

Report Item No: 1

APPLICATION No:	EPF/1998/08
SITE ADDRESS:	Treetops Care Home Station Road Epping Essex CM16
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr A Pabani
DESCRIPTION OF PROPOSAL:	Retention of 10 car parking spaces.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The parking spaces hereby approved shall be retained free of obstruction for the parking of residents', staff and visitors' vehicles.
- 2 The manoeuvring area of the car park hereby approved and the access road serving it identified as having a combined width of 5775mm on drawing no 08-3214-01 shall be permanently retained as part of the car park and shall be kept open and free of obstruction.

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).

Description of Proposal:

Retrospective application for the retention of a ten space car park to the rear of the building. The parking area is located within the northern corner of the site and is partially on land outside of the applicant's ownership.

Description of Site:

The application site consists of a large detached care home and part of an undeveloped area to the northwest. The care home currently has parking provision to the front of the site, and planning permission was approved in 2006 for housing development in the adjoining undeveloped site which included additional parking provision to serve the care home on the south eastern side. This scheme has not yet been implemented.

Relevant History:

EPF/0309/83 - Change of use of part of hotel to old persons' residential home – approved 23/05/83

EPF/0241/85 - Change of use to nursing home and residential home for the elderly including alterations and extensions – approved/conditions 20/05/85

EPF/1935/04 - Erection of 12 no. 2 bedroom flats and 1 no. 3 bedroom flat with ancillary parking – refused 28/02/05 (appeal allowed 18/11/05)

EPF/0182/06 - Erection of 12 no. two bedroom and 1 no. three bedroom flats with 20 car parking spaces and extended parking for Treetops Nursing Home (revised application to EPF/1935/04) – refused 02/06/06 (appeal allowed 19/01/07)

EPF/1211/06 - Single storey front extension and provision of windows to left flank wall of building to add reception facility – approved/conditions 10/08/06

Policies Applied:

ST4 – Road safety

ST6 – Car parking

DBE9 – Amenity Considerations

LL10 – Landscape protection

U3B – Sustainable drainage systems

Issues and Considerations:

The main issues here relate to the effect on car parking and highway safety, neighbouring properties, and the existing landscaping.

The previous approval to develop the neighbouring site and subsequent sale of this land has resulted in a reduction in car parking spaces for the care home. As part of EPF/0182/06 a replacement parking area was approved for the south eastern side. This development has not been undertaken and, as an alternative to those spaces lost through the sale of the neighbouring site, the proposed parking area to the rear of the building has been installed. The previously approved additional parking area consisted of seven spaces, whereas the installed car park provides ten spaces. Whilst the application site is in a sustainable location well served by public transport, given its use as an elderly persons care home a large majority of trips would be undertaken by car. As such, the additional ten space car park is not considered overprovision and complies with the Essex County Council Vehicle Parking Standards.

The layout of the parking area allows for adequate manoeuvring and turning space, however, it does extend onto the neighbouring undeveloped site, which is outside of the applicant's ownership. To guarantee that this turning and manoeuvring space is retained a condition should be added to ensure that the area is kept free of obstruction. Subject to this, the proposal complies with policy ST6 of the Local Plan.

The access to the parking area is via a shared access between the care home and the adjoining undeveloped site, which is located on land outside of the applicant's ownership. Notwithstanding this, the access road is located within the application site (with the neighbouring owner being informed of the proposal), and as such this can be conditioned to be retained open and free of obstruction. The access road is served by an existing vehicle crossover and therefore the proposal would not be changing the set-up of the highway and complies with policy ST4 of the Local Plan.

Objections have been received by occupiers of the adjoining dwellings in Ambleside with regards to the potential impact on their amenities. Whilst this car park is considerably closer to the shared boundary than the original (existing) parking area and that previously approved under EPF/0182/06, it is separated by a substantial belt of trees that both visually screen the parking

area and act as a buffer in terms of noise and air pollutants. Due to this it is considered that the impact with regards to smell and noise nuisance and visual intrusion is minimal, and as such this application complies with Local Plan policy DBE9.

In terms of landscape protection, this proposal is retrospective so any removal of existing landscaping has been undertaken. Notwithstanding this, it is not considered relevant or justifiable to condition any landscape protection or planting for this car park development since the site is already well landscaped. Should the previously approved residential development be implemented then a landscape scheme is required for the whole site, which would have to take into account this car park, and should any alternative schemes be put forward for the neighbouring site then these would likely be subject to similar landscaping conditions.

The site does not lie within an Epping Forest District Council flood risk assessment zone and, given the size of the proposed development, this does not require a flood risk assessment in itself. The car parking area would be semi-porous, which whilst likely to increase runoff somewhat over the original undeveloped land surface would not be to the same extent as an impermeable car park. The raised kerbing around the car park would reduce additional runoff on to neighbouring properties, except during larger storm events. By installing a semi-porous surface the applicant is applying the principles of Sustainable Drainage Systems (SUD's), by attempting to manage surface water runoff on site, which is in line with the key planning objectives of PPS25 and Local Plan policy U3B. Whilst it is appreciated that the site has a history of flooding there is no justification to require a flood risk assessment for this development in itself, however this area would need to be taken into account in any flood risk assessment submitted as part of the larger development of the neighbouring site.

Whilst there were conditions imposed on the previous planning permission for residential development which required a flood risk assessment and landscape plans to be submitted 'prior to commencement', given that this car park is in a different location to that originally proposed and as no works have been undertaken to the neighbouring undeveloped site, this work does not constitute commencement of planning permission EPF/0182/06.

Conclusion:

The new car park complies with all relevant national guidance and Local Plan policies and is therefore recommended for approval.

SUMMARY OF REPRESENTATIONS:

EPPING TOWN COUNCIL – No objection.

3 AMBLESIDE – Object as this would concentrate all the parking in one area, as no flood risk assessment or landscape plan was undertaken prior to this work, as there is an overprovision of car parking, due to the impact on neighbouring properties, and due to the potential flooding issues.

4 AMBLESIDE – Object as this would concentrate all the parking in one area, as no flood risk assessment or landscape plan was undertaken prior to this work, as there is an overprovision of car parking, due to the impact on neighbouring properties, and due to the potential flooding issues.

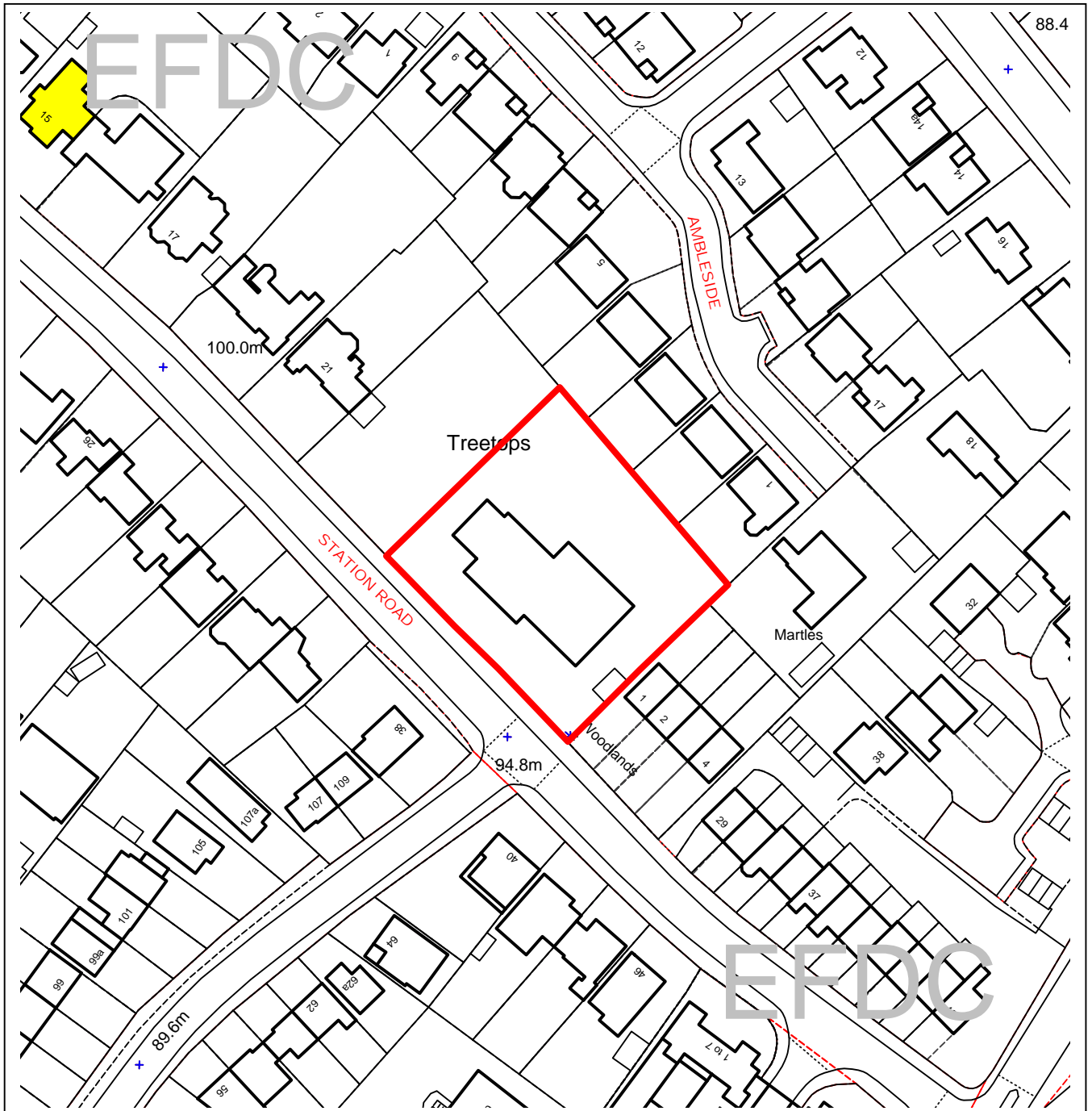
6 AMBLESIDE – Object to the potential flooding issues and the loss of vegetation.

7 AMBLESIDE – Object due to potential flooding issues, as there is an overprovision of car parking, due to noise and air pollution to neighbours, and because of the loss of vegetation.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	1
Application Number:	EPF/1998/08
Site Name:	Treetops Care Home, Station Road Epping, CM16
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/0005/09
SITE ADDRESS:	15 Vicarage Road Coopersale Epping Essex CM16 7RB
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr Paul Scruby
DESCRIPTION OF PROPOSAL:	Two storey and single storey side and rear extension. (Revised application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.

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:

Revised application for a two-storey and single-storey side and rear extension. The proposed side extension would be 2.8m wide and 8.15m deep and would incorporate an 800mm by 2m front porch addition. The ground floor element would extend 800mm beyond the existing front wall of the house, and the first floor element would be set back 3m from the front wall.

The proposed rear extension would be L-shaped to a depth ranging from 3m to 5.6m, and would be 8.6m wide. The first floor element would be built atop the eastern section of the proposed rear extension, and would be 3m deep and 5.15m wide.

The entire two storey extension (side and rear) would have a gable ended pitched roof to a height of 5.9m that would run adjacent to the ridge of the main roof. The single storey front addition would have a pitched roof to a height of 4m (with the roof continuing over the proposed porch to a maximum height of 2.75m). The single storey rear additions would have pitched roofs to a height of 3.4m.

Description of Site:

Two-storey semi-detached dwelling located on the northern side of Vicarage Road, Coopersale.

Relevant History:

EPF/0385/84 - Single storey side extension – approved 13/04/84

EPF/1569/08 - Two storey side and part two storey part single storey rear extensions – refused 26/09/08

Policies Applied:

DBE9 – Loss of amenity

DBE10 – Residential extensions

Issues and Considerations:

The main issues here relate to the potential impact on the neighbouring properties and with regards to the design. The previous application was refused on the following grounds:

The proposed two storey side extension, due to its size, location and design, would be an incongruous addition to the property and would result in a terracing effect detrimental to the overall appearance and character of the street scene. Therefore this proposal is contrary to policy DBE10 of the Adopted Local Plan and Alterations.

The proposed side extension would be built to the shared boundary with No. 17 and would be set back from the existing front wall at first floor level by 3m. Generally two storey side extensions built to the side boundary on semi-detached properties are resisted, however there is a precedent set in Vicarage Road and Laburnum Road for two storey side extensions with no side gap. However, a requirement for a significant set back of the front wall is required in these instances to counter the terracing effect. Whilst there are examples of two storey side extensions within Laburnum and Vicarage Road without much, if any, set back at the front, these were all granted permission before 1998, when the current Local Plan (and policy DBE10) was adopted. Due to this, these previously approved additions do not set a precedent for similar, current extensions.

Since the adoption of the 1998 Local Plan there have been several two storey side extensions approved with no side gap, but with a set back of either 3m (when a front wall is added), or 2/2.5m (when the roof continues down to ground floor level and a dormer window is utilised), which successfully break up the continuous frontage of the properties and overcome the potential terracing effect. Examples of these include No. 11 Vicarage Road, and No's. 12, 23, 27 and 33 Laburnum Road, all of which were approved since 1998. The most relevant of these is No. 11 Vicarage Road, which has a 3m recessed first floor section and was granted planning permission in 2002.

The proposed side extension would have a gable ended pitched roof that has been designed to mirror the main roof gable. The side extensions visible in Vicarage Road and Laburnum Road vary in detail and overall design, and as such there is not one particular style to follow. Although the side extension would have a somewhat detached roof, as the pitch would run adjacent to the main roof slope rather than adjoining it at a right angle, this is not considered to be detrimental enough to the overall appearance of the property to warrant a refusal of planning permission. Due to this it is considered that the proposed development complies with policy DBE10 of the Local Plan.

Given the L shaped footprint of the rear extension the proposed addition would be built to the shared boundary with No. 17, and would extend 5.6m beyond the main rear wall of the neighbouring property at ground floor level and 3m at first floor level. This neighbour has a single

storey side and rear extension that extends 5.6m beyond the original rear wall of the property, with the side of the site acting as access to their garage and a parking area. Due to this the proposed extension would not extend beyond the neighbours rearmost wall and would not detrimentally impact on light or visual amenity to this neighbour. The main two storey flank wall of No. 17 is located some 2.5m from the shared side boundary and contains a first floor window serving a hallway. Any loss of light to this window would be minimal and does not require significant protection as a hallway is not classed as a habitable room. Also, as there are no flank windows proposed in the extension, there would be no loss of privacy to this neighbour.

Although the adjoining neighbour at No. 13 does not have any rear additions, the proposed extension would be replacing an existing 2.4m deep addition and would be considered an acceptable depth at 3m. As such the proposal would not detrimentally impact on the neighbouring properties and therefore complies with Local Plan policy DBE9.

Conclusion:

In light of the above, the proposed side and rear extension would not detrimentally impact on the neighbouring occupiers and overall would not be unduly detrimental to the visual appearance of the dwelling or street scene. Given the precedent already set in Vicarage Road and Laburnum Road, the erection of this two storey side extension with no side gap, but with a sufficient set back of the first floor front wall, would not result in an unacceptable terracing effect to the detriment of the street scene. Therefore the proposed development is recommended for approval.

SUMMARY OF REPRESENTATIONS:

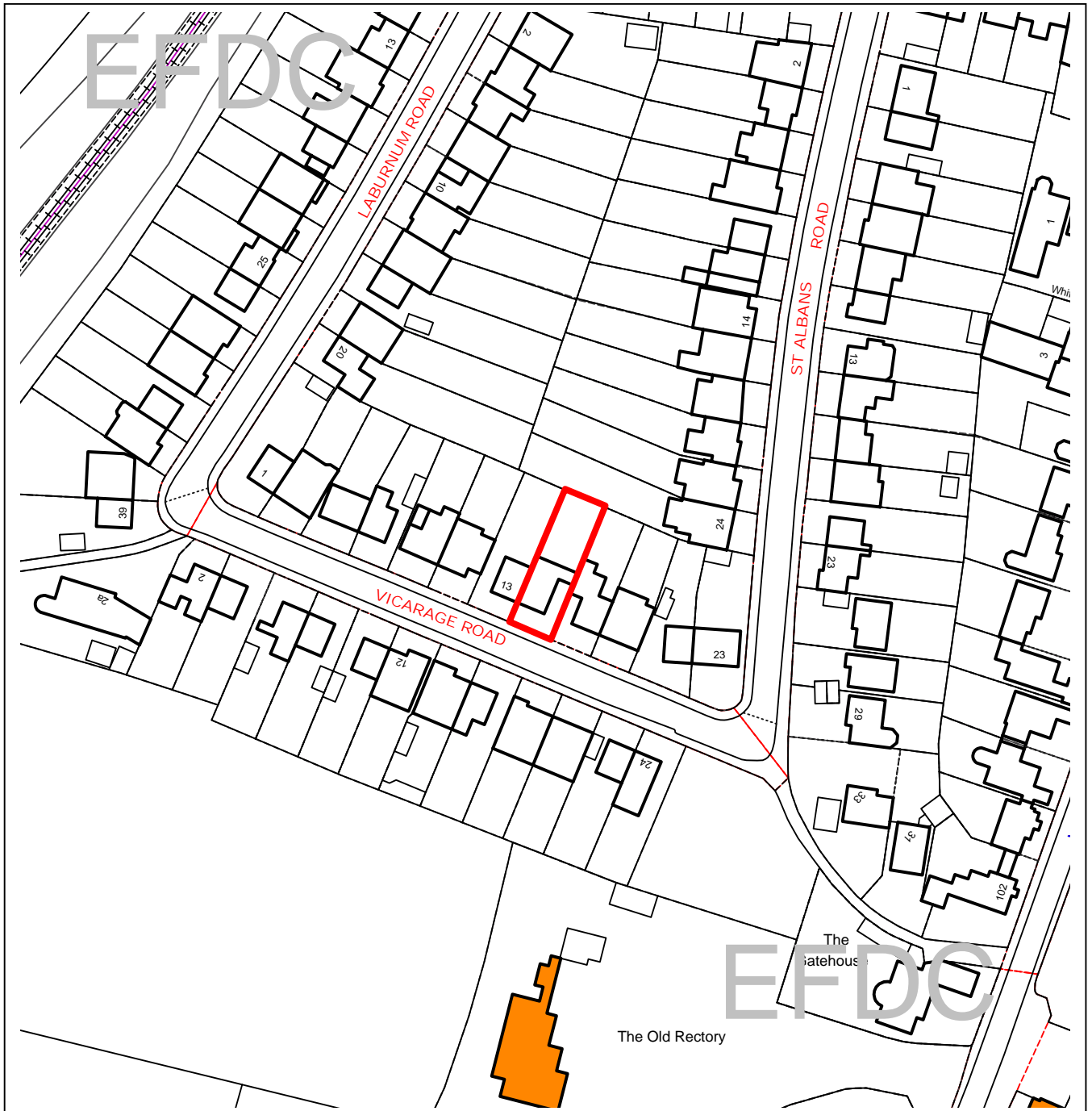
EPPING TOWN COUNCIL – Object as it appears to be an overdevelopment of the site and would give rise to a terracing effect.

NEIGHBOURS: - No response received.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	2
Application Number:	EPF/0005/09
Site Name:	15 Vicarage Road, Coopersale, Epping CM16 7RB
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/0033/09
SITE ADDRESS:	Homecroft Norwood End Fyfield Ongar Essex CM5 0RW
PARISH:	Fyfield
WARD:	Moreton and Fyfield
APPLICANT:	Mr Brian Doyle
DESCRIPTION OF PROPOSAL:	Replacement of existing porch with 2 storey front projection on new dwelling
RECOMMENDED DECISION:	Refuse Permission

REASON FOR REFUSAL

- 1 The site is located within the Metropolitan Green Belt. The proposed development is at odds with Government advice and the adopted Local Plan, in that when considered in the context of previous extensions, the proposals do not constitute a reasonable extension to an existing property which historically has already been significantly extended. The proposals are therefore contrary to Epping Forest District Local Plan and Alterations policies GB2A and GB14A.
- 2 The proposed extension by reason of its height, scale, design and position on the frontage of the property would be visually prominent when viewed from the surrounding Green Belt and appear dominant on the property frontage, poorly relating to the design of the original property, contrary to the aims and objectives of Epping Forest District Local Plan and Alterations policies DBE4 and DBE10.

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

Description of Proposal:

The applicant seeks consent to replace an existing single storey front porch with a two storey front projection on a replacement dwelling which is nearing completion known as Homecroft in Norwood End, Ongar.

The proposed two storey projection would measure approximately the same width as the existing porch at 3.5m plus eaves overhang. The proposals would reach 6.7m at the maximum pitch and 4.6m to the eaves. The proposed projection would measure 1.7m in depth at ground floor, 2.3m at first floor created with an overhang, and roofing would project a further 0.2m.

The applicant has indicated that the proposals would enable an extension of the bathroom area on the upper floor; however, no floor plans have been made available.

Description of Site:

The replacement dwelling was approved in 2006 in lieu of an existing 1920's style bungalow. This bungalow is remaining in use during construction, and required by condition to be demolished upon occupation of the new home.

The existing front porch projection which would be replaced measures 1.2m in depth and 4.4m at the main ridge, the eaves height is 2.2m.

The property is isolated within a spacious plot in the Green Belt with the property frontage well screened, however the rear of the site is largely open.

Relevant History:

The site has an extensive history as follows;

EPO/0323/63 – Ext and car port – Refused

EPO/0166/64 – Ext and private garage – Approved

EPF/0879/81 – Conservatory – Approved

EPF/0408/03 – Replacement dwelling – Refused

EPF/1625/03 – Replacement dwelling – Refused

EPF/0882/06 – Demolition of house and construction of new dwelling – Withdrawn

EPF/1521/06 – Replacement dwelling with basement – Approved

Policies Applied:

Epping Forest District Local Plan and Alterations policies:

GB2A – Development in the Green Belt

GB14A – Residential extensions

DBE4 – Design in the Green Belt

DBE10 – Residential Extensions

Issues and Considerations:

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

- Principle of the development in the Green Belt
- Scale, mass, design, layout and form of development

Principle of development

The site is situated within the Metropolitan Green Belt, local policy GB2A seeks to resist new or extended developments unless suitable justification can be provided, and no significant adverse impact arises towards the openness of the Green Belt in accordance with the objectives of Planning Policy Guidance 2 (Green Belts).

A replacement dwelling has historically been considered acceptable and policy GB2A can permit limited extensions subject to the criteria set out in policy GB14A;

i) that development does not impair the open character and appearance of the Green Belt,

ii) that the character and appearance of the buildings in their setting will be enhanced and not harmed, and

iii) that additions will not be disproportionate (up to 40% of the original volume up to a maximum of 50sqm).

In relation to the first test above, the proposals result in an increased height and depth of development which when viewed from the surrounding open countryside could be perceived as an additional encroachment into the Green Belt contrary to policy objectives.

In relation to character and appearance, the proposals detract from the design of the previously approved building with the front projection being staggered and a large, conspicuous, bulky addition to the property frontage. Furthermore, the position of the projection within the roofspace appears poorly related to the approved scheme, with the positioning next to the adjacent dormer appearing cramped and awkward and the eaves height not aligning with that of the existing dormer windows.

In respect of the issue of volume, it is relevant to note the historic details relating to previous applications on this site. Extensive dialogue has previously been undertaken throughout former applications leading to the approved dwelling scale and design. The original 1920's home had been extended on several occasions and the replacement dwelling which was approved further increased upon the volume of the original extended property. As a result the size of accommodation which is currently undergoing construction is significantly above the amount of accommodation which was originally associated with the site. The approved application removed permitted development rights in order to minimise potential adverse impacts which might arise with the further extension of this property, therefore, the proposed development should be considered against this background, in the knowledge that the scheme undergoing construction already exceeds the 50sqm threshold outlined in policy.

Scale, massing, design, layout and form of development

In respect of policies DBE4 and DBE10, the proposals form a relatively small addition, however, in this instance the addition is at first floor in a relatively open plot, where it would be easily viewed from the surrounding countryside. When viewed from the front the projection would appear a dominant and intrusive feature, and from the side the extensions appear to seek the maximum possible floorspace by extending even further at first floor with a conspicuous overhang and prominent gable end. The height of the projection is significantly above the ridges of the dormer and the position of the projection relates poorly to the existing dormers, therefore the design, scale and form of development is considered to detract from the appearance of the property and the surroundings contrary to policy objectives.

Impact on neighbouring amenity

The proposals are well separated from neighbouring properties so no adverse issues arise.

Conclusion:

The proposed development is relatively small, however at first floor level and on the property frontage, the proposals appear prominent from the surrounding area and dominate the design of the property frontage.

In light of the historic efforts to produce a reduced scale scheme, it is considered inappropriate to permit such a conspicuous and prominent extension. The proposals are two-storey and not a structure of lesser impact such as a conservatory, therefore the proposals are considered to adversely impact on the open character and appearance of the Green Belt being easily visible from the surrounding open countryside.

The proposed scheme is considered to be the latest effort to increase the scale of development onsite, gradually eroding the openness of the Green Belt, contrary to policy objectives.

Recommendation:

The proposals are considered to adversely impact on the open and spacious character of the Green Belt, contrary to policy objectives and as such it is recommended that Planning Permission be refused.

SUMMARY OF REPRESENTATIONS:

FYFIELD PARISH COUNCIL: Objection

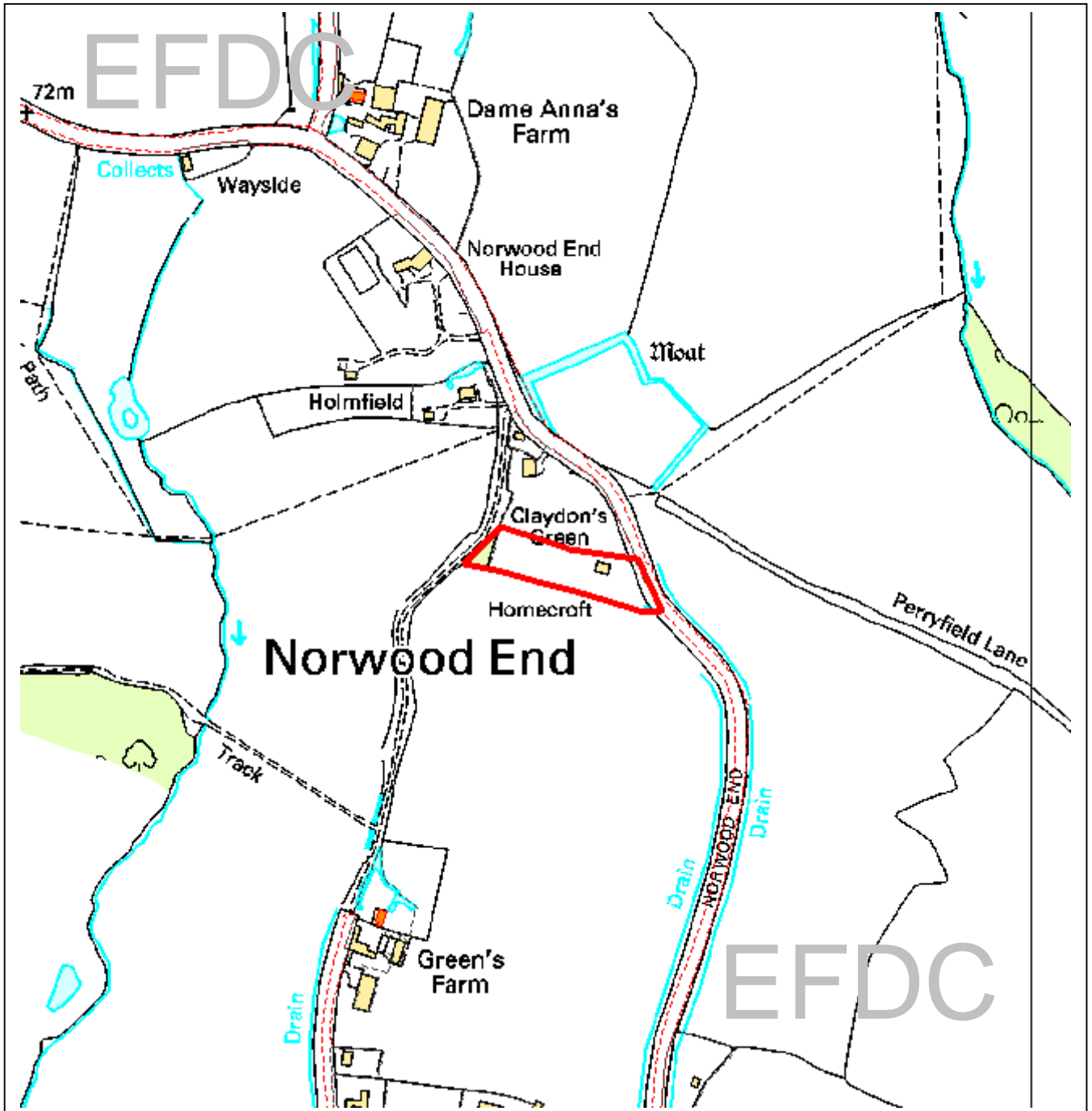
- Appears to be overdevelopment of the site
- The permitted application is yet to be completed
- Recommend Committee view this application

NEIGHBOURS: No response received.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	3
Application Number:	EPF/0033/09
Site Name:	Homecroft, Norwood End Fyfield CM5 0RW
Scale of Plot:	1/5000

Report Item No: 4

APPLICATION No:	EPF/0134/09
SITE ADDRESS:	Premier Garage Chelmsford Road Blackmore Ingatestone Essex
PARISH:	High Ongar
WARD:	High Ongar, Willingale and the Rodings
APPLICANT:	Petrogas Group (UK) Ltd
DESCRIPTION OF PROPOSAL:	Illuminated shop/canopy fascia and pole sign, 4x stanchion non illuminated flag signs and jet wash sign.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 In all of the illuminated signs the luminance levels (cd/m²) shall be 300 or below for all the illuminated signs as per the standard contained within the Institute of Lighting Engineers Technical report No. 5 and maintained at that level.

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:

Illuminated shop/canopy fascia, illuminated pole sign, 4 x stanchion non illuminated flag signs and a non illuminated jet wash sign.

Description of Site:

An existing petrol station at the junction of the A414 and Rookery Road. The site consists of a shop, twin canopy and petrol pumps, and a hand car wash structure. The whole site is within the Metropolitan Green Belt, and forms part of a small settlement at this junction with Spurriers Farm, Spurriers Farm Barns and a garden centre on the northern side of the A414. Oaklands, a residential dwelling is some 50m to the south.

Relevant History:

Various regarding advertisements concerning the use of the site as a petrol station including:

A/EPF/0024/91	Illuminated gantry sign, canopy fascia, and shop fascia	part granted
A/EPF/0042/91	Illuminated gantry sign, canopy fascia, and shop fascia	part granted
A/EPF/0054/94	Retention of illuminated gantry sign	approved

Policies Applied:

DBE 13 The Council will not give advertisement consent for the installation of internally illuminated box fascia, projecting box signs and other illuminated signs which be out of keeping with the building by reasons of their materials, colours or proportions

Issues and Considerations:

The only issues advertisement applications can consider are:

1. The impact of the proposed sign on the amenities of the locality
2. Highway safety considerations.

There is a separate application regarding structural and other changes on the site.

Amenity of the Green Belt

- This application will see a new illuminated pole sign at the junction with the A414 and Rookery Road. 5.5m high with a company logo at the top of the pole and details of the facilities on the site below.
- The main canopy stanchions would have 4 non-illuminated flag adverts on them, and these would be wholly under the canopy structure.
- The shop and canopy fascia would be replaced with the company logo which would be internally illuminated.
- The proposed jet wash would have non-illuminated company logo signage installed.
- An existing illuminated gantry sign at the east end of the site would be removed.
- This is an existing commercial site and the new owners are improving and modernising the facilities on the site. The advertisement changes to the fascia and canopy are cosmetic with regard to the colours and logos and have no adverse impact on the area.
- The flag adverts on the stanchions also have no adverse impact.
- The canopy and shop fascias will be illuminated and this will have an impact on the area. However the lighting will be internal and will be below 300cd/m² level of luminance. It is the case that this type of installation is not unusual on rural petrol filling stations and it is considered that there will be no harm caused as a result of this lighting.
- The main issue in this application is the new pole sign. This will be higher and more prominent than the current pole sign, and illuminated. Whilst this will have more of an impact than the current arrangements this has to be weighed against the commercial needs of the site, its permitted use and the fact that it is on a main road, which is one of the major thoroughfares in the district. It is also typical of the signage that is found on petrol filling station sites throughout the district and not atypical of the sites found in the more rural areas.
- It is considered, on balance, that this part of the scheme is acceptable, although it is at the limit of what is acceptable on this site.
- The proposed new signage will not result in an adverse impact on this part of the Green Belt as explained above and is an acceptable scheme.

Highways

- The Highways Section initially raised an objection to the scheme on the grounds that "The illuminated signs exceed the recommended maximum luminance contained within the Institute of Lighting Engineers Technical report No. 5 "Brightness of Illuminated Advertisements", and as such are considered to be detrimental to highway safety. NOTE - The highway authority will reconsider the application if the luminance levels (cd/m²) were shown to be 300 or below for all the illuminated signs as per the standard contained within the Institute of Lighting Engineers Technical report No. 5".
- The applicant has stated that the luminance levels will be reduced to 300cd/m² and the Highway Section has subsequently withdrawn their objection to the scheme.

- This level of luminance can be conditioned as part of the scheme.

Conclusion:

This scheme sees the replacement of existing signage and installation of a new pole sign. The scheme does not cause an adverse impact on the amenities of the surrounding Green Belt in this location and causes no highway safety issues. Therefore this proposal is recommended for approval.

SUMMARY OF REPRESENTATIONS

HIGH ONGAR PARISH COUNCIL: – Object strongly to this application due to the intrusion of light on local properties. Also the Council feel it is not in keeping with the rural area.

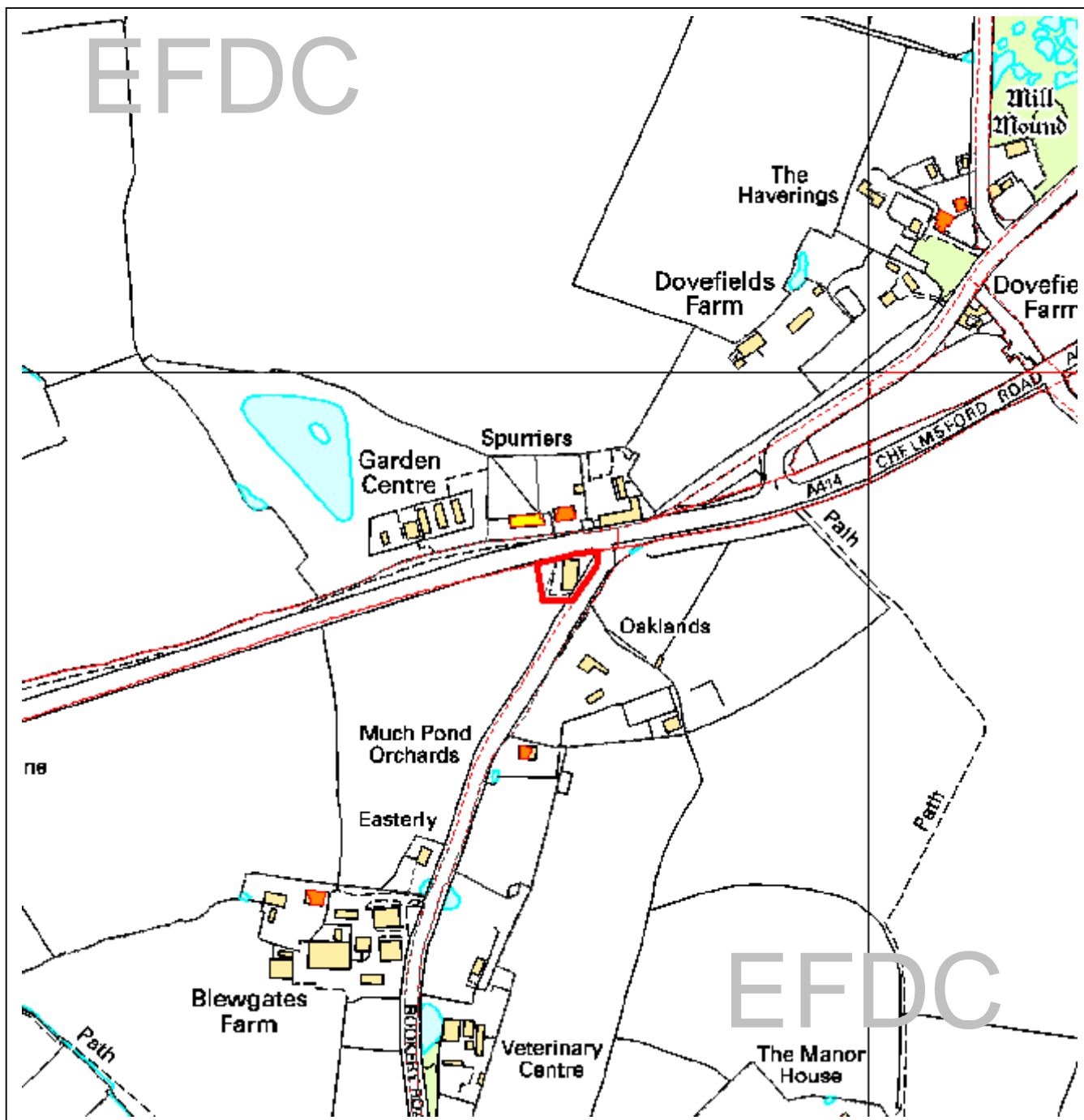
NEIGHBOURS:

The Rookery, Rookery Road – Object, primarily to the proposed works but also in respect of the advertisements on the grounds that light pollution will cause disturbance.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	4 & 5
Application Number:	EPF/134/09 & EPF/146/09
Site Name:	Premier Garage, Chelmsford Road Blackmore, Ingatestone,
Scale of Plot:	1/5000

Report Item No: 5

APPLICATION No:	EPF/0146/09
SITE ADDRESS:	Premier Garage Chelmsford Road Blackmore Ingatestone Essex
PARISH:	High Ongar
WARD:	High Ongar, Willingale and the Rodings
APPLICANT:	Petrogas Group (UK) Ltd
DESCRIPTION OF PROPOSAL:	New shop front, customer parking and modifications to jet wash facility including plant room, refuse enclosure. (Revised application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes of the jet wash structure 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 The car wash hereby permitted shall not be open to customers outside the hours of 08.30 to 19.30 on Mondays to Fridays and 09.00 to 17.00 hours on Saturdays and not at all on Sundays or public holidays.
- 4 Waste, foul and surface water shall be discharged into an appropriate foul water system, the details of which shall have been agreed in writing by the Local Planning Authority within three months of the date of this notice. The agreed details shall be implemented within three months of approval and be retained permanently thereafter.
- 5 The external public seating area hereby permitted shall not be open to customers outside the hours of 08.00 to 22:00 on Mondays to Fridays and 09.00 to 21:00 hours on Saturdays, Sundays and public holidays.
- 6 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.

7 Prior to the commencement of the development details of the proposed surface materials for the forecourt 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.

8 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.

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 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of visitors vehicles.

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:

New shop front, customer parking and modifications to jet wash facility including a plant room and refuse enclosure (revised application).

The scheme will see the existing shop front changed to a dark grey aluminium framed shop front, 4 new pump islands around the existing canopy columns, a new twin bay jet wash structure with a curved roof on the west flank, with a small attached plant room, replacing the existing hand car wash structure, a new bin store with a 2.1m wooden fence to the rear of the jet wash.

The existing rear access to the site onto Rookery Road will be repositioned a few metres to the south and serve as the exit from the jet wash. Six new parking spaces will be provided on the forecourt area (1 disabled), and the forecourt expanded in area. An outside seating area with three tables provided to the east of the shop. A number of trees will be removed from the southern and western boundaries with planting to a new landscaping scheme.

The entrance to the site will be from the existing access on the junction of Rookery Road and the A414, with the primary exit only onto the A414. The repositioned exit to Rookery Road will be a secondary exit serving the car wash area only.

Description of Site:

An existing petrol station at the junction of the A414 and Rookery Road. The site consists of a shop, twin canopy and petrol pumps, and a hand car wash structure. The whole site is within the Metropolitan Green Belt, and forms part of a small settlement at this junction with Spurriers Farm, Spurriers Farm Barns and a garden centre on the northern side of the A414. Oaklands, a residential dwelling is some 50m to the south.

It should be noted that the original planning permission for the development of the filling station permits it to open 24 hours a day.

Relevant History:

Various regarding the use of the site as a petrol station including:

EPF/0312/83	Petrol Filling Station and workshop	approved
EPF/1486/88	Renewal for petrol filling station	approved
EPF/1469/88	Outline application for motorist restaurant	refused
EPF/1620/88	Petrol filling station with retail sales area	approved
EPF/0648/89	Petrol filling station with retail sales area	approved
EPF/0806/98	Replacement forecourt canopy	approved
EPF/0188/05	Car wash facility with timber framed and plastic structure	approved
EPF/2253/08	New shop front, customer parking and carwash facilities	withdrawn to amend

scheme by removing an unnecessary proposal for 24 hour opening.

Policies Applied:

GB2A Green Belt Policy
DBE1 Design of New Buildings
DBE 2 New Buildings Amenity
DBE 4 Development within the Green Belt
LL1, 2 Rural landscape and landscaping

ST4 Highway Safety
ST6 Parking

Issues and Considerations:

The main issues are the impact of the scheme on the:

1. Green Belt
2. Highways
3. Neighbour Amenity
4. Trees and Landscape

There is a separate application for the advertisements on the site.

Green Belt

- This application will see works to upgrade the existing facilities on the site and the applicant argues that this is a scheme which will present a more modern and attractive facility on the site.
- This is an existing use and the scheme will see the replacement of a very unattractive structure used for handcar washing, which has a poorly built temporary appearance which adds nothing to the character and appearance of the site.
- The replacement of this structure with a modern jet wash facility will result in a more attractive and appropriate structure adjacent to the main building, which complements and enhances the site with its interesting curved roof design.
- The bin store is surrounded by a close boarded wooden fence and is typical of this kind of facility on business premises
- These are not inappropriate structures on this site and do not harm the openness or character of the Green Belt
- The scheme will also see 6 parking spaces provided on the site and it is the case that this will have an impact on the Green Belt. However, this needs to be weighed against the current situation where there is no allocated parking and an ad hoc parking situation ensures resulting in parking causing obstruction to other users of the site. The provision is relatively modest and will ease congestion on the forecourt and is a sensible use of the land on the site. When combined with the landscaping it is considered that there will be no harm caused to the Green Belt.
- The new shop front is a cosmetic change and has no adverse impact on the Green Belt.
- A small area of land will be used for an external seating area to the immediate east of the main shop. This type of facility is not unusual on rural petrol filling stations and due to its small size and siting again causes no harm to the Green Belt.
- There will be no increase in the lighting on the site as part of this scheme.
- The new access onto Rookery Road replaces an existing one and has no adverse impact. The rear tarmac area already exists and due to its siting and the sites use has no adverse impact on the Green Belt.

Highways

- The scheme will see an internal change to the entry and exit to the site. At current drivers can access the site from both sides of the A414. The scheme will see the access onto the A414 made an exit only and the access from the junction of the A414/Rookery Road entrance only. The access from the jet wash bays would be an exit only onto Rookery Road.
- There are local concerns from the Parish Council and objectors that these changes will make an existing dangerous junction worse.
- The Highways Department have commented "The Highway Authority has no objections to this proposal as it is not contrary to the relevant transportation policies contained within the County Council's Highways and Transportation Development Control Policiesand policies ST4 & ST6 of the Local Plan. NOTE The Highway Authority would wish to see the current access

and entrance arrangements continue having taken on board the observations and concerns of the Parish Council and taking into account their local safety concerns”.

- Officers have contacted the applicants who have stated that they still wish to change the internal arrangements of entry and access and that this will have a positive effect on highway safety.
- This is a case where there is a clear local concern of road safety. However, this is an existing use and the Highways Section has not raised an objection to the scheme. In this case it is considered that on balance that a refusal on highway grounds is not sustainable.

Effect on Neighbours

- The nearest neighbours across the A414 and at Oaklands to the south. The potential existing for disturbance to these properties from the scheme.
- The main noise would be generated from the jet wash and the outside seating area.
- The jet wash hours of operation can be conditioned and modern equipment is more efficient and quiet than older machinery. This use will be less intrusive than the current hand car wash facility.
- The seating area is not very large or extensive and its use will be largely masked by traffic noise, and the proposed new planting. However, it is considered that an hours of use condition should be imposed to avoid late night/early morning use which may be harmful in the summer months to nearby properties.
- It also the case that the properties across the A414 already receive a high amount of background noise from traffic using the A414 and Oakland is 50m distant, both factors reducing the impact on these properties to acceptable levels.

Landscape

- The site is surrounded to the west and south by an extensive tree and hedgerow line, and a timber palisade fence.
- The scheme will see the removal of some low level scrub and some medium sized trees. This loss will be compensated for by a comprehensive landscaping scheme to these boundaries which will enhance and strengthen the landscaping on the site.
- The Landscape Officer has raised no objections to the scheme.

Other Matters

- The scheme will see the jet wash using 95% recyclable fluids with 100% of the chemicals being biodegradable.
- There are no land drainage objections to the scheme.
- Objectors have commented that there is no need for these facilities as they are provided nearby; this is not a material planning consideration.

Conclusion:

This scheme is for the enhancement of an existing commercial use. There would be no further harm caused to the openness and character of the Green Belt as a result of the works, and the new jet wash bay is a great improvement over the existing hand car wash structure. The landscaping provision is acceptable and there will be no harm caused to neighbouring properties. There are no highway objections to the scheme and the proposed internal highway layout of the site would not justify a refusal on these grounds. Therefore this proposal is recommended for approval.

SUMMARY OF REPRESENTATION

HIGH ONGAR PARISH COUNCIL – Object, The Parish Council met with Keith Lawson, Head of Highways Planning at ECC and raised concerns regarding the safety of the proposed alterations to the access. The letter from Area Highways (copy attached) advises that the Highway Authority would wish to see the current access and entrance arrangements continue. With regard to the 24

hour opening, the Parish Council feel that this will cause both noise and light nuisance to local properties, especially given the alcohol licence currently in place. The proposed provision for an outside seating area for the consumption of food and alcohol is again not considered acceptable as the site cannot accommodate the current needs for parking and will encourage drivers to park on the verges and cause further noise and inconvenience to the local area. The Parish Council also considers that outside seating will encourage the consumption of alcohol and thereby drink driving. The outside seating area would increase the use of toilet facilities as will increased activity from the run off water from the jet washes on site which without mains drainage the Parish Council feel would also be unacceptable. As mentioned above, the current forecourt is not big enough to accommodate the further expansion of the jet wash, car wash and additional car parking space as cars are already queuing further impacting on the environment. Local residents are extremely concerned about this development in a rural area. With facilities available at the Four Wantz petrol station in Ongar, the Parish Council strongly considered that there is no requirement for these added services in such close proximity.

NEIGHBOURS:

THE ROOKERY, ROOKERY ROAD – Object, the one way entry and exit system will cause further danger on what is already a very dangerous junction, jet wash will attract more vehicles to the site and cause more damage to road surface, drainage will overwhelm local watercourses, BP at Four Wantz has these facilities already, no need for them here, 24 hour opening is unacceptable, light pollution and use of outside seating will cause noise disturbance.

ROOKERY COTTAGE – Object, road safety is already dangerous, this will make it worse, jet wash will lead to congestion on the forecourt, environmental impacts unacceptable, increased noise, outside seating will encourage drink driving.

Although no other comments were received from neighbours in respect of this application, the occupiers of the following properties expressed objection to the withdrawn scheme, EPF/2253/08:

Much Pond Orchards
Cantons
Oaklands
Traves

Report Item No: 6

APPLICATION No:	EPF/0095/09
SITE ADDRESS:	75 Beamish Close North Weald Bassett Epping Essex CM16 6JW
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	Mr Spencer G Clough
DESCRIPTION OF PROPOSAL:	Erection of single attached dwelling and ancillary works.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Prior to first occupation of the building hereby approved the proposed window openings in the first floor flank wall shall be fitted with obscured glass and shall be non-opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed, and shall be permanently retained in that condition.
- 3 Materials to be used for the external finishes of the proposed dwelling shall match those of the existing building to which it would be attached.
- 4 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS). The approved measures shall be carried out 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.
- 5 Prior to commencement of the development hereby approved, details of surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority and shall be carried out thereafter.

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:

Permission is being sought for the erection of a three bedroom attached property that would form an end terrace dwelling. The proposed house would be 7.4m wide and 6.3m deep with a pitched roof to a height of 7.8m. Access to the dwelling would be from the existing vehicle crossover on Beamish Close with parking to the front of the site.

Description of Site:

The site is part of the side garden of No. 75 Beamish Close, which would be divided up to accommodate this proposed development. The new parcel of land would be located on the corner of Beamish Close and a small access road which serves garages to the rear of the dwellings.

Relevant History:

EPF/1026/94 - Outline application for erection of dwelling – refused 06/12/94

EPF/0982/06 - Erection of a detached dwelling – refused 10/07/06

EPF/2099/07 - Erection of detached dwelling – refused 28/11/07 (appeal dismissed 12/06/08)

Policies Applied:

CP1 - Achieving Sustainable Development Objectives

CP2 - Protecting the Quality of the Rural and Built Environment

CP3 - New Development

H2A - Previously Developed Land

DBE1 - Design of New Buildings

DBE2 - Effect on Neighbouring Properties

DBE3 - Design in urban areas

DBE8 - Private Amenity Space

DBE9 - Loss of Amenity

ST1 - Location of Development

ST4 - Road Safety

ST6 - Vehicle Parking

Issues and Considerations:

The main issues in this application would be the suitability of the site for development, the impact on neighbouring dwellings, amenity considerations, and issues regarding highways/parking. The previous application was refused on the following grounds:

The design, size, siting and bulk of the proposed scheme are such that it would represent a poor, cramped form of development which fails to respect its setting and harms the character and appearance of the street scene and area more widely.

The cramped appearance was also the grounds for refusal on the two earlier applications, and was recently upheld on appeal as the Inspector concluded that “the proposed house in this situation would have a cramped relationship with No. 75, and its angled position would also be atypical of the area; for these reasons, it would appear to be shoe-horned into a narrow and inappropriate space”.

The main revision to this new development is that the proposed dwelling would be attached to No. 75 Beamish Close rather than a detached property. This would result in a small row of three terraced properties.

Location

The proposed dwelling would sit on an area of side garden that, under the definition in PPS3, is classed as previously developed land. Local Plan policy H2A seeks to deliver at least 70% of new housing on previously developed land, which are often considered to be more sustainable and relieve pressure for developing 'Greenfield' sites.

It is stated by the Planning Inspector in the previous appeal decision that "the majority of the houses in this residential area are in the form of short terraces, although there are also a few semi-detached and detached dwellings". Detached dwellings in the locality are fairly limited, and it was partly due to this that the previous applications were refused. This revised scheme would change the existing pair of semi-detached properties into a short row of three terraced houses, which would be far more in character with the surrounding locality than the previous detached dwelling.

The application site is located in a built up urban area which is well served by public transport and is a short walk to local shops and facilities. As such, this site is considered a sustainable location, which is where new dwellings should be provided. Several new dwellings have been erected within this estate, including to the side of No's. 4 and 85 Beamish Close, which clearly indicates that the area is considered acceptable for additional housing development. Despite the objections from the parish council and the attached neighbour it is not felt that this proposal is an 'overdevelopment' of the existing site as there is clearly sufficient space to provide the dwelling, amenity space, and parking area without this resulting in a cramped appearance.

Design

The proposed dwelling would be to an almost identical footprint as No. 75 Beamish Close and would continue the existing run of houses. The proposed dwelling is located in an area containing predominantly terrace properties of identical design, and as such this proposal would not be out of character with the surrounding area. Whilst the properties directly opposite the site, No's. 7 and 8 Beamish Close, are semi-detached properties they both have very large two storey side extensions, almost doubling the size of each dwelling. Furthermore the properties to the east and south are all terraced houses, which are the predominant house type in this locality.

It was previously noted by the Planning Inspector that there are "several instances of small grassed open spaces, adjacent to the ends of the terraces, and located at residential road junctions. These lend a more spacious character to the area, which relieves and 'greens' the built-up effect of the terraces". Whilst the application site is 'in a slightly different category' it was claimed that "it still has the visual function of providing an open, undeveloped space alongside a terrace". This formed part of the previous refusal as that proposed a detached dwelling built close to the boundary adjacent to the access road to the garages, which significantly reduced this visual gap. This revised application is for a dwelling attached to No. 75 Beamish Close that would retain a 3.1m gap between the front of the new dwelling and the access road (narrowing to 1.3m at the rear). This would be sufficient to successfully retain an open character to this side of the terrace whilst providing additional housing on previously developed land.

Amenity Considerations

The amount of private amenity space for both the new dwelling and for No. 75 Beamish Close would meet the minimum requirement set out in the Local Plan and Essex Design Guide.

In terms of loss of amenity, the proposed dwelling would have an identical relationship to the surrounding properties as the existing dwellings in this part of Beamish Close. It would not extend beyond the front or rear wall of No. 75, and the flank wall of the proposed dwelling would be some 13m from the side of the neighbouring dwelling at No. 74 Beamish Close. The only proposed first

floor side windows would serve an en-suite bathroom, and as such could be conditioned to be obscure glazed so as not to result in any undue loss of privacy.

Highways/parking

The existing site contains parking within the front garden serving No. 75 Beamish Close. The new development would allow for adequate parking space to the front of both the existing and the proposed dwelling (equating to two per dwelling), particularly given the site's location close to public transport and local amenities. Both properties would use the existing crossover, and as such there would be no detrimental impact on highway safety. An objection has been received regarding the impact that this development would have on the sight lines from the garage access road. The entrance to this access is bell shaped to allow for adequate sight lines and, given the set back of the dwelling from both the front and side boundaries, it is not felt that the proposed new property would detrimentally impact on this.

Other matters

Objections have been received from the attached neighbour, No. 76, stating that the erection of this dwelling would devalue their property by changing it from a semi-detached dwelling to an end of terrace, and also that it could result in further drainage problems. The impact of development on property value is not a material planning consideration and as such cannot be given weight when assessing the planning merits of the proposal. Drainage has been given consideration and the Council's Land Drainage team has commented that any planning permission given should be subject to conditions dealing with flood risk and surface water drainage.

Conclusion:

Due to the above the proposed attached house would overcome the previous reasons for refusal and would comply with the relevant planning policies. It would provide additional housing in a sustainable, previously developed location in line with Government Guidance, and would not detrimentally impact on neighbouring properties of the street scene. Therefore this application is recommended for approval, subject to appropriate conditions.

SUMMARY OF REPRESENTATIONS:

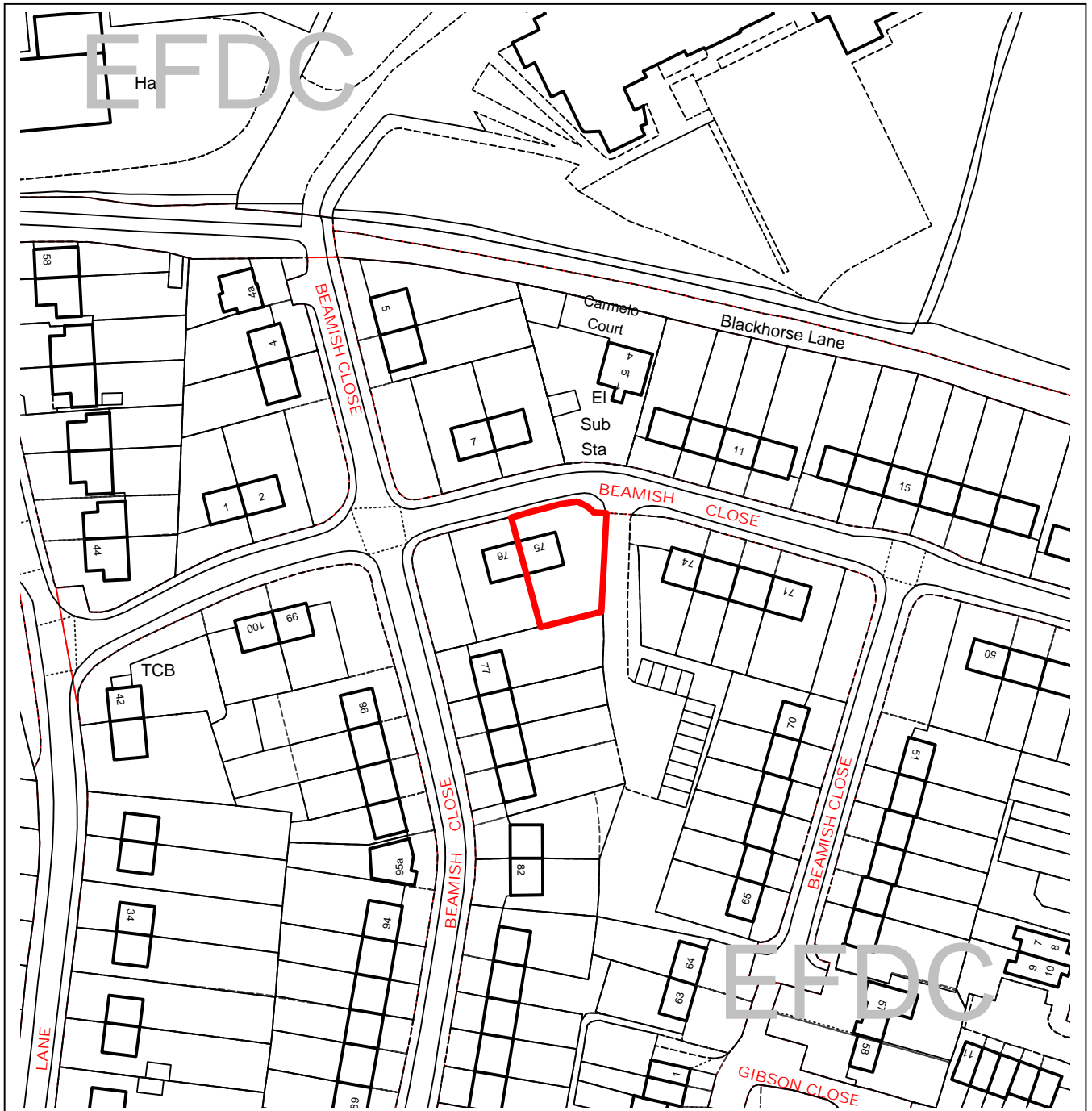
NORTH WEALD PARISH COUNCIL – Object on the grounds of overdevelopment and the proposal is not in keeping with the local area.

76 BEAMISH CLOSE – Object as it would change the semi-detached properties to a row of terrace houses, there could be potential drainage problems (this would be dealt with under Building Regulations Consent and not Planning Consent), it would be out of scale with neighbouring properties and would affect the whole look of the area, another dwelling will lead to parking issues, the proposal would reduce visibility to the access road to the side of 75, and as the proposed development would constitute an undesirable fragmentation of an existing dwelling, resulting in overdevelopment that would be out of character and prejudicial to the amenities of the area.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	6
Application Number:	EPF/0095/09
Site Name:	75 Beamish Close, North Weald CM16 6JW
Scale of Plot:	1/1250

Report Item No: 7

APPLICATION No:	EPF/2435/08
SITE ADDRESS:	1 Aukingford Green Ongar Essex CM5 0BY
PARISH:	Ongar
WARD:	Shelley
APPLICANT:	Mr Darren Roberts
DESCRIPTION OF PROPOSAL:	Removal of planning condition 2 'obscure glass fixed frames to front windows' on EPF/1972/08 for loft conversion with dormer windows to front and rear.
RECOMMENDED DECISION:	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).

Description of Proposal

The proposal is for the removal of Condition Number 2 of planning permission EPF/1972/08. The permission is for the erection of front and rear dormer windows in connection with a loft conversion, condition 2 states:

“Prior to first occupation of the building hereby approved the proposed window openings in the front elevation shall be fitted with obscured glass and have fixed frames to a height of 1.7m as measured from the internal floor level of the room they serve, and shall be permanently retained in that condition”.

The reason for the condition was to prevent the overlooking of neighbouring properties.

Description of Site:

The property is one of a set of four properties originally built on land off Springfield Close. As a result the dwelling is flanked on all four sides by properties. Hill House, Numbers 3 and 4 Aukingford Green and Numbers 3, 5 and 7 Springfield Close are to the front of the property with gardens in Aukingford Gardens abutting it to the rear. The property also overlooks houses in Springfield Close at the rear.

Relevant History:

EPF/1235/79 - Construction of access drive and erection of four houses and five garages.

Grant Permission (with conditions) - 03/12/79.

EPF/1972/08 – Erection of front and rear dormer windows in connection with a loft conversion.

Grant Permission (with conditions) – 24/11/08

Policies Applied:

Policy DBE9 – Loss of Amenity.

Issues and Considerations:

The main issues to consider are the impact of the proposed development on neighbourhood amenity, specifically issues of overlooking.

The condition relates to the front elevation and would therefore only relate to properties to the front of the application site - effectively 3 Aukingford Gardens, 3, 5 and 7 Springfield Close and Hill House. It is considered that the distance and angle from the application site to No's 3 and 5 Springfield Close, coupled with the position of a large oak tree in between, would not result in a level of overlooking to warrant a refusal. The angle to No7 is also very acute and would not result in serious overlooking. The location of a garage, and the distance and angle also prevents serious overlooking of No3 Aukingford Green and this is also the case with No5 which is also partly obscured by No3.

The condition was initially considered a compromise agreed by the applicant, Mr Roberts, in order to address any potential issues of overlooking, particularly into Hill House directly in front of the application site, following strong objections from the occupants. The consideration of this application has offered the opportunity to assess the view from the front dormer windows, and also the impact from within Hill House. This has provided evidence that excessive overlooking has not resulted. It is contended that overlooking is greater from existing first floor windows with a more direct view into first floor windows at Hill House. The dormer windows do not increase overlooking into private amenity space at the rear either, which is well screened by an existing hedge.

The objector makes the point that council policy states that in relation to extensions, habitable rooms should not have to rely upon windows in an elevation facing properties sensitive to overlooking. Where this is unavoidable, the windows should be fitted with obscure glazing and of a specific design to avoid the possibility of overlooking. The policy does however state that overlooking is influenced by proximity to plot boundaries and degree of separation between buildings. Further guidance is offered in The Essex Design Guide which states that a distance to rear facing windows of 25m should be retained. The distance from the application site to Hill House is 34m approximately, this coupled with the benefit of officers actually seeing the view from the dormers is enough to allay fears of excessive overlooking that could arise if the windows are retained with clear glass.

Conclusion:

To conclude, an application for a loft conversion with front and rear dormer windows was approved with a condition of obscure glass and fixed frames on the front dormers. This condition was agreed by the applicant as a compromise which would remove fears of overlooking from an objecting neighbour. The applicant now feels the condition excessive. With the benefit of access to the converted loft it is now considered that the dormer windows do not lead to a significant increase in overlooking. Moreover, it is the case that the additional degree of overlooking does not lead to Hill

House being excessively overlooked. It is also the view that the original decision could not be sustained in the appeals process. Accordingly the application should be approved.

SUMMARY OF REPRESENTATIONS:

ONGAR PARISH COUNCIL: Objection. Although property is not greatly overlooked, no material change in circumstances exists to justify a revision.

7 SPRINGFIELD CLOSE: Objection. Removal would result in overlooking.

6 AUKINGFORD GARDENS: Objection. Will result in overlooking and set a precedent for further removal of such conditions.

HILL HOUSE: Objection. Overlooking of whole back of the house, loss of amenity, contrary to Policy DBE9.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	7
Application Number:	EPF/2435/08
Site Name:	1 Aukingford Green, Onga CM5 0BY
Scale of Plot:	1/1250

Report Item No: 8

APPLICATION No:	EPF/0070/09
SITE ADDRESS:	Stanford Rivers Hall Farm Church Road Stanford Rivers Ongar Essex CM5 9QG
PARISH:	Stanford Rivers
WARD:	Passingford
APPLICANT:	Mr Charles Padfield
DESCRIPTION OF PROPOSAL:	Demolition of existing utilitarian farm buildings, erection of new farm buildings, relocation of listed granary, extension to listed house.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 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 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 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.

- 4 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.

- 5 Prior to commencement of development on the house extension, full details of window and door details, materials and surface finishes for walls and roof are to be submitted to and approved in writing by the Local Planning Authority. The development is to proceed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.
- 6 Prior to commencement of development, full details of the proposed foul drainage and surface water drainage are to be submitted to and approved in writing by the Local Planning Authority. The development is to proceed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.
- 7 Prior to commencement of works to demolish the barns, a Bat Survey is to be undertaken by a suitably competent person and a report submitted to and approved in writing by the Local Planning Authority.
- 8 Prior to commencement of works to demolish and resite the granary building, the existing granary building is to be recorded in drawings and photographs to be submitted to and approved in writing by the Local Planning Authority. The works are to be undertaken in accordance with the approved records and using the existing materials, unless otherwise agreed in writing with the Local Planning Authority.
- 9 No demolition/conversion or preliminary groundworks of any kind 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 previously submitted by the applicant and approved by the Local Planning Authority.

- 10 The barns shown to be demolished on the approved plan number 2, shall be demolished and all resulting material and hardstanding shall be removed from the site within 28 days of the substantial completion of barn A or within 12 months of commencement of development, whichever is the sooner.

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).

Description of Proposal:

Demolition of existing utilitarian farm buildings, erection of new farm buildings, relocation of listed granary, extension to listed house.

The existing barn buildings labelled Barn 1 and Barn 2 to the south of the site with a volume of 6,228m³ and 5,999m³ would be removed and a new Barn A to the East of the site erected with a volume of 10,467m³. A new L-shaped structure comprising of a refurbished existing Barn 3 and new Barn B would be erected adjacent to Mutton Row in the South. A Grade II listed granary building of a roughly 3m square area would be repositioned in a new courtyard area created by the new L-shaped barn, and the existing Grade II listed Cottage would have a 6m deep by 5.1m wide two storey rear extension.

Description of Site:

The site comprises a 0.84ha area of the Stanford Rivers Hall Farm complex, containing a Grade II listed cottage and granary, 2 large agricultural barns to the South, a narrow barn adjoining Mutton Row beyond the larger barns, and a currently open agricultural field to the East. It forms part of the small built up enclave within the Metropolitan Green Belt of Stanford Rivers, including other buildings of historic interest at Stanford Rivers Hall and St Margaret's Church.

The existing large barns to be removed and the narrow barn adjoining Mutton Row, along with the listed granary building, are in a state of poor repair at present.

Relevant History:

LB/EPF/0787/97 Listed Building application for replacement of existing roof Approved
EPF/1791/99 Stable block for horses and hardstanding area Approved
EPF/1110/02 Stable block Approved

Policies Applied:

East of England Plan:

Policy LA1 London Arc

Local Plan and Alterations

CP2 Protecting the Quality of the rural and built environment
CP3 New Development
GB2A Development in the Green Belt
GB7A Conspicuous Development
GB11 Agricultural Buildings
GB14A Residential Extensions
HC10 Works to Listed Buildings
HC11 Demolition of Listed Buildings
HC12 Development Affecting the setting of Listed Buildings

NC4	Retention of Established Habitat
DBE1	Design of New Buildings
DBE2	Effect on Neighbouring Properties
DBE4	Design in the Green Belt
DBE9	Loss of Amenity
DBE10	Residential Extensions
LL1	Rural Landscape
LL2	Inappropriate Rural Development
LL7	Planting, Protection and care of Trees
LL10	Adequacy of Provision for Landscape Retention
LL11	Landscaping Schemes
ST4	Road Safety

Issues and Considerations:

The main issues in this application are considered to be :

1. Principle of Development
2. Design Considerations
3. Impacts upon the Metropolitan Green Belt and upon the Landscape
4. Residential Amenity

Principle of Development

- The proposal includes the erection of new agricultural barns, and refurbishment of existing barns, to replace existing barns that are fire damaged but still in use to some degree.
- The agricultural use is an appropriate use in the Green Belt
- Following a site visit and an analysis of the supporting documentation provided by the applicants, it is considered that the space to be created is demonstrably necessary for the purposes within the farm.
- As such, there are no objections in principle to these elements of the scheme, subject to there being no adverse effect upon the landscape, visual amenity of the Metropolitan Green Belt, residential amenity and other matters, as discussed within the remainder of this report.
- The extension to the listed Cottage and relocation of the listed Granary, and overall impacts upon the group of listed buildings in the built up enclave, are acceptable in principle, provided that they do not detract from the historic interest or architectural character and appearance of the listed buildings or adversely affect the setting of other listed buildings. This aspect is expanded upon below.

Design Considerations

- The Senior Historic Buildings Advisor for Essex County Council and the Conservation Officer from the District Council have no objection to this proposal, subject to conditions being imposed which allow the materials and specific architectural features of the works to the listed buildings to be controlled by the Local Planning Authority.
- With such control over the materials used in the new barns and over specific detailing in the extension to the listed Cottage and over ensuring the resiting of the listed granary building, it is considered that the historic interest and architectural character of the listed buildings on and around the site would be protected.
- The relocated siting of the granary is not problematic, as it's proposed more central positioning is considered an improvement in comparison to its current rather hidden and peripheral positioning. The original central positioning was lost when the land was parcelled, and the new siting is considered to more faithfully recreate the original setting, subject to a faithful recreation, controlled through condition.
- The extension to the listed Cottage is relatively large, at 6m in depth, 5.1m width, and 7.1m height, but as it is located to the rear and is subordinate in scale to the existing large range, it

is considered acceptable in design terms in relation to the existing listed Cottage and would not significantly affect the wider area or setting of nearby listed buildings.

- The appearance of the roof, windows and door would acceptably complement the original property, and the proposed materials and detailing would be acceptable, subject to conditions requiring full details of materials and window and door details prior to construction.
- As such, the extension represents an acceptable addition in design terms.
- On a wider scale, the reconfiguration of the layout of Stanford Rivers Hall Farm represents a significant change that would open up views of the buildings of historic interest in the vicinity of Stanford Rivers Hall, and it is considered that the setting of the collection of listed buildings on the site would be improved following the removal of the existing barns labelled 1 and 2.

Impacts upon the Metropolitan Green Belt and upon the Landscape

- The proposed volume and floorspace covered by barns would be significantly less than as existing. There would be an 821m³ reduction in total built volume and 428m² reduction in hardstanding area representing a reduction of 6.7% and 11.4% respectively.
- Furthermore, the visual impact of the new Barn A and reconfigured Barn B in the landscape would be mitigated by a number of factors that together lessen the landscape impacts. These factors are the lower ground level, the barns having a reduced ridge height (from a maximum of approximately 11m height to a maximum of roughly 9m in height) and the existing vegetation and hedge screening to the Southeast and Southwest of the proposed main Barn A.
- There is scope for further native planting around the proposed new farm buildings in order to further soften their impact within the landscape, and as such a condition for a landscaping scheme is proposed. With such screening it is considered that the location respects the wider landscape setting of the site, and that character and appearance of the countryside and landscape would be enhanced overall.
- There is an element of concern that the overall built up enclave would be expanded to the East as a result of the construction of Barn A. However, due to the overall lessening of built volume and the opening up of the South of the site, along with the mitigating factors mentioned above, it is considered that the impacts of this large new building would not be unacceptable.
- The new main Barn A, and the reconfigured Barn 3 and new Barn B are of an agricultural appearance and of a design that respects local character, and are considered complementary additions in the Metropolitan Green Belt, countryside and wider landscape.
- So as to ensure that the existing barns and areas of hardstanding shown to be removed are removed in a timely fashion whilst enabling the ongoing operation of the farm, it is considered acceptable to allow Barn A's construction prior to the removal of the existing barns. But it is considered necessary to impose a 12 month limit for all works on the barns and hardstanding areas to be substantially complete.
- In terms of the extension of the house in the Metropolitan Green Belt, the proposed increase in floorspace would be roughly 57.6m² representing roughly 51% of the original, which is above the 50m²/40% limits as set out in policy GB14A.
- However, there is a more relaxed view being taken with regard to these limits in policy GB14A, and there are mitigating factors of it being located at the rear of the property and not being prominently visible from outside the site that make this rear extension acceptable in terms of the Green Belt house extension limits.

Residential Amenity

- Due to the significant separation distances from neighbouring properties to the main new Barn A of over 120m, it is considered that there would be no significant detrimental impact to neighbouring residents.
- The proposed two storey rear extension would overlook the rear garden of approximately 40m depth, and as such no neighbouring residents would be significantly overlooked due to the separation distances involved.
- There would be no other significant impacts to neighbouring residents, and the overall scale and intensity of the existing use would not increase to any significant degree from the overall reconfiguration of the Farm complex.

Other Issues

- It is considered necessary for a bat survey to be undertaken prior to demolition of the existing barns, so as to ensure that provision for the protection of any established habitats of local significance can be made.
- The accesses proposed would be as existing with minor changes apart from for new Barn A, which would enhance an existing field access, and create an additional access to a farm track which runs from Mutton Row. As there would be no increase in use of Mutton Row and no likely increase in net vehicle movements, the slight amendments to existing accesses would not present any significant issues in terms of road safety.
- The site does not lie within an Epping Forest District Council flood risk assessment zone, and due to the reduction in impervious area runoff will be reduced and a Flood Risk Assessment is not required.
- Conditions are however required for details of foul drainage and for surface water drainage.
- It is considered likely that important archaeological deposits of settlement from the medieval period and or later will be disturbed or destroyed. As such, it is considered necessary to add a condition for a programme of archaeological work in accordance with an agreed scheme of investigation.

Conclusion

It is considered that the overall scheme is a significant reconfiguration of the Stanford Rivers Hall Farm complex, and that concerns over impacts upon the landscape, Metropolitan Green Belt and listed buildings in the vicinity are adequately mitigated in the scheme. Specific details regarding the sensitive works to listed buildings, and with regard to materials, archaeological investigation and landscaping can be controlled through conditions, and as such this scheme is considered to be acceptable.

SUMMARY OF REPRESENTATIONS

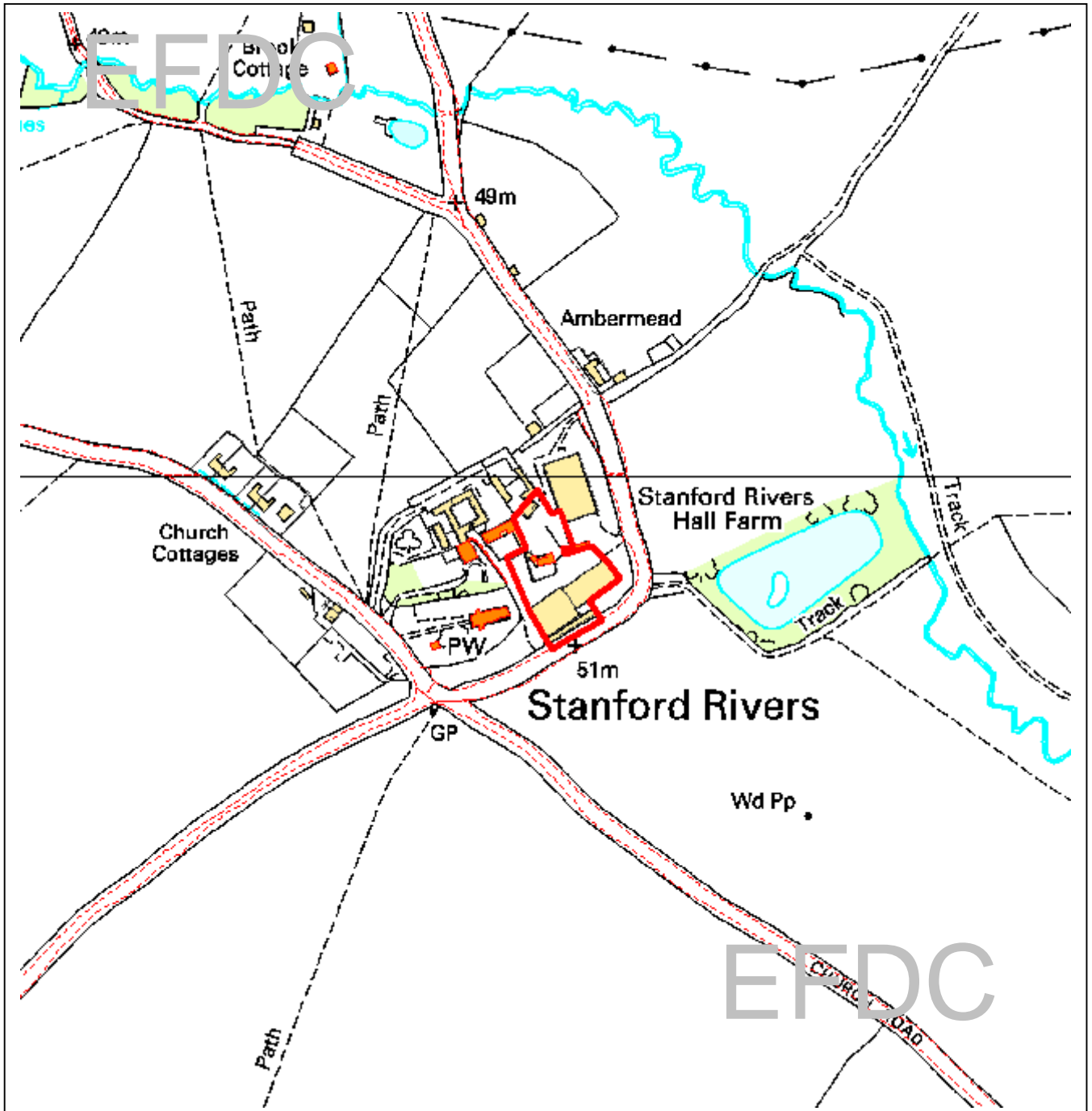
STANFORD RIVERS PARISH COUNCIL: No Objection

NEIGHBOURS: No response received



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	8 & 9
Application Number:	EPF/0070/09 & EPF/0071/09
Site Name:	Stanford Rivers Hall Farm, Church Road, Stanford Rivers, CM5 9QG
Scale of Plot:	1/5000

Report Item No: 9

APPLICATION No:	EPF/0071/09
SITE ADDRESS:	Stanford Rivers Hall Farm Church Road Stanford Rivers Ongar Essex CM5 9QG
PARISH:	Stanford Rivers
WARD:	Passingford
APPLICANT:	Mr Charles Padfield
DESCRIPTION OF PROPOSAL:	Grade II listed building application for the demolition of existing utilitarian farm buildings, erection of new farm buildings, relocation of listed granary, extension to listed house.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.
- 2 Prior to commencement of works to demolish and resite the granary building, the existing granary building is to be recorded in drawings and photographs to be submitted to and approved in writing by the Local Planning Authority. The works are to be undertaken in accordance with the approved records and using the existing materials, unless otherwise agreed in writing with the Local Planning Authority.
- 3 Prior to commencement of development on the house extension, full details of window and door details, materials and surface finishes for walls and roof are to be submitted to and approved in writing by the Local Planning Authority. The development is to proceed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

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).

Description of Proposal:

Grade II listed building application for the demolition of existing utilitarian farm buildings, erection of new farm buildings, relocation of listed granary, extension to listed house.

The existing barn buildings labelled Barn 1 and Barn 2 to the south of the site with a volume of 6,228m³ and 5,999m³ would be removed and a new Barn A to the East of the site erected with a volume of 10,467m³. A new L-shaped structure containing a refurbished existing Barn 3 and new Barn B would be erected adjacent to Mutton Row in the South. A Grade II listed granary building of a roughly 3m square area would be repositioned in the new courtyard area created by the new L-shaped barn, and the existing listed Cottage would have a 6m deep by 5.1m wide two storey rear extension.

Description of Site:

The site comprises a 0.84ha area of the Stanford Rivers Hall Farm complex, containing a Grade II listed cottage and granary, 2 large agricultural barns to the South, a narrow barn adjoining Mutton Row beyond the larger barns, and a currently open agricultural field to the East. It forms part of the small built up enclave within the Metropolitan Green Belt of Stanford Rivers, including other buildings of historic interest at Stanford Rivers Hall and St Margaret's Church.

The existing large barns to be removed and the narrow barn adjoining Mutton Row, along with the listed granary building, are in a state of poor repair at present.

Relevant History:

LB/EPF/0787/97 Listed Building application for replacement of existing roof Approved

Policies Applied:

Local Plan and Alterations

HC10 Works to Listed Buildings

HC11 Demolition of Listed Buildings

HC12 Development affecting the setting of Listed Buildings

Issues and Considerations:

The main issues in this listed building application relate to the impacts of the proposed works on the listed buildings on the site.

Listed Building Considerations

- The Senior Historic Buildings Advisor for Essex County Council and the Conservation Officer from the District Council have no objection to this proposal, subject to conditions being imposed which allow the materials and specific architectural features of the works to the listed buildings to be controlled by the Local Planning Authority.
- With such control over the materials used in the new barns and over specific detailing in the extension to the listed Cottage and over ensuring the resiting of the listed granary building, it is considered that the historic interest and architectural character of the listed buildings on and around the site would be protected.
- The relocated siting of the granary is not problematic, as it's proposed more central positioning is considered an improvement in comparison to its current rather hidden and peripheral positioning. The original central positioning was lost when the land was parcelled, and the new siting is considered to more faithfully recreate the original setting, subject to a faithful recreation, controlled through condition.

- The extension to the listed Cottage is relatively large, at 6m in depth, 5.1m width, and 7.1m height, but as it is located to the rear and is subordinate in scale to the existing large range. It is considered acceptable in design terms in relation to the existing listed Cottage and would not significantly affect the wider area or setting of nearby listed buildings.
- The appearance of the roof, windows and door would acceptably complement the original property, and the proposed materials and detailing would be acceptable, subject to conditions requiring full details of materials and window and door details prior to construction.
- As such, the extension represents an acceptable addition in design terms.
- On a wider scale, the reconfiguration of the layout of Stanford Rivers Hall Farm represents a significant change that would open up views of the buildings of historic interest in the vicinity of Stanford Rivers Hall, and it is considered that the setting of the collection of listed buildings on the site would be improved following the removal of the existing barns labelled 1 and 2.

Conclusion

It is considered that the proposed works to the listed buildings on site would preserve their special historic and architectural interest. Furthermore, it is considered that the overall reconfiguration of the Stanford Rivers Hall Farm would not adversely affect the setting of the Grade II and Grade II* listed buildings in the vicinity. As such, this application adheres to the relevant policies of the adopted Local Plan and Alterations and the application is recommended for approval.

SUMMARY OF REPRESENTATIONS

STANFORD RIVERS PARISH COUNCIL: No Objection

NEIGHBOURS: No response received

Report Item No: 10

APPLICATION No:	EPF/2352/08
SITE ADDRESS:	4 Edwards Terrace Tysea Hill Stapleford Abbots Romford Essex RM4 1JP
PARISH:	Stapleford Abbots
WARD:	Passingford
APPLICANT:	Epping Forest District Council
DESCRIPTION OF PROPOSAL:	Construction of a new build semi detached two storey three bed residential dwelling on an existing plot following fire damage/demolition of existing property.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 A flood risk assessment shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS). The approved measures shall be carried out 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..
- 4 Details of the proposed timber decking (including elevations and any screening) at the rear elevation of the new dwelling shall be submitted in writing to the Local Planning Authority for approval within 3 months of the grant of this permission. The decking shall be constructed in accordance with those details and permanently maintained at a height no greater than that approved.
- 5 Notwithstanding the details shown on site plan on drawing no JAC/245/08/BR-01-101, the part of the means of enclosure on the boundary between 4 and 5 Edward Terrace that is within 3m of the site boundary with the footway shall not exceed a height of 900mm.

- 6 Prior to first occupation of the building hereby approved the proposed window openings in first floor flank elevations 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.
- 7 Prior to commencement of development, details of levels shall be submitted to and approved in writing 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.

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

Description of proposal:

Construction of new build semi detached two storey house three bed residential dwelling on an existing plot following fire damage/demolition of existing property.

Description of Site:

Previously existing two storey house in the Green Belt. The site forms part of a small settlement at this location with 3 pairs of semi detached houses built to the same design (although extensions have been granted for some of them).

Relevant History:

Nil

Policies Applied:

GB2A Green belt
GB15A Replacement Dwellings
DBE 1 Design of new buildings
DBE 4 Design in the Green Belt

Issues and Considerations:

The main issues in this application are:

1. Whether a replacement house is acceptable in principle and if this particular proposal complies with Council policy on replacement houses within the Green Belt.
2. Design
3. Impact on Neighbours

Green Belt

- The previous property was a council house which was seriously damaged in a fire and subsequently demolished.
- The proposal is to basically rebuild the property so that it is visually identical to the previous building.

- Council Policy allows the replacement of existing dwellings in the Green Belt if the building is not materially greater in volume than the existing building & it has no further impact on openness of the Green Belt than the original dwelling.
- This policy is met in this case as there is no increase in volume or area over the previous building.
- There is no adverse impact on the openness and character of the Green Belt.

Design

- The scheme is designed to replicate the previous property.
- Whilst it will be out of balance with the other half of the semi due to this other property having an extension with a hipped roof, this would not justify a refusal on these grounds.
- Materials can be conditioned to be appropriate to this area.

Impact on Neighbours

- There will be no adverse loss of light or sunlight to any neighbour.
- There will be no adverse overlooking of any neighbour.
- There is no adverse visual impact for any neighbour as a result of the scheme.

Conclusion

This scheme causes no harm to the overall openness and character of the Green Belt. It is of an acceptable design and no harm is caused to any neighbour. The recommendation is therefore for approval.

SUMMARY OF REPRESENTATIONS

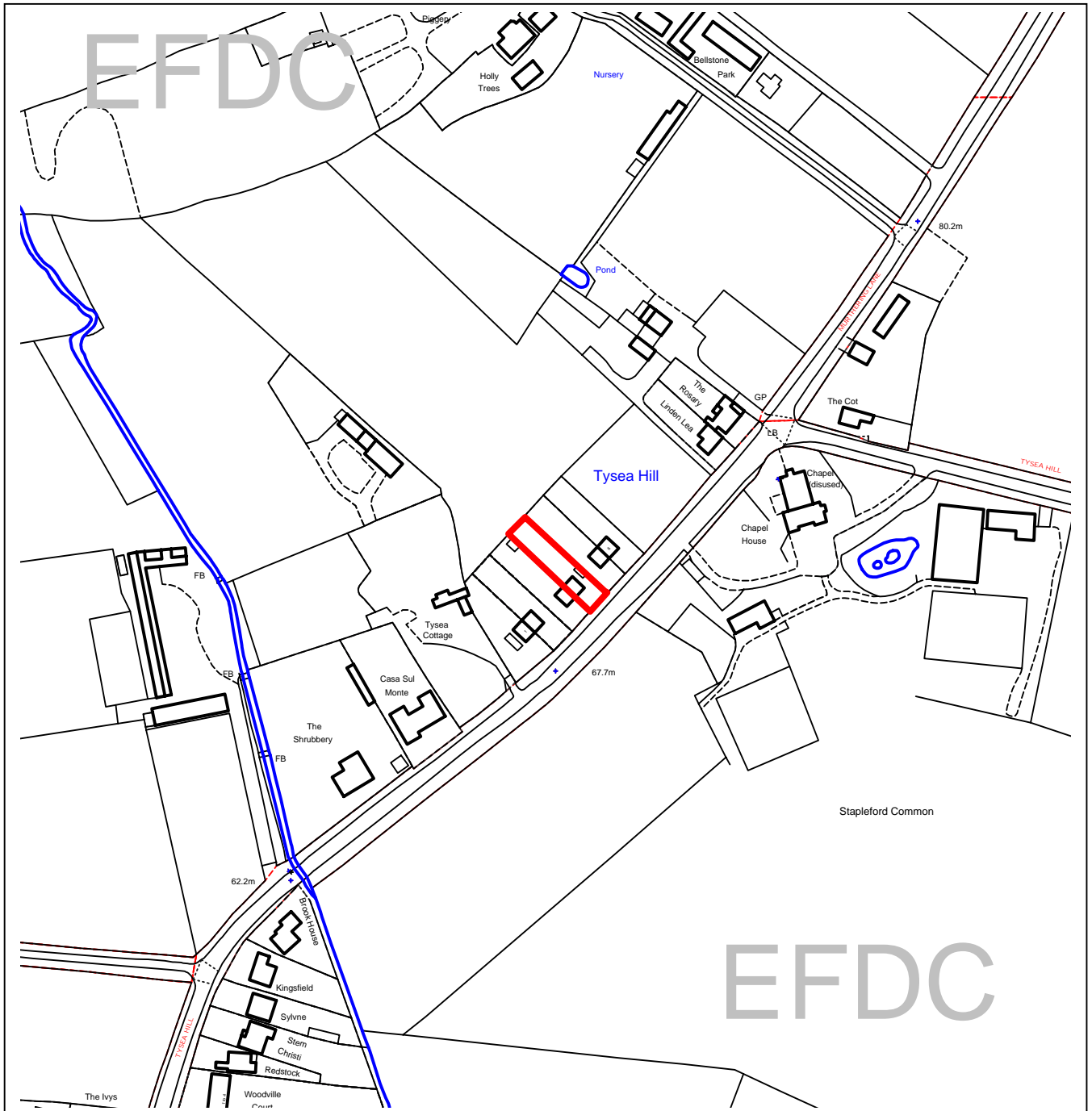
STAPLEFORD ABBOTTS PARISH COUNCIL: - No objection

NEIGHBOURS: - No response received.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	10
Application Number:	EPF/2352/08
Site Name:	4 Edwards Terrace, Tysea Hill Stapleford Abbots, RM4 1JP
Scale of Plot:	1/2500

Report Item No: 11

APPLICATION No:	EPF/1913/08
SITE ADDRESS:	2 Theydon Park Road Theydon Bois Essex CM16 7LW
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr John Lawrence
DESCRIPTION OF PROPOSAL:	Redevelopment to provide three detached bungalows (revised application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 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 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 prior to the commencement of the development. The approved facilities shall be installed prior to the commencement of any works on site in connection with the development and shall be used to clean all vehicles leaving the site. For the purposes of this condition, commencement of development means works to demolish the existing house.
- 5 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Class A and B shall be undertaken without the prior written permission of the Local Planning Authority.
- 6 The development, including site clearance, must not commence until a scheme of hard and soft 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 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 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 8 The shared access should be a minimum of 4.8m wide for the first 6m from the highway.
- 9 Hard standing space(s) shall be provided within the curtilage of the dwelling(s) prior to occupation, and shall be permanently retained for the parking of residents' and visitors' cars.
- 10 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.
- 11 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 08.00 to 18.00 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 the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions and more than one letter of objection was received

Description of Proposal:

This is a revised application following two previously withdrawn schemes submitted in 2008 under planning refs. EPF/0413/08 and EPF/1091/08. Details are for the redevelopment of the site involving the demolition of the detached two-storey dwelling and erection of three detached bungalows. (Revised application).

Description of Site:

The subject site is an irregular shaped plot of land situated on the west side of Theydon Park Road. The plot is in a prominent location as it demarcates a focal point where four roads - "The Green/ Poplar Row" to the north and "Blackacre Road/Theydon Park Road" to the south; converge.

The site presently accommodates a detached two-storey building, and the ground level is relatively flat with small trees and hedges within the curtilage. A single track access road to the north boundary grants access to two bungalow dwellings situated on the north-western corner of the plot namely Nos. 1 and 2 Dossetts Retreat.

The properties to the immediate north of this access road are two-storey semi-detached dwellings. The plots to the east of the site accommodate blocks of 4, terraced two-storey dwellings and the plots to the west accommodate one and a half storey, chalet style bungalows.

There are no known development constraints relevant to this plot of land.

Relevant History:

EPF/0413/08 – Redevelopment to provide two sets of semi detached houses. Withdrawn in 2008

EPF/1091/08 – Redevelopment to provide two new detached dwellings (Revised application). Withdrawn in 2008

EPF/1914/08 – Change of use of Land/ Premises from residential to a mixed use of residential and boarding of small animals. Refused 11/02/09 for the following reasons:

1. The use of this residential dwelling for small animal, reptile and bird boarding results in an unacceptable visual impact on the outlook and amenity of neighbouring properties.
2. The use of this residential dwelling for small animal, reptile and bird boarding results in an unacceptable impact on the residential amenity of neighbouring properties due to noise from the boarded birds.
3. The use of this residential dwelling for small animal, reptile and bird boarding results in on street parking in a congested area, causing inconvenience and danger to pedestrian and road users.

Policies Applied:

Development policies from Epping Forest District Council's adopted local plan and alterations:

CP3, CP4 and CP5 – Sustainable building
DBE 1 - New buildings
DBE 2 - New buildings amenity
DBE 6 - Car Parking
DBE 8 - Amenity space

DBE 9 - Neighbour Amenity
H4A - Dwelling Mix
ST4 - Parking
ST6 - Traffic Criteria
LL10 - Landscaping

Issues and Considerations:

The main issues and considerations in relation to this application are the design of the proposed new buildings, appearance within the street scene, parking considerations and amenity of neighbouring properties.

Design and Appearance

Use

The proposal is to demolish the existing detached two-storey dwelling and replace this with three, 3 bedroom bungalow dwellings. Each building provides two-bedrooms, bathroom, lounge and kitchen/diner at ground floor level with an additional bedroom and cinema/games room at basement level. Natural daylight is provided for the rooms in the basement with the addition of a light-well.

The character of the area is made up of two-storey and bungalow style dwellings. The use of each new building will serve as a single residential family unit and the intended use is suitable for this location.

Scale

Each of the proposed new bungalows measures 10.35m wide x 8.7m deep at the widest point, 5.45m high to the ridge and 2.45m to the eaves. The floor plan of bungalow 2 and 3 are similar in size and design, while by comparison bungalow 1 is wholly similar in size, the main difference lies in its plan layout as it is a mirror image of bungalows 2 and 3. The ground level is relatively flat and therefore, the scale and size of the bungalows will complement the buildings within the street scene.

Layout and siting

There is a varied mix of building styles within the street; this variety is more significant with properties to the west of Theydon Park Road which are built to a staggered front building line. The proposed layout of the three bungalows is somewhat juxtaposed and where bungalow 1 is more or less in line with the building at adjacent site 1A The Green, bungalows 2 and 3 are sited further back towards the western boundary of the site. Given the nature of the irregular plot size and eclectic mix of building styles within the street, the block plan of the three bungalows shows a tri fold-group of buildings and the layout and siting results in an acceptable form of development in this prominent location.

Form and proportion

While there is a basement addition, the buildings will appear within the street as single storey bungalows designed with gable end roofs. A small gable end roof projection breaks up the façade of the dwellings and each bungalow provides an attached single garage.

In assessing the overall appearance of the proposed bungalows, the design takes into account the fenestration, roofline, building mass and orientation of the neighbouring buildings, and the detailing shows a simple, yet complementary building form and proportion with the character of the buildings within the street, this complies with the local plan policies.

The elevations indicate the building will be brick built with tiled roof, however, a condition could ensure that details of the types and colours of all external materials are submitted to ensure that the finished buildings will complement dwellings within the street.

Amenity

The immediate property to the north boundary, No. 1A The Green, is a two-storey building with an additional single storey element built to the boundary. The flank wall of the proposed bungalow 1 will face onto this property and due to the siting and access road that demarcates these plots, these dwellings will be approximately 6.0m apart. Bungalow 1 is designed with no windows on the north boundary and taking into account the height of the proposed bungalow, the hedge and boundary fence on the boundary, there will be no harm to the amenities of this neighbouring occupier.

The southern boundary of the site was vacant; however, planning permission was recently allowed to erect a new bungalow dwelling within this plot of land. The nearest bungalow to this plot will be bungalow 3, and the layout of the buildings will not result in any harm to the amenities of this bungalow when it is completed.

The nearest property to the eastern boundary of the site is occupied by 21 Hornbeam Close and the rear garden area of this property abuts the rear garden area of the proposed bungalow No. 2. With adequate fencing, there will be no impact to this neighbour's amenity.

Finally, the site to the north-western boundary of the site accommodates No. 1 Dossetts Retreat. This property is a bungalow dwelling with an attached side garage and the flank wall of the garage faces onto the boundary with proposed bungalow 2. There is a window proposed on the north facing flank wall of bungalow 2 however, this window serves a bathroom and a condition could ensure it is obscured.

While the 3 bungalows have been designed with careful consideration for neighbour's amenity, conditions controlling the erection of fences, screens and appropriate soft landscaping should also ensure there will be no harm to immediate neighbour's amenity.

In light of the above appraisal, the proposal will not result in any harm to surrounding occupier's amenity as it will not affect immediate neighbour's light, outlook, privacy or any other amenity feature.

Other considerations

Parking & Highway safety:

Each of the bungalows provides two-bedrooms on the ground floor with an additional bedroom at basement level and each is designed with an attached garage that will provide parking for 1 x parking space at the front, this meets with the parking standard requirement.

The Highway Authority raises no objection to the proposal as the development raises no concerns of highway safety. Subject to a condition for the new crossovers, the layout and parking spaces provided within the curtilage of each plot are acceptable.

Landscaping:

The application form states there are no trees or hedges and the plans omit to show any within the site. Although there are trees and hedges presently within the site, none of these trees are significant as they are small fruit trees and there are no Tree Preservation Orders in respect of any trees on site.

Having regard to the absence of soft landscaping on the plans submitted, a tree and landscaping condition would be necessary to ensure a scheme of soft landscaping is provided within each of the proposed new plot boundaries and also to the front edge of Theydon Park Road. A landscaping condition will also contribute to the visual enhancement of the site within the street scene.

Dwelling mix

As previously stated, the street scene provides a varied mix of dwelling styles and sizes and there are examples of bungalows and two-storey dwellings within the street. PPS1 advocates the best use of urban land and the size of the plot is substantial enough to accommodate 3, three-bedroom family sized dwellings, which complies with H4A.

Sustainable development

The site is located in a village-like setting, in an area that can be described as a commuter location. The site is within walking distance of a London Underground Station – Theydon Bois and is also well served by local bus routes. There are also a wide variety of local shops within walking distance of the site and the location of this development is therefore acceptable as a sustainable location.

Objections

The objections received from the parish council and 3 neighbours' properties mostly relate to concerns of the siting, design and overlooking.

The alternative design suggestions have been given consideration, however a hipped roof design will not necessarily improve upon the design of the bungalows as the gable end roofs shown are complementary to the building form and the siting of the bungalows will not result in any harm to immediate neighbour's amenity.

Concern from neighbours about the addition of roof dormers have been taken into account and this is seen as a valid argument. The proposed layout of the bungalows is in such a way that the addition of roof dormers without some form of control at first floor level, will alter the design of the bungalows and could result in unneighbourly additions to neighbouring occupiers amenity. Therefore, permitted development will be restricted for this development.

While all other concerns and objections raised have been taken into account, these are not sufficient to justify a refusal of the development based on planning grounds.

Conclusion

Taking all material factors into account, the erection of three detached bungalow dwellings which will replace the existing two-storey building is acceptable as it will not result in harm to the neighbouring occupiers amenities, the design and appearance of the new dwellings will complement existing dwellings within the street scene and character of the surrounding area.

This scheme complies with relevant Local Plan Policies and is therefore recommended for approval with conditions.

SUMMARY OF REPRESENTATIONS:

THEYDON BOIS PARISH COUNCIL - We would firstly like to comment that we are delighted to see that our suggestion that this site may lend itself to a small development of bungalows has been followed and in principle we welcome the prospect of bungalows on this site. This said we would like to propose the following amendments:

1. When the two bungalows in the adjoining Dossett's Retreat were built approximately 10-12 years ago a condition was imposed whereby there were to be hipped ends to the roof design. We consider that a hipped roofline is a more attractive design solution and will ensure that the dwellings blend into the street scene as far as is possible. The proposed roofline appears bulky and unattractive.
2. We consider that the street scene would be enhanced by the rotation of the position of two of the proposed dwellings. Plot 1 to the front right hand side (when facing the site from the Green) should be rotated slightly clockwise to ensure that the front building line with other properties fronting the Green is respected. Plot 2 to the rear should be rotated anticlockwise such that it is parallel with 1 Dossett's Retreat next door and so that the rear building line is respected. We support the views of the owners of 1 Dossett's Retreat and of 1A The Green that these changes in the siting of the proposed dwellings will lessen the adverse impact on those properties.
3. We would recommend the removal of all future "Permitted Development Rights" so that any future development may be controlled and to safeguard against the overdevelopment of the site and the loss of the dwellings as bungalows situated in a convenient village location in the future.
4. Given the close proximity of the site to other dwellings, the hours of work must be restricted.
5. Given that the pavement outside this site is very narrow and that the site is situated on a busy junction, we consider that the site should be self-contained with no overspill of building vehicles and materials on the road outside. Accordingly we would recommend a condition whereby all building materials and vehicles should be kept within the site boundaries at all times. We would suggest that a financial contribution should be made by the developers in respect of any required maintenance to the roads and pavements abutting the site which have recently been repaired.
6. Wheel washing condition should be applied in respect of all vehicles entering and leaving the site to preserve the condition of the local area and minimise disruption to neighbours.
7. The hedge between Dossetts Retreat and the development site is partly an ancient field hedge and should be preserved together with as much as is possible of the hedge fronting Theydon Park Road.
8. We would comment that the statement in section 16 of the Application is incorrect. The applicant has stated that there are no trees or hedges on the proposed development site but in fact there are mature trees and as mentioned above, an ancient hedgerow within the site.

NEIGHBOURS

19 HORNBEAM CLOSE objects: Application incorrectly states that no previous applications have been submitted for this site as a number of applications have been submitted. Bungalows would be more in keeping but 3 represent an overdevelopment of the space available. Two would be more appropriate.

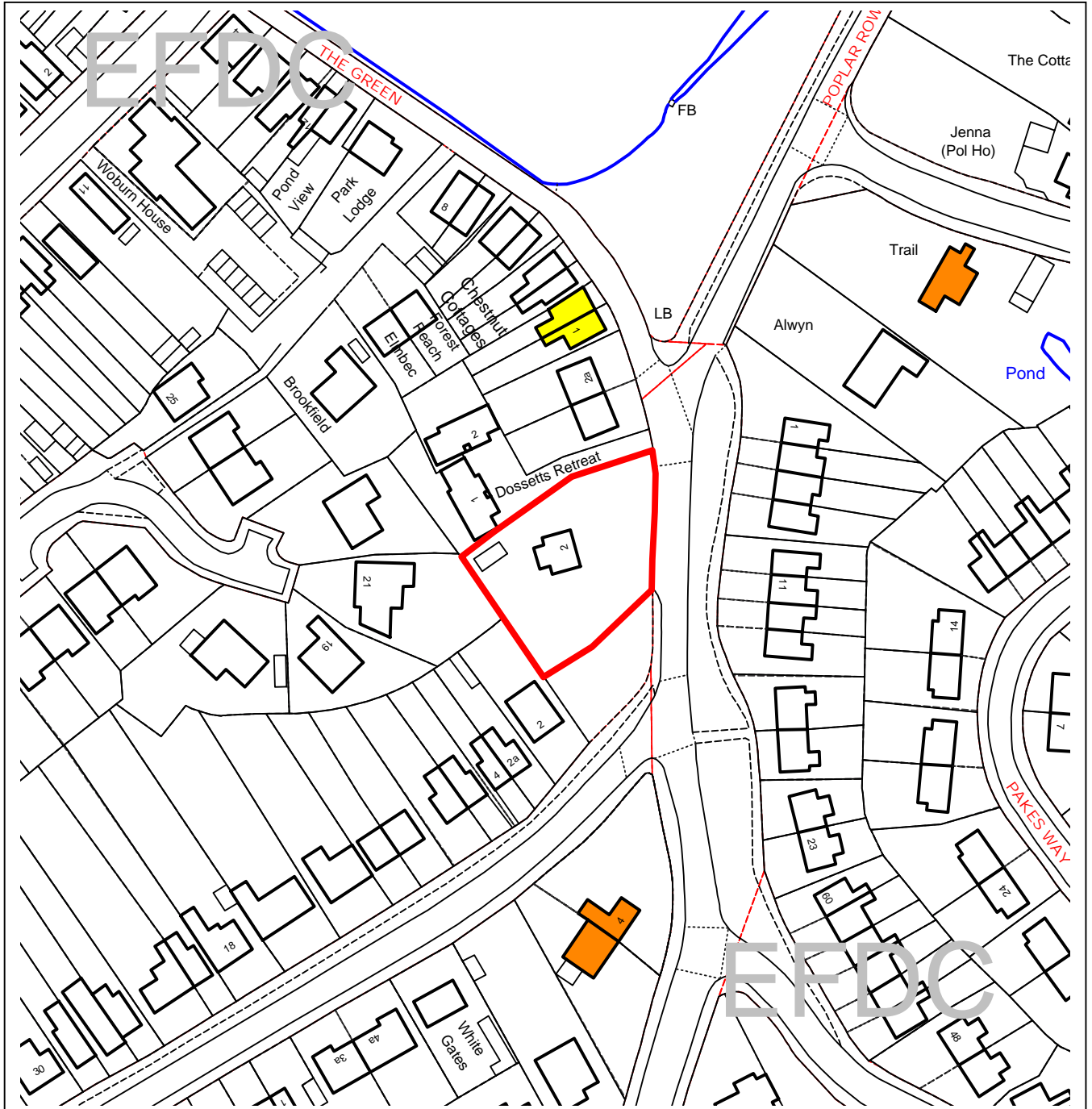
1A THE GREEN objects: The siting of the bungalow to their property will not follow the existing building lines. Loss of light from gable wall proposed should be hipped end roofs. Permitted development rights should be removed. No provision for storage of recyclable waste on site. Extensive use of UPVC. Clarification on provision of foul sewage disposal.

1 DOSSETT'S RETREAT – Welcomes the principle of the development however raises concern on design aspect. The gable ends will be a dominant feature and result in loss of light. Concerned about foundations and plan should be rotated as suggested in diagram submitted.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	11
Application Number:	EPF/1913/08
Site Name:	2 Theydon Park Road, Theydon Bois CM16 7LW
Scale of Plot:	1/1250

Report Item No: 12

APPLICATION No:	EPF/2419/08
SITE ADDRESS:	71 Hornbeam Road Theydon Bois Epping Essex CM16 7JU
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mrs Yvone Order
DESCRIPTION OF PROPOSAL:	Proposed first floor extension. (Revised application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.

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:

First floor side extension, measuring 5.2m x 4.6m, by 2m high, with a gable end roof on an existing southern ground floor extension.

Description of Site:

A two-storey detached house on a rectangular plot. The road has a mix of detached and semi detached two storey houses.

Relevant History:

EPF/1223/75	Two storey side extension	refused
EPF/0054/76	Two storey side extension	approved
EPF/0299/99	Single Storey side extension	approved
EPF/0973/06	First floor side extension	refused

Policies Applied:

DBE 9 Excessive Loss of amenities for neighbours
DBE 10 Design of residential extensions

Issues and Considerations:

The main issues in this application are the effects of this development on the amenities of neighbouring properties and the street scene.

A similar scheme was refused in 2006. This had a full height hipped roof on the first floor element over the existing ground floor extension, and was refused due to the adverse impact on the spacious character and appearance of the area.

Impact on Street Scene

- This is a property which is prominent in the street scene, located on the corner of Hornbeam Road with a return frontage on the link road between Hornbeam Road and Loughton Lane, and both 69 and 71 were positioned about 7m back from their flank boundaries, resulting in a spacious open appearance at the road junction.
- This scheme has lowered the ridgeline of the extension from both the 2006 application and the withdrawn 2008 application. The scheme has also been reduced in width and scale from both applications and the extension is now in line with the rear elevation of the main house, and has a modest appearance when viewed from the side elevation.
- This scheme will have some impact on the open aspect of the estate at this junction, but it does not result in such an adverse effect as to justify a refusal on these grounds, and it is considered that the scheme is now in line with local plan policies.

Design

- The two storey rear extension is a modest addition to the property and it is acceptable on this dwelling, integrating well with it.
- Materials will match.

Residential Amenity

- There is no adverse overlooking to any neighbour as a result of this application.
- There is no adverse loss of light or sunlight to any neighbour.

Conclusion:

For the reasons above this application is therefore recommended for approval.

SUMMARY OF REPRESENTATIONS

THEYDON BOIS PARISH COUNCIL – Object. We note the amendment to EPF/1603/08 and whilst we welcome the improvement on the original design the amendment is modest. We remain concerned therefore about the bulk of this proposed development and consider that it will be intrusive and harmful to the street scene, particularly given the present open aspect of this street corner.

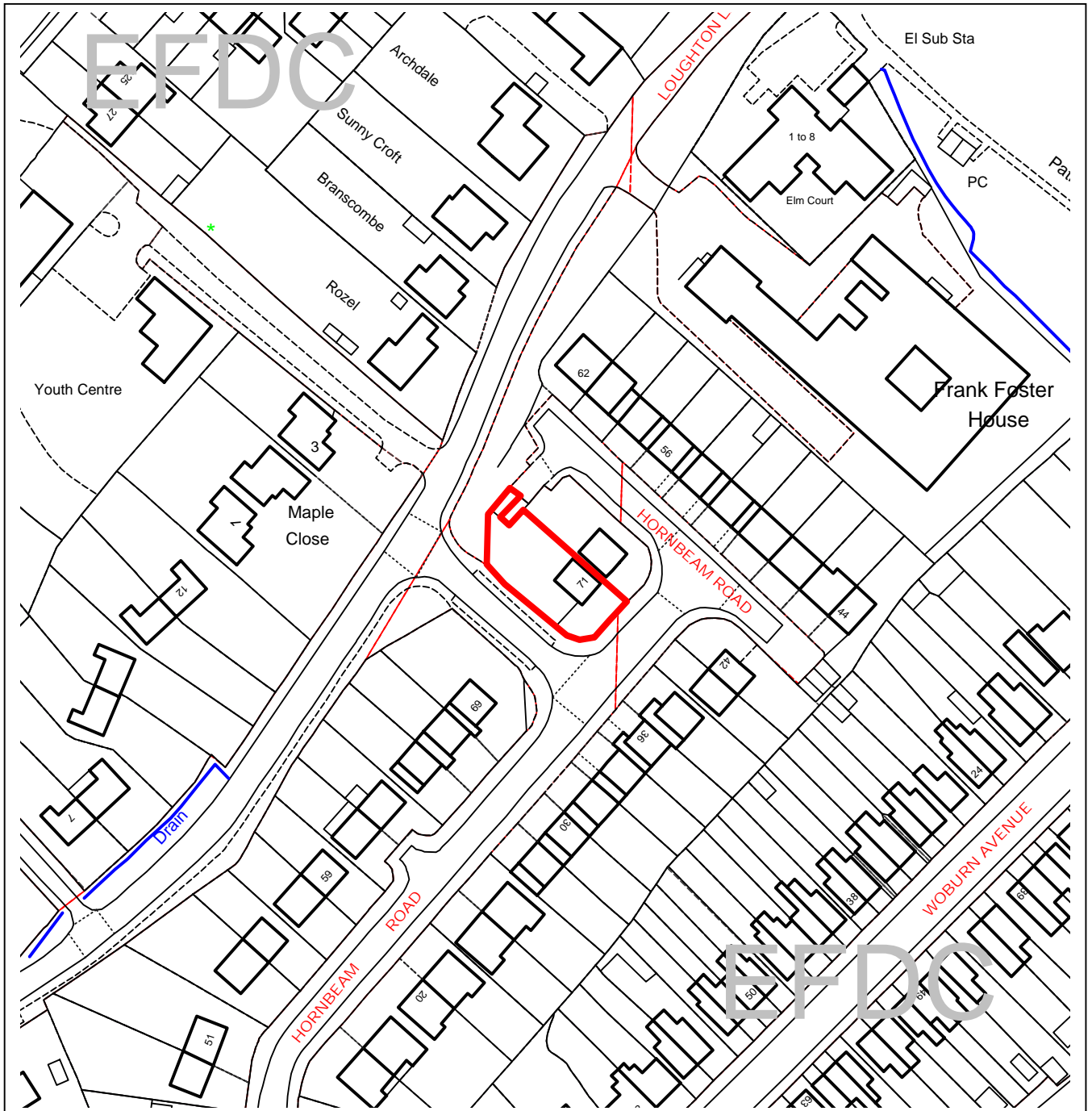
NEIGHBOURS:

38 HORNBEAM ROAD – Object, overdevelopment, affect our privacy, be visually intrusive, out of keeping and character with street.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	12
Application Number:	EPF/2419/08
Site Name:	71 Hornbeam Road, Theydon Bois CM16 7JU
Scale of Plot:	1/1250

Report Item No: 13

APPLICATION No:	EPF/2439/08
SITE ADDRESS:	Land off Abridge Road (ex Old Forrester Club) Theydon Bois Essex CM16 7NN
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Parking Limited
DESCRIPTION OF PROPOSAL:	Provision of commuter car park on land off Abridge Road, Theydon Bois.
RECOMMENDED DECISION:	Refuse Permission

REASONS FOR REFUSAL

- 1 The site is within the Metropolitan Green Belt. The proposed works represent inappropriate development and are therefore at odds with Government advice, as expressed in PPG2, the policies of the adopted Local Plan and Alterations and the East of England Plan. The latter state that within the Green Belt permission will not be given, except in very special circumstances for the construction of new buildings or for the change of use or extension to existing buildings except for the purposes of agriculture, mineral extraction or forestry, small scale facilities for outdoor participatory sport and recreation, cemeteries, or similar uses which are open in character.

In the view of the Local Planning Authority the proposed development does not comply with these policies as the applicant has not proved to the Council's satisfaction that very special circumstances exist which would outweigh the harm to the Green Belt from the construction of this commuter car park; specifically, the need for this land use has not been proved and in any event the scheme would cause unacceptable harm to the character and appearance of the Green Belt contrary to policies GB2A and GB7A of the adopted Local Plan and Alterations.
- 2 The proposed development due to the use for the open parking of vehicles, the siting, design and lighting would have a significant adverse impact on the visual amenity, landscape and rural character of the area contrary to policies CP2, DEB1, DBE4, LL2 and LL3 of the adopted Local Plans and Alterations.

This application is before this Committee since it is an application that is considered by the Director of Planning and Economic Development as appropriate to be presented for a Committee decision (Pursuant to Section P4, Schedule A (k) of the Council's Delegated Functions).

Description of proposal:

Provision of a commuter car park on land off Abridge Road, Theydon Bois (Ex "Old Foresters" Club site. The car park will initially accommodate 156 cars (including 13 disabled places), with a future capacity for 350.

Access to the car park is proposed to be an access road from the Abridge Road to the construction site of a golf course at Blunts Farm and then via what appears to be a new road following the alignment of a temporary haul road across the golf course construction site to the east of the application site. That road is identified as an existing site access road on the submitted proposed site plan however it does not benefit from any planning permission and no application has been made to construct an access road to the application site across the construction site.

Description of Site:

An irregular area of land between the over-ground section of the Central Line to the east of the Theydon Bois village envelope which is the site of the former "Old Foresters" sports club, an area of about 6 ha. The proposed site for the car park is separate to the old clubhouse site (roughly half the land is designated for the car park use, the rest is retained with the old clubhouse site, redevelopment of which is subject to pre application discussions with the Council which are at an early stage) although both areas are in the same ownership. The former club building on this half of the land has been demolished and there are several portacabin type structures on this area which are the subject of enforcement action. The site is currently accessed via a single lane road from the Abridge Road via a very steep slope.

The site itself is relatively flat with the land rising quite steeply to the east and south and more gently to the north with a mature tree and hedge line on its boundaries. The access road from the Abridge Road is not within the applicant's ownership although a right of way is said to exist. The whole site is within the Metropolitan Green Belt.

This application site is not part of the Blunts Farm site to the immediate north and east which has permission to be developed as a golf course and which is currently subject to enforcement action for various matters. However much of the proposed new access roads to the car park would run through the Blunts Farm site linking to the existing approved access road off Abridge Road to the Blunts Farm site.

Relevant History:

Various regarding the use of the site for sports use including:

EPO/263/65	Use of land as sports ground and car park	approved
EPF/0851/75	Retention of Temporary Car Park (renewed until 1984)	approved
EPF/1233/76	6 Floodlight Poles	refused
EPF/1734/87	Replacement Club House	refused
EPF/1953/00	CoU of pavilion to nursery/office for Golf Driving range	approved
EPF/1954/00	Golf driving range building	approved
EPF/0469/02	New roof to existing pavilion	approved
EPF/1264/02	Use of building as caretakers flat	approved
EPF/0790/05	300 space commuter car park	withdrawn
EPF/0791/05	Tennis centre	withdrawn

ENF/0264/07 Enforcement notice issued on 17 April 2008 in respect of part of the application site alleging the stripping of topsoil and formation of a bund. The notice required distributing the material of the bund evenly over the land the notice relates to and has been complied with.

ENF/0475/08 Two enforcement notices issued on 21 August 2008 alleging the stationing of a portable building and a caravan and the erection of a new building. The enforcement notices have not been complied with. Although the land the notices relates to includes the application site, the mobile and permanent structures they relate to are not actually on the application site, although they are on adjoining land identified as being in the applicants' ownership.

Since the proposal includes access to the application site across the adjacent land known as Blunts Farm, the recent planning history of that site is also relevant:

EPF/0765/99 Redevelopment of site to provide a golf course. approved
EPF/1283/99 Outline application for golf clubhouse, tennis courts, car park and access.
approved but consent now lapsed
EPF/0356/05 Reserved matters submission for clubhouse and store approved but consent
now lapsed.

ENF/0195/06 Two enforcement notices issued on 4 August 2006 in respect of adjoining land at Blunts Farm alleging earthworks without planning permission and, in the alternative, failure to comply with condition on planning permission EPF/0765/99 relating to earthworks. The notices are effective and require, inter alia, the modification of the landform and infilling of deep excavations on the land using material on the site. The notice alleging breach of condition requires the golf course only be completed in accordance with details subsequently submitted for approval to the Local Planning Authority. The compliance date and the last date for submission of details of the golf course is 17 October 2009. No substantive works towards compliance have been carried out and no details have been submitted.

Policies Applied:

East of England Plan

SS7 Green Belt
LA1 London Arc

Local Plan

GB2A Green Belt Policy
GB7A Development conspicuous from the Green Belt
DBE1 Design of New Buildings
DBE2 New Buildings Amenity
DBE4 Design of Development within the Green Belt
LL1 & 2 Rural landscape and landscaping
LL3 Development on the edge of settlements
LL10 TPOs
ST4 Highway Safety
ST6 Parking
CP1 Achieving Sustainable development objectives
CP2 Protecting the rural environment
CP3, & 9 Sustainable development
U2A Development in Flood Risk Areas

Issues and Considerations:

The main issues are the impact of the scheme on the:

5. Green Belt
6. Highways
7. Neighbour Amenity
8. Trees and Landscape

Green Belt

- This application will see a commercial car park built to the north east of Theydon Bois Station with the stated aim of providing commuter parking. Access would be via an existing access road to the construction site of a golf course at Blunts Farm from the Abridge Road and then via a new road across the construction site (not proposed as part of this application) that would follow the course of an existing temporary haul road before entering the car park application site.
- The existing access opposite the Lodge at Thrifts Hall Farm would be retained for emergency access.
- Lighting would be provided and CCTV would be installed, and there would be periodic security patrols.
- The distance from the Station entrance to the disabled parking are some 350m, and to the middle of the main parking area some 560m. This includes crossing the railway line by use of an existing footbridge.
- The scheme would see landscaping and flooding issues dealt with in the scheme.
- It should be noted that this scheme is not in partnership with London Regional Transport and is a speculative venture.
- This scheme does not meet any of the criteria for appropriate development within the Green Belt as laid out in policy GB2A of the Local Plan and is therefore inappropriate development.
- Moreover, having regard to its visual impact, the proposal would be harmful to the visual amenities of the Metropolitan Green Belt and the rural character of the locality.
- In such a case it is for the applicant to demonstrate that there are very special circumstances which overcome the harm to the Green Belt which justify a grant of permission.

Very Special Circumstances

- The main thrust of the applicants' case appears to be that there is a serious and pressing need for this car park to relieve the parking pressure on the village of Theydon Bois that has resulted from the recent implementation of parking restrictions.
- He further argues that the car park will not harm the landscape character of this area due to it being within a valley area and the current land use of the site.

Officers Comments

- The very special circumstances put forward fall into the argued need for the car park, and the lack of harm to the character of the area.
- With regard to the parking issues it is accepted that there has been considerable local discussion and comment (not least in the local paper) over the issue of the new parking restrictions in Theydon Bois, which have been designed to deal with the issue of commuter parking near to the station.
- These restrictions have appeared to have displaced some parking to streets and areas which are not controlled and are further away from the station, such as the steep access road to this site which has been heavily parked on all of the officer's visits to the site. However, the applicant has not provided any parking surveys for Theydon Bois or any actual evidence regarding the on street parking situation within the village.
- All the transport assessment provided says is that "a benefit for providing a commuter car park in this location is that it will reduce pressure for on street parking in Theydon Bois".

- The question of why commuters would use a car park that they would have to pay for, when there is free on street parking in the area is also not addressed.
- The distance for commuters using the car park is quite considerable, at 500m for able bodied drivers and 350m for the disabled, and whilst a right of way apparently covers pedestrian access to the footbridge this is land outside the applicant's control and therefore cannot be improved from its current unlit state. Disabled drivers would also need to negotiate the footbridge.
- LRT have stated that they have no plans to reopen the disused access on the east side of the station.
- Therefore the case that this is a need which overcomes the serious harm caused to the Green Belt by this proposal is not accepted.
- The applicant also makes a case that the character of the site will not change due to the current land use and it has an existing access and parking area.
- However the site has a permitted use for outdoor sports and recreation. The previous club house (used in connection with outdoor recreation) has been demolished and the parking provision was modest and located alongside the railway line. The proposed car park will not be on the same part of the site, is much larger and starker, and will be lit.
- Whilst it is accepted that this is a site within a valley area, it is the case that this is still a visible and prominent plot from the village and the surrounding countryside, and this siting does not overcome the harm caused.
- Therefore it is not accepted that a car park for commuters will have the same character as a sports club and modest parking for that use. The character of the proposed scheme will have an adverse impact on the openness and character of the Green Belt by its use, siting and lighting.
- The issue of lighting is also important in this area, especially as Theydon Bois has maintained a "dark skies" policy over the years. Details of the proposed lighting are sketchy in the application with it being described as "low level safety lighting". Any lighting will by its very nature, be intrusive and have an adverse impact on the character and appearance of the Green Belt. Whilst low level and subdued lighting could reduce this impact, this would not be suitable for a commuter car park, in such an isolated position which would require a very considerable amount of good lighting to deter and prevent crime (both property and personal).
- Previous permissions for developing this site (which were all granted under different policy constraints as Council Green Belt policy has evolved since the 1960's) have all lapsed and in any case were for uses that were appropriate within the Green Belt, which is not the case here.
- There is also the issue of piecemeal development within the Green Belt; the other half of the site is subject of initial discussion regarding its development and there are a number of ongoing issues on the adjacent Blunts Farm site. This could result in a hotchpotch of development on this site harming the Green Belt.
- Taking all the above into account it is clear that the need is unproven and the harm to the character and appearance of the Green Belt would be fundamental and serious. Therefore very special circumstances have not been proved.

Highways

- The full assessment by the Highways Authority was still awaited at the time of writing this report and will be reported orally to Committee.
- However, we have received a provisional comment stating, "The EFDC Parking Manager states that ECC/EFDC does not have a duty to provide commuter parking. My opinion on this is that we don't have a duty but if a private individual wanted to then it is not for the Highways Authority to prevent them. Parking is a district function and as far as I understand it should be Epping, as Local Planning Authority who determine if the land use proposed for this site is suitable".
- Notwithstanding the absence of a full response from the Highway Authority, it is clear that the proposed means of access to the site as a whole does not exist. That would depend on the construction of a permanent road to replace a temporary haul road across the golf course

construction site at Blunts Farm and a bridge across a water course separating the two sites. No planning permission for such a road exists and since this application does not relate to that road no application for it has been submitted.

- Planning enforcement notices relating to Blunts Farm that are effective require alterations to the landform that necessitate the removal of the existing temporary haul road. Any formal submission for the construction of a permanent road across the golf course construction site would need to be assessed in terms of its consequences for the requirements of the enforcement notices amongst other matters. This cannot be done as part of this application since it does not include a proposal for the access road across the construction site.
- Consequently, this proposal for a car park does not include complete arrangements for its access. The only complete proposed access arrangement is the existing access opposite The Lodge at Thrifts Hall Farm which the applicant indicates is only to be retained for emergency access.
- These matters have been brought to the attention of the Highway Authority and it is expected that the complete assessment by the Authority will deal with them.
- Comments are also still awaited regarding Public Footpaths and, again, will be reported orally.

Effect on Neighbours

- The nearest neighbours are in Forest Drive and Slade End to the west and the Parsonage Farm development.
- It is considered that there will be some disturbance from the everyday use of the site to the properties in the village, but it is considered that due to the distance and the intervening railway line that this would not justify a refusal.
- The entrance next to the Parsonage Farm development would see an increase in traffic and disturbance of this nature. However, this was given permission to serve the Golf course clubhouse and it is considered that this extra traffic would not justify a refusal on disturbance grounds.

Protected Trees and Landscape

- The Landscape Officer has commented "Landscape issues here relate to access rather than the proposal itself. For various reasons the access arrangements shown are unsatisfactory, and not to be relied upon. The proposal relies on a one way system, presumably because of the deficiencies of the lower access off the Abridge Rd. Therefore a second access is proposed from the north. It is this that is problematic. Firstly the bridge shown does not in fact exist. Further the access shown north of the Garnish Hall Brook leading to the absent bridge was a temporary access built as part of construction of the proposed golf course on a purely temporary basis. It would be entirely wrong to make any decision on this application which appeared to give that structure any legitimacy. In any case as currently existing the access does not reach the Garnish Hall stream or its non-existent bridge. The Garnish Hall stream was for a period bridged, for unauthorised access from the golf development to the fields to the south, for unauthorised topsoil stripping, but without planning agreement, or agreement from Land Drainage and the bridge was removed.
- As a further issue the temporary access road, which still exists in part was constructed (I use the term loosely) at an unacceptably high level. To be used by the public it might well require complete reconstruction. Further it was used to set the levels of adjacent ground on the proposed golf course. As a result the adjacent levels are too high and need to be reduced as part of the restoration proposals. Should this application therefore be agreed the parts of the access that do exist would need to be completely rebuilt and subject to legal agreement, which is very unlikely, in all the circumstances, to be forthcoming.
- In relation to the substantive proposals there is a good tree survey and impact statement, which demonstrates minimal adverse impact on trees on the site proper; the setting is low lying and capable of being well screened.

- I would suggest refusal using LL2 (a) on the grounds that the means of access shown on the plans either do not presently exist or do not exist in useable form and that there is no indication of proposals to remedy this in a way that would be acceptable in the landscape setting”.
- With regard to the matter of the access roads existing and proposed it is the case that the new roadway to the north of Blunts Farm was approved under permissions EPF/0765/99 and EPF/1283/99 and has been implemented. This has a length of around 200m. However the other section of the road, labelled “existing site access road” on the submitted plan, joining the approved road to the proposed road on the car park site is not an approved road or access, and is purely on the site in connection originally with works to the golf course and then to the various unauthorised uses on the Golf Course site. It is also a roughly formed access track and not a properly constructed road.
- This access track is not shown on the approved land forming plan for the golf Course (BLUN 209A dated 19 Dec 03 approved as part of details pursuant to condition 12 of EPF/765/99).
- It is clear from the comments above that this section of the road is unauthorised, would require considerable works to bring it up to a safe standard suitable for the proposed use and would have an unacceptable adverse impact on the character and appearance of the Green Belt.
- Moreover, it would constitute an insensitive expansion of the urban area of Theydon Bois beyond the limit defined by the adjacent railway line that, in landscape terms, would result in a poorly designed boundary of the urban area with the adjacent countryside.

Other Matters

- The Essex Police have commented that they have concerns over the area outside the applicants control between the car park and the footbridge area. This is currently unlit and a crime “hotspot” for drug abuse and the lack of lighting would result in hazard to commuters using this area. They also recommend lighting for the car parking area to complement CCTV and a permanent security presence due to the crime problems associated with car parks.
- Although TfL Infrastructure Department have raised no objection in principle, the Revenue Department have raised an objection: “We were not involved in its formulation nor were we consulted before its submission. I am aware that LU's Infrastructure Protection team have previously advised that they have no objections to the development of the proposed site. Unfortunately the notice did not reach other sections in LU or TfL and so it is fair to say that we have not been properly consulted on this. LU's concerns are based on the impact that such a car park might have.
- Possible affected areas are: train and station capacity - acknowledged to be minimal but with any car park expansion, something we need to consider carefully, taking account of how customers move around the ticket hall and platforms and also available space on trains, customer access to ticket machines, including ensuring sufficient provision to meet demand access to the station itself. I understand that users would have to walk over an unlit footbridge and that there may be associated security risks. LU has a strong commitment to the safety and security of its customers and are concerned that they may have a negative experience which they then transfer to LU. We know from experience that this happens already! New access to the station - perhaps the developer is considering this; if so then they certainly will have to consult with us to ensure that customers are safe and have opportunity to buy tickets for Tube travel.
- I mentioned that we are working with TfL on our car park strategy, looking to see where and how we might make optimal use of car parks. It's possible that we might look to expand some car parks, or to shrink or close others. It is in very early stages at present; we do plan to work with other transport providers and the boroughs to ensure that we are as joined up as possible”.
- A Flood Risk Assessment has been provided which is acceptable.

Conclusion:

This scheme would introduce an inappropriate development into this area of the Green Belt, which would be out of character and appearance with it. It would also be harmful to the visual amenities of the Metropolitan Green Belt and would create a poorly designed boundary between the urban area of Theydon Bois and the adjacent countryside. Furthermore, at a practical level, the proposed vehicular access arrangements do not exist, do not benefit from any extant planning permission and are not the subject of this application since they lie outside the application site, therefore the proposal amounts to one for a car park with no appropriate vehicular access. The very special circumstances argued to outweigh the harm caused by the proposed development are not accepted as outweighing the harm that would be caused to the Green Belt and other interests of importance. Furthermore, there are a number of details, such as lighting and pedestrian access arrangements which are unsatisfactory. Therefore this proposal, which is not only harmful, but also is poorly conceived, is recommended for refusal.

SUMMARY OF REPRESENTATIONS:

THEYDON BOIS PARISH COUNCIL: – Object, We strongly object to this application and have the following comments:

1. This is an inappropriate development within the Green Belt. The construction of a car park in this location does not constitute a “Special Circumstance” whereby Green Belt legislation should be relaxed.
2. The Application Details refer to “Existing Land Use – Agriculture” and “Proposed Land Use – Assembly/Leisure”. It is noted that Use Class D2 – Assembly & Leisure covers a diverse range of uses such as cinemas and concert halls. As the application clearly involves a change of use we would expect to see separate application for change of use. We are particularly concerned to note the breadth and diversity of the uses covered by Use Class D2 which could give this developer flexibility to further change the use of the site in the future should change of use to Use Class D2 be granted.
3. Public Footpath number 4 as shown on the Definitive Map of Public Rights of Way for the County of Essex traverses the site and runs diagonally across the proposed car park from the footbridge over the Garnish Hall Brook to Gardner’s Farm/Coopersale Hall via the M25 footpath tunnel. Public Footpath number 5 which runs to Garnish Hall, would be crossed by what the developers describe as an “existing site access road” which in fact does not presently exist. It is noted that the Applicant has stated in Section 6 of the Application for Planning Permission that the proposal “does not require any diversions or extinguishments... of rights of way”. Clearly this is blatantly incorrect, as the proposal will presumably involve the diversion/alteration of the above public footpaths. It is also evident that there would be a loss of rural amenity for walkers using these public footpaths if the proposal proceeds. We would also comment that these public footpaths are historic and are shown on the 1915 edition of the Ordnance Survey Map (The Godfrey Edition).
4. There are numerous inaccuracies in the Application. We note that Section 2.1 of the Planning, Design, Sustainability & Access Statement in support of the Application refers to “...a history of car parking on the land which may have been in relation to the Central Line railway station. We can categorically confirm that this is not the case, at no time has this land been used for car parking by commuters using the Central Line. There has only ever been a small amount of associated parking for sports ground purposes in line with Green Belt policy.
5. We dispute the accuracy of Section 4.1 of the Planning, Design, Sustainability & Access Statement in support of the Application. We have confirmation from Highways West Area that the TRO referred to is not in fact operational.
6. The proposed access road would detract from the openness of the Green Belt. Given that it runs uphill it would have a greater visual impact and would be a dominant feature when viewed from the village.

7. As a new car park this facility would presumably have to comply with the National Standards for Car Park Illumination and any lighting would be alien to the local environment and would breach the “dark skies” policy which applies to Theydon Bois. The “dark skies” policy prevailing in Theydon Bois was a point accepted by the Planning Inspector in relation to Appeal Number J1535051172217 relating to the proposed floodlighting at Theydon Bois Tennis Club which was dismissed on Appeal.
8. A car park in this location does not comply with the requirements of The Transport Policy of Essex County Council and it is also contrary to the sentiments of the Transport White Paper. Transport for London have confirmed that they would not be in favour of additional parking for commuters in this location as this could lead to overcrowded trains at the beginning of the line which is against their policy.
9. We are also concerned about lack of security. There is mention of “occasional” manning of the car park. Given the distance of the proposed car park from the station we would suggest that this poses a security risk, especially for commuters returning to their vehicles late at night.
10. We would also reiterate that this site is the subject of recent enforcement proceedings in connection with unlawful activities such as the stationing of portacabins onsite.

LOUGHTON TOWN COUNCIL: – Object, possible impact of increased commuter numbers making it difficult for local residents using Debden and Loughton stations to get on the trains, which were apparently very crowded at peak travelling times. The committee were also concerned about a car park being developed on what was believed to be Green Belt land.

EPPING FOREST HF GROUP: – Object

LOUGHTON RESIDENTS ASSOCIATION: – Object

THEYDON BOIS ACTION GROUP: – Object

THEYDON BOIS RURAL PRESERVATION SOCIETY: – Object

CAMPAIGN TO PROTECT RURAL ENGLAND: – Object

EPPING SOCIETY: – Object

LONDON REGIONAL TRANSPORT/TRANSPORT FOR LONDON – see body of report

NEIGHBOURS/PRIVATE INDIVIDUALS:

81 letters of objection received on the grounds of harm to the Green Belt, environment, lighting, traffic generation and congestion, train congestion, will not stop on-street parking, highway safety. Almost all are from residents of Theydon Bois

331 letters of support received. Over 95% of these are in the format of a printed standard letter with the personal details filled in by hand. The area breakdown is as follows:

Theydon Bois – 24

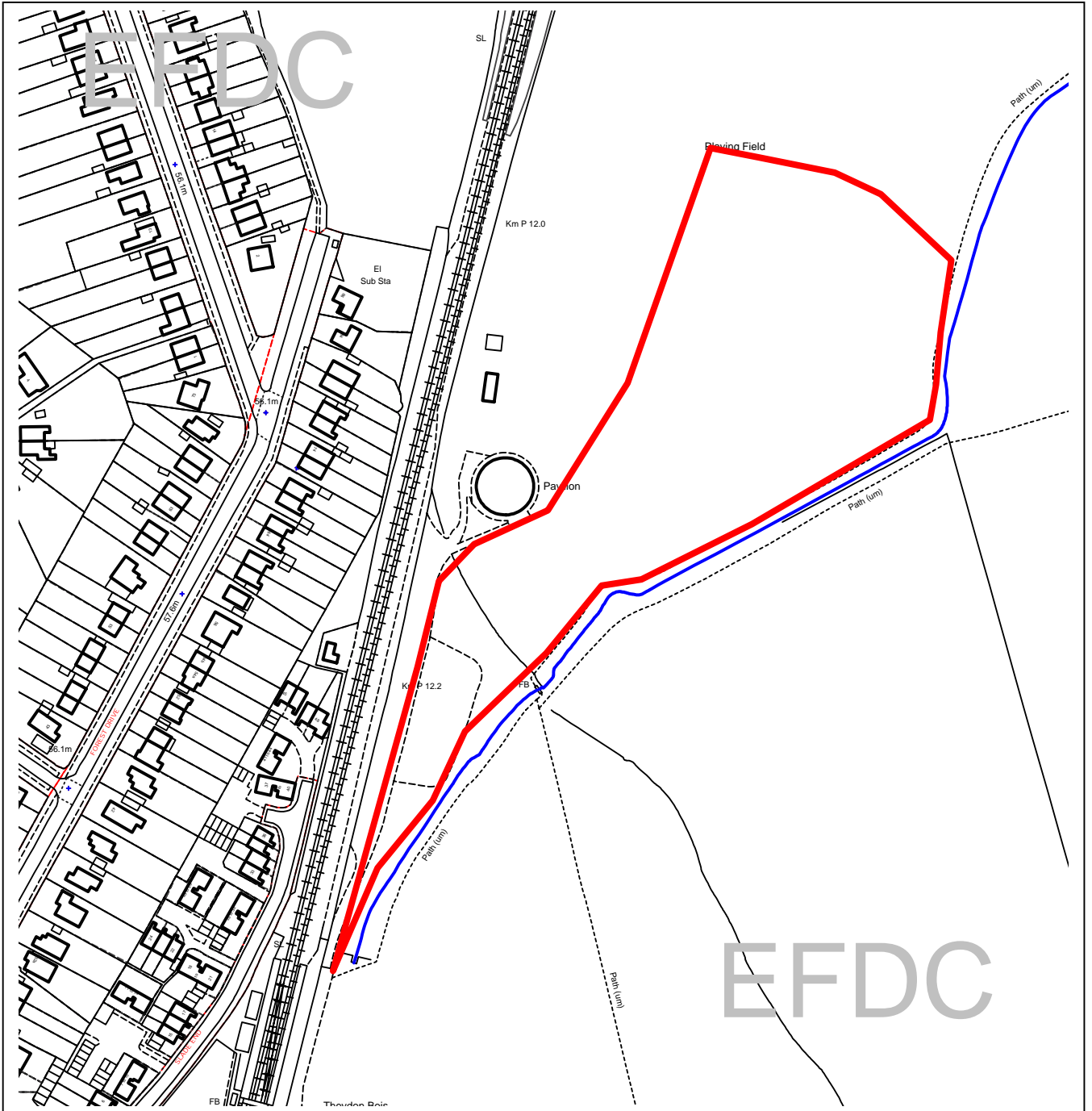
Rest of the District (mainly Ongar and Epping) – 233

Outside of the District - 74



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	13
Application Number:	EPF/2439/08
Site Name:	Land off Abridge Road, (ex Old Forrester Club), Theydon Bois, CM16 7NN
Scale of Plot:	1/2500

Report Item No: 14

APPLICATION No:	EPF/0064/09
SITE ADDRESS:	44 Theydon Park Road Theydon Bois Epping Essex CM16 7LP
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr & Mrs Dean
DESCRIPTION OF PROPOSAL:	Single storey side and front extensions and first floor addition to alter the existing bungalow into a two storey dwelling with additional rooms in the roof space. (Revised application)
RECOMMENDED DECISION:	Refuse Permission

REASON FOR REFUSAL

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 Prior to first occupation of the building hereby approved the proposed window openings in the first floor north and south facing flank wall, shall be fitted with obscured glass 1.7m high, measured from the internal first floor level to the window level and shall have fixed frames, 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:

This is a revised application following a previously refused scheme under EPF/1589/08. The details for this proposal involve alterations to the existing bungalow dwelling that include the erection of single and first floor front extensions, and a first floor addition that spans the entire ground floor plan area. This will alter the bungalow into a two-storey dwelling with additional rooms in the roof space. (Revised application).

Description of Site:

The subject site accommodates a detached bungalow set in a wide, rectangular-shaped plot of land situated on the west side of Theydon Park Road. The area is residential and the street scene is made up of a variety of styles and designs of dwelling houses built to a staggered front building line. The ground level of the street slopes downwards in a southerly direction hence, the ground level at adjacent site no. 46 is on a lower level in relation to the subject site and no. 42 is at a higher level.

There are no known development constraints relating to this plot of land.

Relevant History:

EPF/0227/85 – Single storey rear extension. Grant permission/ conditions

EPF/0866/85 – Single storey front extension. Grant permission/ conditions

EPF/1589/08 – Single storey side and front extensions and first floor addition to alter the existing bungalow into a two-storey dwelling with additional rooms in the roof space.

Refused for the following reason:

- 1) The proposed first floor extension, due to the resultant overall height, bulk and design will result in a visually prominent dwelling within the street scene and an overbearing building in relation to adjacent sites, resulting in loss of light to these neighbours. This will be contrary to policies DBE9 and DBE10

Policies Applied:

Local Plan and Alterations:

H4A – Dwelling Mix

DBE9 – Amenity considerations.

DBE10 – Extension design criteria.

Issues and Considerations:

The main issue is whether this revised scheme has overcome the previous reasons for refusal under planning ref: EPF/1589/08. Also considered is the design of the building, the appearance within the street scene and amenity of neighbouring occupiers.

Amenity

In assessing the immediate neighbour's amenity the only immediate neighbours within proximity of the site are adjacent buildings No. 42 to the northern boundary and No. 46 to the southern boundary; both sites accommodate two-storey detached dwellings.

The detached building to the south boundary of the subject site No. 46 is set in approximately 3.0m from the common boundary with the proposal site and the rear building line projects at single storey level beyond what is proposed on site. Taking this into account, the proposed first floor extension will be set in 1.0m from the southern boundary; this prevents any possible terracing effect with the neighbouring property. The extensions will not result in loss of light, overlooking or any other amenity feature to the adjacent property.

In considering the amenity of neighbouring occupiers to the northern boundary, the ground level of No. 42 drops downwards hence, the proposal site is at a higher level by comparison. The north-western corner of the first floor has been set in 3.65m, this takes into account habitable room windows at No. 42 at a 45 degree angle.

The revision to the depth of the first floor takes into account the amount of daylight and position of habitable room windows within the adjacent sites.

As such this proposal will not result in any harm to adjacent occupier's amenity at No. 42 and as such this revised scheme overcomes the previous reason for refusal.

Design

The street scene comprises of a mixture of dwelling styles and the majority of the plots accommodate two-storey dwellings with varied roof forms. The proposal will alter the height of the bungalow from 6.0m to 9.3m to the highest point of the ridge.

Taking into account the changes in ground floor level, the proposed height of the building replicates the building heights of two-storey dwellings within the street and will result in a hipped, apex roof profile.

Other design features to the front elevation include a gable front detail with a diamond cut window and a canopy which breaks up the façade of the building. The south and north elevation are broken up the addition of windows and visually breaks to the flank wall.

The rear elevation as revised, now adopts a hip end profile with a small pitched roof rear dormer, which reduces the overall bulk of the proposal.

With appropriate materials for the roof, windows and all external features, the proposal will result in an attractive and complementary building within the street scene, this complies with DBE10.

Other considerations

An objection has been raised by the Parish Council concerning the amenity of the occupiers at adjacent dwelling No. 42 and the appearance within the street scene.

As stated above, the revisions takes into account the overall size and bulk of the building, amenity of immediate neighbouring occupiers and as a result, there will no harm to the amenities of immediate occupiers.

Dwelling Mix

The street scene is varied with a suitable mix of dwelling sizes. PPS1 supports the best use of urban land and the size of the plot is substantial enough to accommodate such a development. This proposal will not affect the dwelling mix and as such it complies with policy H4A.

Conclusion

For the reasons stated above, the proposed extensions to the detached bungalow are acceptable as it will not result in detrimental harm to the amenities of adjacent occupiers. The building form will be complementary to the appearance of dwellings within the street scene.

This scheme overcomes the previous reason for refusal and complies with relevant Local Plan Policies and as such is recommended for approval with conditions.

SUMMARY OF REPRESENTATIONS:

THEYDON BOIS PARISH TOWN COUNCIL:- Objects: We note the revisions to the original application but our concerns with regard to the height, bulk and design of this proposed development remain and we feel that our original objections have not been overcome. We are still concerned that the proposed development will have an overbearing impact on number 42 and will also adversely affect the street scene.

61 THEYDON PARK ROAD:- Objects: Loss of single storey bungalow limits choice and affects street scene. No garage and parking inadequate.

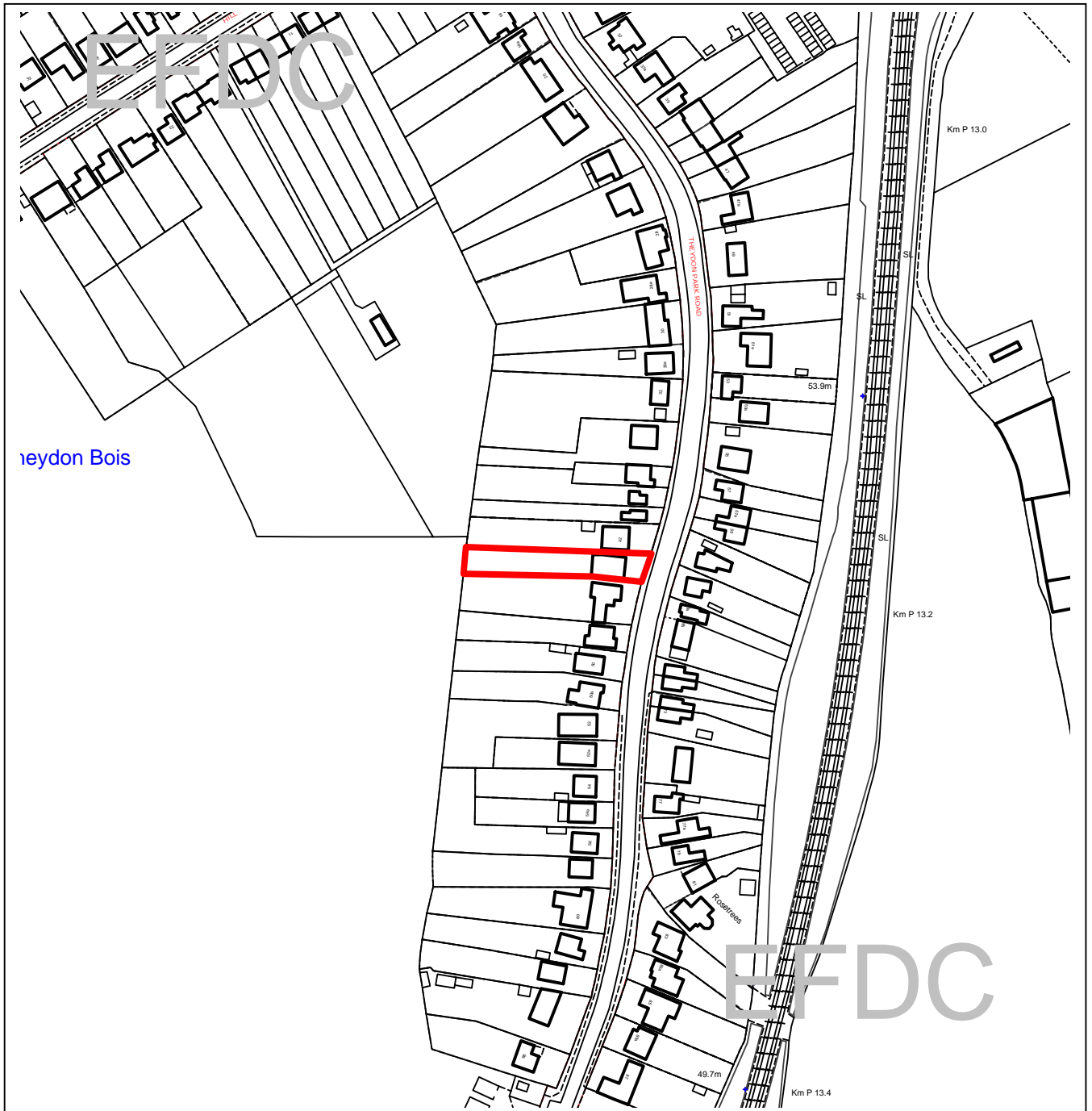
46 THEYDON PARK ROAD:- Objects: Concerned that rear building line extends further back than their property. No drains shown and concerned that additional sewage requirements may not be met. Loss of privacy. Plans show no 46 as larger than it is.

42 THEYDON PARK ROAD:- Objects: Comments to previous refused application still apply. Rear building line of numbers 42 and 46 is identical and not as shown on plan. Proposed extension would therefore greatly exceed the line of these two properties. No. 44 has no manholes or interceptors of its own, therefore unhappy at having volume of waste through the pipes on their land increased by a third party. This is speculative development for resale not extension for benefit of current occupants.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	14
Application Number:	EPF/0064/09
Site Name:	44 Theydon Park Road Theydon Bois, CM16 7LP
Scale of Plot:	1/2500