
APPLICATION No: EPF/747/05

Report Item No: 1

SITE ADDRESS:

RED COTTAGE, CHALET KENNELS, NEW FARM DRIVE,
LAMBOURNE

PARISH: Lambourne

APPLICANT: Miss D McDonagh

DESCRIPTION OF PROPOSAL:

Amendment to EPF/1618/04 for insertion of additional dormer windows to front and side elevations, of approved new dwelling.

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.

2. Materials of construction to be agreed.

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 and B shall be undertaken without the prior written permission of the Local Planning Authority.

4. Submission of landscape details

5. On or before the expiration of 28 days from the date of the first occupation of the new dwelling the existing dwelling and annexe shall be demolished and all materials removed from the site.

6. 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 plan shall be submitted to the local planning authority for approval prior to first occupation of the completed development.

Description of Proposal:

Demolition of existing dwelling and annexe and erection of a two storey replacement in a position slightly further back on the site.

Description of Site:

Located towards the very end of New Farm Drive, Red Cottage is a single storey dwelling which is linked to Chalet Kennels. It has open farmland to the front and the rear.

Relevant History:

Planning permission granted 1 March 2004 for the erection of a pitched roof over the existing dwelling and annexe (condition removed permitted development rights for future loft conversion with the intention of preventing the roof space being used for living accommodation). Subsequent applications for replacement dwelling refused 5 July 2004 owing to excessive size of dwelling and impact on Green Belt. A more modest proposal for a replacement dwelling was permitted in November 2004 (EPF/1618/04) followed by yet another application for a larger house which was refused planning permission in March 2005 - impact on Metropolitan Green Belt and amenities of adjoining property.

Policies Applied:

Metropolitan Green Belt policies GB2, GB15 (replacement dwellings) and GB7 (development conspicuous from the Green Belt) and GB15A Redeposit Local Plan.

Issues and Considerations:

The main issues in determining this application relate to the impact on the Green Belt and the differences between this proposal and that approved in November 2004.

The planning permission granted for the replacement dwelling was made the subject of a condition, which removed permitted development rights, which would ensure that any future extension necessitates planning permission. This application proposed the creation of a third bedroom and bathroom in the roof space above the living room. The original scheme envisaged the living room having a double height ceiling opening into the roof space, which as a consequence of this proposal would be lost. In addition external changes involving the creation of three dormers will occur, but these are the only changes which would result in any increase in the volume of the building.

Policy GB15A of the Redeposit Local Plan has significant relevance in the consideration of this proposal. Although yet to be formally adopted by the Authority this policy states that replacement dwellings may be permitted in the Green Belt where they will not be materially greater in volume than that which they replace. It must be acknowledged that the proposal before us increases the floor area of the new dwelling by 28.5 square metres it does not, however, increase its volume above that previously approved other than by the dormers.

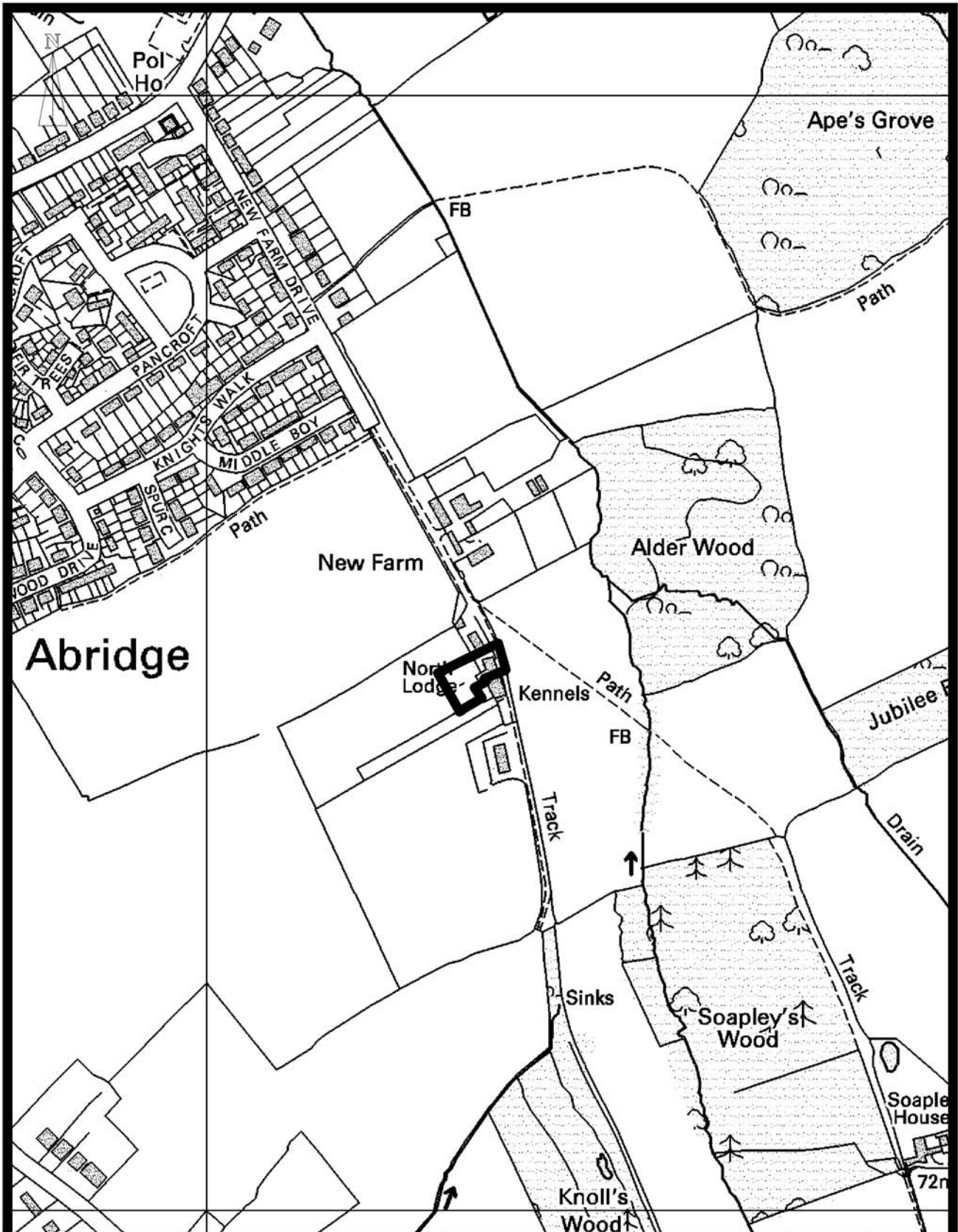
In these circumstances it would be very difficult to justify a refusal of planning permission even though the policy has yet to be formally adopted by the Council; as the publication of the Redeposit Local Plan is a clear statement of the Council's intentions.

The Parish Council has objected as they see the proposal as an attempt to build a house as that originally refused planning permission. However, in terms of the volume of the new dwelling it has to be accepted that it is not increased above that previously allowed therefore the Parish Council's opposition cannot be supported.

For the foregoing reasons this application is recommended for approval.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL - Object to the application; had previously questioned the intentions for the void created by the reduction of bedrooms from four to two with application EPF/1618/04. It appears that the applicants are trying to achieve the size of dwelling which was previously opposed. A replacement dwelling of this size would be contrary to Policy GB15 as it would be materially larger than that being replaced.



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Item No: 01
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APPLICATION No: EPF/798/05

Report Item No: 2

SITE ADDRESS:

11 MARCONI BUNGALOWS, HIGH ROAD, NORTH WEALD

PARISH: North Weald

APPLICANT: Mr S Joyce

DESCRIPTION OF PROPOSAL:

Erection of detached garage to rear.

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.
2. The garage hereby approved shall only be used for garaging and storage purposes incidental to the use of no. 11 Marconi Bungalows as a dwelling house, and it shall not be used for any other purpose.
3. The garage hereby approved shall be clad in external materials as specified on plan number One C hereby approved.

Description of Proposal:

Erection of timber clad garage outside the rear boundary of this bungalow. The garage will be 6m in length and 5m in width, and will have a hipped ridge roof constructed of plain tiles.

Description of Site:

The property is one of a line of 10 bungalows located on the south side of the A414 just to the east of the Talbot roundabout. An unmade access road provides vehicular access to the rear of these properties. To the immediate south of this access road lies a 5m strip of land which has clearly long been used as a turning area/hardstanding, and more recently a number of domestic outbuildings have been erected on this strip. To the south of this strip lies parcels of fenced areas of open land, some 35-40m deep, which appears to have been 'redundant' land sold off from the Ongar Golf Course development site to many of the householders living in this line of bungalows.

Relevant History:

Planning permission (EPF/2247/03) was refused on 9/2/04 for the change of use of land from agricultural to domestic use, and erection of a garage on that land.

Policies Applied:

GB2 General Constraint, and GB14 Residential Extensions in the Green Belt.
DBE1 Design of new Buildings, and DBE2 Detrimental Effect on Surrounding Properties.

Issues and Considerations:

The main issues raised are a) is the proposed garage appropriate in the Green Belt? b) does it detract from visual amenity? and c) will it set an undesirable precedent?

The proposed garage is the same as that refused on 9/2/04. However, this previous application also proposed the change of use of a section of 'agricultural land' left over after the construction of the Ongar Park golf course, and such an extension of the residential curtilage into the Green Belt would have been inappropriate. In addition other similar garages and outbuildings have been erected in the 5m strip to the south of the access road, and a similar garage in this strip, to the rear of no. 4, was granted planning permission on 14/3/05.

Although this strip lies just outside the built up area, and hence inside the Green Belt, it is not considered that domestic outbuildings located on this hardened strip of land unduly detract from the open character of the Green Belt. However land further to the south of this strip, now acquired by many of the households in this line of properties, should stay undeveloped and outside the residential curtilage of these dwellings. To date no domestic buildings have been built on this land, and, in contrast to the previous application, change of use of this agricultural land has not been incorporated in the current application.

In principle, therefore, there are no objections to the proposed garage, which would be located just 7m from the rear boundary of no. 11.

The proposed garage will be clad in timber, and will have a tiled ridged and hipped roof. As such it is of an acceptable design and appearance, and it will also be modest in terms of its size. The garage will have minimal impact on the amenity of neighbours.

The Parish Council raise concerns about inappropriate

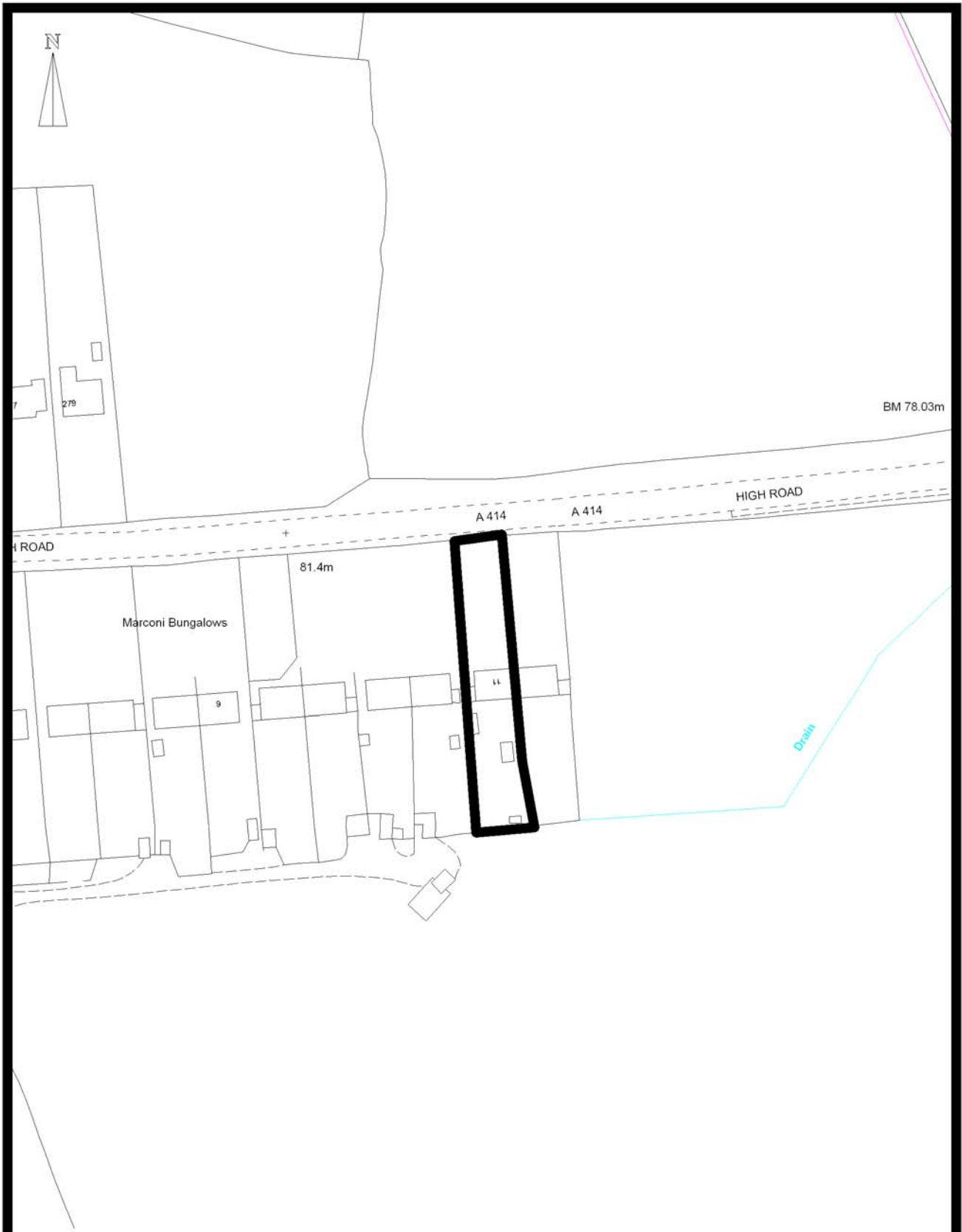
development in the Green Belt. However, it is considered that the 5m strip of land located just within the Green Belt, is suitable for small domestic buildings, and such buildings do not form an undesirable precedent. At the same time, however, the areas of redundant 'golf course' land to the immediate south should not be allowed to house such buildings, or be incorporated into residential gardens. The committee will be aware that many residential properties lie within the Green Belt and domestic outbuildings are not regarded as inappropriate.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL - Members were concerned that the proposed garage may be situated on land designated for agricultural purposes. If this is the case, an objection is lodged re inappropriate development in the Green Belt.

CPRE - This is Green Belt land, and houses could follow on from approval to garages.

NORTH WEALD BASSETT & DISTRICT RURAL PRESERVATION SOCIETY - If this is Green Belt land we object on grounds of inappropriate development in the Green Belt.



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APPLICATION No: EPF/954/05

Report Item No: 3

SITE ADDRESS:

COMPOUND 14, OPPOSITE DAY NURSERY, WOODSIDE TRADING
ESTATE, THORNWOOD, NORTH WEALD

PARISH: North Weald

APPLICANT: Deepblue Ltd

DESCRIPTION OF PROPOSAL:

Retrospective application for security fencing to vehicle
compound.

RECOMMENDED DECISION: Grant Permission

1. Within two months of the date of this permission the fence hereby
approved shall be painted dark green and thereafter maintained in that
colour.

Description of Proposal:

Retrospective application for the retention of metal security
fencing to vehicle compound. The Area fenced is some 20m x
20m, and the fence is 2.1m high.

Description of Site:

A former RAF dispersed camp, with the buildings having been
refurbished and used for storage and commercial purposes.
There is an internal one way road system accessed from
Woodside, with a large parking area to the northern boundary of
the site. The site is screened by mature tree lines. There is
open agricultural land to the east and north, Wintry Wood to
the west, and some residential properties to the south. The
whole site is within the Green Belt.

Relevant History:

EPF/738/75 - Continued use of site for commercial storage use -
Approved
EPF/975/03 - Change of use to day nursery (Unit 15) - Approved
EPF/169/04 - First floor extension and formation of car park
(Unit 1) - Approved

Polices Applied:

GB2 Green Belt Policy
DBE1 Design of new structures
DBE4 Green belt Design
RP5 Development likely to cause a nuisance
T17 Highways

Issues and Considerations:

The main issues are the impact of this proposal on the Green Belt, amenities of neighbouring properties, and effect on Highway Safety.

Green Belt & Design

Whilst the whole site is within the Green Belt this site has a long established commercial use and the area to the north has been used for vehicle parking for many years. It is the case that the land that has been fenced is part of this parking area and thus the current use of the land is consistent with the long term use of the area. Aerial photographs show that the site has been used for parking heavy and articulated lorries from at least 1990. The owner of the site has provided information in a formal notice that this area has been used for parking since at least 1979. In addition this site has been identified in at least 3 separate planning applications since 1994 as land used as a lorry park.

Therefore it is clear that the application is purely for the fence and not for the use of the site.

The applicant has argued that the fencing is necessary to stop thefts and vandalism that have occurred since the purchase of three 7.5 ton lorries in early 1994. The firm has been on the site since 1978.

The issue in this case is therefore the impact of the fence on the Green Belt. The fence does have an impact on the openness of the Green Belt by its presence and utilitarian design. However there is a significant level of screening provided by the tree lines around the site, and the fence will not be readily visible from the open land to the north.

It is also the case that this is a commercial site where fencing of this type would not be out of character. The area enclosed is also relatively small, and it covers about 15% of the available parking area. The utilitarian appearance of the fence can be reduced and softened by requiring it to be painted and maintained in a dark green colour, and this can be achieved by the imposition of a condition. It should also be noted that the fence could be erected without the benefit of planning permission if it was 2m or under in height under permitted development regulations.

Therefore it is considered that this would have no further adverse impact on the openness of the Green Belt than that already caused by the site and its use.

Amenity

The nearest neighbour (Beecroft House) is some 35m to the east. The occupier has objected to this proposal on a number of grounds including disturbance caused by the starting and running of engines in the compound. However this is not directly related to the issue of the fencing, and it should be noted that there are no conditions relating to time of use on this land. This is a matter than can be dealt with under separate environmental legislation.

Highways

The Highways Section has raised no objections to this scheme on either safety or parking grounds.

Other issues

An objector has raised issues relating to a Goods Operators License for the site, but this is not germane to this application. He has also alleged that this use may well be an intensification of the use of the site. However the area has a long standing use as a vehicle park, and this continuing use does not result in an intensification. There are two shipping containers in the compound but these are subject of a separate enforcement investigation.

Conclusion

It is acknowledged that the fence will cause some harm to the openness of the Green Belt, but due to the existence of the treeline and the backdrop of the existing commercial site this harm is largely academic. Most of the objections relate to the use of the site, but this is already an established use.

Therefore the recommendation is for approval.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL - Object, the security fencing is obtrusive and unsightly resulting in a loss of amenity for nearby residents.

The increase in vehicle traffic at the location is inappropriate as it represents an increased risk for users of the neighbouring children's nursery.

BEECROFT HOUSE - Object, on behalf of 6 local residents, this is a retrospective application, the site causes disturbance from traffic movements and running of engines at all hours, site has not got a GVOL license, this is a public safety issue with the traffic threatening child safety, and might well

constitute a intensification of use of the site.

CONSERVATORS OF EPPING FOREST - No Objection.



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