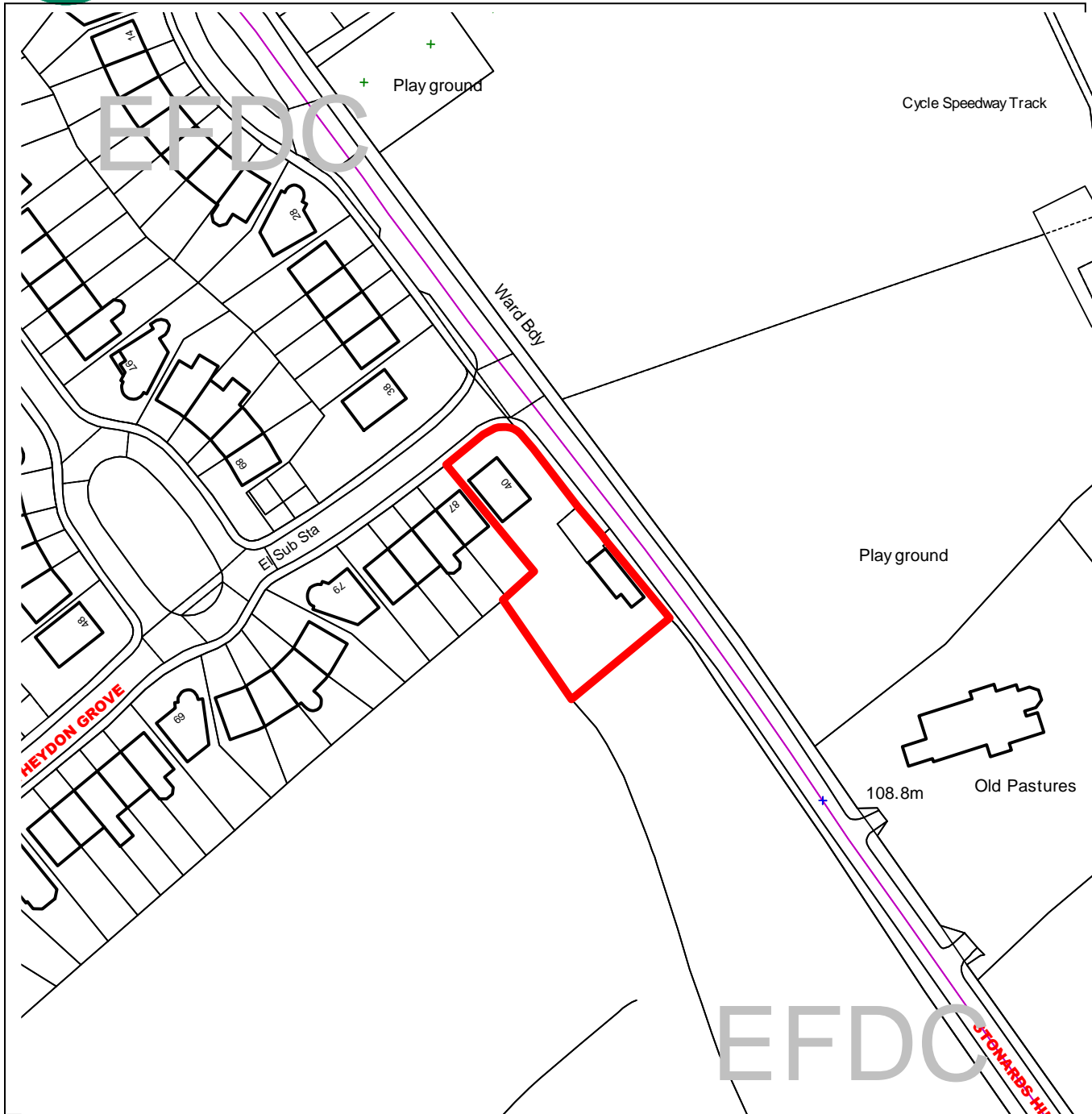




Epping Forest District Council



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Application Number:	EPF/0782/21
Site Name:	40 Stonards Hill Epping CM16 4QH
Scale of Plot:	1:1250

Report Item No: 13

APPLICATION No:	EPF/0782/21
SITE ADDRESS:	40 Stonards Hill Epping CM16 4QH
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr F Jamieson
DESCRIPTION OF PROPOSAL:	Removal of existing shed/outbuilding and Extension and conversion of existing rear garden outbuilding to create annexe accommodation. (Revised application to EPF/2774/20).
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=650040

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 shall be carried out and retained strictly in accordance with the following approved plans: 18065_001 Rev 1 and 10865-110.
- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 4 The annexe hereby permitted shall only be used for purposes incidental to the residential use of the dwelling known as 40 Stonards Hill and shall not be used for any primary residential accommodation.
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any other order revoking and re-enacting that order) no development permitted by virtue of Class E of Part 1 to schedule 2 shall be undertaken.
- 6 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.

- 7 Tree protection shall be implemented prior to the commencement of development activities (including demolition), and the methodology for development (including supervision) shall be undertaken in accordance with the submitted Tree Survey/ Arboricultural Method Statement reports and Tree protection shall be installed as shown on Tim Moya Associates drawing number 190311-P-22 dated July 2021 unless the Local Planning Authority gives its prior written approval to any alterations.
- 8 Prior to any above ground works, details of two replacement trees, including positions species and planting size(s) and a timetable for implementation (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. If within a period of five years from the date of planting any tree, or replacement, is removed, uprooted or destroyed or dies or becomes seriously damaged or defective, another tree 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.
- 9 Prior to preliminary ground works taking place, details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details, and shall be provided on site prior to the first occupation and shall be retained for the lifetime of the development.

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 five were consulted, a majority of those consulted object) on planning grounds material to the application (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council).

Description of Site:

The application site is a large detached dwelling of a mock-Georgian vernacular, at the south eastern end of Stonards Hill. The dwelling forms the end of a row of houses, constructed in the late 1960's which comprise the Theydon Grove estate. At present the main house forms a closure to the end of the development along Stonards Hill and Theydon Grove, with the Metropolitan Green Belt spreading into its garden, but not surrounding the house and its immediate curtilage. To the east of the dwelling is an associated large detached garage, with access directly from Stonards Hill.

Description of Proposal:

Removal of existing shed/outbuilding and Extension and conversion of existing rear garden outbuilding to create annexe accommodation. (Revised application to EPF/2774/20).

Relevant History:

EPF/1084/87 - Garage. – Grant Permission (with conditions).

EPF/0452/88 - Garage (revised details). – Grant Permission (with conditions).

EPF/0935/96 - Change of use and conversion of existing garage and outbuilding to granny annexe. – Grant Permission (with conditions).

EPF/0500/19 - Proposed demolition of existing garage/annexe, removal of swimming pool, hardstanding, numerous outbuildings and the erection of a detached two-and-a-half storey dwelling. – Refuse Permission.

EPF/2774/20 - Extension and conversion of existing rear garden outbuilding to create annexe accommodation. – Refuse Permission.

Policies Applied:

Adopted Local Plan:

CP2 – Protecting the quality of the rural and built environment

GB2A – Development in the Green Belt

DBE4 – Design in the Green Belt

DBE8 – Private amenity space

DBE9 – Loss of amenity

LL10 – Adequacy of provision for landscape retention

NPPF:

The revised NPPF is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either;

(a) approving development proposals that accord with an up-to-date development plan without delay; or

(b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

Epping Forest District Local Plan (Submission Version) 2017

Although the LPSV does not currently form part of the statutory development plan for the district, on 14 December 2017 the Council resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

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).

The LPSV has been submitted for Independent Examination and hearing sessions were held on various dates from February 2019 to June 2019. On the 2nd August, the appointed inspector provided her interim advice to the Council covering the substantive matters raised at the hearing and the necessary actions required of the Council to enable her to address issues of soundness with the plan without prejudice to her final conclusions.

The following policies in the LPSV are considered to be of relevance to the determination of this application, with the weight afforded by your officers in this particular case indicated:

Policy	Weight afforded
SP1 - Presumption in Favour of Sustainable Development	Significant
DM3 - Landscape character, ancient landscapes and geodiversity	Significant
DM4 - Green Belt	Significant
DM5 - Green and Blue Infrastructure	Significant
DM9 - High quality design	Significant
DM10 - Housing Design and Quality	Significant

Consultation Carried Out and Summary of Representations Received

Site notice posted: No, not required

Epping Town Council: No Objection. However, Committee request a condition be placed on this application that this proposed development is an ancillary building to the applicant's dwelling and does not become a separate property in the future.

EFDC Land Drainage: No objection to planning application in principle, subject to the approval/implementation of the requirements set out by this team.

Number of neighbours consulted: 9

Number of responses received: 8

6 – Objections

2 – Comments

OBJECTIONS

85 THEYDON GROVE

14 WOODBERRY DOWN

41 THEYDON GROVE

2 WEDGEWOOD CLOSE

3 WEDGEWOOD CLOSE

38 STONARDS HILL

Objections summarised as follows –

- Loss of views
- Impact on the Green Belt
- Out of character with the surrounding area
- Overlooking
- Loss of amenity
- Harm to the design and historic value of the Theydon Grove Estate
- Impact on wildlife corridor
- Would set a precedent

COMMENTS

EPHING SOCIETY, 24 STONARDS HILL

83 THEYDON GROVE

Comments summarised as follows –

- Doesn't appear to be a difference in the impact of the previously refused application and this current application on the Green Belt.
- Is not subservient
- If approved, it must be conditioned to be subsidiary to the main dwelling

Main Issues and Considerations:

The main issues to consider are the design, impact on the Metropolitan Green Belt impact on neighbouring amenity and impact on the blanket TPO situated on the land abutting the rear boundary line.

Design

The proposal is acceptable, it is simple in design and is in keeping with the main dwelling and the materials match that of the existing building. Therefore the proposal complies with policies CP2 and DBE10 of the Adopted Local Plan 1998, policies SP7 and DM10 of the LPSV 2017 and the NPPF 2019.

Impact on Neighbouring Amenity

Due to the distance between the proposal and the closest neighbouring property, it would not impact on living conditions of neighbouring properties by reason of overbearingness, loss of light (daylight and sunlight) or loss of outlook. The proposal therefore does comply with policies DBE9 of the Adopted Local Plan, DM9 of the LPSV 2017 and the NPPF 2019.

Green Belt

Policy GB2A permits residential extensions within the Green Belt provided they are considered limited. The proposal is for an extension to an existing garage/annexe outbuilding, the extension would amount to less than 50% increase in volume, additionally the application includes the demolition of an existing outbuilding measuring 13.83 m³ as mitigation. The proposal has been reduced in volume following a previous refusal. Permitted Development rights for Class E will be removed via condition to ensure the outbuilding is not rebuilt following approval. The proposal would not have an adverse impact on the openness of the Green Belt. The proposal therefore complies with policies GB2A of the adopted Local Plan, DM4 of the LPSV 2017 and NPPF 2019.

Trees

The tree and Landscape Officer raised no objection to the application. In order to facilitate development, two trees are shown to be removed. Two replacements will be required to ensure that there is no loss in green infrastructure on the site. As such, there is a request for conditions.

Other Matters

Photographic evidence has been submitted to show that the garage building has already been converted from a garage to an annexe under the 1996 permission. Therefore this proposal would not introduce a new annexe to the site, but simply enlarge the existing.

Conclusion:

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

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

***Planning Application Case Officer: Zara Seelig
Direct Line Telephone Number: 01992 564379***

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