

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/0810/08
<b>SITE ADDRESS:</b>	Builders Yard Rear of Mill House Sheering Mill Lane Sheering Harlow Essex
<b>PARISH:</b>	Sheering
<b>WARD:</b>	Lower Sheering
<b>APPLICANT:</b>	Mr Darren Wadhams - A J Wadhams & Co Ltd
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/17/94 G1,G2, A1,T2 and TPO/EPF/13/84 T6,T7,T13: Crown pruning as specified.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The work authorised by this consent shall be carried out under the direct supervision of the Local Planning Authority, who shall receive in writing, 5 working days notice of such works.
- 2 The crown reduction authorised by this consent shall consist of the following.  
TPO/17/94: G1: T2, Horse chestnut, Repollard to clear wires.  
T3, Horse chestnut; Pollard to 2m.  
T4 Ash, Reduce lateral crown by up to 2m.  
T5. Horse chestnut. Thin and Reduce spreading crown by up to 2.5m  
G2. T6. Plum x 6. Reduce height to 5m.  
TPO/13/84.A1. T10.Yew hedge. Reduce in height to 6m and reduce lateral spread by up to 1.5m from kerb line.
- 3 The crown lifting authorised by this consent shall extend to the whole or partial removal of branches necessary to give the following clearance above ground level and to give statutory clearance to public highways:  
TPO/17/94: T4 Ash, Crown lift to 6m.  
T5. Horse chestnut. Crown lift to 6m.  
TPO/13/84. T7. Horse chestnut. Crown lift to 5m and deadwood.  
T8. Crown lift to 5m and deadwood.  
T11. Horse chestnut. Crown lift to 5m and deadwood.
- 4 All work authorised by this consent shall be undertaken in a manner consistent with British Standard 3998 (1989) (or with any similar replacement Standard).
- 5 The works hereby authorised shall not be undertaken after a period of three years from the date of this consent has expired.

- 6 The works hereby authorised shall be undertaken only within the periods indicated 31st July to 30th September 30th.

*This application is before this Committee since 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:**

**TPO/17/94: G1: T2, Horse chestnut;** Repollard to clear wires.  
**T3, Horse chestnut;** Pollard to 2m.  
**T4 Ash, Crown lift to 6m.** Thin and reduce crown, as specified.  
**T5. Horse chestnut. Crown lift to 6m.** Thin and reduce crown, as specified.  
**G2. T6. Plum x 6.** Reduce height to 5m.  
**TPO/13/84. T7. Horse chestnut.** Crown lift to 5m and deadwood.  
**T8.** Crown lift to 5m and deadwood.  
**T11. Horse chestnut.** Crown lift to 5m and deadwood.  
**A1. T10. Yew hedge.** Reduce in height to 6m and reduce lateral spread by up to 1.5m from kerb line.

### **Description of Site:**

The trees and hedges bound the derelict site, which occupies the corner of Luxford Place and Sheering Mill Lane. The plot was once part of the large garden of Mill House and evidence of a stable block exists along with large and stately trees. The tall Yew hedge is clearly a planted screen for this listed property.

### **Relevant History:**

Two orders cover this site. Originally TPO/EPF/13/84 was served to protect all notable trees within the curtilage of Mill House, due to a threat presented following the sale of the house. Subsequently, TPO/EPF/17/94 was served in response to threat posed by the potential development of adjacent land at Luxford Nurseries.

There are no records of pruning to these trees on file but the strip of land appears to have been adopted by the current owner, who now takes responsibility for the management of the trees.

### **Relevant Policies:**

LL8: Pruning of preserved trees will be granted provided that the works are necessary and not likely to impair the health and appearance of the tree or trees, nor inhibit its or their full and natural development.

### **Issues and Considerations:**

#### **Introduction**

The application is made on the basis that the trees need to be pruned as the initial phase of an ongoing maintenance programme, which will enhance the general long term appearance of the site by restoring trees and hedges to their former management styles and reduce risk of structural failure of parts of the trees along the perimeters of this currently unmanaged site.

The issue is whether or not the restorative tree work is likely to cause unacceptable harm to the trees' health and appearance or their future natural development.

## **Considerations**

### **1. Objections and representations**

There have been letters from local residents living in Luxford Place. The summarised issues are listed below, as follows:

- i) Loss of amenity and landscape character in the pruning of the trees and hedge.

Most of the trees to be pruned stand along the perimeter of this site and are clearly seen from Luxford Place and Sheering Mill Lane. The height reductions of certain trees and the yew hedge is seen as unacceptable due to the anticipated opening up of intrusive views into objectors' properties. The loss of landscape character has also been cited as a reason for objection.

- ii) The potential damage to wildlife habitats from the proposed pruning works

Claims of a threat to these habitats and therefore numbers of species and species populations have generated a request for an environmental impact assessment to be carried out. It may be possible to ask for an ecological survey prior to pruning works commencing in order that every effort is afforded to preserving the wildlife habitats within the site. However, it is considered that the control offered under The Wildlife and Countryside Act 1981, will adequately protect branch nesting birds, providing the responsibilities therein are made clear to the applicant as part of the consent notice.

### **2. Proposed specifications and site history**

The specifications of the proposal have been detailed following a site meeting and discussions with the arboricultural case officer. An assessment of all the trees has aimed to address the lack of management apparent across the site. The group of pollarded Horse Chestnuts are now causing problems due to their overgrown state. The yew hedge, marked as A1, is beginning to obstruct the passage of high sided vehicles and requires lateral reduction to alleviate this problem. A1 also shows signs of past management as a hedge at a height of approximately 5 -6 metres. Therefore it is reasonable to allow some reduction in height in addition to the width reduction. The largest trees are to have minimal pruning such that the risk of branch damage from vehicle movements across the site can be eliminated.

## **Summary**

Although the trees have high public value, the Council considers that in this case, the balance falls in favour of allowing the restorative pruning to be initiated after such a long period of naturalisation. Concerns for the disruption of wildlife habitats are valid but it is legally necessary to time works to minimise disruption of nesting birds and carry out tree inspections prior to works commencing. It is important to bear in mind that the works are pruning management and not the removal of important trees or landscape features. Consideration must also be given to the evidence of previous management practices, where trees have been severely lopped or pollarded. It is foreseeable, therefore, that the trees will recover from these works and provide long term amenity value to the area, following the pruning.

It is recommended to grant permission to this application on the grounds that the site shows a planting history of important trees and hedging, which have fallen into neglect and require reasonable restoration. The proposal, therefore, accords with Local Plan Landscape Policy LL8.

Should members approve the application, it is recommended that an informative is attached to the decision notice, drawing the applicant's attention to the requirements set out under the Wildlife and Countryside Act 1981, which legislates for wildlife habitats and in particular, sets out provisions in respect of bird nests/holes etc.

## **SUMMARY OF REPRESENTATIONS**

Sheering Parish Council made no comment at the time of the writing of this report.

5 Luxford Place objects on the following grounds;

1. The savagery of the tree works is felt to go too far.
2. The works are likely to threaten and make the site unattractive to established wildlife species, such as Cuckoos and Woodpeckers.
3. Loss of privacy with views being opened up into his property.
4. The possibility of an open space being opened up following the removal of a group of bushes and conifers between T6 and T9, which would severely impact upon his visual line and harm the character of the area

4 Luxford Place accepted the need to pollard T2 and T3 and remove T1. They expressed objections to what they consider to be excessive pruning measures to all other trees, resulting in the loss of amenity to neighbouring properties from unsightly views into the builders yard and loss of wildlife habitat. Additionally, the likely need for additional security fencing to be erected as a result of the proposed tree works is viewed as inconsistent with environmental policy.

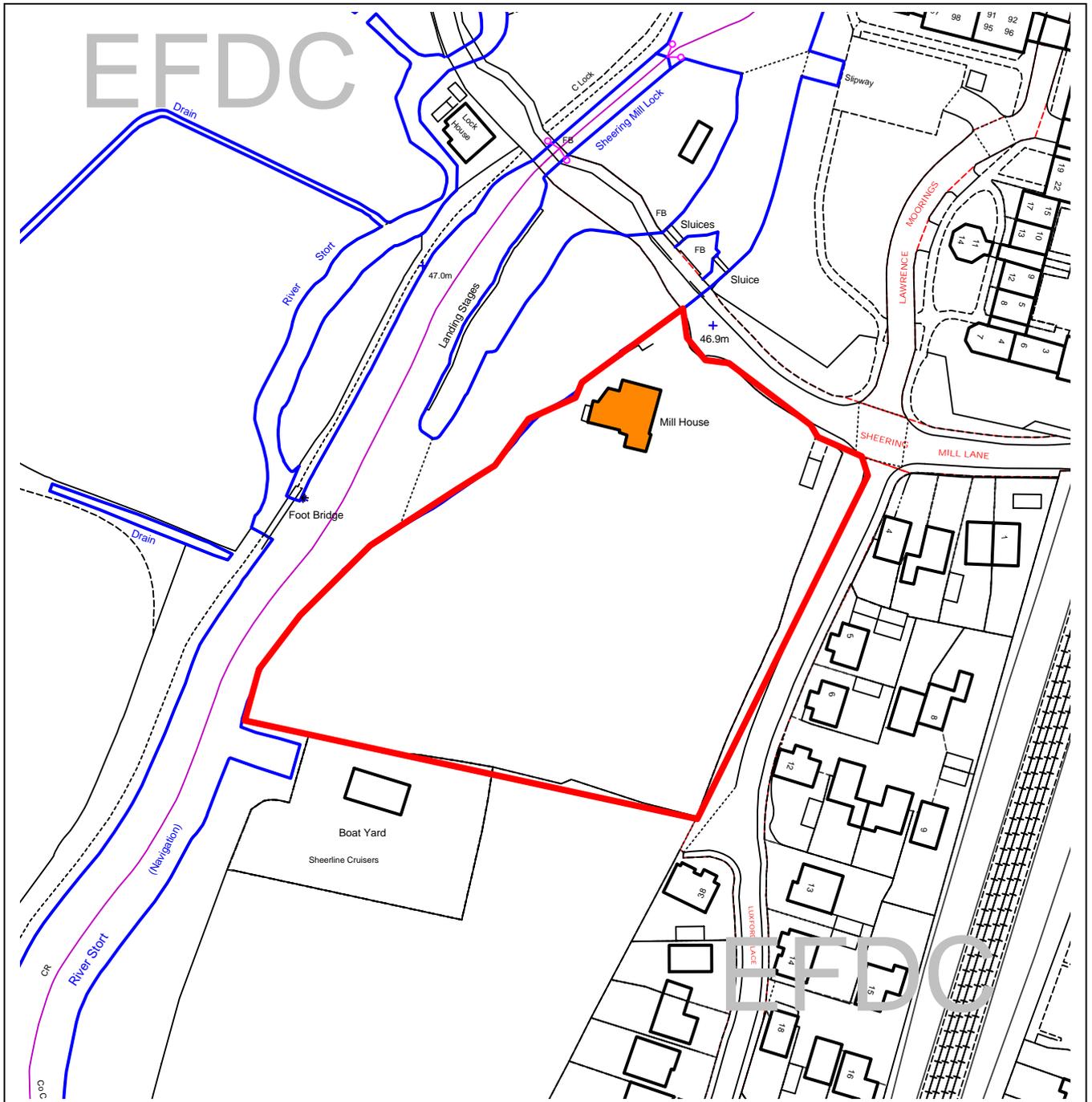
38 Luxford Place express their concerns that, 'It would be a pity if the increased numbers of wildlife habitats for many small creatures were to be diminished due to the proposed tree work.' They asked that as little disturbance as possible will take place in the course of the essential works.

It was asked that it be put on record that they harbour suspicions that there are intentions to develop the land, to which they strongly object.



# Epping Forest District Council

## Area Planning Sub-Committee East



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<b>Agenda Item Number:</b>	1
Application Number:	EPF/0810/08
Site Name:	Builders Yard, Rear of Mill House Sheering Mill Lane, Sheering.
Scale of Plot:	1/1250

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/1070/08
<b>SITE ADDRESS:</b>	40 Landview Gardens Ongar Essex CM5 9EQ
<b>PARISH:</b>	Ongar
<b>WARD:</b>	Chipping Ongar, Greensted and Marden Ash
<b>APPLICANT:</b>	Mr D Evans
<b>DESCRIPTION OF PROPOSAL:</b>	Single storey front and two storey rear extension. ( Revised application)
<b>RECOMMENDED DECISION:</b>	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 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 item was deferred at the last meeting of this Committee held on 30/07/08 to allow Members to visit the site and for Officers to provide plans at the meeting showing differences between this proposal and that previously refused. The refused plans will be available at the Committee meeting and the site visit took place on Saturday 9 August 2008. The original report is set out below:

*This application is before this Committee since it is an application for 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) and 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 width single storey front extension and part width two storey rear extension. The proposed front extension would be approximately 1.7 metres in depth, bringing the front of the dwelling level with the front wall of an existing garage/front

extension. The rear extension would be approximately 3.3 metres in depth and set 3.5 metres from the site boundary with properties on Kettlebury Way. Both additions would have pitched roofs.

### **Description of Site:**

The application property is located on the northern side of Landview Gardens, to the east of Kettlebury Way. The site is regular in shape comprising of approximately 585 square metres. A medium size timber paling fence and mature vegetation are located on the side and rear boundaries. Located towards the front of the site is a detached double storey dwelling constructed from brick with a plain tiled roof. There is room for off street parking either within the existing garage or on the hard surface towards the front of the dwelling. A large private open space area is located behind the dwelling.

Located in the surrounding area there is a mixture of semi detached and detached dwellings with all of them having different styles and bulk. Front setbacks from the highway are mainly consistent and spaces/gaps between buildings form a dominant part of the character of the area.

The neighbouring dwelling (no. 38) has several windows in the side elevation facing the application site. These include secondary windows to the kitchen, the bay (only) window to the dining room and the window to the hall. Presently, the double doors that lead from the kitchen through to the dining room have been removed, resulting in the two rooms being connected. However, the door frame remains in situ and the rooms could easily be made separate again by the reinstatement of the internal doors.

### **Relevant History:**

EPF/1967/07. Two storey side and rear extensions and single storey rear extension. Refused 15/11/07.

EPF/0417/08. First floor side and rear extensions and single storey rear extension. (Revised application). Refused 09/05/08.

### **Policies Applied:**

#### **Adopted Local Plan and Alterations.**

DBE9 – Neighbouring Amenity  
DBE10 – Residential Extensions

### **Issues and Considerations:**

The main issues in this case are:

1. The impacts of the proposed development on the amenities of the occupiers of neighbouring dwellings; and
2. The impacts of the proposed extensions on the character and appearance of the area

#### **1. Neighbouring Amenity**

With regard to the impacts of the proposed development on the amenities of the occupiers of neighbouring dwellings, objections have been received from the occupiers of 38 Landview Gardens to the east of the site and 3, 5 and 7 Kettlebury Way to the west. With regard to 38 Landview Gardens, this property has several windows in the side elevation, serving the kitchen, dining room and hall/lounge. Whilst the side windows to the kitchen and the hall/lounge would be secondary, the window to the dining area would be the only source of natural light. Due to the

orientation of the development in relation to this window, there would be some loss of direct sunlight in the afternoon/evenings. However, having regard to the location of the dwellings in Kettlebury Way, it is not considered that this loss of light would be material. There would also be some reduction in daylight and outlook. However, having regard to the distance that would separate the extension from the window (approximately 9 metres) it is not considered that this would be material.

The proposed extension would be situated to the rear of the gardens of properties in Kettlebury Way. Objections made by the residents of these properties include loss of privacy, and sunlight. It is considered that the extension would not have a worse relationship with these neighbouring dwellings than the existing relationship between 7 Kettlebury Way and the existing dwelling on the site. Accordingly, it is not considered that there would be a material loss of light or outlook to these neighbouring occupiers. Subject to there being no first floor windows in the side of the extension, it is not considered that there would be a material increase in overlooking. This can be prevented by the use of a planning condition, if permission is granted.

## 2. Impact on Appearance of the Area

It is considered that the extensions would have an acceptable appearance within the street scene. The front extension would be flush with the existing front elevation and its roof would form a continuation of the existing. The rear extension would have a hipped pitched roof which would be subservient to the roof of the main dwelling. Concern has been raised by local residents regarding the proposed rendering of the dwelling. However, other properties within the street are rendered and it is not considered that this would be out of keeping.

## **Conclusion**

In light of the above appraisal, it is considered that the proposed extension would not be detrimental to the amenities of the occupiers of neighbouring dwellings and would have an acceptable appearance within the street scene. Accordingly, it is recommended that planning permission be granted.

## **SUMMARY OF REPRESENTATIONS:**

ONGAR TOWN COUNCIL. Objection. This proposal does not answer the objections made by this Council in the previous application i.e. the loss of light to the neighbouring properties and being overlooked. This Council has no objections to a single storey extension being built and would add that any finishing to the outside of the property should be in keeping with the other houses in the neighbourhood.

38 LANDVIEW GARDENS. Objection. The proposed extension would severely restrict natural light to our main living areas.

3 KETTLEBURY WAY. Objection. The extensions and rendering would be out of character with the surrounding buildings. The rear extension would cause a loss of privacy due to the higher level. Building works would cause discomfort and stress. Piling of foundations could cause structural damage.

5 KETTLEBURY WAY. Objection. Due to land levels 40 Landview Gardens is considerably higher than our property. The extension to the rear would result in considerable bulk, both dominating and oppressive to our property. Distance from our house to the extension would be just 12.2 metres. The extension would be permanent in the rearward view from our house and there would be permanent overshadowing and loss of sunlight. Also loss of vegetation. The proposed render would be out of character.

7 KETTLEBURY WAY. Objection. Both the application property and my property have experienced subsidence, caused by an underground stream. Concerned that building works will result in structural damage to my garage and possibly my home itself. The development is out of keeping with surrounding properties. It would appear cramped and out of keeping with existing development due to its height, bulk and scale. Could harm the value of neighbouring properties. Because of elevated land level, the proposal would overlook our garden and living accommodation. Also concerned regarding the sewers and loss of vegetation.



**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/1145/08
<b>SITE ADDRESS:</b>	Land at Station Approach High Street Ongar Essex CM5 9BN
<b>PARISH:</b>	Ongar
<b>WARD:</b>	Chipping Ongar, Greensted and Marden Ash
<b>APPLICANT:</b>	David Wilson Homes
<b>DESCRIPTION OF PROPOSAL:</b>	Reserved matters application for 52 units comprising 39 two and three storey houses and flats and a three storey residential block for mother and baby unit providing 13 flats and associated facilities.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 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.

- 2 No development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the

Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

*This application is before this Committee since it is an application for residential development of 5 dwellings or more and is recommended for approval (Pursuant to Section P4, Schedule A (d) of the Council's Delegated Functions).*

*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 is a reserved matters application for the erection of 52 dwellings including a 13 unit Young Parents scheme with associated access, parking and amenity space.

The development comprises a range of dwelling types and sizes, ranging from 23 two bed flats, 2 two bed houses, 5 three bed houses and 9 four bed houses to the Young Parents building which comprises 12 one bedroom flats and 1 two bed flat. The scale of the development is two, two and a half and three storeys in height. The buildings are to be of a traditional design with a mix of brickwork, weatherboarding and render with pitched tiled and slate roofs.

The layout of the development is dictated by the only point of vehicular access to the site from the High Street to the east. The design of the junction and access road provide for access to the Station and the land beyond. In order to serve the housing development the road spurs southwards from a turning head opposite the Station and then westwards. The houses and flats are located along and fronting the main shared surface access road within three courtyards off that road to enable the site's potential to be maximized. 24 units and a proportion of the flats in the Young Parents Scheme are located along the access road to overlook the countryside to the south.

A total of 62 parking spaces in garages, courtyard and shared parking areas will be provided. 54 are shown for the houses and flats and 8 for the Young Parents Scheme in accordance with the requirements of the Housing Association who are to own and manage the building. Cycle parking is shown for flats in communal buildings to the rear and is intended to be made available in garages where provided or in sheds in rear gardens.

The houses are provided with individual garden areas whilst the flats have balconies and communal areas. The proposals include the stabilisation and landscaping of the embankment separating the application site from the former wetland areas to the south with further landscaping to the access road, communal areas and private gardens.

### **Description of Site:**

The application site comprises the former railway sidings and storage areas associated with the Epping-Ongar Railway line. The railway line is now a leisure route operating on a Sunday only and is currently closed for repairs. The site itself is vacant and is about 0.85 hectares in area. The railway line is situated on an embankment which ranges up to 7 metres high and effectively blocks views of the site from the north. Between the railway line and the northern boundary of the application site is an area of hardstanding, formerly occupied by railway storage and associated buildings. Beyond the north eastern boundary of the site is Ongar Station which dates from around 1865 and is listed as being of Special Architectural or Historic Interest (Grade II).

The areas to the north beyond the railway line comprise residential semi-detached properties. There is a large residential home known as Frank Bretton House off Basons Way to the south east, land to the south and south west is open fields with Cripsey Brook approximately 25m to the south west. The site is adjacent to open countryside and designated Green Belt.

Access to the site is from Ongar High Street to the east which connects the site with the A414 to the north and Ongar Town Centre to the south.

### **Relevant History:**

EPF/1740/05: Outline planning permission for the residential development of the site was allowed on appeal in April 2007 (APP/J1535/A/06/2017026). Matters of siting, design, landscaping, and external appearance were all reserved for subsequent approval by condition 1.

EPF/00/00: Full planning permission granted for 75 car parking bays at the Station's Goods Yard – Granted 2006.

### **Policies Applied:**

#### East of England Plan (Regional Spatial Strategy)

SS1 – Achieving Sustainable Development  
H1 – Regional Housing Provision 2001-2021  
H2 – Affordable Housing  
T1 – Regional Transport Strategy Objectives and Outcomes  
T8 – Local Roads  
ENV3 – Biodiversity and Earth Heritage  
ENV7 – Quality in the Built Environment

#### Epping Forest District Local Plan and Alterations

CP1 – Achieving Sustainable Development Objectives  
CP2 – Protecting the Quality of the Rural and Built Environment  
CP3 – New Development  
CP4 – Energy Conservation  
CP5 – Sustainable Development  
CP7 – Urban Form and Quality  
GB7 – Conspicuous Development  
NC4 – Protection of Established Habitat  
RP4 – Contaminated Land  
HC12 – Listed Buildings  
H2A – Previously Developed Land  
H3A – Housing Density  
H4A – Dwelling Mix  
H5A – Provision for Affordable Housing  
H6A – Site Thresholds for Affordable Housing  
H7A – Levels for affordable Housing  
H8A – Availability of Affordable Housing in Perpetuity  
H9A – Lifetime Homes  
DBE1 – Design of New Buildings  
DBE2 – Effect on neighbouring properties  
DBE3 – Design in Urban Areas  
DBE5 – Design and Layout of New Development  
DBE6 – Car Parking in New Development  
DBE7 – Public Open Space  
DBE8 – Private Amenity Space

DBE9 – Loss of Amenity  
LL1 – Protection of the Rural Landscapes  
LL3 – Urban Fringe  
LL10 – Adequacy of Provision for Landscape Retentions  
LL11 – Landscaping Schemes  
ST1 – Location of Development  
ST4 – Road Safety  
ST6 – Vehicle Parking  
ST7 – New Roads and Extensions or Improvements to Existing Roads  
I1A – Planning Obligations.

### **Issues and Considerations:**

The principle of residential development of this site including access from the High Street was established when outline planning permission was granted on appeal in 2007. Consequently matters of fundamental principle cannot be raised at this reserved matters stage. The main issues that arise with this application are considered to be the following:

- Suitability of the site for the density proposed
- Scale, massing, design, layout and form of development
- Affordable housing provision
- Impact on neighbouring amenity
- Highways and transportation matters
- Impact on the greenbelt and adjacent listed building
- Other matters

#### **1. Suitability of the site for the density proposed**

The housing development proposes 52 dwellings on a site area of 0.85 hectares giving a density of 61.2 dwellings per ha. The scheme provides a range of house types and six will be designed to meet Lifetime Homes Standard.

National Planning Guidance in Planning Policy Statement (PPS) 3 (Housing) requires that a density of 30 dph should be used as an indicative minimum. Policy H3A of the Local Plan sets out EFDC's requirements. This states "*a net site density of at least 30-50 dwellings per hectare*" unless factors dictate otherwise. It must be observed however that neither local policies nor national guidance place a cap on housing density. Policy H3A states that certain factors can be taken into account in working out acceptable site densities. These are:

- The size and shape of the site, including any significant heritage, landscape or wildlife features;
- The character and density of any surrounding development;
- The impact of development on the residential amenity of adjoining dwellings;
- Where appropriate, the impact of the development on the wider settlement, including long distance views;
- The need to provide well designed public space and parking facilities; and
- Good quality design and layout

Policy CP7 states that “one of the council’s primary objectives is to make the fullest use of existing urban areas for new development before locations within the Green Belt.” And the most efficient way will be by “recycling vacant derelict, degraded and underused land”. It does warn against overdevelopment and unsympathetic change or loss of amenity.

Given the development is free of good quality neighbouring housing adjoining onto it and separated from Bowes Drive to the north by the railway land, the development can take on an individual design approach, but one that in this case reflects an urban form and design comparative with a residential development close to a railway line and its station. Officers have commented on pre-application design that resulted in a cramped layout, which this scheme now overcomes by reducing the number of ground coverage, limiting the development to no more than 3 storeys, and increasing amenity space. The three-storey element does not contribute significantly to the density and in a town with its own shopping, leisure and services, the number of units proposed is acceptable and appropriate for its location.

## 2. Scale, massing, design, layout and form of development

The layout takes the form of continuity of frontage alongside its estate road and 3 mews courtyards. Members will be aware that the Essex Design Guide is adopted Supplementary Planning Guidance to the Local Plan and this layout, form and design reflects this. Taking the existing Listed station as a guide, the design of the houses follow a vernacular form with the larger buildings along the estate road. Whilst views from the adjacent Green Belt will reveal new built form, particularly to the western portion of the site, that could potentially be conspicuous, there is already a hard edge between existing buildings to the south on the western edge of the built-up area of the town and the adjacent countryside, that is already conspicuous as seen from the Green belt. The proposed road however, stops short of the western edge of the site and the proposed houses on this side will have a lower roof eaves and ridge, which together with its attractive design results in the development being in keeping with its surrounding if not distinctive as viewed from the open areas. Views from the east are largely obscured by existing buildings and landforms and the site is lower than the road. However, where it will be seen, it will blend in with the built form around it.

Externally, the materials take account of the external appearance of housing in the local area, proposing render, dark stained boarding and red multi brickwork and roofs of artificial slate. The Young Parents unit is within the corner of the site on the other side of the estate road, infilling an awkward shaped part of the site. Whilst its form is more substantial than the proposed houses opposite, it relates well with Frank Bretton House, to the immediate south, which is a more than substantial building in itself. Again, Officers have resolved the potential bulky form of this development by seeking pre-application changes to the design by breaking up its roof form and long expanse of road frontage that have resulted in this more suitable form.

Finally, the proposal includes the stabilization of the embankment separating the application site from the lower wetland area alongside Cripsey Brook. This will be undertaken using geotextile membrane with backfilled soil, to allow vegetation to develop on the resultant slope and provide suitable screening of the hard detailing. With landscaping details to be agreed, Officers will be looking for a vegetation scheme that merges this area into the lower land beyond.

## 3. Affordable Housing Provision

The affordable housing provision includes a Young Parents Building (consisting of 12x1 bedroom and 1x2 bedroom flats) and seven other dwellings which was a requirement of the Unilateral Undertaking accompanying the outline planning permission, and accords with the requirement to provide 40% affordable housing. East Thames Housing Group has been selected to receive and manage the scheme and the Council, along with its neighbours, Uttlesford District and Brentwood Borough Councils, will have nomination rights to place homeless young parents here and develop

parenting skills. It is being developed to include three council areas, of which Ongar sits geographically well to serve these areas, because the number alone in each district would not be viable for one of these buildings in each district. This is also a sustainable location, suitable for the affordable housing provision.

#### 4. Impact on neighbouring amenity

Apart from Frank Bretton House nursing home, and this only sides end wall on to the one corner of the site, there are no immediate residential properties. Houses in Basons Way are closer to the High Street to the south-east and houses in Bowes Drive are 50+ metres away to the north and then on the other side of the railway line. A cross-section across from Bowes Drive and through the site demonstrated that the proposed houses will actually be lower in height. It is therefore clear that there will be no loss of visual or residential amenity to the occupants of neighbouring houses in the local area.

#### 5. Highways and transportation matters

The outline consent allowed at appeal dealt with access into the site and established the principle of access from the High Street. An assessment of access has been undertaken by consultant engineers RLT and Essex County Council have no objection, stating that visibility to the north is acceptable and that to the south was accepted by the Planning Inspector and achieves a 50 to 90m distance.

The proposal provides for a total of 62 spaces in garaging, courtyards and shared parking areas. The 8 parking spaces to be provided for the 13 flat Young Parents building follows the requirements of the Housing Association. The remaining 54 spaces will be for the 39 houses and flats. In this sustainable location, public transport links to the shops and services, as a maximum provision, this is acceptable. On-street visitor parking on site can be achieved without excessive road safety implications or nuisance to existing residents. The proposed development also follows Essex Design Guide requirement to safeguard against a visually car dominated layout. To encourage more sustainable modes of transport, cycle parking for the flats will be in communal buildings to the rear and for the houses, in garages or sheds, as well as being pedestrian friendly.

#### 6. Impact on the greenbelt and adjacent listed building

There are extensive views of the site from the footpath alongside Cripsey Brook and public footpath in the direction of Greensted Hall, but as already stated the hard edge of the town is already conspicuous from the Green Belt, but it will be seen against the backdrop of the houses in Bowes Drive and a further extension of the townscape as an addition to the urban fringe. The design, form and layout respect local character and rather than detract, makes a positive impact on the landscape.

In respect of the Grade II Listed station building, that part of the development close to the access into the site has been reduced in height to two storeys and the roof hipped to reflect the height of the station. Boundary wall and fencing will separate the development from the rest of the station goods yard and parking area, which will enhance the setting of the listed building.

#### 7. Other matters

- Ecology

In accordance with condition 8 of the outline planning permission, the applicants commissioned a herpetologists report and consequently, protected species, slow-worms and lizards, were found and a programme of trapping, relocation and management has been carried out, resulting in them being relocated into the non-developable area of land to the west

of the housing site, in the ownership of the applicant, and to a site further down the railway land itself. Natural England. A Reptile Mitigation Strategy has been submitted with the planning application stating that a minimum 3 year period of monitoring be undertaken, together with a management plan and strategy. No objections have been raised during consultation from Natural England or the Council's Countryside Manager, although the latter's only concern is enforcing this beyond this time scale. To some extent the applicant has almost satisfied the requirements of this condition, but in light of these comments, this can be dealt with further when they formally submit these details to discharge this condition.

- Noise

Condition 20 of the outline permission requires details of mitigation measures to protect the occupiers of the development from noise generated by the use of the railway. The Council's Environmental Health Officer recommends a barrier of 2m or more. The plans show 1.8m, so this can be dealt with by the latter discharge of the condition.

- Contamination

As a former railway goods yard, the site will no doubt be contaminated. Again, there is a suitable condition on the outline permission requiring details of a desk study report and remediation method statement.

- Flooding

The site of the housing is not at risk of flooding and a Flood Risk Assessment has been prepared by the applicant. Condition 4 of the outline approval requires its submission and The Environment Agency having seen this have no comments to make.

- Education

There is a Section 106 unilateral undertaking attached to the outline permission ensuring payment to Essex County Council before the commencement of development of a financial contribution (approx. £31,000) for the provision of facilities, including the provision of travel facilities, for the education of school children between the ages of 11 and 19. Whilst secondary education facilities are not ideal, the permission does secure funding for the transportation to the nearest schools.

### **Conclusion:**

Principle of housing, vehicular access and capacity for traffic generation were considered at outline stage. The siting, design, form and layout of the proposed development are acceptable. It complies with policies of the development plan relevant to EFDC. A lot of thought has gone into this reserved matters application pursuant to the outline permission, and the applicants have taken on board Planning Officers initial pre-application concerns regarding overdevelopment and deletion of some units and no 4 storeys. The architectural form and vernacular style proposed would, in Officers opinion, create a place of distinct identity and high quality character, befitting a residential development adjacent to a railway line on the edge of the countryside, but close to the urban area. There will be no loss of residential amenity to existing residents. There are few opportunities in the district to make best residential use of former developed land, outside the Green Belt and 52 units would contribute towards the District's required housing provision in a sustainable location such as this. The application is therefore recommended for approval.

## **SUMMARY OF REPRESENTATIONS:**

ONGAR TOWN COUNCIL - Councillors are concerned that the proposal includes buildings of three storeys which are out of context with the surrounding area. Design is out of character and proportion with the surrounding environment that contravenes HC6 and DBE1. Concern that the increase of car movements would add to the already busy traffic on the High Street to the detriment of road safety. The High Street is a well used thoroughfare and there are inadequate facilities for pedestrians wishing to cross the road (for example, children accessing the school buses). The Council urges the use of Policy T13 to promote traffic management measures to improve road safety. Inadequate infrastructure also a concern as health services and shopping facilities are already overloaded and improvement in local infrastructure is required. The area is not suitable for the Mother and Baby Unit owing to insufficient public transport. Will also have a significant impact on wildlife known to inhabit the site and concern that steps are taken to ameliorate the effects of the development on existing wildlife. Request delay of application for a public meeting.

8 BANSONS WAY – refers to past correspondence in particular the District Development Control Minutes and letter dated 13<sup>th</sup> November 2006 (reference PL/4817/NR/SM/EPF/1740/05).

41 BOWES DRIVE – negative transport impacts will be hazardous to pedestrians. Increase pollution through additional traffic. Three storey buildings are not appropriate in Ongar. Lack of infrastructure in Ongar and lack of privacy and danger of flooding.

21 BOWES DRIVE – unduly prominent and un-characteristically bulky development resulting in development that is out of character. Excessive density and question over the need for more housing, adverse environmental impacts, concern over consolidation of one sector of the community (young mothers), lack of acceptable level of waste and recyclable refuse storage. Lack of affordable housing. Lack of infrastructure in Ongar. Detrimental to highway safety.

1a LOVE LANE – concern about grouping young mothers together. Negative impacts on traffic and insufficient infrastructure i.e. schools to support the development.

31 BOWES DRIVE – lack of amenities and other infrastructure to support mother and baby facility, concern over overlooking and design and negative impact on adjacent properties, object to mother and baby unit as a proportion of the affordable housing.

23 BOWES DRIVE – Increase in traffic and lack of infrastructure e.g. shops and health services. Negative impact on Ongar Railway and future link to London, I have a 5/10 minute wait to get out of Bowes Drive during morning peak and an extra 60 cars plus will make this more difficult and reduce road safety in High street, A414; school buses taking pupils to secondary schools adds to traffic and reduces road safety, take on more housing but with no extra support for local schools (primary school class sizes increase in last 4 years almost doubled), and health facilities, contrary to policy RP5A where residential should not be near development (railway) sensitive to excessive noise, traffic or air pollution.

10 MARKS AVENUE – negative impact on traffic, and pressure on local primary schools and health facilities.

25 BOWES DRIVE – three storey houses are out of character with the surrounding area. Negative impact on privacy and overlooking. Insufficient parking and increased traffic leading to congestion. Uncertainty in relation to Mothers and Babies facility and associated services. Damage to the local environment.

10 BANSONS WAY - Overdevelopment, negative impact on rural community, increase noise levels and increased traffic and congestion. Lack of local infrastructure, and lack of parking. Unsuitability of the area for young mothers and babies.

11 BOWES DRIVE – out of character with the surroundings. Location of mother and baby unit is not appropriate, need support and will not have own transport. Traffic congestion, hazard crossing the road and insufficient local consultation.

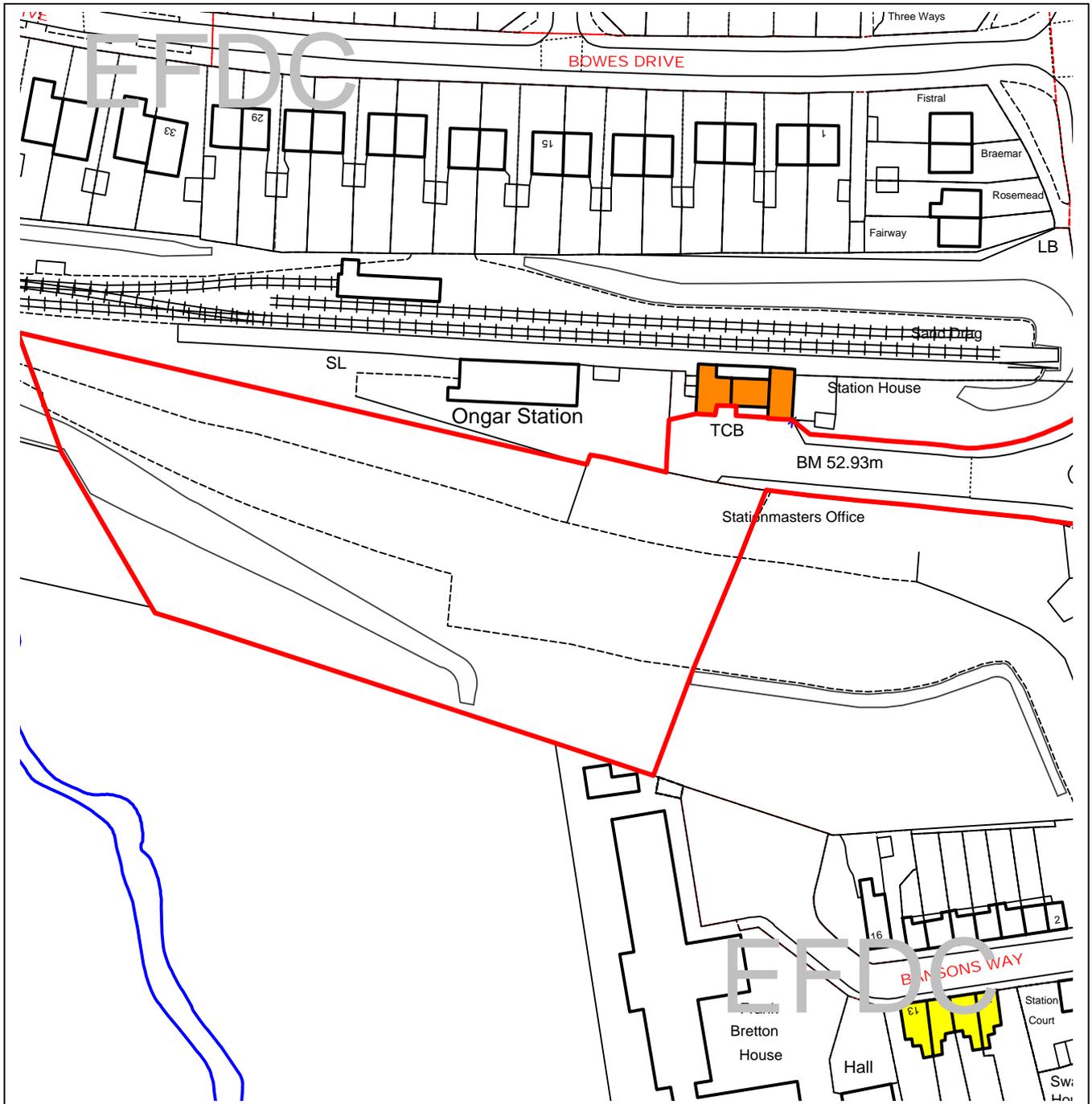
11 THE JOHNS – mother and baby unit is not appropriate for village town, building will be out of scale with neighbouring properties.

BRAEMAR, HIGH STREET – negative impact on the value of adjacent properties.



# Epping Forest District Council

## Area Planning Sub-Committee East



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<b>Agenda Item Number:</b>	<b>3</b>
Application Number:	EPF/1145/08
Site Name:	Land at Station Approach, High Street, Ongar, CM5 9BN
Scale of Plot:	1/1250

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/1016/08
<b>SITE ADDRESS:</b>	The Mill House Queen Street Fyfield Ongar Essex CM5 0RZ
<b>PARISH:</b>	Fyfield
<b>WARD:</b>	Moreton and Fyfield
<b>APPLICANT:</b>	Mr & Mrs Stephen McLaren
<b>DESCRIPTION OF PROPOSAL:</b>	Removal of domestic garage and brick extension abutting grade II listed building, and erection of first floor extension to adjacent dwelling house with external and internal alterations.
<b>RECOMMENDED DECISION:</b>	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 Additional drawings at a scale of 1:50 that show the details of new windows, doors, eaves, verges and cills shall be submitted to and approved by 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:**

The applicant seeks planning permission for the removal of the existing garage and a brick extension that are attached to 'The Mill' which is Grade Two Listed and the erection of a first floor extension to the existing dwelling along with external and internal alterations.

The garage and extension that are proposed to be removed will have a combined floor area of 59 square metres.

It is proposed to remove the existing front porch and construct a small front extension and a rear porch in order to try and square off the existing dwelling. Overall an increase of approximately 7 square metres will be added to the original building footprint.

The first floor extension is to be constructed over the existing utility room, study and bedroom 4. It will have a width of 13 metres by a depth of 6 metres which results in an approximate additional floor area of 78 square metres. The height of the extension will match the existing height of the dwelling which is approximately 5.8 metres.

External alterations include new window openings and styles and a new chimney stack to the southern elevation of the dwelling. The dwelling will also include a new facelift in which the walls of the building will be white lime washed with a smooth wood float finish and the roof will comprise of red clay plain tiles.

The internal layout of the dwelling will be re-arranged so that main living areas will be on the ground floor and the 4 bedrooms would be on the first floor. This involves removing and added internal walls.

### **Description of Site:**

The site is known as 'The Mill House' and it is located on the southern side of Queen Street just on the outskirts of the village of Fyfield. Access to the site is via a shared driveway that runs off Queen Street.

The site itself is long and narrow in shape until it widens towards the rear. The site is relatively level and it comprises a mixture of native and non native vegetation scattered throughout. The eastern boundary of the site is flanked by the River Roding.

The main building which is subject to the proposed works mentioned above is located to the rear of the site and is currently used as a private residence. Since 1948 only a front porch has been added. The building is double storey with single storey elements to the north and south. External materials of the dwelling currently comprise of red brick with white painted casements and plain tiled and slate roofs. There is a large private open space area to the west of the dwelling and off street parking is provided either within the existing garage or on the hard surface to the south of the dwelling.

Located 5 metres to the east of the dwelling is a water mill still in use. This is Grade Two Listed and part of the applicants' land.

The subject site and the surrounding area are located within the Metropolitan Green Belt. The character of the area is both rural and agricultural. Large open fields are located to the west and south of the site whilst the closest adjoining dwelling is known as 'The Mill Lodge' and is located approximately 100 metres away to the north.

### **Relevant History:**

EPF/1030/84 – Rear porch (approved with conditions)

### **Policies Applied:**

DBE1 Design of new buildings  
DBE2 Effect on neighbouring properties  
DEB4 Design in the green belt  
DBE9 Loss of amenity  
DBE10 Residential extensions  
GB2A Development within the Green Belt.  
GB7A Conspicuous development  
GB14A Residential extensions.

**Issues and Considerations:**

The main issues to be addressed are whether the proposed development is acceptable in terms of design and appearance, whether it would have a harmful impact to the openness of the Green Belt and whether it would be harmful to the setting of the adjoining listed building.

1. Design and the Built Environment:

Policies DBE1, DBE2 and DBE4 of the Epping Forest District Local Plan seek to ensure that a new development is satisfactorily located and is of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and would not prejudice the environment of occupiers of adjoining properties.

The design of the development is considered to be appropriate in this case as it is considered that the proposed development has resulted in a more balanced and uniform dwelling compared to the existing conditions where, over the years, extensions have been added to the dwelling without much thought to the overall appearance. The development will be appropriately articulated and will appear more symmetrical. Hence it would therefore create and provide visual interest when viewed within the gardens of the site.

It is also considered that the development has been designed in a way to minimise bulk and make sure that the development appears low in scale. In terms of proportions, scale and external appearance, the proposed development would be designed in sympathy with the dwelling and therefore is in accordance with Council's design policies.

Council will not grant planning permission for a development which could adversely affect the setting of a Listed Building. It is considered that the proposed development will not detract from the character and the historical significance of the adjoining Listed Building. The proposal has been designed in a traditional style and it is considered that it will improve upon the appearance of the existing building and therefore the setting of the listed mill.

Although the existing garage is to be removed, it is still considered that there is enough room for parking on the site to meet the needs of the residents. In design terms, the removal of the garage is welcomed because it is currently an incongruous feature so close to a Listed Building.

2. Green Belt:

Policy GB2A of the Local Plan sets out the forms of development that are appropriate in the Green Belt. These include, for the purpose of agriculture, horticulture or forestry and for uses that preserve the openness of the green belt such as small extensions to the existing dwelling.

Policy GB14A also states that residential extension may be permitted where they do not result in disproportionate additions of more than 40% of the total floor space of the original building up to a maximum of 50 square metres.

The development proposes an additional 55 square metres although only 7 square metres of that would be used to increase the building footprint of the dwelling as the other 48 square metres would form the first floor extension. It is proposed to remove 59 square metres (garage and extension). It is only slightly over the 50 square metres stipulated in policy GB14A, but well below the 40%. Given a large non-conforming garage within 5 metres of the house is also being removed, this satisfies this part of the policy.

The development represents an appropriate development within the Green Belt as it is not excessive or overbearing and it has been designed to reflect and maintain the character and appearance of a traditional building located within a rural area. It will not have an impact to the appearance, character and openness of the Green Belt and the purposes of including land within the Green Belt.

### 3. Impact on Neighbours:

Consideration has been given to the impact of the proposal to the adjoining and adjacent properties, primarily in respect to privacy and overshadowing.

Given the siting of the existing dwelling and its location of it in relation to adjoining boundaries, it is considered that the proposed development will not result in a harmful impact to the amenities enjoyed by adjoining property owners.

### 4. Parish Council Concerns:

This clearly is not providing an annex and the accommodation will be through the main house itself with all bedrooms on the first floor. The property does not need a garage because there will be no resultant on-street parking. It is up to the applicant whether he chooses to park his cars in the open on his property. The use of the word "overdevelopment" is often mis-used, as in this case. There is no footprint increase taking up more land and the design merits of the case have been argued in favour of the proposal. Again, the harm to the rural area is not evident and the final building will in fact enhance the appearance of the site; the impact on the listed building has been assessed by the County Council Heritage Officer who comments that the building appearance will be improved and therefore the setting of the listed mill.

### **Conclusion:**

In conclusion it is considered that the proposed development is acceptable in terms of scale, form, bulk and that it would be subservient to the original dwelling whilst reflecting the character of the surrounding area. The current house is a haphazard mix of former additions that follow no logical design form and effectively harms the setting of the Listed Mill building itself. The proposed development would not have a detrimental impact to the Green Belt or to the historical significance of the adjoining Listed Building and to the amenities enjoyed by the occupiers of adjoining properties.

It is therefore recommended that planning permission be granted subject to conditions.

### **SUMMARY OF REPRESENTATIONS:**

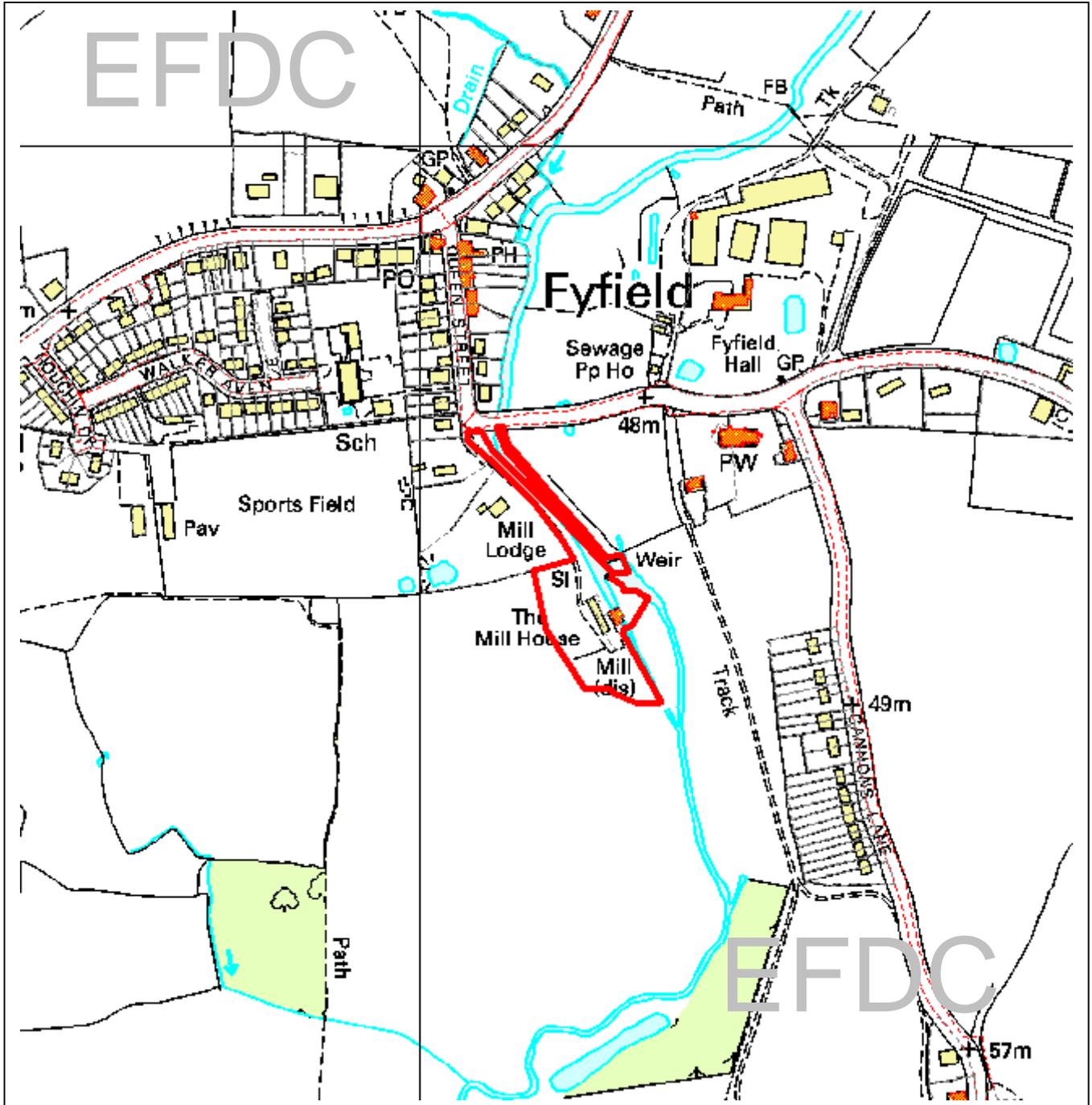
PARISH COUNCIL: The committee objects to the application for the following reasons:

- Whilst unclear, the plans seem to suggest a self contained annex (this is not stipulated in the application however the plans show no access from bedroom 4 to downstairs)
- The proposal does not include replacement garage facility
- The proposal appears very large and represents over development of the site
- The scheme is out of keeping with the rural scene
- Site is within 5 metres of a listed building



# Epping Forest District Council

## Area Planning Sub-Committee East



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<b>Agenda Item Number:</b>	<b>4 &amp; 5</b>
Application Number:	EPF/1016/08 & LB/EPF/1017/08
Site Name:	The Mill House, Queen Street, Fyfield, CM5 0RZ
Scale of Plot:	1/5000

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/1017/08
<b>SITE ADDRESS:</b>	The Mill House Queen Street Fyfield Ongar Essex CM5 0RZ
<b>PARISH:</b>	Fyfield
<b>WARD:</b>	Moreton and Fyfield
<b>APPLICANT:</b>	Mr & Mrs Stephen McLaren
<b>DESCRIPTION OF PROPOSAL:</b>	Grade II listed building application for the removal of domestic garage and brick extension abutting grade II listed building.
<b>RECOMMENDED DECISION:</b>	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.

*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:**

The applicant seeks Listed Building consent to remove a domestic garage and a brick extension from a Grade II Listed Building. The proposed works are in association with planning application EPF/1016/08 which precedes this report.

The existing extension is attached to the western facade of 'The Mill' whilst the garage is attached to the southern facade. In all, a total of approximately 59 square metres of floor space is to be removed.

**Description of Site:**

The site is known as 'The Mill House' and it is located on the southern side of Queen Street just on the outskirts of the village of Fyfield. Access to the site is via a shared driveway that runs off Queen Street.

The site itself is long and narrow in shape until it widens towards the rear. The site is relatively level and it comprises a mixture of native and non native vegetation scattered throughout. The eastern boundary of the site is flanked by the River Roding.

The main building is located to the rear of the site and is currently used as a private residence. The building has had many extensions over the years, however only a front porch has been added

since 1948. The building is double storey with single storey elements to the north and south. External materials of the dwelling currently comprise of red brick with white painted casements and plain tiled and slate roofs. There is a large private open space area to the west of the dwelling and off street parking is provided either within the existing garage or on the hard surface to the south of the dwelling. Located 5 metres to the east of the dwelling is 'The Mill' which is Grade II Listed and is the subject building in relation to the proposed works mentioned above.

The subject site and the surrounding area are located within the Metropolitan Green Belt. The character of the area is both rural and agricultural. Large open fields are located to the west and south of the site whilst the closest adjoining dwelling is known as 'The Mill Lodge' and is located approximately 100 metres away to the north.

### **Relevant History:**

EPF/1030/84 – Rear porch (approved with conditions)

### **Policies Applied:**

HC10 Works to a listed building

HC12 Development affecting the setting of a listed building

### **Issues and Considerations:**

The main issues to be addressed are whether the proposed development is acceptable in terms of whether it would cause harm to the character and historical significance of the Listed Building.

The listed mill has been altered and extended over time however the two storey section with the single storey wing remains the core of the building and is historically significant as it is a rare example of a small intact water mill with working machinery.

It is considered that by removing the existing extension and garage the appearance of the mill will be improved. The extension and garage are of a modern construction and are of no historical interest.

The removal of the extension and garage is considered to be appropriate. It should also be noted that the application was referred to Essex County Council's heritage officer who advised that there were no objections in relation to the removal of the extension and garage and in fact believed that it would be an improvement to the setting of the listed building.

### **Conclusion:**

In conclusion it is considered that the removal of the extension and garage is considered to be appropriate for the reasons outlined above and that Listed Building consent should be approved.

### **SUMMARY OF REPRESENTATIONS:**

PARISH COUNCIL: The committee objects to the application for the following reasons:

- Whilst unclear, the plans seem to suggest a self contained annex (this is not stipulated in the application however the plans show no access from bedroom 4 to downstairs)
- The proposal does not include replacement garage facility
- The proposal appears very large and represents over development of the site
- The scheme is out of keeping with the rural scene
- Site is within 5 metres of a listed building

NEIGHBOURS: No representations were received.

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/1222/08
<b>SITE ADDRESS:</b>	9 Theydon Park Road Theydon Bois Epping Essex CM16 7LN
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>APPLICANT:</b>	Mr D & Mrs S E Pittman
<b>DESCRIPTION OF PROPOSAL:</b>	Single storey side extension.
<b>RECOMMENDED DECISION:</b>	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.

*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:**

Single storey side extension to run up to the North side boundary. It would be 1.9m wide at the front and 2.2m wide at the rear following the slight angle of the side boundary, it would be 7.6m long and it would have a pitched roof.

**Description of Site:**

Brick end-terraced property located in a built up area with another row of terraces to the North side.

**Relevant History:**

CLD/EPF/2069/03      Certificate of Lawfulness for a proposed single storey rear extension.  
Approved

**Policies Applied:**

Local Plan:

Policy DBE2 – Effect on Neighbouring Properties  
Policy DBE3 – Design in Urban Areas  
Policy DBE9 – Excessive loss of amenity to neighbouring properties  
Policy DBE 10 – Design of Residential Extensions

## **Issues and Considerations:**

The principal issues to consider with this application relate to the impacts of the proposed single storey extension upon the character of the streetscene and area, impacts over the loss of the access pathway to the side and impacts upon the amenities of neighbouring residents.

### **1. Character of the streetscene and area**

The side extension now proposed is relatively small and is clearly subordinate to the existing property. It would not significantly affect the appearance of the property or the streetscene.

### **2. Residential amenity**

There is one neighbouring property where the residential amenity of the occupiers would be directly affected by this extension and this is at number 7 Theydon Park Road.

There is a side kitchen window of this neighbouring property that would be facing the proposed extension, but the view is already obscured by a 1.8m high wooden fence, and the effects of increased loss of light or overbearing impact would not be such as to warrant refusal.

### **3. Loss of access at the side of the property**

The extension would block access at the side of this property, similar to the other terraces in the row. There is no planning policy that directly deals with this issue, and single storey extensions that extend to a side boundary and that are acceptable in the streetscene do not pose any particular difficulty in terms of a loss of an access at the side of a property.

Similarly, issues around the maintenance and repair of the side wall of the proposed extension are not covered in planning policy, and the need to access the open area of number 7 for such purposes is a civil matter between the two neighbours.

## **Conclusion**

The proposed single storey side extension is a minor development, acceptable in the streetscene, and the building of the extension up to the side boundary does not pose any particular problem in planning terms.

## **SUMMARY OF REPRESENTATIONS**

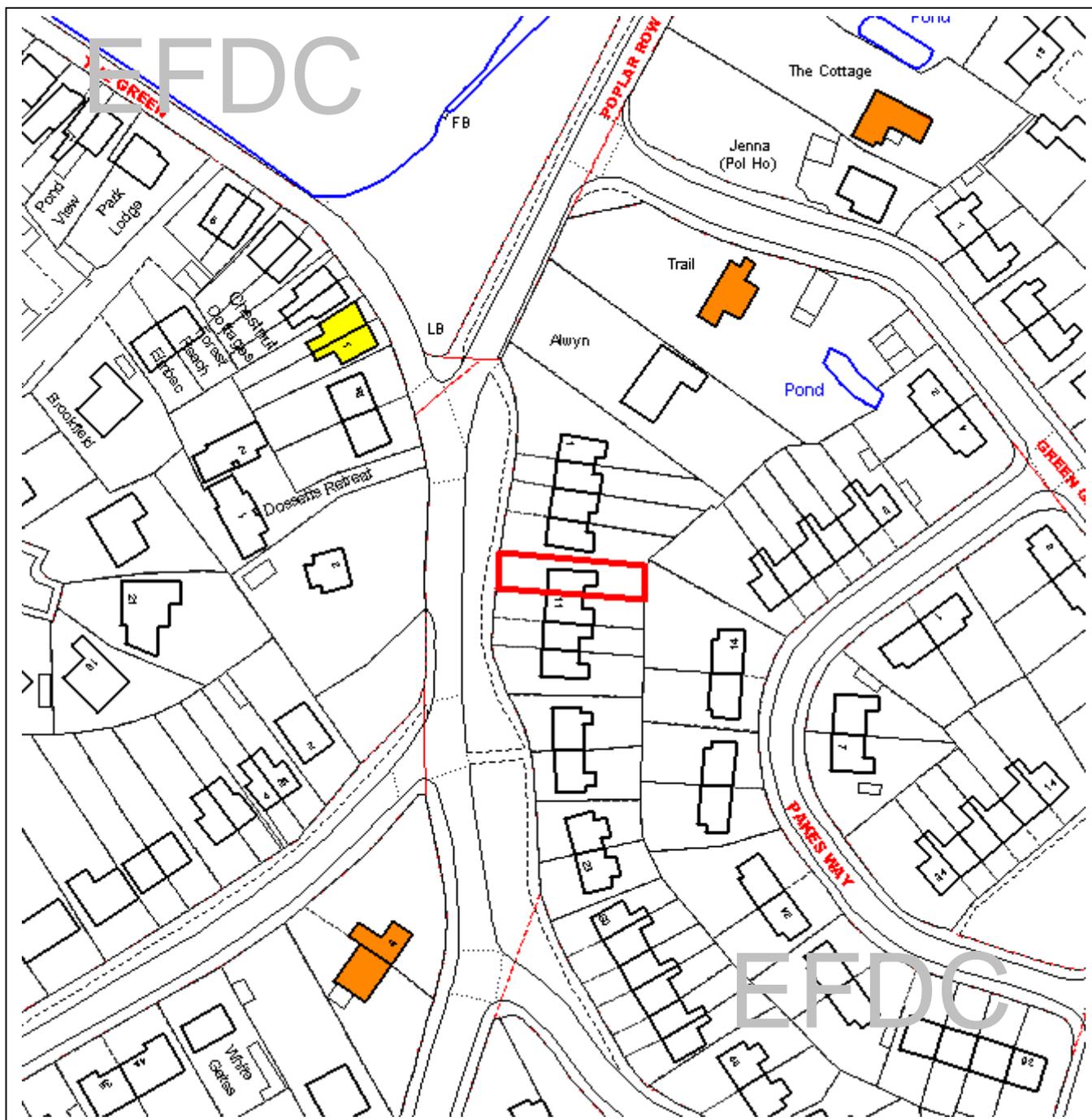
THEYDON BOIS PARISH COUNCIL: Object. We are concerned to note that the proposed extension will be built up to the side boundary with the neighbouring property such that it will no longer be possible to access the rear of the property from the road. In addition to the loss of rear access from an amenity point of view, it will also be very difficult to access the new flank wall which may lead to future issues regarding maintenance and repair.

NEIGHBOURS: No response received.



# Epping Forest District Council

## Area Planning Sub-Committee East



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<b>Agenda Item Number:</b>	<b>6</b>
Application Number:	EPF/1222/08
Site Name:	9 Theydon Park Road, Theydon Bois. CM16 7LN
Scale of Plot:	1/1250

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/1319/08
<b>SITE ADDRESS:</b>	Theydon Croft Theydon Road Theydon Bois Epping Essex CM16 4EF
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing  Theydon Bois
<b>APPLICANT:</b>	Mr & Mrs S Mardell
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing single storey extension and erection of part two and part single storey side and rear extension with part attic. (Revised application)
<b>RECOMMENDED DECISION:</b>	Refuse Permission

**REASON FOR REFUSAL**

- 1 The proposed extension would be a disproportionate addition within the Metropolitan Green Belt, which would be detrimental to the open character and appearance of the Metropolitan Green Belt, contrary to policy GB14A of the Adopted Local Plan and Alterations.

*This application is before this Committee since it has been 'called in' by Councillor John Philip (Pursuant to Section P4, Schedule A (h) of the Council's Delegated Functions).*

**Description of Proposal:**

This application seeks planning permission for a two storey extension to the side of the dwelling which would project to the rear. The side extension would be approximately 4.3 metres in width and would project to the rear by approximately 5.1 metres, replacing the existing structures at ground floor level. The side extension would form a continuation of the main roof of the dwelling and the rear extension would have a rear facing gable, which would run back into the main roof. Following the refusal of the previous planning application, the depth of the first floor of the extension has been reduced by approximately 1.5 metres and the maximum height of the extension has been reduced from 8.5 metres to 7.5 metres in an attempt to overcome the reasons for refusal.

**Description of Site:**

The application site comprises a detached dwelling, which is set back from the road by approximately 20 metres. There are several protected trees to the front and southern side of the site, which is located within the Metropolitan Green Belt.

The neighbouring dwelling to the south, "Oak Grove" is separated from the site by its detached double garage which is located close to the site boundary. "Woodlands", to the north, is also separated by its detached double garage which is located close to the site boundary. This neighbouring dwelling has primary windows serving a bedroom and the living room in the side elevation facing towards the site.

### **Relevant History:**

EPF/0430/91. Two storey and single storey side extension. Refused 27/09/91.

EPF/1148/91. Two storey side extension. Approved 28/07/92.

EPF/0658/04. Erection of entrance gates and pillars. Approved 12/07/04.

EPF/0148/08. Two storey side and rear extension with part attic. Refused 17/03/08.

*The above application was refused planning permission for the following reasons:*

- 1 *The proposed development by virtue of its proximity to the neighbouring dwelling would result in a material loss of outlook to habitable rooms within the neighbouring dwelling with their primary windows facing towards the application site, contrary to policy DBE9 of the adopted Local Plan and Alterations.*
  
- 2 *The proposed extension would be a disproportionate addition within the Metropolitan Green Belt, which would be detrimental to the open character and appearance of the Metropolitan Green Belt, contrary to policy GB14A of the adopted Local Plan and Alterations.*

### **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:

3. The impacts of the proposed development on the amenities of the occupiers of neighbouring dwellings;
4. The impacts of the proposed extensions on the character and appearance of the area; and
5. The impacts of the proposed development on the open character of the Metropolitan Green Belt.

#### 1. Neighbouring Amenity

With regard to the impacts of the proposed development on the amenities of the occupiers of neighbouring dwellings, due to the location of the development, "Woodlands" would be the neighbouring property most affected. The proposed extension would increase the length of the flank elevation and would move it closer to "Woodlands", thereby reducing the distance to the side windows of this neighbouring dwelling to approximately 10 metres. The windows in the side elevation are the primary windows serving a bedroom and the living room and accordingly any material reduction in light or outlook would constitute a material loss of amenity. Despite the location of the proposed development to the south of this neighbouring property, having regard to its location in the context of the main dwelling it is not considered that there would be a material

loss of sunlight. Due to the distance that would be retained between the window and the proposed extension, it is not considered that there would be a material loss of daylight either. During the consideration of the previous planning application, it was considered that the reduction in the distance from the building to the windows and the increased length of the flank would give rise to a material loss of outlook. It is considered that the revisions to the scheme following that refusal have reduced the impact on Woodlands. It is considered that whilst a reduction in outlook would still remain, this would no longer be to a degree that can be considered material and would, therefore, no longer be justification for the refusal of planning permission.

**2. Impact on Appearance of the Area**

Turning to the impact of the proposed development on the character and appearance of the area, it is considered that it would have an acceptable design that would be in keeping with the character and appearance of the area. Whilst the dwelling would have a substantial frontage following the development, there are large dwellings within the vicinity of the site and for this reason it is not considered that it would appear out of character.

**3. Impact on the Green Belt**

With regard 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 50m<sup>2</sup> over and above the total floor space of the original dwelling.

Original Floor space	160 m <sup>2</sup> (approximate figures)	
Existing Floor space	270m <sup>2</sup>	+68%
Proposed Floor space	416.5 m <sup>2</sup>	+160%

The dwelling has previously been extensively extended, in excess of that permitted by policy GB14A. The proposed additions would constitute a substantial further increase in floor area and would also be a substantial addition in terms of the footprint of the building. As such, it is considered that the proposed extension would be a disproportionate addition within the green belt, which would be detrimental to the open character of the green belt.

**Conclusion**

In light of the above appraisal, it is considered that the proposed development would be a disproportionate addition within the Green Belt, which would be contrary to policy and harmful to the open character of the green belt. For this reason, it is recommended that planning permission be refused.

**SUMMARY OF REPRESENTATIONS:**

PARISH COUNCIL: No objection

CITY OF LONDON: No objection

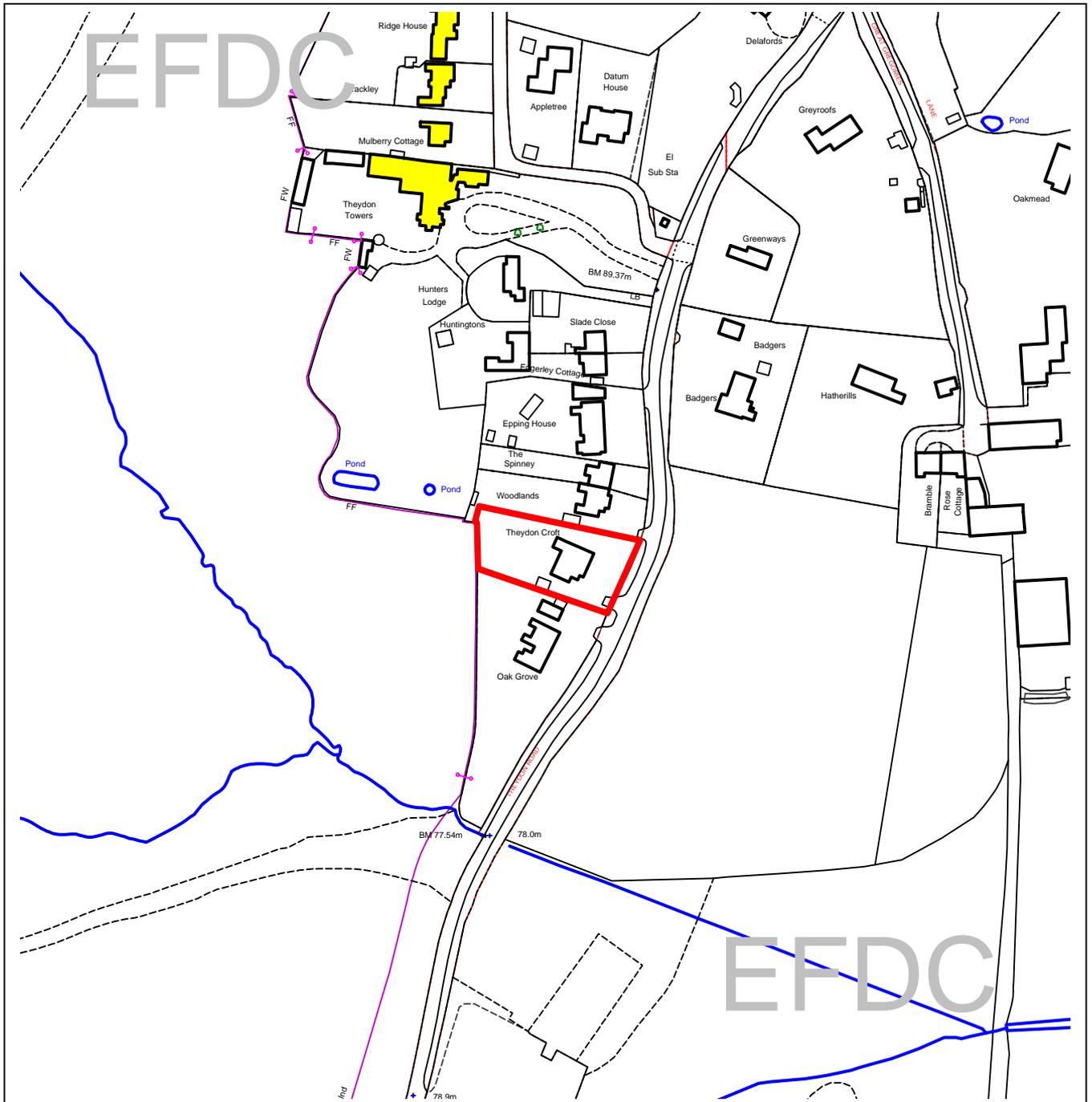
WOODLANDS, THEYDON ROAD. Objection. The revised proposal appears to provide for a slight lessening in the height of the new west facing roofline and the second storey will protrude westwards a little less. However, the northern elevation which is our main concern for the reasons which we set out in our earlier letter remains unchanged. *(Comments made in respect of previous*

*planning application*) - The size of the extensions will considerably increase the ground area, volume and height of Theydon Croft. The extension would be more than four metres nearer to our boundary. Detrimental to our light and privacy particularly as our bay windows face southwards. Loss of privacy from windows facing north and west. Light pollution.



# Epping Forest District Council

## Area Planning Sub-Committee East



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<b>Agenda Item Number:</b>	7
<b>Application Number:</b>	EPF/1319/08
<b>Site Name:</b>	Theydon Croft, Theydon Road Theydon Bois, CM16 4EF
<b>Scale of Plot:</b>	1/1250

**Report Item No: 8**

<b>APPLICATION No:</b>	EPF/1300/08
<b>SITE ADDRESS:</b>	adj, 24 Bower Vale Epping Essex CM16 7AS
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>APPLICANT:</b>	Mr T Feldman
<b>DESCRIPTION OF PROPOSAL:</b>	Outline application for a three bedroom detached house. (Revised application)
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 Application for the approval of details reserved by this permission must be made not later than the expiration of three years from the date of this notice. The development hereby permitted must be begun not later than the expiration of two years from the date of the final approval of the details reserved by this permission or, in the case of approval on different dates, the final approval of the last matter approved.
- 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 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.
- 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 first floor eastern flank walls of the development hereby permitted without the prior written approval of the Local Planning Authority.
- 5 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.

*This application is before this Committee since it is an application for a non-householder 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) and from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).*

### **Description of Proposal:**

Revised outline planning permission for a three bedroom detached house. This would have a footprint of some 60 sq. m. and an indicative ridge height of 6.95m. the front (two storey) section of the property would be 5.6m wide and the dwelling would be 12.1m deep.

### **Description of Site:**

The application site comprises an area of land to the west of 24 Bower Vale on the north side of the road. The land to the west of the site contains tracks for the London Underground Central Line network and Epping Station is within a short walk of the application site. The application site is accessed via a shared semi-private footpath between No's. 18-24 (inclusive) and a semi-private green space that is also shared by the above properties.

### **Relevant History:**

EPF/2304/07 - Outline application for a three bedroom detached house – refused 18/02/08.  
Reason for refusal:

*The design and size of the proposed dwelling are such that it would represent a poor, cramped form of development which fails to respect its setting and harms the character and quality of the street scene and townscape more widely, contrary to policies CP2, CP3 and DBE1 of the Adopted Local Plan and Alterations.*

### **Policies Applied:**

CP1 - Achieving Sustainable Development Objectives  
CP2 - Protecting the Quality of the Rural and Built Environment  
CP3 - New Development  
DBE1 - Design of New Buildings  
DBE2 - Effect on Neighbouring Properties  
DBE8 - Private Amenity Space  
DBE9 - Loss of Amenity  
ST1 - Location of Development  
ST4 - Road Safety  
ST6 - Vehicle Parking  
H2A - Previously Developed Land

### **Issues and Considerations:**

The main issues here relate to the potential impact on the surrounding area, amenity considerations, highway and parking issues, and with regards to the design.

The previous application was refused due to the design and size of the proposed property being out of character with the street scene. As such the other issues (highways, parking and amenity considerations), were not raised as an issue previously and, unless changed, would still be considered acceptable.

Local Plan policy H2A encourages the use of previously developed land for residential development, which under PPS3 includes existing residential curtilage. The new proposed dwelling has been reduced in size from the previous scheme, both in footprint and with regards to the level of two storey accommodation, and has been relocated on the site to follow the existing established building line to Bower Vale. The newly designed property mimics the design of the neighbouring properties and would not be out of keeping with the area. Its location in line with No's. 2 to 24 (inclusive) would retain the overall character of the area and given its location beyond the shared green space/footpath it would not be immediately visible within the street scene. In light of these changes the proposed dwelling would no longer be deemed a poor, cramped form of development harmful to the character or quality of the street scene or wider area.

As previously stated issues with regards to highways, parking and amenity considerations were not raised in the previous application. Notwithstanding this these issues will again be looked at below.

### 1. Highways and Parking

Several neighbouring properties have objected to the application due to the increased pressure on the existing highway and lack of parking provision. Whilst Bower Vale is a very narrow street that was heavily parked at the time of the Officers site visit, the proposed situation for the new dwelling would be no different to that which currently exists on No's. 18 to 24 (inclusive). None of these properties have parking provision, nor do they directly front onto the street (rather they are all adjacent to the shared green space). The application site is located in an urban area well served by buses and a short walk from Epping Train Station. There are shops and other local amenities within a short distance and space within the site for cycle parking. Local Plan policies CP3 and ST1 encourage developments in sustainable locations that are well served by public transport and promote the reduction in private car use. As such the lack of car parking in this sustainable location, with a strong precedent set by the existing properties, would not justify a reason for refusal.

The access to the property would be via a shared semi-private footpath to the front of No's. 18 to 24 (inclusive), which serves these properties. This would result in the same situation as that which currently exists on the neighbouring properties, and as such would not be out of character with the area.

Whilst it is appreciated that there would be a fair level of disturbance during construction works due to the location of the application site and existing parking problems with the road, this would be a short term disturbance and is not a valid planning consideration.

### 2. Amenity

The proposed dwelling would have adequate private amenity space in line with the requirements of policy DBE8, and would contain no first floor flank windows that would overlook neighbouring properties. As the proposed dwelling would match the front and rear building line as that of the neighbouring properties it would also not result in a loss of light or visual amenity.

### 3. Other Considerations

Objections have been received with regards to the potential flood risk that this new property would create, however this site is not located within any flood risk zones and no issues have been raised by land drainage.

Concern has been raised with regards to access for emergency services. Whilst the road is small and emergency services no doubt have trouble accessing this area the proposed dwelling would

be in the same situation as any other dwelling at the end of Bower Vale (particularly No's. 18 to 24), and therefore this would be acceptable.

Issues with regards to loss of vegetation on the railway bank and wildlife implication have also been raised. The application site contains no important trees or vegetation, and given its location will not require a landscaping scheme. As the railway bank is outside of the applicants ownership no trees or vegetation can be removed from this area, and no objection to the proposal has been raised by London Underground.

### **Conclusion:**

In light of the above the location, design, access and parking provision of the proposed dwelling would be in line with that which currently exists at Bower Vale. There would be no loss of light, privacy or amenity to neighbours (except for potential nuisance during the construction phase, which is not a material consideration). Although there are existing parking and highways issues on this small close, and any additional dwellings is likely to add to the scramble for on-street parking, but this is not an issue unless there are highway safety implications, which are not evident here. The site is in a sustainable location close to public transport and local amenities. Due to this, the lack of off-street parking would not constitute a sufficient reason for refusal, especially given the precedent of the existing properties in the same situation. Therefore this proposal is considered acceptable and is recommended for approval.

### **SUMMARY OF REPRESENTATIONS:**

TOWN COUNCIL – Object on the basis that the proposal represents an overdevelopment of the site. Concerned over highways issues and access for the emergency services and with regards to the wildlife issues.

EPPING SOCIETY – Object as the site is too small for this development, it is too close to the railway embankment, and due to the access to the site.

1 BOWER VALE – Object due to the lack of parking provision and as it over-crowds the end of Bower Vale, detrimental to the character of the area.

9 BOWER VALE – Object due to the lack of parking provision, the disruption that would be caused during construction and as it will be out of place and affect the character of the street.

11 BOWER VALE – Object due to the lack of parking provision and the disruption caused during construction.

11a BOWER VALE – Object due to the lack of parking provision, the potential loss of vegetation from the railway line, and the disruption that would be caused during construction.

12 BOWER VALE – Object due to the lack of parking provision.

15 BOWER VALE – Object to the lack of parking provision and due to the difficulties the developer would have in accessing the site.

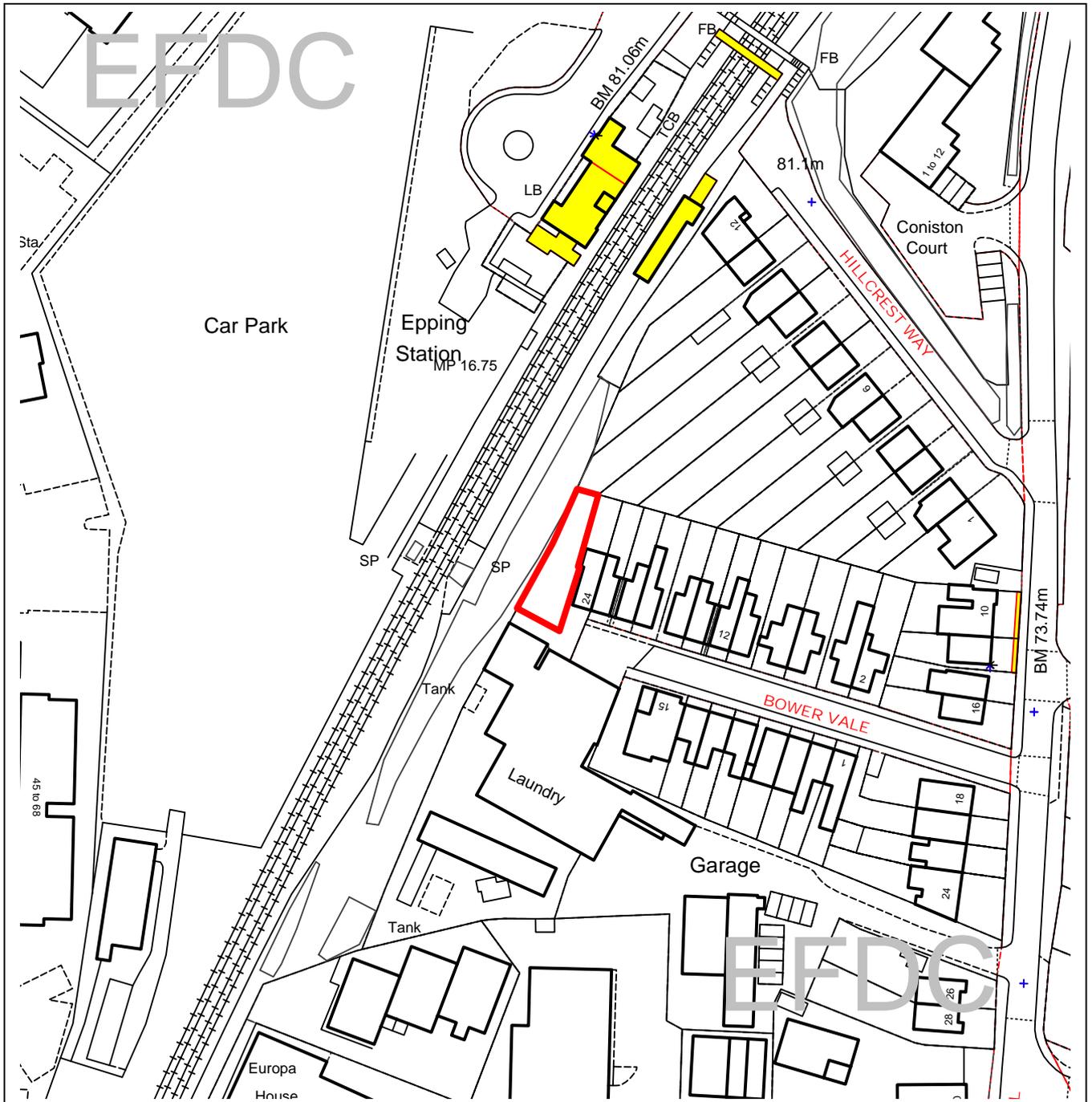
18 BOWER VALE – Object due to the access to the property, the potential flooding issues and the lack of parking provision.

22 BOWER VALE – Object due to the increased risk of flooding, as the site is only accessible by foot, and due to the lack of parking provision.



# Epping Forest District Council

## Area Planning Sub-Committee East



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<b>Agenda Item Number:</b>	<b>8</b>
Application Number:	EPF/1300/00
Site Name:	adj, 24 Bower Vale, Epping, CM16 7AS
Scale of Plot:	1/1250

**Report Item No: 9**

<b>APPLICATION No:</b>	EPF/1167/08
<b>SITE ADDRESS:</b>	11 Sunnyside Road Epping Essex CM16 4JP
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>APPLICANT:</b>	Mr Gerry Di-Piazza - Avrum Forest
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of replacement dwelling and residential development to rear to create a total of 4 no. dwellings. (Revised application)
<b>RECOMMENDED DECISION:</b>	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 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 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.
- 6 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garage(s) hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be

converted into a room or used for any other purpose.

- 7 No development shall take place on site, including site clearance, tree works, demolition, storage of materials or other preparatory work, until all details relevant to the retention and protection of trees, hereafter called the Arboricultural Method Statement, have been submitted to the Local Planning Authority and approved in writing. Thereafter the development shall be undertaken only in accordance with the approved details, unless the Local Planning Authority has given its prior written consent to any variation.

The Arboricultural Method Statement shall include a tree protection plan to show the areas designated for the protection of trees, shrubs and hedges, hereafter referred to as Protection Zones. Unless otherwise agreed, the Protection Zones will be fenced, in accordance with the British Standard Trees in Relation to Construction-Recommendations (BS.5837:2005) and no access will be permitted for any development operation.

The Arboricultural Method Statement shall include all other relevant details, such as changes of level, methods of demolition and construction, the materials, design and levels of roads, footpaths, parking areas and of foundations, walls and fences. It shall also include the control of potentially harmful operations, such as burning, the storage, handling and mixing of materials, and the movement of people or machinery across the site, where these are within 10m of any designated Protection Zone.

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.

- 8 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.

- 9 Prior to the commencement of the development details of the proposed surface materials for the internal shared 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.
- 10 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.

- 11 Prior to commencement of development, details of levels shall be submitted to and approved by the Local Planning Authority showing the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 12 The development shall be carried out in accordance with the amended plans received on 31/7/08 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:**

The applicant is seeking permission for the demolition of an existing bungalow that fronts onto Sunnyside Road and replacing it with a double storey dwelling. The proposal also includes the construction of 3 double storey detached dwellings towards the rear of the site.

It should be noted that the existing sheds, garages and some vegetation will have to be removed from the rear part of the site to make way for the proposed development.

The replacement dwelling towards the front of the site is to comprise of 3 bedrooms whilst the three dwellings towards the rear will comprise of 4 bedrooms. Each dwelling has also been provided with two off street parking spaces and a modest size rear private open space area.

Vehicle access to the 3 dwellings towards the rear of the site would be via an existing shared driveway that runs off Sunnyside Road and runs between 9 Sunnyside Road and the southern boundary of plot 1. Plot 1 has its own vehicle access from Sunnyside Road.

### **Description of Site:**

The subject site is located on the western side of Sunnyside Road approximately 65 metres north of Bridge Hill within the town of Epping. The site itself is irregular in shape as it has a small frontage onto Sunnyside Road before it expands to a large open space area towards the rear. It also has a modest slope that falls from the north western corner of the site towards the south eastern corner.

Except for the existing bungalow that fronts onto Sunnyside Road and associated outbuilding, the site is currently vacant with only a mixture of native and non-native vegetation scattered throughout the site and on the boundaries. Towards the north western corner of the site is a large oak tree which is protected by a tree preservation order.

The subject site is located within a well established residential area with the majority of building forms within the surrounding area comprising of double storey detached dwellings although there is the odd bungalow scattered throughout. Buildings comprise of a mixture of size, scale and bulk. Front setbacks are mainly consistent from the highway and spaces/gaps form an important part to the character of the surrounding area.

### **Relevant History:**

EPF/2078/07 - Erection of replacement dwelling and residential development to rear to create a total of 5 no. dwellings. Refused.

EPF/0158/08 - Erection of replacement dwelling and residential development to rear to create a total of 5 no. dwellings. (Revised application) – Withdrawn.

EPF/0516/08 - Erection of replacement dwelling and residential development to rear to create a total of 5 no. dwellings. (Revised application). Refused.

### **Policies Applied:**

#### **Local Plan Policies:**

CP3 New development  
CP7 Urban form and quality  
H3A Housing density  
DBE1 Design of new buildings

DBE2 Effect on neighbouring properties  
DBE3 Design in urban areas  
DBE6 Car parking in new development  
DBE8 Private amenity space  
DBE9 Loss of amenity  
ST1 Location of development  
ST4 Road safety  
ST6 Vehicle parking  
LL10 Impact on existing landscaping  
LL11 Landscaping schemes

### **Issues and Considerations:**

It should be noted that the proposed application is a revised scheme as the previous applications, EPF/2078/07 and EPF/0516/08 which were for erection of a replacement dwelling and 4 new dwellings towards the rear of the site were refused by Council. The main reason why these applications were refused was that Council considered that the siting and layout of the 4 dwellings towards the rear would be cramped and an overdevelopment. This was exacerbated by insufficient room for parking, inadequate amenity space, inadequate setbacks from adjoining dwellings and a poor relationship between the proposed dwellings.

Due to the previous refusals, the applicant has now amended the scheme so that instead of proposing 4 dwellings to the rear of the site, there are now to be 3. The design, siting and layout of the replacement dwelling that fronts onto Sunnyside Road has remained the same as the previous applications. Therefore the main issues to be addressed are whether the revised scheme has overcome Council's initial concerns and reasons for refusal.

#### *1. Design and Appearance:*

Policies DBE1, DBE2 and DBE3 of the Epping Forest District Local Plan seeks to ensure that a new development is satisfactorily located and is of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and would not prejudice the environment of occupiers of adjoining properties.

Dwellings in the area range from single to double fronted facades, with many dwellings incorporating a porch, decorative details and a mixture of materials to provide articulation. The proposed dwellings include articulation at both ground and first floor levels. Each façade is appropriately articulated to reflect the general patterns found within the streetscene and the surrounding area.

New buildings should be consistent with the overall shape and form of those dwellings which are predominant in the street and general neighbourhood. Although there is the odd property that is single storey, it is considered that the two storey nature of the proposed dwellings would not appear dominant in relation to the form of the street scene or be visually intrusive when viewed from adjoining properties.

Building bulk and scale should be consistent with the nature of the surrounding and adjacent properties. It is considered that the bulk and scale of the proposed dwellings would reflect the character of the area without causing material detriment to adjoining property owners.

In relation to the siting of the development, the dwellings would be required to conform to the existing street pattern with little deviation from the general building line.

It is considered that the proposed dwelling towards the front of the site will integrate well into the streetscene in terms of siting as it will be setback approximately the same distance from the highway as the adjoining dwellings.

Given that there are now 3 dwellings towards the rear of the site instead of 4, additional room/space has been provided so that the buildings will now not appear as a cramped form of development.

Although the building footprints are slightly larger than the building footprints of the schemes that were refused, adequate spaces have been provided and now each of the dwellings are separated by either landscaping or attached garages. It is also noted that each front elevation will face outwards to public spaces and that the space between buildings will ensure that the development will be attractive and safe for intended uses.

At the same time, the development has managed to ensure that adequate setbacks have been achieved between the facades of the proposed dwellings and the rear facades of adjoining dwellings. These setbacks are in accordance with the adopted SPG - Essex Design Guide.

It is considered that the proposed development complies with the objectives of the above policies and would integrate with the surrounding environment in terms of scale, form, bulk and siting.

## 2. Residential Amenity Space:

In relation to the previous applications, Council considered that some of the proposed dwellings had inadequate or usable amenity space due to the siting and location, the protected oak tree and the tight, cramped form of each plot.

It is now considered that given there are only 3 dwellings towards the rear of the site, each plot is not cramped into a small space and therefore adequate and usable private open space has been provided to meet the recreational needs of any future residents.

## 3. Highway/Parking Issues:

Policies ST6 of the Epping Forest District Local Plan states that the Council will ensure that all new developments make adequate provisions for car parking normally in accordance with the adopted standards. In this instance the proposed scheme has provided two vehicle spaces for each dwelling,

It is also considered that the proposed development would result in efficient and effective traffic movements within site and would not cause a harmful impact to highway safety or cause traffic congestion.

The application was also referred to Essex County Council's Highway's Officer who had no objections to the proposed development subject to relevant conditions being placed on any recommendation to grant permission.

## 4. TPO and landscaping issues:

As mentioned above there is an oak tree in the north western corner of the site which is covered by a tree preservation order. The application was referred to Council's landscape officer who advised that they had no objection to the proposed development subject to conditions being placed on any recommendation to grant permission that adequate protection measures are used in protecting the tree during construction. It was considered that there was an adequate setback from the elevation of the tree to the trunk of the tree as not to have an impact to its root systems.

## 5. Impact on Neighbours:

Consideration has been given to the impact of the proposal to the adjoining and adjacent properties, primarily in respect to privacy and overshadowing.

Given the orientation of the site and the siting of dwellings, overshadowing to the adjoining properties' private open space is minor, with the shadow generally cast over the subject site itself. It is noted that the development will cast a shadow into adjoining properties, however it is believed that adequate sunlight will still be received to secluded open spaces areas and habitable room windows of the properties throughout the day.

As mentioned above the distance between flank walls of the proposed dwellings and the rear facades of adjoining dwellings have been increased and now meet the minimum distance set out under the Essex Design Guidelines. It is now considered that there is a significant distance between the subject dwellings and adjoining dwellings as not to cause overlooking into habitable room windows of adjoining properties. It should also be noted that the majority of these windows service either landing areas, bedrooms or bathrooms.

In terms of potential noise and disturbance, vehicle movement will be introduced into the rear of the site, although there is an existing access along the side of the neighbouring house adjacent at no.9 Sunnyside Road, but this looks like it was little used. The proposed parking areas to serve the new houses are away from the site boundary to existing neighbours with vegetation landscaping proposed in between. Officers consider that despite the introduction of vehicular movement into this part of the site, there will be no adverse impact upon the amenities of the surrounding residential properties.

### **Conclusion:**

In conclusion it is considered that the proposed development is now acceptable as the reduction of the number of dwellings towards the rear of the site from 4 to 3 has resulted in a development that is now in accordance with Council's design policies. Backland development can be contentious because it introduces built development and activity from comings and goings that can be detrimental to an area. This though is a well thought out scheme and the site does have a large area available that is not evident in neighbouring properties, such a precedent is unlikely to be set elsewhere in the locality where circumstances there may be detrimental. The proposed development will fit in with the character of the area without causing material detriment of a harmful impact to the amenities enjoyed by adjoining property owners. The application is therefore recommended for approval.

### **SUMMARY OF REPRESENTATIONS:**

TOWN COUNCIL: The committee objects to the application for the following reason:

Committee note the changes to this application. However, the proposal still appears to represent an overdevelopment of the site. Committee therefore object to this application because the elevated position of much of this site means that particular care needs to be given, not only to the overall effect created by the proposals, but also the overlooking of neighbouring properties and the loss of amenity from noise, including parking activities, from the proposed dwellings at the rear of existing residential properties. Committee was also concerned that the increased pressure from parking and access to the proposed development will create new highway problems and therefore overall, Committee still consider this proposal a gross over-development of a small site.

NEIGHBOURS: 5 letters of objection were received from the following properties:

- 31a Bridge Hill, Epping
- 13 Sunnyside Road, Epping
- 15 Sunnyside Road, Epping
- 17 Sunnyside Road, Epping
- 17a Sunnyside Road, Epping

The main concerns raised in the above objections are as follows:

- The proposed development would be an overdevelopment and out of keeping to the character of the surrounding area.
- Lack of/insufficient retaining wall between numbers 11 and 13 Sunnyside Road.
- The bulk, scale and form of the proposed dwellings are an inappropriate development.
- The proposed development would cause noise and general disturbance.
- The proposed development would result in a loss of privacy to adjoining properties.
- The proposed development would have an impact to the existing oak tree on the site
- The proposed development would result in increase traffic congestion and have an impact on highway safety and parking.
- The proposed development will be visually intrusive.
- The proposed development would result in a loss of light to adjoining properties.



# Epping Forest District Council

## Area Planning Sub-Committee East



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<b>Agenda Item Number:</b>	<b>9</b>
Application Number:	EPF/1167/08
Site Name:	11 Sunnyside Road, Epping, CM16 4JP
Scale of Plot:	1/1250

**Report Item No: 10**

<b>APPLICATION No:</b>	EPF/0958/08
<b>SITE ADDRESS:</b>	North Weald Golf Club, Rayley Lane North Weald Essex CM16 6AR
<b>PARISH:</b>	North Weald Bassett
<b>WARD:</b>	North Weald Bassett
<b>APPLICANT:</b>	Mr A Lloyd-Skinner
<b>DESCRIPTION OF PROPOSAL:</b>	Third and final phase of Golf Course remodelling to include importation of 45.000 cubic metres of sub-soil over a three month period.
<b>RECOMMENDED DECISION:</b>	Grant Permission (Subject to S106)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
  - 2 Prior to commencement of development, details of phasing of the development shall be submitted to and agreed in writing by the Local Planning Authority. The development shall then be carried out in accordance with the agreed phasing. No phase shall be commenced until the previous phase is completed.
  - 3 Prior to the commencement of each phase an existing and proposed contour plan for that phase together with an as built contour plan for the last completed phase shall be submitted to the Local Planning Authority for approval. The plans shall indicate contours at 0.5m intervals.
  - 4 No phase shall be commenced until the Council gives written approval to the drawings submitted pursuant to condition 5 and agrees in writing the previously completed phase was carried out in accordance with the approved proposed 0.5m contour plan for that phase.
  - 5 The development shall not be commenced until details of the following have been submitted to and agreed in writing by the Local Planning Authority:
    - 1) The location and function of any processing areas, associated plant and buildings.
    - 2) Where waste materials are proposed to be imported, details of the proposed methods to check for toxicity and arrangements for notifying the Local Planning Authority of the result of checks for toxicity.
    - 3) A method statement of soil handling, to include separation of topsoil and sub soil, the location and total heights of temporary mounds, depth of replacement topsoil and sub soil.
- 4) Details of the proposed method to suppress dust from the site throughout the

period of implementation works.

5) Details of methodology for preventing surface water on the site draining on to adjoining land.

6) Measures to protect the safe use of rights of way on the land during and after implementation works.

The development shall be carried out in accordance with the approved details unless the Local Planning Authority gives written consent to any variation.

- 6 No implementation works shall be carried out outside the following times: 7am to 5pm Monday to Friday, and not at all on Saturdays, Sundays, or Public/Bank Holidays.
- 7 There shall be no movements of heavy goods vehicles or tipper lorries within the site or to and from it outside the following times: 7am to 5pm Monday to Friday, and not at all on Saturdays, Sundays or Public/Bank Holidays.
- 8 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with the details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities shall be installed prior to the commencement of any building works on site and shall be used to clean vehicles leaving the site.
- 9 No building or land raising shall take place in those areas adjacent to the 9th hole and the existing reservoir lying below 64.46m AOD.
- 10 No building or land raising shall take place in those areas adjacent to the 7th hole lying below 63.15m AOD.
- 11 A buffer zone 8m wide, measured from the bank top alongside the Cripsey Brook and the North Weald Stream and 5m along any ditch or drain for the full extent of the site shall be established in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority before the development commences.
- 12 A buffer zone of 5m wide, measured from the bank top, around the ponds along the eastern boundary of the development site shall be established in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority before the development commences.
- 13 No development shall take place, including site clearance or other preparatory work, until all details relevant to the implementation of hard and soft landscape works and tree planting, hereafter called the Landscape Method Statement, have been submitted to the LPA, and the development shall not commence until the Landscape Method Statement has been approved by the LPA in writing. All landscape works shall be undertaken in accordance with the approved details, unless the LPA has given its prior written consent to any variation.

The Landscape Method Statement shall include as appropriate, protection of the planting areas, where appropriate by fencing, during construction; preparation of the whole planting environment, particularly to provide adequate drainage; and the provision which is to be made for weed control, plant handling and protection, watering, mulching, and the staking, tying and protection of trees. The Landscape Method Statement shall also normally include provision for maintenance for the period of establishment, including weeding, watering and formative pruning, and the removal of stakes and ties. Provision shall be made for replacement of any plant,

including replacements, that are removed, are uprooted, or which die or fail to thrive, for a period of five years from their planting, in the first available season and at the same place, with an equivalent plant, unless the LPA has given its prior written consent to any variation.

- 14 All hard and soft landscape works shall be completed prior to the occupation or use of any part of the development, unless the LPA has given its prior written consent to a programme of implementation. The hard and soft landscape works, including tree planting, shall be carried out strictly in accordance with any approved timetable.

The Landscape Method Statement shall state the provision which is to be made for supervision of the full programme of works, including site preparation, planting, subsequent management and replacement of failed plants.

*This application is before this Committee since it is an application for development of a significant scale and/or wider concern and is recommended for approval (Pursuant to Section P4, Schedule A (c) of the Council's Delegated Functions).*

*This application is before this Committee since it is an application for 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).*

**Also subject to the prior variation of the Section 106 Agreement dated 23/03/06 to ensure that the restrictions regarding phasing, sourcing of materials and lorry routing are applied to this development in the same way as the previous phased programme.**

#### **Description of Proposal:**

This application is for the construction of additional landscaping, involving alterations to the contours of parts of the established golf course. The proposed works follow on from previous phases of development that were approved in 2005 and 2007.

The development now proposed can be split into a further 5 small phases which total 6 hectares in area. The total area of the golf course is about 65 hectares. The works are intended to create gently sloping features to improve the appearance of uninteresting area of the course.

The works shown indicate that the mounding and contouring proposed will rise to no more than 2m above the existing height of the land and will require the importation of no more than 45,000 cubic metres of material.

In carrying out the work it is intended to utilise the existing temporary haul roads that were agreed as part of the previous applications.

#### **Description of Site:**

The application site is located to the north of North Weald, east of Rayley Lane and north of the A414. The site is within the Metropolitan Green Belt and partially within the curtilage of Little Weald Hall, which is a Grade II listed building. The golf course is bisected by the A414 and east-west by footpath 31. It is bisected north-south by Cripsey Brook and bridleway 19. The land falls towards the Cripsey Brook and in part towards the A414. On the part of the site north of the A414 the site in part falls away from the north.

#### **Relevant History:**

EPF/1744/89 Use of land and buildings as a golf course. Approved 5.03.90  
EPF/370/90 Implementation of EPF/1744/89 without complying with condition 6. Approved 24.08.90  
EPF/1229/93 Erection of a golf clubhouse – Approved 18.07.94  
EPF/25/96 Use of farm building as golf facilities building. Approved 01.04.96  
EPF/1996/04 Construction of additional golf course landscaping and formation of temporary access and haul roads to facilitate the works.  
EPF/0308/07 Construction of additional golf course landscaping. Approved December 2007

### **Policies Applied:**

#### Local Plan and Local Plan Alterations:

CP2 Quality of environment  
GB2A Development in the Green Belt  
HC12 Development affecting listed buildings  
RST19 Design, layout and landscaping of golf courses  
DBE9 Impact of development on amenity  
LL2 Impact of development on the character of the landscape  
ST2 Accessibility  
ST4 Road Safety  
I1A Planning Obligations.

### **Issues and Considerations:**

The principle of landscape alterations in connection with the lawful use of the site as a golf course is considered to be acceptable. The main issues to be considered in this case are therefore the impact of the works on the setting of the grade II listed Little Weald Hall, the impact on the landscape and the recreational value of the land, (including existing rights of way), the impact on the amenity of neighbouring properties and the impact of the construction activity on amenity and highway safety.

#### *1. Impact on Little Weald Hall*

Since Little Weald Hall would not be seen in the context of the proposed works and the curtilage of the building is enclosed by mature trees it is not considered that the works would affect its setting.

#### *2. Impact on Landscape.*

The details of the proposed works have been the subject of negotiation and the design is considered to be appropriate to the landscape in which it lies, and will not have an adverse impact on the character of the area, bearing in mind that the site is already a golf course and is not natural. No mature trees are impacted by the proposed work and the new mounding will be seeded with an appropriate grass seed mix and overplanted with gorse and wild flower seed mix to create an attractive landscape.

#### *3. Impact on recreational Footpaths*

The works proposed do not affect the route or amenity value of the footpath and bridleway that cross the site.

#### *4. Impact of construction works.*

Considerable works have already been carried out at this site in accordance with the earlier planning approvals, and there have not been any reported problems in terms of impact on amenity and highway safety. The development now proposed requires the importation of a further 45,000 cubic metres of predominantly subsoil with 5% brick and other inert material. The source of the material will vary but there will be a need to verify that it is not contaminated and this can be controlled by conditions. There is potential impact to local residents from dust and noise from the construction works but this can be controlled by condition as has successfully happened with the earlier phases of development. Essex County Highways have approved a temporary access in Rayley Lane, north of the current golf club entrance nearer to the roundabout where Rayley Lane joins the A414 and this will be utilised for vehicles arriving at and leaving from the site for the planned works on the south-west side of the golf course. Construction traffic will not use Church lane. The access is not near to any residential properties.

The traffic impact and environmental impact of earlier phases of development have been successfully controlled by a 106 agreement and it is intended that that agreement shall be varied such that restrictions shall also apply to the development now proposed to ensure that the development does not cause problems.

The applicant has liaised with the Environment Agency with regard to the works and they have raised no objection to the development subject to conditions.

#### 5. Highway safety

The works proposed clearly will result in additional HGV movements in and around the site and there is concern about highway safety as a result. However the proposal is to continue the same regime as previously approved, the routing and hours of operation of the HGV's is controlled by legal agreement and wheel washing is required to ensure that mud and stones are not dragged on to the road. There have been no reported accidents as a result of the development so far and Essex County Highways have raised no objection to the proposal subject to conditions.

#### 6. Objections

Concern has been raised by the Theydon Bois Action Group that a full Environmental Impact Assessment has not been required. The need for such an assessment was considered when the application was registered, but due to the scale of the development and in particular that the existing landscape is not natural but already a golf course, it was not considered that there is a requirement under the Planning Acts to carry out such an assessment.

Concern has also been raised about the principle of allowing the importation of waste material for works of this kind, particularly given the adverse impact of some large scale works on other golf courses in the District. Whilst it is accepted that there have been considerable problems on other sites, it is not accepted that there can therefore be a blanket ban on works of this kind. Care must be taken to ensure that the works are appropriate and well controlled by legal agreement and condition, and it is considered that the earlier phases of work that have been carried out at this site illustrate that such works need not cause harm to the environment or to the visual and residential amenity of residents of the District. The requirements set out in the Parish Councils comments below are all controlled by the conditions and 106 agreement that are proposed..

#### Conclusion.

The proposed works are well designed and proportionate to the scale of the golf course and would not affect the setting of Little Weald Hall; will not have an adverse impact on visual amenity or landscape quality and will not result in harm to residential amenity. Given the location of the development with easy and established access off the A414 it is not considered that the importation of material will cause harm to highway safety or to residential amenity of residents. The scheme will improve the quality of the golf course, which provides a popular open recreational

facility. The development is therefore considered to be in accordance with the adopted policies of the Local Plan and Local Plan Alterations and the application is recommended for approval subject to conditions.

#### **SUMMARY OF REPRESENTATIONS:**

PARISH COUNCIL – No objection subject to the following: A dedicated vehicle route for the importation of soil, verification procedures in place in relation to the maximum number of vehicles that can visit the site in any one day to import soil, constraints on the time and days that vehicles could attend the site in relation to the importation of soil, verification procedures as to the content of the soil that is imported, there should be no unpleasant or detrimental waste brought to the site, and wheel washing facilities to be in place.

THEYDON BOIS ACTION GROUP -. The CPRE and Members of Parliament are concerned nationally about the methodology of landfill for golf courses. Why do EFDC feel this development does not warrant and Environmental Impact Assessment? Concerned that developments of this type are in their nature polluting the environment and a nuisance to local people. Clear risk of accident from mud and stones on the road, dramatic increase in HGV's, increasing risk of accident, potential long term pollution problems. Just look at the environmental disaster that is Blunt's Farm.

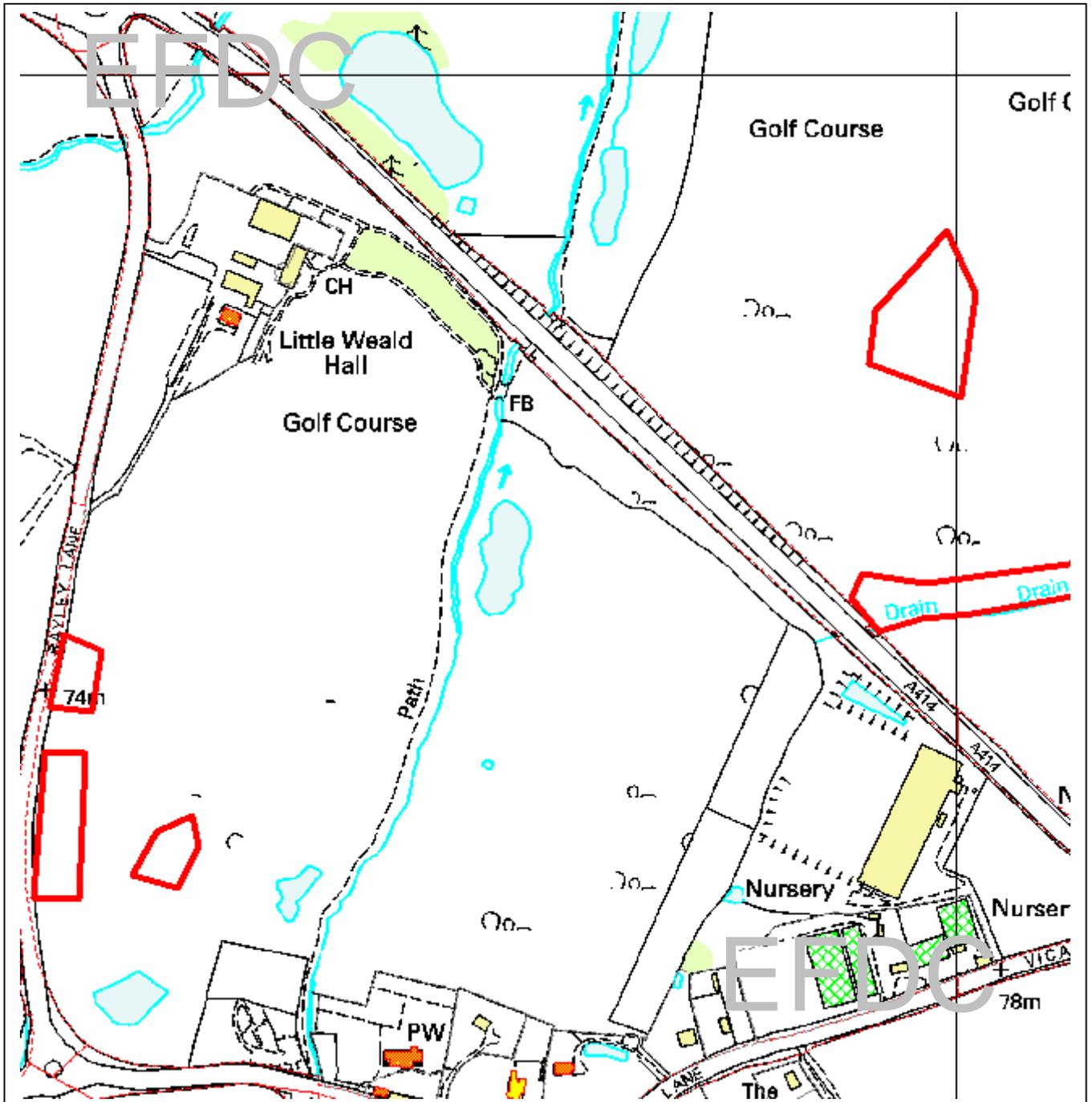
#### **NORTH WEALD BASSETT AND DISTRICT RURAL PRESERVATION SOCIETY**

– Object: Have grown increasingly concerned at each phase. Much of the extensive planting from the 1990's which had provided good cover for wildlife is now under dumped soil. This site seems to be following the same programme of dumping with the same financial goals as the notorious Blakes and Blunts Farm. No more should be allowed.



# Epping Forest District Council

## Area Planning Sub-Committee East



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Agenda Item Number:	10
Application Number:	EPF/0958/08
Site Name:	North Weald Golf Club, Rayley Lane North Weald, CM16 6AR
Scale of Plot:	1/5000