

Committee Agenda



Epping Forest District Council

Area Planning Sub-Committee East Wednesday, 14th October, 2015

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

**Council Chamber, Civic Offices, High Street, Epping
on Wednesday, 14th October, 2015
at 7.00 pm .**

**Glen Chipp
Chief Executive**

**Democratic Services
Officer**

Mark Jenkins (Directorate of Governance)
Email: democraticservices@eppingforestdc.gov.uk Tel:
01992 564243

Members:

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

PLEASE NOTE THE AMENDED START TIME OF THIS MEETING

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 Public Relations Manager on 01992 564039.

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 - 26)

To confirm the minutes of the last meeting of the Sub-Committee held on 9 September 2015.

4. APOLOGIES FOR ABSENCE

5. DECLARATIONS OF INTEREST

(Director of Governance) 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 27 - 108)

(Director of Governance) 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. 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 2015-16
Members of the Committee and Wards:



Cllr Jones
Theydon Bois

Cllr Keska
Chipping Ongar,
Greensted and
Marden Ash

Cllr Avey
Epping
Hemnal

Cllr Bedford
Shelley

Cllr Boyce
Moreton and
Fyfield



Cllr Brady
Passingford

Cllr Breare-Hall
Epping
Lindsey and
Thornwood
Common

Cllr Church
Epping
Lindsey and
Thornwood
Common

Cllr Grigg
North Weald
Bassett

Cllr McEwen
High Ongar,
Willingale and
the Rodings



Cllr Morgan
Hastingwood,
Matching and
Sheering Village

Cllr Philip
Theydon
Bois

Cllr Rolfe
Lambourne

Cllr Stallan
North Weald
Bassett

Cllr Surtees
Chipping Ongar,
Greensted and
Marden Ash



Cllr Waller
Lower
Sheering

**Cllr
Whitbread**
Epping Lindsey
and Thornwood
Common

**Cllr J H
Whitehouse**
Epping
Page 7

**Cllr J M
Whitehouse**
Epping
Hemnal

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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** 9 September 2015
East

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 9.56 pm
High Street, Epping

Members Present: S Jones (Chairman), N Avey, N Bedford, T Church, A Grigg, J Philip, B Rolfe, D Stallan, B Surtees, J H Whitehouse and J M Whitehouse

Other Councillors:

Apologies: P Keska, A Boyce, H Brady, W Breare-Hall, M McEwen, R Morgan and C Whitbread

Officers Present: D Duffin (Planning Officer), J Rogers (Planning Officer), J Leither (Democratic Services Officer) and P Seager (Chairman's Secretary)

21. WEBCASTING INTRODUCTION

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

22. 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.

23. ELECTION OF VICE-CHAIRMAN

In the absence of the Vice-Chairman, who had tendered his apologies, the Chairman requested nominations for the role of Vice-Chairman.

RESOLVED:

That Councillor B Rolfe be elected Vice-Chairman for the duration of the meeting.

24. MINUTES

RESOLVED:

That the minutes of the meeting held on 12 August 2015 be taken as read and signed by the Chairman as a correct record.

25. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor D Stallan declared a non-pecuniary interest in the following item of the agenda by virtue of an objector being a customer of his. The Councillor had determined that his interest was not prejudicial and he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/1440/15 – Rear of 21 Princes Close, North Weald.

(b) Pursuant to the Council's Code of Member Conduct, Councillor D Stallan declared a pecuniary interest in the following items of the agenda by virtue of being the Chairman of the Council Housebuilding Cabinet Committee. The Councillor had determined that his interest was prejudicial and that he would leave the meeting for the consideration of the applications and voting thereon:

- EPF/1529/15 – Land Adj. to 71 Centre Drive, Epping; and
- EPF/1531/15 – Garage Court North of 52 Stewards Green Road, Epping.

(c) Pursuant to the Council's Code of Member Conduct, Councillor N Bedford declared a pecuniary interest in the following item of the agenda. The Councillor had determined that his interest was prejudicial and that he would leave the meeting for the consideration of the application and voting thereon:

- EPF/1536/15 – North Weald Golf Club, Rayley Lane, North Weald Bassett.

(d) Pursuant to the Council's Code of Member Conduct, Councillors N Avey and T Church declared a non-pecuniary interest in the following items of the agenda by virtue of being members of Epping Town Council. The Councillors had determined that their interest was not prejudicial and they would remain in the meeting for the consideration of the application and voting thereon:

- EPF/1399/15 – 15 Bell Common, Epping;
- EPF/1529/15 – Land Adj. to 71 Centre Drive, Epping; and
- EPF/1531/15 – Garage Court North of 52 Stewards Green Road, Epping.

(e) Pursuant to the Council's Code of Member Conduct, Councillors J M Whitehouse and J H Whitehouse declared a non-pecuniary interest in the following items of the agenda by virtue of attending the Council Housebuilding Cabinet Committee when the items were considered but not being able to vote on their suitability for approval to a planning stage. The Councillors had determined that their interest was not prejudicial and they would remain in the meeting for the consideration of the application and voting thereon:

- EPF/1529/15 – Land Adj. to 71 Centre Drive, Epping; and
- EPF/1531/15 – Garage Court North of 52 Stewards Green Road, Epping.

26. ANY OTHER BUSINESS

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

27. DEVELOPMENT CONTROL

RESOLVED:

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

CHAIRMAN

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Report Item No: 1

APPLICATION No:	EPF/0459/15
SITE ADDRESS:	31 Piercing Hill Theydon Bois Epping Essex CM16 7JW
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Raising of height of roof and provision of three dormer windows at front and three to the rear, erection of part one, part two and part three storey rear extensions and conversion of garage into a gym. (Revision of planning permission EPF/2150/11).
DECISION:	Withdrawn from Agenda

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=574038

This item was withdrawn from the agenda due to the cancellation of the Members site visit.

Report Item No: 2

APPLICATION No:	EPF/0874/15
SITE ADDRESS:	Sylvan 40 Hoe Lane Lambourne Romford Essex RM4 1AU
PARISH:	Lambourne
WARD:	Lambourne
DESCRIPTION OF PROPOSAL:	Outbuilding for ancillary use of 40 and of 42 Hoe Lane.
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=575153

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 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the substantial completion of the development hereby approved and shall be adequately maintained in accordance with the approved management and maintenance plan.

Report Item No: 3

APPLICATION No:	EPF/0878/15
SITE ADDRESS:	Stanway 42 Hoe Lane Lambourne Romford Essex RM4 1AU
PARISH:	Lambourne
WARD:	Lambourne
DESCRIPTION OF PROPOSAL:	Outbuilding for ancillary use of 40 and of 42 Hoe Lane.
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=575157

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 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the substantial completion of the development hereby approved and shall be adequately maintained in accordance with the approved management and maintenance plan.

Report Item No: 4

APPLICATION No:	EPF/1194/15
SITE ADDRESS:	The Stables Moreton Bridge Moreton Ongar Essex CM5 0LL
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
DESCRIPTION OF PROPOSAL:	Continued use of the stables as a single dwelling house.
DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=576314

Reasons for Refusal

1. The proposed development by reason of the need to create a new residential curtilage and the associated paraphernalia incumbent of residential use would have a detrimental impact on the open character of the Metropolitan Green Belt and detrimental to the character and appearance of the countryside at this location and contrary to national guidance contained in the NPPF and local plan policies CP2 and GB2A.
2. The continued use of the stable building for residential purposes would be an unsustainable development that would result in increased car dependency, contrary to the guidance contained within the National Planning Policy Framework and policies CP1, CP3, CP9 and ST1 of the adopted Local Plan and Alterations.
3. The continued use of the stable building and the fact that vehicle access is required along the flank elevation of the residential premises known as “the Annexe” would result in an unacceptable level of disturbance for residents of this property contrary to national guidance in the NPPF and local plan policies DBE1 and DBE2.

Way Forward

Members were of the view that no clear way forward existed on this scheme which was contrary to local and national planning policy.

Report Item No: 5

APPLICATION No:	EPF/1339/15
SITE ADDRESS:	45 Upland Road Epping Upland Epping Essex CM16 6NJ
PARISH:	North Weald Bassett
WARD:	Epping Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	Demolition of existing dwelling and construction of a new replacement dwelling.
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=576677

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 3 Prior to first occupation of the development hereby approved, the proposed window opening in the northeast first floor flank elevation facing 43 Upland Road shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 4 No development shall take place 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.
- 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 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.

- 6 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 7 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the substantial completion of the development hereby approved and shall be adequately maintained in accordance with the approved management and maintenance plan.
- 8 No development shall take place until details of 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.
- 9 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.
- 10 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 11 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1569/01, 1569/02, 1569/03, 1569/04C, 1569/05D, 1569/06B, 1569/07B, 1569/08C.

Report Item No: 6

APPLICATION No:	EPF/1365/15
SITE ADDRESS:	Graylands Threshers Bush Matching Essex CM5 0EB
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
DESCRIPTION OF PROPOSAL:	Proposed outbuilding.
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=576797

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 as indicated on drawing number 7817-3 unless otherwise agreed and approved in writing by the Local Planning Authority.
- 3 The outbuilding hereby approved shall not be used for the parking of motor vehicles
- 4 The outbuilding hereby approved shall only be used ancillary to the dwelling known as 'Graylands' and shall at no time be used as residential accommodation unless agreed in writing by the Local Planning Authority.

Report Item No: 7

APPLICATION No:	EPF/1399/15
SITE ADDRESS:	15 Bell Common Epping Essex CM16 4DY
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	Conversion of existing annexe to separate dwelling, provision of car port, front canopy and rear decking.
DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=576854

Reasons for Refusal

1. The use of the annexe as a separate residential unit would result in the inappropriate development of a residential garden which would be out of character with the existing pattern of development and harmful to the special setting of the Bell Common Conservation Area contrary to national guidance in the NPPF and local plan policies HC6 and HC7.
2. The use of the annexe as a separate residential unit and the associated separate curtilage and incumbent paraphernalia would have a detrimental impact on the open character of the Green Belt harmful to the character and appearance of the area and contrary to national guidance contained in the NPPF and local plan policies CP2 and GB2A.

Way Forward

Members were of the view that the only way forward was for the existing building to remain in ancillary residential use.

Report Item No: 8

APPLICATION No:	EPF/1440/15
SITE ADDRESS:	Rear of 21 Princes Close North Weald Essex CM16 6EN
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
DESCRIPTION OF PROPOSAL:	Erection of single storey dwelling.
DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=576976

Reasons for Refusal

1. The proposal would result in a cramped form of development out of character with the existing pattern of development and harmful to the streetscene contrary to national planning guidance in the NPPF and local plan policies CP2 and DBE1.
2. The proposed development would result in a material loss of amenity to occupants of adjoining residences in terms of loss of outlook from properties in Cunningham Rise and the general disturbance associated with residential use including from the parking movements to the front of the site. The proposed development is therefore contrary to national guidance in the NPPF and local plan policies DBE2 and DBE9.

Way Forward

Members were of the opinion that a residential property at this site was not suitable and that no clear way forward existed.

Report Item No: 9

APPLICATION No:	EPF/1529/15
SITE ADDRESS:	Land Adj. to 71 Centre Drive Epping Essex CM16 4JF
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	1 affordable house with 2 parking spaces
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=577237

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: 612 044 PI 01A, 02A, 03B, 04A, 05A, 06, 07.
- 3 Materials to be used for the external finishes of the proposed development shall match those of the existing dwelling on site, unless otherwise agreed in writing by the Local Planning Authority.
- 4 No development shall take place until details of 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 The proposed window openings in the indicated as obscure glazed on plan number 612 044 PL04A 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.
- 6 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.
- 7 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.

- 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 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 in writing 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]
- 10 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]
- 11 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been

submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

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

- 12 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. The approved monitoring and maintenance programme shall be implemented.
- 13 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.
- 14 The turning area shown on the approved plans shall be provided prior to the first occupation of the site and retained thereafter free of obstruction to enable a vehicle to turn and leave in a forward gear.
- 15 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

Report Item No: 10

APPLICATION No:	EPF/1531/15
SITE ADDRESS:	Garage Court North of 52 Stewards Green Road Epping Essex CM16 7DA
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	4 affordable homes, 9 parking spaces
DECISION:	Deferred to District Development Management Committee

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=577239

Members deferred this application to District Development Management Committee for further details on parking displacement and the submission of parking surveys.

Report Item No: 11

APPLICATION No:	EPF/1536/15
SITE ADDRESS:	North Weald Golf Club Rayley Lane North Weald Bassett Epping Essex CM16 6AR
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
DESCRIPTION OF PROPOSAL:	Replacement of existing buildings with three storey building to accommodate 20 no. apartments (resubmission of EPF/0183/15)
DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=577244

Reasons for Refusal

1. The proposed residential development is located a significant distance from shops, employment, schools and other services and consequently residents of the development will be heavily reliant on the use of private motor vehicles for everyday activities. The proposal is therefore unsustainable and contrary to policies CP1, CP3, CP6, ST1 and ST2 of the Adopted Local Plan and Alterations and with the objectives of the National Planning Policy Framework.

Way Forward

Members expressed the view that owing to the unsustainable location of the site and the difficulty in ensuring a long term sustainable solution no clear way forward existed.

Agenda Item 7

AREA PLANS SUB-COMMITTEE 'EAST'

14 October 2015

INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

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2	EPF/1328/15	Esperanza Nursery Stapleford Road Stapleford Abbots Essex RM4 1EJ	Grant Permission (Subject to Legal Agreement)	36
3	EPF/1629/15	Sixteen String Jack Coppice Row Theydon Bois Epping Essex CM16 7DS	Grant Permission (With Conditions)	48
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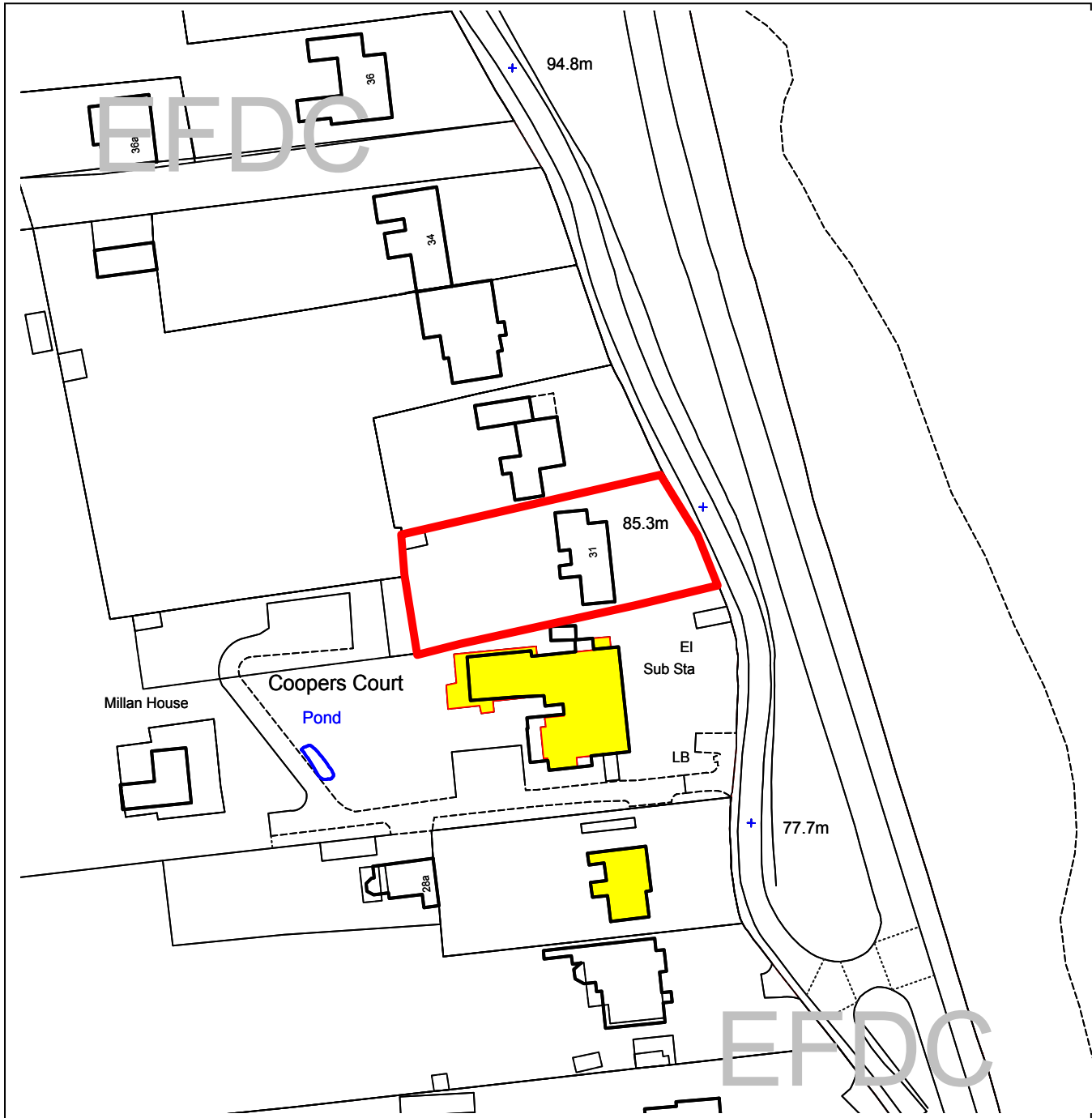
		CM16 7QL		
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Epping Forest District Council

Agenda Item Number 1



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Application Number:	EPF/0459/15
Site Name:	31 Piercing Hill, Theydon Bois Epping, CM16 7JW
Scale of Plot:	1/1250

Report Item No: 1

APPLICATION No:	EPF/0459/15
SITE ADDRESS:	31 Piercing Hill Theydon Bois Epping Essex CM16 7JW
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr & Mrs Barry & Barbara Houghton
DESCRIPTION OF PROPOSAL:	Raising of height of roof and provision of three dormer windows at front and three to the rear, erection of part one, part two and part three storey rear extensions and conversion of garage into a gym. (Revision of planning permission EPF/2150/11).
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/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=574038

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 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.
- 4 Prior to first occupation of the development hereby approved, the proposed window openings in the first floor flank elevation facing south towards the neighbouring Coopers Court, shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.

This application is before this Committee since the recommendation for approval is contrary to an objection from a local council which is material to the planning merits of the proposal, (pursuant to the 'constitution, part three: planning directorate – delegation of council function, schedule 1, appendix A(g)).

This application was deferred from the Sub Committee on 17th June 2015 to enable members to carry out a site visit. The original report is reproduced below.

Description of Site:

A detached two storey house set back on generous plot on the west side of Piercing Hill. The house lies in the Green Belt but is located in a long enclave of houses and flats just to the north of Theydon Bois. The property is not listed nor does it lie in a conservation area.

Description of Proposal:

Raising of height of roof and provision of 3 dormer windows at the front and three to the rear, erection of a part one, part two, and part three storey rear extension, and conversion of garage into a gym. (Revision of planning permission EPF/2150/11)

Relevant History:

EPF/1169/08 Approval granted for 3 and 2 storey rear extension, including raising of roof and 2 dormer windows to front.

EPF/2087/08 - Approval for a 2 and 3 storey rear extension, raise main roof and internal alterations (amendment to EPF/1169/08 to extend attic floor and increase size of side dormer)

EPF/2150/11 – Approval given to 3 year extension of time to previous planning permission EPF/2087/08. A start has been made on this approval and it therefore remains extant, and can be completed at any time.

EPF/1267/14 – Refusal for the erection of a part 1, part 2, and part 3 storey rear extension, together with raising of roof and provision of additional accommodation at second floor level. The application was refused because the rear extension proposed was slightly larger than that approved by EPF/2150/11. An appeal was lodged and the inspector dismissed the appeal on grounds that the size and height of the rear extension would reduce daylight and outlook to occupants of flats in the adjoining Coopers Court at no. 30.

Policies Applied:

DBE9 – Loss of amenity
DBE10 – Residential extensions.
GB2A – Development in the Green Belt

National Planning Policy Framework

Summary of Representations:

THEYDON BOIS PARISH COUNCIL – object – the proposal fails to overcome the reasons for refusal of the previous application to extend this property. The height and bulk of the proposed rear extension would have a severe impact on daylight, privacy, and outlook from the nearest habitable rooms in Coopers Court, with potential overlooking from windows on the flank wall.

NEIGHBOURS - 17 consulted and 4 replies received:-

13, COOPERS COURT -This substantial extension would remove light to light to flats in Coopers Court, would impact on privacy of these flats, it amounts to overdevelopment and will require removal of trees.

12, COOPERS COURT – Object – the proposal would affect sunlight to my apartment, and unless all south facing windows are fully obscured it would reduce my privacy.

8, COOPERS COURT – Object – the development is too close to the boundary with Coopers Court, the extension is large and its size is 'increased' by Coopers Court being on lower land, it would affect light to my flat, and the development would be unsightly and obtrusive.

102-104 QUEENS ROAD BUCKHURST HILL – freeholder of Coopers Court – object - any further extension of this property would have an unacceptable effect on the living conditions of occupiers of Coopers Court contrary to policy DBE9 designed to protect amenity of neighbours. It is also contrary to the NPPF.

EFDC TREES AND LANDSCAPE SECTION - no objections subject to a condition (SCN66) being proposed requiring details of tree protection to be submitted and approved.

Issues and Considerations:

Foundation works commenced last year on the development allowed by EPF/2150/11 – hence this development can be completed. The applicant however does wish to vary this approval, principally through the incorporation of one additional front dormer window and 3 rear facing dormer windows. These dormer windows have an acceptable design and profile, and, because they face frontwards over the road, and rearwards over the rear garden, they do not give rise to any loss of privacy issues.

The main consideration raised by this current application is whether amendments to the part 1, part 2 ,and part 3 storey extension improves or worsens its relationship with the flats in Coopers Court to the immediate south. Two approved side facing dormer windows are excluded from the current scheme and this reduces the bulk and vertical height of this section of the extension. In addition while there is a slight sideways extension at ground floor but this is more than compensated for by setting back of the flank wall of the extension at first floor level. In other respects the extension remains the same. Given that these two revisions reduce the impact of the extension on the adjacent flats, and that the previous approval EPF/2150/11 can be built, it would be somewhat illogical to refuse this amended scheme.

Side facing windows at first floor level will be obscured glazed to avoid overlooking, and this requirement will be reinforced by a condition.

Comments on representations received:-

The objections received are similar to those received on application EPF/1627/14. This application was refused on grounds of its adverse effect on light and outlook to Coopers Court because it proposed a slightly deeper extension than that approved under EPF/2150/11. However the latter approval can be implemented and given that the amendments proposed reduce its effect on Coopers Court the current application is regarded as acceptable.

One objection relates to loss of protected trees. However protected trees in the rear garden lie well away from the proposed extension, and will not directly be affected. However, these trees and others on the site will need to be protected from potential damage from construction activities and

storage of building materials, and this issue will be covered by the condition requested by the Trees and Landscape section.

Conclusions:

For the reasons set out above it is recommended that planning permission be granted 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: David Baker
Direct Line Telephone Number: 01992 564514***

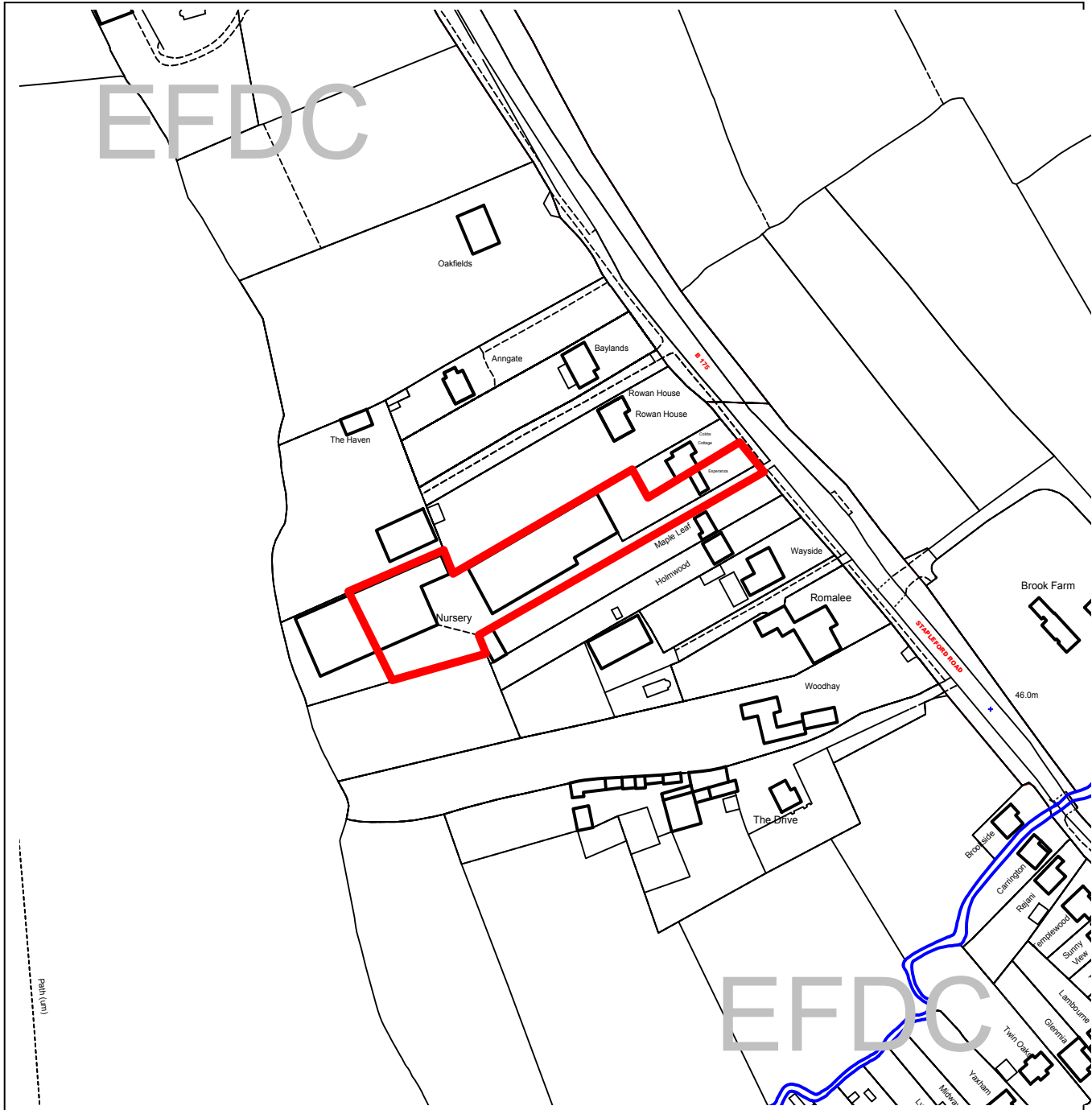
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

Agenda Item Number 2



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Application Number:	EPF/1328/15
Site Name:	Esperanza Nursery, Stapleford Road, Stapleford Abbotts, RM4 1EJ
Scale of Plot:	1/2500

Report Item No:2

APPLICATION No:	EPF/1328/15
SITE ADDRESS:	Esperanza Nursery Stapleford Road Stapleford Abbots Essex RM4 1EJ
PARISH:	Stapleford Abbots
WARD:	Passingford
APPLICANT:	Mr T Humphries
DESCRIPTION OF PROPOSAL:	Outline application to demolish all buildings, clear site and erect 3 chalet bungalows. (Access and layout to be determined).
RECOMMENDED 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/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=576655

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the recommendations of the approved Phase 1 Habitat Assessment and approved drawings nos:
PDB/15/85/01
PDB/15/85/02
PDB/15/85/023
- 2 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 3 below, whichever is the later.
- 3
 - 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) scale;
 - (ii) appearance;
 - (iii) 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.
- 4 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 by the Local Planning Authority, in writing. The

development shall be implemented in accordance with such 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 the creation of the meadow/paddock area to the rear of plot 3) (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.

- 6 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tool. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.

- 7 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]

- 8 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline

remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

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

- 9 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

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

- 10 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

- 11 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

- 12 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, including wheel washing.
 6. A scheme for recycling/disposing of waste resulting from demolition and construction works.
- 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 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 14 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 15 Prior to the commencement of works, details shall be submitted to and approved in writing by the Local Planning Authority for the storage and collection arrangements for refuse and recycling. The development shall be carried out in accordance with the agreed, unless otherwise agreed in writing by the Local Planning Authority.
- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class E (Outbuildings) of Part 1 of Schedule 2 to the Order shall be undertaken on plot 3 without the prior written permission of the Local Planning Authority.
- 17 The proposed private drive shall be constructed to a width of 5 metres for at least the first 6 metres from the back of carriageway and provided with an appropriate dropped kerb crossing of the footway/verge.
- 18 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.
- 19 Prior to commencement of the development details shall be approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained at all times.

- 20 No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.
- 21 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.

Subject to the applicant entering into a Section 106 Legal Agreement within 6 months for the developer contributing in respect of the following:

1. Provision of on site affordable housing a single three bedroom social rent property.

This application is before this Committee since the recommendation conflicts with a previous resolution of a Committee (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(i))

Description of site

The application site is situated on the south west side of Stapleford Road, within the Metropolitan Green Belt. The site is located some 100m outside of the built up area of Stapleford Abbots and is a narrow, deep plot extending to the rear by some 175m. The site currently accommodates an office/shop to the front of the site, behind this there are two large detached 7m high glasshouse buildings. The whole site appears redundant with the derelict glasshouses.

There is a large amount of hardstanding on the front for parking with an access way which leads to the rear of the site.

The surrounding character of the area is relatively rural and is mainly residential made up of mostly detached bungalows, chalet bungalows and one and a half storey buildings.

Description of proposal

The proposal seeks outline planning consent for the demolition of the existing office, boiler house and glasshouses and the erection of three chalet bungalow style dwellings. Only access and Layout details are being considered at this Outline stage. Scale, appearance and landscaping are reserved for future consideration.

Representations Received

13 neighbours were consulted and a site notice erected. No responses were received.

STAPLEFORD ABBOTTS PARISH COUNCIL: No objections to this application.

Relevant History

EPF/1352/14 - Outline planning permission to demolish office, boiler house and two glasshouses, erect 2 no. two storey houses and detached garage block, lay out access drive and turning head,

amenity and parking areas, alter vehicular access onto Stapleford Road and plant woodland/meadow, hedgerows and trees (Amended proposal to EPF/0964/13) – Refused.

EPF/0964/13 – Outline application to demolish office, boiler house and glasshouses and erect six detached dwellings with garages, lay out access drive and turning head, amenity and parking areas, alter vehicle access onto Stapleford Road and plant woodland/meadow, hedgerows and trees (amended proposals) – Refused – Appeal Dismissed.

EPF/2228/10 - Outline application to demolish shop/office and glasshouses and erect six detached chalet bungalows with garages, lay out access drive and turning head, amenity and parking areas, alter vehicular access onto Stapleford Road and plant woodland/meadow, hedgerows and trees (Amended Proposal) – Refused – dismissed at appeal

EPF/0161/10 - Change of use from nursery to residential and proposed 6 detached houses and access road with associated car parking and amenity and proposed wooded and meadow land. (Revised application) – Refused

EPF/2471/08 - Change the existing use of the premises from a Nursery to residential. The proposal involves the demolition of buildings within the plot and erection of seven detached houses, construction of a new access road together with associated car parking with areas of landscaping creating wooded and meadow land - Refused.

Policies Applied

CP1 – Achieving Sustainability Objectives
CP2 – Protecting the Quality of the Rural and Built Environment
CP3 – New Development
DBE1 – Design of New Buildings
DBE2 – Effect on Neighbouring Properties
DBE4 – Design in the Green Belt
DBE6 – Parking for new residential developments
DBE8 – Private Amenity Space
DBE9 – Neighbouring Amenity
GB2A – Development in the Green Belt
GB7A – Conspicuous Development
LL1 – Rural Landscape
LL2 – Inappropriate Rural Development
LL3 – Edge of Settlement Development
LL11 – Landscaping Schemes
ST1 – Location of Development
ST4 – Road Safety
ST6 – Vehicle Parking
H3A – Housing Density
H4A – Dwelling Mix
H5A – Provision for Affordable Housing
H6A – Site Thresholds for Affordable Housing
H7A – Levels of Affordable Housing
E4A – Protection of Employment Sites

Issues and Considerations

This application seeks to clear the site of existing buildings and structures, for a revised access and provision of three chalet bungalow properties. The issues to be considered for this application remain unchanged from those considered previously, namely, presumption against development in

the Green Belt and impact on openness, affordable housing and sustainability. For this reason this report focusses on the previous reasons for refusal.

The previous application was refused for the following four reasons:

- 1) *The site lies within the Metropolitan Green Belt where there is a presumption against inappropriate development except in very special circumstances. The proposal is for inappropriate development. Whilst the applicant has advanced a case of very special circumstances, no such exceptional circumstances are apparent in this case that would be sufficient to outweigh the normal presumption against inappropriate development. As such the proposal fails to comply with policy GB2A (which is consistent with policies contained within the National Planning Policy Framework).*
- 2) *Whilst this is an outline proposal, the plan layout shown and the indicative proposed two new dwellings will introduce buildings in a pattern that will encroach into the Green Belt. This will result in conspicuous buildings within the Green Belt that will harm the openness and rural character; this fails to accord with policies DBE4, CP2 and GB7A of the Adopted Local Plan and Alterations (which are consistent with policies contained within the National Planning Policy Framework).*
- 3) *The application fails to make provision for an affordable housing contribution contrary to policy H6A and H7A of the Adopted Local Plan and Alterations (which are consistent with policies contained within the National Planning Policy Framework).*
- 4) *The proposals are situated in a rural and unsustainable location, isolated from public transport or local facilities, therefore encouraging dependence on private car use which is contrary to the aims and objectives of policies CP1, CP2, CP3, and ST1 of the Adopted Local Plan and Alteration (which are consistent with policies contained within the National Planning Policy Framework).*

Previous applications also included an employment reason for refusal however this was overcome in 2013 with the provision of marketing information and sufficient information to demonstrate the retention of employment was not possible. There was also information submitted in 2013 to demonstrate no community use was identified. Furthermore since this time the NPPF removes the need to consider other uses prior to residential use.

Green Belt

Historically it has been agreed between all parties that the site is within the Green Belt and as such the construction of housing is inappropriate development by definition.

The Planning Inspector has agreed this point in 2013 and again in 2014 in relation to schemes for 6 dwellings. It is also well established historically that there are no very special circumstances on the site or in the area that exist that would outweigh this harm. Since this view was reached a further 12 months have lapsed and the scheme has been reduced from 6 family homes to two very generous homes in 2014 to now three chalet bungalows.

Originally the applicant had sought to suggest the site was previously developed land and as such should be permitted to redevelop in its entirety. Subsequent dialogue with Officers and the determination of Planning Inspectors has now clarified that this is not the case. Despite extensive, unsightly structures on site and horticultural associated contamination, the site is by definition affiliated with agriculture and as such is not previously developed. The developer has therefore reconsidered the site and put forward a reduced scheme.

Three units have been suggested as it allows the replacement of the former office/shop with one unit, and the provision of two further units to the rear. The latest proposals restrict built

development to the linear parcel of land to the front of the site, and omit buildings in the larger open space to the rear.

The revised layout, reduction in scale of development and number of units means the applicant are now seeking to suggest the proposals may be considered 'limited infilling in an existing village'. This has taken place on neighbouring sites nearby, without the benefit of resolving a derelict site. Officers have considered the linear portion of the site and its location and the layout of neighbouring development and consider the proposals as now set out could be considered limited infilling and as such an exception to the presumption against development.

In terms of impact to openness and rural character, previous schemes have either resulted in a significant number of units, a significant sprawl of development across the site or very generous sprawling properties. These have all resulted in adverse impacts to openness even when considering the loss of the glass house structures (not by definition considered harmful due to horticultural use). The proposals for chalet bungalows are of a smaller scale and form than previously considered and make use of a more restricted layout. The result being the area at the rear most part of the site would be retained as entirely open. In addition the open spaces through the site would be improved from what currently exists. Scale and appearance are reserved for future consideration but indicative plans have been submitted that suggest an appropriate form of development can be achieved.

Officers are aware the site has now been vacant and derelict more than 5 years at a time when the Council is trying to find reasonable sites for new housing. As undeveloped land the site could be considered as infill for a development of this scale and layout, and in this case would also result in the loss of a visually jarring former employment site. For these reasons Officers consider the balance of merits for the current scheme to outweigh the in principle harm to the Green Belt and result in sufficient reason and very special circumstances to take exception to the usual policy approach.

Officers also consider the merits of the current scheme to overcome the previous reasons for refusal.

Affordable housing

The application was originally scheduled for determination at a previous committee with no affordable housing contribution due to changes introduced by the NPPF and associated NPPG. However, immediately before the committee meeting, a High Court Ruling was released unexpectedly, following a challenge from West Berkshire Council. The result was that the paragraphs of the NPPG associated with more relaxed affordable housing contributions on smaller sites were revoked. This had the immediate effect of reinstating the Councils Affordable Housing policies until any further challenge or appeal is concluded on the matter.

In this circumstance the Council have discussed the proposals with the applicant. The application for 6 properties in 2010 included no affordable housing contribution and this was not discussed as a reason for refusal. In 2013 the Council refused a proposed contribution of £50,000 associated with a development of 6 properties and in 2014 the Council refused a scheme for two larger dwellings that provided no affordable housing.

The Council now finds itself in a position where the applicant has entered into pre-application discussions with the Council at a time when no affordable housing was required, the application has been assessed and a positive recommendation provided, only to discover days before decision, that policy has changed and affordable housing should again be provided at a rate of 50%. The proposals do not lend themselves well to a 50% contribution being a three property development and clearly the developer to date has not calculated viability and development costs on the basis of a 50% contribution. The Applicant is aware that the national policy approach may change again in the near future in a manner that is again favourable, however the applicant is

keen to progress a site that has now been vacant more than 5 years. As such the developer has negotiated with our affordable housing team, to make an on site provision of the front unit for social rent. This is less than 50%, however given the nature of the scheme and the circumstances that have arisen, Officers in Planning and Housing consider this is a reasonable approach. This contribution is also significantly greater than the previously refused £50,000 and would provide a generous three bedroom home by social rent standards, in a rural location.

Mindful of the circumstances surrounding this application and the nature of the proposals Officers consider this acceptable.

Sustainability

When considering larger developments on the site the Council and indeed Planning Inspectors have determined the location not to be sustainable. The previous application for two dwellings with generous accommodation reiterated this concern.

Officers have considered the site location in relation to the proposals for three properties and whilst not ideal, the site would be able to access a small corner shop and two public houses, a community hall nearby and a primary school. Officers acknowledge this is not sufficient for daily living, however this is the current status quo for the neighbouring properties in the settlement. Considering the wider merits of the scheme, Officers do not consider the harm arising from site sustainability to outweigh the benefits identified above and as such do not consider it reasonable to uphold sustainability as a sole reason for refusal. Members are advised that Officers would not wish to defend an appeal on this ground alone.

Other matters not relating to the previous reasons for refusal

Design and impact to street scene

The layout of the development provides sufficient parking, access and garden areas for the proposed development. The revised layout now better reflects the layout and form of neighbouring development and retains a better area of open space to the rear. Officers note this area would be partially utilised as garden area, so would suggest the remove of outbuilding PD rights to retain openness, but visually the proposals, as outlined above are considered an improvement.

In terms of design, as this is a reserved matter, limited detail is provided at this stage, however chalet bungalow properties would be similar to neighbouring development and complimentary design could be secured at reserved matters stage.

Neighbouring properties

The proposals would result in the provision of three dwellings along a linear parcel of land. Neighbouring plots in the immediate surrounding area generally provide a single dwelling along the frontage, however a number of more recessed properties are evident, namely The Haven, Anngate and The Drive. In this context, properties to the rear of the site would not appear uncommon.

There is an opportunity for the units to overlook neighbouring plots from the first floor, however this can be mitigated with careful design to orientate the properties appropriately and with use of obscure glazing as appropriate. Mindful of this Officers have no concern regarding overlooking and note there have been no objections from neighbours.

In terms of overshadowing and overbearing, the proposals would replace two existing large glasshouse buildings. At the rear most part of the site this would dramatically improve outlook for neighbouring properties and central to the site this would improve overshadowing to the garden area of Rowan House. At present ne of the glasshouse buildings extends along the boundary for

approximately half the length of the garden, this built form would be significantly reduced with the new dwellings.

Trees and landscaping

The Council's landscaping team raise no objections subject to a condition requiring the submission of hard and soft landscaping.

Highways

No objections are raised subject to conditions requiring adequate width of access, travel info packs, means to discharge surface water away from the highway, no unbound material and distance any gate should be from the highway.

Ecology

No objection subject to the recommendations in the Phase 1 Report being followed.

Waste

No objection however ask that a condition be applied to ensure adequate storage on site for refuse.

Land drainage

No objection subject to a standard surface water drainage condition.

Contamination

Due to its use as a Horticultural Nursery there is the potential for contaminants to be present on this site. Contamination conditions SCN87, 87A, 87B, 87C and 87D are recommended.

Conclusion

In conclusion officers consider the current scheme to have overcome the previous reasons for refusal. The applicant has worked alongside Officers to develop a form of development that can be considered acceptable, to bring forward this long stalled site. The scale, appearance and landscaping of the scheme are to be determined at a later date. The access and layout which are to be determined at this stage are considered acceptable.

The current application presents a new justification for development based around limited infilling and presents a simultaneous benefit visually and in terms of neighbouring amenities and an affordable housing unit. Officers have attributed this significant weight and recommend approval accordingly. It is noted that unlike previous applications no objections have been received.

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

Planning Application Case Officer: Ms Jenny Cordell

Direct Line Telephone Number: (01992) 564481

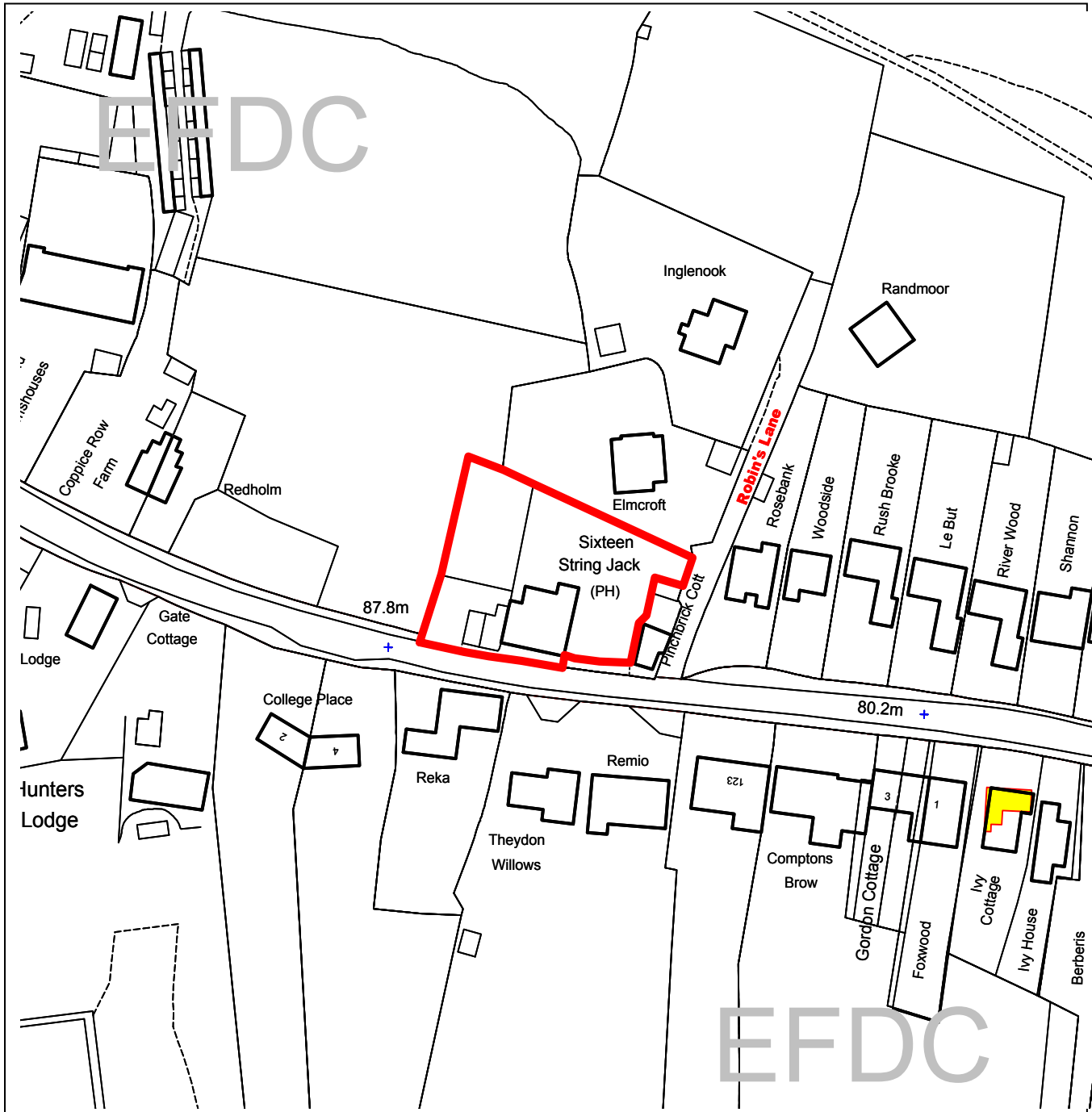
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

Agenda Item Number 3



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Application Number:	EPF/1629/15
Site Name:	Sixteen String Jack, Coppice Row, Theydon Bois, CM16 7DS
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/1629/15
SITE ADDRESS:	Sixteen String Jack Coppice Row Theydon Bois Epping Essex CM16 7DS
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr Rory Anderson
DESCRIPTION OF PROPOSAL:	Demolition of existing public house and associated buildings and the erection of eleven residential apartments with parking and communal garden.
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/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=577522

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos:
14097se-02
DWG 1482.P001
DWG 1482.P002
DWG 1482.P003
DWG 1482.P004
DWG 1482.P005
DWG 1482.P006
DWG 1482.P007
DWG 1482.P008
DWG 1482.P009
DWG 1482.P010
DWG 1482.P011
DWG 1482.P012
DWG 1482.P013
DWG 1482.P014
- 2 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.

- 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 by the Local Planning Authority, in writing. 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 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.
- 6 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 7 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tool. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 8 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 in writing 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]

- 9 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]
- 10 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]
- 11 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. The approved monitoring and maintenance programme shall be implemented.

- 12 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.
- 13 The development shall be carried out in accordance with the recommendations set out in the Ecology Appraisal (dated 30th June 2014 and updated on 2nd July 2015) and Bat Survey (dated 29th July 2014 and updated on 15th May 2015) completed by D F Clark Ltd.
- 14 Prior to first occupation of the development the visibility splays and access arrangements, as shown on Stomor drawing no.ST-2387-10-B, shall be provided and retained in perpetuity.
- 15 Prior to first occupation of the development any redundant vehicle dropped kerb crossings, across the site frontage, shall be reinstated to full height kerbing and footway.
- 16 Prior to first occupation of the proposed development, the developer shall be responsible for the provision and implementation to each dwelling of the submitted Residential Travel Information Pack for sustainable transport.
- 17 Prior to first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.
- 18 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 19 There shall be no discharge of surface water onto the Highway.
- 20 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.
- 21 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.

- 22 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, including wheel washing.
 6. A scheme for recycling/disposing of waste resulting from demolition and construction works.
- 23 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

This application is before this Committee since it is an application for major developments, (e.g. developments of significant scale and/or wide concern) and is recommended for approval (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(c)) and since it is an application for residential development consisting of 5 dwellings or more (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(d)) and since it is for a type of development that cannot be determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(f).) and since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(g))

Description of Site:

The site is the now closed Sixteen String Jack Public House which included an attached cottage. The site, garden areas and car park are currently enclosed by security hoardings.

The site fronts onto Coppice Row to the south, with the side boundary being open to the Green Belt to the west, the site backs onto Elmcroft a property on Robin's Lane to the north (rear) and has a side access onto Robin's Lane to the east, where the boundary is shared with Pinchbrick Cottage.

This area of Coppice Row slopes downhill towards Theydon Bois main village and has the appearance of a rural lane with narrow pavements. The site forms part of a linear string of development along the highway towards the main village, separated from the village by an area of forest land within the Green Belt. Due to the change in levels, the former beer garden area is at a significantly higher level than the remainder of the site and is part of the designated Green Belt,

the remainder of the site, including the site frontage is within the village envelope. The site has existing vehicular accesses onto both Coppice Row and Robin's Lane.

Description of Proposal:

This application is a revision to a previously refused scheme. This application seeks permission to demolish the existing building and clear the site to provide eleven apartments (1x 1-bedroom and 10x 2-bedroom). The development would provide 15 parking spaces and a communal garden area in excess of 350sqm.

The footprint of the proposed apartments would run in an east-west direction along the front of the site towards Coppice Row, with vehicle access generally in the position of that which is existing, but beneath a first floor unit. The footprint would also include a two storey block extending to the rear of the site with the boundary with Elmcroft with parking and bin stores below.

The proposed flats have been designed to have a varied articulation and range of materials and ridge heights.

Relevant History:

EPF/2040/14 - Demolition of existing Public House and associated buildings and erection of thirteen residential apartments with parking and communal garden – Refused.

The reasons for refusal were:

1. The proposed development will have an overbearing visual impact on the adjacent properties (Pinchbrook Cottage to the east and Elmcroft to the north), such that there will be an excessive loss of residential amenity to the occupants of those properties, contrary to policy DBE9 of the Adopted Local Plan and Alterations.
2. The proposed development whilst not in an isolated location is not sufficiently well related to the local facilities in the area to amount to a suitable location for the proposed low level of parking provision. The development is likely therefore to increase on-street parking in the area to the detriment of highway safety, contrary to policy ST6 of the adopted Local Plan and Alterations.
3. The proposed intensive flatted development, due to its scale and design and level of site coverage is completely out of character with the nature of the surrounding residential area and the street scene, which is characterised by detached properties in large garden plots. In addition it provides an inappropriately hard edge to the boundary of the Green Belt and the edge of the settlement. The development is therefore harmful to the character and amenity of the area and is contrary to policies CP3, CP7, H3A, GB7A and LL3 of the Adopted Local Plan and Alterations.
4. By reason of the site's location beyond the statutory walking distance to a secondary school the proposal will generate an additional cost to the Local Education Authority, Essex County Council, for transporting children to secondary school. However, the proposal does not include any mechanism to meet those additional costs. Since the proposal fails to properly address this matter it is not a sustainable form of development and is consequently contrary to policies CP9(iii) and I1A of the Adopted Local Plan and Alterations, which are consistent with the National Planning Policy Framework.

Prior to submission of the refused application, the developer sought pre-application advice from the Council under EF\2014\ENQ\00386. Advice regarding 13 units was generally favourable, providing a good contribution towards housing supply, subject to more detailed information being supplied and an application was encouraged.

Policies Applied:

CP1 Achieving Sustainable Development Objectives

CP2 Protecting the Quality of the Rural and Built Environment
CP3 New Development
CP6 Achieving Sustainable Urban Development Patterns
CP7 Urban Form and Quality
H2A Previously Developed Land
H3A Housing Density
H4A Dwelling Mix
DBE1 Design of New Buildings
DBE2 Affect on Neighbouring Properties
DBE3 Design in Urban Areas
DBE6 Car parking in new development
DBE7 Public Open Space
DBE8 Private Amenity Space
DBE9 Loss of Amenity
GB7A Conspicuous Development within or beyond the Green Belt
LL3 Edge of Settlement
LL10 Adequacy of provision for landscaping provision
LL11 Landscaping Schemes
ST1 Location of Development
ST2 Accessibility of development
ST4 Road Safety
ST6 Vehicle Parking
CF12 Retention of Community Facilities
I1A Planning Obligations

The National Planning Policy Framework (NPPF).

Summary of Representations:

33 neighbouring properties were consulted and a site notice was posted on the security hoarding.

17 objections were received from the following properties/groups raising concerns detailed below:

IN COPPICE ROW:

WEST LODGE, THEYDON WILLOWS, PINCH BROOK COTTAGE, ROSEBANK, 2 COLLEGE PLACE, FOREST EDGE, HUNTERS LODGE, RIVERWOOD, WOODSIDE, REDHOLM, REKA, DENE

IN ROBIN'S LANE:

ELMCROFT

43 DUKES AVENUE

In addition to the above neighbours, objections were also received from:

THEYDON BOIS ACTION GROUP,
THEYDON BOIS AND DISTRICT RURAL PRESERVATION SOCIETY,
CITY OF LONDON OPEN SPACES DEPARTMENT.

The issues raised in the representations can be summarised as follows:

Very little change from the previously refused application. The site location is too separated from the main village to be considered sustainable. The proposals would impact on the setting and appearance of the forest and result in a creeping of urbanisation. The design is of poor, bulky design not in keeping with the area. Immediate locality is characterised by large properties in spacious plots generally. Flats in this location are out of character and the density proposed is too

high for this rural area. Concerns the proposed number of units would give rise to a greater degree of noise and disturbance to neighbours.

Significant highway concerns in respect of the existing access and that which is proposed. The speed of traffic despite the speed limit in place, narrow nature of the lane, difficulties parking for existing residents and dangers with existing accesses. Concern regarding pedestrian safety and in practice how the proposals would work with visitor, delivery and service parking.

There are a number of suggestions seeking a lesser number of units on site, possibly larger properties in larger plots.

THEYDON BOIS PARISH COUNCIL: Strong Objection:

The Parish Council believes this to be a wholly inappropriate development in this location and wishes to register a very strong objection.

This application is substantially similar to the previously refused application EPF/2040/14. We are therefore surprised and disappointed to see that so little has been done to address the reasons for refusal. Furthermore, we note that the advice given by the Senior Planning Officer that the applicant 'needs to consider some significant changes to the scheme' has been ignored.

The proposed development is located in a sensitive semi-rural location at the settlement edge of Theydon Bois adjacent to SSSI Epping Forest. Normal planning policy (LL3) would dictate that a low density development would be the most appropriate for this location to ensure that its impact on the surrounding area would be minimal. However, this proposal due to its size, bulk and density is completely at odds with this policy and would have an overly dominant impact on the area and street scene.

The proposal also fails to respect its location and the established pattern of development in the road contrary to policy H3A. The scale and design of the proposed development, almost 40 metres wide and some 3 metres higher than the ridge line of the existing Public House, is completely out of character with the surrounding area which is made up of detached properties in large garden plots.

Of deep concern to the Parish Council is the totally inadequate parking provision for 11 apartments. We do not accept the applicant's view that this is a 'highly sustainable' site – it is not. There are no public transport links in this part of the village and due to the narrowness of the road in this location there is no continuous public pavement for pedestrians to walk to the site on the northern side of Coppice Row. This would mean to gain access to the site on foot pedestrians would either have to walk in the road past Pinchbrick Cottage or cross the road from the pavement opposite at a dangerous part of the road close to a blind bend. We would also remind you that Theydon Bois has a dark skies policy and has no street lights. Therefore in the winter months pedestrians would be negotiating the above in the dark! We are therefore strongly of the view that residents in this location would be reliant on cars as a means of transport and can see no justification why the normal policy of two car parking spaces per apartment should be relaxed.

This Council also strongly disagrees with the assessment by Essex Highways regarding highway safety. The Highways Authority has taken the view that the sight lines are an improvement over what they are now and therefore the development is acceptable. They have overlooked the fact that the Public House was built in the 1800's when the only traffic was horse and cart! We maintain that any new building must start by accepting the present and probable future road and traffic conditions and not rely on historic precedent. A minimum requirement in this situation should surely be a full Transport Assessment to consider the safety aspects as indicated in Local Plan Policy ST3. To support this view, local residents have stated that there have been numerous

unreported accidents and near misses in this location which have not been considered by the Highways Authority.

In conclusion, this Council is not against the redevelopment of this site, but believes a more acceptable proposal should be sought which better respects its location in the village. We would expect this to be a considerably lower density development with proper parking provision.

Main Issues:

The main planning issues are considered to be:

- Principle of development
- Design and appearance on the street scene
- Impact to neighbouring properties
- Living conditions for future occupiers of the development
- Highways and parking
- Landscaping
- Other matters

Principle of development

The proposed redevelopment of the site would necessitate the loss of the existing public house. The loss of this community facility and business use requires justification and the applicants carried out an appraisal of local facilities and supplied trading summaries as part of the previous application and this was accepted by the Council. Given the applicants have been able to demonstrate that the village is well served by two existing public houses, a vibrant high street with no vacancies and a diverse variety of community clubs and organisations, the loss of a community facility is regrettable but in this instance acceptable.

It is clear from information supplied that the public house does not represent a viable business offering at present and that its location on the edge of the village has meant it is less frequented than other businesses and does not benefit from combined trips as other more central public houses do. On the basis that the loss of the public house for redevelopment is acceptable, redevelopment for residential use is appropriate. Policies contained within the NPPF no longer require other employment generating uses to be considered first. The objective of these policies being to ensure active use of a site to prevent vacant sites remaining for long periods.

Design and appearance

The design of the proposal has been altered since the previous refusal. The proposal still includes a linear form of development along the site frontage, which in part, copies the existing forward location of the public house, attached cottage and adjacent cottage (Pinchbrook). Previously the proposal was, due to its scale, design and level of site coverage considered out of character with the nature of the surrounding residential area and streetscene which is characterised by detached properties in larger garden plots. Additionally it was considered that the previous proposal resulted in an inappropriately hard edge to the boundary of the Green Belt and the edge of the settlement. This revised scheme has reduced the built form on the site (and therefore the site coverage) by reducing in width the two storey element that ran adjacent to the boundary with Elmcroft (from 36.5m to 10m). This is a substantial reduction in the site coverage and considered to result in a far more reasonable, and appropriate for this area, level of site coverage.

Additionally the overall scale of the development has been reduced, not just with the reduction in built form but the design has been altered also. The revised design follows the natural slope of the site creating a far more sympathetic and respectful addition to the streetscene, with the proposal appearing on the Coppice Row frontage as three separate, but attached properties, each one

stepped down from the next acknowledging the slope in the road and strongly drawing on the design principles of the Essex Design Guide. This is a very similar design to the existing situation with the 'cottage' at a higher level to the attached Public House designed to follow the slope in the road.

The layout proposed, as with the previous scheme allows the designated green belt land to remain undeveloped. The west elevation which creates the boundary with the Green Belt has been altered since the previous submission with the rear most section of the west elevation reduced in height by 2.4m which not only reduces the built form but softens the overall appearance. The substantial existing hedge along this western boundary is to be retained, coupled with the proposed communal garden area this will aid the softening of the development creating a gentler transition from built up area to wider Green Belt. Additionally, the proposed buildings would be viewed in the context of the existing ribbon of development in this area therefore due to the proposed revisions would not appear unacceptably prominent or conspicuous when viewed from the Green Belt.

This revised proposal has reduced the number of units from 13 to 11 and as discussed above has reduced the overall built form on the site. The development is still a flatted development on the edge of the settlement but it is now considered to be more appropriate in terms of density for this edge of village location. This is a previously developed site and policy CP7 aims to make the fullest use of previously developed sites. With the previous refusal it was considered that the proposal was too dense, but the reduction both in units and built form is considered a welcome improvement to the scheme.

The layout, as before, has retained the existing open space and the elements on or near the boundaries have been designed with a roof form that pitches away from the neighbours. This is particularly evident at Elmcroft and Pinchbrick Cottage. Impact to neighbouring properties will be explored in more detail below.

This revised layout makes adequate provision for separate refuse and cycle storage in addition to parking areas. Officers are satisfied that the layout adheres to good design principles and would make a good provision of housing within an established settlement, close to a good range of facilities.

Neighbouring amenities

This revised scheme will impact upon a number of existing residential properties including those on the opposite side of Coppice Row; and more significantly to Elmcroft to the rear and Pinchbrick Cottage located between the site and Robin's Lane which are the two properties which border the site and were particularly mentioned within the previous reason for refusal relating to amenity.

The design, as discussed above has been altered since the previous refusal and the large west to east block at the boundary with Elmcroft has been reduced to approximately a third of the size, with a low eaves height to 4.9m, with the roof pitching away from the boundary to a maximum height of 7.4m. This element of the proposal will be set in from the boundary by 1.5m. This part of the revised design is considered to result in an acceptable relationship between Elmcroft and the proposal in terms of loss of amenity. The block closest to the Elmcroft boundary will also be single aspect which will minimise any loss of privacy to this property.

Elmcroft is orientated with the main outlook to the front and rear (east and west), however there is a first floor bedroom in the flank that would look out towards the proposed development. Given this room looks out onto mature vegetation at present, the proposed development would be clearly visible, but this is a reduced scheme to the previous refusal and would allow light and views to this room to remain and Officers consider this revised relationship is acceptable.

Due to the revised scheme and particularly the reduction in the length of the development along the rear boundary with Elmcroft, Pinchbrick Cottage will continue to enjoy a good outlook to the rear. Privacy to Pinchbrook Cottage is retained with the nearest window with direct views towards Pinchbrook Cottage some 20m away and therefore only possible far reaching views towards Pinchbrook will be possible. The built form directly adjacent to Pinchbrook Cottage is 2.1m from the side wall and extends 0.3m beyond the main rear wall of Pinchbrook Cottage and therefore it is not considered that the proposal will result in any significant loss of light or outlook to this property.

Policies DBE2 and DBE9 seek to protect neighbouring amenities from excessive adverse impact and previously the committee considered the proposal resulted in an excessive loss of residential amenity. With the revised proposal it is Officer opinion that the scheme has overcome this reason for refusal.

Living conditions of future occupiers

This proposal, as with the previous scheme has been designed around principles outlined in the Essex Design Guide. The proposed units are at right angles to one another or adjacent and this ensures that inter-looking is not a concern between units.

The layout makes adequate provision for refuse and cycle storage. Access to the refuse area is beneath the undercroft of the unit above and would allow refuse services to wheel the refuse bins to the collection vehicle to be emptied. The distance is acceptable to do so, and the likely disruption along Coppice Row while this takes place is noted. However the likely disruption during collection of refuse from the development is unlikely to differ significantly from any disruption that currently takes place.

The garden area is approximately 15m by 22 metres which (with the now reduced number of units) more than meets the standard of 25m² per flat which is set out in policy. In addition it is well located and landscaped purposefully to provide a useable space. Given the degree of surrounding open space, this is considered acceptable.

Highways and parking

As with the previous scheme, Officers at Essex County Council have been consulted on the planning application and have no objections to this revised scheme. As with the previous proposal the developer is improving visibility at the access to the west significantly as part of the scheme. Improvements are also made to visibility to the east but to a lesser extent. The proposed use results in less trip generations than that of a public house, though it is agreed that this is on the basis if it were a more successful enterprise. Therefore the highway authority is satisfied the proposals would not be detrimental to highway safety, capacity or efficiency in this location.

The concerns of residents are noted, as are the historic incidents raised, however Officers can only assess a scheme against adopted policy and the proposals meet the adopted standards for access, resulting in fewer movements from an improved access.

This revised scheme has 1 parking space per a flat and 4 visitor spaces which is an improvement on the previous scheme which only provided 15 spaces for 13 flats. This is a lower level than suggested within the Essex Parking Standards. However, the scheme is for apartments, where a one space per unit provision is not uncommon. Although the parking has only been increased by 2 spaces (the number of units has also reduced by 2), as stated above this low level of parking provision is not uncommon, is an improvement to the previous scheme and Theydon Bois is fairly sustainable (not a high degree of connectivity as suggested within the Design and Access statement). Theydon Bois provides access to a good range of facilities locally including the tube station, and in this context a lesser provision of one space per unit plus visitor parking, is considered acceptable. Reductions in the number of car parking numbers are permitted by the

Essex Parking Standards and this improved number of spaces is considered acceptable for this location. The main facilities are less than 1.5km away and the site is therefore considered relatively sustainable such that it is expected that many occupiers would consider walking despite the shortcomings with regard to the footpath between the site and the main village facilities.

Landscaping

As with the previous application the Tree and Landscape Officer has raised no objection to the proposal subject to conditions requiring a soft and hard landscaping scheme and a tree protection scheme.

Other Matters

Ecology

The Council's Countryside team has assessed the ecological issues relating to the proposals and have raised no concerns.

Planning obligations

The scale of the development is below the threshold for the provision of affordable housing.

Following the previous proposal and decision, pooling restrictions introduced by the CIL (Committee Infrastructure Levy) Regulations 2010 (as amended) from April 2015 have resulted in Essex County Council no longer seeking contributions from developments of this size. Therefore Essex County Council no longer requires an education contribution for this development.

Within the submitted Design and Access statement reference is made to a discussion with the Parish Council regarding a contribution for improvements to changing rooms associated with the swimming pool at Theydon Bois Primary School; however this is not mentioned within the Parish Council objection. As this contribution has not been requested by the Parish Council, School or Essex County Council (as Education Authority) this proposed contribution is not considered necessary, directly related to the proposed development, or fairly reasonably related in scale and kind to the proposed development. Should the developers wish to donate to the Primary School this can happen outside of the scope of a planning application.

Contaminated Land

Due to the former use of the northern part of the site as part of a Farm and Builders Yard prior to 1960 and the presence of onsite Made Ground there is the potential for contaminants to be present. The necessary remediation of contaminated land is recommended to be secured by conditions.

Drainage and Water

In terms of drainage provision, the Council's land drainage team have no concerns subject to conditions. Thames Water have been consulted and have confirmed they have adequate connection capabilities.

Conclusion

After careful consideration of the issues relating to the proposal, those raised during consultation and those raised with the previously refused application Officers consider that on balance, the merits of this revised scheme are sufficient to justify recommending approval and overcome the previous reasons for refusal. Concerns regarding neighbouring amenities and highway matters in particular have been given careful scrutiny and whilst neighbouring impacts would arise, this revised scheme greatly reduces any harm and it is not in the view of Officers sufficient to justify refusal. In terms of highway impacts, Essex County Council has no concerns and has left it for this Authority to consider whether parking is sufficient given the location and the proposal has

increased the number of spaces on the previous refusal. On balance, approval is recommended for a development that would make a meaningful contribution towards new homes in the District in a desirable location where the built form is outside of the Green Belt and changes have been made to reduce any impact on this sensitive site at the Green Belt boundary.

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

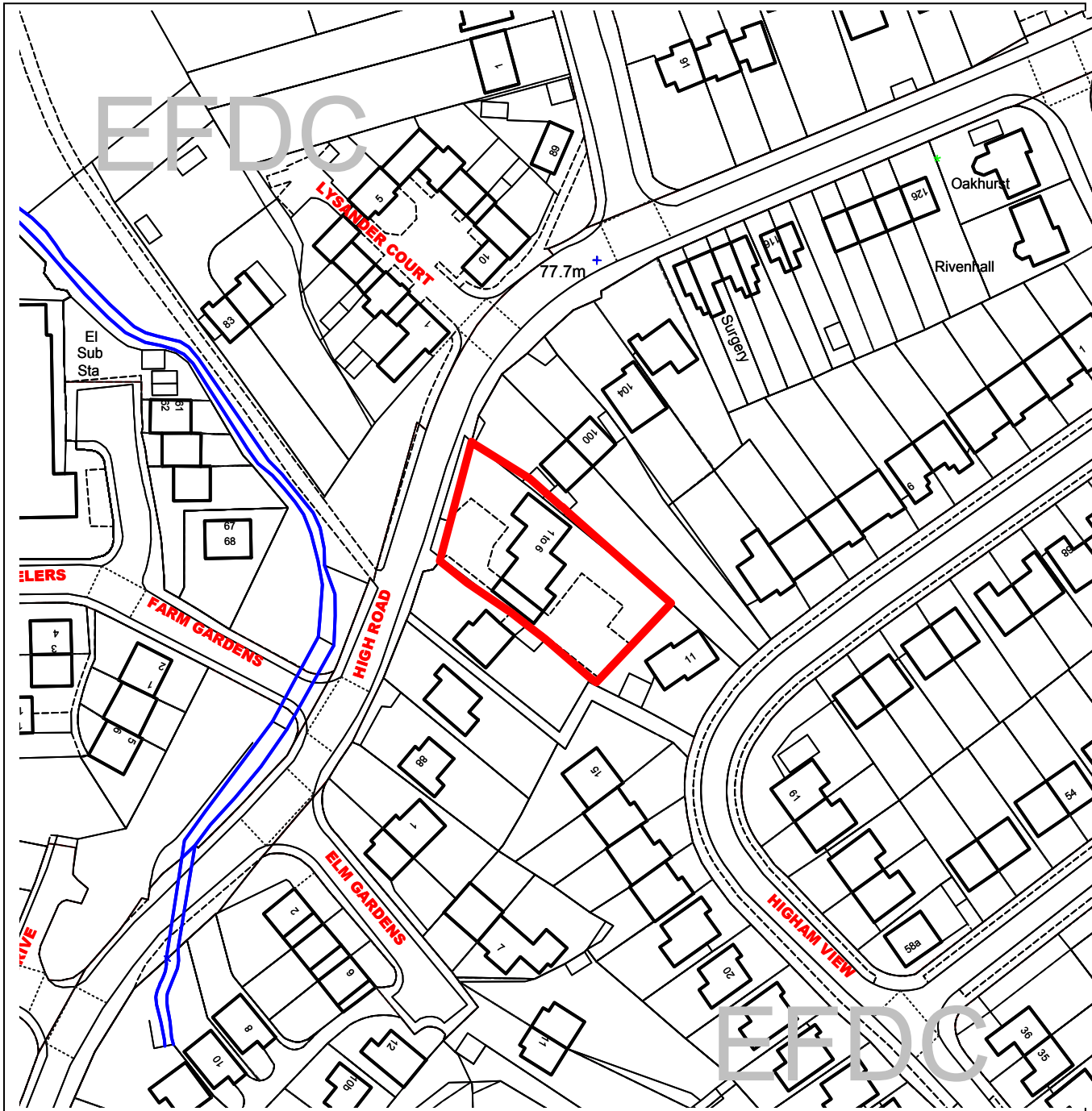
***Planning Application Case Officer: Marie-Claire Tovey
Direct Line Telephone Number: 01992 574414***

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



Epping Forest District Council

Agenda Item Number 4



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Application Number:	EPF/1737/15
Site Name:	94-96 High Road, North Weald, CM16 6BY
Scale of Plot:	1/1250

Report Item No:4

APPLICATION No:	EPF/1737/15
SITE ADDRESS:	94 - 96 High Road North Weald Bassett Epping Essex
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	Michael Osborne
DESCRIPTION OF PROPOSAL:	Proposed 1 no. 2 bed flat and 1 no. 1 bed flat in existing roof of the property and front, rear and side dormer and raised ridge height level to rear roof.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=577768

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: onwef/01-03, 04a, 05b, 06a, 07a, 08b, 09a, 10, 11, 15, 16, location plan.
- 3 The proposed window opening in the flank elevation serving the new dormer window 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.
- 4 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.
- 5 The parking area shown on the submitted plans shall be permanently retained for this purpose and remain free from obstruction which prevents the parking of vehicles.
- 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 07.30 to 18.30 Monday to Friday and

08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

This application is before this Committee since 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 Services – Delegation of Council functions, Schedule 1, Appendix A.(g)) and since;

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

Description of Site:

The application site is located in the village centre of North Weald and is occupied by a large detached building which houses six flats at ground and first floor. The building occupies almost the entire width of the site and is a modern construction which uses a mix of brick and render in the finish with front projecting gable features. Parking space for the development is provided to the front and rear.

Description of Proposal:

This is a revised application following the withdrawal of a scheme earlier in the year (EPF/0680/15). Accommodation would be created in the existing roof with dormer windows added to the front, side and rear elevation. The existing roof structure would be altered with a raising of part of the ridge but not above the highest point. Two flats would be created in the new roof. A two storey extension would be added to the front elevation in order to gain access to the new units.

Relevant History:

EPF/0378/04 - Erection of 8 no. two bedroom flats in two blocks with parking. Refuse Permission - 21/04/2004.

EPF/1280/05 - Erection of 6 no. flats with associated car parking (Revised application) Grant permission - 16/01/2006.

EPF/2827/14 - Proposed 2 additional 1 bed flats in the roof of existing property, external staircase for access and front and rear dormer windows with raised ridge level to form half hipped roof. Withdrawn by applicant – 22/01/15.

EPF/0680/15 - Proposed 1 no. 2 bed flat and 1 no 1 bed flat in the existing roof of the property with front, side and rear dormer windows. Two storey front extension to gain access to flats in roof (Revision to EPF/2827/14). Withdrawn by applicant – 26/06/2015.

Policies Applied:

CP1 – Achieving Sustainable Development Objectives
CP2 – Protecting the Quality of the Rural and Built Environment.
DBE1 – New Buildings
DBE2 – Effect on Neighbouring Properties
DBE9 – Neighbour Amenity
ST4 – Road Safety
ST6 – Vehicle Parking
H2A – Previously Developed Land

H5A – Provision for Affordable Housing
H6A – Site Thresholds for Affordable Housing

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:

Parish Council: Objection. The proposed development would have a detrimental impact on the amenity of existing occupiers and would represent an overdevelopment of the site. The proposal is out of character with the visual aspect of the area. Concern that the plans do not show the true scale of the roof and that the porch has not been correctly indicated.

13 neighbours consulted: 7 replies received.

85 HIGH ROAD: Objection. Concern that there is not sufficient parking and that the overspill will result in inappropriate parking. The changes to the visual appearance of the building certainly do not enhance it.

Flats 1, 2, 3 4, 5 & 6 Nos 94-96 High Road: Objection. There has been no material change from the previous applications and are previous objections have not changed. The submission refers to 8 existing parking spaces but in reality there are only six. No additional parking is legally permitted under the terms of the lease. The new staircase will restrict access to the rear of the building and will result in a loss of light to kitchen windows on two of the properties. Concern about safety between pedestrians/cars using the thoroughfare. Concern about noise and nuisance and no consideration has been given to existing services. This is a new development which was sympathetically designed and in keeping with its surroundings and the proposed new building is an overdevelopment and out of character.

Issues and Considerations:

The main issues to consider relate to the principle of the development, design, amenity, parking/layout and the comments of consultees.

The last application was withdrawn but before this a Members site visit was requested at the meeting held on 17/06/15. It was requested that Certificate B should be completed to take into account the fact that there was leasehold interest and that the existing parking layout be shown. This has now been done

Principle/Design

The existing building on site followed careful consideration and evidently some negotiations between the applicant and the Local Planning Authority to find a design that would be acceptable. The original application of the recent attempts to extend (EPF/2827/14) was similar to a scheme that was discounted when the original scheme was approved in that a half hipped roof was proposed with a raising of the ridge level. This was considered bulky and out of scale with the existing pattern of development. An external staircase was also deemed an incongruous addition.

This scheme suggests retaining the existing roof and adding dormer windows to the front and rear. The external staircase would be replaced by an extension to the building which would continue the form of the rendered section and gabled roof. The access to the new units would therefore be internal. There would be a slight raising of sections of the roof but not above the main ridge. The

Parish Council and neighbours/occupants of the flats have raised concern that the proposal represents an overdevelopment of the site. In terms of the addition of built form this is difficult to substantiate and the overall footprint will only marginally increase. Local Planning Authorities are advised by Central Government to make better use of previously developed sites and the starting point must be that if the number of housing units on a site can be increased with no material harm then there should be a presumption in favour of the scheme. Paragraph 14 of national guidance contained in the NPPF outlines how sustainable development is the “Golden Thread” running through the planning system and the more economical use of this site is policy compliant. The principle is therefore agreed. In design terms the dormer windows are relatively well proportioned, would sit well within the roof and the extension to the building just follows the existing form. The design is therefore acceptable.

Whilst issue has been raised about the accuracy of the plans they are consistent with the development that is proposed.

Amenity

Attention must be paid to potential impact on neighbours to the rear (No11) but it is not considered that the addition of rear facing dormers would excessively impact on the amenity of residents of these dwellings and an acceptable distance (circa 20.0m to the rear boundary line) would be retained.

It is also stated the new extension to gain access to the roof would materially affect the amenity enjoyed by existing residents. There would be an increase in overshadowing of a living room and kitchen on the ground floor flats adjacent to the new extension and a bedroom in the floor above. In relation to the kitchen and bedroom there would be an increase in the level of existing overshadowing from earlier in the day but it is not considered highly detrimental and a good level of outlook would remain. The living room on the ground floor would also suffer the loss of some early sunlight however the extension adjacent to the window would be single storey and again this would not seriously infringe on amenity. Some impact is noted but on balance it is considered that any impact is not excessive and to an acceptable level.

Loss of amenity from disruption during construction is not a significant planning consideration and would not be grounds for refusal.

Parking/Layout

The development proposes a total of 11 parking spaces which in a central location is considered reasonable to serve a total of 8 flats. This would result in an additional 3 parking spaces to serve two additional units. The proposed layout is considered acceptable.

Objection Letters have stated that the parking layout cannot be altered under existing covenants and that such covenants will prevent this development from coming forward. Any legal restrictions in place are not a matter for determination under a planning application but any granting of consent would not override covenants which may be in place.

The Highways Authority at Essex County Council has raised no objection to this scheme.

Conclusion:

The proposed development would make more efficient use of a brownfield site and the principle is therefore acceptable. The proposed design and layout is also acceptable. Impact on the amenity of neighbouring residents would not be to a serious level. It is therefore recommended that consent is granted 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:

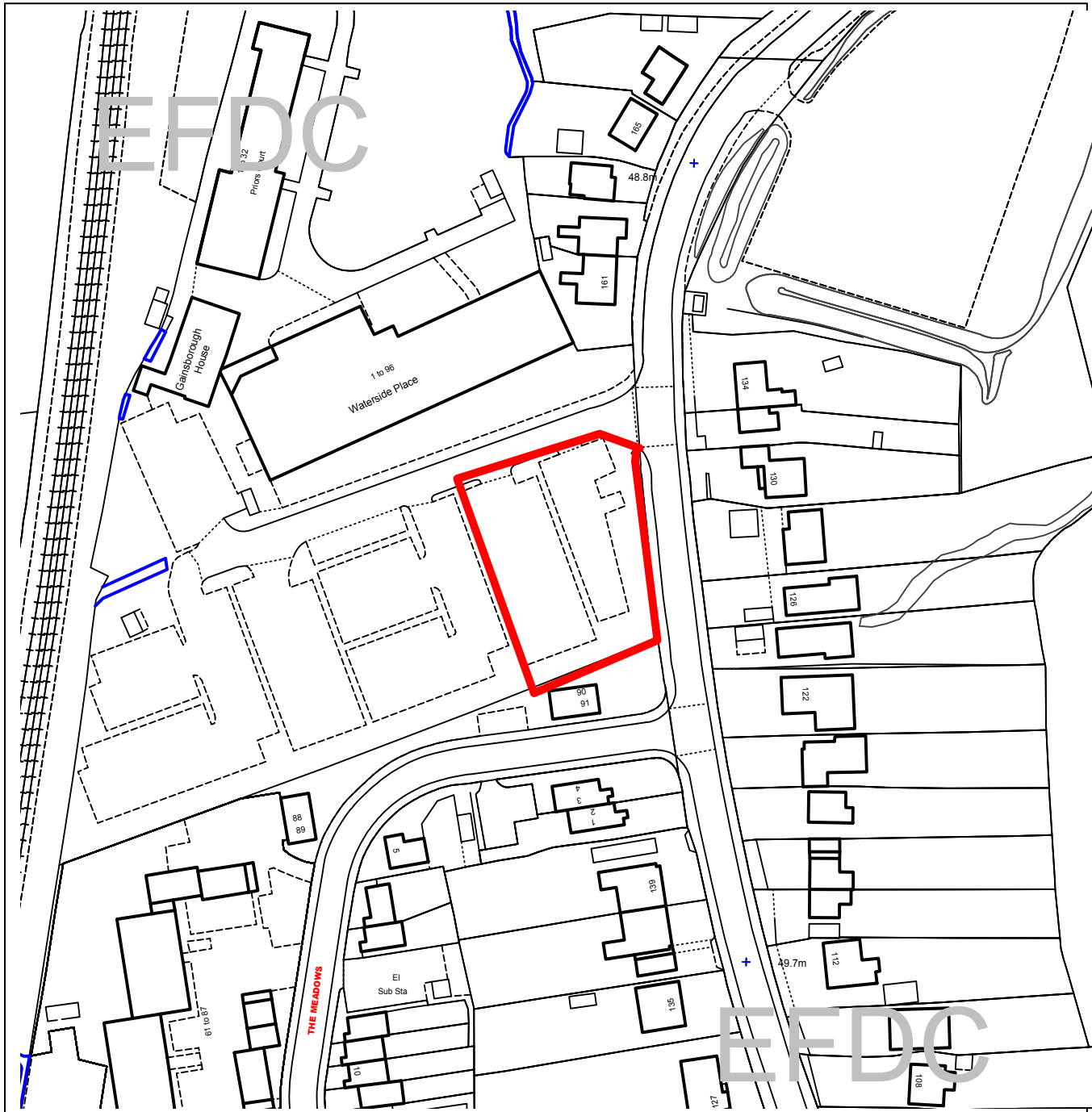
**Planning Application Case Officer: Mr Dominic Duffin
Direct Line Telephone Number: (01992) 564336**

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



Epping Forest District Council

Agenda Item Number 5



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Application Number:	EPF/1744/15
Site Name:	Land at The Maltings, Waterside Place, Sheering Lower Road, Sheering, CM21 9JX
Scale of Plot:	1/1250

Report Item No:4

APPLICATION No:	EPF/1744/15
SITE ADDRESS:	Land at the Maltings Waterside Place Sheering Lower Road Sheering Harlow Essex CM21 9JX
PARISH:	Sheering
WARD:	Lower Sheering
APPLICANT:	Foxley Quality Homes
DESCRIPTION OF PROPOSAL:	A revised scheme pursuant to extant planning permission EPF/0360/12 for the construction of a new building providing thirteen flats with external parking and amenity areas.
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/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=577779

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: 2664-1, 2664-2, 2664-3, 2664-4, 2664-5, 2664-6, 2664-7
- 3 Prior to occupation of the building hereby approved:
 1. The existing car park bays shown within the area edged blue on Plan Ref: 2 shall be marked out in brick as 2.4m wide bays and re-gravelled in accordance with details agreed in writing by the Local Planning Authority.
 2. Details of the works to the trees and proposed lighting columns shown on Plan Ref: 12 shall be submitted to and agreed in writing by the Local Planning Authority, and carried out prior to occupation of the development hereby approved.
 3. A scheme to carry out necessary works to prevent flooding and pooling of water on the existing parking area within the area edged blue on Plan Ref; 2 shall be implemented in accordance with details previously submitted to and approved in writing by the Local Planning Authority.
- 4 No development shall have taken place until samples of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details. For

the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.

- 5 Prior to occupation of the development hereby permitted details of the proposed refuse store shall be submitted to and agreed in writing by the Local planning Authority, and shall be carried out and retained in accordance with the agreed details.

- 6 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]

- 7 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]

- 8 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. The approved monitoring and maintenance programme shall be implemented.

- 9 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.
- 10 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tool. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 11 Prior to occupation of the development hereby permitted, full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) shall be submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 12 Within two months of the date of this decision notice an updated 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) shall be 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.
- 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 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

This application is before this Committee since it is an application for residential development consisting of 5 dwellings or more (unless approval of reserved matters only) and is recommended for approval (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(d)) and since it is for a type of development that cannot be determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(f).)

Description of Site:

The Maltings consists of a group of Grade II listed buildings that are part of an extensive range of mid-late 19th century brick maltings to the south of Sawbridgeworth Station, partly to the east of the railway line and partly to the west, between the railway and the River Stort. The adjacent listed building (known as Waterside Place) is four storeys with attics, and reaches a maximum of six storeys in height. The site lies within the Lower Sheering Conservation Area and is close to the district boundary with Harlow. The site lies within a flood risk assessment zone and an Environment Agency Flood Zone 2.

Description of Proposal:

A revised application to EPF/0360/12 is proposed which would increase the size of the previously approved block of flats to enable thirteen flats to be provided. The proposed building would be T shaped and partially five storeys (including utilising the roof space) and partially three storeys in height. It would reach a maximum width of 20.9m and a maximum depth of 25.3m. The five storey section of building would have a pitched roof to a ridge height of 14.9m with the three storey projections benefiting from pitched roofs to respective heights of 11.7m and 12.1m. The development would contain 1 no. one-bed flat and 12 no. two bed flats (including four duplex flats).

The key differences between this scheme and that previously approved is that the cross wing of the original T shaped building would be increased to five storeys in height; an additional three storey projection would be added to the west of this (containing flats 4 & 8); and a further car parking area would be constructed within the previously approved 'garden' area.

Relevant History:

EPF/0976/09 - Erection of detached block containing nine, two bedroom apartments and ancillary works – approved/conditions 24/09/09
EXT/EPF/0360/12 - Extension of time limit on EPF/0976/09 (erection of detached block containing nine, two bedroom apartments and ancillary works) – approved/conditions 11/05/12
DRC/EPF/0900/15 - Application for approval of details reserved by condition 4 'materials', 5 'archaeology', 6 'contaminated land', 8 'refuse', 9 'tree protection' and 10 'landscaping' for planning application EPF/0360/12 (extension of time limit on EPF/0976/09) – details approved 13/07/15

Policies Applied:

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
CP3 – New development
CP7 – Urban form and quality
HC6 – Character, appearance and setting of conservation areas
HC7 – Development within conservation areas
HC12 – Development affecting the setting of Listed Buildings
H2A – Previously developed land
DBE1 – Design of new buildings

DBE2 – Effect on neighbouring properties
DBE3 – Design in the urban areas
DBE8 – Private amenity space
DBE9 – Loss of amenity
LL3 – Edge of settlement
LL10 – Adequacy of provision for landscape retention
LL11 – Landscaping schemes
ST1 – Location of development
ST4 – Road safety
ST6 – Vehicle parking
U2A – Development in Flood Risk Areas
U2B – Flood risk assessment zones

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

Consultation Carried Out and Summary of Representations Received:

151 neighbouring properties were consulted and a Site Notice was displayed on 24/08/15.

PARISH COUNCIL – None received.

MANAGEMENT COMPANY RESPONSIBLE FOR THE MALTINGS – Object as this scheme is 40% larger than the previous proposal, the loss of light, privacy and outlook due to the increased height, parking concerns, since this would not enhance the conservation area, and due to flood risk.

130 SHEERING LOWER ROAD – Object since the increase in height would result in a loss of privacy, the development would cause an increase in traffic, and since the area does not need more flats.

74 WATERSIDE PLACE – Object due to impact on parking, potential flood risk, security issues, and due to the loss of trees that has already taken place.

28 WATERSIDE PLACE – Object due to the loss of privacy from the higher development and due to the impact on existing parking problems.

5 THE MEADOWS – Object as the larger development is not sympathetic to the character and appearance of the area, may result in greater noise nuisance, and would impact on traffic.

25 PRIORS COURT – Object due to increased flood risk, removal of existing trees, impact on car parking, and highway safety concerns.

96 WATERSIDE PLACE – Object due to parking concerns and the loss of light and privacy.

87 WATERSIDE PLACE – Object to the increase in height, parking concerns and the removal of trees.

128 SHEERING LOWER ROAD – Object as a previous scheme for six dwellings was refused and now 13 flats are being sought. The development is 45% larger than the previous approval. The development would exacerbate highway problems, would add to the already oversubscribed schools and local facilities, would increase flood risk and would result in overlooking.

1 NEW ROW, THE STREET – Object as the development is too high and spoils views from nearby properties, puts pressure on parking.

Issues and Considerations:

An application for a block of nine flats, arranged over a three storey building, was previously granted consent at Area Plans Sub Committee in 2009, and subsequently extended in 2012. Despite numerous objections from local residents the original development was considered acceptable and granted planning permission. Works on this approved development have already commenced on site.

This revised application proposes to increase the depth and, in part, the height of the previously approved building and would increase the number of units to thirteen. Therefore the main considerations in this instance are regarding amenity considerations, the impact on car parking, the design of the building and its impact on the setting of the listed building and conservation area, flood risk, the loss of landscaping, and with regards to highway safety.

Amenity considerations:

The proposed building would be located in the south eastern corner of the group of buildings known as The Maltings. To the south the proposed building would be located a minimum of 3.2m from the shared boundary with No's 90 & 91 The Meadows. This neighbouring property is a detached maisonette located on the western side of its plot. The section of the building closest to this neighbour would remain three storeys in height similar to that previously granted consent in 2009/2012. The increased height section of the building would be located some 12m from the shared boundary and the additional three storey projection would be located some 15m from the boundary. As such this proposal complies with the requirements set out in the Essex Design Guide in relation to overlooking and would be sufficient distance to not result in a detrimental loss of light or outlook.

The proposed building would be located some 37m from Waterside Place, with a communal green area, the access road and parking areas separating the buildings. Although the revised development would in part be five storeys in height and would be increased in length facing Waterside Place, and therefore would result in an increase in the number of windows in the northern elevation, the distances between buildings would be sufficient so that the development would not result in an undue loss of light, privacy or visual amenity to the existing flats.

The Essex Design Guide and Local Plan policy DBE8 require a minimum of 25m² of communal garden space for each unit. As such the proposed development would require a minimum of 325m² of communal amenity space. Whilst this revised development proposes additional car parking within the previous 'garden' there is nonetheless still adequate communal amenity space to the south and east of the site which more than complies with this requirement.

Car Parking:

The original application in 2009, and subsequent extension of time in 2012, resulted in a number of concerns and objections from local residents with regards to the loss of parking. The issues regarding car parking provision were extensively investigated and discussed at the earlier Committee and considered acceptable, subject to the following condition:

Prior to occupation of the building hereby approved:

1. *The existing car park bays shown within the area edged blue on Plan Ref: 2 shall be marked out in brick as 2.4m wide bays and re-gravelled in accordance with details agreed in writing by the Local Planning Authority.*

2. *Details of the works to the trees and proposed lighting columns shown on Plan Ref: 12 shall be submitted to and agreed in writing by the Local Planning Authority, and carried out prior to occupation of the development hereby approved.*
3. *A scheme to carry out necessary works to prevent flooding and pooling of water on the existing parking area within the area edged blue on Plan Ref: 2 shall be implemented in accordance with details previously submitted to and approved in writing by the Local Planning Authority.*

The application site area of the revised development is identical to the previously approved scheme and therefore results in no further loss of existing parking than that approved under ref: EPF/0976/09 (and EXT/EPF/0360/12). Therefore, subject to the same condition, this revised development would have no further impact with regards to the loss of car parking within the wider car park.

Notwithstanding the above, the revised development proposes thirteen flats, as opposed to the previously approved nine flats. As such the revised application would require additional car parking provision than previously approved. In order to accommodate this, the new application proposes a second parking area to the north of the new building, adjacent to that previously permitted.

The previously approved application permitted 12 parking spaces to serve the nine new flats, which equated to 1.3 spaces per unit. The revised development proposes 17 off-street parking spaces to serve the thirteen flats, which still equates to 1.3 spaces per unit and therefore is in line with that previously permitted.

Design:

The site stands within a conservation area and the setting of a Grade II listed building that was converted to flats in the late 1980s. This conservation area adjoins another across the District border in Sawbridgeworth and together they contain an extensive group of mid to late-19th century Grade II listed malting's buildings which straddle the railway line.

The proposed increase in the number of flats would enlarge the floor area of the new building and would increase the height of the main block by approximately 2.7m to allow for two additional floors to be added (one within the roof slope). The previous approval accepted the design approach of mirroring the form and detailing of the neighbouring maltings buildings. Whilst the proposed increase in the number of units would add to the bulk of the proposal through the addition of a fourth storey and dormer windows this is not considered to have a detrimental impact on the character of the conservation area or the setting of the listed buildings.

The maltings building closest to the application site stands at between five and eight storeys, plus dormer windows within the roof, so would remain as the larger and more dominant building of the two, preserving the hierarchy of the site. The matching materials and details of the proposed building would maintain the character and appearance of the conservation area and the substantial step-down in the ridge heights between the main block and the three storey projections, when viewed from Lower Sheering Road, will add interest to its roofscape and break up the visual bulk. Therefore it is considered that the revised scheme would continue to comply with the relevant design and conservation policies of the Local Plan and the guidance contained within the National Planning Policy Framework.

Flood risk:

The application site lies within a flood risk assessment zone and an Environmental Agency Floodzone 2 and has been submitted with a Flood Risk Assessment. Despite concerns raised by

the neighbours with regards to existing flooding that takes place on the site, and how the development may exacerbate this, the Environment Agency has responded to this application stating that they “*have no comments to make*”. The Councils Engineering, Drainage and Water Team have also been consulted and state that “*Although we agree with the [flood risk assessment] findings in principal, in order to approve a condition relating to a flood risk assessment further details are required. These details should include the pre and post development discharge rate from site as well as the proposed method of attenuation and flow control. The design should be clearly detailed in a drainage plan for the site and within the FRA*”. Therefore, despite the submission of the flood risk assessment, further details would be required regarding flood risk by way of condition.

In addition to the above, further details are required with regards to foul and surface water drainage, which can also be dealt with by way of a condition.

Landscaping:

Concern has been raised by neighbouring residents with regards to the loss of existing landscaping on the site. This has been investigated by the Councils Tree & Landscape Team and the majority of trees removed (those along the site frontage adjacent to Sheering Lower Road) were clearly shown on the EPF/0976/09 plan to be removed and therefore these works were previously granted consent. Whilst some individual trees elsewhere on the site have also been lost the Tree & Landscape Team are satisfied that the removal of these trees was required due to their ill health. As such no unlawful works to the trees have currently taken place on site.

Whilst no revised tree reports have been submitted with this application the Tree & Landscape Officer is satisfied with the works that have currently taken place on site and that the development can be implemented without a detrimental impact on the trees remaining on the site. Nonetheless, conditions regarding tree protection and hard and soft landscaping (as originally imposed on EPF/0976/09) are required for the development.

Highway safety:

The proposed development would be served by the existing vehicle access from Sheering Lower Road, which currently serves the wider car park. Furthermore the internal access points to the two proposed car parking areas that would serve the development already exist. As such there would be no detrimental impact on highway safety as a result of the proposal.

Concern has been raised regarding parking provision (see above), with comments received regarding the highway safety concerns that would result from additional on-street parking and delivery vans, etc. stopping to serve the new development. The off-street parking provision proposed for the development is considered to be acceptable and there would be no further loss to existing parking than that previously approved (or already taking place) through the 2009 consent. Parking on the public highway is controlled by Parking Enforcement Officers and it is envisioned that any delivery vans etc. serving the new development would be no more harmful than those currently serving the residential flats already on site.

Other considerations:

A refuse storage facility is proposed to the north of the proposed new building, however no elevational or specification details have been received regarding this. The Councils Waste Services section recommend that it would be more practical to have the doors to the bin store in the long side of the building so that bins are easily accessed by residents and the waste contractor. Full details as to the size, design and layout of this building will be required by way of a condition.

Enforcement investigations have been undertaken with regards to works taking place on site since foundations have been laid with regards to this revised building rather than the previously approved, smaller building. However it has been confirmed by the developer that, whilst the larger foundations have been laid (since the machinery was on-site) there is no intention on continuing works on the additional projection that does not yet have consent (subject to this application) and that, should consent not be granted for the larger building, the foundations for the additional part of the building would be covered over and landscaped. Therefore it has been concluded that no breach has taken place.

Conclusion

This revised development, whilst larger and higher than previously approved, would still be designed in such a way so that it complements the existing Grade II listed buildings and conservation area.

The revised scheme results in no further loss of existing car parking and continues to provide 1.3 off-street parking spaces per new residential unit, as previously considered acceptable in this location.

Despite the increased height and length, which results in further windows facing neighbouring properties, the distances involved would ensure that there would be no excessive loss of amenity to neighbours as a result of this development.

All relevant amenity space requirements have been met and there would be no detrimental impact on flood risk or highway safety. As such the proposal complies with the guidance contained within the National Planning Policy Framework and all relevant Local Plan policies and is therefore recommended for approval.

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

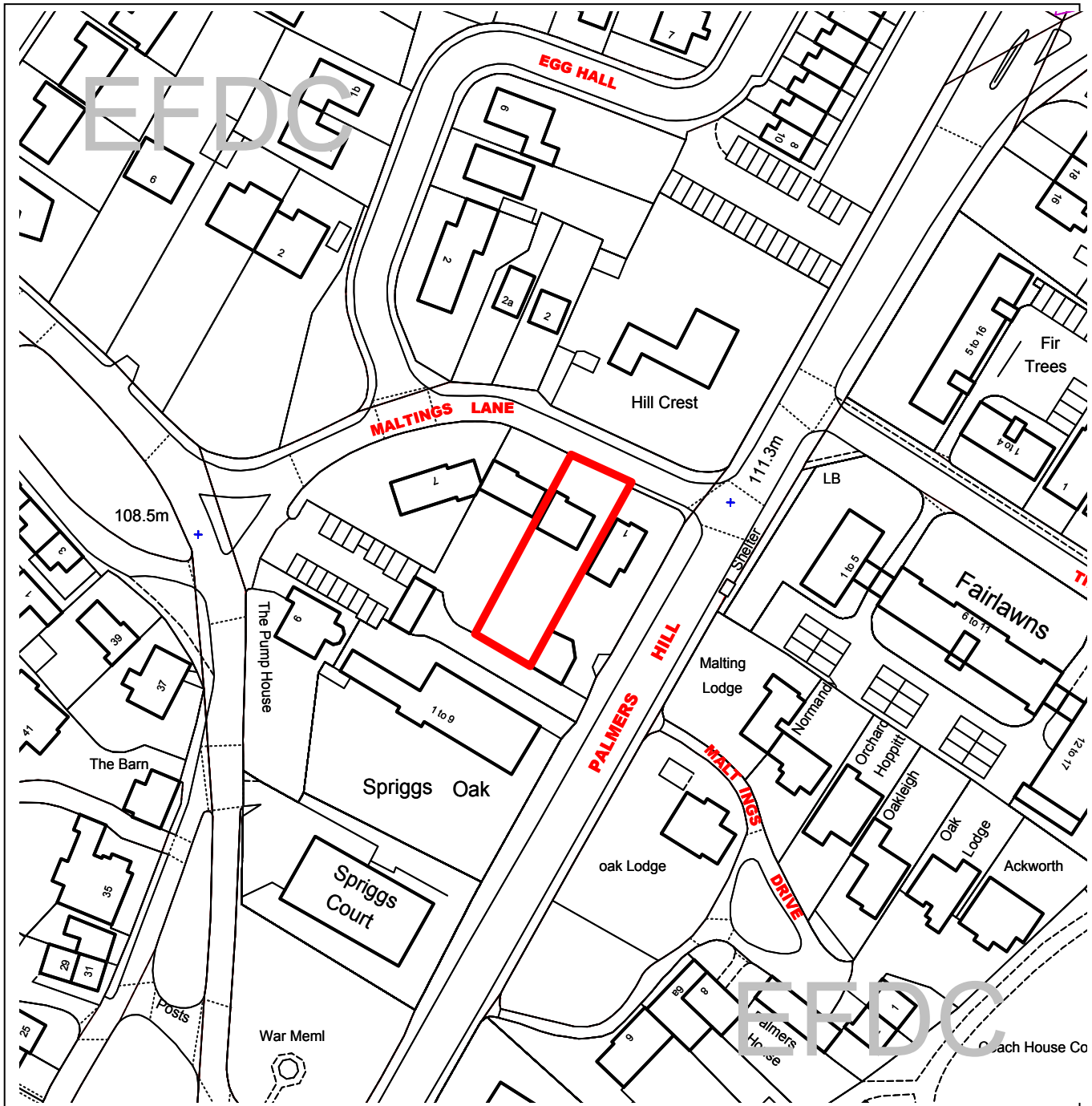
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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



Epping Forest District Council

Agenda Item Number 6



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Application Number:	EPF/1773/15
Site Name:	3 Maltings Lane, Epping, CM16 6SB
Scale of Plot:	1/1250

Report Item No:6

APPLICATION No:	EPF/1773/15
SITE ADDRESS:	3 Maltings Lane Epping Essex CM16 6SB
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	Mr Doyle
DESCRIPTION OF PROPOSAL:	First floor side and rear extension, two storey side extension, single storey rear extension. Front porch extension
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/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=577860

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 3 No development shall take place until details of 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.
- 4 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

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 Services – Delegation of Council functions, Schedule 1, Appendix A.(g))

Description of Site:

The application site is located within the built up area of Epping and the property forms one of a short run of four dwelling opposite a large Grade II Listed dwelling. This dwelling is one of a similar pair but has been extended relatively significantly to the side. The plot is relatively generous and rectangular shaped.

Description of Proposal:

The applicant seeks consent to extend the dwelling which will result in a general remodelling of its appearance. This would include a two storey addition to the eastern side with a similar extension to the western side at first floor level. This will create a symmetrical front façade at first floor level with a front gable feature and crown top roof. The ground floor to the front would also be remodelled with a new porch construction. The front gable to the rear would be extended and below this an irregular shaped extension would extend to a total distance of 5.0m from the existing rear wall.

Relevant History:

EPF/0715/86 - Side extension. Approved - 04/08/1986.

Policies Applied:

Policy DBE2 – Effect on Neighbouring Properties
Policy DBE9 – Loss of Amenity
Policy DBE10 – Residential Extensions

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 214 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:

12 neighbours consulted – 1 reply received.

5 Malting's Lane: Objection. On the side of the property adjacent to No 5 Maltings Lane the proposed extension shows the new external flank wall to the new Family Room and Patio extending approx 5.00m beyond the rear of the existing building and at a height of approx 3.00m for its full length. The final 1.50m of which is the flank wall to the side of the canopy over the patio. Approx 2.50m of the rear section of this wall is shown as external concrete finish as is the whole ground floor rear extension / canopy. This flank wall is also only approx 0.70m from the boundary with No 5.

The overall length and height of this wall appears rather out of scale and appearance. In particular the external concrete finish rather than brickwork or perhaps render.

In my opinion the overall length this wall and the concrete finish will be somewhat overbearing to No 5 especially bearing in mind it is approx 3.00m high and only approx 0.70m from the boundary with No5.

I would request the Planning Officer to consider the above comments and my proposal that this wall be reduced in overall length by shortening the flank wall to the Patio canopy by say approx 1.50m. This could be achieved by reversing the angle of the canopy across the rear of the building. Also that the overall height be kept to a minimum.

Town Council: Objection. Concern about the height of the rear extension and its depth and use of concrete finish may be overbearing when viewed from the adjacent property. The use of concrete does not complement the existing building with local policy requiring the use of materials from the vernacular range.

Issues and Considerations:

The main issues to consider relate to design and amenity.

Design

Concern has been expressed by the immediate neighbour to the west and the Parish Council about the proposed concrete finish to the rear extension. Whilst this is unconventional and local policies require vernacular and matching materials such a finish may be acceptable. Further details can be agreed by condition but a slightly modern twist on an extension need not be inappropriate. The overall theme of this submission is a modern twist on extensions to a dwelling and this can be justified. Whilst a gap of 1.0m would not be retained at first level on the western flank an extension to the side already exists and it makes sense to build from the existing wall. This is a short run of dwellings and there would be no real closing in of the streetscene. The overall design is considered acceptable.

Amenity

Whilst a rear extension is shown on No5 it has not been constructed and as things stand the proposed new single storey element will project approximately 6.5m beyond the rear wall of this property. This projection will be 3.0m in height and set off the boundary by 0.70m. There is the potential for this element to appear excessive from the neighbouring garden area, however the property is served by a reasonably sized garden which is quite deep as well as broad and on balance it is considered that this extension would not excessively harm the amenity level currently enjoyed by residents of this property. The property is served by the garage on this side which would further reduce the impact.

The extension on the eastern flank would bring development closer to No1 Malting's Lane. This dwelling is served by a number of side facing windows at first floor. One of the windows located towards the rear will be overshadowed with this increase in built form close to the common boundary later in the day. However it is not considered that this would seriously harm amenity.

Conclusion:

The proposed additions to the dwelling are considered acceptable. It is therefore recommended that consent is granted subject to conditions including a condition agreeing materials.

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

Agenda Item Number 7



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Application Number:	EPF/1790/15
Site Name:	Station Court, Bansons Way, Ongar, CM5 9BS
Scale of Plot:	1/1250

Report Item No: 7

APPLICATION No:	EPF/1790/15
SITE ADDRESS:	Station Court Bansons Way Ongar Essex CM5 9BS
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
APPLICANT:	Probit-E
DESCRIPTION OF PROPOSAL:	Proposed refurbishment, rearrangement of parking layout, and two storey addition to form a 2 bedroom maisonette.
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/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=577880

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: 1986/1-6.
- 3 Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.
- 4 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.
- 5 No development shall take place until details of 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.

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 Services – Delegation of Council functions, Schedule 1, Appendix A.(g)) and since;

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

Description of Site:

The site contains an “L” shaped two storey block of flats situated on the corner of Ongar High Street and Basons Way. The rear of the site is accessed by a crossover on Basons Way. Five garages are located in a rear courtyard area. The site is bordered on the southern boundary by Swan House, a three storey commercial/residential building. A row of locally listed railway cottages border the site on the western boundary and there is another row across Basons Way. These are not locally listed. The road descends steadily from its entrance on Ongar High Street.

Description of Proposal:

This is a revised application following the refusal of consent in 2010 (EPF/1339/10) to extend this building to create two new residential units. This application was refused for the following reason;

“By reason of its excessive height and massing adjacent to the site boundary, the proposed development would appear over dominant in relation to No7 Basons Way and fails to respect its setting adjacent to a terrace of locally listed dwellings to the detriment of the street scene. The proposal is therefore contrary to policies CP2, HC13A and DBE1 of the Local Plan and Alterations”.

This scheme differs in that a second unit which would have been accommodated in the roof has been removed. The new addition adjacent to the listed cottages on Banson Way has been reduced in height, width and bulk and would have a hipped roof. A new carriage style entrance would be created within the existing building for access to the rear. The garages in the courtyard area would be demolished and replaced by seven parking spaces and the carriage entrance.

Relevant History:

EPF/1252/80 - Erection of five flats and garages. Grant Permission (with conditions) - 20/10/1980.
EPF/1339/10 - Proposed refurbishment, two storey extension to form a two bed maisonette, conversion of part of roof space to form a one bed flat, and alterations to access and parking area and external remodelling. Refuse Permission - 21/09/2010.

Policies Applied:

Policy CP2 – Protecting the Quality of the Rural and Built Environment
Policy DBE1 – Design of New Buildings
Policy DBE2 – Effect on Neighbouring Properties
Policy DBE3 - Design in Urban Areas
Policy DBE9 – Excessive Loss of Amenity to Neighbouring Properties
Policy ST4 – Road Safety
Policy ST6 – Vehicle Parking
Policy H2A – Previously Developed Land
Policy H3A – Housing Density
Policy H4A – Dwelling Mix
Policy HC13A – Local List of Buildings

SUMMARY OF REPRESENTATIONS:

Town Council: Objection. The proposed development represents a gross over development of the site. The new entrance is close to the junction with the high street and will result in hazardous highway conditions at this location, particularly for elderly residents. There has been a parking problem in Banson's Way for some time and the existing five flats already have 8 cars. The reduction to 7 parking spaces and a new flat will only exacerbate this parking problem. It should be noted that the neighbours have been canvassing for parking permits for some time. No mention has been made about the telegraph pole to the front.

27 neighbours consulted: 5 replies received.

2 Banson's Way: Objection. Looking at the plans I notice the new archway is proposed which I consider will be more dangerous than the present opening. As I live at No 2 Banson's Way I have stood at my front room window and watched the present occupants driving in and reversing out of the opening and there have been some near misses. And now with the new proposed archway whoever drives out they will have to be over the footpath before they can see anyone. And we all know that people that live in Frank Bretton are elderly and are not as quick on their feet as a younger person and what about a child that is taught to walk on the footpath they would not stand a chance.

6 Banson's Way: Objection. Concern about impact on parking in the immediate vicinity as the existing residents already have 8 cars and the garages are never used. The new entrance will result in hazardous conditions as cars try to exit the site. There is a telegraph pole located in front of the position for the new arch.

8 Banson's Way: Objection. Concern about loss of light to our property. The proposal will exacerbate an already strained parking situation on Banson's Way. Concern that this is not a sustainable development and in design and layout terms it is inappropriate.

9 Banson's Way: Objection. I am a resident in Banson's Way and parking is already an issue for the current residents, if an additional 2 bed maisonette is built then it will be even more difficult to park.

10 Banson's Way: Objection. Banson's Way is a narrow cul-de-sac of ten Victorian terraced houses and one detached house, Frank Bretton House sheltered housing at the end of the cul-de-sac and the existing five maisonettes of Station Court on the corner of Banson's Way and the High Street. There are also the Town Council offices. I believe that adding another dwelling will constitute overcrowding and lead to a further spoiling of the street scene. According to the plans the five existing garages are to be removed and there will be an additional two car parking spaces. However there are already eight cars belonging to the five maisonettes and the existing five parking spaces (apparently the garages are used for storage) and the additional vehicles are parked in Banson's Way adding to the increasing difficulties residents of Banson's Way have with parking in our own street.

The current entrance to the parking area for the maisonettes is not easy to access, and sometimes spaces are left empty as presumably it is easier for those residents to park their vehicles in Banson's Way than to navigate the entrance. The new entrance looks to be even more difficult and dangerous a) being closer to the corner and b) being an archway with high walls, meaning visibility will be poor. (The current entrance has low walls which are angled which allows better vision.) The elderly residents of Frank Bretton House tend to walk up that side of the street on their way to the town, and cars tend to swing round the corner from the High Street into Banson's Way, often at speed. Also there is a telegraph pole which looks as if it might be in the way of the proposed new archway. I am also concerned about the disruption and noise which will occur during construction and how car parking will be affected. Presumably the residents of the maisonettes will lose their

parking spaces during this time and will attempt to park in Basons Way. I fear that this could lead to tension between the two groups of residents.

Issues and Considerations:

The main issues to consider relate to design and impact on the streetscene, neighbour amenity and car parking and highway issues. The planning history and whether previous concerns have been overcome is another consideration as is the comments of consultees and neighbours.

Appearance of the Area/Design

As stated the previous application, which was very similar to this scheme in terms of layout, was refused on design grounds and in particular the relationship with the row of listed cottages which was considered excessively dominating. In order to address this issue the applicant has reduced the overall height and depth of the building and reverted to a hipped roof. This does result in a better relationship with the row of cottages and in design terms the addition acts as a transition between the low set cottages and the higher set flats. It is considered that this design overcomes the previous concern and would result in the more efficient use of a previously developed site. Whilst the Town Council has concern that this is an overdevelopment of the site this additional unit can be comfortably accommodated.

Residential Amenity

The proposal would extend the block of flats further into Basons Way creating new built form opposite No's 4 and 6. This would enclose currently vacant space; however it would not result in an excessive loss of outlook from these dwellings and it conforms to a traditional street pattern of housing fronting onto a public highway. The adjacent dwelling, No7, is served by two side facing windows at first floor level. These would still receive a good supply of natural light and the distance retained from the side elevation to the proposed extension would ensure there would be no serious loss of outlook or overbearing impact. The addition to the flat would locate rear facing windows closer to the common boundary. The garden is relatively deep and some screening exists at the boundary. A number of single storey additions at the rear and a detached outbuilding would be closest to the extension. This proposal would not excessively increase overlooking and there are no side windows proposed in the addition.

Highways and Parking

Essex County Council Highways Department raise no objections to the creation of the new access point on to the public highway. Whilst this is a concern of some objectors the advice from the Highways Engineer is that there would be no highway safety issue. The proposal envisages seven parking spaces, which is more than one per dwelling. The current standards from Essex County Council require two spaces per two bedroom unit. However in built up areas with good transport links a reduction to this standard can be considered. Urban areas are defined as having frequent and extensive public transport and cycling and walking links, and access to education, healthcare, shopping and employment facilities. Although the London Underground service does not extend to Ongar, the area has enough of the above features to be considered urban. Therefore the proposed parking for the development is deemed acceptable. The bay sizes (5.0 x 2.5m) are the minimum deemed acceptable under the current standards. Bearing in mind the fairly tight constraints of the site the minimum size in this instance would be adequate. Whilst garages would be lost it seems from representations received that for the most part they are not used for parking and as such 7 parking spaces may increase parking provision for the development.

Other Matters

Whilst a telegraph pole is located adjacent to where the new entrance will be located its repositioning can be agreed by the applicant and this is not a planning matter.

Conclusion:

The proposed development would result in a more efficient use of a previously developed site. The proposed design addresses a previous concern and there are no significant amenity issues. Sufficient parking is provided and the advice from Essex County Council is that there are no highway concerns with the new entrance. It is therefore recommended that consent is granted 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:

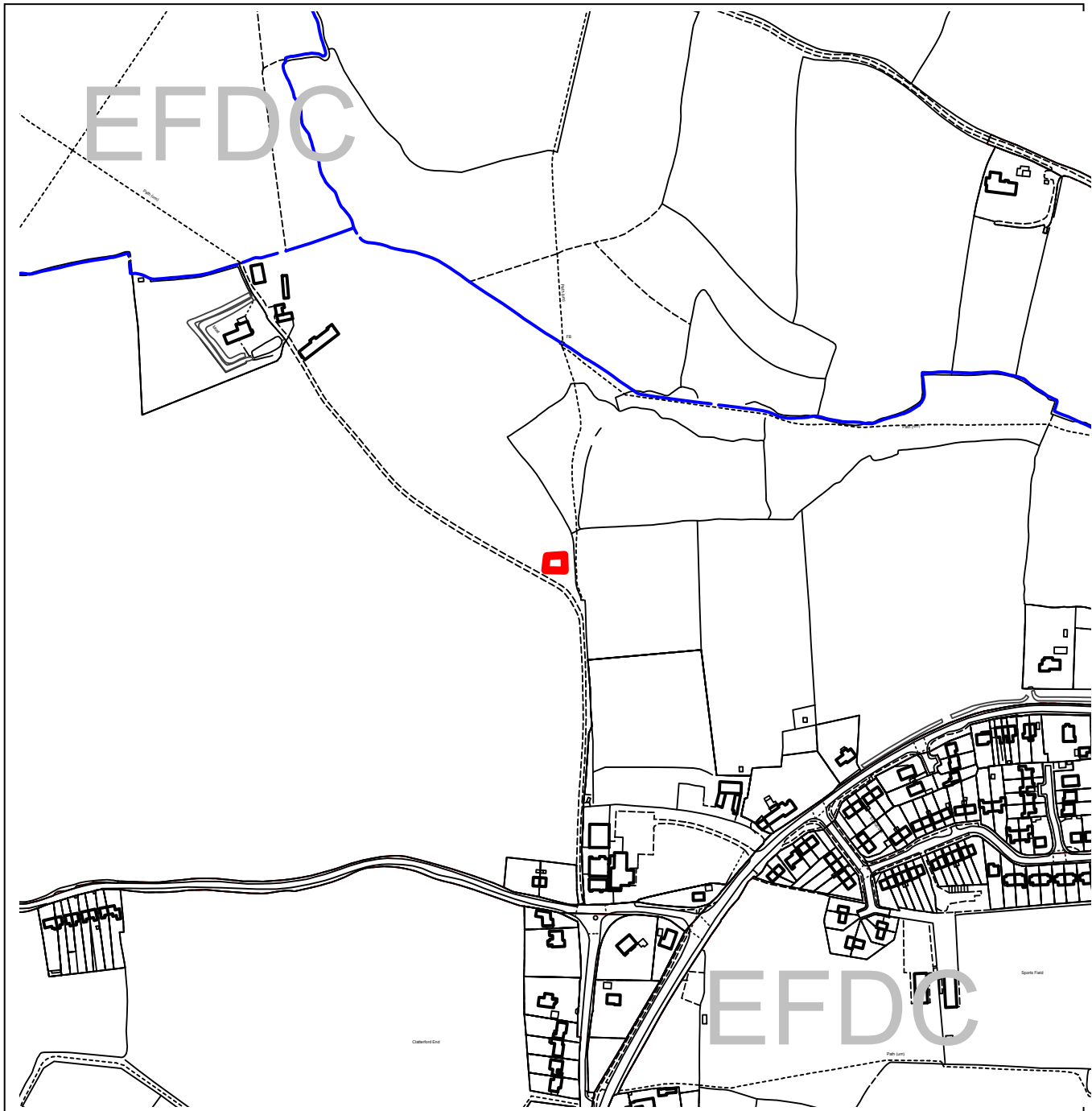
***Planning Application Case Officer: Mr Dominic Duffin
Direct Line Telephone Number: (01992) 564336***

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



Epping Forest District Council

Agenda Item Number 8



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Application Number:	EPF/1850/15
Site Name:	Lampetts, Moreton Road, Fyfield, CM5 OHT
Scale of Plot:	1/5000

Report Item No:8

APPLICATION No:	EPF/1850/15
SITE ADDRESS:	Lampetts Moreton Road Fyfield Essex CM5 0HT
PARISH:	Fyfield
WARD:	Moreton and Fyfield
APPLICANT:	Arqiva
DESCRIPTION OF PROPOSAL:	Installation of a 30 metre high shared telecommunications base station tower with six antennas and associated ground-based equipment cabinets.
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/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=578002

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 telecommunications installation hereby approved shall be removed after it is no longer needed for telecommunication purposes.

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 Services – Delegation of Council functions, Schedule 1, Appendix A.(g))

Description of Site:

The application site is located off the road that links the villages of Morton and Fyfield, close to Fyfield. The site is off the main run and located halfway down a track that leads to Lampetts farm which includes a collection of buildings. A Public Right of way passes along part of the track and continues along fields close to the application site. The site is in open countryside within the Green Belt and a number of the buildings at Lampetts are listed.

Description of Proposal:

Telecommunications installation comprising the erection of a 30m high lattice tower with ground level cabinets x 6, and 6 antennas. The cabinets would be surrounded by a close boarded fence. The proposal is in light of a Government scheme to improve mobile phone coverage in rural areas.

Relevant History:

No relevant history.

Policies Applied:

National Guidance in the NPPF "Supporting High Quality Communications Infrastructure"

U6 - other masts and aerials

GB2A – Green Belt

HC12 – Setting of Listed Buildings

Summary of Representations:

7 neighbours consulted and Site Notice displayed: 1 reply received.

2 Lampetts Cottages: Objection. Whilst we are supportive in principle with the improvements to rural mobile telecommunications, we do wish to raise our objection to the following:
We object to the positioning of the tower which is in full view of our home and will be an eyesore out of keeping with the rural countryside. We believe that if the installation must proceed it would be less of an impact if the site was moved further North/East where the field curves round. This will provide some natural cover to the base of the tower and lessen the rural impact. We believe this suggestion is reasonable and anticipate this is taken into account during the approval process and look forward to hearing from you presently in this regard.

PARISH COUNCIL: Objection. The councillors felt that although mobile signal in the area could be improved, they object to a 30 metre high mast being erected in the village. Fyfield is a traditional rural village that takes pride in its natural beauty and character, boasts a number of historical listed properties and it is also a dark village. At 30m high the mast will be highly visible. The councillors have raised the following questions:

1. There must be a location for the mast that is better suited to provide a wider distribution of its services? The proposed location is at the bottom of a hill/dip and the proximity to the centre of the village is concerning.
2. Does the mast need to be 30m high? As previously stated, this will dramatically change the idyllic rural landscape of the village.

Also concerns were raised for the potential health risks of having the mast erected so close to the village.

Issues and Considerations:

The main issues to consider relate to the need for such facilities to improve mobile phone coverage, national and local planning guidance on the issue, and any potential adverse impacts.

As often is the case the determination of an application such as this involves a balancing exercise. Even the objections received point towards a need to improve mobile phone coverage in the immediate vicinity and as is good practice this mast would be used by all four networks. It is fairly common ground that improved mobile phone coverage is of vital importance to both the general

public and business and where possible the benefits generated should extend to include rural areas and communities. Always balanced against this must be any adverse impacts in terms of visual amenity and setting. Full mobile phone coverage is also a key aim of Central Government. Under national guidance applications for telecommunications installations are addressed in section 5 of the NPPF. This outlines the importance of such infrastructure and that the expansion of the network should be supported. The need for new sites must also be justified. Para. 45 promotes consultation with local bodies with an interest in the proposed development and that consideration is given to other options for the installation including existing buildings. Any refusal must be on planning grounds. Local guidance is provided by Policy U6 and requires reference to such things as the topography of the site, views from adjoining land, possible screening, proximity to residential premises and the prominence of the site for public rights of way and sites of recreation.

It is clear that this is a sensitive site for such a development. The immediate area is rural in character, the site is located effectively in open countryside, and there are a number of Listed Buildings nearby. A Public Right of Way (PROW) passes along the side of the proposed location of this mast. The development as proposed would be an alien feature and would struggle to successfully integrate into the landscape. Indeed it will be a prominent feature open to long views from the surrounding countryside and nearby landscaping would not screen this large structure. It is difficult to conclude that this development would not have significant impact on the character and appearance of the immediate area harmful to visual amenity and the setting of the Listed Buildings. A balancing exercise is therefore required between the undoubted benefits of increased mobile phone coverage and the visual impact from this development at what is a sensitive site for its positioning.

The Parish Council has asked to very pertinent questions on the overall height of the structure and its position. Are both the height and siting necessary and have alternatives for smaller masts and less sensitive locations been considered?

Site Selection

The application has been supported with technical justification for the size and siting of the lattice mast. This identifies a Government desire to increase coverage in “not spot” areas which have a generally poor service. Fyfield is one such area. The submitted statements outline how sites should ideally be at high points, above buildings, trees or other obstacles that would block signals. This seems a reasonable and logical requirement. This site has been chosen for logistical and practical reasons. There are no other masts in the vicinity and no tall buildings to make use of. The submission includes a list of other possible sites which have been discounted for various reasons. Some sites were discounted because a larger structure would be required to achieve the same coverage, others on the basis that they were unable to agree the installation with the landowner or they were closer to residential properties or had no screening. Clearly any site for such development needs to be accessible and in this area most sites will be relatively close to residential properties. The details do indicate that many other options were considered. The applicant is content to put this site forward as the better option for consideration and in line with policy other options have been considered. The site suggested by the occupant of 2 Lampetts Cottages was not acceptable to the landowner.

As stated the Local Plan highlights the issues which should be considered when assessing such applications. It is useful to consider how this development relates to these factors.

Topographical/Screening – There are a row of trees in close proximity to the mast which will provide some screening of the lower element of the mast 8 – 10m in height. Whilst this means that 2 thirds of the mast will be above the tree screen, it does mean that mast is not in an entirely open situation. It is really unlikely to be possible to effectively screen a 30m mast in any location around Fyfield, and it is not considered that this is a particularly sensitive landscape..

Views of the Site – The site is open and the mast would become a relatively prominent feature within the surrounding landscape and skyline from the surrounding area, however it is not in close proximity to any dwellings so will not have a direct overbearing impact on any property.

Prominence of the Site – A Public Right of Way passes along the site of the site and the mast would also be visible from Moreton Road. Whilst this would be a large structure it would be less prominent than other structures often located in rural areas, such as electrical pylons.

Character of the Area – As stated the mast would be located relatively close to the Listed Buildings at Lampetts and would be viewed on the approach to these buildings. It is difficult to see how the installation would preserve or enhance the setting.

Balancing Exercise

It has been concluded that the proposed development would be very visible within the landscape and represent a fairly stark intrusion into the landscape at this location which would be visible from public vantage points including Public Rights of Way that pass near the site. The development would not preserve or enhance the special setting of the Listed Buildings to the north, and there would be identifiable harm. Balanced against any harm is the undoubted and recognised need to provide mobile phone coverage. 9 out of ten adults now have mobile phones and coverage is expected. There are undoubted benefits that greater coverage would bring to this community. No alternative site with lesser adverse impact can be readily identified and in such locations as this, whilst the initial impact may seem significant, once constructed such static structures tend to quickly become accepted as part of the landscape (like pylons). Whilst monopoles can be less visually intrusive than this lattice design, here it is required in order to provide a base for 4 different operators and this has the significant benefit of enabling only a single mast to be sited rather than 4 individual masts which would no doubt have a greater impact.

Officers are content that this scheme represents the best scenario to provide the intended service, to the Fyfield area. Ultimately a decision must be made on this scheme and where the planning balance lies.

It is considered that whilst this is a delicately balanced case the recommendation is that the balance falls marginally on the side of approval.

Health Issues

Government advice states that the planning system is not the place for determining health safeguards, and it goes on to say that if a proposed mobile phone base station meets ICNIRP guidelines it should not be necessary to consider further the health aspects of the development. (ICNIRP = International Commission on Non-Ionizing Radiation). An ICNIRP certificate has been submitted with this application.

Conclusion:

Whilst this is considered a finely balanced case the recommendation is that consent is granted 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: Mr Dominic Duffin
Direct Line Telephone Number: (01992) 564336***

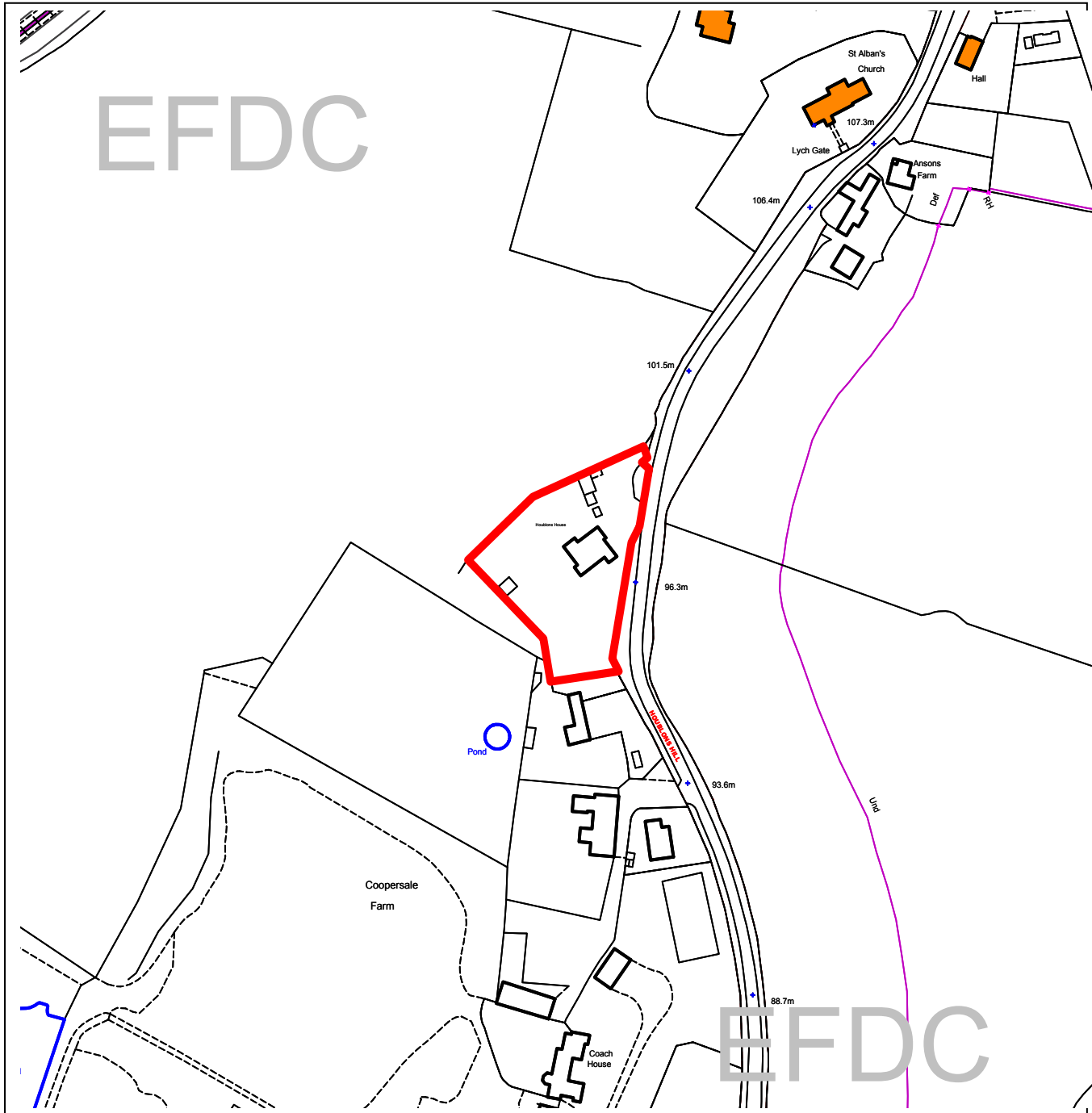
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Epping Forest District Council

Agenda Item Number 9



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Application Number:	EPF/1881/15
Site Name:	Houblons House, Houblons Hill, Coopersale, Epping, CM16 7QL
Scale of Plot:	1/2500

Report Item No: 9

APPLICATION No:	EPF/1881/15
SITE ADDRESS:	Houblons House Houblons Hill Coopersale Epping Essex CM16 7QL
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr & Mrs C Hayes
DESCRIPTION OF PROPOSAL:	Conversion of existing two storey detached domestic annexe building to separate independent 2 bedroom house, and new access to serve the existing house.
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/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=578074

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: 15813se - 01, 02, 1507-02.
- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A, B and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 4 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 in writing 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]

- 5 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

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

- 6 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

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

- 7 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. The approved monitoring and maintenance programme shall be implemented.

- 8 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.
- 9 There should be no obstruction above ground level within a 2m wide parallel band visibility splay as measured from and along the nearside edge of the carriageway across the entire site frontage. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction in perpetuity.
- 10 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.
- 11 There shall be no discharge of surface water onto the Highway.
- 12 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.
- 13 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

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 Services – Delegation of Council functions, Schedule 1, Appendix A.(g))

Description of Site:

The application site is located along Houblon's Hill which is a string of residential dwellings leading to Coopersale village. The site is occupied by a detached residential dwelling with a large detached outbuilding/garage with dormer windows in the roof. An existing access provided entry onto Houblon's Hill. The entire site is within the Metropolitan Green Belt and a high hedge demarcates the front of the site with open fields to the rear.

Description of Proposal:

The applicant seeks consent to convert the outbuilding to form a single residential unit. A new garden area would be created by separating off part of the existing garden. The new dwelling

would benefit from the existing access and a new access would be created to serve Houblon's House. A two bedroom dwelling would be created with bedrooms in the roof area.

Relevant History:

EPF/0612/05 - Demolition of existing garage and erection of replacement garage, with attached garden room and dormer windows to front of roof. Approved - 13/06/2005.

Policies Applied:

Policy CP2 – Protecting the Quality of the Rural and Built Environment
Policy GB2A - Development in the Green Belt
Policy GB7A – Conspicuous Development
Policy DBE4 – Design in the Green Belt
Policy DBE9 – Loss of Amenity
Policy DBE10 – Design of Residential Extensions
Policy ST4 – Road safety
Policy ST6 – Vehicle Parking
Policy LL1 – Rural Landscape
Policy LL2 – Inappropriate Rural Development

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

SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL: Objection. Committee object to this application and believe the original condition which prevents the creation of a separate dwellinghouse should not be permitted and that the building should remain ancillary.

3 neighbours consulted and Site Notice displayed: 1 reply received.

EPPING SOCIETY: Objection. The proposed application relates to a development that is located in the Green Belt. In general a change of use or extension of existing buildings for residential purposes is not permitted.

However in 2005 the planning committee granted permission and imposed conditions to minimise the impact on the Green Belt. They stipulated that the extension "shall only be used as ancillary accommodation" for the existing dwelling and "shall not" be occupied as a unit separately from it.

We feel that any variation from this policy would create a dangerous precedent and allow creeping development across the whole District.

Issues and Considerations:

The main issues to consider are potential impact on the Green Belt, design and the planning history of the site which includes a restrictive condition.

Green Belt

The subject building was approved in 2005 as a delegated officers decision with the following condition attached:

“The proposed extension shall only be used as ancillary accommodation for the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling known as Houblon’s House”.

Reason: The site is situated in the Metropolitan Green Belt outside any area for development where the creation of new residential units is not normally permitted”.

Whilst there is a general restriction against new dwellings in the Metropolitan Green Belt national and local planning policy permits the reuse of buildings which are of permanent and substantial construction which preserve the openness of the Green Belt. Whilst this restrictive condition is in place it is difficult to make the case that the reuse of the building would not preserve the openness of the Green Belt. The building is easily convertible and has the appearance of a dwelling. An area of hardstanding for parking exists and a residential garden can be created by the sub division of the existing garden. It is hard to argue that the openness of the Green Belt would be seriously compromised. There would be the need for two separate parking areas and there is also the issue of increased paraphernalia incumbent of a separate residential property. The originally approved garage build was quite large in size but it is now an existing building. It must also be recognised that there is a need for new housing in the district and one unit could be created at this site which would have no significant impact on open character. There would be no harm to the visual amenity of the Green Belt.

Design

As stated the existing building lends itself easily to conversion and the new unit would have an appearance which would be in character with the existing pattern of development and raises no issues of concern.

Amenity

The amenity of the existing dwelling and the new property would be safeguarded and there would be no discernible impact on amenity.

Highways and Parking

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to appropriate conditions. The parking provision is acceptable.

Contamination

Due to the presence of a 220m² infilled pond and a house fire at the previous main dwelling which necessitated rebuilding, there is the potential for contaminants to be present on site. The standard conditions are therefore required.

Conclusion:

The proposed development is considered to be in compliance with policies relating to conversion schemes in the Green Belt. It is therefore recommended that consent is granted 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: Mr Dominic Duffin
Direct Line Telephone Number: (01992) 564336**

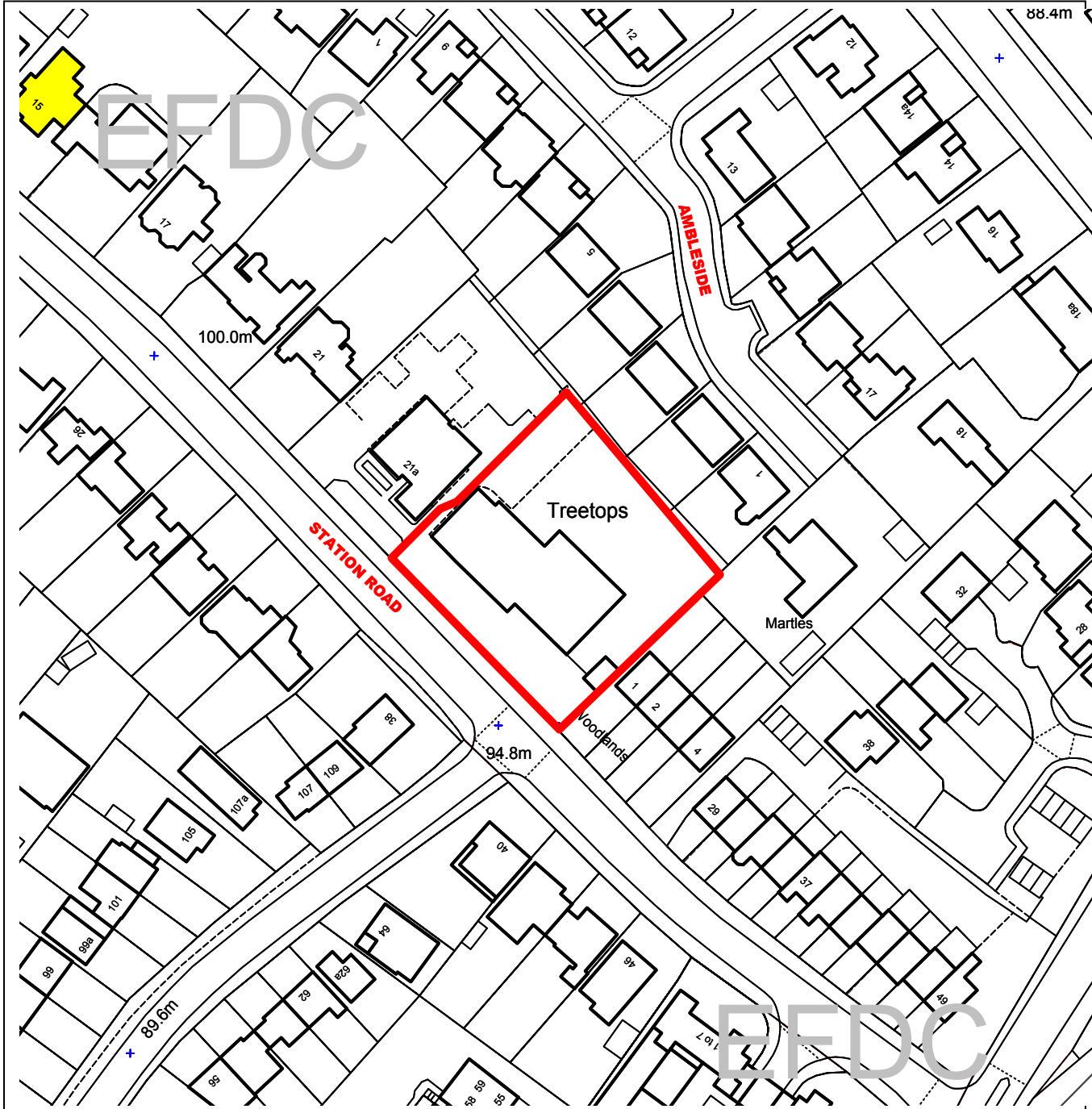
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Epping Forest District Council

Agenda Item Number 10



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Application Number:	EPF/1987/15
Site Name:	Treetops Care Home, Station Road, Epping, CM16 4HG
Scale of Page 102	1/1250

Report Item No:10

APPLICATION No:	EPF/1987/15
SITE ADDRESS:	Treetops Care Home Station Road Epping Essex CM16 4HG
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr A Pabani
DESCRIPTION OF PROPOSAL:	Demolition of existing garage and store shed, construction of a four storey extension to provide additional bed space to the existing care home.
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/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=578315

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: 09-3319-05, 09-3319-06 A, 09-3319-09 C, 09-3319-10 B.
- 3 Prior to first occupation of the development hereby approved all window openings in the 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.
- 4 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.
- 5 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.

- 6 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.

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 Services – Delegation of Council functions, Schedule 1, Appendix A.(g))

Description of Proposal:

Consent is being sought for the demolition of the existing garage and store shed and construction of a four storey side extension. The proposed extension would be 8.1m wide and 9.8m deep with a flat topped mansard roof to an average roof height of approximately 11.8m (due to the sloping site the extension would be 11.1m when viewed from the front and 12.1m when viewed from the rear). The lower ground floor would be partially submerged and served by a lightwell to the front of the property. This would provide 12 additional residential care rooms.

This application is a resubmission of the exact scheme that was previously granted planning consent by the Planning Inspectorate in October 2012 which expires 9th October this year.

Description of Site:

The application site is a large established residential care home located on the north eastern side of Station Road, Epping. The site was previously split and has had a block of flats erected to the northwest, with the remainder of the site being retained as a care home with associated grounds/parking. There are a number of preserved trees on the site, with two to the rear of the proposed extension. The extension would involve the removal of a disused garage/store building that adjoins the boundary with No. 1 Woodlands.

Relevant History:

EPF/1211/06 - Single storey front extension and provision of windows to left flank wall of building to add reception facility – approved/conditions 10/08/06

EPF/1998/08 - Retention of 10 car parking spaces – approved/conditions 13/03/09

EPF/1298/11 - Demolition of existing garage and store shed and construction of four storey side extension – withdrawn 07/09/11

EPF/0369/12 - Demolition of existing garage and store shed and construction of four storey side extension (revised application) – refused 11/05/12 (allowed on appeal 09/10/12)

EPF/1125/12 - Demolition of existing garage and store shed and construction of four storey side extension to provide additional bed space to existing care home – refused 31/07/12 (appeal dismissed 04/07/13)

Policies Applied:

CP2 – Protecting the quality of the rural and built environment

CP3 – New development
CF2 – Health care facilities
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE9 – Loss of amenity
LL10 – Adequacy of provision for landscape retention
ST6 – Vehicle parking

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

Consultation Carried Out and Summary of Representations Received:

28 neighbours were consulted and a Site Notice was displayed on 08/09/15.

TOWN COUNCIL – Object. The proposed four-storey extension is far too prominent and would have a detrimental effect on the street scene. Its mass, height and scale do not respect their setting and would result in unsympathetic change, contrary to policies CP7 and DBE1.

The proposed development due to its size, design and proximity to the trees, would result in the removal of trees and potential damage to several remaining trees, with no adequate provision for their long-term health and well-being, contrary to policy LL10.

EPPING SOCIETY – Object. The extension is almost as high as the existing building but very much closer to the neighbouring town houses. The flank windows will overlook these properties. The sheer size will make the whole very prominent. It will not sit well in the street scene. It is unacceptable that established trees around the proposed extension will be removed and others may not survive.

1 AMBLESIDE – Object on the basis that the current application has moved the extension further back than the previous proposal. As such, it will have a negative impact on the landscape of the area and in particular will threaten the future of the two preserved Ginko trees.

Issues and Considerations:

This proposed extension was previously submitted to the Council in 2012 (EPF/0369/12) and refused planning consent for the following reason:

The proposed addition due to its prominent position, height, width and detailed design fails to maintain the environmental quality of the area and results in an incongruous and unsympathetic change, harmful to the street scene and to the character and amenity of the area, contrary to CP7 and DBE1 of the Adopted Local Plan and Alterations.

This decision was appealed and the Planning Inspector allowed the appeal on 9th October 2012. In the meantime a further, larger extension was proposed (EPF/1125/12), which was also refused due to the above reason and because of the impact on the existing preserved trees. This was also appealed, however was dismissed by the Planning Inspector on the 4th July 2013.

This proposed application is a resubmission of EPF/0369/12 (the smaller extension), which was granted planning consent by the Planning Inspectorate and is extant until the 9th October 2015. The Inspectors decision on this scheme reads as follows:

3. *Station Road has a mixed residential character with detached, semi-detached and terraced houses along with apartments and, on the appeal site, a care home. The Treetops Care Home has evolved, by way of past extensions, from what appears to have been one or two residential units into what is now a single building. There is some architectural unity that has been achieved by providing a colour washed exterior with matching roof treatments. To the north-west there is a recently constructed apartment building and to the south-east a terrace of 3-storey properties known as Woodlands. Together, this group of buildings present a substantial built frontage along Station Road and this is set behind a number of protected mature trees.*
4. *The proposed extension would consolidate this built frontage by closing the gap between the Treetops Care Home and Woodlands from its existing width of about 11.5m to about 3.5m. The proposed extension would match the external appearance of the Treetops Care Home and would be set back slightly from the main front elevation. The roof height would be lower than that of the parent building.*
5. *There is little doubt that the already substantial building at Treetops, which has a significant presence in the street scene, would become more substantial and significant if the proposed extension was to be built. However, this would be seen in the context of the very substantial building to the north-west and Woodlands to the south-east, which also presents a substantial frontage to Station Road. In this context, the proposed addition, with its matching exterior and subservient position would not gain an inappropriate presence or appear out of place. Furthermore, the retention of a gap between the end of the extension and the site boundary would serve to preserve a feeling of separation from Woodlands. While existing Ginkgo trees to the rear of the extensions would become obscured, because of their position these trees are not prominent in the street scene. Accordingly, the shielding of these trees would not have a significant effect on the street scene.*
6. *Saved policy DBE1 of the Epping Forest District Adopted Local Plan sets out what is required to help make new development acceptable. DBE1 (i) deals with matters of architectural design. There is little to suggest that existing features are not adequately respected, particularly as the extension reflects aspects of the parent building such as external appearance, window details and roof details. DBE1 (ii) deals with significance in the street scene and as I have already acknowledged the significance of the care home would increase. However, the extension would reflect the appearance of the parent building and would appear appropriate to its setting. DBE1 (iii) deals with materials and these would be acceptable as they would replicate those of the parent building.*
7. *Saved policy CP7 of the Epping Forest District Local Plan Alterations deals with urban form and quality. This has a number of aims including the protection and enhancement of urban areas and the avoidance of over-development and unsympathetic change. At CP7 (iv) it also refers to the use of higher densities where compatible with the character of the areas concerned and urban design controls. Here a higher density of development would be achieved by extending an existing building in a way that reflects the form and character of the parent building. This would be in accord with CP7 (iv). Otherwise, the changes proposed would be compatible with saved policy CP7 and while the care home, which is already a prominent feature of Station Road, would gain in prominence, there is good reason to find that the enlarged building would not appear out of context or otherwise excessive or unacceptable in terms of the appearance, character and amenity of the area.*

There has been no significant material change in circumstance or policy since this decision and therefore, due to the above appeal decision, the resubmission of this scheme is considered to be acceptable.

Whilst the submitted tree reports are now four years old and refer to the previous British Standard, and as such are out of date, it is not considered that this would be sufficient reason to refuse the scheme. It is unlikely that there has been any significant change or growth of the preserved trees and therefore a tree protection condition would be sufficient to deal with this matter.

Conclusion:

Since the proposed development is a resubmission of that previously granted consent on appeal in October 2012, and there have been no significant changes in circumstance or policy since this time, the application has already been determined as being compliant with the guidance contained within the National Planning Policy Framework and the relevant Local Plan policies. Therefore this resubmitted application is recommended for approval.

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

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

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

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