

Report Item No: 1

APPLICATION No:	EPF/0084/08
SITE ADDRESS:	Red Lion The Street High Ongar Ongar Essex CM5 9NB
PARISH:	High Ongar
WARD:	High Ongar, Willingale and the Rodings
APPLICANT:	Mr Nizam Uddin
DESCRIPTION OF PROPOSAL:	Works to convert public house to a restaurant including a single storey rear extension for storage and conservatory to rear.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 Prior to first occupation of the building hereby approved the proposed window and door openings in west flank of the building shall be fitted with obscured glass and have fixed frames, and shall be permanently retained in that condition.
- 4 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 5 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the development hereby permitted without the prior written approval of the Local Planning Authority.
- 6 Prior to the commencement of the development details of the proposed surface materials for the car park. shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.

- 7 Prior to commencement of the development hereby approved, details shall be submitted for approval in writing to the Local Planning Authority of a ventilation, fume extraction and odour control system which shall be in place and operational prior to the first use of the premises as approved.

This application is before this Committee since it is an application for a commercial development and the recommendation differs from more than one expression of objection (Pursuant to Section P4, Schedule A (f) of the Council's Delegated Functions).

Description of Proposal:

Works to convert a Public House to a restaurant and two rear extensions, the first measuring 3.6m x 2.8m, by 3.4m high with a hip roof, and the second measuring 5.8m x 4m by 3.6m high with a gable end pitched roof. A small number of fenestration changes would occur, and new access stairs, door and window installed in the west flank wall, where an integral garage is to be converted into a function room.

Planning permission is not required to change the use to a restaurant. The application is for the physical works alone.

Description of Site:

A Grade II Listed detached public house on a rectangular plot in a prominent position in the heart of the village, opposite the church and adjacent to the school. The whole area is within the High Ongar Conservation area and within the Green Belt.

Relevant History:

EPF/1097/86	Two storey side and single storey rear extension - approved
LB/EPF/63/86	Listed building consent as above - approved
EPF/2165/06	Two storey, single storey extensions and garage - withdrawn
LB/EPF/2166/07	Listed building consent as above - withdrawn

Policies Applied:

GB2A Green Belt
GB14A Extensions in the Green Belt
HC 6 Developments in conservation areas
HC 7 Conservation area design and materials
DBE 9 & 10 Amenity
ST 4 & 6 Parking
RP5A Disturbance to neighbours

Issues and Considerations:

The main issues are the impact of this proposal on:

1. The Green Belt
2. Conservation Area
3. Street scene
4. The amenities of neighbouring properties.
5. Parking

It must be noted that the change of use of the Public House to a Restaurant is permitted under the Planning Legislation *without the need for a planning application*. This application is purely for the two rear extensions and fenestration/access points. Limited control only can be exercised over the issues of odour control and parking.

1. Green Belt

- This scheme will see two modest rear single storey extensions erected into an existing enclosed garden area on the south elevation.
- Whilst this site is within the Green Belt it is wholly within the village envelope and causes no harm to the character and appearance of the Green Belt in this location.

2. Conservation Area

- The scheme has been sympathetically designed to complement and enhance the character and appearance of this Grade II Listed Building and the conservation area.
- The County Listed Building Officer has commented that this scheme is acceptable subject to the relevant conditions.

3. Impact on Street Scene

- Although at the rear of the site the extensions will be visible from Mill Lane, but it is the case that they integrate well into the existing building and the street scene.
- The works have no adverse impact on the character and appearance of the street scene.

4. Residential Amenity

- The works would not have any adverse impact on any neighbouring properties in terms of overshadowing or loss of light.
- There are new windows and doors in the ground floor western elevation which could result unacceptable overlooking of a habitable room at Hebron. This can be addressed by an obscure glazing condition.
- It is the case that a commercial use of this building will cause some noise and disturbance for local residents. However the use can be carried out without the need for planning permission and the Council has no control over this use. The premises were also previously a public house for many years to which a similar level of disturbance could reasonably be expected. Any unacceptable disturbance by customers can be dealt with by other agencies and legislation.
- It is also the case that the use as a restaurant will generate some odours and smells. However, the public house can and has legitimately served hot food in the past and a new use is not being applied for. Nevertheless, as the use is expanding a condition can be imposed requiring the installation of a suitable odour control system, and it is the applicant's intention to install one.

5. Parking

- The scheme will not remove any parking spaces from the parking area, and 14 spaces will be provided, which is more than currently laid out.

- It is acknowledged that local residents have raised legitimate concerns regarding the parking in this area. However the premises can be used now as a restaurant without the need for planning permission. As the extensions will lead to only limited increase in customer floorspace it is the case that any refusal on a lack of parking would be unsustainable on appeal, especially as no parking spaces are being lost.

Conclusion

This scheme for the rear extensions causes no harm to the area, Green Belt, or the conservation area. Therefore it is recommended for approval.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL – Welcomes the fact that these premises will be reused and its current unsightly appearance improved. If the restaurant could be expected to offer up to 130 covers there is some concern regarding the effects on the village of the inevitable increase in vehicles seeking a place to park in already crowded streets. It is also regarded as essential that any approval requires the installation of an effective extraction system to the kitchen, which is used at all times when cooking takes place. Cooking odours from the Thai restaurant can on occasions be overpowering and has led to complaints from some residents and it would be unacceptable for this problem to be repeated at the Red Lion.

1 MILL LANE – Object, parking already a problem, this will make it worse, and the odours generated will cause us problems.

2 MILL LANE – Object, will increase an already congested parking problem, smell will be unacceptable; will cause misery in the village.

3 MILL LANE – Object, parking already a problem, this will make it worse, and the odours generated will cause us problems.

WINDMILL COTTAGE – delighted building being brought back to life, cooking odour issue needs to be addressed though.

HEBRON – Object, parking will be an issue, window will look directly into our dining room, odour control will be an issue, will on street parking be addressed.

WESDALE – Object, will cause more traffic and pollution. Parking problems will be exacerbated, will disturb village life.

SPADGERS – Object, parking will be a problem; odour will be awful 7 days a week, noise and disturbance will increase.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	1 & 2
Application Number:	EPF/0084/08 & EPF/0085/08
Site Name:	Red Lion, The Street, High Ongar CM5 9NB
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/0085/08
SITE ADDRESS:	Red Lion The Street High Ongar Ongar Essex CM5 9NB
PARISH:	High Ongar
WARD:	High Ongar, Willingale and the Rodings
APPLICANT:	Mr Nizam Uddin
DESCRIPTION OF PROPOSAL:	Grade II listed building application for the conversion of public house to a restaurant including a single storey rear extension for storage and conservatory to rear.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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.
- 3 In the first floor central room, the extent of new openings shall be agreed in writing with the LPA following removal of finishes and inspection of the fabric.
- 4 The window to be removed at ground floor for access into the conservatory shall be reused in a location to be agreed in writing with the LPA.
- 5 Further details of new windows, doors, eaves, verges and sills shall be submitted to and approved by the LPA.
- 6 Samples of materials shall be submitted to and approved by the LPA.
- 7 A sample panel of brickwork shall be constructed on site to show the brick bond, mortar and pointing profile, to be approved by the LPA.
- 8 Further details of any proposed hard landscaping shall be submitted to and approved by the LPA.

This application is before this Committee since it is an application for a commercial development and the recommendation differs from more than one expression of objection (Pursuant to Section P4, Schedule A (f) of the Council's Delegated Functions).

Description of Proposal:

Grade II Listed Building application for works the subject of the previous item.

Policies Applied:

HC10 Listed Buildings

Issues and Considerations:

The only issue is the impact of this proposal on the Grade II Listed Building

- The scheme has been sympathetically designed to complement and enhance the character and appearance of this Grade II Listed Building.
-
- The County Listed Building Officer has commented that this scheme is acceptable subject to the relevant conditions.

Conclusion

This scheme for the rear extensions causes no harm to the listed building. Therefore it is recommended for approval.

SUMMARY OF REPRESENTATIONS:

Please refer to **PREVIOUS** agenda item.

Report Item No: 3

APPLICATION No:	EPF/0201/08
SITE ADDRESS:	Gallmans End Farm Manor Road Lambourne Romford Essex RM4 1NA
PARISH:	Lambourne
WARD:	Lambourne
APPLICANT:	S & J Padfield & Partners
DESCRIPTION OF PROPOSAL:	Use of building G1 as B1 use for the manufacturing of sofas.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The premises shall be used solely for B1 use and for no other purpose (including any other purpose in Class B2 of the Schedule to the Town & Country Planning (Use Classes) Order 2005, or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.
- 2 The B1 use hereby permitted shall not be open to staff and employees outside the hours of 8am to 6pm on Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or public holidays.

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).

Description of Proposal:

Change of use of part of building G1 to a B1 (light manufacturing use), measuring 9m x 7m.

Description of Site:

A farm complex comprising of 4 large barns (number G1 – G4), an open sided barn, a weighbridge/office and some other minor buildings. It is on the north side of Manor Road and there are several separate residential properties around the access onto Manor Road. The whole site is within the Green Belt. There are two large ponds to the northeast of the site and it is on the crest of a ridge. The countryside is very undulating in this area.

Relevant History:

CLD/EPF/2314/07 - CLD for use of four barns for B8 use - Lawful

Policies Applied:

GB2A Green Belt Policy
GB 8A Conversions of Buildings
E12A Farm Diversification
DBE 9 Neighbour amenities
ST4 Highways

Issues and Considerations:

The main issues are:

1. Effect on the Green Belt
2. Sustainability
3. Neighbours amenity
4. Highways safety

It should be noted that this is a retrospective application as the works have been carried out and the use started. Whilst this is regrettable it is the case that the application must be judged on its merits.

1. Green Belt

- This scheme regulates the ongoing use of an annex to Barn G1 which is being used for the manufacture of sofas. This use has been ongoing for around 18 months.
- Four of the barns on the site were recently certified as having a lawful use for storage and distribution (B8) as they had been used for this use for over 10 years.
- The existing agricultural use of the surrounding land for arable farming will continue.
- The applicant has argued that the buildings are not required for agricultural use on this site due to changes in modern farming techniques and storage; this argument is accepted by the Council on the basis of experience with other similar applications throughout the district. Certainly this small annex would have little utility in modern agriculture.
- Council policy is generally supportive of the reuse of suitable buildings for commercial use, if the relevant criteria are met. Several of the objectors have commented that allowing this scheme would set an unwelcome precedent, but it is the case that there are already numerous examples of barn conversions to commercial use and residential use allowed within the district, and each case must be judged on its own merits.
- Policy GB8A of the adopted local plan allows for a change of use of buildings provided they meet a number of criteria:
 - (i) The building is:
 - (a) of permanent and substantial construction, capable of conversion without major or complete reconstruction and is in keeping with its surroundings by way of form, bulk and general design.
 - (ii) The proposed use would not have a materially greater impact than the present use of the Green Belt and the purpose of including land in it.
 - (iii) The use and associated traffic generation would not have a significantly detrimental impact on the character and amenities of the countryside
 - (iv) & (v) are not relevant to this application.

Criteria (i) is met, as the structure is permanent and substantial. Whilst it is utilitarian in style it is sound and already converted.

Criteria (ii) is also met as this scheme sees no extensions to the building, which is at the entrance to the main farm complex, which is along a main road and part of a small hamlet at Lambourne End. There is no additional impact on the Green Belt from this use.

Criteria (iii) The use of the structure as a small manufacturing business will not generate significantly more traffic than using the building for an agricultural use. The applicant has stated that they have one delivery a day from TNT using a small delivery van, have a maximum of two cars on site for staff (the business employs 2 full time staff and 2 part time staff, who are all from the same family), and the business uses a van once every two weeks to make deliveries of finished goods. This is a small scale use.

There is no open storage of materials on the site and the main part of the barn already has a certificate of lawfulness for the storage of wood materials used in the manufacturing process.

- Therefore the scheme meets the criteria for conversion of an agricultural building as laid out in the Local Plan.

2. Sustainability

- This is a relatively isolated rural location to the south of Abridge.
- This site is in an isolated location that is ill-served by public transport. Realistically the only way to travel to the site is by private vehicle. Whilst this is not then an ideal site it has to be weighted against the fact that any development in this type of area will generate traffic movements.
- PPG13 (Government Policy Guidance on Transport) states "Authorities should not reject proposals where small scale business development...would give rise to only modest additional vehicle movements, in comparison to other uses on the site and the impact on minor road would not be significant".
- The site is already in use and would appear to be a genuine small scale local business.
- Therefore there will be no further increase in the number of persons using the site, and the use provides employment in the local area for local persons.
- This contributes to meeting the criteria laid down in policy CP8, in that it reduces commuting out of the district, assists the business which is of local economic importance in its own right and in the contribution it makes to the income of the Farm itself.
- The use also supports the ability of the farm to continue with its agricultural activities by providing a diversified income, and also it is the case that the scheme meets the criteria as laid down in policy E12A.
- Therefore the scheme would not justify a refusal on sustainability grounds

3. Impact on Neighbours

- It is considered that the immediate neighbours would not suffer any adverse impact to their amenities from this scheme, and conditions can also be imposed regarding the hours of use of the site, which is currently unrestricted.

4. Highways

- This is a low key business which generates few vehicle movements on a daily basis.
- It is accepted that the clothing sorting business which is carried on in some of the other barns does generate traffic movements with large lorries/trailers but this use is not part of this application.
- Therefore there are no grounds for a refusal on Highway matters.

Conclusion

It is unfortunate that the use of the site started and continued without the benefit of planning permission. However the case must be determined on its merits, and it is clear that the scheme meets the criteria in the Council's policies for conversions of buildings within the Green Belt, sustainability and highways. There is no adverse impact on the neighbouring properties from this small scale operation (as distinct from the lawful storage and distribution use in other barns) and there is therefore no significant negative impact on the character and appearance of the Green Belt in this location. Therefore the recommendation is for approval.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL – This barn is within the Green Belt and therefore should only be used for agricultural purposes and not for commercial uses. If manufacturing is granted, the number of lorries visiting the site will increase still further. Access to the site is along narrow winding deregulated rural roads which are wholly unsuited to the HGV lorries, some also with trailers, that it currently attracts. Local residents all complain about these lorries, which present a danger to both pedestrians, there being few pavements in the area, and to other road users as a lorry and another vehicle are unable to pass each other, as well as a detrimental effect on the local environment. Further traffic to this site must be discouraged.

FOREST LODGE – Object, will change the use to an industrial site, inappropriate development of Green Belt land, already subjected to double length continental lorries for storage of clothing, will create more traffic.

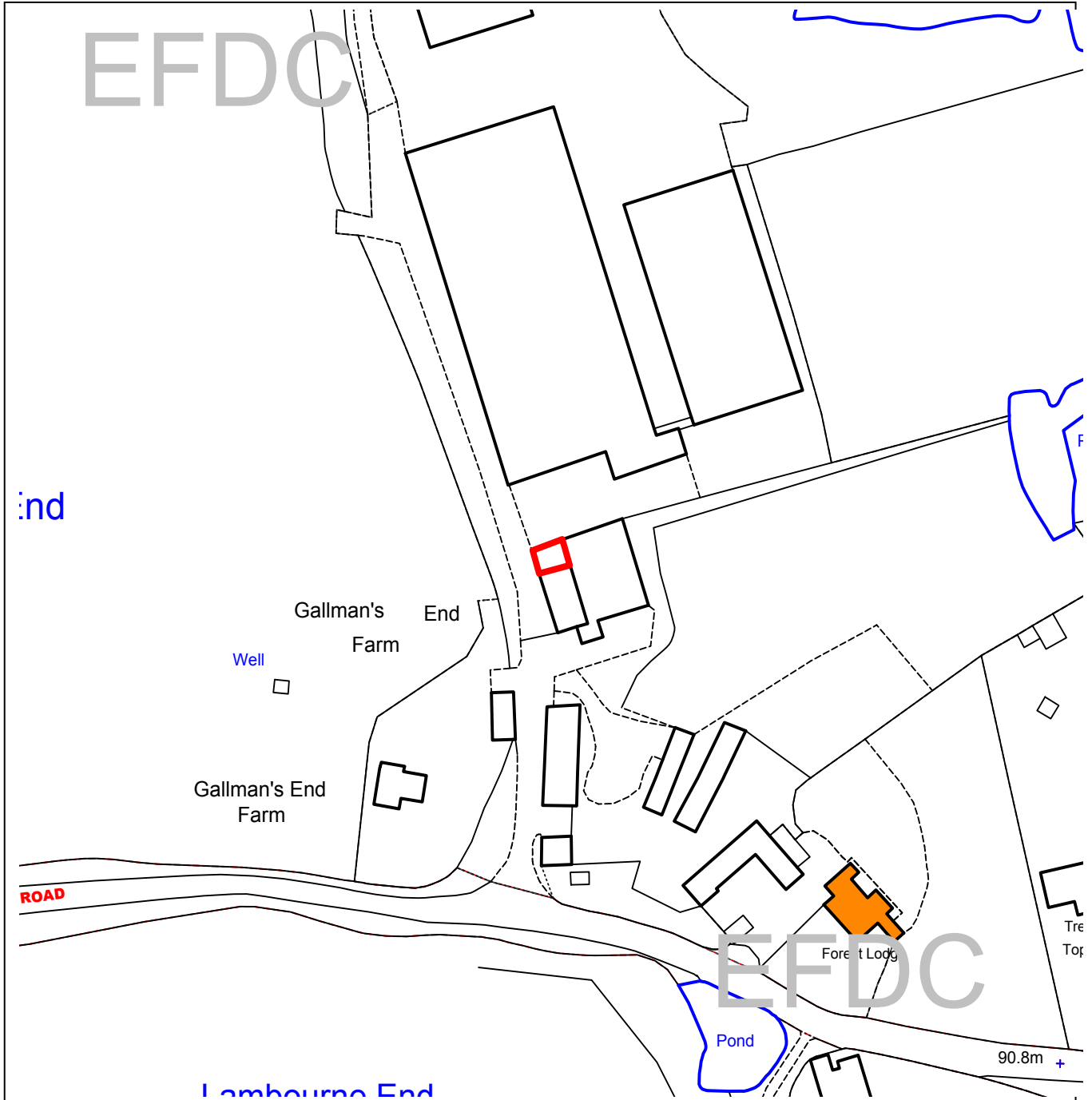
CHURCH HOUSE – Object, in the Green Belt, to grant permission will pave the way to planning creep and a factory will be next. No precedent should be set. Narrow country roads are unsuitable for commercial traffic, causing a traffic hazard.

TREE TOPS – Object, massive lorries and trailers from all over Europe and the UK are using the narrow roads, this will turn it into an industrial site, and local residents are not considered.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	3
Application Number:	EPF/0201/08
Site Name:	Gallmans End Farm, Manor Road Lambourne, RM4 1NA
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/0027/08
SITE ADDRESS:	Malting Barn Matching Green Matching Essex CM17
PARISH:	Matching
WARD:	Hastingwood, Matching and Sheering Village
APPLICANT:	Mr T Porter
DESCRIPTION OF PROPOSAL:	Separation of the Malting Barn to be used as a separate dwelling. (Revised application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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 right hand side of the barn door in the western elevation of the barn shall remain fixed closed and shall permanently remain in this position.
- 3 Notwithstanding the submitted plans, prior to the commencement of the development, details shall be submitted on a plan no less than 1:50 scale illustrating the proposed new window opening to the western elevation. This shall include a cross section drawing of the window, detailing the vertical central glazing bar. The development shall be carried out in accordance with these approved details.

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).

Description of Proposal:

This application seeks consent for the separation of Malting Barn to be used as a separate dwelling including the conversion of the garage area to a habitable room.

The built development consists of a new window behind door shutters on the western elevation and the filling in of the car port area to the east elevation of the barn. The application proposes an area of residential curtilage totalling some 500m².

The application attracted a refusal previously due to the irregular position of the amenity space and a minor design issue regarding the proposed window to the front elevation.

Description of Site:

Detached property situated on the eastern side of the village green. The barn is situated in the south western corner of the rectangular plot.

The whole site is within the Matching Conservation Area.

Relevant History:

EPF/1058/99- Extension and renovation of outbuilding and erection of garden store- Approved.
EPF/1699/07 – Separation of the Malting Barn to be used as a separate dwelling – refused
28/09/2008

Policies Applied:

Local Plan and Alterations:

CP5 Sustainable development.
CP6 Sustainable urban development patterns.
GB2A Development in the Green Belt.
GB8A Change of use or adaptation of buildings.
GB9A Residential conversions.
DBE8 Amenity space.
DBE9 Amenity of neighbours
ST2A Accessibility of development.
ST4A Road safety.
ST6 A Vehicle parking.

Issues and Considerations:

The main issue for consideration relates to the appropriateness of the development in light of Green Belt policy (including sustainability). In addition, the provision of amenity space and a curtilage area, detailed design considerations in the Conservation Area, highways considerations and land contamination on the site.

1. Green Belt Policy

Green Belt policy (GB8A) allows for the conversion and reuse of buildings provided that a number of criteria are met. Part of these criteria is that the building is capable of conversion without major reconstruction. The barn has already been renovated in 1990 and converted to ancillary living space. Whilst the barn required substantial reconstruction to the original historic barn, the unit which stands today is of an appropriate form, design and bulk to be considered as a separate dwelling.

Policy GB8A also states that the use at the building must not have a materially greater impact than the present use. Whilst a separate unit may increase the traffic movements to and from the premises, given that the barn is already used as ancillary accommodation, this impact is not considered to be significant.

Applications involving conversions to residential units should also consider the use of the building for a business use, as this may be preferable for the vitality of rural communities. The applicant has not provided any information exploring a business use, although this building would clearly not be suitable given the proximity to residential properties.

At a wider level in accordance with PPS7 (*Sustainable development in rural areas*) this location is well suited to a residential conversion, being located within an existing village centre. Whilst the previous consent had conditions attached to prevent the separate use of the building (which attracts concerns from the Parish Council), there is policy support for the application in principal. On this basis, the acceptability of this application turns on the specific nature of the site and alterations to the barn.

2. Amenity Space and Curtilage

Local Plan policy DBE8 states that rear amenity space should be of a size, shape and nature which enables reasonable use. The application proposes a new residential curtilage extending by 15m to the rear of the barn. The nature and form of this space now accords with the criteria for amenity space detailed in policy DBE8.

Previously, given the overlooking (from the 'The Maltings') and the position of the amenity space, the development would have failed to achieve privacy on a continuing basis. However, the proposed residential curtilage is now in a more logical position and furthermore it will not detract from the amenity space of 'The Maltings'.

3. Detailed Design

The alterations to the building consist of a new lounge window opening behind the existing barn door. However, this is a prominent elevation in the Conservation Area and the barn doors are likely to remain open at most times to allow in light. The appearance would therefore be overly domestic in terms of the character of the barn. It is important therefore that only half of the barn door is used to retain an impression of a doorway.

Whilst this previously formed a reason for refusing the scheme, the plans now detail that the right hand barn door is to remain permanently closed. On this basis it can be ensured through a planning condition that the detailed design of the new window is sympathetic to the character and appearance of both the barn and Conservation Area.

4. Highways issues

The application involves the loss of the car port area for the 'The Maltings'. However this front driveway area would still be able to accommodate several vehicles for each property. The proposal therefore accords with Local Plan highways policies.

5. Contaminated land

The Council's Contaminated Land Officer has advised that the site has a presence of previously demolished buildings and the ground is therefore potentially contaminated. However, given that the site is already used as part of the domestic curtilage of 'The Maltings' a full contaminated land survey is not deemed necessary.

Conclusion

Both government guidance and Council policy allows for the conversion of buildings within the Green Belt. This application is therefore acceptable development in principle and the previous issues regarding the private amenity space and the detailed design of the front window have been addressed. Approval is recommended.

SUMMARY OF REPRESENTATIONS:

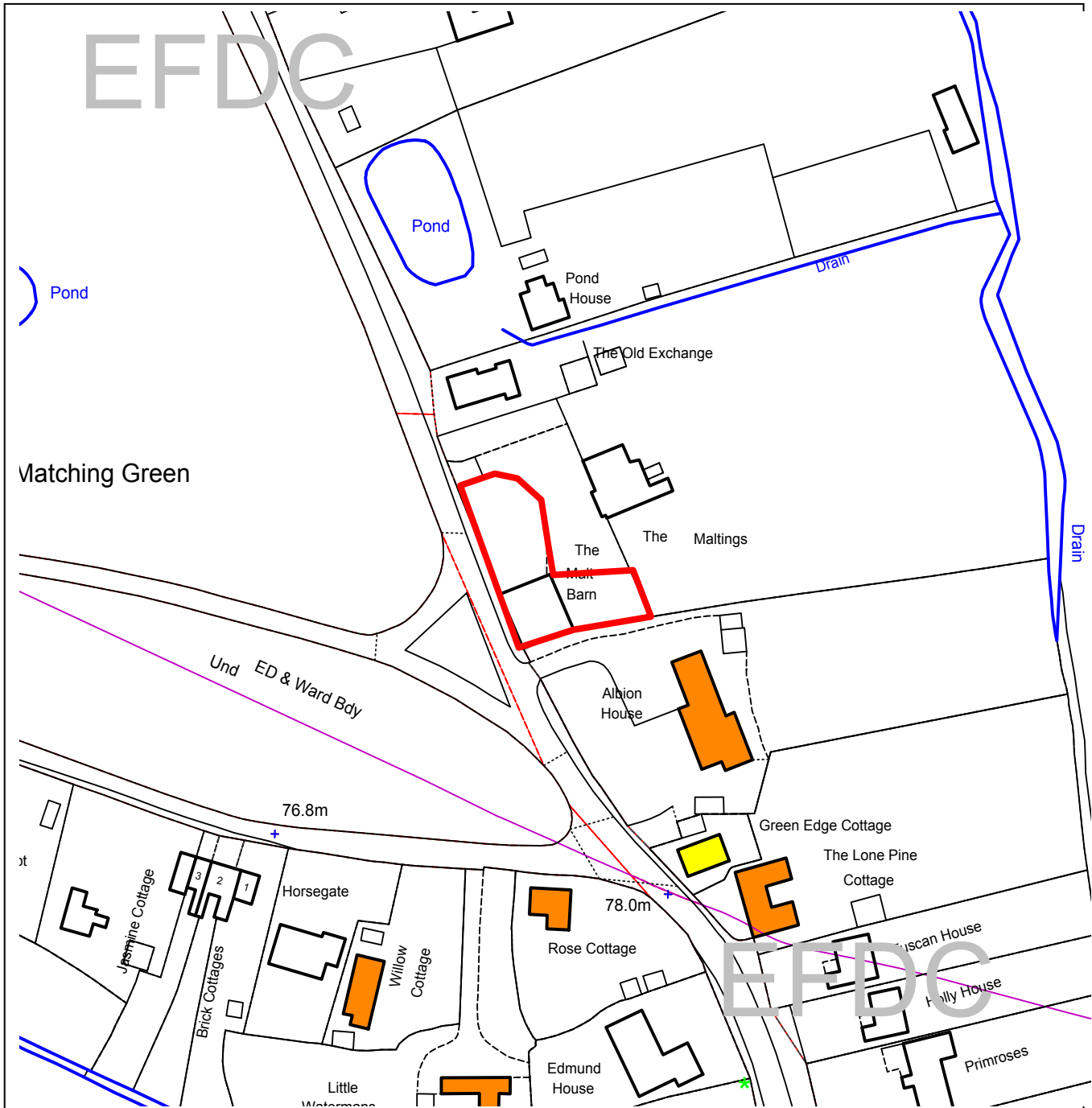
PARISH COUNCIL- The Parish Council object to the application and have consistently objected to the separation of the barn from the house as a dwelling. The original consent was not for permanent residential use and this application would reduce the amenities for future occupants. One of the reasons for refusal to the last application (EPF/1699/07) was for the window opening on the western elevation. The elevations do not appear to have altered.

THE OLD EXCHANGE - Strongly object. This application is a breach of planning conditions.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	4
Application Number:	EPF/0027/08
Site Name:	Malting Barn, Matching Green Matching, CM17 0QE
Scale of Plot:	1/1250

Report Item No: 5

APPLICATION No:	EPF/0174/08
SITE ADDRESS:	North Weald Airfield North Weald Epping Essex
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	Epping Forest District Council - Leisure
DESCRIPTION OF PROPOSAL:	Continued use of part of airfield for Saturday and Bank Holiday outdoor markets with associated parking (Renewal of EPF/1631/00)
RECOMMENDED DECISION:	Grant Permission (Subject to S106)

No Conditions

But **subject to the applicant first submitting a Unilateral Undertaking** to Essex County Council under section 106 of the Town and Country Planning Act 1990 to provide :

1. A financial contribution of £15,000 to fund necessary automation and CCTV equipment at the Hastingwood Roundabout (jct.7 M11) and
2. A financial contribution of £10,000 to fund necessary Traffic Orders/Road Markings adjacent to the site to prevent indiscriminate parking of vehicles of people attending the outdoor market, outside of the airfield perimeter.

This application is before this Committee since it is an application for the Council's own development or is on its own land or property that is for disposal (Pursuant to Section P4, Schedule A (e) of the Council's Delegated Functions).

Description of Proposal:

This application is for the continued use of part of North Weald Airfield for Saturday and Bank Holiday outdoor markets, with associated car parking. The temporary permission for the development granted in January 2001 (EPF/1631/00) expired in January this year.

Description of Site:

The application concerns land on the south western part of the airfield. The market trading area is the concrete apron to the north of the hangar area with associated parking on the disused runway and grassed areas further to the north. The proposal does not involve any increase in the area over that previously approved

Relevant History:

There is extensive planning history with regard to the market use of the airfield.

EPF/1386/87 Open air Saturday market. Granted for 12 months.

EPF/4/91 Use of hangar 3 apron for Saturday markets. Granted for 5 years.

EPF/8/92 relocation of Saturday market to closed section of east-west runway- Granted for 5 years.

EPF/956/97 Use of hangar 3 apron for regular Saturday markets. Use of east end of runway 13/31 for market stalls and associated car parking, and use of showground grassed area for car parking. Granted for 5 years.

EPF/1360/00 Installation of replacement toilet facilities and provision of first aid cabin in relocatable units (to be used in connection with the market). Granted for 7 years.

EPF/1361/00 Continued use of part of airfield for Saturday and Bank Holiday markets, with associated car parking. Granted for 7 years.

EPF/2433/07 Resurfacing of ground used for market trader parking. Granted 13/02/08

EPF/2471 Change of use of grassed parking into hardstanding to allow year round use. Granted 13/02/08

Policies Applied:

GB2	Green Belt
RST27	Use of the airfield as a multifunctional recreation and leisure centre and showground.
RST28	Character and Historic Interest of the Airfield.
ST4	Road Safety
I1A	Planning Obligations

Issues and Considerations:

The market use of North Weald Airfield has continued for many years, however only temporary permission has ever been granted, (with the last consent being limited to 7 years) on the basis that part of the site is allocated in the Local Plan for business, general industrial and warehousing/ distribution and so as to not prejudice any commercial redevelopment. The main issues are the impact on the Green Belt, the impact on local amenity, traffic/highway concerns and impact on the viability of local shopping centres.

1. Green Belt

In terms of impact on the Green Belt, the size and nature of the market has not materially altered since the last consent. The Market only operates on one day a week and due to its temporary nature, without fixed structures, the use does not impinge significantly on the open nature of the Green Belt.

2. Impact on Local Amenity

The market has operated for many years without causing significant harm to the amenities of surrounding residents. Traffic is encouraged to avoid North Weald, with access taken from the A414. No objections have been received from nearby residents, on grounds of parking, noise or traffic.

3. Highway and Traffic Issues

The market does attract a large amount of traffic. In the past the Highway Authority have raised no objection to the development, however since the previous consent general traffic levels around the area have increased and there are often significant congestion problems on the A414 and junction 7 of the M11 to the west, when the market is in operation. The County have provided

evidence that suggests that it is the operation of the market that causes, or at least significantly contributes to the congestion that often occurs on Saturdays between 11 and 4 which are the peak market hours. The information submitted shows that traffic speed on the A414 both northwest bound and southeast bound can drop as low as 1 mile per hour for significant periods of the day when the market is in operation.

On this basis, while the Highway Authority does not object to the proposal they have asked that a contribution of £15,000 be provided to fund necessary automation and CCTV equipment at the Hastingwood Roundabout (Jct.7 M11). The contribution would allow the installation of an automated system to enable the junction to clear itself at weekends as congestion is detected. Currently the system is run via the control centre which is not manned at weekends. The introduction of CCTV would allow the operation of the junction to be monitored and reviewed, all CCTV footage would be "buffered" and could be reviewed during the hours of operation of the control centre. The Highway Authority believe that both systems would show significant benefit to drivers in the area who could otherwise be delayed by the operation of the Market.

Additionally the Highway Authority have raised concern about people attending the market parking along Merlin Way, especially at the roundabout used as a turning head for access to the airfield and are asking for a contribution of £10,000 to fund necessary Traffic Orders/Road Markings adjacent to the site to prevent indiscriminate parking of people attending the outdoor market, outside the airfield perimeter. The applicant (EFDC Leisure) admits that there have been problems with customers parking along Merlin Way in the past but states that this has been alleviated by the market operator through the use of ropes and stakes and although there is still a problem of people parking on the roundabout, this could be alleviated by the issuing of parking tickets as they simply should not be parking. The Highway Authority however maintain their stance that the best way to facilitate the safe and efficient operation of the access road (Merlin Way) would be to fund traffic orders and regulations and/or parking restrictions. They argue that the ropes and stakes method is not a long term solution and poses health and safety issues.

Clearly the market has operated for nearly 20 years and the issues now being raised have not been raised before, but this is a new application and it provides the opportunity to readdress the situation and apply the current adopted policies. Policy ST4 of the Local Plan Alterations states that the Council will only grant consent for development when it is either unlikely to lead to an excessive degree of traffic congestion and harm to highway safety, or when satisfactory mitigation measures will be adopted.

4. Viability of Local Shopping Centres

The potential impact of the Saturday market at North Weald on surrounding shopping facilities was a major concern when it was first approved and that was one of the reasons for the temporary consent. Now however, the market has operated for nearly 20 years and there is no significant indication that the use has undermined the vitality and viability of surrounding town centres in that period.

5. Sustainability

The Core policies of the Local Plan Alterations seek to direct development to sustainable locations that can be readily accessed on foot or by public transport. This site is located such that most customers will access the site by car. This is not ideal but given the nature of the use and the extensive size of the market, it is not one that could be accommodated anywhere but a large open site and such sites are not normally found within existing town centres. Bearing this in mind the location is more sustainable than most other Green Belt locations, with easy access to the main road system and with pedestrian access from North Weald which is served by bus.

Conclusion:

It is considered that the market has operated successfully without significant harm for many years, but that the problems of parking and congestion that have now been identified by the Highway Authority do need to be addressed. The Highway Authority are satisfied that their concerns can be overcome by the provision of a financial contribution to secure improvements to the operation of the M11 Junction and to fund traffic order and road markings to prevent indiscriminate parking. The application is therefore recommended for approval subject to the applicant (which in this case is Epping Forest District Council – Leisure) first submitting a Legal Undertaking under section 106 of the Town and Country Planning Act to provide a total of £25,000 to cover the cost of these improvements. A condition limiting the permission to a further temporary period is not considered necessary.

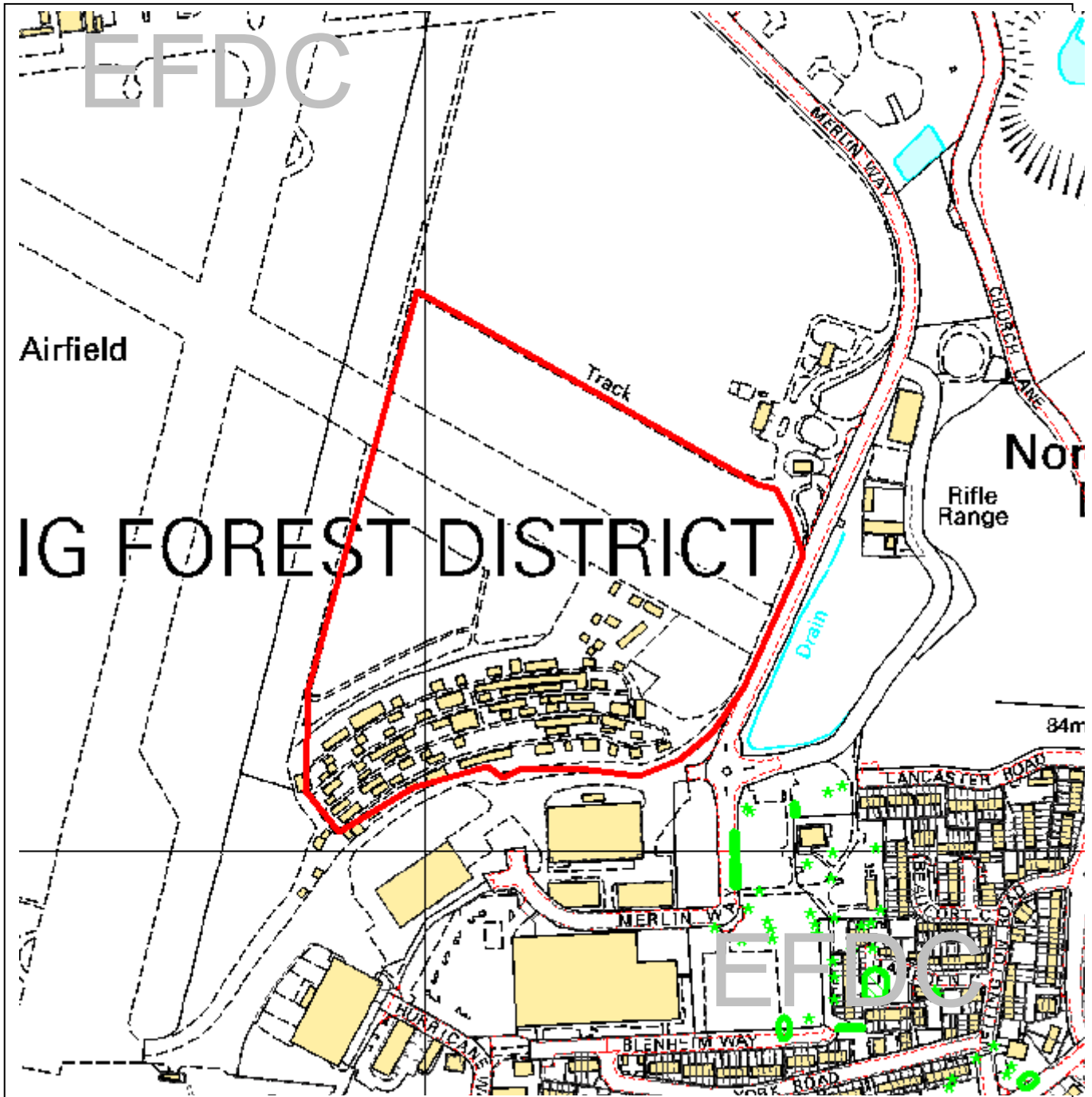
SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL – No objection



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	5
Application Number:	EPF/0174/08
Site Name:	North Weald Airfield, North Weald CM16
Scale of Plot:	1/5000

Report Item No: 6

APPLICATION No:	EPF/2700/07
SITE ADDRESS:	Rear of 4 to 45, Acres Avenue Ongar Essex
PARISH:	Ongar
WARD:	Shelley
APPLICANT:	Estuary Housing Association / Epping Forest District Housing
DESCRIPTION OF PROPOSAL:	Construction of 18 no. residential units with parking. (Revised application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the development hereby permitted without the prior written approval of the Local Planning Authority.
- 4 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
- 5 No tree, shrub, or hedge which are shown as being retained on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (B.S.3998: 1989).

If any tree 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 shall be planted at the same place, and that tree, shrub, or

hedge shall be of such size, specification, and species, and should be planted at such time as may be specified in writing by the Local Planning Authority.

If within a period of five years from the date of planting any replacement tree 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.

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

- 7 Before the occupation or use of any phase or part of the development, whichever is the soonest, a Landscape Management Plan (LMP) shall be submitted to and approved by the LPA.

The LMP shall contain a statement of the long-term aims and objectives covering all elements of the implementation of the agreed landscape scheme and full details of all management and establishment operations over a five-year period, unless otherwise agreed in writing by the LPA. It shall also include details of the relevant management, and supervisory responsibilities.

The LMP shall also include provision for a review to be undertaken before the end of the five year period. A revised LMP shall be submitted for the agreement of the LPA before five years has expired. The revised details shall make similar provisions for the long term maintenance and management of the landscape scheme. The revised scheme shall also make provision for revision and updating.

The provisions of the LMP, and subsequent revisions shall be adhered to and any variation shall have been agreed beforehand in writing by the LPA. No trees, shrubs, hedges or other plants shall be removed for the duration of the Landscape Management Scheme or its revisions, without the prior written approval of the LPA. Any trees, shrubs, hedges or other plants being so removed shall be replaced in the first available planting season by an equivalent replacement or replacements to the satisfaction of the LPA. Management of the landscape scheme in accordance with the LMP or their agreed revisions shall not cease before the duration of the use of the development unless agreed in writing by the LPA.

- 8 The development, including site clearance, must not commence until a tree protection plan, to include all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing.

The statement must include a plan showing the area to be protected and fencing in accordance with the relevant British Standard (Trees in Relation to Construction-Recommendations; BS.5837:2005). It must also specify any other means needed to ensure that all of the trees to be retained will not be harmed during the development, including by damage to their root system, directly or indirectly.

The statement must explain how the protection will be implemented, including responsibility for site supervision, control and liaison with the LPA.

The trees must be protected in accordance with the agreed statement throughout the period of development, unless the Local Planning Authority has given its prior written consent to any variation.

- 9 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 (staff) and visitors vehicles.
- 10 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using Windes or other similar programme. The approved measures shall be undertaken prior to the first occupation of the building hereby approved and shall be adequately maintained in accordance with a management plan to be submitted concurrently with the assessment.
- 11 Prior to commencement of development, including demolition or site clearance works, a phased contaminated land investigation shall be undertaken to assess the presence of contaminants at the site in accordance with an agreed protocol as below. Should any contaminants be found in unacceptable concentrations, appropriate remediation works shall be carried out and a scheme for any necessary maintenance works adopted.

Prior to carrying out a phase 1 preliminary investigation, a protocol for the investigation shall be agreed in writing with the Local Planning Authority and the completed phase 1 investigation shall be submitted to the Local Planning Authority upon completion for approval.

Should a phase 2 main site investigation and risk assessment be necessary, a protocol for this investigation shall be submitted to and approved by the Local Planning Authority before commencing the study and the completed phase 2 investigation with remediation proposals shall be submitted to and approved by the Local Planning Authority prior to any remediation works being carried out.

Following remediation, a completion report and any necessary maintenance programme shall be submitted to the Local Planning Authority for approval prior to first occupation of the completed development.

- 12 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the 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.
- 13 Details of foul and surface water disposal shall be submitted to and approved by the Local Planning Authority before any work commences and the development shall be implemented in accordance with such agreed details.

This application is before this Committee since it is an application for the Council's own development or is on its own land or property that is for disposal (Pursuant to Section P4, Schedule A (e) of the Council's Delegated Functions).

Description of Proposal:

Erection of 18 residential units with 36 parking spaces. This would comprise of 5 individual units – 1 block of 2 x 2 bed bungalows, 3 blocks of 4 x 3 bed & 2 x 4 bed two-storey houses, and 1 block of 10 x 2 bed flats. Vehicle access will be from Acres Avenue (a new access) and Kimpton Close. Pedestrian access will be from Queensway. Hard and soft landscaping will be provided. This would be a 100% affordable housing scheme.

This scheme has been submitted by the Estuary Housing Association who are working in partnership with Epping Forest District Council.

The scheme has now been slightly amended to move the flats of Block 4 further to the north, provide windows in this Block to overlook the parking area and reposition 2 parking spaces. Any comments on these revisions will be reported orally to Committee.

Description of Site:

The site comprises of an open green amenity area with large block of lock-up garages (to be demolished to allow for the proposal) in the southern end section, measuring a total of some 0.6 hectares in area. There is pedestrian only access between the surrounding houses from Acres Avenue to the west, and Queensway to the east. Vehicular access to the garages and the rest of the site is from Kimpton Close, to the south, between house numbers 2 and 3. The site is a maximum of 180m long from north to south and 36m wide from east to west.

The site is in the body of a dense, built up residential area, known as the Shelley Estate. Housing is predominantly two-storey, semi-detached or terraces of four. The site is surrounded on all sides by this type of housing, plus 3-storey flats along the eastern site boundary in Queensway.

Relevant History:

EPF/1158/02 Outline application for 6 x 3 bed houses and 4 x 1 bed bungalows Approved
EPF/1159/02 Outline application as above with closed access from Kimpton Close
Approved
EPF/0679/06 Erection of 22 residential units - withdrawn
EPF/0719/07 Erection of 22 residential units - withdrawn

Policies Applied:

DBE 1 Design of new buildings
DBE 2 Amenity of new buildings
DBE 6 Parking
DBE 8 Amenity Space
DBE 9 Amenity for neighbours
ST4 Parking
ST6 Traffic
H3A Housing allocation
U1 Infrastructure
LL11 Landscaping

Issues and Considerations:

The main issues in this application are:

1. Building in Context & Design
2. Amenity and Impact on Neighbours
3. Housing
4. Landscaping
5. Parking and traffic matter
6. Other Issues

It should be noted that the principle of housing development on this site was accepted with the approval of the 2002 applications. These were for a smaller scheme, comprising of 6 houses and 4 bungalows, with a green amenity area in the centre of the development, and had two options for closing the access at Kimpton Close or leaving it open. The 2007 withdrawn scheme was for 22 dwellings with 22 parking spaces.

1. Building in Context

- The development will be laid out from north to south in 5 separate blocks. No 1 would be two bungalows, No 2 – 2 houses, No 3 – 2 houses, No 4 – block of 10 flats, No 5 - 2 houses. 16 parking spaces would be placed to the side (north) of Block 4 and 2 to the south, with all other properties having 2 parking spaces each.
- The maximum height of Block 4 is 10.5m, which is a similar height to the 3 storey flats to the east in Queensway.
- The development therefore is low level to the north, rises to the flats towards the south and ends in two storey houses at the south.
- Whilst the suitability of the use of site for housing was established by the previous applications, this is a scheme which is larger in scope than that considered in 2003.
- It is the case that this is a plot, which is tightly constrained and is surrounded by residential properties, and therefore needs a scheme which can be accommodated successfully on the site.
- This scheme, by a reduction in the number of properties and the loss of a resulting block has successfully enabled this site to accommodate the proposed amount of housing without it being either cramped or an over-development.

- The scheme will make a successful transition from the houses of the east to the 3 storey flats to the west in Queensway without overwhelming the houses in Queensway or Kimpton Close.
- The designs of the blocks are traditional, and whilst not particularly innovative are acceptable in this mixed and diverse area of the estate, and will not appear out of place.
- This scheme has overcome the previous objections to the scheme and is appropriate and in keeping with the area.

2. Amenity & Impact on Neighbours

- There will be a change in the visual outlook from adjoining residential properties which back onto the site. However, those residents facing the southern half of the site currently look into a large, unattractive concrete parking area and lock-up garages, and the grassed area in the northern half is not of any landscape value.
- The scheme has reduced the bulk and massing of the overall scheme and the scheme now has flats facing flats (at a slight angle) and houses facing houses. Due to the redesign and the distances involved it is the case that there will be no significant adverse visual impact as a result of the scheme.
- It is accepted that there will be an increase in noise and disturbance due to the creation of residential development. However the scheme has been redesigned to reduce the number of properties and again it is considered that this will now be within acceptable limits, and a refusal on these grounds would be unsustainable.
- With regarding to the issue of overlooking, the original report stated, "Any housing on the site would need to be carefully designed to ensure that adjoining residents are not seriously overlooked and that their outlook is not seriously diminished". This led to the imposition of a condition on both permissions requiring that there were no habitable rooms at first floor level looking into the rear gardens of properties in Acres Avenue. It was considered that the potential for overlooking to the west was not so great as this overlooked the less private, communal garden area of the flats in Queensway.
- This scheme has been designed to avoid adverse overlooking of the rear gardens and elevations of Acres Avenue, the elevations of which are a minimum of 25m from the new blocks.
- To the east the overlooking of the flats and communal gardens of the Queensway properties are 21m distant and no adverse overlooking or loss of amenity will occur.
- No 56 – 62 Queensway are two storey houses with a back to back distance of 24m with the houses of Block 5. The flats of Block 4 are at an angle to these houses and have a minimum distance corner to corner of 25m at a 10° angle.
- These distances are within the acceptable tolerance laid out in the Essex Design Guide and it is the case that scheme has overcome previous concerns regarding overlooking of neighboring properties.

3. Amenity Space

- All the houses and bungalows have private amenity space that is within the Council Policy. The flats also have a sufficient amount of useable amenity space which is of importance in this very urban and built up area.

4. Loss of Open Space Area

- The site is not identified as an urban open space on the Proposals Map to the Local Plan, neither is it a formal play area. This issue was fully assessed in the original applications and it was decided that there was no justification for the retention of this area, especially with the proposed use of the land being for affordable housing.
- An objector has commented on the loss of green space for children to play on, but there is a playground area some 100m to the east close to the shops in Shelly.

5. Housing Issues

- The original scheme had the intention that the Director of Housing would offer the site to a Housing Association which has occurred.
- The Director of Housing very strongly supports this application and states that this is one of a number of sites within the District that are being developed in partnership with Estuary Housing to meet a pressing need for affordable housing which is in extremely short supply.
- He further argues that the site has an outline application for housing and this scheme makes better use of the land.
- Only six of the 31 garages on the site are let, and experience has shown that not all of these will be used for the parking of a motor car, but will be used for storage which is not allowed under the terms of the rental agreement. The new access will be an improvement to the site.

6. Landscaping

- The Landscape Section has commented that there is a tree on the site worthy of retention and a scheme of soft landscaping will be required.
- They are satisfied that the scheme is acceptable subject to suitable conditions

7. Highways & Parking

- Whilst this is an urban area, the estate was clearly not designed with the amount of traffic and parking that it now has to deal with. It is also poorly served by public transport.
- The scheme has overcome the previous concerns of the Highways on various technical grounds, subject to the appropriate conditions.
- Due to the location and constraints of the site and the surrounding estate two spaces per dwelling have been provided, in excess of the requirement of the Essex Parking Standards. This will avoid excessive on street parking occurring within the immediate area.
- In addition the existing rear garden parking from properties bounding the site has been retained.
- The Highways Department have also asked for the developer to contribute £90,000 for highway betterment and £65,000 for a Transportation Information and Marketing Scheme (a £800 voucher per person for use on local buses).
- However the applicant has stated that "The above contributions cause Estuary great concern and by imposing these contribution costs will mean that Estuary will be unable to meet our obligations to EFDC to provide a 100% affordable housing development. Estuary has full

support from the Housing Directorate on the current scheme, since it is able to provide 100% affordable housing. In order to accommodate the additional S106 Contribution costs being sought, it would make the scheme unviable, since too many of the proposed affordable properties would need to be converted to market housing to fund the contributions. Without these additional contributions, we are able to ensure that all 18 units remain affordable. Estuary is not a private developer.”

- Therefore Councillors will need to weigh the competing factors in this application between the need for badly needed affordable housing and the Highways need for funds to deal with infrastructure and Green Travel issues.

8. Other Issues

- A number of objectors have referred to the strain this proposal would put on the local infrastructure, particularly the sewage system.
- The Environmental Health Section have recommended refusal of this application on the grounds that an extra 18 dwellings will have the potential to cause sewage issues on the estate, and it is unclear as to whether the sewer will be connected to the public sewer which has capacity, or a private one which does not.
- The applicant has stated that the connection will be to the private sewer and that they have written to all local residents who use this sewer regarding the connection and the way forward.
- The scheme has been revised to take account of access to private dwellings on the site and is acceptable.

Conclusion

There is no doubt that the district as a whole and Ongar itself suffers from a serious shortage of affordable housing. This scheme goes a significant way to dealing with this shortage and can be accommodated on the site without causing adverse harm to the amenities of the area or local residents. There is the matter of competing needs between the affordable housing and highways contributions which will need to be weighed by Councillors. The recommendation is for approval.

SUMMARY OF REPRESENTATIONS:

ORIGINAL PLANS

TOWN COUNCIL - welcomes the affordable housing within Ongar and does not object to the application, members are concerned that the existing sewerage provision may not be sufficient and would wish to see adequate investigation of this issue before approval is given. The Council is concerned about the difficulties of parking in this area of Shelly and hopes that a strategy will be developed to address this. In particular the Council feel that there should be open access from the site to allow existing gardens in Acres Avenue to be used for parking.

3 KIMPTON CLOSE – Object, although feel site does need clearing, sewerage is unacceptable and inadequate, does not address displaced parking issues, Shelly has had too much in recent years, no guarantee the houses will go to Ongar people. Will take away our parking spaces, will allow youngsters to gather and cause trouble.

6 KIMPTON Close – Object, not right to build 18 houses in car park, sewers are inadequate as are the roads in this area.

32 QUEENSWAY – Object, will encourage overcrowding and overlook me, encourage undesirables

56 QUEENSWAY – Object, this has been ongoing for 6 years. The Block 4 flats have an adverse visual impact and overlook our gardens and rear elevations. This will cause serious parking problems in the area. This is overdevelopment; affect privacy and cause light and noise pollution. Infrastructure will be overstretched; my right of way at the rear will be affected.

60 QUEENSWAY – Object, takes away the only area where I can play safely.

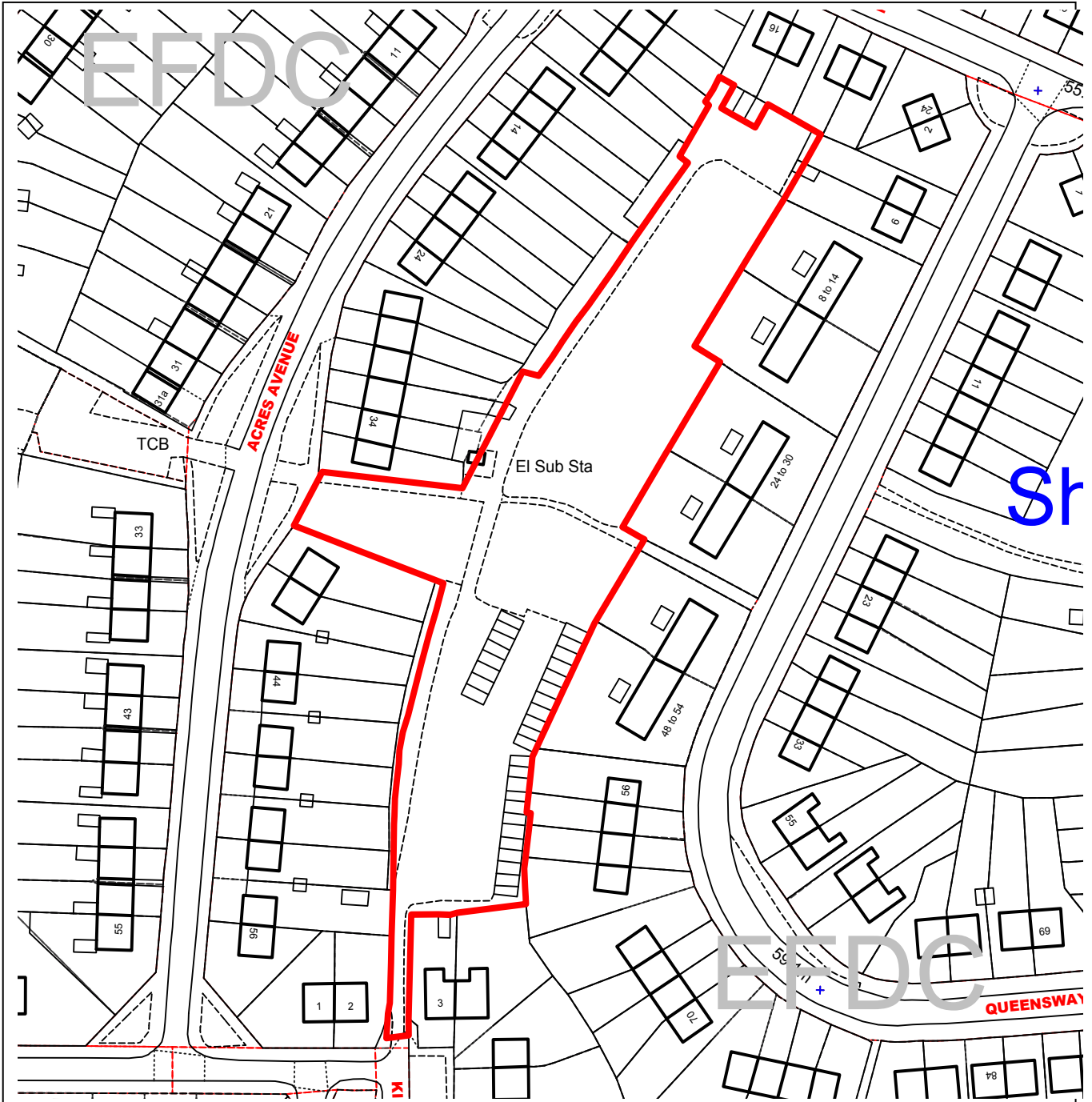
60 QUEENSWAY – Object, not a single issue in my original objections has been addressed and calls into question the integrity of Council Officials. Will cause a loss of privacy, this disregards the Council's Customer Charter. Overdevelopment, loss of open land, sewerage is inadequate, parking is inadequate, buildings not evenly distributed, distance to my house closer than the Acres Avenue houses, right of rear access isn't maintained, infrastructure is unable to cope already.

As stated above, amended plans have been received and neighbours have been consulted. The closing date for the receipt of comments will have taken place before the committee, but after agenda preparation. Any received will therefore be reported orally to Members.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	6
Application Number:	EPF/2700/07
Site Name:	Rear of 4 to 45 Acres Avenue Ongar,
Scale of Plot:	1/1250

Report Item No: 7

APPLICATION No:	EPF/0045/08
SITE ADDRESS:	15 Red Oaks Mead Theydon Bois Epping Essex CM16 7LA
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	N Swales & D Halcro
DESCRIPTION OF PROPOSAL:	Two storey and single storey rear extensions.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting that Order) no enclosure or balcony shall be formed at any time on any part of the roof of the development hereby approved without the prior written approval of the Local Planning Authority.
- 4 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the development hereby permitted without the prior written approval of the Local Planning Authority.

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).

Description of Proposal:

This application seeks planning permission for a part two, part single storey extension to the rear of the property. The extension would be 3.05 metres deep and would be set off the boundary of the site with the adjoining dwelling by approximately the same distance. The two storey section of the extension would have a hipped roof that would respect the pitch of the existing roof. The ground floor section of the extension would have a flat roof.

Description of Site:

The application property is a semi detached dwelling located in Red Oaks Mead, off Loughton Lane. The property has a small rear garden and a larger front garden which is divorced from the remainder of the site by the access path leading to neighbouring properties.

To the rear of the site are allotments, which lie within the Metropolitan Green Belt.

Relevant History:

None.

Policies Applied:

Adopted Local Plan and Alterations.

DBE9 – Neighbouring Amenity

DBE10 – Residential Extensions

GB7A – Development conspicuous within the green belt

Issues and Considerations:

The main issues in this case are:

1. The impact on the amenities of the occupiers of neighbouring dwellings; and
2. The impact on the character and appearance of the area.

1. Impact on Neighbours

With regard to the impact of the proposed development on the amenities of the occupiers of neighbouring dwellings, it is not considered that there would be any material loss of amenity to the occupiers of the adjoining dwelling, due to the distance that the first floor of the extension would be located from this property.

With regard to no 14, to the south west of the site, there would be some reduction to daylight and outlook to the room in the ground floor of this property, which is set forward of the application dwelling. However, due to the distance that would separate the two dwellings, it is not considered that this loss would be material. There would be some loss of outlook to the rear garden of the property, although having regard to the open aspect at the rear and the separate area of amenity space to the front, it is not considered that this would be material.

2. Impact on Appearance of Area

With regard to the impact of the proposed extension on the character and appearance of the area, it is considered that the design of the two storey element of the extension would be in keeping with the character and appearance of the area. However, it is considered that the proposed flat roof to the single storey part of the extension would benefit aesthetically from the addition of a pitched roof. Notwithstanding this, planning permission was granted for a flat roofed rear extension at 13 Red Oaks Mead in 1997 and it is considered that the merits of the two cases are very similar. Furthermore, it is considered that if the applicants were required to add a pitch to the roof, this would considerably increase the impact that the extension would have on the adjoining dwelling.

3. Other Matters

The proposed extension would be visible from the Green Belt to the rear of the site. However, it would be viewed against the context of the main dwelling and it is not considered that it would appear overly conspicuous.

Theydon Bois Parish Council has objected to the planning application for three reasons. The first, relating to the impact on neighbours, has been dealt with previously in this report. The Parish Council is also concerned about the lack of parking. However, the Council's parking standards do not differ between two and three bedroom properties and accordingly it is not considered that the increase in the number of bedrooms would warrant the provision of additional parking. Whilst none of the properties in this rear part of Red Oaks Mead have off street parking, it is considered that there is scope for on-street parking along the access road which would not be harmful to highway safety. Finally, the Parish Council is concerned that the development would result in the loss of one of the more affordable homes within the village. However, outside the Green Belt, there are no policies to support the retention of small dwellings. Notwithstanding this, it is considered that following the proposed development, the dwelling would remain a modest sized family dwelling. It is also clearly of a size desired by an existing local family.

Conclusion

In light of the above appraisal, it is considered that the proposed development would not give rise to a material loss of amenity to the occupiers of neighbouring dwellings and, on balance, it is considered that the extension would have an acceptable appearance. It is not considered that the concerns raised with regard to parking and the increased size of the dwelling would justify the refusal of planning permission. Accordingly, it is recommended that planning permission be granted.

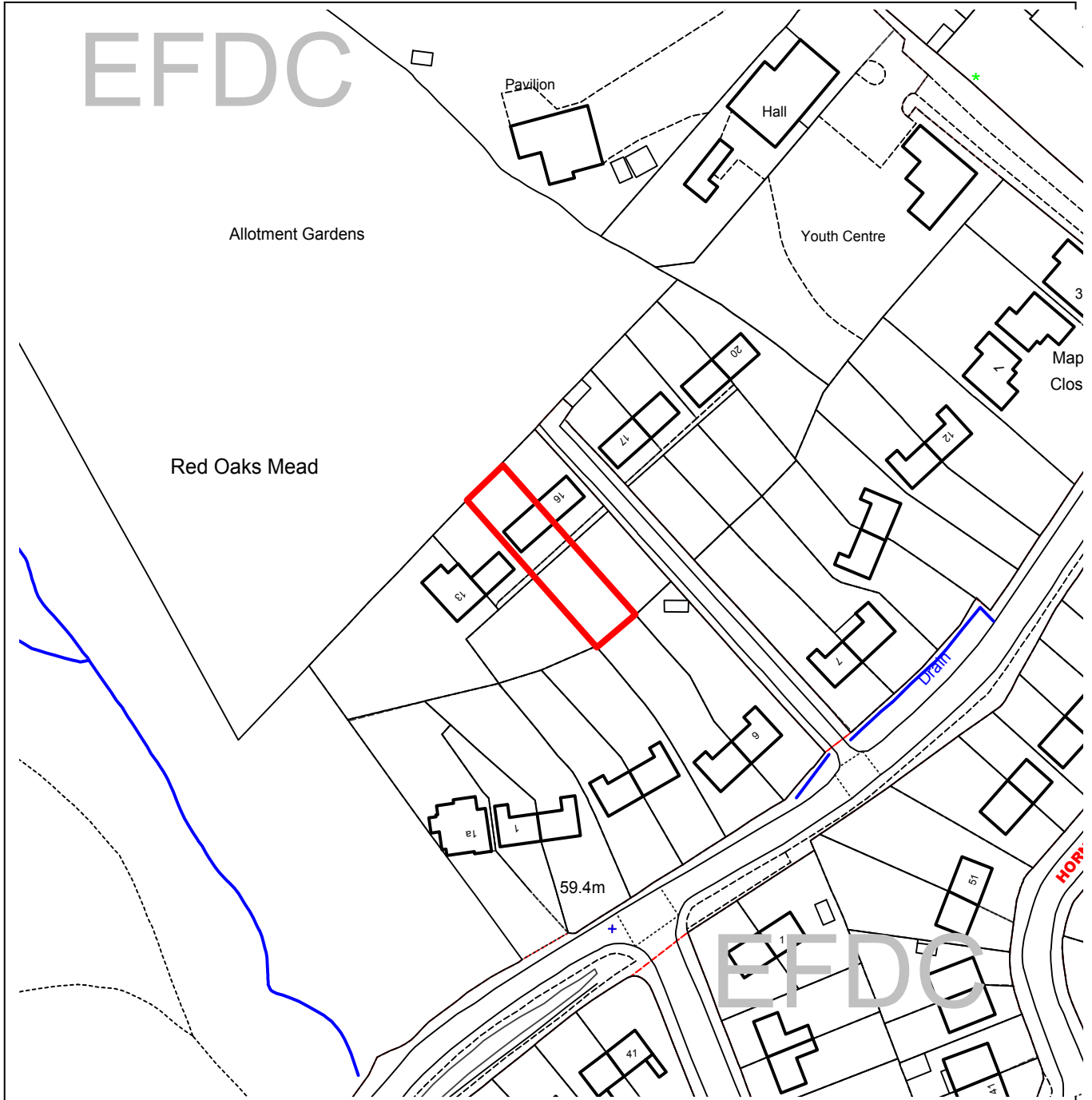
SUMMARY OF REPRESENTATIONS:

THEYDON BOIS PARISH COUNCIL. Objection. This large extension will have a detrimental impact on the neighbours, including loss of light. Such a large home is inappropriate without parking provision and we are also mindful of the fact that it will result in the loss of one of the more affordable homes in the Village.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	7
Application Number:	EPF/0045/08
Site Name:	15 Red Oaks Mead, Theydon Bois CM16 7LA
Scale of Plot:	1/1250

Report Item No: 8

APPLICATION No:	EPF/0053/08
SITE ADDRESS:	21 Elizabeth Drive Theydon Bois Essex CM16 7HJ
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr W Roche
DESCRIPTION OF PROPOSAL:	Two storey side/rear extension and single storey rear extension.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 Prior to first occupation of the building hereby approved the proposed window openings in first floor flank elevation shall be fitted with obscured glass and have fixed frames, and shall be permanently retained in that condition.
- 4 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting that Order) no enclosure or balcony shall be formed at any time on any part of the roof of the development hereby approved without the prior written approval of the Local Planning Authority.
- 5 Prior to the commencement of the development details of the proposed surface materials for the driveway shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).

Description of Proposal:

Two storey side and rear extension, on the southeast flank, measuring 2.2m wide x 13.2m, by 6.8m high, with hipped roof. The first floor flank is set in 1m from the boundary with No 19 Elizabeth Close.

Description of Site:

A two-storey semi detached house on a rectangular plot. The road has uniform series of semi-detached two storey houses, with most properties having been built up to the ground floor boundaries.

Relevant History:

EPF/1998/06 Two storey side/rear extension – refused - appeal dismissed

EPF/217/07 Two storey side/rear extension – refused - appeal dismissed

EPF/1894/07 Two storey side/rear extension - withdrawn

Policies Applied:

DBE 9 Excessive Loss of amenities for neighbours

DBE 10 Design of residential extensions

ST 4 Parking

Issues and Considerations:

The main issues in this application are the effects on the:

1. Street Scene
2. Design
3. Amenities of neighbouring properties
4. Parking

This is a scheme which has been subject to several amendments as detailed above. The main issue is whether this scheme has overcome the previous reasons for refusal.

1. Impact on Street Scene

- This scheme will see a relatively substantial increase in the size of the existing building on the flank and at the rear.
- However, the first floor side extension is now set back 1m from the boundary and is in keeping with Council policy on first floor extensions.
- The front elevation is set back 1m from the front bay projection.
- The roof is hipped and the ground floor side extension has a pitched roof.
- The previous schemes were only refused as both were built at the first floor to within 1m of the boundary with No 19. This scheme has been designed to deal with this matter and now conforms to Council policy.
- It is the case that this 1m gap will prevent a terracing effect if the neighbouring property were to apply for a similar scheme and with this gap there will be no adverse impact on the character and appearance of the street scene from this scheme.

2. Design

- The extension integrates well into the existing property, and is logical and in keeping with the existing property.
- Design is acceptable.
- Materials will match.

3. Residential Amenity

- It should be noted that neither of the two refused applications were concerned with the impact on the amenities of the neighbouring properties.
- There will be no adverse overlooking of any neighbour.
- The only neighbour to be affected in terms of light and visual impact will be No 19 to the southeast.
- There will be some very minor loss of sunlight in the late afternoon to the rear garden of No 19, but this would not justify a refusal on these grounds.
- There will be no loss of light to any habitable room at No 19.
- There will be no adverse harm from the visual impact to occupants of No 19, as the scheme is screened at the ground floor by a very deep single storey extension at No 19 (some 8m from the rear elevation of No 19).
- The hipped roof and lower ridgeline of the rear portion of the scheme also reduces its impact to an acceptable level.

4. *Parking*

- The scheme will see the loss of a carport, but there is space at the front of the property for off street parking and a refusal on this ground would be unsustainable.

Conclusion

This scheme has no adverse impact on the street scene, is of an acceptable design and had no adverse impact on the amenities of the neighbouring properties. For the reasons above this application has overcome the previous reasons for refusal and is an acceptable scheme. It is therefore recommended for approval.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL – Object, the visual impact of these proposals will create a terracing effect as the rear extension is less than a metre from the neighbouring property at No 19, causing a detrimental impact to the street scene. There will also be a loss of parking.

THEYDON BOIS RURAL PRESERVATION SOCIETY – Object, will result in greater massing, and a massive extension, no real change from previous schemes and change the look of the street to a terrace.

19 ELIZABETH CLOSE – Object, upper storey has been moved 1m from the boundary, by 2m nearer the street. This is a massive two storey extension, will reduce light to our shower room and utility room, rear extension will be overpowering, reduction in off street parking, out of scale.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	8
Application Number:	EPF/0053/08
Site Name:	21 Elizabeth Drive, Theydon Bois CM16 7HJ
Scale of Plot:	1/1250

Report Item No: 9

APPLICATION No:	EPF/0152/08
SITE ADDRESS:	25 Piercing Hill Theydon Bois Epping Essex CM16 7JW
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr & Mrs Moore
DESCRIPTION OF PROPOSAL:	First floor rear extension.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 The development shall be carried out solely in accordance with the approved plans unless otherwise agreed in writing with the Local Planning Authority.

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).

Description of Proposal:

This application seeks planning permission for alterations to the dwelling comprising a first floor rear extension. The extension would be above the kitchen and utility room infilling the existing space at first floor and extending slightly to the rear by approximately 1.15 metres.

Description of Site:

The application property is a detached dwelling located in Piercing Hill. The properties surrounding the site are generally detached dwellings, of varying styles and designs. The two storey houses generally have fairly low shallow roofs and as a result, there are other properties that have a double pitch. No. 23 (two dwellings along from the application property) has a roof which appears, from the ground, to be higher than others within the area (approximately 2.5-3 metres). There is a window in the side gable of this roof, indicating that accommodation may be provided within the roof space.

The dwelling has been previously extended at ground and first floor level and is located within the Metropolitan Green Belt.

Relevant History:

EPO/0352/64. Double garage and studio addition. Approved 28/07/64.

EPF/0317/86. Single storey rear extension. Approved 11/04/86.

EPF/2172/07. Raise roof and erection of rear dormer windows and conversion of garage to habitable room. Refused 30/11/07.

EPF/2695/07. Ground floor rear bay window, dormer window to rear first floor, addition of chimney and conversion of garage to habitable room. Approved 11/02/08.

EPF/2722/07. Certificate of lawful development for a proposed detached garage/outbuilding. Approved 13/02/08.

EPF/0153/08. Raise roof and erection of rear dormer windows. (Revised application). Pending...

Policies Applied:

Adopted Local Plan and Alterations.

DBE9 – Neighbouring Amenity

DBE10 – Residential Extensions

GB2A – Development in the Green Belt

GB14A – Residential Extensions in the Green Belt

Issues and Considerations:

The main issues in this case are:

1. The impact on the amenities of the occupiers of neighbouring dwellings;
2. The impact on the character and appearance of the area; and
3. The impact on the openness of the Green Belt.

1. Impact on Neighbours

With regard to the impact of the proposed development on the amenities of the occupiers of neighbouring dwellings, due to the location of the proposed works in relation to neighbouring dwellings it is not considered that there would be any material harm. The proposed extension would be alongside the front garden of 26 Piercing Hill.

2. Impact on Appearance of Area

With regard to the impact of the proposed extension on the character and appearance of the area, it is considered that the proposed development would be in keeping with the existing house and would not, therefore, be harmful.

3. Impact on Green Belt

Turning to the issue of the location of the proposed development within the Green Belt, Policy GB2A of the Local Plan Alterations states that extensions to existing buildings within the Green Belt may be acceptable where it is a limited extension to an existing dwelling that is in accordance with Policy GB14A of the Plan. Policy GB14A of the Local Plan Alterations states that residential extensions may be acceptable where there would not be any harm to the open appearance of the Green Belt, there would not be any harm to the appearance of the building, and the extension would not result in a disproportionate addition of more than 40%, up to a maximum of 50m² over and above the total floor space of the original dwelling.

As shown in the table below, the existing dwelling has already exceeded the amount of extensions permissible under policy GB14A, and the proposed first floor rear extension would result in a considerable increase to the existing floor space. Notwithstanding that, the extension would be

infilling a section of the existing footprint of the dwelling and no part of it would be visible from the front of the property. Having regard to this and the location of the site in a built up enclave, it is not considered that there would be any material harm to the open character of the Green Belt. For this reason, it is considered that an exception to policy GB14A is acceptable in this instance.

	Floor space (m²)	Increase (m²)	Proportion (%)
<i>Original</i>	154.88		
Existing	222.38	67.5	43.5
Proposed	241.73	86.85	56

4. Other Matters

Concern has been raised by Theydon Bois Parish Council regarding the number of applications that have been submitted on this site simultaneously. The applicant has advised that this is in order to save time, so that if one or more applications are considered to be unacceptable, alternative developments will be considered at the same time. They have advised that they only intend to proceed with one development. Regardless of their intention, it is not considered that they could proceed with more than one development arising from these current applications, as the development would not be in accordance with the approved plans. On this basis, the Parish Council's concern is understood, but it is not considered that it would justify the refusal of planning permission.

Conclusion

In light of the above appraisal, it is considered on balance that the proposed development would have an acceptable appearance and would not cause any material harm to the amenities of neighbouring properties or to the open character of the Green Belt. Accordingly, it is recommended that planning permission be granted.

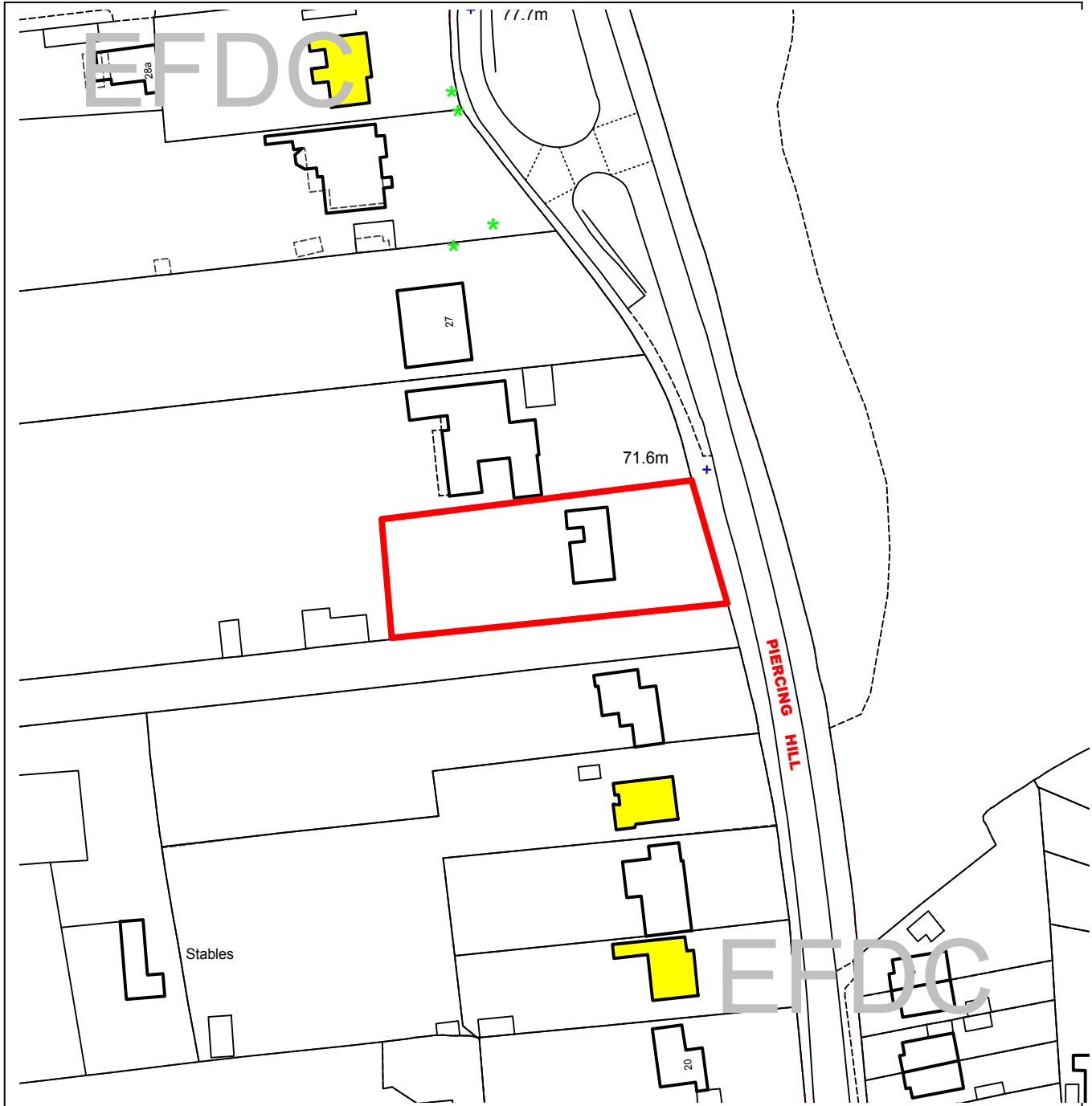
SUMMARY OF REPRESENTATIONS:

THEYDON BOIS PARISH COUNCIL. Objection. There are a number of outstanding applications on this property and we object to this piecemeal approach. This application should be considered in conjunction with EPF/0153/08 and EPF/2695/07.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	9 & 10
Application Number:	EPF/0152/08 & EPF/0153/08
Site Name:	25 Piercing Hill, Theydon Bois, CM16 7JW
Scale of Plot:	1/1250

Report Item No: 10

APPLICATION No:	EPF/0153/08
SITE ADDRESS:	25 Piercing Hill Theydon Bois Epping Essex CM16 7JW
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr & Mrs Moore
DESCRIPTION OF PROPOSAL:	Raise roof and erection of rear dormer windows. (Revised application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 The development shall be carried out solely in accordance with the approved plans unless otherwise agreed in writing with the Local Planning Authority.

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).

Description of Proposal:

This application seeks planning permission for alterations to the dwelling comprising an increase in the height of the roof and the insertion of a rear dormer in the rear roof slope. It is also proposed to add a chimney and to convert the garage into a habitable room.

Description of Site:

The application property is a detached dwelling located in Piercing Hill. The properties surrounding the site are generally detached dwellings, of varying styles and designs. The two storey houses generally have fairly low shallow roofs and as a result, there are other properties that have a double pitch. No. 23 (two dwellings along form the application property) has a roof which appears, from the ground, to be higher than others within the area (approximately 2.5-3 metres). There is a window in the side gable of this roof, indicating that accommodation may be provided within the roof space.

The dwelling has been previously extended at ground and first floor level and is located within the Metropolitan Green Belt.

Relevant History:

EPO/0352/64. Double garage and studio addition. Approved 28/07/64.
EPF/0317/86. Single storey rear extension. Approved 11/04/86.
EPF/2172/07. Raise roof and erection of rear dormer windows and conversion of garage to habitable room. Refused 30/11/07.
EPF/2695/07. Ground floor rear bay window, dormer window to rear first floor, addition of chimney and conversion of garage to habitable room. Approved 11/02/08.
EPF/2722/07. Certificate of lawful development for a proposed detached garage/outbuilding. Approved 13/02/08.
EPF/0152/08. First floor rear extension. Pending...

Policies Applied:

Adopted Local Plan and Alterations.

DBE9 – Neighbouring Amenity
DBE10 – Residential Extensions
GB2A – Development in the Green Belt
GB14A – Residential Extensions in the Green Belt

Issues and Considerations:

The main issues in this case are:

4. The impact on the amenities of the occupiers of neighbouring dwellings;
5. The impact on the character and appearance of the area; and
6. The impact on the openness of the Green Belt.

1. Impact on Neighbours

With regard to the impact of the proposed development on the amenities of the occupiers of neighbouring dwellings, due to the location of the proposed works in relation to neighbouring dwellings it is not considered that there would be any material harm. As the application dwelling is set almost entirely forward of the neighbouring dwelling it is not considered that the introduction of additional first floor windows would be harmful.

2. Impact on Appearance of Area

With regard to the impact of the proposed extension on the character and appearance of the area, it is considered that the proposed development would be in keeping with the existing house and the varied designs of the surrounding area and would not therefore be harmful.

3. Impact on Green Belt

Turning to the issue of the location of the proposed development within the Green Belt, Policy GB2A of the Local Plan Alterations states that extensions to existing buildings within the Green Belt may be acceptable where it is a limited extension to an existing dwelling that is in accordance with Policy GB14A of the Plan. Policy GB14A of the Local Plan Alterations states that residential extensions may be acceptable where there would not be any harm to the open appearance of the Green Belt, there would not be any harm to the appearance of the building, and the extension would not result in a disproportionate addition of more than 40%, up to a maximum of 50m² over and above the total floor space of the original dwelling.

The existing dwelling has previously been extensively extended, in excess of the amount permissible under Policy GB14A. The proposed development would result in the creation of approximately an additional 38.5m² of floor space. However, much of this floor space would be within the existing volume of the roof of the dwelling (albeit not presently accessible). The proposed roof extension would raise the height of the roof by approximately 1.5 metre and as the existing valley roof would be lifted into a single ridge, the pitch would not be altered, meaning that the additional height would be set back from the front and rear elevations. Bearing this in mind, it is not considered that there would be any material harm to the open character of the Metropolitan Green Belt. An earlier planning application was refused on the basis of disproportionate development within the Green Belt and the roof of the dwelling having a dominant appearance. However, since that application, the height of the roof has been reduced by approximately 600mm and it is considered that those concerns have been addressed.

4. Other Matters

Concern has been raised by Theydon Bois Parish Council regarding the number of applications that have been submitted on this site simultaneously. The applicant has advised that this is in order to save time, so that if one or more applications are considered to be unacceptable, alternative developments will be considered at the same time. They have advised that they only intend to proceed with one development. Regardless of their intention, it is not considered that they could proceed with more than one development arising from these current applications, as the development would not be in accordance with the approved plans. On this basis, the Parish Council's concern is understood, but it is not considered that it would justify the refusal of planning permission.

Conclusion

In light of the above appraisal, it is considered on balance that the proposed development would have an acceptable appearance and would not cause any material harm to the amenities of neighbouring properties or to the open character of the green belt. Accordingly, it is recommended that planning permission be granted.

SUMMARY OF REPRESENTATIONS:

THEYDON BOIS PARISH COUNCIL. Objection. There are a number of outstanding applications on this property and we object to this piecemeal approach. This application should be considered in conjunction with EPF/0152/08 and EPF/2695/07.