

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee East **Date:** 14 October 2009

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.14 pm

Members Present: M Colling (Chairman), G Pritchard (Vice-Chairman), A Green, A Boyce, Mrs D Collins, R Frankel, Ms J Hedges, D Jacobs, R Morgan, J Philip, B Rolfe, D Stallan, C Whitbread, Mrs J H Whitehouse and J M Whitehouse

Other Councillors:

Apologies: P Gode, Mrs A Grigg and Mrs M McEwen

Officers Present: J Shingler (Senior Planning Officer), M Jenkins (Democratic Services Assistant) and R Perrin (Democratic Services Assistant)

51. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings. The Sub-Committee noted the Council's Protocol for Webcasting of Council and Other Meetings.

52. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements adopted by the Council to enable persons to address the Sub-Committee, in relation to the determination of applications for planning permission. The Sub-Committee noted the advice provided for the public and speakers in attendance at Council Planning Sub-Committee meetings.

53. MINUTES

RESOLVED:

That subject to the following amendments, the minutes of the Sub-Committee held on 23 September 2009 be signed by the Chairman as a correct record:

Item 11 & 12 – Gaynes Park Mansion, Banks Lane, Theydon Garnon, Epping

“Resolved to Grant subject to the agreement of the Secretary of State, the conditions listed, and that the applicant first entering into a planning obligation under S.106 of the Town and Country Planning Act 1990 requiring the completion of all works necessary to preserve the special architectural and historic character of Gaynes Park Mansion prior to the commencement of any work on proposed enabling development of 4 houses.”

54. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs J Hedges declared a personal interest in the following item of the agenda by virtue of being a member of Epping Town Council. The Councillor had determined that her interest was not prejudicial and she would stay in the meeting for the consideration of the application and voting thereon:

- EPF/1054/09 72 Plots 2,13,14 & 15 Kings Wood Park, St Margarets Hospital, The Plain, Epping

(b) Pursuant to the Council's Code of Member Conduct, Councillor D Stallan declared a personal interest in the following items of the agenda by virtue of being a member of North Weald Parish Council. The Councillor had determined that his interest was not prejudicial and he would stay in the meeting for the consideration of the application and voting thereon:

- 69 High Road, North Weald Bassett, Epping
- Rear of 69 High Road, North Weald Bassett, Epping

(c) Pursuant to the Council's Code of Member Conduct, Councillor C Whitbread declared a personal interest in the following items of the agenda by virtue of being acquainted with the applicant. The Councillor had determined that his interest was prejudicial and he would leave the meeting for the consideration of the application and voting thereon:

- 69 High Road, North Weald Bassett, Epping
- Rear of 69 High Road, North Weald Bassett, Epping
- The Old Rectory, Mount Road, Theydon Mount, Epping

d) Pursuant to the Council's Code of Member Conduct, Councillor R Frankel declared a personal interest in the following item of the agenda by virtue of being acquainted with the applicant. The Councillor had determined that his interest was not prejudicial and he would stay in the meeting for the consideration of the application and voting thereon:

- Land rear of 21 & 23 Forest drive, Theydon Bois, Epping

(e) Pursuant to the Council's Code of Member Conduct, Councillor Mrs J Whitehouse declared a personal interest in the following item of the agenda by virtue of being a member of Theydon Bois Rural Preservation Society. The Councillor had determined that her interest was not prejudicial and she would stay in the meeting for the consideration of the application and voting thereon:

- Land rear of 21 & 23 Forest drive, Theydon Bois, Epping

f) Pursuant to the Council's Code of Member Conduct, Councillor J Philip declared a personal interest in the following item of the agenda by virtue of being a member of Theydon Bois Parish Council and acquainted with Applicant. The Councillor had determined that his interest was not prejudicial and he would stay in the meeting for the consideration of the application and voting thereon:

- Land rear of 21 & 23 Forest drive, Theydon Bois, Epping

g) Pursuant to the Council's Code of Member Conduct, Councillor J Philip declared a personal interest in the following item of the agenda by virtue of being a

member of Theydon Bois Parish Council. The Councillor had determined that his interest was not prejudicial and he would stay in the meeting for the consideration of the application and voting thereon:

- Land adjacent, 55 Theydon Park Road, Theydon Bois

h) Pursuant to the Council's Code of Member Conduct, Councillor J Philip declared a personal interest in the following item of the agenda by virtue of being a member of Theydon Bois Parish Council and acquainted with Applicant. The Councillor had determined that his interest was not prejudicial and he would stay in the meeting for the consideration of the application and voting thereon:

- The Old Rectory, Mount Road, Theydon Mount, Epping

55. ANY OTHER BUSINESS

It was noted that there was no other urgent business for consideration by the Sub-Committee.

56. DEVELOPMENT CONTROL

RESOLVED:

That the planning applications numbered 1 – 8 be determined as set out in the schedule attached to these minutes.

57. DELEGATED DECISIONS

The Sub-Committee noted that schedules of planning applications determined by the Head of Planning and Economic Development under delegated authority since the last meeting had been circulated and could be inspected at the Civic Offices.

CHAIRMAN

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Report Item No: 1

APPLICATION No:	EPF/1054/09
SITE ADDRESS:	Plots 2, 13, 14 and 15 Kings Wood Park, St. Margarets Hospital The Plain Epping Essex CM16 6TL
PARISH:	Epping
WARD:	Epping Lindsey and Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	Erection of four detached houses.
DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development shall be carried out in accordance with the amended plans received on 03/09/09 unless otherwise agreed in writing with the Local Planning Authority.
- 3 The materials used in the development shall be those set out in the application forms unless otherwise agreed in writing by the Local Planning Authority.

Report Item No: 2

APPLICATION No:	EPF/1536/09
SITE ADDRESS:	69 High Road North Weald Bassett Epping Essex CM16 6HW
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
DESCRIPTION OF PROPOSAL:	Conversion of single dwelling unit into two dwellings.
DECISION:	Refuse Permission

REASONS FOR REFUSAL

- 1 The proposal provides an inadequate number of parking spaces for 2 properties and no turning area within the site to enable vehicles to access and egress in a forward gear. This proposal is therefore likely to result in increased on-street parking and harm to highway safety contrary to policies ST4 and ST6 of the Adopted Local Plan and Alterations.

Report Item No: 3

APPLICATION No:	EPF/1537/09
SITE ADDRESS:	Rear of 69 High Road North Weald Bassett Epping Essex CM16 6HW
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
DESCRIPTION OF PROPOSAL:	Erection of new bungalow.
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 the dwelling hereby approved and maintained in the agreed positions. This shall include a form of boundary treatment to the north of the access road to protect against encroachment onto the public footpath.
- 4 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1 Classes A, B and E (extensions, roof additions and outbuildings) shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 Prior to the commencement of the development details of the proposed surface materials for the access road shall be submitted to and approved in writing by the Local Planning Authority and shall contain no unbound material within 6 metres of the highway boundary of the site. The agreed surface treatment shall be completed prior to the first occupation of the development.
- 6 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.

- 7 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..
- 8 The public right of way in the vicinity of the site shall not be obstructed or adversely affected in any way by the proposed works.
- 9 Prior to occupation of the new development hereby approved a 1.5 metre x 1.5 metre pedestrian visibility sight splay as measured from the highway boundary shall be provided on both sides of the vehicle access. There shall be no obstruction above a height of 600mm as measured from the finished surface of the access within the area of the visibility sight splays thereafter.
- 10 There shall be no obstruction above a height of 600mm within a parallel band visibility splay 2.4 metres wide, as measured from the back edge of the carriageway across the entire site frontage.
- 11 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
- 12 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 13 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.

Report Item No: 4

APPLICATION No:	EPF/1153/09
SITE ADDRESS:	Rear of No.103 High Street Chipping Ongar Essex CM5
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
DESCRIPTION OF PROPOSAL:	Partial demolition of existing buildings, conversion and adaptation of existing business units to form 3 x 1 bedroom cottages, construction of 2 x 2 bedroom cottages, bin stores, bike stores and provision of parking spaces.
DECISION:	Deferred

The Committee deferred a decision on this proposal awaiting further information.

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 Notwithstanding the 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 Classes (A-H) and Part 2 Class A shall be undertaken without the prior written permission of the Local Planning Authority.
- 4 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.

- 5 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.
- 6 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 7 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.

- 8 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 submitted by the applicant and approved by the local planning authority.

- 9 Additional drawings that show details of proposed new windows, doors, rooflights, eaves, rainwater goods, verges, fascias, cills, structural openings and junctions with the existing building, by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the LPA in writing prior to the commencement of any works.
- 11 Notwithstanding the requirements of condition 11, the windows to the newbuild cottages shall be recessed into the wall and shall be timber sashes including "horns" in Victorian style.

Report Item No: 5

APPLICATION No:	EPF/1446/09
SITE ADDRESS:	Land rear of 21 and 23 Forest Drive Theydon Bois Epping Essex CM16 7HA
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Demolition of existing garages and erection of a two bedroom detached house with conservatory. (Revised application)
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 No development shall take place on site, including site clearance, tree works, demolition, storage of materials or other preparatory work, until all details relevant to the retention and protection of trees, hereafter called the Arboricultural Method Statement, have been submitted to the Local Planning Authority and approved in writing. Thereafter the development shall be undertaken only in accordance with the approved details, unless the Local Planning Authority has given its prior written consent to any variation.

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

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

The fencing, or other protection which is part of the approved Statement shall not be moved or removed, temporarily or otherwise, until all works, including external works have been completed and all equipment, machinery and surplus materials removed from the site.

The Arboricultural Method Statement shall indicate the specification and timetable of any tree works, which shall be in accordance with the British Standard Recommendations for Tree Works (BS.3998: 1989).

The Arboricultural Method Statement shall include a scheme for the inspection and supervision of the tree protection measures. The scheme shall be appropriate to the scale and duration of the works and may include details of personnel induction and awareness of arboricultural matters; identification of individual responsibilities and key personnel; a statement of delegated powers; frequency, dates and times of inspections and reporting, and procedures for dealing with variations and incidents. The scheme of inspection and supervision shall be administered by a suitable person, approved by the Local Planning Authority but instructed by the applicant.

- 3 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) have been submitted to an approved in writing by the Local Planning Authority, and these works shall be carried out as approved. These details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle artefacts and structures, including signs and lighting and functional services above and below ground. Details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers / densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 4 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.
- 5 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.
- 6 Prior to first occupation of the building hereby approved the proposed window openings in the first floor flank and rear elevation shall be entirely fitted with obscured glass as shown in drwg ksd/09/30/03 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 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
- 8 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of

Part 2 Class A - E shall be undertaken without the prior written permission of the Local Planning Authority.

- 9 Prior to the commencement of the development details of the proposed surface materials for the driveway shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
- 10 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 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 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 12 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.

Report Item No: 6

APPLICATION No:	EPF/1455/09
SITE ADDRESS:	20 Elizabeth Drive Theydon Bois Epping Essex CM16 7HJ
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Two storey side and rear extensions and single storey rear extension. (Revised application)
DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The proposed window openings in the flank elevation at first floor level 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.
- 3 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 4 The proposed two storey side/rear extension shall retain a gap of at least 1.0m, at first floor level, from the boundary with the north west neighbouring property (No22).
- 5 The proposed two storey rear extension shall retain a gap of at least 3.4m from the boundary with the south east neighbouring property (No18).

Report Item No: 7

APPLICATION No:	EPF/1623/09
SITE ADDRESS:	Land Adjacent 55 Theydon Park Road Theydon Bois Essex CM16 7LR
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Construct new dwelling with integral garage at site adjoining 55 Theydon Park Road.
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 the development details of the proposed surface materials for the driveway shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
- 4 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no roof extensions generally permitted by virtue of Part 1, Class B shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 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.
- 6 Prior to first occupation of the building hereby approved the proposed window openings in the north flank elevation shall be entirely 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 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.

Report Item No: 8

APPLICATION No:	EPF/1069/09
SITE ADDRESS:	The Old Rectory Mount Road Theydon Mount Epping Essex CM16 7PW
PARISH:	Theydon Mount
WARD:	Passingford
DESCRIPTION OF PROPOSAL:	Proposed boundary fence with in and out drive and gates hung on brickwork piers including new crossover.
DECISION:	Refused Permission

Members considered the officers report but were of the opinion that the differences between this application and the previous scheme which was refused, were minimal and that the proposal would introduce suburban design inappropriate in this rural location and harmful to the character and amenity of the area and to the Metropolitan Green Belt. They considered that the loss of the fronting hedge and its replacement with high railings and pillars would be harmful, as would the introduction of a second vehicular access that results in the loss of a further area of grass verge. This view is in accordance with the views expressed by an Appeal Inspector in his decision letter of 23 March 2009 in relation to application EPF/1517/08 (for a replacement dwelling and garage block on this site). Appeal ref: APP/J1535/A/08/2092412 Paragraph 11 of that report includes the following... "The proposal also includes two access points and an extensive parking and turning area between the house and Mount Road. The combined effect of all these features would be to create a much more intensive form of development with a suburban character which would be out of keeping with the rural surroundings."

Members agreed with this view and resolved to refuse the application for the reasons set out below.

REASONS FOR REFUSAL

- 1 The proposal will remove the hedgerow at the front of the site and replace this with high pillars and railings to the front boundary and introduce a second vehicular access over the green verge. This will appear as a visually prominent feature resulting in an intrusive form of development out of keeping with this rural location, contrary to policies DBE1 and LL2 of the Adopted Local Plan and Alterations.
- 2 The site is located within the Metropolitan Green Belt, the proposed development will have a detrimental impact on openness and detract from the rural character and appearance of the countryside and thus will constitute inappropriate development within the locality and this fails to comply with policy GB2A of the Adopted Local Plan and Alterations.