

Committee Agenda



Epping Forest District Council

Area Planning Sub-Committee East Wednesday, 9th December, 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, 9th December, 2015
at 7.30 pm .**

**Glen Chipp
Chief Executive**

**Democratic Services
Officer**

Rebecca Perrin (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

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 - 22)

To confirm the minutes of the last meeting of the Sub-Committee held on 11 November 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. CONFIRMATION OF TREE PRESERVATION ORDER TPO/EPF/22/15 - FORMER CARPENTERS ARMS, HIGH ROAD, THORNWOOD, EPPING (Pages 23 - 28)

(Director of Governance) To consider the attached Tree Preservation Order.

8. DEVELOPMENT CONTROL (Pages 29 - 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.

9. EXCLUSION OF PUBLIC AND PRESS

Exclusion

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

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

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

Confidential Items Commencement

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

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

Background Papers

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

- (a) disclose any facts or matters on which the report or an important part of the report is based; and

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

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

Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

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

When and where is the meeting?

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

Can I speak?

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

Who can speak?

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

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

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

What can I say?

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

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

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

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

How are the applications considered?

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

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

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

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

Further Information?

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

Area Planning Subcommittee East 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:** 11 November 2015
East

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 9.00 pm
High Street, Epping

Members Present: S Jones (Chairman), P Keska (Vice-Chairman), N Avey, N Bedford, A Boyce, W Breare-Hall, A Grigg, M McEwen, R Morgan, J Philip, B Rolfe, D Stallan, B Surtees, J H Whitehouse and J M Whitehouse

Other Councillors:

Apologies: H Brady, T Church, G Waller and C Whitbread

Officers Present: J Shingler (Principal Planning Officer), A Hendry (Senior Democratic Services Officer) and S Tautz (Democratic Services Manager)

39. 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.

40. 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.

41. MINUTES

RESOLVED:

That the minutes of the meetings held on 14 October and 26 October 2015 be taken as read and signed by the Chairman as a correct record.

42. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor M McEwen, declared a non-pecuniary interest in the following item of the agenda by virtue of knowing the applicant. The Councillor had determined that her interest was prejudicial and that she would leave the meeting for the consideration of the application and voting thereon:

- EPF/1790/15 – Station Court, Banson's Way, Ongar.

(b) Pursuant to the Council's Code of Member Conduct, Councillor J Philip declared a non-pecuniary interest in the following item of the agenda by virtue of the applicant being a staff member for the directorate he was Portfolio Holder for. The Councillor had determined that his interest was prejudicial and would leave the meeting for the consideration of the application and voting thereon:

- EPF/2060/15 – 11a Woodfield Terrace, High Road, Thornwood Common.

43. ANY OTHER BUSINESS

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

44. DEVELOPMENT CONTROL

RESOLVED:

That the planning applications numbered 1 – 6 be determined as set out in the schedule attached to these minutes.

45. PROBITY IN PLANNING - APPEAL DECISIONS

The Sub-committee noted that in compliance with the recommendation of the District Auditor, this report advised the decision-making sub-committees of the results of all successful allowed appeals (i.e. particularly those refused by committee contrary to officer recommendation).

The purpose was to inform the sub-committee of the consequences of their decisions in this respect and, in cases where the refusal was found to be unsupportable on planning grounds, that an award of costs could be made against the Council.

Over the seven-month period between 1 March 2015 and 30 September 2015, the Council received 39 decisions on appeals (32 of which were planning related appeals, the other 7 were enforcement related).

Out of the planning appeals that arose from decisions of this sub-committees to refuse contrary to the recommendation put to them by officers during the 6-month period, the Council was not successful in sustaining this sub-committee's objection in one case. However, there were two cases where the sub-committee's reversal of an officers decision was successful and the appeals were dismissed.

RESOLVED:

That the Planning Appeal Decisions for the period of 1st March to 30th September 2015 be noted.

CHAIRMAN

Report Item No:1

APPLICATION No:	EPF/1601/15
SITE ADDRESS:	Royal Oak Public House Oak Hill Road Stapleford Abbots Romford Essex RM4 1JL
PARISH:	Stapleford Abbots
WARD:	Passingford
DESCRIPTION OF PROPOSAL:	Five detached four-bedroom houses.
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=577444

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:
Site location plan
15130/5 revision C
15130/2 revision A
15130/3 revision A
- 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 Classes A, B or E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 4 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 window or other opening shall be created in the southwestern elevation of the house on plot 1 shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition

and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.

- 6 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 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 Prior to commencement of development, details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected and thereafter maintained in the agreed positions before the first occupation of any of the dwellings hereby approved.
- 13 Before the commencement of the development or any works on site, details of the landscaping of the site, including retention of trees and other natural features, shall be submitted in writing for the approval of the Local Planning Authority, and shall be carried out as approved.

- 14 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.
- 15 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 16 The carriageway of the proposed estate road shall be constructed prior to the commencement of the erection of any dwelling proposed to have access from such a road. The footways commensurate with the frontage of each dwelling shall be completed prior to occupation of the dwellings they are to serve.
- 17 Prior to first occupation of the development the applicant shall implement the following improvement works to the existing access onto Oak Hill Road:
- the provision of a footway from the existing position, to the west of the access, to the site access
 - provide an appropriate dropped kerb crossing from the new footway across the site access
 - the provision an appropriate radius kerb on the western side of the access to tie into the proposed footway above.
- 18 No development shall be permitted to commence on site until such time as an Order securing the diversion of the existing definitive right of way, with appropriate signage, to a route to be agreed with the Local Planning Authority has been confirmed and the new route has been constructed to the satisfaction of the Local Planning Authority.
- 19 The public's rights and ease of passage over public footpath no.33 Stapleford Abbotts shall be maintained free and unobstructed at all times.
- 20 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, to include six one day travel vouchers for use with the relevant local public transport operator.
- 21 There shall be no discharge of surface water from the development onto the Highway.

- 22 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.

Report Item No: 2

APPLICATION No:	EPF/1790/15
SITE ADDRESS:	Station Court Bansons Way Ongar Essex CM5 9BS
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
DESCRIPTION OF PROPOSAL:	Proposed refurbishment, rearrangement of parking layout, and two storey addition to form a 2 bedroom maisonette.
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.

Report Item No: 3

APPLICATION No:	EPF/1991/15
SITE ADDRESS:	Land to the rear of the Old Brewery Willow Close Abridge Essex RM4 1UA
PARISH:	Lambourne
WARD:	Lambourne
DESCRIPTION OF PROPOSAL:	Proposed erection of new detached chalet bungalow, with associated parking
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=578319

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 approved shall be carried out in accordance with the flood risk assessment (The Old Brewery, Abridge Version 2.0, Ref RAB: 1004B, 15th July 2015) submitted with the application unless otherwise agreed in writing with the Local Planning Authority.
- 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 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 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]

- 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 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.
- 11 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.
- 12 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 160-P (Rev A) 01, 02, 03, 04, 05, 06, 07, 08 and 09
- 13 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.

There shall be no deliveries of materials to the site outside of the hours between 09.00 and 17.30 on any day.

Report Item No: 4

APPLICATION No:	EPF/2023/15
SITE ADDRESS:	191 High Street Epping Essex CM16 4BL
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	Upgrading of glazed shopfront.
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=578396

CONDITIONS

- 1 The development hereby permitted will be retained strictly in accordance with the approved drawings nos: Location Plan, 105.

Report Item No:5

APPLICATION No:	EPF/2060/15
SITE ADDRESS:	11A Woodfield Terrace High Road Thornwood Common Epping Essex CM16 6LL
PARISH:	North Weald Bassett
WARD:	Epping Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	Single storey rear extension.
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=578471

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.

Report Item No:6

APPLICATION No:	EPF/2170/15
SITE ADDRESS:	15 Mark's Avenue Ongar Essex CM5 9AY
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
DESCRIPTION OF PROPOSAL:	Demolition of existing external garage, garden shed and greenhouse. Erection of outbuilding for use as ancillary residential annex.
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=578734

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 proposed development shall only be used as ancillary accommodation for the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling known as 15 Mark's Avenue, Ongar.
- 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 window or door other than any window or door shown on the approved plans shall be installed in the building hereby permitted without the prior written permission of the Local Planning Authority.
- 4 Prior to commencement of development, details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected and thereafter maintained in the agreed positions before the first occupation of any of the outbuilding hereby approved.
- 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.

Report to Area Plans Sub-Committee East

Date of meeting: 9 December 2015

**Subject: CONFIRMATION OF TREE PRESERVATION ORDER
TPO/EPF/22/15 – Former Carpenters Arms, High Road,
Thornwood, Epping**



**Epping Forest
District Council**

**Officer contact for further information: Melinda Barham (01992 564120)
Democratic Services Officer: R Perrin (01992 564243)**

This item has been brought to this Committee for a decision as the making of this Order was at the request of Councillors.

Recommendation(s):

That tree preservation order TPO/EPF/22/15 be confirmed without modification.

1. Background

1.1 This Tree Preservation Order protects 3 horse chestnut trees and an oak tree situated within the car park to the rear of the former Carpenters Arms, High Road, Thornwood. They front on to Carpenters Arms Lane

1.2 Planning application EPF/2670/14 was refused (and is currently going through the appeal process) for the demolition of the existing buildings and the construction of five dwellings. In order to develop as proposed all the trees would need to be removed. Given the layout proposed, it would not be possible to replace them with ones that could develop to a similar size or prominence within the street scene. Although officers raised no objection to the proposal in terms of tree loss, when the application was discussed by Councillors at District Development Committee (8th April 2015) it was commented that the trees '*made the area looker greener and were important within the street scene*'. The only way to ensure their retention was by the making of this order.

2.0 Objections / Representations

2.1 Four representations have been received, two in favour of the TPO and two objections.

2.2 The two letters in favour of the TPO comment ;

- a) That the trees '*...provide a valuable contribution to the street scene. It (the TPO) benefits the residents by giving a more rural outlook which is in keeping with a village ambience.*'
- b) '*We see this as a completely positive action.....the trees are significant in their standing and aesthetic contribution throughout the seasons. The trees seem to be in perfect condition and are absolutely stunningly beautiful when at their*

summer peak. They offer a beautiful country contrast to what would otherwise be a concrete covered, semi-industrial looking lane.”

2.3 The reasons given in the two objection letters are as follows ;

- a) Planning application EPF/2670/14 included the removal of these trees in order to develop the site. The application was refused, but did not include any reference to the loss of the existing trees and therefore their loss was considered acceptable to the Council. There was not a specific tree reason for refusal in the refusal notice.
- b) The committee report for application EPF/2670/14 stated that *‘the proposed development would involve the removal of the existing trees along the boundary of the existing car park and Carpenters Arm Lane. These have been assessed by the Council’s Tree and Landscape Officer and are not considered to be of significant amenity value to warrant protecting or retaining. Therefore the removal of them is considered acceptable.’*
- c) They are damaged as a result of cars hitting them.
- d) They are not maintained or cared for in any way.
- e) Falling branches (due to the trees poor health) are likely to damage cars.

3.0 The Director of Governance comments as follows:

3.1 Taking each of the objections in turn ;

a and b) These trees were assessed during the planning application, and the objector is correct that it was concluded by the Council’s Tree & Landscape Officer that the removal of these would be acceptable. However, irrespective of the officers comments, during the debate at Committee, elected Councillors made it clear that they considered that the trees did have public amenity value and warranted preservation. But they did not impose the loss of the existing trees as a reason for refusal.

c , d and e) It is noted that the trees do not appear to be under a regular maintenance programme. However, when a TPO is made it does not mean that the responsibility / management of the trees is taken over by the Council, this remains with the owner of the trees. It does mean that prior to undertaking any work to the trees the Council’s consent would be required. Any application would be considered, and if in accordance with our Local Plan Policies, permission would be granted.

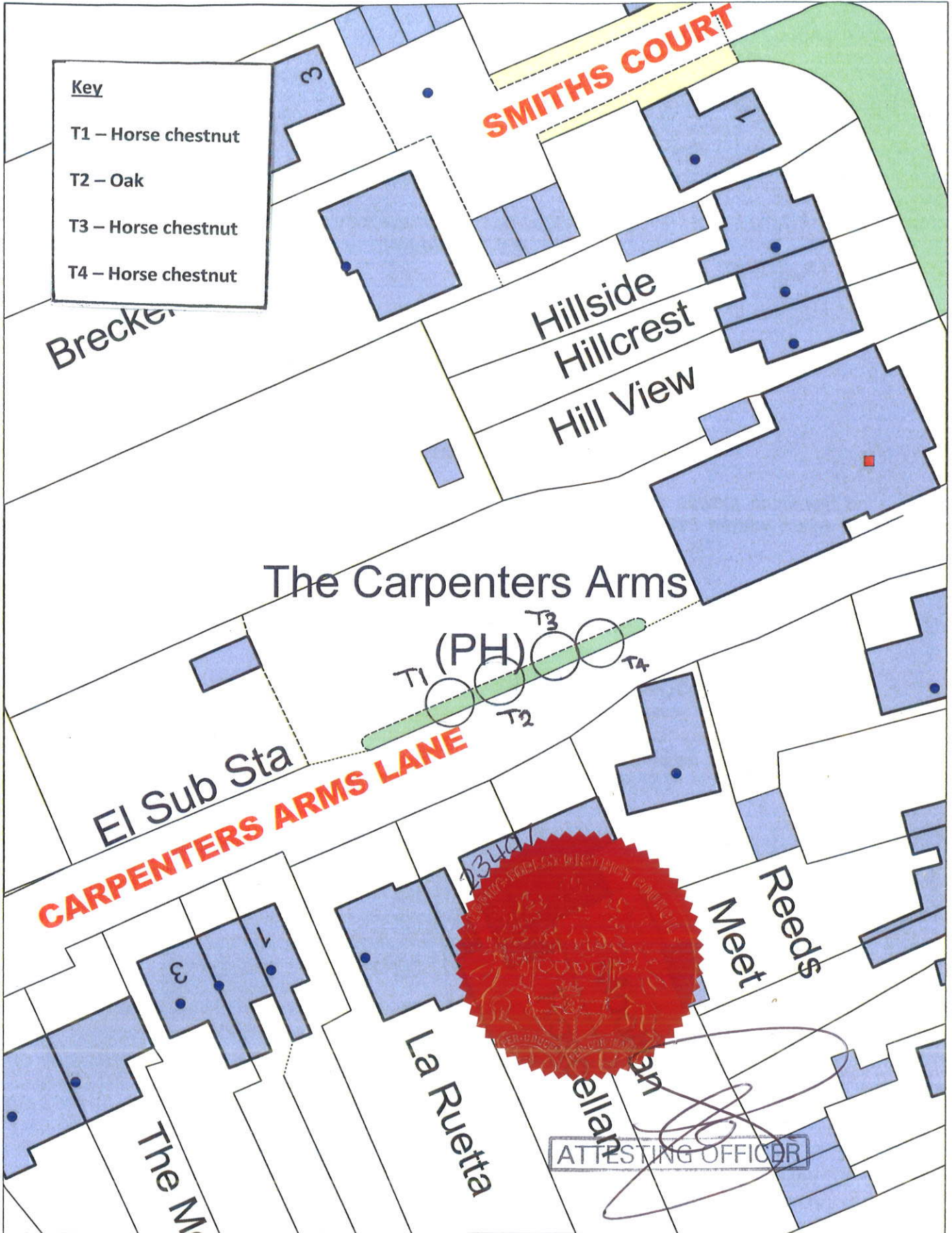
4.0 Discussion and Conclusion :

4.1 Whilst these trees are not without their faults, they are considered to have a minimum of 40 years safe life expectancy remaining. They are dominant features within the road and provide a valuable contribution to the street scene. As such, they have high amenity value. In confirming this order it ensures that these visually significant trees are retained, or replaced with suitable specimens should the site be

developed in the future. However, it should be noted that if the Planning Inspector considers that the proposal currently being appealed is acceptable, then that decision would override this Order. The trees would be removed and given the proposed layout, replacement trees would not be possible

4.2 This order was made at the request of Councillors to ensure the retention of these trees. It is therefore recommended that the order is confirmed without modification.

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Epping Forest District Council
 Planning Services
 Civic Offices
 High Street
 Epping CM16 4BZ

Carpenters Arms PH, High Road
 Thornwood, Epping
 TREE PRESERVATION ORDER
 TPO/EPF/22/15

Centre X: 547065.466
 Centre Y: 204648.687
 Width : 90.000
 Angle : .000

Scale : 1:500 Date : 6 Aug 2015 Time : 02:52:42 PM



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AREA PLANS SUB-COMMITTEE 'EAST'

9 December 2015

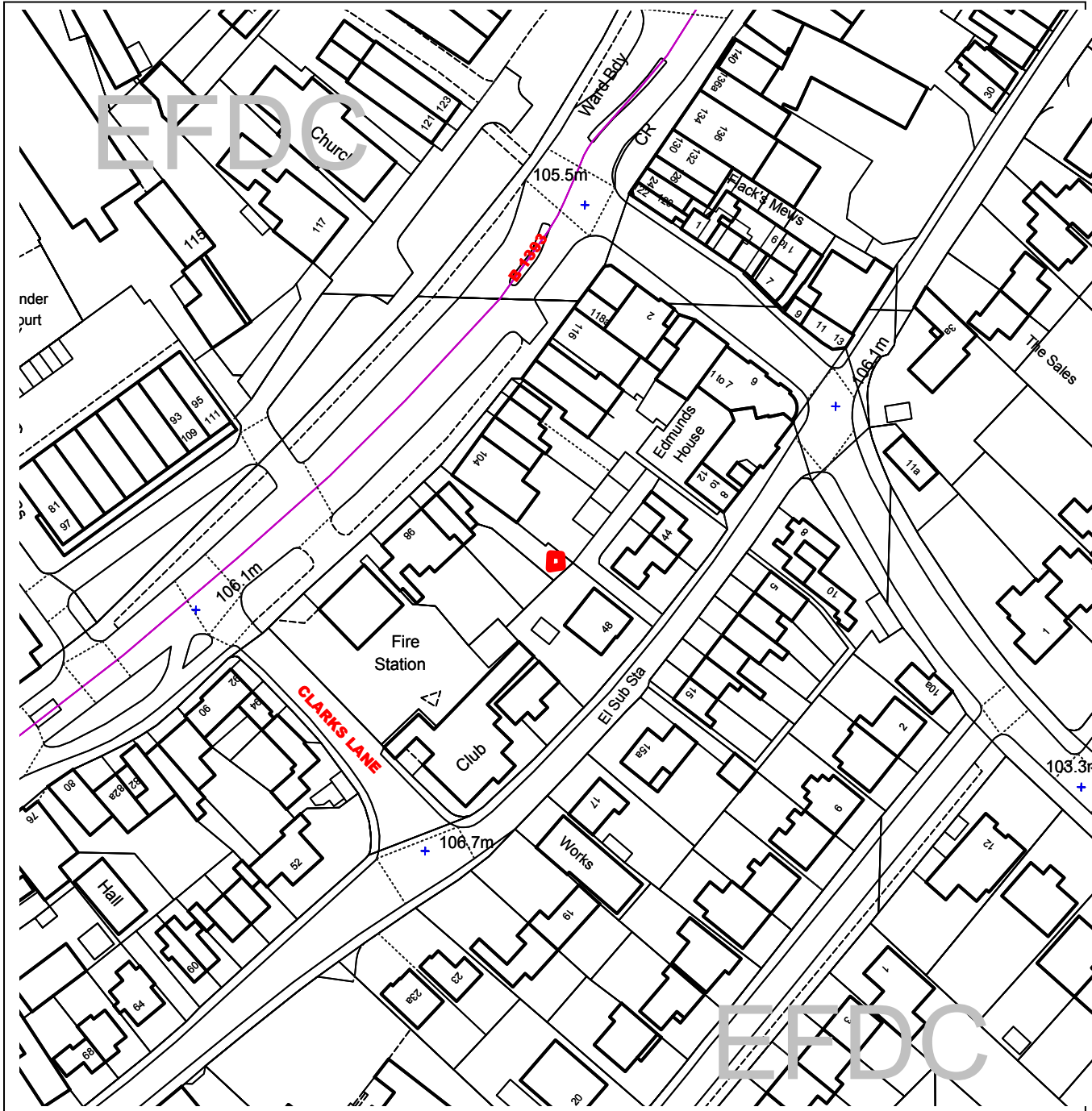
INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

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Epping Forest District Council

Agenda Item Number 1



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Application Number:	EPF/1486/15
Site Name:	102 High Street, Epping, CM16 4AF
Scale of Plot:	1/1250

Report Item No: 1

APPLICATION No:	EPF/1486/15
SITE ADDRESS:	102 High Street Epping Essex CM16 4AF
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr Ashley-James Turner
DESCRIPTION OF PROPOSAL:	Demolition of outbuilding and the erection of detached annex with mezzanine floor. (Amended description)
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=577093

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 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.
- 3 Prior to first occupation of the development hereby approved, the proposed rooflight in the northwestern roofslope shall be entirely fitted with obscured glass and have fixed frames shall be permanently retained in that condition.
- 4 The ridge line of the annexe hereby approved shall be no less than 200mm lower than the existing attached outbuilding at No. 100 High Street.

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

Description of Site:

The application site is located within the town centre of Epping. The house is Grade II listed, end of terrace and is served by a narrow 19m garden area to the rear. Located at the end of the garden is a single storey detached outbuilding which is attached to the neighbour's outbuilding. The site is within the Epping Conservation Area.

Description of Proposal:

The applicant seeks consent to demolish the existing outbuilding in order to create a residential annexe. The footprint of the building would alter slightly in that an additional 1.95m² would be added to the front adjacent to the boundary with the neighbour at 100 High Street and the building would be 300mm wider. A mezzanine floor would be created accessed by a ladder. The height of the building would be approximately 800mm higher than the existing and would be 200mm below the ridge of the neighbour's adjoining outbuilding. A velux window is to be inserted into the western roof slope and a window is to be inserted into the northern elevation.

NB: There was an issue relating to the size of the velux window. It was stated in the schedule that it would be 94cmx140cm. However upon discussion these dimensions are incorrect and it is in fact smaller than this at 78cmx 118cm. For the avoidance of doubt this has been annotated on a revised drawing submitted on the 28/10/15. No other changes to the scheme have been made since the application was submitted.

Relevant History:

EPU/0127/73 – Double Garage - Approved

EPF/1488/75 - Proposed 1st floor addition to the rear – Approved

LB/EPF/0094/01 - Listed building application for first floor rear extension - Approved

Policies Applied:

CP2 – Protecting the Quality of the Rural and Built Environment

DBE1 – Design of New Buildings

DBE2 – Effect on Neighbouring Properties

DBE9 – Loss of Amenity

HC6 – Character, Appearance and Setting of Conservation Areas

HC7 – Development within Conservation Areas

HC10 – Works to Listed Buildings

HC12 – Setting of Listed Buildings

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:

Epping Town Council

OBJECTION – The proposal would be overdevelopment of the site, creating cramped conditions and resulting in an excessive loss of amenity for neighbouring properties, through a loss of daylight and overlooking.

Relevant Policies: CP2, CP7 and DBE9.

The proposed structure would have an adverse effect on this and neighbouring listed buildings, contrary to policies HC12, HC13 (iii) and DBE10.

Neighbours:

5 neighbours notified by letter and site notice erected. 3 neighbours and the Epping Society have objected and their objections are summarised below:

98 HIGH STREET – Objection

- The proposal could set a precedent resulting in loss of privacy;
- Could be converted to self-contained dwelling leading to overlooking;
- How will the public drainage system cope?
- Proposed plans would be detrimental to historic credentials.

100 HIGH STREET – Objection

- Failure to acknowledge built heritage considerations;
- Loss of a building of traditional form and character; and imbalance in the hierarchical relationship between heritage buildings;
- Duties to maintain and preserve a viable existing building readily capable of repair and restoration are ignored;
- The proposals are undeliverable without harming other listed buildings;
- Overdevelopment on a contextually inappropriate scale;
- A new additional dwelling fully capable of independent occupation would be built;
- Creation of cramped residential conditions on a confined site and significant harm to the amenity of neighbours;
- Overlooking of neighbouring homes and loss of light;
- Overloading of old shared sanitary services and impact on water supply.

48 HEMNALL STREET – Objection

- We are not against the renovation/ rebuilding of this annex but we are against this becoming a liveable dwelling.
- The back of this annex will back directly on to our garden in effect it is our dividing wall between to the two properties.

EPPING SOCIETY – Objection

- The proposal would have a detrimental impact on the setting of the listed building and Conservation Area. The building appears to be 18th century and was obviously constructed along with the adjoining structure. The proposed wholesale changes to half belonging to 102 would destroy the historical context and be a loss to the town's heritage. This would have a major negative impact on the half belonging to number 100.
- The change and intensification in use would have a detrimental impact on the amenity of the adjoining residents. If consent is granted there should a condition preventing commercial use. The building should only be used ancillary to the main dwelling.

Issues and Considerations:

The main issues to consider relate to the proposal's character and appearance and potential impact on the setting of the listed building and conservation area; living conditions and the comments of consultees.

Character and Appearance

The proposed development will sit within the curtilage of the Grade II listed building at 102 High Street. It will fall also within the Epping Conservation Area. Those two designations attest to the heritage significance of the property and its setting. The building subject to the application is a single storey outbuilding at the end of the garden approximately 15m from the back of the main dwelling. It is attached to a two storey curtilage listed barn within the garden of No.100 which had a conversion of habitable space as a garden room/study area and the addition of an attached single storey lean-to as a shed in 2005.

At present the building which stands on this position is in a poor state of repair. The Council's Conservation Section has been consulted and has no objections to the proposal.

The Conservation Officer comments that, inter alia, the outbuilding to the rear of no.102 appears to have been entirely rebuilt in the 20th century, probably after 1948; certainly much of the roof structure was rebuilt during the conversion works to the adjoining outbuilding at no.100. There is no fabric of intrinsic historic value within the building.

The value the outbuilding contributes to the significance of the listed building derives predominantly from its traditional appearance and its evidential value as a historic ancillary building. The proposed rebuilding would raise no objections as both of these factors would be retained in the rebuilt structure. The rebuilding of the outbuilding with an increased ridge height, the addition of an outshot extension to the front, and additional fenestration, will not cause harm to the overall special interest of the listed building as there is no loss of historic fabric, and it will still have the appearance of a traditional outbuilding, preserving the building hierarchy on the site. It will not dominate the setting of the listed cottages, given the length of the garden, nor will it be detrimental to the adjoining outbuilding as a difference in height is retained and the external materials will match the existing.

The increase in size is not considered to be overdevelopment of the site. The increase in height would be approximately 800mm and the increase in footprint would be increasing its width by 300mm and adding an additional 1.95m² to the front. The size of the site is considered large enough to accommodate these alterations in size.

Sample materials can be agreed by condition.

The proposal is considered to comply with policies CP2, DBE1, HC6, HC7 and HC12 of the adopted Local Plan and Alterations.

Living Conditions

The new building would be approximately 800mm higher than the existing building, increasing the height of the building to 4m and would introduce an ancillary residential use incidental to the main dwellinghouse.

The neighbouring occupier at 100 High Street has objected on the grounds the increase in height would result in a material loss of light to his property.

The height increase of 800mm is not considered so substantial to increase the loss of daylight into the garden or the rear habitable windows to a material degree so that it would excessively harm the living conditions of the adjoining neighbour. The northeastern orientation of the outbuilding in relation to the neighbour is such that any additional overshadowing into the garden would not occur for very long and then would not be so harmful as to justify a refusal. There is a difference of approximately 16m between the rear elevation of No. 100 and the proposed annexe. The two mature trees in the rear garden of No. 100 would obscure much of the view of the annexe.

With regards to the neighbour at 48 Hemnall Street the increase in height would not lead to a material increase in sense of enclosure or appear overbearing when viewed from the rear of that dwelling. Whilst the rear of the dwelling is only 7m from the rear boundary the height increase from approximately 1.5m to eaves and 3.2m to ridge to approximately 2.3m to eaves and 4m to ridge would not excessively harm their living conditions by reason of appearing overbearing, resulting in material sense of enclosure or resulting in a material loss of outlook or light.

A roof window is proposed in the roof facing back towards the house. The neighbouring occupier at 100 High Street has objected on the grounds that this would result in overlooking. There are two mature trees within the rear garden of 100 High Street that would obscure the view back towards the house. However, whilst views into gardens are commonplace in the area, a window being inserted into a roof in a building at the other end of the garden could appear more unneighbourly. Given the lack of internal height of the mezzanine floor it would be possible to look back down into the garden of 100 High Street, resulting in a loss of privacy. Therefore a condition that the rooflight is obscured and fixed shut can be reasonably attached.

With regards to the size of the rooflight, this has been annotated on the revised drawing as mentioned above in description proposal. It does not scale off when measured from the side elevation as the drawing is 2D and does not take account of the slope. However the dimensions have been written on the drawing for the avoidance of doubt.

The window proposed in the northern end overlooks a car park and would not directly face any residential windows. There is a first floor window of the dwelling at 46 Hemnall Street however the proposed window would be high level as the mezzanine floor would be approximately 1.8m from it and the view from this level would be too oblique to result in a material loss of privacy to that neighbour.

The small rear garden of this dwelling is also already overlooked by a flank window in 48 Hemnall Street.

Concern has been raised with regards to additional noise and fumes from the use. The application is for ancillary accommodation only and for the most part the conversion of an existing building to ancillary residential does not require consent. In other words a kitchen, toilet and shower could be inserted without the need for planning permission. Occasional noise and smells from these uses at the end of a garden away from the main dwellings, notwithstanding the fact that it abuts a converted outbuilding would not be so intense as to materially affect the living conditions of the adjoining neighbours at either 100 High Street or to the rear at 48 Hemnall Street.

A new building for that use is appropriate and the insertion of a mezzanine floor to accommodate a bed is not considered to excessively harm the living conditions of the neighbouring occupiers. There is not sufficient space within the outbuilding for full independent living without it being cramped and even so any subsequent use for any non ancillary use, including use as a separate residential unit would require full planning permission. No condition is therefore required to prevent this.

Therefore in conclusion, the proposal is considered acceptable in neighbouring amenity terms and is considered to comply with policies DBE2 and DBE9 of the Local Plan (1998) and Alterations (2006).

Consultee Comments

A number of the concerns of the Town Council and neighbouring occupiers have been addressed within the main body of the report.

However there are a few issues yet to be considered and these are as follows:

- Concern is raised that an approval of this proposal could set a precedent whereby other properties could undertake the same work and this would result in additional loss of privacy. However, each application is considered on its own individual merits and consent cannot reasonably be withheld for fear that other proposals would come forward that may be unacceptable.
- Concern is raised that the old shared sanitary services may struggle with the addition of the proposal and the impact on water supply. The Council's Land Drainage Engineer has had sight of the details and considers that they are sufficient not to raise an objection. In addition, separate consent is needed from Thames Water who would assess the impact on existing services. This can be added as an informative.
- The drawings submitted are considered sufficient to assess the proposal and additional details of materials and of windows and doors can be added as conditions.
- Epping Society suggest that a condition should be attached that would restrict a commercial use of the building. A material change of use to something other than an ancillary use to the main dwelling would require planning permission, so a condition is not considered reasonable in this case.
- With regards to the adjoining neighbour at 100 High Street's first three (a to c) points on their letter of objection dated 20th October 2015, the Council's Conservation Officer has responded. The points made are:
 - a) Failure to acknowledge built heritage considerations;
 - b) Loss of a building of traditional form and character; and imbalance in the hierarchical relationship between heritage buildings;
 - c) Duties to maintain and preserve a viable existing building readily capable of repair and restoration are ignored;

The Conservation Officer's response is:

Curtilage listing and significance

By virtue of the building's presence on the site since at least the mid-19th century (as demonstrated by historic OS maps), its common ownership with no.102 both historically and at the time of listing (1972), and its use as an ancillary building to no.102, again both historically and at the time of listing, it has been deemed to be a curtilage listed building under s.1(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

An interior inspection of the building reveals that the current structure largely dates from the latter half of the 20th century so its curtilage listed status results from the fact that it has "formed part of the land" since before 1948, even if the majority of its fabric has been replaced and renewed after this date.

The significance of a building (what makes it important and give it special interest) is a consideration in determining whether it is curtilage listed; the tests laid out in legislation and legal precedents only require the building to pre-date 1948, have common ownership with the listed building, and an ancillary function to the listed building. A curtilage listed building, therefore, does not necessarily have inherent heritage significance, although it is likely to make at least some contribution to the overall significance of the listed building.

Assessing significance

Best practice guidance published by Historic England states that significance is defined by attributing particular heritage values to a building (or place). These values are evidential, historical, aesthetic, and communal.

The evidential value of a building derives from its potential to demonstrate evidence of past human activity. In this case the existence of the building simply shows that previous occupiers of the property required outbuildings for storage. As it linked to the larger neighbouring building, possibly a stable or cart-lodge, it could have served as a tack room or simply as additional storage space. The lack of surviving historic fabric means that its evidential value does not stretch as far as informing us of the methods of construction or the specifics of its past use as no internal fixtures and fittings survive. Its evidential value is, therefore, low.

Historic value is the way a building can illustrate an aspect of the past or an association with a historic figure. The historic value of the outbuilding is limited, particularly as it lacks authenticity due to the replacement of most of the fabric in the 20th century.

Aesthetic value relates to the appearance of a place. It can derive from design (architectural or artistic value) or just from the way a place has aged. The outbuilding has some aesthetic value as an example of a simple vernacular building utilising typical local materials. Its aesthetic value will be retained in the proposed building. Although enlarged and with the addition of fenestration, it retains its simple form and traditional materials.

Finally, communal value derives from the meanings different people attribute to a place. Clearly local people value the outbuilding as an example of a simple, traditional building with a subservient use to the house. However, it is also valued by the current owner as an outbuilding which can be modified to meet their needs by providing ancillary accommodation.

Impact on significance

Assessing the building's significance through these values demonstrates that the building is of low significance. Additional value is derived from the fact that it contributes to the setting of the listed building (nos.98-102 High Street) and its clear relationship with the larger, adjoining, curtilage listed outbuilding in the garden of no.100. However, the impact the proposals would have on this significance is minor.

The hierarchy of the buildings, both on site and neighbouring the site, is maintained as the proposed outbuilding remains noticeably smaller than the adjoining outbuilding and the listed building. The presence and appearance of a subservient outbuilding finished with vernacular materials is maintained through the proposals, as is the visual connection between the outbuilding and the listed building it serves. In addition, due to the length of the plot there are no concerns in terms of the proposed outbuilding dominating the setting of the listed building. There will be no loss of any historic fabric of merit, and the connecting door in the wall adjoining the outbuilding at no.100 will be retained.

With regards to the impact of the proposal on the wider Epping Conservation Area, the building is of low visibility within the area and makes a modest contribution to the character and appearance of the conservation area as an example of a small vernacular outbuilding. Its proposed enlargement will not harm the character or appearance of the area.

For these reasons, there are no objections to the proposal. It will not cause harm to the special interest of the listed building at nos.98-102 or the wider conservation area. As stated in para.134 of the NPPF, less than substantial harm to significance/special interest should be weighed against the public benefits of a proposal, including securing the optimum viable use of the building. In this case the proposed extension and modernisation secures its future viable use whilst maintaining both its appearance as a subservient outbuilding, and its historic use in connection with no.102 High Street.

- Concern has also been raised by the occupants of 100 High Street that the proposals are undeliverable without harming other listed buildings. It is considered that the works could be carried out without harming the attached outbuilding. A condition requesting additional information showing details of the junction with the neighbouring outbuilding can be reasonably added to the Listed Building Consent if approved. The use of lead flashing is considered acceptable as it appears to reflect the existing join in place which would have formed part of the approval for the neighbouring outbuilding to be rebuilt under EPF/

There would be no loss of historic fabric as the existing weatherboarding dates from when the outbuilding was converted under the above permissions.

Conclusion:

The proposed scheme would preserve the setting of the listed buildings and the Epping Conservation Area. There would be no excessive harm to the living conditions of adjoining residents. It is therefore recommended that the scheme is in accordance with the relevant local and national planning policies and 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 Stephen Andrews
Direct Line Telephone Number: (01992) 564337***

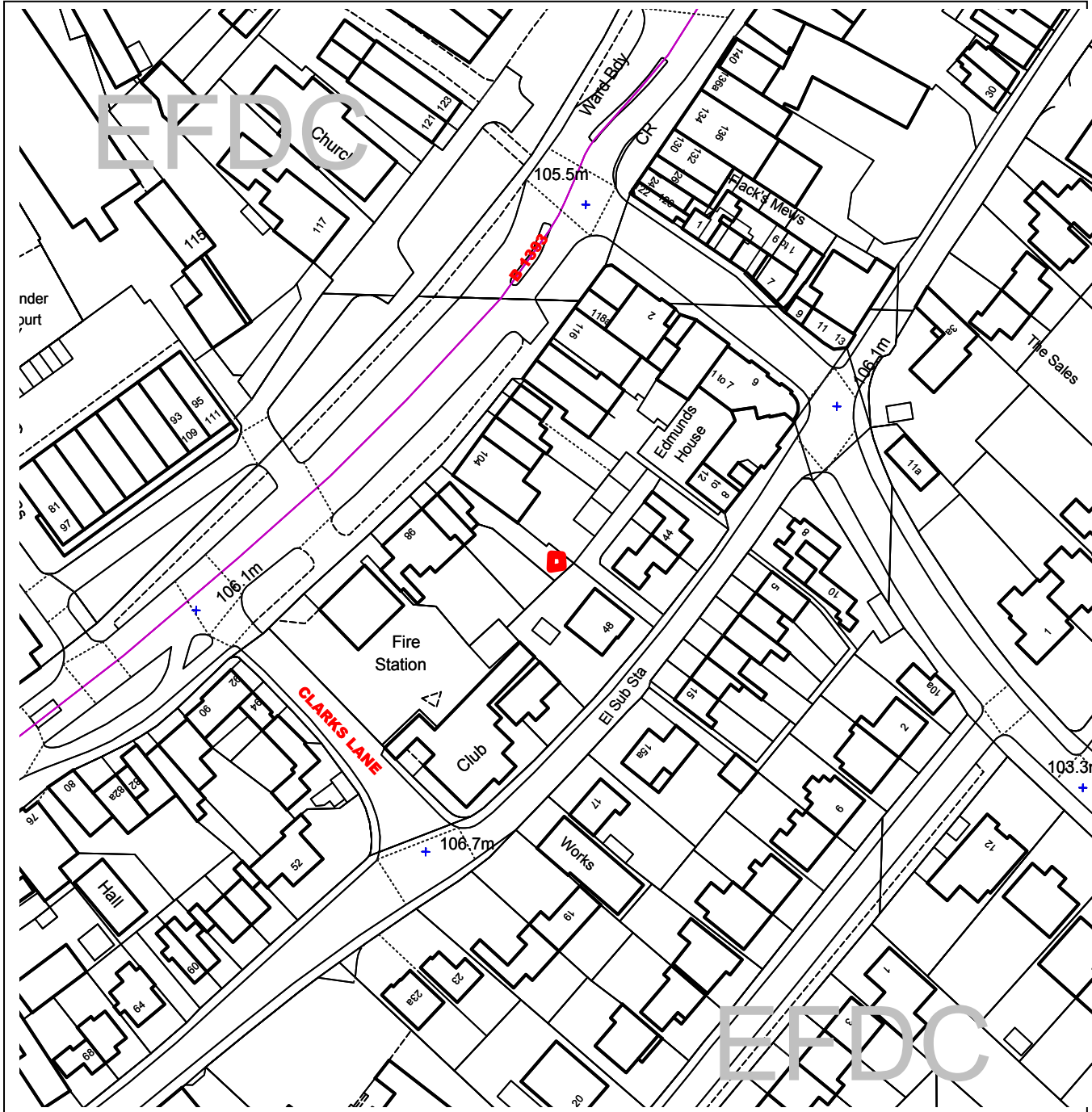
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

Agenda Item Number 2



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Application Number:	EPF/2281/15
Site Name:	102 High Street, Epping, CM16 4AF
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/2281/15
SITE ADDRESS:	102 High Street Epping Essex CM16 4AF
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr Ashley-James Turner
DESCRIPTION OF PROPOSAL:	Grade II curtilage listed building consent for demolition of outbuilding and the erection of detached annex with mezzanine floor. (Amended description).
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=578964

CONDITIONS

- 1 The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.
- 2 Samples of the types and details of colours of all the external finishes shall be submitted for approval in writing by the Local Planning Authority prior to the commencement of the development, and the development shall be implemented in accordance with such approved detail.
- 3 Additional drawings that show details of proposed new windows, doors, rooflights and junctions with the neighbouring building by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the LPA in writing prior to the commencement of any works.

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

Description of Site:

The application site is located within the town centre of Epping. The house is Grade II listed, end of terrace and is served by a narrow 19m garden area to the rear. Located at the end of the garden is a single storey outbuilding which is attached to the neighbour's outbuilding. The site is within the Epping Conservation Area.

Description of Proposal:

The applicant seeks consent to demolish the existing outbuilding in order to create a residential annexe. The footprint of the building would alter slightly in that an additional 1.95m² would be added to the front adjacent to the boundary with the neighbour at 100 High Street and the building would be 300mm wider. A mezzanine floor would be created accessed by a ladder. The height of the building would be approximately 800mm higher than the existing and would be 200mm below the ridge of the neighbour's adjoining outbuilding.

NB: There was an issue relating to the size of the velux window. It was stated in the schedule that it would be 94cmx140cm. However upon discussion these dimensions are incorrect and it is in fact smaller than this at 78cmx 118cm. For the avoidance of doubt this has been annotated on a revised drawing submitted on the 28/10/15. No other changes to the scheme have been made since the application was submitted.

Relevant History:

LB/EPF/0094/01 - Listed building application for first floor rear extension - Approved

Policies Applied:

HC10 – Works to Listed Buildings
HC12 – Setting of Listed Buildings

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:

Epping Town Council

OBJECTION – The proposal would be overdevelopment of the site, creating cramped conditions and resulting in an excessive loss of amenity for neighbouring properties, through a loss of daylight and overlooking.

Relevant Policies: CP2, CP7 and DBE9.

The proposed structure would have an adverse effect on this and neighbouring listed buildings, contrary to policies HC12, HC13 (iii) and DBE10.

Neighbours:

5 neighbours notified by letter and site notice erected. 1 neighbour and the Epping Society have objected and their objections are summarised below:

100 HIGH STREET – Objection

- Failure to acknowledge built heritage considerations;
- Loss of a building of traditional form and character; and imbalance in the hierarchical relationship between heritage buildings;
- Duties to maintain and preserve a viable existing building readily capable of repair and restoration are ignored;
- The proposals are undeliverable without harming other listed buildings;
- Overdevelopment on a contextually inappropriate scale;
- A new additional dwelling fully capable of independent occupation would be built;
- Creation of cramped residential conditions on a confined site and significant harm to the amenity of neighbours;
- Overlooking of neighbouring homes and loss of light;
- Overloading of old shared sanitary services and impact on water supply.

EPPING SOCIETY – Objection

- The proposal would have a detrimental impact on the setting of the listed building and Conservation Area. The building appears to be 18th century and was obviously constructed along with the adjoining structure. The proposed wholesale changes to half belonging to 102 would destroy the historical context and be a loss to the town's heritage. This would have a major negative impact on the half belonging to number 100.
- The change and intensification in use would have a detrimental impact on the amenity of the adjoining residents. If consent is granted there should be a condition preventing commercial use. The building should only be used ancillary to the main dwelling.

External:

THE GEORGIAN GROUP – Comment

This application has been brought to the Group's attention. The applicant's claim that the shed proposed for demolition post-dates 1949. Local residents have stated that it dates from the early 1800s.

Historic maps show a similar structure on the site in 1938, 1915 and 1893. Therefore the date of the building proposed for demolition needs to be firmly established.

If it pre-dates 1840 the Group would object to its demolition. The tithe maps or freehold maps from the pre-1840 period would help to establish a likely age for the structure, as would analysis of its construction and materials.

The use of pre-twentieth century iron nails might be one way of finding out if the structure is earlier than 1949.

We advise that consent for demolition should not be granted until the date of the structure has been established.

Issues and Considerations:

The main issues to consider relate to the proposal's character and appearance and potential impact on the setting of the listed building

Character and Appearance

The proposed development will sit within the curtilage of the Grade II listed building at 102 High Street. It will fall also within the Epping Conservation Area. Those two designations attest to the heritage significance of the property and its setting. The building subject to the application is a single storey outbuilding at the end of the garden approximately 15m from the back of the main dwelling. It is attached to a two storey curtilage listed barn within the garden of No.100 which was granted a conversion to habitable space as a garden room/study area and the addition of an attached single storey lean-to as a shed in 2005.

At present the building which stands on this position is in a poor state of repair. The Council's Conservation Section has been consulted and has no objections to the proposal.

The Conservation Officer comments that, inter alia, the outbuilding to the rear of no.102 appears to have been entirely rebuilt in the 20th century, probably after 1948; certainly much of the roof structure was rebuilt during the conversion works to the adjoining outbuilding at no.100. There is no fabric of intrinsic historic value within the building.

The value the outbuilding contributes to the significance of the listed building derives predominantly from its traditional appearance and its evidential value as a historic ancillary building. The proposed rebuilding would raise no objections as both of these factors would be retained in the rebuilt structure. The rebuilding of the outbuilding with an increased ridge height, the addition of an outshot extension to the front, and additional fenestration, will not cause harm to the overall special interest of the listed building as there is no loss of historic fabric, and it will still have the appearance of a traditional outbuilding, preserving the building hierarchy on the site. It will not dominate the setting of the listed cottages, given the length of the garden, nor will it be detrimental to the adjoining outbuilding as a difference in height is retained and the external materials will match the existing.

The increase in size is not considered to be overdevelopment of the site. The increase in height would be approximately 800mm and the increase in footprint would be increasing its width by 300mm and adding an additional 1.95m² to the front. The size of the site is considered large enough to accommodate these alterations in size.

Sample materials can be agreed by condition as can details of windows, doors, rooflight and junction with neighbouring outbuilding.

The proposal is considered to comply with policies HC10 and HC12 of the adopted Local Plan and Alterations.

Consultee Comments

A number of the concerns of the Town Council and neighbouring occupiers have been addressed within the section above and the issues relating to impact on living conditions and existing services have been considered in the planning application report, reference EPF/1486/15.

However there are a few issues yet to be considered and these are as follows:

- The drawings submitted are considered sufficient to assess the proposal and additional details of materials and of windows, doors and junctions can be added as conditions.

- With regards to the adjoining neighbour at 100 High Street's first three points (a to c) points on their letter of objection dated 20th October 2015, the Council's Conservation Officer has responded. The points made are:
 - d) Failure to acknowledge built heritage considerations;
 - e) Loss of a building of traditional form and character; and imbalance in the hierarchical relationship between heritage buildings;
 - f) Duties to maintain and preserve a viable existing building readily capable of repair and restoration are ignored;

The Conservation Officer's response is:

Curtilage listing and significance

By virtue of the building's presence on the site since at least the mid-19th century (as demonstrated by historic OS maps), its common ownership with no.102 both historically and at the time of listing (1972), and its use as an ancillary building to no.102, again both historically and at the time of listing, it has been deemed to be a curtilage listed building under s.1(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

An interior inspection of the building reveals that the current structure largely dates from the latter half of the 20th century so its curtilage listed status results from the fact that it has "formed part of the land" since before 1948, even if the majority of its fabric has been replaced and renewed after this date.

The significance of a building (what makes it important and give it special interest) is a consideration in determining whether it is curtilage listed; the tests laid out in legislation and legal precedents only require the building to pre-date 1948, have common ownership with the listed building, and an ancillary function to the listed building. A curtilage listed building, therefore, does not necessarily have inherent heritage significance, although it is likely to make at least some contribution to the overall significance of the listed building.

Assessing significance

Best practice guidance published by Historic England states that significance is defined by attributing particular heritage values to a building (or place). These values are evidential, historical, aesthetic, and communal.

The evidential value of a building derives from its potential to demonstrate evidence of past human activity. In this case the existence of the building simply shows that previous occupiers of the property required outbuildings for storage. As it linked to the larger neighbouring building, possibly a stable or cart-lodge, it could have served as a tack room or simply as additional storage space. The lack of surviving historic fabric means that its evidential value does not stretch as far as informing us of the methods of construction or the specifics of its past use as no internal fixtures and fittings survive. Its evidential value is, therefore, low.

Historic value is the way a building can illustrate an aspect of the past or an association with a historic figure. The historic value of the outbuilding is limited, particularly as it lacks authenticity due to the replacement of most of the fabric in the 20th century.

Aesthetic value relates to the appearance of a place. It can derive from design (architectural or artistic value) or just from the way a place has aged. The outbuilding has some aesthetic value as an example of a simple vernacular building utilising typical local materials. Its aesthetic value will

be retained in the proposed building. Although enlarged and with the addition of fenestration, it retains its simple form and traditional materials.

Finally, communal value derives from the meanings different people attribute to a place. Clearly local people value the outbuilding as an example of a simple, traditional building with a subservient use to the house. However, it is also valued by the current owner as an outbuilding which can be modified to meet their needs by providing ancillary accommodation.

Impact on significance

Assessing the building's significance through these values demonstrates that the building is of low significance. Additional value is derived from the fact that it contributes to the setting of the listed building (nos.98-102 High Street) and its clear relationship with the larger, adjoining, curtilage listed outbuilding in the garden of no.100. However, the impact the proposals would have on this significance is minor.

The hierarchy of the buildings, both on site and neighbouring the site, is maintained as the proposed outbuilding remains noticeably smaller than the adjoining outbuilding and the listed building. The presence and appearance of a subservient outbuilding finished with vernacular materials is maintained through the proposals, as is the visual connection between the outbuilding and the listed building it serves. In addition, due to the length of the plot there are no concerns in terms of the proposed outbuilding dominating the setting of the listed building. There will be no loss of any historic fabric of merit, and the connecting door in the wall adjoining the outbuilding at no.100 will be retained.

For these reasons, there are no objections to the proposal. It will not cause harm to the special interest of the listed building at nos.98-102 or the wider conservation area. As stated in para.134 of the NPPF, less than substantial harm to significance/special interest should be weighed against the public benefits of a proposal, including securing the optimum viable use of the building. In this case the proposed extension and modernisation secures its future viable use whilst maintaining both its appearance as a subservient outbuilding, and its historic use in connection with no.102 High Street.

Concern has also been raised by the occupants of 100 High Street that the proposals are undeliverable without harming other listed buildings. It is considered that the works could be carried out without harming the attached outbuilding. A condition requesting additional information showing details of the junction with the neighbouring outbuilding can be reasonably added. The use of lead flashing is considered acceptable as it appears to reflect the existing join in place which would have formed part of the approval for the neighbouring outbuilding to be converted under applications EPF/1442/05 and 1443/05 for the "Conversion of barn into habitable space as a garden room/study area and the addition of an attached single storey lean-to as a shed."

There would be no loss of historic fabric as the existing weatherboarding dates from when the outbuilding was converted under the above permissions.

It is considered further that a further listed building consent permitting the alteration to the neighbour's outbuilding would not be required as the Local Planning Authority are aware of the impact of the changes to it and have assessed it under this application.

In response to concerns raised by The Georgian Group an additional site inspection of the building was carried out by the Conservation Officer and Paul Clarke (Historic Buildings Consultant, Essex County Council).

The Georgian Group raised an objection to the demolition of the outbuilding if it pre-dates 1840 so the building was inspected in order to establish a firmer date of construction.

Historic OS maps show that an outbuilding has stood on the site since the 1860s. However, an inspection of the fabric clearly demonstrates that the building has been partially rebuilt, repaired, strengthened, and upgraded over the past 100 years, with most of the structure and external weatherboarding now dating from the late 20th century. Additional structural support appears to have been added in the past few years to prevent its collapse, perhaps contemporaneous with the conversion of the adjoining building at no.100. The outbuilding has a 20th century concrete floor, a large proportion of 20th century timbers (shown by their colour, dimensions, saw marks, etc.), and predominantly 20th century weatherboarding with a salvaged door sawn in half to fit the opening. It is partially boarded out internally with modern ply board, and the rebuilt brick plinth and Kingspan insulation can be seen in the wall adjoining the neighbouring outbuilding, which again likely dates from the c.2006 conversion of the neighbouring outbuilding. Some historic, pre-1949 timbers survive in the end wall but it is unclear whether these are in situ or have been reused from elsewhere in the building or another structure.

The scarcity of historic fabric means that the building lacks intrinsic historic value, and the continuous, piecemeal repairs to the structure have diminished any architectural value. It is difficult to establish whether the little surviving historic fabric pre-dates 1840, although the alterations that have taken place over time make this unlikely. Even if some of the surviving fabric does pre-date 1840, it is in such short supply (and would have to be extensively repaired if retained) that no harm is caused to the significance of the listed buildings or conservation area through the loss of this historic fabric. Its demolition would not result in the loss of a Georgian building as is the concern of the Georgian Group.

Conclusion:

The proposed scheme would preserve the setting of the listed buildings. It is therefore recommended that the scheme is in accordance with the relevant local and national planning policies and 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:

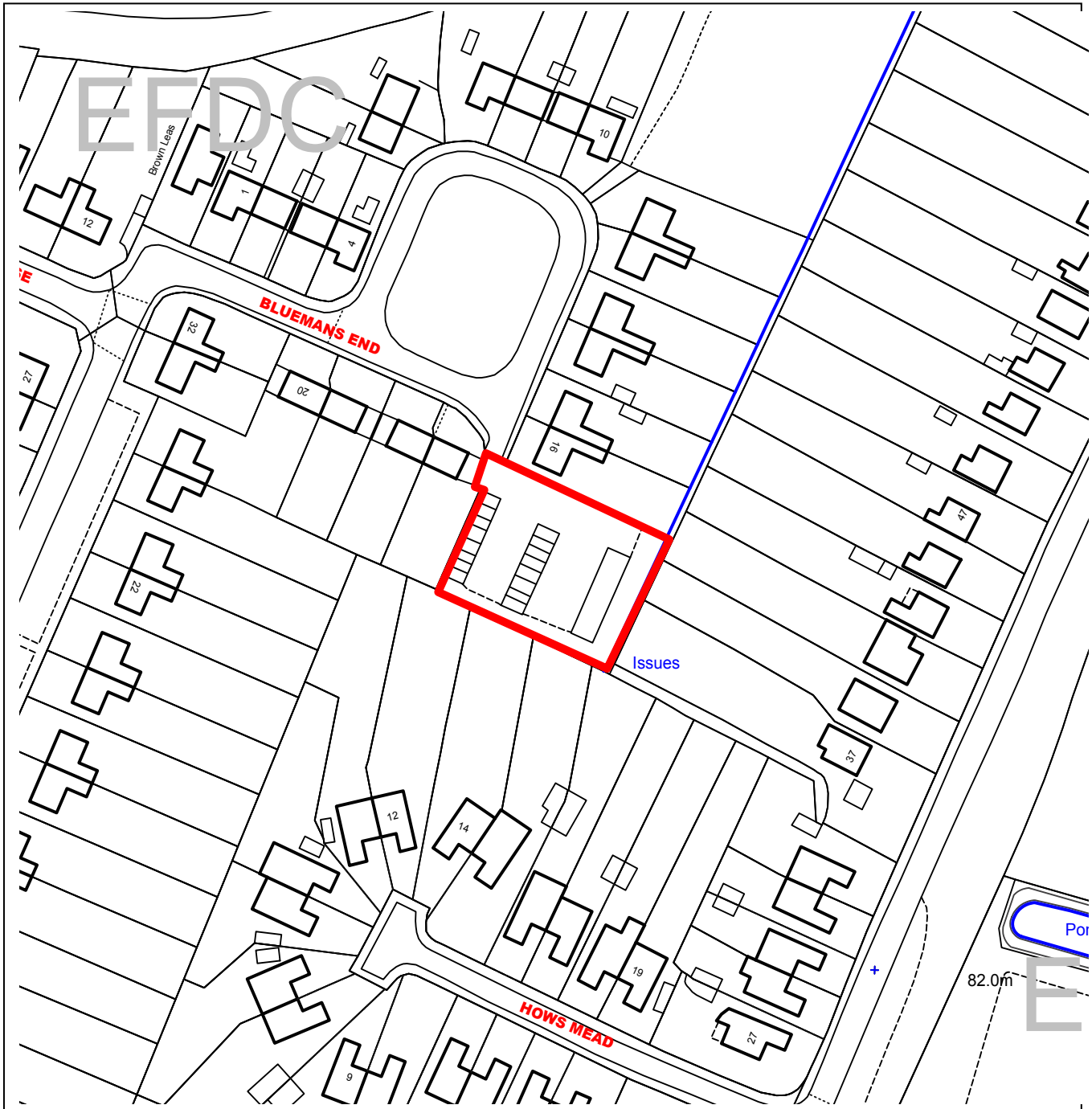
***Planning Application Case Officer: Mr Stephen Andrews
Direct Line Telephone Number: (01992) 564337***

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



Epping Forest District Council

Agenda Item Number 3



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Application Number:	EPF/1527/15
Site Name:	Garage Court South Of 16 Bluemans End, North Weald Bassett, CM16 6HD
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/1527/15
SITE ADDRESS:	Garage Court South of 16 Bluemans End North Weald Bassett Epping Essex CM16 6HD
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	East Thames Housing Group
DESCRIPTION OF PROPOSAL:	The demolition of the existing garages and the erection of 4 no. affordable homes consisting of 2 no. houses and a pair of maisonnettes along with 9 no. parking spaces and associated amenity space.
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=577235

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: 612 039 PL01, 612 039 PL02, 612 039 PL03 C, 612 039 PL04 A, 612 039 PL05 A, 612 039 PL06 A, 612 039 PL07, 612 039 PL08, 612 039 PL09
- 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 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 until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to

clean vehicles immediately before leaving the site.

- 6 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 7 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.

- 8 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 tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.

- 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 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.
- 15 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.
- 16 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.
- 17 There shall be no discharge of surface water onto the Highway.
- 18 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 it is an application for development on the Council's own land or property that is for disposal (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(e)) 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 council owned land currently occupied by 16 garages, entrance court and a large area of hardstanding to the east of the site that is gated off and therefore does not appear to be publicly available for parking purposes. The garages are located to the southeast of Bluemans End immediately adjacent to No's 16 and 17 and behind existing dwellings on Weald Bridge Road and Hows Mead. The site is within the urban area of North Weald, albeit within the smaller settlement to the north of the main bulk of the town.

The site is not located within the Metropolitan Green Belt, a conservation area or any other designated land.

Description of Proposal:

Consent is being sought for the demolition of the existing garages and the erection of 4 dwellings. These would be laid out as a continuous, albeit staggered, row consisting of 2 no. three bed dwellings and a pair of two bed maisonettes. These would all be affordable dwellings.

The proposed dwellings would each measure 5.8m in width and 10.2m in depth and would form the two properties closest to the entrance of the site with entrances to the front. The pair of maisonettes would measure 8m in width and 11.3m in depth and would benefit from a side entrance. The roofs of the properties would all be linked and would range from a ridge height of 7.4m (the front most dwelling) to 8.2m (the maisonettes).

The development would provide 9 off-street parking spaces and associated access and amenity space.

Relevant History:

None

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
H2A – Previously developed land
H3A – Housing density
H5A – Provision for affordable housing
H6A – Site thresholds for affordable housing
H7A – Levels of affordable housing
NC4 – Protection of established habitat
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE3 – Design in urban areas
DBE8 – Private amenity space
DBE9 – Loss of amenity
LL10 – Provision for landscape retention
LL11 – Landscaping schemes
ST1 – Location of development
ST4 – Road safety
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:

101 neighbouring properties were consulted and a Site Notice was displayed on 16/07/15.

PARISH COUNCIL – No Objection to this Application but would like to see a Residents Parking Scheme to be put in place to be attached to this application.

2 BLUEMANS END – Object due to the loss of the parking and storage facilities and the impact on the surrounding area.

7 BLUEMANS END – Object due to a loss of amenity to neighbours.

16 BLUEMANS END – Concerned about the potential occupation of the dwellings, construction disturbance, since the entrance to the site is narrow, due to the loss of parking, the impact on neighbours amenities due to a loss of light, privacy and proximity of the bin area.

17 BLUEMANS END – Object as the entrance to the site is too restricted, there is no footpath, there will be a loss of existing parking and due to the impact that the demolition of the garages would have on their boundary wall.

39 WEALD BRIDGE ROAD – Support the application as the garage site is run-down and attracts anti-social behaviour. Feel that the proposed development is appropriate in this location however would wish to see the existing trees and hedges safeguarded and would welcome restrictions on working hours during construction.

7 HOWS MEAD – Object due to the impact on drainage, privacy concerns for neighbouring properties, and due to increased traffic.

5 ST ANDREWS CLOSE – Object as the Transport Statement proposes on-street parking that would not be practical and due to the damage that already takes place to the grass verges and kerbstones due to existing parking problems.

NO ADDRESS GIVEN – Object due to the highway safety impact, the potential tenants of the development, and due to concerns about the site being kept clean and secure.

Issues and Considerations:

The key issues within this application are the suitability of the site for such a development, highway/parking concerns, design/layout, amenity considerations, and the impact on existing landscaping in and around the site.

Principle of the Development/Design/Layout

The application site is located towards the edge of the built up area of North Weald and constitutes a brownfield site since it currently contains garages. Both Local Plan policy H2A and paragraph 17 of the National Planning Policy Framework “*encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value*”.

Notwithstanding consideration regarding the loss of the garages and assessment of the design/layout of the proposal the principle of developing this site would be acceptable since it would make more efficient use of an urban, previously developed site.

Affordable Housing

Local Plan policy H6A would not require any affordable housing to be provided on a scheme of this density on this size of site. However since the proposed development has been put forward on behalf of East Thames Housing Group and is located on Council owned land the development would provide 100% affordable housing. This would be of benefit to the overall housing provision within the district.

Since there is no requirement under Local Plan policy H6A to provide affordable housing on this site, and as this is a Council led development, it is not necessary to secure this by way of a legal agreement.

Highways/Vehicle Parking

A key consideration in this case is with regards to the loss of the garages. The existing garages on site are old style garages and measure just 2.2m in width, which is smaller than the current requirement for garages and makes these difficult to be used for the parking of vehicles.

Letting information shows that 12 of the current 16 garages are currently rented out, with 11 of these to people living within a 200m area. Taken as a worst case scenario with all 11 vehicles being displaced onto the surrounding roads this would raise the observed parking stress from 35% to 44%. Essex County Council Highways have assessed the submitted information and have concluded as a result of the submitted Transport Statement that *“there is sufficient on-street parking capacity to accommodate any displacement from the existing garages. Consequently the proposal will not be detrimental to highway safety or efficiency”*.

The proposed development would provide 9 parking spaces within the site. This complies with the Essex County Council Vehicle Parking Standards that requires 2 parking spaces for each dwelling and a single visitor parking space.

The existing access currently serves 16 garages, which could result in significantly greater vehicle movements than the proposed four dwellings. As such no objection has been received from ECC Highways and therefore the proposed development would not be contrary to Local Plan policies ST4 and ST6 or the Highway Authority’s Development Management Policies.

Design

The proposed new dwellings would be located within a staggered row with varied pitched roofs. The external materials of the proposed dwellings would consist of a mix of red brick and render panels with grey tile roofs and composite aluminium/timber doors and windows.

Since the dwellings would be located in the corner of Bluemans End between No’s 16 and 17 they would not be particularly visible within this street scene. Therefore there is no requirement for the proposed new dwellings to mirror the existing properties within Bluemans End.

The proposed scale and overall appearance of the proposed dwellings would be considered acceptable and would not be unduly detrimental to the overall character or appearance of the wider area.

The level of private amenity space for the proposed dwellings would be approximately 65m² and 100m², and the maisonettes would benefit from a combined private and communal area totalling over 170m². The recommended levels of amenity space for the dwellings would be 80m² and the maisonettes require 40m² of communal amenity space. Whilst one of the proposed dwellings would have a slightly undersized rear garden the other four properties would have well in excess of the recommended levels.

Irrespective of the lower level the supporting text of Local Plan policy DBE8 states that *“the Council may be prepared to relax these standards in certain circumstances, these may include where: (i) the housing is ‘affordable’ and the amount of land available is likely to be at a premium”*. Since the proposal is for a 100% affordable housing scheme the level of amenity space is considered to be acceptable in this instance.

Neighbouring Amenity

The proposed dwellings would be located between 16.5m and 6m from the existing rear boundaries of the neighbouring properties on Weald Bridge Road, which have rear gardens to a depth in excess of 45m. The boundary between the application site and these dwellings is heavily vegetated and it is proposed that the existing landscaping is retained. Whilst the maisonettes

would be relatively close to the shared boundary with these neighbours the length of the neighbours gardens and level of existing (retained) screening would ensure that there would be no undue loss of privacy to these neighbours.

The proposed dwelling closest to the entrance to the site would be located approximately 2m from the shared boundary with No. 16 Bluemans End and whilst it would be no deeper than the neighbour's property it would extend some 4m beyond the closest part of this neighbouring dwelling. Although the application site does sit on slightly higher land than No. 16 Bluemans End there is an existing, well established boundary hedge that is shown to be retained and the proposed dwelling would not encroach into a 45 degree point from the closest corner of this neighbouring dwelling. As such it is not considered that there would be any undue loss of light or outlook. There are no first floor flank windows proposed and therefore would be no loss of privacy.

The proposed maisonettes would be located an excess of 7m from the boundary shared with properties in Hows Mead, who also have long rear gardens and benefit from existing (retained) landscaping. As such there would be no undue loss of amenity to these neighbours' residents.

Whilst the provision of 4 dwellings in place of 16 garages would decrease the level of possible vehicle movements to and from the site it would nonetheless result in an increase in activity within this backland location. Notwithstanding this, due to the level of development proposed, length of existing neighbours gardens, and general urban location of the site it is not considered that there would be any excessive loss of amenity as a result of noise or disturbance from the proposed development. Furthermore the redevelopment of this site would protect against any anti-social behaviour occurring within this largely run-down and underused location.

Whilst there would be some inevitable disturbance during the construction period of the development this would be short term harm and is not a material planning consideration. Nonetheless conditions can be imposed in order to reduce and control any impact from the construction of the properties.

Trees and Landscaping

The application has been submitted with a Tree Survey report and it is proposed to retain all existing landscaping around the boundaries of the site. Due to this tree protection would be required in order to protect the retained trees on the site and details of hard and soft landscaping would need to be agreed. These matters can be dealt with by way of conditions.

Land Drainage

The site does not lie within an Epping Forest District Council flood risk assessment zone or an Environment Agency Floodzone 2 or 3. However the development is of a size where it is necessary to avoid generating additional runoff and where the opportunity should be taken to improve existing surface water runoff. As such a Flood Risk Assessment is required, which can be dealt with by condition.

The applicant is proposing to dispose of surface water by soakaway however the geology of the area is predominantly clay and infiltration drainage may not be suitable for the site. Therefore further details are required by way of a condition.

Waste Comments

The Council carries out a front boundary refuse collection service from the point within the property closest to the public highway. Each of the proposed dwellings have adequate rear access and space to store waste bins, and there is a proposed timber clad enclosed area for storage 'on

collection day only'. Due to the above there is clearly sufficient space for adequate waste storage and collection.

Contamination

Due to the use of the site as domestic garages and the presence of made ground there is the potential for contaminants to be present on site. Since domestic dwellings with gardens are classified as a particularly sensitive proposed use an appropriate contamination assessment is required. As remediating worst case should be feasible it should be possible to deal with land contamination risks by way of condition.

Conclusion:

The proposed development would provide much needed affordable housing and represents the redevelopment of a brownfield site within an existing urban location. The design and location of the proposal is considered to be acceptable and whilst the level of proposed private amenity space for one of the dwellings would be below the recommended standards it is considered that the proposed gardens would be sufficient in this instance since the proposal would be for 100% affordable housing.

Although the proposed development would result in the loss of occupied garages there is sufficient on-street parking capacity to accommodate any displacement from the existing garages.

Given the above, the proposed development is considered to be acceptable, particularly given the 100% affordable housing provision, and therefore the application is recommended for approval, subject to conditions.

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

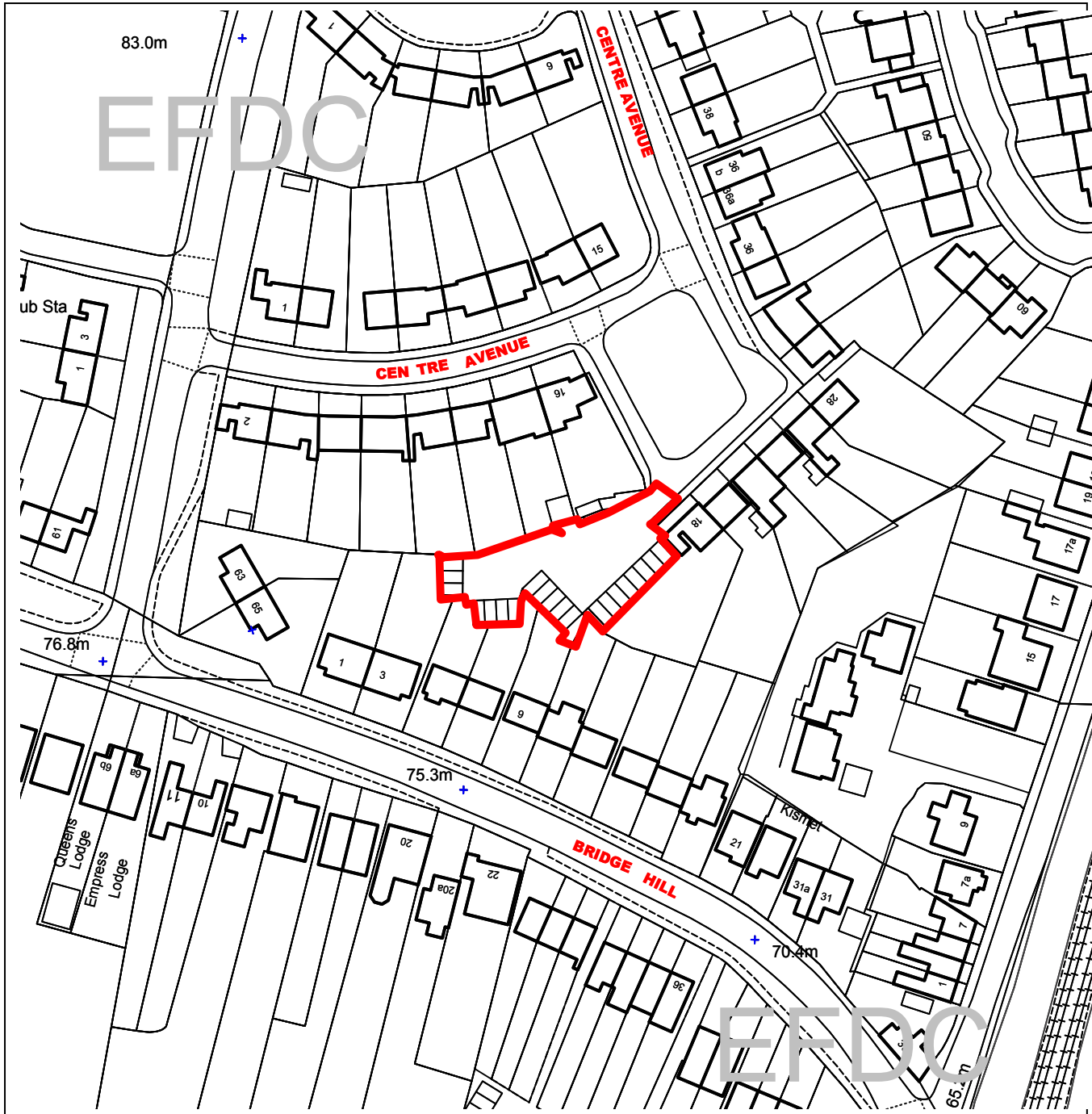
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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



Epping Forest District Council

Agenda Item Number 4



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Application Number:	EPF/1530/15
Site Name:	Garage court to rear of Centre Avenue, Epping, Essex, CM16 4JH
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/1530/15
SITE ADDRESS:	Garage Court to rear of Centre Avenue Epping Essex CM16 4JH
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	East Thames Housing Group
DESCRIPTION OF PROPOSAL:	Demolition of existing garages and erection of 2 no. affordable homes along with 5 no. parking spaces and associated amenity space.
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=577238

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: 612 043 PL01 B, 612 043 PL02 A, 612 043 PL03 C, 612 043 PL04 A, 612 043 PL05 A, 612 043 PL06 A, 612 043 PL07 A, 612 043 PL08, 612 043 PL09, 612 043 PL10 A
- 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 Prior to first occupation of the development hereby approved, the proposed window openings in the first floor south east elevation of Plot 1 and the first floor north elevation of Plot 2 shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 5 No development shall take place until 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.

- 6 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 7 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.
- 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 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 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.
- 15 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.
- 16 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.
- 17 There shall be no discharge of surface water onto the Highway.
- 18 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 it is an application for development on the Council's own land or property that is for disposal (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(e)), 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 a council owned garage court currently occupied by 20 garages and entrance court. The garages are located to south of Centre Avenue to the rear of No's 10-16 Centre Avenue and No's 3-15 Bridge Hill. The site is within the urban area of Epping towards the edge of town settlement known as Ivy Chimneys.

The site is not located within the Metropolitan Green Belt, a conservation area or any other designated land.

Description of Proposal:

Consent is being sought for the demolition of the existing garages and the erection of 2 no. three bed, two storey dwellings. These would be laid out with one dwelling located close to the south eastern boundary of the site, adjacent to the large garden of No. 18 Centre Avenue, and the other dwelling being located within the western section of the site, adjacent to the rear boundaries of No's 12 & 14 Centre Avenue. These would both be affordable houses.

The proposed dwellings would each measure 10.2m in length and 5.7m in depth with dual pitched roofs to a ridge height of 7.2m. The development would also provide 5 off-street parking spaces and associated access and amenity space.

Relevant History:

EPF/2351/15 - Demolition of existing garages and erection of 4 no. affordable homes with 9 parking spaces and associated amenity space – currently under consideration

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
H2A – Previously developed land
H3A – Housing density
H5A – Provision for affordable housing
H6A – Site thresholds for affordable housing
H7A – Levels of affordable housing
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE3 – Design in urban areas
DBE8 – Private amenity space
DBE9 – Loss of amenity
LL10 – Provision for landscape retention
LL11 – Landscaping schemes
ST1 – Location of development
ST4 – Road safety
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:

47 neighbouring properties were consulted and a Site Notice was displayed on 17/07/15.

TOWN COUNCIL – Object. The proposed scheme will result in a loss of amenity and unsympathetic change for neighbouring properties in terms of overlooking, noise, disruption and loss of valuable garage space. The environmental quality of existing urban areas should be maintained as attractive places to live and visit. There will be excessive adverse effects from traffic generation through an area which already has access and parking issues. The narrow access road and losing additional parking spaces will have a negative effect on the neighbourhood.

14 CENTRE AVENUE – Object due to the parking implications and highway safety concerns.

16 CENTRE AVENUE – Object due to the loss of parking, the impact on their boundary, and due to the practicalities of constructing the dwellings.

26 CENTRE AVENUE – Object due to the loss of parking, lack of on-street parking availability, and the problems that already result from this.

5 BRIDGE HILL – Comment that they wish to ensure that any replacement boundary wall would be constructed using materials of an equivalent standard of robustness.

9 BRIDGE HILL – Comment that want reassurance that there would be burglary risk mitigation, no drainage or flooding impacts, no damage to their existing outbuilding and no overlooking or noise as a result of the development.

Issues and Considerations:

The key issues within this application are the suitability of the site for such a development, highway/parking concerns, design/layout, amenity considerations, and the impact on existing landscaping in and around the site.

Principle of the Development/Design/Layout

The application site is located within the built up town of Epping and constitutes a brownfield site since it currently contains garages. The site is within walking distance of Epping Train Station and other local facilities. Both Local Plan policy H2A and paragraph 17 of the National Planning Policy Framework “*encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value*”.

Notwithstanding consideration regarding the loss of the garages and assessment of the design/layout of the proposal the principle of developing this site would be acceptable since it would make more efficient use of an urban, previously developed site.

Affordable Housing

Local Plan policy H6A would not require any affordable housing to be provided on a scheme of this density on this size of site. However since the proposed development has been put forward on behalf of East Thames Housing Group and is located on Council owned land the development would provide 100% affordable housing. This would be of benefit to the overall housing provision within the district.

Since there is no requirement under Local Plan policy H6A to provide affordable housing on this site, and as this is a Council led development, it is not necessary to secure this by way of a legal agreement.

Highways/Vehicle Parking

A key consideration in this case is with regards to the loss of the garages. The existing garages on site are old style garages and measure just 2.2m in width, which is smaller than the current requirement for garages and makes these difficult to be used for the parking of vehicles.

Letting information shows that 17 of the current 20 garages are currently rented out, with 16 of these to people living within a 200m area. Taken as a worst case scenario with all 16 vehicles being displaced onto the surrounding roads this would raise the observed parking stress from 64% to 83%. Essex County Council Highways have assessed the submitted information and have concluded as a result of the submitted Transport Statement that “*there is sufficient on-street parking capacity to accommodate any displacement from the existing garages. Consequently the proposal will not be detrimental to highway safety or efficiency*”.

The proposed development would provide 5 parking spaces within the site. This complies with the Essex County Council Vehicle Parking Standards that requires 2 parking spaces for each dwelling and a single visitor parking space.

The existing access currently serves 20 garages, which would result in significantly greater vehicle movements than the proposed two dwellings. As such no objection has been received from ECC Highways and therefore the proposed development would not be contrary to Local Plan policies ST4 and ST6 or the Highway Authority's Development Management Policies.

Design

One of the proposed new dwellings would be situated in line with the existing row of dwellings along the eastern side of Centre Avenue and the other would be located towards the western end of the site. The external materials of the proposed dwellings would consist of a mix of red brick and render with grey tile roofs and composite aluminium/timber doors and windows.

Given the location of the proposed dwellings in the corner of Centre Avenue they would not be easily viewed within this wider street scene and therefore there is no requirement for the proposed new dwellings to mirror the existing properties within Centre Avenue.

The proposed scale and overall appearance of the dwellings would be considered acceptable and would not be unduly detrimental to the overall character or appearance of the wider area.

The level of private amenity space for the dwelling no. 1 would be approximately 60m² and would be located to the side of the property, between the new dwelling and No. 18 Centre Avenue. The private amenity space for dwelling no. 2 would be approximately 140m² and located to the rear of the new dwelling. Both garden areas would predominantly be bounded by the retained outer walls of the garages to be demolished, which would also ensure that there would be minimal visual change to the boundaries of the neighbouring properties.

The recommended levels of amenity space for the dwellings would be 80m². Whilst one of the proposed dwellings would have a slightly undersized garden the supporting text of Local Plan policy DBE8 states that "*the Council may be prepared to relax these standards in certain circumstances, these may include where: (i) the housing is 'affordable' and the amount of land available is likely to be at a premium*". Since the proposal is for a 100% affordable housing scheme the level of amenity space is considered to be acceptable in this instance.

Neighbouring Amenity

Dwelling no. 1 would be located 1m from the existing boundary of the No. 18 Centre Avenue, which has a very large rear/side garden. Due to the size of the neighbouring plot and location of the proposed dwelling it is not considered that there would be any excessive loss of light or outlook to this neighbour. There is a single first floor window facing this neighbour that serves a hallway and would be obscure glazed. As such there would be no loss of privacy to this neighbour. It should also be noted that a large section of this neighbour's garden has been incorporated into the site plan for EPF/2351/15.

Whilst first floor windows are proposed within the north eastern and south western elevations these are sufficient distances from neighbouring properties and predominantly overlook the side of No. 18 Centre Avenue or the outbuildings in the rear gardens of properties in Bridge Hill. Therefore there would be no undue loss of amenities as a result of these.

Dwelling no. 2 would be located approximately 1m from the rear boundaries of No's 12 & 14 Centre Avenue, which have rear gardens in excess of 20m in depth. The only first floor window facing these neighbours would serve a hallway and would be obscure glazed. As such it is not considered that there would be any undue loss of amenity to these neighbours.

The rear elevation of dwelling no. 2 would first floor rear windows however would be between 7m and 11m from the boundaries with No's 3 and 5 Bridge Hill. Given the length of these neighbour's gardens and the presence, and retention of, existing landscaping, it is not considered that the development would result in any excessive loss of privacy to these neighbouring residents.

Whilst the provision of 2 dwellings in place of 20 garages would decrease the level of possible vehicle movements to and from the site it would nonetheless result in an increase in activity within this backland location. Notwithstanding this, due to the level of development proposed, length of existing neighbours gardens, and general urban location of the site it is not considered that there would be any excessive loss of amenity as a result of noise or disturbance from the proposed development.

Whilst there would be some inevitable disturbance during the construction period of the development this would be short term harm and is not a material planning consideration. Nonetheless conditions can be imposed in order to reduce and control any impact from the construction of the properties.

Trees and Landscaping

The application has been submitted with a Tree Survey report and it is proposed to retain all existing landscaping around the boundaries of the site. Due to this tree protection would be required in order to protect the retained trees on the site and details of hard and soft landscaping would need to be agreed. These matters can be dealt with by way of conditions.

Land Drainage

The site does not lie within an Epping Forest District Council flood risk assessment zone or an Environment Agency Floodzone 2 or 3 and is not of a size whereby a Flood Risk Assessment is required.

The applicant is proposing to dispose of surface water by soakaway however the geology of the area is predominantly clay and infiltration drainage may not be suitable for the site. Therefore further details are required by way of a condition.

Waste Comments

The Council carries out a front boundary refuse collection service from the point within the property closest to the public highway. Each of the proposed dwellings have adequate rear access and space to store waste bins.

Contamination

Due to the use of the site as domestic garages and the presence of made ground there is the potential for contaminants to be present on site. Since domestic dwellings with gardens are classified as a particularly sensitive proposed use an appropriate contamination assessment is required. As remediating worst case should be feasible it should be possible to deal with land contamination risks by way of condition.

Conclusion:

The proposed development would provide much needed affordable housing and represents the redevelopment of a brownfield site within an existing urban location. The design and location of the proposal is considered to be acceptable and whilst the level of proposed private amenity space for one of the dwellings would be below the recommended standards it is considered that the

proposed gardens would be sufficient in this instance since the proposal would be for 100% affordable housing.

Although the proposed development would result in the loss of occupied garages there is sufficient on-street parking capacity to accommodate any displacement from the existing garages.

Given the above, the proposed development is considered to be acceptable, particularly given the 100% affordable housing provision, and therefore the application is recommended for approval, subject to conditions.

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

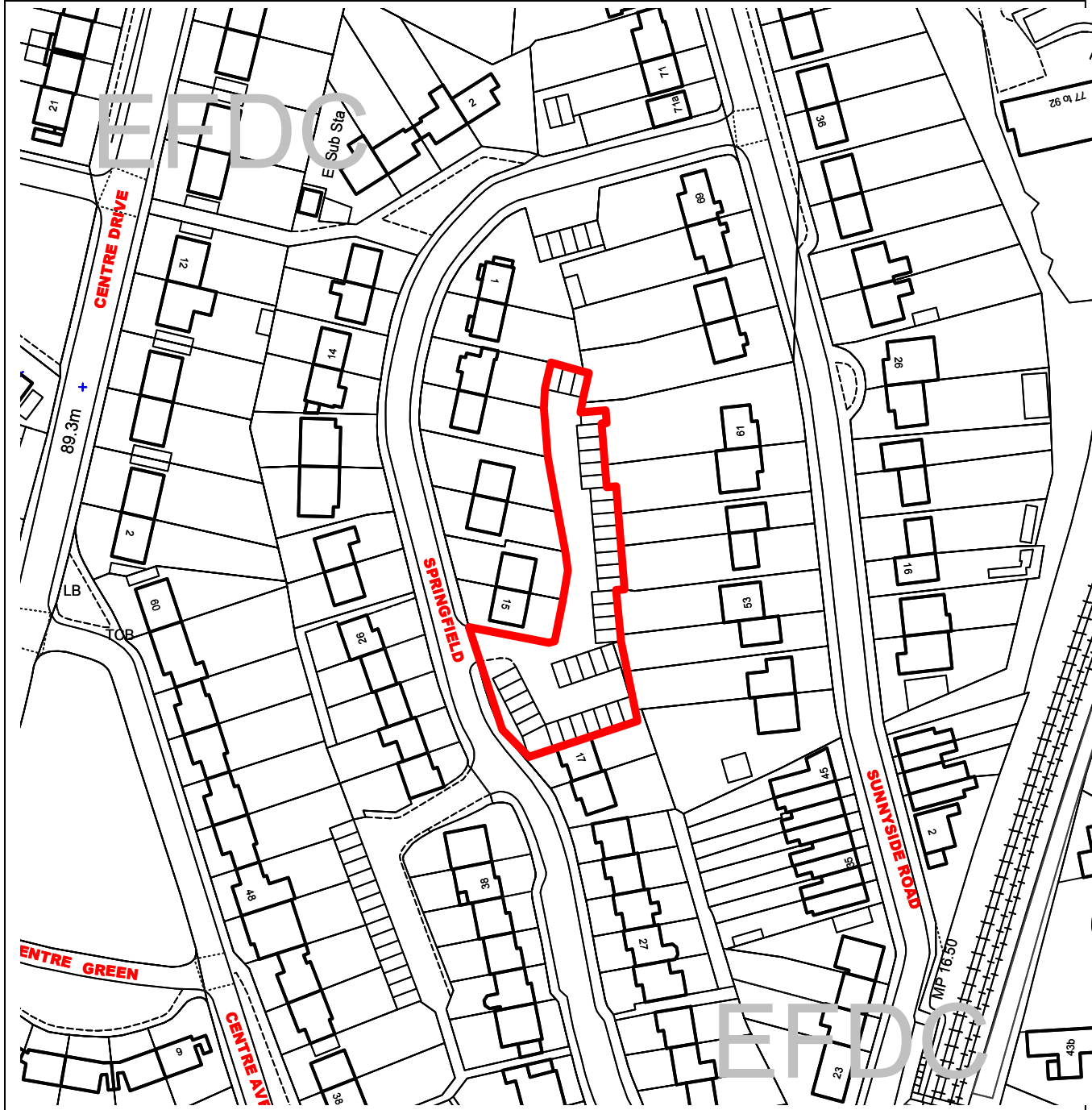
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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



Epping Forest District Council

Agenda Item Number 5



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Application Number:	EPF/1767/15
Site Name:	Garages Adjacent, 17 Springfield, Epping, CM16 4LA
Scale of Plot:	1/1250

Report Item No: 5

APPLICATION No:	EPF/1767/15
SITE ADDRESS:	Garages adjacent 17 Springfield Epping Essex CM16 4LA
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	East Thames Housing Group
DESCRIPTION OF PROPOSAL:	4 affordable homes with 8 parking spaces.
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=577854

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 612/046/PL: 01A, 02B, 03C, 04A, 06A, 07B, 08B and 09B
- 2 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 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 C of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 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 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.
- 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 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.

- 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 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.
- 14 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.
- 15 There shall be no discharge of surface water onto the Highway.

- 16 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 it is an application for development on the Council's own land or property that is for disposal (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(e)), 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 a Council owned garage court located to the rear of no.5 – no.15 Springfield within the built up area of Epping. Currently on the site are thirty nine garages, of which thirty four are currently rented out by the Council and five are not in use. Various properties on Springfield and Sunnyside Road are located at either end of the site and access is from Springfield. The application site is not located within the boundaries of the Metropolitan Green Belt and it is not in a conservation area.

Description of proposal

The proposed development is for the demolition of the existing garages and erection of 2 two storey semi-detached dwellings and two bungalows with eight associated parking spaces.

Relevant History

EPU/0003/64 - details of 32 dwellings & 55 garages (17-39 & 36a 36b centre ave) - Approved

Policies Applied

CP1 – Achieving Sustainable Development Objectives
CP2 – Protecting the Quality of the Rural and Built Environment
CP3 – New Development
CP4 – Energy Conservation
CP5 – Sustainable Building
CP6 – Achieving Sustainable Urban Development Patterns
CP7 – Urban Form and Quality
DBE1 – Design of New Buildings
DBE2 – Effect on Neighbouring Properties
DBE3 - Design in Urban Areas
DBE6 – Car Parking in New Development
DBE8 – Private Amenity Space
DBE9 – Loss of Amenity to Neighbouring Properties
ST1 – Location of Development
ST2 – Accessibility of Development
ST4 – Road Safety
ST6 – Vehicle Parking
H2A – Previously Developed Land

H3A – Housing Density
H4A – Dwelling Mix
LL11 – Landscaping Schemes

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 the relevant policies in existing plans according to the degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight

Consultation carried out and summary of representations received

60 Neighbours consulted –

86 NEIGHBOUR OBJECTIONS received from various residents on Springfield, Centre Avenue, Sunnyside Road and Kendal Avenue. A summary of objections received are given below

- The dwellings will cause significant harm to major parking issues on Springfield and Sunnyside Road
- The parking bays are unsafe and will cause vehicles to have to reverse significant distances.
- Refuse vehicles and emergency vehicles cannot access the site
- The dwellings will cause a significant loss of light to properties on Springfield and Centre Avenue
- The development will cause significant loss of privacy to neighbours
- Overdevelopment of the site
- Pattern of development which is against the existing pattern and is a back land development.

Epping Town Council – OBJECTION – The proposal is inappropriate development with inappropriate separation between the proposed and existing properties. It would result in a loss of amenity for neighbouring properties in terms of overlooking and loss of light, contrary to policies DBE2 and DBE9. The proposal does not respect and enhance the urban environment and would have an adverse impact on residents quality of life, contrary to policies CP2, CP3 and CP7, which aim to protect the quality of existing urban areas so they remain attractive places to live.

The removal of 39 garages coupled with the addition of cars associated with the new development would put additional pressure on an area with severe parking problems. The adjacent roads are extremely narrow and the additional traffic movement would have a negative impact on the area through which the new traffic would move, contrary to policy ST4.

The committee appreciate the need for affordable housing but object to overdevelopment and cramped design.

Issues and considerations

The main issues to consider when assessing this application are the principle of the development, affordable housing issues, potential impacts on the living conditions of the neighbours, the standard of living accommodation proposed, the proposed design in relation to the existing pattern of development, parking issues, Contamination and land drainage.

Principle of the Development

The application site is located within the built up town of Epping and constitutes a brownfield site since it currently contains garages. The site is within walking distance of Epping Train Station and

other local facilities. Both Local Plan policy H2A and paragraph 17 of the National Planning Policy Framework “*encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value*”.

Notwithstanding consideration regarding the loss of the garages and assessment of the design/layout of the proposal the principle of developing this site would be acceptable since it would make more efficient use of an urban, previously developed site.

Affordable housing

Local Plan policy H6A would not require any affordable housing to be provided on a scheme of this density on this size of site. However since the proposed development has been put forward on behalf of East Thames Housing Group and is located on Council owned land the development would provide 100% affordable housing. This would be of benefit to the overall housing provision within the district.

Since there is no requirement under Local Plan policy H6A to provide affordable housing on this site, and as this is a Council led development, it is not necessary to secure this by way of a legal agreement.

Living conditions of neighbours

The 2, two storey, semidetached dwellings will be located towards the south end of the site, adjacent to no.17 Springfield which does not have any windows on its side elevation facing the application site. The two storey dwellings will have roughly the same rear building line as no.17 and as a result their erection will not be overtly visible when viewed from private areas of no.17. Consequently there will be no harm to their living conditions.

The rear elevation of the two storey dwellings will be approximately 34m from the rear elevations of the closest neighbour on Sunnyside Road and therefore will not appear overbearing, cause an excessive loss of light or cause a loss of privacy.

No.15 Springfield is located forward of the two storey dwellings and therefore it is likely that the new two storey building will be obliquely visible when viewed from private areas of their dwelling. However given its position, orientation and distance from the rear elevation of no.15, the two storey building will not cause excessive harm to their living conditions.

The bungalow on plot three is located directly behind nos.13 and15 Springfield, approximately 14m from its rear elevation. The roof of the new dwelling pitches away from no.15 and has a relatively low ridge height of 4.2m. Consequently there will not be significant harm to the living conditions of no.15.

The plot three bungalow will be located on the rear boundary of no.53 Sunnyside Road, which has a rear garden approximately 21m long. The eaves height of the dwelling is not dissimilar to the flat roof height of the existing garages. The roof will pitch away from no.53 and the ridge height will be 4.2m consequently there will not be significant harm to their living conditions.

The bungalow proposed on plot four will be located behind nos. 5, 7, 9 and 11 Springfield, approximately 14m from their rear elevation at its closest point. The roof pitches away from these neighbours in a similar way to the proposed bungalow on plot 3, the result of which is that there will be no significant harm to the living conditions of these neighbours.

The bungalow on plot four will be located on the rear boundary with nos. 59 and 61 Sunnyside Road. Similarly to the assessment of the proposed bungalow on plot 3, these neighbours have

long gardens and the proposed ridge height of the new dwelling is not excessive. Consequently there will be no harm to their living conditions.

Standard of living accommodation

All of the proposed new units will offer a good standard of habitable space and each will have a private garden area. The supporting text of policy DBE8 of the Adopted Local Plan and Alterations states that gardens of new dwellings will have a minimum area of 20 sqm per habitable room.

The 2, two storey dwellings will provide four habitable rooms and so it is expected that at least 80sqm of private amenity space will be provided. The two units will provide approximately 70sqm of private amenity space.

Both of the proposed bungalows on plots three and four propose two habitable rooms and so it is expected that the garden areas will have a minimum size of 40sqm. The bungalow proposed on plot three proposes 56sqm of outdoor amenity space, while the bungalow on plot four also proposes 56sqm.

Whilst the two storey dwellings will have a slightly undersized garden, the supporting text of Local Plan policy DBE8 states that "*the Council may be prepared to relax these standards in certain circumstances, these may include where: (i) the housing is 'affordable' and the amount of land available is likely to be at a premium*". Since the proposal is for a 100% affordable housing scheme the level of amenity space is considered to be acceptable in this instance.

Being located to the rear of both Sunnyside Road and Springfield both of which have two storey dwellings along them, there is a potential for private areas of the new dwellings to be somewhat overlooked. However there is sufficient distance between each of the properties so that the potential overlooking will not be excessive.

Design

The two storey semi detached properties will have a conventional design and a reasonable bulk, mass and scale not dissimilar to that of the majority of dwellings located on Springfield. Furthermore their positioning is such that they will logically continue the existing pattern of development and will not appear cramped or discordant within the context of the street scene.

The two proposed bungalows have a conventional residential appearance, albeit without having a direct relationship with either Springfield or Sunnyside Road. However the site is currently used for garaging and storage purposes and its use for residential dwellings will not significantly alter the prevailing pattern of development within the locality.

Whilst it could be argued that the proposed bungalows in particular constitute a back land development, the reuse of underused sites to increase the Councils stock of affordable housing should be given significant weight in an assessment for planning permission, particularly within existing sustainable urban areas.

Parking and Access

A key consideration in this case is with regards to the loss of the garages. The existing garages on site are old style garages and measure just 2.2m in width, which is smaller than the current requirement for garages and makes these difficult to be used for the parking of vehicles. The applicant has submitted a Transport Survey which predicts that across both applications on Springfield (EPF/1767/15 and EPF/1769/15, which both propose the demolition of garaging and erection of new housing) will amount to an additional 22 cars parked on the street as a worst case scenario, this will translate into an observed increase in parking stress on the public carriageway

from 63% to 88%. According to the Council's highway engineer this will not amount to a level of parking stress which would cause harm to the safety or efficiency of the public carriageway. The submitted Transport survey uses a critically accepted and widely used methodology for assessing potential harm to the existing parking situation.

Furthermore the existing garages are of a size where it is unlikely that they could reasonably be used for the parking of vehicles (only 2.2m wide). Most modern garages are at least 3m wide to accommodate the increasing size of modern car. Therefore it is likely that the actual displacement of parking will be less than the worst case scenario.

The proposed development would provide eight parking spaces within the site. The bungalows require two spaces between them and the two storey dwellings require a total of four spaces. The offer of eight spaces will allow two for visitor parking, which taken together complies with the Essex County Council Vehicle Parking Standards.

Essex County Highways have also asserted that it is possible to turn a car around within the site so that it will not be necessary to reverse onto Springfield.

Contaminated Land

Due to its use as a domestic garages site and the presence of made ground, there is the potential for contaminants to be present on site. Domestic dwellings with gardens are classified as a particularly sensitive proposed use. As remediating worst case conditions should be feasible, it should be possible to deal with land contamination risks by way of condition.

Flood Risk

The site does not lie within an Epping Forest District Council flood risk assessment zone or a Flood Zone as defined by the Environment Agency.

The applicant is proposing to dispose of surface water by soakaway. The geology of the area is predominantly clay and infiltration drainage may not be suitable for the site. Further details are required, which can be secured through a planning condition.

Conclusion

The proposal will provide four new affordable units which will not cause significant harm to neighbouring living conditions and which will not harm the character or appearance of the street scene. Therefore it is recommended that planning permission is granted.

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

**Planning Application Case Officer: James Rogers
Direct Line Telephone Number: 01992 564 371**

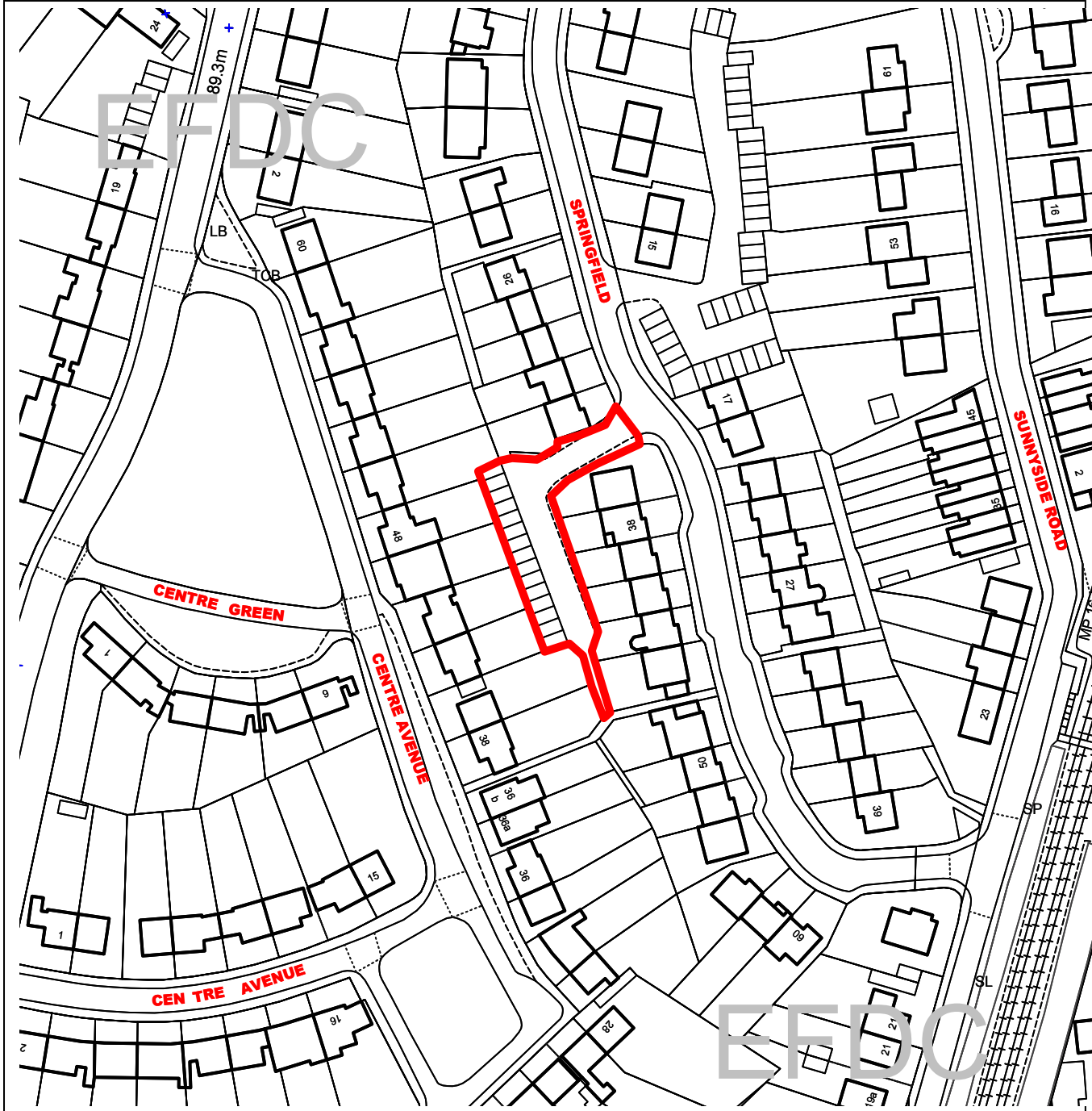
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

Agenda Item Number 6



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Application Number:	EPF/1769/15
Site Name:	Garages adjacent 36 Springfield Epping CM16 4LA
Scale of Plot:	1/1250

Report Item No: 6

APPLICATION No:	EPF/1769/15
SITE ADDRESS:	Garages adjacent 36 Springfield Epping Essex CM16 4LA
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	East Thames Housing Group
DESCRIPTION OF PROPOSAL:	2 affordable homes with 3 parking spaces .
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=577856

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: 612/045/PL: 02A, 03A, 04C, 05C, 06C, 07C and 08A
- 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 Classes B and C of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 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 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.

- 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 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 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.
- 13 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.
- 14 There shall be no discharge of surface water onto the Highway.
- 15 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 16 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 it is an application for development on the Council's own land or property that is for disposal (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(e)), 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 a Council owned garage court located to the rear of no.36 Springfield in within the urban area of Epping. Currently on site are 15 garages which measure approximately 2.2m in width and are accessed via a private drive from Springfields. The application site is not located within the boundaries of the Metropolitan Green Belt and it is not in a conservation area.

Description of proposal

The proposed development is to demolish all the existing garages and to erect two single storey, one bed bungalows for affordable housing and will have three parking spaces.

Relevant History

EPU/0003/64 - details of 32 dwellings & 55 garages (17-39 & 36a 36b centre ave) - Approved

Policies Applied

CP1 – Achieving Sustainable Development Objectives
CP2 – Protecting the Quality of the Rural and Built Environment
CP3 – New Development
CP4 – Energy Conservation
CP5 – Sustainable Building
CP6 – Achieving Sustainable Urban Development Patterns
CP7 – Urban Form and Quality
DBE1 – Design of New Buildings
DBE2 – Effect on Neighbouring Properties
DBE3 - Design in Urban Areas
DBE6 – Car Parking in New Development
DBE8 – Private Amenity Space
DBE9 – Loss of Amenity to Neighbouring Properties
ST1 – Location of Development
ST2 – Accessibility of Development
ST4 – Road Safety
ST6 – Vehicle Parking
H2A – Previously Developed Land
H3A – Housing Density
H4A – Dwelling Mix
LL11 – Landscaping Schemes

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 the relevant policies in existing plans according to the degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight

Consultation carried out and summary of representations received

36 Neighbours consulted –

86 NEIGHBOUR OBJECTIONS received from various residents on Springfield, Centre Avenue, Sunnyside Road and Kendal Avenue. A summary of objections received are given below

- The dwellings will cause significant harm to major parking issues on Springfield and Sunnyside Road
- The parking bays are unsafe and will cause vehicles to have to reverse significant distances.
- Refuse vehicles and emergency vehicles cannot access the site
- The dwellings will cause a significant loss of light to properties on Springfield and Centre Avenue
- The development will cause significant loss of privacy to neighbours
- Overdevelopment of the site
- Pattern of development which is against the existing pattern and is a back land development.

Epping Town Council – OBJECTION – The proposal is inappropriate development resulting in unsympathetic change, due to the layout and separation from surrounding properties. Neighbouring properties would suffer a loss of amenity in terms of overlooking and a loss of light due to the close proximity of the existing and proposed dwellings. The proposal would have an adverse effect on the quality of life in the neighbourhood, contrary to policies CP2, CP3 and CP7.

The loss of garages and associated parking would put additional pressure on an area with existing parking problems, due to its narrow roads. The site entrance is extremely narrow and any additional traffic would be detrimental to the neighbourhood and highway safety, contrary to policy ST4.

Committee do not object to affordable housing but object to the development of inappropriate sites and inadequate mitigation.

Issues and considerations

The main issues to consider when assessing this application are the principle of the development, affordable housing issues, potential impacts on the living conditions of the neighbours, the standard of living accommodation proposed, the proposed design in relation to the existing pattern of development, parking issues, Contamination and land drainage.

Principle of the Development/Design/Layout

The application site is located within the built up town of Epping and constitutes a brownfield site since it currently contains garages. The site is within walking distance of Epping Train Station and other local facilities. Both Local Plan policy H2A and paragraph 17 of the National Planning Policy Framework “*encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value*”.

Notwithstanding consideration regarding the loss of the garages and assessment of the design/layout of the proposal the principle of developing this site would be acceptable since it would make more efficient use of an urban, previously developed site.

Affordable housing

Local Plan policy H6A would not require any affordable housing to be provided on a scheme of this density on this size of site. However since the proposed development has been put forward on behalf of East Thames Housing Group and is located on Council owned land the development

would provide 100% affordable housing. This would be of benefit to the overall housing provision within the district.

Since there is no requirement under Local Plan policy H6A to provide affordable housing on this site, and as this is a Council led development, it is not necessary to secure this by way of a legal agreement.

Living conditions of neighbours

The dwelling proposed on plot one will be located directly to the rear of no.36 Springfield and no.48 Centre Avenue, approximately 11m from the existing rear elevation of no.48 and approximately 17m from no.36. The bungalow will have an eaves height of 2.1m, which will then pitch away from both neighbours to a maximum ridge height of 4.6m. The existing garages on the site have flat roofs to a height of approximately 1.8m and as a result the not dissimilar eaves height of the bungalow in close proximity to the boundary, particularly to no.48 will not appear overbearing or cause a significant loss of light. No.36 Springfield is located on significantly lower ground than the application site, however the proposed new dwelling will be far enough away to not cause any harm to their living conditions. Furthermore the increased ridge height over the existing garages is a sufficient distance from the rear elevations of the neighbours to not appear overbearing or cause a significant loss of light.

Given that the proposal is for two bungalows, there will be no raised windows which could potentially overlook neighbouring dwellings and permitted development rights for roof alterations can be removed through condition to ensure no overlooking of neighbouring residents.

The dwelling proposed on plot two will be located to the rear of no.42 Springfield and nos.42 and 44 Centre Avenue. This dwelling will be built in relative close proximity to the rear boundary of no.42 Springfield and would leave approximately 10.5m to its rear building line. The roof will pitch away from the neighbours which will prevent the building from appearing excessively overbearing or causing a significant loss of light.

The bungalow on plot two will be located approximately 13m from the existing rear building line of nos. 42 and 44 Centre Avenue. These dwellings are situated on significantly higher ground than the proposed bungalow and therefore no harm will be caused to their living conditions.

Both new dwellings will have vehicle parking and access which will run adjacent to no.36 Springfield. The site is currently used for storage and parking and therefore domestic vehicle movements in connection with just two units will result in a reduction in movements and no harm to residential amenity.

Standard of living accommodation

Both of the proposed dwellings will offer a reasonable standard of habitable space for affordable housing and each will have a private garden area. In the supporting text of policy DBE8 of the Adopted Local Plan and Alterations states that gardens of new dwellings will have a minimum area of 20 sqm per habitable room. Both dwellings propose two habitable rooms and so it is expected that the garden areas will have a minimum size of 40sqm. The bungalow proposed on plot one proposes 35sqm of outdoor amenity space, while the bungalow on plot two proposes 60sqm.

Whilst the bungalow on plot one will have a slightly undersized garden, the supporting text of Local Plan policy DBE8 states that "*the Council may be prepared to relax these standards in certain circumstances, these may include where: (i) the housing is 'affordable' and the amount of land available is likely to be at a premium*". Since the proposal is for a 100% affordable housing scheme the level of amenity space is considered to be acceptable in this instance.

The properties fronting onto Centre Avenue are on significantly higher ground than the proposed dwellings and therefore there is a potential for overlooking into the more private areas of the new dwellings, particularly from no.48 Centre Avenue which has a large rear dormer window. However the distance from this property is such that it is not to an extent which will cause significant harm to living conditions. The neighbours fronting Springfield are on lower ground and therefore will not significantly overlook the new dwellings.

Design

The site is located to the rear of various dwellings on Springfield and Centre Avenue. The new dwellings will have no relationship to the existing street scene of Springfield or Centre Avenue and is somewhat contrary to the prevailing pattern of development within the context of the wider locality. However the site is currently used for garaging and storage and is therefore in constant use for domestic purposes and the erection of two bungalows will not significantly change the character of this use.

The bungalows have a conventional residential design and are of a reasonable scale which will not be visible from public viewpoints on Centre Avenue or Springfield. As a result the dwellings will not appear harmful to the character and appearance of the locality.

Furthermore the applicant submits that only eight of the fifteen garages are currently in use and as a result the site is not utilised as far as it could be. The need to provide affordable housing within the district is high and it should be targeted within the boundaries of existing urban areas, particularly sites which are underused such as this.

Parking and Access

A key consideration in this case is with regards to the loss of the garages. The existing garages on site are old style garages and measure just 2.2m in width, which is smaller than the current requirement for garages and makes these difficult to be used for the parking of vehicles.

The applicant submits that only eight garages are let and only five of these are rented to residents within a 200m radius of the site and as a result the displacement which would be caused will be minimal. Furthermore the applicant has demonstrated through a Transport Statement that in the very worst case scenario, even including the proposed development across the road (EPF/1767/15, which also proposes the demolition of garages and erection of new dwellings), that a maximum of 22 additional cars would be displaced onto the streets which will increase the observed parking stress from 63% to 88%. Essex County Council Highways have assessed this information and concluded that the increased parking stress levels will not cause any significant harm to the safety or efficiency of the public carriageway. The submitted Transport Survey uses a critically accepted and widely used methodology for assessing potential harm to the existing parking situation.

Furthermore the existing garages are of a size where it is unlikely that they could reasonably be used for the parking of vehicles (only 2.2m wide). Most modern garages are at least 3m wide to accommodate the increasing size of modern car. Therefore it is likely that the actual displacement of parking will be less than the worst case scenario.

The proposed development would provide three parking spaces within the site. This complies with the Essex County Council Vehicle Parking Standards that requires 1 parking space for each dwelling and a single visitor parking space.

Essex County Highways have also asserted that it is possible to turn a car around within the site so that it will not be necessary to reverse onto Springfield.

Contaminated land

Due to its use as a domestic garages site and the presence of made ground, there is the potential for contaminants to be present on site. Domestic dwellings with gardens are classified as a particularly sensitive proposed use. As remediating worst case conditions should be feasible, it should be possible to deal with land contamination risks by way of condition.

Flood Risk

The site does not lie within an Epping Forest District Council flood risk assessment zone or a Flood Zone as defined by the Environment Agency.

The applicant is proposing to dispose of surface water by soakaway. The geology of the area is predominantly clay and infiltration drainage may not be suitable for the site. Further details are required, which can be secured through a planning condition.

Conclusion

The proposal will provide two new affordable units which will not cause significant harm to neighbouring living conditions and which will not harm the character or appearance of the street scene. Therefore it is recommended that planning permission is granted.

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

***Planning Application Case Officer: James Rogers
Direct Line Telephone Number: 01992 564371***

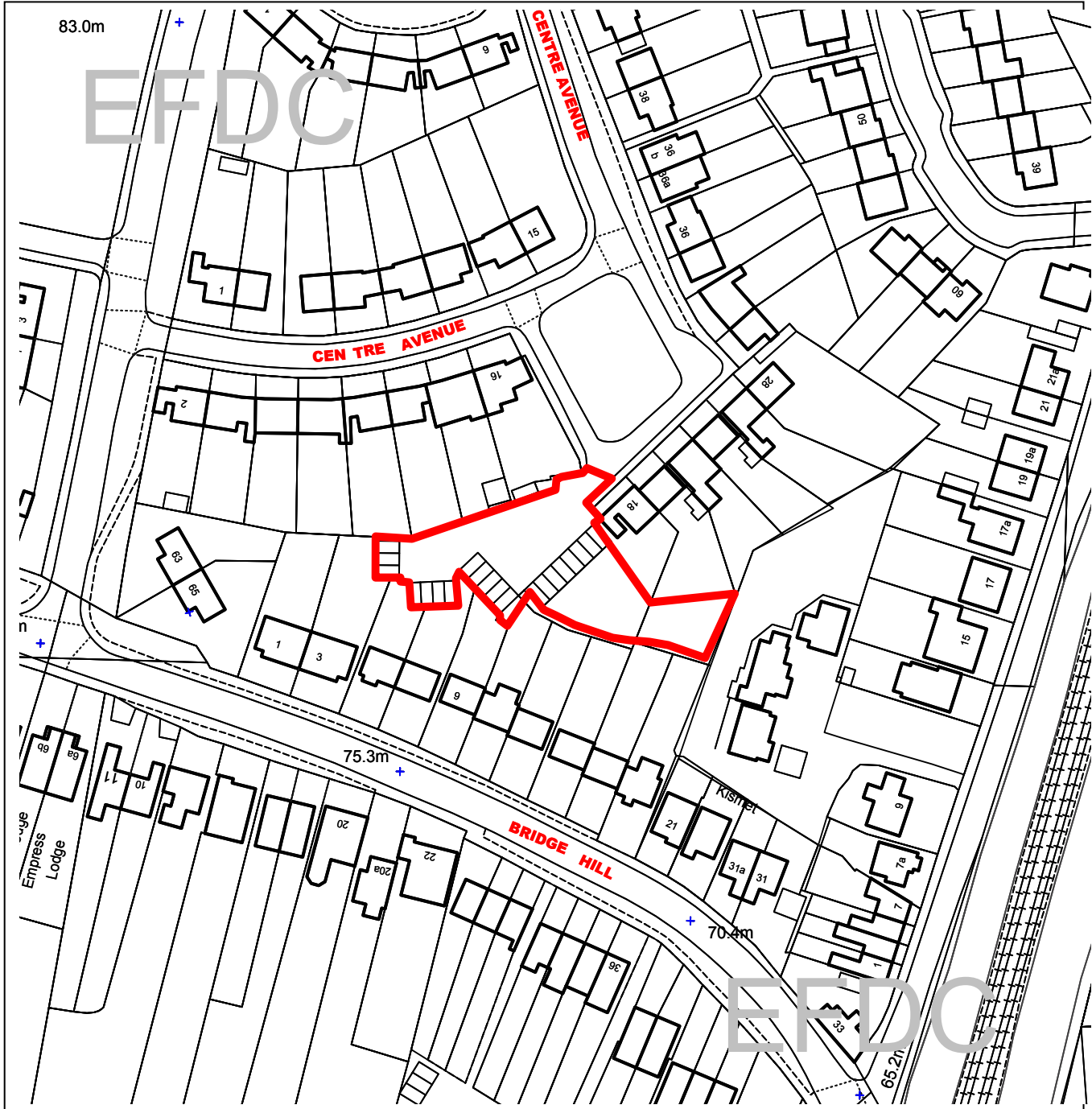
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

Agenda Item Number 7



Report Item No: 7

APPLICATION No:	EPF/2351/15
SITE ADDRESS:	Garage court to rear of Centre Avenue Epping Essex CM16 4JH
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	East Thames Housing Group
DESCRIPTION OF PROPOSAL:	Demolition of existing garages and erection of 4 no. affordable homes with 9 parking spaces and associated amenity space.
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=579153

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: 612 049 PL01 A, 612 049 PL02, 612 049 PL03 A, 612 049 PL04, 612 049 PL05, 612 049 PL06, 612 049 PL07, 612 049 PL08, 612 049 PL09, 612 049 PL10
- 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 Prior to first occupation of the development hereby approved, the proposed first floor window opening in the north elevation of Plot 1 shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 5 No development shall take place until 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.

- 6 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 7 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.

- 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 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 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.
- 15 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.
- 16 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.
- 17 There shall be no discharge of surface water onto the Highway.
- 18 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 it is an application for development on the Council's own land or property that is for disposal (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(e)), 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 A Council owned garage court currently occupied by 20 garages and entrance court. The garages are located to south of Centre Avenue to the rear of No's 10-16 Centre Avenue and No's 3-15 Bridge Hill. The site is within the urban area of Epping towards the edge of town settlement known as Ivy Chimneys.

The site is not located within the Metropolitan Green Belt, a conservation area or any other designated land.

Description of Proposal:

Consent is being sought for the demolition of the existing garages and the erection of 4 no. two storey dwellings. These would consist of a terrace of 3 no. two bed properties following the general pattern of development at No's 18-28 Centre Avenue and a single detached three bed dwelling

located within the western section of the site, adjacent to the rear boundaries of No's 12 & 14 Centre Avenue. These would all be affordable houses.

The proposed terrace would measure a total width of 13m and a depth of 10.2m and would have a dual pitched roof to a ridge height of 7.9m. The detached dwelling would measure 10.2m in length and 5.7m in depth with a dual pitched roof to a ridge height of 7.2m. The development would also provide 9 off-street parking spaces and associated access and amenity space.

Relevant History:

EPF/1530/15 - Demolition of existing garages and erection of 2 no. affordable homes along with 5 no. parking spaces and associated amenity space – currently under consideration

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
- H2A – Previously developed land
- H3A – Housing density
- H5A – Provision for affordable housing
- H6A – Site thresholds for affordable housing
- H7A – Levels of affordable housing
- DBE1 – Design of new buildings
- DBE2 – Effect on neighbouring properties
- DBE3 – Design in urban areas
- DBE8 – Private amenity space
- DBE9 – Loss of amenity
- LL10 – Provision for landscape retention
- LL11 – Landscaping schemes
- ST1 – Location of development
- ST4 – Road safety
- 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:

67 neighbouring properties were consulted and a Site Notice was displayed.

TOWN COUNCIL – Object. Committee objected to the previous scheme under EPF/1530/15 and none of the issues have been addressed. In fact, the increased number of dwellings exacerbates the previous objections. The proposed scheme will result in a loss of amenity and unsympathetic change for neighbouring properties in terms of noise, disruption, loss of valuable garage space and exacerbate existing parking problems. There will be excessive adverse effects from traffic generation through an area which already has severe access and parking issues. The narrow access road, loss of parking spaces and additional pressure on transport infrastructure and associated highway safety would have a negative impact on the quality of life in the neighbourhood.

TWO PETITIONS HAVE BEEN SUBMITTED SIGNED BY 26 AND 31 PEOPLE TO REJECT THE APPLICATION

9 BRIDGE HILL – Comment that want reassurance that there would be burglary risk mitigation, no drainage or flooding impacts, no damage to their existing outbuilding and no overlooking or noise as a result of the development.

36b CENTRE AVENUE – Object due to the loss of disabled access.

14 CENTRE AVENUE – Object due to the parking implications and highway safety concerns.

16 CENTRE AVENUE – Object due to the loss of parking, the impact on their boundary, and due to the practicalities of constructing the dwellings.

26 CENTRE AVENUE – Object due to the loss of parking, lack of on-street parking availability, and the problems that already result from this.

36 CENTRE AVENUE – Object to the inaccurate Transport Statement and impact on parking.

5 BRIDGE HILL – Comment that they wish to ensure that any replacement boundary wall would be constructed using materials of an equivalent standard of robustness.

Issues and Considerations:

The key issues within this application are the suitability of the site for such a development, highway/parking concerns, design/layout, amenity considerations, and the impact on existing landscaping in and around the site.

Principle of the Development/Design/Layout

The application site is located within the built up town of Epping and constitutes a brownfield site since it currently contains garages. The site is within walking distance of Epping Train Station and other local facilities. Both Local Plan policy H2A and paragraph 17 of the National Planning Policy Framework “*encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value*”.

Notwithstanding consideration regarding the loss of the garages and assessment of the design/layout of the proposal the principle of developing this site would be acceptable since it would make more efficient use of an urban, previously developed site.

Affordable Housing

Local Plan policy H6A would not require any affordable housing to be provided on a scheme of this density on this size of site. However since the proposed development has been put forward on behalf of East Thames Housing Group and is located on Council owned land the development would provide 100% affordable housing. This would be of benefit to the overall housing provision within the district.

Since there is no requirement under Local Plan policy H6A to provide affordable housing on this site, and as this is a Council led development, it is not necessary to secure this by way of a legal agreement.

Highways/Vehicle Parking

A key consideration in this case is with regards to the loss of the garages. The existing garages on site are old style garages and measure just 2.2m in width, which is smaller than the current requirement for garages and makes these difficult to be used for the parking of vehicles.

Letting information shows that 17 of the current 20 garages are currently rented out, with 16 of these to people living within a 200m area. Taken as a worst case scenario with all 16 vehicles being displaced onto the surrounding roads this would raise the observed parking stress from 64% to 83%. Essex County Council Highways have assessed the submitted information and have concluded as a result of the submitted Transport Statement that *“there is sufficient on-street parking capacity to accommodate any displacement from the existing garages. Consequently the proposal will not be detrimental to highway safety or efficiency”*.

The proposed development would provide 9 parking spaces within the site. This complies with the Essex County Council Vehicle Parking Standards that requires 2 parking spaces for each dwelling and a single visitor parking space.

The existing access currently serves 20 garages, which would result in significantly greater vehicle movements than the proposed four dwellings. As such no objection has been received from ECC Highways and therefore the proposed development would not be contrary to Local Plan policies ST4 and ST6 or the Highway Authority’s Development Management Policies.

Design

The proposed terrace of properties would be situated in line, although slightly further set back, with the existing row of dwellings along the eastern side of Centre Avenue and the detached dwelling would be located towards the western end of the site. The external materials of the proposed dwellings would consist of a mix of red brick and render with grey tile roofs and composite aluminium/timber doors and windows.

Given the location of the proposed dwellings in the corner of Centre Avenue they would not be easily viewed within this wider street scene and therefore there is no requirement for the proposed new dwellings to mirror the existing properties within Centre Avenue.

The proposed scale and overall appearance of the dwellings would be considered acceptable and would not be unduly detrimental to the overall character or appearance of the wider area.

The level of private amenity space for the proposed dwellings would vary from 44m² and 140m² and located to the rear of the new dwellings. The recommended levels of amenity space for the dwellings would be 60m² for the two bed dwellings and 80m² for the detached dwelling. Whilst some of the proposed dwellings would have slightly undersized gardens the supporting text of Local Plan policy DBE8 states that *“the Council may be prepared to relax these standards in certain circumstances, these may include where: (i) the housing is ‘affordable’ and the amount of land available is likely to be at a premium”*. Since the proposal is for a 100% affordable housing scheme the level of amenity space is considered to be acceptable in this instance.

Neighbouring Amenity

The proposed terrace would be located a minimum of 8m from the existing boundary of No. 20 Centre Avenue, which has a very large garden. Due to the size of the neighbouring plot and location of the proposed dwellings it is not considered that there would be any excessive loss of light or outlook to this neighbour. There are no first floor flank windows and therefore no loss of privacy to the neighbouring residents.

The detached dwelling would be located approximately 1m from the rear boundaries of No’s 12 & 14 Centre Avenue, which have rear gardens in excess of 20m in depth. The only first floor window

facing these neighbours would serve a hallway and would be obscure glazed. As such it is not considered that there would be any undue loss of amenity to these neighbours.

The rear elevation of dwelling no. 2 would first floor rear windows however would be between 7m and 11m from the boundaries with No's 3 and 5 Bridge Hill. Given the length of these neighbour's gardens and the presence, and retention of, existing landscaping, it is not considered that the development would result in any excessive loss of privacy to these neighbouring residents.

Whilst the provision of 4 dwellings in place of 20 garages would decrease the level of possible vehicle movements to and from the site it would nonetheless result in an increase in activity within this backland location. Notwithstanding this, due to the level of development proposed, length of existing neighbours gardens, and general urban location of the site it is not considered that there would be any excessive loss of amenity as a result of noise or disturbance from the proposed development.

Whilst there would be some inevitable disturbance during the construction period of the development this would be short term harm and is not a material planning consideration. Nonetheless conditions can be imposed in order to reduce and control any impact from the construction of the properties.

Trees and Landscaping

The application has been submitted with a Tree Survey report and it is proposed to retain all existing landscaping around the boundaries of the site. Due to this tree protection would be required in order to protect the retained trees on the site and details of hard and soft landscaping would need to be agreed. These matters can be dealt with by way of conditions.

Land Drainage

The site does not lie within an Epping Forest District Council flood risk assessment zone or an Environment Agency Floodzone 2 or 3 and is not of a size whereby a Flood Risk Assessment is required.

The applicant is proposing to dispose of surface water by soakaway however the geology of the area is predominantly clay and infiltration drainage may not be suitable for the site. Therefore further details are required by way of a condition.

Waste Comments

The Council carries out a front boundary refuse collection service from the point within the property closest to the public highway. Each of the proposed dwellings have adequate space to store waste bins or rear access.

Contamination

Due to the use of the site as domestic garages and the presence of made ground there is the potential for contaminants to be present on site. Since domestic dwellings with gardens are classified as a particularly sensitive proposed use an appropriate contamination assessment is required. As remediating worst case should be feasible it should be possible to deal with land contamination risks by way of condition.

Conclusion:

The proposed development would provide much needed affordable housing and represents the redevelopment of a brownfield site within an existing urban location. The design and location of the

proposal is considered to be acceptable and whilst the level of proposed private amenity space for one of the dwellings would be below the recommended standards it is considered that the proposed gardens would be sufficient in this instance since the proposal would be for 100% affordable housing.

Although the proposed development would result in the loss of occupied garages there is sufficient on-street parking capacity to accommodate any displacement from the existing garages.

Given the above, the proposed development is considered to be acceptable, particularly given the 100% affordable housing provision, and therefore the application is recommended for approval, subject to conditions.

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

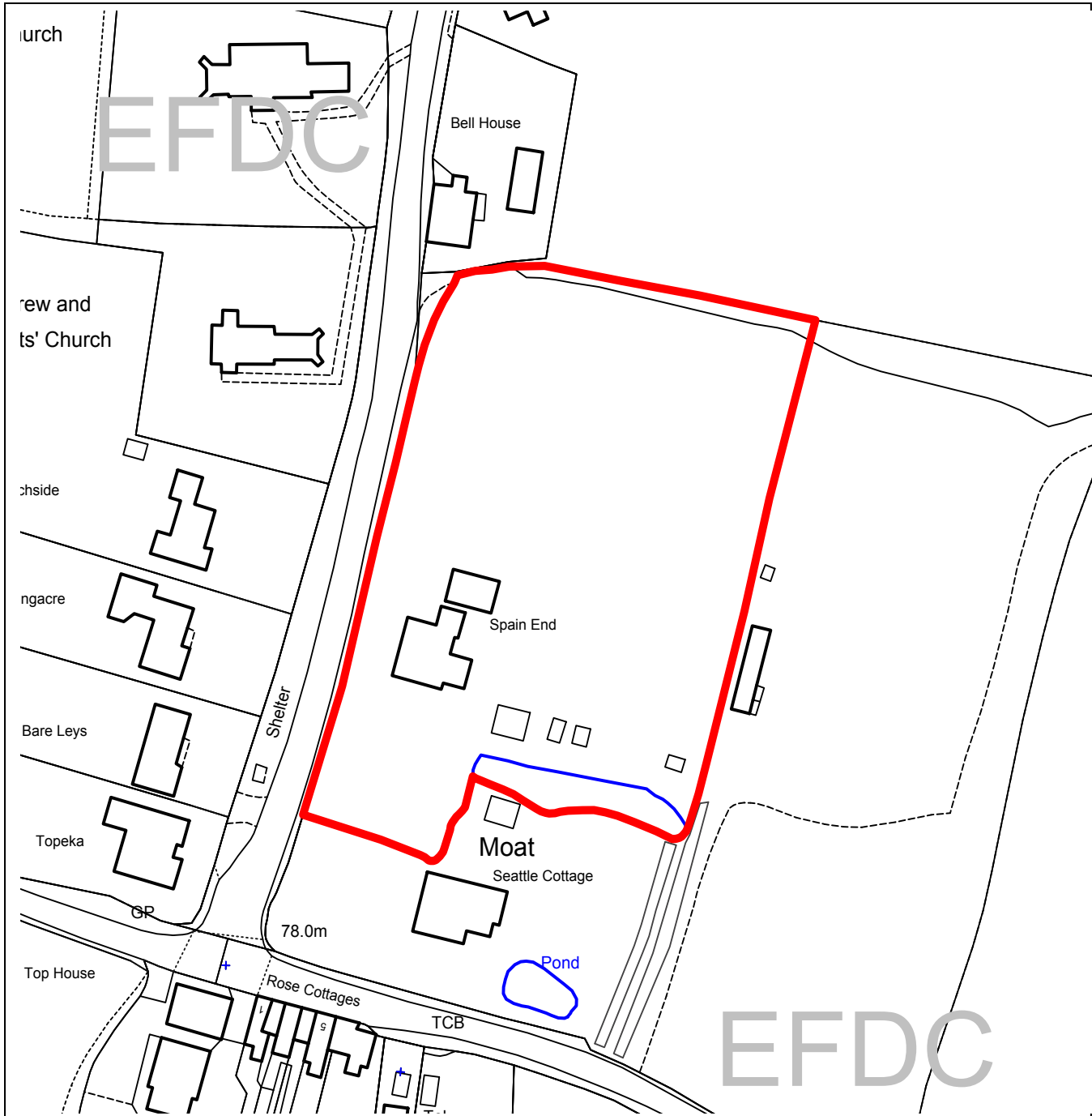
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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



Epping Forest District Council

Agenda Item Number 8



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Application Number:	EPF/2105/15
Site Name:	Spains End, The Street, Willingale, Ongar, CM5 0SJ
Scale of Plot:	1/1250

Report Item No: 8

APPLICATION No:	EPF/2105/15
SITE ADDRESS:	Spain End The Street Willingale Ongar Essex CM5 0SJ
PARISH:	Willingale
WARD:	High Ongar, Willingale and the Rodings
APPLICANT:	Mr Anthony Clough
DESCRIPTION OF PROPOSAL:	Grade II listed building consent for removal of internal and external walls. Installation of the steel beams over the two openings and the replacement of a timber floor with concrete.
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=578529

CONDITIONS

- 1 Within six months of the date of this permission, the external beam and Orangery shall be removed and the rear re-instated to match that previously in situ as shown on approved drawing numbers 1617/05B and 1617/09, 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 subject site is located on the eastern side of 'The Street' approximately 30 metres north of Fyfield Road within the small village of Willingale. The site itself is relatively level and comprises approximately 2 acres. Located towards the front of the site is a double storey detached dwelling house finished from render, painted white. The dwelling house is Grade Two Listed. A detached garage is located to the side of the existing dwelling house. Off street car parking is located within the garage and on the hard standing area towards the front of the dwelling. The dwelling is surrounded by extensive gardens consisting of smaller outbuildings, a tennis court and a

significant amount of vegetation. Some of the mature trees within the garden area are protected by tree preservation orders.

The surrounding area mainly consists of detached double storey dwelling houses with large open space towards the frontage. Two churches are located opposite the site further to the north. The subject site and the surrounding are located within the Metropolitan Green Belt.

Description of Proposal:

Grade two listed building consent is sought for the removal of internal walls. Installation of internal steel beam and the replacement of a timber floor with concrete.

NB: The application has been revised at the request of Officers as there is an objection to the external works proposed but Officers are satisfied with the internal works that have been undertaken.

Relevant History:

EPF/0508/82 - Single storey extension to provide double garage and workshop (approved)

EPF/1409/82 - Double garage (approved)

EPF/2570/07 - Grade II Listed Building application for two storey and single storey rear extensions and internal alterations (approved)

EPF/2571/07 - Two storey and single storey rear extensions (approved)

EPF/0387/08 - New fences and gates (approved)

EPF/2338/12 - Proposed single storey rear extension, alterations to side elevation window and door openings and internal alterations (refused)

EPF/2341/12 - Grade II listed building application for a proposed single storey rear extension, alterations to side elevation window and door openings and internal alterations (refused)

EPF/2241/13 - Minor internal and external alterations to existing dwelling; Construction of external swimming pool; alteration and extension to garage/workshop to provide pool plant room and garden machinery store (approved)

EPF/2242/13 - Grade II listed building consent for minor internal and external alterations to existing dwelling; alteration and extension to garage/workshop to provide pool plant room and garden machinery store (approved)

Policies Applied:

HC10 Works to a Listed Building

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:

WILLINGALE PARISH COUNCIL:

OBJECTION – The Council notes that no reference is made in the application, to the part-completed extension to the building shown on the plans, and which appears very similar to that proposed in planning application EPF/2338/12 and listing application EPF/2341/12 both of which were refused. Prima-facie, this appears to be a blatant disregard of the planning process.

Whilst recognising that the applicant is entitled to seek retrospective permission, the Council wishes to register its strong objection to the application for the following reasons:

- Certain aspects of the works carried out are inconsistent with the period character and form of the building - the very reason why the building has Grade 2 listed status. In particular, the unauthorised stripping out of timber floors and replacement with concrete is regrettable, and the Council considers that timber floors should be re-instated in keeping with the historical nature of the building.
- The Council is puzzled by the application, as it does not appear to incorporate re-instatement of the opening to the rear of the building that has been made to accommodate the “illegal” extension, so on the basis that the extension has to be removed, it would leave an opening to the exterior. The Council recommends that EFDC requires the wall to be reinstated with appropriate materials.
- The Council is concerned at the precedent that would be created were EFDC to provide retrospective approval for the unauthorised works. This is considered particularly important in the Parish, given the large number of listed buildings.

In terms of the steel work that has been installed, the Council is unclear, in the absence of any detailed planning permission, as to whether these works would have required a structural engineers report, and recommends that this should be investigated, if the steel work is to be retained as part of any re-instatement works.

The Council understands that if prosecuted, the offence could carry a fine of up to £20,000, but is mindful that in today’s environment, if such a fine was accompanied by a retrospective approval, such a fine would represent a fraction of (and probably acceptable) part of the costs of works undertaken, and would simply be seen as part of the cost of getting the approval.

In conclusion, the Council urges EFDC to reject the application and insist on full reinstatement.

NEIGHBOURS:

7 neighbours consulted and a site notice erected. 12 objections received from neighbouring occupiers. The summary of their objections are as follows:

- Destroys fabric of listed building
- Inappropriate materials used
- Concrete floor affects special interest of the building
- Shouldn’t be able to alter listed property without consent
- Steel beams and concrete seem incongruous
- Should be re-instated to original
- English Heritage should be a consultee
- Should be one application for all the works

Issues and Considerations:

The main issue to be addressed is whether the works would cause harm to the historical fabric of the existing grade two listed building.

Unauthorised works have already taken place at the property. This includes the blocking up of an existing window, replacing the original timber floor with a concrete floor and removal of part of the external wall and new steel beam erected over. An orangery has also been erected to the rear of the dwelling.

This application was invited on the back of a planning enforcement investigation.

The reason behind this is that it was verbally agreed on site that the internal works are acceptable; thereby applying for the less contentious internal works a separate application could be submitted for the Orangery.

The Historic Buildings Consultant has visited the site and has been consulted on this application.

His response is central to the assessment of this application. He has replied as follows:

Spain End is a former rectory dating from the early 19th century; the building is constructed from brickwork and externally rendered. The form of the building was originally square in plan but has been altered and extended several times in the preceding centuries.

The house is set within its own grounds and as historic, architectural, artistic and archaeological values. These values contribute to, and form the significance of the designated heritage asset. Significance also derives from the setting of the heritage asset.

An application was submitted in 2013 (EPF/2241/13 & EPF/2242/13) for internal alterations only and was granted with conditions. The proposal plan showed a beam in context with the one shown in this application however, the beam to the external wall relates only to this application.

I have no issues with the floor structure being altered from a suspended timber joist floor to a solid concrete floor in principle and I have no issues with the beam which is in context with the 2013 planning application stated above. However, I have some concerns with the beam to the external elevation and the context of this beam with a future application affecting the unauthorised orangery.

Therefore due to lack of information relating to the context of the beam, I recommend the application is refused and information relating to the context of the external beam is included in a future application along with a proposal affecting the unauthorised development of the orangery.

Subsequent to the response from the Historic Buildings Consultant and due to the external works being shown on the drawings, it was considered that in order to separate that which is considered acceptable with that which isn't, the application be revised.

The external beam and Orangery has been removed from the application and the proposed drawing now shows the rear to be reinstated back to prior to the unauthorised works commencing.

Given the above, the application is now considered to comply with policy HC10

NB: A condition can be added to any permission requiring the external works to be re-instated back to original unless otherwise agreed in writing within a certain timeframe.

Response to third party representations:

Some of the objections have been covered above.

To clarify though, the Historic Buildings Consultant considered that the concrete floor would not materially harm the special character and fabric of the building and is not recommending this element be refused.

English Heritage only need to be consulted on Grade I and Grade II* applications.

Conclusion:

In light of the above, the works are considered to comply with policy HC10 of the adopted Local Plan and the 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:

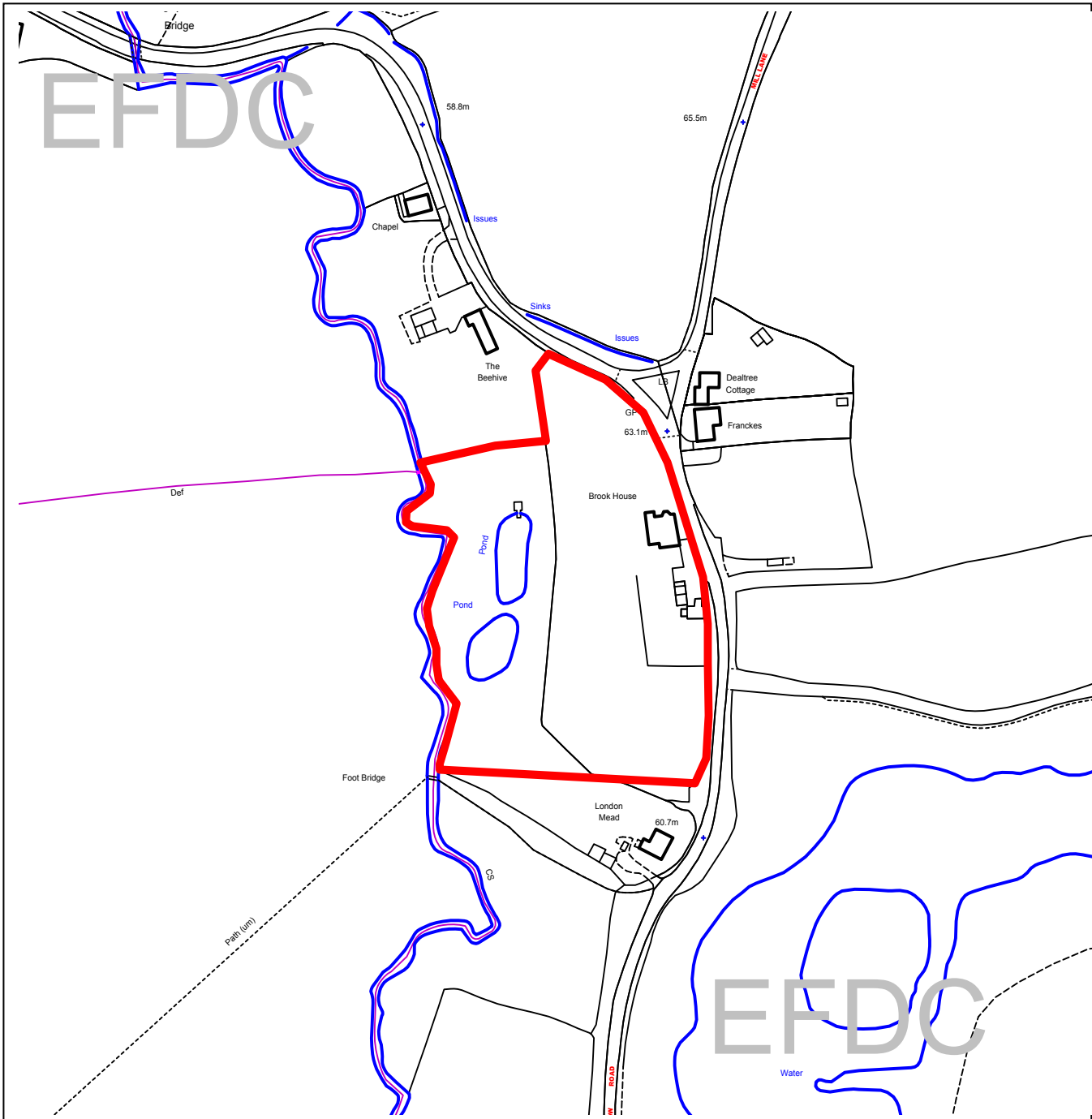
***Planning Application Case Officer: Steve Andrews
Direct Line Telephone Number: 01992 564337***

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



Epping Forest District Council

Agenda Item Number 9



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Application Number:	EPF/2305/15
Site Name:	Brook House, Harlow Road, Moreton, CM5 0DL
Scale of Plot:	1/2500

Report Item No: 9

APPLICATION No:	EPF/2305/15
SITE ADDRESS:	Brook House Harlow Road Moreton Essex CM5 0DL
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
APPLICANT:	Mrs G Raffles
DESCRIPTION OF PROPOSAL:	Proposed replacement vehicular access point
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=579034

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 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.
- 3 The existing access shown on the approved plan shall be permanently closed immediately the proposed new access is brought into first beneficial use.
- 4 There shall be no discharge of surface water onto the Highway.

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))

NB: Although a Listed Building application (EPF/2306/15) was submitted along with the planning application to be considered here, Listed Building consent is not required for these works.

Description of Proposal:

Consent is being sought for the installation of a vehicle crossover and the permanent closure of an existing access. The proposed access would be approximately 5.8m wide where it meets the road. A 1m high gate is proposed 6m back from the road. It is 2.8m from the road to the boundary and the first 3m from the edge of the carriageway would be hardsurfaced.

Description of Site:

Brook House is a grade II Listed Building with outbuildings located on the western side of Harlow Road.

The existing access lies approximately 6m south of the proposed new access and is gated at the boundary of the site. The access is not obvious as the gate is essentially two hinged fence panels which blend with the adjacent fencing. However Council records from 2010 and aerial photos show that the access point was in situ in 2010 (when a mobile home was brought on to site) and a site visit has verified that the fence panels can be opened or locked..

Relevant History:

None relevant

Policies Applied:

ST4 – Road safety

ST6 – Vehicle parking

GB2A – Development in the Green Belt

DBE4 – Design in the Green Belt

HC12 – Development Affecting the setting of Listed Buildings.

Summary of Representations:

PARISH COUNCIL – OBJECTION – On the grounds of Highway Safety, contrary to EFDC POLICY ST4 – ROAD SAFETY- as the Parish Council feels this would be detrimental to highway safety

Essex County Council Highways – No objection

Issues and Considerations:

The main issues here relate to the potential impact on highway safety, impact on the setting of the Listed Building and Green Belt considerations

Highway Safety

The proposal was sent out for consultation to Essex County Council Highways team who initially considered the access unacceptable due to impact on highway safety due to lack of required visibility splays for the speed of the road and that the gate was not set sufficiently back from the highway.

In addition, a concern was raised by ECC Highways in that it wasn't clear where the existing access was located. However, as can be seen above within the description of the site an access appears to have been created prior to the erection of a large wooden mobile home in 2010.

Fencing was erected after this and this fencing is evident in an aerial photo of 2013. A photograph submitted on the 6.11.2015 and a site visit of 23.11.2015 shows the fence panels with lock that can be opened for access into the site. On the above basis it would appear that the access has been in situ for in excess of four years and in planning terms is considered lawful.

An application to demonstrate that the access has existed in excess of 4 years could be submitted however in light of the aerial photos and site visit on 23.11.15, it is considered unreasonable to request a certificate of lawfulness to be submitted and on the balance of probabilities the existing access would be considered lawful.

In light of this, the Council's Highways Engineer considers that the proposal would be an improvement on the existing access in highway safety terms and now the proposed gates have been amended to be set back 6m, from the highway, recommends the proposal be approved subject to a number of conditions. He states also that whilst he is satisfied to recommend approval for this, it is unlikely the Highway Authority would support any intensification of this access in the future due to the limited visibility. The access is better than the existing as it is located further from the bend but would not appear necessarily suitable for use as an access to a separate dwelling. For the use of deliveries and maintenance vehicles for the landscaped grounds, the access is considered an improvement on the existing and as the applicant states in the Planning Statement it would be used to maintain the grounds of the dwelling.

Whilst the situation is not ideal, given the existing access could be made lawful and continue to be used, moving the access to a safer part of the road away from the bend to the south of the site is considered a pragmatic approach. However it must be pointed out to the applicant that this access is only being recommended to be approved on the basis, as the applicant states, for the continued use of maintenance vehicles and for deliveries.

The Highway Authority points out as an informative added to this permission that it is unlikely that they would support any intensification of this access in the future due to the limited visibility.

On balance therefore, the proposal is therefore considered acceptable and would comply with policies ST4 and ST6 of the adopted Local Plan and Alterations 2006.

Impact on setting of listed building

It is not considered that due to its location and modest works proposed, the new vehicle access point would materially detract from the setting of the Listed dwellinghouse and would comply with policy HC12 adopted Local Plan and Alterations 2006.

Green Belt

It is not considered that given the modest works proposed, the new vehicle access point would materially detract from the openness of the green belt and would comply with policy GB2A and DBE4 of the adopted Local Plan and Alterations 2006.

Response to Parish Council comments

The Parish Council comments have been considered under the above section regarding Highway Safety. Due to the existing access, this replacement is considered an improvement over the existing and given that it would be used for the maintenance of the gardens and not for an intensified use such as a new dwelling the Highways Engineer considers the proposal acceptable.

Conclusion:

In light of the above the proposal 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: Jill Shingler
Direct Line Telephone Number: 01992 564106***

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