

Report Item No: 1

APPLICATION No:	EPF/0834/12
SITE ADDRESS:	New House Farm Vicarage Lane North Weald Essex CM16 6AP
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	Mr A Kerr
DESCRIPTION OF PROPOSAL:	Erection of 50kW microgeneration wind turbine with a tower height of 25m and blade diameter of 19m.
RECOMMENDED DECISION:	To Agree that had an appeal against the Councils failure to determine the application not been lodged the council would have Granted Permission subject to the following 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=537159

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: ASP-001, ASP-002, E-3120-50 kW Monopole Rev: A
- 3 The development hereby approved shall be undertaken in accordance with the 'Precautionary Management and Mitigation' measures recommended in Section 8 of The Ecological Appraisal and Assessment provided by Envirogauge on 09/07/12.
- 5 No development shall take place until construction details have been submitted to, and approved in writing by, the Local Planning Authority. These details shall be adhered to throughout the construction period and should provide the following:
 1. The parking of vehicles of site operatives and visitors
 2. Construction vehicle access arrangements to the site
 3. Storage of plant and materials used in constructing the development

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).)

ADDITIONAL INFORMATION:

This applicant has appealed against a non-determination of the application. As such the Council must submit a statement to the Planning Inspectorate that includes an indication of the decision the LPA would have made if the appeal had not been lodged. This statement is required by the 11 December 2012.

The application was deferred from the Area Plans Sub Committee East meeting dated 29 August 2012 with a request that further consultation take place with the CAA and with the Council's Airfield Consultants and additional information regarding safeguarding zones be provided.

The CAA responded to the consultation originally, however simply stated that "*there is currently a high demand for CAA comment on wind turbine applications which exceeds the capacity of the available resource to respond to requests*" and gave some very general guidance. Subsequent to the previous deferral, the author of this response was contacted by telephone by the Planning Officer. He further explained that applications such as this do not fall under the remit of the CAA to comment and as such they cannot provide any further opinions or assessment on this and confirmed that the main response that should be sought is from the Airfield Operator, which in this instance is the NWA General Manager, who raised objections to the turbine (the basis of which has been rebutted by the applicant – see original report).

Aside from contacting the CAA, Planning Officers have also managed to get responses from BAA Airport Safeguarding (Stansted) and National Air Traffic Services (NATS) Safeguarding. The responses from these are as follows:

BAA AIRPORT SAFEGUARDING (STANSTED) – The proposed development has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria. We, therefore, have no objection to this proposal.

NATS SAFEGUARDING – A comprehensive Technical and Operational Assessment (TOPA) was undertaken and submitted by NATS. This assessed the impact of the development on radar, navigational aids, and radio communications. It was concluded within this document that "*the proposed development has been examined by technical and operational safeguarding teams. A technical impact is anticipated, however this has been deemed to be acceptable*".

With regards to the 'Council's Airfield Consultants', an assessment is currently being undertaken by Halcrow however, given the timescales imposed by the appeal against a non-determination, no response had been received from Halcrow at the time of preparing this report (however deferring this matter to the next Committee would be too late to submit the statement to the Planning Inspector). As such, any response received will be verbally reported to Members at the Committee.

Whilst procedurally the Officer's recommendation to approve consent still stands, as previously reported to Members (see original report below), further consideration must be given to the additional responses from the BAA Airport Safeguarding (Stansted) and NATS Safeguarding, and more weight may need to be given to the comments previously received from the NWA General Manager (based on the verbal comments received from the CAA). Furthermore, at the time of writing the report no response had been received from Halcrow on the assessment of the development on the vitality and viability of North Weald Airfield, which will also be a material planning consideration.

Should the Committee decide that they wish to indicate to the Inspector that permission would have been refused if the appeal against a non-determination had not been submitted, then a full technical Statement justifying this decision will need to be provided and sent to the Planning Inspectorate by the 11 December 2012.

Should the Committee decide that they wish to indicate to the Inspector that permission would have been approved if the appeal had not been submitted, then the applicant would have to either continue with the appeal and the Planning Inspectorate would make the final decision, or would need to withdraw the current appeal and resubmit a new application for determination by this Council.

ORIGINAL REPORT:

Description of Site:

The application site is located within an agricultural field within New House Farm, approximately 380m north of the farm complex. The proposed wind turbine would be located approximately 450m from the A414, 770m from Weald Bridge Road and 500m from the closest residential property. Some 980m to the southwest is North Weald Airfield. The site is located within the Metropolitan Green Belt and served by existing farm access tracks.

Description of Proposal:

Consent is being sought for the erection of a 50kW microgeneration wind turbine with a tower height of 25m and blade diameter of 19m. As such, the proposed wind turbine would reach a maximum height of some 34.2m. The site would be accessed by existing farm tracks and access points, and there is no proposal to upgrade these. However a cable run would need to be laid between the proposed wind turbine and New House Farm complex.

Relevant History:

There is a large history to the farm, however none of these previous applications are relevant to this proposal.

Policies Applied:

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
CP3 – New development
CP10 – Renewable Energy Schemes
GB2A – Development in the Green Belt
GB7A – Conspicuous development
NC4 – Protection of established habitat
RP5A – Adverse environmental impacts
DBE2 – Effect on neighbouring properties
DBE4 – Design in the Green Belt
DBE9 – Loss of amenity
LL1 – Rural landscape
LL2 – Inappropriate rural development
LL3 – Edge of settlement
LL10 – Adequacy of provision for landscape retention
RST27 – North Weald Airfield Leisure Centre
ST1 – Location of development

The above policies form part of the Councils 1998 Local Plan. Following the publication of the NPPF, policies from this plan (which was adopted pre-2004) are to be afforded due weight where they are consistent with the Framework. The above policies are broadly consistent with the NPPF and therefore are afforded full weight.

Consultation Carried Out and Summary of Representations Received:

Given the distance from any surrounding houses only 1 neighbouring property was consulted, however a Site Notice was displayed in Vicarage Lane on the 18th May and a Press Advert was placed in the local paper.

PARISH COUNCIL – Objects due to the size of the wind turbine tower and blade and due to its close proximity to the North Weald Airfield.

NORTH WEALD AIRFIELD GENERAL MANAGER – Object due to the detrimental impact this would have on the safe use of the airfield (summarised in more detail below).

SAXON MICROLIGHTS, HANGAR 4, NORTH WEALD AIRFIELD – Object due to the potential impact on aircrafts due to turbulence (summarised in more detail below).

ESSEX AREA RAMBLERS – Object due to the visual impact of the structure and as this would set a dangerous precedence.

NORTH WEALD BASSETT RURAL PRESERVATION SOCIETY – Object due to the noise in the countryside and to local residents, the excessive height of the development, damage to wildlife and particularly birds, proximity to North Weald Airfield and the problems this may cause, and as this is inappropriate development that is detrimental to the Green Belt.

39 LINDSEY STREET, EPPING – Concerned as this is within 3km of a working airfield, due to the visual impact, and as it would be contrary to Green Belt policy.

7 HOWS MEAD, NORTH WEALD – Object as this would be visually detrimental to the surrounding area, would cause a noise nuisance to the local community, and due to the proximity with North Weald Airfield.

BRAMBLES TYE, VICARAGE LANE EAST, NORTH WEALD – Object as the turbine would spoil the natural beauty of the surrounding area and given the lack of efficiency of wind turbines would not be outweighed by any real benefit.

Issues and Considerations:

The provision of renewable energy generation equipment is broadly in line with wider sustainability objectives both nationally and locally, therefore it remains at a more detailed level to be considered whether the broad sustainability merits of the proposals are acceptable in terms of location in the Green Belt, visual amenities in the area, neighbour amenity, and ecology. Given that the proposed development is located less than 1km from North Weald Airfield, the potential impact on this site is also a material consideration.

Green Belt:

In terms of Green Belt, the provision of renewable energy facilities are not defined as appropriate, in principle, within the National Planning Policy Framework, and therefore constitute inappropriate development harmful to the openness of the Green Belt. However, inappropriate development can be considered acceptable if sufficient very special circumstances exist to outweigh the harm from inappropriateness, and any other harm.

The Planning Supporting Statement submitted with this application includes a copy of an appeal decision for two wind turbines in Ravenshead, Nottingham, which was allowed in December 2011. Within this appeal decision the Planning Inspector supports this view that it is inappropriate development, in principle, in the Green Belt, commenting as follows:- *“the two turbines would be over 24m high to the tips of their blades. The presence of such tall, man made structures would harm the open, undeveloped nature of the Green Belt and would result in encroachment of development into the countryside. These turbines would, therefore, be inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt”*.

Visual amenity:

The proposal would be located in an otherwise undeveloped former farmland area located a considerable distance from any public land. Whilst the proposed turbine would reach a maximum height of almost 35m, it would be a distance of at least 450m from the A414, which is heavily screened along the northern boundary at this location, and over 700m from Weald Bridge Road, which whilst less heavily screened still benefits from vegetated boundaries along much of its length. Whilst long views of the turbine would be available, this would be a considerable distance and, as can be seen from the submitted visualisations, the development would not appear imposing or visually dominant within this location. The area of land to which the turbine would be situated is relatively flat and therefore the development would not be located on any elevated position, and conditions could be added to restrict the colour of the proposal (for example to be finished in black or dark green), which could further soften the impact of the proposal.

There are Public Footpaths that run to the south of the site, approximately 430m distant, and two further Footpaths to the north and west of the site, some 550m and 580m distant. Whilst the turbine would be viewed from these footpaths, this would be at a considerable distance and would not dominate the rural views. Furthermore, the turbine would be relatively slim and unobtrusive, and whilst proposed to be white in colour, could be conditioned to be finished in a darker colour if required. This has been put forward by the applicant and therefore can be easily conditioned.

Neighbouring amenity:

Neighbour objections have been received with regards to potential noise nuisance from the development. The applicant has highlighted paragraph 25 of ETSU-R-97 *‘The assessment and rating of noise from wind farms’*, which is the 1997 report by ETSU for the Department of Trade and Industry, and this states:

“For single turbines or wind farms with very large separation distances between the turbines and the nearest properties a simplified noise condition may be suitable. We are of the opinion that, if noise is limited to an LA90,10min of 35 dB(A) up to wind speeds of 10m/s at 10m height, then this condition alone would offer sufficient protection of amenity, and background noise surveys would be unnecessary. We feel that, even in sheltered areas when the wind speed exceeds 10m/s on the wind farm, some additional noise will be generated which will increase background levels at the property”.

Essentially this translates that a wind turbine can reach a noise level of 35 dB LA90,10min at wind speeds of up to 10m/s when measured at nearby residential properties without causing undue noise nuisance. At wind speeds over 10m/s then the background noise (i.e. the noise of the wind itself) would increase comparably with the increase in noise from the wind turbine, and would therefore suitably mask the increased noise levels. Whilst the ETSU-R-97 has been challenged as being unrealistic, it was previously stated within PPS22 (now replaced by the NPPF) that this report *“should be used to assess and rate noise from wind energy development”*.

Noise data has been submitted with this application that confirms that the proposed turbine would not exceed 35 dB LA90,10min at the nearest residential property when measured at wind speeds of up to 10m/s. Given that the closest residential property is located some 500m away it is considered that there would be little impact from noise as a result of this single wind turbine.

Ecology:

A Phase 1 Ecological Report was submitted with regards to the proposed development, which was assessed by the Council's Countryside Manager. This Appraisal and Assessment is considered sufficient to show that there would not be any detrimental impact on existing habitats or species, provided that the 'Precautionary Management and Mitigation' recommendations contained within the report are carried out both before and during construction. These are that:

- A precautionary check for ground nesting birds is undertaken prior to construction of the development if this is to commence during the main breeding season (March-August).
- A means of egress must be placed over any holes or trenches excavated during construction if left unfilled overnight to allow for badgers and other wildlife to safely cross without becoming trapped.
- No agricultural manure should be stored within 100m of the turbine as this may attract bats and birds that prey on the resulting concentrations of flying invertebrate.

Impact on North Weald Airfield:

A number of objections have been received with regards to the potential impact on North Weald Airfield. The most comprehensive and significant of these are from the North Weald Airfield General Manager, who has based his objection on comments he received from an experienced commercial pilot, and from the Chief Flying Instructor for Saxon Microlights, which is based at Hangar 4 of North Weald Airfield. Below are a more in-depth summary of these objections and the response from the applicant to each of these:

- North Weald Airfield Manager comments:

The comments from the North Weald Airfield General Manager refer to the fact that the proposed wind turbine would be approximately 142 feet above the Runway 20 threshold and 97 feet above the Runway 31 threshold. The comments quote the following CAA (Civil Aviation Authority) Policy and Guidelines on Wind Turbines (Jan 2012):

“Aerodromes. Whilst not definitive, it should be anticipated that any wind turbine development within the following criteria might have an impact upon civil aerodrome related operations:

(e) Within 4km of a non-radar equipped unlicensed aerodrome with a runway of more than 800m;

(f) Within 3km of a non-radar equipped unlicensed aerodrome with a runway of less than 800m”.

They also quote:

“Aeronautical Navigation Aids and Communications Systems –

A wide range of systems, including aids such as ILS, VOR/DME, and Direction Finders, together with air-ground communications facilities, could potentially be affected by wind turbine developments. Wind turbines can affect the propagation of the radiated signal from these navigation and communication facilities because of their physical characteristics such as their situation and orientation in relation to the facility. As a result, the integrity and performance of these systems can, potentially, be degraded. Further research is required

to fully understand the potential issues; therefore, a cautious approach and case-by-case analysis is required”.

The comments go on to state that aircraft flying an approach to Runway 31 usually fly a base leg track that would take them directly over the proposed wind turbine.

The applicant’s response to this quotes from the same CAA guidance and highlights the following:

*“A wide range of systems, including aids such as ILS, VOR/DME, and Direction Finders, together with air-ground communications facilities, **could potentially be affected** by wind turbine developments”.*

*“The CAA has been made aware of research that indicates **the possibility** of wind turbines adversely affecting the quality of radio communications between Air Traffic Controllers and aircraft under their control. **Significant further work is required** to establish the extent, likelihood and severity of the issue. Until further information is available, issues concerning wind turbines and VHF communications should be dealt with on a case-by-case basis and reference made to the guidance contained in Section GEN-01 of CAP 670” (applicant’s emphasis).*

The highlighting of these quotes is to indicate the uncertainty surrounding the subject of interference by turbines with air-to-ground communication systems. The applicant further responds to this objection by stating that:

“For all flying conducted at North Weald pilots are entirely responsible for ensuring safe separation from other aircraft and from terrain”.

It goes on to state, with reference to aircraft flying directly over the turbine, that:

“If the turbine is beneath the turn point onto the base leg, aircraft will still be over 650ft above it – well above the minimum height pilots may legally fly (500ft). If pilots can fly legally and safely at 500ft they will be safe at 650ft.

It is difficult to reconcile the Objector’s statement regarding the position of the turbine at the end of the downwind leg. If however, the downwind leg were closer to Runway 31 then aircraft would fly over less of the noise avoidance area, The turbine would then be c1km away from aircraft in the circuit for Runway 31.

If the turbine is located at the end of the downwind leg then aircraft will be well above it before starting the descent, and laterally will be displaced from it before reaching even the 500ft plane above it.

The turbine’s position has no detrimental impact on circuits or safety at Runway 31 at North Weald”.

It goes on to state that:

“There is limited availability of Runway 31 and often ‘take-off’s ONLY may be permitted’ – not circuits. It is used ONLY when the crosswind (strong winds) precludes operations off Runway 20/12, and there have been no occasions in the past year when that has happened. Even then, the circumstances must be ‘exceptional’ for Runway 31 to be used.

A turbine on the end of the Runway 31 downwind leg will have no impact at all on operations at North Weal Airfield”.

The applicant also quotes the CAA Air Traffic Services Safety Requirements, which should be referred to when calculating safe distance from the main aerial tower. This states:

“Ground level safeguarding of circle radius 91m centred on the base of the main aerial tower (or equivalent structure). Additionally, from an elevation of 9m on this circle a 2% (1:50) slope out to a radius of 610m”.

The turbine is stated as over 1100m from the nearest part of the runway and 2km from the Air Traffic Control tower (where the transmitter is likely to be located). As such the applicant concludes that *“the location of the turbine greatly exceeds the VHF air-to-ground radio system safeguarding distance required by the CAA”*. It is also concluded that, due to the nature of signal propagation and the level of obstruction between the turbine and the airfield, the turbine would need to be a further 50m in height to result in a 60% clear Fresnel Zone (the ‘wavelet’ travel area of an electro-magnetic signal propagation).

The final rebuttal offered by the applicant is that the RAF/MoD has conducted a number of trials against wind turbines (all referenced within the document). The applicant states that *“on no occasion on any of the trials is there any record of any impact on air-to-ground communications”* and concludes that *“given the fierceness with which the MoD guards its capabilities and the extent of its trials into the effects of large wind turbines and wind farms, had any ill-effects on radio communications been noticed they would have been reported – none have”*. It is also pointed out that a CAA Mandatory Occurrence Reporting Scheme is in place *“to contribute to the improvement of flight safety by ensuring that relevant information on safety is reported, collected, stored, protected and disseminated. The sole objective of occurrence reporting is the prevention of accidents and incidents and not to attribute blame or liability”*. The applicant claims that there are a *“number of turbines large and small around the UK (and near airfields)”* yet no incidents or reports of ‘interference’ with air-to-ground communications from or near wind turbines.

- Saxon Microlights comments:

The Chief Flying Instructor for Saxon Microlights states:

“The downstream wake of an operating wind turbine creates significant turbulence effects within the general wind. This eventually dissipates but the rate at which it dissipates is difficult to predict. Indeed, there is very little research done on the matter beyond the ranges required for windfarm designers to predict the impact of one wind turbine on the efficiency of another within the same cluster. There is very little research into the effects of a single turbine beyond these short ranges – specifically the CAA Policy and Guidelines on Wind Turbines states ‘the effects of these wakes on aircraft are not yet known’ (Chap 2, para 8.4). After further discussion of the subject, CAP 764 concludes the chapter with ‘Very light aircraft such as gliders, microlights, gyroplanes, [etc] are particularly susceptible to turbulence. In certain circumstances turbulence can cause loss of control that is impossible to recover from’.”

The objector considered other academic studies and, based on these, states:

“The wake turbulence which would be generated by the proposed turbine will tend to flow for some considerable distance downwind from the turbine at about the same height as the blades. This means that turbulence effects can be expected at the northern end of North Weald Airfield in any wind between North East and South East and at a height of between ground level and at least 1½ times the turbine height, so in this case more than 60 metres (ie nearly 200 feet). Aircraft approaching the runway from the north or taking off towards the north will therefore encounter this turbulence at a critical stage of flight and close enough to the ground that any disturbance from stable flight may be difficult, or impossible, to recover from.

The same study referred to above indicates that the strength of turbulence at a particular location downstream of the turbine cannot be predicted solely as a function of wind speed (conditions can arise in which a reduction in wind speed might create an increase in downstream wake turbulence) nor as a direct function of wind direction (the wake from a turbine is known to vary in a manner referred to as 'meandering').

As the current state of research indicates that it is difficult to predict the weather conditions (other than general wind direction) when such turbulence will occur and how strong it will be on any particular occasion, it follows that practicable flight procedures cannot be developed to avoid the turbulence.

It is not reasonable to expect all light aircraft and microlight aircraft operations to cease whenever there is an Easterly wind, so the proposal should not be approved until the developer is able to demonstrate by appropriate study that the turbine will not adversely affect flight operations at the northern end of the airfield".

The applicant's response points out that the CAA Policy and Guidelines on Wind Turbines claims that "*published research shows measurements at 16 rotor diameters downstream of the wind turbine indicating that turbulence effects are still noticeable*". This means that with a diameter of 19m, the turbulence effects are noticeable up to 306m (1000ft) behind the turbine. It is also stressed that the turbulence would be noticeable, but not necessarily hazardous. Notwithstanding this, the proposed wind turbine would be located significantly further from the airfield than 306m, and therefore it is concluded by the applicant that "*under CAA guidelines North Weald Airfield microlight operations are entirely safe from the effects of this turbine*". Furthermore, the CAA Air Navigation: The Order and the Regulations document states:

"The 500 feet rule – Except with the written permission of the CAA, and aircraft shall not be flown closer than 500 feet to any person, vessel, vehicle or structure".

As such, under the CAA Regulations no microlight should be flown within the 306m radius of the turbine unless given express permission to do so.

A theoretical model has been calculated by the applicant stating that, even if a microlight were to start its take off at the end of the runway nearest the wind turbine and could take off directly towards the turbine (neither of which would be possible), then by the time it was 480m distance from the turbine it would have climbed to 639m and would therefore be well above any height that turbulence effects could be experienced. Whilst there is anecdotal evidence (both positive and negative) about impacts from wind turbines on turbulence, there appears to be no actual evidence available. Despite the CAA Mandatory Occurrence Reporting Scheme, which specifically states that "*pilots of any air vehicle who firmly believe that they have encountered significant turbulence, which they believe to have been caused by a wind turbine, are strongly encouraged to report this through the existing Mandatory Occurrence Reporting scheme*". As of July 2011 the CAA stated in the Policy and Guidelines on Wind Turbines that "*there are no Mandatory Occurrence Reports or aircraft accident reports related to wind turbines in the UK*", and a search undertaken by the applicant uncovered no reports in the year since then.

The full rebuttal documents from the applicant are available to view online under the application reference number, or can be copied by request should the full details wish to be assessed. These two documents also contain copies of the full objections received.

- *LPA Conclusion:*

The issue of impact from wind turbines on aviation is very unclear and theoretical at present, however there does appear at this time to be very little data to suggest that wind turbines have a

significant impact on aviation authorities. The introduction of the CAA Policy and Guidelines on Wind Turbines states that:

“Both wind energy and aviation are important to UK national interests and both industries have legitimate interests that must be balanced carefully. Therefore it is important that the aviation community recognises the Government aspiration for wind turbine developments to play an increasing role in the national economy. As such, the aviation community must engage positively in the process of developing solutions to potential conflicts of interest between wind energy and aviation operations. In a similar vein, wind turbine developers must understand the potential impact of developments on aviation, both at a local and a national level, and to fully engage with the aviation industry to develop suitable mitigation solutions”.

It is the responsibility of the applicant to address any potential impacts, taking account of Civil Aviation Authority, Ministry of Defence and Department for Transport guidance in relation to radar and aviation, and the legislative requirements on separation distances. The applicant has referred to the relevant guidance and has given full justification as to why it is considered that the proposal would not detrimentally impact on North weald Airfield. The application was sent to the CAA, MoD, and the safeguarding department of Stansted Airport. The only response received was from the CAA, which read *“there is currently a high demand for CAA comment on wind turbine applications which exceeds the capacity of the available resource to respond to requests”* and states what other authorities should be consulted (all of which were with no response received). The only other comments made by the CAA are:

- *Any structure of 150m or more must be lit in accordance with the Air Navigation Order and should be appropriately marked. Smaller structures may also be required to be lit by aviation stakeholders particularly if they fall under Section 47 of the Aviation Act.*
- *Cumulative effects of turbines may lead to unacceptable impacts in certain geographic areas.*

Very Special Circumstances:

It is not challenged by the applicant that the proposed wind turbine constitutes inappropriate development within the Green Belt, however they consider that there are sufficient very special circumstances in this instance to clearly outweigh this, and any other, harm. These are the following:

- The proposed wind turbine would provide renewable energy to meet the needs of New House Farm. This turbine is stated to provide an annual production of approximately 124,00kWh, which would reduce the carbon footprint of the farm business by some 64 tonnes per year. The turbine would also allow for the existing diesel powered grain dryer to be replaced by an electric powered dryer, which would be served by the proposed turbine. This would therefore reduce the farms reliance on fossil fuels.
- The proposed wind turbine would also assist in meeting the local and national climate change objectives as set out in the Climate Change Act 2008.

Within the Ravenshead appeal, the Inspector states that *“when considering applications for development in the Green Belt a balancing exercise has to be carried out. In this instance, on the one side of the balance is the harm caused by reason of inappropriateness – something to which substantial weight is attached – and the modest harm that would be caused to the character and appearance of the Green Belt to which limited weight will be given. On the other side of the balance are the wider economic and social benefits of the proposal to which significant weight is given”*. Based on the balance of consideration in the Ravenshead case, the Planning Inspectorate concluded that *“in this instance, bearing in mind the role that these turbines will play in reducing*

the carbon emissions of an established rural enterprise, the wider social and economic benefits of the proposed turbines would clearly outweigh the harm that they would cause to the Green Belt and, looking at the case as a whole, very special circumstances exist which justify the development”.

Given the narrow design and overall setting of the development, and as the site is fairly well screened from several key public viewpoints, it is considered that the visual impact would not be unduly detrimental to the area. Furthermore, due to the limited nature of the application, it is considered that it would have a minimal impact on the openness of the Green Belt. Therefore, similar to the conclusion of the Ravenshead appeal, the environmental benefits of the proposal in this instance are considered sufficient to outweigh the limited harm from this inappropriate development.

Other Considerations:

Highways and transportation:

The proposals involve very little highway works assuming the existing dirt track around the site is utilised. It is not demonstrated that this is sufficient for construction purposes, however this could be dealt with by way of condition or a further application.

It appears this internal road takes access from Green Lane, however with no significant maintenance identified it appears the proposals would result in little increase in vehicular traffic and as such Essex County Council Highways have raised no objection to the development.

Conclusions

Whilst the proposed wind turbine constitutes inappropriate development within the Green Belt, the very special circumstances by way of the renewable energy produced would outweigh the relatively small harm to the openness and character that would result from this development. The applicant has provided full justification as to why the proposed wind turbine would not harm the operation of North Weald Airfield and there has been no response from any aviation authorities stating otherwise. It is considered that this single wind turbine would have little impact on the appearance and views of this rural area and would not be detrimental to neighbours amenities, local ecology, or highway safety. As such it is considered that the development would be in line 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:

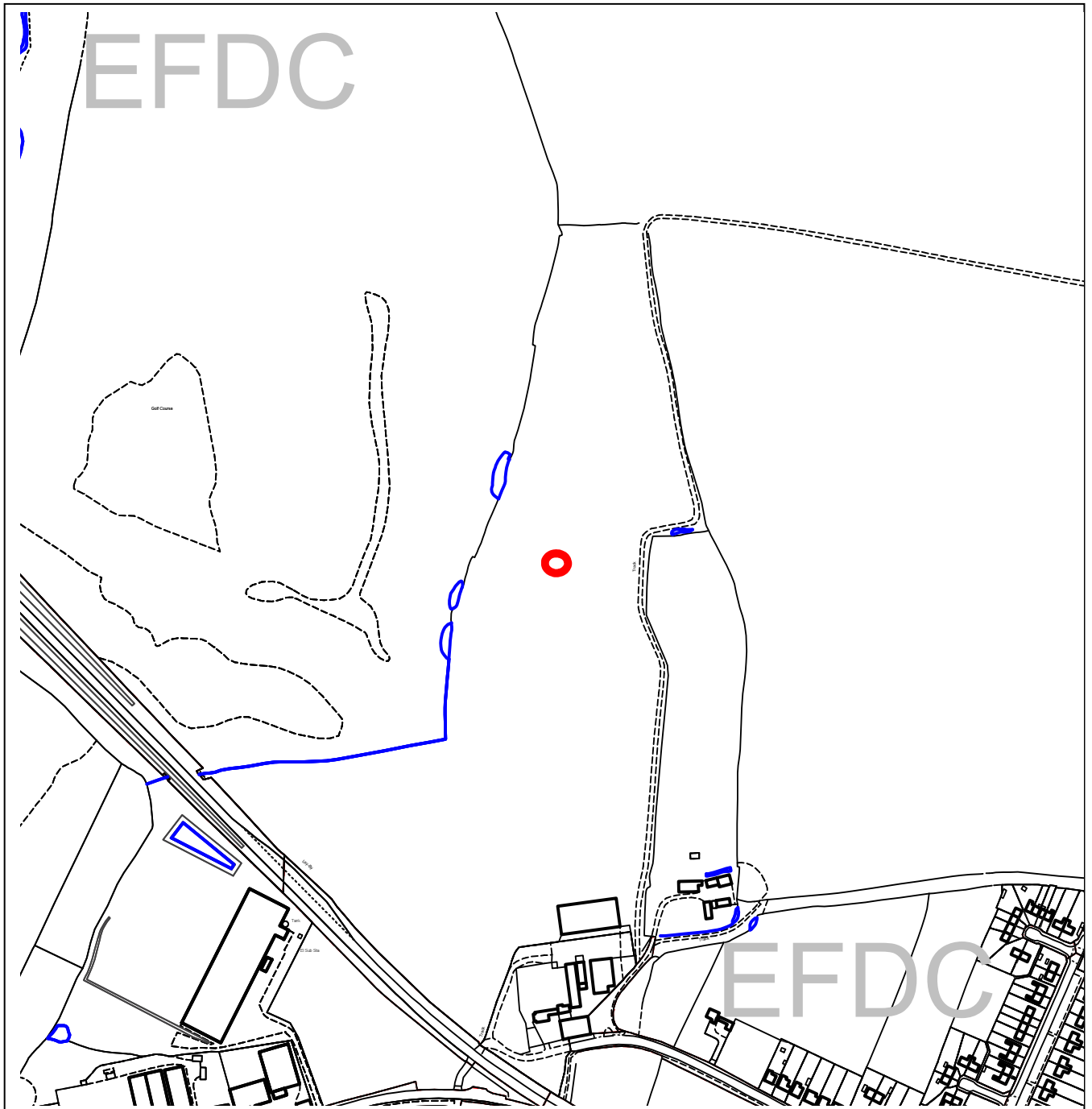
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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



Epping Forest District Council

Area Planning Sub-Committee East



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

EFDC licence No.100018534

Agenda Item Number:	1
Application Number:	EPF/0834/12
Site Name:	New House Farm, Vicarage Lane North Weald, CM16 6AP
Scale of Plot:	1/5000

Report Item No: 2

APPLICATION No:	EPF/0827/12
SITE ADDRESS:	Land to rear of Harness Cottage Lower Bury Lane Epping Essex CM16 5HA
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	Mrs Sylvia Tunstall
DESCRIPTION OF PROPOSAL:	Erection of new detached house on land to rear of Harness Cottage, including existing house to be used as ancillary accommodation.
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=537123

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 take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such approved details.
- 3 Prior to first occupation of the development hereby approved, the proposed window opening at first floor within both flank elevations 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 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.
- 5 Before any preparatory demolition or construction works commence on site, full ecological surveys and a mitigation strategy for the site shall be submitted to the Local Planning Authority for agreement in writing with a working methodology for site clearance and construction work to minimise impact on any protected species and nesting birds. Development shall be undertaken only in accordance with the agreed strategy and methodology.

- 6 No development shall take place until details of the proposed surface materials for the driveway have been submitted to and approved in writing by the Local Planning Authority. The agreed surfacing shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property. The agreed surface treatment shall be completed prior to the first occupation of the development or within 1 year of the substantial completion of the development hereby approved, whichever occurs first.
- 7 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 8 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 9 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]
- 10 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and

any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

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

- 11 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 12 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 13 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 14 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.
- 15 No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 16 In accordance with the submitted application, on completion of the new dwelling the dwelling known as Harness Cottage, shall only be occupied as ancillary to the new house and shall not be occupied as a separate independent dwelling.
- 17 Notwithstanding the details submitted with the application no development shall take place until details of the landscaping of the site, including retention of trees and other natural features and including the proposed times of proposed planting (linked to the development schedule), have been submitted to and approved in writing by the Local Planning Authority. The approved landscaping shall be carried out in accordance with the approved details and at those times.

- 18 Notwithstanding the details submitted with the application no development, including site clearance, shall take place until a Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule in accordance with BS 5837:2012 (Trees in relation to design, demolition and construction - Recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 19 The development hereby permitted will be completed in accordance with the approved drawings nos:EJQ_1000, EJQ_1020 RevC (Plans and Elevations) and the siting and layout shall be in accordance with that shown on EJQ_1011Rev.A. Please note that the tree protection and tree removal shown on EJQ_1011 Rev A is not agreed and further details are required by condition.

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 Site:

The site comprises an existing detached cottage with private access off Lower Bury Lane (between Swaines House and Number 11) and an associated undeveloped area of land, roughly 60m x35m sandwiched between the rear of properties in Lower Bury Lane and the rear of numbers 8 and 19 Highfield Place. There is the open land of a private sports ground to the north of the site.

The land is heavily treed and overgrown and 7 of the trees are preserved. The site is not within the Green Belt or a conservation area but the boundary of the Bell Common Conservation Area runs immediately to the south of the site and there is also a grade II* Listed Building (Epping Place) adjacent to the boundary of the site.

Description of Proposal

The proposal is to erect a two storey detached 5 bedroomed house with attached double garage on the undeveloped area of the site and to retain Harness Cottage itself as ancillary living accommodation in connection with that dwelling. The access would remain as existing, from Lower Bury Lane, although improvements are proposed to the access track itself. The proposed house design has been amended following advice from the Conservation Officer and has the look of a 1930's style of property, with steeply pitched hipped roof detailing and includes two small dormers within the front roof slope and a further two to the rear. The main roof is crowned in order to keep the overall height of the building down. The height to the top of the main roof is approximately 8.8m. The "front" elevation faces towards the rear of Epping Place, Harness Cottage and Number 9 Lower Bury Lane at a distance of over 38 metres from their rear boundaries (over 50m from their rear elevations and there are substantial preserved trees between the properties. The rear elevation faces towards the recreation ground some 9 metres from that boundary. The facing the rear of properties in Lower Bury Lane is set between 8 and 10 metres from the rear boundaries of numbers 15 and 17 at least 24 m from their rear elevations. The first floor windows in this side elevation are secondary bedroom windows and bathroom windows and are to be obscured glazed to ensure no overlooking. The other side elevation similarly has obscured glazed windows and the two storey element is set 11 metres from the boundary with number 19 Highfield Place. There are substantial trees around the boundaries of the site.

Relevant History:

The site has a long planning history.

Originally within the ownership of Epping Place, the land was split from the house in the 1970s. Permission was granted in 1972 for two houses on the site and subsequently various permissions for two houses were approved, but none was implemented. The last outline consent on the site for two dwellings lapsed in December 1998.

EPF/0678/08 an application for the erection of 4 semi detached houses on the land with associated informal parking was refused in 2008 for the following reason:

“The current access, which serves a double garage, is substandard as the visibility splays onto Lower Bury Lane are restricted. The proposed development would retain this access to additionally serve the four new dwellings including residents parking, visitor parking and service vehicle access. The applicant has failed to show how improvements to the sight splays could be achieved and maintained as the land across which they fall is not all within the applicant's control. The development will therefore result in a significant increase in use of the substandard access, causing harm to highway safety, contrary to Policy ST4 of the Adopted Local Plan and Local Plan Alterations.”

Policies Applied:

CP1 Sustainable development Objectives
CP2 Protecting the quality of the built environment
CP3 New development
CP4 Energy Conservation
CP5 Sustainable building
CP6 Sustainable urban development patterns
CP7 Urban form and quality
HC6 Character appearance and setting of conservation areas
H1A Housing Provision
H2a previously developed land
H3A Housing density
DBE1 Design of new buildings
DBE3 Design in urban areas
DBE5 Design and layout of new development
DBE6 Car parking in new development
DBE8 private amenity space
LL9 Felling of preserved trees
LL10 adequacy of provision for landscape retention
LL11 Landscape schemes
ST1 Location of development
ST2 Accessibility of development
ST4 Road safety
ST6 Vehicle parking.

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 214 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

Issues and Considerations:

This site is a rare example of an undeveloped piece of land within the urban area of Epping; it is surrounded on three sides by housing and is outside the Conservation Area. Its use for residential

development is therefore appropriate and in accordance with national and local policies that seek to achieve the best use of urban land.

The main issues therefore in the determination of the application are: impact on the amenities of surrounding residents, design and street scene, trees and landscaping, access and parking, and sustainability.

SUMMARY OF REPRESENTATIONS:

10 neighbouring properties were notified and a site notice was erected at the site, the following responses were received with regard to the initial consultation

EPPING TOWN COUNCIL- No Objection

15 LOWER BURY LANE- Object- The entrance is on a blind bend, increased use will add to danger of accident for school children. The proposal is out of character with the size and character of houses in the area. At least twice the size of any adjacent houses.

Concerned that it will overlook not only our garden but also the bedrooms of both our children and the main bedroom of our house.

17 LOWER BURY LANE - Object, highway safety grounds. The lane has been closed to traffic at the school and is now a large cul-de-sac, there will be an influx of schoolchildren, parents and cars in this narrow road, the new house will generate more traffic than the existing. Loss of privacy to houses and gardens in Lower Bury Lane. The property is too large for a backland plot.

Concerned about impact on trees on our boundary, any harm to roots could destabilise the trees with serious consequences to our property.

11 LOWER BURY LANE – Object, the sight lines are the same as when planning permission was refused previously and there will be an increase in movements and highway danger, particularly when the school opens. The applicant has lacked responsibility in maintaining the area to local standards as it currently looks run down.

Amended Plans were submitted and reconsultation was carried out, at time of writing the three above objections have been maintained and reinforced.

15 LOWER BURY LANE – Object as previously

17 LOWER BURY LANE object as previously

11 LOWER BURY LANE objects as previously and in addition object to the scale of the dwelling which would dwarf Epping House which is a listed building. if this unsightly expansion of this small plot of land is developed in the way proposed then we may have to consider following the Council's example of restructuring our house by either further development or a complete new re-build of a similar size.

Issues and Considerations:

This site is a rare example of an undeveloped piece of land within the urban area of Epping; it is surrounded on three sides by housing and is outside the Conservation Area. Its use for residential development is therefore appropriate and in accordance with national and local policies that seek to achieve the best use of urban land and encourage sustainable development.

The main issues therefore in the determination of the application are: impact on the amenities of surrounding residents, design and impact character of the area, trees landscaping and ecology, access and parking, and sustainability.

Design and impact on character

The plot has no road frontage and is surrounded by trees, such that the proposed dwelling will not be readily visible from any public vantage point, it is not therefore considered that it is necessary for the development to match in style or scale the surrounding residential development, as there is no "street scene" for it to fit into. It will be a stand alone house in a large garden. The proposed garden is considerably larger than that of any of the surrounding properties and it is appropriate that a larger than average house can be developed here without detriment to the character and amenity of the area. The originally submitted scheme however did have a very imposing and grandiose style with formal symmetrical front elevation and formal gardens to the front (facing towards the Grade II* listed Epping Place and in consultation with the Council's Conservation officer a revised scheme which is less visually imposing was submitted. Whilst it is not considered that the dwelling will have a direct impact on the listed building or its setting it was felt that the original scheme would imply that this was the original manor house in the area and that the surrounding dwellings were built on its land, and this could be seen as damaging to the historic relationship of this land with Epping Place. The revised plan whilst still of the same basic scale of the earlier proposal is a much more appropriate form of design and the formal gardens have been removed which also enables retention of more of the existing trees on the site, maintaining the visual separation of the proposed house from the adjacent conservation area and listed building.

Impact on Residential Amenity

The proposed dwelling has been carefully sited within the plot to ensure that there is no direct overlooking of adjacent properties, side facing windows can be conditioned to be obscured glazed, the rear faces only the recreation ground and the front is set well outside the distance set out in the Essex Design Guide with regard to overlooking distances. Whilst the building will clearly be visible from the rear windows of surrounding properties through the existing trees, this is an urban area and most residential properties face other residential properties, this would not cause excessive loss of amenity. For clarity there will be no overlooking from the property into the bedroom windows of number 15 Lower Bury Lane.

The proposed dwelling is set well away from the boundaries of the property with any residential properties and it is not considered that it will result in excessive overshadowing or loss of light to any surrounding properties. There is potential for some increase in car movements along the access road between Swaines House and number 11 Lower Bury Lane, but it is not considered that this will be sufficient in this urban location to cause undue noise and disturbance to the occupants of those or other surrounding dwellings.

Amenity of occupants

The proposed dwelling has a relatively short rear garden which is well treed, but has an extensive front garden which is predominantly private and screened from overlooking from neighbours and it is considered that the proposal provides a good level of residential amenity for future occupants.

Trees, Landscaping and Ecology

This is a heavily treed site that has been allowed to become overgrown. 7 of the trees are protected by a tree preservation order and there was concern that development could impact not only on the trees but also on any wildlife that may have colonised the site. A tree survey and a Phase 1 Habitat survey have been submitted with the application and following the submission of additional information, the applicants have shown that the development is possible with only the loss of two (non preserved trees), however the plans also suggest the felling of further trees in order to make the garden more useable. Whilst the loss of some of these is accepted as reasonable, the plans show the loss of 3 of the preserved trees - two Lombardy Poplars which are in good condition and a large sycamore. As it is not necessary to fell these to enable the

development of the house and access drive their loss would need to be the subject of a separate TPO application and is not agreed as part of this application. Conditions to ensure that trees are retained and protected during construction are proposed, and the tree and landscape officer is confident that the important trees within the site can be retained.

The habitat survey did not identify any particular concerns subject to conditions to ensure mitigation measures are carried out.

Access and Parking

Although there have historically been previous approvals for 2 dwellings on the site utilising the current access the last application for 4 dwellings was refused on highway safety grounds as the access has sub standard sight lines and it was considered that the intensification of the use for an additional 4 dwellings, so that 5 in total would be served by this access was not acceptable in highway safety terms. Since that refusal Lower Bury Lane has changed from a through road, linking to Bury Lane, to be a cul-de-sac with traffic calming measure to make access to the new school at the top of the lane safer for pedestrians. The proposal now under consideration is for one house only (albeit with 5 bedrooms) and the existing Harness Cottage is proposed to be only ancillary accommodation to the main dwelling. Whilst it is accepted that there is likely to be some increase in traffic movements as a result, it will be considerably less than for 5 dwellings and taking into account the changed nature of the road the County Highway officer does not consider that there would be a detrimental impact upon highway safety in this location. The proposed scheme includes the provision of a passing bay within the access road and there is clearly adequate space within the site for turning, so vehicles will not be reversing out on to Lower Bury Lane, subject therefore to conditions to ensure suitable surfacing of the access road, and that water will not be discharged onto the highway the development is considered acceptable in highway safety terms.

There is adequate parking space within the site to meet current standards and prevent the need for any on street parking.

Sustainability

The site is within the urban area of Epping, close to facilities and employment and public transport, whilst the use of such a large area of land for only 1 dwelling, may be considered not to provide the best use of limited urban land, given that the access is poor and that a larger number of units would be likely to be resisted on highway grounds it is considered that the development of one large family dwelling is preferable in sustainability terms to it remaining an unused resource.

Conclusion

The proposed development is appropriate to its location, will not result in excessive impact on surrounding neighbours, or on the setting of the listed building or the adjacent conservation area. The green and well treed nature of the site will be maintained, and the intensification of use of the site is not considered so great as to result in material harm to highway safety. It is considered therefore to be in accordance with the adopted policies of the Local Plan and the NPPF and is therefore recommended for approval subject to conditions.

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

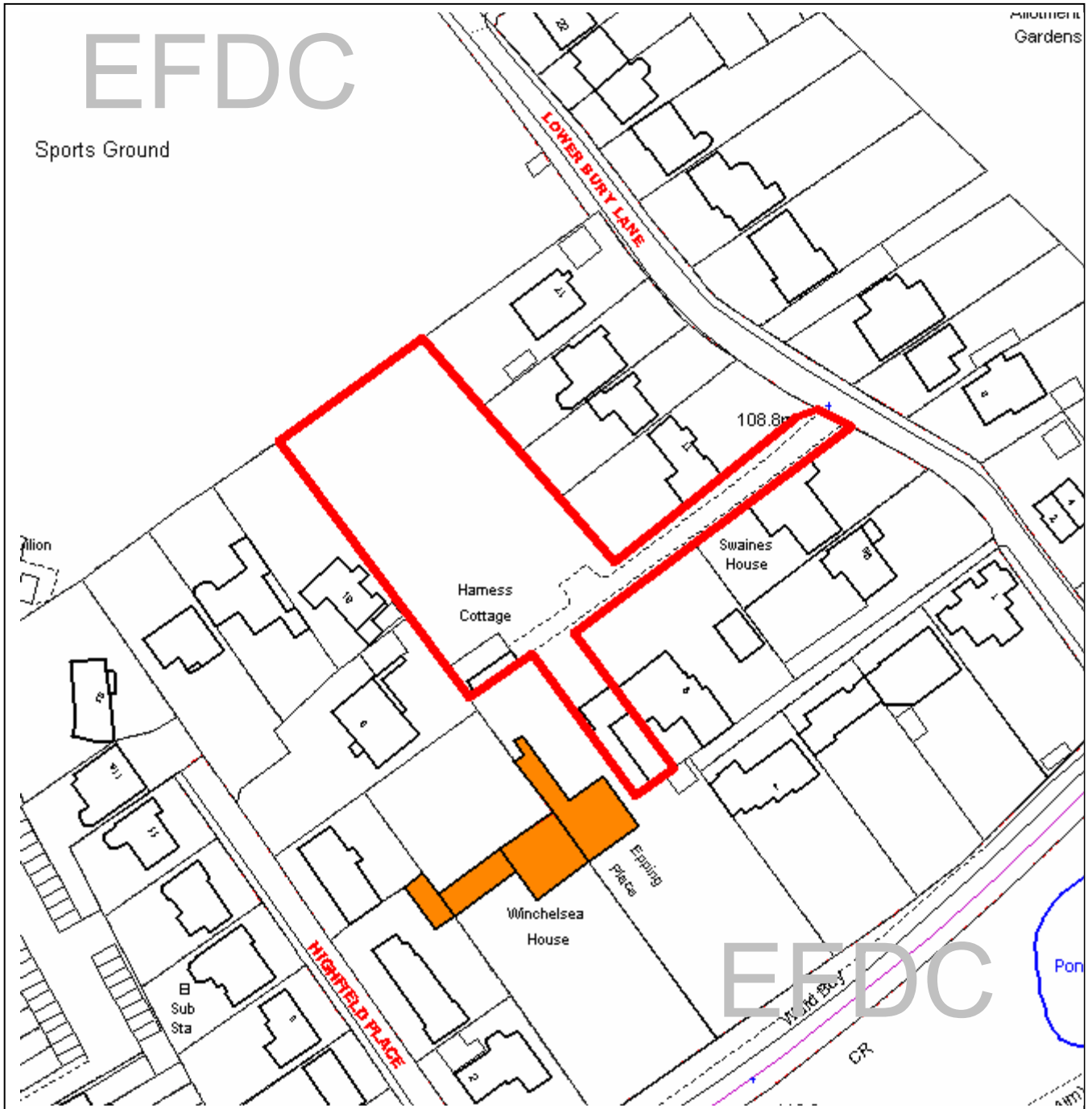
***Planning Application Case Officer: Jill Shingler
Direct Line Telephone Number: 01992 564016***

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



Epping Forest District Council

Area Planning Sub-Committee East



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

EFDC licence No.100018534

Agenda Item Number:	2
Application Number:	EPF/0827/12
Site Name:	Land to rear of Harness Cottage Lower Bury Lane, Epping, CM16 5HA
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/1711/12
SITE ADDRESS:	9 Marconi Bungalows High Road North Weald Bassett Epping Essex CM16 6EQ
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	Mrs Christine Saddington
DESCRIPTION OF PROPOSAL:	Change of use of land to garden area.
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=541035

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 871.DWG
- 2 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 E and F 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))

Description of Site:

The application site consists of the detached area of land to the rear of No. 9 Marconi Bungalows, that whilst owned and used by the residents of 9 Marconi Bungalows does not form part of the residential curtilage. This area of land sits within the Metropolitan Green Belt.

Description of Proposal:

Retrospective consent is being sought for the change of use of the rear piece of land to residential garden. The area of land proposed for use as residential garden is a 0.08ha piece of land located beyond the shared access road.

Relevant History:

EPF/2433/04 - Creation of 4m wide vehicular crossover at front of property – approved/conditions 16/03/05

Policies Applied:

GB2A – Development in the Green Belt
GB4 – Extensions of residential curtilages

The above policies form part of the Councils 1998 Local Plan. Following the publication of the NPPF, policies from this plan (which was adopted pre-2004) are to be afforded due weight where they are consistent with the Framework. The above policies are broadly consistent with the NPPF and therefore are afforded full weight.

Consultation Carried Out and Summary of Representations Received:

2 neighbouring residents were consulted. No Site Notice was required.

PARISH COUNCIL – Object due to it being inappropriate development within the Green Belt and it is also considered harmful to the openness of the Green Belt.

Issues and Considerations:

The area of land proposed for change of use is a strip of land sold to the appellant (along with similar strips sold to neighbouring residents) by the adjacent land owner when Blakes golf course was developed. The strip of land has been used by the applicants for the last nine years as an extension of their residential garden. This application, along with other applications being submitted by neighbouring residents, is a result of Enforcement investigations to regularise this situation.

Local Plan policy GB4 states:

The extension of the curtilage of a residential property which involves an incursion into the Green Belt will be permitted only where the Council is satisfied that;

- (i) it would not have an adverse effect upon the open character of the landscape; and**
- (ii) it would relate well to the curtilages of any adjoining residential properties; and**
- (iii) it would not be excessive in size.**

In granting planning permission for any such development the Council may:

- (a) withdraw permitted development rights for the area concerned in respect of building and hard surfaces; and**
- (b) impose appropriate planning conditions.**

(i) The area of land was previously agricultural land and, if not sold to the applicant, would have formed part of Blakes Golf course. The majority of the strips are open and undeveloped, with the only structures consisting of relatively low boundary treatments and small outbuildings. Due to this, the use of this piece of land (along with the neighbours land) is not considered unduly harmful to the openness of the Green Belt.

(ii) As all the strips of land to the rear of the original bungalows are now being used/applied for as residential gardens, these all relate well to each other.

(iii) Whilst the piece of land to the rear, combined with the existing rear curtilage, does result in a fairly large garden, the rear section is separated off by the access road serving all the bungalows. This forms a sufficient break between the original and extended garden areas and avoids these being used as single, excessively sized gardens.

Given the separation of the piece of land and the original garden area, and as this land encroaches into the Green Belt, it would be appropriate to remove permitted development rights to these new rear sections of garden to protect against buildings and other structures being erected without prior approval by the Council. Subject to this, it is not considered that the change of use would constitute inappropriate development within the Green Belt.

Planning permission has recently been granted for the change of use of the rear gardens of No's. 4, 5, 6 and 12 Marconi Bungalows, subject to relevant conditions.

Conclusion:

Due to the above, the proposed change of use would not constitute inappropriate development and, subject to conditions, 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:

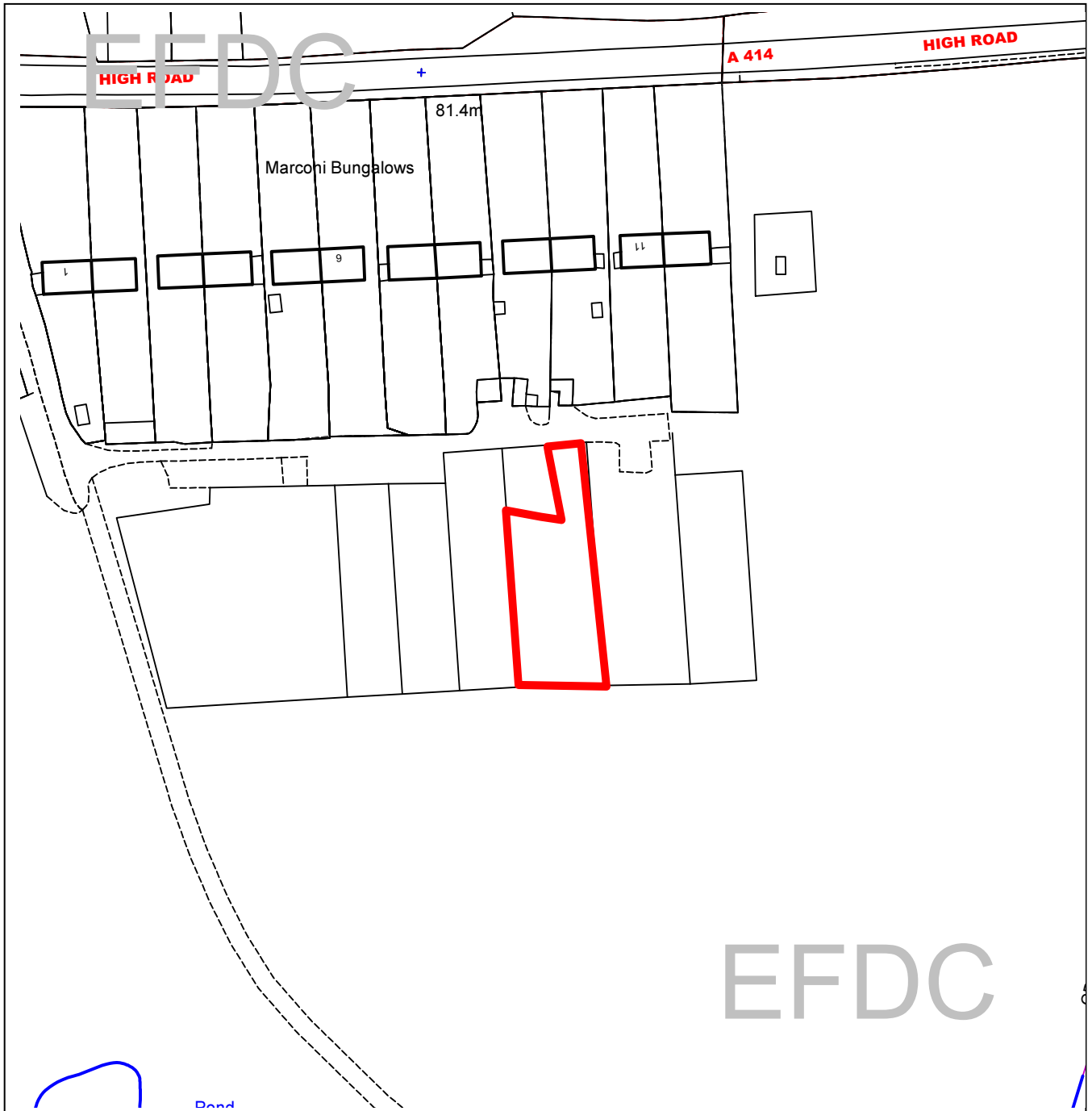
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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



Epping Forest District Council

Area Planning Sub-Committee East



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

EFDC licence No.100018534

Agenda Item Number:	3
Application Number:	EPF/1711/12
Site Name:	9 Marconi Bungalows, High Road North Weald Bassett, CM16 6EQ
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/1629/12
SITE ADDRESS:	8 Marconi Bungalows Epping Road North Weald Essex CM16 6EQ
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	Mrs Barbara Mumford
DESCRIPTION OF PROPOSAL:	Change of use of land to garden area.
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=540547

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Ordnance Survey location plan Title Number EX706066
- 2 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 E and F 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))

Description of Site:

The application site consists of the detached area of land to the rear of No. 8 Marconi Bungalows, that whilst owned and used by the residents of 8 Marconi Bungalows does not form part of the residential curtilage. This area of land sits within the Metropolitan Green Belt.

Description of Proposal:

Retrospective consent is being sought for the change of use of the rear piece of land to residential garden. The area of land proposed for use as residential garden is a 0.06ha piece of land located beyond the shared access road.

Relevant History:

None

Policies Applied:

GB2A – Development in the Green Belt
GB4 – Extensions of residential curtilages

The above policies form part of the Councils 1998 Local Plan. Following the publication of the NPPF, policies from this plan (which was adopted pre-2004) are to be afforded due weight where they are consistent with the Framework. The above policies are broadly consistent with the NPPF and therefore are afforded full weight.

Consultation Carried Out and Summary of Representations Received:

2 neighbouring residents were consulted. No Site Notice was required.

PARISH COUNCIL – Object due to it being inappropriate development within the Green Belt and it is also considered harmful to the openness of the Green Belt.

Issues and Considerations:

The area of land proposed for change of use is a strip of land sold to the appellant (along with similar strips sold to neighbouring residents) by the adjacent land owner when Blakes golf course was developed. The strip of land has been used by the applicants for the last nine years as an extension of their residential garden. This application, along with other applications being submitted by neighbouring residents, is a result of Enforcement investigations to regularise this situation.

Local Plan policy GB4 states:

The extension of the curtilage of a residential property which involves an incursion into the Green Belt will be permitted only where the Council is satisfied that;

- (iv) it would not have an adverse effect upon the open character of the landscape;**
and
- (v) it would relate well to the curtilages of any adjoining residential properties; and**
- (vi) it would not be excessive in size.**

In granting planning permission for any such development the Council may:

- (c) withdraw permitted development rights for the area concerned in respect of building and hard surfaces; and**
- (d) impose appropriate planning conditions.**

(i) The area of land was previously agricultural land and, if not sold to the applicant, would have formed part of Blakes Golf course. The majority of the strips are open and undeveloped, with the only structures consisting of relatively low boundary treatments and small outbuildings. Due to this, the use of this piece of land (along with the neighbours land) is not considered unduly harmful to the openness of the Green Belt.

(ii) As all the strips of land to the rear of the original bungalows are now being used/applied for as residential gardens, these all relate well to each other.

(iii) Whilst the piece of land to the rear, combined with the existing rear curtilage, does result in a fairly large garden, the rear section is separated off by the access road serving all the bungalows. This forms a sufficient break between the original and extended garden areas and avoids these being used as single, excessively sized gardens.

Given the separation of the piece of land and the original garden area, and as this land encroaches into the Green Belt, it would be appropriate to remove permitted development rights to these new rear sections of garden to protect against buildings and other structures being erected without prior approval by the Council. Subject to this, it is not considered that the change of use would constitute inappropriate development within the Green Belt.

Planning permission has recently been granted for the change of use of the rear gardens of No's. 4, 5, 6 and 12 Marconi Bungalows, subject to relevant conditions.

Conclusion:

Due to the above, the proposed change of use would not constitute inappropriate development and, subject to conditions, 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:

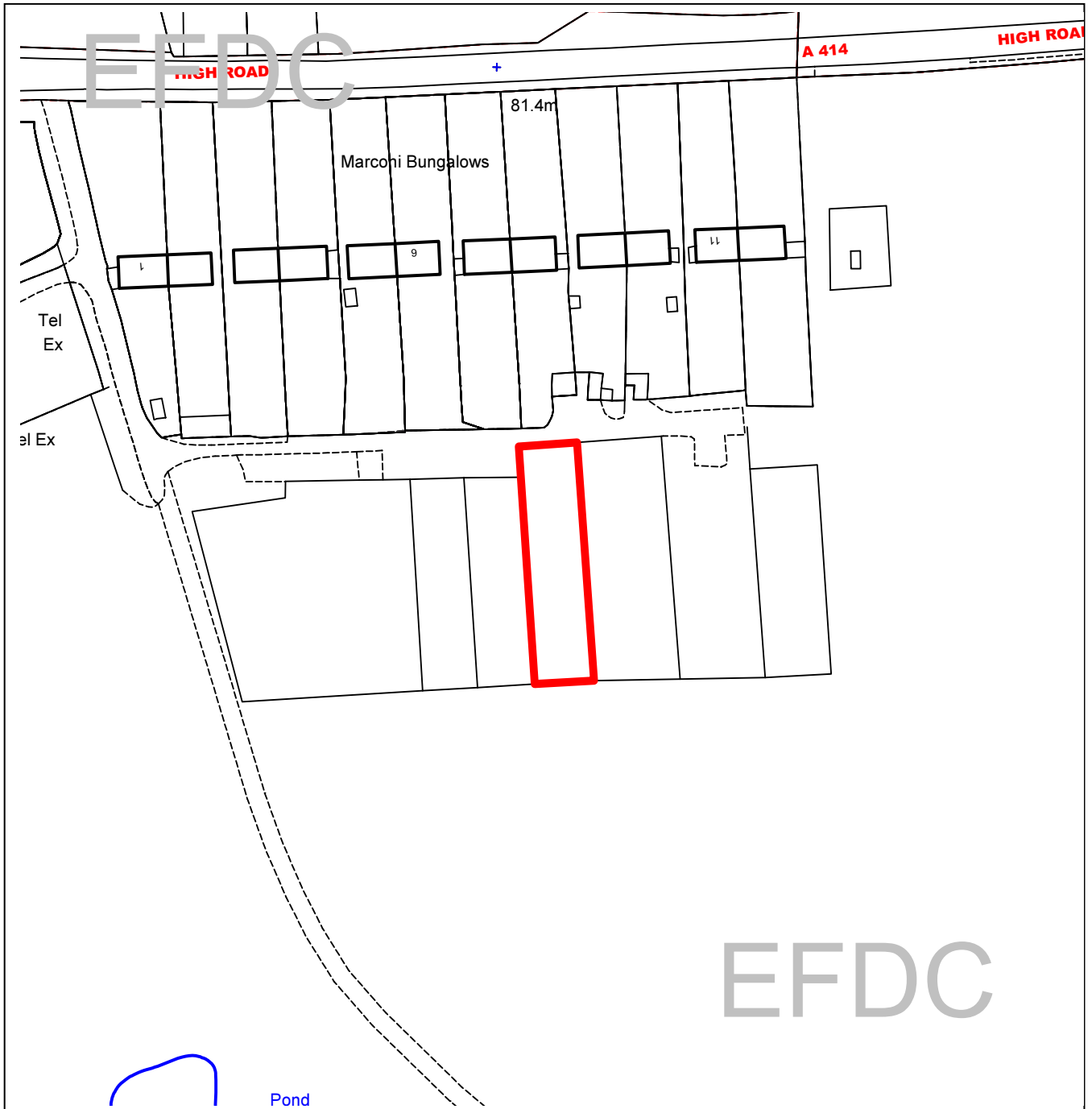
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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



Epping Forest District Council

Area Planning Sub-Committee East



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

EFDC licence No.100018534

Agenda Item Number:	4
Application Number:	EPF/1629/12
Site Name:	8 Marconi Bungalows, High Road North Weald Bassett, CM16 6EQ
Scale of Plot:	1/1250

Report Item No: 5

APPLICATION No:	EPF/1630/12
SITE ADDRESS:	7 Marconi Bungalows Epping Road North Weald Essex CM16 6EQ
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	Mr Kenneth Moore
DESCRIPTION OF PROPOSAL:	Change of use of land to garden area.
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=540548

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Ordnance Survey location plan Title Number EX703481
- 2 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 E and F 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))

Description of Site:

The application site consists of the detached area of land to the rear of No. 7 Marconi Bungalows, that whilst owned and used by the residents of 7 Marconi Bungalows does not form part of the residential curtilage. This area of land sits within the Metropolitan Green Belt.

Description of Proposal:

Retrospective consent is being sought for the change of use of the rear piece of land to residential garden. The area of land proposed for use as residential garden is a 0.05ha piece of land located beyond the shared access road.

Relevant History:

EPF/1396/05 - Single storey side and rear extensions, roof extension to form a half hip end and alterations to existing rear dormer – approved/conditions 14/10/05

Policies Applied:

GB2A – Development in the Green Belt
GB4 – Extensions of residential curtilages

The above policies form part of the Councils 1998 Local Plan. Following the publication of the NPPF, policies from this plan (which was adopted pre-2004) are to be afforded due weight where they are consistent with the Framework. The above policies are broadly consistent with the NPPF and therefore are afforded full weight.

Consultation Carried Out and Summary of Representations Received:

2 neighbouring residents were consulted. No Site Notice was required.

PARISH COUNCIL – Object due to it being inappropriate development within the Green Belt and it is also considered harmful to the openness of the Green Belt.

Issues and Considerations:

The area of land proposed for change of use is a strip of land sold to the appellant (along with similar strips sold to neighbouring residents) by the adjacent land owner when Blakes golf course was developed. The strip of land has been used by the applicants for the last nine years as an extension of their residential garden. This application, along with other applications being submitted by neighbouring residents, is a result of Enforcement investigations to regularise this situation.

Local Plan policy GB4 states:

The extension of the curtilage of a residential property which involves an incursion into the Green Belt will be permitted only where the Council is satisfied that;

- (vii) it would not have an adverse effect upon the open character of the landscape;**
- and**
- (viii) it would relate well to the curtilages of any adjoining residential properties; and**
- (ix) it would not be excessive in size.**

In granting planning permission for any such development the Council may:

- (e) withdraw permitted development rights for the area concerned in respect of building and hard surfaces; and**
- (f) impose appropriate planning conditions.**

(i) The area of land was previously agricultural land and, if not sold to the applicant, would have formed part of Blakes Golf course. The majority of the strips are open and undeveloped, with the only structures consisting of relatively low boundary treatments and small outbuildings. Due to this, the use of this piece of land (along with the neighbours land) is not considered unduly harmful to the openness of the Green Belt.

(ii) As all the strips of land to the rear of the original bungalows are now being used/applied for as residential gardens, these all relate well to each other.

(iii) Whilst the piece of land to the rear, combined with the existing rear curtilage, does result in a fairly large garden, the rear section is separated off by the access road serving all the bungalows. This forms a sufficient break between the original and extended garden areas and avoids these being used as single, excessively sized gardens.

Given the separation of the piece of land and the original garden area, and as this land encroaches into the Green Belt, it would be appropriate to remove permitted development rights to these new rear sections of garden to protect against buildings and other structures being erected without prior approval by the Council. Subject to this, it is not considered that the change of use would constitute inappropriate development within the Green Belt.

Planning permission has recently been granted for the change of use of the rear gardens of No's. 4, 5, 6 and 12 Marconi Bungalows, subject to relevant conditions.

Conclusion:

Due to the above, the proposed change of use would not constitute inappropriate development and, subject to conditions, 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:

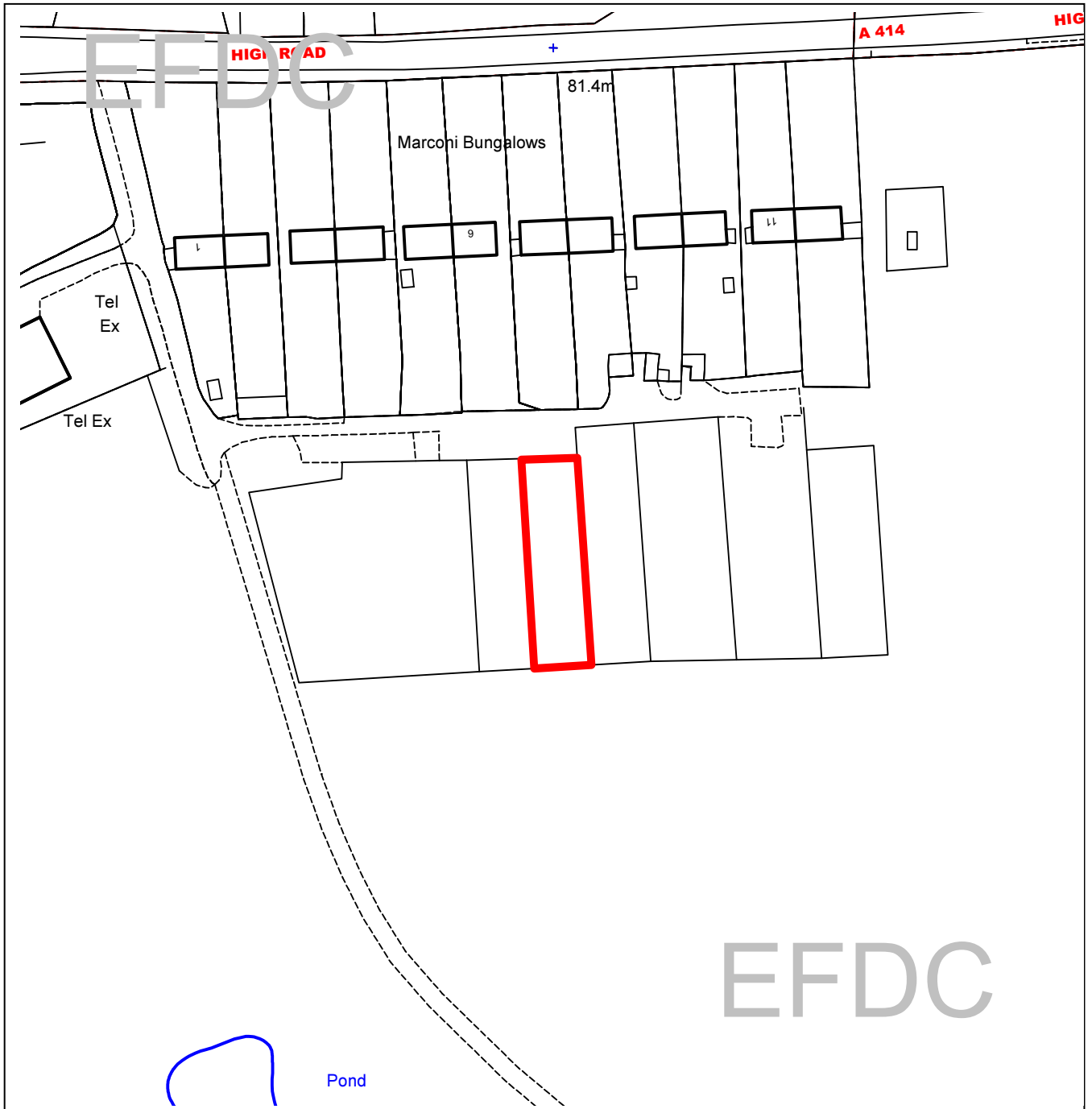
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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



Epping Forest District Council

Area Planning Sub-Committee East



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

EFDC licence No.100018534

Agenda Item Number:	5
Application Number:	EPF/1630/12
Site Name:	7 Marconi Bungalows, High Road North Weald Bassett, CM16 6EQ
Scale of Plot:	1/1250

Report Item No: 6

APPLICATION No:	EPF/1637/12
SITE ADDRESS:	6 Red Oaks Mead Theydon Bois Epping Essex CM16 7LA
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr & Mrs Martinez
DESCRIPTION OF PROPOSAL:	Single storey front side and rear extension and replacement of ground floor lounge window.
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=540604

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 existing hedge along the part of the front boundary ,and along the front part of the side boundary with Red Oaks Mead, together with the hedge dividing the front gardens of numbers 6 and 5 Red Oaks Mead, shall be retained on a permanent basis, or replaced with a similar hedge if part or all of these hedges require replacement.

This application is before this Committee because the recommendation is for approval contrary to an objection from the Parish 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)).

Description of Site:

Two storey semi detached house on corner plot in a locality of similar dwellings. The house faces Loughton Lane and its flank faces a minor side cul-de-sac known as Red Oaks Mead. The property is not listed nor does it lie in a conservation area.

Description of Proposal:

Single storey front, side and rear extension, and replacement of ground floor lounge window.

Relevant History:

None.

Policies Applied:

DBE9 – Loss of amenity.
DBE10 – Residential extensions.
ST6 – Vehicle parking.

Summary of Representations:

THEYDON BOIS PARISH COUNCIL – Object – we note the contents of the applicants supporting statement but of course these sad personal circumstances are not planning issues. Our concern is that the design of the proposed front elevation will detract from the character and will have an adverse impact on the street scene. We are also concerned that the proposal will result in parking provision being extremely tight to the frontage given the front extension element of the proposal.

NEIGHBOURS – 6 properties consulted and no replies received.

Issues and Considerations:

The application proposes a 'wrap round' extension at the front, rear, and side of the property. The front extension would be across some two thirds of the existing front elevation and will project 1m in depth. It will join up with a side extension which would be 3.33m wide but which would be set in 1m from the side boundary. At the rear an existing single storey element would be removed and replaced with a full width 4m depth extension. These extensions would have a sloping roof feature around its sides with a flat crown roof.

The applicants have supported their application with a statement saying that they each have medical conditions which affect their mobility, and these conditions are likely to get worse making it difficult for them to climb the stairs. To this end the proposed ground floor extension includes provision for a master bedroom and an enlarged porch which will facilitate wheelchair access - which currently is not possible owing to tight right angled corners behind the front door.

The front extension projects by 1m in depth, a size which complies with policy DBE10 of the Local Plan. When combined with the 3.33m side extension a sizeable addition is formed. However, a 2m to 2.4m high hedge along most of the frontage and part side boundary, and a hedge between the front garden of this and the other adjoining semi at no.5 will be retained – and these hedges will screen views of the extension. As mentioned above the side extension will also be set in 1m from the side boundary, it will have a sloping roof around its sides, and the house is set well back from the road. The extension will be rendered white to match the render on the existing house and its neighbour at no.5, and a matching dark brown roof tile will be used. For the forgoing reasons therefore the proposal will not impact significantly on visual amenity in the street scene, and the views of the Parish Council are not shared on this point.

In terms of the 4m depth rear extension the adjoining semi at no.5 has a 3m conservatory extension close to the boundary with no.5. Consequently the proposed rear extension will only project a net 1m beyond the extended rear of no.5 – and hence this rear extension will not have an appreciable effect on the amenity, light, and outlook of the neighbour at no.5.

The Parish Council raise a concern that the front extension will reduce off street car parking in the front area of the house. However, even when account is taken of the 1m depth front extension there will still be ample room for 2 to 3 cars to be parked off street, with entry from Loughton Lane and exit on to Red Oaks Mead, and the proposal is therefore satisfactory in parking terms.

Comments on representations received.

The applicants wish to remain in this home for the remainder of their lives, and the proposals seek to adapt the home to make it more receptive to their needs given that their mobility will be increasingly impaired. However, on its own merits, the proposed extension is considered to be acceptable in terms of its size, appearance and design. Other points made by the Parish Council are dealt with in 'issues and considerations' above.

Conclusions:

The proposed extension complies with local plan policies, and it is recommended that planning permission be granted subject to conditions, including one requiring the retention of the existing hedge at the front of the site.

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

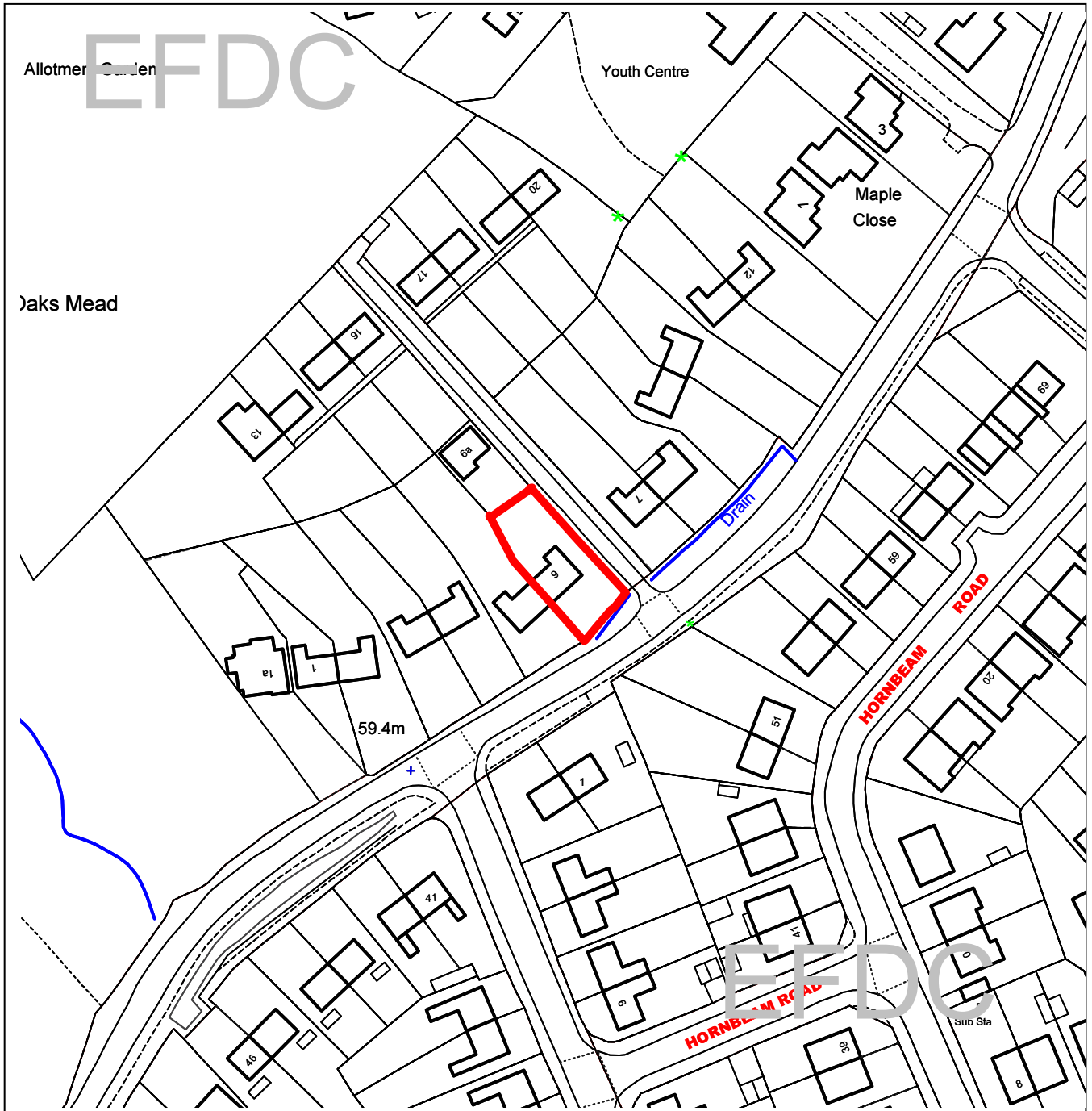
***Planning Application Case Officer: David Baker
Direct Line Telephone Number: 01992 564514***

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



Epping Forest District Council

Area Planning Sub-Committee East



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

EFDC licence No.100018534

Agenda Item Number:	6
Application Number:	EPF/1637/12
Site Name:	6 Red Oaks Mead, Theydon Bois CM16 7LA
Scale of Plot:	1/1250

Report Item No: 7

APPLICATION No:	EPF/1674/12
SITE ADDRESS:	8 Vicarage Road Coopersale Epping Essex CM16 7RB
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr & Mrs Dean Wheeler
DESCRIPTION OF PROPOSAL:	Proposed two storey side extension and part two storey rear extension, single storey side extension and front porch and garage extension.
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=540823

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 Prior to first occupation of the development hereby approved, the proposed window opening in the first floor 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.

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))

Description of Site:

Two storey semi-detached dwelling located on the southern side of Vicarage Road, Coopersale.

Description of Proposal:

Consent is being sought for a part single storey/part two storey side extension and a part single storey/part two storey rear extension. The proposed side extension would be 3.1m wide and a maximum of 11.6m deep and would wrap around the rear of the property to form the rear extension. This rear extension would be 5.7m wide and 4m deep. The development would incorporate an integral garage.

The proposed side extension would have a pitched roof reaching a ridge height of 6.8m with a cat slide over the front single storey element. This roof would contain a dormer window set 2m back from the front wall of the original dwelling. The proposed two storey rear extension would have a flat topped pitched roof to a maximum height of 6.8m, which would be set off the side boundary by 2.1m. The single storey element of the rear extension would infill this section between the two storey element and the shared boundary and would have a flat roof to a height of 3m.

Relevant History:

None.

Policies Applied:

DBE9 – Loss of amenity
DBE10 – Residential extensions

The above policies form part of the Council's 1998 Local Plan. Following the publication of the NPPF, policies from this plan (which was adopted pre-2004) are to be afforded due weight where they are consistent with the Framework. The above policies are broadly consistent with the NPPF and therefore are afforded full weight.

Consultation Carried Out and Summary of Representations Received:

5 neighbouring residents were consulted. No Site Notice was required.

TOWN COUNCIL – Object to this application. Committee consider the application to be an overdevelopment of the property.

6 VICARAGE ROAD – Object. Having trouble viewing plans online and cannot attend the office to view plans. Concerned about the rear extension and potential light and privacy issues. Object until this issue is clarified (**applicant recommended to show/discuss plans with neighbour – however no further comments received**).

Issues and Considerations:

The main issues here relate to the design and impact on the street scene, and the potential impact on the neighbouring properties.

Design:

The proposed side extension would be built to the shared boundary with No. 10 and would be set back from the existing front wall at first floor level by 2m. Generally two storey side extensions built to the side boundary on semi-detached properties are resisted; however there is a precedent set in Vicarage Road and Laburnum Road for two storey side extensions with no such side gap. However a significant set back of the front wall is required in these instances to counter the impact and to minimise the terracing effect. Whilst there are examples of two storey side extensions within Laburnum and Vicarage Road without much, if any, set back at the front, these were all granted

permission before 1998 when the current Local Plan (and policy DBE10) was adopted. Due to this, these previously approved additions do not set a precedent for similar, current extensions.

Since the adoption of the 1998 Local Plan there have been several two storey side extensions approved with no side gap, but with a set back of either 3m (when a front wall is added), or 2/2.5m (when the roof continues down to ground floor level and a dormer window is utilised), which successfully break up the continuous frontage of the properties and minimise the terracing effect. Examples of these include No's. 11 and 15 Vicarage Road, and No's. 9, 12, 23, 27 and 33 Laburnum Road, all of which were approved since 1998. No. 9 Laburnum Road proposed a very similar extension to this application and was granted planning consent in September 2012 under delegated powers (as the Town Council did not object to that application).

The proposed side extension would have a gable ended pitched roof with a ridge height some 850mm lower than the main ridge, which would afford it a subservient appearance. The side extensions visible in Vicarage Road and Laburnum Road vary in detail and overall design, and as such there is not one particular style to follow. The front dormer window is similar to others visible within the road and it is considered that the appearance of the extension would not be detrimental to the street scene.

The rear extension would have a flat topped pitched roof that, whilst slightly at odds with the main roof (in particular regarding the roof pitch), would not be unduly detrimental to the character and appearance of the area. Due to this it is considered that the proposed development complies with policy DBE10 of the Local Plan.

Impact on amenities:

The proposed rear extension would extend 4m beyond the existing rear wall of the dwelling and the first floor element would be set 2.1m off the shared boundary. The neighbour has a single storey conservatory to a depth of approximately 3.2m. Whilst the erection of the single storey rear extension would result in some loss of light to the neighbour's conservatory, the extension would be 3m in height (which is permissible under permitted development) and is just 1m deeper than could be erected without planning permission. Given the south facing nature of the gardens the loss of light would only be in the early morning and sunlight would still reach the conservatory by midday. As such, it is not considered that the single storey element of the proposal would be unduly detrimental to the amenities of the neighbouring residents.

The proposed first floor element of the rear extension would also be 4m in depth, however this would be stepped in 2.1m from the shared boundary. Given this set in, the proposed extension would comply with the 45 degree rule of thumb with regards to loss of light and would be a sufficient distance from the window to not be visually overbearing to the neighbouring residents. Whilst a small first floor window is proposed within the flank wall facing No. 6 Vicarage Road, this would serve a bathroom and therefore can be conditioned to be obscure glazed.

The proposed two storey rear extension, whilst built to the shared boundary, would be located approximately 3m from the flank wall of No. 10 Vicarage Road and separated by the neighbour's driveway. As such, the proposal would not be unduly detrimental to the amenities of this neighbour and would be similar to several other examples of such extensions within the locality.

Overdevelopment

Whilst the proposal does significantly increase the size of the dwelling, more than adequate amenity space is retained (over 140m²) and the proposal cannot be regarded as overdevelopment within this locality, where several similar developments already exist.

Conclusion:

In light of the above, the proposed side and rear extension would not detrimentally impact on the neighbouring occupiers and would not be harmful to the visual appearance of the dwelling or street scene. Given the precedent already set in Vicarage Road and Laburnum Road, the erection of this two storey side extension with no side gap, but with a sufficient set back of the first floor front wall, would not result in an unacceptable terracing effect to the detriment of the street scene. Therefore the proposed development complies with the relevant Local Plan policies and is recommended for approval.

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

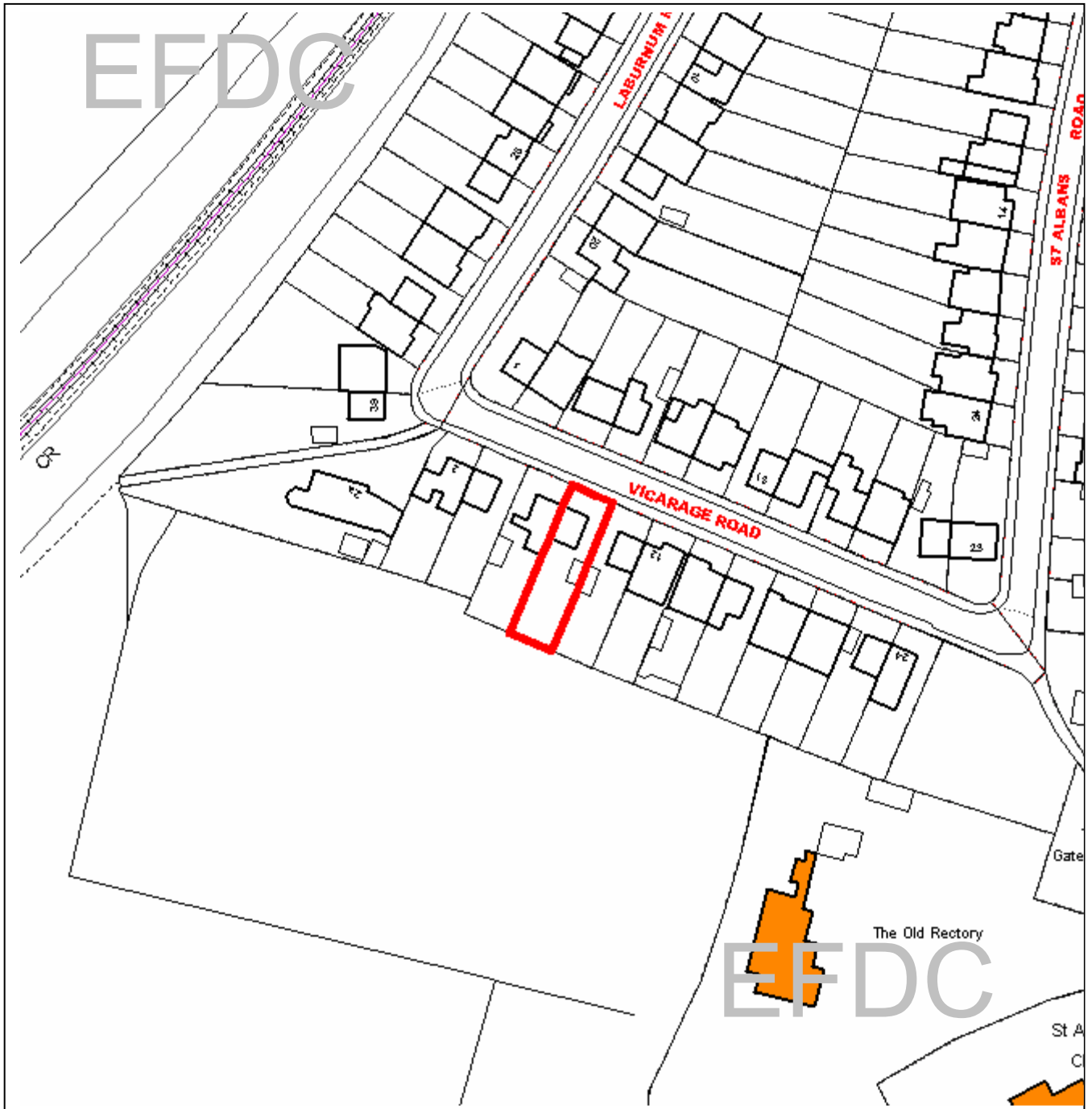
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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



Epping Forest District Council

Area Planning Sub-Committee East



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

EFDC licence No.100018534

Agenda Item Number:	7
Application Number:	EPF/1674/12
Site Name:	8 Vicarage Road, Coopersale CM16 7RB
Scale of Plot:	1/1250

Report Item No: 8

APPLICATION No:	EPF/1714/12
SITE ADDRESS:	Orchard Villa Norton Heath High Ongar Ingatestone Essex CM4 0LQ
PARISH:	High Ongar
WARD:	High Ongar, Willingale and the Rodings
APPLICANT:	Mr Alan Barclay
DESCRIPTION OF PROPOSAL:	Single storey summer house and deck (revised application to incorporate pitched roof and alterations to elevations).
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=541069

CONDITIONS

- 1 The shingles, weatherboard and window frames as detailed on plan number AB/RPA/12/001 shall be timber, with finishes as stated in the application forms.
- 2 Within four months of the date of this decision notice the proposed works and material changes as detailed on drawing number AB/RPA/12/001 shall be fully completed as stated.

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))

Description of Site:

Orchard Villa is a Grade II listed cottage set in a small enclave of dwellings within the boundaries of the Metropolitan Green Belt. The adjacent property to the north is the Grade II listed Bright's Cottage. These are traditional, vernacular 18th century cottages, within a picturesque rural setting. The garden area of the property is situated to the east of the dwelling and is separated from Orchard Villa by a high hedge.

Description of Proposal:

The proposal is a retrospective application to retain a single storey summer house with a decking area in the garden area of the application site. The building has a floor area of approximately 4.0m x 3.1m. The current building has a flat roof and modern finish. This has previously been deemed

inappropriate and as such an application for the retention of the summer house has been refused (EPF/2029/11). The reason for refusal was stated as follows;

“The development by reason of its poor use of modern materials and detailing and flat roof design would appear out of place, forming no affinity with the listed buildings, Orchard Villa and Bright’s Cottage. As such the development would fail to preserve or enhance the special character of these buildings. The proposal is therefore at odds with government guidance contained in Planning Policy Statement 5 (Planning for the Historic Environment) and contrary to Policy HC12 of the adopted Local Plan and Alterations.”

This proposal includes the retention of the building with the addition of a pitched roof with a shingle covering and a timber cladding. The deck area would be surrounded by a low set post and rail fence.

Relevant History:

There have been a number of applications at the site the most relevant and recent being;

EPF/0955/00 - Two storey side extension, alterations to garage, and single storey rear extension. Refuse Permission - 18/12/2000.

LB/EPF/0989/00 - Listed building consent for two storey side extension, alterations to garage and single storey rear extension. Refuse Permission – 18/12/00.

EPF/2518/10 - Grade II listed building application for the retention of external soil pipes. Grant Permission – 15/03/11.

EPF/2029/11 - Retrospective application for the retention of a single storey summer house and deck. Refuse Permission – 29/11/11.

Policies Applied:

CP2 – Protecting the Quality of the Rural and Built Environment

DBE1 – Design of New Buildings

DBE2 – Effect on Neighbouring Properties

DBE4 – Design in the Green Belt

DBE9 – Loss of Amenity

GB2A – Development in the Green Belt

GB7A – Conspicuous Development

HC12 – Development Affecting the Setting of a Listed Building

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 214 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

SUMMARY OF REPRESENTATIONS:

(3 properties consulted – 1 reply received).

BRIGHT’S COTTAGE: Objection. The close siting of this building in relation to our house is a gross invasion of privacy. We believe the applicant would have been aware that an application was necessary for planning permission. The site plan is totally misleading and shows the building as a tiny structure in the corner of the property. The length of this shed is over 9.0m, over 50% of the boundary is abutted by a shed, and 60% of our dwelling. The structure will result in a loss of light to our living room and bedroom. It will be level with the top of our bedroom window. This will affect light and privacy. We have kept our hedge higher this year in order to block views of this structure and it is usually 2 foot lower than at present. We are concerned the close proximity of the

shed represents a fire risk. This area will be used for socialising which again will mean more noise and disturbance. The applicant also has a sodium lamp lit up until late in the evening which is proving to be a nuisance and illuminated rooms in our house. This is not the first retrospective application at this property. I trust we have made our case for, loss of privacy, light, noise and light pollution.

PARISH COUNCIL: Objection. The modifications do nothing to overcome the principal objection that the location of the structure shows complete disregard for the impact on the neighbouring property. The lounge windows of Bright's Cottage are only separated by a tall hedge and the potential for noise nuisance cannot be supported by the Parish Council.

Issues and Considerations:

The main issues to consider are the impact of the proposal on the setting of the listed building, neighbour amenity and the Metropolitan Green Belt.

Green Belt

This proposal, as an ancillary outbuilding within the Metropolitan Green Belt, is deemed relatively modest and would have no material impact on openness.

Listed Building

A proposal to retain a summer house with decking area has been previously refused at the site with concerns about the setting of both listed buildings cited as the reason. The current application outlines the proposals to overcome this concern. The proposed use of weatherboard with a shingle roof can address the concern about the appearance of the current structure. Their suitability can be agreed by condition. The proposed position of the building is perhaps the best to limit impact on the listed buildings as it will be screened by the high hedge. The decking and low set post and rail fence raises no issues. Generally the building in its proposed state would preserve the setting of this pair of listed buildings and subject to suitable conditions it is deemed an acceptable appearance which overcomes previous concerns.

Amenity

The occupants of the neighbouring dwelling, Bright's Cottage, have expressed some concern about the development and its impact on their amenity. The existing hedge provides a solid screen and there would be no material increase in loss of light to windows on the ground floor, even with the newly pitched roof above. The lounge in the neighbouring property is also served by a number of ground floor windows.

The window at second floor level would suffer no serious loss of light as the built form would not extend as high as this opening. The roof of the structure would be visible from the upper floor window at Bright's Cottage. However this would not result in a material loss of outlook from the window. Although there would be some visual impact it would not be highly detrimental to the living conditions of occupants of this dwelling.

The neighbours are also concerned about noise from the neighbouring property due to the location of the summer house adjacent to windows on Bright's Cottage. This is a slightly unconventional scenario in that the first floor window of Bright's Cottage is side facing and overlooking the neighbour's private garden area. This scenario is not significantly different from outbuildings/patio areas at the rear of properties that fall outside the control of Local Planning Authorities. This is particularly the case in rural areas where boundaries can be less uniform than in more urban parts of the district. The applicant is further restricted by the fact that the setting of the listed building must be accounted for, and the advice of Essex County Council's Listed Building Advisor is that

this is probably the best position for it. It is unfortunate that this is a retrospective application but it must be judged on its merits. The existing hedge does provide a solid screen and there is then a gap from the hedge to the dwelling. Therefore any loss of amenity is considered to be an acceptable level. It is not accepted that the use of the summerhouse and decked area would necessarily result in significantly more noise and disturbance than general domestic garden use would.

Conclusion:

The proposed amendments to the design of this summer house are deemed suitable to overcome previous concerns. Some impact on the amenities of adjacent residents of Bright's Cottage is recognised. However it is considered that there are mitigating factors which reduce the impact to an acceptable level. It is therefore considered that the proposal is deemed acceptable and recommended for approval with conditions.

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

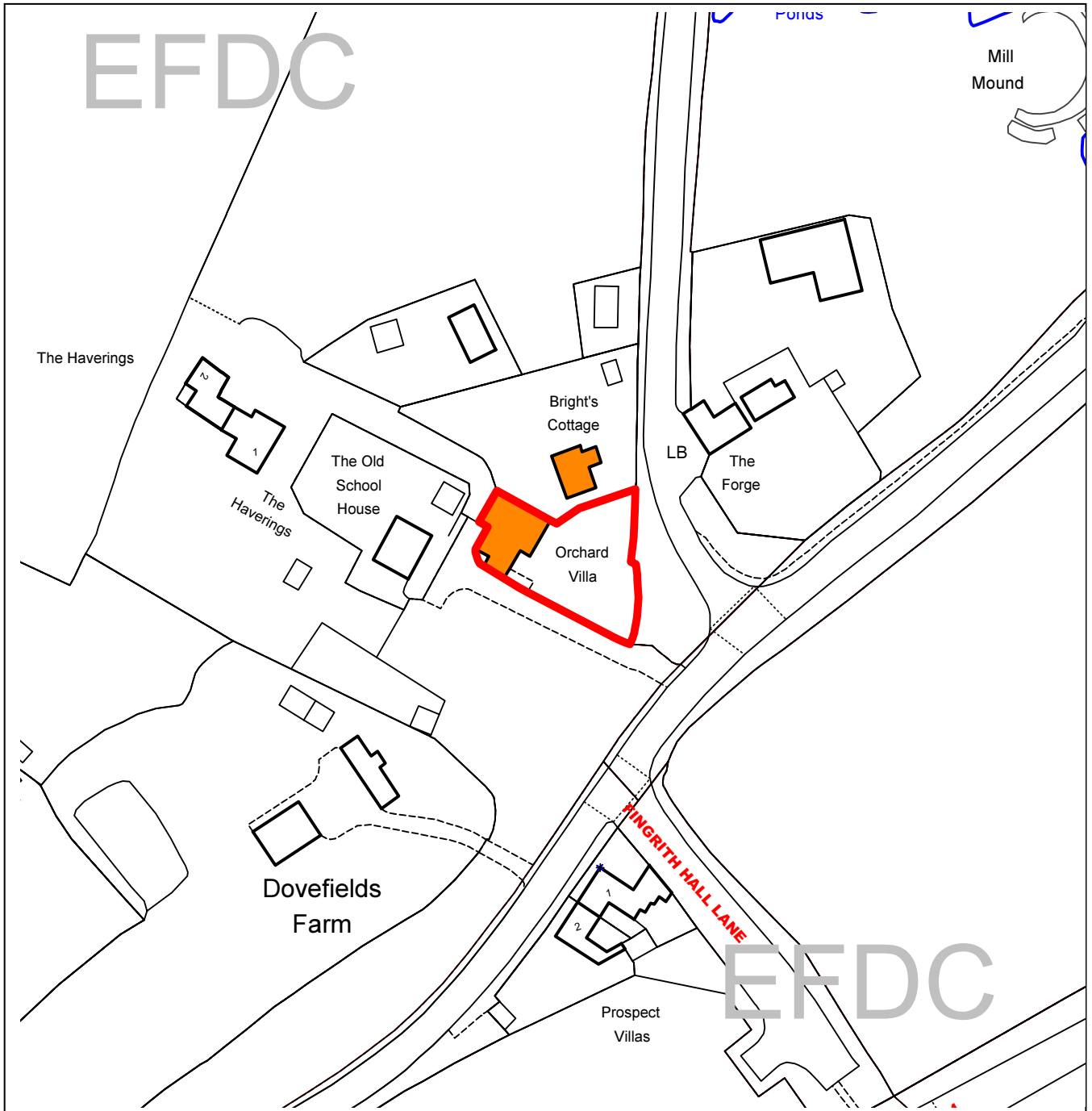
***Planning Application Case Officer: Mr Dominic Duffin
Direct Line Telephone Number: (01992) 564336***

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



Epping Forest District Council

Area Planning Sub-Committee East



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

EFDC licence No.100018534

Agenda Item Number:	8
Application Number:	EPF/1714/12
Site Name:	Orchard Villa, Norton Heath High Ongar, CM4 0LQ
Scale of Plot:	1/1250

Report Item No: 9

APPLICATION No:	EPF/1861/12
SITE ADDRESS:	45 Hampden Close North Weald Epping Essex CM16 6JX
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	Mr Adem Kaytaz
DESCRIPTION OF PROPOSAL:	Convert existing carport to garage and extend by 1.0m.
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=541891

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 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garage(s) hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.

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))

Description of Site:

The application site is located within the built up residential area of Hampden Close within North Weald. The application property is a ground floor end terrace maisonette.

Adjoining the eastern flank wall of the building is a single storey building comprising 4 private car ports behind which is a parking court which is accessed from Hampden Close through an opening in the carport building. The carports are enclosed from the frontage and only have an open aspect onto the court itself.

The site and the surrounding area are not located within the Metropolitan Green Belt or within a Conservation Area.

Description of Proposal:

The applicant seeks planning permission to convert the existing attached carport into a single car space garage. The garage would be extended by a metre into the parking court area and thereby measure 2.7 metres by 6.7 metres. The additional metre would allow for an internal opening to allow access from the garage into the residential unit. The addition would have a pitched roof and an up and over garage door and would appear as a single storey side garage extension to the maisonette.

Relevant History:

There is no relevant recorded planning history for the subject site.

Policies Applied:

Local Plan policies relevant to this application are:

CP2 – Protecting the rural and built environment
DBE9 – Loss of Amenity
DBE10 – Residential extensions
ST4 - Highway safety
ST6 Vehicle parking

The above policies form part of the Council's 1998 Local Plan. Following the publication of the NPPF, policies from this plan (which was adopted pre-2004) are to be afforded due weight where they are consistent with the Framework. The above policies are broadly consistent with the NPPF and therefore are afforded full weight.

Summary of Representations

NORTH WEALD PARHISH COUNCIL:

The Parish Council OBJECTS to this application due to the loss of amenities to the adjacent residents, out of character with the surrounding properties, detrimental to the amenities to the neighbouring residents. Members are concerned that extending the proposal by 1 metre would set a precedent. If the proposal is granted then the garage should not be converted in the future and used for residential use.

5 neighbours consulted. No representations received.

Issues and Considerations:

The main issues to be addressed are:

- Design and appearance
- Neighbouring amenities

- Parking requirements

Design and Appearance:

There are no objections to the design and appearance of the proposed development. The proposed works are located behind the existing row of carports and as such the development would not be seen from the highway, the street scene or any public area.

The proposal to enclose the carport and extend it by a metre in order for it to be converted into a garage is appropriate in relation to its overall size, scale and siting. The development would appear sympathetic to the existing building and it would not result in an excessive amount of bulk or massing.

Neighbouring amenities:

The proposed development would not result in a greater material detriment to the amenities of adjoining property occupiers from those of existing conditions. The alterations in order to convert the garage would not result in an unneighbourly development that would be visually intrusive and is not close to any other property. The height of the roof will not impact on the upper maisonette. It is officer's opinion that the development would not cause harm to the amenities of adjoining property occupiers.

Parking Requirements

The development would maintain at least two off-street parking spaces as required by the Adopted Parking Standards. It would not result in a detrimental impact to highway safety or result in traffic congestion. Vehicles would still be able to enter and exit the site in a forward gear.

Turning to the Parish Council concern regarding that a precedent would be set if the development is allowed, it should be noted that each application is assessed under its own merits but in any case it is difficult to see that if all 4 car ports were extended by a metre this would cause any harm, subject to the details of the design. It is however, agreed that if consent is granted, it is necessary to condition that the building is not converted to a habitable room to ensure that it is retained as a garage.

Conclusion:

In conclusion, the proposed development is acceptable in terms of its design and appearance and does not result in the loss of any parking space. The development is in accordance with the policies contained within the Adopted Local Plan and Alterations which are consistent with the National Planning Policy Framework. It is therefore recommended that the application be approved subject to conditions.

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

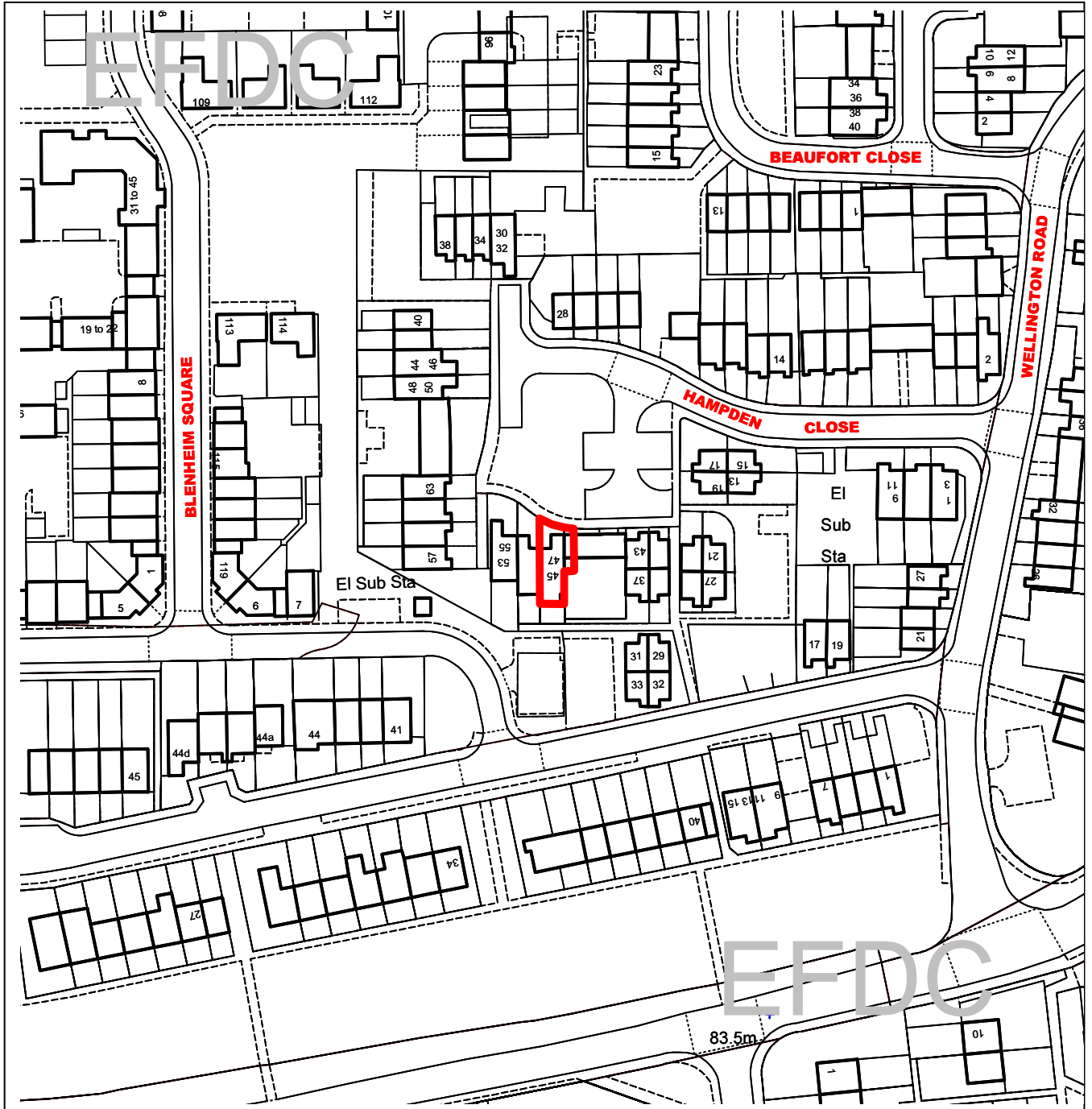
**Planning Application Case Officer: Lindsay Trevillian
Direct Line Telephone Number: 01992 564 337**

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



Epping Forest District Council

Area Planning Sub-Committee East



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

EFDC licence No.100018534

Agenda Item Number:	9
Application Number:	EPF/1861/12
Site Name:	45 Hampden Close, North Weald CM16 6JX
Scale of Plot:	1/1250