

Report Item No: 1

APPLICATION No:	EPF/2564/10
SITE ADDRESS:	20 Red Oaks Mead Theydon Bois Epping Essex CM16 7LA
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	The Owner/Occupier
DESCRIPTION OF PROPOSAL:	TPO/EPF/34/03 T1 - Oak - Fell and grind stump.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=523731

CONDITIONS

1. A replacement tree or trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted within one month of the implementation of the felling hereby agreed, unless varied with the written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
2. The work authorised by this consent shall be carried out under the direct supervision of the Local Planning Authority, who shall receive in writing, 5 working days notice of such works.

This application is before this Committee since all applications to fell preserved trees are outside the scope of delegated powers.

Description of Proposal

T1 Oak fell, and replace with Birch

Description of Site

The tree stands in an open garden area to the front of 20 Red Oaks Mead, and to the rear of 9 Loughton Lane. Red Oaks Mead is a row of semi-detached properties set well back behind properties in Loughton Lane. Therefore although the Oak tree is visible from Red Oaks Mead itself it is of limited public importance.

The original Tree Preservation Order protected 2 trees; the application tree and a companion tree to the rear of 12 Loughton Lane. The companion tree is a larger and more visually important tree.

Relevant History

TPO/EPF/34/03 was made in relation to a general threat to the trees in 2003.

Unlike some of its neighbours 20 Red Oaks Mead remains a council property. The application is on the basis of subsidence to the property and relevant background information has been described (see Issues and Considerations). It is known that there has been damage to the companion property, No. 18, but that does not form any part of the information supplied in relation to this application.

Policies Applied

Epping Forest District Local Plan and Alterations:
LL9 – felling of preserved trees.

Summary of Representations

Parish Council – No objection.

Issues and Considerations

Summary of Evidence

The application is on the basis of current subsidence to the property. The case papers suggest that damage has been continuing since at least 2006.

The submitted evidence includes an engineer's report, for the District Council, dating from 2006 but also includes a distortion survey undertaken in November 2010. The Council's Landscape Officer has had an opportunity to review the evidence on site, inspect the property, and review the distortion survey with the independent engineers who produced it for the Director of Housing.

The evidence shows moderate to severe damage throughout 20 Red Oaks Mead causing significant cracking to most of the major rooms both down and upstairs. The pattern of damage is consistent with tree root activity. The underlying soil is London clay and the evidence also shows that the clay has been dried in a manner consistent with tree root activity.

The distortion survey shows that the corner of the property closest to the tree has sunk significantly and that the walls are out of true. The distortion is greatest at the point close to the tree.

Taken together there can be no doubt that 20 Red Oaks Mead has suffered from subsidence, that the principal cause of the subsidence is most likely to be the Oak tree closest to the property and that removal of the Oak tree closest to the property is likely to resolve the structural issues and allow the damage to be repaired.

Discussion of Options

The degree of damage throughout the house is such that the current situation cannot reasonably be allowed to continue any longer. Alternative options considered include underpinning of the property; constructing a root barrier and reduction of the tree on a continuing basis.

In relation to the choice of approach the importance of the tree needs to be considered. It is a relatively young Oak tree, in the first phase of maturity, not particularly large and not particularly publicly visible. There is a larger and more important tree nearby. Therefore it is not considered reasonable to insist on the tree's retention at the expense of underpinning the building. Because the property is semi detached and the other half is in private ownership there would be technical and legal difficulties with underpinning in any event.

In relation to a root barrier, the limited land available makes it an unattractive option in this instance. There would not be any reasonable certainty that the barrier could extend sufficiently far to prevent roots gaining access to the property in the future. A root barrier could be combined with a crown reduction of the tree and reported pruning, however, that would even further diminish the public value of the tree, as well as being a relatively expensive solution in the longer term. On balance, therefore, and particularly because of the limited public importance of the tree it is not felt that an alternative to felling should be insisted upon on this occasion.

There is room to plant a replacement birch, as proposed. While clearly not an equivalent to the oak, it would give some public amenity in the longer term, but does not give rise to concerns about future foundation movements.

Conclusion

The submitted technical evidence demonstrates that the property is suffering from root related subsidence; that the most likely cause of the subsidence is the adjacent Oak tree; that removal of the Oak tree is likely to resolve the issues and that there are no other solutions that can be offered as reasonable, particularly bearing in mind the limited public visibility of the tree.

Therefore it is recommended to grant permission to fell the Oak tree. The proposal accords with Local Plan Landscape Policy LL09.

In the event of Members agreeing to allow the felling it is recommended that a condition be applied requiring a birch as replacement and prior notice of the felling.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

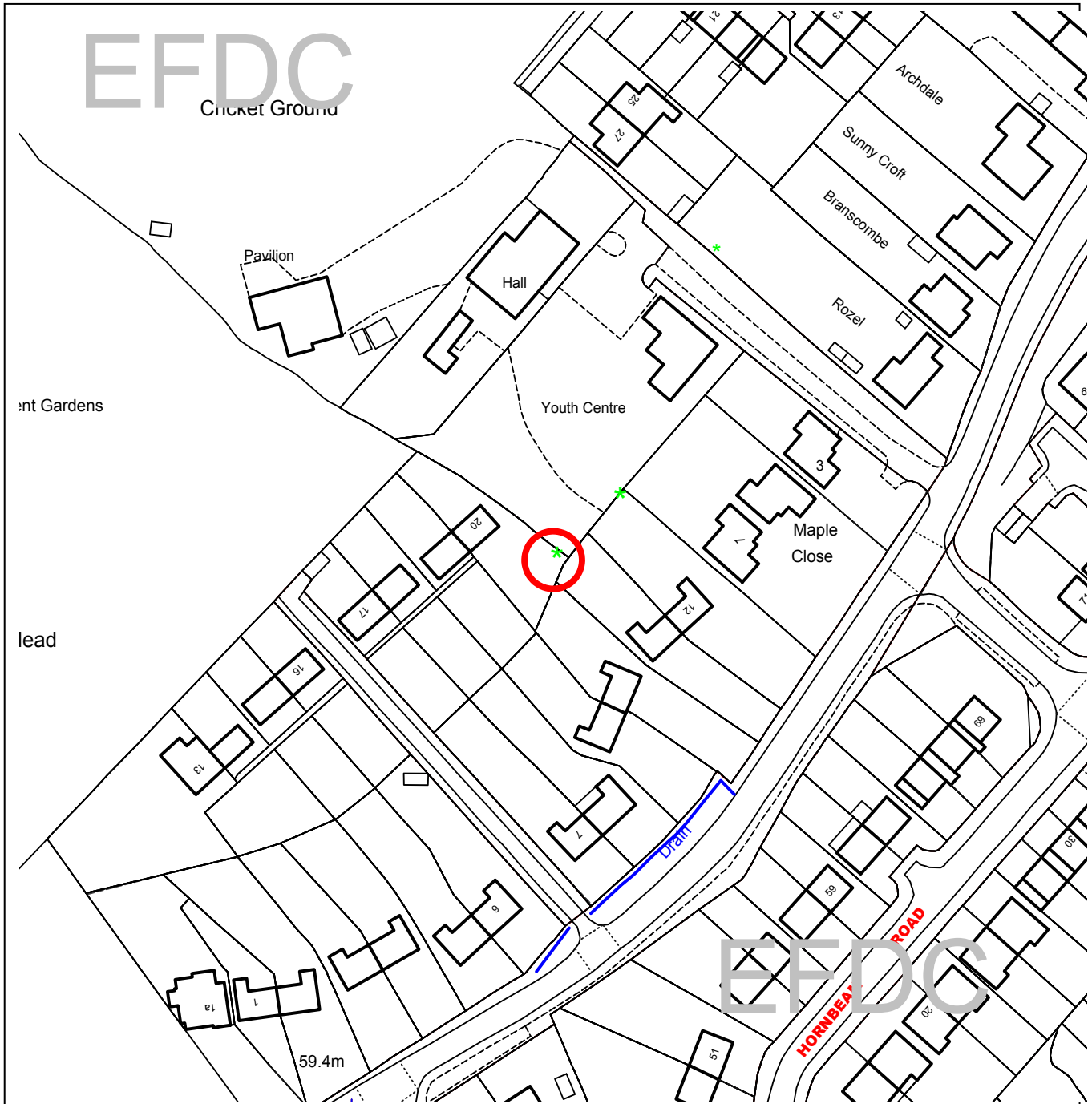
***Planning Application Case Officer: Christopher Neilan
Direct Line Telephone Number: 01992 564117***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	1
Application Number:	EPF/2564/10
Site Name:	20 Red Oaks Mead, Theydon Bois Epping, CM16 7LA
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/0739/10
SITE ADDRESS:	Threshers Hastingwood Road Hastingwood North Weald Essex CM17
PARISH:	North Weald Bassett
WARD:	Hastingwood, Matching and Sheering Village
APPLICANT:	Mr David Thompson
DESCRIPTION OF PROPOSAL:	Existing commercial skip site to be redeveloped into 14 residential units.
RECOMMENDED DECISION:	Grant Permission (Subject to S106)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/Anite!M.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=517223

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 or preliminary groundworks of any kind shall take place until the applicant/developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
3. 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.
4. Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
5. 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.

6. No development shall take place until details of the landscaping of the site, including retention of trees and boundary vegetation and including the proposed times of proposed planting (linked to the development schedule), have been submitted to and approved in writing by the Local Planning Authority. The approved landscaping shall be carried out in accordance with the approved details and at those times.
7. 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) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping 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 minor artefacts and structures, including signs and lighting and functional services above and below ground. The 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.
8. Prior to the commencement of the development details of the proposed surface materials for the access, turning and parking areas 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.
9. Prior to occupation of the proposed development, the applicant/developer shall be responsible for the provision of a Travel Information and Marketing Pack for sustainable transport to be approved by the Local Planning Authority in liaison with Essex County Council.
10. Prior to commencement of works, details of the proposed access and footway arrangements as shown in principal on Plan Ref: BRD/09/030/2 Rev: B shall be submitted to and agreed in writing by the Local Planning Authority. These details shall include a 7.5m minimum radius kerbs, the provision of a 1.8m footway across the site frontage, and a ramped table feature.
11. Prior to first occupation of the development hereby approved, there shall be no obstruction within a parallel band visibility splay 2.4m wide as measured from the back edge of the carriageway across the entire frontage onto Hastingwood Road.
12. 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.
13. A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using Windes or other similar programme. The approved measures shall be undertaken prior to the first occupation of the building hereby approved and shall be adequately maintained in accordance with a management plan to be submitted concurrently with the assessment.

14. 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.

15. 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.

And subject to the applicant entering into a legal agreement under section 106 of the Town and Country Planning Act, (within 12 months of the decision) to secure a contribution of £100,000 towards the provision of affordable housing within the District.

This application is before this Committee since it is an application for residential development of 5 dwellings or more and is recommended for approval (Pursuant to Section CL56, Schedule A (d) of the Council's Delegated Functions).

Description of Proposal:

The proposed scheme is to redevelop the existing commercial skip site to a development of fourteen residential units, plus associated car parking, cycle and bin storage. The dwellings would all be three storey (incorporating the roof areas) two bed properties, although each would have a separate 'study' that could be utilised as a third bedroom. The properties would be laid out in three terraces. The front of the site would contain two terraces of three and four dwellings running along the building line of the existing linear development. These two terraces would be divided by an access road leading to the car parking area and a further terrace of seven dwellings in the rear portion of the site, running at a right angle to the front terraces. These seven dwellings would back onto the side boundary of the neighbouring property known as Threshers Cottage. The

development would incorporate 32 parking spaces, a cycle store for 12 bicycles, and a small bin store to serve Plots 9-12 (inclusive), which do not have access to the rear or side garden to allow for individual bin storage.

Description of Site:

The application site is a commercial skip site located on the south eastern side of Hastingwood Road at the end of a small linear residential development of some sixteen dwellings. To the south west are further detached dwellings, which are separated from the site by a field. To the immediate rear of the site are open fields.

The site covers an area of some 0.3 hectares and is predominantly covered in hardstanding. There is bunding and coniferous planting along the boundaries and areas of waste storage and HGV parking, along with existing buildings within the site. The site is located in a rural Green Belt location, although it is in fairly close proximity to the M11 motorway and outskirts of Harlow Town.

Relevant History:

EPO/0092/60 - Use of building for wholesale distribution depot – refused 05/04/60
EPF/0015/77 - Outline application for offices and stores on site of existing – refused 14/01/77
EPF/0569/77 - Proposed extension to existing building to provide toilet block – approved/conditions 23/06/77
EPF/1046/77 - Erection of office extension – approved 03/10/77
EPF/0144/85 - Formation of service road on agricultural land – refused 01/04/85
EPF/1491/86 - Erection of detached office building – approved/conditions 09/03/87
EPF/1248/87 - Change of use of agricultural land to haulage depot – refused 11/09/87
EPF/0899/89 - Change of use of agricultural land to haulage depot – refused 23/06/89
EPF/1399/89 - Temporary office accommodation (portakabin) – approved 03/01/90
EPF/1400/89 - Raising existing skip rubble bin by 450mm – approved 03/01/90
EPF/0856/94 - Reposition of existing waste transfer compound and sand and ballast bins within site – approved/conditions 31/10/94
CM/EPF/0003/95 - Temporary portacabin office, weighbridge, weighbridge office and toilet – approved 20/10/95
CM/EPF/1197/96 - Change of use from open space to B2 industrial, diesel tank reposition and additional waste compound (County matter) – approved 14/01/97
EPF/0943/98 - Installation of a wood burning combination unit (including 10m high chimney) for heating existing workshop building – refused 26/10/98
EPF/1629/98 - Installation of a wood burning combustion unit (including 10m high flue) for heating existing workshop (Revised application) – refused 15/02/99 (appeal dismissed 16/08/99)
EPF/1293/04 - Retention of a palisade gate and fence – refused 23/08/04
EPF/1294/04 - Retention of change of use of agricultural land to commercial – refused 23/08/04
EPF/0902/07 - Change of use of disused former agricultural land to storage as part of existing waste transfer station and retention of metal palisade security fencing and gates – refused 18/07/07 (appeal dismissed 18/07/07)

Policies Applied:

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
CP3 – New development
GB2A – Development in the Green Belt
GB7A – Conspicuous development
H2A – Previously developed land
H3A – Housing density
H4A – Dwelling mix

H5A – Provision for affordable housing
H6A – Site thresholds for affordable housing
H7A – Levels of affordable housing
H9A – Lifetime homes
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE4 – Design in the Green Belt
DBE6 – Car parking in new development
DBE8 – Private amenity space
DBE9 – Loss of amenity
RP5A – Adverse environmental impacts
LL11 – Landscaping schemes
E4A – Protection of employment sites
E4B – Alternative uses for employment sites
I1 – Planning obligations

SUMMARY OF REPRESENTATIONS:

20 neighbouring properties were consulted and a Site Notice erected on the front fence of the site on 18 May 2010.

PARISH COUNCIL – No objection subject to the following: That the existing use is not transferred to a different site by the proprietor and does not continue on a different site within the Parish, and that a Section 106 Agreement is sought for the local community of Hastingwood in relation to either a S106 planning gain towards Highways or for the Hastingwood Village Hall, which would benefit the local community.

FOREBURY HOUSE – Object as this would introduce 14 additional families into an area with no facilities, as this would increase the noise as it would be for longer periods of the day/night and at weekends, the proposed rubbish stores would attract rats, there would be an increase in vehicles movements to and from the site, there is insufficient parking provision, and the existing site is not as problematic to neighbour amenities as being made out. Also concerned with the replacement of the existing hedge by a 4' post and rail fence and new hedge, which will take several years to mature and replicate the existing screen. This would therefore result in overlooking from the proposed development. Also there should be no access from the site onto the adjoining field.

CHURCH FARM HOUSE, HASTINGWOOD ROAD – Concerned about the amount of traffic this redevelopment would cause and potential loss of the existing trees and screening.

ROBERT HALFON MP – Support the application on behalf of the residents of Hastingwood as the current usage has caused great distress and hazard to the surrounding residents and private housing would be far more appropriate.

2 BELLEVUE VILLAS, HASTINGWOOD ROAD – Support the application as the existing use is harmful to amenities and the redevelopment would be more in keeping within the rural village. The development would reduce the level of lorries using the site and would better serve the local area. The houses would be well designed and not detract from the street scene.

THE LAURELS, HASTINGWOOD ROAD – Support the application as this would remove the existing harmful use, which results in large lorry movements, and replace it with a well designed and more appropriate housing development that would provide much needed small housing within this rural settlement.

HIGH CROSS, HASTINGWOOD ROAD – Support the application as this would remove the existing detrimental use from the site and would be more beneficial to the village.

8 WILLOW PLACE – Support the application as this would go some way to restore the nature of Hastingwood village which currently suffers greatly from heavy traffic and noise.

A signed standard letter has been received from each of the 54 addresses listed below, which reads:-

“I/We fully support Hastingwood Action Group to approve the above proposal.”

2 HILL VIEW VILLAS, HASTINGWOOD ROAD
HASTINGWOOD HOUSE, HASTINGWOOD ROAD
BETTER BY PHYSIO, HASTINGWOOD HOUSE, HASTINGWOOD ROAD
THE COTTAGE, HASTINGWOOD HOUSE, HASTINGWOOD ROAD
6 SCRAP VILLAS, HASTINGWOOD ROAD
THE LEAS, HASTINGWOOD ROAD
WILLOW COTTAGE, HASTINGWOOD ROAD
AMBER COTTAGE, HASTINGWOOD ROAD
1 HASTINGWOOD VILLAS, HASTINGWOOD ROAD
2 HASTINGWOOD VILLAS, HASTINGWOOD ROAD
2 BLACKSMITHS COTTAGE, HASTINGWOOD ROAD
WYNTERSBROOK, HASTINGWOOD ROAD
THREASHERS COTTAGE, HASTINGWOOD ROAD
3 BELLEVUE VILLA, HASTINGWOOD ROAD
4 SCRAP VILLAS, HASTINGWOOD ROAD
5 SCRAP VILLAS, HASTINGWOOD ROAD
HEWELSFIELD, HASTINGWOOD ROAD
THE FIRS, HARLOW COMMON
CRUMPS COTTAGE, HARLOW COMMON
MOUNT HOUSE, HARLOW COMMON
SLOLEY, HARLOW COMMON
SEARLES FARM, HARLOW COMMON
WHITE COTTAGE, HARLOW COMMON
WOODLANDS, HARLOW COMMON
5 WILLOW PLACE
7 WILLOW PLACE
9 WILLOW PLACE
AMBER COTTAGE, FOSTER STREET
1 OLD FARM COTTAGE, FOSTER STREET
2 OLD FARM COTTAGE, FOSTER STREET
3 CROFT COTTAGE, FOSTER STREET
THREWAYS, FOSTER STREET
THE HARVEST, MILL STREET
SHANGRILA, MILL STREET
WOODLANDS, MILL STREET
TWO CHIMNEYS, MILL STREET
MILLSTREAM COTTAGE, MILL STREET
MORNING SUN, MILL STREET
4 ROSE COTTAGE, MILL STREET
5 ROSE COTTAGE, MILL STREET
6 ROSE COTTAGE, MILL STREET
CRABBES FARM, MILL STREET
2 POPLAR COTTAGES, MILL STREET
LITTLE CASM, MILL STREET
SHANKS FARM, MILL STREET
THE BUNGALOW, MILL STREET

SOUTHOE, MILL STREET
GINGERBREAD COTTAGE, GLOVERS LANE
THE CROFT, GLOVERS LANE
GLOVERS FARM, GLOVERS LANE
15 PARK AVENUE, POTTER STREET
TARA, LONDON ROAD
HILLHOUSE, LONDON ROAD
6 GOURD CLOSE, MORETON

Whilst most of these letters have no further comments, those that have support the application for the following reasons:

- The area is not suitable for industrial use;
- The redevelopment would improve the area;
- The proposal would reduce the level of HGV traffic in the area;
- Residential units would be preferable to the existing skip site;
- Housing would be more beneficial for the village of Hastingwood;
- This would remove the existing noisy use.

The concerns that have been raised in these letters are:

- Fourteen dwellings seems excessive for this small site;
- Concern about having adequate parking facilities.

Issues and Considerations:

The main issues relate to whether there are very special circumstances sufficient to overcome the clear in principle harm to the Green Belt that would result from the development, loss of an employment site, the design and impact on the character of the area, impact on neighbouring amenity, highways issues, and need for affordable housing.

Green Belt

The site is within the Metropolitan Green Belt and clearly constitutes inappropriate development, which is therefore by definition harmful and should be resisted unless there are very special circumstances applicable in this instance that would clearly outweigh this, and any other, harm. The applicants have accepted that the proposal constitutes inappropriate development; however argue that there are very special circumstances in this instance. The arguments put forward are the following:-

- The application site is a brownfield site and constitutes Previously Developed Land, being commercial in nature, and its redevelopment to housing complies with guidance given in PPS3 and Local Plan policy H2A.
- The redevelopment would result in the removal of a long established, intrusive and noisy activity.
- The redevelopment would radically reduce the amount and type of vehicle movements to and from the site.
- Residential development will bring forward amenity benefits to neighbouring residents.
- The development would provide smaller dwellings within this rural area.

Further to the above arguments, it is stated by the applicants that the proposed development would help in creating a more open feel to the site and would not contravene the five purposes of defining the Green Belt. These purposes are:

- *To check the unrestricted sprawl of large built-up areas;*
- *To prevent neighbouring towns from merging into one another;*
- *To assist in safeguarding the countryside from encroachment;*
- *To preserve the setting and special character of historic towns; and*

- *To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

As the development would result in increased built development on the site, officers consider that the proposal would contravene some above 5 purposes and there is an ‘in principle’ harm resulting from this inappropriate development, therefore this and all other harm would need to be **clearly outweighed** by any very special circumstances. The harm and benefits will be assessed individually below and weighed up within the conclusion of this report.

Effect on the Visual Amenity of the Green Belt and the Character of the Area

The application site is a large plot adjacent to a linear residential enclave within this rural Green Belt location. The existing site is predominantly covered in hardstanding and contains unsightly commercial buildings, open storage, and HGV parking. Whilst there is substantial screening along the boundaries of this site, it is agreed that the existing use and appearance of the site does not complement or enhance the appearance of this Green Belt countryside location. The quality of Green Belt land though is very rarely a justification for allowing replacement with an in principle inappropriate development.

The proposed development would comprise of fourteen houses located in three terraces, two along Hastingwood Road and one towards the rear of the site at a right angle to the highway. This would result in a higher level of built form within the site, both in terms of floor space and volume and would introduce built frontage along Hastingwood Road (which does not currently exist on this site). The siting and design of the proposed houses would in effect extend the current ribbon of housing in this locality along this part of the road. The rear terrace however would introduce housing into the rear portion of the site, which does not conform with neighbouring housing plots that are characterised by housing located close to the road frontage with deep, narrow gardens behind.

The proposed density of the scheme is 42 dwellings per hectare, which falls within the recommended 30-50 dwellings per hectare as set out in policy H3A.

The overall design of the properties, composed of traditional roofed houses, narrow width but deep front to rear span, reflects the house style of the locality, even accounting for the use of the roof void served by dormers to the rear of the proposed houses, which are not necessarily repeated regularly in the present street scene. From a view obtained directly from Hastingwood Road, the appearance of the site will be visually improved, though this should be balanced against the fact that they will introduce more prominent form, scale and massing of buildings compared with the current more open aspect of the site. The massing and visual built-form is accentuated by the proposed houses at the rear and expanse of car parking and access road.

Whilst the dwellings to the rear are considered at odds with the built form of the area, the termination of the lawful use and replacement with a housing development would result in a significant visual improvement of the site. Green landscaping is also proposed, which would include boundary planting and trees within the communal parts of the site (i.e. the parking areas) and would help to partly off-set the extent of built form and hard-surfacing, the precise details of which can be considered and agreed by condition.

Loss of an employment site

The policies of the Local Plan as contained in E4A and E4B seek to retain or re-use existing employment sites, where these are appropriate, and gives a list of requirements to justify such loss (such as a lack of market demand). Of particular relevance (and the justification put forward by the applicant) is that the existing use results in “*material conflicts with adjoining land uses (e.g. by reason of noise, disturbance, traffic, environmental and amenity issues)*”. The site is located

adjacent to residential properties and is a use that would likely cause problems to neighbouring residents. Furthermore it is stated within the submitted Design and Access Statement that the current use involves up to 200 vehicle movements per day, with around 80% of these being HGVs. Whilst it is regrettable to lose an existing employment site, the level of support received from surrounding residents clearly show that this level of heavy vehicle movement, combined with the day to day working of the commercial skip site, results in harm to the surrounding residential units and the nature of the surrounding road system. Whilst an alternative business use may have a less disruptive impact on the living conditions of the neighbouring residents, this would offer little incentive for the applicant to relocate the current business from the site.

Due to the above it is considered that the loss of the employment site complies with policy E4A. When such a loss is accepted, policy E4B deals with alternative uses of these sites. This can allow for housing, but only when the Council is convinced that the site would not be suitable for community use. It is stated by the applicant that this site is not in a suitable location to provide community need and that such a use would not be economically viable. The site is within an unsustainable location, as it is not well served by public transport or local facilities (although it is a relatively short distance from the M11 and edge of Harlow, however this would not promote or support alternative modes of transport). Whilst it is accepted that community use in such an unsustainable location would not generally be permitted (unless there is a proven local need for such use, which is not the case in this instance) neither should open housing. However, the main reason for the proposed redevelopment of this site is to remove the harmful (in terms of neighbours' amenities) commercial use. To achieve this goal, and to allow for the existing commercial use to relocate elsewhere, the scheme needs to be economically viable. Whilst the viability of the development will be addressed later in this report, it is accepted that a community use on this site would not provide sufficient value to the land to allow for this relocation. As such it is considered that open market housing would be an appropriate use (in terms of policy E4B) for this site.

Impact on amenity

Although from a Planning point of view the existing site is not what would be defined as a 'problem site', as it has consent and is restricted by condition (i.e. with regards to times of use) and has not resulted in numerous Enforcement Investigations, it is clear from the level of support received from surrounding neighbours that the site as existing does result in a loss of amenities to neighbouring residents. Furthermore, as there are some 59 letters of support received (yet only 20 dwellings within the immediate surrounding area), the existing site clearly has a wider reaching impact than just that to neighbouring residents. This argument is clearly the strongest issue put forth by the applicant and local desire to remove the non-conforming use and replacement with this form and extent of residential development has been given weight to what would otherwise be a clear grounds for refusal of planning permission because of its in principle harm to the green belt and its openness.

Although the redevelopment of the site to fourteen dwellings would still result in a relatively high level of vehicle movements, and activity, which would be for longer periods of times than the commercial skip site (with the peak times being evenings and weekends), this would be domestic activity that would be far less harmful to the amenity of neighbours than the existing usage. With the exception of Plot 8, the proposed new dwellings to the rear of the site (backing onto Theydon Cottage) would comply with the minimum required 15m window to shared boundary distance as specified within the Essex Design Guide. Plot 8 would only provide 12m distance, however given the length of the neighbours garden and limited impact from this single dwelling, it is not considered that excessive loss of amenity would result.

With regards to amenity considerations for future residents on the site, the new dwellings propose between 50 and 92 sq. m. of private amenity space. Whilst the dwellings are described as two bed properties, they all incorporate a separate study which could be used as a third bedroom. As such,

each property has five habitable rooms and would therefore require 100 sq. m. of private amenity space to comply with the Essex Design Guide and policy DBE8. These proposed gardens fall some way short of this (with eleven of the fourteen providing just half of this requirement). Although the Essex Design Guide does state that 100 sq. m. minimum garden size is usually expected for three or more bedroom houses, it does state that “*narrow fronted houses may result in long, thin, impractical gardens*” and that “*there may be some houses which, due to their situation in the layout, cannot be provided with a private garden to the required standard*”. Compared with neighbouring houses, the proposed private garden areas are more in proportion to their respective houses and will provide sufficient outdoor amenity space to serve the needs of the future occupants, (subject to the removal of permitted development rights). Additionally Government guidance suggests that amenity space standards should not be applied rigidly.

Highway Issues

The applicant has stated within the submitted Design and Access Statement that the existing use involves up to 200 vehicle movements per day, with around 80% of these being HGVs. The proposed redevelopment is estimated to generate between 70 and 84 movements per day, almost all of which would be private cars. As such the proposal would result in a significant material decrease in traffic compared with the authorised use and therefore reduce the demand on the capacity of junctions nearby. Essex County Highways have raised no objections, subject to conditions with regards to the proposed access and the internal estate road details (levels, gradient, surfacing, etc.) and therefore these figures are considered correct. No Highway Contribution is required for the proposed development.

The development proposes 32 parking spaces, and a store for 12 bicycles. This would provide 28 spaces for the dwellings and 4 visitor spaces as required by the Essex County Council Vehicle Parking Standards (2009). Whilst this also would require 14 bicycle spaces (1 per dwelling), it is considered that a secure storage area for 12 bicycles is sufficient.

Sustainability

The site is not a particularly sustainable location for new development, in that any residents are likely to be heavily reliant on the private car for their everyday needs, but it is considered that the existing lawful use as a commercial skip site is similarly unsustainable and results in more additional trips and traffic, including HGV's being drawn into the rural area. There are bus stops within the surrounding area with links to the main town centre of Harlow (Monday to Friday every 15 minutes) and the Hastingwood Community Hall is within walking distance.

Affordable Housing

The proposal does not include any provision for affordable housing on site. Policy H7A states that where the population of a settlement is less than 3,000, and in conjunction with Policy H6A(ii), affordable housing should be sought as follows “*a) 50% of the total of new dwellings on a Greenfield site; b) on a previously developed site 33% where an application is made for 3 units and 50% for applications of 4 or more new dwellings*”. Therefore on a scheme such as this, which is on previously developed land and has a net increase of 14 dwellings, 7 units should be made available as affordable housing. It was originally stated by the applicant that the provision of affordable housing would render the scheme unviable and would not allow for the existing commercial use to relocate. The provided figures were forwarded to an independent assessor for a viability appraisal to be undertaken.

This independent appraisal concluded that, with a Government Grant the developers could provide 50% (7 dwellings) on site affordable housing, and without a grant could provide 4 affordable houses on site. Since this appraisal there has been a recent change in Government funding for affordable housing, and subject to this it is considered that 7 affordable units could be provided on

site. Notwithstanding the above, it is felt that the location of the application site would not be suitable for affordable housing, specifically due to its unsustainable location and lack of a population base. However, given the general requirement for affordable housing within the district, there is a policy requirement for a contribution towards affordable housing to be made when it is not considered relevant for on-site provision.

Based on this, the viability appraisal concluded that the applicants could afford to provide a £485,000 contribution in lieu of on-site affordable housing provision. This figure is disputed by the applicant as they have argued that relocation costs, coupled with a high initial purchase of the land, make such a contribution out of reach. Whilst such relocation costs would not normally be relevant to such a viability appraisal, in this instance the main goal of the proposal is to relocate the existing commercial site elsewhere to remove the harmful use from the site. It was local residents approach to Director of Planning and local councillors seeking the potential to redevelop the site for housing to remove the current unneighbourly and non-conforming use that was the incentive for the applicant to submit this planning application and therefore, given the applicant is likely to walk away from the proposed development if there is little financial gain, the offer of a contribution of £100,000 in lieu of on-site affordable housing provision has, in this unusual case, been accepted. This would need to be subject to a signed planning obligation through a Section 106 Agreement.

The Parish Council have requested that a contribution should be sought for the local community in the form of either a Highway Contribution or for use on Hastingwood Village Hall. Essex County Council Highway Officers have stated that there is no requirement for a highway contribution in relation to this application and the Parish Council are due to benefit from a recent £100,000 contribution with regards to an application at Brent House Farm, Harlow Common (EPF/1370/10). This previous contribution is considered sufficient to benefit the existing Community Hall and given there was acceptance by Members at the time, there were some who felt that a contribution should remain for affordable housing, which can be rectified in this current proposal.

Other Issues

The site, given its previous use, is potentially contaminated and there is a need for additional surveys to be carried out and potential remediation work, but this can be adequately controlled by a planning condition.

The application site has been identified as having potential archaeological implications. Historic Environment Records show that the proposed housing development lies at a short distance to the north of the medieval moated site of Paris Hall, now part of Paris Hall Farm (EHER 3724). The proposed development is also sited close to a former Chapel of Ease, adjacent to Church Farm, and fronts onto the medieval or later Hastingwood Road. Taking into account the disturbance caused by the proposed development and the potential for surviving archaeological remains associated with medieval settlement activity along Hastingwood Road, a condition regarding archaeological work is required.

The development is of a size where it is necessary to avoid generating additional runoff and should improve existing surface water runoff. As such a Flood Risk Assessment is required for these works, which can also be covered by a condition.

Conclusion:

This is an extremely balanced case. In virtually all other circumstances where housing is proposed in the Green Belt, planning permission would be recommended for refusal without significant on-site provision of needed housing in the district in the form of affordable housing,

Added to this, the proposed residential development constitutes inappropriate development within the Green Belt. It is not agreed that the development would not contravene the purposes of including land in Green Belts, particularly as the development would not “*assist in safeguarding the countryside from encroachment*”. Furthermore, the development would introduce a form of built development at the rear out of character with the linear built form of the existing built up enclave, and in order to get 14 houses and the parking on the site, the gardens are made small and the car parking areas dominate. It also would provide just £100,000 financial contribution in lieu of on-site affordable housing provision (as opposed to the calculated £485,000 required/possible). Whilst the offered sum with regards to affordable housing is lower than the independent viability appraisal considered possible, the relocation costs are claimed to make any higher figure uneconomical. For a scheme delivering 14 houses in a desirable countryside location, in the Green Belt, Officers find this a little difficult to accept.

It must appear baffling therefore why officers are recommending to grant planning permission in this case. So what are the very special circumstances that just tip the balance in favour of the development?

The very special circumstances in this case primarily relate to the removal of this ‘poor neighbour’ use of the site, the reduction of vehicle movements, and on balance improvements to the visual impact on the site. There has been a large amount of support from local residents to highlight this argument, who clearly state that it would be more desirable to their amenities and in the interest of the countryside and the Green Belt to have this use replaced by a more visually acceptable and ‘good neighbour’ development.

The housing proposal is in keeping in terms of design which, whilst a little isolated and non-sustainable in relation to access to public transport and local facilities, is comparatively more sustainable in terms of traffic movement than the lawful use. Local residents support the proposed development and the Parish Council have raised no objection to the scheme. The proposal would not detrimentally impact on highway safety and would provide adequate on-site parking provision.

There are grounds to refuse planning permission in this case and if Members choose to do so, there is likelihood, in Officers opinion, that any appeal lodged would be dismissed and the refusal upheld, but with planning on the verge of becoming even more democratic to give significant weight to the wishes of the community, who have predominantly spoken in support of the scheme in this case, the application on balance is recommended for approval, subject to the financial contribution (secured by a S106 Agreement) and relevant conditions.

However as the proposals are contrary to the adopted policies of the Local Plan, should members agree the officer recommendation to grant, the application will need to be referred to the District Development Control Committee for decision.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

Report Item No: 3

APPLICATION No:	EPF/2053/10
SITE ADDRESS:	Colemans Farm Theydon Mount Epping Essex CM16 7PP
PARISH:	Theydon Mount
WARD:	Passingford
APPLICANT:	Crown Estates
DESCRIPTION OF PROPOSAL:	Demolition of agricultural buildings within the curtilage of the listed structures, demolition of the modern addition to the listed buildings, conversion and change of use of 2 no. agricultural listed buildings to single dwellings, conversion of existing stables to garages and storage for the ancillary use of one of the listed barns identified as south barn, construction of ancillary structure to the listed building identified as north barn (1 no garage). Erection of single storey cottage.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=521936

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 have taken place until details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
3. No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
4. No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.

5. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Class A and E shall be undertaken without the prior written permission of the Local Planning Authority.
6. If any tree, shrub or hedge shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.
7. 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) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping 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 minor artefacts and structures, including signs and lighting and functional services above and below ground. The 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.
8. No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan and Arboricultural Method Statement in accordance with BS:5837:2005 (Trees in relation to construction) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved Tree Protection Plan and Arboricultural Method Statement unless the Local Planning Authority gives its written consent to any variation.
9. No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11",

or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]

10. Prior to the commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
11. 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.
12. The development hereby approved shall be carried out in accordance with the Ecological Assessment prepared by 'Potamos Consulting' of July 2010.
13. The pair of semi detached cottages shall remain in their current form and shall not be converted into one unit without the prior written approval from the Local Planning Authority.
14. Prior to the first occupation of the new single storey unit hereby approved the buildings shown to be demolished shall be demolished and removed from the site and all works to the listed buildings, shown in the approved plans shall be completed in accordance with the approved details.

This application was put before this Committee last year, with a recommendation for approval, but was deferred to enable the applicant to address concerns that were raised by Members.

Members requested additional financial information to justify the provision of new build housing on the site and additionally sought to retain the existing pair of semi-detached cottages on the site, rather than see their demolition and replacement with a single larger dwelling, in order to keep smaller and more affordable dwellings available on the site.

Following discussions with officers the applicant has agreed to retain the pair of semi-detached cottages on site in their present form as suggested by members and have submitted revised plans to this effect. The cottages are still indicated to be within the application site and as such it is possible for the Council to impose a condition preventing the conversion of these units to a single unit without the need for planning permission and therefore the members stated aim of retaining small units can be satisfied.

In addition the applicant has provided a financial appraisal of the scheme produced by Smiths Gore and a report by Moulton Taggart on the costs of building the scheme. These reports are attached as an appendix. Essentially they indicate that the cost of the development will be about £2,488,888 and the revenue will be about £2,800,000, resulting in a profit of just £311,112. The figures indicate that the cost of the conversions of the listed barns and demolition of surrounding buildings alone would essentially outweigh the subsequent sales value of the two units and that therefore the erection of the bungalow is justified as enabling development to ensure the protection, retention and long term use of the two listed buildings that would otherwise remain unused and likely to fall into further disrepair.

This taken together with the overall increase in openness of the Green Belt from the removal of modern farm buildings, and the longer term retention of two existing small residential units in the rural area, is considered to amount to very special circumstances sufficient to outweigh the harm to the Green Belt that would result from the inappropriate development.

The amended application is therefore still recommended for approval subject to the originally suggested conditions and in addition subject to a condition preventing the conversion of the semi-detached units into one, and to a condition requiring the proposed demolitions and barn conversions to be completed prior to the first occupation of the proposed new bungalow.

The original report is reproduced below for information. References within the report to the replacement of the semi-detached cottages with a single dwelling should however now be disregarded.

Original Report

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).

Description of Proposal:

The applicant seeks planning permission for the following proposed works and development at the site known as Colemans Farm in Theydon Mount:

- To demolish a pair of semi-detached houses and replace them with a single double-storey detached dwelling house.
- Construct a single-storey three bedroom dwelling house.
- Convert the two Grade II Listed barns into two single dwelling houses.
- To demolish all non-listed agricultural buildings with the exception of the 'L' shape masonry stables.

The proposed replacement dwelling is of the same building footprint and is similar in terms of its volume compared to the pair of semi-detached cottages that it would be replacing. The dwelling house would be finished from facing brickwork and render with clay tiles.

The new single storey dwelling is to be located between the replacement dwelling and the south barn. It would be finished from weatherboard cladding with a clay tiled roof. It would comprise of an approximate building footprint of 121 square metres.

The conversion of the two listed barns, for the purposes of this application and as indicated on the submitted plans, are known as the 'south barn' and the 'north barn'. The general principal for both barns is to re-instate the original appearance as much as possible where practical as currently they are in a poor condition.

In terms of the south barn, the modern metal steel frame adjoining the southern elevation is to be removed leaving only the listed component of the barn. It is proposed to reinstate the roof that has collapsed with clay tiles and the external cladding to be cleaned and reused or where necessary replaced with similar timber cladding where elements are too decayed. A new detached garage is proposed to the south of the barn.

Turning to the north barn, the existing stable block that adjoins the eastern façade of the barn is to remain and form part of the conversion whereas the modern agricultural building that adjoins the

southern elevation is to be removed. Treatment of the exteriors of the north barn would be dealt with in the same way as the south barn. The barn would also have clay tiles and timber boarded cladding. The 'L' shaped agricultural building would remain within the curtilage of the north barn and would provide general domestic storage and undercover parking in connection with the barn conversion.

The combined building footprint of the agricultural buildings that are to be removed totals approximately 2100 square metres.

Description of Site:

The subject site is located on the eastern side of Mount Road on the outskirts of the rural settlement known as Theydon Mount. The last use of the site is agriculture, however the use has come to an end due to financial difficulties, hence the reason for the above application.

The site consists of a small agricultural yard accessed from Mount Road by a narrow lane. Located on the site there are a number of agricultural buildings, two of which are listed, and a pair of semi-detached cottages. A farmhouse is in close proximity to the north of the site but does not form part of the application site.

The two listed barns are currently in a poor state and in need of repair. They are currently redundant. The remaining buildings on the site are low lying stables and a range of general purpose buildings that were once used for storage. The two cottages were originally constructed as accommodation for farm workers.

Landscaping, including a large pond to the north eastern corner of the site and hard paving areas surrounds the existing buildings.

The subject site and the surrounding area are located within the Metropolitan Green Belt. The predominant use within the vicinity of the site is agriculture. Apart from the farmhouse to the north, the nearest buildings to the site are located approximately 250 metres away to the west and are residential.

Relevant History:

EPF/08555/10 - Demolition of agricultural buildings within the curtilage of the listed structures, demolition of the modern addition to the listed buildings, demolition of existing 2 semi detached houses, conversion of 2 no. agricultural listed buildings to single dwellings, construction of ancillary structures to the listed buildings (2 no. garages), replacement of semi detached houses with 2 no. single dwellings. (withdrawn)

EPF/0874/10 - Grade II listed building application for the demolition of agricultural buildings within the curtilage of the listed structures, demolition of the modern addition to the listed buildings, demolition of existing 2 semi detached houses, conversion of 2 no. agricultural listed buildings to single dwellings, construction of ancillary structures to the listed buildings (2 no. garages), replacement of semi detached houses with 2 no. single dwellings. (withdrawn)

EPF/1297/03 - Replacement storage barn next to existing farm buildings. (approved)

EPF/1484/01 - Conversion of barn to B1 use. (approved)

EPF/0470/00 - Dutch barn. (approved)

Policies Applied:

CP1 Achieving sustainable development objectives
CP2 Protecting the quality of the rural and built environment
CP3 New development
DBE1 Design of new buildings
DBE2 Detrimental effect on existing surrounding properties
DBE4 Development within the Green Belt
DBE6 Car parking in new development
DBE8 Private amenity space
DBE9 Loss of Amenity
GB2A Development within the Green Belt
GB7A Conspicuous Development
GB8A Change of use or adaptation of buildings
GB9A Residential Conversions
GB15A Replacement Dwelling within the Green Belt
LL1 Rural Landscapes
LL2 Inappropriate rural development
LL10 Protecting existing landscaping features
LL11 Landscaping scheme
ST4 Highway safety
ST6 Vehicle parking
HC10 Works to a Listed Building
HC12 Development affecting the setting of a Listed Building
HC13 Change of use to Listed Buildings
NC4 Protection of established habitat

Summary of Representations

THEYDON MOUNT PARISH COUNCIL:

The Parish Council objects to this proposal. The principal objection of the proposed conversion of existing cottages, numbers 48 and 49, into a single dwelling (house 1 on the application) and the creation of a new dwelling.

To lose two agricultural workers dwellings when the local need for affordable key worker accommodation would be wrong.

With regard to the proposed new house (house 2 on the application) this would represent a new dwelling in the Green Belt, (irrespective of the fact that it would be on the site of a former barn) and should be objected to in principle.

NEIGHBOURS:

No representations were received from adjoining occupiers at the time of writing this report.

Issues and Considerations:

Design and Appearance

Policies DBE4 and LL2 state that a new development must respect the wider landscape setting and the character of the surrounding area.

The replacement dwelling is to be the same style, form shape and materials as the existing pair of cottages that it would be replacing. As a result it is considered that there would not be a greater

material difference in terms of the overall design and appearance of the replacement dwelling from those of existing conditions. The replacement dwelling would still feel part of the overall farm complex and the setting of the rural landscape without appearing as a dominant and visually intrusive feature.

The new single storey dwelling and the conversion of the listed buildings into dwellings are also considered to be appropriately designed to reflect the character of the surrounding area. They have been designed to ensure that they follow traditional building forms that are found within a rural area. Features including unbroken roofs, long-narrow footprints, window to wall proportions, incorporating gable end roof forms and the use of appropriate materials all contribute to a design that would result in the dwellings reflecting its setting within the rural landscape.

The removal of the redundant modern agricultural buildings would provide more space and additional landscaping around the remaining and proposed buildings. In doing so, the new development would ensure that the landscape is the dominant feature and not the buildings themselves.

The overall size and scale of the buildings are considered to be modest in nature in that they would not be overbearing or be out of character with the surrounding area. Their siting, detailing and proportions are all considered to be appropriate.

A garden area for each dwelling is marked on the submitted plans although there is no clarification of any boundary treatments. Details of boundary walls or fencing would be required via a condition on any granted permission. In saying this, there seems to be an adequate amount of private open spaces areas provided for each dwelling to meet the recreational needs for future occupiers.

Green Belt:

Policy GB2A sets out what is an appropriate use or development when the application site falls within the Green Belt. For all other uses and development, such as the proposed, it must preserve the openness of the Green Belt and must not conflict with the purposes of including land in the Green Belt. Given the circumstances behind this application, the development must also be in compliance with policies GB8A, GB9A and GB15A.

Policy GB8A states that planning permission would be granted for the change of use or the conversion of a building so long as the building is of a permanent and substantial construction capable of conversion without major reconstruction and that the use would not have a greater material impact than the present use upon the Green Belt. In connection with Policy GB9A it also states that the applicant will be required to submit a statement with the application that must demonstrate that a reasonable attempt has been made to achieve employment generating activities on the site.

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.

Firstly the applicant has submitted a planning statement prepared by 'Smithsgore' to demonstrate that Colemans Farm is no longer viable to be used for agriculture or be used as an alternative use apart from residential.

The report states:

The profitability due to rising costs and competition from imports means that arable production is now only profitable on larger units to ensure reduced fixed costs and justify investment in machinery and infrastructure. The small size and poor quality of Colmans Farm land means that

with little profit being made, the current tenant has not been able to replace machinery, operate efficient grain store or carry out routine repairs to buildings. The traditional buildings have therefore fallen into severe disrepair and the remaining agricultural buildings are no longer adequate for efficient use.

It then goes on to state that consideration had been given to a commercial use of the buildings such as office or retail use. However conclusions were drawn that the cost of converting the buildings to office or retail could not be justified by the relatively low rental returns, given its rural location with no nearby local facilities and low demand. It also goes on to state that a commercial use would require modifications to the buildings in a way that they would be detrimental to the character of the listed buildings and the surrounding landscape.

It is considered that the applicant has explored all aspects and possibilities for the future use of the site and the only way forward would be that of residential.

Turning to whether the south and north barns are capable of conversion without major reconstruction, the applicant has submitted a structural survey prepared by 'The Morton Partnership Ltd' dated September 2010.

The report concludes that the south barn in its current state is derelict and will continue to deteriorate further if left untouched. The barn is not in a good state, however it is possible to retain much of the existing fabric which remains in situ that could be used for the proposed conversion. New rafters along with many timber studs would need to be totally new.

The north barn compared to the south barn is in a much better state. Apart from some lateral displacement and some decaying timbers, the barn appears to be in good condition for conversion without major renovation or reconstruction works.

In summary although the north barn is of a permanent and substantial structure without the need for major works, it appears that the south barn would require a significant amount of work to it to achieve the desirable outcome. The original roof is missing and is currently covered by metal sheeting to protect it from the weather and it is held up internally by scaffolding. Normally a building in such a poor state would not be considered to be suitable for conversion as it could be argued that it is not of a permanent and substantial construction.

However given that the building is Grade II Listed, every effort should be made to protect and preserve as much of the original internal and external fabric as possible even if this means major works to the barn. County Council's Heritage advisor has also stated that if nothing is done about the barn soon, then the building could be lost altogether.

Turning to the replacement dwelling, it is noted that that it would result in no additional building footprint from that of the original pair of semi detached cottages and it would be very similar in terms of the overall volume. As a result the replacement dwelling is considered to be a one for one replacement and would not result in a greater material detriment in terms of harm upon the Green Belt. The replacement dwelling is in accordance with Policy GB15A. The existing two units could essentially be converted to one without the need for planning permission. They are not subject to any agricultural occupancy condition whilst the loss of small dwellings is regrettable we have no strong policy that would protect them.

In terms of the new single storey dwelling, Council's policies would not normally allow such a development within this part of the Green Belt. However the applicant has provided very special circumstances to demonstrate why such a development should be permitted. The applicant states that the combined volume of all the buildings that are to be removed from the site is approximately 16000 cubic metres. The new dwelling would have a proposed volume of approximately 475 cubic

metres. Secondly, to restore the listed buildings on site, the cost of the repair works would need to be offset by the construction of the new dwelling.

It is considered that although the new dwelling would be inappropriate development, on this occasion it is considered that very special circumstances apply. In particular, the reduction of the overall building footprint and volume on site is a justification in allowing a small dwelling such as the proposed.

Plus, in order for the refurbishment works to take place to the listed buildings additional funding would be required, hence the reason for the additional dwelling. The restoration of the listed buildings is on balance enough to be considered as a special circumstance to allow an additional new dwelling house on site.

In terms of Green Belt, although the development would be contrary to a number of Green Belt policies, on this occasion the need to restore the listed buildings far outweighs the harm the development would cause on the Green Belt. It is considered that there would not be a material increase in the intensity of use of the site, including vehicle movements over those generated by the previous farm use. It is considered that four new dwellings would not result in a greater material impact upon the openness and appearance of this part of the Green Belt or be contrary to including land within the Green Belt.

Listed buildings

As mentioned throughout this report, two listed buildings occupy the site, the south barn and the north barn. Although in a poor state, it is important to protect the setting of these listed buildings from inappropriate development.

All the modern agricultural buildings are to be removed from the site apart from the 'L' shaped building. Although removing the surrounding buildings would take away the appearance of a farmyard, given that these buildings are in a poor state and are redundant anyway, it is considered that the removal of them would restore the relationship between the listed buildings and the landscape which could only be an enhancement to the character and setting of the surrounding area.

The new single storey dwelling is to be located in close proximity to the south barn (approximately 15-20 metres to the west). It is considered that the proposed dwelling has been carefully designed around the setting of the listed building. It is relatively modest in terms of its size ensuring that it would not result in a dominant or imposing feature on the site and it would incorporate appropriate materials so that it would reflect and blend into the surrounding environment. The proposed dwelling and replacement dwelling are low-key in that they would preserve the existing hierarchical arrangement of the site and they relate well to the farm group and the site as a whole.

A separate planning application for Listed Building consent was submitted at the same time as this application ref: EPF/2072/10. Issues regarding works to the listed buildings are dealt with under separate legislation and would be assessed under the above application.

Sustainability

The proposal to accommodate a residential development in this location is not particularly sustainable due to its remoteness in a rural locality. The site is not in close proximity to public transport links or local facilities and as a result future residents would have to rely heavily on private vehicles.

However the adaption or conversion of these buildings in order to restore them as much as possible to their original state is considered to outweigh the concerns of sustainability and the reuse of buildings is generally more sustainable than the erection of new build.

Landscaping

A tree survey was submitted as part of the application which showed that three trees would be removed as a result of the development. Council's landscape officer had no objection to these trees being removed as they are poor quality and their loss would be minimal in terms of the overall landscape appearance. A condition would be placed on any granted permission that a landscaping scheme be submitted in order to ensure that the proposal sits harmoniously within the open countryside which was once farmland.

Conservation

New developments such as the proposed are to make adequate provisions for the protection of established habitats of local significance for wildlife. An Ecological Assessment was carried out by Potamos Consulting in July 2010 and was submitted as part of the application. The Council's Countryside officer considers that the methodology and conclusion of the assessment are sound in that if the development is carried out in accordance with the assessment, there would be no reason to suggest that any ecological habitats or protected species would be adversely affected.

Highways and parking

Vehicle access to all four dwellings would be via the existing private lane that runs off Mount Road. There are adequate sight splay lines as not to cause a harmful impact upon highway safety and vehicles would be able to pass one another along the lane. An adequate amount of vehicle parking has also been provided for each dwelling to meet the needs of future occupiers.

County Council's highways officer has no objections to the application subject to a condition that prior to the commencement of the development further details are submitted showing the means to prevent the discharge of surface water from the development onto the highway.

Neighbouring amenities:

The nearest dwelling in relation to the proposed development is the old farm house to the north. Apart from the farm house the nearest dwellings are located approximately 250 metres to the west. It is considered that the proposed development would not result in a harmful impact upon the amenities of the existing farm house or the dwellings to the west in terms of a loss of light, loss of privacy or be visually intrusive. The same goes with future occupiers within the development itself.

Conclusion:

In conclusion, although the site is not in a sustainable location and is contrary to some Green Belt policies, it is felt that the importance of preserving the Grade II Listed barns on the site outweighs the harm. Overall it is considered that the design and appearance of the development is acceptable, it would not be harmful to the openness of the Green Belt, would secure the retention and use of two listed buildings and it would not result in a detrimental impact upon adjoining property occupiers. Therefore it is recommended that the application be approved subject to conditions.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

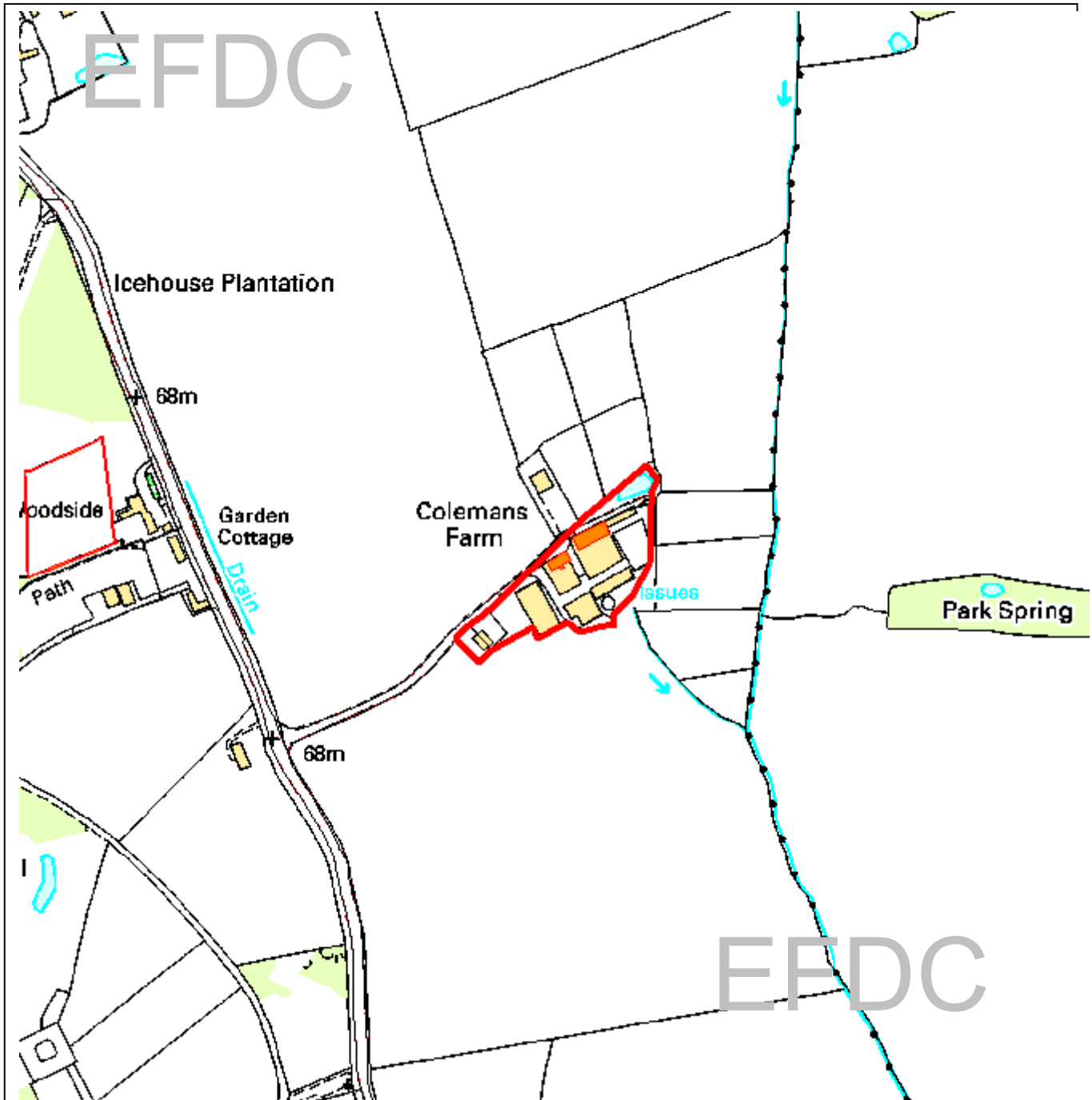
**Planning Application Case Officer: Lindsay Trevillian
Direct Line Telephone Number: 01992 564337**

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	3 & 4
Application Number:	EPF/2053/10 and EPF/2072/10
Site Name:	Colemans Farm, Theydon Mount CM16 7PP
Scale of Plot:	1/5000

Report Item No: 4

APPLICATION No:	EPF/2072/10
SITE ADDRESS:	Colemans Farm Theydon Mount Epping Essex CM16 7PP
PARISH:	Theydon Mount
WARD:	Passingford
APPLICANT:	Crown Estates
DESCRIPTION OF PROPOSAL:	Grade II listed building application for the demolition of agricultural buildings within the curtilage of the listed structures, demolition of the modern addition to the listed buildings, conversion and change of use of 2 no. agricultural listed buildings to single dwellings, conversion of existing stables to garages and storage for the ancillary use of one of the listed barns identified as south barn, construction of ancillary structure to the listed building identified as north barn (1 no garage).
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/Anitelm.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=522015

CONDITIONS

1. The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.
2. No development shall have taken place until details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
3. Additional drawings that show details of the proposed new windows, doors, glazing, rooflights, eaves, verges, fascias, cills and structural openings, by section and elevation at scales between 1:20 and 1:1 as appropriate of the listed barns, shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of any works.
4. The extent of glazing at the west end of the north barn shall be subject to investigation of fabric once the timber frame is exposed.
5. All timber boarded doors and internal boarded finishes of the Listed Buildings shall be retained, unless agreed in writing by the Local Planning Authority.

6. No cleaning of timber frames shall take place without prior written approval of the Local Planning authority.
7. Additional details of proposed insulation and internal finishes of the Listed buildings shall be submitted to and approved in writing by the Local Planning Authority, to ensure that the timber frame remains exposed.
8. Any work to the floors and brick plinths of the Listed Buildings shall be agreed in writing by the Local Planning Authority.

This application was deferred from this committee last year to enable negotiation with the applicant on the accompanying planning application.
The report and recommendation remain unchanged.

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).

Description of Proposal:

The applicant seeks Grade II Listed Building consent for the following proposed works and development at the site known as Colemans Farm in Theydon Mount:

- To convert and change the use of two agricultural Grade II Listed buildings to single dwelling houses.

The conversion of the two listed barns which for the purposes of this application and as indicated on the submitted plans are known as the 'south barn' and the 'north barn'. The general principle for both barns is to re-instate the original appearance as much as possible where practical as currently they are in a poor condition.

In terms of the south barn, the modern metal steel frame adjoining the southern elevation is to be removed leaving only the listed component of the barn. It is proposed to reinstate the roof that has collapsed, with clay tiles and the external cladding to be cleaned and reused or where necessary replaced with similar timber cladding where elements are too decayed. A new detached garage is proposed to the south of the barn.

Turning to the north barn, the existing stable block that adjoins the eastern façade of the barn is to remain and form part of the conversion whereas the modern agricultural building that adjoins the southern elevation is to be removed. Treatment of the exteriors of the north barn would be dealt with in the same way as the south barn. The barn would also have clay tiles and timber boarded cladding. The 'L' shaped agricultural building would remain within the curtilage of the north barn and would provide general domestic storage and undercover parking in connection with the barn conversion.

Description of Site:

The subject site is located on the eastern side of Mount Road on the outskirts of the rural settlement known as Theydon Mount. The last use of the site is agriculture however the use has come to an end due to financial difficulties, hence the reason for the above application.

The site consists of a small agricultural yard accessed from Mount Road by a narrow lane. Located on the site there are a number of agricultural buildings, two of which are listed, and a pair of semi-detached cottages. A farmhouse is in close proximity to the north of the site but does not form part of the application site.

The two listed barns are currently in a poor state and in need of repair. They are currently redundant. The remaining buildings on the site are low lying stables and a range of general purposes buildings that were once used for storage. The two cottages were originally constructed as accommodation for farm workers.

Landscaping, including a large pond to the north eastern corner of the site and hard paving areas surrounds the existing buildings.

The subject site and the surrounding area are located within the Metropolitan Green Belt. The predominant use within the vicinity of the site is agriculture. Apart from the farmhouse to the north, the nearest buildings to the site are located approximately 250 metres away to the west and are residential.

Relevant History:

EPF/08555/10 - Demolition of agricultural buildings within the curtilage of the listed structures, demolition of the modern addition to the listed buildings, demolition of existing 2 semi detached houses, conversion of 2 no. agricultural listed buildings to single dwellings, construction of ancillary structures to the listed buildings (2 no. garages), replacement of semi detached houses with 2 no. single dwellings. (withdrawn)

EPF/0874/10 - Grade II listed building application for the demolition of agricultural buildings within the curtilage of the listed structures, demolition of the modern addition to the listed buildings, demolition of existing 2 semi detached houses, conversion of 2 no. agricultural listed buildings to single dwellings, construction of ancillary structures to the listed buildings (2 no. garages), replacement of semi detached houses with 2 no. single dwellings. (withdrawn)

EPF/1297/03 - Replacement storage barn next to existing farm buildings. (approved)

EPF/1484/01 - Conversion of barn to B1 use. (approved)

EPF/0470/00 - Dutch barn. (approved)

Policies Applied:

Local Plan policies relevant to this application are:

- HC10 Works to a Listed Building
- HC12 Development affecting the setting of a Listed Building
- HC13 Change of use to Listed Buildings

Summary of Representations

THEYDON MOUNT PARISH COUNCIL:

The Parish Council objects to this proposal. The principal objection of the proposed conversion of existing cottages, numbers 48 and 49, into a single dwelling (house 1 on the application) and the creation of a new dwelling.

To lose two agricultural workers dwellings when the local need for affordable key worker accommodation would be wrong.

With regard to the proposed new house (house 2 on the application) this would represent a new dwelling in the Green Belt, (irrespective of the fact that it would be on the site of a former barn) and should be objected to in principle.

NEIGHBOURS:

No representations were received from adjoining occupiers at the time of writing this report.

Issues and Considerations:

The Council will not give consent for works to a listed building which could detract from its historical interest or architectural character and appearance.

The applicant has submitted a structural survey prepared by 'The Morton Partnership Ltd' dated September 2010 that gives a detailed assessment of the listed buildings.

In summary although the north barn is of a permanent and substantial structure without the need for major works, it appears that the south barn would require a significant amount of work to it to achieve the desirable outcome. The original roof is missing and is currently covered by metal sheeting to protect it from the weather and it is held up internally by scaffolding. Normally a building in such a poor state would not be considered to be suitable for conversion as it could be argued that it is not of a permanent and substantial construction.

However given that the building is Grade II Listed, every effort should be made to protect and preserve as much of the original internal and external fabric as possible even if this means major works to the barn. County Council's Heritage advisor has also stated that if nothing is done about the barn soon, then the building could be lost altogether.

Given the poor state the two buildings are in, particularly the south barn, it is considered that the only way to retain the special architectural and historical interest of the barns is to convert them into residential, as in their existing state, they can no longer be used efficiently for agricultural purposes.

The applicant has worked closely with Essex County Council's heritage advisors and as a result it is felt that the proposed internal and external works to the listed barns are acceptable in that as much of the original fabric as possible is to be retained and where new materials are required, they would match the original cladding of the barns as far as possible. Overall it is considered that the proposed works to convert the barns into residential dwellings are appropriate in that the conversion would restore the barns as much as possible to their original state and ensure that their architectural and historical importance is maintained.

Conclusion:

In conclusion, the proposed conversion and works of the Grade II Listed barns would not cause a detrimental impact upon the architectural or historical importance of the buildings. The works would significantly improve the barns' current derelict state and if left untouched the barns would continue to decay and could possibly one day be lost altogether if nothing is done about them soon. The proposed conversion and works are in accordance with the policies contained within the Adopted Local Plan and Alterations and therefore the application is recommended for approval subject to conditions.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

**Planning Application Case Officer: Lindsay Trevillian
Direct Line Telephone Number: 01992 564337**

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

Report Item No: 5

APPLICATION No:	EPF/2130/10
SITE ADDRESS:	2 Heath Drive Theydon Bois Essex CM16 7HL
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr Clive Madge
DESCRIPTION OF PROPOSAL:	Single storey rear extension and two storey side extension and side dormer window. (Revised application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=522235

CONDITIONS

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
2. Materials to be used for the external finishes of the proposed development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
3. Prior to first occupation of the development hereby approved, the proposed dormer window shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).

Description of Proposal:

The applicant seeks planning permission for a single storey rear extension, a two storey side extension and a side dormer window. It should be noted that the application is a revised application of EPF/0603/10 which was refused and subsequently dismissed at an appeal in August 2010.

The existing detached garage to the side of the dwelling is to be removed to make way for the proposed development. The ground floor of the side extension would be set back 7.8 metres

behind the existing front façade, would have a width of 5 metres by a depth of 8.8 metres. The first floor of the side extension would have a width of 3.5 metres by a depth of 5.8 metres.

The proposed single storey rear extension is to project 3 metres from the original rear façade and will have a width of 12.4 metres which also includes the width of the side extension.

The proposed side dormer window is to project 2.2 metres from the roof slope, have a width of 2.4 metres and a height of 2.2 metres. The dormer is to provide light to a bathroom and bedroom 2.

Description of Site:

The subject site is located on the northern side of Heath Drive approximately 50 metres west of Dukes Avenue within the village of Theydon Bois. The site itself is relatively level with a slight fall across the site from west to east, has a narrow frontage before it spreads out in width towards the rear and comprises approximately 975 square metres. A timber paling fence is located on the side and rear boundaries. Large mature trees are located in the rear garden.

Located to the front of the site is a double storey semi detached dwelling constructed from brick, render and plain tiles. To the side of the dwelling there are a couple of small outbuildings one of which appears to be used as a garage. Off street parking is located on the hard surface to the front and side of the dwelling.

The subject site is located within a well established residential area of mainly large two storey detached and semi-detached dwellings. Space/gaps between the buildings form an important characteristic within the street scene and front setbacks from the highway are consistent.

Relevant History:

EPF/1438/09 - Single storey rear extension and two storey side extension. (refused)

EPF/0603/10 – Single storey rear extension and double storey side extension. (refused and dismissed at appeal)

Policies Applied:

DBE9 – Loss of Amenity
DBE10 – Residential Extensions
CP2 – Protecting the Quality of Rural and Built Environment

Summary of Representations

Theydon Bois Parish Council – Object for the following reason:

- We note the changes to this revised application and welcome the improvements. However we do not consider that our original reasons for refusal have been overcome. We remain concerned about this proposal due to its design, excessive size and the adverse impact upon the street scene. Whilst we note that the width of the two storey element has been reduced, there is now a single storey extension alongside it, resulting in a total width of some 6 metres when viewed from the street scene. We would also comment that the roof line now actually appears to be higher than that shown in the original application thus whilst in some respects the bulk has been reduced – in respect of the height, the overall bulk has actually increased. What with the excessive width and curious and somewhat incongruous chimney stack feature now attached to the single storey element, the proposal still comprises an obtrusive development, which is out of character with its surroundings and

would therefore detract from the appearance of the property, the street scene and the corner location contrary to policy DBE10 of the Local Plan and Alterations.

- We would also comment that the plans appear to be inaccurate with regard to fenestration in the side elevation.

The application was advertised to adjoining property owners by mail. Two letters of objection were received from the same adjoining property occupiers at number 43 Dukes Avenue. The main concerns are set out below:

- The proposed development would be visually intrusive and overbearing due to its close position to the side boundary.
- The development would result in a loss of privacy from the proposed dormer window.
- The development is large in scale and bulk and is disproportionate to the original building and would impact upon the character of the surrounding area.
- Inaccuracies in the plans.

In terms of the comments provided by the parish and the adjoining occupiers in relation to some inaccuracies in the submitted plans, the applicant has submitted revised plans showing the deletion of the chimney stack, slight alterations to the size of the proposed side dormer and they now show the fenestration in the side elevation.

Also just to clarify, both the Parish Council and the adjoining neighbors mention in their representations that the width of the ground floor element of the extension is to be 6 metres. The width of the ground floor element has been checked and is to be 5 metres wide.

Issues and Considerations:

The previous application (EPF/0603/10) was recently refused for the following reason:

- The proposed development, in particular the double storey side extension, due to its size, bulk and scale would result in a disproportionate addition to the house that is significantly out of character with its appearance. It would therefore detract from the appearance of the house and that of the street scene contrary to Policies CP2 and DBE10 of the adopted Local Plan and Alterations.

Subsequently the application was appealed by the applicant and dismissed. The inspector concluded that the proposed extension by reason of its excessive size and scale would appear out of keeping with the existing building and that the pitch and angle of the roof would not relate well with the original roof. The inspector also went on to say that the extension would detract from the character of the street scene.

As a result the applicant has revised the proposed application in order to overcome the above reason for refusal.

The main external difference between the proposed application and the most recent application that was refused is that the width of the ground floor of the side extension has been reduced from 6.4 metres to 5 metres and the first floor of the side extension has been reduced from 5 metres to 3.5 metres. However in saying this, the ground floor and first floor are to project a further 2.1 metres forward than previously proposed. Due to these dimensional changes, the proposed roof form, pitch and angle have also changed from that of the previous application.

The dimensions of the rear extension remain the same as previously and the proposed side dormer window is approximately the same in terms of its position and dimensions.

Therefore the main issues to consider in this case are whether the proposed revised application has overcome the previous reason for refusal and the concerns raised by the Planning Inspector.

On this occasion, it is considered that the reduction in width of the side extension, in particular at first floor level, has achieved a more balanced extension in terms of it appearing subordinate to the original dwelling. The extension would now form an integral part to the dwelling whereas before under previous schemes the extension did not reflect the design and appearance of the original dwelling or the street scene.

In terms of the extension's size, on balance it is considered that it is now appropriate.

Although the ground floor component is almost double the width of the existing front façade, it is also well set back behind it, ensuring that there will be a significant gap to the side boundary.

In relation to the first floor element of the extension, although the depth of it has been slightly increased, the reduction of its width results in an improvement in terms of its appearance within the street scene such that it will not appear obtrusive or an overbearing feature within the street scene.

As mentioned within the Parish Council's comments and the neighbours' letters, the ridge height of the proposed roof is much higher than previous schemes. This is a result of the revised first floor depth and width.

One of Council's previous concerns was that the angle and pitch of the roof did not match the angle and pitch of the original building and that it did not appear as an integral part to the building. It could be argued that the proposed roof form would increase the bulk and scale of the extension, however on this occasion it is considered to be acceptable. Its ridgeline would still be lower than the original, the angle and pitch of the roof would now match the original angle and pitch, and as a result it would now appear as an integral part to the original building which is a significant improvement.

It should also be noted that the main feature of the dwelling house is the prominent front façade with its cat slide roof pitch and bay windows which give the building its visual articulation and interest within the street scene. As a result of the extension being set back well behind the front façade, the original building would still remain the prominent feature within the street scene.

The single storey rear extension is considered appropriate in its design and appearance in terms of its size, scale and form.

Overall it is now considered that the size and design of the extension will not appear out of scale with the building or the street scene.

Although not exactly the same as the proposed extension, there are other examples of similar types of extensions within the immediate vicinity at numbers 38 and 48 Dukes Avenue. Both examples are two storey side extensions to dwellings that are of similar design and appearance to that of the subject site. As a result the proposed extension would not be a one-off type of development within the surrounding area in that it would reflect and blend into the surrounding locality.

Neighboring amenities:

It should be noted that under the previous refused application, the proposed development was not considered to result in a harmful impact to the amenities of adjoining property owners in terms of visual blight, overlooking and overshadowing.

Once again this is considered the case. The concerns of the adjoining neighbours have been noted regarding loss of privacy. However given that there are existing dormer windows facing east that currently overlook rear garden areas and possibly into habitable room windows, the proposed dormer window would not result in a significant change and in any case this window will be obscured glazed.

It is not considered that there will be excessive loss of light or outlook to neighbours from the development which is reduced in size and set back further from the side boundary than the previously refused scheme.

Conclusion:

In conclusion, the proposed development is now considered to be appropriate in terms of its design and appearance such that it would not be harmful to the character of the surrounding area and street scene and it would now appear subordinate to and form an integral part of the original dwelling. Also there is no excessive impact upon the amenities of adjoining occupiers. The proposed development is now considered to be in accordance with the adopted policies of the Local Plan and Alterations and therefore it is recommended for approval subject to conditions.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

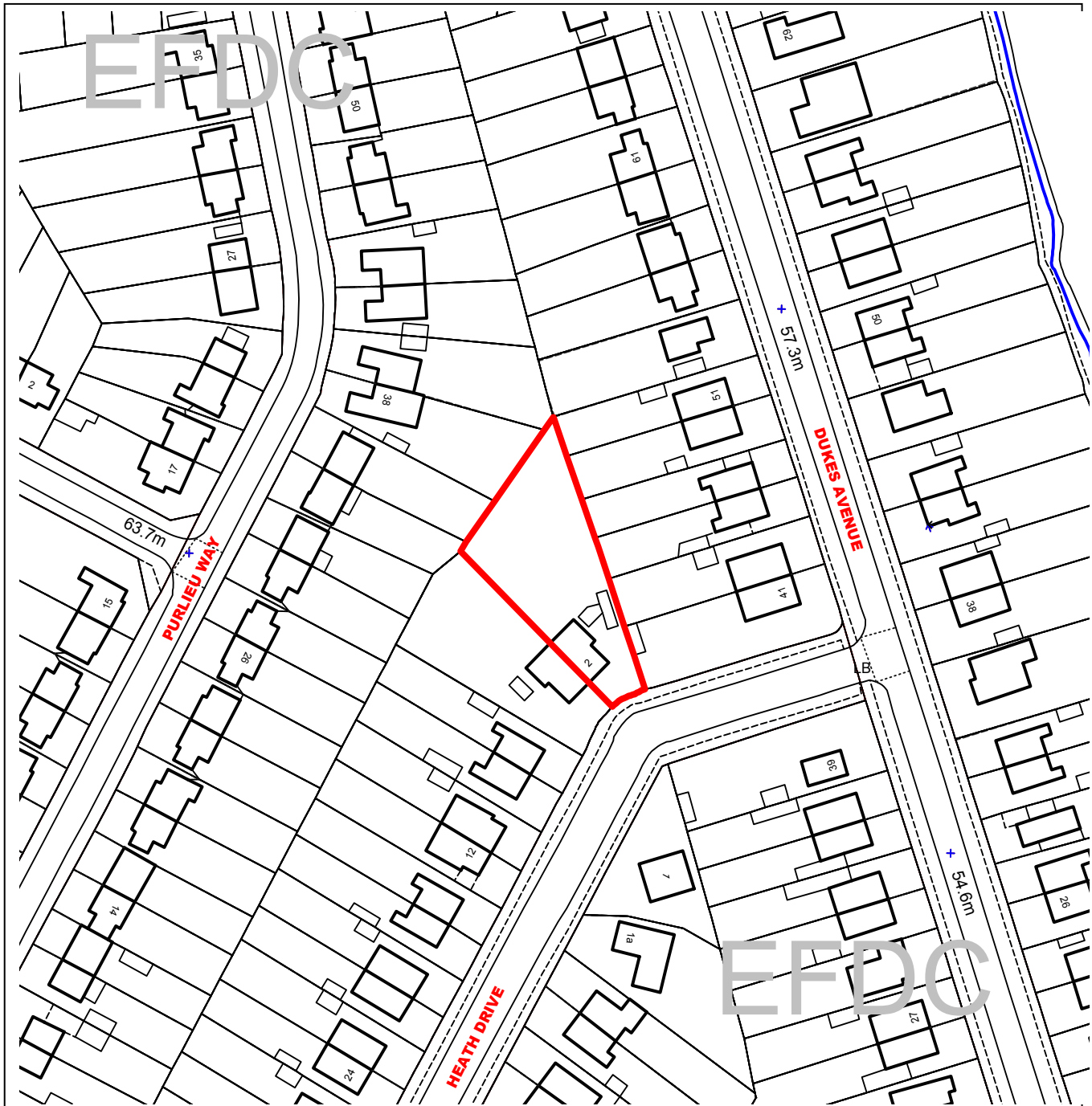
***Planning Application Case Officer: Lindsay Trevillian
Direct Line Telephone Number: 01992 564337***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



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Agenda Item Number:	5
Application Number:	EPF/2130/10
Site Name:	2 Heath Drive, Theydon Bois CM16 7HL
Scale of Plot:	1/1250

Report Item No: 6

APPLICATION No:	EPF/2385/10
SITE ADDRESS:	1 Griffins Wood Cottages High Road Epping Essex CM16 4DH
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	Mr Wayne Smith
DESCRIPTION OF PROPOSAL:	Proposed two storey side extension.
RECOMMENDED DECISION:	Refuse Permission

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=523147

REASON FOR REFUSAL

1. The application site is within the Metropolitan Green Belt. The proposed extension does not constitute a limited extension to an existing dwelling. The proposed extension by reason of its size and scale would represent a disproportionate addition over and above the original dwelling resulting in a bulky and prominent development within the Green Belt, harmful to openness and contrary to policies CP2, GB2A and DBE4 of the Adopted Local Plan and Alterations. Furthermore, no very special circumstances have been submitted sufficient to outweigh the harm to the Metropolitan Green Belt.
2. The proposed extension is considered detrimental to the character and appearance of the Bell Common and Copped Hall Conservation Areas and the existing building by reason of the overall size, scale and materials contrary to policy HC6 and HC7 of the Adopted Local Plan and Alterations.
3. The proposed extension represents an incongruous addition to the existing property which by reason of the overall scale, height and design is out of character with, and detrimental to the appearance of the dwelling and the streetscene contrary to Policy DBE10 of the Adopted Local Plan and Alterations.

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

This application was deferred from the last sub committee meeting to enable a Member site visit to take place.

The original report is reproduced below.

Description of Proposal:

Proposed two-storey side extension. The proposal is 13.9m in length and 5.2m in width, with an overall height of 7.5m.

Description of Site:

1 Griffins Wood Cottage is a 2 storey lodge style detached property with single storey outbuilding to the rear located on the junction of the High Road with the access to the Copped Hall Estate. It is within the Bell Common Conservation Area and adjacent to the boundary to the Copped Hall Conservation Area. The Bell Common Character Appraisal highlights this property as a key building of Townscape Merit, with a positive contribution to the Conservation Area. It is believed to have been built in circa 1900 for workers from the Copped Hall Estate. The property is also within the Metropolitan Green Belt.

Relevant History:

EPF/0515/09 – Single storey rear extension to existing outbuilding including lobby extension to connect to main house – Refused

Policies Applied:

CP2 - Protecting the Quality of the Rural and Built Environment
GB2A - Development in the Green Belt
DBE4 – Design within the Green Belt
DBE9 – Impact on Amenity
DBE10 – Extensions to Dwellings
HC6 – Character, Appearance and Setting of Conservation Areas
HC7 – Development within Conservation Areas

SUMMARY OF REPRESENTATIONS:

EPPING TOWN COUNCIL: Committee object to the proposal which is excessively large and inappropriate in the green belt. The view from the B1393 highway will be damaged as the profile of the building will be considerably increased from the view angle of the road. Therefore, Committee feel strongly that the proposals will be damaging to both the green belt and the conservation area.

NEIGHBOURS

4 properties were consulted and a site notice erected – No responses received

Issues and Considerations:

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

- Impact on the Metropolitan Green Belt
- Impact on Amenity
- Design and the Conservation Area

Impact on the Metropolitan Green Belt

The proposal adds approximately 107m² to the floor space of the original house, which results in a percentage increase of 101%, effectively doubling the floor space of the existing property. It is

therefore not considered that this extension can be considered a 'limited' extension to a property within the green belt in line with policy GB2A.

Furthermore, the proposal more than doubles the width of the existing house at two storey from a width of 9.8m to 21.5m and it is considered that this increase in width is detrimental to the character and openness of the Green Belt in this location. The property is clearly visible from the High Road particularly when viewed from the north east.

It is acknowledged that the extension will replace an existing single storey outbuilding; however this is not considered sufficient justification to allow such a large two storey extension to this property. The existing outbuilding has a floor area of approximately 20m² and it is therefore not considered acceptable to replace this with an extension approximately 87m² larger in size.

Amenity

Due to the distances between properties in this location, the proposal is not considered to impact on the neighbouring property in terms of loss of light, outlook or privacy, particularly as the proposal would be screened from Ladderstile Lodge (the nearest property) by existing planting.

Design and the Conservation Area

The proposal adds a large built form to the dwelling, doubling the width of the property. The extension appears almost as a separate entity with a hipped, pitched roof, which is not a feature of the existing, and although the ridge line is lower than the main house, is not considered to enhance or complement the existing building or the streetscene. Although the design of the proposal includes timber detailing to match the existing house, it is not considered to be appropriate in terms of form or scale, particularly with the increased side elevation, the hipped roofs and the poor juxtaposition of roof details on the south west facing side elevation.

The Conservation Officer has objected to the proposal. As outlined above the gate lodge is a key building of townscape merit within the Bell Common Conservation Area and the site is very prominent, visible from both the Bell Common and Copped Hall Conservation Areas. The extended "side" elevation contains the front door of the property and faces the well used access way to Copped Hall. The extension will detract from the character of the building as a traditional gatehouse. The proposal is considered to be out of scale with the existing building and does not enhance the character or appearance of this part of the Conservation Area. The use of pvc double glazed windows (albeit within timber frames) is also considered inappropriate on this property, within the Conservation Area as this is not a traditional material.

The existing single storey outbuilding is modest in size and scale and is of a traditional appearance. Replacing this with a large two storey extension is considered detrimental to the character and appearance of the Conservation Area.

Conclusion:

The proposals are considered to have a detrimental impact on the character and openness of the green belt, do not complement the existing house or streetscene and is considered detrimental to the character and appearance of both the Bell Common and Copped Hall Conservation Areas. Refusal is therefore recommended.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

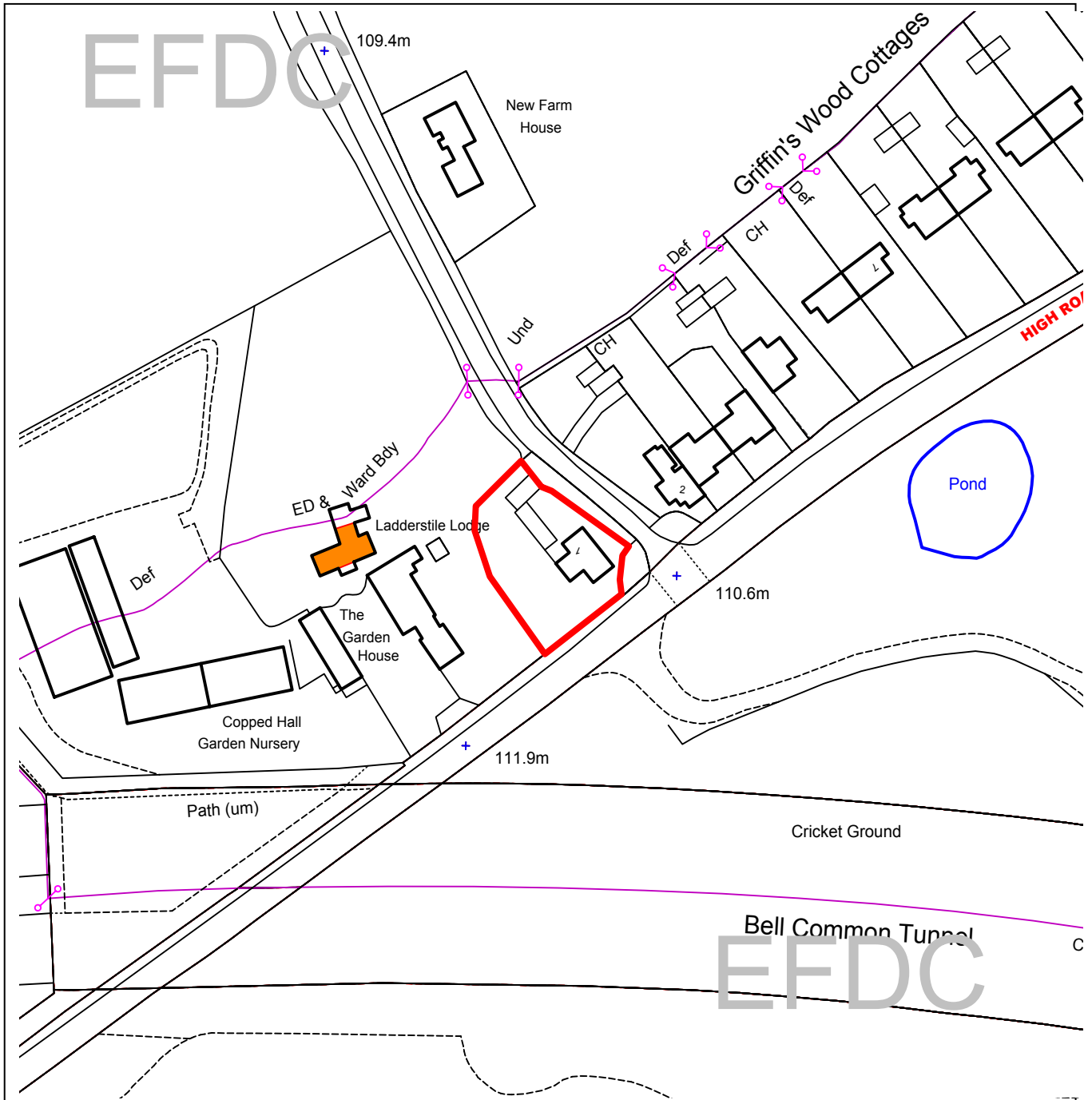
**Planning Application Case Officer: Marie-Claire Tovey
Direct Line Telephone Number: 01992 564371**

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Agenda Item Number:	6
Application Number:	EPF/2385/10
Site Name:	1 Griffins Wood Cottages, High Road Epping, CM16 4DH
Scale of Plot:	1/1250

Report Item No: 7

APPLICATION No:	EPF/2483/10
SITE ADDRESS:	41 The Plashets Sheering Bishop'S Stortford Hertfordshire CM22 7NN
PARISH:	Sheering
WARD:	Hastingwood, Matching and Sheering Village
APPLICANT:	Mr M Mile
DESCRIPTION OF PROPOSAL:	Erection of a one bed attached dwelling.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=523416

CONDITIONS

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
2. Materials to be used for the external finishes of the proposed development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
3. Gates shall not be erected on the vehicular access to 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, D and E shall be undertaken without the prior written permission of the Local Planning Authority.
5. No development shall take place until details of surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).

Description of Proposal:

Two storey side extension to existing property to accommodate a separate 1 bedroom dwellinghouse, measuring 3.9m wide and 0.9m deeper to the rear than the existing property. The proposal also includes a 1.2m by 2.1m front porch to provide a separate entrance. The proposal will continue the gable end to the side with a rear gable feature. The proposal includes the provision of one parking space to the front for the proposed new property and one parking space to the rear for the existing property.

Description of Site:

41 Plashets is a two storey end of terrace property set around a pedestrian grass square. It is part of an estate of similarly designed properties, some of which have been extended with various single storey additions. The site is currently surrounded by a hedge of approximately 1.5m in height and a 2m high close boarded timber fence. The property is within the built up area of Sheering and not within the Metropolitan Green Belt or a Conservation Area.

Relevant History:

EPF/1572/10 – Erection of a two storey side extension, detached garage with parking space to front and conservatory – App/Con

Policies Applied:

Epping Forest District Local Plan and Alterations

CP2 - Rural and Built Environment

DBE2 – Effect on Neighbouring Properties

DBE10 – Design

ST6 - Vehicle Parking

DBE8 - Amenity Space

DBE11 - Subdivision

H4A - Dwelling Mix

SUMMARY OF REPRESENTATIONS:

SHEERING PARISH COUNCIL: Objection – The building project is over build lines and overdevelopment. Would set precedent to other properties.

NEIGHBOURS

20 properties were consulted – no responses received

Issues and Considerations:

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

- Amenity of Neighbouring Properties
- Design Issues
- Private Amenity Space
- Provision of Parking

Amenity of Neighbouring Properties

There are no side facing windows proposed and the proposal only extends 0.9m beyond the existing wall of what will be the neighbouring property. Although this will be a separate dwelling it

is not considered to give rise to any additional overlooking than that which would exist from the previously approved extension or from the other neighbouring properties. It is not considered to be an overbearing addition nor cause any excessive loss of light or outlook.

Design Issues

The proposal extends this terrace row by 3.9m retaining a gap of 1m to the boundary. Although this does extend the building line to the north, this is the same distance as was considered acceptable for the previously approved extension. It is considered that the proposal does not detract from the character of the streetscene, which is still considered to remain relatively open due to the retention of the gap at the boundary.

The proposal is considered to be designed in a sympathetic manner, it will be smaller than the surrounding properties but is of a similar scale and therefore is not considered to appear incongruous. The Parish Council have objected to this proposal on the grounds of overdevelopment, however it is only approximately 10m² larger than the previously approved extension and it is considered that this large plot is capable of an extension and subdivision.

Private Amenity Space

Policy DBE8 suggests that 20m² minimum should be provided per habitable room for a new dwelling. This property is to have 1 bedroom with an open plan area downstairs and therefore should provide at least 40m² of amenity space which this proposal has achieved. The existing property will also retain sufficient amenity space, the majority of which will be to the rear. A condition removing permitted development rights for extensions and outbuildings is required to ensure that the amenity space is not subsequently eroded.

Provision of Parking

One parking space has been provided to the front of the proposed new dwelling and this accords with the Essex County Council parking standards. As the existing property is to be sub-divided, parking provision has also been provided for the existing house. This is only one parking space, which falls short of the standards as this is a three bedroom house and therefore should have a minimum of two spaces. However, as there is currently no off-street parking provided at this property this is considered an improvement to the current situation and there is ample room within the rear garden for further parking if required.

Conclusion:

The proposal is considered to be generally acceptable, in keeping with the design of the existing terrace row and although a smaller property, not considered out of character with the area. Although the required number of parking spaces has not been met for the existing house, it is considered that as there is an increase in overall off street parking, on balance, the proposal is acceptable. Approval is therefore recommended subject to conditions.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

***Planning Application Case Officer: Marie-Claire Tovey
Direct Line Telephone Number: 01992 564371***

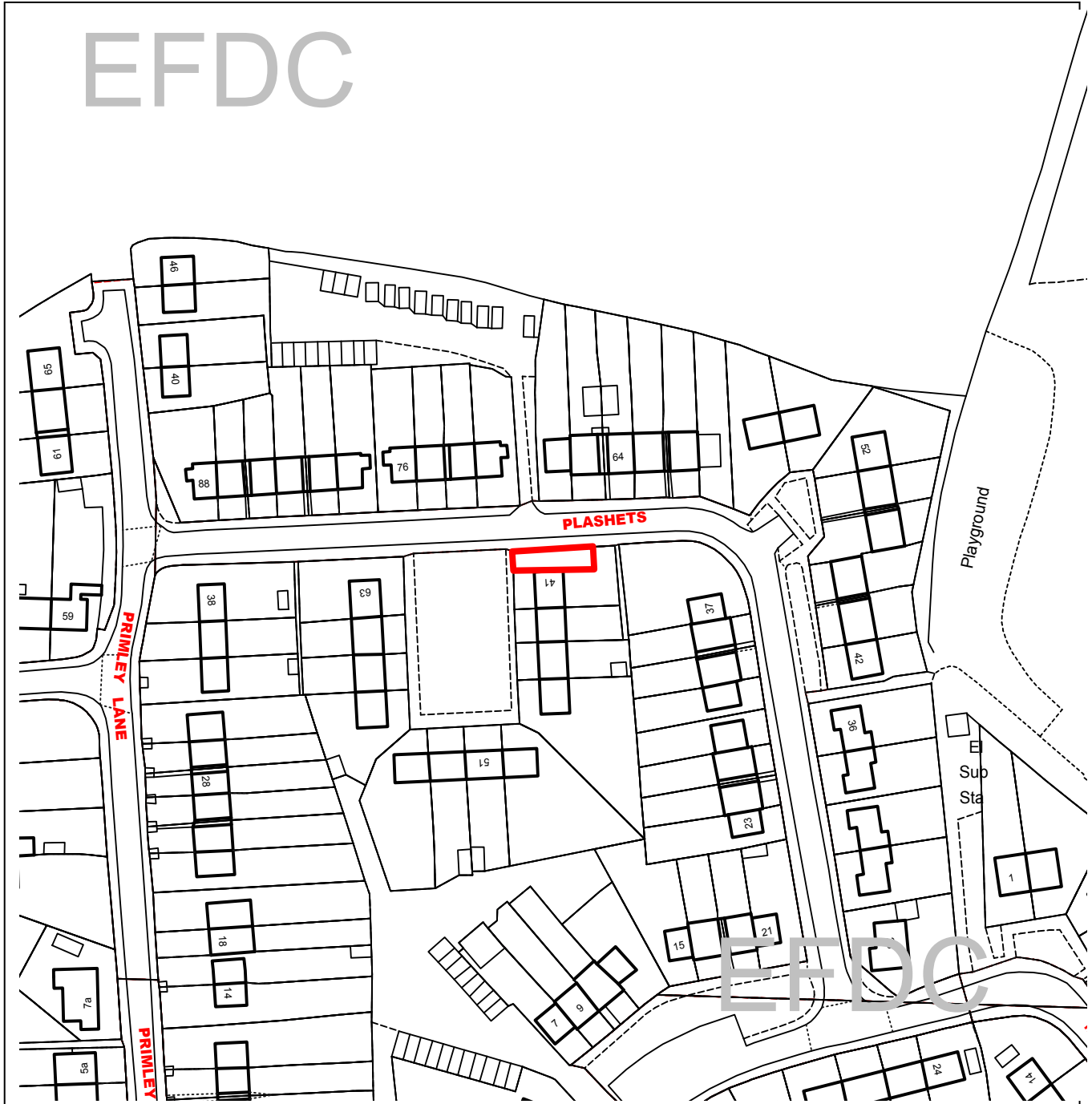
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee East

EFDC



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