger than the existing. Given its scale and the large amount of white background which would be illuminated as well as the lettering it is considered that this sign would appear excessive in relation to the gable and have undue prominence in the street scene when viewed from the south and would therefore be harmful to the character and amenity of the area. It is therefore recommended for refusal.

Vinyl graphic posters located in the panels along the High Street frontage and on the entrance frontage of the store. When the store was originally designed, these inset areas of brick were included to help break up the large expanse of brick to help make the building feel more in scale with the surrounding High Street buildings. The adverts now proposed fit well within these inset panels and it should be noted that these have already been installed. Whilst the adverts are large, it is considered that they are not excessively visually prominent and that they continue to help to break up the long façade of the building in an appropriate manner.

Conclusion:

Most of the proposed signage on and around the building is therefore considered acceptable and is recommended for approval with condition. However the Tesco Brand sign proposed on the south facing entrance gable is considered excessive in size and with the extent of illuminated white background proposed it will be overly prominent on this gable and cause harm to the visual amenity of the area, and it is therefore recommended for refusal.

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

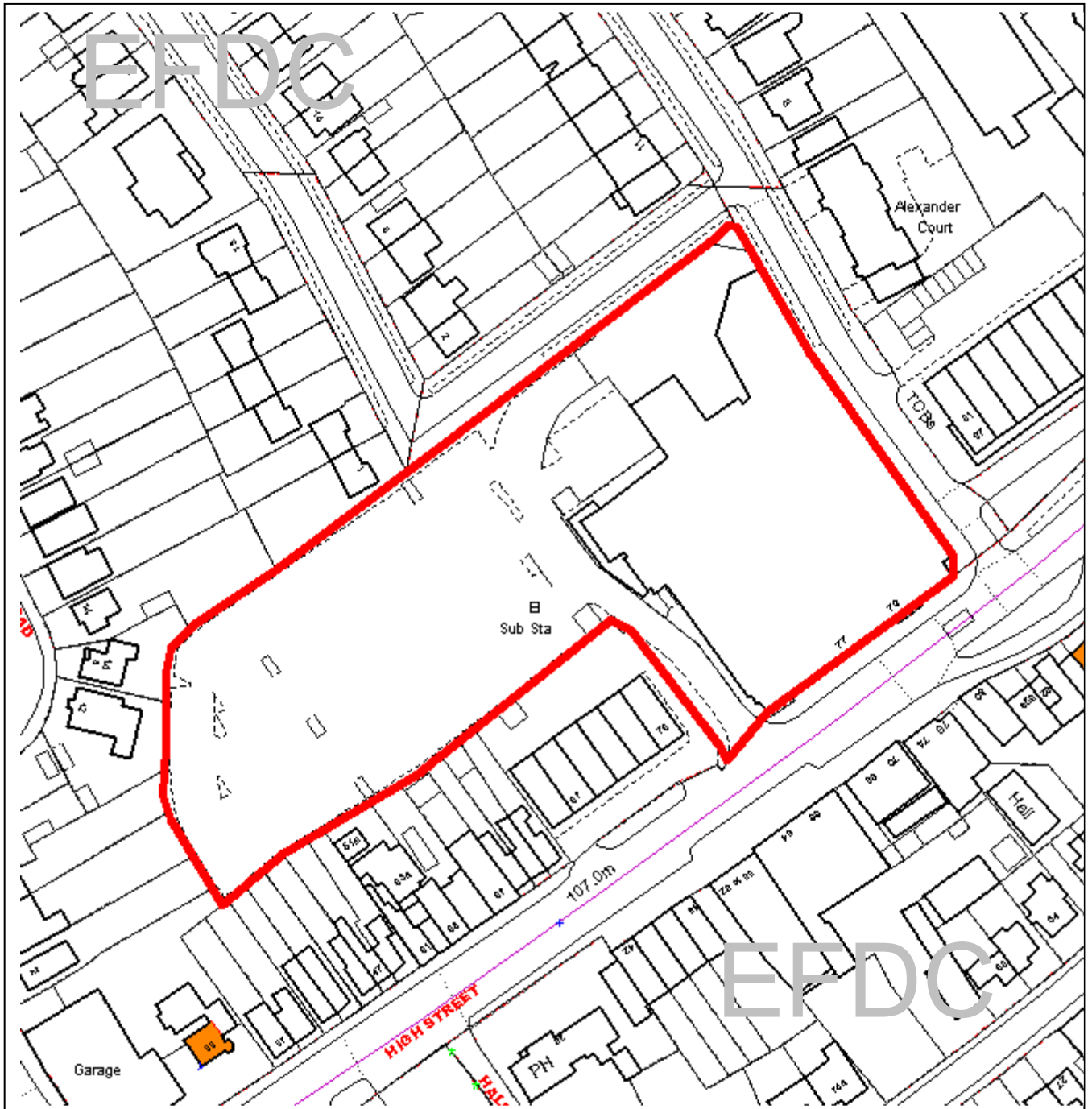
***Planning Application Case Officer: Mr Dominic Duffin
Direct Line Telephone Number: (01992) 564336***

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



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	4
Application Number:	EPF/1577/13
Site Name:	Tesco Stores Ltd, 77 High Street Epping, CM16 4BA
Scale of Plot:	1/1250

Report Item No: 5

APPLICATION No:	EPF/1667/13
SITE ADDRESS:	39 Dukes Avenue Theydon Bois Epping Essex CM16 7HG
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr Peter Jones
DESCRIPTION OF PROPOSAL:	Erection of two storey side extension and single storey rear extension. Demolition of existing single garage and erection of double garage.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=552651

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.

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

Description of Site:

Two-storey detached dwelling located on the corner of Dukes Avenue and Heath Drive, within a built up residential area typified by both semi-detached and detached dwellings of varying size and design. The dwelling has only been extended in the form of a modest lean-to rear conservatory extending for approximately half the width of the house and projecting for only 1.5m

The dwelling is not listed or within a conservation area.

Description of Proposal:

Permission is sought for the erection of a two storey side extension and single storey rear extension and the demolition of an existing single garage and erection of a double garage.

The two storey side extension would increase the width of the dwelling from 6.4m to 11.7m, notwithstanding a small side bay window at ground floor. It would be set back from the front elevation by some 1.7m and would extend to within 400mm of the back wall. Its ridge would be set down from the main ridge by approximately 450mm and it would be set off the side boundary by between 1.8m and 2m due to a slight slant in the boundary line.

The extension would accommodate living room, laundry room and study at ground floor and 3 additional bedrooms at first floor, one with an en-suite bathroom.

A 2m deep single storey extension would replace the existing lean-to at the rear.

The double garage to the western end of the site, accessed via an existing crossover along Heath Drive would be approximately 5.8m wide by 5.7m deep finished with a 4.8m high pyramid roof.

Relevant History:

None

Policies Applied:

CP2	Quality of Rural and Built Environment
DBE9	Loss of Amenity
DBE10	Residential Extensions
ST4	Road Safety
ST6	Vehicle Parking

NPPF

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted. 7
Site notice posted: No, not required
Responses received: 1 objection received:

PARISH COUNCIL: Object. The overall size and bulk of the proposed development would have an overly-dominant impact on the street scene. The proposal would increase the size of the property by some 90% and would leave little room between the side extension and the boundary on Heath Drive.

We are reminded that a similar proposal was submitted last year for 41 Dukes Avenue, which is on the opposite corner of Heath Drive. This was refused and then dismissed on appeal. In dismissing the appeal the Inspector said 'The extension would cover a substantial part of the side garden and would be clearly visible in this prominent location. The open aspect of the corner location would be unacceptably eroded, to the detriment of the character and appearance of the surrounding area'.

The above sentiments apply equally to this proposal and we therefore feel that there needs to be a larger gap between the side extension and the boundary on Heath Drive before this application is acceptable. A reduced width of the side extension would also lessen the overall bulk of the proposed development and subsequent impact on the street scene.

43 DUKES AVENUE: Object to the overall scale of the proposal, visually more dominant, significantly eroding the open aspect at the junction of Dukes Avenue and Heath Drive. Other extensions to the side of corner properties are more compact and this is reflected in both previous decisions of the Council and on appeal. The garage is quite high but the central apex may help subdue the bulk.

The two mature cherry trees on the adjacent grass verge in Heath Drive are to be removed, or significantly pruned in the near future (hence the white cross markings), so will not provide any softening for the new development. Possibly a two storey rear and side extension would be more acceptable.

Main Issues and Considerations:

The main issues and considerations here relate to the effect on the character and appearance of the host dwelling and the surrounding area; any potential impact on the living conditions of neighbouring occupiers and any highway issues.

Effect on character and appearance

Two storey side extension

The extension would project towards the return boundary with Heath Drive being set away from that side by between 1.8m and 2m. Whilst the extension would nearly double the width of the existing dwelling, there are no policy objections to this being done, as long as the extension does not detract from the streetscene and existing building.

The extension is set down from the main ridge and back from the front elevation. Given both the width of the plot and the existing width of Heath Drive, an extension of this size could be accommodated whilst being set off from the side boundary a sufficient distance. This in turn would not unacceptably erode the open character and spacious nature of this part of the wider estate.

In addition, due to the positioning of street trees along both Dukes Avenue and Heath Drive, the extension would not appear as prominent as the side extension refused and dismissed on appeal at No. 41 Dukes Avenue on the opposite corner of Heath Drive under EPF/0146/12 referred to by both the Parish Council and the neighbour at No. 43 Dukes Avenue.

Therefore it is considered that the extension would not materially detract from the character and appearance of the host dwelling, the road or surrounding area and would comply with policy DBE10 of the Local Plan and Alterations.

Single storey rear extension

Given its modest size and siting the rear extension would not appear at odds with the main dwelling and would not adversely affect the character and appearance of the area thereby complying with DBE10.

Garage

This is set back from the pavement by in excess of 8m and given its complementary design it is not considered that it would result in a detrimental effect on the character and appearance of either the host dwelling or the surrounding area thereby complying with policy DBE10.

Effect on living conditions of neighbours

The side extension would not impact on the living conditions of any neighbouring occupier. The rear extension with its 2m depth would not impact on the neighbour at No. 37 Dukes Avenue.

The garage would be set slightly further back into its plot, closer to the neighbour at No. 1 Heath Drive. However, with the height of the walls just above the existing fence separating the plots it would not materially impact on the living conditions of that neighbour.

Highway Safety

No objections received from Essex County Council's Highways Engineer.

The proposal is considered to comply with Policy ST4 of the adopted Local Plan.

Response to Parish Council and Neighbour comments

In terms of the objections relating to the scale and bulk of the proposal, these have been addressed above within the main body of the report.

With regards to the comments relating to previous approvals and appeal decisions relating to extensions to dwellings on corner plots, whilst these are taken into consideration, each plot is different and each application is treated on its own merits.

There is no policy that states extensions must be set back from the boundary by a specific distance but instead states that at least one metre should be kept although this may be increased according to the character of the area. An increased distance here has been proposed, just a little less than 2m for much of the width (notwithstanding the small side bay at ground floor).

The situation is different to No. 41 Dukes Avenue; one of the appeal decisions mentioned which is more open than the subject site, thus appearing more prominent. In addition, the extension appeared materially at odds with the semi detached host dwelling and the pair, whilst this is not the case here.

Regarding previous approvals, in addition to the above and the ones stated within the neighbour's letter, there are a number of approved two storey side additions that extend closer to the side boundary than the proposal here thereby appearing more prominent, all of a similar bulk and relationship to the existing house. These are namely at Nos. 13 and 15 Harewood Hill and 46 Woodland Way.

The argument here is not to say that as these have been approved the submitted scheme is automatically acceptable but to point out that similar nearby additions can be put forward for and against the proposal. However, this merely highlights the importance of treating each application on its own merits.

With regards to the street trees, it has been confirmed by the Council's Arboricultural Officer that both trees along Heath Drive adjacent to the side boundary are to be retained, with the health of both trees being reviewed in five years time. These trees will soften the additional mass of the building as would the two trees along Dukes Avenue and the landscaping proposed to the front part of the application site.

A two storey rear and side extension has been put forward as an alternative however the submitted scheme is considered acceptable on its own merits.

Conclusion:

In light of the above assessment and despite the objections received the proposal is considered to comply with relevant planning policy and it is recommended that planning permission be granted.

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

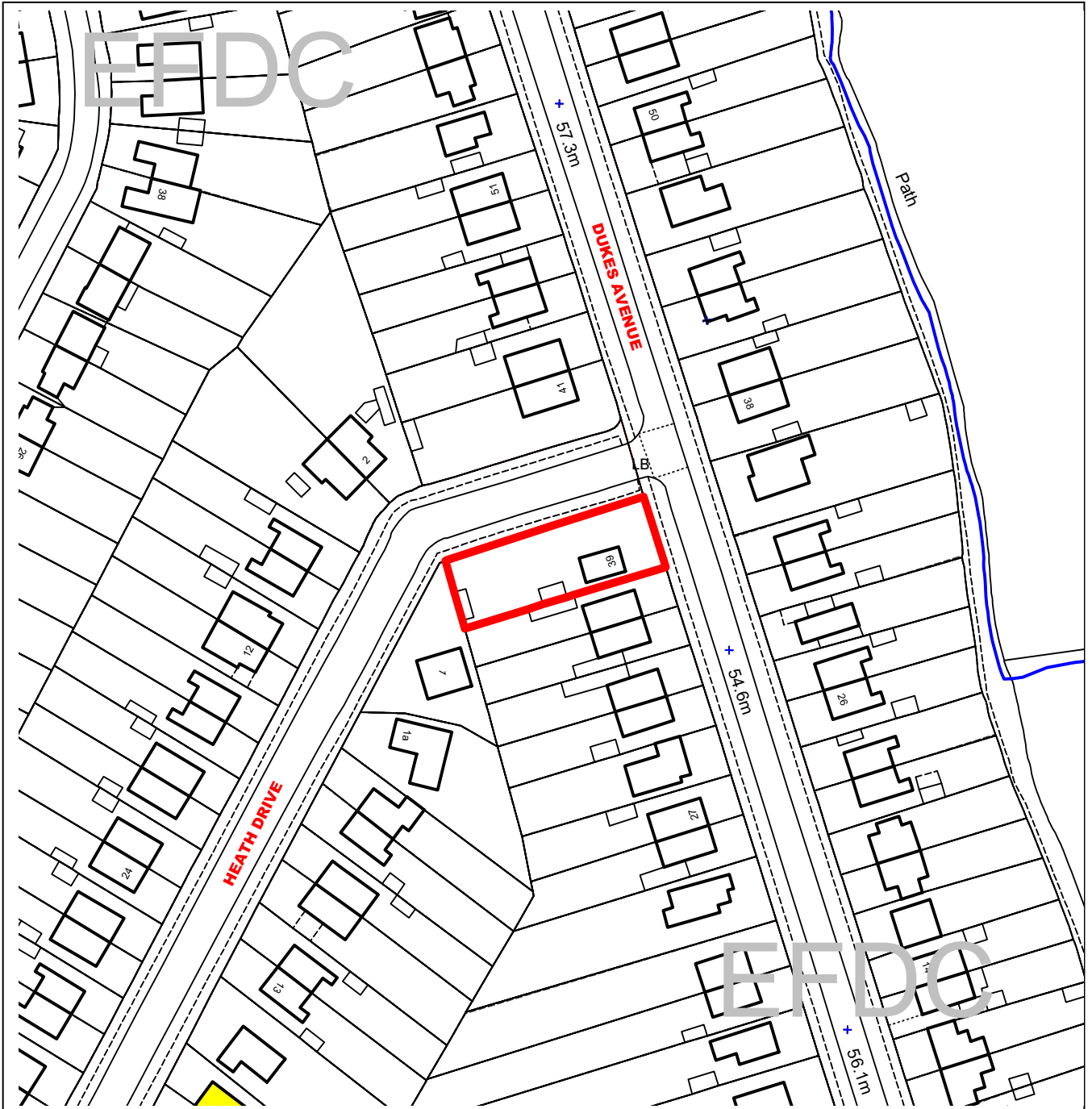
***Planning Application Case Officer: Steve Andrews
Direct Line Telephone Number: 01992 564109***

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



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	5
Application Number:	EPF/1667/13
Site Name:	39 Dukes Avenue, Theydon Bois CM16 7HG
Scale of Plot:	1/1250

Report Item No: 6

APPLICATION No:	EPF/1722/13
SITE ADDRESS:	Land adjacent to 171 High Road North Weald Bassett Epping Essex CM16 6EB
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	Mr Chris Trussell
DESCRIPTION OF PROPOSAL:	Erection of detached house with 4 bedrooms
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=552836

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: 839/02B, 03C, 04C, 05B, 06C.
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such approved details.
- 4 Prior to first occupation of the development hereby approved, the proposed first floor window opening(s) in the east flank elevation(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.
- 5 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 6 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), the garage(s) hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.

- 7 Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
- 8 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.
- 9 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary of the site.
- 10 A flood risk assessment and management and maintenance plan shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 11 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.

Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the Local Planning Authority contacted and a scheme to investigate the risks and / or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the Local Planning Authority prior to the recommencement of development works.

Following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.
- 12 No development shall take place until details of levels have been submitted to and approved in writing by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 13 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.
- 14 Prior to the commencement of works on site, the boundary between the two properties shall be erected. This is to ensure that the alder tree in the rear garden of 171 High Road is protected from damage during construction works.

- 15 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.

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 a roughly rectangular plot measuring approximately 11m in width and 45m in depth located on the northern side of the High Road within the built up area of North Weald. The plot currently forms part of the side garden of number 171 which is within the same ownership. N0.171 is an uncharacteristically wide chalet bungalow with a spacious plot. The eastern boundary of the site forms the rear/side boundary of number 36 Princes Close and there are other residential properties to the rear. To the front of the site is a narrow area of green sward and there are more residential properties on the opposite side of the High Road. The site is not within the Green Belt or a Conservation Area. There are a number of trees within the site, none of which are protected.

Description of Proposal:

The proposal is for the erection of 1 detached two storey, 4 bedroomed property and the creation of a new vehicular access. The proposed house incorporates an integral garage and the first floor is largely within the roof space with two pitched roofed dormer windows to the front and rear. The house has a hipped pitched roof with a short ridge, and is 7.5 metres to the apex. The eaves height is 3.5 metres. There is one side facing first floor window but this serves the stairs only. The proposal retains a 1 metre gap between the dwelling and the flank boundary on each side of the property.

The proposal is very similar to a reserved matters application that was approved in January 2008 (and therefore lapsed in 2010) The only change is that the proposed integral garage has been enlarged such that it meets the current adopted size standard to count as a parking space.

Relevant History:

Outline planning permission for the erection of a detached dwelling on this site was granted in 2005 under reference EPF/1342/04

A reserved matters application EPF/0098/07 was refused due to the scale and bulk of the proposal and a revised, significantly reduced scheme EPF/2560/07 (very similar to that now proposed) was approved in January 2008.

Summary of Representations

13 neighbouring properties were consulted
No site notice was required.

PARISH COUNCIL – The Parish Council OBJECTS to this application on the grounds that the proposal is overdevelopment, the access to the dwelling is unsafe as vehicles would have to cross over a greensward/ highway verge. If you look at the highway layout there is currently a Ghost island in place which will make the ingress and egress for vehicles accessing the property unsafe, and also for other vehicles using the road and having to wait whilst vehicles turned in or out of the property.

36 PRINCES CLOSE – Strong objection – When we purchased the property in 2006 we were misled by the applicant with regard to the size and nature of the approved dwelling on the plot. The proposed development would be approx 13 feet away from our Kitchen (corner to corner). Therefore our property would look directly onto this proposed development causing a visual intrusion and have a large impact on our property.

The development would significantly overshadow our garden in its entirety especially only being 1 metre away from our boundary wall, and cause loss of natural light to the garden and conservatory and be visually intrusive.

Our master bedroom will also suffer from a loss of light and outlook and there will be loss of privacy to the house and garden. Access to and from this proposed development would be hazardous it is on a bend in a “blind spot”. The High Road is a well-used road with quite fast moving traffic that would cause problems accessing the property. This road has seen a number of accidents and fatalities over the years. The proposal would exacerbate existing drainage/sewerage problems. Removal of established trees along our boundary wall could cause problems to foundations. This proposed development is not compliant with section PPG3 Planning and Affordable Housing. The proposed development is out of scale and character with the joining properties. It will impact greatly on our privacy, light, outlook and quiet and private enjoyment of our garden. The design is also detrimental to the street scene. We also feel that there will be not enough amenity space for the size of this development.

Please note that since the consultation, the plans have been amended to increase the size of the garage and to show adequate space within the site for the turning of vehicles.

Policies Applied:

Adopted Local Plan and Alterations

CP1 Achieving sustainable development objectives

CP2 Protecting the quality of the Rural and Built Environment

CP7 Urban Form and Quality

DBE1 Design of New Buildings

DBE2 Effect on Neighbouring Properties

DBE3 Design in Urban Areas

DBE6 Car Parking in New Development

DBE8 Private amenity space

DBE9 Loss of amenity

LL10 Adequacy of provision of landscape retention

LL11 Landscaping Schemes

ST1 Location of Development

ST2 Accessibility of Development
ST4 Road Safety
ST6 Vehicle Parking

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

Issues and Considerations:

Suitability for residential development

The site lies within the residential area of North Weald and is currently garden land. The NPPF states "Local Planning Authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area"

The Local Plan is currently being formulated but the position that is generally adopted is that the redevelopment of gardens is not inappropriate if the proposed scheme conforms with the general character of the area. It is considered that the existing garden plot of number 171 is uncharacteristic of the gardens in the locality and that the proposal for an additional dwelling on the plot is in line with the pattern of development along the High Road and would not be out of keeping with area.

Design, visual amenity and streetscene

The proposed dwelling has been designed to fit well within the street scene between the bungalow (with rooms in the roof) at No171 and the properties in Princes Close which side on to the site and are two storey in design. The basic design is the same as that approved in 2008, although the integral garage has been amended following consultation with Highways, in order to meet current adopted standards. The proposal sits well on the plot, maintaining a metre gap to each flank boundary and will not be over dominant or out of character with the surrounding area. The proposed garage element of the proposal extends forward of the main elevation of the house but it is still 6 metres from the front boundary of the site and will not be harmful to the character or amenity of the area, which has no distinct building line.

Both the donor property and the proposed new property will have more than adequate usable private amenity space and the proposal cannot be considered overdevelopment.

Impact on residential amenity

The proposed dwelling is sited such that it will not result in any loss of light or amenity to the donor property no.171. The main concern is the impact on No 36 Princes Close as the rear elevation of that property faces the side of this site at an angle. The position of the new dwelling is such that despite its relative proximity there will be no direct overlooking of windows or of private amenity space and although the relationship is unusual, with approximately 5.4m between the two rear corners of the properties it is as previously considered that there was sufficient space between the buildings to prevent excessive loss of light and outlook. It is conceded that the proposed dwelling will result in some overshadowing of the rear garden of number 36, in the latter part of the day, but this is currently overshadowed to some extent by the existing trees and hedges along the shared boundary and it is not considered that the impact would be so great as to warrant refusal of the application. In addition this impact was assessed on the previous application including a site visit to the neighbour's property to view from their garden and rear windows and was considered acceptable. There has been no material change in this regard since then.

It should be noted that the occupants of number 36 were in occupation of the premises at the time of the application for the approval of reserved matters in 2008 and they did write to object to the proposal at that time. The application was however approved.

Parking and highway safety

The application has been amended following Highway Officer's advice to ensure that there is adequate space within the site for the parking of two vehicles and for turning within the site, so that vehicles can enter and exit the site in a forward gear. The access is on a gentle bend in the road but adequate visibility is available in both directions. The Parish Council (who did not raise objection to the previous application) has raised concerns with regard to what they refer to as a "ghost island" and the Highways Officer was asked to look specifically at the safety issue raised and has provided the following statement, "The application was previously approved by Highways and EFDC; the applicant has provided enough parking and turning in line with current standards, and the access provides very good visibility onto the High Road. The chevron road markings at this locality have no bearing on the proposed access as they are purely to separate vehicles around the bend. Consequently the proposal is not detrimental to highway safety, efficiency or capacity at this location." Subject therefore to conditions the proposal is considered acceptable in highway safety and parking terms.

Trees

There are a number of trees within the site, none of which are preserved. The larger trees at the rear of the site are to be retained and will be protected during construction.

The neighbour has raised concern that loss of the trees on the boundary may result in harm to the structure of their house, however the trees could be removed without the need for any consent and this is not a matter of weight in the consideration of this application.

Flood Risk

The site is not within Flood Zones 2 or 3 but is of a size where it is necessary to avoid generating additional runoff and the opportunity of new development should be taken to improve existing surface water run off. A flood risk assessment is therefore required and can be the subject of a condition. The impact of one additional dwelling on the existing sewer and drainage system is again not considered to be a matter of significant weight.

Conclusion

This application is very similar to that approved in 2008, the only difference being that the garage element has been amended to meet current standards. The proposal fits well within the street scene and makes good use of the land in this relatively sustainable location. The proposal is considered to be in accordance with the NPPF and the adopted policies of the Local Plan and is recommended for approval subject to conditions.

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

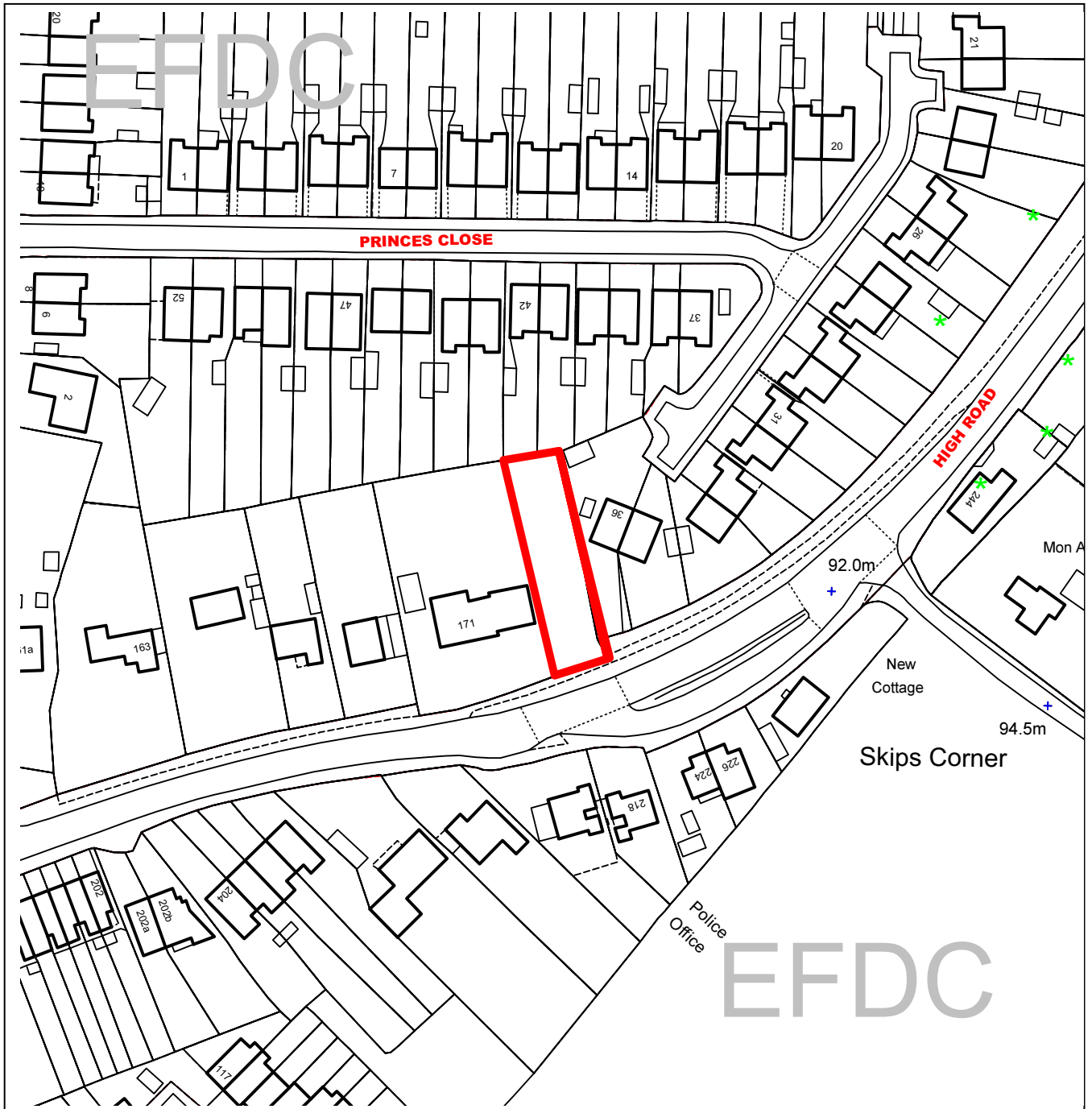
***Planning Application Case Officer: Mrs Jill Shingler
Direct Line Telephone Number 01992 564106***

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



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	6
Application Number:	EPF/1722/13
Site Name:	Land adjacent to 171 High Road North Weald Bassett, CM16 6EB
Scale of Plot:	1/1250