

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/0860/08
<b>SITE ADDRESS:</b>	Wintry Park Service Station 37 Thornwood Road Epping Essex CM16 6SY
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Lindsey and Lindsey and Thornwood Common
<b>APPLICANT:</b>	Insigniacorp Ltd - Mr P Spencer
<b>DESCRIPTION OF PROPOSAL:</b>	Construction of 13 no. two bedroom flats and 1 no. three bedroom flats
<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 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 Details of foul and surface water disposal shall be submitted to and approved in writing by the Local Planning Authority before any work commences and the development shall be implemented in accordance with such agreed details.
- 4 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
- 5 The method of construction of the car park and foundation shall be agreed in writing with the Local Planning Authority. No work shall commence on the car park and foundations until such written approval is obtained. Only construction methods in accordance with the written approval shall be undertaken unless otherwise previously agreed in writing by the Local Planning Authority.

- 6 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.
- 7 Details of the means of controlling dust from the site during the construction of the development shall be submitted to and approved in writing by the Local Planning Authority before the site clearance and construction work commences. The development shall be carried out in accordance with such approved details unless otherwise previously agreed in writing by the Local Planning Authority.
- 8 The tree protection fencing shown to be provided in the approved arboricultural method statement shall be provided prior to the commencement of the development and shall not be moved or removed, temporarily or otherwise, until all works, including external works have been completed and all equipment, machinery and surplus materials removed from the site.
- 9 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.

- 10 The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing. The approved scheme shall be implemented within the first planting season following the completion of the development hereby approved.

The scheme of landscaping must include details of the proposed planting including a plan, details of species, stock sizes and numbers/densities where appropriate, and include a timetable for its implementation. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand, and in writing.

The statement of methods of implementing the landscaping scheme must include details of all the means by which successful establishment of the scheme will be ensured, including preparation of the planting area, planting methods, watering, weeding, mulching, use of stakes and ties, plant protection and aftercare. It must also include details of the supervision of the planting and liaison with the Local Planning Authority.

The landscaping must be carried out in accordance with the agreed scheme and statement, unless the Local Planning Authority has given its prior written consent to any variation.

- 11 Prior to the commencement of the development details shall be approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained.
- 12 The development shall not be occupied until the car parking area indicated on the approved plans, including any parking spaces for the mobility impaired has been hard surfaced, sealed and marked out in parking bays. The car parking area shall be retained in this form at all times. The car park shall not be used for any other purpose other than the parking of vehicles that are related to the use of the development.
- 13 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.

- 14 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.
- 15 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.

- 16 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using Windes or other similar programme. The approved measures shall be undertaken prior to the first occupation of the building hereby approved and shall be adequately maintained in accordance with a management plan to be submitted concurrently with the assessment.
- 17 The development shall be carried out in accordance with the amended plans received on 3/11/08 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).*

*Further, it is recommended that the permission be subject to the prior completion of a satisfactory Section 106 agreement within 12 months securing the financial contributions requested by Essex County Council. Specifically, £30,000 has been requested from the highways department and £22,248 has been requested from the schools, children and families directorate.*

**Description of Proposal:**

The applicant seeks planning permission for the construction of 14 flats. 13 with two bedrooms and 1 with three bedrooms.

The development is to be split into two separate blocks with each block being two stories in height. Both buildings will incorporate a step roof pitch to allow additional room in the roof space to accommodate some of the proposed units. The maximum overall height of the buildings to the ridge of the roof will be 8.6 metres.

The smaller of the two buildings which is located in the southern corner of the site will comprise a building footprint of approximately 195 square metres and will accommodate 4 of the proposed 14 units.

The larger building is to be located to the north of the smaller building and will have an approximate building footprint of 386 square metres and will comprise of 10 units. This building will extend close to the rear boundary.

Both buildings will be set back 3 metres from Thornwood Road. The smaller building will be set back a minimum distance of 3.5 metres from the southern side boundary whilst the larger building will be set back a minimum distance of 0.5 of a metre from the northern boundary. The new buildings are to be finished with red brick and timber cladding with a plain tiled roof, similar to materials that are found on adjoining properties within the surrounding area.

The development is to provide a new access that is to lead off Thornwood Road and into a car park basement. The access will be situated halfway along the frontage of the site between the two buildings. The basement car park would provide 28 parking spaces (2 spaces for each unit) and cycle storage area. Direct access from the basement to the upper floors is either via stairs or lifts. The existing crossover to the southern corner of the site is to be altered slightly to allow access to a proposed parking space for the adjoining property (number 27).

The proposed development would have a communal open space area (490sqm) for the recreational needs of residents in the south western corner of the site behind the smaller of the two buildings.

### **Description of Site:**

The subject site is located on the western side of Thornwood Road approximately 100 metres north of Wood Meads on the fringe of Epping. The site is not within the Metropolitan Green Belt, however the Green Belt boundary runs along the northern edge.

The site itself is mainly regular in shape and has a moderate slope that falls from the front of the property towards the rear. The overall size of the site is approximately 1500 square metres. The site is currently vacant however it was once used as a service station which comprised of a single storey building to the northern part of the site and a canopy to refuel beneath.

Currently located on the boundaries of the site are timber paling and wire fences varying in height. There is a small tree located towards the south eastern corner of the site and there are some mature trees located on the boundaries of adjoining properties.

Located to the south and west of the site there are a mixture of buildings that vary in scale, form and size ranging from detached, semi detached and terrace style dwellings. Dwellings located south of the site have consistent front setbacks from Thornwood Road. Located to the east of the property on the opposite side of Thornwood Road is part of Epping Forest which is a site of Special Scientific Interest. The surrounding area to the north and east of the site are located within the Metropolitan Green Belt.

### **Relevant History:**

There have been a number of planning applications submitted to Council over the years however the most relevant application in relation to the proposed development is as follows:

EPF/2032/06 – Construction of 11 no. two bedroom, 2 no. three bedroom and 1 no. four bedroom dwellings.

The above application was refused on the basis that it failed to demonstrate the measures to make the building sustainable, inappropriate design and appearance, be harmful to the Green Belt and would be harmful to the amenities of adjoining property amenities.

### **Policies Applied:**

CP2 Protecting the quality of the rural and built environment.  
CP3 New Development  
CP4 Energy conservation  
CP5 Sustainable Building  
CP7 Urban Form and Quality  
CP9 Sustainable Transport  
DBE1 Design of New Buildings  
DBE2 Effect on Adjoining Properties  
DBE3 Design in Urban Areas  
DBE8 Private Amenity Space  
DBE9 Loss of Amenity  
LL10 Adequacy of provision for landscape retention.  
LL11 Landscaping Schemes  
ST1 Location of development.  
ST2 Accessibility of development.  
ST4 Road safety.  
H1A Housing Provision  
H3A Housing Density  
H4A Dwelling Mix

ST6 Vehicle Parking.  
GB7A Conspicuous Development  
NC1 SPAs, SACs and SSSIs  
HC5 Epping Forest

### **Issues and Considerations:**

The main issues to be addressed regarding the proposed development and use are as follows:

- Whether the site is in a sustainable location for this type of development and use.
- Whether the design and appearance is acceptable
- Whether there would be any traffic and parking concerns caused by the development
- Whether there are any impacts to the openness of the Green Belt
- Whether the landscaping is acceptable.
- Whether there are any impacts on the Site of Special Scientific Interest.
- Whether there would be any effects to the amenities of adjoining properties.

### **Sustainability:**

In considering planning applications for a new development, the Council will require that the development can be accommodated within the existing infrastructure capacity of the area, that it would be accessible by existing sustainable means of transport, that the scale and nature of the development is consistent with the principles of sustainability and that it respects the character of the environment.

One of the reasons why the previous application was refused was that the proposed scheme failed to demonstrate that measures had been adopted to make the building sustainable to meet the requirements of policies CP4 and CP5.

The applicant has now provided Council with a sustainability statement that demonstrates the building is to be of a sustainable construction in relation to materials, waste disposal and making the most of existing and natural resources.

Although the site is on the fringe of Epping, it still has good access to relevant infrastructure such as sewage and drainage and is close to shops and facilities, with good access to public transport links.

Officer opinion is that the proposed development would be of a sustainable construction, energy efficient and would be located in a suitable and sustainable location that will maintain and conserve the urban environment. The proposed development now meets Policies CP4 and CP5 of the Adopted Local Plan and Alterations.

### **Design and appearance:**

Policies DBE1, DBE2 and DBE3 of the adopted Epping Forest District Local Plan and Alterations 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.

It should be noted that one of the reasons why the previous application (EPF/2032/06) was refused, was that the development's scale, bulk and massing was out of character with the surrounding area and would cause a harmful impact to the streetscene.

The main difference between the previous application that was refused and the proposed application is that the development has now been split into two building blocks whereas before it was proposed to be one building.

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 scheme is better articulated than the previous scheme as each facade of the development has now been designed in a way to create visual interest when viewed from public vantage points such as Thornwood Road.

New buildings should be consistent with the overall shape and form of those dwellings which are predominant in the street and general neighbourhood. As mentioned above there is a mixture of single and two storey dwellings within the surrounding area. In this case, the shape and form of the proposed development is acceptable and it will be no higher than the ridgeline of the adjoining semi detached dwelling to the south of the site. It is noted that the overall height of the development will be slightly higher than the adjoining dwellings to the west of the site. This is due to the slope of the land but, notwithstanding the change in levels, the eaves height of the development is approximately the same as the eaves height of the adjoining dwellings to the west. Therefore it is considered that the proposed development will not be visually intrusive or appear as a dominant feature when viewed from adjoining properties.

Given that the development has now been split into two buildings, it is considered that the bulk and scale of the development is acceptable. It will not cause material detriment to the area and it will not appear as an overdevelopment. The proposed development would blend in and reflect the streetscene.

In relation to the siting of the development, it is required to conform to the existing street pattern and have little deviation from the general building line. It is considered that the proposed development integrates well into the street scene in terms of siting as it will be setback the same distance from Thornwood Road as the adjoining dwellings. The spaces/gaps between the proposed development and adjoining properties, in particular number 27 Thornwood Road is considered to be appropriate as it will reflect the general patterns found within the streetscene.

#### Residential amenity space:

Policy DBE8 of the Epping Forest District Local Plan and Alterations states that in respect to communal areas, at least 25 square metres of open space for each unit is required. Given that there are 14 units proposed within the development, a minimum of 350 square metres of communal space is required. 490 square metres has been provided for a communal area within the site. This is considered to be more than enough to meet the recreational needs of future residents and it should also be noted that there are also public green spaces within the surrounding area.

#### Highway and parking considerations:

Policy ST6 of the Epping Forest District Local Plan and Alterations states that the Council will ensure that all new developments make adequate provisions for car parking normally in accordance with the adopted standards.

The proposed development has allowed for 2 vehicle spaces per unit and room for cycle storage. This meets the adopted standards and is considered to meet the needs for future residents.

It is considered that there would not be any adverse impacts to highway safety or traffic congestion. Vehicles will be able to effectively and efficiently enter and exit the site in a safe manner.

The application was referred to Essex County Council's Highways officer who advised that they had no objection to the proposed development subject to the securing of financial contribution of £30,000 to improve highway safety and maintenance within the area. The money would be used to construct tactile crossings on the footway into Epping from the site, bus stop upgrades north & south of the site and lantern upgrades along Thornwood Road past the site.

### Housing density and mix

Policy H3A states that new housing developments will achieve a net density of at least 30-50 dwellings per hectare.

In areas where there are good transport links and other facilities, it is expected that higher densities should be achieved. The development proposes 93dph. This is considered to be appropriate as the development has provided sufficient room for adequate communal areas and parking spaces within the site to meet the needs of the residents. The site is also located within the town boundary of Epping and there are good transport connections running along Thornwood Road.

New housing developments should cater for the needs of the population and play a role in creating a mixed and balanced community. Policy H4A requires that new housing developments make provision for a range of dwelling sizes and a mixture of both marketable housing and affordable housing. The proposed mix is 13 two bedroom units and 1 three bedroom unit within the development. There is an imbalance of smaller and larger units, but according to Council Housing Needs Survey, in the Epping area, there is not such an imbalance of supply and demand. As the previous refusal was not on these grounds, officers do not feel there is justification to raise these issues now.

In this case the provision for affordable housing is not required as the development proposes less than 15 units and the site is less than half a hectare. However, a different mix of unit sizes is likely to have resulted in a development of at least 15 units, thereby triggering the policy requirement to secure affordable housing in connection with this development. In the circumstances, Members may be of the opinion that there is some justification for seeking a financial contribution towards affordable housing in the area. However, it is not clear what an appropriate level of contribution would be. If members wish to seek such a contribution in this case, it would be appropriate for a decision on this application to be deferred to allow negotiations with the applicant to take place.

### Green Belt:

Although the subject site is not within the Metropolitan Green Belt, the surrounding land to the north and east falls within it.

Policy GB7A states that the Council will refuse planning permission for a development conspicuous from within or beyond the Green Belt which would have an excessive adverse impact upon the openness, rural character or visual amenities of the Green Belt.

It should be noted that another reason why Council refused the previous application (EPF/2032/06) was that it was considered that the proposed development would be conspicuous and hence detract from the character, appearance and openness of the Green Belt.

The bulk, massing and scale of the proposed development when viewed from the north and east has been reduced from the previous scheme, and it is now considered that the development would not be visually intrusive or dominant in relation to the surrounding area. Therefore it will not be harmful to the openness, character and the appearance of the surrounding Green Belt.



### Site of Special Scientific Interest:

A site of special scientific interest is located adjacent to the site to the east. It is important to make sure that any development or the change of use to land that is either within a SSSI or located in close proximity to one would not directly or indirectly destroy or adversely affect a SSSI. It is a requirement for Council to consult Natural England about the proposed development. Natural England had no objections to the proposed development as it was considered it would not adversely affect any known protected species and that the atmospheric pollution caused by traffic generated was too minor to warrant any reason for refusal.

Given the advice from Natural England it is considered that the proposed development will not cause an adverse impact to the adjacent SSSI.

### Landscaping:

Although the applicant has suggested that there are no trees located on the site, it appears that there is one ash tree adjacent to number 27 and maybe a couple more trees in the north western corner are located within the site. There are also three mature trees located close to the western rear boundary on the adjoining property and a number of mature trees located along the northern side boundary on the adjoining land.

Although these trees are not preserved in anyway, there were initially concerns whether or not the proposed development would have an impact to the root system of these trees that could potentially mean that they would die or would need to be removed once the development was completed.

Further information including a tree report, locations assessment and an arboricultural method statement were submitted to the Council to address these concerns. This information was passed on to the Council landscape officer who advised that the development would occur outside the root protection areas of the trees on and beyond the site boundaries and that it had been demonstrated that they can be protected adequately during the development process.

The Council landscape officer also advised that the implementation of new landscaping will help to soften the appearance of the buildings and will help blend the development into the surrounding environment.

### Education contribution:

Essex County Council has estimated that this development, if approved, will result in two primary school places being required. Therefore it is requested that a developer contribution be paid prior to the commencement of works to the sum of £22,248 which has been calculated using the April 2008 cost multipliers. This can be required via a legal agreement under Section 106 of the Town and Country Planning Act.

### Impacts to adjoining properties:

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 partial shadow over adjoining properties; however, adequate sunlight and daylight will still be received to secluded open space areas and to habitable rooms of the adjoining properties throughout the day.

It is noted that there are first and second floor windows proposed within the development, however there are significant distances between building blocks as not to cause direct overlooking into habitable room windows of adjoining properties. It is noted that there would be some minor overlooking into private open space areas of adjoining properties however not significant enough to warrant a reason for refusal.

It is also considered that the proposed development would not be detrimental in terms of noise or disturbance and that it would not cause an overbearing impact when viewed from rear gardens of habitable rooms of adjoining properties.

It should be remembered that this site was not an open site but was occupied by a busy petrol sales garage with an unattractive canopy and signage. The previous use is considered to be more harmful to the amenities of adjoining properties than the proposed development.

Other issues:

The applicant indicates that the foul sewage would be discharged into the main system. Council's Environmental officer stated that discharge of foul sewage into the main system would be the most appropriate method and that the site should not be served by a private sewer as it will not be able to cope with the increase in demand caused by a further 14 units. This matter can be dealt with by imposing a condition on any permission requiring approval for drainage of foul and surface water before any works commence and that the proposed development is carried out in accordance with those details.

In relation to protecting the amenities of adjoining occupiers during construction of the development if approved, conditions would be placed on any consent to safeguard amenity during construction. This would include restricting the hours in which construction can take place and taking steps to minimise dust emissions.

In relation to refuse collection, it is considered that there would not be an impact in relation to traffic congestion along Thornwood Road. It is noted that a refuse vehicle would most likely have to back into the site to access the bin store located at the front of the site blocking the access for a couple of minutes a week or even fortnightly. However in saying this, this happens to the majority of streets within the Council on collection day. Moreover, since refuse collection is a relatively infrequent activity of very limited duration, it would not have a material impact on the safe and free flow of traffic on adjacent roads.

**Conclusion:**

In conclusion it is considered that the design and appearance of the development is acceptable in terms of its scale, bulk siting and massing in that it would reflect and blend into the character of the surrounding area without causing material detriment. It will not cause harm to the green belt or to the amenities of adjoining property occupiers and the development is considered to be of a sustainable construction that will provide a more positive entrance into Epping than the previous development.

Therefore it is recommended that the application be approved subject to conditions.

**SUMMARY OF REPRESENTATIONS:**

EPPING TOWN COUNCIL: Committee objects to the application for the following reason:

Committee wished to transmit a balanced view to the District Council on this matter. Overall, committee feel that the design has many positive features and is generally a good approach to this development site. However, Committee had significant concerns that, on the western side of the

site, the height and close proximity of development will be overbearing and very detrimental to the amenities of existing properties. Committee feels strongly that this feature of the design should be rethought.

NEIGHBOURS: 7 letters of objection were received from the following addresses:

- 6 Brickfield Cottages
- 29 Thornwood Road
- Wintry Park House
- 37a Thornwood Road
- 45 Thornwood Road
- 15 Holmefield Close
- 27 Thornwood Road

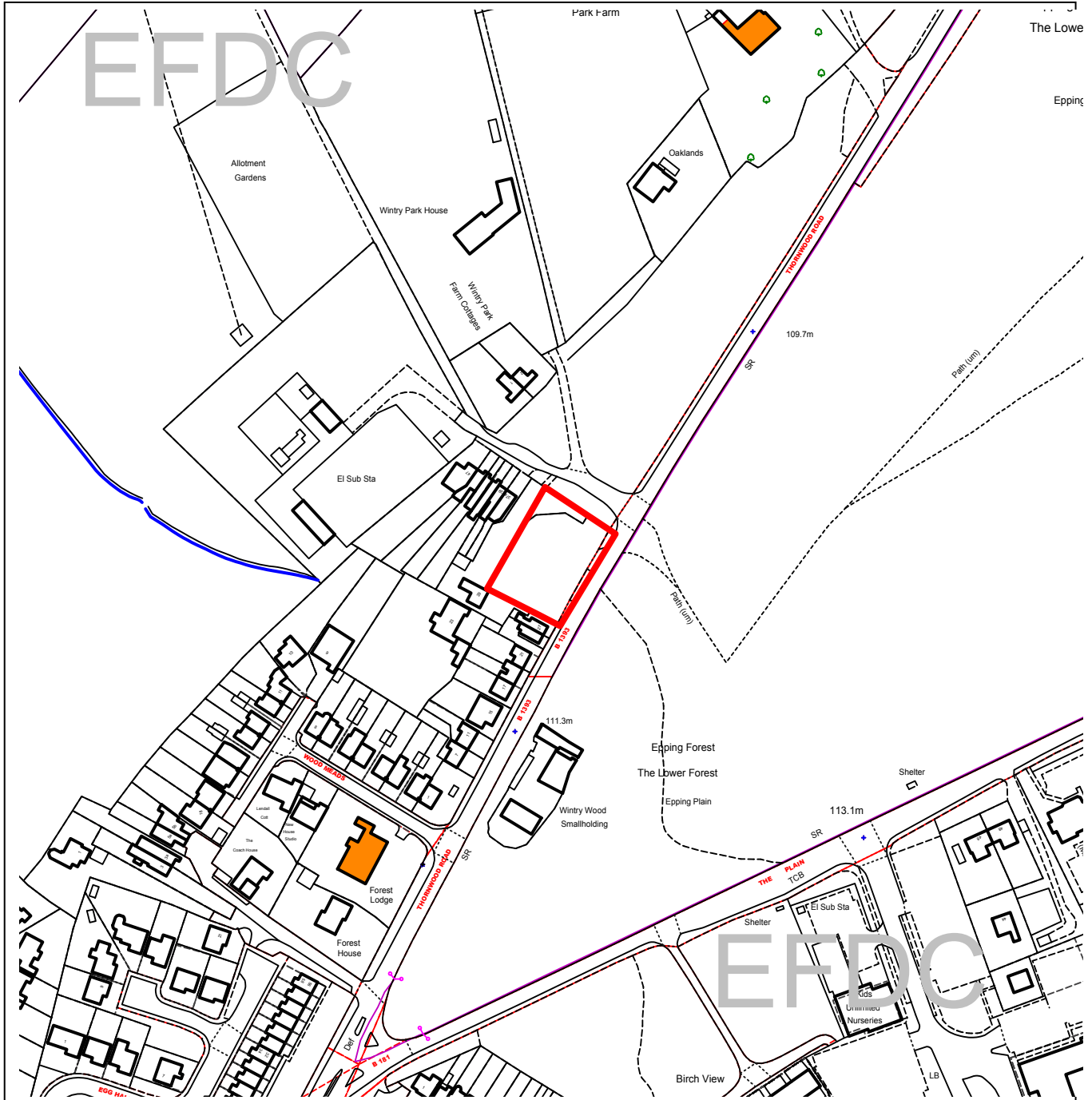
Their main concerns are as follows:

- The proposed development is out of character to the surrounding area in terms of its size, scale and bulk.
- The proposed development is excessive and an overdevelopment.
- The proposed development will be visually intrusive and overbearing.
- The proposed development will generate more traffic and hence cause traffic congestion and have an impact to highway safety.
- The proposed development would result in additional parking problems along Thornwood Road.
- The proposed development will result in a loss of light and privacy to adjoining properties.
- The proposed development would have an impact to the existing drainage and the existing water table in the area.
- The proposed development would cause noise and disturbance during construction.
- The proposed development would be an overdevelopment of the site.
- The proposed development is conspicuous towards the Metropolitan Green Belt.
- Inaccurate information submitted on the application form and on plans.
- Problems in relation to refuse collection.
- The proposed development would have an impact to surrounding vegetation
- The proposed development would have an impact to existing wildlife and the site of special scientific interest.
- The proposed development is not sustainable



# Epping Forest District Council

## Area Planning Sub-Committee East



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<b>Agenda Item Number:</b>	<b>1</b>
Application Number:	EPF/0860/08
Site Name:	Wintry Park Service Station, 37 Thornwood Road, Epping, CM16 6SY
Scale of Plot:	1/2500

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/2191/08
<b>SITE ADDRESS:</b>	Rockhills Farm Willingale Road Willingale Ongar Essex
<b>PARISH:</b>	High Ongar
<b>WARD:</b>	High Ongar, Willingale and the Rodings
<b>APPLICANT:</b>	Premier Plants UK
<b>DESCRIPTION OF PROPOSAL:</b>	Siting of portacabin for temporary (3 year) period to provide secure storage facility in connection with existing horticultural operation.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 This consent shall inure for a limited period expiring three years from the date of this Notice, at which time the portacabin shall be removed and the site reinstated.
- 2 No external lighting shall be affixed to the portacabin hereby allowed

*This application is before this Committee as the recommendation is anticipated to differ from the views of Willingale Parish Council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions)*

**Description of Proposal:**

Siting of a portacabin for temporary (3 year) period to provide secure storage in connection with existing horticultural operations (Retrospective application).

**Description of Site:**

The application site is an area of agricultural land on the west side of Willingale Road. It has recently been developed as a horticultural site. The site lays west and north of the residential properties 1 and 2 Rockhill Cottages. The site and surrounding land is open in character and falls within the Metropolitan Green Belt.

**Relevant History:**

- EPF/0185/07 'Erection of two polytunnels, two shade frames, one timber office and a potting shed for horticultural operation and alterations to access' Withdrawn.
- EPF/1140/07 'Erection of polytunnels, shade frame, sales office and associated works including the formation of a new access, in respect of a horticultural operation' Withdrawn.

EPF/1601/07	'Erection of polytunnels, shade frame, sales office and associated works including the formation of a new access, in respect of a horticultural operation'	Granted
EPF/1251/08	Excavation of a reservoir	Granted
EPF/1576/08	Two polytunnels	Granted

**Policies Applied:**

GB2A Green Belt Policy  
 DBE 9 Neighbour amenity  
 LL1 Landscaping  
 U2 Flooding

**Issues and Considerations:**

The main issues are the impact of this proposal on the Green Belt, and the amenities of the area.

Whilst it is to be regretted that this portacabin is already in situ, the application must be dealt with on its own merits.

**Green Belt**

- This proposal falls under policy GB2 (i) & GB11, in that the building is required for the purposes of agriculture. It is the case that this portacabin is already in situ and used as part of an ongoing horticultural use of the site.
- It is positioned near the northern edge of the site between the office building and a water tank.
- The site is bounded by a planting scheme and fence, both of which have been implemented under the conditions of the original scheme. The planting scheme is sparse at this time as it has only just been planted, but will grow in time to provide significant screening.
- With this screening and siting of the portacabin it is the case that from most angles it will be viewed against a background of other structures on the site and the overall impact will be minimal.
- Although of a utilitarian design, the portacabin is a typical modern structure often found on horticultural enterprises and will integrate acceptably with the existing buildings and structures on the site, and is appropriate to the permitted use of the site.
- It is coloured light green which further reduces its impact.
- However, due to its design and appearance it is unlikely that the Council would wish to renew a temporary permission and would expect to see a proper building erected on the site to replace it as the permission expires.
- Therefore It is considered that the proposal is will not have an adverse impact on the openness and character of the Green Belt on this site.

**Neighbour Amenity**

- The only neighbouring properties that will be affected are 1 and 2 Rockhill Cottages to the south of the site.
- The site already has screening in situ as explained above, and it is a minimum of 180m from these dwellings.

**Conclusion**

For the reasons outlined above the proposal for the stationing of a portacabin for 3 years is acceptable subject to the conditions recommended. The application is therefore recommended for approval.

**SUMMARY OF REPRESENTATIONS:**

HIGH ONGAR PARISH COUNCIL – No comment

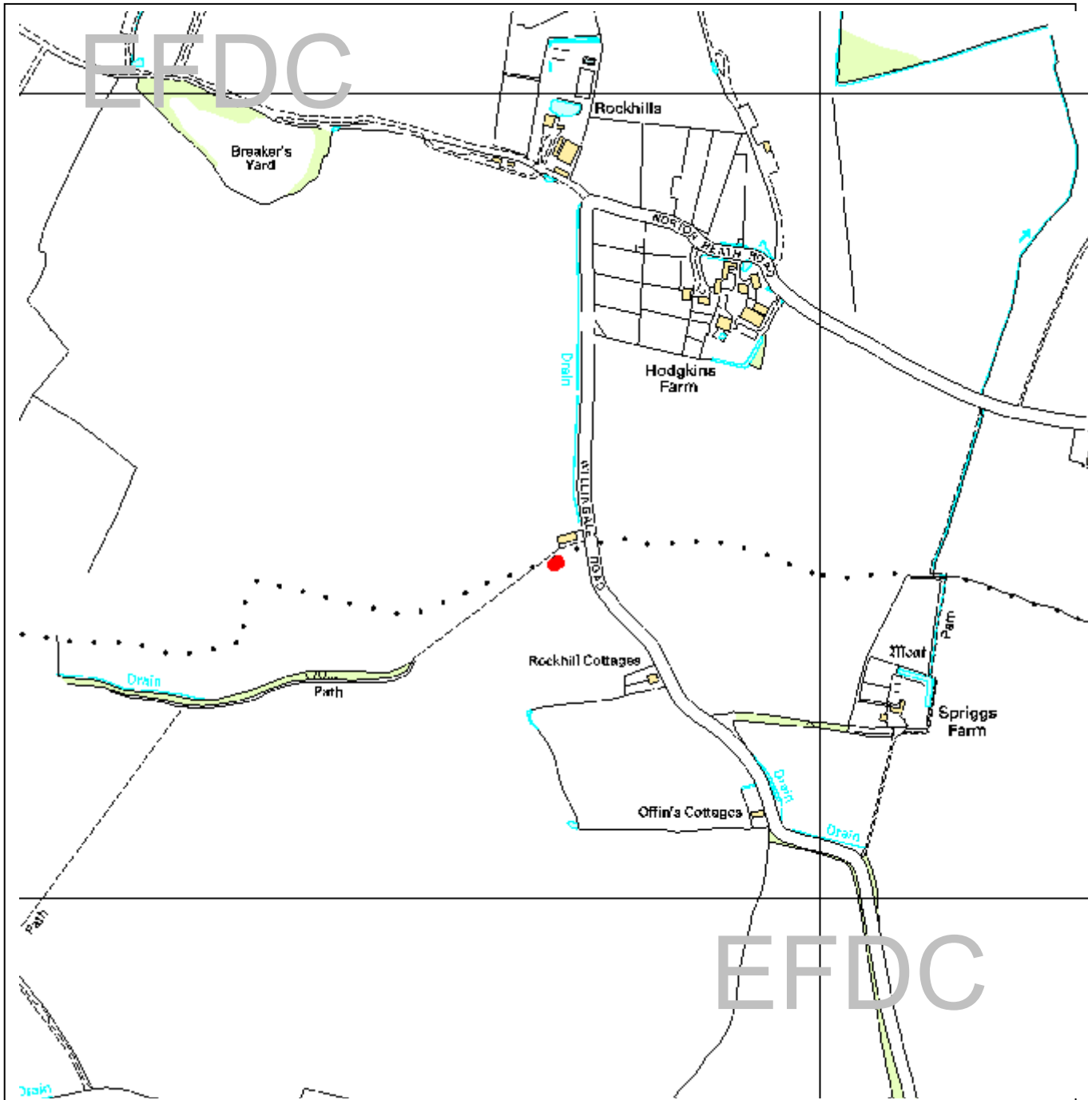
WILLINGALE PARISH COUNCIL – No response received at time of completing report but objection anticipated. Any subsequent response received will be reported verbally.

NEIGHBOURS – No response received.



# Epping Forest District Council

## Area Planning Sub-Committee East



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<b>Agenda Item Number:</b>	2
Application Number:	EPF/2191/08
Site Name:	Rockhills Farm, Willingale Road Willingale, CM4 0LN
Scale of Plot:	1/7500



**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/2086/08
<b>SITE ADDRESS:</b>	Brick Works Building Downhall Road Matching Green Harlow Essex
<b>PARISH:</b>	Matching
<b>WARD:</b>	Hastingwood, Matching and Sheering Village
<b>APPLICANT:</b>	Mr D Perry
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use of a former gas works building to short term holiday lets accommodation.
<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 proposal, shall match those of the existing building.
- 3 The roof shall be covered with dark blue/black welsh slates with matching hips and ridges, and samples shall be submitted to the Local Planning Authority prior to any work commencing.
- 4 All external joinery shall be carried out in timber and finished with a traditional paint finish.
- 5 Prior to the commencement of the development details of the proposed surface materials for the access way and patio 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.
- 6 Prior to the commencement of development details of any screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority.
- 7 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
- 8 Prior to commencement of development the width of the access at the junction with the highway shall be not less than 3.6m and retained at that width for 6m within the site.

- 9 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.

- 10 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 and 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.
- 11 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a plan indicating the existing hedge or hedges which are to be retained, the minimum heights at which they will be maintained and appropriate trees within the hedge or hedges which shall be retained and allowed to grow on. The plan shall also show where the hedgerows are to be reinforced with further planting, details of which indicated in a timetable of implementation. The hedges shall thereafter be maintained in accordance with the approved details.
- 12 Prior to commencement of development details of the proposed energy saving/generating devices shall be agreed in writing by the Local Planning Authority.
- 13 External lighting shall not be erected within the site without the prior written approval of the Local Planning Authority.

- 14 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 15 The building comprising the development hereby permitted shall not be occupied other than as short term holiday accommodation and shall only be occupied by any one party for a period not exceeding 28 days in any calendar year.

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

**Description of Proposal:**

Change of use of a former gas works buildings to short term holiday lets accommodation, including a 2.1m wide extension to the existing lean to and repair and reinstatement as necessary.

**Description of Site:**

The building is an early example of 'no fines' concrete and was originally built to supply gas to Down Hall which is located some 350m to the north. The building is located some 160m from Down Hall Road in the north-west corner of a field which is bordered by a ditch/stream to the north and hedging/vegetation to the remaining boundaries. The building is in a poor condition and is not watertight; however it has not deteriorated greatly since the previous 2005 application. The whole site is within the Metropolitan Green Belt, and surrounded by open fields.

**Relevant History:**

EPF/1359/90 - Alterations, conversion and extension of gas works to dwelling – Dismissed at Appeal  
EPF/1135/97 - Renovation of existing building and conversion to business use (Class B1) – Approved (Not implemented)  
EPF/0435/05 - Renovation of existing building, and change of use to office and store – Approved (Not implemented but still extant)

**Policies Applied:**

Epping Forest District Local Plan and Alterations  
GB2A – Development in the Green Belt  
GB8A – Change of Use or Adaptation of Buildings  
DBE9 – Loss of Amenity  
ST4 – Road Safety

**Issues and Considerations:**

The main issues that arise with this application are considered to be the following:

- Impact on the Metropolitan Green Belt
- Impact on Amenity
- Highway Issues
- Other Matters

### Impact on the Metropolitan Green Belt

Policy GB8A of the Local Plan and Alterations allows the change of use of buildings within the Metropolitan Green Belt subject to certain criteria including capability of conversion. The application site has an existing permission for change of use to office and store, which involved no extension to the building. This previous permission EPF/0435/05 for office use has established that the building is capable of an appropriate conversion. Although this current application also includes an extension to the existing lean-to it is a small extension (4.4m<sup>2</sup>) which complies with Policy GB8A as it is a modest addition in keeping with the form of the existing building.

Although new residential development within the Green Belt is not deemed an appropriate use, this proposal is for short term holiday accommodation, not for permanent residential use and Policy GB8A specifically cites Tourism as a preference for the conversion of buildings within the Green Belt.

Policy GB8A also refers to the need for sustainable design and construction techniques specifically referring to Policy CP4 (Energy Conservation). As this is an existing building sustainable construction techniques may not be applicable but energy saving devices could be incorporated and could be conditioned as such.

As this is not a residential conversion there is no residential curtilage as such proposed with this application. It is proposed that the meadow to the front of the site will be retained, with the vehicular access created along the southern boundary leading to 2 parking spaces and a patio area (25m<sup>2</sup>) immediately adjacent to the building. The principle of the access and parking spaces has already been approved with the earlier 2005 application, and the extra addition of the patio will not harm the openness and character of the Green Belt, as again it can be conditioned that a suitably unobtrusive material is used.

### Impact on Amenity

The building is situated in a rural location, not visible from the road, with the nearest property some 180m away across the road. This proposal will have little impact on surrounding amenity given its small scale and isolated position.

### Highways Issues

Given the small scale use of the building the proposal will not produce a significant rise in highway movements to that of the previously approved office/store. Subject to conditions regarding the width of the access and surface finish of the driveway Essex County Council Highways has no objection to this scheme.

### Other matters

- Ecology  
The application was accompanied by a Bat Assessment which found no evidence of bats within the building and Natural England were consulted as part of the application process and has no objection to the proposal subject to a condition regarding external lighting to protect bat flight lines.
- Historic Value.  
Although this building is not Listed or on the Local List it has an historic connection with the Grade II\* Listed Down Hall, and is, as stated above, an early example of 'no fines' concrete. Although a secondary matter the sympathetic conversion and remediation of this building to an appropriate use within the Green Belt will help to preserve this unusual building.

**Conclusion:**

The proposal does not have a significant impact upon the character and openness of the Metropolitan Green Belt in this location given the small scale nature of the development proposed. It is also considered that the use for holiday accommodation is acceptable within the Green Belt, as it is considered as a tourism use which aims to promote a living and working countryside.

**SUMMARY OF REPRESENTATIONS:**

PARISH COUNCIL: No objection

NEIGHBOURS:

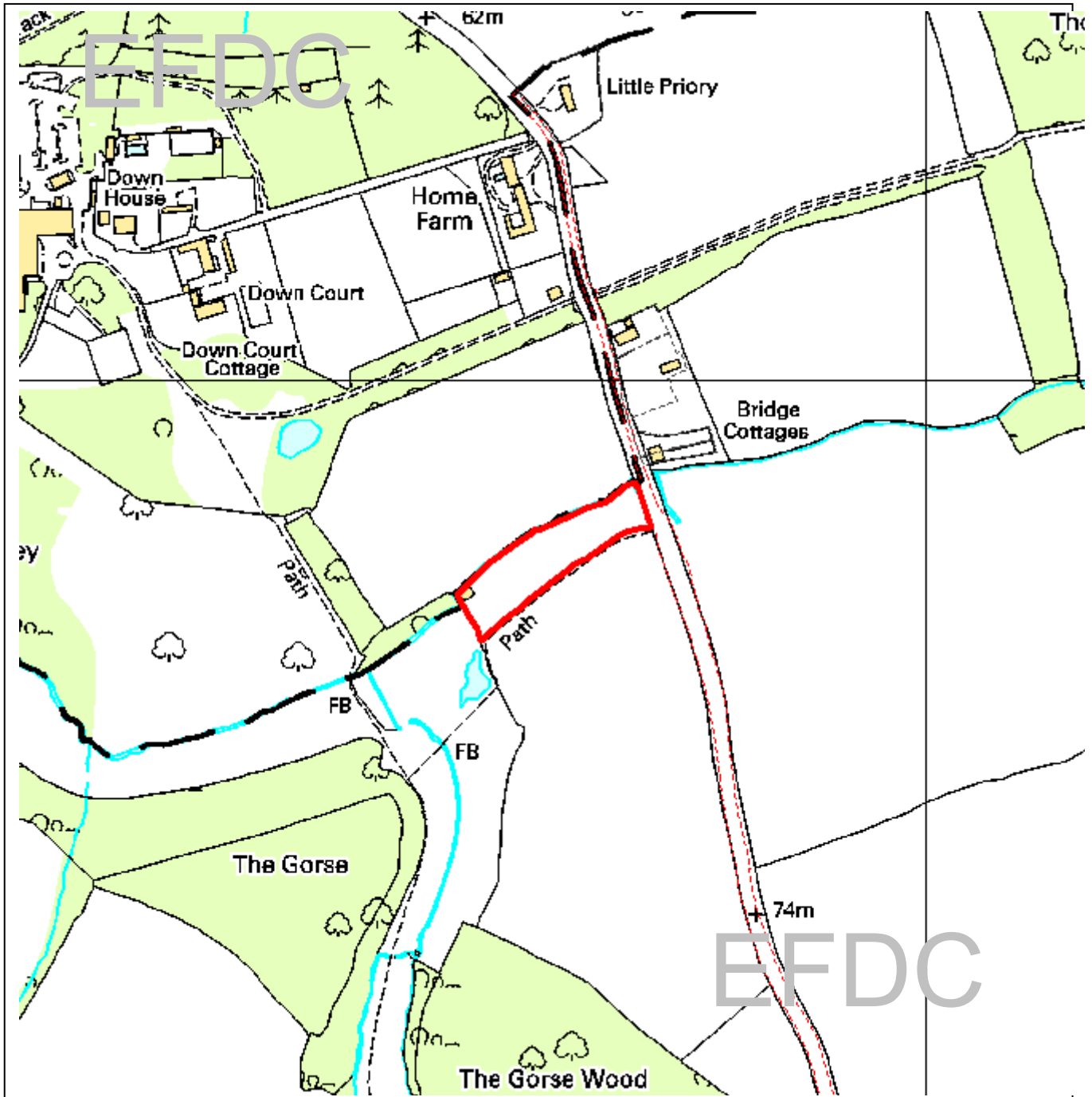
1 Bridge Hall Cottages – Object – Inappropriate for the area and would require considerable development as there are no services or access road

Matching Hall Farm – Object – Considerable noise and disturbance by constant movement of people. A rebuild on this site would be like granting planning permission for a new unit. Concern about access to Downhall Road. There is a dangerous section of narrow road over the ditch near to Bridge Cottages.



# Epping Forest District Council

## Area Planning Sub-Committee East



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<b>Agenda Item Number:</b>	<b>3</b>
Application Number:	EPF/2086/08
Site Name:	Brick Works Building, Downhall Road Matching Green,
Scale of Plot:	1/5000

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/2199/08
<b>SITE ADDRESS:</b>	Hill Top Farm Toot Hill Road Greensted Ongar Essex CM5 9LJ
<b>PARISH:</b>	Stanford Rivers
<b>WARD:</b>	Passingford
<b>APPLICANT:</b>	Mr Stephen Hopps
<b>DESCRIPTION OF PROPOSAL:</b>	Amendments to EPF/0660/07 regarding location and configuration of ancillary structures and proposed external lights. (Resubmitted 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 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 provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 2, Class A - E shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 The development, including site clearance, must not commence until a tree protection plan, to include all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing.

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

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

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

- 6 Within 1 month of the grant of permission a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing. The approved scheme shall be implemented within the first planting season following the completion of the development hereby approved.

The scheme must include details of the hard and soft landscaping and surface materials proposed planting including a plan, details of species, stock sizes and numbers/densities where appropriate, and include a timetable for its implementation. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand, and in writing.

The statement must include details of all the means by which successful establishment of the scheme will be ensured, including preparation of the planting area, planting methods, watering, weeding, mulching, use of stakes and ties, plant protection and aftercare. It must also include details of the supervision of the planting and liaison with the Local Planning Authority.

The landscaping must be carried out in accordance with the agreed scheme and statement, unless the Local Planning Authority has given its prior written consent to any variation.

- 7 No further external lighting shall be installed on the residence, stables or garage without the prior written approval of the Local Planning Authority.
- 8 The remaining 3 bays of the converted barns and all hardstanding areas shown on the plans as being removed, shall be demolished and removed from the site within 12 months of the grant of this permission.

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

**Description of proposal:**

Amendments to EPF/0660/07 regarding location and configuration of ancillary structures and proposed external lights (resubmitted application).

The scheme will see a double carport, boiler shed and oil tank erected on the southwest of the site, next to a new single garage, all structures being adjacent to the converted barn. Part of a former stable block to the east of the dwelling will now be retained as a curtilage ancillary building. A small shed would be erected in the southeast corner of the garage.

These structures would replace the approved triple carport and 'L' shaped stable block, both of which would have been erected on the northern boundary.



### **Description of Site:**

The site is on the eastern side of Toot Hill Road, and consists of a converted stable block and a Grade II listed barn (which is being converted to a dwelling under a 1993 permission) on either side of the entrance road, and a converted barn at the rear of the site which is now a dwelling. There is extensive hard standing and bunding behind this building which will be removed as part of the landscaping of the site.

The whole site is within the Green Belt and has residential properties to the north and south. This site is part of a ribbon of residential development to the north of the main village envelope. The ground slopes down to the east, and the land is open and rolling on this boundary.

### **Relevant History:**

An extensive history:

EPF/0893/93	Conversion of barn and stables to 2 dwellings	approved
EPF/0810/95	Temporary stationing of caravan	approved
EPF/1196/96	Retention of caravan	approved
EPF/0660/07	Demolition of farm buildings and conversion of barn to dwelling	approved
EPF/1297/08	Amendments to EPF/0660/07	withdrawn

### **Policies Applied:**

GB2A Green Belt  
GB8A Change of use of Buildings  
GB9A Residential Conversions  
DBE 9 Excessive Loss of amenities for neighbours  
HC12 Setting of Listed Buildings

### **Issues and Considerations:**

The main issues in this application are the effect of the proposal on the Green Belt, adjacent Listed Building and Neighbours' amenities.

This site has been subject to Enforcement Enquiries regarding land raising, contaminated land and non-implementation of condition issues. To date enforcement enquiries have found no breaches in respect of land raising and contamination matters. However, there have been issues with conditions not being discharged prior to the commencement of work on the site:

1. Drainage – now discharged
2. Landscaping – awaiting a further revised scheme after discussions with Council Landscape Officers
3. Surface Materials – awaiting a revised landscape scheme, materials agreed in principle
4. Fencing - awaiting a revised landscape scheme, positioning, height and type agreed in principle
5. Non Demolition of 3 bays of the original barn – these have been retained as a temporary measure by the applicant for the storage of materials on the site whilst works are in progress.

The applicant has accepted that he should have contacted the Council to get permission to retain the 3 bays, and has apologised for not resolving the landscaping issues prior to the commencement of work, stating that the landscaping was dependent on the repositioning of the outbuildings due to changes in their location required by recently discovered covenant issues. However, a scheme has been submitted and whilst revisions are required the plans form an acceptable basis to work towards a formal discharge.

It is the case that none of these matters directly impact on the assessment of the suitability of this scheme, and whilst it is regretted that these matters were not dealt with before works commenced it is the case that the scheme must be assessed on its own merits.

#### Green Belt

- The scheme will see no increase in the area of new built form on the site; rather there will be a reduction of about 20m<sup>2</sup> from the previous new built stables and car port, and the resiting of the structures will result in a much improved impact on the openness of the Green Belt due to most of the new buildings (with the exception of the garden shed) being in the southwest corner of the site where they are effectively screened behind the main dwelling and are about 2m below the level of the rear garden of the neighbouring property.
- It is the case that there will be an overall small increase in floor area of buildings on the site of 40m<sup>2</sup> due to the retention of a third of the old stables to the east of the building. However, this block, which is in situ, is seen from the Green Belt against the back drop of the main dwelling, tree lines and hedgerows, and the upwards slope of the land.
- The retention of the stables is also in line with policy GB8A and GB9A.
- The outbuildings are considered not to be excessive on a site of this type and size.
- The external lights have been reduced in number from the previous scheme and are designed to provide an appropriate level of external lighting without having an excessive impact on the area during the hours of darkness.
- Therefore it is considered that there is no harm caused to the openness, character and appearance of the Green Belt by this revised scheme.

#### Listed Building

- The Council's Listed Building Advisor has raised no objections to the scheme subject to the appropriate conditions.

#### Neighbour Amenity

- The buildings would be moved from the boundary with Hill Top Farm to the north.
- Although they would be close to the boundary with Wealdstead to the west they are at a lower level due to the removal of the previous bunding in this area. Furthermore, they are screened by fencing while the dwellinghouse at Wealdstead is some 70m distant.
- It is considered that there would be no loss of amenity to any neighbour as a result of the scheme.

#### Design

- The proposed buildings are of a traditional rural design, which integrates well with the existing listed building to the east and the new dwelling, and are appropriate in this rural area. The materials can be conditioned.

#### **Conclusion:**

This scheme will enhance the openness and rural character of the Green Belt and the Listed Building by moving the previously approved outbuildings into a very screened position. The retention of part of the stables will not have an adverse effect on the Green Belt. Whilst there are still condition issues to be resolved from the previous permission the applicant is making sustained and genuine efforts to overcome these, and this scheme will also allow a final layout to be decided leading to a finalisation of the landscaping. Therefore it is considered that for the above reasons this application is acceptable and is therefore recommended for approval.

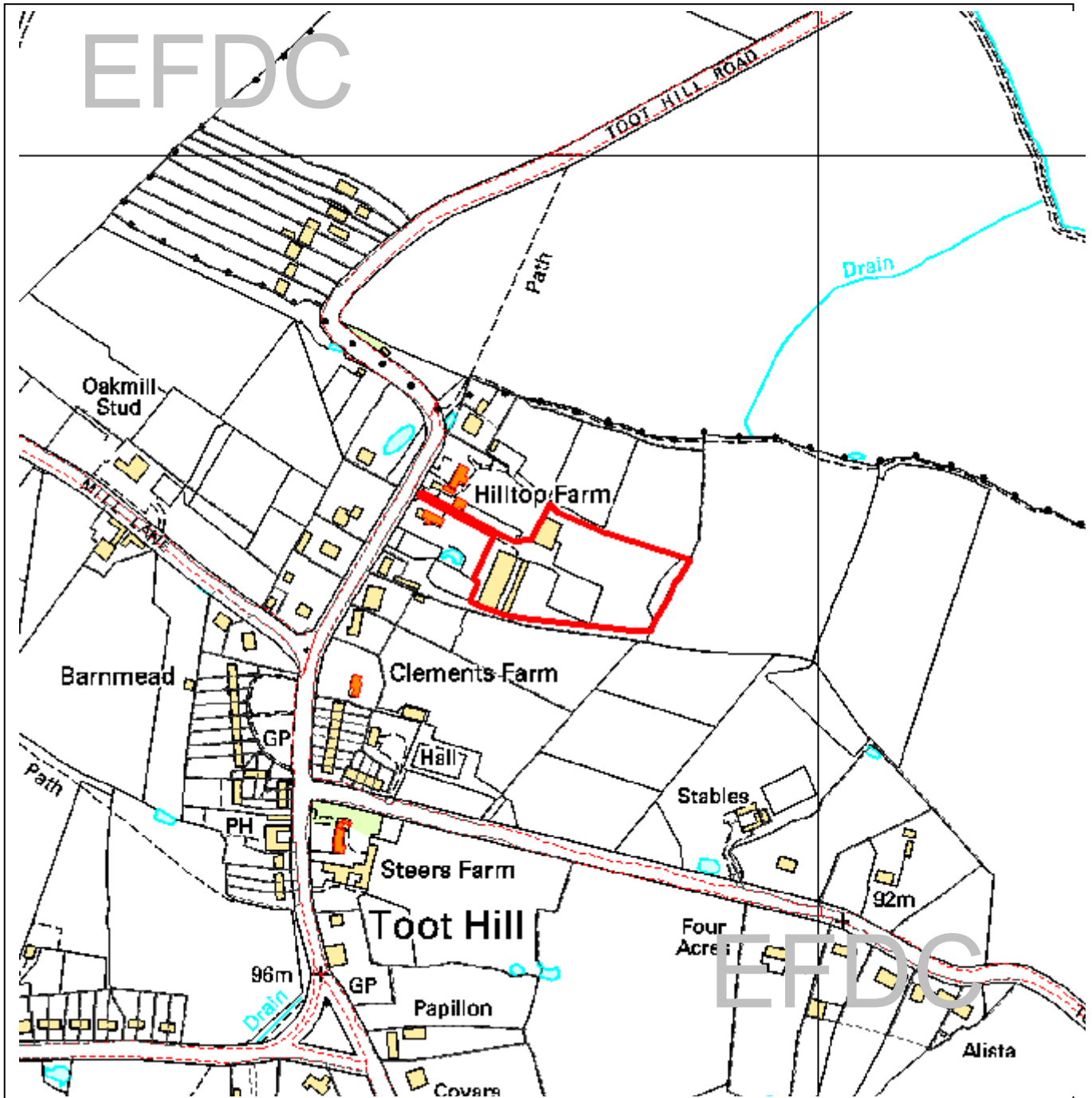
#### **SUMMARY OF REPRESENTATIONS:**

STANFORD RIVERS PARISH COUNCIL: – No Objections  
NEIGHBOURS: - No response received.



# Epping Forest District Council

## Area Planning Sub-Committee East



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<b>Agenda Item Number:</b>	4
Application Number:	EPF/2199/08
Site Name:	Hill Top Farm, Toot Hill Road Greensted, CM5 9LJ
Scale of Plot:	1/5000

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/2000/08
<b>SITE ADDRESS:</b>	The Burrows Lake London Road Stapleford Tawney Romford Essex
<b>PARISH:</b>	Stapleford Tawney
<b>WARD:</b>	Passingford
<b>APPLICANT:</b>	Mr Andrew Sheen
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of 2m high fencing
<b>RECOMMENDED DECISION:</b>	Grant Permission

**CONDITIONS**

- 1 Within 3 months of the date of this decision a landscaping scheme for the fence hereby approved, shall be submitted in writing, to the Local Planning Authority for its approval.
- 2 The landscaping scheme approved pursuant to Condition 1 shall be implemented in full before the end of the first full planting season, following the approval of the scheme.

*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 proposal is for the retention of 200m of a 2m high chain link fence enclosing a site boundary with London Road. The fence is open and topped with barbed wire. The fence is supported by iron type posts as opposed to concrete.

**Description of Site:**

The site is a section of the boundary enclosing the grounds of a fishing lake stretching from the gate entrance of the adjoining property and running south west along London Road. A similar fence exists to the other side of the entrance gates. The immediate area is characterised by mature trees along both sides of the road.

**Relevant History:**

There is an extensive history with the most relevant and recent being;

EPF/0573/02 - Retention of mobile home on site for security purposes; and retention of shed/workshop. Refuse Permission - 26/06/2002.

EPF/1142/07 - Retention of a caravan on site for use as an office and also two snack stalls, one for catering use and one for selling bait. Refuse Permission - 17/07/2007.  
EPF/2330/07- Reinstate permission for fishing lodge for use in conjunction with use of the site.  
Withdrawn Decision - 05/11/2007.

**Policies Applied:**

Policy GB2A – Development in the Green Belt  
Policy GB7A – Conspicuous Development  
Policy DBE4 – Design in the Green Belt  
Policy DBE9 – Loss of Amenity

**Issues and Considerations:**

The main issues to consider are any possible impact on the Green Belt and potential loss of amenity to neighbouring properties.

*Impact on the Green Belt*

Policy DBE4 requires that new development respects local character in relation to design and setting. The use of an open link fence would allow for greenery on the boundary to grow through. If this was encouraged to happen the fence could blend sufficiently with its surroundings and in many ways provides a more sympathetic means of enclosure than, for example, a solid wooden fence. An existing chain link fence on the site provides an example of how such a structure can integrate with its surroundings. Subject to the provision of appropriate landscaping, therefore, the fence would safeguard the open rural character and appearance of the locality. This can be secured by condition and, on this basis the proposal is acceptable in the Green Belt.

*Impact on Amenity*

Council policy aims to safeguard the amenities of the locality. The proposal would not impact significantly on amenity and, as time progresses, the merging of the fence with the trees and bushes behind would considerably lessen its current visual impact. Accordingly, the proposal meets the aims of council policy in respect of impact on amenity.

**Conclusion:**

The proposal is appropriate in the Green Belt while landscaping would mitigate its visual impact. Since the fence has a minimal impact on the Green Belt setting or local amenity, it is recommended it be approved, subject to the imposition of conditions to secure landscaping.

**SUMMARY OF REPRESENTATIONS:**

PARISH COUNCIL: Objection. Looks out of place in rural setting and needs to be removed.

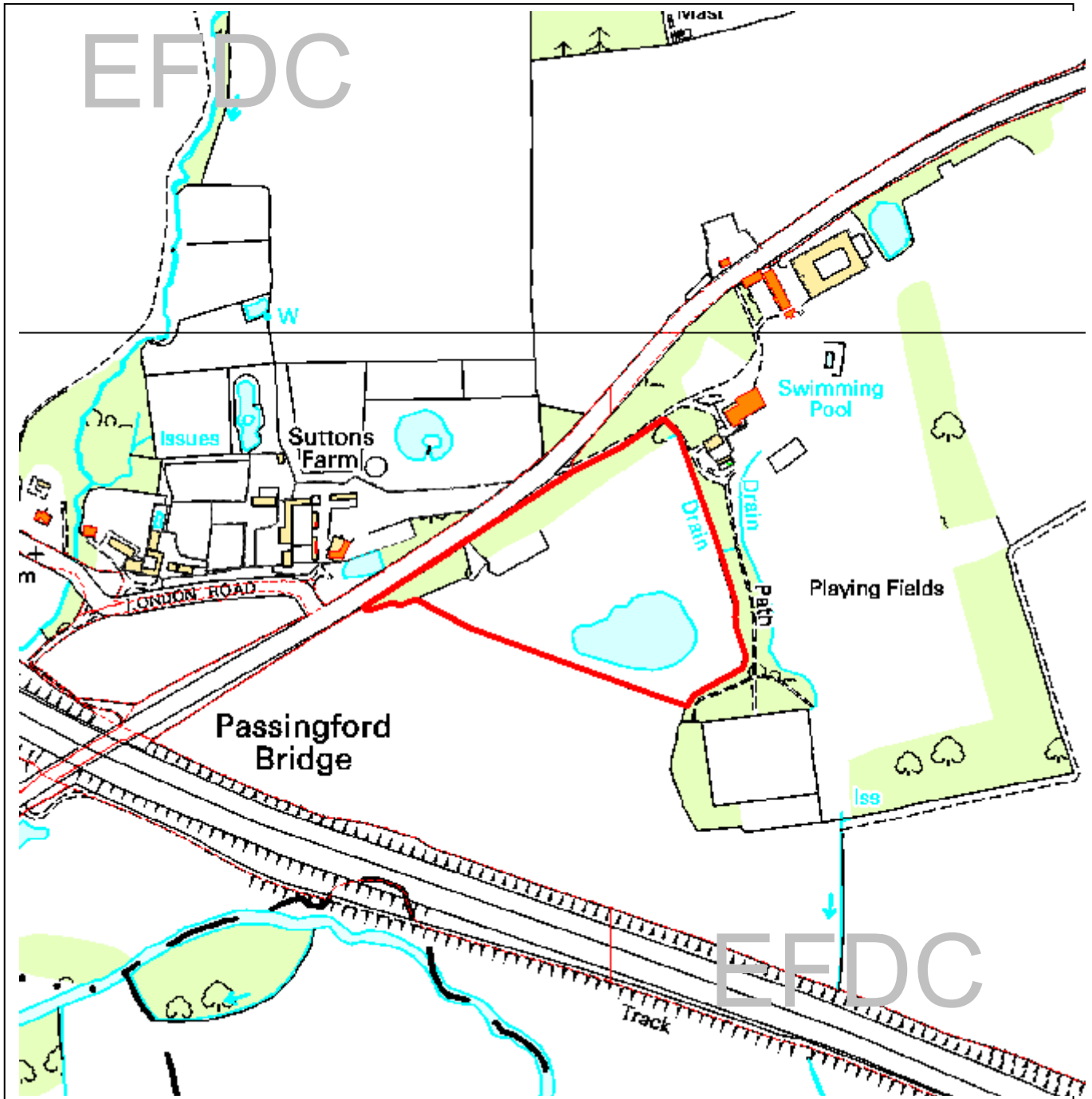
NEIGHBOURS:

SCHOOL HOUSE, STABLEFORD TAWNEY: The fence is unsightly and out of place.



# Epping Forest District Council

## Area Planning Sub-Committee East



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<b>Agenda Item Number:</b>	<b>5</b>
Application Number:	EPF/2000/08
Site Name:	The Burrows Lake, London Road Stapleford Tawney,
Scale of Plot:	1/5000

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/1584/08
<b>SITE ADDRESS:</b>	27 Piercing Hill Theydon Bois Epping Essex CM16 7JW
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>APPLICANT:</b>	Mr Richard Stevens
<b>DESCRIPTION OF PROPOSAL:</b>	Retention of garden outbuildings, garden shed, swimming pool and tennis courts, terracing of garden, fencing and front wall and gates.
<b>RECOMMENDED DECISION:</b>	Grant Permission

**CONDITIONS**

NONE

*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). This item was also deferred from a previous meeting held on 12 November 2008 for Members to attend a site visit.*

**Description of Proposal:**

This application seeks retrospective planning permission for the retention of garden outbuildings, an outside swimming pool and the terracing of the garden. The outbuildings are a pool house and related boiler house and steam room, built approximately one metre from the northern boundary of the site and a shed built in the south west corner of the site. The swimming pool is a replacement.

**Description of Site:**

The application site is located in Piercing Hill, at the southern end of the row of houses which are set back from the main road. The dwelling which stood on the site has been demolished with the benefit of planning permission and a replacement is under construction.

Along the site boundary with 28 Piercing Hill, there is a hedge which is approximately 3 metres in height. The density of the hedge varies along the boundary. Immediately adjacent to the pool house the hedge is fairly dense, although in other places along the boundary are sparse.

**Relevant History:**

EPF/2706/07. Demolition of existing house and erection of new house with detached garage. Approved 13/02/08.

EPF/1009/08. Demolition of existing house and erection of new house with detached garage. (Amended application). Approved 09/07/08.

**Policies Applied:**

Adopted Local Plan and Alterations

DBE1 – Design of New Buildings  
DBE2/9 – Impact of New Development  
LL10 – Retention of Site Landscaping  
GB2A – Development in the Green Belt

**Issues and Considerations:**

*Background to Application*

The applicants have advised that the works were undertaken as they considered that they would constitute 'permitted development'. However, as the works were commenced following the demolition of the original dwelling, the site did not, at that time, benefit from any permitted development rights. As the planning permission for the new dwelling did not remove permitted development rights for outbuildings, these will be reinstated as soon as the new dwelling is occupied. Aside from this technicality relating to the temporary interruption of permitted development rights, it is the planning officer's view that the outbuildings would not actually have constituted permitted development anyway. This is because the buildings have been erected on land which appears to have had its level elevated. When the increase in the level of the land is added to the height of the buildings, the total height would exceed the permitted four metres. Furthermore, under the current legislation which came into effect on 1<sup>st</sup> October, outbuildings within 2 metres of the site boundary may not exceed 2.5 metres.

The applicants have advised that the terracing of the garden was undertaken in the past and all that has been carried out as part of the recent works is a redistribution of the land within the terraces. Some historic terracing is evident from the existing gravel boards which are present along the boundary line with 28 Piercing Hill. However, the extent to what was there in the past and what has been undertaken recently is not clear. What is, however, evident is that there is a substantial increase in the level of the land along this boundary line. Whilst this varies along the length of the boundary, adjacent to the pool building the difference in levels is approximately 1.3 metres. Due to the natural decline of Piercing Hill, it is considered unlikely that this is the natural land level. However, the condition of the concrete gravel boards suggests that the levels have been considerably higher on the application site for a substantial period of time.

The main issues in this case are:

1. The impacts of the development on the amenities of the occupiers of neighbouring dwellings;
2. The impacts of the development on the character and appearance of the area;
3. The impacts of the development on the Green Belt; and
4. The impacts on flood risk.



### Neighbouring Amenity

With regard to the impacts of the proposed development on the amenities of the occupiers of neighbouring dwellings, the pool house is visible from the neighbouring property above the hedge and due to its size and elevated position it appears quite prominent. However, having regard to the size of the neighbouring garden it is not considered that the buildings are so visually harmful that the reduction in outlook can be considered as material.

The terracing of the garden does not give rise to any material increase in overlooking, due to the height of the boundary hedge. Whilst the hedge is quite sparse in some places, this is consistently the case throughout the height of the hedge and it is not considered that overlooking at these points is substantially greater than would be the case if the sites were at the same level. It is understood that the elevated land level might give rise to a greater perception of overlooking, but is not considered that this would amount to a material reduction in amenity that would justify the withholding of planning permission.

Following the Members' site visit the applicant has amended the proposal to reduce ground levels rear of the outbuildings adjacent to the site boundary. A follow up inspection by planning officers reveal levels on the boundary have been reduced approximately 300mm.

### Impact on Appearance of the Area

The outbuildings are of a fairly traditional design, which is considered to be in keeping with the design of surrounding properties. Whilst they cover a large area, the site itself is large and as a result it is not considered that the buildings are overly dominant within the site. Furthermore, it is not considered that the terracing of the garden or the creation of an external swimming pool has had an adverse effect of the appearance of the area. The site is not within an Article 4 Area.

### Impact on the Green Belt

The proposed outbuildings would cover a substantial floor area (the pool house and adjacent buildings would have a combined footprint of 51.5m<sup>2</sup> and the shed would have a footprint of 14m<sup>2</sup>). However, all of the outbuildings would, if constructed following the first occupation of the dwelling, be permitted development if they were re-sited so that they were at least 2.5 metres from the site boundaries and on the original land level. Whilst it is not clear exactly what the original land level was, it is not considered that these revisions would materially reduce the impact on the Green Belt. Having regard to this 'fall-back' position and to the size of the buildings in relation to the site and the landscaping which screens them, it is not considered that they have a detrimental impact on the openness of the Green Belt.

### Flood Risk

The details submitted for the development already carried out, demonstrates sufficiently the principles of Sustainable Drainage Systems and as such there is reduced risk of potential flooding on site, which complies with flood risk requirements. Following the Members' site visit the applicant has amended the proposal to include additional drainage between the outbuildings and adjacent site boundary. A follow up inspection by planning officers revealed the drainage had been installed.

### **Conclusion**

In light of the above appraisal, taking neighbours objections and the views of the parish council into account, the proposal accords with the relevant Local Plan policies and as such is recommended for approval.

## **SUMMARY OF REPRESENTATIONS:**

THEYDON BOIS PARISH COUNCIL. Objection. The overall size of the pool house and accompanying boiler house and steam room buildings, in their current position in the middle of the garden and on the side boundary, represent an overly dominant feature to the detriment of the neighbouring property (number 28). The terracing of the garden which has raised the overall height of the buildings, in comparison with the neighbouring property, has exacerbated the issue and subsequent impact. We have no objection to the fencing and front wall and gates at the front of the property.

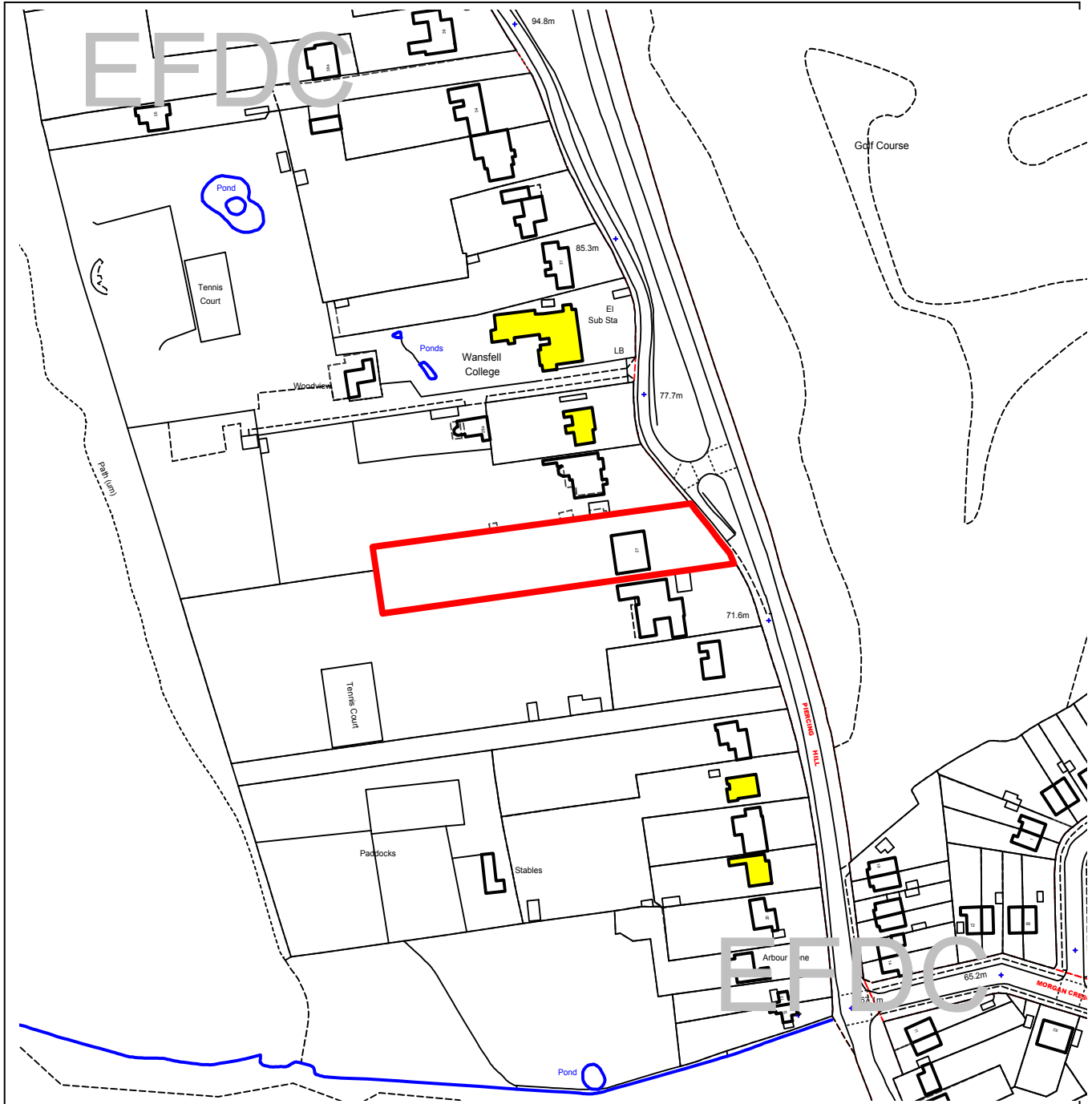
### NEIGHBOURS:

28 PIERCING HILL. Objection. Contrary to assertions by others, there has been considerable terracing work carried out in the garden, most of which did not previously exist. Such works may exacerbate the existing flooding issue, caused by water run-off from the forest. Also concerned regarding potential for subsidence. The pool house and adjacent buildings are truly substantial and loom large over my garden. The buildings are excessive and an eyesore. Site is in an Article 4 Direction Area.



# Epping Forest District Council

## Area Planning Sub-Committee East



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<b>Agenda Item Number:</b>	<b>6</b>
Application Number:	EPF/1584/08
Site Name:	27 Piercing Hill, Theydon Bois CM16 7JW
Scale of Plot:	1/2500

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/2137/08
<b>SITE ADDRESS:</b>	6 Orchard Drive Theydon Bois Epping Essex CM16 7DJ
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>APPLICANT:</b>	Mr & Mrs ALma Batty
<b>DESCRIPTION OF PROPOSAL:</b>	Loft conversion with side and rear dormers.
<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 Prior to first occupation of the building hereby approved the proposed window opening in the South side gable end at first floor shall be fitted with obscured glass and have fixed frames to a height of 1.7metres above the floor of the room in which the window is installed, and shall be permanently retained in that condition.

*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:**

Loft conversion with side and rear dormers.

The rear dormer would be 2.3m wide and of a flat roofed box design, and would match an existing rear dormer of similar appearance. The side dormer would be 2.4m wide and be of pitched roofed design and be located on the side of an existing original protruding front element of the property. Three new velux roof lights would be inserted; 2 on the North side of the front protruding element and 1 on the South facing gable end.

**Description of Site:**

Semi-detached bungalow on a road of various types and sizes of properties in Theydon Bois. It has an existing bedroom in the roof space at the rear.

## **Relevant History:**

None

## **Policies Applied:**

Epping Forest District Local Plan and Alterations

Policy DBE2 – Effect on Neighbouring Properties

Policy DBE9 – Excessive loss of amenity to neighbouring properties

Policy DBE10 – Design of Residential Extensions

## **Issues and Considerations:**

The main issues that arise with this application are the following:

- Design Considerations
- Residential Amenity
- Impact of using the first floor on housing stock

### **1. Design Considerations**

- The proposed rear box dormer complements an existing similar dormer at the rear, is shielded from the streetscene and it causes no significant harm to the property or area.
- The proposed side dormer has been changed from a 2.4m wide flat roofed box design to a pitched roofed dormer of the same width following advice from the Local Planning Authority.
- As such, the amended design acceptably complements the existing hipped roofs of the property, and would represent an acceptable and unobtrusive feature in the streetscene.

### **2. Residential Amenity**

- There are no facing side windows to number 4 Orchard Drive to the South, or to number 8 Orchard Drive to the North.
- As such, it is not necessary to impose a condition to obscure glaze the front side dormer. But, so as to avoid potential overlooking into the rear garden of number 4 to the South from the proposed window in the side gable, it is necessary to impose a condition to obscure glaze this window.

### **3. Impact of using first floor on housing stock**

- The ridge height is not proposed to be raised, and as such this loft conversion could be undertaken without the need for planning permission, it is just the physical additions, i.e. the dormers that require permission.
- As such, only limited weight can be given to any assessment of the benefits of retaining the bungalow in terms of the housing stock in the village.
- Policy H4A of the adopted Local Plan and Alterations seeks to retain a housing mix with regard to needs identified in the latest housing needs survey.
- At present, there is no evidence to suggest that there is an overriding need to retain bungalows in Theydon Bois, and as such the conversion of this bungalow to a two storey property is not excessively harmful to the local housing mix or contrary to policy.
- The key point, however, remains that the loft conversion could be undertaken in any case without requiring planning consent.

## **Conclusion:**

The proposal would not be of detriment to the character of the property or streetscene and there would be no unacceptable impacts upon the amenities of neighbouring residents. The loft conversion without the dormer windows could be undertaken without requiring planning consent,

and in general the proposal complies with the relevant policy. As such, this application is recommended for approval.

**SUMMARY OF REPRESENTATIONS:**

THEYDON BOIS PARISH COUNCIL: Objection. We feel that this is an unsympathetic conversion of a bungalow and the proposed development is lacking in architectural merit. It would be preferable to see pitched rather than flat-roofed dormer additions.

We would like to stress yet again our concern at the number of bungalow conversions which are taking place in Theydon Bois to the detriment of the housing mix in the village. There is recognition of this problem in Policy H4A of the Local Plan and Para 9.23a makes particular reference to bungalows and the need to maintain smaller dwellings for an ageing population.

THEYDON BOIS AND DISTRICT RURAL PRESERVATION SOCIETY:

- Raised concerns over loss of another small dwelling in Theydon Bois.
- Concerns over appearance of dormer at the side/front.

NEIGHBOURS: No response received.



# Epping Forest District Council

## Area Planning Sub-Committee East



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<b>Agenda Item Number:</b>	7
<b>Application Number:</b>	EPF/2137/08
<b>Site Name:</b>	6 Orchard Drive, Theydon Bois CM16 7DJ
<b>Scale of Plot:</b>	1/1250