

Report Item No: 1

APPLICATION No:	EPF/2423/09
SITE ADDRESS:	The Old Rectory Mount Road Theydon Mount Epping Essex CM16 7PW
PARISH:	Theydon Mount
WARD:	Passingford
APPLICANT:	Mr Gary Littwin
DESCRIPTION OF PROPOSAL:	Demolition of existing dwelling house and erection of a new 4 no. bedroom detached house and two car garage block. (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 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.
- 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, Class A, B and E shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 The development, including site clearance, must not commence until a tree protection plan, to include all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing.

The statement must include a plan showing the area to be protected and fencing in accordance with the relevant British Standard (Trees in Relation to Construction-Recommendations; BS.5837:2005). It must also specify any other means needed to

ensure that all of the trees to be retained will not be harmed during the development, including by damage to their root system, directly or indirectly.

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

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

- 6 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.

- 7 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.
- 8 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.
- 9 Prior to the first occupation of the new dwelling, the existing dwellinghouse shall be demolished and all resulting materials removed from the site.

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).

Also, this application is before this Committee since it is an application for commercial development and the recommendation differs from more than one expression of objection (Pursuant to Section P4, Schedule A (f) of the Council's Delegated Functions).

Description of Proposal:

The applicant seeks planning permission for the demolition of an existing dwelling house and the erection of a new 4 bedroom detached dwelling house.

The replacement dwelling is to be sited further back on the site than the existing dwelling and would be approximately in line with the adjoining dwelling to the south known as 'Birchfield'. It is to be setback a minimum distance of 20 metres from the highway, 3 metres from the southern side boundary and 7.5 metres from the northern side boundary.

The new dwelling would be two-storey with 4 bedrooms within the roof space and would comprise of a double storey wing with projecting front and rear gable ends. Front and rear dormer windows are to provide additional headroom and light to the living accommodation contained within the roof space. Unlike the existing dwelling, the proposed dwelling will front the highway. Materials are to be facing brickwork with stone corncicing and a clay tiled roof.

The dwelling itself would have a width of 13.5 metres whilst its depth would range from 7 metres to 13.5 metres which results in an approximate building footprint of 116 square metres. The overall height of the dwelling, not including the chimney, would be 8.7 metres to the ridgeline of the double storey wing.

Also proposed is a double car space garage which is to be positioned to the front of the proposed dwelling house up against the northern side boundary. The garage would have dimensions measuring 6.6 metres by 6.6 metres and would have a pitched roof. The maximum height of the garage would be 3.7 metres. Materials of the garage would match those of the proposed dwelling house. Two up and over garage doors are proposed which would face south. Vehicle access to the site would be via the existing crossover and a turning circle would be provided on a hard paved standing area in front of the proposed dwelling house.

Description of Site:

The subject site is located within the rural settlement of Theydon Mount and forms a small cluster with other dwelling houses on the western side of Theydon Mount Road. There are significant changes in levels across the site, which generally decreases from north to south and east to west. Overall the site comprises of approximately 3100 square metres.

At present, the existing dwelling that is to be demolished is a traditional red brick double storey detached house that is set back approximately 8 to 10 metres from the highway. Vehicle access is off Mount Road which provides either off street parking on the hard surface or within the detached garage that is located to the north of the existing dwelling. A large open space area is located to the side and rear of the dwelling.

Adjoining the property to the north is a pair of semi detached double storey dwellings known as 42 and 43 Mount Road. A driveway runs parallel with the southern side boundary of the subject site which provides vehicle access to a large dwelling known as 'Coppers' which is situated to the south east of the site. Immediately beyond the driveway, further to the south is another detached dwelling house known as 'Birchfield'.

It should be noted that the subject site and the surrounding area are located within the Metropolitan Green Belt. Opposite the site, on the other side of Mount Road is Hill Hall Conservation area but the application site is not in the Conservation area.

Relevant History:

EPF/1517/08 - Demolition of existing dwelling house and erection of a new 4 no. bedroom detached house and 3 no. car garage block. (refused & dismissed at appeal).

EPF/1784/08 - Construction of boundary wall and entrance gates and erection of a detached 3 no. car garage. (refused)

EPF/0186/09 - Proposed boundary wall and in and out drive. (Revised application to EPF/1784/08) (refused)

EPF/1069/09 - Proposed boundary fence with in and out drive and gates hung on brickwork piers including new crossover. (refused & dismissed at appeal)

EPF/1070/09 - Demolition of existing dwelling house and erection of a new 4 no. bedroom detached house and two car garage block. (Revised application) (withdrawn)

Policies Applied:

Local Plan and Alterations:

CP1 Achieving Sustainable development objectives
CP2 Protecting the quality of the rural and built environment
DBE1 Design of new buildings
DBE2 Detrimental effect on existing surrounding properties
DBE4 Development within the Green Belt
DBE9 Loss of Amenity
GB2A Development within the Green Belt
GB7A Conspicuous Development
GB15A Replacement Dwelling within the Green Belt
LL10 Protecting existing landscaping features
ST4 Highway safety
ST6 Vehicle parking

East of England Plan:

PPG2 – Green Belt

Summary of Representations

THEYDON MOUNT PARISH COUNCIL – Objected for the following reasons:

- The proposed development materially exceeds the existing (contrary to Local Plan Policy GB15A)
- The design is not in keeping with the rural character of the village.
- Neighbours consider that siting the new building deeper into the site will result in overlooking and intrusion.

The Parish Council's concerns are addressed within the issues and considerations section of this report.

7 neighbours were consulted and a total of 6 objections were received from the following properties:

- Birchfield, Mount Road, Theydon Mount
- 1 Hilltop Cottages, Theydon Mount
- 1 Beachett Cottages, Theydon Mount
- 43 Brickfield Cottage, Theydon Mount
- 42 Brickfield Cottage, Theydon Mount
- 42 Mount Road, Theydon Mount

The following concerns were mentioned within the above objection letters:

- The proposed development would be setback too far from the main road impacting upon the character of the area.
- The front balcony not in keeping with the character of the properties in Theydon Mount.
- Lack of information, inaccuracies and conflicting dimensions scaled from submitted drawings supplied
- The proposed development would be larger than the existing dwelling house.
- The proposed design appears alien to its surrounding counterparts.
- The siting of the development would have direct consequences to the amenities enjoyed by surrounding occupiers in terms of loss of privacy.
- The proposed development is significantly larger than the existing and is an overdevelopment of the site.
- The design of the development is out of keeping with the rural nature of the area. The design would be more suited to an urban environment.

Issues and Considerations:

The proposed development is basically a revised scheme of the previous application (ref: EPF/1517/08) that was refused and later dismissed at an appeal.

On that occasion the reasons for refusal were as follows:

- The proposed replacement house is materially greater in volume than that which it would replace and, due to its bulk and massing, would have a greater impact on the openness of the Green Belt than the existing house. The proposed house is therefore inappropriate development in the Green Belt, which is by definition harmful to it. No very special circumstances sufficient to outweigh the harm that would be caused by the development have been demonstrated by the applicant. Accordingly, the proposed house is contrary to policies GB2A and GB15A of the Epping Forest District Local Plan and Alterations.
- By reason of its bulk, massing and unsympathetic design, the proposed replacement house would fail to respect the wider landscape setting of the site and would form a poor contrast with neighbouring buildings to the detriment of the established local character. It therefore conflicts with the adopted planning policy objectives of protecting the quality of the rural environment and safeguarding the visual amenities of the Green Belt. Accordingly, the proposed house conflicts with policies CP2, GB7A, DBE1, DBE4 and LL2 of the Epping Forest District Local Plan and Alterations.

The appeal was dismissed, summarised by the Planning Inspector's comments as follows:

- I have concluded that the proposal represents inappropriate development in the Green Belt. Furthermore, it would harm the openness and visual amenity of the Green Belt and the character of and appearance of this rural area. All of these matters carry substantial

weight. For these reasons given above, I place little weight on claimed benefits of the scheme, in terms of reduced overlooking, which do not therefore outweigh the harm I have identified. I have not identified any other factors weighing in support of the proposal and therefore conclude that very special circumstances to justify the development do not exist.

Therefore the main issues to be addressed in this case are whether the revised scheme has overcome the Council's and the Inspector's previous concerns in terms of its design and appearance and its impact upon the openness and character of this part of the Metropolitan Green Belt.

With regard to the first reason of refusal, Policy GB2A requires development not to harm the open character of the Green Belt and be appropriate, and in the case of a replacement house, it should also be in compliance with GB15A. Policy GB15A states that replacement dwellings should not be materially greater in volume than that which it would replace, and should not have a greater impact on the openness of the Green Belt than the original dwelling.

It was determined that the previous application would have had an increase of approximately 100% in terms of volume. This was considered to be far too excessive for a one to one replacement dwelling within the Green Belt.

Consequently, the applicant has submitted a revised scheme, reducing its scale and volume by changing the design and appearance of the proposed replacement dwelling from that which was refused.

Although no existing plans were submitted as part of the revised application, previous plans of the existing house measured the volume to be approximately 613 cubic metres.

Appropriate or inappropriate development in the Green Belt:

The applicant has submitted their own volume calculations for the proposed replacement dwelling which worked out to be 654 cubic metres, but according to the planning officer its calculation is more like 689 cubic metres.

Taking the 689 cubic metres volume, there would be approximately a 12% increase in terms of the volume between the existing dwelling and the proposed dwelling. Officers consider that this would not be materially greater in volume than the existing house and satisfies this part of GB15A.

This is a significant improvement compared to the previous application that was refused. This is due to the fact that there has been a satisfactory reduction in the bulk and massing of the proposed dwelling, which overcomes the harm to the Green Belt that would have resulted from the previous proposal.

Visual Impact and design:

Turning to the issue of its design and appearance, the previous refused scheme proposed to construct a large two storey dwelling that would feature two large projecting bays on either side of a rather grand colonnaded entrance porch, together with a bulky gable roof. It was proposed to increase the overall building footprint from approximately 100 square metres to 169 square metres. It was concluded by the Planning Inspector that this increase in the volume and footprint would have reduced the openness of the Green Belt, and would therefore have been an inappropriate development.

Policy DBE4 requires new buildings to respect the wider landscape setting of the site and be of a design that is in keeping with the local character in terms of traditional plan form and detailing.

The building footprint has been reduced to 116 square metres. Its appearance has also been altered by lowering the roof by 1.2 metres in height, taking away a potential 3 storey house by setting the first floor into the roof void. The proportion of the roof to the ground floor is more in keeping with a rural location such as this and its slopes are broken by two matching dormers at the rear and a smaller dormer at the front, that are in keeping with the appearance of the local area. The cross-wing successfully breaks up a potential monotonous front and rear elevation, despite an asymmetrical slope on the one side above the entrance. The front bay and railing above, in front of the first floor window adds a little grandeur that just stops short of being an unacceptable imposing design. On the other half of the front elevation, the roof eaves is partly broken along its length, so that the first floor elevation aligns with the front part of the ground floor elevation in a slight projection, such that it doesn't quite appear as a two storey bay.

In summary, the design has traditional elements with some suburban features. The Planning Inspector refused the previous design for being of suburban character and not in keeping with the rural surroundings. It is, though, set further back into its site than the current house, and given it will be in a setting of individual style housing, on balance it complies with policy DBE4 and GB15A.

A new detached garage, not previously proposed, is proposed as part of this application. It will be close to the northern boundary and forward of the proposed house, but in line with the front building line of the adjoining pair of semi detached dwellings to the north of the site.

Its size, scale and materials are appropriate without causing harm to the openness of this part of the Green Belt. It should be noted that the garage would be only slightly larger than the existing detached garage to the north of the existing dwelling.

Impact on Neighbouring Amenities

Under the previous application that was refused, there were no concerns in relation to the proposed development resulting in a harmful impact to the amenities of adjoining property owners in terms of loss of privacy or a loss of light.

Once again, due to the orientation of the site, and the position and siting of the subject dwelling in relation to adjoining dwellings, there would not be a harmful impact to the amenities of adjoining property occupiers. It therefore complies with policy DBE2.

Other issues:

The application form states that no vegetation is to be removed from the site to make way for the proposed development. Although it should be noted that some mature trees were removed from the site in early 2009, these trees were not covered by a Tree Preservation Order and therefore could be felled. If the application is granted permission it is recommended that a condition be imposed for a full landscaping scheme and the protection of existing vegetation on the site, to not only compensate for some of this, but to help assimilate the building into its wider landscape setting. In terms of amenity space, there is sufficient room for a large open space to the rear of the proposed dwelling house to meet the recreational needs of future occupiers.

In terms of highway safety, the proposed development would not result in a significant difference from that of existing conditions. The existing vehicle crossover is to be used to enter and exit the site in a forward gear. The development would not result in an impact to highway safety or cause traffic congestion along Mount Road. Adequate off street parking is also provided within either the proposed garage or on the hard surfacing in front of the dwelling house to meet the needs of future occupiers.

The issues raised by the neighbour of inadequate plans have been addressed in revisions, such that there is now consistency in the plans and elevations.

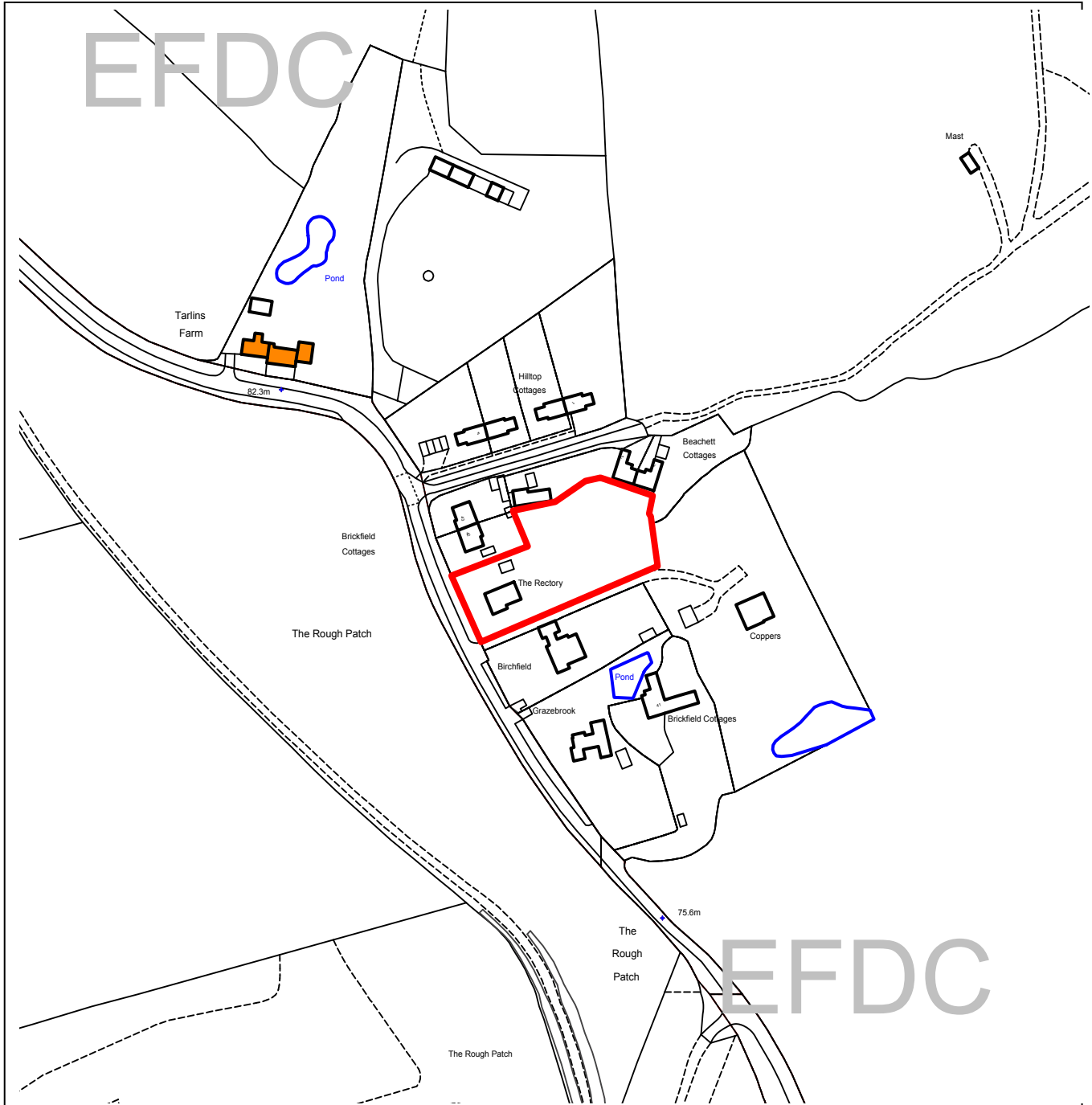
Conclusion:

In conclusion it is considered that the proposed development would now be acceptable as the revised size and footprint of this proposal would not harm the openness of the Green Belt; it's most important attribute. Its design and appearance is more in keeping than the previously refused scheme and on balance, respects its wider landscape setting, despite elements of suburban design. On the balance of issues, it complies with policies GB2A, GB15A and DBE4.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	1
Application Number:	EPF/2423/09
Site Name:	The Old Rectory, Mount Road Theydon Mount, CM16 7PW
Scale of Plot:	1/2500

Report Item No: 2

APPLICATION No:	EPF/0240/10
SITE ADDRESS:	The Brambles 22A Lindsey Street Epping Essex CM16 6RB
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	Mr Stephen Kramer
DESCRIPTION OF PROPOSAL:	Alterations to new dwelling house. (Revision to EPF/0489/04 and EPF/1298/09.)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 Details and samples of the proposed roof tile, brick for chimneys, external cladding, doors and windows shall be submitted to the Local Planning Authority within 8 weeks of the date of this consent for approval in writing. The development shall be carried out in accordance with the approved details.
- 2 The reduction in roof height shown on the approved plans shall be commenced within 6 months of the date of this approval unless otherwise agreed in writing.
- 3 The applicant shall complete the approved alterations in accordance with the approved plans and details secured by condition within 12 months of this approval unless otherwise agreed in writing by the Local Planning Authority.
- 4 The applicant shall submit a detailed landscaping plan, including protection of trees remaining on site and boundaries, and details of planting along the boundary adjacent to 22 Lindsey Street, to the Local Planning Authority for approval in writing, within 8 weeks of the date of this notice, . The development shall be carried out and maintained in accordance with the approved details. Should any planting be removed or perish within 5 years of this notice than it shall be replaced with same unless otherwise agreed in writing by the Local Planning Authority.
- 5 The applicant shall provide details regarding the provision of surface water drainage, by soakaway or other means, within 8 weeks of the date of this notice, including percolation tests as appropriate. The details shall be agreed in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

- 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 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 8 No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.
- 9 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 to H shall be undertaken without the prior written permission of the Local Planning Authority.
- 10 The parking area illustrated on the approved plans shall be laid out and made available for use prior to first occupation of the dwelling. The parking area shall be maintained and accessible thereafter for the parking of occupants and visitors vehicles.

This application is before this Committee since it is for a form of development that cannot be approved under delegated powers if more than two expressions of objection have been received. (Pursuant to Section CL56, Schedule A (f) of the Council's Delegated Functions).

Description of Proposal:

The applicant seeks consent for revisions to an approved detached dwelling at 22A Lindsay Street, Epping. The dwelling that has been built is not in accordance with the approved plans and an application for retention in its present form was refused last year.

The applicant proposes to reduce the dwelling which has been erected to 5.8m in height at the main ridge, 2.8m at the eaves of the main building, with the reduction in size of the dormer windows, revision of the window openings, reintroduction of the chimneys, reintroduction of brick detailing on the end elevations, loss of first floor flank window, loss of roof lights, retention of additional door facing Lindsey Street and revision of doorway fronting Woodberry Down to reflect that originally approved. The plans also indicate the re-introduction of cladding across all elevations.

Internally the revisions retain the two-bed first floor, revised location of stairwell and store. At ground floor the proposals reposition the kitchen towards the junction between Woodberry Down and Lindsey Street with the introduction of a ground floor study.

Visually there are minimal differences on the external elevations between the former approval under EPF/0489/04 and the proposed scheme.

Description of Site:

The application site was formerly part of the side garden of a Grade II Listed dwelling. The site has now been divided into an independent plot fronting Lindsey Street and backing onto Woodberry Down. The site is immediately opposite the junction between Lindsey Street and Shaftesbury Road. The site was historically well screened with hedging, however much of this has now been removed fronting Woodberry Down and replaced with a 2m timber fence.

Relevant History:

EPF/1072/03 – New detached dwelling – Refused
EPF/0489/04 – New Detached dwelling – Approved with conditions
EPF/0952/06 – Erection of 2 x 2 bedroom houses – Refused
EPF/1939/08 – Discharge of condition 2 – materials – Discharged
EPF/1298/09 – Proposed new detached dwelling (Revised application EPF/0489/04) - Refused

Policies Applied:

Epping Forest District Local Plan and Alterations

CP2 – Protecting the quality of the Rural and Built Environment
HC12 – Development affecting the setting of Listed Buildings
DBE1 – Design of new buildings
DBE2 - Effect on neighbouring properties
DBE3 – Design in Urban Areas
DBE5 – Design and Layout of new development
DBE9 – Loss of amenity
ST01 – Location of Development
ST02 – Accessibility of Development
ST06 – Vehicle Parking

SUMMARY OF REPRESENTATIONS:

10 neighbours were consulted and a site notice erected and the following responses were received:

EPPING TOWN COUNCIL: Committee had no objection to this application

22 Lindsey Street – Object on grounds of insufficient parking arising from previous plans on objector's property no longer being carried out, poor sight splays from the access and poorly located parking bays onsite resulting in visual intrusion and loss of amenity. Object on grounds of loss of privacy arising from dormer windows with reduced screening in the current application. Concern is also raised regarding the setting of the listed building arising from the materials proposed for use, windows installed and general appearance of the property. Concerns are also raised regarding the amenity of potential future occupants when using amenity areas surrounding the property.

20 Lindsey Street – Object due to impact on amenity and setting of adjacent listed building, impact to appearance of the street scene and raise concerns regarding the proposed parking arrangements and highway safety.

Petition from 2, 2B, 3, 4, 5, 6, 6A and 7 Woodberry Down: Object due to the departure which has taken place onsite at present from the approved details, namely the scale and finishing of the house currently in place. Concern that planting proposed may not be implemented, that now development is in place even a property of the formerly approved scale is unacceptable and disproportionate and that parking proposed is unlikely to be achieved resulting in overspill parking.

Issues and Considerations:

The main issues that arise with this application are considered to be those relating to the site history and most recent reasons for refusal. Application EPF/0489/04 was permitted after a previous refusal and negotiations which sought a small scale dwelling akin to a coach house in the grounds of a listed property with a preferable siting, scale and positioning. When the building was substantially completed a further application was submitted under EPF/1298/09 in an attempt to regulate departures from the approved drawings. This was refused and accordingly the applicant now seeks to revise the largely constructed property to reflect the originally approved dwelling. Application EPF/1298/09 was refused for the following reasons:

- 1) The proposed new access is unsatisfactory resulting in visually prominent parking, contrary to policy DBE6 of the Adopted Local Plan and Alterations.*
- 2) The proposed 2m fencing surrounding the site is considered unacceptable, being visually overbearing at a prominent junction location immediately adjacent the public highway contrary to policies CP2, HC12, DBE1, DBE3 and DBE5 of the Adopted Local Plan and Alterations.*
- 3) The proposed design is considered unacceptable, detracting from the setting of the donor Listed Building property. The design is considered unacceptable with the loss of the original concept of a converted outbuilding appearance, and the loss of the architectural detailing which provided a visual association with the donor property. The increased height of the side wings and incursion of the front dormers into the eaves of the building are particularly unattractive and harmful to the streetscene, contrary to policies CP2, HC12, DBE1, DBE3 and DBE5 of the Adopted Local Plan and Alterations.*
- 4) The proposed alterations result in an increased height and bulk which is considered to result in a visually prominent, dominant development which appears incongruous with the locality and disproportionate in presence in relation to the donor property at 22 Lindsay Street contrary to policies CP2, HC12, DBE1, DBE3 and DBE5 of the Adopted Local Plan and Alterations.*

Following this refusal the applicant now proposes to retain vehicular access in a manner akin to that originally approved, reduce the 2m fencing to picket fencing facing Woodberry Down and the corner immediately adjacent Lindsey Street with 1.8m close board fencing remaining fronting Lindsey Street. The applicant seeks to reduce the height of the dwelling and introduce the revisions to the property as detailed in the description of development above. In combination it is the Officer's view that these alterations address the previous reasons for refusal and result in a dwelling and development closely akin to that which was previously approved under EPF/0489/04. The differences between the development presently proposed and that previously approved are minimal.

Having regard to the proposals on their own merits as submitted the relevant policies remain largely unchanged. The Local Plan Alterations were adopted in 2006, however policy objectives remain largely unchanged in relation to the proposals as follows:

Principle of Development:

The development of land in the urban area is acceptable in principle subject to the siting, design, appearance and access of the proposals. These all remain largely unchanged since the previous approval.

Scale and design of the proposals:

The external appearance of the dwelling proposed is largely similar to that previously approved, with most pronounced difference being the substitution of a window to a door on the 'front' elevation fronting Lindsay Street. Accordingly the proposals have minimal impact to either street scene beyond that previously considered acceptable.

Impact to the setting of a Listed Building:

The proposals as a built form have minimal impact with regard to the adjacent Listed Building beyond that already considered acceptable. Issues raised concerning landscaping and materials may be secured by way of condition and do not justify refusal.

Impact to amenity:

In respect of neighbouring properties, the impact to amenity would not be significantly greater than that previously considered acceptable.

In respect of privacy for potential future occupants, levels of privacy enjoyed would not differ significantly from that previously considered acceptable and the relationship between the application site and neighbouring properties remains unchanged.

Landscaping:

The information provided is considered an improvement on what was provided onsite and further detail and the implementation of the scheme can be secured by condition.

Parking and access:

The applicant has returned the vehicular access to that which was previously approved. There is no objection from highways. Whilst the neighbouring property may no longer be carrying out alterations, Members must confine consideration to the application site, which does not include the access already approved. The area on the boundary that would form access to the site is sufficient width for a car and there is sufficient area within the site to accommodate 2 cars, albeit in all likelihood not in the precise location as shown on plan, the drawings indicate that the required parking is clearly possible.

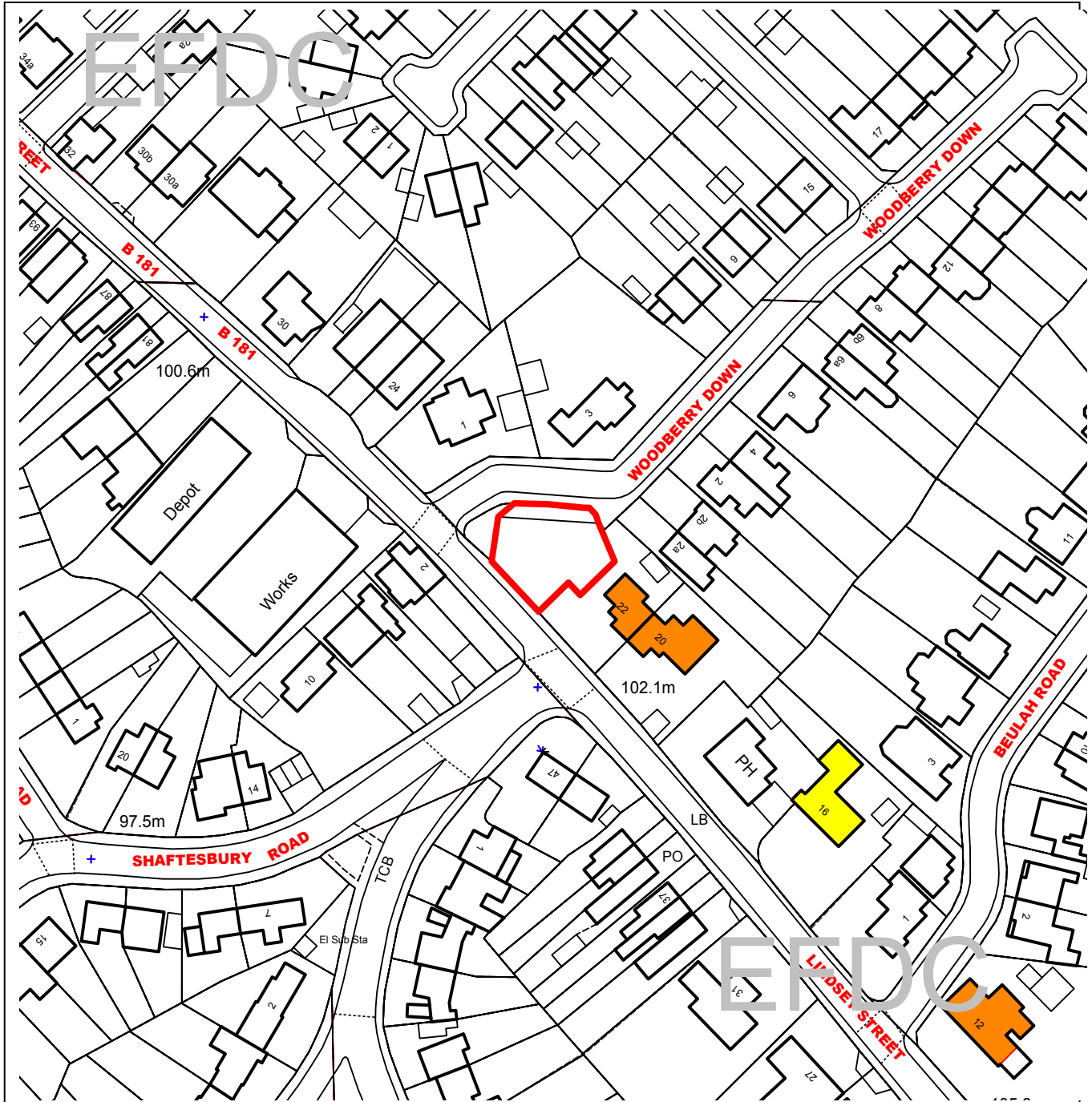
Conclusion:

The revised new dwelling is considered acceptable, returning largely to the originally approved scheme and providing improved boundary treatments. Accordingly approval is recommended subject to conditions.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	2
Application Number:	EPF/0240/10
Site Name:	The Brambles, 22A Lindsey Street Epping, CM16 6RB
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/0515/10
SITE ADDRESS:	The Fox Harlow Road Matching Tye Harlow Essex CM17 0RR
PARISH:	Matching
WARD:	Hastingwood, Matching and Sheering Village
APPLICANT:	Mr Chris Gibson
DESCRIPTION OF PROPOSAL:	Proposed marquee to be erected for use in summer months for no more than 28 days in any calendar year.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The marquee hereby approved shall not be erected onsite for any more than 28 days in any one calendar year.
- 2 The marquee hereby permitted shall not be used for functions, events or meetings beyond the opening hours of the public house or beyond 10.30pm Sunday to Thursday or midnight Fridays and Saturdays.
- 3 The applicant shall submit to the Local Planning Authority written details of a scheme of landscaping along the boundary with The Woodlands within 12 weeks of the date of this notice for agreement in writing. The scheme shall be implemented in the first planting season following this approval. The landscaping shall then be maintained in accordance with the approved details, until such time as the landscaping is no longer required in connection with marquee events on site.
- 4 The marquee shall accommodate no live music at any time. Any amplified sound shall be restricted by a noise limiter. Details of the noise limiter shall be submitted to and approved in writing by the Local Planning Authority prior to the first private function in the marquee. Any amplified sound shall be restricted by the agreed equipment and details thereafter unless otherwise agreed in writing by the Local Planning Authority.
- 5 Parking associated with events, functions and meetings in the marquee shall be carried out in accordance with the approved plans. Any public event shall have parking marshalled by at least one clearly visible member of staff at all times whilst the parking area is in use. Any parking to the rear of the site shall only be used on a once monthly basis for use solely by market traders and vendors in association with the market on that day only and at no other time whatsoever.

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 CL56, Schedule A (k) of the Council's Delegated Functions).

Description of proposal

The applicants seek consent for erection of a marquee in summer months for no more than 28 days in any calendar year. The applicant seeks a rolling annual consent to authorise marquee activities which take place onsite providing accommodation for private functions, Community May Day celebrations and monthly farmers market.

The marquee accommodation comprises 2 adjoining marquees 6m x 12m at 3.7m high to the ridge with 6 fake windows.

The applicant proposes 2 parking layouts serving different functions. For private functions the applicant seeks to use the area immediately adjacent the marquee on an ad hoc basis. For public events the applicant proposes to marshal parking and provide 3 informal rows of bays to ensure vehicles can access and leave the site independently, with stall holders parking to the rear of the site.

The applicants propose to erect the marquee for use and dismantle the structure after the event. The applicant has confirmed they would not require the marquee to be erected for any more than 28 days in a calendar year.

Description of site

The Fox Public House is a detached building set in a relatively generous plot fronting the junction at Harlow Road.

The property maintains parking to either flank of the building, with extended accommodation to the rear and an accommodation block approved in 2004.

The site is within the Conservation Area and has TPO trees onsite.

The Public House has a relatively generous beer garden area for patrons and maintains an extended green area to the rear of the plot backing onto open countryside.

Relevant History

The overall site has an extensive history relating to extensions and alterations however none of these relate to the proposed seasonal use of the marquee.

Policies Applied

CP2 – Protecting the Quality of the Rural and Built Environment
GB2A – Development in the Green Belt
HC6 – Character, Appearance and Setting of Conservation Areas
HC7 – Development within Conservation Areas
DBE4 – Design in the Green Belt
DBE9 – Loss of amenity

Representations Received

This report has been drafted before the lapse of the consultation period, therefore further representations will likely be received and will be reported orally at Committee.

7 neighbouring properties have been consulted and a site notice has been erected. At the time of drafting this report a single letter of objection has been received and two letters of support as follows:

MATCHING VILLAGE HALL: Support the proposals which permit the provision of farmers markets and community days.

MATCHING GREEN CLASSICS AND SPORTS CAR CLUB: Support the proposals, they use The Fox as a monthly meeting venue and park classic cars on the green adjacent the public house without problem.

WOODLANDS: Object to the proposals as whilst community day events are acceptable other events impact on residential amenity. No details are provided at the time of drafting the report on how amenity is affected. Concern is also raised regarding the accuracy of the plan, however no specific inaccuracies are noted.

There are no Parish comments at the time of drafting this report.

Issues and Considerations

The main issues to be considered are the potential impacts to the Green Belt, Conservation Area, street scene and potential impacts to neighbouring properties.

The proposals concern the temporary use of the site for the erection of a temporary structure. The events and functions themselves would be able to take place without the benefit of the structure and do not require planning consent. The parking on the grassed areas comprises no hard surfacing or provision of structures, therefore does not in itself require consent. Members must therefore consider the potential impacts of the physical temporary structure when in place and any additional impacts which may be associated with it.

In terms of Green Belt issues, the impact of the marquee and the site hosting external events at a greater frequency than would be possible without the enclosure is minimal. The use is temporary only, for short periods with parking and functions taking place that could take place without the marquee albeit likely less frequently. Whilst the erection of the marquees clearly impacts on openness for the duration of their erection, the very restricted number of days involved and the fact that the openness is maintained for 337 days a year leads Officers to conclude that the proposals may be considered to fall under section iv) of policy GB2A as 'other uses which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in the Green Belt'.

In respect of issues relating to the Conservation Area and street scene, Officers are of the view similar to that above, as the proposals are for temporary use of land to provide the marquee structure, the proposals have no lasting impact on the Conservation Area, therefore the scheme is considered to preserve the current appearance and setting of the Conservation Area in accordance with policies HC6, DBE1 and DBE4.

The proposed marquee as a temporary structure would have minimal impact on neighbouring amenity as it is well separated from the neighbouring properties and viewed only in the context of the existing public house, however the marquee structure permits a greater intensification of the use of the site, which whilst not requiring consent or restricted in any manner, does potentially result in additional impacts to the neighbour. The increased use of the access and parking on the

green adjacent the Woodlands may raise concern, particularly with evening functions which would potentially result in a large number of vehicle movements in the later hours, which may cause disturbance beyond that which would usually take place on a busy day or event without the marquee. For this reason the applicants have indicated they would enclose parking for functions in the areas immediately adjacent the marquee. Other community and daytime events would benefit from parking arrangements similar to those which presently exist. This separation is considered reasonable, and with the introduction of additional screening and restrictions on hours of use of the marquee, the impact of the parking could be reduced to levels similar to those on a usual busy summer evening which is not considered unreasonable. The noise arising from any events in the marquee can be addressed by conditions restricting noise levels and hours of use.

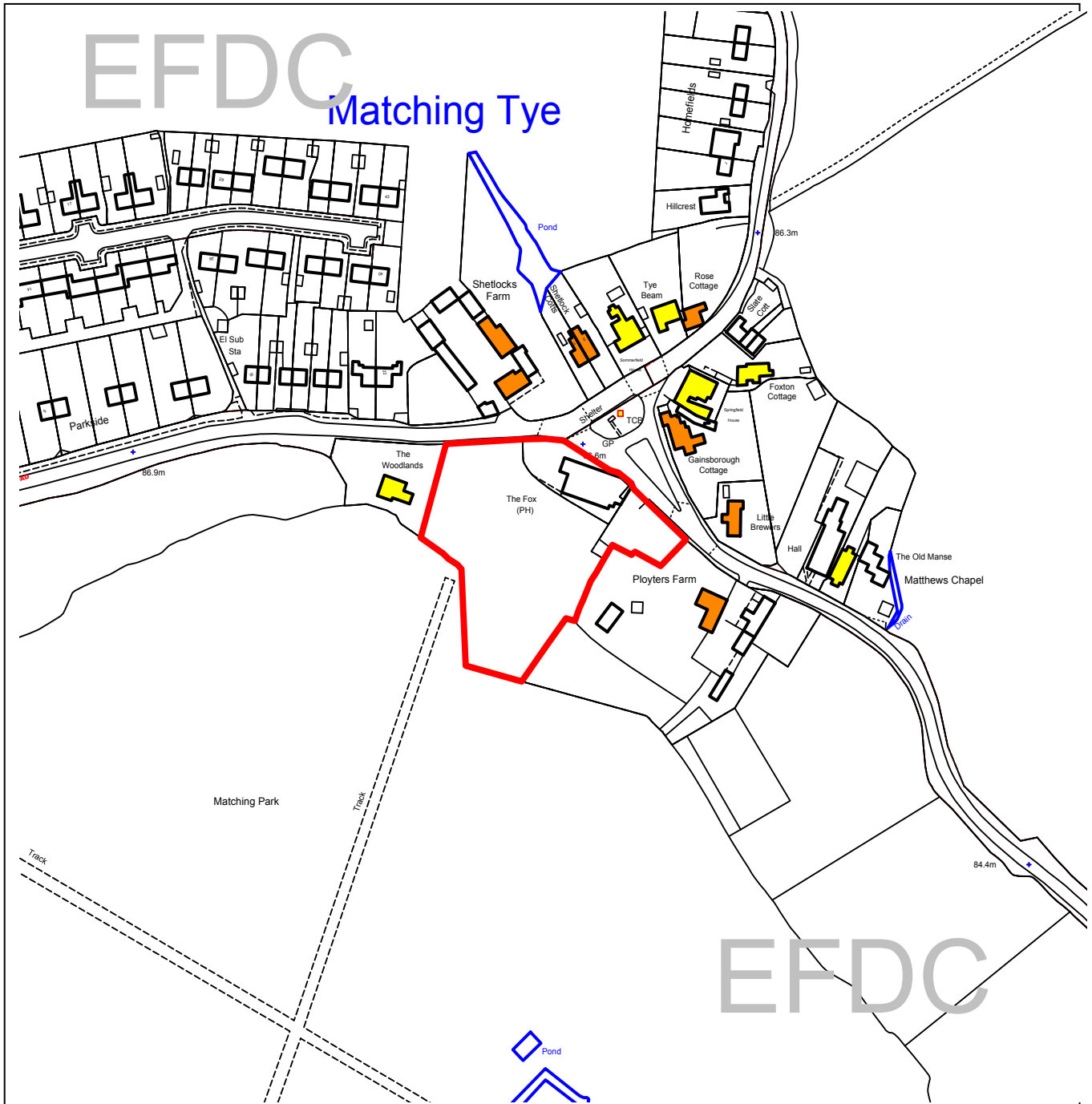
Conclusion

The proposed erection of the marquee for no more than 28 days a year is not considered to give rise to significant additional impacts beyond those which may exist without the use of the marquee. The public house is able to offer a number of functions and events without the need for planning consent as an ancillary activity to the main use of the site. The marquee enables an intensification of these ancillary uses, however this is considered on balance acceptable with no lasting impacts due to the temporary nature of the structure and with impacts to neighbours minimised with the attachment of conditions regarding hours of use, screening, noise levels and frequency of use; therefore approval is recommended.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	3
Application Number:	EPF/0515/10
Site Name:	The Fox, Harlow Road, Matching Tye, CM17 0RR
Scale of Plot:	1/2500