

Committee Agenda



Epping Forest District Council

Area Planning Sub-Committee East Wednesday, 6th April, 2016

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, 6th April, 2016
at 7.30 pm .**

**Glen Chipp
Chief Executive**

**Democratic Services
Officer**

R. Perrin Tel: (01992) 564243
Email: democraticservices@eppingforestdc.gov.uk

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 - 26)

To confirm the minutes of the last meeting of the Sub-Committee held on 9 March 2016.

4. APOLOGIES FOR ABSENCE

5. DECLARATIONS OF INTEREST

(Director of Governance) To declare interests in any item on this agenda.

6. ANY OTHER BUSINESS

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

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

7. DEVELOPMENT CONTROL (Pages 27 - 44)

(Director of Governance) To consider planning applications as set out in the attached schedule

Background Papers:

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

8. EXCLUSION OF PUBLIC AND PRESSExclusion

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

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

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

Confidential Items Commencement

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

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

Background Papers

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

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

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

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

Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

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

When and where is the meeting?

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

Can I speak?

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

Who can speak?

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

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

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

What can I say?

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

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

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

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

How are the applications considered?

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

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

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

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

Further Information?

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

Area Planning Subcommittee East 2015-16
Members of the Committee and Wards:



Cllr Jones
Theydon Bois

Cllr Keska
Chipping Ongar,
Greensted and
Marden Ash

Cllr Avey
Epping
Hemnal

Cllr Bedford
Shelley

Cllr Boyce
Moreton and
Fyfield



Cllr Brady
Passingford

Cllr Breare-Hall
Epping
Lindsey and
Thornwood
Common

Cllr Church
Epping
Lindsey and
Thornwood
Common

Cllr Grigg
North Weald
Bassett

Cllr McEwen
High Ongar,
Willingale and
the Rodings



Cllr Morgan
Hastingwood,
Matching and
Sheering Village

Cllr Philip
Theydon
Bois

Cllr Rolfe
Lambourne

Cllr Stallan
North Weald
Bassett

Cllr Surtees
Chipping Ongar,
Greensted and
Marden Ash



Cllr Waller
Lower
Sheering

**Cllr
Whitbread**
Epping Lindsey
and Thornwood
Common

**Cllr J H
Whitehouse**
Epping
Page 7

**Cllr J M
Whitehouse**
Epping
Hemnal

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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** 9 March 2016
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, W Breare-Hall, A Grigg, R Morgan, D Stallan, B Surtees, G Waller, C Whitbread, J H Whitehouse and J M Whitehouse

Other Councillors:

Apologies: N Bedford, A Boyce, H Brady, T Church, M McEwen, J Philip and B Rolfe

Officers Present: J Shingler (Principal Planning Officer), A Hendry (Senior Democratic Services Officer) and S Kits (Social Media and Customer Services Officer)

71. 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.

72. 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.

73. MINUTES

RESOLVED:

That the minutes of the meeting held on 10 February 2016 be taken as read and signed by the Chairman as a correct record.

74. DECLARATIONS OF INTEREST

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

75. ANY OTHER BUSINESS

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

76. DEVELOPMENT CONTROL

RESOLVED:

That the planning applications numbered 1 – 7 be determined as set out in the schedule attached to these minutes.

CHAIRMAN

Report Item No: 1

APPLICATION No:	EPF/2716/15
SITE ADDRESS:	Field adj to Horse Shoe Farm London Road North Weald Harlow Essex CM17 9LH
PARISH:	North Weald Bassett
WARD:	Hastingwood, Matching and Sheering Village
DESCRIPTION OF PROPOSAL:	To erect a steel portal framed agricultural chemical sprayer cover and chemical store. Lean-to off one end.
DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=580143

REASON FOR REFUSAL

- 1 Advice received indicates that the building is excessive in size for its proposed purpose, in addition due to its size, bulk, height and position adjacent to the road, the proposal will be visually prominent and harmful to the openness of the Green Belt and the character and visual amenity of the area. The development is therefore contrary to policies GB11, GB7A and LL2 of the Adopted Local Plan and Alteration.
- 2 The proposed development, due to its position, bulk, massing and size will result in an excessive loss of amenity for neighbouring properties contrary to policy DBE9 of the Adopted Local Plan and Alterations.

Report Item No: 2

APPLICATION No:	EPF/2832/15
SITE ADDRESS:	39 Berwick Lane Stanford Rivers Ongar Essex CM5 9PZ
PARISH:	Stanford Rivers
WARD:	Passingford
DESCRIPTION OF PROPOSAL:	New dwelling house on land adjacent to 39 Berwick Lane
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=580393

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: EZP-002, 003 rev A, 004 rev A, 005 rev A, 006 rev A, 007 rev A and 1509 13-L-01 rev D

- 3 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]

- 4 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]
- 5 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]
- 6 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.
- 7 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.

- 8 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.
- 9 No construction works above ground level shall take place until documentary and photographic details, including samples where required, 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.
- 10 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 11 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; all hard surface finish materials, car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 12 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.

- 13 Tree planting outside the curtilage of the dwelling house hereby permitted (as identified on drawing number EZP-003 rev A shall be carried out in the first planting season following commencement of any development on the site, including groundworks.
- 14 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.
- 15 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed at the site. The installed cleaning facilities shall be used to clean vehicles wheels immediately before leaving the site.
- 16 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 17 No trenches or pipe runs for services and drains required to service the development hereby approved shall be cut or laid otherwise than in accordance with BS5837:2012 (Trees in relation to design, demolition and construction – Recommendations), except with the approval of the local planning authority.
- 18 Any replacement gates to the entrance to the site shall be inward opening only and set back from the back edge of the carriageway by a minimum of 6 metres.
- 19 There shall be no increase in the garden to the development (as identified as the 'managed garden area' on drawing EZP-003 rev A hereby approved) without prior consent from the Local Planning Authority.
- 20 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, E and F] of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the LPA.

Report Item No: 3

APPLICATION No:	EPF/2934/15
SITE ADDRESS:	1 Mayflower Way Ongar Essex CM5 9AZ
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
DESCRIPTION OF PROPOSAL:	Proposed dwelling
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=580581

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 3 No development shall take place, 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:; all means of enclosure; surfacing to parking areas, pedestrian ramp design incorporating resting areas and other minor artefacts and structures 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.

- 4 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 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 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.

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

Following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.
- 7 The existing garage on the site, including the base thereof shall be removed in its entirety prior to the commencement of any development other than groundworks.
- 8 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.
- 9 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed at the site. The installed cleaning facilities shall be used to clean vehicles wheels immediately before leaving the site.
- 10 Prior to first occupation of the development the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 3 metres and shall be provided with an appropriate dropped kerb vehicular crossing of the footway.

- 11 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.
- 12 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.
- 13 Other than those indicated on the plans hereby approved, no windows shall be installed in either flank elevation of the building without prior consent from the Local Planning Authority.
- 14 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 and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

Report Item No: 4

APPLICATION No:	EPF/3024/15
SITE ADDRESS:	9 Church Hill Epping Essex CM16 4RA
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	Demolition of a two storey extension and conservatory on the rear elevation of Dane Lodge and its conversion into three apartments, the demolition and replacement of the rear outbuildings to provide one apartment and the erection of a new detached two storey building providing two mews houses, together with the provision of associated on-site covered parking and a bin store.
DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=580936

REASON FOR REFUSAL

- 1 The proposal, due to the scale and massing of the proposed buildings and the level of site coverage, amounts to overdevelopment of the site and fails to preserve or enhance the character and visual amenity of this prominent site within the Conservation Area contrary to policies CP2, CP3, CP7 and HP6 of the Adopted Local Plan and Alterations.

Way Forward.

Members considered that a reduced scheme that was more appropriate to the street scene may be acceptable.

Report Item No: 5

APPLICATION No:	EPF/3038/15
SITE ADDRESS:	Cedar Lodge Church Lane Sheering Harlow Essex CM22 7NR
PARISH:	Sheering
WARD:	Hastingwood, Matching and Sheering Village
DESCRIPTION OF PROPOSAL:	New two storey four bedroom house. (Revised application to EPF/2271/15)
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=580977

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 3 Prior to first occupation of the development hereby approved, the proposed window openings in the north flank elevation(s) shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 4 No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 5 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.

- 6 Notwithstanding the provisions of the Town 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 of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 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 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the substantial completion of the development hereby approved and shall be adequately maintained in accordance with the approved management and maintenance plan.
- 9 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.
- 10 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.

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The development hereby permitted will be completed strictly in accordance with the approved drawings nos: BRD/15/020/: 001A, 002B, 003A, 004A

Report Item No:6

APPLICATION No:	EPF/3121/15
SITE ADDRESS:	Land at The Maltings Waterside Place Sheering Lower Road Sheering Essex CM21 9JX
PARISH:	Sheering
WARD:	Lower Sheering
DESCRIPTION OF PROPOSAL:	A revised scheme pursuant to extant planning permission EPF/0360/12 for the construction of a new building providing twelve flats with external parking and amenity areas.
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=581233

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 2664-1, 2664-2c, 2664-3b, 2664-4a, 2664-5a, 2664-6d, 2664-7b, 2664-8, 2664-110c
- 3 Prior to occupation of the building hereby approved:
 1. The existing car park bays shown within the area edged blue on Plan Ref: 2 shall be marked out in brick as 2.4m wide bays and re-gravelled in accordance with details agreed in writing by the Local Planning Authority.
 2. Details of the works to the trees and proposed lighting columns shown on Plan Ref: 12 shall be submitted to and agreed in writing by the Local Planning Authority, and carried out prior to occupation of the development hereby approved.
 3. A scheme to carry out necessary works to prevent flooding and pooling of water on the existing parking area within the area edged blue on Plan Ref; 2 shall be implemented in accordance with details previously submitted to and approved in writing by the Local Planning Authority.
- 4 No development shall have taken place until samples of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details. For the purposes of this condition, the samples shall only be made available for

inspection by the Local Planning Authority at the planning application site itself.

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

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

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

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

- 9 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 10 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tool. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 11 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.
- 12 Within two months of the date of this decision notice an updated Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) shall be submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 13 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

Report Item No: 7

APPLICATION No:	EPF/2764/15
SITE ADDRESS:	8 Queens Road North Weald Bassett Epping Essex CM16 6JE
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
DESCRIPTION OF PROPOSAL:	Single storey rear extension, garage conversion and first floor rear extension (Revised application to EPF/1939/15).
DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=580274

REASON FOR REFUSAL

- 1 The proposed first floor rear extension due to its depth and height will have an unacceptably overbearing visual impact on number 10 Queens Road and the side facing oriel window will result in an unacceptable loss of privacy to number 6 Queens Road. As such the proposal is contrary to policy DBE9 of the Adopted Local Plan and Alterations.

AREA PLANS SUB-COMMITTEE 'EAST'

6 April 2016

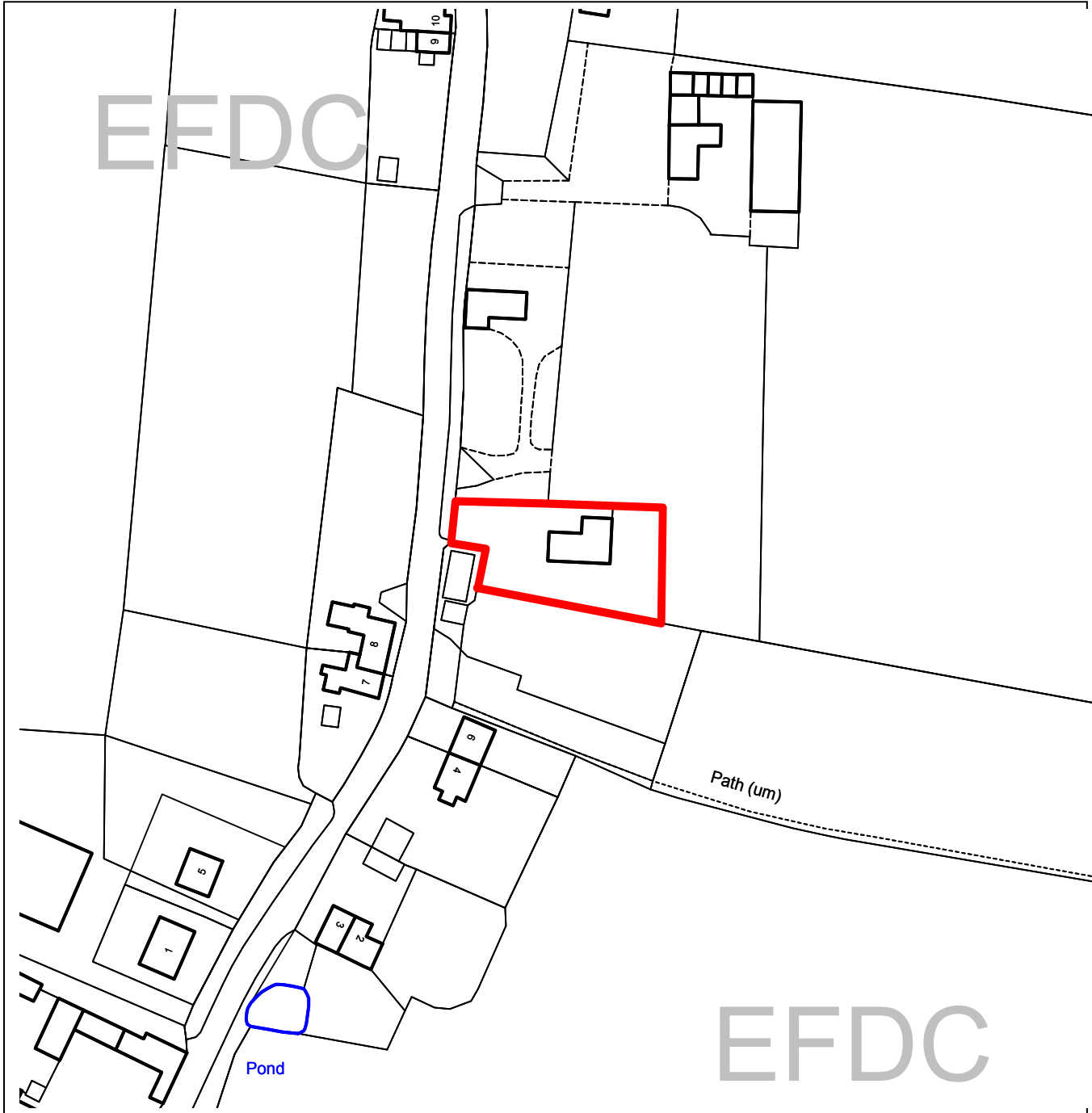
INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

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Epping Forest District Council

Agenda Item Number 1



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Application Number:	EPF/2811/15
Site Name:	Barkers Farm, Mount End Road, Theydon Mount, Epping, CM16 7PS
Scale of Plot:	1/1250

Report Item No: 1

APPLICATION No:	EPF/2811/15
SITE ADDRESS:	Barkers Farm Mount End Road Theydon Mount Epping Essex CM16 7PS
PARISH:	Theydon Mount
WARD:	Passingford
APPLICANT:	Mr Leonard Barker
DESCRIPTION OF PROPOSAL:	Change of use of existing building to create a two bedroom dwelling; alterations to roof form and external appearance; formation of residential curtilage.
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=580355

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: 1, 2 & 3
- 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 extensions, enlargements to the roof or outbuildings with a volume exceeding 10 cubic metres generally permitted by virtue of Classes A, B and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 4 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the

investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]

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

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

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

- 8 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 9 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.
- 10 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

Description of Site:

The application site comprises land that is southern part of the farm yard of a former farm that is situated in the approximate centre of the hamlet of Mount End. It is situated off the east side of Mount End Road. Land rises east of the site and somewhat less steeply to the north across the remaining former farm yard. It is within the Green Belt.

The site has an area of 0.08 hectares. It is 45m in length and an average of 20m in width. Its frontage with the highway is 10m. Access to the site is via an existing vehicular access off the highway that also provides access to the remainder of the southern part of Barkers Farm.

The site comprises a former agricultural building with a ground area of 94.5m² that was originally erected as a stable under planning permission EPF/0965/02. The building has an L shaped ground plan and gabled roof with a low pitch. It is some 4m high at the ridge with an eaves height of approximately 2.6m. The building has a concrete base that extends beyond the building to provide a hardstanding. It has a timber and steel frame supporting steel roof trusses. The external appearance comprises of timber walls above a brick plinth and profiled metal roof sheeting.

Description of Proposal:

It is proposed to change the use of stable building to a two bedroom dwellinghouse. Submitted plans show the stable building would be wholly laid out as a dwellinghouse with two bedrooms in the western wing and a kitchen and living room in the eastern wing.

An enlargement to the roof of the building is also proposed. The new roof form would be that of a crown roof: hipped at the sides with a pitch of 50 degrees, but finished with a flat roof in order to limit its height. The increase in height would be 700mm, giving a maximum height of 4.7m. The alterations would allow for that part of the roof visible from ground level to be tiled.

External materials are not finalised and specified as being for subsequent approval by the LPA. The application forms indicate brick cladding to the walls and plain tiles to the roof. Boundary treatment is indicated as post and rail fencing, but that is also for subsequent approval in the event of planning permission being granted.

Relevant History:

Barkers Farm as a whole has a long and complex planning history. Only the following are considered relevant. The last decision, Prior Approval ref. EPF/2786/15, is most relevant since it is capable of being implemented and therefore is a realistic fall-back position for the Applicant.

EPF/0965/02 Stable block consisting of 2 horseboxes, tack room and hay barn. Approved 24/07/2002

ENF/0062/11 Enforcement notices issued 06/07/11 alleging change of use of part of dairy building from B1 Office Use and use of summerhouse to residential purposes as a separate dwellinghouses. Notices found to be invalid and quashed at appeal on 08/02/2012 (PINS ref APP/J1535/C/11/2157758).

Subsequent enforcement notice issued 02/08/2013 alleging change of use of the whole of Barkers Farm to a mixed use comprising agriculture, residential and storage. Subsequent appeal dismissed and Notice upheld on 01/07/2014 with variations (PINS ref APP/J1535/C/13/2204446).

The requirements of the Notice issued 02/08/2013 in relation to the building that is the subject of this application are to cease its use for storage purposes which are not ancillary to agriculture and to remove all items stored in it that are not ancillary to or related to agriculture. The requirements are complied with.

NOTE: None of the above enforcement notices were appealed on the ground that planning permission should be granted. The planning merits of the alleged uses were therefore never considered by the Planning Inspectors who heard the appeals.

EPF/3005/14 Change of use of former farm office and dairy building and barn to create one live/work unit. Approved 06/08/2015.

EPF/2003/15 Change of use of stable building to create a two bedroom dwelling. Refused for the following reasons:

1. The proposed change of use would alter the character of the site and have a materially greater impact on the openness of the Green Belt than the lawful agricultural use contrary to policy GB2A of the adopted Local Plan and Alterations.
2. The proposed residential curtilage is excessive and intrudes into a currently undeveloped area of agricultural land. The change of use of this land is inappropriate and harmful to the openness of the Green Belt and will have an adverse impact on the rural character of the area by reason of the introduction of residential paraphernalia (parking, washing lines, play equipment, landscaping etc) that cannot be controlled by conditions. The proposal is therefore contrary to

policies GB2A, GB4, LL2 AND CP2 of the Local Plan and Alterations.

EPF/2786/15 Prior approval for proposed change of use of agricultural building to residential. Prior Approval Required and Granted. The Prior Approval permits the use of the building as a two-bedroom house with associated alterations to external materials but does not permit any enlargement to the roof. The curtilage is limited to an area around the building no greater than the ground area of the building, giving a total site area of 0.03 hectares.

Policies Applied:

The National Planning Policy Framework (NPPF) sets the policy context for assessing the development proposals. The policies of the District Councils Local Plan and Alterations are given weight in accordance with their conformity with the NPPF. The following saved Local Plan and Alteration Policies are compliant with the NPPF and are therefore given significant weight.

CP1	Achieving Sustainable Development Objectives
CP2	Protecting the Quality of the Rural and Built Environment
GB2A	Development in the Green Belt
GB8A	Change of Use or Adaptation of Buildings
ST1	Location of Development
ST2	Accessibility of Development
ST4	Road Safety
ST6	Vehicle Parking
RP4	Contaminated Land
RP5A	Adverse Environmental Impacts
DBE8	Private Amenity Space
DBE9	Loss of Amenity
LL11	Landscaping Schemes

In addition to the above policies, the Essex County Council Parking Standards 2009 are a material consideration of significant weight.

NOTE: - Local Plan and Alteration policy GB9A – Residential Conversions, is not compliant with the NPPF and therefore is not a material consideration

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted. 11

Site notice posted.

Responses received:

5 MOUNT END: - Objection

"1 Appeal Reference APP/J1535/A/14/2227268 [*Land adjacent to 1 Gun Cottage, Abridge Road, Theydon Bois, council ref EPF/0255/14*] made earlier in 2015 relates to the conversion of a redundant stable block into residential building within a comparable site in the Epping Forest District. The Planning Inspector was very clear in that the appellant did not have special circumstances to justify development, and the appeal was dismissed accordingly. We believe the Appeal reasoning is directly applicable to this application.

2 We believe the existing building is 'intentional unauthorised development', in accordance with the Government Chief Planner's planning policy statement issued on 31 August 2015. The plans submitted with application EPF/0965/02 are significantly different from the existing elevations plan submitted with this application, in that there are a number of large windows and

full-length doors in the existing plans that were not on the approved 2002 plans and are not consistent with use as a stable block but are instead typically found on residential buildings. The applicant has made numerous planning applications for residential buildings on this site over many years, and we believe this is merely another example.”

11 MOUNT END: - Objection

Alteration to roof form increasing its height and mass would have a greater impact on the green belt than the existing building, spoiling its openness, and making it more obvious and intrusive in the street scene. The increased height could allow the applicant to create a second floor within the roof void. It is noted a larger residential curtilage was previously refused by the Council and it is considered anything larger than permitted under the prior approval process will detract from openness of the green belt by way of domestic paraphernalia allowed within it.

THEYDON MOUNT PARISH COUNCIL: - Objection

“Theydon Mount Parish Council objects to this proposal on the grounds of adverse impact and obtrusiveness on the existing village lane.”

Main Issues and Considerations:

The application site is not within any flood risk zone and is not known to have any interest for biodiversity. In relation to the matter of biodiversity, the site does not contain any traditional timber framed building or traditional farm building. The site is not in a conservation area, does not contain any listed buildings and is not adjacent to any such building. There are no preserved trees on the application site. Due to the former agricultural use there is potential for contaminants on the site therefore the Council’s land contamination advisor recommends standard conditions be imposed on any consent given. They would be identical to those imposed on the prior approval granted for conversion of the existing building without enlargement

The proposal would not have any adverse impact on the safe and free flow of traffic on the adjacent highway. It would also result in a good standard of accommodation with no significant change to the layout of the site. While the existing building may lawfully be used as a dwelling house, the prior approval for that does not allow for any enlargement and limits the curtilage. Accordingly, the main matters to assess when considering the merits of this proposal are whether the new use including the roof enlargement and larger curtilage amount to inappropriate development in the Green Belt and whether the roof enlargement is of acceptable design.

The primary policy against which the matter of appropriateness in the Green Belt must be assessed is that set out in paragraphs 79 to 92 of the National Planning Policy Framework. That has been the policy position since March 2012. Paragraph 90 of the NPPF makes clear the re-use of buildings is not inappropriate in the Green Belt provided that the buildings are of permanent and substantial construction, and that the new use preserves the openness of the Green Belt and does not conflict with the purposes of including land in Green Belt.

There is no doubt the building is a permanent and substantial buildings. They have been inspected by planning officers and planning enforcement officers in connection with the most recent appeals. Furthermore, a surveyors report submitted with the application describes in detail the form of construction and concludes it is of substantial construction and capable of improvement and conversion to an alternative use without substantial rebuilding. The proposed conversion works and roof enlargement do not amount to reconstruction of the building as a whole.

The increase in the roof would have a visual impact by way of an increase in height of 700mm and additional bulk at the edges associated with the crown roof form. The additional bulk would not

appear discordant since the enlarged roof form would be proportionate to the wall height of the building and would achieve a tiled finish. Since the proposal would achieve a very limited increase in bulk and height the consequence for the openness of the Green Belt would not be harmful. The reduction in openness would be slight and since the maximum height of the building would remain low at 4.7m, the very limited impact on openness would not be appreciated other than in short views of the building from within Barkers Farm or at the vehicular access to the site. Furthermore, the proposal would significantly enhance the appearance of the building, which presently has a corrugated metal roof that is less harmonious within the context of the settlement.

The proposed curtilage for the building is 46% less than that of the proposal refused by Members in October 2015, EPF/2003/15. When making that decision Members agreed a way forward that is recorded in Council minutes as follows:

“Members considered whether there was a way forward and advised that a revised proposal with a significantly smaller curtilage area and with boundary treatment appropriate to the rural location would be more likely to be considered favourably.”

This proposal certainly complies with that suggestion. It is reasonably related in size and location to the building and would not appear disproportionately large.

On the basis of the above analysis, therefore, it is concluded the proposal is acceptable in design terms and would not be inappropriate development in the Green Belt.

In order to ensure no subsequent harmful enlargement of the building takes place as permitted development it is reasonable and necessary for any planning permission given to remove permitted development rights for enlargements to the building or the erection of significant outbuildings within its curtilage. The use as a dwelling permitted under the prior approval process would not benefit from Permitted Development rights for any enlargement.

In relation to the concern that the roof void may be used to provide additional living accommodation, the additional 700mm achieved would result in a building with a maximum height of 4.7m, which is too restricted to provide anything more than limited storage for the house.

Conclusion:

The proposal complies with relevant planning policy and it is recommended that planning permission be granted.

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

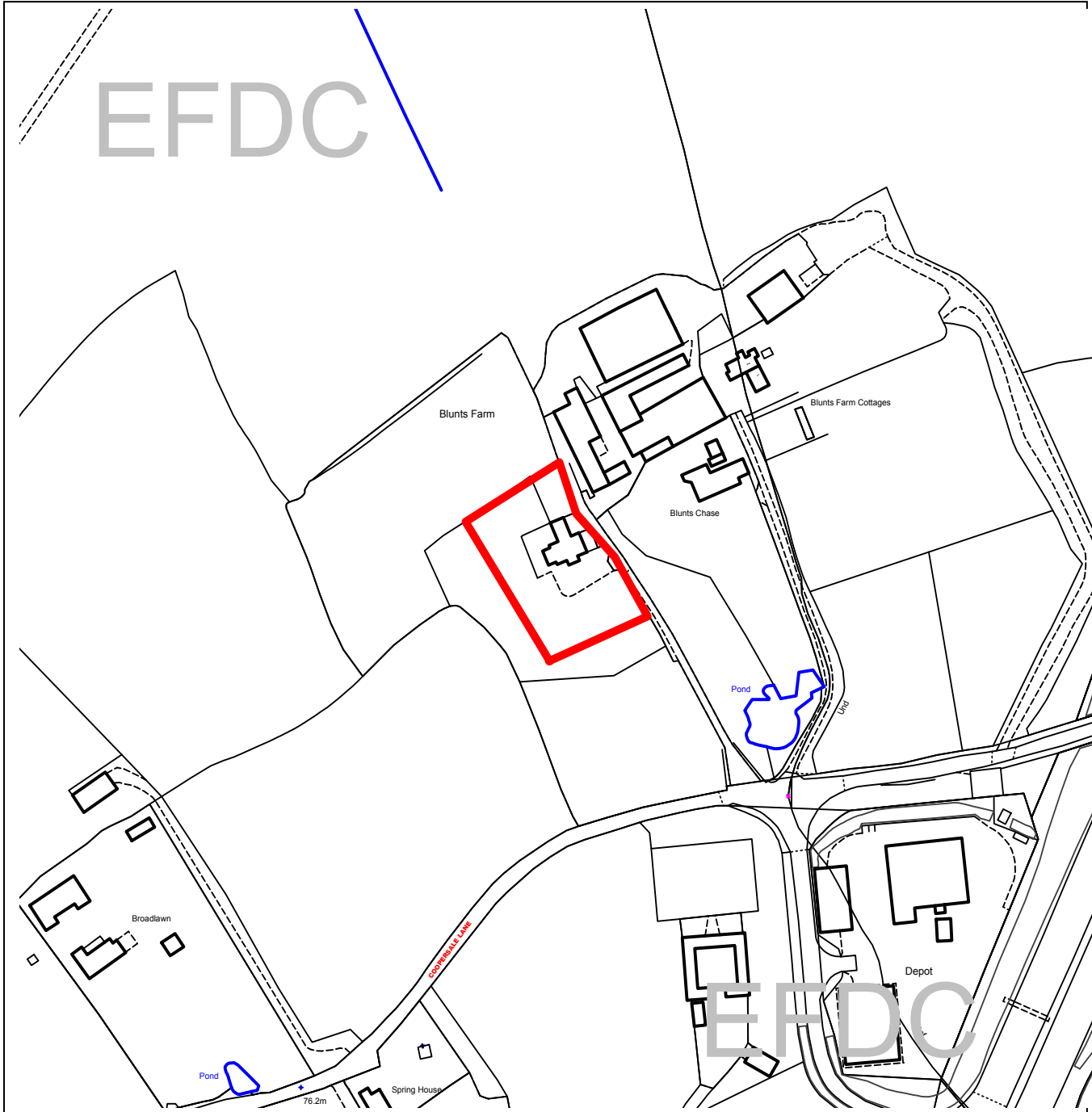
***Planning Application Case Officer: Stephan Solon
Direct Line Telephone Number: 01992 564018***

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



Epping Forest District Council

Agenda Item Number 2



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Application Number:	EPF/3148/15
Site Name:	Blunts Farm, Coopersale Lane, Theydon Bois, Essex, CM16 7NT
Scale of Plot:	1/2500

Report Item No: 2

APPLICATION No:	EPF/3148/15
SITE ADDRESS:	Blunts Farm Coopersale Lane Theydon Bois Epping Essex CM16 7NT
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr Marc Moy
DESCRIPTION OF PROPOSAL:	Application for variation of condition 2 'plan numbers' on planning application EPF/2898/14 (Replacement dwelling house).
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=581302

CONDITIONS

- 1 The development hereby permitted must be begun not later than 15 July 2018.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawing nos: FIM P3A_03 Rev A
- 3 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]

- 4 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]

- 5 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]

- 6 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.

- 7 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.

- 8 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 9 No development shall take place, 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.
- 10 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.
- 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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no extensions, roof enlargement or outbuildings generally permitted by virtue of Classes A, B and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 13 Other than that previously approved in writing by the Local Planning Authority, no external lighting shall be provided at the application site.

- 14 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the integral garage that forms part of the dwellinghouse hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.
- 15 A post and rail fence (up to 1m in height) shall be erected around the boundary of the red lined application site, prior to the first occupation of the dwelling hereby approved, and thereafter retained.
- 16 Works to construct the house hereby approved shall not be commenced until the existing house at the application site has been demolished in its entirety and all resulting waste material removed from the site and adjacent land identified as being in the Applicant's ownership.

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

Description of Site:

The application site comprises land at the western edge of Blunts Farm and is accessed directly off Coopersale Lane by a private drive that also provides access to lower lying land and redundant agricultural buildings to the north of the site. The application shows the drive is within the applicant's ownership but is excluded from the application site.

The site comprises a house and its curtilage, the house being situated towards the centre of the curtilage. A grassed field last used as paddock together with additional land separates the application site from Coopersale lane. The house itself is predominantly two-storey with a single-storey northern projection and prior to its partial demolition had a volume of approximately 1200 cubic metres. It has a gabled roof, with a ridge height previously noted to be 8m. Its principal elevation faces to the south with a parking area in front of it.

The house is partially demolished in connection with the implementation of a previous consent, ref EPF/0386/08, to erect a replacement house. Work stopped before the house was substantially demolished and the approved house was not built.

The site is within the green Belt and Coopersale Lane is identified as a protected lane on the proposals map of the Local Plan. There are three preserved trees on the western site boundary and one in the approximate centre of the site.

Description of Proposal:

It is proposed to erect a two-storey replacement house. The proposal is a minor material amendment to a more recently approved house under planning permission EPF/2898/14.

As with the recently approved house, the proposal would be sited on the footprint of the existing house. However, it would be reoriented such that the principal elevation would face south with a parking area beyond it. Above ground the proposal would be of identical bulk, height and detailed design to that approved.

In addition to reorienting it, the proposal includes adding a basement to the approved house. The basement would be fully underground and have a footprint identical to that of the house.

As before, the house would have an above ground volume of 1036 cubic metres. Its ridge height would be 7.85m. The basement would add some 390 cubic metres to the volume of the building.

Relevant History:

Blunts farm as a whole has considerable planning history, however, the only planning decisions relevant to the current application are as follows:

EPO/0152/64	Outline application for farmhouse	Approved
EPO//0152A/64	Details of farmhouse	Approved
EPF/1240/04	Removal of Agricultural tie	Approved
EPF/1594/05	Demolition of existing house and erection of replacement	Refused
EPF/1123/06	Demolition of existing house and erection of replacement	Withdrawn
EPF/1763/06	Demolition of existing house and erection of replacement	Refused, and subsequent appeal dismissed
EPF/0386/08	Replacement dwelling.	Approved
EPF/2898/14	Replacement dwellinghouse	Approved

Policies Applied:

CP2	Quality of Rural and Built Environment
CP3	New Development
GB2A	Development in the Green Belt
GB15A	Replacement Dwellings
HC4	Protected Lanes, Commons and Village Greens
RP4	Contaminated Land
H2A	Previously Developed Land
DBE1	Design of New Buildings
DBE2	Effect on Neighbouring Properties
DBE6	Car Parking in New Development
DBE8	Private Amenity Space
LL10	Adequacy of Provision for Landscape Retention
ST4	Road Safety
ST6	Vehicle Parking

NPPF

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted. 5

Site notice posted: Yes.

Responses received:

(Note, the responses reported are those to a re-consultation on the latest revised plans)

THEYDON BOIS AND DISTRICT RURAL PRESERVATION SOCIETY: Objection

Harm to the Green Belt since the additional underground built volume would result in a house materially greater than that to be replaced. Should consent be given, previous conditions are requested.

Attention drawn to an invalid application for approval of details pursuant to conditions and to other works carried out on adjacent land outside of the application site.

THEYDON BOIS ACTION GROUP: Objection

Harm to the Green Belt since the additional underground built volume would result in a house materially greater than that to be replaced. Should consent be given, previous conditions are requested.

THEYDON BOIS PARISH COUNCIL: Objection

Whilst the Council was pleased to see the removal of the extensive paved terrace area and swimming pool on the amended plans together with the retention of the integral garage, there remains concern over the proposed basement.

We have been made aware of recent Planning Inspectorate decisions which show that the size and volume of basement areas should be taken into account when considering whether replacement buildings in the Green Belt are materially larger than the one it replaces. Although no volume information has been submitted with this application, it is estimated that the new basement would add approximately a further 35% to the size of the proposed new structure. Clearly, this would make the building materially larger than the one it replaces and therefore represents inappropriate development in the Green Belt.

Main Issues and Considerations:

The main issue raised by the proposal is its consequences for the Green Belt.

Planning policy relating to the Green Belt makes clear that the erection of replacement buildings are not inappropriate development provided the new building is in the same use and is not materially larger than the one it replaces.

In this case the new building would be used as a dwellinghouse and it would replace a dwellinghouse. The original house had an approximate volume of 1200 cubic metres. The additional volume of the basement would result in the new house having a total volume of just over 1400 cubic metres. The additional 200 cubic metres amounts to a 17% increase in volume. Being underground, none of the additional volume proposed in this application would impact on openness. On that basis the proposal would demonstrably not be materially larger than the house to be replaced and that its additional volume would not result in a reduction in openness. It is therefore concluded the proposal is not inappropriate development in the Green Belt.

The percentage increase in volume estimated by the Parish Council is recognised as being in relation to the approved house. To gauge whether a new building would have a materially greater impact on openness than the building it would replace the correct approach is to compare the proposed volume with that of the existing building. The volume of the existing building in this case is reduced by way of partial demolition, but it can be lawfully replaced as a repair. Officer calculations of the existing building are therefore based on plans of it held by the Council.

Conclusion:

The proposal is not inappropriate development in the Green Belt. It would not have a materially greater impact on openness than the house it would replace. As with the approved development,

in all other respects the proposal is acceptable. It is therefore concluded that the proposal complies with relevant planning policy and it is recommended that planning permission be granted subject to necessary 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: Stephan Solon
Direct Line Telephone Number: 01992 564018***

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

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