

Committee Agenda



Epping Forest District Council

AREA PLANNING SUB-COMMITTEE WEST **Wednesday, 13th February, 2019**

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

Council Chamber - Civic Offices
on **Wednesday, 13th February, 2019**
at **7.30 pm** .

Derek Macnab
Acting Chief Executive

Democratic Services
Officer

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

Members:

Councillors E Webster (Chairman), D Dorrell (Vice-Chairman), R Bassett, R Gadsby, S Heather, L Hughes, H Kane, S Kane, J Lea, A Mitchell, M Sartin, S Stavrou and D Stocker

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 ATTENDING THE COUNCIL PLANNING SUB-COMMITTEES (Pages 5 - 8)

General advice to people attending the meeting is attached.

3. APOLOGIES FOR ABSENCE

4. MINUTES (Pages 9 - 22)

To confirm the minutes of the last meeting of the Sub-Committee held on 12 December 2018.

5. DECLARATIONS OF INTEREST

To declare interests in any item on this agenda.

6. 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.

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. DEVELOPMENT CONTROL (Pages 23 - 42)

(a) Site Visits

To identify and agree requirements for formal site visits to be held with regard to any planning application listed in this agenda for consideration under Section (b) (Planning Applications) below, prior to consideration of the application.

This opportunity for members to identify and agree requirements for formal site visits to be held prior to consideration of a planning application is being operated on a trial basis from the commencement of the 2018/19 municipal year, until 30 November 2018. The success of this arrangement will be reviewed by the Constitution Working Group at the end of the trial period.

(b) Planning Applications

To consider planning applications as set out in the attached schedule.

Background Papers:

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

9. EXCLUSION OF PUBLIC AND PRESS

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

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

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

Background Papers: Article 17 - 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 and in respect of executive reports, the advice of any political advisor.

The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

Advice to Public and Speakers at the Council's District Development Management Committee and Area Plans 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 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**, by telephoning the number shown on 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 generally allowed: One objector (maybe on behalf of a group), the local Parish or Town Council and the applicant or his/her agent. In some cases, a representative of another authority consulted on the application may also be allowed to speak.

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 Committee members.

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

If you have registered to speak on a planning application to be considered by the District Development Management Committee, Area Plans Sub-Committee East, Area Plans Sub-Committee West or Area Plans Sub-Committee South you will address the Committee from within the Council Chamber at the Civic Offices. If you simply wish to attend a meeting of any of these Committees to observe the proceedings, you will be seated in the public gallery of the Council Chamber.

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 from Democratic Services or our website www.eppingforestdc.gov.uk. Any information sent to Councillors should be copied to the Planning Officer dealing with the application.

How are the applications considered?

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

An Area Plans Sub-Committee is 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

Further information can be obtained from Democratic Services or through our leaflet 'Your Choice, Your Voice'.

Area Planning Subcommittee West 2018-19

Members of the Committee and Wards Represented:



Cllr Webster
Waltham Abbey
Paternoster

Cllr Dorrell
Waltham Abbey
Paternoster

Cllr Bassett
Lower Nazeing

Cllr Gadsby
Waltham Abbey
South West

Cllr Heather
Waltham Abbey
Honey Lane



Cllr Hughes
Broadley Common,
Epping Upland
and Nazeing

Cllr H Kane
Waltham Abbey
South West

Cllr S Kane
Waltham Abbey
Honey Lane

Cllr Lea
Waltham Abbey
North East

Cllr Mitchell
Waltham Abbey
North East



Cllr Sartin
Roydon

Cllr Stavrou
Waltham Abbey
High Beach

Cllr Stocker
Waltham Abbey
Honey Lane

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EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** 12 December 2018
West

Place: Council Chamber - Civic Offices **Time:** 7.30 - 8.10 pm

Members Present: E Webster (Chairman), D Dorrell (Vice-Chairman), R Gadsby, S Heather, L Hughes, J Lea, M Sartin, S Stavrou and D Stocker

Other Councillors:

Apologies: R Bassett, H Kane and S Kane

Officers Present: J Godden (Principal Planning Officer (Heritage, Enforcement & Landscaping)), A Hendry (Senior Democratic Services Officer) and J Leither (Democratic Services Officer)

38. 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.

39. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements agreed by the Council, to enable persons to address the Sub-Committee in relation to the determination of applications for planning permission.

40. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 14 November 2018 be taken as read and signed by the Chairman as a correct record.

41. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillors M Sartin and S Stavrou declared non-pecuniary interests in the following items of the agenda by virtue of being District Council appointees to the Lee Valley Regional Park Authority. The Councillors had determined that their interests were not prejudicial and that they would remain in the meeting for the consideration of the item and voting thereon:

- EPF/1351/18 – Former Chimes Garden Centre and Nazebourne, Nazeing;
- EPF/2412/18 – Brick Lock Cottage, Glen Faba, Roydon;
- EPF/2414/18 – Brick Lock Cottage, Glen Faba, Roydon.

42. ANY OTHER BUSINESS

It was reported that there was no urgent business for consideration at the meeting.

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

It was noted that the Epping Forest District Local Plan Submission Version Planning Policy Briefing note was available at:

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

44. DEVELOPMENT CONTROL

The Sub-Committee considered a schedule of applications for planning permission.

RESOLVED:

That, Planning applications numbered 1 – 4 be determined as set out in the annex to these minutes.

45. PROBITY IN PLANNING - APPEAL DECISIONS, 1ST APRIL TO 30TH SEPTEMBER 2018

The Sub-Committee received report on the appeal decisions during the period 1 April to 30 September 2018.

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

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

Since 2011/12, there have been two local indicators, one of which measures all planning application type appeals as a result of committee reversals of officer recommendations (GOV08) and the other which measures the performance of officer recommendations and delegated decisions (GOV07).

Over the six-month period between 1 April 2018 and 30 September 2018, the Council received 58 decisions on appeals (53 of which were planning related appeals, the other 5 were enforcement related).

GOV07 and 08 measure planning application decisions and out of a total of 53, 11 were allowed and 1 was part allowed (22.6%). Broken down further, GOV07 performance was 7 (including 1 part allowed) out of 41 allowed (17.1%) and GOV08 performance was 5 out of 12 (41.7%).

RESOLVED:

That the probity in Planning report covering the period 1 April to 30 September 2018 be noted.

CHAIRMAN

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Report Item No:1

APPLICATION No:	EPF/1092/18
SITE ADDRESS:	The Bungalow Hoe Lane Nazeing Essex EN9 2RQ
PARISH:	Nazeing
WARD:	Lower Nazeing
DESCRIPTION OF PROPOSAL:	Development of 3 dwellings.
REDECISION:	Grant Permission (Subject to Legal Agreement)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=608356

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: A-1701-SK: 09F, 10F, 11F, 12F
- 3 The window openings in the southern flank elevation of the dwelling on plot 1 and the northern flank elevation of the dwelling on plot 3 shall be entirely fitted with obscured glass with a minimum Level 3 obscurity 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 construction works above ground level shall have taken 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, prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
- 5 The development hereby approved shall be carried out in accordance with the flood risk assessment (Ken Rush Associates Flood Risk Assessment, Ref 17-6121, April 2018) and drainage strategy submitted with the application unless otherwise agreed in writing with the Local Planning Authority.
- 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 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.
- 8 If any tree, shrub or hedge shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased 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.
- 9 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.
- 10 Prior to the first occupation of the development both accesses shall be increased to a minimum width of 5 metres for at least the first 6 metres from the back edge of the carriageway and provided with an appropriate dropped kerb crossing of the verge.
- 11 No removal of hedgerows, trees or shrubs, or works to or demolition of buildings or structures that may be used by breeding birds, shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to EFDC.
- 12 Prior to the commencement of any works dusk and dawn surveys for bats should be undertaken in accordance with guidelines from Natural England on the bungalow and garage. These should be submitted to EFDC for approval. Should the surveys reveal the presence of bats, or their breeding sites or resting places then an appropriate and proportionate detailed mitigation and compensation strategy must be written in accordance with any guidelines available from Natural England and submitted to EFDC for approval. Should a Natural England European Protected Species licence (EPS) be required then this should also be submitted to EFDC. All works shall then proceed in accordance with the approved strategy with any amendments agreed in writing.
- 13 A working methodology for the inspection/felling of any low or moderate potential trees for bats (if removal or significant tree work is required on these trees) should be submitted to, and approved by, EFDC.

- 14 Prior to occupation, a lighting design strategy for bats shall be submitted to, and approved by, EFDC. The strategy shall:
 - a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places along important routes used to access key areas of their territory, for example, for foraging; and
 - b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.
- 15 A working methodology statement for reptiles shall be submitted to, and approved by, EFDC.
- 16 A biodiversity enhancement plan shall be submitted to, and approved by, EFDC. This will include bat and bird boxes, hedgehog box and corridors, log piles and native planting.
- 17 The Ecological Report submitted by Tim Moya Associates December 2017 and its recommendations and guidelines in section 7 and 8 shall be followed unless otherwise agreed in writing by the Local Planning Authority.

Report Item No:2

APPLICATION No:	EPF/1351/18
SITE ADDRESS:	Former Chimes Garden Centre and Nazebourne (no. 93) Old Nazeing Road Nazeing Essex EN10 6RJ
PARISH:	Nazeing
WARD:	Lower Nazeing
DESCRIPTION OF PROPOSAL:	Demolition of site buildings and redevelopment to provide 33 new homes
DECISION:	Grant Permission (Subject to Legal Agreement)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=609536

That the permission is subject to a Section 106 Legal Agreement which secures 5 affordable rented 3 bed dwellings and contributions towards Early Years and Childcare (45,471)) and Primary Education (£132,945) Index linked to April 2018

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: 17142-P-001, 003L, 004B, 005B, 006, 007B, 008B, 009B, 010B, 011B, 012B, 014A, 015B, 016A

Reason: To ensure the proposal is built in accordance with the approved drawings.
- 3 No construction works above ground level shall have taken 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, prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
- 4 Prior to first occupation of the development hereby approved, details of foul and surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 5 Prior to first occupation of the development, measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.

- 6 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.
- 7 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garage(s) hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.
- 8 Prior to first occupation of the development, the ecological enhancements set out in the submitted Ecological Enhancement Plan shall be carried out in full.
- 9 Prior to any above ground works, details of the proposed landscaping of the site, including retention of trees and other natural features and the proposed times of planting (linked to the development schedule), shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping shall be carried out in accordance with the approved details and at the agreed times.
- 10 Prior to the occupation of any phase of the development, for its permitted use, a Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority. The landscape management plan shall be carried out as approved.
- 11 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.
- 12 Prior to first occupation of the development, a schedule of landscape maintenance for a minimum period of five years shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. The landscape maintenance plan shall be carried out in accordance with the approved schedule.
- 13 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.

- 14 Prior to first occupation of the development hereby approved, 1 Electric Vehicle Charging Point for each dwelling that has a garage or allocated parking space and 1 Electric Vehicle Charging Point for every 10 properties that share unallocated parking shall be installed and retained thereafter for use by the occupants of the site.
- 15 No development other than above ground demolition shall commence until , a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the local planning authority.

Reason:- The site has been identified as contaminated. Full remediation is required to ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with the guidance contained within the National Planning Policy Framework, policy RP4 of the adopted Local Plan and Alterations, and policy DM 21 of the Epping Forest District Council Local Plan

- 16 Following completion of the measures identified in the approved remediation scheme, and prior to the first use or occupation of any part of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with details of any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils. These details must be submitted to and agreed in writing by the Local Planning Authority. The approved monitoring and maintenance programme shall thereafter be implemented in full and records kept available for inspection by the Local Planning Authority on request.

Reason:- To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with the guidance contained within the National Planning Policy Framework, policy RP4 of the adopted Local Plan and Alterations, and policy DM 21 of the Epping Forest District Council Local Plan Submission Version 2017.

- 17 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.
 7. Tree protection measures.
- 18 No works shall take place until the following components of the detailed surface water drainage scheme for the site, based on sustainable drainage principles and as per the

submitted Flood Risk Assessment, an assessment of the hydrological and hydrogeological context of the development has been submitted to and agreed by the Local Planning Authority. The approved scheme shall subsequently be implemented in full prior to first occupation of any of the dwellings hereby approved.

- 19 No above ground works shall take place until a maintenance plan detailing the maintenance arrangements including those who are responsible for different elements of the surface water drainage system and the activities/frequencies have been submitted to and agreed by the Local planning Authority. Should any part be maintainable by a maintenance company details of the long term funding arrangements shall be provided.
- 20 The applicant or any successor in title must maintain yearly logs of maintenance that must be carried out in accordance with the approved maintenance plan. These must be made available for inspection upon request by the Local Planning Authority.

Report Item No:3

APPLICATION No:	EPF/2412/18
SITE ADDRESS:	Brick Lock Cottage Glen Faba Roydon Essex CM19 5EW
PARISH:	Roydon
WARD:	Roydon
DESCRIPTION OF PROPOSAL:	Proposed rear extension, external restoration including replacement windows to rear and logstore.
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=614356

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: 100.110 Rev B, 100.011 Rev A, 100.100A Rev A, 100.010 Rev A, 100.001 Rev A & 100.115 Rev A.
- 3 Before any preparatory demolition or construction works commence on site, a biodiversity enhancement statement, for the site shall be submitted to the Local Planning Authority for agreement in writing with a working methodology for site clearance and construction work to minimise impact on any protected species, nesting birds and radiating mammals. Development shall be undertaken only in accordance with the agreed strategy and methodology.
- 4 No works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before the structure is demolished and provided written confirmation that no birds will be harmed and/or that there are appropriate measure in place to protect nesting bird interest on site. Any such written confirmation should be submitted to EFDC.

Report Item No:4

APPLICATION No:	EPF/2414/18
SITE ADDRESS:	Brick Lock Cottage Glen Faba Roydon Essex CM19 5EW
PARISH:	Roydon
WARD:	Roydon
DESCRIPTION OF PROPOSAL:	Grade II Listed Building Consent for proposed rear extension, external restoration including replacement windows to rear and logstore.
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=614373

CONDITIONS

- 1 The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 100.110 Rev B, 100.011 Rev A, 100.100A Rev A, 100.010 Rev A, 100.001 Rev A & 100.115 Rev A.
- 3 Notwithstanding the approved designs, the new extension shall be clad in 8" horizontal Shiplap cladding formed from British Larch natural timber, the lower edge to incorporate a radiused fillet bead. The cladding shall be painted in an off-white oil-based cladding paint to BS colour 10 B 15. Any alternative cladding or finish must be approved in writing in advance of construction by the local planning authority.
- 4 Notwithstanding the approved designs, the new windows in the building (with the exception of the timber doors) shall be formed from W20 steel sections, painted Oyster White Ral 1013. Any alternative window sections / materials / paint colours require to be approved in writing by the local planning authority in advance of construction.
- 5 Notwithstanding the approved designs, the new rainwater goods in the listed building and extension shall be fabricated from cast iron, painted black.
- 6 Notwithstanding the approved designs, the roof covering over the new extension shall be European natural slate, of the same gauge and colour as that covering the main roof of the listed building.

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AREA PLANS SUB-COMMITTEE 'WEST'

13 February 2019

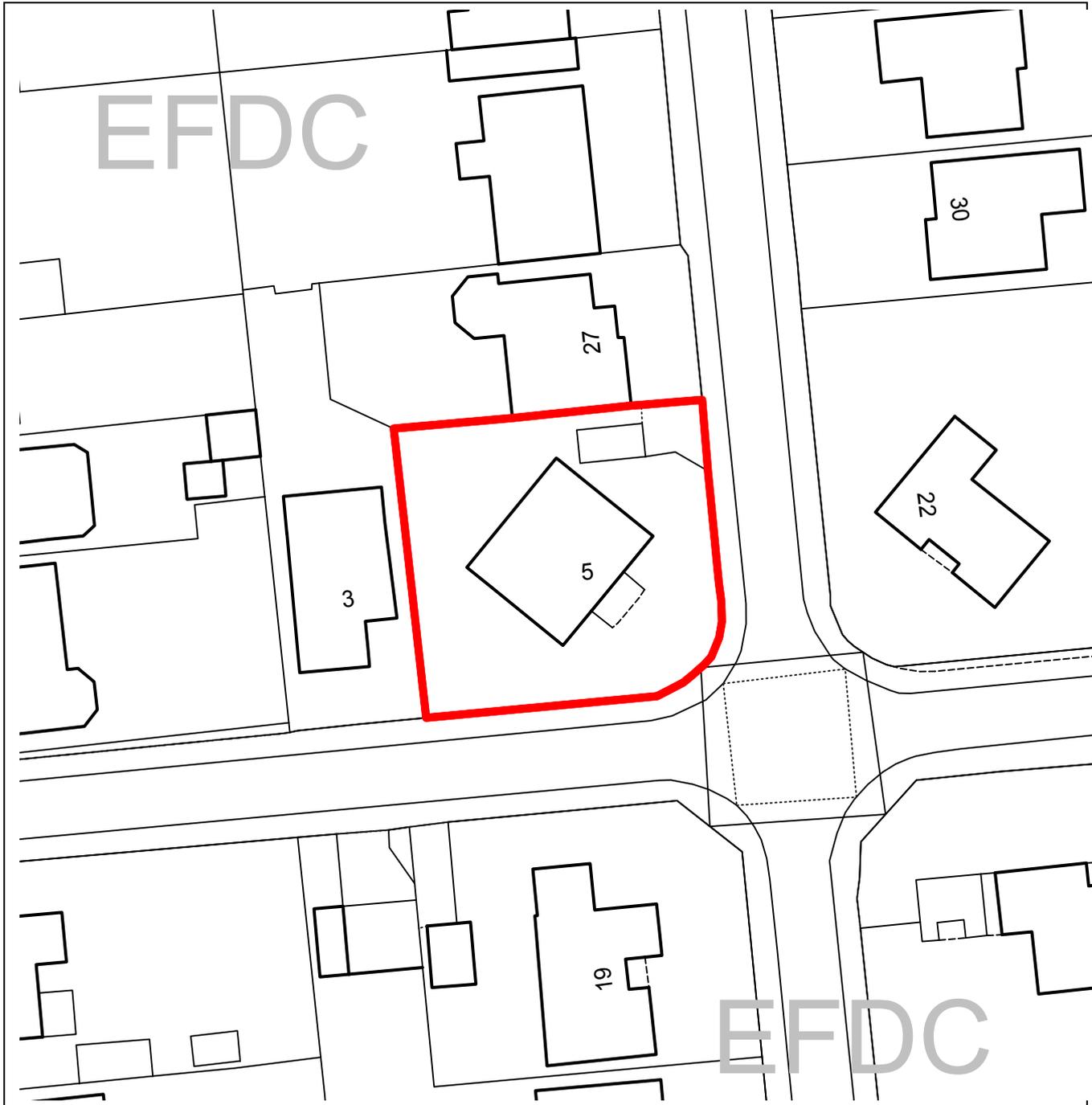
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Epping Forest District Council

Agenda Item Number 1



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Application Number:	EPF/2889/18
Site Name:	1:500
Scale of Plot:	Oak Porch House 5 Western Road Nazeing Essex EN9 2QN

Report Item No:1

APPLICATION No:	EPF/2889/18
SITE ADDRESS:	Oak Porch House 5 Western Road Nazeing Essex EN9 2QN
PARISH:	Nazeing
WARD:	Lower Nazeing
APPLICANT:	Oak Porch House
DESCRIPTION OF PROPOSAL:	Change of use from residential (C3) to a mother and baby assessment unit offering parenting assessments by a registered social worker (sui generis).
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=616474

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Site Location Plan, Existing Second Floor Plan, Existing First Floor Plan, Existing Ground Floor Plan
- 2 The use hereby permitted shall cease on or before the following date, 13 February 2022.
- 3 Prior to the commencement of the proposed use, an operational management plan for the use shall be submitted to and approved by the Local Planning Authority and the use shall at all times be operated in accordance with the agreed plan. This shall include but not be limited to staffing levels, times when residents may be permitted to leave the premises, times when the garden may be used and CCTV supervision. The plan shall also include provisions for the submission of an annual log of complaints regarding the use to the Local Planning Authority.
- 4 The premises shall only be used for the assessment of parents and children and at no time should more than four parents and four children be residing at the property. Also, at all times there should be a paid worker on the premises to supervise them when the use is in operation.

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 and more than five objections have been received which are material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix 1.(3c)

Description of Site:

The application site comprises of a large two storey dwellinghouse. It is not within a Conservation area nor is it a Listed Building. It is situated on a corner plot on the junction where Western Road meets Highland Road. The application dwelling has benefited from significant alterations and extensions over the years and benefits from two vehicle access points, one from Western Road and the other from Highland Road. The site frontage can accommodate a number of vehicles. There is no uniform architectural style, design or character of dwellings along this street. The street does however; predominantly consist of residential family sized dwellings.

Description of Proposal:

Change of use from residential (C3) to a mother and baby assessment unit offering parenting assessments by a registered social worker (Sui Generis)

Relevant History:

EPF/1252/14 Prior notification application for a 4 metre deep single storey rear extension with eaves height of 2.4 metres and overall height of 3.6 metres. Prior Approval Not Required

EPF/0372/10 Erection of front entrance gates and railing with brick piers and dwarf brick walls. (Revised application) Approved.

EPF/0097/10 Certificate of lawful development for a proposed rear dormer window in a loft conversion and a single storey rear extension. LAWFUL

EPF/2246/09 Part single storey, part three storey rear extension and erection of front boundary gates, walls and railings. Refused.

Policies Applied:

Adopted Local Plan:

CP2	Protecting the quality of the rural and built environment
DBE9	Loss of Amenity
DBE10	Design of Residential Extensions

NPPF:

The Revised National Planning Policy Framework (NPPF) has been published as of 24th July 2018. Paragraph 213 states that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

Epping Forest District Local Plan (Submission Version) 2017:

On 14 December 2017, full Council resolved that the Epping Forest Local Plan Submission Version 2017 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 of the NPPF 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:

SP1	Presumption in Favour of Sustainable Development
DM9	High Quality Design
DM10	Housing Design and Quality

Consultation Carried Out Summary of Representations Received

Number of neighbours Consulted: 5

Responses received: SIX OBJECTIONS received from the following addresses:

- 3 WESTERN ROAD
- 27 HIGHLAND ROAD
- 17 HIGHLAND ROAD
- 22 HIGHLAND ROAD
- 15 HIGHLAND ROAD
- 43 HIGHLAND ROAD

The Objections are summarised below:

- Noise impact of proposal
- Parking impact, proposal will have staff and residents and doesn't seem to be enough parking off street which will inevitably lead to parking stress on local roads which would cause harm to highway and pedestrian safety. Emergency vehicles would have difficult passing through. Very difficult in the mornings during the school run with people parking carelessly in front of drives and on both sides of the highway making it difficult for traffic to pass on a two-way basis.
- Not suitable for locality which is residential in nature
- Concerns about crime and disorder
- Concern about the pressure the development would place on local public services i.e. local schools and health centres. The children would need schooling and have health needs like any other child in the locality.

Parish Council: OBJECTION

- The use class covers a wide range of uses for example care homes, hospitals etc. which is

- not acceptable to the Parish Council.
- Potentially 22 people could be living/employed at the residence, there will be parking and overcrowding issues
- Traffic issues
- Concern about neighbour amenity
- Concern about impact of proposal on a residential area. In terms of its intensification.

Main Issues and Considerations:

The application is for a change of use to a mother and baby assessment unit. There are no proposals to alter the external appearance of the building. A planning consultant has provided a letter giving details of the proposed use and it is considered helpful to quote fairly extensively from it:

“The key objection of the unit is for parents with babies (usually newborns) to be supported and their parenting skills to be assessed, such as the ability to buy and prepare food for their family. The assessments would also focus on the emotional and physical development of the children referred to the centre (by either a Local Authority or by a court) alongside the promotion of a parent’s self esteem and confidence, psychological assessment and child development/ care needs. Ultimately, transitional plans are developed whilst families are at the unit to enable the retention and growth of parenting skills which would ensure families can function long term, within communities, without requiring assistance.

The operation could potentially involve the use of all six bedrooms within the property at any one time to house a ‘family’. This would result in a maximum occupation of up to six ‘families’ which would normally comprise of one mother and one baby, thus resulting in one parent and one baby/babies per bedroom.

The family would be accommodated at the property for between twelve to sixteen weeks on average. As the unit would provide temporary accommodation for parents with extremely young children (usually newborns) there would be no requirement for schools places.

In addition to the bedrooms, the property would also accommodate an office for use by staff.

A social worker and a manager will be present during the day with a staff member present over night. Accordingly, whilst none of the staff are resident 24/7, there would be around the lock, minimal staff supervision at all times.

The duty staff members will work on a rota basis to supervise the residents and ‘handover’ to the assessors/social workers will typically take place no earlier or later than 07:00 and 22:00 hours each day”.

The applicants have submitted floor plans in support of their application, no change to the floor layout of the building.

The proposed use is not considered to fall within any use class and is therefore sui generis as categorised by the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended).

Living Conditions of neighbours

No external changes are proposed. The application is purely a change of use from C2

According to the supporting statement, visitors will be strictly limited and visitor hours will be

confined to 10.00 to 18:00 each day (except in an emergency). Parents will be encouraged to remain on the premises with their child, and only permitted to undertake supervised trips to local shops and other service facilities during the daytime (typically between hours of 09:00 and 17:00), when ready to do so.

Neighbours will be provided with a name and contact number by the operator of the facility in case of an incident. All neighbours will be encouraged to contact the Duty Manager in the first instance.

The garden area will be limited between hours of 08:00 to 21:00 Monday to Sunday. Music or amplified sound will not be allowed within the garden area. Any music or amplified sound will be restricted inside the premises to ensure it is not audible at the boundaries of the building.

No drugs or alcohol will be present on the premises. The main entrance will be monitored by CCTV. CCTV material will only be retained for a maximum period of seven days unless otherwise required for investigative purposes.

As stated earlier, the current six bedrooms at the application building will be occupied by one family each comprising of a parent and a new-born child. There will be a maximum of two staff present during the day and one staff member present overnight.

The proposal is unlikely based on the information above, to cause excessive harm to neighbour amenity. It is unlikely to result in increased noise nuisance, a significant loss of privacy or an attraction for anti-social social/criminal behaviour compared with the existing use of the application site.

Suitably worded conditions could be imposed to enable the Local Planning Authority to exercise control on a number of fronts to mitigate the potential amenity impact of the proposal. These are outlined below.

1. Temporary Planning Permission is recommended for the proposal in order to enable the LPA to assess the impact of the use on the amenity of nearby residential properties during this period.
2. Prior to commencement of the proposed use an operation management plan for the use shall be submitted to and approved the LPA and the use shall at all time be operated in accordance with the agreed plan. This plan shall include not be limited to staffing levels times when residents maybe permitted to leave the premises, times when the garden may be used and CCTV supervision. The plan shall be also include provision for the submission of an annul log of complaints regarding the use to the LPA. The reason for this is to control the nature of the use to prevent it unduly affecting the amenity of nearby residents.
3. The premises shall only be used for the assessment of parents and children and at no time should more than six parents and six children be residing at the property. Also, at all times there should be a paid worker on the premises to supervise them when the use is in operation. Reason for this is to control the nature of the use to prevent it unduly affecting the amenity of nearby residents.

Full wording of the conditions above are outlined in the Council's Draft Decision Notice.

It is important to note that it would be inappropriate for cameras to have views of neighbouring properties. Condition number two would prevent the installation of CCTV in inappropriate locations.

Whilst finely balanced, given these safeguards, particularly the acceptable of a temporary permission, it is considered the application should be approved.

Highways

The County Highway Authority were consulted on this application and have no objections to the proposal. There is sufficient space in the site frontage to accommodate a number of vehicles for parking. Moreover, there are no parking restrictions along this street and site inspections and street surveys suggest it is not a street that is heavily parked. As such, any overspill parking from the proposal would not cause a detrimental impact on highway safety, cause significant parking stress or impact on the functioning of the public carriageway. The road has a sufficient width enabling two way traffic and emergency vehicles to pass through without much difficulty to traffic flows. Though the Essex Parking Standards do not have a specific category to calculate the requirement for the proposed use, using the standards for hostels, which would seem to be the nearest equivalent use, would mean that one space per full-time staff equivalent, i.e. two parking spaces, are required. The site frontage can accommodate four parking spaces.

This would provide parking for two social workers present during the day plus one for a visitor. It is envisaged that residents would be unlikely to bring cars and this issue could be addressed in the management plan by preventing residents bring cars. Whilst it is possible "overspill" parking may occur occasionally, this is likely to be fairly rare and not contribute to parking stress for reasons outlined above. Refusal of planning approval as being contrary to policy T2 of the Submission Version of the Local Plan (2017) is therefore not considered to be justified.

Waste

It is not envisaged that rubbish generated would be significantly more than for an ordinary dwelling. Sufficient space is available for refuse and recycling containers/bins.

Other Matters

It is acknowledged that the proposal is not conveniently located for shops and other facilities. The additional shopping and other trips that the proposed use would generate would not be very significantly more than a residential use and refusal for this reason would not be justified.

Devaluation/loss of property value and possible difficulty selling houses are not issues which can be taken into account in dealing with a planning application.

Conclusion:

The main issue to be considered in relation to this application is the effect of this proposal on neighbours. Given that the residents are being assessed there will be a strong incentive to behave well. A management plan, combined with a temporary permission so the development can be trialled, would ensure this use would be unlikely to affect neighbours sufficiently to justify refusing permission. Also as outlined above, parking is not considered to justify refusal of approval. The application is therefore recommended for approval subject to conditions.

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

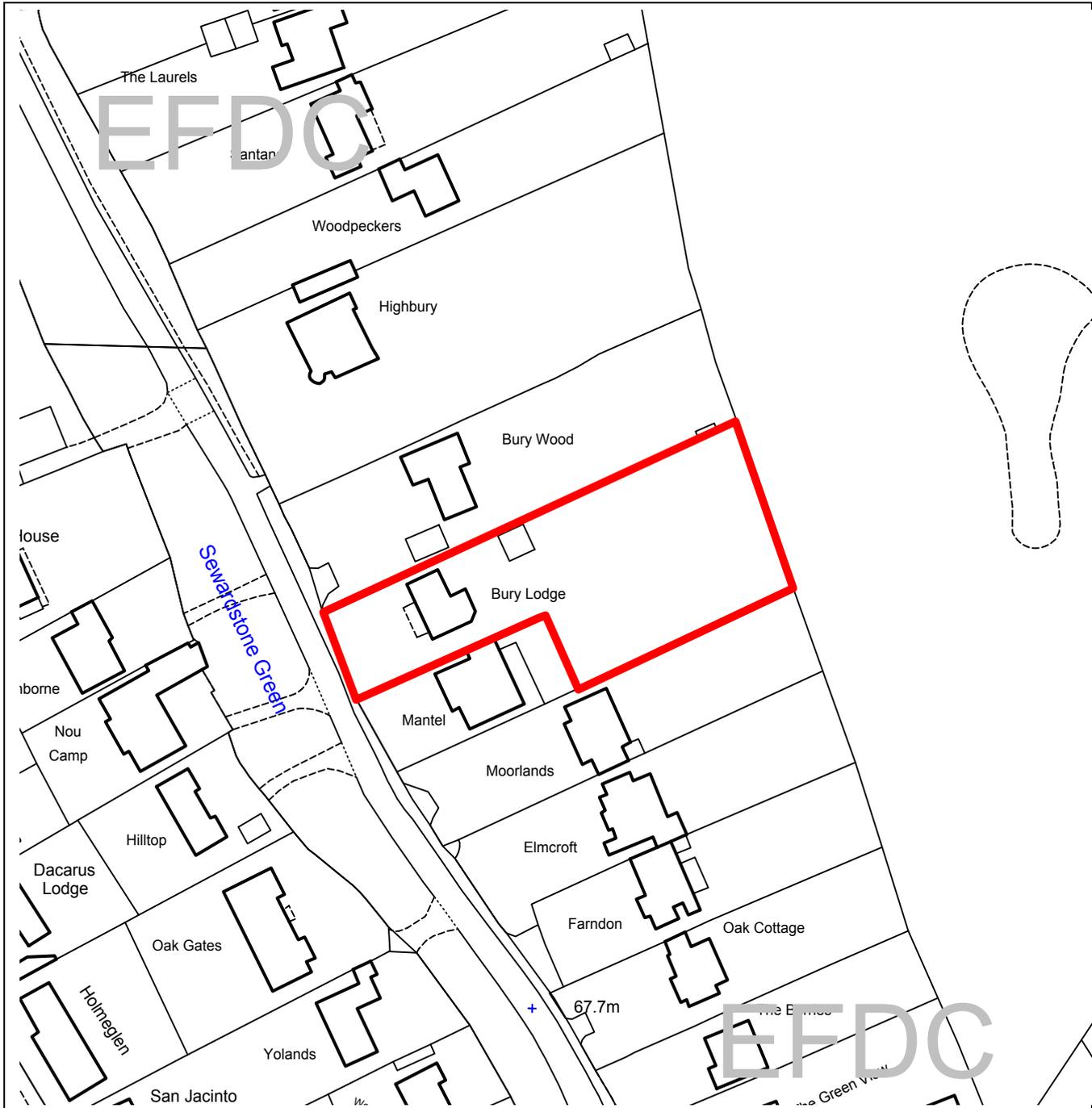
***Planning Application Case Officer: Sukhdeep Jhooti
Direct Line Telephone Number: 01992 564 298***

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/3327/18
Site Name:	Bury Lodge Bury Road E4 7QL
Scale of Plot:	1:1250

Report Item No:2

APPLICATION No:	EPF/3327/18
SITE ADDRESS:	Bury Lodge Bury Road Waltham Abbey Essex E4 7QL
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
APPLICANT:	Nina Chaudhary
DESCRIPTION OF PROPOSAL:	Replacement dwelling at Bury Lodge.
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=618459

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 have taken 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, prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
- 3 The development hereby permitted will be completed strictly in accordance with the approved drawings nos:

FXC_001, 002, 005B, 006,, 007, 008, 010G, 100H, 200J, 201 J, 203B, 180516-L-10 rev A ;
Design and Access Statement;
TMA Aboricultural Report 180516-PD-11a Dec 2018;
Ken Rush Associates Flood Risk Assessment and Management and Maintenance Plan 18-6354 Dec 2018;
TMA Bat Survey and Mitigation report Sept 2018 180516-ED-02a;
TMA Ecological report 180516-ED-01b
- 4 No development shall commence until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), shall have been submitted to and approved in writing by the local planning authority. If any contamination is found, a report specifying the measures to

be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the local planning authority. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 21 days of the report being completed and approved in writing by the local planning authority.

- 5 Following completion of the 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.
- 6 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 Phase 2 report, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 21 days of the report being completed and approved in writing by the local planning authority.
- 7 The development permitted by this planning permission shall be carried out in accordance with the approved flood risk assessment (Flood Risk Assessment Management and Maintenance Plan, Ref 18-6354 December 2018) and drainage strategy submitted with the application unless otherwise agreed in writing with the Local Planning Authority.
- 8 A specialist bat consultant, registered to use the Low Impact Class Licence, must be engaged to ensure that demolition works to the building are undertaken in accordance with the relevant legislation and guidance issued by Natural England. A letter from the hired ecologist stating that they have been engaged to carry out this work will be submitted to the Local Planning Authority for approval.
- 9 Prior to commencement of works a Construction Method Statement will be submitted to EFDC for approval. This will include the recommendations made in the ecological report regarding badgers, hedgerows and reptiles.
- 10 No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed

and / or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

- 11 Prior to commencement of works an ecological enhancement plan will be submitted to EFDC for approval. This shall include;
 - a) A lighting design strategy for biodiversity
 - b) A plan showing the location of the bat boxes recommended in the ecological report.
- 12 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.
- 13 Soft landscaping shall be implemented as shown on Tim Moya Associates 'soft landscaping plan' drawing number 180516-L-10 rev a dated December 2018 and the accompanying planting schedule unless the Local Planning Authority gives its prior written approval to any alterations. 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.
- 14 The tree protection, methodology for construction adjacent to trees and Arb site supervision shall be undertaken in accordance with the submitted Tree Survey/ Arboricultural Method Statement unless the Local Planning Authority gives its prior written approval to any alterations. Tree protection shall be implemented as shown on Tim Moya Associates 'tree protection plan' drawing number 180516-P-12 rev b dated September 2018.
- 15 Prior to the first occupation of the development any redundant dropped kerbs shall be reinstated to full height, including, any necessary footway works as required.
- 16 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

- 17 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Class A, B, C and E shall be undertaken without the prior written permission of the Local Planning Authority.
- 18 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.
- 19 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

This application is before this Committee since it is for a type of development that cannot be determined by Officers if more than five objections are received (or in cases where less than 5 were consulted, a majority of those consulted object) on grounds material to the planning merits of the proposal (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council).

Description of Site:

The application site comprises an 'L' shaped parcel of land which covers an area of approximately 0.27 hectares located on the eastern side of Bury Road. It contains a turn of the century two and a half storey detached house which has been altered significantly since it was built. There are protected trees along its southern most boundary. The site is surrounded on its north, south and west by an eclectic mix of detached bungalows, two and two storeys with rooms in the roof houses surrounded by verdant curtilages. An open golf course adjoins the its eastern boundary.

The site is located within land designated as Green Belt. It is not listed or within a conservation area. This site is more than 3km away from the Epping Forest Special Area of Conservation.

Description of Proposal:

Permission is sought for the replacement dwelling and new boundary treatment.

The proposed dwelling would measure 14.8m in width on the front elevation but then the side flank wall steps back so that the width of the dwelling at the rear is 13.3m. The length of the dwelling is 22m including a 1.9m two storey projecting bay to the front and a 4.3m single storey projection to the rear. The ridge height will be 10.9m

The house has a total floorspace of 660 square metres.

The proposed materials include Fair faced brick work to walls, natural slate on the roof along with timber /aluminium framed fenestration.

Access to remain as existing.

Boundary treatment includes 1.2m high painted metal railings and gate with hedge behind on front boundary. 1.8m high close boarded fence on side boundaries.

Relevant History:

Reference	Description	Decision
EPF/2630/18	Replacement dwelling and new boundary wall	Withdrawn
EPF/1417/17	Outline application for the existing three storeys dwelling to be replaced with a larger three storeys dwelling with a floor area of approximately 465 square metres	Granted
WHX/0135/04	Dwelling house	Granted
WHX/0412/26	Proposed alterations	Unknown
WHX/0215/65	Demolition of Bury Lodge. Erection of 1 dwelling House.	Withdrawn
WHX/0073/66	RE-MODELLING OF EXISTING HOUSE	Grant permission
WHX/0156/71	S/S BOILER HOUSE WITH STORE IN CONNECTION WITH SWIMMING POOL	Grant permission

Policies Applied

Epping Forest Local Plan (1998) and Alterations (2006):

CP2: Protecting the Quality of the Rural and Built Environment
CP3: New Development
DBE1: New Buildings
DBE4: Design in the Green Belt
DBE8: Private Amenity Space
DBE9: Neighbouring Residential amenity
GB2A:Development in the Green Belt
GB7A:Conspicuous Development
HC5: Epping Forest
LL10 Adequacy of provision for landscape retention
LL11: Landscaping Schemes
ST1: Location of Development
ST2: Accessibility of Development
ST4: Road Safety
ST6 vehicle Parking
U3B Sustainable Drainage Systems
RP4 Contaminated Land
NC1 - SPAs, SACs and SSSIs
NC3 - Replacement of Lost Habitat
NC4 - Protection of established Habitat
NC5 – promotion of Nature Conservation 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:

SP6 -	Green Belt and District Open Land
T1 -	Sustainable Transport Choices
DM1 -	Habitat Protection and Improving Biodiversity
DM2	Epping Forest SAC and the Lea Valley SPA
DM4 -	Green Belt
DM9 -	High Quality Design
DM10 -	Housing Design and Quality
DM11 -	Waste Recycling Facilities on New Development
DM15 -	Managing and Reducing Flood Risk
DM16 -	Sustainable Drainage Systems
DM18 -	On Site Management of Waste Water and Water Supply
DM19 -	Sustainable Water Use
DM20 -	Low Carbon and Renewable Energy
DM21 -	Local Environmental Impacts, Pollution and Land Contamination
DM22-	Air Quality

Adopted Local Plan:

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 5

Responses received:

MONTAL: OBJECT The new replacement dwelling will overlook our property, this will certainly impact on the peaceful enjoyment of our home and garden. The building will be visually overbearing. It is an inappropriate design for this part of Bury road. Such a large building would be totally out of keeping with the neighbouring properties which are mainly smaller houses and a single storey bungalow. The sheer size of the house will cause us to lose a substantial amount of

view which we currently prize. We only moved into our new home in October and in the process of buying our house we knew that a new dwelling was going to be built on the original plot to roughly the same size. We invite you to visit our home to verify that these objections are valid. Therefore, we ask that Epping Forest District Council to refuse this planning application and encourage BB partnership to resubmit a building design that is smaller, less intrusive on neighbouring properties, and more sensitive to the character of this Road.

GREAT OAKS: OBJECT: The applicant aims to make it another one of their care 2 share businesses.

NORWOOD: OBJECT: The proposed property is far too large for the plot and will be an overbearing eyesore when taking into consideration the neighbouring properties.

OAK GATES: OBJECTION: Very concerned this is still a stealth commercial application being represented as a residential dwelling. Planning should be allowed only if there are property covenants implemented to ensure property remains a family residential home only which the owner shouldn't be opposed to given this is "fully" their intention.

ELMCROFT: OBJECT: Bury road, this is a quiet residential street. We cannot see any purpose for the property to require space for six cars, for a family? The plans offer no sense of an effort to remain consistent with other dwellings situated nearby. Surely there is a mechanism that ensures that if planning is granted, then there will be no deviation from its apparently intended use as a family residential home in the future. If the applicant subscribes to these covenants, then we may feel that this is the actual intention. We also note that there was an official planning application pinned to the front fence, incredibly briefly, prior to it being taken down. It's certainly not been there this week. We wish to understand further the measures available to us to protect the future of the community if the intention is, as appears, to be to convert to a commercial property in the future.

BURYWOOD: OBJECT: Overdevelopment; Loss of light to neighbours; excessive development in the Green Belt; over intrusive in the Green Belt; Harmful to the character and appearance of the road; overbearing.

PARISH COUNCIL: No comments received.

Main Issues and Considerations:

The main issues are the impact the proposal will have on the aims and purposes of the Green Belt, impact on neighbours and the design of the new building in relation to its setting.

Background

Outline application under reference EPF/1417/17 was approved for the existing three storeys dwelling to be replaced with a larger three storeys dwelling with a floor area of approximately 465 square metres. This permission is still extant and therefore is a material consideration in the determination of the application.

Principle

The application submitted, is for a replacement building is to be used as a single-family dwelling house. Any departure from this use would therefore be a material change of use and as such would require a further planning application.

Green Belt

Paragraph 133 of the National Planning Policy Framework (the Framework) says that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 143 says that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. This is broadly restated in Policies GB2A of the Local Plan. Paragraph 145 of the Framework states that the Council should regard the construction of new buildings as inappropriate in Green Belt unless (inter alia) it can be demonstrated that the proposal is the 'limited infilling of a village and limited affordable housing for local community needs under policies set out in the Local Plan'.

The previous planning permissions for housing development within this road have demonstrated that the site is within a village and therefore limited infilling would be acceptable. The general principle is therefore acceptable. The second consideration that needs to be made is that is this proposal a limited infill of the site. This judgement is made by assessing the existing character and appearance of the surrounding area.

The proposal replaces an existing house and is compatible with the size of other properties along Bury Road. There is development adjoining three of the boundaries of the site. The proposal is therefore considered to meet the 'limited infill' requirement and as such is considered not inappropriate development in accordance with the requirements of paragraph 145 of the NPPF and GB2A of the Local Plan.

Design

The replacement executive type house has a scale, height, density, massing, materials and the crown roof design reflects properties within this locality. Examples include the two houses approved under EPF/2250/14 and EPF/2135/16 at Knoll House. The designs of Winterstoke and Woodside are also similar. The proposal is therefore considered to be consistent with the character and appearance of the street. Furthermore, the height is also no more than existing property on the site.

A new planted hedge and trees are proposed to replace the existing trees which have been removed and to the front boundary and 1200mm painted metal railing and gates with a planted hedge behind are proposed for the front boundary of the property.

It will therefore have a neutral impact on the distinctive local character of the area in accordance with chapter 12 of the NPPF and DBE 1 of the Local Plan.

Trees

The tree officer finds the details submitted in the supporting Tree Protection Plan, Arboricultural Impact Assessment and soft landscaping plan acceptable. She is therefore satisfied that further conditions will ensure that the health and stability of existing trees on the site will be protected and a suitable landscaping scheme could be achieved. The proposal therefore accords with the requirements of the LL10 and LL11 of the adopted Local Plan.

Quality of resulting residential accommodation

The proposed house has a good standard of design; provide a good standard of internal space, outlook, ventilation, and access and amenity space in accordance with paragraph 17 of the NPPF and supplementary guidance contained within the Essex Design Guide.

Impact on neighbouring residential amenity

The proposed house is 1.6m closer to the boundary with Montal than the existing house. The main building also extends 3.7m deeper and a further 3.3m at single storey level into the garden than the existing house on the site. However, the height of the proposed house is the same as that of the existing building. The southern side flank wall of the proposed house is separated from the boundary wall by 2.6m.

The rear section of the proposed house that extends beyond the rear elevation of Montal is set in from its southern boundary adjoining Montal by 4m. Hedging is also proposed to screen the house further.

The window serving the third bedroom at Montal is within its northern flank wall facing the development. However, it is positioned 5.4m away from the nearest side flank wall of the proposed house and there is an existing 2.6m high wall between the two properties.

A corrugated roof lean to roof is attached to side flank wall (over the third bedroom) and the side extension. The existing levels of light and outlook achieved from these windows is already low. Plans indicate that the window within the side extension attached to Montal serves a store room.

Given the extant outline consent, the distance of the bungalow at Montal from the application property, the character of the wider Bury Road and conditions requiring windows within the upper floor side flank walls being obscure glazed and the removal of permitted development rights, it is not considered that this neighbour will be excessively affected by the proposal in terms of loss of light, outlook, privacy or dominance.

Bury Wood contains dormer windows within its southern elevation facing the application site. However, these windows are secondary, outlook from these windows is therefore not protected. The side flank wall of Bury Wood is set 8.9m from the nearest side flank wall of the proposed house and the proposed dwelling does not extend beyond the rear elevation of this neighbour. Furthermore, soft landscaping is proposed for all the boundaries of the site, it is therefore considered that this property will also not be excessively affected by loss of light, outlook or privacy. All other properties are sufficiently distant as to ensure that they will not be materially affected. The proposal therefore complies with the requirements of policy DBE9 of the Local Plan.

Land Drainage

The land Drainage team agree with the findings of the submitted Flood Risk Assessment. They therefore recommend a condition be attached to any permission which requires that the development be carried out in accordance with the flood risk assessment (Flood Risk Assessment Management and Maintenance Plan, Ref 18-6354, September 2018) and drainage strategy submitted with the application. The proposal therefore accords with the requirements of policy U2B of the Local Plan.

Land Contamination

The Land Contamination Officer has found that the potential land contamination risks are likely to be low, and as result recommends that standard 'unexpected land contamination' conditions to ensure any contamination is remediated in accordance with policy RP4 of the Local Plan.

Ecology

The Countryside team find the details submitted within the Bat Survey and Mitigation Report submitted by Tim Moya Associates September 2018 acceptable. They therefore raise no

objections to scheme subject to further conditions attached to any permission. It is for this reason that the proposal complies within the requirements of Chapter 11 of the NPPF and policy NC4 of the Local Plan.

Epping Forest Special Area of Conservation

Since the proposal is for a replacement house and not an additional house, the requirements for a financial contribution to pay towards access management and monitoring of visitors to the Forest in order to mitigate against the harmful impacts of development on the air quality and biodiversity within the Forest is not required.

Highways

Access is as existing and sufficient parking is proposed within the front forecourt of the property to comply with the requirements of ST4 of the Local Plan.

Conclusion:

A two and a half storey residential property is in principle acceptable due to the existing house on the site and the extant outline permission already approved. The submitted scheme has a design which is reflective of others in the locality and will not cause excessive harm to neighbouring residential amenity. It is for these reasons considered that 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: Sukhi Dhadwar
Direct Line Telephone Number: 01992 564597***

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