

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/1578/11
<b>SITE ADDRESS:</b>	8 Windsor Wood Waltham Abbey Essex EN9 1LY
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey North East
<b>APPLICANT:</b>	Mrs Ann Morris
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/10/90 T2 - Silver Birch - Fell
<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=530189](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=530189)

**REASON FOR REFUSAL**

- 1 The birch is a mature, healthy tree of importance in the local street scene. While retention of the tree causes difficulties in making full use of the parking space to the front of the property alternative parking is locally available, so felling is not justified. None of the other issues specified are sufficient to change that judgement. Replacement planting elsewhere would not adequately compensate within a reasonable timescale for the tree's loss. The proposed felling would therefore be contrary to policy LL9 of the Epping Forest District Local Plan and Alterations, 2008.

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

**Description of Proposal**

Birch; fell to ground level.

N.B. in this instance the applicant asks that no replacement planting condition be applied.

**Description of Site**

The native Silver Birch is visually prominent, on the south side of Monkswood Avenue.

**Relevant History**

The birch was retained as part of the original planning for the Windsor Wood development.

EPF/1946/09; consent for selective crown reduction to shorten branches overhanging the drive, App/Con (Also, felling of Sycamore to the rear agreed.)

## **Relevant Policies**

LL9 – Felling of preserved trees

*'the council will not give consent to fell a tree...protected by a TPO unless it is satisfied that this is necessary and justified.....any such consent will be conditional upon the appropriate replacement of the tree'*

## **Summary of Representations**

WALTHAM ABBEY TOWN COUNCIL: Object. The birch has great amenity value, and there should be other ways of moving the birds on

## **Issues and Considerations**

The application is on the basis that it is the only way to make the single parking space to the front of the property useable, and that there are no reasonably convenient alternative parking spaces available. The applicant is also concerned about the height of the tree, and of potential subsidence to her property.

The applicant reports that pigeons, kept by a neighbour, habitually perch in her tree, and that their droppings foul her car. She has supplied photos showing heavy soiling of the paintwork. There was one recent dropping on the car at the time of inspection, as well as evidence of plentiful fouling of the drive. The front garden is very narrow and short. The birch has a 3m overhang of the drive, and although some shortening of the side branches was permitted in 2009 this has made little difference. There is no opportunity to plant a replacement elsewhere in the front garden, and a tree to the rear would have little or no amenity value.

The applicant is elderly, and feels that the burden of repeatedly having to clean her car is unreasonable. There are dedicated car parking spaces in the Windsor Wood development, however she reports that the closer ones immediately adjacent are generally full. She finds the 50m walk from the other spaces too much and is concerned for her safety at night, because the area is not well lit, or level and is used as a "cut-through" from Broomstick Hall Rd.

Parking is allowed along adjacent sections of Monkswood Avenue, but the applicant reports that she feels that the narrowness of the road means that damage is likely to her car, and in any event spaces that are convenient are not always available. She has considered covering her car, but this would be inconvenient and laborious to have to do every time she wishes to use it.

Finally while the applicant cannot replace the tree on her own property she is willing to fund a replacement tree or trees nearby on council land, through the tree donation scheme. A piece of open land without trees on the opposite side of Monkswood Avenue appears to be suitable.

## **Discussion**

The tree is visually important in the street scene, is healthy, well shaped, and with a reasonable life expectancy, estimated at 15-20 years. It is not likely to grow significantly taller than its current 15m, and given its recent construction her property should be in no danger of subsidence. No evidence has been provided to support this concern.

It is acknowledged that the difficulty of using her car parking space is real, however the availability of replacement parking does give a reasonable, albeit less convenient, alternative.

The precedents for such cases are that bird droppings have very occasionally been accepted by members as a good enough reason for felling healthy TPO trees, but generally only when affecting

essential amenity space and compounded with other problems, and not in respect of car parking alone.

The possibility of planting a replacement off-site cannot be conditioned, although it could be carried out through the tree donation scheme; the advantage of replacement, once established, would be that new tree/s would have equal amenity value, but a longer life expectancy.

**Conclusion:**

It is concluded that in this case the proposed felling has not been justified; the loss of this tree would be detrimental to public amenity, and alternative car parking arrangements could be made. The application is accordingly recommended for refusal, in accordance with policy LL9.

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

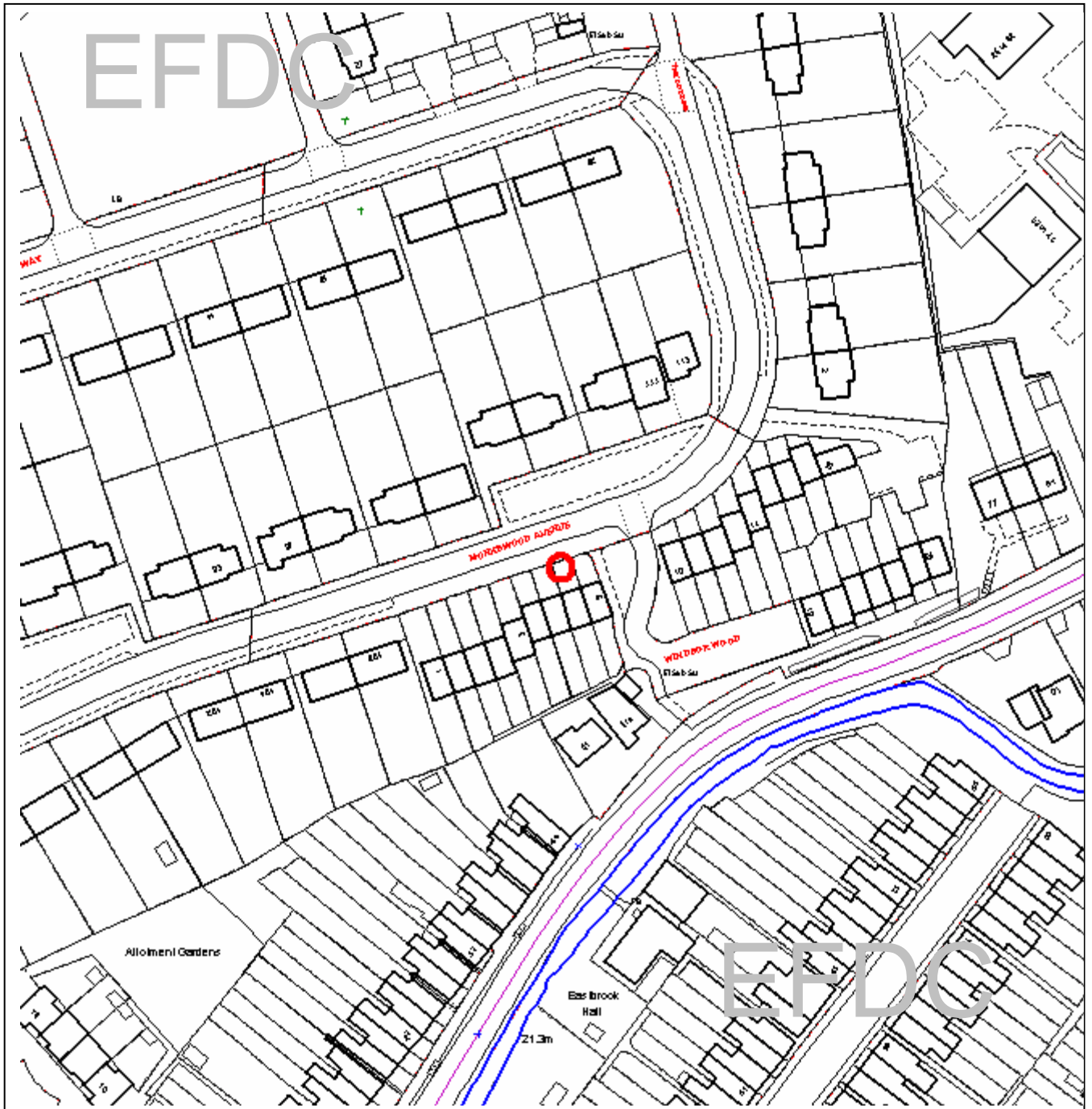
***Planning Application Case Officer: Christopher Neilan  
Direct Line Telephone Number: 01992 564117***

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



# Epping Forest District Council

## Area Planning Sub-Committee West



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

<b>Agenda Item Number:</b>	1
Application Number:	EPF/1578/11
Site Name:	8 Windsor Wood, Waltham Abbey EN9 1LY
Scale of Plot:	1/1250

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/1886/11
<b>SITE ADDRESS:</b>	9 Windsor Wood Waltham Abbey Essex EN9 1LY
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey North East
<b>APPLICANT:</b>	Mrs Persky
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/10/90 T1 - Sycamore - Fell
<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=531249](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=531249)

**REASON FOR REFUSAL**

- 1 Loss of this tree would be detrimental to public amenity, in its own right, and as part of the wider landscape feature. It is recognised that the tree is associated with problems related to its size and species. However it is considered that these may be minimised by adopting a different surface within the garden and pruning to control the tree's size and spread. While this would not be a complete solution it is considered that the amenity value of the tree is such that its retention is in the public interest.

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

**Description of Proposal**

Sycamore; fell to ground level.

**Description of Site**

The sycamore is visually prominent as one of a line of trees along the low ridge above Broomstick Hall Rd, as well as from Monkswood Avenue and Windsor Wood itself.

**Relevant History**

The sycamore was retained as part of the original planning for the Windsor Wood development.

EPF/0331/04: selective crown reduction to shorten branches overhanging the garden by 15%, and reduce height by 35%. Approved with conditions.

EPF/1523/00: crown reduction in height, (2m) and spread (2m). Approved with conditions.

## **Relevant Policies**

LL9 – Felling of preserved trees

*'the council will not give consent to fell a tree...protected by a TPO unless it is satisfied that this is necessary and justified....any such consent will be conditional upon the appropriate replacement of the tree'*

## **Summary of Representations**

WALTHAM ABBEY TOWN COUNCIL: object.

## **Issues and Considerations**

The application is on the basis that it is the only way to make the rear garden properly useable. The applicant is also concerned about loss of light to her lounge in particular. She has owned the property for just less than 1 year.

The tree is approx. 15m in height, with a side spread of approx. 3m. It is vigorous, with a long, safe, useful life expectancy, and has recovered well from previous pruning. The garden is modest, approx 12 m long, and 4m wide, aligned broadly north/ south, the tree being to the south of the property, so it casts shade on the garden and the house for much of the day. There is a gap between it and the next tree, to the west, in No. 8, but this is relatively narrow, and the presence of the additional tree compounds the issue of loss of light, particularly later in the day.

The garden has timber decking behind the house, and then two terraces 4m square, of concrete paving. The honey-dew drip from the tree has stained and darkened these slabs, and although they have been steam cleaned they remain unsightly. Management of the plentiful leaf and seed fall is an issue. The applicant has moved the rotary washing line away from the tree but it is still difficult to dry clothes, and on windy days the honey-dew drip can affect the clothes.

She wishes to entirely renovate the garden, but feels that the tree's presence makes this impossible, and its retention is therefore an unreasonable imposition. She does not accept that it is an attractive tree, and feels that it is disfigured by the "tar spots" on the leaves.

## **Discussion**

The retention of the line of Sycamores was an issue from the layout stage of development, when it was recognised that their retention would be an issue for future owners of the properties to the north, for at least some of the reasons given. However it seemed then that the importance of the feature (that is the line of trees as a whole) was such that the balance was on their retention. To make this as palatable as possible the approach has been to agree proposals to limit their height and also their spread over the gardens. At the same time, if it appeared that particular trees could be sacrificed without significant loss of amenity, then this has been agreed.

Broadly this approach has allowed the line to be retained as a distinct feature, although the style and degree of pruning has unfortunately not been uniform in all cases.

The "honey-dew" drip, characteristic of sycamores, but other deciduous trees as well, is a by-product of aphids feeding on the leaves. It is difficult to remove from hard surfaces, and tends to be colonised by sooty moulds, and also atmospheric particulates. The black spots that develop on the leaves in late autumn are a fungal leaf disease, but not an issue for tree or human health.

In this case the issue of a completely hard-surfaced garden is unique, but that could be changed to a softer form of landscaping, with lawn, and groundcover/ herbaceous planting.

There will be inevitably, however, a significant loss of sunlight.

If members were minded to agree this application, say with a condition for a smaller replacement tree, such as a rowan or birch, they would clearly set a precedent for other properties, and future felling applications.

**Conclusion:**

It is concluded that in this case the proposed felling has not been justified; the loss of this tree would be detrimental to public amenity, in its own right, and as part of the wider landscape feature. It is recognised that the tree is associated with problems related to its size and species. However it is considered that these may be minimised by adopting a different surface within the garden and pruning to control the tree's size and spread. While this would not be a complete solution it is considered that the amenity value of the tree is such that its retention is in the public interest.

The application is accordingly recommended for refusal, in accordance with policy LL9.

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

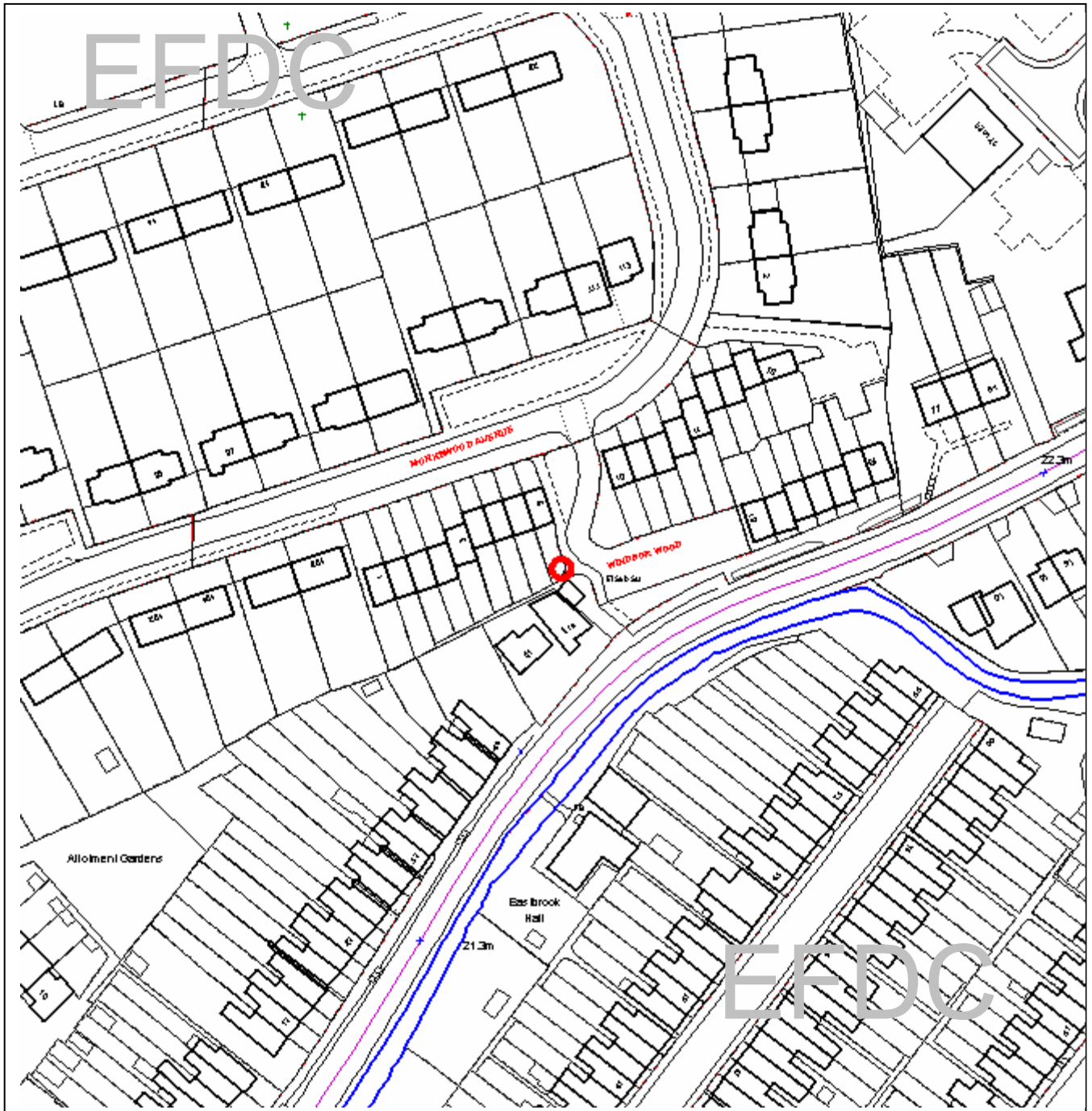
***Planning Application Case Officer: Christopher Neilan  
Direct Line Telephone Number: 01992 564117***

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



# Epping Forest District Council

## Area Planning Sub-Committee West



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

**Agenda Item Number:**

2

**Application Number:**

EPF/1886/11

**Site Name:**

9 Windsor Wood, Waltham Abbey  
EN9 1LY

**Scale of Plot:**

1/1250



**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/1778/11
<b>SITE ADDRESS:</b>	35 Highland Road Nazeing Waltham Abbey Essex EN9 2PT
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Lower Nazeing
<b>APPLICANT:</b>	Mr G. Hill
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/22/83 T1 (T5 on TPO) - Lime - Fell
<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=530806](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=530806)

**CONDITIONS**

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

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

**Description of Proposal:**

**T1 . ( TPO T5) Lime - Fell to ground level**

**Description of Site:**

The tree is a pollarded mature specimen, standing around 4 metres tall at the front corner of the applicant's front driveway boundary. The property is located towards the northern end of this tree lined residential road and the subject tree is part of an outstanding symmetrical planting of 24 lime

trees forming one of the most important avenues in the district. Not all the trees shown on the original plan remain but the avenue structure is largely intact.

### **Relevant History:**

TRE/EPF/1746/10 approved the pollarding of the tree to previous points at around 3 metres.

TRE/EPF/1557/05 approved a crown lift.

The tree has been massively reduced in a past management operation, possibly as a result of structural issues.

### **Relevant Policies:**

LL9 Felling of preserved trees.

### **Summary of Representations:**

4 neighbours were consulted and one response received which has been summarised as follows:

33 HIGHLAND ROAD: Object: The tree was said to be in good health last year when it was pollarded but is now regarded as being in poor condition, which appears biased in favour of the proposal and should be considered at the end of ten years; the life span estimated for the tree. The destruction of this tree would set a precedent, which may lead to future requests for tree removal for being 'in the way'. Concerns were voiced about the works involved in removing the tree and who will ensure no damage occur to neighbouring drive and drains.

NAZEING PARISH COUNCIL supported the letter of objection from resident. The removal of this tree would be detrimental to the street scene and is part of a row of lime trees. If the tree has to be removed due to deterioration it should be replaced.

### **Issues and Considerations:**

#### **Issues**

The application is made on the basis that the tree is in very poor condition. It is stated in a supporting report that the tree is suffering from extensive hollowing out of the stem visible from a large cavity in the stem, which allegedly presents a potential hazard and should be removed.

#### **Considerations**

i) Tree condition and life expectancy.

From a ground level visual inspection, T1 appears to be in a poor structural condition, with a life expectancy of less than 20 years. In terms of vigour, however, the reformed compact crown shows good vigour, which is typical for an established pollard. It should be said, that managed as a pollard the crown is prevented from developing fully, which may protect the tree from being subjected to damaging wind loads to its flawed stem.

The report highlights the advanced extent of decay within the stem and that a species of decay fungus is visibly fruiting within the hollow stem. Wet liquid was seen oozing from the stem but this might be rainwater draining away rather than a sign of infection. There is no doubt that the stem is permanently compromised and likely to decline in structural integrity within the next 10 years to a point where it will become a hazard to property and passers by.

ii) Amenity value

T1 is a prominent landscape feature with a high landscape value within the street scene. Despite its truncated form it is a striking feature and its loss will be noticeable in further breaking up the continuity of tree lined street.

iii) Opportunity for replacement

The limited space available to the front of the applicant's property presents a problem in siting a tree in any other position other than the existing location. It is considered particularly important that the original design and symmetrical pattern is adhered to as much as possible. Therefore, in the event of permission being granted for the tree to be removed, a replacement must be planted in a pit of suitable size which has been fully cleared of old root material at the same location as the current tree.

iv) Response to objections

A summary seeks to address the points raised in the objection, as follows:

1. Poor condition – This takes two forms: structural and physiological. A tree can live and function vigorously with good physiological processes in tact while suffering from grave structural flaws. This tree has a good system to make new growth but a compromised means of structural support. The expert view is not strictly biased but professionally cautious. It is not expedient to review the case in a decade but must be assessed at the time of this decision.
2. Precedent – The loss of other trees has already occurred in the avenue and each case has been assessed on its own strengths or weaknesses and never justified for simply being 'in the way'. Any future proposal to fell any preserved tree in the road will be similarly closely scrutinized before any decision is made. This tree is unusual due to its short, hollow, decaying trunk and this carries weight in the argument of it presenting a potential hazard.
3. Responsibility for safe removal – This rests with the tree owner and the appointed contractor and special attention must be paid to underground services during the stump removal operation.

**Conclusion**

T1 has a stem in a state of advanced decline. The loss of amenity its removal will cause is high and therefore a good replacement is necessary. It is, therefore, recommended to grant permission to this application on the grounds that its poor structural condition justifies its removal. The proposal therefore accords with Local Plan Landscape Policy LL9.

***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 West



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

<b>Agenda Item Number:</b>	<b>3</b>
Application Number:	EPF/1778/11
Site Name:	35 Highland Road, Nazeing EN9 2PT
Scale of Plot:	1/1250

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/2106/11
<b>SITE ADDRESS:</b>	10 Harrier Way Waltham Abbey Essex EN9 3JQ
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey Honey Lane
<b>APPLICANT:</b>	Barry
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/05/92 T1 - Willow - Fell
<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=532022](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=532022)

**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.

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

**Description of Proposal:**

**T1. Willow** - Fell to ground level

**Description of Site:**

The Willow is an inclined mature specimen, standing around 13 metres tall. It is located to the front of the applicant's house in a remnant woodland group of 5 willows, which forms a glade between the facing properties in this 5 dwelling Close. The tree is a strong feature of this cluster of tall trees and contributes to the greening of this built up residential area.

**Relevant History:**

TRE/EPF/0155/00 allowed the pruning of two willows on this site.  
TRE/EPF/2153/07 allowed repeat pruning to crown reduce the willows  
TRE/EPF/1899/10 allowed repeat crown reduction to the trees.

**Relevant Policies:**

LL9 Felling of preserved trees.

## **Summary of Representations:**

4 neighbours were consulted but no responses have been received.

WALTHAM ABBEY TOWN COUNCIL had no objection to the proposal.

## **Issues and Considerations:**

### **Issues**

The application is made on the basis that the Willow inclines strongly towards the applicant's house and previous pruning regimes have had few positive effects on the growth or appearance of the tree.

### **Considerations**

i) Tree condition and life expectancy.

T1 appears to be in a normal condition, despite its inclination towards and over the applicant's house, with a long life expectancy of more than 10 years. Some pruning points have congested new branches growing vigorously from them and are likely to be poorly attached to parent limbs, which might present a risk in the future, if allowed to fully develop.

ii) Amenity value

The Willow stands at the edge of this willow group, providing important screening and greening of the densely developed locality. Therefore, its landscape value is moderately high. It was noted, however, that the four sibling trees will continue to provide strong landscape presence, even without T1.

iii) Suitability of location.

Originally, the design of the housing scheme appears to have given due consideration to the trees' proximity to new dwellings. However, in time and due to the fast growth of willows, the relationship between T1, in particular, and the applicant's house has become more strained. The repeated need to contain the tree's crown has been burdensome to the owner and detrimental to the form and long term health of the tree. It is now apparent that, despite the applicant's fondness for the tree, the relationship between the building and the tree has deteriorated; made worse by the tree's lean towards the front of the house. Therefore, the suitability of the tree in this location is now limited.

## **Conclusion**

T1, Willow has suffered a reduction in its amenity value from the repeated heavy pruning works, when compared to its naturally grown siblings. Its position as an inclined outlier of this otherwise attractive sylvan group makes the loss of amenity from its removal more easily borne. It is, therefore, recommended to grant permission to fell the tree on the grounds that its position is unsustainably incompatible. 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, due to the numbers of good trees in this well-treed part of the development, the requirement to plant a replacement be waived, in this instance.

**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:**

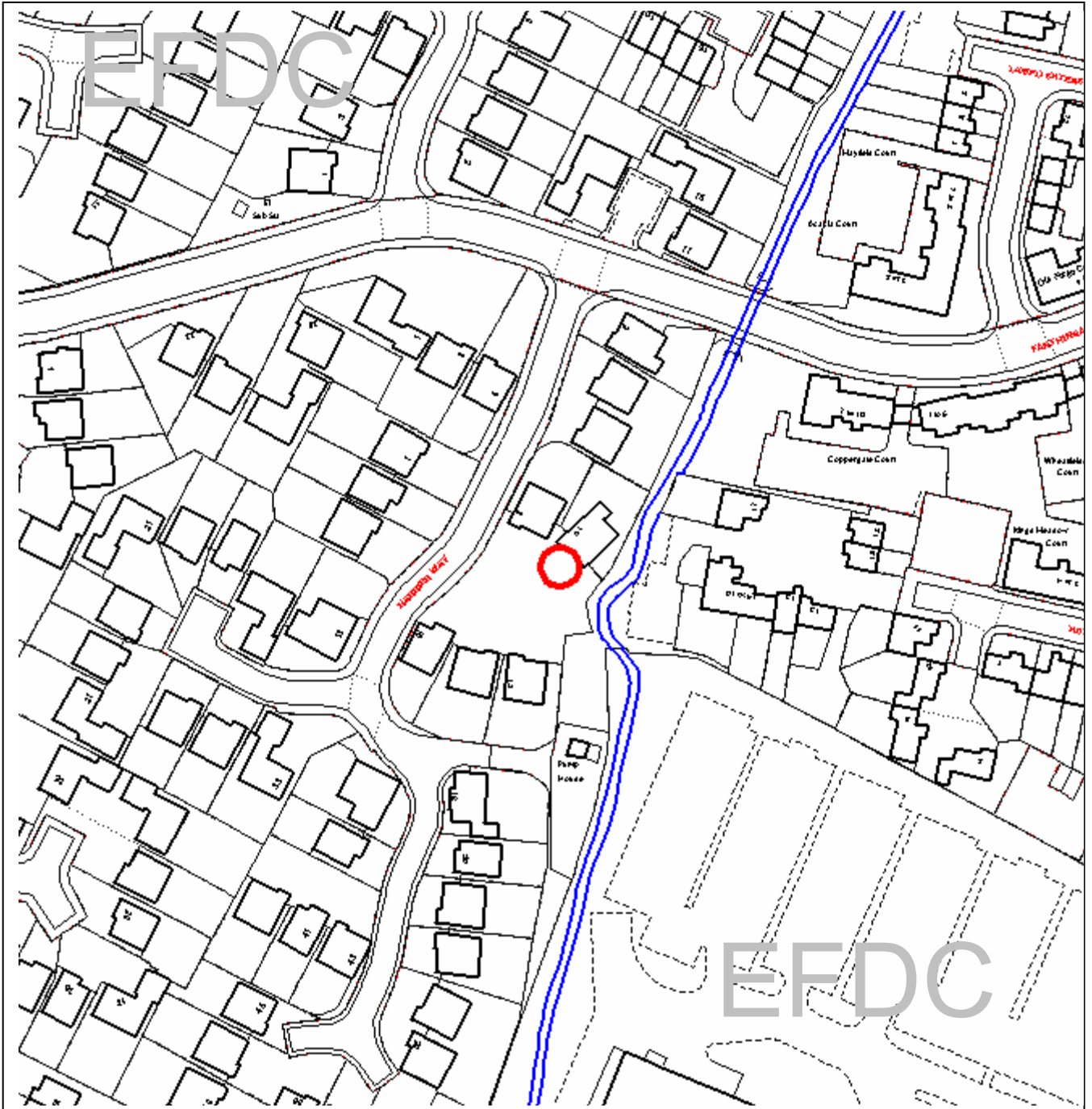
**Planning Application Case Officer: Robin Hellier  
Direct Line Telephone Number: 01992 564546**

**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 West



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

<b>Agenda Item Number:</b>	<b>4</b>
Application Number:	EPF/2106/11
Site Name:	10 Harrier Way, Waltham Abbey EN9 3JQ
Scale of Plot:	1/1250



**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/1668/11
<b>SITE ADDRESS:</b>	The Old Granary Copped Hall High Road Epping Essex CM16 5HS
<b>PARISH:</b>	Epping Upland
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>APPLICANT:</b>	Mr L Joiner
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed single storey 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=530397](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=530397)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No development shall have taken place until samples 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. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.

*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:**

Erection of a linked extension to existing dwelling to provide a living room, enabling the existing space to be reconfigured to provide 2 additional bedrooms. The proposed square lounge addition has a pyramidal roof and is linked to the existing building by a small glazed flat roofed link that will also act as the entrance porch to the building. The proposals also include reroofing the existing building with red clay tiles and roofing the addition to match.

**Description of Site:**

The Old Granary is an old grain store building that was converted with planning permission to a dwelling in 1998. It lies within the Copped Hall Conservation Area but is not listed. It is unusual in that it stands about a metre off the ground supported on Staddle Stones. It is a single storey black

boarded building with a slate roof. The property lies to the north of the Copped Hall Mansion, within a group of a number of converted buildings and associated garages. The property is surrounded by trees within an irregularly shaped garden and is not readily visible from any public area.

### **Relevant History:**

EPF/1242/97 Conversion of Granary to dwelling – Allowed on appeal

EPF/1689/98 Retention of raised terrace – Approved

EPF/1736/98 Domestic shed- Approved

EPF/0136/00 Detached outbuilding comprising two double garages (1 for the granary and 1 for Stableyard cottage- approved

### **Policies Applied:**

GB2A Green Belt

HC6 Character appearance and setting of Conservation Areas

HC7 Development within Conservation Areas

HC14 Copped Hall

DBE9 Loss of Amenity

DBE10 Residential Extensions

### **Summary of Representations**

PARISH COUNCIL –Object- Proposed new roof tiles are out of keeping with surrounding properties; overdevelopment of the site; harmful effect on conservation area.

4 neighbouring properties were consulted and a site notice was erected, the following representations have been received:

WILLOW COTTAGE COPPED HALL – Object. The existing building is built on staddle stones making extension impossible without spoiling the original features. The design is inappropriate and harmful to the conservation area and the building. The proposal will make the property a 3 bed unit which will cause more traffic past my house causing noise and disturbance. The development fails to maintain the building in a way that is sensitive to its original design.

1 HALL BARN, COPPED HALL – Object The building is of agricultural interest. The proposed extension will not incorporate stone staddle stones and includes a glass link that is out of character. The increased number of bedrooms will result in more noise and disturbance.

THE OLD KENNELS, COPPED HALL - Concerned that the design of the extension will detract from the building and the conservation area.

### **Issues and Considerations:**

The main considerations are the impact on the Metropolitan Green Belt, the design and impact on the Conservation Area and any possible impact on neighbouring residential amenity.

#### **Green Belt**

The building is an existing dwelling and both national guidance and local policy allows for “limited” extensions to dwellings in the Green Belt. The proposed addition adds approximately 40% to the size of the dwelling, and it is considered that on this small and previously unextended property the scale of the addition is not excessive. The property is not isolated, it forms part of the plethora of

buildings within this part of the Conservation Area and the impact on openness of the green Belt is limited.

#### Design in the Conservation Area

Policies HC6 and HC7 of the adopted Local Plan require that new development is sympathetic to the character and appearance of the conservation area and is not detrimental to it.

The design of the addition has been carefully considered and is felt to be a suitable and appropriate solution to extending this unusual raised building. It leaves the original building virtually unchanged, retaining its character and adds a visually separate and subordinate element linked by an unobtrusive glazed structure. This is a method of extension that is often used on historic buildings. The Conservation officer has considered the proposal and advised that the development is acceptable in architectural terms. The use of clay tiles is appropriate to the location, it is a material generally used on buildings within the Conservation Area and the exact tile to be used can be controlled by condition to ensure that it is suitable.

The proposed addition is to be sited behind the existing building and will not be visually prominent within the Conservation Area, the detailing proposed is appropriate and the development will not adversely effect the character of the Conservation Area.

The development will not have any impact on the trees within the site, which are to be retained to maintain privacy and visual amenity.

#### Impact on Residential Amenity

Concern has been raised that the proposal changes what is currently a one bedroom dwelling to a 3 bed family dwelling, increasing the possible number of people occupying the property, thereby increasing traffic movements and leading to increased disturbance. The gravel access drive to the dwelling runs adjacent to the boundary of Willow Cottage. Whilst there is a possibility that there will be increased use of the site, the use remains residential and the potential increase in movements is not considered so great as to cause significant harm to residential amenity.

#### Overdevelopment

It has been suggested that the proposal amounts to overdevelopment of the site. The garden area of this property excluding the access drive is over 600 square metres. If extended, the dwelling will have just 5 habitable rooms, giving a requirement for about 100sq m of garden to meet our current amenity space standards. It is not considered that this can be regarded as overdevelopment.

#### **Conclusion**

In conclusion, the proposed addition is well designed and appropriate to the existing building and will not detract from the quality of the Conservation Area or cause excessive harm to neighbouring residential amenity; as such it is considered to comply with the policies of the Local Plan and Alterations and 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:***

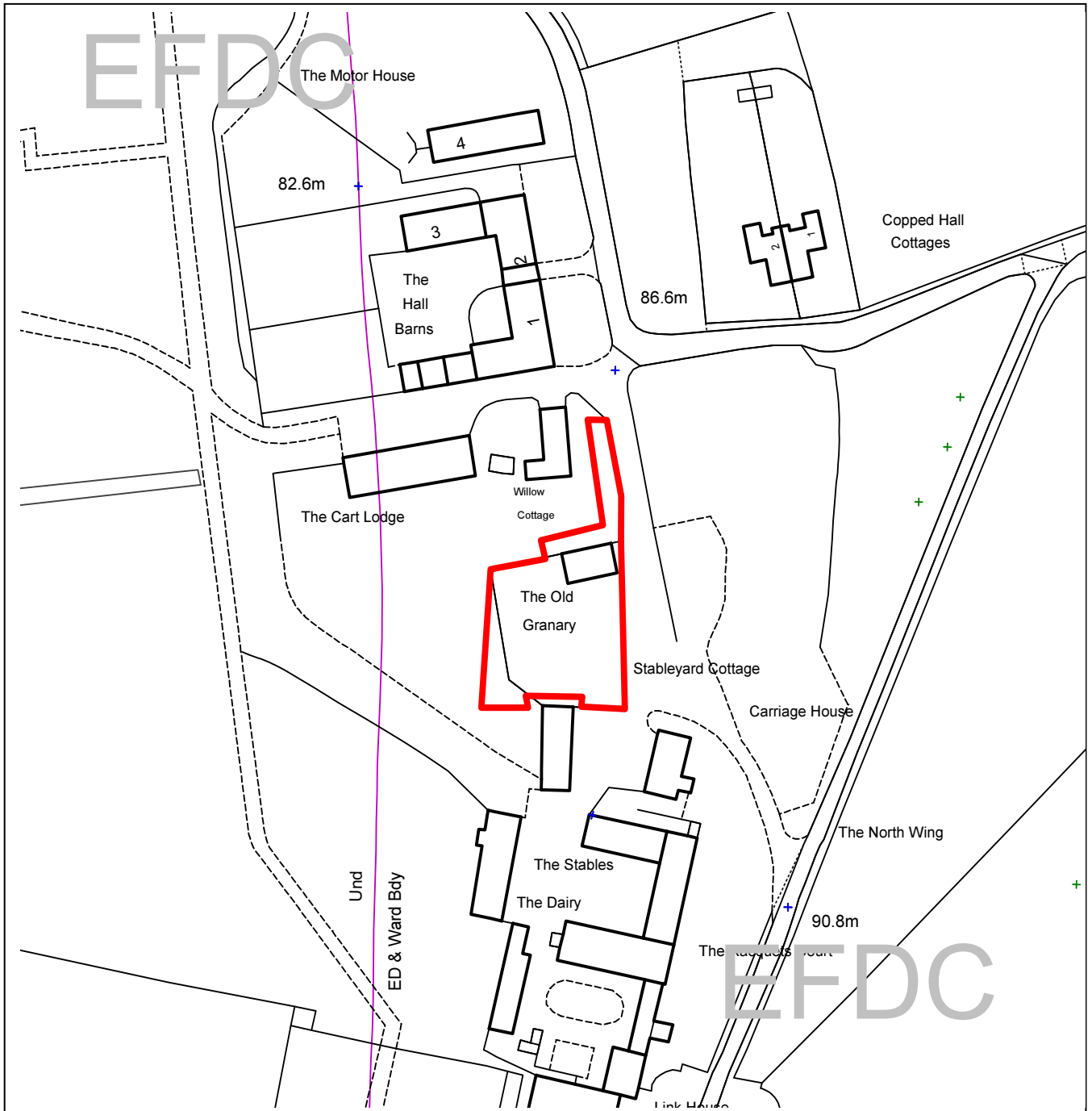
***Planning Application Case Officer: Jill Shingler  
Direct Line Telephone Number: 01992 554106***

***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



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

<b>Agenda Item Number:</b>	<b>5</b>
Application Number:	EPF/1668/11
Site Name:	The Old Granary, Copped Hall, High Road, Epping, CM16 5HS
Scale of Plot:	1/1250

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/2046/11
<b>SITE ADDRESS:</b>	78 Roundhills Waltham Abbey Essex EN9 1UU
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey Honey Lane
<b>APPLICANT:</b>	Mr Mohammed Mukim Uddin
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use from A2 (betting shop) to A5 (Takeaway) and flue to rear elevation. (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=531805](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=531805)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the noise mitigation device(s) should be submitted to the Local Authority for comment and should be installed and be in full working order to the satisfaction of the Local Authority prior to the commencement of use.
- 3 The applicant shall fit the drains serving the kitchens in the development are fitted with a grease separator, as detailed in the Building Regulations 2000, Approved Document H (Drainage and waste disposal), to comply with prEN 1825-1 and designed in accordance with prEN 1825-2 (Installations for separation of grease) or other effective means of grease removal prior to the opening of the A5 takeaway.
- 4 No development shall take place until a maintenance contract for the extraction system has been submitted to and approved in writing by the Local Planning Authority. The extraction system shall be maintained in accordance with such agreed details.
- 5 The use hereby permitted shall not be open to customers outside the hours of 11.00 to 21.30.

*This application is before this Committee since it for a type of development that cannot be determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(f).)*

### **Description of Proposal:**

Change of use from A2 (betting shop) to A5 (takeaway) and flue to rear elevation revised application with altered opening hours and altered position of flue with alternative flue specification to previously refused application.

### **Description of Site:**

78 Roundhills is a shop unit within a parade of 5 shops with residential units above. It is located within the built up area of Waltham Abbey and is not within the Metropolitan Green Belt or a Conservation Area. The application site is located within a 'local centre' as defined on the proposals map. There is a communal parking area to the front of the shops.

### **Relevant History:**

EPF/1234/11 – Change of use from A2 (betting shop) to A5 (takeaway) and flue to rear elevation - Refused

EPF/0609/11 - Change of use from A2 (betting shop) to A5 (takeaway) and flue to rear elevation - Refused

EPF/0205/04 – Change of use from A1 (retail) to A2 (betting shop) – App/Con

### **Policies Applied:**

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

CP2 – Protecting the Quality of the Rural and Built Environment

TC1 – Town Centre Hierarchy

TC6 – Local Centres and Corner and Village Shops

DBE9 - Impact on amenity

### **Summary of Representations:**

WALTHAM ABBEY TOWN COUNCIL – No objection

#### **NEIGHBOURS**

18 neighbours were consulted

78A ROUNDHILLS – Objection due to Rats, the location and discharge from flue, opening hours, rubbish and litter and devaluation of property

74 ROUNDHILLS FISH BAR – Objection – too little trade for two takeaway operators, will encourage loitering, existing business difficulties will increase

Some 80+ identical letters received objecting to an additional takeaway which is not needed.

### **Issues and Considerations:**

The application has previously been refused for amenity grounds in terms of the location of the flue and the length of the opening hours. With the most recent refusal the length of opening hours were amended to what were considered appropriate to the area however insufficient information was provided with regards to the flue.

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

- Impact on the vitality and viability of the local centre
- Impact on Neighbouring Amenity

### Vitality and Viability of Local Centre

The unit has been in use as a betting shop, class A2 for a number of years and as such is not classed as a retail unit, so change of use to A5 would not result in a loss of a retail unit. An A5 use is an appropriate use within local centres and as such it is not considered that the use would have a significant impact on the viability and vitality of the local centre. Generally it is considered beneficial to have a use of this kind rather than to allow the unit to remain vacant. The unit is a Council owned unit and the Estates Department supports this application due to the length of time the property has remained un-let with little interest.

### Impact on Neighbour Amenity

Policy DBE9 states how new development should not result in loss of amenity in relation to such things as smell, noise or other disturbance.

There are residential units above this shop unit and they are accessed to the rear, along a communal balcony which is also used as a clothes drying area. The position of the flue has been altered and during post-decision discussions with Environmental Services with regards to the suitability of the flue, an alternative extract system has been submitted. The proposed extract ventilation system appears to comply with guidance produced by DEFRA on the minimum requirements for odour control and is supplied by a company called 'Purified Air'.

The Environmental Health Officer has no objection to the revised extraction system subject to conditions ensuring that details of the noise mitigation device are submitted to and approved prior to commencement of development, that a maintenance contract is imposed to ensure the ongoing effectiveness of the ventilation system and to avoid fat and grease being disposed into the foul water system a grease separator is fitted to the drains.

The opening hours have been reduced since the first submission to 11am – 9.30pm Monday – Sunday (including Bank Holidays) from the previously proposed 11am – Midnight, Monday – Saturday and 11am - 11pm Sundays and Bank Holidays. It is considered that these reduced hours are more in keeping with the residential nature of the surrounding area and it is considered these reduced hours overcome the second reason for refusal on the original refused application.

### **Conclusion:**

Neighbour objections have been received regarding loss of amenity from odour, the length of opening hours and rejecting the principle of a take away in this location. It is not considered that with the improved ventilation system and the reduced opening hours the proposal will result in such a significant impact on neighbouring amenity in this case to justify a refusal. Therefore on balance this 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:***

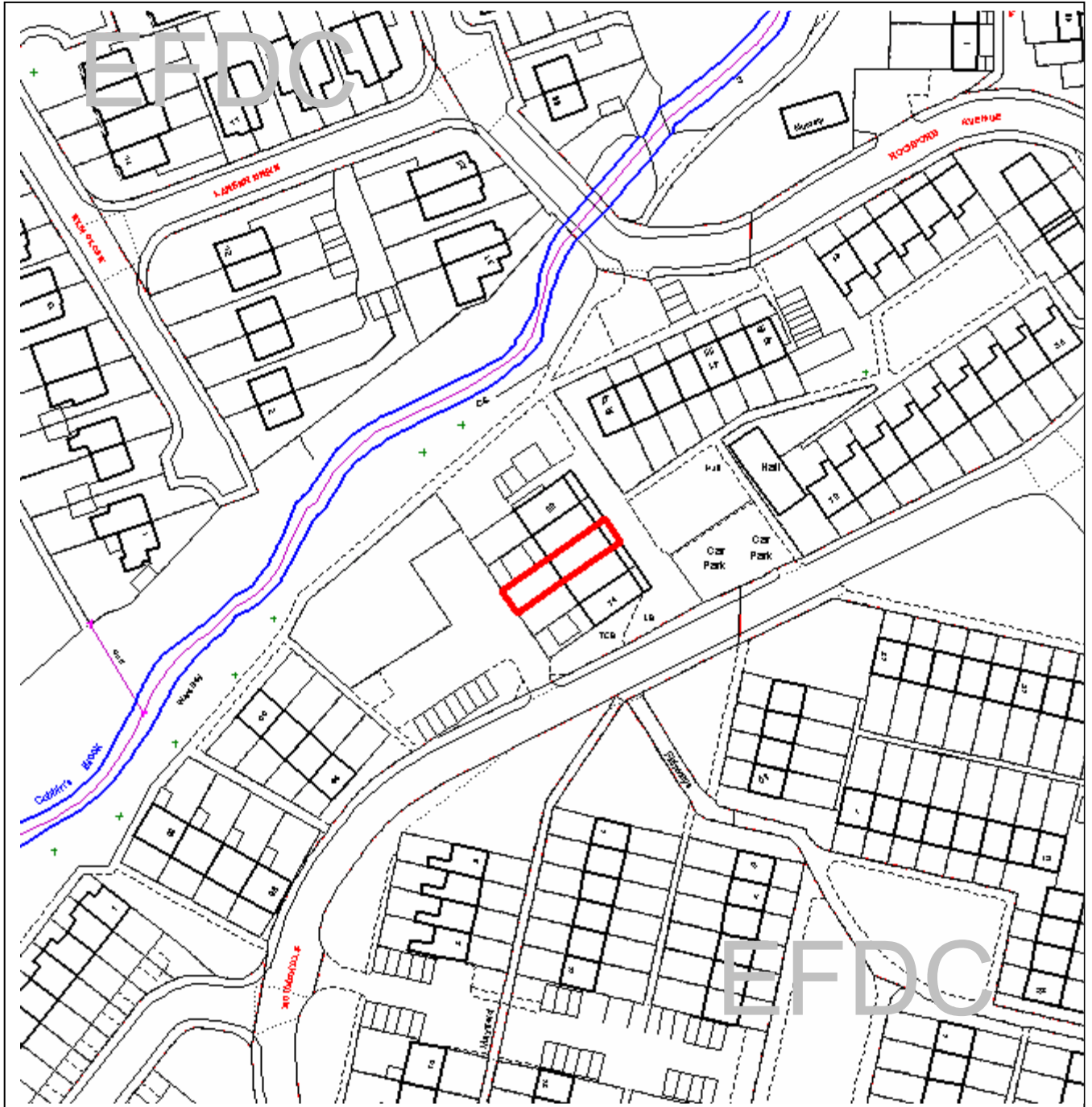
***Planning Application Case Officer: Marie-Claire Tovey  
Direct Line Telephone Number: 01992 564371***

***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 West



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

<b>Agenda Item Number:</b>	<b>6</b>
Application Number:	EPF/2046/11
Site Name:	78 Roundhills, Waltham Abbey EN9 1UU
Scale of Plot:	1/1250