

**Report Item No: 1**

|                                 |  |
|---------------------------------|--|
| <b>APPLICATION No:</b>          | EPF/1596/11  |
| <b>SITE ADDRESS:</b>            | Birch Hall<br>Coppice Row<br>Theydon Bois<br>Epping<br>Essex |
| <b>PARISH:</b>                  | Theydon Bois   |
| <b>WARD:</b>                    | Theydon Bois   |
| <b>APPLICANT:</b>               | Estate Manager   |
| <b>DESCRIPTION OF PROPOSAL:</b> | TPO/EPF/03/89 (W1)<br>T1 - Oak - Fell and grind stump        |
| <b>RECOMMENDED DECISION:</b>    | 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=530234](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=530234)

**CONDITIONS**

- 1 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.
- 2 All work authorised by this consent shall be undertaken in a manner consistent with British Standard 3998 (2010) (or with any similar replacement Standard).
- 3 The works hereby authorised shall not be undertaken after a period of three years from the date of this consent has expired.
- 4 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.

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

**Description of Proposal:**

**T1. Oak – Fell to ground level and grind stump.**

### **Description of Site:**

This mature Oak stands 16 metres tall and about 4 metres from the garage lodge for the mansion property. It forms part of a mature, oak dominated collection of large trees, lining the drive and surrounding the house. Two other Oak specimens stand close by. The subject tree is partially screened by oaks and a Beech standing directly on the front boundary when viewed from the main road. The character of the area is that of forest edge, with dense, tall roadside hedgerows screening views into this and neighbouring large properties on Coppice Row.

### **Relevant History:**

There are records in December 2009 of TRE/EPF/0649/09 which allowed the felling of an ailing oak at the edge of the inner courtyard drive and then in November 2010 permission to fell a declining beech under TRE/EPF/2440/10.

### **Relevant Policies:**

LL9 Felling of preserved trees.

### **Summary of Representations:**

1 neighbour was consulted and responded with a comment of no objection.

THEYDON BOIS PARISH COUNCIL raises no objection providing the Council Tree Officer is satisfied the works are necessary.

### **Issues and Considerations:**

#### **Issues**

The application is made on the basis that the tree is structurally weakened. It is said to have advanced decay within its stem and root buttresses with visible staining and fluxing variously on the lower trunk.

The issue, therefore, is whether or not the removal of this tree is justified and necessary due to the threat it presents to the nearby building.

#### **Considerations**

i) Tree condition and life expectancy.

From a ground level visual inspection, it is accepted that the tree appears to be suffering from extensive root rot and stem disease. Several large buttresses sound hollow and one disintegrates on contact with missing bark around the stem base. Bleeding and discoloured bark fissures and areas of dieback in the upper crown are clearly visible but the most notable crown observation is the severity of a previous harsh crown reduction leaving stubby limbs and the tree's columnar habit.

It is predicted that this tree has a safe future lifespan of less than 5 years.

ii) Amenity value

The tree has minimal public visibility, being obscured by a screen of tall boundary trees at the gate and along the roadside. The tree contributes to the mature, predominantly oak group, comprising two other mature specimens and a large Eucalyptus.

The proposed removal will have little impact on the property's public appearance with so many frontage trees and younger specimens in the vicinity, retaining the woodland character of the front drive area.

iii) Replacement tree

There is ample space for new planting of many varied species in this area. Following previous tree removals, replacements have been willingly planted and are now established.

**Conclusion:**

The tree is in a state of structural decline and can reasonably be seen to present an increasing risk to nearby structures in the near future. This threat outweighs the loss of amenity its removal will cause. It is, therefore recommended to grant permission to this application on the grounds that the condition of the tree justifies its removal. The proposal therefore accords with Local Plan Landscape Policy LL9.

It is recommended that, in the event of members granting permission to fell this tree, a condition be attached to the decision notice requiring the replanting of an agreed suitable replacement at an agreed location on the site.

***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:***

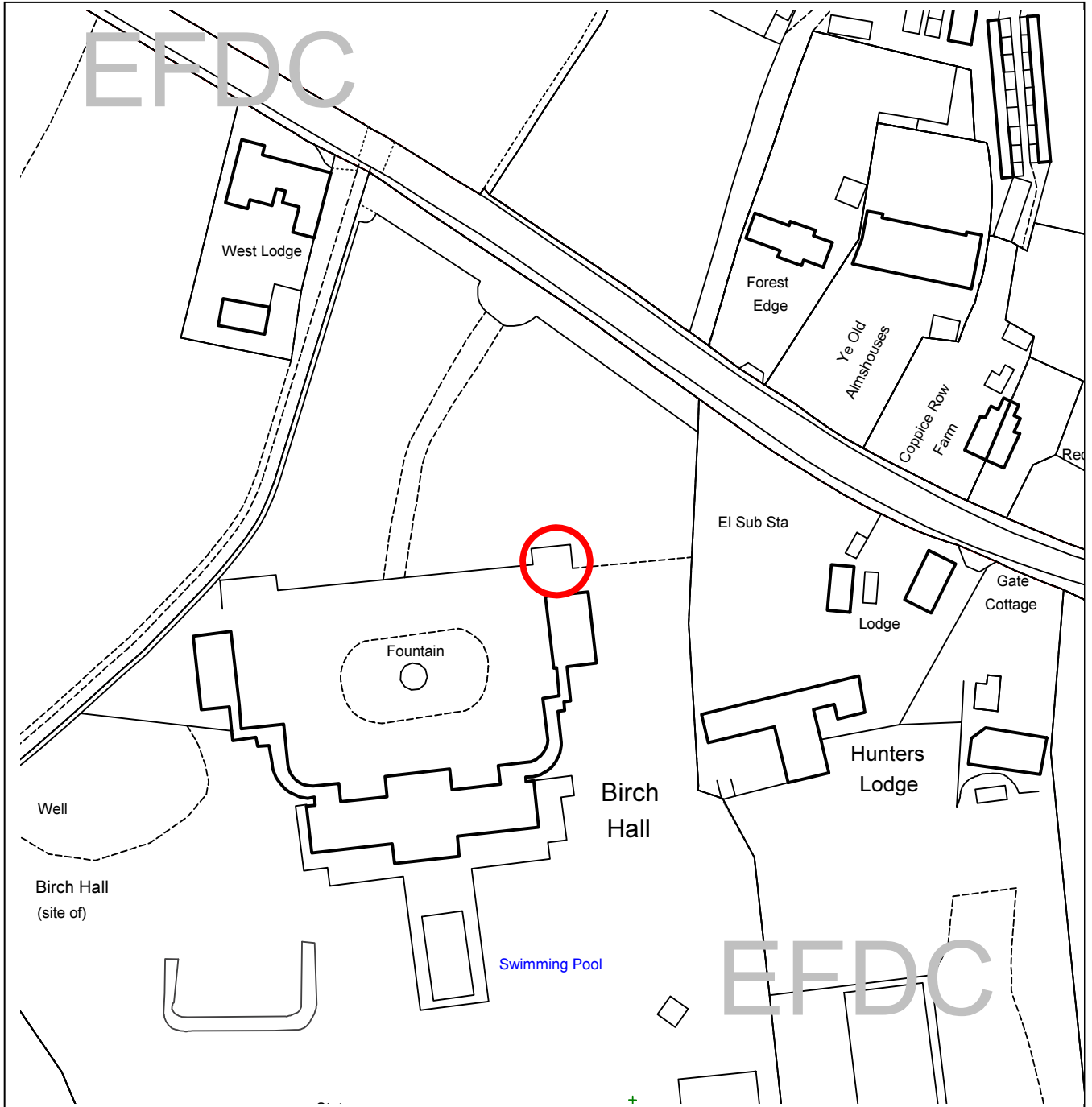
***Planning Application Case Officer: Robin Hellier  
Direct Line Telephone Number: 01992 564546***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Area Planning Sub-Committee East



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| <b>Agenda Item Number:</b> | <b>1</b>                                 |
| Application Number:        | EPF/1596/11                              |
| Site Name:                 | Birch Hall, Coppice Row<br>Theydon Bois, |
| Scale of Plot:             | 1/1250                                   |

**Report Item No: 2**

|                                 |  |
|---------------------------------|--|
| <b>APPLICATION No:</b>          | EPF/0899/11  |
| <b>SITE ADDRESS:</b>            | 2 Little Colemans<br>Romford Road<br>Stanford Rivers<br>Ongar<br>Essex<br>CM5 9PQ  |
| <b>PARISH:</b>                  | Stanford Rivers  |
| <b>WARD:</b>                    | Passingford  |
| <b>APPLICANT:</b>               | Mr Steve Hall  |
| <b>DESCRIPTION OF PROPOSAL:</b> | Retrospective planning consent for the following: Conversion of the existing barn into an indoor heated swimming pool. Linking of the barn to the main house with a single storey building providing an indoor children's play area and indoor access to the pool . Glazed conservatory and feature patio to the front of the barn. Obscure glazed conservatory to the rear of the barn. |
| <b>RECOMMENDED DECISION:</b>    | 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=527701](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=527701)

**CONDITIONS**

- 1 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) the house, as enlarged by the development hereby approved, shall not be enlarged or extended in any way and no outbuildings shall be erected within the curtilage of the house as defined by the broken red line on drawing no 2LX-P-02 revision A.

*This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section CL56, Schedule A (g) of the Council's Delegated Functions).*

**Description of Proposal:**

This application seeks retrospective planning permission for the conversion of an existing barn to an indoor heated swimming pool, the linking of the barn to the main house by single storey extension and the addition of conservatories to either end of the barn.

### **Description of Site:**

The application site comprises a detached dwelling, outbuildings and a large side garden area. The larger of the two outbuildings (referred to on plan as 'Barn 1') has been attached to the dwelling by an 'L' shaped single storey link extension.

### **Relevant History:**

EPF/0150/79.               Erection of a single storey rear extension, alterations to form two front bays and formation of a vehicular access. Approved 14/05/1979.  
EPF/0019/83.             Side extension. Approved 07/02/1983.  
EPF/0431/93.             Improvements to access. Approved 22/06/1993.

### **Policies Applied:**

#### Local Plan

CP2 - Protecting the Quality of the Rural and Built Environment  
DBE 2, 9 - Amenity  
DBE 10 – Design  
GB2A – Development in the Green Belt

### **Summary of Representations:**

Notification of this application was sent to Stanford Rivers Parish Council and to 1 neighbouring property.

The following representations have been received to date:

STANFORD RIVERS PARISH COUNCIL: Objection: The Parish Council are mindful other than the dwelling one barn was original there appears to be two now, need to check records, if this is so, the Parish Council objects to the application – overdevelopment in the Green Belt, should the Council be mindful to approve this application, it should be worded on the approval that this is the max. development of the site, as we understand the existing property has been enlarged previously.

### **Issues and Considerations:**

The main issues to be considered are the impacts of the proposed development on neighbouring amenities, on the character and appearance of the area and on the Metropolitan Green Belt.

Notwithstanding the merits of the development, Members are advised that aerial photographs of the site taken in November 2006 demonstrate the development as a whole was complete at that time. Since the District Council was not aware of the breach of planning control until this application was made no enforcement action has been taken against it and it is now too late to do so. As a consequence, the applicant would be entitled to a Lawful Development Certificate for the development had he applied for one. However, since the applicant has made a planning application instead the District Council must decide it on its merits.

#### Neighbouring Amenity

The location of the site and the extensions undertaken are such that there has been no adverse impact upon the amenities enjoyed by the occupiers of neighbouring dwellings.

### Character and Appearance

The additions to the dwelling have limited visibility from outside the application site. The link addition is subservient to the main dwelling and positioned such that the integrity of the main house is retained. Furthermore, the materials used are such that the link extension is in keeping with the main dwelling.

### Impact on the Metropolitan Green Belt.

The site is located within the Green Belt, where Policy GB2A of the Local Plan Alterations states that extensions to existing buildings within the Green Belt may be acceptable where it is a limited extension to an existing dwelling. The barns themselves are long established structures within the curtilage of this dwelling, therefore the impact of the development on the Green Belt should be considered in terms of the impact caused by the link extensions and conservatory style additions to 'Barn 1'.

The unauthorised additions cover a volume of approximately 77.6 cubic metres. Combined with previous authorised additions to the dwelling, this would amount to a 78% increase in volume above that of the original dwelling (excluding the barns from the calculation). The table below sets out the amount of volume created by additions to the dwelling (excluding the barns):

|                              | Volume (m <sup>3</sup> ) | Volume increase (m <sup>3</sup> ) | Percentage increase |
|------------------------------|--------------------------|-----------------------------------|---------------------|
| Original Dwelling            | 403                      | -                                 | -                   |
| As extended – EPF/0019/81    | 641                      | 238                               | 59%                 |
| With unauthorised extensions | 718.5                    | 77.5                              | 78%                 |

Whilst 78% is a substantial increase in the size of the property it is considered to be, just about, within the limit which may be considered as a limited addition, as required by Policy GB2A and would, therefore be appropriate development within the Green Belt. However, due to the size of the extension, future extensions or new outbuildings would be likely to be considered disproportionate within the Green Belt. Permitted development rights exist within the site, which would allow for the erection of further substantial outbuildings and for the addition of a rear extension to the dwelling. It is considered both necessary and reasonable that, if this application is permitted, those rights be removed to prevent future harm to the Green Belt. This course of action has been discussed with the Applicant, who is in agreement.

### **Conclusion:**

In light of the above appraisal, it is considered, on balance, that the extensions do not have a detrimental impact upon the open character of the Metropolitan Green Belt, although it is necessary to remove permitted development rights to control any future additions. Subject to the imposition of such a planning condition, it is considered that the retention of the extensions is acceptable. It is, therefore, recommended that planning permission be granted.

***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:***

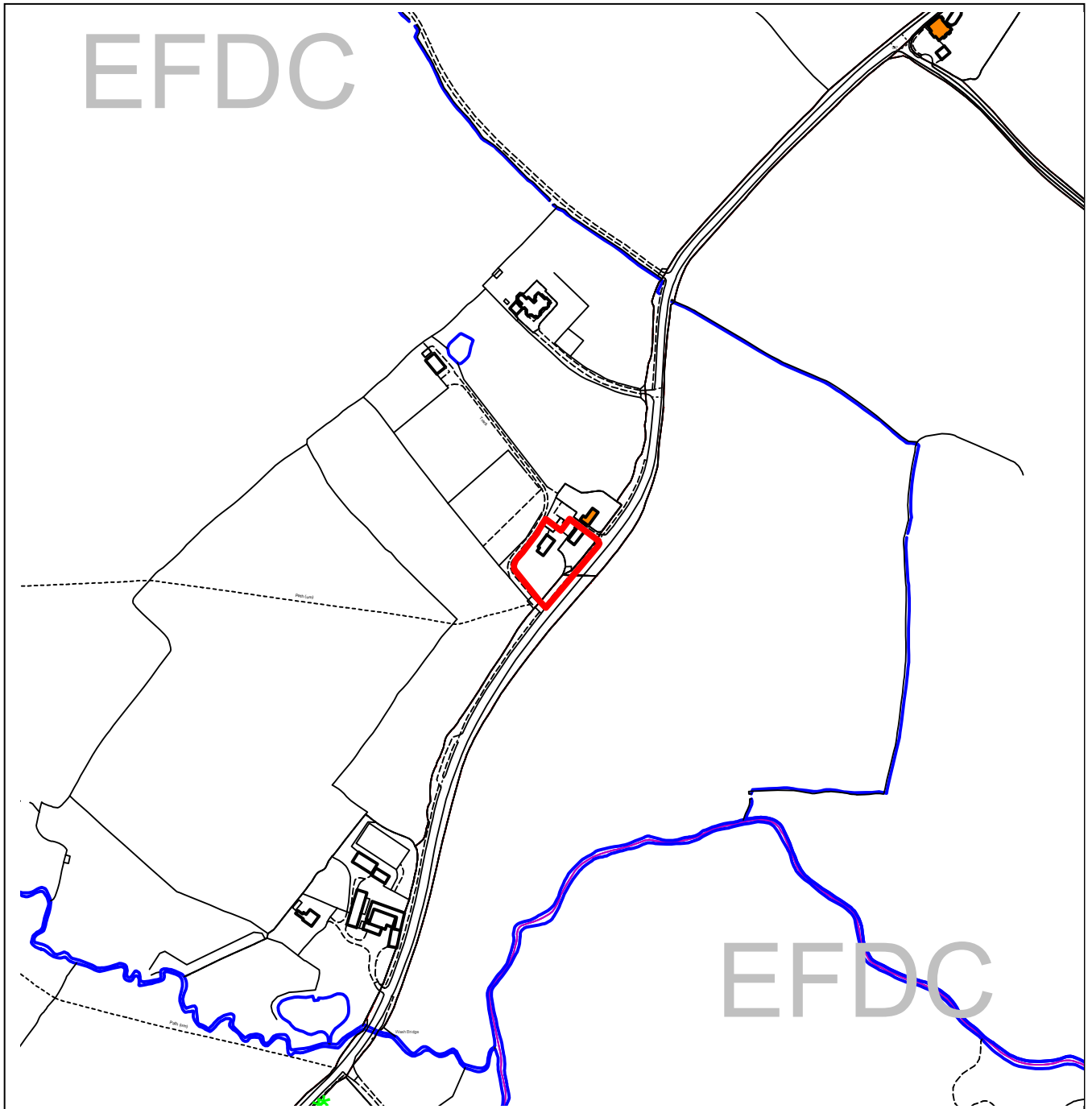
***Planning Application Case Officer: Mrs Katie Smith  
Direct Line Telephone Number: (01992) 564109***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Area Planning Sub-Committee East



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| <b>Agenda Item Number:</b> | 2  |
| Application Number:        | EPF/0899/11  |
| Site Name:                 | 2 Little Colemans, Romford Road<br>Stanford Rivers, Ongar, CM5 9PQ |
| Scale of Plot:             | 1/5000   |



**Report Item No: 3**

|                                 |   |
|---------------------------------|---|
| <b>APPLICATION No:</b>          | EPF/1008/11   |
| <b>SITE ADDRESS:</b>            | Millrite Engineering<br>151 - 153 London Road<br>Stanford Rivers<br>Ongar<br>Essex<br>CM5 |
| <b>PARISH:</b>                  | Stanford Rivers   |
| <b>WARD:</b>                    | Passingford   |
| <b>APPLICANT:</b>               | Hart and Long   |
| <b>DESCRIPTION OF PROPOSAL:</b> | Redevelopment of site to provide 4 detached chalet bungalows and garages.                 |
| <b>RECOMMENDED DECISION:</b>    | Grant Permission (Subject to S106)  |

**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=528155](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=528155)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1513.01A, 1513.02A, 1513.03A, 1513.04, 1513.05, 1513.06, 1513.07A, 1513.08 and 1513.09
- 3 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]

- 4 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. 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 remediation scheme condition that follows]
- 5 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]
- 6 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report (referred to in PPS23 as a Validation Report) that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 7 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

- 8 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 9 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.
- 10 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 11 The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing. The approved scheme shall be implemented within the first planting season following the completion of the development hereby approved.

The scheme must include details of the proposed planting including a plan, details of species, stock sizes and numbers/densities where appropriate, and include a timetable for its implementation. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand, and in writing.

The statement must include details of all the means by which successful establishment of the scheme will be ensured, including preparation of the planting area, planting methods, watering, weeding, mulching, use of stakes and ties, plant protection and aftercare. It must also include details of the supervision of the planting and liaison with the Local Planning Authority.

The landscaping must be carried out in accordance with the agreed scheme and statement, unless the Local Planning Authority has given its prior written consent to any variation.

- 12 No construction works above ground level shall have taken place until documentary and photographic 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.
- 13 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.

- 14 The development shall not be commenced until details of the means to prevent the discharge of surface water from the site onto the highway have been submitted to an approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.
- 15 Notwithstanding the details shown on drawing number 1513.01A and the requirements of condition 2 of this planning permission, the access way serving the development shall be a minimum width of 5.5m for a distance of 6m from the carriageway of the adjacent highway.
- 16 No gates shall be erected at the vehicular access to the site from the highway.
- 17 The following windows shall be obscure glazed in fixed (non-openable) frames to a minimum height of 1.7m as measured from the finished floor level of the rooms to which they serve and be retained as such thereafter.
- 1) The dormer windows in the rear (east) elevation of the house at Plot 1, as indicated on drawing number 1513.03A;
  - 2) The dormer windows in the side (north west) elevation of the house at Plot 3, as indicated on drawing number 1513.07A;
- 18 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 Schedule 2, Part 1, Classes A, B and E shall be undertaken without the prior written permission of the Local Planning Authority.

**and subject to the completion, within 6 months, of an agreement under S106 of the Town and Country Planning Act 1990 requiring the developer to contribute £21,000 towards the provision of off-site affordable housing within the District.**

This application was deferred from the last meeting of this Sub-Committee in order that Members could be given an opportunity to consider the viability assessments referred to in the Officers report. The assessments were circulated by email to all Members of the Sub-Committee on 23 August 2011 and are appended to the report below.

*This application is before this Committee since the recommendation conflicts with a previous resolution of a Committee (Pursuant to Section CL56, Schedule A (i) of the Council's Delegated Functions).*

**Description of Proposal:**

It is proposed to redevelop land comprising a disused engineering works and detached house together with a large grassed area to provide 4 two-storey detached houses.

The houses would comprise 2 types, both with an L shaped footprint, situated on the developed north-eastern part of the site and be accessed by the existing access point. They would take the form of chalet-bungalows with the first floor contained entirely within the roof space. Each house would have 3 bedrooms and contain an integral double garage with two further parking spaces on a drive in front of the garage. Private gardens for 3 of the houses would be provided on the existing open part of the site, while the garden for one house would be in the southern corner.

The houses would be of traditional design with tall gabled roofs containing modest dormer windows. Materials and landscaping are not finalised. The design and access statement specifies external materials as weatherboarding above a brick plinth with a tiled roof. It identifies the main opportunities for landscaping as the gardens and states the existing high mature hedgerow adjacent to London Road would be retained.

The houses would have maximum ridge heights of 7.3m. The total volume of all the proposed buildings would be some 2800m<sup>3</sup> while their ground area would be 570m<sup>2</sup>.

### **Description of Site:**

The application site is located on the southeast side of London Road (the A113), Stanford Rivers, between the Woodman PH and former White Bear PH. It is within the Metropolitan Green Belt but is not within a conservation area.

The White Bear PH has been converted to a number of dwellings: White Bear House and White Bear Mews. The Woodman PH is set adjacent to London Road while White Bear House and Mews are situated off an access road southeast of London Road at significantly lower level such that they are not clearly visible from the main road. Those buildings are Grade II listed.

The site itself is a disused engineering works and detached house accessed off the same road that provides access to White Bear House and Mews. It is an irregular shaped site, approximately rectangular in shape. It is largely screened from view of London Road by a hedgerow on the highway verge, a leylandii hedge adjacent to the access to the site and by its level being significantly lower than that of the carriageway.

The buildings on site are a mix of single and two-storey structures with a maximum ridge height of 7.2m situated on the north-eastern part of the site that enclose a concrete surfaced yard area. They are substantial and permanent structures that have a total volume of some 2300m<sup>3</sup> covering a ground area of 545m<sup>2</sup>.

The south-western half of the site is an open grassed area with some trees. The site levels drop approximately 2m from northwest to southeast.

The south-eastern boundary of the site is enclosed by close board fencing, beyond which is an open field that falls away from the site. Views to the east beyond the adjacent field are of open countryside. The field is used for a mix of agricultural and recreational purposes, the recreational activity being clay pigeon shooting.

The north-western site boundary is enclosed by close board fencing with hedgerow on highway land between the site boundary and London Road.

### **Relevant History:**

EPF/0713/09 Retaining store/forge to front and converting to two bedroom single storey unit, retaining spray and bending building and conversion to a two bedroom bungalow, retaining two, two storey workshops and office building and converting to a four bedroom house. Approved following the completion of a S.106 agreement requiring the payment of a contribution of £100,000 to the provision of social housing upon completion of the development. (Development not commenced)

EPF/2399/09 Replacement of existing 2 storey dwelling and redevelopment of remainder of site to provide 3 additional 2 storey dwellings and associated garaging and amenity space (giving a total of 4 new 5/6 bedroom houses). Refused on Green Belt grounds. Subsequent appeal dismissed.

EPF/2400/09 Replacement of existing 2 storey dwelling and redevelopment of remainder of site to provide 3 additional 2 storey dwellings and associated garaging and amenity space (Alternative scheme also giving a total of 4 new 5/6 bedroom houses). Refused on Green Belt grounds. Subsequent appeal dismissed.

### **Policies Applied:**

#### **Epping Forest District Local Plan and Alterations**

|                       |  |
|-----------------------|--|
| CP2                   | Protecting the Quality of the Rural and Built Environment      |
| CP3-5 and ST1         | Sustainable development policies                               |
| GB2A                  | Development in the Green Belt                                  |
| GB7A                  | Conspicuous Development  |
| GB15A                 | Replacement Dwellings  |
| HC12                  | Development Affecting the Setting of Listed Buildings          |
| H2A                   | Previously Developed Land                                      |
| H3A                   | Housing Density  |
| H4A                   | Dwelling Mix   |
| H5A-7A                | Policy relating to the provision for affordable housing        |
| E4A                   | Protection of Employment Sites                                 |
| E4B                   | Alternative Uses for Employment Sites                          |
| DBE1, 2, 4, 6, 8 & -9 | Policy relating to design and impact of development on amenity |
| LL10                  | Adequacy of Provision for Landscape Retention                  |
| LL11                  | Landscaping Schemes  |
| ST4                   | Road Safety  |
| ST6                   | Vehicle Parking  |

### **Summary of Representations:**

The occupants of 4 neighbouring properties were consulted and a site notice was displayed but no response was received.

STANFORD RIVERS PARISH COUNCIL: No Objection. Reduced scheme acceptable but still contrary to Green Belt Policy but more acceptable than industrial development on this exposed site.

### **Issues and Considerations:**

The District Council accepted the principle of the loss of this site for employment purposes and accepted the sustainability of the location for residential development when it granted planning permission for the conversion of the existing buildings to provide a total of four dwellings including the existing house, Ref EPF/0713/09.

In dismissing the appeals against the refusal of application EPF/2399/09 and EPF/2400/09 the Planning Inspector found the improvement of the site's appearance by the proposals to be an important consideration. He found the scheme that restricted the built form to the area covered by the existing buildings far preferable to the alternative proposal. However, he found the bulkiness of the buildings proposed and the urban character of the schemes layout would cause significant harm to the Green Belt, countryside and setting of neighbouring listed buildings. The inspector therefore concluded that, on balance, the improvement in the site's appearance that would be achieved by that scheme would not amount to the very special circumstance necessary to justify the proposal.

The main issues to consider when assessing the planning merits of this proposal are therefore whether the development is acceptable in Green Belt terms and its effect on the setting of the adjacent listed buildings. It is also necessary to consider whether the site could fulfil an identified community need.

*Appropriateness in the Green Belt, visual impact and consequence for setting of listed buildings:*

The development is not appropriate in the Green Belt and therefore by definition harmful. It would result in an increase in built volume of some 500m<sup>3</sup>, 22% of that existing, which would be achieved on a 25m<sup>2</sup> (5%) greater ground area. Regardless of its visual impact, the development can only be allowed where very special circumstances that outweigh the harm caused by its inappropriateness exist.

When seen from London Road the upper parts of the roofs of the new houses would be apparent. However, the ridge heights of the houses would be similar to the maximum height of the existing development, their roof form would be less bulky and the built form of the proposal would be restricted to the presently developed part of the site therefore the overall appearance of bulk would not be much greater than the existing development.

When seen from the southeast, however, due to the drop in land levels beyond the site the development would appear prominent when seen from the open countryside. That impact would be confined to the previously developed part of the site and significantly mitigated by the higher level of the highway beyond the site.

The visual impact of the proposal would be significantly less than that of the previously refused proposals since the provision of the first floor accommodation in the roof space has achieved a reduction in ridge height of some 2.4m and a greatly reduced eaves level.

The design of the new development would represent a considerable improvement over the appearance of the existing buildings and by restricting the built area to the previously developed part of the site it accords with the updated guidance for housing development set out in PPS3. The restriction of the built up area to that already developed serves to protect a key part of the established character of the immediate locality. This is reinforced by the relatively low ridge and very low eaves heights of the proposed houses. The design and siting of the development would safeguard the setting of the adjacent listed buildings especially the Woodman PH which is set away from neighbouring buildings in an open setting.

*Case for Very Special Circumstances:*

The existing development has a very poor appearance that is not only harmful to the visual amenities of the Green Belt but is harmful to the setting of adjacent listed buildings, especially White Bear Mews. The applicants have designed the proposal in the light of the appeal decisions on applications EPF/2399/09 and EPF/2400/09. They draw attention to the siting and design of the proposal and the reduced bulk of the houses compared to those previously proposed. They also draw attention to the improvement that would be achieved for the setting of the neighbouring listed buildings and broadly similar appearance of bulk to the existing development.

The opportunity to finish the buildings in soft materials together with their simple roof design which generally places dormer windows where they would not readily be visible from London Road or open land to the southeast are important elements of the proposal's design. Those design features would give the impression of traditional rural buildings when seen from those vantage points, although that would clearly not be the case when seen from within the site when the domestic character of the buildings would be plainly visible.

The Planning Inspector gave considerable weight to the improvement to the appearance of the site one of the previous schemes would have achieved and only on balance found the improvement did not amount to very special circumstances. By careful design and sensitive siting the current proposal would achieve a very significant improvement in the appearance of the site when seen from all vantage points. It would also achieve a considerable improvement in the relationship of the built form on the site to the neighbouring listed buildings, thereby improving their setting.

The combination of achieving such an improvement in the appearance of the site and setting of listed buildings is a sufficiently unique set of circumstances that, in this particular case, just amount to very special circumstances.

Meeting community need:

The principle of the loss of this site for employment purposes has been accepted in giving consent for the conversion of the existing buildings to residential purposes under planning permission EPF/0713/09. Where proposed development would result in a loss of an employment site Local Plan and Alteration policy E4B requires it be demonstrated that there is no identified community need that can be met on site. Despite carrying out consultation exercises on the current and 3 previous proposals no such community need has been identified. In those circumstances, the supporting text for the policy (paragraph 10.55a) requires consideration be given to whether the site or proposal can address the general community need for affordable housing. Given the remoteness of the site it has previously been accepted that it is not suitable for making on-site provision towards affordable housing. Previous schemes, including that approved under planning permission EPF/0713/09 dealt with the matter by offering a financial contribution towards off-site provision of affordable housing. The sum previously accepted was £100,000, but that was not justified by any independent assessment of the viability of the approved conversion to residential. The approved scheme has subsequently proved unviable for a number of reasons and will not be implemented.

Officers have made it clear to the current applicant that this proposal would need to consider making a financial contribution to off-site provision of affordable housing in order to address the requirements of policy E4B. Officers have also insisted on an independent assessment of the viability of the proposal in order to establish what a justifiable level of contribution could be. Accordingly, Kemsley LLP, was appointed to carry out that assessment and report jointly to the Council and the applicant.

Kemsley LLP has reported their findings. On the basis that an acceptable profit on total development costs for a redevelopment would be between 15 and 20%, the report finds the proposal would not be viable if a contribution of £100,000 were payable since the profit that could be expected would be just under 12%. A fair level of contribution that would allow an acceptable profit to be made is reported to be £28,000, limiting the expected return to 15.9%.

Kemsley LLP also reports that since one of the four proposed houses would replace an existing house on the site, only 3 additional houses would in fact be provided on the site. On that basis the report contends a fair contribution should be based on 3 rather than 4 houses and consequently finds the fair level of contribution should be reduced by a quarter to £21,000.

Since Kemsley LLP is a professional organisation reporting jointly to the Council and the applicant it has a duty to be fair to both parties. It has carried out its assessment of viability thoroughly and consequently its findings have been accepted by Officers. Indeed, Members are advised that as a consequence of the process of carrying out an assessment of viability Kemsleys has enabled the applicant to renegotiate the price for the site in order to ensure a contribution towards the off-site provision of affordable housing could be made.



In response to the findings of Kemsley LLP the applicant has offered a contribution of £21,000 in order to address the requirements of policy E4B. While substantially less than a different applicant previously agreed to, no weight should be given to the previous agreement because the level of contribution was not justified by any viability assessment. Moreover, since that proposal turned out to be unviable the fact is it cannot deliver any contribution towards affordable housing. The viability of this proposal on the other hand has been independently assessed and the recommended level of contribution is therefore properly justified. In the circumstances the applicants' offer, which is in accordance with the recommended level of contribution, would deal with this policy matter.

**Conclusion:**

The proposed development is inappropriate in the Green Belt but, on balance, very special circumstances in favour of the proposal that would outweigh the harm caused by reason if its inappropriateness exist. The proposal would secure a very significant improvement in the appearance of the site and in the setting of neighbouring listed buildings while not having a much greater impact on the openness of the Green Belt than the existing poor form of development. The principle of the loss of this employment site has previously been accepted by the District Council and there is no basis for taking a different view on that matter. The requirements of policy E4B in relation to the loss of employment sites would be properly, and with clear justification, met through the level of financial contribution towards off-site affordable housing offered by the applicant. Accordingly, the proposal complies with adopted planning policy and it is recommended that conditional consent be given subject to the completion of s S.106 agreement to secure a contribution of £21,000 towards off-site affordable housing provision within the District.

***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: Stephan Solon  
Direct Line Telephone Number: 01992 564018***

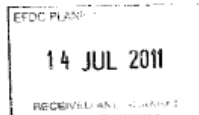
***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



Our ref: GEN/10402

12 July 2011

LL Hart Esq  
Hart & Long  
c/o John Newton Associates  
Mortimers  
Back Lane  
Monks Eleigh  
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IP 7 7BA



Dear Sirs

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FAO Stephan Solon (ref EPF/1008/11)

**Proposed Development Millrite Site, 151/153 London Road, Stanford Rivers, CM 5 9QF  
Planning Application, reference EPF/1008/11**

Instructions

I was instructed, jointly, to undertake an assessment of the affordable housing contribution which could be levied on the proposed development Millrite Site at Stanford Rivers. I have been provided with layout and elevation plans as proposed and a Design & Access Statement. I have not been provided with any cost budgets, or likely end values. Mr Solon, for the Council, advised that no conditions have been drafted at present, although they will cover amongst others: contamination; landscaping; appearance; detail of materials. While no decision has been made, it looks likely consent will be forthcoming, subject to a Section 106 Agreement to cover the contribution to affordable housing provision in the District (and no other contributions). I obtained a copy of the layout plan from the Council's planning website.

There are two types of appraisal. Valuers tend to be trying to get to the site value, so do a residual appraisal, deducting all likely costs and a profit margin from the Gross Development Value, to leave the residual site value. By contrast, developers generally start from a site value, and end up with a profit margin.

I inspected on 04 July 2011, and met Mr Hart on site. I confirm, other than that meeting, I have neither met him, nor acted for him or his development company before.

I append some photographs taken by me during that inspection. Also, a copy of the layout plan I obtained (which also shows, edged red, the site plan).

Brief Description

This is a site, in the Metropolitan Green Belt, currently used for mixed residential and commercial purposes, and generally somewhat rundown. It has been the subject of previous planning applications, taken to appeal and dismissed on the basis it is necessary for any design to sensitively reflect the rural surroundings and setting of the listed buildings (the Woodman Public House and White Bears Mews). It is situated in a rural location, but conveniently close to Ongar, which has good facilities.

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The registered office address is 113 New London Road, Chelmsford, Essex CM2 0QJ





I calculate the site is approximately 2614m<sup>2</sup> (0.65 acre). On it, at present, is a dwelling, some possibly originally agricultural buildings, together with some other buildings and a more recent two storey structure with infill linking area. It is accessed off a spur from London Road, and backs onto open land, which appears to be used in conjunction with the adjacent residential property, and seems to be set out for clay pigeon shooting. As all the existing buildings are proposed for demolition under the current planning application, I need not concern myself further with them. However, I suspect the previous use has resulted in some contamination, although I have not seen any soil reports. I am aware that a condition is likely to be attached to the approval, if granted, requiring investigation, remediation and certification of contamination.

#### Planning Application

A planning application is currently being considered by Epping Forest District Council, reference EPF/1008/11, for "redevelopment of site to provide 4 detached chalet bungalows and garages". This includes change of use. The application has not yet been decided, indeed was only registered on 23 May 2011. I understand it was subject of negotiation, and that consent is likely to be forthcoming, as it reflects, both in design and scale, the points raised by the previous inspector. Such approval would be subject to conditions, and, depending on this report, a contribution from affordable housing. I am advised these conditions will be fairly standard, although including one about contamination.

The requirement for the affordable housing contribution is the subject of this report.

#### Proposals

The proposal is to demolish the existing structures and clear the site, then construct four detached chalet bungalows, served off a shared access. Three of the dwellings would be long-ways onto their plots, with only one width-wise. From plans provided, the accommodation would be as below. Each plot would have an attached double garage, with living accommodation above. The design is with brick footings, weatherboard elevations (presumably over blockwork), duo pitch roofs with living accommodation within the roof space.

##### Plot 1

double garage  
ground floor, hall (stairs), cloakroom, lounge, dining room, kitchen, utility  
first floor, landing, bedroom 1 ensuite/dressing, bathroom, bedroom 2, bedroom 3

##### Plot 2

double garage  
ground floor, hall (stairs), study cloakroom, dining room, lounge, kitchen, utility  
first floor, landing, bedroom 1 ensuite, bedroom 2 ensuite, bathroom, bedroom 3 ensuite

##### Plot 3

double garage  
ground floor, hall (stairs), cloakroom, lounge, kitchen, utility, study, dining room  
first floor, landing, storage, bedroom 1 ensuite, bathroom, bedroom 2 ensuite, bedroom 3

##### Plot 5

double garage  
ground floor, hall (stairs), cloakroom, study, kitchen, utility, lounge, dining room  
first floor, bedroom 1 ensuite, bedroom 2 ensuite, bathroom, bedroom 3 ensuite/dressing



From plans provided, I calculate the following Gross Internal Areas (excluding the garages).

|        | m <sup>2</sup> | sq ft |
|--------|----------------|-------|
| Plot 1 | 174.9          | 1883  |
| Plot 2 | 193.6          | 2084  |
| Plot 3 | 194.4          | 2093  |
| Plot 4 | 192.2          | 2069  |

Mains water, electricity and mains sewer are all on site (although new provisions will be required to the proposed dwellings). Gas is not on site, but I am told it is nearby.

Appraisal

As I say, there are two types of appraisal, a development appraisal which starts from a known site value and ends with a profit/loss margin, and a residual appraisal which ends with a site value. Valuers generally use the second, as they are endeavouring to get to a site value. However, for this purpose, the development appraisal is more appropriate, and I have run two such appraisals, appended, one with and the other without an affordable unit. I comment on the figures adopted below.

*Gross Development Value*

This is based on my own estimation, from my experience, knowledge of other schemes and research of properties on the market. As a general observation, these houses have a large floor area for only three bedrooms. This, and the resultant price, may restrict the market appeal. The figures I have given break back to £284 to £305/square foot, and average £290.97/square foot. I would expect it to be about £300, but have shaved it back slightly for only having three bedrooms. This produces a Gross Development Value of £2,365,000.

*Site Value*

I have looked at this in various ways. First, I have carried out a residual appraisal to give a site value of £754,110, based on my own calculation (and the figures as stated below, except targeting a profit of 20% on Total Development Costs). Secondly, for rural properties of this character, I would expect the site value to be around 30% of the Gross Development Value. At present site values are, in my experience, in the bracket of 25 to 30%, and I would expect this to be at the upper end. I would expect the plots to have a value of £180,000 each, so £720,000. I am told the price agreed is £900,000, which seems high. I have, therefore adopted a site value of £825,000, on the basis, if the vendor is seeking £900,000, I doubt it will be possible to negotiate it below this amount.

*Purchase Costs*

Off £825,000, purchase costs would be £49,500, as shown in both appraisals.



*Development Costs*

I have not been provided with any budget costs. I have, therefore, based it on my own expectation and experience. I have based it on £1100/m<sup>2</sup> on the total Gross Internal Area (excluding garages) of 755.1m<sup>2</sup>. I have then taken the garages with a combined area of 110.5m<sup>2</sup> at £650/m<sup>2</sup>. I have allowed a ballpark figure of £10,000 for contamination, taken fencing etc at £3000/plot, and the access at £13,365 (33m at £405/linear metre). I have allowed a contingency at 5%, and fees at 6%.

*Finance*

I have taken twelve months from start to completion of the sale of the final unit, with a concurrent nine months on the building costs (at half the amount to allow for the costs to be incurred over that period). I have adopted 6% interest. While it would not be possible to borrow the whole amount, it is usual to build in an interest allowance on the developer's own funding contribution as well.

*Sales*

I have taken sales costs at 1.5% for the agent and 0.5% for legal fees, based on the Gross development Value.

*Value Added Tax*

I have disregarded the implications of VAT, as I have assumed any developer would be able to offset it (VAT being payable on the difference between input and outputs).

*Profit/Loss*

As will be seen from the two appraisals, the profit with an allowance of £100,000 for the affordable housing contribution, is 11%. This is below the range generally considered acceptable of 15 to 20% on total development costs. Without such a contribution, the profit is 15.9%, inside, but at the lower end of that range.

Conclusion

In my opinion the scheme is not viable with an affordable housing contribution, and is unlikely to be built out if one is imposed. Without such a contribution, it is viable, although the profit margin is only just in the acceptable range. This assumes that the price can be negotiated to £825,000.

I trust this provides the information you require, but please feel free to contact me if I can be of further assistance. I confirm I have received payment of my invoice from Mr Hart in the sum as agreed.

Yours faithfully

A handwritten signature in black ink, appearing to read 'GE Nicholls', written over a horizontal line.

**GE NICHOLLS FRICS FAAV  
KEMSLEY LLP**



**APPRAISAL**

WITH AFFORDABLE

**Subject: Land Rear of 103 High Street, Ongar**

**Date: 11 July 2011**

| <b>CAPITAL VALUE</b>           |  | m <sup>2</sup> | sq ft | total             |
|--------------------------------|--|----------------|-------|-------------------|
| Plot 1                         | 3 bed chalet with integral double garage | 174.0          | 1883  | £ 575,000         |
| Plot 2                         | 3 bed chalet with integral double garage | 193.6          | 2094  | £ 595,000         |
| Plot 3                         | 3 bed chalet with integral double garage | 194.4          | 2099  | £ 595,000         |
| Plot 4                         | 3 bed chalet with integral double garage | 192.2          | 2089  | £ 600,000         |
| <b>Gross Development Value</b> |  |                |       | <b>£2,365,000</b> |

**Less**

|                          |                      | <b>Costs</b>      |
|--------------------------|----------------------|-------------------|
| <b>Site</b>              |                      | £ 825,000         |
| <b>Purchase costs</b>    |                      |                   |
| agents at                | 1.5 %                | £ 12,375          |
| legal fees               | 0.5 %                | £ 4,125           |
| stamp duty               | 4 %                  | £ 33,000          |
| <b>Development costs</b> |                      |                   |
| floor area               | 755.1 m <sup>2</sup> |                   |
| at £/m <sup>2</sup>      | 1100                 | £ 830,010         |
| garages                  | 110.5                | £ 71,825          |
| contamination/external   |                      | £ 35,365          |
| contingency              | 5.0 %                | £ 46,090          |
| fees at                  | 6.0 %                | £ 59,081          |
| <b>Finance</b>           |                      |                   |
| at                       | 6.0 %                |                   |
| site                     | 12 months            | £ 52,470          |
| building                 | 9 months             | £ 23,313          |
| <b>Sales</b>             |                      |                   |
| agents at                | 1.5 %                | £ 35,475          |
| legal at %               | 0.5 %                | £ 11,825          |
| Affordable contribution  |                      | £ 100,000         |
| <b>PROFIT/LOSS</b>       | 11.0 %               | £ 223,846         |
|                          |                      | <b>£2,365,000</b> |

**Summary**

|                         |                   |
|-------------------------|-------------------|
| Gross Development Value | £2,365,000        |
| <b>Less:</b>            |                   |
| site                    | £ 825,000         |
| acquisition costs       | £ 49,500          |
| development costs       | £1,043,771        |
| finance                 | £ 75,783          |
| <b>sale costs</b>       | £ 47,300          |
| affordable contribution | £ 100,000         |
| <b>profit/loss</b>      | <b>£ 223,846</b>  |
|                         | <b>£2,365,000</b> |



**APPRAISAL**

WITHOUT AFFORDABLE

**Subject: Land Rear of 103 High Street, Ongar**

**Date: 11 July 2011**

| <b>CAPITAL VALUE</b>           |  | m <sup>2</sup> | sq ft | Total              |
|--------------------------------|--|----------------|-------|--------------------|
| Plot 1                         | 3 bed chalet with integral double garage | 174.9          | 1883  | £ 575,000          |
| Plot 2                         | 3 bed chalet with integral double garage | 193.6          | 2084  | £ 595,000          |
| Plot 3                         | 3 bed chalet with integral double garage | 194.4          | 2093  | £ 595,000          |
| Plot 4                         | 3 bed chalet with integral double garage | 192.2          | 2060  | £ 600,000          |
| <b>Gross Development Value</b> |  |                |       | <b>£ 2,365,000</b> |

Less

|                                |                      | <b>Costs</b>       |
|--------------------------------|----------------------|--------------------|
| <b>Site</b>                    |                      | £ 825,000          |
| <b>Purchase costs</b>          |                      |                    |
| agents at                      | 1.5 %                | £ 12,375           |
| legal fees                     | 0.5 %                | £ 4,125            |
| stamp duty                     | 4 %                  | £ 33,000           |
| <b>Development costs</b>       |                      |                    |
| floor area                     | 755.1 m <sup>2</sup> |                    |
| at £/m <sup>2</sup>            | 1100                 | £ 830,610          |
| garages                        | 110.6                | £ 71,825           |
| contamination/external         |                      | £ 35,365           |
| contingency                    | 5.0 %                | £ 46,890           |
| finance at                     | 8.0 %                | £ 69,081           |
| <b>Finance</b>                 |                      |                    |
| at                             | 6.0 %                |                    |
| site                           | 12 months            | £ 52,470           |
| building                       | 8 months             | £ 23,313           |
| <b>Sales</b>                   |                      |                    |
| agents at                      | 1.5 %                | £ 35,475           |
| legal at %                     | 0.5 %                | £ 11,825           |
| <b>Affordable contribution</b> |                      | £ -                |
| <b>PROFIT/LOSS</b>             | 15.9 %               | £ 323,646          |
|                                |                      | <b>£ 2,366,000</b> |

**Summary**

|                         |  |                    |
|-------------------------|--|--------------------|
| Gross Development Value |  | £ 2,365,000        |
| Less:                   |  |                    |
| site                    |  | £ 825,000          |
| acquisition costs       |  | £ 49,500           |
| development costs       |  | £ 1,043,771        |
| finance                 |  | £ 75,793           |
| sales costs             |  | £ 47,300           |
| affordable contribution |  | £ -                |
| profit/loss             |  | £ 323,646          |
|                         |  | <b>£ 2,366,000</b> |

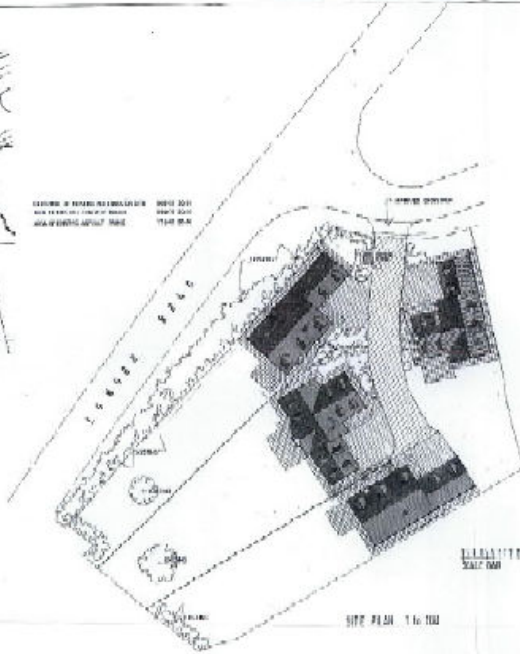


0771088/11



LOCATION PLAN 1:6,1250

LEGEND OF SYMBOLS FOR THE PLAN  
AREA OF THE SITE (Hatched) 0.000 0.000  
AREA OF THE SURROUNDING AREA (Dotted) 0.000 0.000



SITE PLAN 1:6,100



LEGEND OF SYMBOLS FOR THE PLAN

|                      |      |             |
|----------------------|------|-------------|
| PROJECT INFORMATION  |      |             |
| PROJECT NAME         | ...  |             |
| CLIENT               | ...  |             |
| DATE                 | ...  |             |
| DESIGNER INFORMATION |      |             |
| DESIGNER             | ...  |             |
| ADDRESS              | ...  |             |
| PHONE                | ...  |             |
| EMAIL                | ...  |             |
| REVISIONS            |      |             |
| NO.                  | DATE | DESCRIPTION |
| 1                    | ...  | ...         |
| 2                    | ...  | ...         |

Our ref: GEN/10402

15 July 2011

I.J. Hart Esq  
Hart & Long  
c/o John Newton Associates  
Mortimers  
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Monks Eleigh  
Ipswich  
IP7 7BA

Epping Forest District Council  
Civic Offices  
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Epping  
CM16 4BZ

FAO Stephan Solon (ref EPF/1008/11)



Dear Sirs

**Proposed Development Millrite Site, 151/153 London Road, Stanford Rivers, CM5 9QF  
Planning Application, reference EPF/1008/11**

This letter is supplemental to my report of 12 July. In that, I was critical of the agreed purchase price of £900,000. I adopted a reduced price of £825,000, thinking it unlikely a figure lower than that could be negotiated. I warned Mr Hart of this after I had finalised my report. He rung me the next day, to say he had woken up at 4am and told his wife I was right and he must speak to the vendor, which he did, re-negotiating the price to £800,000. He asked me to reconsider my appraisals, because he thought this might trigger some affordable housing contribution. I would like to record that I think this was very fair, as he could have awaited the Council's response to my initial report and then negotiated with the vendor.

As requested, I have run three further appraisals, based off a price for the site of £800,000. The first includes a contribution of £100,000, the second no contribution, and the third the amount I consider appropriate as a fair contribution. I set out a summary below of the two appraisals attached to my report of 12/07/11 and the three attached to this letter.

|                             | Appraisal<br>With  | Appraisal<br>Without | £900,000<br>With  | £800,000<br>Without | £800,000<br>Fair  |
|-----------------------------|--------------------|----------------------|-------------------|---------------------|-------------------|
| Gross Development Value     | £ 2,365,000        | £2,365,000           | £2,365,000        | £2,365,000          | £2,365,000        |
| Less:                       |                    |                      |                   |                     |                   |
| site                        | £ 825,000          | £ 825,000            | £ 800,000         | £ 800,000           | £ 800,000         |
| acquisition costs           | £ 49,500           | £ 49,500             | £ 48,000          | £ 48,000            | £ 48,000          |
| development costs           | £ 1,043,771        | £ 1,043,771          | £ 1,043,771       | £ 1,043,771         | £ 1,043,771       |
| finance                     | £ 75,783           | £ 75,783             | £ 74,183          | £ 74,193            | £ 74,193          |
| sale costs                  | £ 47,300           | £ 47,300             | £ 47,300          | £ 47,300            | £ 47,300          |
| affordable contribution     | £ 100,000          | £ -                  | £ 100,000         | £ -                 | £ 28,000          |
| profit/loss                 | £ 223,646          | £ 323,646            | £ 251,736         | £ 301,730           | £ 323,736         |
| <b>TOTAL</b>                | <b>£ 2,365,000</b> | <b>£2,365,000</b>    | <b>£2,365,000</b> | <b>£2,365,000</b>   | <b>£2,365,000</b> |
| Profit % (exc contribution) | 11.0%              | 15.9%                | 12.5%             | 17.5%               | 16.1%             |
| Profit % (inc contribution) | 10.4%              | 15.9%                | 11.9%             | 17.5%               | 15.9%             |

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The registered office address is 113 New London Road, Chelmsford, Essex, CM2 9QT

Millrite Site, Stanford Rivers, CM5 9QE



The Gross Development Value is the same in each. The price of the site (highlighted yellow) is lower in the "new" appraisals. Highlighted green, I have shown the affordable contribution at £100,000 in the first and third, and at nil in the second and fourth.

In the final one, I have stated a figure I consider fair for the contribution. I have endeavoured to keep the profit the same as resulted in the second of the earlier appraisals, both in monetary and percentage terms (as in the two red edged boxes). This indicates a contribution of £28,000.

At risk of straying beyond my instructions, it seems to me there are four houses proposed, but one existing dwelling lost. So, I think the contribution should be reduced by a quarter to £21,000.

I am away on holiday from tonight, but hope you find this satisfactory. Should you wish to discuss it, my colleague Stephen Millar may be able to assist. I know this is set to go to committee while I am away.

Yours faithfully

A handwritten signature in blue ink, appearing to read "G.E. Nicholls".

**GE NICHOLLS FRICS FAAV**  
**KEMSLEY LLP**

| APPRAISAL   |  | WITH AFFORDABLE<br>SITE £800,000 |                   |
|---|--|----------------------------------|-------------------|
| <b>Subject:</b> Land Rear of 103 High Street, Ongar |  |                                  |                   |
| <b>Date:</b> 14 July 2011                           |  |                                  |                   |
| <b>CAPITAL VALUE</b>                                |  | m <sup>2</sup>                   | sq ft             |
| Plot 1  | 3 bed chalet with integral double garage | 174.9                            | 1883              |
| Plot 2  | 3 bed chalet with integral double garage | 193.6                            | 2084              |
| Plot 3  | 3 bed chalet with integral double garage | 181.4                            | 2093              |
| Plot 4  | 3 bed chalet with integral double garage | 102.2                            | 2089              |
| <b>Gross Development Value</b>                      |  |                                  | <b>£2,365,000</b> |
| <b>Less</b>   |  |                                  |                   |
| Site  |  | <b>Costs</b>                     |                   |
| Purchase costs                                      |  | £ 800,000                        |                   |
|   | agents at 1.5 %                          | £ 12,000                         |                   |
|   | legal fees 0.5 %                         | £ 4,000                          |                   |
|   | stamp duty 4 %                           | £ 32,000                         |                   |
| Development costs                                   |  |                                  |                   |
|   | floor area 755.1 m <sup>2</sup>          |                                  |                   |
|   | at £/m <sup>2</sup> 1100                 | £ 830,610                        |                   |
|   | garages 110.5                            | £ 71,825                         |                   |
|   | contamination/external                   | £ 35,365                         |                   |
|   | contingency 5.0 %                        | £ 48,890                         |                   |
|   | fees at 6.0 %                            | £ 59,081                         |                   |
| Finance   |  |                                  |                   |
|   | at 6.0 %                                 |                                  |                   |
|   | site 12 months                           | £ 50,880                         |                   |
|   | building 9 months                        | £ 23,313                         |                   |
| Sales   |  |                                  |                   |
|   | agents at 1.5 %                          | £ 35,475                         |                   |
|   | legal at 0.5 %                           | £ 11,925                         |                   |
|   | Affordable contribution                  | £ 100,000                        |                   |
| <b>PROFIT/LOSS</b>                                  |  | <b>£ 251,736</b>                 |                   |
|   |  | <b>£2,365,000</b>                |                   |
| <b>Summary</b>                                      |  |                                  |                   |
| Gross Development Value                             |  | £2,365,000                       |                   |
| Less:   |  |                                  |                   |
|   | site                                     | £ 800,000                        |                   |
|   | acquisition costs                        | £ 48,000                         |                   |
|   | development costs                        | £ 1,013,771                      |                   |
|   | finance                                  | £ 74,193                         |                   |
|   | sale costs                               | £ 47,300                         |                   |
|   | affordable contribution                  | £ 100,000                        |                   |
|   | profit/loss                              | £ 251,736                        |                   |
|   |  | <b>£2,365,000</b>                |                   |



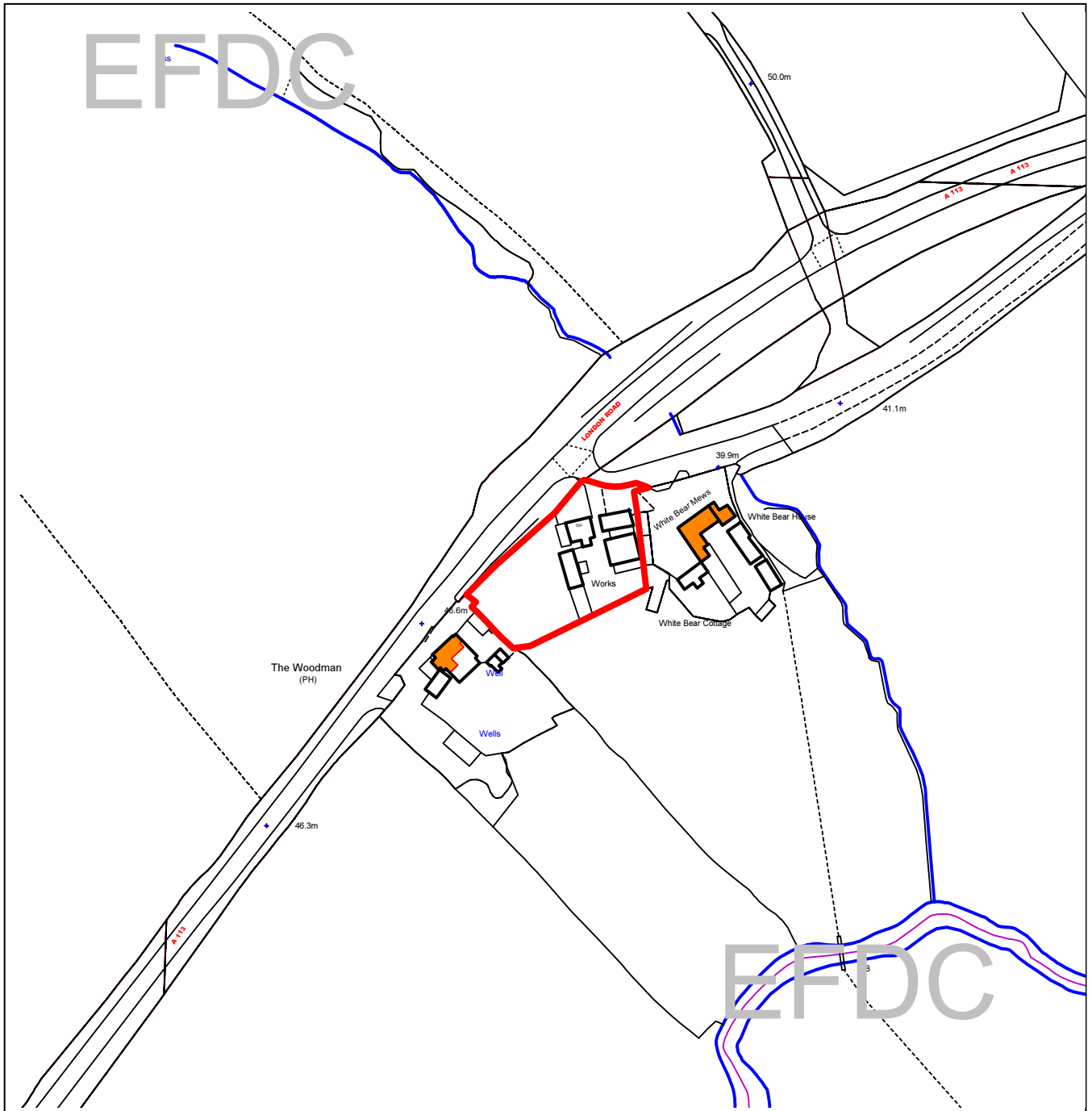
| APPRAISAL                      |  | WITHOUT AFFORDABLE |                    |
|--------------------------------|--|--------------------|--------------------|
|                                |  | SITE £800,000      |                    |
| <b>Subject:</b>                | Land Rear of 103 High Street, Ongar      |                    |                    |
| <b>Date:</b>                   | 14 July 2011                             |                    |                    |
| <b>CAPITAL VALUE</b>           |  | m <sup>2</sup>     | sq ft              |
| Plot 1                         | 3 bed chalet with integral double garage | 174.9              | 1883               |
| Plot 2                         | 3 bed chalet with integral double garage | 193.6              | 2084               |
| Plot 3                         | 3 bed chalet with integral double garage | 184.4              | 2093               |
| Plot 4                         | 3 bed chalet with integral double garage | 167.2              | 2068               |
| <b>Gross Development Value</b> |  |                    | <b>£ 2,365,000</b> |
| <b>Less</b>                    |  |                    |                    |
| <b>Site</b>                    |  |                    | <b>£ 800,000</b>   |
| <b>Purchase costs</b>          |  |                    |                    |
| agents at                      | 1.5 %                                    | £                  | 12,000             |
| legal fees                     | 0.8 %                                    | £                  | 4,000              |
| stamp duty                     | 4 %                                      | £                  | 32,000             |
| <b>Development costs</b>       |  |                    |                    |
| floor area                     | 755.1 m <sup>2</sup>                     |                    |                    |
| at £/m <sup>2</sup>            | 1100                                     | £                  | 830,610            |
| garages                        | 110.5                                    | £                  | 71,025             |
| contamination/external         |  | £                  | 35,365             |
| contingency                    | 5.0 %                                    | £                  | 46,800             |
| fees at                        | 6.0 %                                    | £                  | 59,081             |
| <b>Finance</b>                 |  |                    |                    |
| at                             | 6.0 %                                    |                    |                    |
| site                           | 12 months                                | £                  | 50,880             |
| building                       | 9 months                                 | £                  | 29,313             |
| <b>Sales</b>                   |  |                    |                    |
| agents at                      | 1.5 %                                    | £                  | 35,475             |
| legal at %                     | 0.8 %                                    | £                  | 11,825             |
| <b>Affordable contribution</b> |  |                    |                    |
| <b>PROFIT/LOSS</b>             | 17.5 %                                   | £                  | 351,736            |
|                                |  |                    | <b>£ 2,365,000</b> |
| <b>Summary</b>                 |  |                    |                    |
|                                | Gross Development Value                  |                    | £ 2,365,000        |
| <b>Less:</b>                   |  |                    |                    |
|                                | site                                     | £                  | 800,000            |
|                                | acquisition costs                        | £                  | 48,000             |
|                                | development costs                        | £                  | 1,043,771          |
|                                | finance                                  | £                  | 74,193             |
|                                | sale costs                               | £                  | 47,300             |
|                                | affordable contribution                  | £                  | -                  |
|                                | profit/loss                              | £                  | 351,736            |
|                                |  |                    | <b>£ 2,365,000</b> |

| APPRAISAL   |  |                      |                | FAIR AMOUNT   |                    |
|---|--|----------------------|----------------|---------------|--------------------|
|   |  |                      |                | SITE £800,000 |                    |
| <b>Subject:</b> Land Rear of 103 High Street, Ongar |  |                      |                |               |                    |
| <b>Date:</b> 14 July 2011                           |  |                      |                |               |                    |
| CAPITAL VALUE                                       |  |                      | m <sup>2</sup> | sq ft         | total              |
| Plot 1  | 3 bed chalet with integral double garage |                      | 174.9          | 1883          | £ 575,000          |
| Plot 2  | 3 bed chalet with integral double garage |                      | 193.6          | 2094          | £ 595,000          |
| Plot 3  | 3 bed chalet with integral double garage |                      | 194.4          | 2093          | £ 595,000          |
| Plot 4  | 3 bed chalet with integral double garage |                      | 192.2          | 2069          | £ 600,000          |
| <b>Gross Development Value</b>                      |  |                      |                |               | <b>£2,365,000</b>  |
| <b>Less</b>   |  |                      |                |               |                    |
|   |  |                      | <b>Costs</b>   |               |                    |
| <b>Site</b>   |  |                      | £ 600,000      |               |                    |
| <b>Purchase costs</b>                               |  |                      |                |               |                    |
|   | agents at                                | 1.5 %                | £ 12,000       |               |                    |
|   | legal fees                               | 0.5 %                | £ 4,000        |               |                    |
|   | stamp duty                               | 4 %                  | £ 32,000       |               |                    |
| <b>Development costs</b>                            |  |                      |                |               |                    |
|   | floor area                               | 755.1 m <sup>2</sup> |                |               |                    |
|   | at £/m <sup>2</sup>                      | 1100                 | £ 830,610      |               |                    |
|   | garages                                  | 110.5                | £ 71,825       |               |                    |
|   | contamination/external                   |                      | £ 35,365       |               |                    |
|   | contingency                              | 5.0 %                | £ 40,890       |               |                    |
|   | fees at                                  | 6.0 %                | £ 50,081       |               |                    |
| <b>Finance</b>                                      |  |                      |                |               |                    |
|   | at                                       | 6.0 %                |                |               |                    |
|   | site                                     | 12 months            | £ 50,880       |               |                    |
|   | building                                 | 9 months             | £ 23,313       |               |                    |
| <b>Sales</b>  |  |                      |                |               |                    |
|   | agents at                                | 1.5 %                | £ 35,475       |               |                    |
|   | legal at %                               | 0.5 %                | £ 11,825       |               |                    |
| <b>Affordable contribution</b>                      |  |                      | £ 28,000       |               |                    |
| <b>PROFIT/LOSS</b>                                  |  |                      | £ 323,736      |               |                    |
|   |  |                      |                |               | <b>£ 2,365,000</b> |
| <b>Summary</b>                                      |  |                      |                |               |                    |
| <b>Gross Development Value</b>                      |  |                      | £ 2,365,000    |               |                    |
| <b>Less:</b>  |  |                      |                |               |                    |
|   | site                                     |                      | £ 600,000      |               |                    |
|   | acquisition costs                        |                      | £ 48,000       |               |                    |
|   | development costs                        |                      | £ 1,013,771    |               |                    |
|   | finance                                  |                      | £ 74,193       |               |                    |
|   | sale costs                               |                      | £ 47,300       |               |                    |
|   | affordable contribution                  |                      | £ 28,000       |               |                    |
|   | profit/loss                              |                      | £ 323,736      |               |                    |
|   |  |                      |                |               | <b>£ 2,365,000</b> |



# Epping Forest District Council

## Area Planning Sub-Committee East



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|                            |  |
|----------------------------|--|
| <b>Agenda Item Number:</b> | <b>3</b>   |
| Application Number:        | EPF/1008/11  |
| Site Name:                 | Millrite Engineering, 151 - 153<br>London Road, Stanford Rivers, CM5 |
| Scale of Plot:             | 1/2500   |

**Report Item No: 4**

|                                 |   |
|---------------------------------|---|
| <b>APPLICATION No:</b>          | EPF/1136/11   |
| <b>SITE ADDRESS:</b>            | 4 Vicarage Lane<br>North Weald Bassett<br>Epping<br>Essex<br>CM16 6ET |
| <b>PARISH:</b>                  | North Weald Bassett   |
| <b>WARD:</b>                    | North Weald Bassett   |
| <b>APPLICANT:</b>               | Mr Brett Singh  |
| <b>DESCRIPTION OF PROPOSAL:</b> | Single storey rear and side extensions and loft conversion.           |
| <b>RECOMMENDED DECISION:</b>    | 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=528551](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=528551)

**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 window openings in both the side facing dormer windows 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.
- 4 The flat roof of the entire rear and side single-storey additions to the house shall not be used as a balcony and no furniture, including tables and chairs shall be placed on the roof.

This application was deferred by Members at the Committee heard on the 17<sup>th</sup> August 2011 for Members to carry out a site visit.

*This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section CL56, Schedule A (g) of the Council's Delegated Functions).*



### **Description of Proposal:**

Single storey rear and side extensions and loft conversion. The side extension measures 2.5m extending to the side boundary, with the rear extension 2m deep creating an 'L' shaped extension around the existing rear flat roofed extension. The loft conversion incorporates a hip to gable extension at the rear along with two flat roof side facing dormers and a pitched roof dormer to the front elevation.

### **Description of Site:**

4 Vicarage Lane is a detached bungalow within a row of similarly designed bungalows within a small built up area on the edge of North Weald. The property is not within the Green Belt or a Conservation Area.

### **Relevant History:**

EPF/0844/86 – Extension – Approved with conditions

### **Policies Applied:**

#### Epping Forest District Local Plan and Alterations

CP2 – Protecting the Quality of the Rural and Built Environment

DBE9 – Loss of amenity

DBE10 – Residential extensions

### **Summary of Representations:**

NORTH WEALD PARISH COUNCIL – The Parish Council Objects to this application on the following grounds: Visual impact on the neighbouring property, dormer window overlooking on to the neighbouring property, the property is being built on to the boundary line, overdevelopment.

#### NEIGHBOURS

4 neighbours were consulted and the following response was received:

3 VICARAGE LANE – Objection – side dormer on privacy grounds, close proximity of the side extension and loss of light and visual impact, concerns over future maintenance issues.

### **Issues and Considerations:**

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

- Design Issues
- Impact on Neighbouring Amenity

#### Design

The proposal is generally acceptable and although there is a large area of flat roof for the single storey side/rear extension, as this is to the rear it is acceptable as it is would not be visible from the street. The visible part of the side extension has a false pitched roof and this would appear appropriate within the streetscene. Although built up to the side boundary, since it would be single-storey and set back well beyond the front elevation the existing visual gap between the flank of the house and boundary with the adjacent property would be maintained. This arrangement is considered acceptable.

The front dormer is similar to the dormer approved and currently being built at No. 8 Vicarage Lane and is considered acceptable and well placed within the existing roof slope.

The side dormers, although visible from the street are to be placed low enough within the roof slope to avoid a bulky, top heavy appearance. Members are advised the side dormers and rear hip to gable element could be completed as permitted development and therefore planning permission is not required for this part of the proposal.

Having regard to the sympathetic relationship of the proposal as a whole to the design of the existing house, it would complement the appearance of the house and therefore have an acceptable appearance. It would comply with planning policy relating to design and, contrary to the assessment of the Parish Council, would not appear as an overdevelopment of the site.

### Amenity

The proposal is generally acceptable in terms of impact on neighbouring amenity. The side dormers are shown to have obscure glass and this can be conditioned to ensure that this is implemented with fixed frames up to a height of 1.7m. This would minimise any perception of loss of privacy to neighbouring properties.

Although the single-storey addition would extend to the boundary, it would not result in such a significant loss of light to the neighbouring property at No. 3 to justify a refusal.

As a whole, the proposal would not cause excessive harm to the amenities of either neighbouring property and therefore complies with planning policy relating to that matter.

### **Conclusion:**

Since the proposal is considered acceptable and to comply with relevant planning policies, approval is 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:***

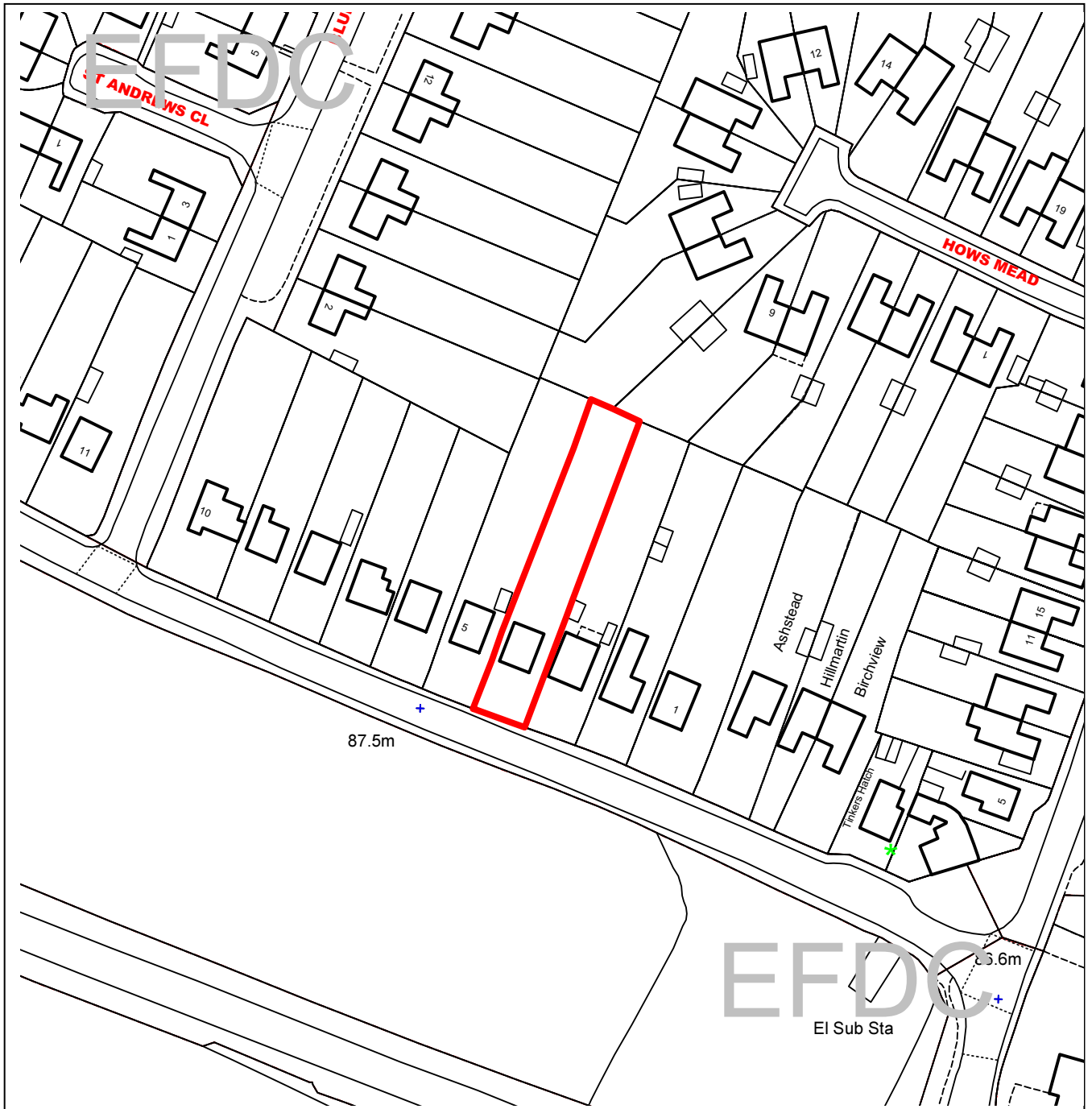
***Planning Application Case Officer: Marie-Claire Tovey  
Direct Line Telephone Number: 01992 564371***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Area Planning Sub-Committee East



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|                            |  |
|----------------------------|--|
| <b>Agenda Item Number:</b> | <b>4</b>   |
| Application Number:        | EPF/1136/11                                      |
| Site Name:                 | 4 Vicarage Lane, North Weald Bassett<br>CM16 6ET |
| Scale of Plot:             | 1/1250   |

**Report Item No: 5**

|                                 |   |
|---------------------------------|---|
| <b>APPLICATION No:</b>          | EPF/1159/11   |
| <b>SITE ADDRESS:</b>            | Marden Ash House<br>Stanford Rivers Road<br>Ongar<br>Essex<br>CM5 9BT                       |
| <b>PARISH:</b>                  | Ongar   |
| <b>WARD:</b>                    | Chipping Ongar, Greensted and Marden Ash  |
| <b>APPLICANT:</b>               | Mr Stephen Lawley   |
| <b>DESCRIPTION OF PROPOSAL:</b> | Extension of existing drop kerb/crossover providing a no-dig driveway to existing car park. |
| <b>RECOMMENDED DECISION:</b>    | 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=528659](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=528659)

**REASON FOR REFUSAL**

- 1 The proposal would lead to the creation of a substandard access on a stretch of Secondary Distributor highway where the principal function is that of carrying traffic freely and safely between centres of population. The slowing and turning of vehicles associated with the use of the access would lead to conflict and interference with the passage of through vehicles to the detriment of that principal function and introduce a further point of possible traffic conflict to the detriment of highway safety, contrary to policy ST4 of the Adopted Local Plan and Alterations.
- 2 The applicant does not appear to control sufficient land to provide the required vehicular visibility splays of 215m x 2.4m x 215m. Furthermore, the creation of such visibility splays would result in harm to protected trees and to the rural character of the Metropolitan Green Belt, contrary to Policies LL10 and GB2A of the adopted Local Plan and Alterations. The lack of visibility would also result in an unacceptable degree of hazard to all road users to the detriment of highway safety, contrary to Policy ST4 of the Adopted Local Plan and Alterations.
- 3 The proposed crossover would provide access to the site for tall vehicles (e.g. large vans, lorries etc.) adjacent to preserved trees. The use of the access by such vehicles would cause harm to overhanging tree branches and could, therefore, be potentially detrimental to the health of the protected trees adjacent to the proposed driveway, contrary to policy LL10 of the Adopted Local Plan and Alterations.

*This application is before this Committee since it has been 'called in' by Councillor Jacobs (Pursuant to Section CL56, Schedule A (h) of the Council's Delegated Functions).*

### **Description of Proposal:**

This application seeks planning permission for an extension to an existing vehicular access to provide vehicular access into Marden Ash House across land which falls within the ownership of the applicants. This application is submitted as a result of difficulties using the existing driveway due to a land ownership dispute. The access point would be located to the front of Marden Ash House, on the Stanford Rivers Road (A113). A recessed gateway is proposed on a new driveway, created within the site.

### **Description of Site:**

The application site comprises a detached, Grade II listed dwelling, set on a large plot with gardens located to the front and to both sides and a small courtyard located to the rear. Presently, vehicular access is provided from Stanford Rivers Road across land adjacent to the site within separate ownership. The area to the front of the dwelling is protected by a group TPO and the whole site lies within the Metropolitan Green Belt.

The Stanford Rivers Road (A113) adjacent to the application site is subject to a national speed limit (60mph). Beyond the site, this speed limit reduces to 30mph.

### **Relevant History:**

None relevant – in the 1960's, 1970's and 1980's planning applications were submitted and refused for outline planning permission for residential development.

### **Policies Applied:**

#### Local Plan

CP2 - Protecting the Quality of the Rural and Built Environment  
DBE 1 – Design  
GB2A – Development in the Green Belt  
ST4 – Road Safety  
LL10 – Adequacy of Provision for Retention

### **Summary of Representations:**

Notification of this application was sent to Ongar Town Council and to 7 neighbouring properties. A site notice was also displayed.

The following representations have been received to date:

ONGAR TOWN COUNCIL: No Objection (subject to...) Ongar Town Council does not object to this application subject to approval of the Highways Officer at Essex County Council.

N.B. ECC Highways has raised an objection to the proposal.

1 MARDEN ASH MEWS: Comment: We have no objection to the proposal, unless the creation of a separate driveway to the Marden Ash House car park is a stepping stone to provide separate access to the land behind Marden Ash House and the building upon that land. We use the footpath to regularly walk into Ongar with our baby's pram - concerned over the proposed length of the drop kerb. From the submitted plans, the drop kerb seems to extend for quite a distance between the proposed and existing driveways which will give a long distance where vehicles can cross the pavement. Question if a kerb should be in situ in the gap between the two driveways, so minimising the 'exposed' distance.

## **Issues and Considerations:**

The main issues to be considered are the impacts of the proposed development on:

- highway safety;
- protected trees;
- the setting of the listed building;
- neighbouring amenity; and
- the green belt.

### Highway Safety

Consultation has taken place with Officers from County Highways, who have visited the application site. They have advised, as proposed by the occupiers of 1 Marden Ash Mews, that if the development did proceed, the new crossover should be formed independently and not as an extension of the existing crossover, as depicted on the submitted plans. If the Council was minded to grant planning permission, such an alteration could be secured by the use of a planning condition.

However, notwithstanding this, Officers from County Highways have raised objection to the proposal on the following grounds:

1. The proposal would lead to the creation of a substandard access on a stretch of Secondary Distributor highway where the principal function is that of carrying traffic freely and safely between centres of population. The slowing and turning of vehicles associated with the use of the access would lead to conflict and interference with the passage of through vehicles to the detriment of that principal function and introduce a further point of possible traffic conflict to the detriment of highway safety.
2. As far as can be determined the applicant does not appear to control sufficient land to provide the required vehicular visibility splays of 215m x 2.4m x 215m. The lack of such visibility would result in an unacceptable degree of hazard to all road users to the detriment of highway safety.

In relation to the first point, Planning Officers note that there is no intensification of vehicle movements proposed through this application and therefore, the movements described exist presently, albeit slightly further along the road, utilising the existing access point. However, the proposed development would give rise to the possibility of both access points being used at the same time. Furthermore, due to the rural setting of the site and the protected trees along the frontage it would not be possible to improve the visibility, without causing serious harm to visual amenity. It is, therefore, the balanced opinion of Planning Officers that the proposed development would be detrimental to highway safety, for reasons set out by County Highways Officers.

### Protected Trees

The Council's Arboriculturist has been consulted on the application and has provided comments, as detailed below:

This application requires very detailed consideration of the proposal's impact on trees. A 'Tree Constraints Plan' and 'Arboricultural Implications Assessment' has been submitted and attempts to mitigate for gross incursions into root zones. Whilst it is physically possible to achieve this proposal, it does place extreme pressure on one good Lime in particular; T3. The level change from the inner edge of the footpath into the site favours a no dig construction, but such a design will require great control. Additionally, to link to the highway crossover a much deeper dig will be

required under the footpath and this may be harmful to the root systems of several of the group of trees.

It is stated that only cars will use this access but nothing would be in place to physically prevent a high sided vehicle from trying to access the property from this new narrow and considerably lower driveway. Some form of height restriction must be imposed to protect the crowns of the overhanging trees.

The gate itself will have an impact on T3, Lime in the founding of the piers to support it. This must be considered and mitigated by locating the gate as far from T3 as possible.

In general the scheme appears unlikely to fulfil these requirements but there are potential means of achieving it, if desired by the Applicant. Accordingly, it is the view of the Council's Arboriculturist that the necessary controls may allow for a lightweight, low impact and possibly temporary drive to be constructed and threaded by these important landscape features.

Whilst it is possible to ensure that serious harm to important trees is avoided by the imposition of planning conditions, the proposal for a physical height restriction would require a structure which may, in itself, be inappropriate within the setting of the listed building. Accordingly, the imposition of this condition would require careful consideration. If a height restriction were considered acceptable in principle, then further details would need to be sought for approval.

#### Setting of the Listed Building

It is not considered that the principle of the development proposed would cause any material harm to the setting of the listed building. Notwithstanding this, the Historic Buildings Advisor at Essex County Council has commented that it would not be appropriate to replicate the existing gate, as proposed, as a simpler, more subservient entrance would be more appropriate. If planning permission is granted, a condition may be imposed to require an alternate, more appropriate, design.

#### Neighbouring Amenity

The proposed development would not harm the amenities enjoyed by the occupiers of neighbouring dwellings.

#### Green Belt

Subject to a suitable design for the gate and the general retention of the landscaping along the site frontage, which makes a positive contribution to the rural character of the site, it is not considered that the proposal would be detrimental to the wider Green Belt. However, if the visibility spays required to satisfy the Highway Authority were enforced then in addition to affecting protected trees this would also be likely to have an adverse impact on the character and visual amenities of this part of the Metropolitan Green Belt.

#### **Conclusion:**

In light of the above appraisal, it is considered on balance that the proposed development would cause material harm to highway safety. Some concerns raised in respect of the impact of the proposal on trees and the suitability of the gate design may be mitigated by the use of planning conditions. However, the proposal for a height restriction, due to the proximity of the site in relation to the listed building, would require careful consideration. If an acceptable design does not exist, then it would be unreasonable to impose a planning condition, as it would be contrary to the tests set out in Circular 11/95. It is, therefore considered that if the Council was minded to grant planning permission then this information should be sought prior to a decision being taken.

In the absence of such information, if the Council decides to refuse planning permission then this matter should be referred to as a reason. It is recommended that planning permission be refused, for the reasons discussed.

***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: Mrs Katie Smith  
Direct Line Telephone Number: (01992) 564109***

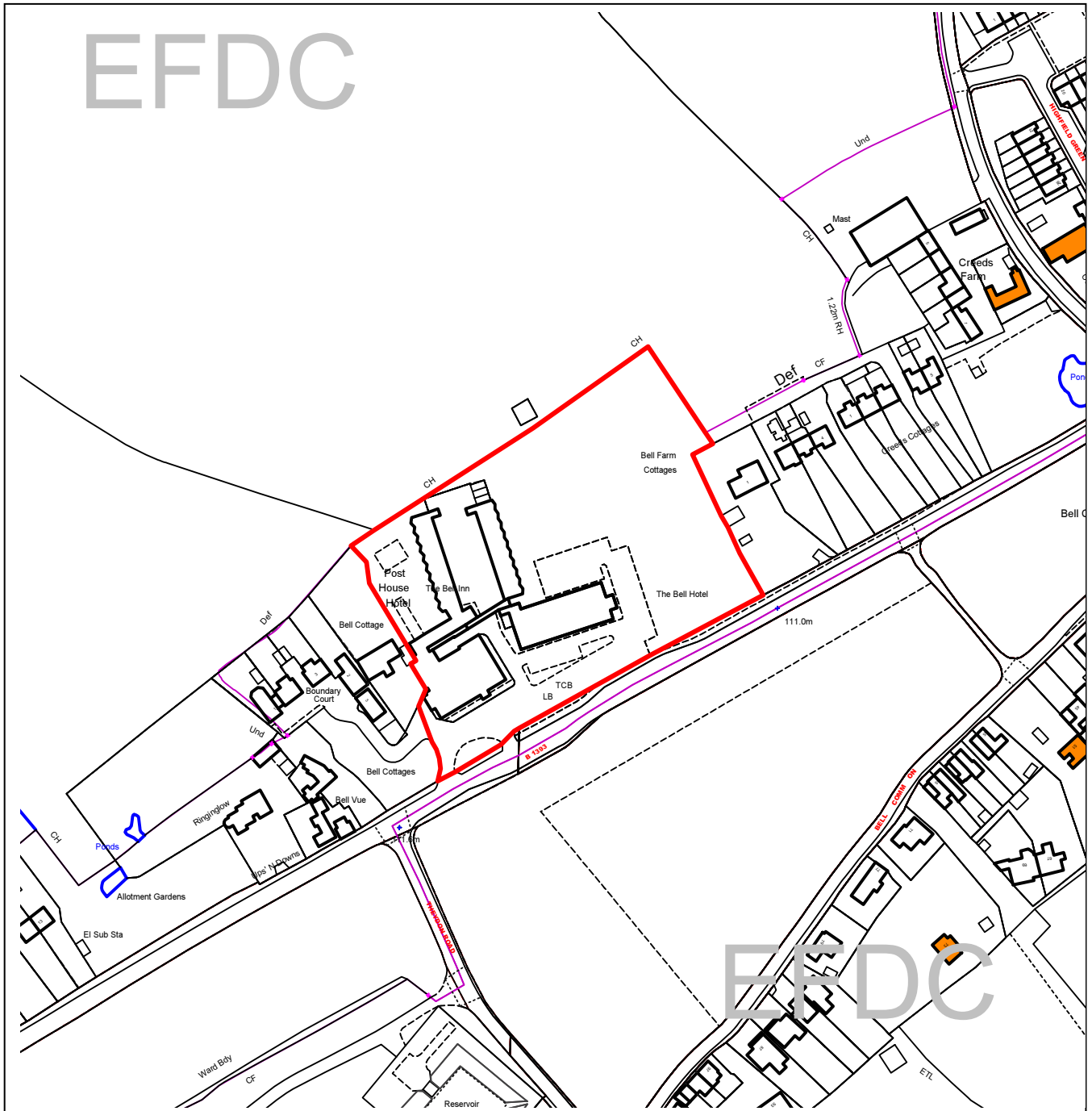
***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***





# Epping Forest District Council

## Area Planning Sub-Committee East



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|                            |   |
|----------------------------|---|
| <b>Agenda Item Number:</b> | <b>5</b>  |
| Application Number:        | EPF/1244/11   |
| Site Name:                 | Quality Hotel (The Bell Hotel), High Road, Epping, CM16 4DG |
| Scale of Plot:             | 1/2500  |

**Report Item No: 6**

|                                 |   |
|---------------------------------|---|
| <b>APPLICATION No:</b>          | EPF/1244/11   |
| <b>SITE ADDRESS:</b>            | Quality Hotel (The Bell Hotel)<br>High Road<br>Epping<br>Essex<br>CM16 4DG  |
| <b>PARISH:</b>                  | Epping  |
| <b>WARD:</b>                    | Broadley Common, Epping Upland and Nazeing<br><br>Epping Lindsey and Thornwood Common   |
| <b>APPLICANT:</b>               | Mr Hassan Somani  |
| <b>DESCRIPTION OF PROPOSAL:</b> | Partial demolition of Bell Inn and erection of extension and care home. Reserved matters (access, appearance, landscaping, and layout) following approval of outline application EPF/0279/08. |
| <b>RECOMMENDED DECISION:</b>    | 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=528965](http://planpub.eppingforestdc.gov.uk/Anitelm.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=528965)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 20834 P 010 Rev: A, 20834 P 012, 20834 P 013, 20834 P 014, 20834 P 019, 1895 05 Rev: A, 1895 06 Rev: A, 1895 07 Rev: A, 1895 08 Rev: A, 1895 10/A

*This application is before this Committee since it is an application for development of a significant scale and is recommended for approval (Pursuant to Section CL56, Schedule A (c) of the Council's Delegated Functions) and since the recommendation differs from the views of the local council (Pursuant to Section CL56, Schedule A (g) of the Council's Delegated Functions).*

**Description of Proposal:**

Reserved matters application for the partial demolition of the current hotel and to construct a new building that is to comprise a residential care home and a new hotel extension to the original building. The previous outline planning permission assessed the principle, scale and siting of the proposed development, and therefore this reserved matters application simply deals with access, appearance, landscaping and layout.

It is proposed to remove the two wings behind the original building to the north and replace them with a three storey 'L' shape building that is to comprise a care home of 70 single bedrooms with associated living accommodation such as communal lounges and dining areas. The building footprint of the development will be approximately 41m by 39m and the care home would reach a maximum height of 10.5m.

It is also proposed to construct a new extension between the original building and the wing to the north that is to remain. The extension is to provide a link from the original building to the hotel wing and will comprise a new reception area, lobby, offices and W/C's. It is intended to provide up to 50 guest rooms within the remaining hotel wing.

The proposed development is to include associated vehicle parking and landscaping for both the care home and the hotel. A total of 64 vehicle spaces will be provided for the hotel, plus 6 spaces for staff and 16 spaces for the care home.

### **Description of Site:**

The subject site is situated on the northern side of the High Road approximately 20m east of Theydon Road and is just on the outskirts of Epping. The site itself is relatively level and comprises approximately 1.5 hectares. Mature vegetation is located on the side and rear boundary and is also scattered throughout the site, particularly the eastern portion of the site.

Currently located on the site there are large double storey buildings that are used as guest rooms and associated facilities for the Quality Hotel. Vehicle parking for guests and staff are located towards the front of the site and behind the original building in between two of the hotel wings. There are two existing crossovers located on the High Road that provide vehicle access to and from the site.

The oldest section of the hotel, known as the 'Old Bell Hotel', is located in the south western corner of the site and was once used as a Coaching Inn in the 16<sup>th</sup> century. This section is the original building on the site and today it consists of a reception area, bar, restaurant, and a conference area for the current hotel, which is known as the Quality Hotel. Three distinct double storey wings are located to the north and north-east of the original building which were constructed in the 1960s and 1980s to be used as hotel rooms. In total there are 80 hotel rooms within the three wings.

The subject site and the surrounding area are located within the Metropolitan Green Belt and the Bell Common Conservation Area. Located directly west of the site is a private residence known as Bell Cottage, which is a double storey detached dwelling. Further west, within Boundary Close, are 5 small detached and semi detached double storey dwellings. Located directly east of the subject site is a private residence known as Bell Farm Cottage, which is also a double storey detached dwelling. Open fields that are used for agricultural purposes are located to the north of the site and the open space of Bell Common is located on the opposite side of the High Road.

### **Relevant History:**

There have been a number of planning applications and conservation area consent applications submitted dating back to the late 1950's. However the most relevant and recent applications relating to the proposed scheme are as follows:

EPF/0988/98 - Partial demolition and redevelopment of existing bedroom blocks and ancillary accommodation and site works – refused 26/05/99

EPF/0989/98 - Conservation area consent application for the partial demolition of hotel complex – approved 26/05/99

EPF/1400/99 - Amended application for the erection of extensions including replacement bedroom block – approved/conditions 08/12/99  
EPF/0988/04 - Renewal of planning consent EPF/1400/99 for the erection of extensions including replacement bedroom block – approved/conditions 05/07/04  
EPF/0989/04 - Renewal of planning permission CAC/EPF/989/98 for the partial demolition of hotel complex – approved 05/07/04  
EPF/2360/06 - Outline application for the partial demolition of The Bell Inn and erection of new bedroom wing and Care Home – refused 09/02/07  
EPF/2361/06 - Conservation Area Consent for the partial demolition of The Bell Inn – refused 09/02/07  
EPF/0279/08 - Outline application for the partial demolition of The Bell Inn and erection of new extension and Care Home – approved/conditions 19/06/08  
EPF/0120/11 - Extension of time limit on EPF/0279/08 (Outline application for the partial demolition of The Bell Inn and erection of new extension and Care Home) – withdrawn 20/04/11  
EPF/1084/11 - Extension of time limit on EPF/0279/08 (Outline application for the partial demolition of The Bell Inn and erection of new extension and Care Home) – Currently under consideration

**Policies Applied:**

CP2 - Protecting the quality of the rural and built environment  
CP3 - New development  
CP9 - Sustainable transport  
HC6 - Character, appearance and setting of conservation areas  
HC7 - Development within conservation areas  
HC9 - Demolition in conservation areas  
DBE1 - Design of new buildings  
DBE2 - Effect on adjoining properties  
DBE3 - Design in urban areas  
DBE6 - Car parking in new development  
DBE9 - Loss of amenity  
GB2A - Development in the Green Belt  
GB7A - Conspicuous development  
LL10 - Adequacy of provision for landscape retention  
LL11 - Landscaping schemes  
ST1 - Location of development  
ST2 - Accessibility of development  
ST4 - Road safety  
ST6 - Vehicle parking  
CF2 - Health care facilities

**Summary of Representations:**

24 neighbouring properties were consulted and a Site Notice displayed on 30/06/11

EPPING TOWN COUNCIL – Object to this application and consider the proposals an overdevelopment of the site. The care home section being disproportionately high and far too uninteresting to be of value in the conservation area. Request that the Council consider the need for greater interest, more articulation of the roof profile and frontage, and a reduction in the scale of the building.

CITY OF LONDON – No objection.

## **Issues and Considerations:**

The principle of development on this site, including the scale and siting of the buildings, was established when outline planning permission was granted in June 2008. Consequently matters of fundamental principle cannot be raised at this reserved matters stage, and similarly the Town Council's objection on the basis of 'overdevelopment' and request for a "reduction in scale" are not relevant in this instance. The main issues that arise with this application are considered to be the following:

- Means of access;
- The appearance of the development and impact on the Bell Common Conservation Area;
- Landscaping;
- General site layout.

As outline consent has been granted for the development it has previously been accepted that there are sufficient very special circumstances to permit this inappropriate development within the Green Belt and that the location of the site, in terms of sustainability, is acceptable.

### Access and parking:

The proposed development would use the existing access points from the High Road to serve both the hotel and new care home. As these are existing access points that serve a large hotel site the use for a care home to partially replace/in addition to the existing hotel would not be detrimental to highway safety or result in an unacceptable increase in traffic movements. The development proposes a total of 86 vehicle parking spaces, with these shown as 64 for the hotel, 6 for hotel staff and 16 for the proposed care home. Whilst 16 spaces for the care home is less than that required by the Essex County Council Vehicle Parking Standards (which requires 23), there is adequate parking for both the care home and hotel when taken as a whole. As such it is likely that users/visitors of the proposed care home would use the spaces allocated for the hotel building when required. As such, when considered as a whole site, the development would have sufficient off-street parking provision.

### Design and appearance:

The Bell Hotel is a prominent site in the Bell Common Conservation Area. The Bell Common Conservation Area Character Appraisal and Management Plan were produced in 2010 and identified the Bell Hotel site as a site with potential for new development. Within this document it is stated that:

*"There is one site with considerable potential for new development and that is the site of the Bell Hotel. The site is about 1.5 sq. hectares and consists of the Bell Hotel (early 16<sup>th</sup> century), a large 1960s block and a large 1980s block. This site could be improved with some new buildings in keeping with the character of the area. It would be beneficial to keep the 16<sup>th</sup> century part of the Bell Inn and if possible restore it to its former appearance by removing the front porch and the modern buildings behind it".*

Whilst the proposed application is similar to the indicative plans received at outline stage, these have been altered as a result of pre-application discussions between the Agent, the Planning Officer and the Council's Conservation Officer. The main changes are that the roof of the proposed care home has been broken up so that large sections of the building now have considerably lower ridge heights, as opposed to the original indicative plan that showed two large continuous roofs. This has added more visual interest to the building and has reduced the overall bulk and expanse of the roof. Furthermore, the design of the building is similar to the scale and size of the previous scheme that was approved in 2004.

The other material alteration relates to the provision of a pitched roof 'fascia' to conceal the existing flat panelled fascias over the windows of the front porch, with the pitch of roof matching the main building behind, using tiles obtained from existing buildings intended for demolition. This would help to conceal and regularise the existing and unsightly modern porch extension located on the 16<sup>th</sup> century building and would visually improve the appearance of the front of the building, which is an important and prominent building within the conservation area. Due to the visual improvements resulting from the removal of the existing unsightly rear additions, the erection of a more acceptable building, and the alterations to the front of the building, the proposed development is considered to enhance the character and appearance of the conservation area.

#### Landscaping:

There are two trees towards the front of the site that are covered by tree preservation orders. The proposed development would have no impact on these trees either during or after construction. The remaining existing landscaping can also be retained, and suitably augmented by new planting, and is already subject to landscaping conditions imposed on the outline consent. As these conditions would still stand there is no requirement for further landscaping conditions to be added to this reserved matters approval.

#### Site layout:

The location and footprint of the proposed development would match the indicative plans submitted with the outline consent, and would be similar to that approved in 2004. The car park would be predominantly located towards the side/rear of the buildings and therefore would not be visually prominent. The development would not result in a loss of amenities to surrounding residents. As such the layout of the proposed development is considered acceptable.

#### Other issues:

The outline planning consent contains conditions relating to tree protection, additional hard and soft landscaping, the submission of a Flood Risk Assessment, the need for external materials to be agreed, and regarding the provision/retention of car parking. Furthermore, there are already conditions imposed regarding hours of construction and the need for wheel washing facilities. As such these conditions do not need to be repeated on the reserved matters consent.

#### Conclusion:

In conclusion, it is considered that the proposal will result in a development in line with that approved at outline stage and which would improve the character and overall appearance of the area. The principle of this development within the Green Belt has been agreed and the proposal would not detrimentally impact on neighbouring amenities, highway safety or existing landscaping. As such the proposal is in accordance with national Guidance and the relevant policies in the Local Development Plan and the application is therefore recommended for approval.

***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:***

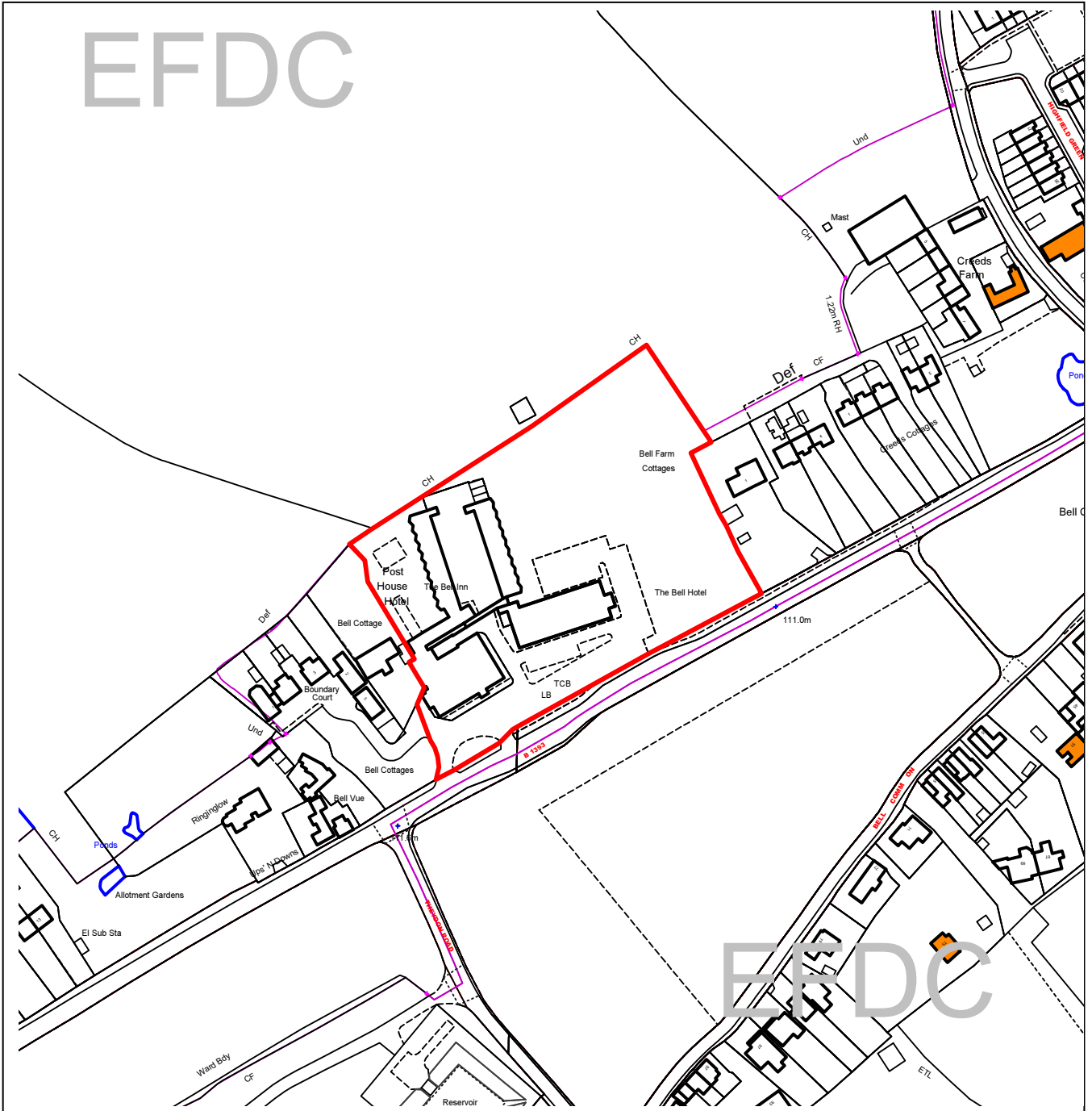
***Planning Application Case Officer: Graham Courtney  
Direct Line Telephone Number: 01992 564228***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Area Planning Sub-Committee East



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|                            |   |
|----------------------------|---|
| <b>Agenda Item Number:</b> | <b>6</b>  |
| Application Number:        | EPF/1244/11   |
| Site Name:                 | Quality Hotel (The Bell Hotel), High Road, Epping, CM16 4DG |
| Scale of Plot:             | 1/2500  |

**Report Item No: 7**

|                                 |  |
|---------------------------------|--|
| <b>APPLICATION No:</b>          | EPF/1251/11  |
| <b>SITE ADDRESS:</b>            | Chestnuts<br>The Green<br>Theydon Bois<br>Epping<br>Essex<br>CM16 7JH  |
| <b>PARISH:</b>                  | Theydon Bois   |
| <b>WARD:</b>                    | Theydon Bois   |
| <b>APPLICANT:</b>               | Mr & Mrs Wayne Reader  |
| <b>DESCRIPTION OF PROPOSAL:</b> | Ground floor side extension, new dormer over existing garage extensions and alterations to elevations. (Revised scheme to EPF/0424/11, incorporates lower roof to side extension.) |
| <b>RECOMMENDED DECISION:</b>    | 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=528991](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=528991)

**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 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.
- 4 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.

*This application is before this Committee since a) 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:**

Ground floor side extension, new dormer over existing garage extension, and alterations to elevations (Revised scheme to EPF/0424/11 incorporating lower roof to side extension). The extension would incorporate a kitchen and new porch.

**Description of Site:**

A bungalow located on the corner of Loughton Lane and The Green.

**Relevant History:**

EPF/0424/11 proposed a similar ground floor side extension to that now proposed but was refused because 1) its size, raised position above ground level, and large expanse of brickwork, would detract from the appearance of the property and street scene, and 2) in the absence of tree impact details the proposed extension would be likely to be detrimental to the health and vitality of a preserved horse chestnut tree located near to the front boundary of the site.

**Policies Applied:**

DBE9 – Loss of amenity.  
DBE10 – Residential extensions.  
LL10 – Adequacy of provision for landscape retention.

**Summary of Representations:**

THEYDON BOIS PARISH COUNCIL – Our reason for objecting to the original application EPF/0424/11 was as follows – “our objection arises given the excessive (some 7metres) width of the proposed ground floor side extension. The proposal does not respect the existing building line to Loughton Lane. We consider that given the excessive width the proposed development would have an overbearing impact upon this conspicuous corner immediately opposite the village green and which is therefore a sensitive and prominent location in the village street scene.” Save for the submission of an arboricultural impact assessment, and the addition of some windows in the proposed extension, we cannot see that any changes have been made since the original application. Upon a comparison of the measurements of the proposal as shown on the original plans with the revised plans submitted under this application the dimensions would appear to be identical. Hence we cannot see that our original objection has been addressed and therefore our original reason for objection still stands in respect of this latest application.

NEIGHBOURS – 11 properties consulted and no replies received.

EFDC TREES AND LANDSCAPE SECTION – there is a protected horse chestnut tree on the site. An arboricultural impact assessment has been provided, which demonstrates that with careful

implementation the tree should remain unharmed as a result of the proposal. In order to achieve this, a full tree protection methodology should be conditioned. In addition works to the front drive and porch call for a hard and soft landscaping scheme to be conditioned to ensure the tree remains undamaged. In conclusion we have no objection to this application subject to conditions requiring details of a) tree protection and b) hard and soft landscaping.

### **Issues and Considerations:**

The applicants have now submitted a tree impact assessment, and given the comments of the Trees and Landscape section as set out above one of the two reasons for refusal of the previous application has been adequately addressed.

The other reason for refusal of the earlier scheme related to the size, raised position and design of the extension. The extension would be built on a section of front garden to the side of the existing bungalow. This section of garden is at a lower level than the house but on the previous application the height of the extension would share the same height as the main property. On this revised application however, the ridge of the proposed extension has been reduced by 0.55m and this reduction in height reduces the mass of the extension, and makes it read as subordinate to the main dwelling. In addition more windows have been introduced in the side elevation and this provides an improved appearance over the large expanse of brickwork proposed on the earlier rejected scheme. The proposal will incorporate vertical sliding sash windows and these will be introduced on the main dwelling as well to replace existing utilitarian casement windows. Although the Parish Council are correct in saying the floor area size of the extension has not changed, the revisions described above do improve the appearance of the extension. In addition there is no clear building line and the extension, which will be located a minimum of 3m in from the side boundary, will now be an acceptable addition in the street scene. Finally, a fast growing laurel hedge has been planted just inside the front boundary of the site and this will provide some screening and softening of the proposed extension when viewed from The Green or Loughton Lane.

### **Conclusions:**

The revisions made in this new application result in an acceptable proposal, and planning permission is duly 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:***

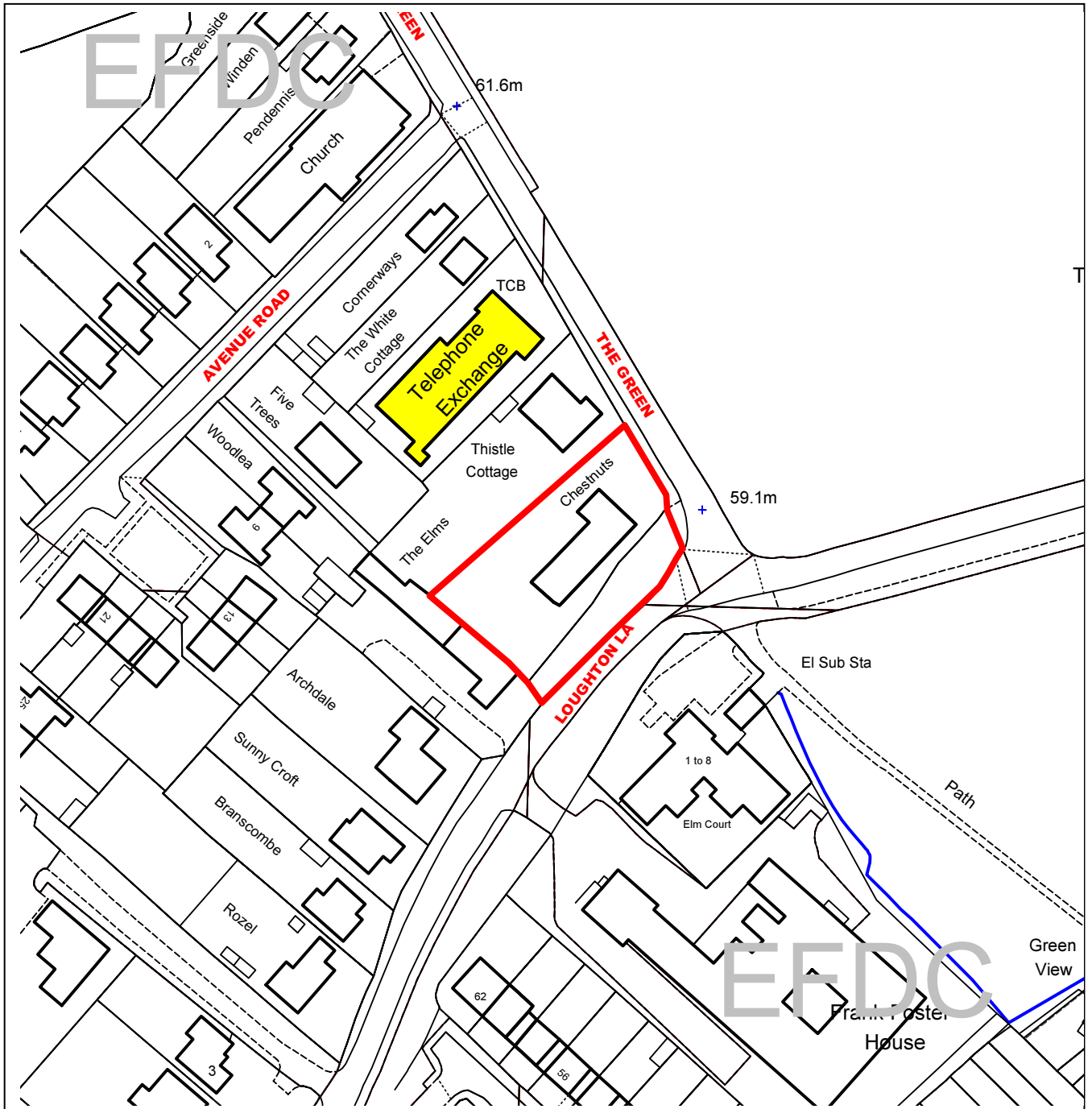
***Planning Application Case Officer: David Baker  
Direct Line Telephone Number: 01992 564514***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Area Planning Sub-Committee East



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|                            |  |
|----------------------------|--|
| <b>Agenda Item Number:</b> | <b>7</b>                                       |
| <b>Application Number:</b> | EPF/1251/11                                    |
| <b>Site Name:</b>          | Chestnuts, The Green<br>Theydon Bois, CM16 7JH |
| <b>Scale of Plot:</b>      | 1/1250   |

**Report Item No: 8**

|                                 |  |
|---------------------------------|--|
| <b>APPLICATION No:</b>          | EPF/1254/11  |
| <b>SITE ADDRESS:</b>            | 156-158 High Street<br>Ongar<br>Essex<br>CM5 9JJ   |
| <b>PARISH:</b>                  | Ongar  |
| <b>WARD:</b>                    | Chipping Ongar, Greensted and Marden Ash   |
| <b>APPLICANT:</b>               | Mrs Kristina Ponsford  |
| <b>DESCRIPTION OF PROPOSAL:</b> | Change of use of ground floor from shop (A1 Use Class) to a mixed use comprising childrens soft play area (D2 Use Class) and coffee shop (A3 Use Class). |
| <b>RECOMMENDED DECISION:</b>    | 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=528995](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=528995)

**REASON FOR REFUSAL**

- 1 The proposal would result in the loss of a double frontage shop use (Use Class A1) from the key retail frontage of the Ongar town centre, as defined in the Epping Forest District Local Plan and Alterations. It would increase the proportion of non-retail frontage within the key retail frontage, exacerbating the impact of an already excessively high proportion of non-retail frontage on the vitality and viability of the shopping centre. The use would threaten the long term vitality and viability of the shopping centre by undermining its retail function and therefore contribute to a threat to its position in the hierarchy of town centres within the District. Accordingly, the proposal is contrary to policies TC1 and TC4 of the Epping Forest District Local Plan and Alterations.

*This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section CL56, Schedule A (g) of the Council's Delegated Functions).*

**Description of Proposal:**

Permission is sought to change the existing use of the commercial premises from retail (A1 use) into a mixed use comprising a children's soft play area (D2 use) and coffee shop (A3 use). The first floor use will remain unchanged as residential accommodation.

**Description of Site:**

The unit lies to the east of High Street, Ongar. It is a double frontage commercial retail unit and it is presently vacant with residential accommodation above at first floor level. The entrance into the flat is accessed through a side doorway. The adjacent unit to the north, No 162, is a restaurant (A3

use) and the immediate southern boundary is demarcated by a narrow road that provides access to St Martins Mews. Beyond this lies No. 150, a commercial unit that trades as Ongar Hardware store (A1 use).

The unit lies within Ongar Town centre boundary and is also within its key frontage. The building is a listed building and the site lies within the Conservation Area boundary.

The internal useable floor area measures approximately 254 square metres.

### **Relevant History:**

No recent/ relevant history

### **Policies Applied:**

TC1 – Town centre hierarchy

TC3 – Town centre

TC4 – Non retail frontage

HC7 and HC10 – Conservation area/ listed building

DBE9 – Neighbour amenity

### **Representation**

16 properties consulted and one letter of representation has been received.

154 HIGH STREET – Objection: We have had many unsatisfactory dealings with this applicant with regards to access to our property. The police have been called on occasions when whilst heavily pregnant my wife was denied access off of the High Street. I am led to believe he has misled the managers to this project as to which land he owns. Even last week the police were called when a lockable post was being erected by an employee of the applicants to block our access.

ONGAR TOWN COUNCIL – Ongar Town Council considered this proposal to be appropriate and innovative use of the premises in the centre of Ongar and support this application. The applicant has indicated that the portion of the premises designated as “café” will serve beverages and baked potatoes. Ongar Town Council believes that consideration should be given to imposing a condition preventing the serving of other kinds of hot food.

Although not a planning issue, Ongar Town Council believes there should be adequate safeguarding for children visiting the premises.

### **Issues and Considerations:**

The key issues for consideration relevant to this application are the impact on the vitality and viability of the town centre. Also considered is the amenity and living conditions of nearby residential properties.

### **Principle of change of use - Vitality and Viability of Retail Centre**

The premises are presently vacant although the last known use was as a retail shop unit. The double fronted unit is identified in the Adopted Plans Map as one within the town centre of Ongar. The Council's Town Centre policies TC1 and TC3, seek to safeguard and encourage a range of

local shopping facilities to meet the essential needs of residents while encouraging the long term viability and vitality of the area.

The Town Council supports the proposed change of use of this unit because it will be an innovative use of the premises. This view is supported by policy TC1 which supports proposals that sustain or improve the vitality of town centre locations. There are no similar existing uses within the town centre, as such it is considered that this is an innovative use of the site that will benefit the vitality of the town centre.

The policy also seeks uses which will either 'maintain or not adversely affect their position in the Town Centre Hierarchy'. Policy TC3 reinforces the approach to controlling land use in designated town centres. The proposed change of use will bring a vacant unit into use preventing dead daytime frontage, thus it satisfies requirement (iv) of this policy. The use of the premises as a children's play area with a coffee shop will encourage visitors to the site during the daytime and evening during the opening times proposed. The residential accommodation above will not be compromised and the ground floor will continue to serve as a commercial unit. Due to its position within this town centre location, the proposed use satisfies the criteria contained within policy TC3.

The site is however within the key frontage of the Town Centre. The other key policy issue therefore will be the loss of an A1 retail unit that forms part of the Key Frontage of Ongar High Street and what impact this will have on the future long term vitality and viability of this town centre.

PPS4 - Planning for sustainable economic growth emphasizes the Government's objective to maintain vitality and viability in town centres, to promote sustainable economic growth. Council policy TC4, seeks to safeguard and encourage a range of local shopping facilities to meet the essential needs of residents because this will enhance the long term viability and vitality of the area.

The subject site is presently vacant and the applicant advises the unit has been vacant for 3 to 4 years. A material consideration is the length of time the property has remained vacant. There is no supplementary evidence submitted with the application to prove how long this property has been vacant and whether the unit has been actively marketed for its present A1 use.

Policy TC4 from the Local Plan Alterations 2006 requires that non-retail frontage within the key frontage areas should not exceed the 30% threshold. Taken from the November 2009 town centre survey, Ongar Town Centre stands at approximately 53% non-retail; as such it has already excessively breached this limit. Should the proposed change of use take place, this would result in a further increase and also the loss of a double frontage retail unit.

Adjoining shop premises No. 162 is a non-retail unit trading as a restaurant A3 use. The proposal will therefore result in three adjacent non-retail units, which in addition fails to meet with policy TC4 (ii).

Consideration has been given to the proposed trading hours which suggest the opening times will be from 9.30 am until 5.30pm; this will promote the day time use of the unit. However, the loss of this double retail frontage in the key frontage will harm the long term future viability and vitality of the town centre.

Whilst the proposed use is innovative and would add benefit to the range of uses within the town centre, the loss of the double unit and its failure to comply with policy TC4 clearly indicates this proposal would cause harm to the vitality and viability of the Ongar town centre. The aim of policies TC1 and TC4 is of critical importance and since the limit on the proportion of non-retail frontage within the town centre has already been exceeded, the policies are in danger of being devalued. The loss of 2 retail units that would arise if this proposal is allowed would further

undermine the qualities that make the town centre attractive to shoppers to the detriment of the whole centre. Consequently, the proposal also threatens its place in the strategic hierarchy contrary to policy TC1 and TC4.

#### Conservation and Listed Building

The building is listed and is also within a Conservation Area. The Conservation officer does not wish to object because there will be no material harm to the fabric of the listed building nor will the proposed use be detrimental on this part of the conservation area.

#### Neighbour Amenity

Policy DBE9 requires new development should not result in loss of amenity to neighbouring occupiers in relation to smell, noise or other disturbance.

There are residential units above the shop unit and the occupiers of No. 154 object on grounds of potential interference with future access to their property. Whilst this has been noted, it is considered the use of this double frontage unit as a mixed use children's soft play area and coffee shop should not result in any interference with the access to their property. Subject to a limitation on the hours of use it will also not result in any excessive increase in noise or disturbance that will harm neighbouring occupier amenity.

The proposal would therefore be acceptable in terms of neighbouring occupier's amenity.

#### **Conclusion:**

Whilst the proposed use is innovative, there is no supporting information to demonstrate what attempts have been made to actively market and let the premises as a retail unit. In addition, the non-retail use in the key frontage has exceeded the thresholds in policy TC4 and the adjacent site to the north is presently non-retail use. As such the further loss of another 2 retail units will result in cumulative harm to the viability and vitality of the town centre. Such harm threatens the place of Ongar Town Centre in the strategic hierarchy.

In light of the above appraisal, this proposal fails to meet with local plan policies and as such the recommendation is for refusal.

***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:***

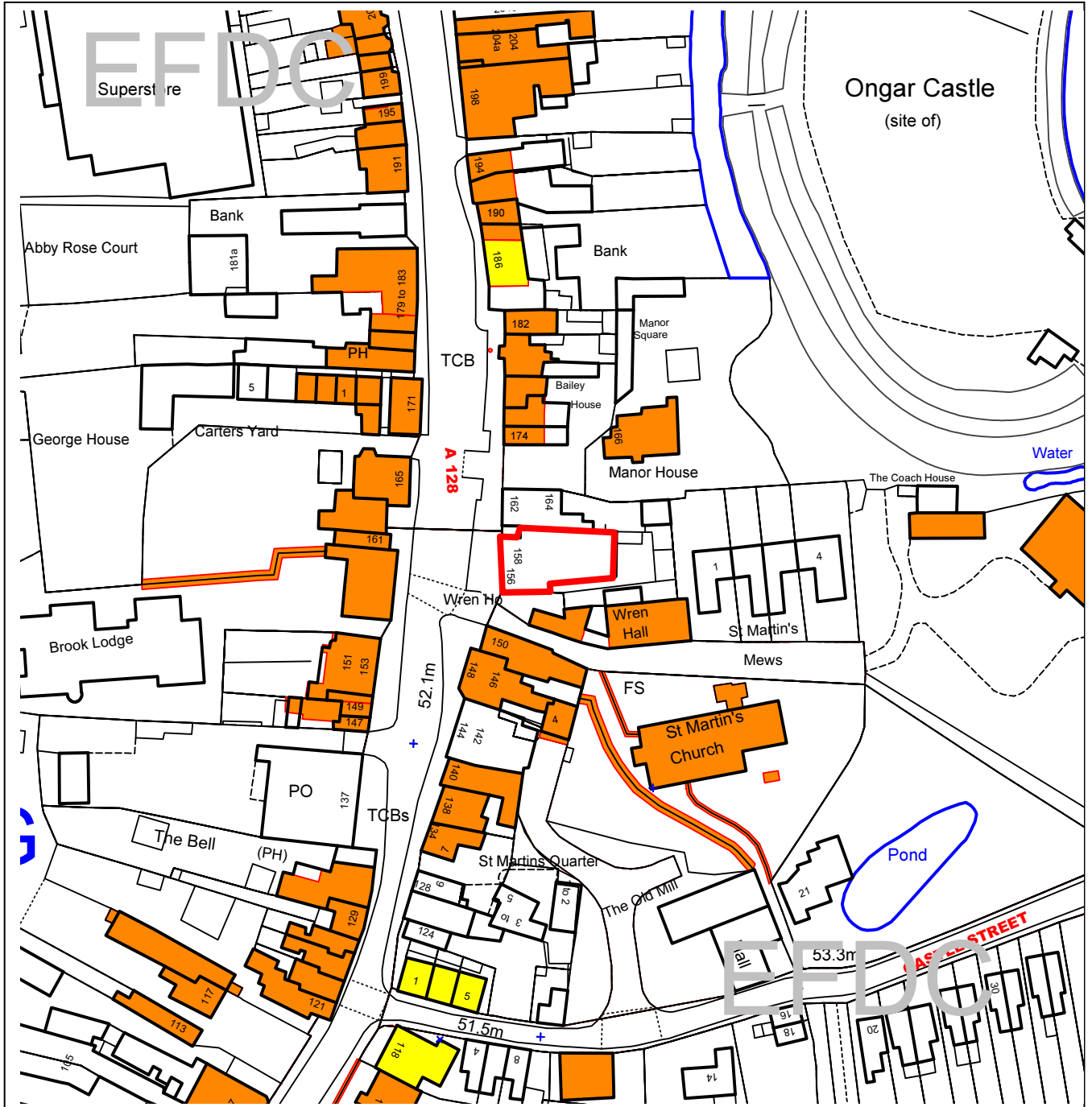
***Planning Application Case Officer: Paula Onyia  
Direct Line Telephone Number: 01992 564103***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Area Planning Sub-Committee East



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|                            |                                       |
|----------------------------|---------------------------------------|
| <b>Agenda Item Number:</b> | <b>8</b>                              |
| <b>Application Number:</b> | EPF/1254/11                           |
| <b>Site Name:</b>          | 156-158 High Street, Ongar<br>CM5 9JJ |
| <b>Scale of Plot:</b>      | 1/1250                                |



**Report Item No: 9**

|                                 |  |
|---------------------------------|--|
| <b>APPLICATION No:</b>          | EPF/1287/11  |
| <b>SITE ADDRESS:</b>            | Melonese<br>Willow Bank Farm<br>School Lane<br>High Laver<br>Ongar<br>Essex<br>CM5 0EE   |
| <b>PARISH:</b>                  | Moreton, Bobbingworth and the Lavers   |
| <b>WARD:</b>                    | Moreton and Fyfield  |
| <b>APPLICANT:</b>               | Ms Kate Morris   |
| <b>DESCRIPTION OF PROPOSAL:</b> | Change of use of part of land to residential curtilage and conversion, alteration and enlargement of existing stable block to provide gym, study and games room. |
| <b>RECOMMENDED DECISION:</b>    | 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=529109](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=529109)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.
- 3 The proposed conversion shall only be used for purposes incidental to the enjoyment of the main dwellinghouse known as Melonese/Willow Bank Farm and not for any other purpose.

*This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section CL56, Schedule A (g) of the Council's Delegated Functions).*

**Description of Proposal:**

Change of use of part of land to residential curtilage and conversion, alteration and enlargement of existing stable block to provide a gym, study and games room. The proposal seeks the conversion of the existing 6 stall stable block to an outbuilding within the residential curtilage of Melonese. The proposal involves a small amount of infill extension under the existing roof overhang and changes to the windows and doors. The change of use of the land is to include the stable block within the residential curtilage of Melonese.

### **Description of Site:**

Melonese is a two storey Grade II listed detached house with detached garage (which has been converted for ancillary accommodation) situated in a large plot on the north side of School Lane within the rural area of High Laver. The stable block is located to the rear of the residential curtilage and is adjacent to an existing manege. The adjacent land is also in the ownership of the applicant and is used as a smallholding of approximately 6 acres, predominantly for the keeping of pigs and chickens. The property is within the Metropolitan Green Belt, but not a Conservation Area.

### **Relevant History:**

Various Applications the most relevant of which:

EPF/1674/98 – Demolition of piggery, erection of stables and haystore and construction of manege, access road and hardstandings. Use of land for horsekeeping – App/Con - Part implemented as the haystore/feed/tack building part of this consent has not been built

EPF/0032/11 - Conversion of existing stable block to residential accommodation as a separate dwelling – Refused

### **Policies Applied:**

#### Epping Forest District Local Plan and Alterations

CP2 – Protecting the Quality of the Rural and Built Environment

DBE2 – Effect on Neighbouring Properties

DBE4 – Design in the Green Belt

GB2A – Development within the Green Belt

GB4 – Extensions of Residential Curtilages in the Green Belt

GB7A – Conspicuous Development within the Green Belt

HC12 – Development Affecting the Setting of a Listed Building

### **SUMMARY OF REPRESENTATIONS:**

MORETON, BOBBINGWORTH & THE LAVERS PARISH COUNCIL: Objection – Overdevelopment of property on Metropolitan Green Belt. The original development planning application was for stables on agricultural land. Neighbours object

#### NEIGHBOURS

4 properties were consulted and a site notice erected

WILLOWFIELD, HIGH LAVER – Objection - reduction in non-residential area, restriction on the creation of new residential units within the green belt still applies, permission was originally given for stables only, increased noise levels, a reduction in privacy and quality of life.

4 TILEGATE ROAD – Objection – creation of further residential property, original built for stables use only, new residential units not normally permitted in the Green Belt, possible requirement for storage on the site.

THE OLD SCHOOL, SCHOOL LANE – Objection – similar to earlier conversion of garage, previous application was for accommodation now only gym/office, exactly the same layout as previously refused application, development within the Metropolitan Green Belt, originally built as stables, would result in three residential properties, potential need for further storage

### **Issues and Considerations:**

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

- Impact on neighbouring amenity
- Impact on the Green Belt
- Design
- Impact on the Setting of the Listed Building

#### Neighbouring Amenity:

The proposal is approximately 8m from the shared boundary with The Old School, (which is the nearest neighbour) and approximately 30m from The Old School building itself. The proposed changes to the stable block are not considered to have a detrimental impact on neighbouring amenity in this location given the minor changes to the building and distance from the nearest neighbour.

#### Impact on the Green Belt:

The building is in situ and this proposal is for its change of use, alteration and extension. Although the building is to be extended this is within the existing roof overhang of the stables and therefore is not considered to result in any detrimental impact on the character or openness of the Green Belt in this location.

The extension of the residential curtilage to include the stable building is not considered out of keeping with the surrounding areas where there are several garden plots of a similar depth to that proposed. The change of use of this part of the land is not considered to have an adverse effect upon the open character of the surrounding landscape.

Although the planning permission for the stables includes a condition requiring the stables only be used by the occupants of Melonese and not for any commercial use, this condition was specific to the stable proposal at the time and clearly would not be suited for this proposed change of use. The stables were built by the former owner of the property and have not been used as stables by the current owner.

A condition can be added to any permission granted to ensure that the building can only be used for purposes incidental to the enjoyment of the main dwellinghouse (e.g. gym, study and games room) to prevent the stables being used as bedroom accommodation. This will prevent any future conversion of the building into a separate dwelling in the Green Belt which would be considered inappropriate as per the recent refusal of consent for such use under planning reference EPF/0032/11.

#### Design:

The general shape and design of the stables remains the same although there are alterations to the existing and the provision of new window/door openings which do result in a more domestic appearance. However, this proposal is for the conversion of the stables to a more domestic use and therefore the design is considered to be generally acceptable.

#### Impact on the Setting of the Listed Building

The proposal is some 40m from the listed building and is therefore not considered to have a detrimental impact on the character and appearance of the listed building. The Council's Conservation Officer has no objection to the proposal subject to matching materials being used.

#### **Conclusion:**

The proposal results in only minor changes to the existing stable building, and is not considered to harm neighbouring amenity, the setting of the listed building or the green belt in this location.

Although a similar scheme for a separate dwelling has recently been refused, this application is for conversion to a gym, study and games room and can be conditioned to ensure that the uses remain incidental to the enjoyment of the main dwellinghouse. Approval 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:***

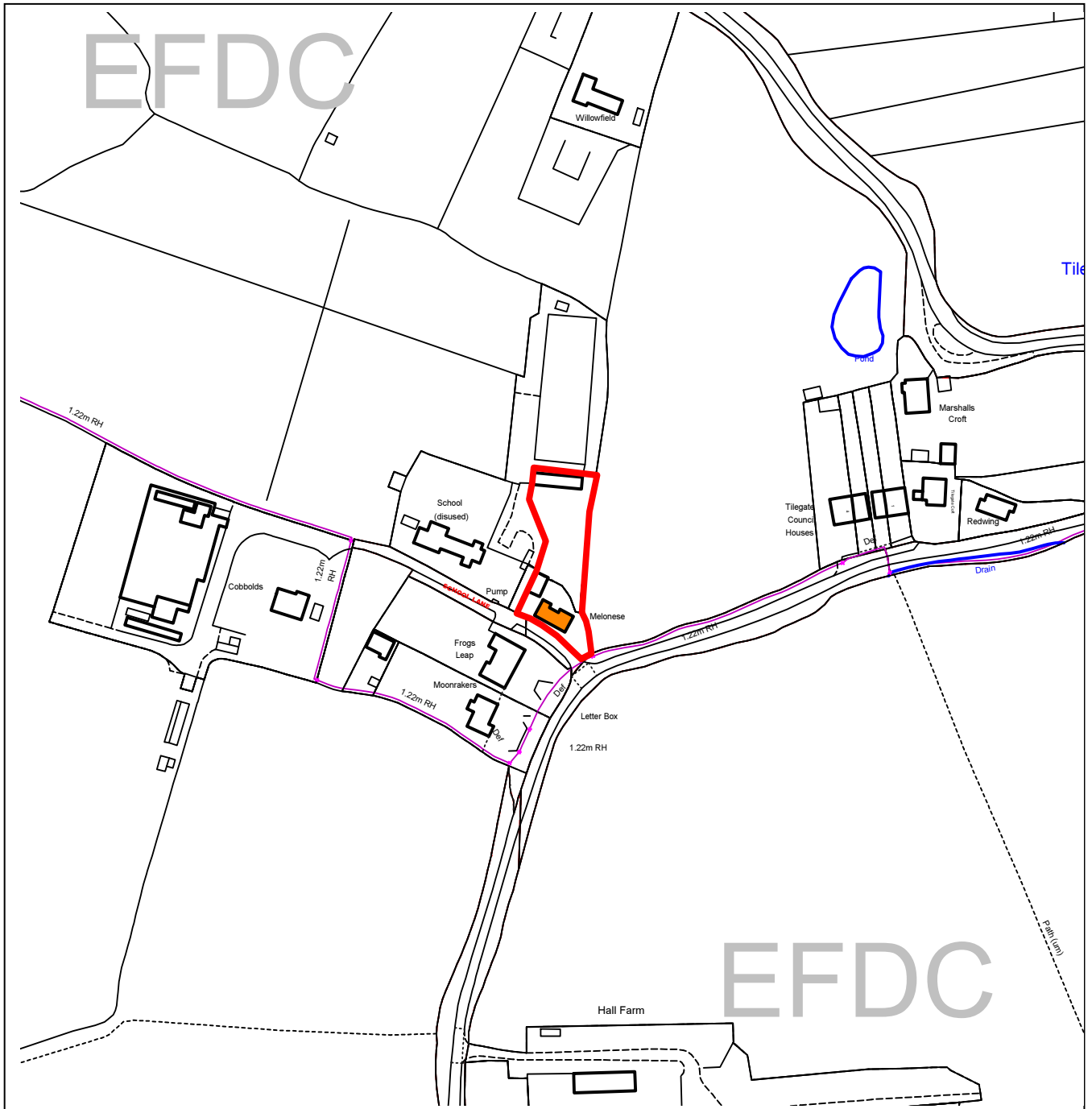
***Planning Application Case Officer: Marie-Claire Tovey  
Direct Line Telephone Number: 01992 564371***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Area Planning Sub-Committee East



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|----------------------------|--|
| <b>Agenda Item Number:</b> | <b>9</b>   |
| Application Number:        | EPF/1287/11  |
| Site Name:                 | Melonese, Willow Bank Farm<br>School Lane, High Laver, CM5 0EE |
| Scale of Plot:             | 1/2500   |

**Report Item No: 10**

|                                 |   |
|---------------------------------|---|
| <b>APPLICATION No:</b>          | EPF/1381/11   |
| <b>SITE ADDRESS:</b>            | Bantham And Ongar Bowls Club<br>Weald Bridge Road<br>North Weald Bassett<br>Epping<br>Essex<br>CM16 6GP   |
| <b>PARISH:</b>                  | North Weald Bassett   |
| <b>WARD:</b>                    | North Weald Bassett   |
| <b>APPLICANT:</b>               | Bantham & Ongar Bowls Club  |
| <b>DESCRIPTION OF PROPOSAL:</b> | Removal of condition 5 of EPF/1563/99 to allow the Bowls Club to be used for other sporting activities (Construction of new bowls club including details of new clubhouse, bowling green access road, car park and siting of temporary clubhouse) |
| <b>RECOMMENDED DECISION:</b>    | 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=529470](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=529470)

**CONDITIONS**

- 1 The premises shall be used solely for purposes within Use Class D2 (e) and for no other purpose (including any other purpose in Use Class D2 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.

*This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section CL56, Schedule A (g) of the Council's Delegated Functions) and as it is for a form of development that can not be approved at Officer level if there are more than two expressions of objection to the proposal. (Pursuant to Section CL56, Schedule A(f) of the Council's Delegated functions).*

**Description of Proposal:**

Consent is being sought for the removal of condition 5 of planning permission EPF/1563/99 for the construction of new bowls club including details of new clubhouse, bowling green, access road, car park and siting of temporary clubhouse. This condition reads:

**The proposed permanent clubhouse hereby approved shall only be used in connection with the use of the site for bowling and shall not be used for any other function whatsoever.**

**Reason: The use of this building for any other function may be prejudicial to local amenities.**

The application proposes that this condition be removed to allow for the clubhouse to be used for other uses within Use Class D2. Whilst primarily this would allow for other sporting activities to take place, D2 use also covers leisure and recreational activities such as cinemas, music halls, dance halls, etc.

**Description of Site:**

The application site is a bowls club located on the eastern side of Weald Bridge Road. The site contains a clubhouse, car park and bowling green. To the west of the site is a large residential area, with Hows Mead located almost directly opposite the access to the site, and to the north, east and south are open fields. The site is located within the Metropolitan Green Belt.

**Relevant History:**

EPF/1563/99 - Construction of new bowls club including details of new clubhouse, bowling green access road, car park and siting of temporary clubhouse – approved/conditions 05/04/00  
EPF/1523/10 - Change of use of site to Bowls Club and other Class D1 and D2 uses including other indoor and outdoor recreational activities and leisure uses. Hire of club house for entertainment and social activities for local community. Hire of club house for meetings and conferences for local community activities and small scale medical centre – withdrawn 11/01/11

**Policies Applied:**

GB2A – Development in the Green Belt  
DBE9 – Loss of amenity  
RP5A – Adverse environmental impacts  
RST1 – Recreational, sporting and tourist facilities  
RST22 – Potentially intrusive activities  
ST4 – Road safety

**Summary of Representations:**

42 neighbouring properties were consulted and a Site Notice displayed on site.

PARISH COUNCIL – Object as this would be detrimental to the amenities of adjacent residents by way of noise, increased vehicle movements and increased use of the site.

27 WEALD BRIDGE ROAD – Object due to the impact on surrounding residents.

29 WEALD BRIDGE ROAD – Object as this will become a nightclub and result in anti-social behaviour.

37 WEALD BRIDGE ROAD – Object due to the impact on surrounding residents.

45 WEALDBRIDGE ROAD – Object due to the increase in noise and movement and due to increased traffic.

55 WEALD BRIDGE ROAD – Object due to increased noise and traffic and impact on surrounding residents.

73 WEALD BRIDGE ROAD – Object as there is no requirement for additional premises for ‘halls’ and ‘sports facilities’.

7 HOWS MEAD – Object due to the impact on surrounding residents and due to increased traffic and parking issues.

47 WEALD BRIDGE ROAD – Concerned that there may be increased noise after 10pm.

4 HOWS MEAD – No objection

### **Issues and Considerations:**

This condition appears to have been imposed as the original application (EPF/1563/99) for the site put forth an argument that there was a need in the area for a bowling club. The Officer’s report on that application states *“it is clear from correspondence received regarding the previous submission and with this application that there is a demand locally for a bowling club particularly in the light of the closure of a number of long standing clubs in the area. The application is supported by the Council’s Recreational Services and it can be seen also from third party consultations that local support does exist for this proposal”*.

There appears to be some confusion from local residents as to the extent of this application or what may result from the proposal. There are several mentions of nightclubs, discos and other late night venues being run from the site, as well as other alternative uses. The application simply proposes the removal of the condition restricting the clubhouse to bowls use only, however would not allow for any use outside of Use Class D2 (such as a nightclub or drinking establishment). This confusion has not been helped by the letter sent to local residents by the Bowls Club, which read *“we hope the type of events we wish to allow our clubhouse to be used for will be an asset to the local community, for example adult educational classes, meetings, small conferences”*. These uses actually fall within Use Class D1 and the applicant has been informed that such uses would not be permissible if this application were approved since it does not propose any use within Use Class D1.

Notwithstanding the confusion of the applicants and neighbouring residents, the removal of this condition would allow for alternative leisure uses such as concert and music halls and dance halls, which could impact on the amenities of neighbouring residents. However, regardless of the outcome of this application, the site would still be restricted by all other conditions on planning permission EPF/1563/99, which include:

- 6. No amplified music shall be played within the clubhouse premises at any time.**
- 7. No form of amplified sound shall be permitted on the site either within or outside any building at any time.**
- 8. No form of external lighting shall be erected on site without the submission of a detailed scheme and such scheme shall be agreed in writing with the LPA prior to any works in connection with lighting commencing.**
- 15. The use hereby permitted shall not be open to customers/members outside the hours of 10am to 11pm, seven days a week.**

These restrictions would still apply to any other uses on the site, and would effectively protect against the site being used as a dance hall, etc. However, due to the concerns of neighbours it is possible as part of this application to vary the other conditions on planning permission EPF/1563/99, or impose a new condition, restricting the type of D2 use that could take place.



Members are advised Use Class D2 is split into separate subcategories (i.e. a concert hall is D2 (b) and a dance hall is D2 (d)). Indoor and outdoor sports and recreation (excluding those involving motorised vehicles and firearms, which are not included in any Use Class) falls within category D2 (e).

Given that outdoor sport and recreation does not constitute inappropriate development within the Green Belt, and sporting use currently takes place on the site, it is not considered that allowing alternative sports to take place within the clubhouse would be any more detrimental to the Green Belt or surrounding area than just a Bowls use.

Concern has been raised by local residents about increased traffic movements and parking provision. As previously stated, the current use of the site is for sporting activities (albeit restricted to Bowls use) and, whilst currently not intensely utilised, the use of the site for other sporting activities would not cause any detrimental increase in traffic. There is adequate parking available on site to cater for the clubhouse and the parking requirements for a general sports use would not be any different from a pure Bowls use.

### **Conclusion:**

Whilst it is considered that an unrestricted D2 use on this site could result in a detrimental impact on surrounding residents due to noise and other disturbance/nuisance, a restrictive condition stating that the site could only be used for D2 (e) use and for no other purposes, including any other uses within Class D2, would ensure that the site is not utilised for any other, more harmful, uses. Furthermore, the original decision contains other restrictive conditions controlling amplified music, lighting and opening times, which would still be enforceable in respect of any alternative uses resulting from this application. As such the application is recommended for approval, subject to the above condition.

***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:***

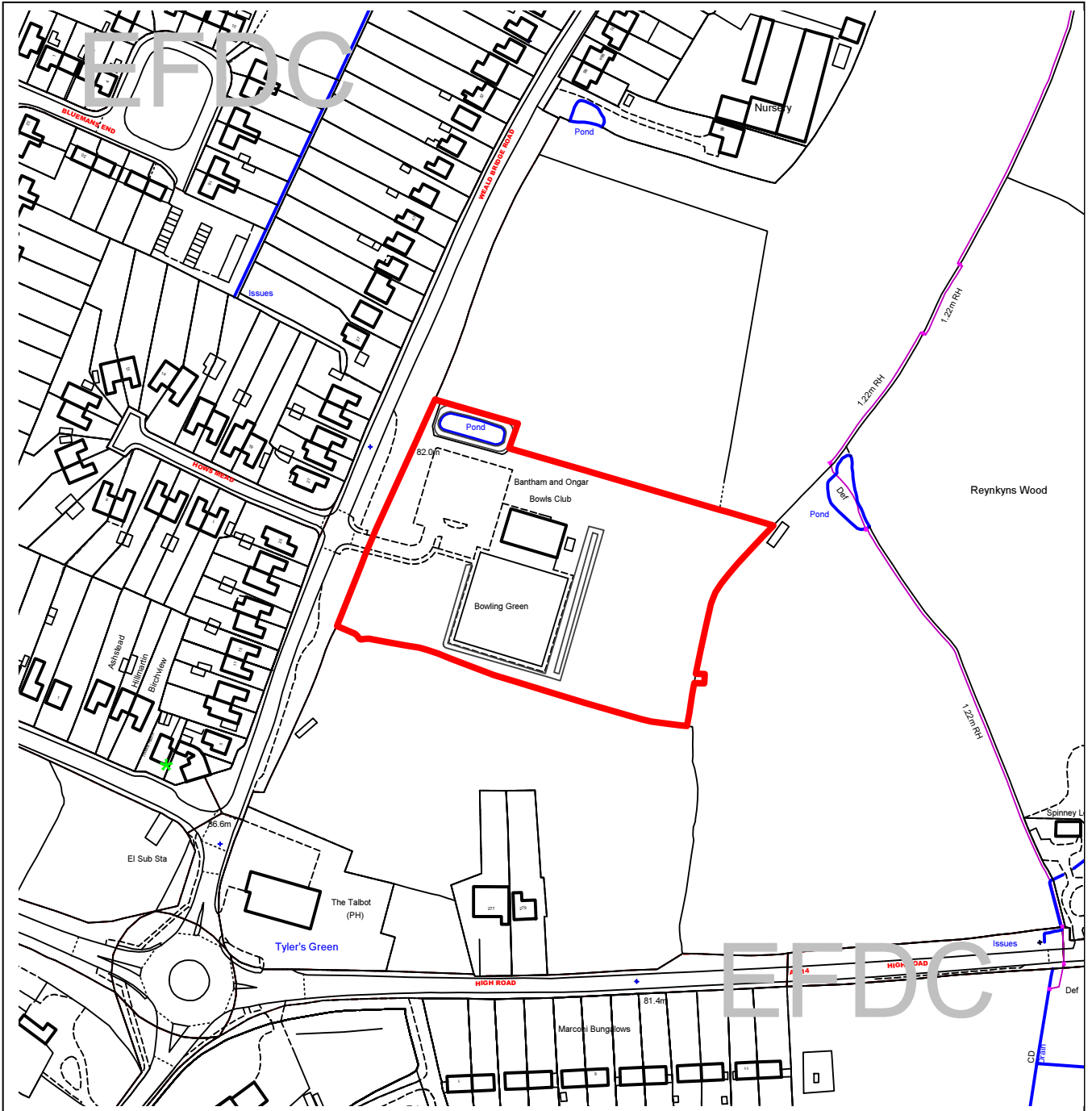
***Planning Application Case Officer: Graham Courtney  
Direct Line Telephone Number: 01992 564228***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Area Planning Sub-Committee East



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|----------------------------|--|
| <b>Agenda Item Number:</b> | <b>10</b>  |
| <b>Application Number:</b> | EPF/1381/11  |
| <b>Site Name:</b>          | Bantham And Ongar BOWLS Club, Weald Bridge Road, North Weald Bassett, CM16 6GP |
| <b>Scale of Plot:</b>      | 1/2500   |

**Report Item No: 11**

|                                 |  |
|---------------------------------|--|
| <b>APPLICATION No:</b>          | EPF/1423/11  |
| <b>SITE ADDRESS:</b>            | Darlingtons<br>Coppice Row<br>Theydon Bois<br>Essex<br>CM16 7ES  |
| <b>PARISH:</b>                  | Theydon Bois   |
| <b>WARD:</b>                    | Theydon Bois   |
| <b>APPLICANT:</b>               | Mr M Darlington  |
| <b>DESCRIPTION OF PROPOSAL:</b> | Demolition of existing garage and construction of two storey block to provide seven, two bed and one, one bed apartment(s) with ground floor patios area and first floor balconies. Associated works involve closure of existing vehicular access, formation of new vehicular access with sliding electronic gates and new pedestrian access. Provision of 13 car parking spaces, turning area, drying area, bin store, bike store, communal open space and landscaping. |
| <b>RECOMMENDED DECISION:</b>    | Grant Permission (Subject to Legal Agreement)  |

**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=529631](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=529631)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 853/1, 853.2, 853.3, 853/4 and amended plan No. 853/5A.
- 3 No construction works above ground level shall have taken place until documentary and photographic 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.
- 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 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.

- 6 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]
- 7 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. 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 remediation scheme condition that follows]
- 8 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless

otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]

- 9 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report (referred to in PPS23 as a Validation Report) that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 10 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 11 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 12 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and access ways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 13 Prior to first occupation of the proposed development, the applicant shall submit a Travel Information and Marketing Scheme for sustainable transport for approval in writing by the Local Planning Authority. The details as approved shall be implemented prior to occupation.

- 14 Prior to commencement details shall be submitted to and approved in writing by the Local Planning Authority securing works to the adjacent highway to include the provision of two dropped kerb crossing points with tactile paving in Orchard Drive at its junction with Coppice Row. The approved details shall then be implemented prior to first occupation of the development.
- 15 No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority for the provision of raised kerbs to current Essex County Council specification for the east (Stop ID: THYBOIS2) and west (Stop ID: 21003007) bound bus stops on Coppice Row to the west of the site.
- 16 Prior to first occupation of the development the redundant existing vehicular crossovers on Orchard Drive and Coppice Row shall be suitably and permanently closed to the satisfaction of the Local Planning Authority, incorporating the reinstatement to full height of the highway verge/footway and kerbing.
- 17 The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.
- 18 Prior to 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.
- 19 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 20 Prior to first occupation of the development hereby approved, details of the boundary treatment shall have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved before first occupation.
- 21 No occupation shall take place until details of external lighting has been submitted and approved in writing by the Local Planning Authority and implemented as approved.

**Subject to the completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990 within 9 months requiring a financial contribution of £70,000 for community benefit provision to improve the Theydon Bois Community Youth Centre.**

*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:**

Consent is being sought for the demolition of the existing garage workshop and erection of a new building comprising of a two storey block to provide seven, two bed and one, one bed apartment(s) with ground floor patio areas and first floor balconies.

Associated works involve closure of existing vehicular access, formation of new vehicular access with sliding electronic gates and new pedestrian access.

The proposed building would be two storeys high with a roughly 'T'-shaped plan footprint. It would reach a maximum width of 28.0 metres running parallel to Coppice Row and maximum depth of 29.6 metres along Orchard Drive. The building would have a pitched roof with a pitched front projection over bay windows to a maximum height of 8.0 metres.

The building will be aligned with No. 4 Orchard Drive to the north and will be set 1.8 metres from this boundary. To its eastern boundary, the building will be aligned with the adjacent residential property, 'Lamorna' and will be sited 1.0 metre from this boundary.

The building would be served by thirteen off-street parking spaces, seven of which would be located within the grounds accessed via an undercroft. The ground floor would provide 3; two bed and 1, one bed and the first floor level will provide 3, 2 bed apartments. A bin store and a separate cycle storage area will also be provided within the rearwards part of the grounds.

There is a wide belt of landscaped area proposed to the front of the site that will front Coppice Row with small pockets of amenity space towards the northern boundary of the site for the private use of future residents.

### **Description of Site:**

The site is approximately 0.16 hectare and lies within the rural village settlement of Theydon Bois. It is located east of Orchard Drive and rounds onto the northern corner with Coppice Row. The site accommodates a detached two storey building with a flat roof used as a garage, service repair and workshop building. The site is entirely hard surfaced and these areas are used for the storage and sale of motor vehicles. The ground level is mostly flat with little planting.

Immediately adjacent to the site are surrounding residential properties. To the north is a detached bungalow No. 4 Orchard Drive, a detached bungalow 'Lamorna' lies to its eastern boundary and a two-storey detached property 'Baldocks' and a bungalow 'Wain' lies to the west across the roadway of Orchard Drive. The property overlooks open space, Theydon Green, to its southern boundary beyond the roadway of Coppice Row.

### **Relevant History:**

EPF/0046/11 - Redevelopment involving demolition of existing garage and replacement with two storey residential building consisting of six flats. Withdrawn

### **Policies Applied:**

CP1 – Achieving sustainable development objectives  
CP2 – Protecting the quality of the rural and built environment  
CP3 – New development  
CP5 – Sustainable building  
CP6 – Achieving sustainable urban development patterns  
CP7 – Urban form and quality  
E4A – Protection of employment sites

E4B – Alternative uses for employment sites  
H1A – Housing provision  
H2A – Previously developed land  
H3A – Housing density  
H4A – Dwelling mix  
DBE1 – Design of new buildings  
DBE2 – Effect on neighbouring properties  
DBE3 – Design in urban areas  
DBE5 – Design and layout of new development  
DBE6 – Car parking in new developments  
DBE8 – Private amenity space  
DBE9 – Loss of amenity  
LL11 – Landscaping schemes  
ST1 – Location of development  
ST2 – Accessibility of development  
ST4 – Road safety  
ST6 – Vehicle parking  
I1A – Planning obligations

### **Summary of Representations:**

14 neighbours were consulted and a Site Notice displayed on the 27 July 2011. The responses received are summarised as follows:

GREENHEDGES, COPPICE ROW. Does not object to the proposed development except the aspect facing onto Orchard Drive. The proposed first floor balcony will look into their property and overlook patio doors, which will create a loss of privacy. Landscaping will not be adequate and as a compromise suggest the plans are changed into a Juliet balcony and more soft screening is introduced.

FOREST GLEN, COPPICE ROW. Objects on grounds that the proposal will affect their level of privacy as a result of the first floor windows. It will also result in overlooking and loss of value to their property. It will be an advantage to continue to use it as a garage because it offers a needed service.

LAMORNA, COPPICE ROW. Does not object in principle to the site being developed however, because the site is fairly open at present the new building proposed will be imposing as a result of its overall height in relation to their bungalow and it is only 1.0 metre from their boundary. It will also result in loss of sunlight to their north facing garden.

61 WOODLAND WAY. Does not object but comments whilst the provision of a modest residential development would be welcome on this site, the proposal represents over development of this essentially rural village site. This is exemplified by the tightness of the rear 'yard' parking - a 2.9m width is indicated for one parking space with a 2.6m access clearance, and other spaces are described as 2.9m wide but measured to the centre of a structural column. There is an excessive amount of overhanging development intended to squeeze the last possible drop of saleable floor space out of the development. There is a dependency on external green space to service the open space requirements of the intended occupants.

CONSERVATORS OF EPPING FOREST Objects – The site lies opposite Theydon Greens which are part of Epping Forest. The site is in a very prominent position and is highly visible when viewed from across the Theydon Greens. The southern block does broadly follow the established building line on Coppice Row but at its most southerly point it appears to be approximately 2.0 metres further forward than the adjacent property 'Lamorna'. This proposed mass of building closer to Coppice Row will be visually intrusive when viewed from across Theydon Greens towards Piercing



Hill as the majority of buildings along this stretch are low level buildings. This would harm the character and appearance of the area.

CLLR JANET WHITEHOUSE - Concerned that this development proposes to be a gated development. The houses on each side of it are open, often with no front gate so this will look quite out of character. To have gated developments gives an impression of the need to protect from crime. Theydon Bois is a low crime area. The flats on the old Wood and Krailing site are gated but this wasn't necessary and has the effect of cutting those households off from some of the community's life. It is very difficult to get into the development to deliver community newsletters so they don't hear of all that is going on. There are only a couple of accessible letter boxes. The position of letter boxes is important! No doubt planning officers are having discussions with the developer and I hope you can persuade them to keep the site open. By the time the plans come to committee such details can't be addressed. I would like planning officers to question the need for gates when plans are presented. The more gates that appear in Epping Forest the more people will feel the need to have them in new applications. There are some areas where they may be justified but if most properties become gated I think this will have an impact on the perception of the area regarding crime and will also affect the feeling community togetherness.

THEYDON BOIS PARISH COUNCIL; No objection subject to the following conditions:

1. Agreeing a Planning Gain for the community of £70,000. The monies to be used to extend the Youth Centre purchased by the Parish Council and currently being run by a Charity, Theydon Bois Community and Youth Trust, set up by the Parish Council. Any balance to be used by the Trust to equip the site.
2. Consider conditioning that the balcony on the side elevation facing Orchard Drive is replaced with a Juliet balcony. Although the Parish Council have no objection on planning grounds this would reduce any possible concerns regarding overlooking across to the back gardens of properties in Coppice Row and any loss of amenity to residents in these properties.
3. All external lighting on the site to be low level down lights to minimise any light pollution as the village does champion a Dark Skies Policy.
4. All necessary works regarding the decontamination of the site, a former petrol station and garage works, including the removal/filling of any underground tanks being completed.
5. Final details concerning the materials and finishes to be confirmed with special attention to the colour of the roof tiles which the Parish Council feel should match neighbouring properties rather than the grey specified in the plans.
6. Further details of the landscaping scheme to be finalised.
7. The normal conditions restricting the hours of work on the site during construction to be imposed.

### **Issues and Considerations:**

The applicant sought formal pre-application advice from officers in respect of a similar proposal for 8 flats. In very broad terms, officer's advice was that in accordance with adopted Local Plan policy E4A, this is an employment generating site and it should therefore be protected as such. An alternative community use would be the next preferred use, as required by policy E4B, as an alternative to employment use. However, it was acknowledged this is an isolated commercial business site in a predominantly residential area and with sufficient justification, a residential development may be considered where employment and community needs facilities are not forthcoming.

The key issues therefore raised by the proposal are whether there is proper justification for the replacement of the garage/ workshop, which provides employment opportunities with a 100% market housing residential development.

Other main issues would be the consequences with respect to the design of the new building on the character and appearance of the locality. The appropriateness of the vehicle and pedestrian access arrangements, on-site parking, private amenity space provision and refuse storage/collection and also, the consequence of the proposal for the amenities enjoyed by neighbouring occupiers.

#### Suitability of site:

The application site is located within the urban area of Theydon Bois, which is one of the larger built up village within the District and is well served by local services and amenities, and most importantly it has good public transport links. London Underground station is within a ten minute walk from the site and there is a bus stop in front of the site. The location of the site within nearby proximity to these services within the village makes this a prime location for a new residential development.

Furthermore, given that the site currently contains a large garage and workshop building with extensive hardstanding area, the site is classified as 'previously developed land'. PPS 3 and Local Plan policy H2A encourage the reuse and intensification of use on such sites for new development. The acceptability of the overall proposal will however be subject to other relevant policies.

#### Principle of the Development:

The loss of the garage/ workshop amounts to the loss of an employment generating site, which should be safeguarded in accordance with policy E4A. The applicant makes the case that the car dealership business has changed over the years and to remain viable, the trend is now to concentrate main dealerships together in highly accessible areas with lots of passing trade. Other similar garages have closed in the district in recent years. And this site is proving now to be no longer viable.

The statement also argues that because the site is near predominantly residential development for its present lawful use as an industrial site, it is at odds within its locality. This is because of the impact of the business on the surrounding area from noise generated by heavy machinery and tools, customers parking outside on Orchard Drive, car transporters and low loaders causing traffic hazard in Orchard Drive and Coppice Row and also external light pollution. It goes on to state that whilst the present owner has shown restraint, a new owner may not be as sympathetic.

The applicant also provides in their statement with supporting information that the site has actively marketed from January 2009 to February 2010, in excess of the minimum required 12 month period for sale or let with no sound offer accepted. A number of other companies have also been approached to purchase the site but they all showed a lack of interest. The conclusion from the agents is that presently, there is no realistic prospect of renting or selling the site.

However, it remains the case that the site could be redeveloped for an alternative employment generating use which would ensure the site continued to be used for employment purposes that would be of benefit to the wider community. The supporting text of policy E4B includes a wide range of uses which not only meet local needs but uses that can often involve some employment opportunities. The supporting statement makes a further case that the suggestion of an alternative business proposal would not be viable because the building in its present form is not suitable for conversion to satisfy modern business requirements. It would also not be economically viable to redevelop given the clean up of the site required after 60 years of industrial use.

The supporting text contained in E4B suggests affordable housing may also be an appropriate alternative use of a site or any specific alternative community facility that has been identified. There is significant identified need for affordable housing in the wider District. The Council's Strategic Housing Market Assessment (2010) finds that up to 2026, 70% of future housing in the District will need to be affordable and, having regard to the Council's 5 year land supply, there is virtually no need identified for open market housing within the next 5 years. The applicant is however, not proposing an affordable housing scheme, again because to do so would be unviable. Furthermore, for a village with a population greater than 3000, the site does not meet the threshold for affordable housing requirement of policy H6A in that the site is less than 0.5 hectares in size and is not providing 15 or more residential units.

The Parish Council, whilst not identifying a need for a community facility at this particular site, have identified a need for the wider benefit of the local community for the improvement of a local youth facility. The applicant has stated a willingness to make a level of contribution by way of a commuted sum to an off-site community improvement scheme. The level offered is £70,000 and it is officer's assessment that this off-site contribution would both satisfy the requirements of Policies E4B in this case and be necessary to justify the development.

*Design, appearance within the locality:*

The proposed development is a two storey building of a relatively moderate scale, height and mass. It has been designed with articulated fenestration, recessed balconies and projecting bay windows. It has been designed to reflect the style of neighbouring two storey properties in the wider area of the locality.

Objections have been received because the development would be conspicuous from the Green and it is higher than immediate bungalows. However, the overall height of the development will be 8.0 metres high and at this height, it will be similar to the two storey properties in the locality. The articulation to the façade and roof detailing will also assist in reducing the mass of the building when seen from the Green. The building will also be sited a minimum 5.0 metres from the roadway edge fronting onto Coppice Row and will be set further back up to 11.0 metres at the corner as it rounds onto Orchard Drive. A large area at the front of the site will be provided for substantial soft landscaping and new trees on its southern boundary would greatly reduce the overall visual impact of the building.

The current building on site does not have any particularly architectural merit. Its demolition is supported and the introduction of the proposed two storey building in this location would not be detrimental to the street scene. It is acceptable in form, style and quality. The overall size, bulk, height, mass and appearance of the development is acceptable and would result in a visual improvement over the current site. In summary on this point, whilst there will be clearly a change in form and appearance at this corner site overlooking the Green, it will not be to the detriment of or be seen as a conspicuous development when viewed from the open green.

The concerns about the future boundary treatment have been noted. Whilst an open site will be preferred an enclosed boundary will give the future occupiers of the site in this prominent corner location a sense of ownership. However, very careful consideration will be given to the future boundary treatment to ensure the site adopts an open aspect even with a means of enclosure. This will be controlled by a planning condition that will require details of the boundary treatment.

The detailing and external materials to be used can be controlled by planning conditions to ensure that the finished building will be in keeping with the locality.

### Amenity considerations:

The proposed development would replace an existing two storey building with smaller plan footprint with a two storey building with a wider plan footprint. Neighbouring occupiers have raised a number of concerns.

The immediate occupiers that abut the site to its northern and eastern boundary have raised concern because the size of the building is too big when compared with the size of their properties. Although the property to the north of the site No. 4 Orchard Drive and 'Lamorna' to the east are relatively small scale detached bungalows, the building runs along a parallel length and adopts a similar depth to theirs. The siting of the building is such that it will be separated a minimum of 1.0 metre from its eastern boundary and 1.7 metres separation gap from its northern boundary. The combination of single storey elements with lower roof, the overall hipped roof profile of the building and its low eaves results in a building that will not be at odds with the height of their bungalows.

Overlooking is another issue raised by neighbours and this is an important matter to consider. The relationship of the proposed building to the immediate neighbouring properties is such that only part of the rear gardens of 4 Orchard Drive and 'Lamorna' will be overlooked. The proposed development would retain a minimum gap of 2.0 metres from the property 'Lamorna' and 5.0 metres from 4 Orchard Drive. Given the distances involved there would not be a detrimental loss of daylight or sunlight to neighbours' windows. The minimum distance of the proposed building from their corresponding side boundaries will be some 16.5 metres; this is acceptable because it does not cause direct overlooking. In addition, there are no rearwards facing balconies that could result in the perception of overlooking and no windows proposed on the first floor flank wall nearest their property that could cause loss of privacy. As such this development will not be detrimental to their amenity.

The adjacent property 'Green Hedges' to the west of the site has also raised concern because of potential overlooking due to a proposed first floor balcony that fronts onto Orchard Drive. It is the officer's opinion that the properties to the west will not be directly overlooked. Notwithstanding, the proposal has been revised omitting this first floor balcony by altering it into a flat Juliet balcony with doors which will open inwards. This was done in order to satisfy the neighbour's concerns. However, the revised design with a Juliet balcony will also prove to be less of an issue for the future occupiers of the development.

Due to the above, whilst the erection of a larger two storey building on this site would clearly have a greater impact on neighbouring residents than the present building, it is considered that the impact would not be unduly detrimental to neighbouring amenities.

### Private amenity space provision:

Local Plan policy DBE8 and the Essex Design Guide expect 25 sq. m. of communal amenity space for each unit of new accommodation in flatted developments. Private amenity space provision for this development is in the form of patios at ground floor level and first floor balconies for the flats that front onto Coppice Row. There is also a communal garden that directly fronts onto Coppice Row. The site provides acceptable areas of amenity space for the private use for residents. The density level will also be in line and within the target range of 30-50 dwellings per hectare, this complies with policy H3A.

Having regard to the accessibility of public open space opposite Coppice Row to the south, the level of on site amenity provision for the number of units is acceptable and would not warrant a refusal of planning permission.

The number of apartments proposed for this site is acceptable and would not result in an overdevelopment of the site.

### Landscaping:

There is no existing planting within the site to be retained. The development and appearance of the site will benefit from a new hedgerow and trees are proposed along the Coppice Row boundary and along Orchard Drive. The Council's Tree and Landscaping officer advises that indicative landscaping shown on the submitted plans is acceptable and can be secured by a planning condition.

### Highway safety and parking provision:

The proposed dwellings would be served by thirteen (13) off-street parking spaces. The Essex County Council Vehicle Parking Standards requires 2 spaces per 2+ bedroom residential units, 1 space per 1 bedroom residential unit and 2 visitor parking spaces, which equates to 17 parking spaces. However, the parking standards also states that "*a lower provision of vehicle parking may be appropriate in urban areas (including town centre locations) where there is good access to alternative forms of transport and existing car parking facilities*".

Given the sustainable town centre location of the site within walking distance of Theydon Bois underground station, local bus routes and that it is also well served by local shops and facilities, it is considered that thirteen off-street parking spaces would be acceptable in this instance.

Pedestrian access will be from the eastern corner of the block off Coppice Row with a second entrance leading off from Orchard Drive, and vehicle access will be from Orchard Drive. There is adequate manoeuvring space to allow for vehicles to enter and leave the site in forward gear. It is considered that the proposal would not be detrimental to highway safety or the free flow of traffic on this section of Orchard Drive.

It is appropriate to secure dropped kerbs in Orchard Drive at its junction with Coppice Row and also provision of raised kerbs for the east and west bound bus stops. This matter can be resolved by a suitable planning condition. The County Council Highways Officer does not wish to raise any objection subject to appropriate conditions.

### Land drainage

The site lies within an EFDC flood risk assessment zone. The development is of a size where it is necessary to avoid generating additional runoff and to improve existing surface water runoff. A Flood Risk Assessment (FRA) is therefore required. The land drainage officer does not wish to raise an objection to this proposal subject to the addition of a land drainage condition to prevent the additional surface water runoff. This matter can be resolved by a suitable planning condition.

### Waste management – refuse storage and collection

The size of the refuse and recycling bin storage is acceptable for the development. Refuse would however be stored within the building and brought to a collection point at the site boundary with Orchard Drive when it is due to be collected. Operationally, it would be more convenient for the refuse and recycling collection if the bin area is relocated near the main entrance gate because the proposal relies on waste being moved from a storage area to a waste collection point. Notwithstanding this, subject to the waste actually being placed in the collection area there would be no difficulty in collecting it and the arrangements proposed are acceptable.

### Land contamination

The site has been identified as potentially contaminated. An appropriate land contamination assessment has not been provided with this application. The land contamination officer comments

that prior to any works commencing, a phased contaminated land investigation should be undertaken. This can be secured by a planning condition that would require an investigation to be carried out in a phased manner should this application be approved.

### Security

There is a proposed vehicular gate into the parking area which is not unreasonable and a small pedestrian gate would still allow post workers access, although this is not a planning matter. The fact that this development will have a gate does not set a precedent for other houses in the area to follow. It would be unreasonable to state that the gates are removed.

### **Conclusion:**

The loss of the site for employment use or a development for affordable housing is remedied by the applicant's agreement to make a contribution of £70,000 for the improvement of Theydon Bois Community Youth Centre, a local community benefit. Works would also need to be carried out to the highway by the developer. These contributions can be sought by way of a unilateral agreement and appropriate planning conditions sought for highway improvement. The applicant's written agreement to these heads of terms has been sought but was not available in time for the deadline for reports to this agenda. The principle of the development of the site for an open market residential development on this basis is acceptable.

Whilst there would be some impact on neighbouring amenities, these are not considered so excessive as to justify refusing planning permission. The town centre location of the site justifies providing less than the required amenity space and parking provision. The introduction of landscaping would be an improvement on the existing situation. The overall design of the building because of the attention to its siting, scale, mass and detailed design is considered acceptable within the street scene.

The arrangements for facilitating the collection of refuse are acceptable. The proposal would not cause harm to the amenities of neighbours sufficient to justify withholding consent.

Accordingly, the proposal complies with adopted planning policy and it is recommended that conditional planning permission be granted following the completion of a unilateral agreement in respect of the matters referred to above.

***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:***

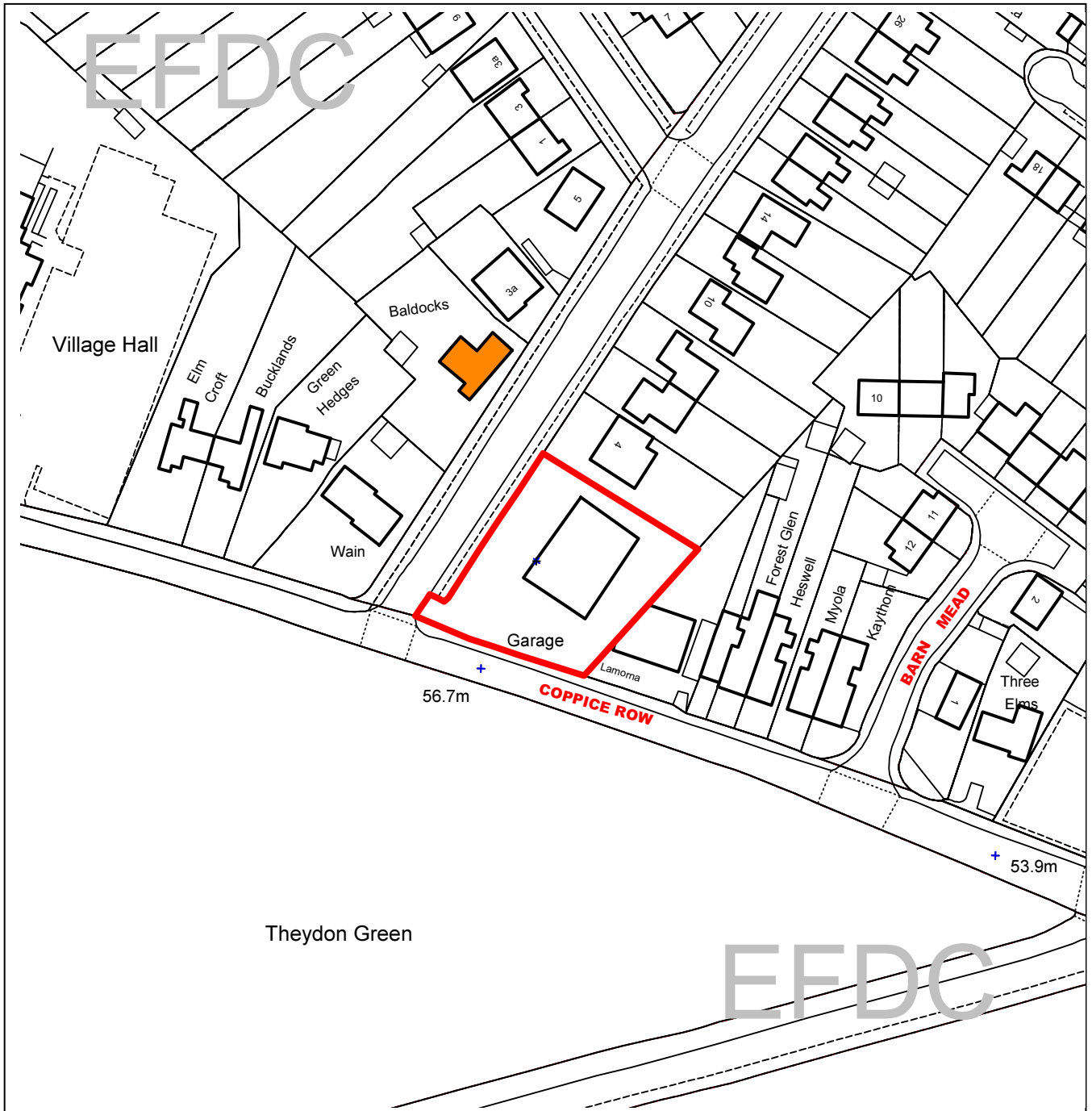
***Planning Application Case Officer: Paula Onyia  
Direct Line Telephone Number: 01992 564103***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Area Planning Sub-Committee East



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|                            |  |
|----------------------------|--|
| <b>Agenda Item Number:</b> | <b>11</b>  |
| Application Number:        | EPF/1423/11  |
| Site Name:                 | Darlingtons, Coppice Row<br>Theydon Bois, CM16 7ES |
| Scale of Plot:             | 1/1250   |

**Report Item No: 12**

|                                 |  |
|---------------------------------|--|
| <b>APPLICATION No:</b>          | EPF/1437/11  |
| <b>SITE ADDRESS:</b>            | 40 Forest Drive<br>Theydon Bois<br>Essex<br>CM16 7EZ   |
| <b>PARISH:</b>                  | Theydon Bois   |
| <b>WARD:</b>                    | Theydon Bois   |
| <b>APPLICANT:</b>               | Mr James Philliips                                     |
| <b>DESCRIPTION OF PROPOSAL:</b> | Side, front and rear extensions. Rear dormer addition. |
| <b>RECOMMENDED DECISION:</b>    | 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=529672](http://planpub.eppingforestdc.gov.uk/Anitelm.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=529672)

**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.

*This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section CL56, Schedule A (g) of the Council's Delegated Functions).*

**Description of Proposal:**

Permission is sought for front, side and rear extensions to the existing bungalow and construction of a rearwards facing dormer in the roof. To allow this extension to be built, the detached side garage/ store building will be demolished.

The ground floor will project rearwards up to a depth of 3.0 metres and 10.7 metres across. This will wrap around the southern corner of the building in an 'L' plan shape 3.6 metres wide and 16.5 metres along its flank. The pitch roof of the building will widen into a crown roof adopting a similar height of 7.4 metres. It will not be any higher and, although wider, its eaves height will match the existing building at 2.5 metres.

The external finish will be render with a matching tiled roof.

**Description of Site:**

The subject site is situated to the south-east of Forest Drive in Theydon Bois. The site currently accommodates a detached bungalow dwelling of standard red brick construction with a brown tiled



roof. Adjacent buildings to the plot are similarly styled 1930s bungalows and the property is one of a group of six bungalows aligned to the eastern side of the street, beyond which are two-storey dwellings.

The property is in a village setting and the neighbouring residential buildings within the vicinity of the site are made up of detached bungalows, one and a half storey buildings and two storey dwellings.

The ground level is relatively flat at the front with a gradual slope rearward to the eastern boundary. There are some small trees to the rear of the site, none of which are protected. There is hardstanding to the front of the site for parking a minimum of three cars.

### **Relevant History:**

EPR/0205/50 – Erection of domestic garage. Approved

EPF/0250/10 – Demolition of existing bungalow and erection of replacement bungalow. Refused. Appeal against the refusal dismissed.

EPF/0888/10 - Demolition of existing bungalow and erection of replacement bungalow. (Revised application) Refused. Appeal against the refusal dismissed

### **Policies Applied:**

#### **East of England Plan**

ENV7 – Quality in the Built Environment

#### **Adopted Local Plan Policies:**

CP2 – Protecting the quality of the built environment

DBE 9 – Neighbour Amenity

DBE10 – Design/appearance

### **Summary of Representations**

From the 17 neighbours consulted during the course of this application, the following four (4) letters of representation were received and the comments therein are summarised as follows:

36, 38, 44, FOREST DRIVE and 7 WOODLAND WAY Object on the following grounds:

In view of the 'draft' village design statement and the comments / decision made by the Planning Inspectorate, there are no significant changes to the previous proposals. The building is out of keeping with present bungalows. Proposals will change the building into a house from a bungalow. It will also result in loss of privacy and overlooking of neighbouring properties. The current proposal does not create or reinforce the local distinctiveness neither does it complement the distinctive character of the local area. The roofscape will change the appearance of the bungalow to the point where all of the original character and distinctiveness will be lost.

THEYDON BOIS PARISH COUNCIL – Objection

This proposal does not meet the key concerns of the Planning Inspector and accordingly we consider that our original concerns and those expressed by the Planning Inspector have not been met. We would remind you that the previous applications (EPF/0888/10 and EPF/0250/10 were refused on appeal on the grounds that the proposals would 'harm the character and appearance of

the area'. The existing dwelling is positioned in the centre of a row of seven distinctive bungalows, five of which were originally identical and which have undergone only minor alterations since their original construction.

In dismissing the Appeals, the Planning Inspector was absolutely clear as to what he viewed as the distinctive nature of this row of bungalows. In paragraph 8 of his Report as to the Reasons for the refusal of the Appeals, the Inspector stated **'The combination of their relatively narrow plan form, asymmetry, steeply pitched roofs, lowered eaves, bay windows and side and front projections topped with half-timbered gables gives them a noticeably more perky character than that of the semi-detached houses which dominate the rest of the street.'**.....In contrast, either proposal would have **a wider plan form, a symmetrical façade, a more shallowly pitched roof, higher eaves, flush windows, unbroken flanks and two front projections topped with hips. In combination, these features would give them a character more stolid than that of most of the street.....'**. Further, in paragraph 10 the Inspector stated that **'...both appeal proposals would have so little in common with their immediate neighbours that they would fail to show the respect for their setting required by Policy DBE1 of the Epping Forest District Local Plan. The character of either appeal proposal, so much more stolid than their neighbours on either side, or the rest of the street, would dilute, and so harm, the lively character which the group presently establishes. They would fail to complement the distinctive character of the local area as required by Policy ENV7 of the East of England Plan and would fail to respond to their context or to create or reinforce local distinctiveness in the way sought by Government policy as set out in paragraph 36 of Planning Policy Statement 1: Delivering Sustainable Development.'**

We consider that this latest proposal would also have the effect of harming the character and appearance of the area; it does not respect the character and distinctiveness of the immediately adjacent properties and would be detrimental to the street scene. The appearance of the proposal remains 'stolid' and bulky with a 'wide plan form' and roofline which is wholly inconsistent with the distinctive character of the remainder of the row. For these reasons this application should be rejected.

### **Issues and Considerations:**

There have been two previous planning applications to demolish the existing bungalow and to replace this with a new detached building. The two proposals were refused and subsequently dismissed at appeal. This proposal is to extend rather than replace the existing house. The main issues are therefore the design and its appearance within the locality and also amenity of neighbouring occupiers.

#### **Design and appearance**

The site forms part of a row of 6 modest sized bungalows located to the eastern side of Forest Drive. Neighbouring bungalows provide generous setback from the boundaries and the existing bungalow is narrow and easily accommodated within the site.

Whilst the previous proposals for this site were for a replacement dwelling, because of the elements of changes to its appearance and design the Inspectors' findings from the appeals are a material consideration.

The extension will see a side and rear addition to the property with first floor accommodation. The plan form has been marginally reduced and the symmetrical façade has been slightly altered and because of this, the main changes will be rearwards which cannot easily be seen from the street and to the building's southern flank. The height of the building and its eaves height will remain unchanged although the building will appear wider. The height of the roof has also been lowered.

The side dormer is, on balance, acceptable. The height, scale, form and size of the building will also on balance be in keeping with the other bungalows within the street scene.

When considering the design and appearance, the strong views received from neighbouring occupiers and the Parish Council have been taken into consideration. The Inspectors' findings and the draft village design statement have also been taken into consideration. However, based on the revised proposals the proposed scheme does not justify a refusal on the basis of its design and appearance when compared to the other bungalows within this row. The proposal is therefore acceptable in appearance and will be in keeping within the street scene.

### Neighbours amenity

The immediate neighbouring occupiers to the subject site are adjacent plots Nos. 42 and 38 Forest Drive. The extension will see a 1.0 metre gap retained from the boundary with adjacent site No. 38 and there is no change proposed to the northern flank elevation with the property at No. 42. The extension provides an acceptable setback from its boundaries. As such there will be no loss of light or overshadowing of the neighbouring properties.

There is a new kitchen window proposed on the southern flank ground floor and a rear facing first floor dormer. These additions and modification to the building will not result in loss of privacy nor overlooking.

The views expressed have been taken into consideration; however the potential harm that could arise as a result of the new rearwards facing dormer, the depth of the rear extension, width of the side extension or the new side facing window is very limited. They will not result in excessive harm to neighbouring occupier's amenity.

### Conclusion

From the appraisal, the proposed extensions to the bungalow are considered acceptable in design and appearance. The strong views received from neighbours and the Parish Council have been taken into account in considering all aspects of this proposal but on balance there is no reason to support a refusal. It is therefore recommended permission is granted with 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: Paula Onyia  
Direct Line Telephone Number: 01992 564103***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Area Planning Sub-Committee East



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|                            |   |
|----------------------------|---|
| <b>Agenda Item Number:</b> | <b>12</b>                                 |
| Application Number:        | EPF/1437/11                               |
| Site Name:                 | 40 Forest Drive, Theydon Bois<br>CM16 7EZ |
| Scale of Plot:             | 1/1250                                    |

**Report Item No: 13**

|                                 |   |
|---------------------------------|---|
| <b>APPLICATION No:</b>          | EPF/1456/11   |
| <b>SITE ADDRESS:</b>            | Wintry Park Service Station<br>37 Thornwood Road<br>Epping<br>Essex<br>CM16 6SY                     |
| <b>PARISH:</b>                  | Epping  |
| <b>WARD:</b>                    | Epping Lindsey and Thornwood Common   |
| <b>APPLICANT:</b>               | Mr P Spencer  |
| <b>DESCRIPTION OF PROPOSAL:</b> | Construction of 10 no 2 bed and 2 no 3 bed flats with associated car parking. (Revised application) |
| <b>RECOMMENDED DECISION:</b>    | Grant Permission (Subject to S106)  |

**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=529736](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=529736)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: EUD P 01, EUD P 05, EUD P 10, EUD P 11 Rev: A, EUD P 12 Rev: A, EUD P 20 Rev: A, EUD P 21 Rev: A, EUD P 30 Rev: A, EUD P 31 Rev: A, EUD P 32 Rev: A, INS16771-01, INS16771-03C Rev: D, INS 16771 11 Rev: D
- 3 No construction works above ground level shall have taken place until documentary and photographic 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.
- 4 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.
- 5 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.
- 6 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.

- 7 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.
- 8 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.
- 9 A flood risk assessment and management and maintenance plan 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 best practice tool. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 10 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]
- 11 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The

completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. 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 remediation scheme condition that follows]

- 12 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]
- 13 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report (referred to in PPS23 as a Validation Report) that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 14 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 15 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

1. The parking of vehicles of site operatives and visitors
  2. Loading and unloading of plant and materials
  3. Storage of plant and materials used in constructing the development
  4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  5. Measures to control the emission of dust and dirt during construction
  6. A scheme for recycling/disposing of waste resulting from demolition and construction works.
- 16 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of 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.
- 17 Notwithstanding the submitted plans, prior to commencement of works details of waste storage shall be submitted to and agreed by the Local Planning Authority and shall be implemented and maintained in accordance with the approved details.

**And subject to the completion, within 6 months, of an agreement under S106 of the Town & Country Planning Act 1990 in respect of:**

- 1. Provision of an adequate access road into the car park (including two dropped kerb crossing points with tactile paving),**
- 2. Closure of the existing access to the north east of the site (including reinstatement of the kerbing)**
- 3. Provision of two dropped kerb crossing points with tactile paving in Thornwood Road at its junction with Wood Meads, and**
- 4. Provision of a Travel Information and Marketing Scheme for all future residents.**

*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), the recommendation differs from the views of the local council (Pursuant to Section CL56, Schedule A (g) of the Council's Delegated Functions), and since the recommendation conflicts with a previous resolution of a Committee (Pursuant to Section CL56, Schedule A (i) of the Council's Delegated Functions).*

**Description of Proposal:**

Revised application for the construction of 12 flats, 10 with two bedrooms and 2 with three bedrooms, with associated car parking, amenity space, etc. The building would be located on the northern half of the site on the junction of Thornwood Road and the private road to the north of the site. On the southern half of the site would be a car parking area.

The proposed building would be set back 2m from Thornwood Road at its closest point and would have a footprint of approximately 410 sq. m. The proposed building would reach a maximum height of 8.7m compared to the road level of Thornwood Road, although the building would appear taller towards the rear where the land slopes down.



The proposed development would have communal amenity space of approximately 331 sq. m. surrounding the building, and a car park containing 23 parking spaces accessed from a widened vehicle access to replace the existing access to the site.

### **Description of Site:**

The subject site is located on the western side of Thornwood Road approximately 100 metres north of Woodmeads on the fringe of Epping. The site is not within the Metropolitan Green Belt, however the Green Belt boundary runs along the northern edge.

The site itself is mainly regular in shape and has a moderate slope that falls from the front of the property towards the rear. The overall size of the site is approximately 1500 square metres. The site is currently vacant, although it has recently had cars, vans and caravans parked on it and there is an ongoing Planning Enforcement investigation into its use as a Hand Car Wash. The site was previously used as a service station, which comprised of a single storey building to the northern part of the site and a canopy to refuel beneath.

Currently located on the boundaries of the site are timber paling and wire fences varying in height. There is a small tree located towards the south eastern corner of the site and there are some mature trees located on the boundaries of adjoining properties.

Located to the south and west of the site there are a mixture of buildings that vary in scale, form and size ranging from detached, semi detached and terrace style dwellings. Dwellings located south of the site have consistent front setbacks from Thornwood Road. Located to the east of the property on the opposite side of Thornwood Road is part of Epping Forest which is a site of Special Scientific Interest. The surrounding area to the north and east of the site are located within the Metropolitan Green Belt.

### **Relevant History:**

There have been a number of planning applications submitted to Council over the years however the most relevant applications in relation to the proposed development are as follows:

- EPF/2032/06 – Construction of 11 no. two bedroom, 2 no. three bedroom and 1 no. four bedroom dwellings – refused 14/12/06
- EPF/0860/08 – Construction of 13 no. two bedroom flats and 1 no. three bedroom flats – refused 08/01/09 (appeal dismissed 30/11/09 on the basis of harm to the living conditions of 27 Thornwood Road)
- EPF/0167/11 – Construction of 10 no 2 bed and 2 no 3 bed flats with associated car parking – refused 07/04/11 (currently being appealed)

### **Policies Applied:**

- CP2 - Protecting the quality of the rural and built environment.
- CP3 - New Development
- CP4 - Energy conservation
- CP5 - Sustainable Building
- CP7 - Urban Form and Quality
- CP9 - Sustainable Transport
- DBE1 - Design of New Buildings
- DBE2 - Effect on Adjoining Properties
- DBE3 - Design in Urban Areas
- DBE8 - Private Amenity Space
- DBE9 - Loss of Amenity
- LL10 - Adequacy of provision for landscape retention.

LL11 - Landscaping Schemes  
ST1 - Location of development.  
ST2 - Accessibility of development.  
ST4 - Road safety.  
H1A - Housing Provision  
H3A - Housing Density  
H4A - Dwelling Mix  
ST6 - Vehicle Parking.  
GB7A - Conspicuous Development  
NC1 - SPAs, SACs and SSSIs  
HC5 - Epping Forest

### **Summary of Representations:**

32 properties were consulted on this application and a Site Notice displayed on 29/07/11.

EPPING TOWN COUNCIL – Object to this application. It was noted that the developer's statement in regard to the height of the proposed building inconsistently measures to the ridge height of the proposed building but to the top of the chimney height of the adjacent building. Therefore, the overall effect would still be to put a building on this site of excessive height and mass very close to the road. It was also noted that the panoramic views had all been taken with the trees in full leaf, which masks the full effect of this building. The amenity space remains scarcely adequate and the lack of parking is still likely to be a significant problem in this area where nearby on street parking is not possible. The overall conclusion on this application is that it is still detrimental to this gateway area of Epping and harmful to the Green Belt.

CITY OF LONDON – Object as the development would harm the character and appearance of the surrounding area and the adjacent Green Belt land, and due to the inadequate parking provision.

EPPING SOCIETY – Object. Although the roof line is lower than the earlier application, we consider the building still to be of excessive height and bulk, overbearing to the adjacent houses and inappropriate as an approach to the town; the amenity space still remains totally inadequate; and there is still a lack of sufficient visitor parking in an area where street parking is not available.

1 WOODMEADS – Object as this is overdevelopment and due to the increased pressure this would have on on-street parking.

29 THORNWOOD ROAD – Object as the overall height and footprint is larger than other buildings in the area, the impact on neighbouring residents, the parking provision and level of amenity space, the potential loss of trees

37A THORNWOOD ROAD – Object as the reduction in height makes little difference in reducing the bulk of the building or overcoming the previous concerns. Namely due to loss of light, loss of privacy, amenity implications, inadequate car parking provision and highway safety implications, and due to the potential loss of trees.

92 THE PLAIN, EPPING – Object as the site could only accommodate four houses and due to highway and traffic concerns.

THORNWOOD ACTION GROUP – Agree with above objection.

### **Issues and Considerations:**

The main issues to be addressed regarding the proposed development are as follows:

- Whether the site is in a sustainable location for this type of development and use.
- Whether the design and appearance is acceptable.
- Whether there would be any traffic and parking concerns caused by the development.
- Whether there would be any effects to the amenities of adjoining properties.
- Whether there are any impacts to the openness of the Green Belt.
- Whether the landscaping is acceptable.
- Whether there are any impacts on the Site of Special Scientific Interest.

The previous application (EPF/0167/11) was refused permission for the following reasons:

*The proposed development, due to its height, bulk and massing as a single block, is excessive in scale in relation to adjacent development and overly prominent in the street scene, in this sensitive location at the edge of the built up area. It adopts a significance in the street scene that is inappropriate to its function and presents an inappropriate and out of character entrance to the historic market town of Epping and fails to demonstrate a sensitive appreciation of its effect on the adjacent forest landscape. The proposal is therefore contrary to policies CP2, DBE1, and LL3 of the adopted Local Plan and Local Plan Alterations.*

*The proposed development fails to make adequate provision for off street parking for both residents and visitors to the flats in a location where there is limited scope for on street parking. The proposal is therefore likely to result in indiscriminate parking on adjacent land and highways to the detriment of the character and amenity of the area. Additionally the gated entrance and lack of adequate parking space for visitors is likely to result in delays in entering the site and/ or dangerous reversing movements onto the busy B1393, to the detriment of the safe and free flow of traffic. The proposal is therefore contrary to policies CP2, ST4 and ST6 of the adopted Local Plan and Alterations.*

This revised application has lowered the highest part of the proposed development by 900mm. There are no other alterations.

#### Sustainability:

The previous scheme was not refused on sustainability grounds and, whilst on the edge of the urban area, the site is within walking distance of Epping Town Centre and is relatively well served by public transport, which was also referred to by the Planning Inspector on the previous appeal.

#### Design and appearance:

The previous application ref: EPF/0860/08 was refused due to its height, bulk and overall design and the impact that this would have on this 'gateway' site. The Planning Inspector previously stated that "while this is an edge of town site that adjoins the Green Belt and the scheme proposes a density that is substantially in excess of that prevailing in the area I do not see that it creates a jarring fusion between town and country". It was concluded that the development "would provide an appropriate terminal feature that would clearly mark the edge of the town" and that he did not find that "the introduction of flats in an area of mainly housing would create an objectionable change in the character of the built environment". As such it was previously stated that "there is no sustainable objection to the development regarding its impact on the character and appearance of the area".

The proposed development would have a footprint of 410 sq. m. and would reach a maximum height of 8.7m. This is just 400mm higher than the ridge height of No's. 25 & 27 Thornwood Road with a visual separation of 22m. Whilst the proposal is 1.2m higher than the ridge of No's. 37a to 47 Thornwood Road (and sits on higher land), there is an 11m separation between the buildings at

the closest point (to the single storey cycle store) and 12.5m between the main bulk of the proposed development and the flank wall of No. 37A.

The development that was dismissed on appeal in 2009 proposed a building of a similar height to this proposal, however it had a far greater footprint. In the appeal decision the Planning Inspector stated that "*the elevations to (Thornwood Road) and to the forest track pay sufficient regard to the scale and disposition of adjoining development and provide an acceptable termination to the street scenes on both frontages*". As such it is not considered that the proposed development would detrimentally impact on the character and appearance of the area or to this 'gateway' location into the historic town of Epping.

Having regard to the reduced height of the current proposal, together with the findings of the Planning Inspector in the 2009 appeal on the matter of design and impact on the character and appearance of the locality, it would not be possible to sustain an objection to the current proposal on design grounds.

#### Highway and parking considerations:

The lack of visitor parking provision has continuously been a concern on this site and has always formed a reason for refusal, however the Planning Inspector did not uphold this reason on the previous appeal and highlighted that "*the site is close to Epping town centre and is reasonably well served by buses with access to the centre and Epping underground*". For a development of this scale in a locality not well served by public transport and not near services, the current Essex County Council Vehicle Parking Standards (2009) requires 24 parking spaces for future residents, plus 6 visitor spaces, equalling 30 in total. This application proposes 23 spaces in total, 20 of which would be located beyond a retracting gate (for resident use) and 3 of which would be open to visitors. Whilst this is less than that required by the Vehicle Parking Standards for a more isolated site, it is stated within this document that "*reductions of the vehicle standard may be considered if there is development within an urban area that has good links to sustainable transport*" and that "*for main urban areas a reduction to the vehicle parking standard may be considered, particularly for residential development. Main urban areas are defined as those having frequent and extensive public transport and cycling and walking links, accessing education, healthcare, food shopping and employment*".

Given the previous comments by the Planning Inspector and the proximity to public transport (buses and Epping underground), public footpaths and bridle/cycle paths, Epping schools, St Margaret's hospital (and the health services within Epping), and Epping Town Centre, the level of provision proposed is in accordance with the adopted parking standards which allows for a reduction in parking provision in location such as this.

Whilst the level of car parking was part of the reason for refusal for the previous application, as was the potential impact on highway safety on the B1393 (Thornwood Road), Essex County Council Highway Officers continue to raise no objection to the proposed development. Their position is subject to conditions and securing the following matters within a legal agreement:

1. Provision of an adequate access road into the car park (including two dropped kerb crossing points with tactile paving),
2. Closure of the existing access to the north east of the site (including reinstatement of the kerbing)
3. Provision of two dropped kerb crossing points with tactile paving in Thornwood Road at its junction with Woodmeads, and
4. Provision of a Travel Information and Marketing Scheme for all future residents.

As such, whilst the previous reason for refusal has not been addressed (in that there are still only 23 parking spaces proposed on the same layout as previously proposed), it remains Officer's

opinion that this level of provision would not be detrimental to highway safety or provide an unacceptable level of car parking. In the circumstances, Members are advised it would not be possible to sustain an objection to the proposal on parking grounds.

#### Housing density and mix:

The proposed development would have a housing density of 80 dwellings per hectare (dph). The Planning Inspector previously raised no concern regarding the higher density of 93dph, and stated that whilst “*the scheme proposes a density that is substantially in excess of that prevailing in the area I do not see that it creates a jarring fusion between town and country*”. As such, it is considered that this lower density scheme is equally acceptable. Similarly there is a slightly better dwelling mix in this scheme than that previously dismissed at appeal in 2009. Accordingly, the proposal complies with policy H4A.

#### Residential amenity space:

Policy DBE8 of the Epping Forest District Local Plan and Alterations states that in respect of communal amenity space provision, at least 25 sq. m. of usable space for each unit is required. Given that there are 12 units proposed within the development, a minimum of 300 sq. m. of communal space is required. Whilst the proposed amenity space generally meets this requirement (including roof terraces/balconies), it is not all considered particularly ‘usable’ amenity space. Of particular concern are the relatively thin strips around the front and side of the building, which are unlikely to be utilised by residents, and that the main amenity area to the rear of the building would be largely overshadowed by the building and therefore would not receive direct sunlight throughout the year. Notwithstanding this, the location of the site and proximity of Epping Forest ensures that public amenity space is readily available for any future occupiers. Members are advised this matter did not form a reason for refusal on the previously refused application and consequently it is likely a reason for refusal of this proposal on the basis of poor provision of private amenity space could not be sustained and would be found unreasonable.

#### Green Belt:

In terms of the potential impact on the adjacent Green Belt, the points covered within ‘*design and appearance*’ and ‘*housing density and mix*’ address these concerns.

#### Site of Special Scientific Interest:

Natural England had no objections to the previous development as it was considered it would not adversely affect any known protected species and that the atmospheric pollution caused by traffic generated was too minor to warrant any reason for refusal. This opinion is unchanged.

#### Landscaping:

All the significant trees on the site are proposed to be retained and incorporated into the landscape scheme. The submitted information regarding this is considered sufficient and therefore the development complies with the relevant landscaping policies. However a tree protection condition and condition requiring further details of hard and soft landscaping are required.

#### Education contribution:

Essex County Council Educational Services require that a developer contribution be paid prior to the commencement of works to the sum of £17,915, which has been calculated using the April 2011 cost multipliers.

Impacts to adjoining properties:

The previous appeal on this site was dismissed as “*the closeness of the proposed southern block to the flank windows in No. 27, particularly the ground floor window in the main section of the house, would materially reduce daylight reaching the affected rooms and would appear visually obtrusive compared with the existing situation*”. To address this issue the proposed building would now be situated 22m from the neighbour’s flank wall (approximately 19.5m from the shared boundary). This level of set back would overcome any loss of light or visual harm to this neighbour’s windows. With regards to the neighbouring properties to the west, the Planning Inspector stated “*I regard that degree of separation as being adequate to prevent any significant loss of daylight to the flank wall of No. 37a Thornwood Road*”.

The scheme refused earlier this year was not refused due to loss of amenity to neighbouring residents and, as the only change with this revised application relates to a drop in overall ridge height, the current scheme would similarly not be detrimental to the amenities of surrounding residents with regards to loss of light, privacy or visual amenity.

Other issues:

The discharge of foul and surface water can be dealt with by imposing a condition on any permission as well as details of flood risk.

In relation to protecting the amenities of adjoining occupiers during construction of the development, conditions would be placed on any consent to safeguard amenity during construction. This would include restricting the hours in which construction can take place and requiring the implementation of an agreed methodology for controlling dust during construction.

**Conclusion:**

Having regard to the previous appeal decision, and notwithstanding Members decision to refuse a similar proposal contrary to Officer advice earlier this year, Officers advice in respect of this proposal is that the design and appearance of the development is acceptable in terms of its scale, bulk, siting and massing and it would not cause harm to the Green Belt or to the amenities of adjoining residents. Whilst the level of vehicle parking provision is less than required by the letter of the Vehicle Parking Standards, it is in accordance with those standards and there is no objection from Essex County Council as Highway Authority.

Accordingly, it is recommended this application be approved subject to conditions and to a legal agreement as detailed at the head of this report.

***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:***

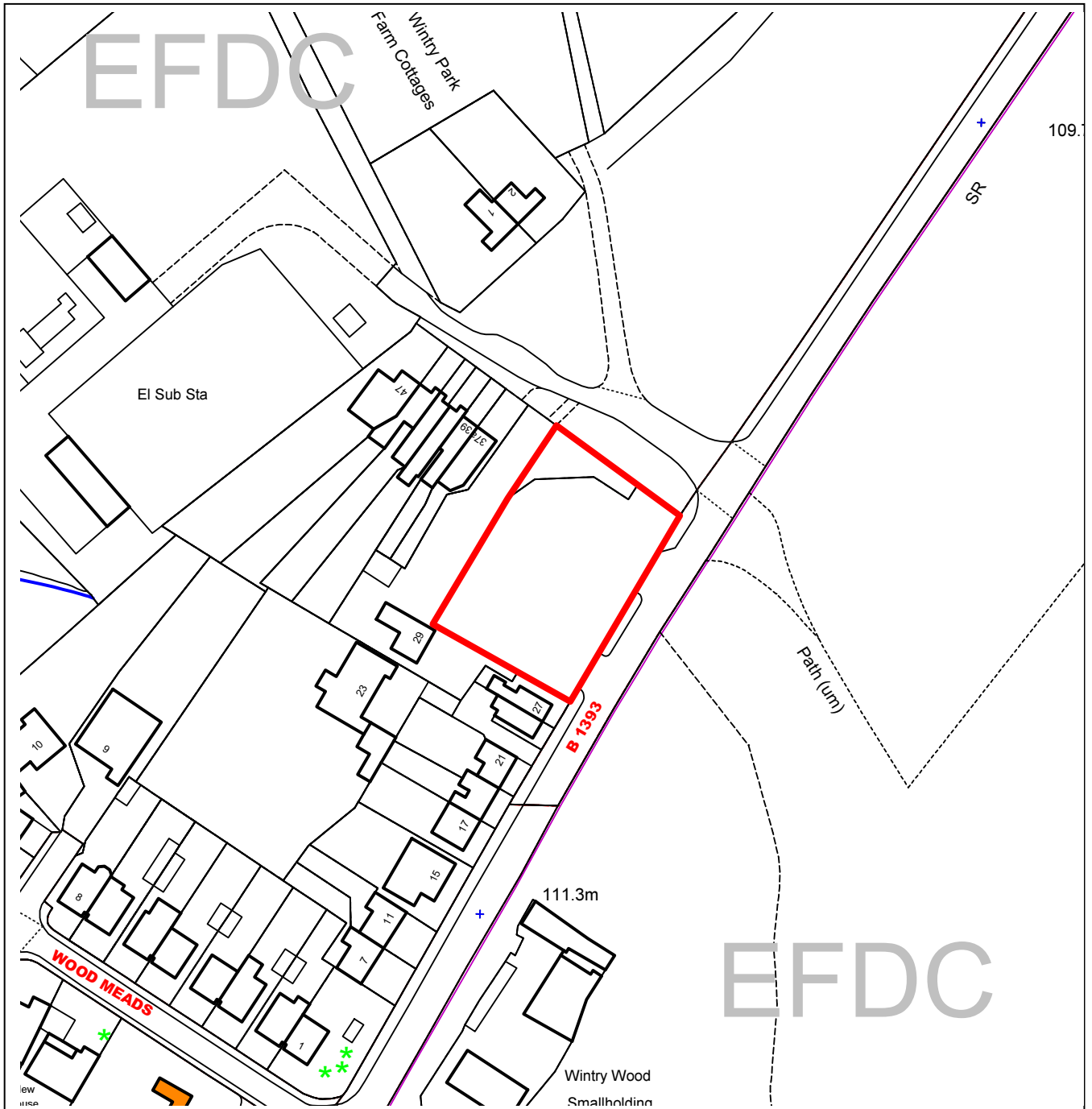
***Planning Application Case Officer: Graham Courtney  
Direct Line Telephone Number: 01992 564228***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Area Planning Sub-Committee East



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| <b>Agenda Item Number:</b> | <b>13</b>  |
| Application Number:        | EPF/1456/11  |
| Site Name:                 | Wintry Park Service Station, 37 Thornwood Road, Epping, CM16 6SY |
| Scale of Plot:             | 1/1250   |

**Report Item No: 14**

|                                 |   |
|---------------------------------|---|
| <b>APPLICATION No:</b>          | EPF/1508/11   |
| <b>SITE ADDRESS:</b>            | 14 Harrison Drive<br>North Weald<br>Essex<br>CM16 6JD                                 |
| <b>PARISH:</b>                  | North Weald Bassett   |
| <b>WARD:</b>                    | North Weald Bassett   |
| <b>APPLICANT:</b>               | Mr Darren Hunt  |
| <b>DESCRIPTION OF PROPOSAL:</b> | Erection of a single dwelling attached to 14 Harrison Drive.<br>(Revised Application) |
| <b>RECOMMENDED DECISION:</b>    | 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=529890](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=529890)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: BRD/10/076/02, BRD/10/076/03, BRD/10/076/04 Rev: A, BRD/10/076/05 Rev: A, BRD/10/076/06, OS312-11.1 Rev: A, OS312-11.2 Rev: A
- 3 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.
- 4 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.



- 5 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.
- 6 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.

*This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions) and as it is for a form of development that can not be approved at Officer level if there are more than two expressions of objection to the proposal. (Pursuant to Section CL56, Schedule A(f) of the Council's Delegated functions).*

#### **Description of Proposal:**

Revised application for the erection of a single dwelling attached to No. 14 Harrison Drive. The proposed dwelling would be 5.9m wide and 8.3m deep and would continue the ridged roof on No. 14 at an overall height of 8.3m. The development would involve the subdivision of the front and rear garden to provide parking and amenity space to serve each individual property, and proposes the removal of some of the side boundary vegetation.

#### **Description of Site:**

The application site is located on the north western end of Harrison Drive, which in this section contains two pairs of semi-detached dwellings. To the north of the site are the rear elevations and back gardens of Wheelers Farm Gardens, which are two storey maisonette buildings situated around a central courtyard. The existing property sits within a larger plot than neighbouring residents and contains a large front garden/parking area and a single storey attached garage, which would be removed as part of this proposal. The site is located within the built up area of North Weald and within a Flood Risk Assessment zone.

#### **Relevant History:**

EPF/0606/11 - Erection of a single dwelling attached to no. 14 Harrison Drive – refused 01/06/11 on the following grounds:

- 1. The proposed new dwelling fails to provide sufficient functional, usable and private amenity space for the donor and new dwelling, contrary to the aims and objectives of policy DBE8 of the Adopted Local Plan and Alterations.*
- 2. The proposed new dwelling would by reason of its bulk and scale in close proximity to the boundaries of the site, have an unacceptable adverse impact on neighbouring outlook and amenities, contrary to policy DBE2 of the Adopted Local Plan and Alterations.*
- 3. The proposed new dwelling, by reason of its scale and design would appear at odds with the attached buildings and wider cul-de-sac, contrary to the aims and objectives of policy DBE1 of the Adopted Local Plan and Alterations.*

### **Policies Applied:**

CP1 – Achieving sustainable development objectives  
CP2 – Protecting the quality of the rural and built environment  
DBE1 – Design of new buildings  
DBE2 – Effect on neighbouring properties  
DBE3 – Design in urban areas  
DBE8 – Private amenity space  
DBE9 – Loss of amenity  
LL10 – Adequacy of provision for landscape retention  
LL11 – Landscaping schemes  
ST1 – Location of development  
ST4 – Road safety  
ST6 – Vehicle parking  
U2B – Flood Risk Assessment zones

### **Summary of Representations:**

21 neighbours were consulted on this application.

PARISH COUNCIL – Object as the proposal would create a terracing effect and is over development, it would be visually intrusive to neighbouring properties. Concern is also raised at flooding issues with nearby North Weald Brook. The proposal would also constitute Garden Grabbing.

8 HARRISON DRIVE – Object as there is insufficient amenity space provided, will remove and cut back existing trees, the creation of a terrace would be out of keeping with the area, and as this would result in highway safety and parking problems.

10 HARRISON DRIVE – Object as this would be out of character and ruin the appearance of the street scene and due to insufficient parking provision.

11 HARRISON DRIVE – Object as a row of terrace properties would be out of keeping with the area, as this would set a precedent which would create an enormous strain on the cul-de-sac, as it would exacerbate existing parking problems, and concerned about drainage issues and potential flood risk.

12 HARRISON DRIVE – Object due to the creation of a terrace out of keeping with the surrounding properties, as it will result in further traffic congestion and parking problems, and due to the impact on Wheelers Farm Gardens residents.

13 HARRISON DRIVE – Object due to the impact on the character of the area, impact on existing trees, as this would result in further traffic and parking problems, concerned about drainage issues, and as this is garden grabbing.

5 WHEELERS FARM GARDENS – Object due to the potential loss of trees and vegetation, due to drainage concerns, this would be a cramped development, and due to the impact on neighbours.

PETITION SIGNED BY: 5, 6, 9, 11, 12, 13, 14, AND 15 WHEELERS FARM GARDENS – Object to loss of privacy if any trees are removed, impact on neighbouring residents, potential flood risk, there is no shortage of accommodation so no need for the development, and may lead to a loss of animal habitat.

PETITION SIGNED BY: 1, 2, 3, 4, 5, 6, 8, 10, 11 AND 12 HARRISON DRIVE – Object to the impact on the street scene and overdevelopment of the site, parking and highway safety issues, and as this constitutes garden grabbing.

### **Issues and Considerations:**

The key issues in this consideration are those highlighted within the previous reasons for refusal. These consist of:

- The level of proposed amenity space for both the proposed development and the donor property;
- The impact on neighbouring residents (particularly those in Wheelers Farm Gardens);
- The visual impact on the street scene and surrounding area.

### **Provision of amenity space**

The existing dwelling would retain 65 sq. m. of rear garden area, with the subdivided plot allowing approximately 85 sq. m. for use by the new dwelling. The supporting text of DBE8 expects rear gardens to have a minimum area of 20 sq. m. for each habitable room that will usually:

- (i) *Be at the rear of dwellings or flats;*
- (ii) *Be directly adjacent to and easily accessible from the relevant buildings;*
- (iii) *Be of a size, shape and nature which enables reasonable use;*
- (iv) *Have an aspect which ensures that reasonable parts receive sunlight throughout the year;*
- (v) *Not have an excessive slope in its finished form; and*
- (vi) *Achieve privacy on a continuing basis.*

Under this guidance, both properties would require 80 sq. m. of private amenity space. Due to the reduction in footprint of the proposed new dwelling this would now be served by a private amenity area (which meets the six requirements of DBE8) that exceeds the expected minimum, however the donor property would still be 15 sq. m. below this.

Notwithstanding the above, both properties have substantial front garden areas which would compensate for that lost at the rear. Furthermore, the supporting text of DBE8 states that “*inevitably there will be exceptions and the Council may be prepared to relax these standards in certain circumstances*”. These circumstances include where “*the size and/or disposition of a plot does not quite facilitate what, in all other terms, would be an acceptable form of development*”. As such it is considered that, despite the donor property being 15 sq. m. below the expected level, the increase in the level of private amenity space provided for the new dwelling and the level of compensatory (although not private) front amenity space is considered sufficient to overcome the previous reason for refusal.

### **Amenity considerations**

As the proposed dwelling would not extend beyond the front or rear wall of No. 14 Harrison Drive the dwelling does not detrimentally impact on this resident’s amenities (which is the same as previous). As such the main concern and basis for the previous reason for refusal was the impact on the residents of Wheelers Farm Gardens.

At present the site is screened along the northern boundary by heavy vegetation, primarily consisting of Hawthorn trees and laurel hedging, which acts as an effective screen against loss of privacy (particularly as Wheelers Farm Gardens have very narrow rear gardens). This revised application has reduced the width of the proposed dwelling and therefore would retain a greater gap between the flank wall of the house and the existing planting (and the neighbouring sites). The Council’s Tree & Landscape Officers agree with the submitted Arboricultural Report that demonstrates the trees and hedges on site can be safely retained during construction (a matter

which can also be controlled/protected by condition). Therefore, with the retention of this screening and additional planting to supplement the existing vegetation, there would be no detrimental loss of amenity to the existing neighbours or to future occupiers of the site.

### Design

Whilst the previous application proposed a dwelling wider than those existing within Harrison Drive this revised scheme has reduced the width of the new dwelling to bring it in line with its neighbours. Furthermore, although this development would create a row of three terrace properties in a road of semi-detached houses, given the site's location at the end of this small cul-de-sac such a development would not be considered harmful to the appearance of the street scene. The wider surrounding area consists of a mix of semi-detached, detached and terrace houses together with maisonettes. Therefore, whilst Harrison Drive consists solely of semi-detached dwellings, the proposed development would not be at odds with the wider character or appearance of this area.

### Other Issues

Whilst the previous planning application was only refused for the above three reasons, and all other considerations were therefore considered acceptable, concerns have again been raised by neighbours and the Parish Council with regards to parking provision/highway safety, loss of existing trees, and drainage/flooding issues. These matters are addressed below.

#### *Highways/parking*

The proposed development would provide two off-street parking spaces for the new dwelling and two spaces for No. 14 Harrison Drive. Furthermore, given the large area of hardstanding in front of the dwellings, there would be adequate room for visitor parking when required. As such this proposal complies with the requirements of the Essex County Council Vehicle Parking Standards. Whilst neighbour objections have been received stating that this would exacerbate existing parking problems, there is no justification to require more parking provision than that proposed. As such the proposed development complies with policy ST6.

#### *Landscaping*

The submitted Arboricultural Report demonstrates that the existing trees and hedges on site can be safely retained through construction and thereafter, which can be controlled by condition. Further to the retention of the existing trees and hedges, additional landscaping should be sought to supplement the existing vegetation, which can also be secured by condition.

#### *Flood risk*

The application site lies within a Flood Risk Assessment zone and concern has been raised by neighbours and the parish council with regards to potential flood risk resulting from the development. The Council's Engineering, Drainage and Water Team were consulted on this application, however they consider that the proposed development would only cause a negligible increase in surface water runoff. As such, this proposal does not require any form of flood risk assessment.

### **Conclusion:**

The reduction in width of the proposed new dwelling would bring this in line with the size of the other properties within Harrison Drive, would locate the development further away from the shared boundary with the dwellings in Wheelers Farm Gardens, would ensure retention and protection of the existing landscaping, and would increase the size of the private amenity space serving the

proposed new dwelling. Whilst the parent dwelling would have 15 sq. m. less private amenity space than expected by policy DBE8, this is considered acceptable due to the provision of generous amenity space to the front of the site and the general suitability of the site for such a development. As such the application is recommended for approval.

***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:***

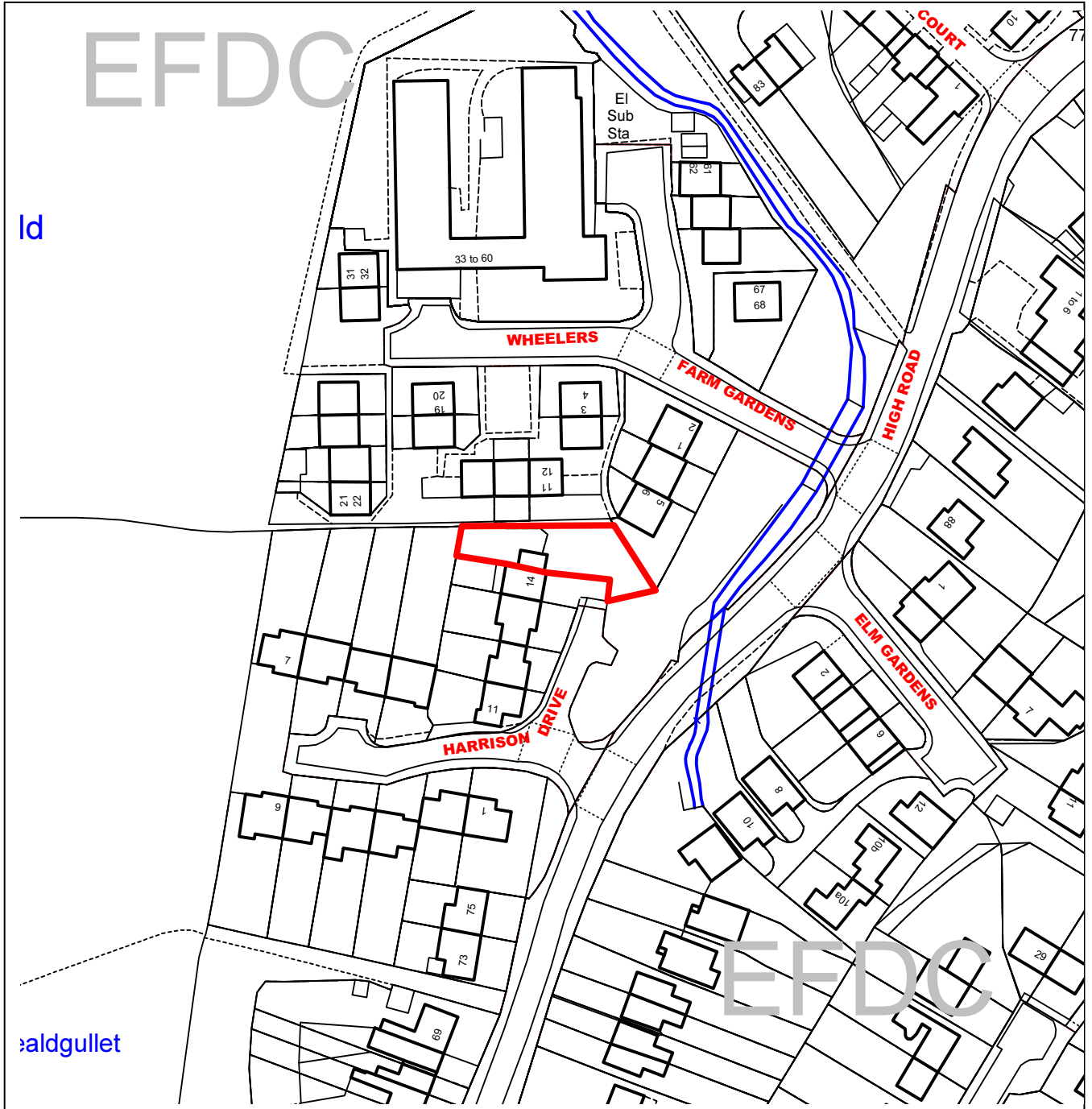
***Planning Application Case Officer: Graham Courtney  
Direct Line Telephone Number: 01992 564228***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Area Planning Sub-Committee East



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|----------------------------|--|
| <b>Agenda Item Number:</b> | <b>14</b>                                  |
| Application Number:        | EPF/1508/11                                |
| Site Name:                 | 14 Harrison Drive, North Weald<br>CM16 6JD |
| Scale of Plot:             | 1/1250                                     |