

Report Item No: 1

APPLICATION No:	EPF/0266/12
SITE ADDRESS:	Scathes Matching Green Matching Harlow Essex CM17 0PR
PARISH:	Matching
WARD:	Hastingwood, Matching and Sheering Village
APPLICANT:	Mrs Tracey Graham
DESCRIPTION OF PROPOSAL:	TPO/EPF/05/80 T1 - Ash - Fell
RECOMMENDED DECISION:	Grant 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=534967

CONDITIONS

NONE.

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

Description of Proposal:

T1 . Ash - Fell to ground level.

Description of Site:

This tree stands around 8 metres tall with a high pollarded diminutive crown of densely growing fresh shoots. It features as a stand alone landscape feature directly in front of the applicant's house. Views of it extend across the wide green expanse of Matching Green. Its roadside location makes it highly visible from all aspects.

Relevant History:

In recent years, the pruning of this Ash has been granted on the grounds that drains and the house were being damaged by the tree's roots and branches.

TRE/EPF/1503/10 granted a 20ft pollard.

TRE/EPF/2012/06 granted a crown reduction and a 25% thin.

TRE/ EPF/0899/02 granted permission to crown lift and thin the tree.

Relevant Policies:

LL9 The Council will not give consent to fell a tree preserved tree unless it is satisfied that this is necessary and justified; any tree lost must be replaced.

SUMMARY OF REPRESENTATIONS

2 neighbours were consulted but no responses have been made.

MATCHING PARISH COUNCIL had made no comment at the time of writing this report.

Issues and Considerations:

Issues

The applicant asserts that the tree obstructs light into the front of her house and that of her neighbour. Root interference with drains was also voiced as a concern.

A strategy to gradually reduce the tree before removing it completely, whilst planting a more appropriate tree in the very small front garden has been implemented and a young winter flowering cherry is now established at the front of the house.

Considerations

i) Tree condition.

The tree is vigorous but has been reduced to such an extent that the truncated structure requires regular pruning to control the profusion of new shoots sprouting from large stubs. The tree is susceptible to decay at these wounds, which may foreshorten the tree's life expectancy to less than 20 years.

ii) Public amenity

The tree is very prominent in the local landscape of this important village green but its intrinsic beauty has been largely lost due to the severity of the containing pruning works carried out to it. Its public amenity would be rated at moderate due to this treatment.

iii) Suitability of location and pruning alternatives.

The proximity of the tree at less than 4 metres from the applicant's house is an issue, as is the location of the drain directly beneath it. Evidence of root ingress into the drain has been submitted in previous cases. Pruning alternatives have been fully explored over the last decade, following discussions about the risks of ground recovery should the tree be completely removed. The visual result is not ideal, either in terms of amenity, or as a resolution of the shade, root and branch issues. Therefore, the tree can be said to be unsuitable for its location.

iv) Replacement planting

As described under Issues above, a plan to mitigate the long term loss of this tree has been implemented and a small growing attractive tree has been planted and demonstrates the retention of landscape features on this front boundary.

Conclusion

The tree has limited public amenity now it is a pollard. It is not ideally suited to its position. Pruning has not resolved perennial problems of shade and physical damage. There are grounds for a recommendation to allow felling of the tree due to its poor form and location, which justify its removal. The proposal is considered to accord with Local Plan Landscape Policy LL9 and is, therefore, recommended for approval.

In the event of members granting permission to fell this tree, the condition usually attached to ensure a replacement is planted is, in this case, unnecessary because a young cherry has been planted in the garden already. It is, therefore, recommended that this condition be waived in this case.

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

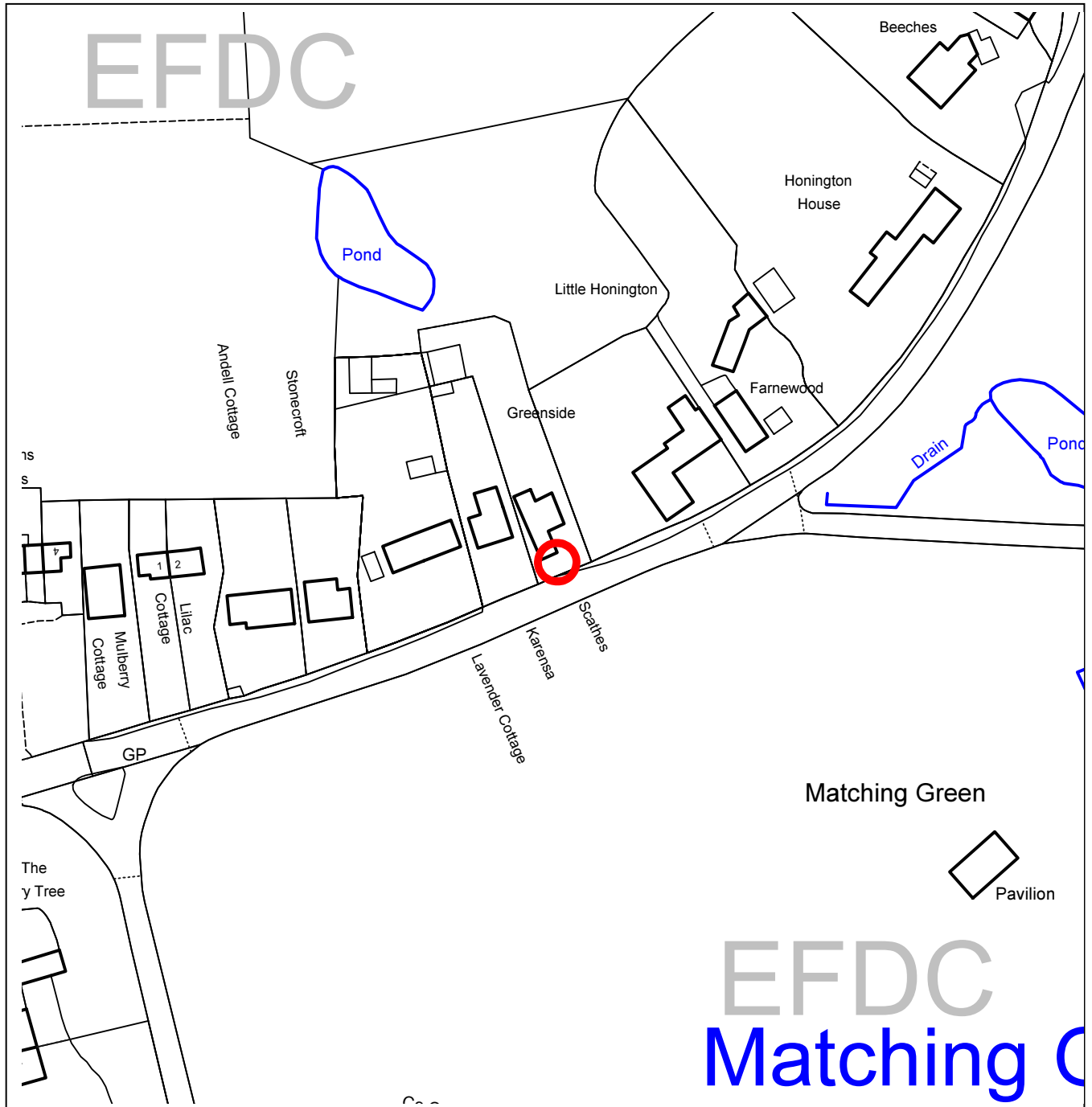
Direct Line Telephone Number: 01992 564546

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



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	1
Application Number:	EPF/0266/12
Site Name:	Scathes, Matching Green, Matching, CM17 0PR
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/2543/11
SITE ADDRESS:	Nine Ashes Farm Rookery Road High Ongar Ingatestone Essex CM4 0LD
PARISH:	High Ongar
WARD:	High Ongar, Willingale and the Rodings
APPLICANT:	Mr & Mrs Harding
DESCRIPTION OF PROPOSAL:	Change of use from Agricultural to use for residential purposes (Use Class C3a) and for the construction of 8 semi detached three bedroom houses. Demolition of existing redundant buildings on the site. (Revised application)
RECOMMENDED DECISION:	Refuse Permission

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=533654

REASON FOR REFUSAL

- 1 The proposed dwellings would constitute inappropriate development within the Green Belt, which would be harmful by definition. No very special circumstances exist to outweigh this harm to the Green Belt. Accordingly, the proposed development would be contrary to Policy GB2A of the adopted Local Plan and Alterations.
- 2 The proposed development would fail to provide any affordable housing, of which there is a considerable shortage within the District, contrary to Policies H5A, H6A and H7A of the adopted Local Plan and Alterations.

This application is before this Committee since it is an application that is considered by the Director of Planning and Economic Development as appropriate to be presented for a Committee decision (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(k))

Description of Proposal:

This application seeks planning permission for a residential development of eight semi-detached dwellings, which would be located on a secondary access road to the South East of Nine Ashes Road. The proposed dwellings, which would be fairly similar in footprint to others along Nine Ashes Road, would have accommodation across two storeys, with the first floor being partially contained within the roof space at the front of the dwellings. Each dwelling would have a kitchen, WC and lounge/diner at ground floor level and three bedrooms and a family bathroom at first floor level. The dwellings would be finished in red brick and cream renders, with red clay tiles on their roofs.

As previously proposed, the dwellings would each have maximum width of 7.1m, a maximum depth of 10.4m and a maximum height of 8.2, slightly lower than existing adjacent dwellings.

Each dwelling would have a rear garden approximately 10-12 metres in width (slightly more to Plot 1 which would extend to the rear of 1 Nine Ashes Farm Cottages) and varying in depth from 13 to 24 metres.

Two car parking spaces would be provided to the front of each dwelling and a substantial landscaped area is to be provided along the front boundary of the site with Nine Ashes Road.

Description of Site:

The application site is located on the eastern side of Nine Ashes Road, to the south of the junction with King Street. The site contains several redundant agricultural buildings. There is an area of open agricultural land to the east of the site, to the north and south are residential properties.

The rear of the site is visible from Nine Ashes Road to the South East of the site, across open land. The site is within the Metropolitan Green Belt.

Relevant History:

- EPF/2074/01. Change of use from agricultural to storage/light industry. Refused 08/03/02 for the following reason:

The proposed development is of a scale that would result in significant increased activity on the site leading to additional disturbance detracting from the amenities of nearby residential properties and from the area as a whole, contrary to the requirements of policies GB8, E12 and DBE9 of the adopted Local Plan.

- EPF/0015/03. Change of use to light industrial and storage and distribution (B1c and B8) uses. Refused 04/06/03 for the following reasons:

The proposed change of use of the application buildings is considered unacceptable due to the impact such use would have upon the open character and amenities of this rural area by reason of noise, disturbance and traffic generation contrary to Policy GB8 of the District Local Plan.

The proposed commercial use of these rural buildings would lead to additional highway dangers for pedestrians in the immediate vicinity particularly given the layout, condition and inadequacies of the surrounding highway network contrary to policies GB8 and T17 of the District Local Plan.

- EPF/2188/04. Change of use from agricultural to residential use and the building of 3 no. detached blocks containing 12 no. units with associated parking. Demolition of existing barn. Refused 16/03/05 for the following reasons:

The application site is located within the Metropolitan Green Belt wherein there is a presumption against new development. The redevelopment of the site for residential purposes is inappropriate development in the Metropolitan Green Belt which is contrary to Government advice contained in PPG2 and is contrary to policies GB2 and GB7 of the adopted Local Plan and policies C1 and C2 of the Essex and Southend on Sea Replacement Structure Plan.

The development of this site in a location isolated from existing urban settlements would not be sustainable. The proposal is contrary to policies CS1, CS4 and CS5 of the Essex and Southend on Sea Replacement Structure Plan; and, policies CP1-CP5 of the Epping Forest District Local Plan Alterations First Deposit.

The proposals would result in the loss of a number of established and mature poplar trees which make a valuable contribution to the visual amenities of the area and would therefore be contrary to policy LL10 of the adopted Local Plan.

This was subsequently DISMISSED at appeal. Reasons: Inappropriate development in the Green Belt, non-sustainable location and undesirable precedent.

- EPF/2232/05. Demolition of existing buildings and redevelopment with 10 no. dwellings (Revised application). Refused 17/03/06 for the following reasons:

The application site is located within the Metropolitan Green Belt wherein there is a presumption against new development. The redevelopment of the site for residential purposes is inappropriate development in the Metropolitan Green Belt which is contrary to Government advice contained in PPG2 and is contrary to policies GB2 and GB7 of the adopted Local Plan and policies C1 and C2 of the Essex and Southend on Sea Replacement Structure Plan.

The development of this site in a location isolated from existing urban settlements would not be sustainable. The proposal is contrary to policies CS1, CS4, and CS5 of the Essex and Southend on Sea Replacement Structure Plan; and, policies CP1-CP5 of the Epping Forest District Local Plan Alterations First Deposit.

- EPF/1419/09. Change of use from agricultural use to B1, B2 and B8 use. Refused 28/09/09 for the following reasons:

The proposed change of use is unacceptable due to the impacts the uses would have upon the open character and amenities of this rural area by reason of disturbance and traffic generation contrary to Policies CP2(i); ST4 (iv) and GB8A (iii) of the Adopted Local Plan and Alterations.

Insufficient information has been submitted to enable full consideration of the impact of the proposed development on trees within the application site, contrary to policy LL10 of the Adopted Local Plan and Alterations.

The proposed change of use is unacceptable due to the impacts the uses would have upon the amenities of the occupiers of neighbouring dwellings by reason of noise, disturbance and traffic generation contrary to Policies RP5A and DBE9 (iv) of the Adopted Local Plan and Alterations.

- EPF/2156/09. Change of use from agricultural use to B1 and B8 use. (Revised application). Refused 24/02/2011 for the following reason:

The proposed development would result in an unacceptable intensification of use of the site resulting in increased activity and traffic movements in an around the site, harmful to the character and amenity of the rural residential area. This proposal would therefore be contrary to policies CP3 and GB8A of the adopted Local Plan and Local Plan Alteration.

Appeal subsequently dismissed due to inaccuracies between submitted plans - the Inspector did not consider, or express and opinion upon, the planning merits of the case.

- EPF/1467/11. Change of use from Agricultural to use for residential purposes (Use Class C3a) and for the construction of 10 no. semi detached three bedroom houses. Demolition of existing redundant buildings on the site. Refused 09/11/2011 for the following reasons:

The proposed dwellings would constitute inappropriate development within the Green Belt, which would be harmful by definition. No very special circumstances exist to outweigh this harm to the Green Belt. Accordingly, the proposed development would be contrary to Policy GB2A of the adopted Local Plan and Alterations.

The proposed development, due to its density, massing and layout would be out of keeping with the pattern of nearby residential development to the detriment of the character and appearance of the rural area, contrary to Policies CP3(v), DBE1 and DBE4 of the adopted Local Plan and Alterations.

The proposed development would fail to provide any affordable housing, of which there is a considerable shortage within the District, contrary to Polices H5A, H6A and H7A of the adopted Local Plan and Alterations.

When this application was determined at Committee it is minuted that Members wanted it noted that the sub committee did not object to the principle of housing on the site but a lesser number with more openness and appropriate housing and education contributions was needed.

Policies Applied:

Core Policies

- CP1 – Achieving Sustainable Development Objectives
- CP2 - Protecting the Quality of the Rural and Built Environment
- CP3 – New Development
- CP6 – Achieving Sustainable Urban Development Patterns
- CP7 – Urban Form and Quality
- CP9 - Sustainable Transport

Design and the Built Environment

- DBE1 – Design of New Buildings
- DBE2 – Detrimental Effect of Existing Surrounding Properties
- DBE4 – Development in the Green Belt
- DBE6 - Car Parking
- DBE8 – Private Amenity Space
- DBE9 – Excessive Loss of Amenity for Neighbouring Properties

Housing

- H2A – Previously Developed Land
- H3A – Housing Density Mix
- H4A - Dwelling Mix
- H5A – Affordable Housing Threshold
- H6A - Site Thresholds for Affordable Housing
- H7A - Levels of Affordable Housing

Landscape and Landscaping

- LL1 – Character, Appearance and Use
- LL7 – Promotes the Planting, Protection and Care of Trees
- LL10 – Adequacy of provision for Retention
- LL11 – Landscaping Schemes

Sustainable Transport

- ST4 – Road Safety
- ST6 – Vehicle Parking

Heritage Conservation

- HC12 – Development affecting the setting of Listed Buildings

Green Belt

- GB1 – Green Belt Boundary
- GB2A – Development in the Green Belt
- GB7A - Conspicuous Development

Implementation

- I1A - Planning Obligations

Recycling and Pollution

- RP4 - Development of Contaminated Land

Summary of Representations:

Notification of this planning application has been sent to High Ongar Parish Council and to 54 neighbouring residents. The following representations have been received:

HIGH ONGAR PARISH COUNCIL. Support. HOPC have been advised of the revised plans for the above which have been scaled down following the suggestions by the Planning Committee at a previous planning meeting. As you are aware, both local residents and HOPC have stated repeatedly that change of use on this land to industrial is not acceptable for all the reasons previously listed but that they fully support a small housing development in keeping with the properties in the immediate vicinity. Whilst both residents and HOPC have supported previous housing proposals it would appear the owner has taken on board your concerns over the quantity of proposed houses and that in your words; *“If it were proposed for a development of 8, it might be considered more favourable”* The owner has now submitted a further plan which he feels meets all the criteria for this to be treated as development under “special circumstances” and therefore should be recommended for approval. The issue over this land has been dragging on for years. Planning are aware of the concerns of local residents should change of use to industrial be granted, and have also been kept fully apprised of their views both by letter and attendance at Planning meetings. The Planning Committee have refused this change of use more than once and recommended that a small housing development be considered instead so we would urge this to be supported without any further delay.

4 Letters in support of the application have been received from: 174 Nine Ashes Road, 15 Meadow Rise, Blackmore and The Forge, Blacksmith's Alley, Blackmore and one additional property.

The reasons for support are summarised as:

- The development would be in keeping with surrounding development;
- The proposed landscaping would enhance the appearance of the site;
- The development would provide an opportunity to remove existing asbestos roofs from the site.
- Housing is the best solution – as industrial uses will bring problems.

An additional letter (with no address) has been received confirming no objection to the development.

RATCLIFF HOUSE, 217 NINE ASHES RD. Objection. Yet again this is just plain ugly and overdevelopment of a small area of land-I note that the applicant has changed as well as the address-It was previously in the name of a petrol station owning company with a Chingford address - Why the change? No-one lives on the site-it's derelict according to the application! Why are 8 semis needed with no garages? Why not a far smaller number of detached houses (or indeed one "nice" house such as the proposal at Sparks farm)? Traffic will be greatly increased on this dangerous junction by the addition of these houses. The current buildings don't look ugly and fit in with the character of the area-rabbit hutch houses don't.

Issues and Considerations:

The main issues in this case are the principle of the proposed development and the need for an affordable housing contribution, acceptability of the development in the Green Belt, in accordance with policy GB2A of the Local Plan; the impact of the proposed use on neighbouring amenity, the design of the development, the impacts on the surrounding highway infrastructure trees and landscaping matters and sustainability. This appraisal will have regard to all material considerations, including the planning history of the site and the comments received from third parties.

Principle for Residential Development

Policy H3A of the Local Plan seeks a net density across new residential developments of at least 30-50 dwellings per hectare. Whilst the proposed development would be of low density, the character of surrounding residential development is at an even lower density and it is not considered that this site would be suitable for development at the density level suggested within the Local Plan. Furthermore, whilst Policy H4A of the Local Plan seeks a mix of dwelling sizes, the proposed 3 bed dwellings would complement surrounding properties and is considered suitable within this rural settlement.

Policy H5A of the Local Plan seeks the provision of affordable housing on suitable development sites and the thresholds are set in Policy H6A. This site, due to its size and the number of dwellings, should be providing affordable housing and in accordance with Policy H7A, 50% of the units should be affordable. Whilst it is accepted that the site is poorly provided for in terms of supporting infrastructure (for example local shops and services, public transport links) and as a result may not be suitable for the on-site provision of affordable housing, there is an acute demand for affordable housing within the District. In considering the previous application Members emphasised the need for a meaningful contribution towards affordable housing and it is considered necessary that if planning permission is granted, a financial contribution towards the

provision of off-site affordable housing is provided in lieu of the onsite provision of 4 dwellings. This may be secured by a legal agreement between the Applicant and the Council.

However, the Applicant has advised that the viability of the proposed development would not support the provision of a substantial contribution towards affordable housing provision. They have not however provided with the application robust financial viability evidence to back this claim. They further advise that the scheme has been designed to minimise the number of dwellings required on the site to achieve viability, the implication being that if a financial contribution is needed additional houses would need to be built.

Acceptability within the Green Belt

The site is located entirely within the Metropolitan Green Belt. Within the Green Belt, Policy GB2A of the Local Plan identifies types of development which are appropriate. Redevelopment for the purposes of residential use is not identified and it, therefore inappropriate within the Green Belt, by definition. Small affordable residential developments may be acceptable in the Green Belt, subject to a number of criteria including that the development has the support of the local parish council (which this scheme does). However, as the development is for open market housing, that policy exception is not relevant.

Aside from the issue of appropriateness within the Green Belt, the matter of how conspicuous the development would appear must also be considered. Despite the potential for a landscaped 'buffer' to be created along the boundary of the site with Nine Ashes Road, the development would remain clearly visible. It would also be visible from the rear, across open farmland.

It is, however, acknowledged that the conspicuousness of the new development may be reduced (although not wholly mitigated) by sympathetic and comprehensive mature landscaping to the front and rear boundaries of the site. It is reasonable to consider the conspicuousness of the proposed development and its impact on openness against the existing development within the site. On balance, it is not considered that the proposed development would appear significantly more conspicuous, nor would it have a significantly greater impact on openness than the existing buildings within the site.

Neighbouring Amenity

The nature of the development, which loosely forms a continuation of the existing development along Nine Ashes Road, would not cause any material harm to the occupiers of neighbouring dwellings.

Some level of disruption to neighbouring residents is likely during construction, due to the scale of the development proposed. However this would not justify the withholding of planning permission. Due to the close proximity to neighbouring residential properties, it is considered necessary to impose a condition which would allow the Council to approved details to minimise harm, for example to include hours of construction, the provision of wheel washing facilities and dust controls. This should ensure that disruption to nearby neighbouring residents is kept to a minimum, if planning permission is granted.

Design and Appearance

The detailed design of the proposed dwellings, although different to existing dwellings within Nine Ashes Road, adopts similar and complementary features. As a result, the height, width, detail and palette of external finishes of the proposed buildings is considered acceptable.

Following the reduction to the number of proposed dwellings from ten to eight, the layout of the proposed development is more in keeping with that of the existing surrounding development. The

dwellings would be similarly proportioned to existing properties and, whilst closer together the surrounding development, would retain a perception of spaciousness within their plots. In order to retain this character, if planning permission is granted a planning condition should be imposed to restrict the future development of side extensions without planning permission.

Highways Matters

Officers from Highways at Essex County Council have been consulted on the planning application. In respect of a previous application, they suggested some modifications to the layout, which are incorporated into the current proposal.

The application proposes a single vehicular access from Nine Ashes Road, leading into a secondary access road within the application site, which would serve each dwelling. Also proposed is a footpath link, leading from the application site to the nearby bus stop situated outside 267-269 Nine Ashes Road.

Highway Officers have advised that the proposed development will generate less traffic than the lawful use of the site potentially could and the access is well served with good visibility and geometry onto Rookery Road. They also advise that the removal of one of the existing accesses into the site and the proposed footway link to the bus stop will improve highway safety and accessibility for the site and the locality.

Highway Officers do not, therefore, raise any objection to the proposed development, subject to the imposition of a number of planning conditions and also subject to the completion of a legal agreement to secure the provision of the proposed footpath link to the nearby bus stop and to regulate the construction of the highway works. The legal agreement will also require the submission of detailed engineering drawings for approval and safety audit.

Trees and Landscaping

Few trees exist within the application site, which has been largely cleared following the submission of earlier planning applications. However, the planting of a comprehensive landscaping scheme will be essential to soften the impacts of this proposed development and to minimise its conspicuousness within the Green Belt and to minimise any hardening/urbanisation of the existing street scene. In particular, it is anticipated that considerable planting will be required on the land to the front of the proposed access road and also along the rear boundary of the site. For example, boundary treatments along the rear will be required to be green, rather than a typical close boarded timber fence (although some harder landscaping may be discreetly accommodated in the interest of security). In relation to planting along the front of the site, the Council's Landscape Officer advises that Lombardy poplars (the same species of there as those which were previously felled) would make a more meaningful, long term robust landscaping screen along this road frontage that the Ash trees proposed within the application. Accordingly, they expect to see such trees (of heavy standards 12-14cm girth) incorporated within the landscape scheme. This may be secured by the use of a planning condition.

Usually, landscape conditions require the agreement of details prior to the commencement of the development and its implementation within a planting season of occupation. However, in this case, if planning permission is granted the provision of landscaping will be essential in minimising harm to the street scene and wider area. On this basis, the Council Landscape Officer has advised that a phased approach could be adopted in relation to the delivery of the landscaping, that would see some of the hardier and more substantial planting taking place around the site boundaries prior to the commencement of the development and therefore having a chance to establish throughout the construction and occupation of the development. Such a condition is considered to be justified for the reasons discussed and is considered to fully comply with the tests for imposing a planning condition set out within Circular 11/95.

Sustainability

The site is not well located with regard to access to public transport, shops and facilities and, as previously argued and upheld at appeal, is not a sustainable location for residential development. The proposal is, therefore contrary to the principles of policy CP6 of the Local Plan, which encourages sustainable development.

Other Matters

Conservation - The surrounding agricultural land is not specifically mentioned in the listing for the nearby listed buildings and on this basis it is not considered that change of use of the land would be seriously harmful to their setting, subject to the use of high quality and sympathetic building materials.

Education – Following the reduction in the number of houses from ten to eight dwellings, there is no longer a requirement by the County Council for the Applicant to contribute towards the provision of additional school places.

Flooding and Land Drainage - The site does not lie within an Environment Agency of EFDC flood zone. However due to the scale of the proposed development, if planning permission is granted then it will be necessary to impose conditions to ensure that the Council is able to approve the proposed details for surface water drainage and foul drainage.

Contaminated Land - Due to the previous use of this site as a farmyard and also due to the presence of made ground, the land is potentially contaminated. Accordingly, if planning permission is granted then planning conditions requiring contaminated land surveys, investigations and mitigation are necessary.

Planning Obligations

If planning permission were to be granted it would be necessary for the developer to enter into a legal agreement under section 106 of the Town and Country Planning Act 1990, to secure the following matters :-

Highways – A bellmouth access as shown in principle on drawing no. ETW 10 Rev C, dated June 2011, including 7.5m radii with a minimum length of 10m to be straight from the channel of Rookery Road into the site; The permanent closure of the existing access to the north east of the site, to include the reinstatement to full height of the highway verge; A footway, with a minimum width of 1.8 metres and tactile paving, if required, to be constructed from the existing bus stop on the eastern side of Rookery Road to the proposed access into the site; and The provision of two dropped kerb pedestrian crossing points with tactile paving across Rookery Road within the vicinity of the bus stop opposite the site.

Affordable Housing – as discussed, the Applicant has advised that the viability of the proposed development is such that a substantial contribution towards off-site affordable housing cannot be accommodated. If Members decide that planning permission should be granted and that a sum is required, then negotiations may be undertaken with the applicant to secure an appropriate sum.

Conclusion:

In light of the above appraisal, it is considered that the proposed development would constitute an inappropriate development within the Green Belt. The site has a fairly lengthy and unsuccessful planning history and there is clearly considerable support from both the Parish Council and local

residents for this development. Whilst it is accepted that the current disused agricultural site is unsightly and has raised local concern regarding other possible future use, alternative uses require planning permission and can be controlled. These factors do not amount to a case for very special circumstances for permitting the development. There are, within the District, any number of similarly derelict agricultural sites and to allow redevelopment in this manner in the absence of very special circumstance would set an undesirable precedent.

Furthermore, the Applicant has advised that the development is not able to accommodate the provision of a substantial contribution towards off-site affordable housing, but has not backed this with evidence. For this reason, the proposed development is considered contrary to policy H5A of the Local Plan, which seeks the provision of affordable housing.

Accordingly, despite improvements which have been made to the layout of the proposed development since the refusal of the previous planning application it is, on balance, recommended that planning permission be refused.

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:

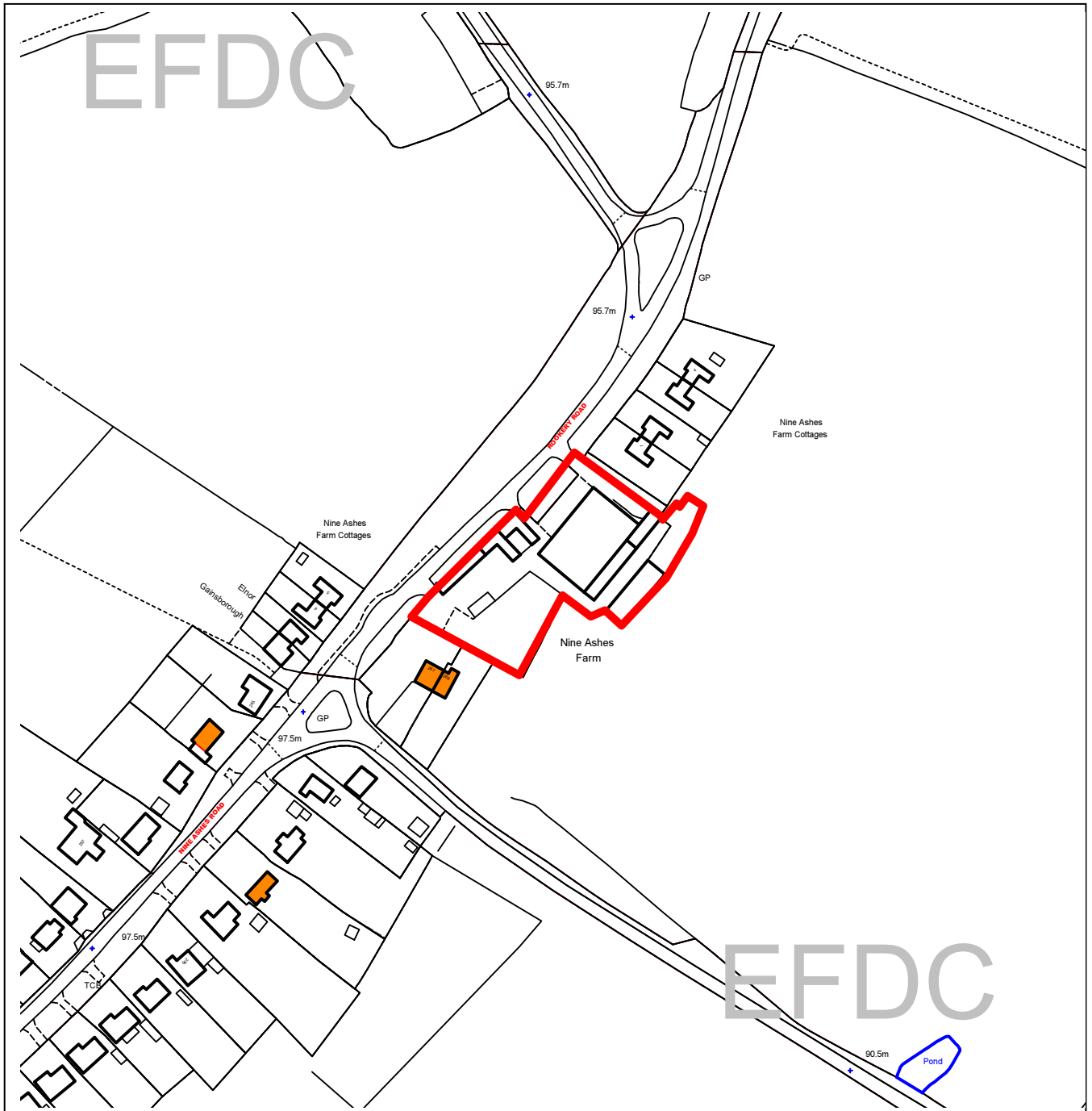
***Planning Application Case Officer: Mrs Katie Smith
Direct Line Telephone Number: (01992) 564109***

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



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	2
Application Number:	EPF/2543/11
Site Name:	Nine Ashes Farm, Rookery Road High Ongar, CM4 0LD
Scale of Plot:	1/2500

Report Item No: 3

APPLICATION No:	EPF/2552/11
SITE ADDRESS:	Rolls Farm Barns Hastingwood Road Magdalen Laver Ongar Essex CM5 0EN
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
APPLICANT:	Mrs Rosemary Padfield
DESCRIPTION OF PROPOSAL:	Erection of Two New Buildings to Accommodate Insect Breeding and Storage associated with Peregrine Livefoods Ltd. (Revised application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=533693

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 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.
- 3 No development, including site clearance, shall take place until a scheme of soft landscaping and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule), have been submitted to the Local Planning Authority and approved in writing. The landscape scheme shall be carried out in accordance with the approved details prior to the commencement of any construction works. 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 in writing.
- 4 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 staff and visitors vehicles.

- 5 Unless otherwise agreed in writing with the Local Planning Authority, the buildings hereby approved shall be used only for the purposes set out within the application. That is breeding of insects, within the extension to barns 1 to 3 and storage and staff welfare facilities ancillary or incidental to the wider use of the site for insect breeding, in Building 8. Should the use for these purposes cease then the buildings shall be demolished and all resulting materials shall be removed from the land.
- 6 No external lighting shall be erected at the site in connection with this development without the prior written approval of the Local Planning Authority.
- 7 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Unnumbered site Location Plan, 1101 3A, 4, 5A, 6A, 7, 8, 9, and unnumbered landscaping scheme.
- 8 There shall be no external storage at the site.

This application was deferred from the Area Plans East Committee on 7th March to enable Members to visit the site. The site visit was carried out on Saturday 31st March.

The original report has been amended to include additional representations received and to further address issues that have been raised and to take into account the National Planning Policy Framework that has now been published.

This application is before this Committee since it is an application contrary to the provisions of an approved draft Development Plan or Development Plan. It is an application for major commercial and other developments, (e.g. developments of significant scale and/or wide concern) and since it is 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 is recommended for approval (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A. (a), (c) and (f))

Description of Site:

Rolls Farm Barns comprises a cluster of agricultural buildings located on the eastern side of Hastingwood Road, about 2.5km from the A414/M11 junction at a tight right-angled bend in the road. The site which comprises approximately 2.13 Hectares contains about 4000sq metres of existing, portal framed agricultural style storage buildings, originally used for potato storage. The buildings are currently principally in use for the breeding and storage of live insects with associated office, storage and staff facilities. There is hardstanding for parking between the buildings. To the south of the site and within the same ownership lies Rolls Farmhouse which is a listed building and to the north is Wynters Armourie which is listed and a scheduled Ancient Monument. The other nearest properties are Wynters Cottages to the west and Chestnut Cottage on the opposite side of the road down a drive some little way to the South. To the north and east there is open farmland which is part of Rolls Farm and within the same ownership as the application site.

Description of Proposal:

The proposal is for the erection of two additional buildings in connection with the existing insect breeding business on the site. The first is an extension to Barn 1 measuring 17m x 17.5 m, which will continue the form of the existing building with an additional portal framed bay. It is intended that this will contain 3 breeder rooms and a cleaning and preparation area at ground level with further breeder rooms above on a mezzanine level.

The second building is a freestanding building measuring 47m x 30m which is proposed to be located at the rear of the site behind the existing main production building. The proposed building is of similar design to the existing and comprises a two bay metal portal building with a ridge height of 8.8 metres, the same as the existing main building. The intention is that this building will be used for storage of feed, packaging and other equipment needed in connection with the business. At present there are overhead electric cables that cross this part of the site, and it is intended that these will be placed underground. The proposals include a rationalisation of the existing parking on the site so that there will be 50 car parking spaces and in addition a temporary lorry parking space has also been allocated adjacent to the access. The proposals also include planting of a native hedge to the rear of the site and along the access track to the east of Wynters Farm, to soften views of the site together with planting of mixed oak and beech trees to the front of the site and at the eastern corner.

Relevant History:

EPF/0494/06 Change of use of former potato store for the breeding and storage of live insects and associated facilities, by Peregrine Live Foods- Approved

EPF/0781/11 - Retrospective change of use of 2 redundant buildings and erection of two new buildings to accommodate livestock (insect) breeding and associated storage. Refused. As new buildings were considered contrary to green belt policy and harmful to the setting of the listed building.

EPF/1621/11- Retrospective change of use of two redundant buildings to accommodate livestock breeding and storage associated with Peregrine Livefoods Ltd. Approved. This decision is currently the subject of a request for Judicial Review.

Policies Applied:

The National Planning Policy Framework

Epping Forest District Local Plan and Alterations policies:

CP1 – Achieving Sustainable Development Objectives

CP2 – Protecting the quality of the Rural and Urban Environment

GB2A – Development in the Green Belt

DBE4 Design in the Green Belt

RP05 Adverse impacts

DBE9 – Loss of amenity

HC12 – Development affecting the setting of Listed Buildings

E12A – Farm diversification

LL11 – Landscaping schemes

ST1 – Location of Development

ST2 – Accessibility of development

ST6 – Parking

SUMMARY OF REPRESENTATIONS:

11 neighbours were consulted and a site notice was erected at the entrance to the site. The following responses were received.

PARISH COUNCIL- No objection.

CHESTNUT COTTAGE, MAGDALEN LAVER- Strongly object. Our objection is based on the contents of our objection to EPF/1621/11 – i.e. design, location, environmental impact, heavy traffic, noise pollution, and unknown livestock breeding which infringes our human rights and will substantially decrease our standard of living. Since the arrival of Peregrine Live Foods Ltd we have suffered heavy traffic, noise and light pollution as well as the aforementioned problems. Additionally the only supporter of the application (Wynters Armourie) has their property currently up for sale so their support should carry no weight.

WYNTERS COTTAGE - MAGDALEN LAVER – Object- Concerned about increase in traffic, we are on direct route to M11 which is where most delivery vans and lorries come from during the local traffic jam every morning, cannot walk dogs at this time. Road too narrow, their regular 6pm TNT mega lorry takes up whole road, making cars pull over onto verge. Lane is not suitable for such traffic. Also we suffer light pollution from security lights on all night pointing into our bedroom windows. Object to any increase in size, staff and traffic. Concerned that we were not consulted. A further email and letter have been received from this address confirming the following objections to the current application: objection to traffic from staff and delivery vans, from the M11 Staff arrive every morning from the M11 direction Local people are not employed at Peregrines, they come in from elsewhere. Very heavy traffic, large number of cars park at Rolls Farm and Wynters Farm, HGV's are constant, no speed limit in the village and no pavements, very dangerous to walk a dog, ride a horse or push a pram, traffic is not limited to week days, the units are open at weekends too. Noise and pollution from the traffic, lorries reversing, sandwich van alerts, noise from inside the factory units. Light pollution from security lights on the barns. Environmental pollution, rubbish thrown by van drivers in hedgerows and verges is very distressing. Since Wynters Farm and Rolls Farm have been changed to industrial use over the last few years there has been a very dramatic change to living in the vicinity. Do not object to farm diversification and use of existing buildings but cannot support the construction of two new buildings which will lead to an increase in traffic and environmental pollution. Also raising concern that apart from Chestnut Cottage and Wynters Armourie all the properties on the neighbour list are rented out by the applicant. Wynters Armourie, who were happy with the proposals is now up for sale.

WYNTERS ARMOURIE- MAGDALEN LAVER- Support. The business is a good neighbour, bringing employment. No worry over security as the site is occupied by just one company. It would be a great shame if they had to leave.

2 POPLAR COTTAGES – No Objection, and having viewed the details we support the application.

Chair of HASTINGWOOD ACTION GROUP – Object. Concerned about current excessive harm which is being caused to both the Green Belt and the local rural roads and lanes. Damage to road surface, edges, verges and hedgerows of the road by extremely large and heavy commercial vehicles is clearly evident. Artic lorries restrict the flow of traffic within Hastingwood Road, as the road is only wide enough for 2 cars to pass. The noise and fumes created by revving engines etc during these exercises adds to the general disturbance caused by these large lorries. In the interests of the appearance and functioning of one of the districts rural areas the council is strenuously urged to deny this planning application.

This letter was accompanied by data recorded by Essex County Council over 12 days in November 2008 recording traffic movements north and south on Hastingwood Road, which will be discussed in the report.

Issues and Considerations:

The main considerations in the determination of this application are the impact on the Green Belt, the impact on neighbouring amenity, highway and parking issues, impact on setting of adjacent listed buildings and scheduled ancient monument.

Green Belt.

The site is within the Metropolitan Green Belt and although the buildings are proposed to be used in connection with the breeding of live food, as this is food for the pet industry and not for humans, it is not generally accepted that this is an agricultural use. As such the erection of new buildings at the site for this purpose is inappropriate development and therefore by definition harmful to the green belt. For the development to be acceptable therefore (unlike with the previously approved change of use applications) there need to be very special circumstances that outweigh the harm to the Green Belt and any other harm from the development. A previous application EPF/0781/11 which included new buildings was refused on the basis that very special circumstances had not been proven and that the development (particularly due to the introduction of parking into an area that is currently undeveloped) would be harmful to the setting of the listed building. Since that refusal the applicant has provided further information in support of the application, to overcome the Green Belt objection.

The circumstances they highlight are:

1. The business is now an established and successful business in redundant buildings at Rolls Farm.
2. The business needs to expand and they have considered relocating to a larger site or a split into two sites but neither of these options is sustainable or cost effective. (review of the market and the business development plan has been submitted with the application to fully explain why this is the case.)
3. The business would like to remain in the District and have been searching for a site for 3 years but no such site has been forthcoming,
4. The nature of the breeding activity is such that it requires a site away from traditional industrial premises, preventing contamination of the breeding insect colony.
5. The siting of the warehouse and storage area within this site will likely reduce traffic movements compared to if they had to operate from a split site, for a while they operated overflow warehousing from Weald Farm and this generated an estimated 12 additional movements a day between the sites.
6. The stability that expansion of the existing site would create makes financial sense with economies of scale.
7. The site is an important local employer largely of unskilled labour. 34% of the current workforce is under 25. This sector has traditionally had high unemployment.
8. The Peregrine Foods use of existing buildings at Rolls Farm was an important diversification of the farm following the move out of potato growing which had ceased to be profitable. The income generated from the letting of the site for this business supports the farm income. The certainty of income from the Peregrine Foods development is important to the farm which is subject to increasing volatility in commodity prices.

In addition Peregrine Foods moved to this site in 200 from a site in Theydon Bois and did bring staff with them at that time. They can therefore be considered to be a longstanding local employer.

The company provides insects to the pet market nationwide, one of only 3 such companies in the country and this location within 2.5 km of the M11 provides excellent links to enable this.

Impact on Amenity

The proposed buildings are set well within the site and are not close enough to any residential property to cause loss of light or to be overbearing, the amenity issues therefore largely relate to the potential to result in increased traffic generation which will utilise Hastingwood Road, which is relatively narrow in parts and passes close to residential properties. The proposal allows the business to maximise economies of scale. It will prevent the double handling that occurred previously from the temporary use of buildings at Weald Hall for storage of dry goods. At present on an average weekday the applicants state that 44 cars, 3 cycles and 3 motorcycles come to the site plus 3, 7.5 ton Lorry visits, 3 articulated trailers, 5 - 10 light vans. A skip lorry visits generally every second day. The operating hours are 8am to 5.30 weekdays and on average only 4 staff attend the site during the weekend to monitor the insect rearing facilities. No deliveries take place after 4.30pm or before 8.30am. It is not anticipated that there will be a significant increase in movements as a result of the development and as already stated should it be necessary to find a different site for the dry goods store then this would likely generate an additional 12 lorry movements a day between the sites. The application predicts that it will not result in an increase in workforce, which currently stands at 97 full time and 5 part time, it simply allows for more efficient and effective working. As such the impact on the amenity of the area is considered to be minimal.

Hours of use conditions can be attached to ensure that night time noise is not an issue. Concern has been raised from 2 neighbours with regard to light pollution. A condition can also be added to ensure that details of any external lighting are submitted for approval to ensure that it is appropriate and shielded so as not to cause problems.

Highway and Parking issues

The site is located on a very sharp bend in the road, but on the outside of the bend and with a wide bellmouth such that sight lines are good, and road speeds are relatively low. The Highway Authority does not consider that the proposals will generate additional traffic to the detriment of the highway network or compromise highway safety in the locality, also the access to the site is acceptable both in terms of safety and geometry. The business has been operational for some time and there are no recorded accidents at the locality within the last 3 years, as such it is not considered that the proposal generates highway safety issues. The Highway Authority has no objections to this proposal as it is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, and policies ST4 & ST6 of the Local Plan.

The Hastingwood Action Group have supplied figures from an automated traffic count that was undertaken over 12 days in November 2008 on Hastingwood Road. These indicate a total of 32018 movements north and south in the 12 day period of which some 5316 or 16.6% were "Heavy Vehicles" including 251 articulated vehicles. (which is an average of 21 a day)

Given these figures and the narrowness of the road and the rural nature of the area it is understandable that residents are concerned to prevent development that will further increase numbers of heavy vehicles on the local road system, however in this instance as explained above it is not expected that the proposed development will result in more vehicular movements. It should also be remembered that the original potato farm use at the site would have generated heavy vehicular traffic.

With regard to car parking the 50 spaces proposed together with adequate lorry parking and turning facilities is considered acceptable.

Impact on the setting of the listed building

The last application that included new buildings on the site was refused in part because of the impact of the development on the setting of the adjacent listed buildings. The buildings proposed have not been altered but the position of the larger building to the rear of the site has been shifted so that it is closer to the existing main building and in line with it so that it does not intrude so far into the open area. In addition extensive car parking that was proposed to be located on a part of the site that is currently undeveloped has been removed. Finally, previously proposed landscape bunding to the rear of the site, which would in officer's view have been a further incursion and unnatural feature in this location has been removed. Despite this it is clear that the concerns of the County Historic Buildings Advisor with regard to the original application have not been fully overcome. The Councils Conservation Officer has also raised objection to the current scheme stating "The warehouse would have a direct detrimental impact on the setting of the listed Building (Rolls Farmhouse). Farmhouses are not often found in isolation, outbuildings are expected as part of their historic setting, nevertheless, the cumulative effect of modern agricultural type buildings in close proximity to this building adversely affects its setting. I have no objection to the proposed extension to the barn but object to the proposed storage warehouse due to the cumulative impact on the setting and therefore significance of the neighbouring listed building".

The historic setting of the listed buildings in this case was originally open countryside and this has in officer's view already been substantially eroded by the existing buildings on the site. The erection of two more large modern buildings cannot benefit this setting. However given the nature of the current setting and that the proposed buildings are essentially modern farm buildings that are not out of place in a farmyard setting officers are of the opinion that despite the reservations of the Conservation Officer, they do not further erode the setting significantly. The removal of the car park and the shifting of the larger building so that it does not intrude further north when viewed from the east is considered on balance to be sufficient to overcome the reason for refusal, subject to adequate and appropriate landscaping. The landscape condition is necessary to ensure that the required tree and hedge planting takes place.

Other Issues

Human Rights. The neighbour at Chestnut Cottage which lies approximately 120 metres to the south of the site and is not on the road frontage has suggested that the development infringes their human rights and will decrease their standard of living. It is not considered that the proposed development will have an excessive impact on residential amenity as discussed above. The insects that are being bred at the site are not dangerous and there is no health and safety requirement for the use to operate in an isolated location, there is no known harm to residential amenity from the breeding process. It is not considered therefore that approval of the use would result in an infringement of human rights.

Snakes Reptiles and Amphibians. Concern has been raised that the existing Peregrine operation at the site includes not just insects but keeping of reptiles, snakes and amphibians, which was not specifically applied for. It is the case that a relatively small floor area is being used for the temporary storage of such creatures prior to their distribution. This is considered, at its current level, to be ancillary to the approved business use of the site and thus it is not contrary to any conditions relating to the use of the site. The reptiles are not being bred at the site, none are venomous or considered dangerous. As the use is small scale and ancillary to the wider business use of the site it is not considered that there are any enforcement issues. Although there may be concern from neighbours regarding the safety of this element of the use, this is not a significant material planning consideration as there is other legislation regarding the control, safety (and welfare) of animals. It is not considered that the use as it operates at the moment results in any

harm to amenity. There are no noise or smell issues as a result of the use. The snakes and reptiles are kept in rooms with tight fitting doors that minimise the possibility of escape.

The National Planning Policy Framework. (NPPF)

Since this application was last reported to Committee the NPPF has come into force. This sets out the Governments planning policies for England and how these are expected to be applied. The Framework gives a presumption in favour of sustainable development, but reiterates the importance of Green Belt. The proposed development is still contrary to Green Belt Policy as set out in the NPPF and as such should only be allowed if the harm to the Green Belt and any other harm is clearly outweighed by other considerations. However the NPPF also seeks to support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.

“Local” employment

Neighbours have raised concern that despite the applicants’ statement that 70% of employees are from within 5 miles of the site, they do not believe that this is the case. Officers have no reason to disbelieve the figures and have no evidence to suggest the contrary. The 5 mile radius does of course include North Weald, Epping and Harlow which would explain why, in neighbours view most traffic is from the M11 direction. Officers are seeking a further breakdown of the figures to establish broadly where most employees are based and this will be reported at committee.

Judicial Review.

Members should be aware that following the approval of the previous application EPF/1621/11 for retrospective consent for use of two existing buildings at the site for insect breeding, an objector has lodged an application for permission to apply for a Judicial Review of that decision. This application has not been processed yet by the Administrative Court. In the meantime the permission exists and remains in force.

Conclusion

In conclusion, this is a balanced case. The development is inappropriate in the Green Belt, but in Officers view a compelling argument for very special circumstances has been made. Refusal of consent is likely either to result in the need for split site working, which is impractical and results in additional traffic movements to the detriment of sustainability, or the wholesale relocation of the business elsewhere, which will have significant knock on impacts for local employment and may also result in redundant buildings on the site which if left empty would potentially undermine the viability of the larger farm landholding, or alternatively change of use to other business uses would need to be considered, which could have different traffic and environmental impacts.

Given the current emphasis on economic growth and farm diversification Officers consider that the balance is tipped in favour of this development, which although not agricultural, is not dissimilar in character and is a use which it seems logical to locate within the rural area.

Whilst the erection of the new buildings will not enhance the setting of the listed buildings and scheduled ancient monument, again on balance it is not considered, given the current nature of the site, that they will have a particularly negative impact. The proposal will not cause excessive harm to the amenity of neighbours or result in any other harm that would warrant refusal of the application and on this basis the application is recommended for approval subject to conditions.

However should members be minded to grant consent the matter will need to be referred to District Development Control Committee for further consideration as it is contrary to the Green Belt policies of the Local Plan.

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:

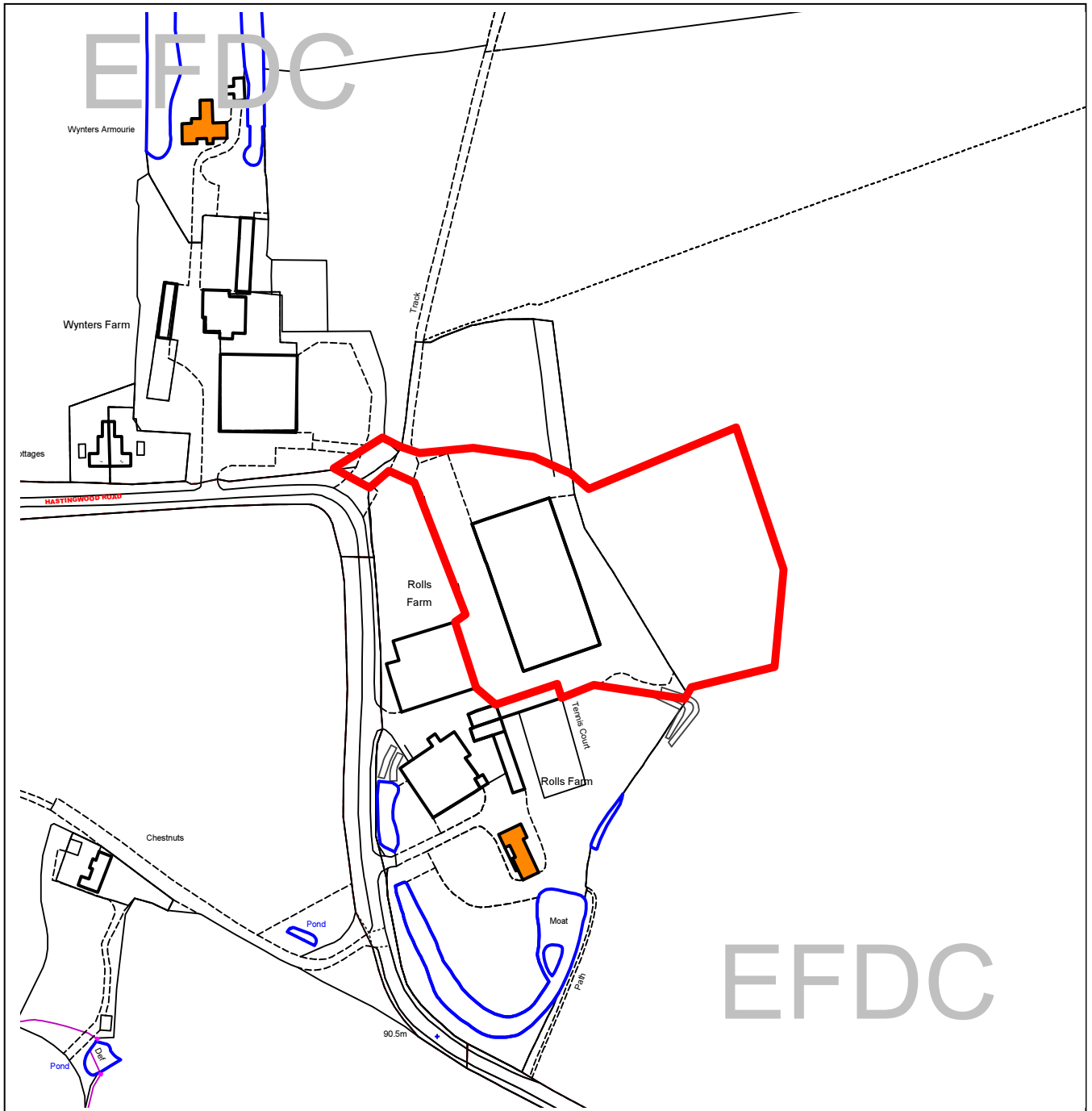
**Planning Application Case Officer: Jill Shingler
Direct Line Telephone Number: (01992) 564106**

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



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	3
Application Number:	EPF/2552/11
Site Name:	Rolls Farm Barns, Hastingwood Road Magdalen Laver, CM5 0EN
Scale of Plot:	1/2500

Report Item No: 4

APPLICATION No:	EPF/0021/12
SITE ADDRESS:	5 Woodland Way Theydon Bois Epping Essex CM16 7DY
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mrs Sharon Holmes
DESCRIPTION OF PROPOSAL:	Variation to conditions 3, 4 and 5 of planning permission EPF/1343/10. (Change of use and extension of domestic garage to therapy room)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=534033

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 The therapy room hereby approved shall be used solely as a therapy room for 'one-to-one' consultations and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town & Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order. For the avoidance of any doubt, the term 'one-to-one' includes consultations between one practitioner and one client, where the client may be an individual or a couple and where an individual may be accompanied by a responsible adult.
- 4 The use hereby permitted shall not be open to clients outside the hours of 0900 to 2000 on Mondays to Fridays, 0900 to 1700 on Saturdays and not at all on Sundays or public holidays.
- 5 The therapy room hereby approved shall be used for 'one-to-one' consultations between the applicant (Mrs Sharon Holmes) and no more than one client at any one time. For the avoidance of any doubt, the term 'one-to-one' includes consultations between Mrs Sharon Holmes and one client, where the client may be an individual or a couple and where an individual may be accompanied by a responsible adult.

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 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:

This application seeks consent for a variation to planning conditions imposed on a planning application for an extension to a domestic garage and its change of use for use as a therapy room. The planning permission, granted under authority delegated to officers, was subject to several planning conditions which include the following:

3

The premises shall be used solely as a therapy room for 'one-to-one' consultations and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town & Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.

Reason:- To ensure that no alternative use is made of the premises which may be a nuisance or annoyance to neighbouring residents.

4

The use hereby permitted shall not be open to clients outside the hours of 0900 to 1700 on Mondays to Fridays, 0900 to 1300 on Saturdays and not at all on Sundays or public holidays.

Reason:- In order to minimise disturbance to local residents.

5

The therapy room hereby approved shall be used for 'one-to-one' consultations between the applicant (Mrs Sharon Holmes) and no more than one client at any one time.

Reason: To protect the amenities enjoyed by the occupiers of neighbouring dwellings.

The applicant has since advised that the conditions imposed were too restrictive to the way that the use operates. Although the imposition of the conditions accorded with the information provided in support of the application and followed discussions with the Applicant's agent, the Applicant herself was not consulted by the Agent.

In relation to condition 3, the Applicant has requested that this condition be modified to permit consultations between the practitioner and a client – to include situations where either the ‘client’ is a couple, or where an individual is accompanied by a responsible adult.

With regard to condition 4, the Applicant has requested an extension to these hours to cover the period 0900-2000 on Mondays to Fridays and 0900-1700 on Saturdays.

Finally in relation to condition 5, the Applicant requests a change in relation to the description of ‘one-to-one’ consultations’ to include attendance by either a couple or an accompanying adult – as per the proposed condition 3.

Description of Site:

The application site comprises a semi-detached dwelling set in a triangular shaped plot located in Woodland Way on a bend in the road, close to its junction with Morgan Crescent, Theydon Bois. Off street parking is available at the front of the property (the application form previously submitted stated for 5 vehicles, although a layout was not shown on the plans). On the basis of a site visit undertaken at the property, it is considered that two cars may be parked independently at the property, with scope for further vehicles to be parked without independent access (i.e. block parked).

Relevant History:

EPO/0548/71. Details of extension. Approved 14/09/71.

EPF/1343/10. Change of use and extension of domestic garage to therapy room. Approved 23/09/2010.

EPF/0634/11. Extension of domestic garage and use of garage as a therapy room (use class D1). Revised application. Withdrawn.

Policies Applied:

Local Plan

DBE 2, 9 – Amenity

Also relevant, bearing in mind that this application relates primarily to requested alterations to planning conditions, is Circular 11/95. Circular 11/95 sets out six criteria for planning conditions. These tests require that planning conditions are: necessary; relevant to planning; relevant to the development permitted; enforceable; precise; and reasonable in all other respects.

Summary of Representations:

Notification of this application was sent to Theydon Bois Parish Council and to 2 neighbouring residents.

The following representations have been received:

THEYDON BOIS PARISH COUNCIL. Objection. We do not consider it reasonable that the original conditions be amended as suggested by the applicant. Our comments on relation to the original application (EPF/1343/10 – to which we did not object) and the revised application which was subsequently withdrawn (EPF/0634/10- to which we did object) remain the same. As previously stressed, this is a wholly residential street and the nature of the environment and amenity of the neighbours must be respected.

1 WOODLAND WAY. Objection. Woodland Way is a quiet residential street which would be adversely affected by clients arriving/leaving as late as 8.00pm on weekdays and 5.00pm on Saturdays. Would place pressure in the already difficult parking problems that exist in Woodland Way. I believe that this type of activity should be confined to a designated business area, not a quiet residential area.

7 WOODLAND WAY. Objection. We wish to object to the extended hours of business and change to the definition of 'one-to-one' consultation now being sought on respect of the above application. We regard this request to vary the conditions as being an unacceptable intensification of use under DBE9 of the Local Plan. Apart from the increased hours, the variation in conditions 3 and 5, with a new definition of 'one to one consultation' can be open to abuse in respect of the group activities proposed in the previously withdrawn application. Monitoring and enforcement of these conditions will be difficult. As occupiers of the adjoining semi the comings and goings of clients during evening and weekend periods would cause undue disturbance. The working hours and clear definition of 'one to one' approved under the original application and not unreasonable and the hours are in fact in excess of those used by the Greenside Osteopath practice situated in a more central position near the village green – which operates from detached house with no adjoining properties.

11 WOODLAND WAY. Objection. 5 cars cannot be accommodated on the site – cars would park in the road and this could obstruct access to the bungalow opposite (no. 2). The bend in the road is dangerous – my neighbours car has been damaged by a swerving vehicle. The house has a 'Granny extension' (which would have been ideal) and there are no children living there. Who will count the frequency of group activities and the number of clients? Business ventures should not be allowed in this residential road. Woodland Way is a residential area and a semi-detached property is not suitable for business premises. The longer hours applied for would be a significant increase into what are quiet periods. I can see the one-to-one being manipulated and becoming groups. If businesses are allowed in a residential area then there should be no disruption at all to neighbours.

Issues and Considerations:

The main issue to be considered is the impacts of the proposed variations to the planning conditions on the amenities enjoyed by the occupiers of neighbouring dwellings. The impact of the proposed variations to the conditions on parking within the locality – a concern raised by neighbouring residents – will also be considered.

Neighbouring Amenity

In terms of the potential impacts of the requested varied conditions on the amenities enjoyed by the occupiers of neighbouring dwellings, it is not considered that attendance of either accompanying responsible adults with clients, or attendance by couples would give rise to any material harm to neighbouring amenity. It is considered that conditions 3 and 5 may be suitably altered to provide for this use, whilst still complying with the tests in Circular 11/95. Concern has been raised by a neighbouring resident regarding enforcement of this restriction. However, it is not considered that this would be harder to enforce than attendance by individual clients. Successful enforcement in both instances would be largely reliant upon information provided by neighbouring residents.

Turning to the matter of the requested increase in the permitted hours of operation, the proposed evening and Saturday use would overlap with times of the week when neighbouring residents are most likely to be at home. However, the coming and goings of clients (one at a time, as per conditions 3 and 5) would not be at a level which is anticipated to cause greater disturbance than that caused by domestic visitors to a dwelling. The use would be required to cease by 8.00 and it

is considered that its impact on neighbouring amenity (operating at this level and at this time) would not be so significant as to justify withholding the planning permission.

Parking

The planning conditions, if amended as proposed, would still be limited to one party attending the site, rather than groups of people as has been proposed in the past. It is also anticipated that in many cases clients would arrive together – although it would be possible that couples may attend in separate vehicles, perhaps if travelling directly from their place of work. If needed these vehicles could be accommodated on the property frontage in addition to cars parked by its occupiers.

Conclusion:

In light of the above appraisal, it is considered that the proposed variations to the planning conditions would enable the permitted use to operate without causing material harm to neighbouring amenity. On this basis, it is considered that the proposed planning conditions would accord with Government advice contained within Circular 11/95 and 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:

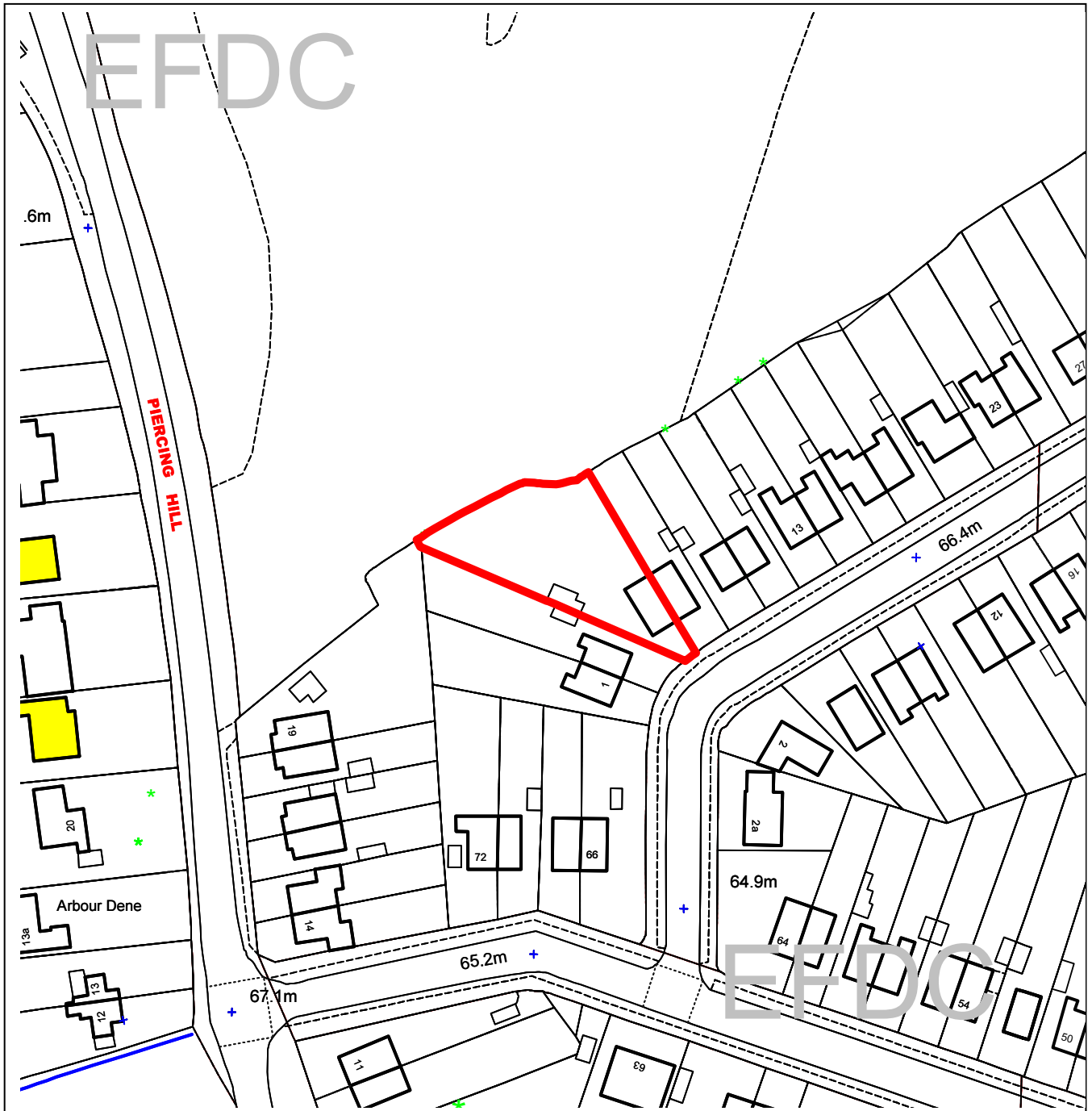
***Planning Application Case Officer: Mrs Katie Smith
Direct Line Telephone Number: (01992) 564109***

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



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Area Planning Sub-Committee East



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Agenda Item Number:	4
Application Number:	EPF/0021/12
Site Name:	5 Woodland Way, Theydon Bois CM16 7DY
Scale of Plot:	1/1250

Report Item No: 5

APPLICATION No:	EPF/0167/12
SITE ADDRESS:	Woodhatch Farm Tawney Common Theydon Mount Essex CM16 7PU
PARISH:	Stapleford Tawney
WARD:	Passingford
APPLICANT:	Woodhatch Farming
DESCRIPTION OF PROPOSAL:	Erection of agricultural implement shed.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=534668

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 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. The development shall be implemented in accordance with such approved details.
- 3 If the use of the building hereby approved for the purposes of agriculture within the unit permanently ceases within ten years from the date on which the development was substantially completed and subsequent planning permission has not been granted on an application, (or has not been deemed to be granted under Part III of the Act), for alternate development for purposes other than agriculture, within three years from the date on which the use of the building for the purposes of agriculture within the unit permanently ceased, then the building shall be removed from the site, together with any associated materials.

Description of Proposal:

This application seeks planning permission for the erection of an agricultural implement shed, with a footprint of 27.43m x 8.051m and a sloping roof that would range in height from 3.962m to

4.267m. The application documents explain that the building, which would be finished in steel, is required for the storage of machinery and implements which include tractors, trailers, a digger, a dumper, a bailer, a spreader and a mower. Other items are also listed and photographs are provided of equipment presently stored in the open around the farm.

Description of Site:

The application site comprises an area of land within a 72 hectare agricultural holding, upon which it is proposed to erect an agricultural implement shed, measuring 27.43m x 8.051m.

The Applicant has advised that the farm accommodates 50 cattle (including calves) and 450 adult sheep (with this number expected to increase as the lambing season is commencing).

Relevant History:

EPF/0654/02. Change of use of farm yard and buildings to ancillary domestic use. Approved 19/03/2003.

EPF/0614/07. Erection of agricultural barn and implement store. Approved 10/05/2007.

EPF/2164/09. Agricultural determination for a proposed sheep building. Planning permission not required - 17/12/2009.

EPF/0879/10. Agricultural determination for a barn. Planning permission not required - 07/06/2010

Policies Applied:

Local Plan

CP2 - Protecting the Quality of the Rural and Built Environment

GB1 – Green Belt Boundary

GB2A – Development in the Green Belt

GB7A – Conspicuous Development

GB11 – Agricultural Buildings

DBE1 – Design of New Buildings

DBE4 – Development in the Green Belt

Summary of Representations:

Notification of this application was sent to Stapleford Tawney Parish Council and a site notice was also displayed at the site entrance on 8th March 2012.

The following representations have been received:

STAPLEFORD TAWNEY PARISH COUNCIL. Objection (overall – some parish councillors would not object if the building were relocated). The recent sheep shelter was not located in accordance with the planning application and is inappropriately located on the top of a hill, where it can be seen for miles around. All barn developments should include tree screening to hide industrial buildings. Will floodlighting pollute the locality? Should be located by the farmhouse to avoid the sheep shelter error – affect on public footpath? Other buildings at Crumps are not being used for agriculture and could be used for their original purpose. There is a need for a machinery store and design/materials are okay – but location inappropriate for the purpose and threaten bridleway/footpath. Access would be awkward across the rack which is a well used public footpath and bridleway - shed would be better located next to the sheep barn.

Issues and Considerations:

Policy GB11 of the Local Plan states that planning permission will be granted for agricultural buildings, providing that a number of criteria are complied with. These are that the proposal is demonstrably necessary for the purposes of agriculture; would not be detrimental to the character and appearance of the locality or to the amenities of nearby residents; would not be harmful to either highway safety or water quality and supply; and would not threaten and sites of importance for nature conservation.

Need – In recent years, three agricultural buildings have been erected on the site, with the benefit of planning permission and as permitted developments. The applicant advises that these buildings are required for other uses and cannot be used to accommodate the equipment and implements listed in this application. These buildings include a barn erected following the grant of planning permission in 2007 – the applicant advises that this is presently required for the storage of lawn mowers, seeds and fertilisers associated with residential land – in any event this building would not be large enough to accommodate the larger pieces of equipment, including tractors. The building accepted as a permitted development in 2009 is used for the housing of cattle and the barn permitted in 2010 is used for the storage of hay and feed and also for the housing of sheep during the lambing season. It is accepted that there is an outstanding need for a storage facility for the items listed in the submitted application and on this basis it is considered that the proposed building is necessary.

Appearance – The barn would have a functional appearance which is considered to be appropriate in relation to its intended use.

Neighbouring Amenity – Due to its location, the proposed barn would not adversely affect the occupiers of neighbouring dwellings

Highway Safety/Water quality and supply – the proposal does not involve any alteration to existing site access. Concern has been raised by Members of the Parish Council regarding the effect of the proposed development on the safety of nearby public rights of way, including a footpath and a bridleway. However, the proposed barn would not obstruct either of these rights of way, not to either pass through the area of land in which the barn would be situated. The track, along which part of the bridleway runs is presently used by farm vehicles.

Nature Conservation – The site is not in close proximity to land designated for its special importance for nature conservation.

Accordingly it is accepted that the development would not be inappropriate within the Green Belt (as defined by Local Planning policies and the National Planning Policy Framework) and it is also considered that it would have a satisfactory appearance.

Conclusion:

In light of the above appraisal, it is considered that the proposed development meets the requirements of policy GB11 of the local plan and also other policies which are intended to ensure that development has an acceptable appearance. This may be reinforced by the imposition of planning conditions requiring the approval of details for the external finishes of the building (in particular, in relation to colour) and also requiring that the building is removed from the site, if the agricultural need ceases within ten years. On this basis, it is 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:

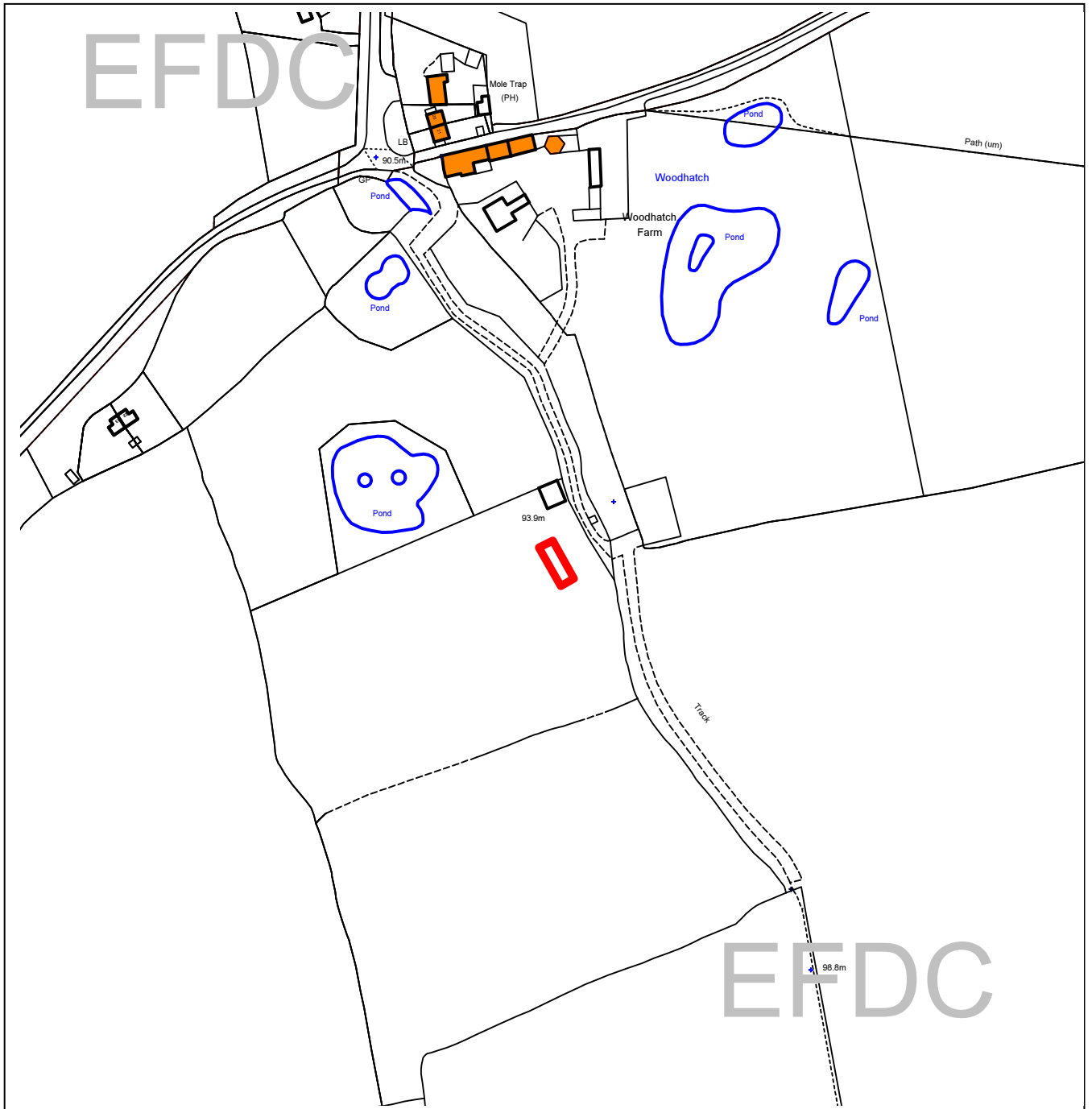
***Planning Application Case Officer: Mrs Katie Smith
Direct Line Telephone Number: (01992) 564109***

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



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	5
Application Number:	EPF/0167/12
Site Name:	Woodhatch Farm, Tawney Common CM16 7PU
Scale of Plot:	1/2500

Report Item No: 6

APPLICATION No:	EPF/0183/12
SITE ADDRESS:	Fire Station High Street Ongar Essex CM5 9DT
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
APPLICANT:	Mr Jon Doherty
DESCRIPTION OF PROPOSAL:	Erect an open steel framed "Working at Height" training facility for Essex County Fire and Rescue at Ongar Fire Station. (Revised application which now proposes the training structure to be relocated behind the ambulance station building.)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=534714

CONDITIONS

- 1 The training structure hereby approved shall be removed within two years of the date of this consent unless a further grant of planning permission has been granted.
- 2 The structure hereby approved shall only be used for training purposes between the hours of 9am to 9pm on Mondays to Saturdays, and not at all on Sundays.
- 3 The two floodlights to the training structure hereby approved shall be fitted with equipment to ensure that light is only directed downwards on to the training structure, and these lights shall be switched off when individual training sessions are completed.

This application is before this Committee since it is for a type of development that cannot be determined by officers because more than two objections material to the planning merits of the proposal have been received- (pursuant to the 'constitution, part three: planning directorate – delegation of council function, schedule 1, appendix A. (f).

Description of Proposal:

Erection of an open steel framed 'working at height' training facility for Essex County Fire and Rescue at Ongar Fire station. This application is a revised one in that the training structure is now proposed to be erected behind the ambulance station to the rear of the site - and not adjoining the southern boundary of the site next to the rear garden of the house at number 55, High Street.

Description of Site:

A fire station building fronting the east side of the High Street, with associated yard, parking area, and fire station drill tower located to the rear. Also a single storey ambulance station building shares the site and is also located to the rear. The site lies in the Ongar Conservation Area - although the site has a typically utilitarian appearance reflecting its operational use by an emergency service. The nearest houses to the site, at 1 to 4 St. Helens Mews, lie some 32 m from the position of the proposed structure.

Relevant History:

EPF/2445/11 proposed the same training structure as now applied for but located alongside the southern boundary of the site adjoining the rear garden of the dwelling at 55, High Street. Officers felt that in this position the structure would have been an overbearing development that would have detracted from the amenity and outlook of the neighbouring house. Consequently this application was withdrawn in order that the Fire Brigade and their agents could consider an alternative position for this training structure.

Policies Applied:

DBE9 – Loss of amenity. DBE1 – Design of new buildings.

HC7 – Development in conservation areas.

Summary of Representations:

ONGAR TOWN COUNCIL – resolved to support this application. Councillors acknowledged that the proposed training tower would provide a valuable facility for fire crews to gain essential skills when working at height. Ongar Town Council accepts that the location is less intrusive than the previous proposal, but is still concerned about the intrusions of light, noise and hours of use for nearby residents. In the event of permission being granted Ongar Town Council asks that careful consideration be given to protecting nearby residents by way of conditions controlling light spread, operating hours, and restrictions on week end working, perhaps in line with those that would be deemed appropriate for a commercial activity within a conservation area.

NEIGHBOURS – 29 properties consulted and three replies received:-

51, HIGH STREET – object – this steel structure will be used seven days a week from 9am to 9pm. Residents will have no peace from noise eg men with heavy boots, shouting instructions - and with machinery, vehicles and lights also involved the proposal will be a severe invasion of any privacy - especially on Sunday evenings. Floodlights will light up the whole area, and the ambulance station is a single storey building whereas the structure is 6.55m in height. It will be therefore be visible from the road, and would spoil the character of this old village of Ongar.

53B, HIGH STREET – object – the structure need not be located on this site since other fire brigade sites in Essex are available to use. I, and other residents I have spoken to, feel that use of this training structure will cause noise detrimental to neighbours amenity, it would be at odds within this conservation area in a market town, it would adversely affect the quality life of residential

neighbours, and it would be an unsightly presence that would detract from the value of neighbouring houses.

55, HIGH STREET – other sites in Essex are available for this training. While we really appreciate that the original application was rejected I and other residents I have spoken to feel that this type of construction, with attendant increase in noise, would be both unneighbourly and completely at odds with its surroundings. It is likely to be in constant use between 9am and 9pm for seven days of the week, we would be woken at 9am at weekends by shouting firemen, and noise would be totally unacceptable. The structure will tower over the ambulance station and be unsightly.

EFDC CONSERVATION OFFICER – no objections – the revised location behind the ambulance station building is much more appropriate in this conservation area as it is far less visibly intrusive than the previous location proposed in EPF/2445/11 next to the drill tower.

Issues and Considerations:

Nature of the proposal.

The proposed structure is a scaffold type structure of some two stories up to a height of 6.5m, and it has a length of 8m and a width of 2m. As referred to above in the Town Council comments this training facility is required to ensure both full time and part time fire fighters have adequate training at height to enable the Fire Service to comply with the 2005 Working at Height Regulations . The Ongar site was chosen, along with 5 other fire station sites in Essex, to host this training facility after a detailed assessment including its 30 minute travelling radius from nearby stations at Loughton, Harlow, Waltham Abbey, Old Harlow, Epping, and Leaden Roding. Training sessions would last for 60 to 90 minutes, and no more than six fire fighters would be on the structure at any one time. The structure would be far from being used on a continuous basis - it is proposed to use it sporadically between 9am and 9pm Mondays to Saturdays. These extended hours are required so that part time fire fighters, who have other jobs, can receive this essential training.

Effect on amenity

The revised position for the structure ie behind the ambulance station and hence further away from houses, is a distinct improvement on the first and withdrawn application. It is acknowledged that the structure will be higher than the ambulance station but any views of the top part of this open structure above the roof of the ambulance station will not have a significant effect on the visual amenities of residents, or on the appearance of this conservation area. Noise from activities on the structure is another concern but the applicants state there will be no running motors - so the noise that may be heard would be from clinking of metal hooks on metal and talking from the instructors. After discussion with officers It has now been confirmed that there will be no use of the training facility on Sundays and a condition is proposed to cover this. Because the structure is one that can be erected and taken down without excessive cost it is also legitimate to consider use of a temporary planning permission, say for 2 years, in order that any impact from the development can be reviewed. The Fire Service have stated that they would have no objection to a 2 year permission and that they are keen to cooperate with local residents.

Comments on representations received.

Concern has been raised about lighting of the structure. At each end of it floodlights will be installed on two 8m high steel poles. The applicants state that these lights will face down towards the platform of the structure and when training has been completed they will be switched off. Given the position of the structure at the rear of the site behind the ambulance station, and its distance from housing, it is felt that loss of amenity from floodlighting would not be significant. In terms of possible noise nuisance it is acknowledged that this training facility will be used in the evenings up to 9pm and on Saturdays, and it is difficult to state categorically that there will not be a noise

nuisance. However, as mentioned above the applicants are agreeable to a two year temporary permission, and hence in that time a review of any nuisance can be more objectively assessed. Objectors also state that other fire stations, rather than this Ongar one, can be used instead. However, Ongar is one of 5 stations selected for this training across the Essex area, and one important criterion is that journey times from other local stations should not exceed 30 minutes in order that fire fighters can return to their base in a reasonable time.

Conclusions:

Residents of houses lying close to a fire station will perhaps inevitably experience some occasional noise and disturbance. For operational reasons Ongar fire station has been selected to be one of 6 training locations across the County, and it will be used by crews from 6 other local stations as well as Ongar. However, the applicants have now agreed not to use this facility on Sundays, and are amenable to a temporary 2 year consent so that an objective review of any amenity concerns can be carried out. For these reasons a temporary and conditional 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:

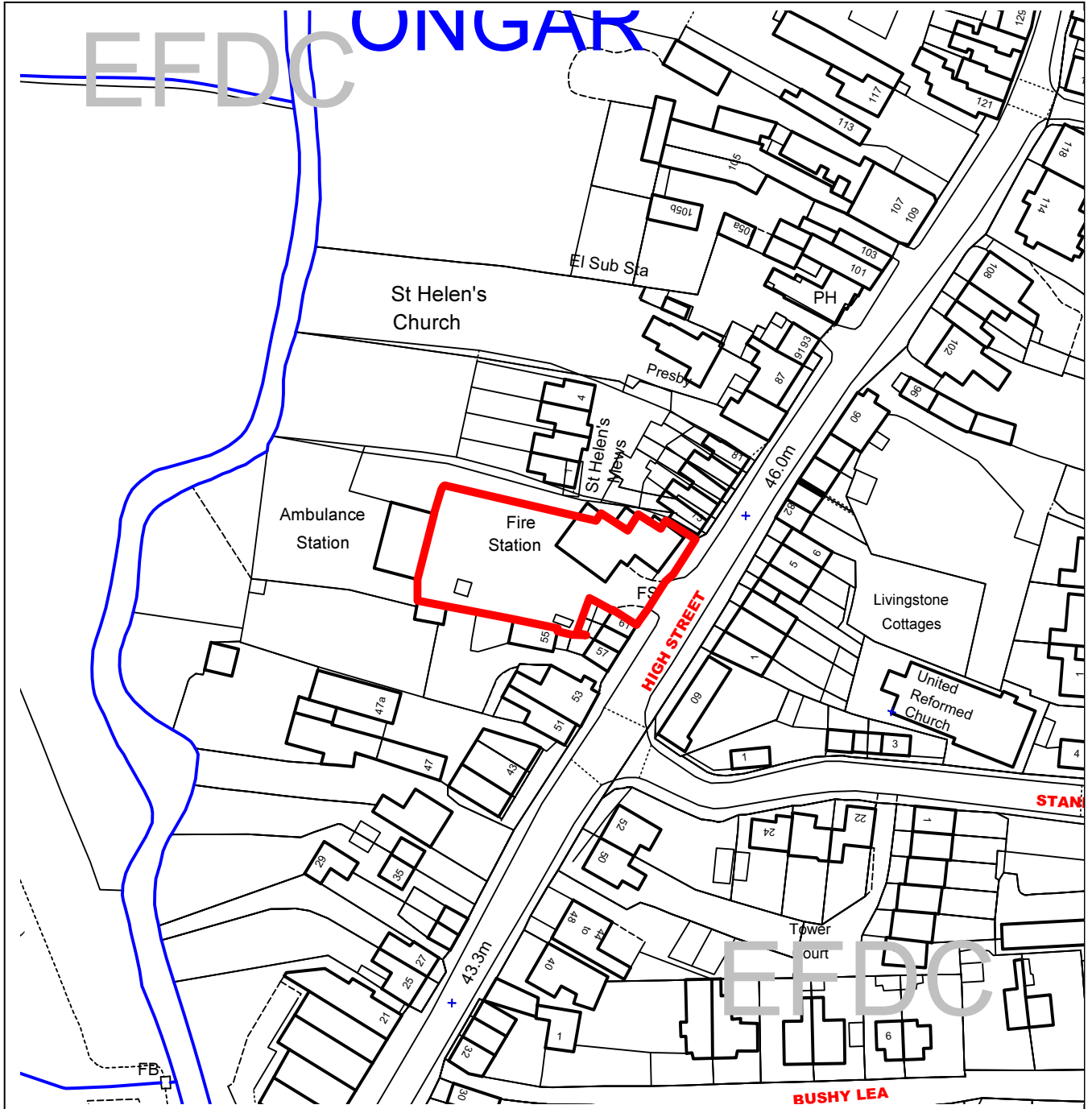
***Planning Application Case Officer: David Baker
Direct Line Telephone Number: 01992 564514***

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



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	6
Application Number:	EPF/0183/12
Site Name:	Fire Station, High Street, Ongar, CM5 9DT
Scale of Plot:	1/1250

Report Item No: 7

APPLICATION No:	EPF/0225/12
SITE ADDRESS:	Land adjacent to 5 Bluemans North Weald Epping Essex CM16 6EU
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	Mr D Kelly
DESCRIPTION OF PROPOSAL:	New dwelling (Revised application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=534848

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: 01, 02 Rev: A, 03 Rev: A, 04 Rev: A, 05, 06 Rev: A
- 3 Materials to be used for the external finishes of the proposed development shall match those of the attached dwelling, 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 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.
- 6 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Classes A and B shall be undertaken without the prior written permission of the Local Planning Authority.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g)) and since it is 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 Site:

The application site is located on the corner of Bluemans and St. Andrews Close, on the western side of the road. To the rear of the site sits No. 6 St. Andrews Close at a right angle to the application site. The existing property sits within a large corner plot and consists of a two storey semi-detached house. The application site is not located within the Green Belt or a conservation area.

Description of Proposal:

Revised application for the erection of a single dwelling attached to No. 5 Bluemans. The proposed dwelling would be 6.3m wide and a maximum of 7.4m deep and would continue the ridged roof on No. 5 at an overall height of 7.7m with a hip ended roof. 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 erection of new boundary fencing.

Relevant History:

EPF/2339/11 - New dwelling – refused 03/01/12

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

Consultation Carried Out and Summary of Representations Received:

13 neighbours were consulted on this application. No Site Notice was required.

PARISH COUNCIL – Object as the application is detrimental to the amenities of adjacent residents, it would be a visual intrusion in to the area and goes against the openness of the whole of the Bluemans Estate. It represents garden grabbing, by the use of the garden to build a new house. Whilst it is acknowledged that there is some relaxing of government guidelines on garden grabbing, the proposal will create a terracing effect on the other properties, which are currently semi detached. Whilst the dwelling has been reduced in size it is still considered overdevelopment. There is concern at the loss of the mature cherry trees, concern at the additional strain that an additional house would put on the water and sewerage services in the area, and concern at insufficient parking.

7 BLUEMANS – Object as this would create a terrace of three properties not in keeping with the surrounding semi-detached houses, would impact on the street scene, provides inadequate parking, would result in a loss of privacy and light to neighbours, would set a precedent, and may impact on the water supply and sewer system.

2 ST. ANDREWS CLOSE – Object as this will intrude into St. Andrews Close and would result in overlooking.

3 ST. ANDREWS CLOSE – Object as this would be out of keeping with the surrounding houses and visually detrimental to neighbours.

5 ST. ANDREWS CLOSE – Object as this does not overcome the previous reasons for refusal, due to the terracing effect, the ‘garden grabbing’, as it would be visually intrusive, would look out of place with surrounding properties, would provide insufficient off-street parking, and due to the loss of the rear access to No. 5 Bluemans.

6 ST. ANDREWS CLOSE – Object as this would intrude into St. Andrews Close, would block sunlight and daylight from neighbouring properties, and would result in overlooking. Also concerned about parking provision.

Issues and Considerations:

The key issues in this consideration are the location of the development, the overall design and impact on the street scene, with regards to amenity considerations, highways and parking considerations, and with regards to the impact on landscaping. The previous application was refused for the following reasons:

The proposed dwelling, due to its height, depth and proximity to the junction with St. Andrews Close, would result in an overbearing and dominant form of development detrimental to the character and appearance of the street scene, contrary to policies CP2 and DBE1 of the adopted Local Plan and Alterations.

The proposed dwelling, due to the extent of the two storey rear projection beyond the first floor rear wall of the attached neighbour, would result in a loss of light and visual amenity to neighbouring residents, contrary to policies DBE2 and DBE9 of the adopted Local Plan and Alterations.

Revisions:

The previously refused application proposed a new dwelling with a depth of 10.5m, which extended some 4m beyond the two storey rear wall of the attached (parent) dwelling. The revised

application has reduced this depth so that the main rear wall of the proposed new house would run off that of the attached neighbour (resulting in a swelling 6.4m in depth), with a 1m rear protrusion to the southern side that would incorporate a stepped down, hip ended roof.

Location

Policies CP3 and ST1 encourage developments in sustainable locations that are well served by local amenities and promote the reduction in private car use. Furthermore PPS3 states that “*using land efficiently is a key consideration in planning for housing*”. Whilst residential curtilage no longer constitutes ‘Previously Developed Land’ as designated within PPS3, this does not preclude all residential curtilage from further development, provided it complies with all other Local Development policies.

North Weald is a relatively built up area containing local shops and services and benefits from, albeit limited, public transport. As such, in principle, it is considered the intensification of use of this site is acceptable due to its existing urban location.

Design

The proposed dwelling would create a row of three terrace properties out of the existing pair of semi-detached houses. Whilst the parent property is one of several semi-detached dwellings within Bluemans, and as such the introduction of an additional dwelling would be somewhat out of keeping with the other, similar, properties in the locality, there are terrace houses within this road. Due to the presence of terrace properties within the immediate area, it is not considered that the introduction of an additional house on this site would be contrary to the overall character of the area. Although such a development could set a precedent for similar proposals (particularly at No’s. 3 and 27 Bluemans), the principle of these sites being further developed is also not considered unacceptable.

With regards to the specific design of the proposed dwelling, this would be 6.3m wide, compared to the 7.6m width of the parent dwelling, and would be 6.4m deep, with a further 1m rear projection. The slightly smaller width of the proposed new dwelling is considered acceptable (as this allows for the 1m step in from the side boundary), and the main bulk of the dwelling now matches that of the attached house (and the surrounding properties). The additional two storey rear projection would be an acceptable depth of 1m and would have a stepped down, hip ended roof, which would add some visual interest to the prominent flank wall without being over dominant. As such it is considered that the proposed revision would overcome the previous concerns regarding the design and impact on the street scene.

Amenity considerations

The proposed dwelling would no longer extend beyond the attached neighbour’s first floor rear wall, which benefits from a relatively deep single storey rear extension. Due to this there would no longer be any loss of amenity to these neighbouring residents.

Although surrounding residents, including those within St. Andrews Close, have objected due to a loss of light and privacy, the proposed dwelling is sufficient distance from all other neighbours to ensure that there would be no detrimental impact due to loss of light, privacy or visual amenities.

In terms of private amenity space, both the existing and proposed dwellings would benefit from some 100 sq. m. of private amenity space. The requirement for each property would be 100 sq. m. as laid out within the Essex Design Guide and the supporting text to DBE8, which is therefore met by this application.

Highways/parking

The proposed development would provide two off-street parking spaces for the new dwelling, one to the front and one to the rear, and two spaces for No. 5 Bluemans within the front garden. As such this proposal complies with the requirements of the Essex County Council Vehicle Parking Standards.

The development would require an additional dropped kerb to be installed on Bluemans to serve both the new and existing dwelling. Bluemans is an unclassified road so this vehicle crossover would not require planning permission.

Landscaping

Although the Parish Council raised concerns about the loss of the cherry trees on site, the Council's Tree and Landscape Officer does not consider that there are any trees on site worthy of retention. Additional landscaping should be sought to help soften any impact from the proposed development, which can be controlled by condition.

Comments on Representations Received

The majority of issues raised by neighbours have been addressed above. Concern has been expressed with regards to the potential impact on the water supply and sewage system, however these issues can be given little weight in this application for just 1 additional dwelling.

Conclusion:

The reduction in depth to the proposed property has sufficiently overcome the previous reasons for refusal. As such, the proposed development would provide an additional dwelling within a sustainable built up area, would not be unduly detrimental to neighbours amenities or the overall character and appearance of the street scene, and provides adequate levels of off-street parking provision and private amenity space. As such, the proposal would comply with the relevant Local Plan policies and 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



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	7
Application Number:	EPF/0225/12
Site Name:	Land adjacent to 5 Bluemans North Weald, CM16 6EU
Scale of Plot:	1/1250

Report Item No: 8

APPLICATION No:	EPF/0307/12
SITE ADDRESS:	9 Sunnyside Road Epping Essex CM16 4JP
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr Darren Hunt
DESCRIPTION OF PROPOSAL:	Extension of time limit on EPF/1049/09. (Demolition of existing dwelling and the construction of a pair of semi detached dwellings)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=535135

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: FLOOR PLANS AND ELEVATIONS date stamped 12/06/09, BRD/09/010/002, BRD/09/010/003, BRD/09/010/004
- 3 Materials to be used for the external finishes of the proposed development shall match those stated in the submitted planning application forms and Plan Ref: BRD/09/010/004 and FLOOR PLANS AND ELEVATIONS date stamped 12/06/09.
- 4 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1 Class A shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 The landscaping scheme shown on Plan Ref: BRD/09/010/004 shall be carried out within the first planting season after occupation of the development hereby approved. 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 otherwise agreed in writing by the Local Planning Authority.

This application is before this Committee since it is 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:

Extension of time limit application regarding EPF/1049/09. The original application was for:

Demolition of existing dwelling and the construction of a pair of semi detached dwellings.

The proposed (previously approved) pair of dwellings would be a total of 12.25m in width and a maximum of 9.5m in depth. They would have hip ended pitched roof with two front overhanging gables and one rear overhanging gable. The roof would reach a maximum height of 8m, however as the application site slopes from north to south the dwelling would reach a maximum height of 9m above street level.

Description of Site:

Detached bungalow located on the western side of Sunnyside Road. Directly opposite the site are railway lines located atop an embankment. To the immediate north is an access road to the land to the rear of the site, which was recently granted permission on appeal for four new dwellings. On the opposite side of the access track is a detached bungalow that has permission to be replaced with a detached chalet bungalow under the same appeal. To the south of the application site is a new detached dwelling granted planning permission in 1995. This section of Sunnyside Road slopes from north to south with the dwellings being located on higher land than the highway.

Relevant History:

EPF/1137/94 - Removal of kitchen and greenhouse and erection of rear extension (bathroom, kitchen, utility room & w.c.) and provision of new roof with rooms there in (bedroom and bathroom) including provision of three dormer windows (revised plans) – approved/conditions 21/02/95
EPF/0601/95 - Erection of detached dwelling – approved/conditions 11/10/95
EPF/1049/09 - Demolition of existing dwelling and the construction of a pair of semi detached dwellings – approved/conditions 31/07/09

Policies Applied:

CP1 - Achieving Sustainable Development Objectives
CP2 - Protecting the Quality of the Rural and Built Environment
CP3 - New Development
DBE1 - Design of New Buildings
DBE2 - Effect on Neighbouring Properties
DBE8 - Private Amenity Space
DBE9 - Loss of Amenity
ST1 - Location of Development
ST4 - Road Safety
ST6 - Vehicle Parking
H2A - Previously Developed Land

Consultation Carried Out and Summary of Representations Received:

8 neighbouring properties were consulted. No Site Notice was required.

TOWN COUNCIL – No objection.

PETITION FROM NO'S. 1, 3, 5 AND 7 SUNNYSIDE ROAD – Object as the proposed dropped kerbs would remove resident parking bays and reduce the ability for residents to park. There were no such parking restrictions on the road when the original application was approved.

Issues and Considerations:

The application was previously considered to be an acceptable development. The relevant Local Plan policies relating to this application have not changed since the previous decision, however there has been a new Vehicle Parking Standards adopted since this time, and Government Guidance has recently changed through the introduction of the National Planning Policy Framework. However, these new guidance documents do not alter the opinion previously reached by Planning Officers (see the original delegated report below).

The objections from neighbours regarding this extension of time limit application are solely with regards to on-street parking provision. Since the previous approval Residential Parking Restrictions have been introduced on Sunnyside Road. As such, the proposed vehicle crossover serving this development would result in the loss of up to three residential parking bays.

Whilst the neighbours concerns are understood, as Sunnyside Road is an unclassified road, Planning Permission is not required for the installation of a dropped kerb in this location (although the applicant would require Highways Consent from Essex County Council). As such, it would be unreasonable to refuse permission to extend the time limit of the application based on this issue.

Conclusion

Due to the above it is not considered that there have been any changes that would alter the previous decision of the Council. Whilst it is appreciated that the development would now result in the loss of on-street Residential Parking Bays, no planning permission is required for this aspect of the works and as such it would be unreasonable to refuse the application based on this. Therefore the proposed extension of time limit is considered acceptable and is recommended for approval. A copy of the original delegated report regarding EPF/1049/09 is reproduced below.

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

Description of Proposal:

Consent is being sought for the demolition of the existing bungalow and erection of a pair of two storey semi-detached dwellings. The pair of dwellings would be a total of 12.25m in width and a maximum of 9.5m in depth. They would have hip ended pitched roof with two front overhanging gables and one rear overhanging gable. The roof would reach a maximum height of 8m, however as the application site slopes from north to south the dwelling would reach a maximum height of 9m above street level.

Description of Site:

Detached bungalow located on the western side of Sunnyside Road. Directly opposite the site are railway lines located atop an embankment. To the immediate north is an access road to the land to the rear of the site, which was recently granted permission on appeal for four new dwellings. On the opposite side of the access track is a detached bungalow that has permission to be replaced with a detached chalet bungalow under the same appeal. To the south of the application site is a new detached dwelling granted planning permission in 1995. This section of Sunnyside Road slopes from north to south with the dwellings being located on higher land than the highway.

Relevant History:

EPF/1137/94 - Removal of kitchen and greenhouse and erection of rear extension (bathroom, kitchen, utility room & w.c.) and provision of new roof with rooms there in (bedroom and bathroom) including provision of three dormer windows (revised plans) – approved/conditions 21/02/95
EPF/0601/95 - Erection of detached dwelling – approved/conditions 11/10/95

Policies Applied:

CP1 - Achieving Sustainable Development Objectives
CP2 - Protecting the Quality of the Rural and Built Environment
CP3 - New Development
DBE1 - Design of New Buildings
DBE2 - Effect on Neighbouring Properties
DBE8 - Private Amenity Space
DBE9 - Loss of Amenity
ST1 - Location of Development
ST4 - Road Safety
ST6 - Vehicle Parking
H2A - Previously Developed Land

Summary of Representations:

TOWN COUNCIL – Support this application.

7A SUNNYSIDE ROAD – Support this application.

Issues and Considerations:

The main issues here relate to the potential impact on the surrounding area, amenity considerations, highway and parking issues, and with regards to the design.

The application site is located within the built up area of Epping, albeit close to the edge of the settlement, and is well served by public transport. Epping train station and Epping town centre are within walking distance of the site, and as such the area is considered a sustainable location. At

present there is a single detached bungalow on the site, however the southern section of the original plot has been developed to provide a single detached house. This application would intensify the use of this previously developed sustainable site, much the same as the development to the rear and new house to the south, and therefore in principle is considered acceptable.

Amenity

In terms of private amenity space the dwellings would have 61 sq. m. and 66 sq. m. Given the size of the properties the Essex Design Guide and policy GB8 would require each dwelling to provide 80 sq. m. of private amenity space. Whilst the proposal does not comply with this requirement there is additional front amenity space to each dwelling and public amenity space available within a short walking distance. Due to this it is considered that the proposed dwellings would have adequate amenity space.

The footprint of the proposed two dwellings would not be too dissimilar in area to the single existing bungalow, however would sit more forward of the site than previous. Furthermore, as the proposed dwelling would be two storeys it is considerably larger and more bulky than existing. The rear wall of the existing bungalow currently sits approximately 3.5m behind the rear wall of the neighbour at No. 7A and is set back from the shared boundary by 1.3m. The proposed semi-detached dwelling would bring the building forward by 1m at the rear and would retain the 1.3m gap from the side boundary line. However the front wall of the new dwellings would not extend beyond the front wall of this neighbour. Although the new buildings would reach a higher level than the existing bungalow No. 7A is itself a two storey house which reaches a similar height, and it is not considered that the proposed building would detrimentally impact on the light, privacy or visual amenity of this neighbour.

The new dwelling would similarly sit closer to the road on the northern side, however would only be located 700mm from the side boundary at its closest point. Notwithstanding this, as there is an access road between the application site and No. 11 Sunnyside Road, which would serve the recently approved four dwellings to the rear of the site, the new dwellings would be located some 6.3m distance from the neighbours flank wall. Furthermore, the new dwelling would not extend beyond the front or rear wall of this neighbouring building and as such it is not considered that the new dwellings would detrimentally impact on the occupiers of No. 11.

Highways and Parking

The existing bungalow on the application site has no off-street parking provision. This application proposes off-street parking for one car within the front garden of each dwelling, served by access points off of Sunnyside Road. Given the sustainable location of this site within the urban area of Epping it is considered that the proposed parking provision is acceptable. Furthermore, several dwellings in Sunnyside Road have vehicle access direct from the highway and, whilst a fairly narrow road, it is not considered that cars reversing onto or off-of this road would detrimentally impact on highway safety or the free flow of traffic on Sunnyside Road.

Design

The dwellings in Sunnyside Road vary greatly in their design and detailing. The proposed semi-detached properties are of a fairly traditional Essex design that would not be detrimental to the overall appearance of the street scene. The new dwellings would match the height of the recently approved property at No. 11 and would be approximately 700mm taller than the house at No. 7A, which due to the sloping site would retain the roofline of the street.

A landscape plan has been submitted with the application, which includes the planting of a Silver Birch in the northeast corner of the site. This, along with the remainder of the proposed landscaping, would soften the site and retain an element of greenery to this area. The application proposes 1m high brick pillars with railings between, which would be similar to other boundary treatments visible in the street.

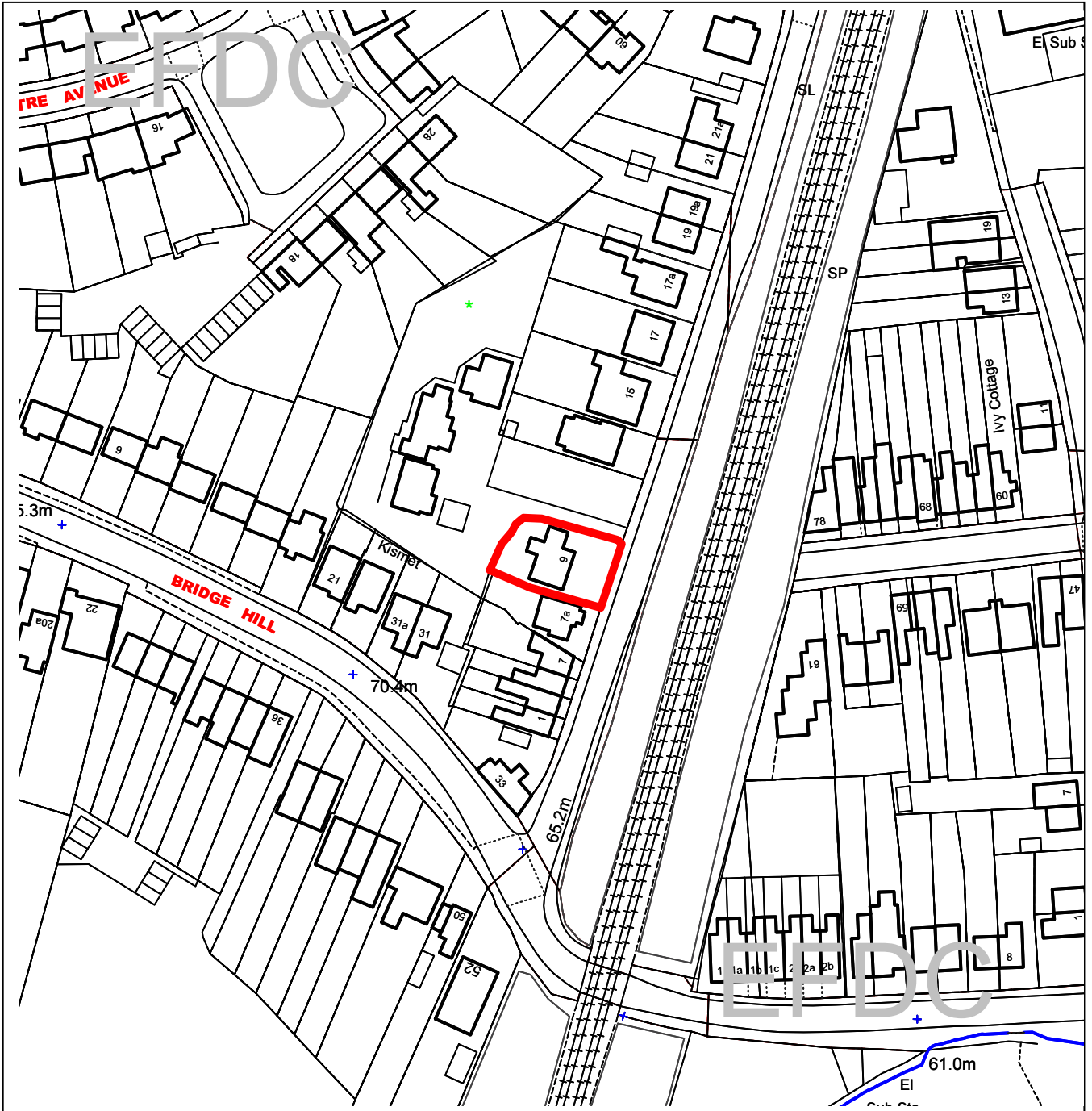
Conclusion:

In light of the above the proposed development for two semi-detached dwellings would comply with the relevant Local Plan policies and is therefore recommended for approval.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	8
Application Number:	EPF/0307/12
Site Name:	9 Sunnyside Road, Epping CM16 4JP
Scale of Plot:	1/1250

Report Item No: 9

APPLICATION No:	EPF/0360/12
SITE ADDRESS:	Land at The Maltings Waterside Place Sheering Lower Road Sheering Essex CM21 9RF
PARISH:	Sheering
WARD:	Lower Sheering
APPLICANT:	Messrs Fynn & Piper
DESCRIPTION OF PROPOSAL:	Extension of time limit on EPF/0976/09. (Erection of detached block containing nine, two bedroom apartments and ancillary works)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=535326

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: 1, 2, 3, 4a, 5, 6, 7, 8, 9, 10, 11, 12
- 3 Prior to occupation of the building hereby approved:
 1. The existing car park bays shown within the area edged blue on Plan Ref: 2 shall be marked out in brick as 2.4m wide bays and re-gravelled in accordance with details agreed in writing by the Local Planning Authority.
 2. Details of the works to the trees and proposed lighting columns shown on Plan Ref: 12 shall be submitted to and agreed in writing by the Local Planning Authority, and carried out prior to occupation of the development hereby approved.
 3. A scheme to carry out necessary works to prevent flooding and pooling of water on the existing parking area within the area edged blue on Plan Ref; 2 shall be implemented in accordance with details previously submitted to and approved in writing by the Local Planning Authority.
- 4 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details. This shall include the bricks to be used to mark out the car park area.

5 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

6 Prior to commencement of development, including demolition or site clearance works, a phased contaminated land investigation shall be undertaken to assess the presence of contaminants at the site in accordance with an agreed protocol as below. Should any contaminants be found in unacceptable concentrations, appropriate remediation works shall be carried out and a scheme for any necessary maintenance works adopted.

Prior to carrying out a phase 1 preliminary investigation, a protocol for the investigation shall be agreed in writing with the Local Planning Authority and the completed phase 1 investigation shall be submitted to the Local Planning Authority upon completion for approval.

Should a phase 2 main site investigation and risk assessment be necessary, a protocol for this investigation shall be submitted to and approved by the Local Planning Authority before commencing the study and the completed phase 2 investigation with remediation proposals shall be submitted to and approved by the Local Planning Authority prior to any remediation works being carried out.

Following remediation, a completion report and any necessary maintenance programme shall be submitted to the Local Planning Authority for approval prior to first occupation of the completed development.

7 The development hereby permitted shall be carried out in accordance with the submitted Flood Risk Assessment (Waterco, May 2009).

8 Prior to commencement of the development details of the proposed refuse and bicycle store shall be submitted to and agreed in writing by the Local planning Authority, and shall be carried out and retained in accordance with the agreed details.

9 The development, including site clearance, must not commence until a tree protection plan to include all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing. This shall include the trees located within the blue line indicated on Plan Ref: 2.

The statement must include a plan showing the area to be protected and fencing in accordance with the relevant British Standard (Trees in Relation to Construction-Recommendations; BS.5837:2005). It must also specify any other means needed to ensure that all of the trees to be retained will not be harmed during the development, including by damage to their root system, directly or indirectly.

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

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

written consent to any variation.

- 10 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.

- 11 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g)) and since it is 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:

Extension of time limit application regarding EPF/0976/09. The original application was for:

Erection of detached block containing nine, two bedroom apartments and ancillary works.

The proposed (previously approved) building would be T shaped and three storeys in height, with 3 no. flats on each floor. It would reach a maximum width of 20.9m and a maximum depth of 18.3m with a triple gable ridged roof to a maximum height of 11.7m.

Description of Site:

The Maltings consists of a group of Grade II listed buildings that are part of an extensive range of mid-late 19th century brick maltings to the south of Sawbridgeworth Station, partly to the east of the railway line and partly to the west, between the railway and the River Stort. The adjacent listed building (known as Waterside Place) is four storeys with attics, and reaches a maximum of six storeys in height. The site lies within the Lower Sheering Conservation Area and is close to the district boundary with Harlow. The site lies within a flood risk assessment zone and an Environment Agency Flood Zone 2.

Relevant History:

EPF/0976/09 - Erection of detached block containing nine, two bedroom apartments and ancillary works – approved/conditions 24/09/09

Policies Applied:

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
CP3 – New development
CP7 – Urban form and quality
HC6 – Character, appearance and setting of conservation areas
HC7 – Development within conservation areas
HC12 – Development affecting the setting of Listed Buildings
H2A – Previously developed land
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE3 – Design in the urban areas
DBE8 – Private amenity space
DBE9 – Loss of amenity
LL3 – Edge of settlement
LL10 – Adequacy of provision for landscape retention
LL11 – Landscaping schemes
ST1 – Location of development
ST4 – Road safety
ST6 – Vehicle parking
U2A – Development in Flood Risk Areas
U2B – Flood risk assessment zones

Consultation Carried Out and Summary of Representations Received:

151 neighbouring properties were consulted. No Site Notice was required.

PARISH COUNCIL – Object on the grounds of overdevelopment of the site and inadequate parking facilities.

10 WATERSIDE PLACE – Object due to loss of parking and impact on neighbouring residents.

46 WATERSIDE PLACE – No objection.

49 WATERSIDE PLACE – Object due to inadequate car parking and loss of light.

74 WATERSIDE PLACE – Object due to impact on parking, potential flood risk, security issues, visual impact and on the effect of neighbouring amenities.

30 PRIORS COURT – Object due to the impact on car parking and neighbouring residents and questions why the development has not been constructed already.

124 SHEERING LOWER ROAD – Object due to overlooking, the building would be out of scale and due to increased noise and pollution.

128 SHEERING LOWER ROAD – Object due to loss of privacy, increase traffic, and the impact on the adjacent listed building.

Issues and Considerations:

The application was previously considered at Area Plans Sub Committee and, despite numerous objections from local residents, the development was considered acceptable and granted planning permission. The objections raised by neighbours on the original application were identical to those raised regarding this extension of time limit application. The issues, and in particular the car parking provision, were extensively investigated and discussed at the previous Committee. A copy of the original Committee Report is attached below.

The relevant Local Plan policies relating to this application have not changed since the previous decision, however there has been a new Vehicle Parking Standards adopted since this time, and Government Guidance has recently changed through the introduction of the National Planning Policy Framework (NPPF). As previously accepted, a less than desired level of car parking can be allowed on sites within sustainable locations. Given the close proximity of Sawbridgeworth Train Station, which provides access to Harlow, London and Stansted, this site was considered as such, and therefore the proposed car parking provision was previously considered acceptable. There have been no changes in the locality to alter this opinion and, as such, the development is still considered acceptable.

The NPPF has put greater emphasis on redevelopment/intensification of previously developed land and on development in sustainable locations (which this site is). As such, the latest Government Guidance in the form of the NPPF supports the development.

Conclusion

Due to the above it is not considered that there have been any changes that would alter the previous decision of the Council. Therefore the proposed extension of time limit is considered acceptable and is recommended for approval, subject to the same conditions as previously imposed. A copy of the original Committee report regarding EPF/0976/09 is reproduced below.

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

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 is an application for non-householder development and the recommendation differs from more than one expression of objection (Pursuant to Section P4, Schedule A (f) of the Council's Delegated Functions).

Description of Proposal:

Consent is being sought for the erection of a detached block containing 9 no. two bed apartments and ancillary works, including a communal garden and a new bicycle and refuse store. The proposed building would be T shaped and three storeys in height, with 3 no. flats on each floor. It would reach a maximum width of 20.9m and a maximum depth of 18.3m with a triple gable ridged roof to a maximum height of 11.7m.

Description of Site:

The Maltings consists of a group of Grade II listed buildings that are part of an extensive range of mid-late 19th century brick maltings to the south of Sawbridgeworth Station, partly to the east of the railway line and partly to the west, between the railway and the River Stort. The adjacent listed building (known as Waterside Place) is four storeys with attics, and reaches a maximum of six storeys in height. The site lies within the Lower Sheering Conservation Area and is close to the district boundary with Harlow. The site lies within a flood risk assessment zone and an Environment Agency Flood Zone 2.

Relevant History:

EPF/1468/85 and LB/EPF/0087/85 - Conversion of Maltings to residential and office use – approved/conditions 02/09/86
EPF/1804/86 - Change of use of part of Block A from residential to office use – approved/conditions 20/02/87
EPF/0238/87 and LB/EPF/0016/87 - Further alterations and extension for office use – approved/conditions 10/04/87
LB/EPF/0021/87 - Listed Building application for erection of two non-illuminated signs and retention of amended entrance porch – lapsed 15/04/88
EPF/0206/88 and LB/EPF/0015/88 - Formation of maisonette in roof space of Block A – No decision
EPF/0429/89 and LB/EPF/0028/89 - Provision of five additional flats and conversion of two bedsits to two, one bed flats and three, one bed flats to three one bed maisonettes – approved 05/05/89
EPF/1458/89 and LB/EPF/0082/89 - Alterations to provide four two bed maisonettes within roof space of existing building and provision of ancillary parking – approved/conditions 17/11/89
EPF/1147/91 - Alterations to existing site to create seven additional car parking spaces and access there to and alterations to pumping station access – refused 09/03/92 (dismissed on appeal 17/11/92)
LB/EPF/0033/95 - Listed building application for insertion of new window at first floor west elevation, alterations to entrance doors on west elevation and internal alterations to form new lobby, stairs and landlords office at first and second floor – approved/conditions 17/07/95
EPF/0658/96 - Change of use of part residents parking area for controlled commuter parking, installation of automatic ramp barriers – No decision
EPF/1185/02 and LB/EPF/1196/02 - Change of use of landlords offices into one bedroom flat – approved/conditions 29/07/02
EPF/1991/03 and LB/EPF/0877/03 - Installation of pedestrian access gate on a residential estate – approved/conditions 30/06/03 and 01/12/03
EPF/1975/08 - Erection of six dwelling houses and ancillary works – refused 03/12/08

Policies Applied:

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
CP3 – New development
CP7 – Urban form and quality
HC6 – Character, appearance and setting of conservation areas
HC7 – Development within conservation areas
HC12 – Development affecting the setting of Listed Buildings
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DBE9 – Loss of amenity
LL3 – Edge of settlement
LL10 – Adequacy of provision for landscape retention
LL11 – Landscaping schemes
ST1 – Location of development
ST4 – Road safety
ST6 – Vehicle parking
U2A – Development in Flood Risk Areas
U2B – Flood risk assessment zones

Summary of Representations:

PARISH COUNCIL – Comment on the application – feel that this is an over-development of the site and there would be inadequate parking facilities.

150 neighbours were consulted, a Site Notice displayed and the following responses were received:

8 WATERSIDE PLACE – Object due to the loss of parking and loss of light to existing flats.

10 WATERSIDE PLACE – Object to the loss of parking and due to the loss of light to the existing flats.

21 WATERSIDE PLACE – Object due to the increased highways risk, would have a detrimental impact on the appearance of the area, would result in the loss of trees, damage the characteristics of the listed buildings, and would impact on the enjoyment of neighbouring properties through increased noise, congestion and loss of light and privacy.

32 WATERSIDE PLACE – Object due to the impact on existing residents due to loss of light, loss of parking which would force residents to use the south west corner of the car park, and due to the impact on landscaping.

36 WATERSIDE PLACE – Object due to the loss of parking, road safety issues, impact on the appearance of the listing buildings, and as this may set a precedent.

39 WATERSIDE PLACE – Object due to the loss of parking and loss of the view.

40 WATERSIDE PLACE – Object due to the loss of parking.

46 WATERSIDE PLACE – Object to the negative effect on the character and appearance of the conservation area and the loss of parking.

50 WATERSIDE PLACE – Object due to the loss of parking and as it would have a detrimental effect on the listed buildings.

57 WATERSIDE PLACE – Object to the loss of parking spaces, as this is an overdevelopment of the site, and as it would be out of character with the remainder of the site.

58 WATERSIDE PLACE – Object due to loss of parking and impact on outlook.

63 WATERSIDE PLACE – Object due to the loss of parking

74 WATERSIDE PLACE – Object to the loss of parking as the south west corner is unsuitable to park in, the development would be detrimental to the appearance of the area, it would impact on the historic setting of the listed buildings, and there would be an impact on neighbours due to noise and loss of privacy.

77 WATERSIDE PLACE – Comment that this would result in a loss of parking and do not feel the development would enhance the area.

83 WATERSIDE PLACE – Object due to the loss of parking, loss of daylight, and as it would be out of keeping with the aesthetic nature of The Maltings.

91 WATERSIDE PLACE – Object due to the loss of parking.

10 PRIORS COURT – Object to the loss of parking and congestion on the main road and car park.

24 PRIORS COURT – Object due to the loss of parking.

32 PRIORS COURT – Object due to the loss of parking and as the development would look out of place.

GILWELL HOUSE, 126 SHEERING LOWER ROAD – Object.

58 WYCHFORD DRIVE, SAWBRIDGEWORTH – Object to the loss of parking and lack of need for additional flats in the area.

THE LOCKHOUSE, MEAD LANE, HERTFORD – Object due to the loss of parking.

Issues and Considerations:

The main issues here relate to the amenity considerations, the impact on car parking, the design of the building, the impact on the setting of the listed building and conservation area, the loss of landscaping, and with regards to highway safety. The previous application for six dwellings was refused on the following grounds:

The proposed dwellings, given their design and layout, would be a detrimental addition to the street scene and would be harmful to the character and historic importance of the conservation area and the setting of the Grade II listed building, contrary to PPS1, PPG15 and policies CP2, CP7, HC6, HC7, HC12 and DBE1 of the adopted Local Plan and Alterations.

The proposed amenity space serving the new dwellings would be detrimentally overlooked by existing neighbouring properties, and therefore fail to provide adequate private amenity space to future occupiers. Also two of the proposed terraced properties have inadequate

sized private amenity areas, contrary to policy DBE8 of the adopted Local Plan and Alterations.

The submitted documentation is inconsistent with regards to the level of existing car parking and the amount proposed to be removed, and as a result of this the potential parking concerns cannot be fully addressed. As such this proposal, as submitted, is contrary to policy ST6 of the adopted Local Plan and Alterations.

Amenity

The proposed building would be located in the south eastern corner of the group of buildings known as The Maltings. To the south the proposed building would be located 4.5m from the shared boundary with No's. 90 & 91 The Meadows at its closest point. This neighbouring property is a detached maisonette located on the western side of its plot. Given the distance between the proposed building and the neighbouring property, and due to the existing screening which will be retained, the proposed development would not detrimentally impact on the amenities of these neighbours. There would be no first floor flank windows in the southern elevation, and the south facing windows within the crosswing sections would be 15m from the shared boundary, and as such this complies with the requirements set out in the Essex Design Guide in relation to overlooking.

The proposed building would be located some 35m from Waterside Place, with two communal green areas and the access road to the car park separating the buildings. Although the new building would be three storeys in height and would have several windows in the northern elevation, the distances between buildings would be sufficient so that the development would not result in an undue loss of light, privacy or visual amenity to the existing flats.

The previous development was refused as there would have been a loss of privacy to the future occupiers of the development from both No's. 90 & 91 The Meadows and occupants of the upper storeys of Waterside Place. As the proposed building block is now located further from Waterside Place and is surrounded by communal gardens, which do not require the level of protection from overlooking as private amenity spaces serving dwellings, it is now considered that there would no longer be any detrimental loss of privacy to future occupiers of the site.

The Essex Design Guide and Local Plan policy DBE8 require a minimum of 25 sq. m. of communal garden space for each unit. As such the proposed development would require a minimum of 225 sq. m. of communal amenity space. Given the large side and rear grassed areas, as well as that being retained to the front, and balconies being provided, this development proposes an excess of 850 sq. m. of amenity space, which more than complies with this requirement and would adequately retain/replace the existing green space to the front of the site.

Parking

The proposed dwellings would be located on the front most part of the existing car park, which serves Waterside Place and Priors Court (residential flats) as well as Gainsborough House (offices), although Gainsborough House has a private car park to the rear of the site. Due to this the proposed development would result in a loss of parking provision on the site as a whole. The previous application was refused partly due to the inconsistencies of the amount of parking spaces to be lost and retained. It has now been confirmed that there would be 160 parking spaces remaining for use by the 128 flats, and furthermore there are 12 spaces proposed on the application site to offset the additional 9 flats. This would result in a total of 125% parking provision serving the entire Maltings residential use. Although there is a car park to the rear of the site specific for use by office workers, this has not been counted towards the 160 remaining spaces.

The difficulty in providing a fixed number of parking spaces on this site is that the existing parking layout is not delineated and therefore no strict number of spaces are available. The Essex County Council Vehicle Parking Standards require that a maximum off-street parking provision of 1.5 spaces per dwelling should be sought, however suggests that in locations where access to public transport is good then this could be reduced to 1 space per dwelling, and in urban locations that have poor off-peak public transport then 2 spaces per dwelling may be appropriate.

The application site is unusual in that it is located on the edge of the settlement of Sheering in a semi-rural location and is not well served by bus services. However, given the close proximity of Sawbridgeworth Train Station, which provides access to Harlow, London and Stansted, it is considered that 1.25 spaces per dwelling would be sufficient. Notwithstanding this, given that the existing spaces are not delineated the car park is not currently used to its maximum potential, and furthermore it has been argued by the applicant that the south-western part of the car park is currently under used due to the lack of lighting and unsafe conditions of this area. Objection letters support this as they refer to anti-social behaviour and vandalism to cars left in this area. To offset these issues and fully utilise the remaining car park the applicant has agreed to mark out the remainder of the parking spaces (and the new spaces) with facing brick to ensure that 172 spaces would be provided. Furthermore they have proposed to re-gravel the parking bays, cut back the overhanging branches to the south-western section of the car park, and install additional lighting columns.

Subject to these undertakings, and once a brick type is agreed (to complement the existing listed buildings), then the proposed development and number of parking spaces retained would be sufficient to comply with Local Plan policy ST6.

Design and impact on historic setting

The provision of nine additional residential units on previously developed land is in line with PPS1 and Local Plan policy H2A, as it proposes more efficient use of land. Furthermore there is a need for 2 bed properties within Epping Forest District. However, development in conservation areas must give a high priority to the objective of preserving or enhancing the character or appearance of the area.

The proposed development would consist of a three storey detached building that mimics the style and character of the larger Waterside Place building and acts as a transition between the five storey building to the north and the two storey buildings to the south. PPG15 states that *“many conservation areas include gap sites, or buildings that make no positive contribution to, or indeed detract from, the character or appearance of the area; their replacement should be a stimulus to imaginative, high quality design, and seen as an opportunity to enhance the area. What is important is not that new buildings should directly imitate earlier styles, but that they should be designed with respect for their context, as part of a larger whole which has a well-established character and appearance of its own”*. It is considered that the proposed building respects the context of the conservation area and does not detract from the overall appearance or historic interest of the Maltings complex.

The specified detailing is considered acceptable and provides visual interest to the building as well as respecting details visible on the adjoining Grade II listed building. The southern flank wall would have mock windows and brick detailing to add visual interest to an otherwise blank facade, and the setting and layout of the ancillary works are considered acceptable. The proposal to line out the car park in facing brick and re-gravel the existing bays would improve the setting of the listed building and, subject to agreement to the type/colour of brick to be used, would be visually acceptable.

Landscaping

The buildings forming the group at the Maltings are large, imposing structures set within expansive grounds to the north and south. The area to the north is pleasantly landscaped, whereas the southern side comprises the car park. Whilst the car park in itself may not enhance the listed building the strategically positioned areas of landscaping are fundamental to the design and layout of the car park and go some way towards alleviating its intrusive impact on the listed buildings. In 1991 an application to extend the car park was refused and dismissed on appeal partly due to the loss of the landscaping. It was stated by the Planning Inspectorate that *“the strip of landscaping at the southern boundary is of particular importance as it is one of the larger areas of planting which could form an attractive backcloth of trees and shrubs enhancing the overall setting of the buildings”*.

Whilst some trees would be removed as a result of this development, these are not of any particular amenity value and would not be worthy of retention. The most significant trees would however be retained. This includes the row of trees along the southern boundary (referred to previously by the Planning Inspector) between the application site and No's. 90/91, which provides a screen between the neighbouring property and the development site. Further to the trees being retained, this development allows for additional planting to be provided to further soften this development, and the Maltings complex in general, when viewed from Sheering Lower Road.

The marking out of the bays within the remainder of the car park and the proposed 'cutting back' of trees in the south-west of the car park would be possible without causing the loss or unnecessary damage to existing trees. As such, subject to conditions, the proposed development would comply with the Local landscape policies.

Highway safety

The proposed development would be served by the existing vehicle access from Sheering Lower Road which currently serves the car park. No objections have been raised by Essex County Council Highways Officers regarding this development, and as such this complies with Local Plan policies ST4 and ST6.

Other Considerations

A refuse and bicycle storage facility has been shown on the submitted site plan, however no elevational or specification details have been received regarding these. Full details as to the size, design and layout of these buildings will be required prior to commencement of the development.

The application site lies within a flood risk assessment zone and Flood Zone 2 and was submitted with a Flood Risk Assessment. Provided the development is carried out in accordance with this assessment the proposal complies with policies U2A and U2B.

Conclusion:

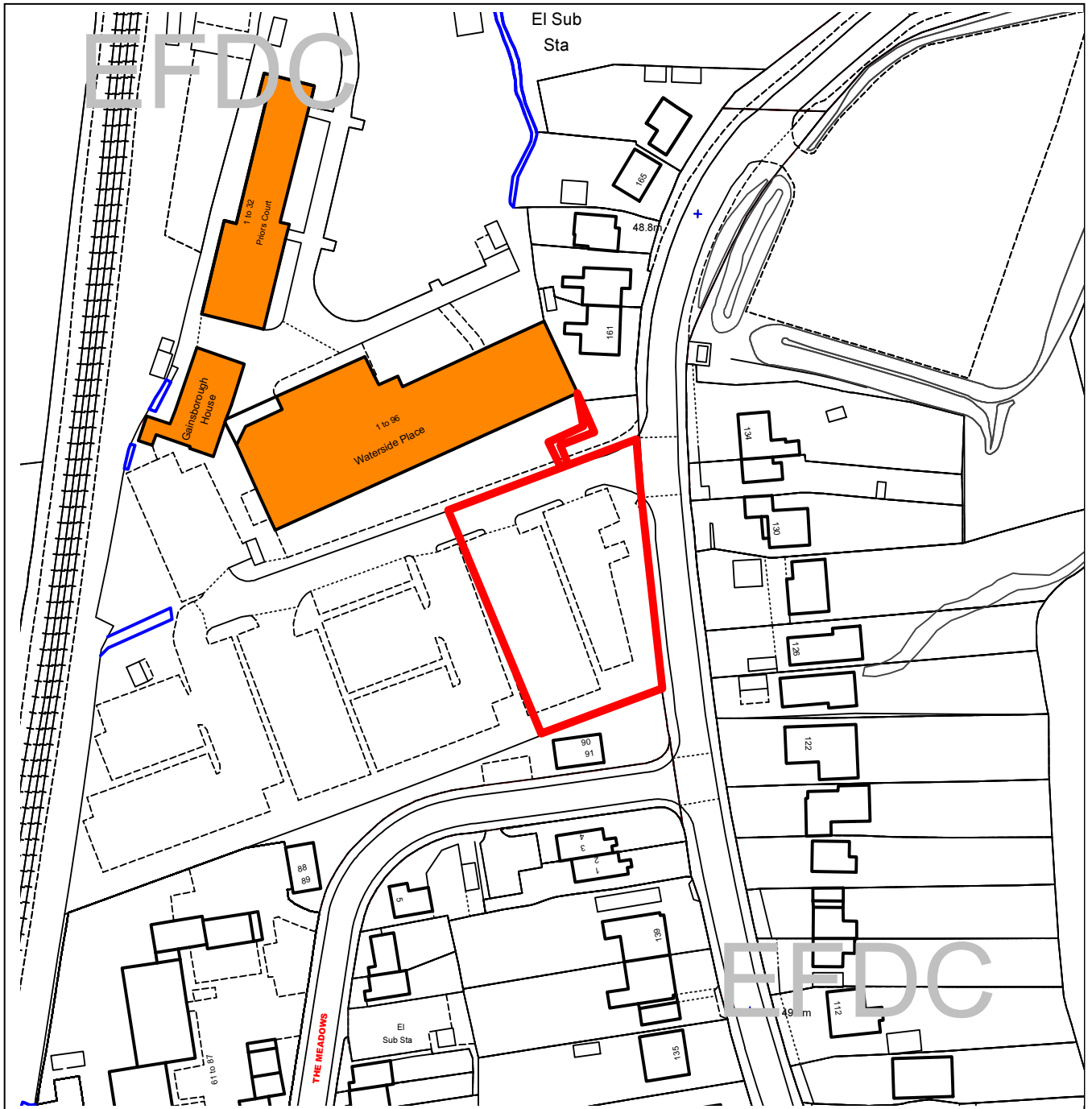
The previous application for 6 no. dwellings was refused primarily due to its overall design and amenity considerations, along with inconsistencies with regards to parking provision. This proposed development for 9 flats has addressed the previous concerns and, whilst producing a higher number of units, has overcome the previous reasons for refusal. The development would result in more efficient use of previously developed land and would be designed in such a way so that it complements the existing Grade II listed buildings and conservation area. The marking out and re-gravelling of parking bays, new lighting, and improvements to the under-used south-western part of the car park would ensure that the remaining 172 parking bays (including the new 12), the number of which comply with the requirements of the Vehicle Parking Standards, would be fully utilised. The loss of some trees would be off-set by additional landscaping, and there

would be no loss of amenity to neighbours as a result of this development. As such the proposal complies with all relevant Local Plan policies and is therefore recommended for approval.



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	9
Application Number:	EPF/0360/12
Site Name:	Land at The Maltings, Waterside Place Sheering Lower Road, Sheering, CM21 9RF
Scale of Plot:	1/1250

Report Item No: 10

APPLICATION No:	EPF/0369/12
SITE ADDRESS:	Treetops Care Home Station Road Epping Essex CM16 4HH
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr A Pabani
DESCRIPTION OF PROPOSAL:	Demolition of existing garage and store shed and construction of four storey side extension. (Revised application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=535363

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: 09-3319-05, 09-3319-06 Rev: A, 09-3319-09 Rev: C, 09-3319-10 Rev: B
- 3 Prior to first occupation of the development hereby approved, the proposed window openings in the flank elevation 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 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.
- 5 The trees shown to be retained on Plan Ref: 09-3319-09 Rev: C shall be retained and not willfully damaged, killed or removed.
- 6 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.

- 7 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 08.00 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 8 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.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g)) and since it is 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:

Consent is being sought for the demolition of the existing garage and store shed and construction of a four storey side extension. The proposed extension would be 8.1m wide and 9.8m deep with a flat topped mansard roof to an average roof height of approximately 11.8m (due to the sloping site the extension would be 11.1m when viewed from the front and 12.1m when viewed from the rear). The lower ground floor would be partially submerged and served by a lightwell to the front of the property. This would provide 12 additional residential care rooms.

Description of Site:

The application site is a large established residential care home located on the north eastern side of Station Road, Epping. The site was recently split and has had a block of flats erected to the northwest, with the remainder of the site being retained as a care home with associated grounds/parking. There are a number of preserved trees on the site, with two to the rear of the proposed extension. The extension would involve the removal of a disused garage/store building that adjoins the boundary with No. 1 Woodlands.

Relevant History:

EPF/1211/06 - Single storey front extension and provision of windows to left flank wall of building to add reception facility – approved/conditions 10/08/06
EPF/1998/08 - Retention of 10 car parking spaces – approved/conditions 13/03/09

EPF/1298/11 - Demolition of existing garage and store shed and construction of four storey side extension – withdrawn 07/09/11

Policies Applied:

CP2 – Protecting the quality of the rural and built environment
CP3 – New development
CF2 – Health care facilities
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE9 – Loss of amenity
LL10 – Adequacy of provision for landscape retention
ST6 – Vehicle parking

Consultation Carried Out and Summary of Representations Received:

12 neighbours were consulted and a Site Notice displayed on 15/03/12. Amended plans were received on 16/04/12, which were reconsulted on giving a further 14 days to comment. This time period had not expired at the time of writing this report, and therefore any additional comments or withdrawal of previous objections will be reported to Members verbally at the Committee Meeting.

TOWN COUNCIL – Object since it will result in a gross overdevelopment of the site. The proposal also does nothing to complement the existing street scene and will result in an uninteresting blank façade with ill matched windows (**no comments yet received regarding amended plans**).

1 WOODLANDS, STATION ROAD – Object due to the impact on their property, overlooking, impact on the preserved trees, and the impact on the shared boundary (**amended plans make no material change – original comments still apply**).

1 AMBLESIDE – Concerned that the submitted tree report recommends the removal of one of the TPO trees and request that the Council enforce the Order if this is attempted to be removed without approval (**no comments received regarding amended plans**).

6 AMBLESIDE – Object as the existing building is already monstrously out of proportion with other buildings in the area. The proposed extension will end up dominating the skyline and detract from the appearance of the area (**original comments maintained despite amended plans**).

Issues and Considerations:

The development proposes to provide 12 additional rooms within this established residential care home to increase the Dementia care currently provided on the site. Local Plan CF2 states that:

The Council will grant planning permission for proposals to develop or extend existing health care facilities to meet the needs of the residents of the district provided that:

- (i) the development will not result in any excessive environmental or amenity problems;**
- (ii) the site is readily accessible by car and public transport; and**
- (iii) the site is not in the Green Belt.**

The application site is not located within the Green Belt and is in close proximity to Epping Underground Station and well served by public transport. As such the only reason that planning permission should not be granted for the development is if it results in “*excessive environmental or amenity problems*”.

The amended plans received on 16 April 2012 removed four rooms from the rear of the proposed extension (reducing the number of additional rooms from 16 to 12), which was primarily done to ensure adequate distance was retained between the proposed extension and the preserved trees. However this also results in the extension falling 1m short of the neighbour's rear wall. Whilst it would extend some 1.5m beyond the neighbour's front wall, there would be a distance of 2m between the extension and the shared boundary, and 3.6m between the extension and the neighbouring dwelling. This distance would be considered sufficient enough to ensure there is no excessive loss of amenities to the neighbouring resident. The proposed side windows (which serve corridors) can be conditions to be obscure glazed with fixed frames, which would ensure there was no additional overlooking.

With regards to the impact on neighbours to the rear of the site, the proposed extension would be both lower in height and located further from the rear boundary than the existing care home, and the rear windows would serve corridors so would cause less overlooking and loss of privacy than the existing building.

The proposed extension would be located some 6m/7m from the centre of the preserved Ginko trees. A further revised plan was received, as the amended plans dated 16 April still showed one of the two preserved trees to be removed (as per the applicants Arboriculturalist's recommendation). However, notwithstanding the recommendation, the Councils Tree and Landscape Officer does not consider that this recently TPO'd tree needs to be removed, and it certainly does not require removal to allow for the proposed extension. As such the tree must be retained, as shown in the further amended plan dated 23/04/12. Due to the above, and subject to suitable conditions, the development can be erected on site without a detrimental impact on the two preserved Ginko trees to the rear (or the preserved trees to the front of the site).

The proposed extension (as shown on the amended plans) has been designed to have a matching mansard roof to that on the main building and would be some 1m lower in height to provide a subordinate appearance. This would also act as a 'step down' between the large existing building and the neighbouring property, which is lower in height and sits on a lower ground level. Whilst concern has been expressed with regards to the 'overdevelopment' of the site, the proposed extension would fill part of a large side area and would still retain a 2m gap between the flank wall and the side boundary. There would still be adequate amenity space to the side/rear and car parking on the site, and as such this is not considered to constitute overdevelopment.

The application site is located within a sustainable location, close to local facilities and well served by public transport. The proposed development would not entail the loss of any existing car parking, and it is not considered that the additional 12 rooms would be significant enough to result in excessive additional parking requirements. During every site visit undertaken on the site (and to the recently developed flats to the north) the car park has never been fully utilised, and as such no further off-street parking is considered necessary.

Conclusion:

The latest Government Guidance in the form of the National Planning Policy Framework (NPPF) states that "*Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system*". One of the main aims of Central Government is to encourage and help economic growth in sustainable areas. As such there has been a shift to a 'presumption in favour of sustainable development'. Therefore, except in areas where there are clear policies restricting development (such as within the Green Belt), sustainable development schemes (such as this) should be considered acceptable unless there is adequate and overriding reasons not to allow them. As the proposal would not be excessively detrimental to neighbours amenities, the preserved trees on site, or the street scene, this application is considered to comply with the NPPF and Local Plan policies, and 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:

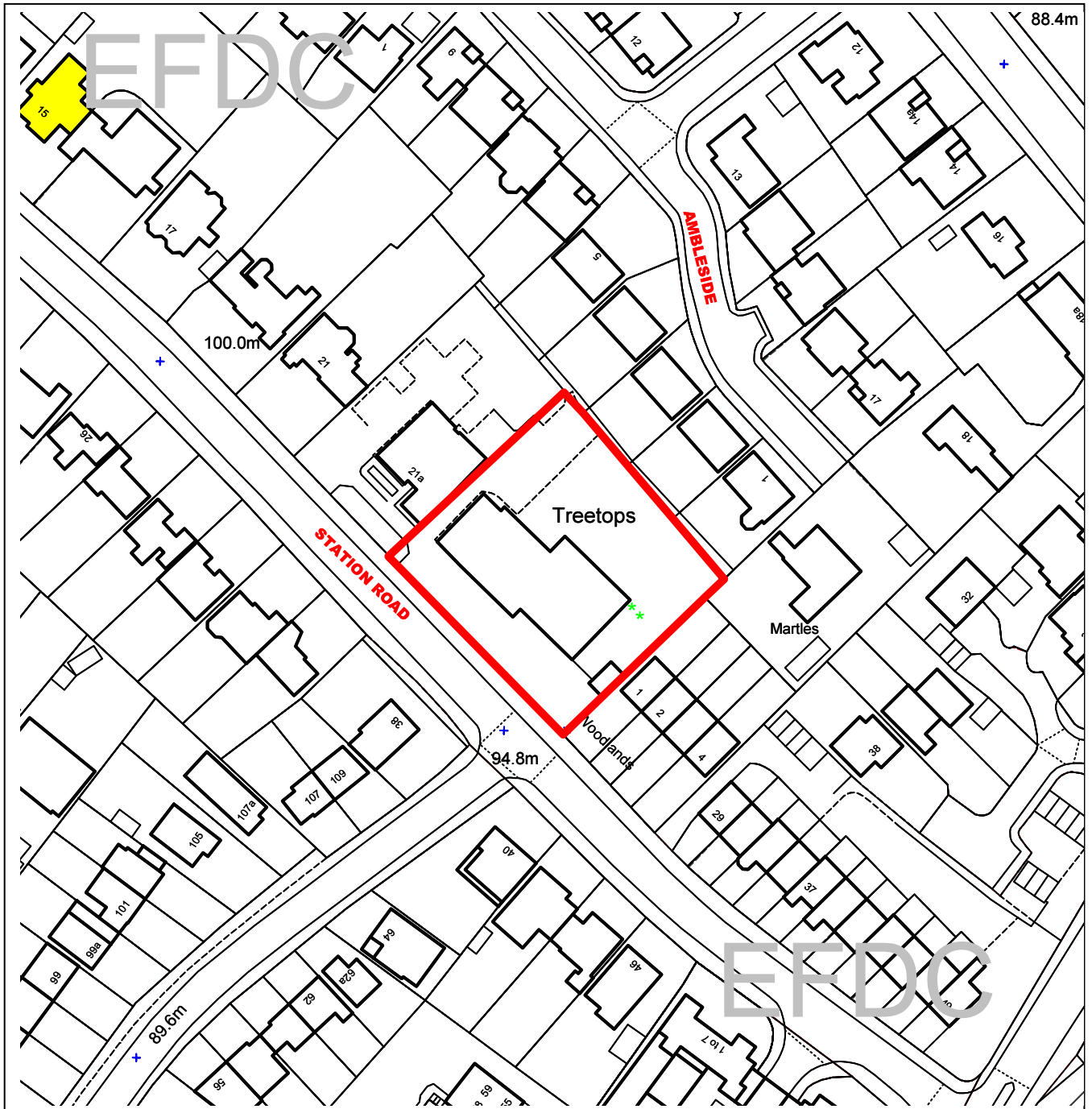
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	10
Application Number:	EPF/0369/12
Site Name:	Treetops Care Home, Station Road Epping, CM16 4HH
Scale of Plot:	1/1250