



***District Development Management Committee
Wednesday, 30th January, 2019***

You are invited to attend the next meeting of **District Development Management Committee**, which will be held at:

**Council Chamber, Civic Offices, High Street, Epping
on Wednesday, 30th January, 2019
at 7.30 pm .**

**Derek Macnab
Acting Chief Executive**

**Democratic Services
Officer**

S. Tautz Tel: (01992) 564243
Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors B Sandler (Chairman), S Jones (Vice-Chairman), H Brady, G Chambers, I Hadley, S Heap, R Jennings, H Kauffman, P Keska, J Knapman, R Morgan, C C Pond, C Roberts, B Rolfe, D Sunger, E Webster and J M Whitehouse

SUBSTITUTE NOMINATION DEADLINE:

18:30

1. WEBCASTING INTRODUCTION

This meeting is to be webcast. On behalf of the Chairman, the Democratic Services Officer 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 third parties).

If you are seated in the lower public seating area then 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 then you should move to the upper public gallery.

Could I please also remind Members to activate their microphones before speaking".

2. ADVICE FOR PUBLIC AND SPEAKERS AT COUNCIL PLANNING COMMITTEES (Pages 5 - 6)

General advice for those persons attending the meeting of the Committee is attached.

3. APOLOGIES FOR ABSENCE

To be announced at the meeting.

4. SUBSTITUTE MEMBERS

To report the appointment of any substitute members for the meeting.

5. DECLARATIONS OF INTEREST

To declare interests in any item on the agenda.

6. MINUTES (Pages 7 - 14)

To confirm the minutes of the meeting of the Committee held on 28 November 2018.

7. EPPING FOREST DISTRICT LOCAL PLAN SUBMISSION VERSION - PLANNING POLICY BRIEFING NOTE

A Planning Policy Briefing Note (March 2018) has been produced by the Planning Policy Team to ensure that a consistent approach is taken to the provision of planning policy advice for the District, particularly in relation to the Epping Forest District Local Plan Submission Version, which was published on 18 December 2017.

The primary purpose of the Planning Policy Briefing Note is to inform the development management process and to provide assistance for Development Management Officers, Councillors, applicants and planning agents. The Planning Policy Briefing Note is available at:

http://www.efdclocalplan.org/wp-content/uploads/2018/03/Planning-Policy-Briefing-Note_Mar-2018.pdf

8. PLANNING APPLICATION EPF/1950/18 - WOODBERRIE, KINGS HILL, LOUGHTON (Pages 15 - 24)

To consider the attached report.

9. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972 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.

10. 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):

<u>Agenda Item</u>	<u>Subject</u>	<u>Paragraph Number</u>
Nil	None	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.

Background Papers

Article 17 (Access to Information) of the Constitution defines 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 and in respect of executive reports, the advice of any political advisor.

The Council will make available for public inspection one copy of each of the documents on the list of background papers for four years after the date of the meeting. Inspection of background papers can be arranged by contacting either the Responsible Officer or the Democratic Services Officer for the particular item.

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Advice to Public and Speakers at Council Planning Sub-Committees

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 Sub-Committee.

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.

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 Sub-Committee 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 Sub-Committee 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 Sub-Committee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Sub-Committee. Should the Sub-Committee propose to follow a course of action different to officer recommendation, they are required to give their reasons for doing so.

The Subcommittee are required to refer applications to the District Development Management Committee where:

- (a) the Sub-Committee's proposed decision is a substantial departure from:
 - (i) the Council's approved policy framework; or
 - (ii) the development or other approved plan for the area; or

- (iii) it would be required to be referred to the Secretary of State for approval as required by current government circular or directive;
- (b) the refusal of consent may involve the payment of compensation; or
- (c) the District Development Management Committee have previously considered the application or type of development and has so requested; or
- (d) the Sub-Committee wish, for any reason, to refer the application to the District Development Management Committee for decision by resolution.

Further Information?

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

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee:	District Development Management Committee	Date:	28 November 2018
Place:	Council Chamber, Civic Offices, High Street, Epping	Time:	7.30 - 8.40 pm
Members Present:	S Jones (Vice-Chairman), H Brady, D Dorrell, I Hadley, S Heap, P Keska, J Knapman, R Morgan, C P Pond, C C Pond, C Roberts, B Rolfe, D Sunger, H Whitbread and J M Whitehouse		
Other Councillors:	None		
Apologies:	Councillors B Sandler (Chairman), G Chambers, R Jennings, H Kauffman, E Webster		
Officers Present:	N Richardson (Service Director (Planning Services)), S Tautz (Democratic Services Manager), J Leither (Webcasting Officer)		

15. WEBCASTING INTRODUCTION

The Chairman made a short address to remind everyone present that the meeting would be broadcast live to the internet and would be capable of repeated viewing, which could infringe their human and data protection rights.

16. ADVICE FOR PUBLIC AND SPEAKERS AT THE COUNCIL'S PLANNING COMMITTEES

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 Committee, during the determination of applications for planning permission. The Committee noted the advice provided for the public and speakers in attendance at meetings of the Council's Planning Committees.

17. SUBSTITUTE MEMBERS

The Committee was advised that the following substitute members had been appointed for the meeting:

- (a) Councillor D. Dorrell for Councillor G. Chambers;
- (b) Councillor C. P. Pond for Councillor R. Jennings; and
- (c) Councillor H. Whitbread for Councillor E. Webster.

18. DECLARATIONS OF INTEREST

The following interests were declared by members of the Committee pursuant to the Council's Code of Member Conduct:

- (a) Councillor S. Jones declared a personal interest in item 8 (Planning Application EPF/1583/18 – 1 Buttercross Lane, Epping) of the agenda for the meeting, by virtue of being acquainted with the applicant for planning permission. Councillor Jones had determined that her interest was not prejudicial and indicated that she would remain in the meeting for the consideration of the application and voting thereon;
- (b) Councillor C. C. Pond declared a personal interest in item 8 (Planning Application EPF/1583/18 – 1 Buttercross Lane, Epping) of the agenda for the meeting, by virtue of being acquainted with each of the persons registered to address the Committee in connection with the planning application. Councillor Pond had determined that his interest was not prejudicial and indicated that he would remain in the meeting for the consideration of the application and voting thereon;
- (c) Councillor H. Whitbread declared a personal interest in item 8 (Planning Application EPF/1583/18 – 1 Buttercross Lane, Epping) of the agenda for the meeting, by virtue of being acquainted with Councillor N. Avey, who was supporting a representative of Epping Town Council to address the Committee in connection with the planning application. Councillor Whitbread had determined that her interest was not prejudicial and indicated that she would remain in the meeting for the consideration of the application and voting thereon; and
- (d) Councillor R. Morgan declared a personal interest in item 11 (Certificate of Lawfulness EPF/1583/18 – Land at Lippitts Hill, Waltham Abbey) of the agenda for the meeting, by virtue of the applicant being a member of the Council. Councillor Morgan had determined that his interest was not prejudicial and indicated that he would remain in the meeting for the consideration of the application and voting thereon.

19. APPOINTMENT OF VICE-CHAIRMAN

In the absence of Councillor B. Sandler, who had tendered his apologies for the meeting, the Chairman sought nominations from the Committee for a member to be appointed as Vice-Chairman for the meeting.

RESOLVED:

That Councillor B. Rolfe be appointed as Vice-Chairman of the Committee for the duration of the meeting.

20. MINUTES

RESOLVED:

That the minutes of the meeting of the Committee held on 1 August 2018 be taken as read and signed by the Chairman as a correct record.

21. EPPING FOREST DISTRICT LOCAL PLAN SUBMISSION VERSION - PLANNING POLICY BRIEFING NOTE

The Service Director (Planning Services) reminded the Committee that a briefing note had been prepared to ensure that a consistent approach was taken to the provision of planning policy advice, following the publication of the Epping Forest District Local Plan Submission Version on 18 December 2017. Members were

advised that the primary purpose of the briefing note was to inform development management activities and to provide assistance for councillors, officers, applicants, planning agents and other persons involved in the development management process.

RESOLVED:

That the Planning Policy Briefing Note for the Epping Forest District Local Plan Submission Version, published on 18 December 2017, be noted.

22. PLANNING APPLICATION EPF/1583/18 - 1 BUTTERCROSS LANE, EPPING

The Service Director (Planning Services) presented a report with regard to the proposed demolition of an existing two-storey house and garage at 1 Buttercross Lane, Epping and the construction of a three-storey block of nine flats, comprising eight two-bedroom flats and one one-bedroom flat, with associated parking and landscaping.

Members were advised that the application had been referred to the Committee for determination as a result of a minority reference from Area Plans Sub-Committee East at its meeting on 10 October 2018, after an equal number of members had voted for and against the development proposal. The Committee noted that the recommendation of the Service Director (Planning Services) remained that planning permission should be granted for the proposed development, notwithstanding that factors in support of and against the grant of planning permission were balanced.

The Service Director (Planning Services) reported that the application site was 0.25a, with a width of 21m and a depth of 57m, located to the west of Buttercross Lane, a cul-de-sac accessed via a passage between the flank walls of buildings on the High Street within the built-up area of Epping. Members were advised that the site was currently occupied by a two-storey detached house with a maximum width of 17.6m and that the area was characterised by close-knit two-storey dwellings and flatted buildings of mixed designs and styles with narrow frontages, predominantly two-storey with tiled roofs and rendered or brick walls. The Committee noted that the south-west of the site was screened by mature trees and hedging and backed onto a car parking area and two-storey buildings to the rear of the High Street. The Service Director (Planning Services) reported that to the immediate north of the application site was a two-storey building, with a three-storey building to the east on the opposite side of Buttercross Lane and that the site was within the Epping Conservation Area.

The Committee was advised that the proposed building would have an I-shaped footprint with its most prominent elevation facing Buttercross Lane, and that the ground and first floor would each provide three two-bedroom flats, with the second floor providing two two-bedroom flats and a single one-bedroom flat. The Service Director (Planning Services) reported that the building accommodating the flats would have a central communal entrance door on the principal elevation and would resemble a substantial detached house of a contemporary style. Members noted that the façade of the building would be finished in red brick at ground floor level with a dentil course above ground floor lintels to separate it from the white timber cladding and jetting at first and second floor level, with a red clay roof tile. The Committee was advised that the building would have a maximum width of 16m and a maximum depth of 23.7m and that vehicular access would be achieved via a new crossover to the right of the building on Buttercross Lane. The Service Director (Planning Services) reported that nine car parking spaces, an electric vehicle charging point, bicycle storage, bin storage and an amenity space would be set to the rear of the building.

The Service Director (Planning Services) advised the Committee that the main issues for consideration in respect of the application were the principle of development, amenity considerations, the design of the scheme, highway and parking implications, and the impact of the proposal on the character and appearance of the Epping Conservation Area. The Committee was advised that the proposed development was considered acceptable, as it would make more efficient use of previously developed land and would accord with the presumption of the National Planning Policy Framework in favour of sustainable development. Members noted that the proposal would complement the street scene and, subject to the imposition of appropriate conditions, would maintain the character and amenity of the conservation area. The Service Director (Planning Services) reported that a lower car parking provision was considered acceptable in the location and that no highway objections had been made to the development proposal and the Committee was advised that, subject to the imposition of appropriate mitigation measures by legal agreement, no harm to the Epping Forest Special Area of Conservation would arise from the proposed development.

A number of members of the Committee raised concern with regard to the proposed development, particularly in relation to the dominant impact of the development on the conservation area in terms of its overall height and bulk, and the potential for increased traffic congestion in Buttercross Lane and at the junction with the High Street.

RESOLVED:

- (1) That planning application EPF/1583/18 be refused for the following reason:

The proposed building would, by reason of its excessive height, bulk and massing, harm the appearance of Buttercross Lane and be unduly overbearing in relation to the adjacent house at no.3 Buttercross Lane, as well as fail to conserve or enhance the character of this part of this conservation area, contrary policies DBE2, HC6 and HC7 of the Adopted Local Plan and Alterations 2008, Policies DM 7 and DM 9 and of the Epping Forest District Council Local Plan Submission Version 2017 and the National Planning Policy Framework (2018); and

- (2) That the following way forward be agreed in connection with the future development of the site:

The three storey building would be oppressive and therefore should be reduced by a storey in height, so that it would appear more in keeping with its surroundings, subject to an appropriate design and appearance in keeping with the character of this conservation area and street scene.

23. PLANNING APPLICATION EPF/1325/18 - 37 HANSON DRIVE, LOUGHTON

The Service Director (Planning Services) presented a report with regard to the proposed construction of a two-storey side extension and single-storey rear extension at 37 Hanson Drive, Loughton

Members were advised that the application had been referred to the Committee for determination as a result of a reference from Area Plans Sub-Committee South at its meeting on 22 August 2018, after an equal number of members had voted for and against the development proposal. The Committee noted that the recommendation of

the Service Director (Planning Services) remained that planning permission should be granted for the proposed development.

The Service Director (Planning Services) reported that the application site was an end of terrace two-storey house in a locality of similar properties. Members noted that the next terrace (starting at 39 Hanson Drive) lay at an angle to the application site, following the line of a bend in the road. The Committee was advised that the site was located within the built up area of Loughton, but was not listed and did not lie within a conservation area. The Service Director (Planning Services) reported that the proposed ground floor accommodation would provide a study and utility room to the side and a dining room to the rear and that the first-floor accommodation would include a bedroom with an en-suite.

The Service Director (Planning Services) advised the Committee that the main issue for consideration in respect of the application was the impact on the character of the area and neighbouring residents. Members were advised that the proposed two storey side extension would have a limited impact on the amenity and outlook of the 'detached' end of terrace house at 39 Hanson Drive and that the proposed rear extension was only to be of modest proportions.

The Service Director (Planning Services) reported that a previous scheme for a similar development to that currently proposed had been granted planning permission in 2011, but that such consent had lapsed.

RESOLVED:

That planning application EPF/1325/18 be granted, subject to the following conditions:

- (a) The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice;
- (b) Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed by the Local Planning Authority; and
- (c) 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.

24. PLANNING APPLICATION EPF/1213/18 - TOWER NURSERY, NETHERHALL ROAD, ROYDON

The Service Director (Planning Services) presented a report with regard to the proposed erection of replacement glasshouses and associated water storage tanks at Tower Nursery, Netherhall Road, Roydon

Members were advised that the application had been referred to the Committee for determination as it proposed the replacement of a commercial glasshouse that had a floor area in excess of 10,000 sq.m and was therefore required to be reported directly to the Committee in accordance with Article 10 (District Development Management Committee and Area Plans Sub-Committees) of the Council's Constitution.

The Service Director (Planning Services) reported that the application site comprised a parcel of land to the east of Netherhall Road, to the north of the main settlement of Nazeing. Members noted that the site was currently in horticultural use as part of Tower Nursery and that the majority of its extent was comprised of glasshouses. The Committee was advised that Tower Nursery was mainly used for the cultivation of tomatoes which were then sold commercially. The Service Director (Planning Services) reported that the application site was located within the boundary of the Metropolitan Green Belt, but was not situated in a Conservation Area.

The Service Director (Planning Services) advised the Committee that the main issues for consideration in respect of the application were the potential impact of the development on the Green Belt, the local landscape, the living conditions of neighbours and the Epping Forest Special Area of Conservation. However, the Committee was advised that the proposal was not considered to be inappropriate development in the Green Belt, would not harm the living conditions of neighbours or the character or appearance of the landscape and fulfilled all other policies contained within the Development Plan, and that it was therefore recommended that planning permission should be granted.

RESOLVED:

That planning application EPF/1583/18 be granted, subject to the completion within six months of a Section 106 Agreement to secure appropriate financial contributions towards the mitigation of air pollution impacts on the Epping Forest Special Area of Conservation, and to the following planning conditions:

- (a) The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice. Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended);
- (b) The development hereby permitted will be completed strictly in accordance with the approved drawings no's: 3828/1, 18-K-079 and SK12 Rev B;
- (c) Materials to be used for the external finishes of the proposed development shall match those contained within the application submission documents, unless otherwise agreed in writing by the Local Planning Authority;
- (d) Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed and utilised to clean vehicles immediately before leaving the site. Any mud or other material deposited on nearby roads as a result of the development shall be removed; and
- (e) The development shall be carried out in accordance with the flood risk assessment (EAS, Job number:837 Document Ref: Tower Nursery FRA May 2018) and drainage strategy submitted with the application unless otherwise agreed in writing with the Local Planning Authority; and
- (f) 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

25. CERTIFICATE OF LAWFULNESS EPF/2315/18 - LAND AT LIPPITTS HILL, WALTHAM ABBEY

The Service Director (Planning Services) presented a report with regard to the proposed grant of a Certificate of Lawful Development for an existing mobile field shelter on land at Lippitts Hill, Waltham Abbey, for equine use. Members noted that consideration of the application was reserved to the Committee in accordance with Article 10 (District Development Management Committee and Area Plans Sub-Committees) of the Council's Constitution, as it had been submitted by, or on behalf of, a Councillor of the Authority.

The Service Director (Planning Services) reported that the proposed mobile field shelter was sited on metal skids and would be incidental to the equestrian use of the land where there were a number of existing permanent stables. Members noted that the field shelter was not considered to be development by definition of the Town and Country Planning Act, because it was a moveable structure and therefore formed part of the use of the land. The Committee was advised that, as the proposed field shelter was ancillary to the main use of the land and would not constitute operational development that would involve a material change of use, planning permission was not required for its siting.

RESOLVED:

That a Certificate of Lawful Development be granted for an existing mobile field shelter on land at Lippitts Hill, Waltham Abbey.

26. ANY OTHER BUSINESS

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

27. EXCLUSION OF PUBLIC AND PRESS

The Committee noted that there was no business which necessitated the exclusion of the public and press from the meeting.

CHAIRMAN

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Report to District Development Management Committee

Date of meeting: 30 January 2019



Address: Woodberrie, Kings Hill, Loughton

Subject: EPF/1950/18 - Proposed swimming pool and associated landscaping

Officer contact for further information: C. Isolda (01992 564380)

Democratic Services Officer: S. Tautz (01992 564180)

Recommendation(s):

That planning application EPF/1950/18 be granted planning permission subject to the following 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) Prior to any above ground works, full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) shall be submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation;
- (3) If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or

destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place;

- (4) No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule in accordance with BS: 5837:2012 (Trees in relation to design, demolition and construction - Recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation;
- (5) All 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;
- (6) All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority; and
- (7) Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed and utilised to clean vehicles immediately before leaving the site. Any mud or other material deposited on nearby roads as a result of the development shall be removed.

Report:

This report was submitted to the meeting of Area Plans Sub-Committee South on 21 November 2018 with a recommendation for approval. However, the member vote on the application was tied and the Sub-Committee resolved to refer the application to the District Development Management Committee for determination, without any recommendation. The officer's report to the meeting of Area Plans Sub-Committee is reproduced below and carries forward the officer recommendation to grant planning permission, subject to the seven conditions set out above.

Report that went to Area Plans Sub-Committee South on 21 November 2018

This application is before this Committee since it has been 'called in' by Councillor Caroline Pond (Pursuant to The Constitution Part 3: Part Three: Scheme of Delegation to Officers from Full Council).

Description of Site:

The application site is within the York Hill Conservation Area and Woodberrie is a locally listed building dating from the turn of the 20th century. It was built for the widow of Robin Allen; the Allen family occupied and largely rebuilt the nearby Dryads Hall in the late 19th century. The architect was Herbert Tooley, a local architect based in Buckhurst Hill, and the house is built in his characteristic Arts and Crafts style. It is prominent on Woodbury Hill given its distinctive catslide roof (although a later addition) and typical Arts and Crafts detailing, and it contributes

both to the historic interest and appearance of the area, which contains a number of other buildings of a similar style.

The York Hill Conservation Area's special interest is derived from various examples of Arts and Crafts architecture and varied architectural interest and the spacing and landscaping around the buildings.

The main property Woodberrie is a three-storey pitched roof house with first floor accommodation provided above the eaves within a steeply pitched roof, and the second floor in the upper roof area. The house is set within a generous plot, benefits from a link attached garage to the north and trees around the boundaries of the site are subject to a Preservation Order.

The house has an extant planning permission for a large extension in a modern vernacular to the north of the existing building.

Description of Proposal:

This application seeks planning permission for the creation of an open-air swimming pool within the south-western corner of the site.

The swimming pool will be landscaped and will measure some 10 metres in length by 5 metres in width with a rectangular shape with a decking area to two sides.

Relevant History:

Various applications the most relevant of which:

EPF/1840/14 - Demolition of an existing garage and the erection of a two-storey extension to an existing dwelling house – Refused

EPF/0498/15 - Proposed dwelling adjacent to Woodberrie – Refused – Allowed at appeal

EPF/3407/16 - Demolition of existing garage and erection of two storey extension with two-storey link, single storey rear conservatory extension, and linked garage together with minor external changes - Granted

Policies Applied:

Adopted Local Plan and Alterations:

CP1	Achieving Sustainable Development Objectives
CP2	Protecting the Quality of the Rural and Built Environment
DBE9	Loss of Amenity
HC6	Character, Appearance and Setting of Conservation Areas
HC7	Development within Conservation Areas
HC13A	Local List of Buildings
LL10	Adequacy of provision for landscape retention
LL11	Landscaping Schemes

The National Planning Policy Framework

The National Planning Policy Framework (NPPF) has been adopted as national policy since July 2018. Paragraph 213 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.

Epping Forest District Local Plan (Submission Version) 2017:

The Epping Forest Local Plan Submission Version 2017 was submitted for independent examination in September 2018. Accordingly, it can be endorsed as a material consideration to be used in the determination of planning applications and be given appropriate weight in accordance with paragraph 48 of the NPPF.

Paragraph 48 provides that decision-takers may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

In general terms it is considered that the Submission Version of the Plan is at an advanced stage of preparation and the policies are considered to be consistent with the NPPF. As regards unresolved objections, some policies within the Submission Version have more unresolved objections than others. All of these factors have been taken into consideration in arriving at the weight accorded to each of the relevant policies in the context of the proposed development listed below:

DM3	Landscape Character, Ancient Landscapes and Geodiversity
DM5	Green and Blue Infrastructure
DM7	Heritage Assets
DM9	High Quality Design
DM10	Housing Design and Quality
SP6	The Natural Environment, Landscape Character and Green Infrastructure

Summary of Representations:

Consulted 11 neighbouring properties
Site notice erected - Yes.

One response received as follows:

15 WOODBURY HILL

I don't object in principle. However, have the following comments to be taken into account:

- Woodberrie is set in the very heart of the conservation area. Woodbury Hill is a beautiful old lane set with high holly hedges. It is a unique part of Loughton & therefore any development should be very sensitive of this;

- There are numerous trees that are going to be disturbed;
- Please ensure that the Plant Room is fully insulated in terms of noise pollution. There is a building next to my garden (other side) which contains a boiler for a swimming pool & the continuous "electric hum" drives me nuts esp during summer nights when my windows are open;
- PILING - my cottage is very old as is No.13. We are both very concerned that when work fully commences in Woodberrie that any piling work is going to affect the foundations of our cottages that are very close by;
- Where is the MAIN ENTRANCE now sited? The main entrance was always the one in Kings Hill. The side entrance into Woodbury Hill was historically deemed dangerous. (I refer you to previous / numerous applications for this site). There doesn't seem to be an allowance for this. The new plans seem to make an assumption that the one into Woodbury Hill is now the main one. I really question this validity;
- There is a section of HEDGEROW that was removed 5 weeks ago along Woodbury Hill. I have a photo to show what it was like taken morning before it was removed. Was this agreed? Please ensure that the hedgerow is reinstated!
- Woodbury Hill is very narrow & steep. Literally one car width. Please ensure all LORRIES are of a suitable size & weight.
- Generally, it has been quite upsetting to see how the rural nature of WH has generally been disregarded & this development will no doubt completely alter this unique Street Scene. I don't object to development in general but the very essence & hard to quantify qualities of what make Woodbury Hill so special are slowly but surely being eroded.

HILLS AMENITY SOCIETY – Objection - Summarised as:

- Swimming pool would represent an over development of the site, particularly when viewed with the previously approved extensions to the property and would detract from the character of the street scene.
- Construction method may damage the foundations of nearby 18th century buildings, particularly no's 13 and 15
- Trees must be protected and removed hedgerow must be replaced.

LOUGHTON TOWN COUNCIL: The Committee was unable to comment on this application, until "the appropriate tree related information had been provided" as requested in the Tree & Landscaping Officer's report.

Issues and Considerations:

The main issues to be considered with this application relate to design in the Conservation Area, impact on amenity and impact on trees.

Design and the Conservation Area:

The proposed swimming pool has been well designed to respect the character of the both Woodberrie and the surrounding conservation area. The proposed pool and landscaping have

been sensitively designed to integrate into the plot and sit behind the high hedge along the road which is so characteristic of this part of the conservation area and use a delicate material palette which softens the appearance of the swimming pool and would create an attractive landscape feature. The pool will be further screened with additional planting and any necessary plant equipment has been placed below the surface to not affect the setting of Woodberrie. The proposed pool would occupy a level plateau within the existing garden and would leave the house with a large area of garden to its rear.

Swimming pools are not an unusual feature within the conservation area, an aerial survey reveals at least 5 swimming pools within York Hill, Kings Hill, Steeds Way and Woodberry Hill, with the two closet pools being in the rear gardens of Woodberry Hollow and 11 Woodberry Hill.

The proposal is not considered to be harmful to the conservation area and is considered to preserve its character and appearance as it is sensitively designed and well screened from the road and retains the existing trees and hedge which lend to the character of the York Hill conservation area.

Amenity

The proposed pool would be set well away from neighbouring properties, in the south-western corner of the site. Due to the land levels of the site and the high volume of protected screening surrounding the proposed pool it would not be visible from long views of the property and would not appear overbearing on neighbouring properties or facilitate any overlooking of neighbour's private amenity space.

Whilst there are some concerns about potential noise which could be generated by the plant equipment associated with the development, the proposed location of the plant machinery is a sufficient distance from neighbouring properties and would be placed below ground as to not cause any significant harm to the amenity of neighbouring properties

Protected Trees/Landscaping

The Tree and Landscape Officer has no objection to the proposal. The site is within a Conservation Area, as such all trees are afforded legal protection. Additionally, several trees on and adjacent to the site are also protected by Tree Preservation Orders. The Tree and Landscape Officer has requested conditions requiring submission of a hard and soft landscaping scheme, tree protection and retention of trees and shrubs as well as a special condition ensuring no crown lifting can be carried out to the protected tree adjacent to the proposed pool.

Other Matters:

Vehicle movements/construction process

It is acknowledged that the road ways within the Conservation Area are narrow and there are no footpaths. As part of the approval for the extension house a condition was attached requesting a Construction Method Statement. A revised Construction Method Statement has been submitted with this application to ensure all works would be carried out in a way which would limit any impact caused by the construction of the development. Nonetheless, it is necessary to include conditions dealing with hours of construction and wheel washing on any consent given. The revised Construction Method Statement is referenced in an informative.

Neighbours have raised concerns about the impact of the proposed development on foundations. The development is a significant distance away from neighbouring buildings, at least 20m, therefore it is very unlikely the proposal would impact on nearby buildings.

Conclusion:

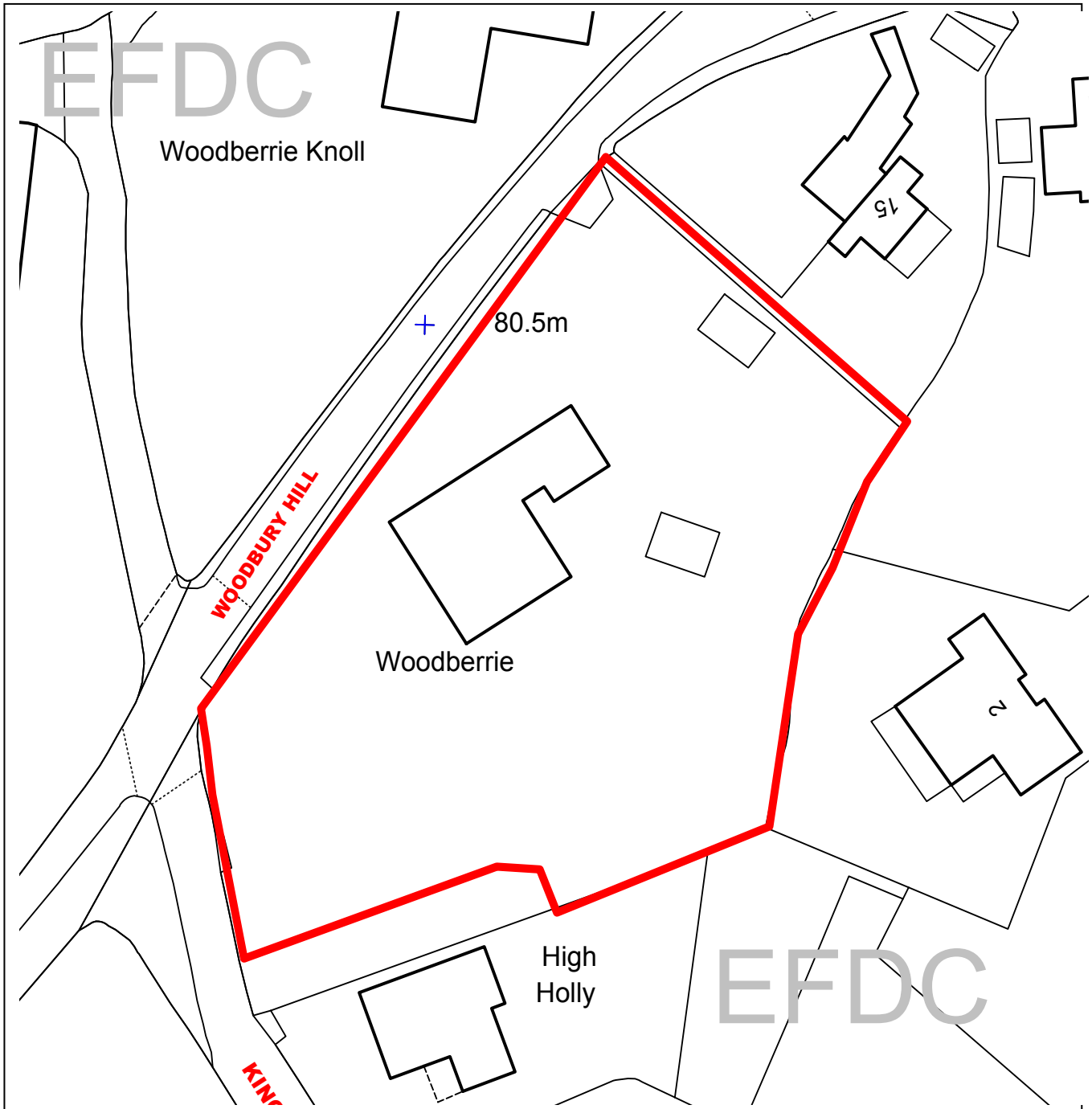
In light of the above appraisal, it is considered that the proposed swimming pool would be acceptable with limited harm to neighbouring amenity or the character and appearance of the Conservation Area and on this basis approval with conditions is recommended.

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Epping Forest District Council

Agenda Item Number



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Application Number:	EPF/1950/18
Site Name:	Woodberrie, Kings Hill, Loughton, Essex, IG10 1JE
Scale of Plot:	1:500

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