

Report Item No: 1

APPLICATION No:	EPF/2449/12
SITE ADDRESS:	Spriggs Oak Palmers Hill Epping Essex CM16 6SE
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	Spriggs Oak (Freehold) Ltd
DESCRIPTION OF PROPOSAL:	TPO/EPF/07/98 T3 - Sycamore - Fell T5 - Box Elder - Fell
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=544360

CONDITIONS

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

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

Description of Site:

This large red brick period property is located on the main road through Epping. Both trees stand in a mixed broadleaf and evergreen screen of trees and large shrubs along the eastern boundary of the site. At approximately 14 metres in height T3, Sycamore makes a strong contribution to this part of Palmers Hill, which is characterised by mature trees and hedging on both sides of the road, within Epping Conservation Area. T5, Boxelder (*Acer negundo*) also known as the ornamental

Ashleafed maple, stands at the corner of the building in the front lawn. It fills a gap in the boundary greenery.

Description of Proposal:

T3.Sycamore. Fell.

T5 Box elder. Fell.

Relevant History:

TRE/EPF/1270/09 was brought to planning committee and granted permission to fell the Sycamore but the permission expired after three years in September 2012, which has brought this proposal back for members' reconsideration.

Policies Applied:

Epping Forest District Local Plan and Alterations: LL9 Felling of preserved trees

SUMMARY OF REPRESENTATIONS:

No neighbours were notified since residents are informed at their own regular residents' group meeting.

EPPING TOWN COUNCIL: Had not commented at the time of writing this report.

Issues and Considerations:

The original reasons submitted to fell T3 sycamore were and remain the following:

- Unsuitable location for tree due to proximity to property.
- Structural problems caused to brick pier.
- Fears of subsidence to main building.

The reason given to fell T5 Box Elder is simply that two independent arborists have diagnosed the tree as being diseased, with advanced internal decay, which offers the tree little further life expectancy.

The main planning considerations are:

- Visual amenity of the trees.
- Tree condition and growth potential.
- Suitability of trees in current position.
- Pruning as an alternative to felling.
- Planning landscape issues.

Applicant issues

T3. Sycamore

Unsuitable tree for location

T3 is located badly at less than 3 metres from the property and directly in front of a ground floor window. It is now taller than the building and its crown extends close to it. The tree is a self set

seedling with a crooked stem. The wooden fence has been cut away to allow the tree to pass through and continue growing over the footpath.

The tree overpowers the ground floor flat and will cause problems to the wooden fence.

Damage to brick pier

Distortion to the brick pier is visible immediately adjacent to the tree at the property entrance and is almost certainly linked to the tree and will worsen in time. Because the pier fronts onto a busy footpath potential health and safety issues add to the case to remove the tree.

Fears of subsidence to main building

Without factual evidence, perceived fears hold little weight in the argument supporting the felling of the tree.

T5. Box Elder

Advice from two tree professionals suggests that the tree is at the end of its useful life due to extensive visible pockets and cavities exposing decayed heartwood. This evidence is clear to see and not contested.

Planning considerations

Visual amenity

T3, Sycamore is a prominent, vigorous and healthy tree. Its size and presence contributes well to the green character of this part of the Epping Conservation Area. Its amenity value is high and its loss would be noticed.

T5 Box elder can be seen from the road but is a more delicate, ornamental tree, set back further into the garden. Views of the tree are drawn by its attractive foliage. Its visual amenity is moderate.

Life expectancy

T3's life expectancy would exceed 20 years, despite the compromised trunk base.

T5 has less than 10 years of safe life expectancy, despite the crown displaying normal vigour. Its reliance on a severely dysfunctional stem, which may result in the tree falling against the building makes its retention unacceptable.

Suitability of T3 in current position

Sycamores can attain heights in excess of 20 metres and require a considerable amount of space. The relationship between the property, the brick pier and the close boarded fence is fundamentally incompatible and destined to worsen over time.

Pruning T3 as an alternative to felling

It is accepted that, in this instance, pruning the tree is not a viable option. This is because the severity of the reduction necessary to alleviate the shading issues, the subsequent vigorous and unsightly re growth stimulated by this treatment and the need to exercise repetitive ongoing management.

Planning landscape issues

Agreement to fell offers the opportunity to condition the planting of better specimens in more appropriate locations to mitigate their loss and ensure good long term landscape continuity. This should be carried out prior to the felling of the two trees

Conclusion:

The trees have public value but, poor health in the case of T5 and the location and growth of T3 through the boundary fence, causing structural issues close to the building and a busy thoroughfare justifies the removal of both trees.

It is recommended to grant permission to this application on the grounds that the reasons given provide sufficient justification to allow the trees to be removed. The proposal therefore accords with Local Plan Landscape Policy LL9.

In the event of members agreeing to allow the felling it is recommended that a condition requiring the replacement of both trees, prior to their removal, be attached as a condition.

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

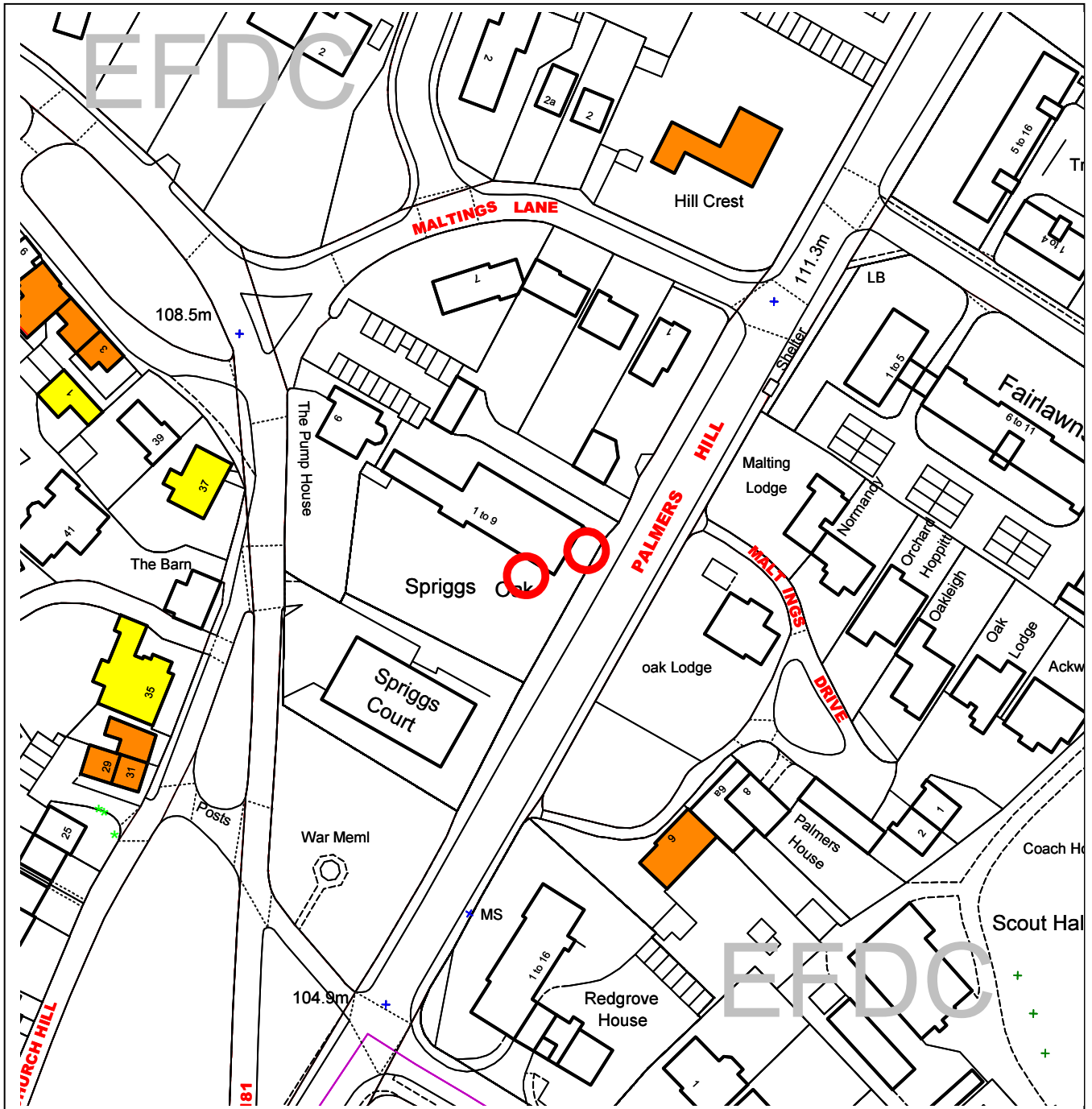
***Planning Application Case Officer: Robin Hellier
Direct Line Telephone Number: 01992 564546***

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



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	1
Application Number:	EPF/2449/12
Site Name:	Spriggs Oak, Palmers Hill Epping, CM16 6SE
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/2513/11
SITE ADDRESS:	Mulberry House Chelmsford Road High Ongar Essex CM5 9NL
PARISH:	High Ongar
WARD:	High Ongar, Willingale and the Rodings
APPLICANT:	Mr & Mrs Ray George
DESCRIPTION OF PROPOSAL:	Amended Masterplan proposal (including revised car park arrangement and landscaping proposals) for the demolition of structures including (chalet bedroom wing (17 Rooms), various outbuildings and hard standings associated with temporary marquee). Erection of replacement building to provide dining room, dedicated kitchen, reception lounge, 25 guest bedrooms and basement containing meeting room, office, gym and plant room. (Associated car parking and landscaping)
RECOMMENDED DECISION:	Grant Permission (Subject to Legal Agreement)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=533513

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No development shall take place until samples of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.
- 3 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Location Map; Location Plan; 0907/103 rev. A; 0907/103.1 rev. A; 0907/104 rev. A; 0907/105; 0907/106; 0907/107; 0907/108; 0907/109 rev. A; 0907/110 rev. B; 0907/111 rev. B; 0907/112 rev. B; 0907/113 rev. B; and 0907/114 and the Arboricultural Method Statement (May 2011).
- 4 Other than on New Year's Eve, the use of the dining/bar/reception room by guests shall cease at 23.30 on any day.

- 5 No amplified live music shall be played externally, nor other amplified noise source deployed externally nor shall fireworks be set off within the application site.
- 6 Any internally generated noise source shall be limited to 85dB(A)Lamax. All equipment and fittings installed in accordance with this condition shall thereafter be retained as approved in a functioning condition and maintained in accordance with their manufacturers' instructions, unless the Local Planning Authority has given its prior written consent to any variation.
- 7 No external lighting or hard landscaping (for example paths) shall be erected within the site without the prior written agreement of the Local Planning Authority.
- 8 Additional drawings that show details of proposed new windows, doors, rooflights, eaves, verges, fascias, cills, structural openings and junctions with the existing building, by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the LPA in writing prior to the commencement of any works.
- 9 Details and colours of all external pipes, extracts, grilles, flues, lights and any alarm boxes or satellite dishes to be fixed to the fabric of the building shall be submitted to and approved by the LPA prior to their installation.
- 10 A sample panel of brickwork shall be constructed on site showing the proposed brickbond, mortar mix and pointing profile to be used on the new build, to be agreed in writing with the LPA.
- 11 A schedule of works describing the proposed repairs to the garden wall, including the removal of wiring and lights, shall be submitted to and agreed in writing with the LPA prior to the commencement of works.
- 12 Prior to the commencement of the development hereby approved, details of surface water drainage shall be submitted to the Local Planning Authority for approval in writing. The development shall proceed in accordance with the agreed details.
- 13 If any tree, shrub or hedge shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.
- 14 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules

of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 15 A Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Subject to the completion, within 3 months, of a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure the following:

- 1. The removal of structures including the rockeries, marquee, hard standing and access road within 3 months of the first occupation of the extension;**
- 2. To complete works to repair the garden wall within 3 months of the first occupation of the extension; and**
- 3. Not at any time following the grant of planning permission to implement the additional car park, permitted under planning application ref: EPF/2132/00.**

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

This application was previously considered by the Committee at its meeting of 19th December, when it was agreed to defer a decision pending the Committee undertaking a site visit. That site visit will have taken place by the date of this meeting.

Description of Site:

A Grade II listed building which is used as a training and conference centre, Christian retreat, guest house, restaurant and function rooms. There have been a number of ancillary buildings granted on the site in the last 20 years to accommodate these uses. The site is 150m to the north-west of the village envelope of High Ongar and immediately to the south of the A414. The whole site is within the Green Belt.

Description of Proposal:

This application seeks planning permission for extensive works within the application site. These works would involve the demolition of the existing chalet guest accommodation to the side of the Mulberry Suite and also several sheds and other outbuildings. The application also confirms (by

way of unilateral undertaking), the Applicant's intention to remove a number of unauthorised structures from the site including a marquee and related hard surfaced area and the rockery features which are situated either side of the entrance to the site from the A414.

The application proposes the erection of substantial additions which would facilitate a meeting room and gym at basement level; a 140 cover dining room with reception lounge/bar and 13 guest bedrooms at ground floor level; and a further 12 guest bedrooms at first floor level.

No change is proposed in relation to existing car parking provision, although the Applicant does propose, by way of a Unilateral Undertaking under Section 106, not to implement an extant planning permission for the addition of an additional car park to the front of the main buildings.

Relevant History:

Extensive planning history – relevant entries include:

EPF/2131/00. Change of use from a mixed use comprising training/conference centre and Christian retreat with residential accommodation to a mixed use comprising training/conference centre, Christian retreat, guest house, restaurant and function rooms. Refused planning permission, but subsequently granted at appeal following Public Inquiry.

EPF/2132/00. Resurfacing of existing car park, increase in car parking area, associated landscaping, increase in maximum number of guests present on site at any one time to 140. Refused planning permission, but subsequently granted at appeal following Public Inquiry.

EPF/0648/09. Variance of condition 7 of EPF/2131/00 allowed on appeal 30 May 2002. Application for restaurant use to be permitted in dining room and garden room (conservatory) from 7am until 11.30pm - seven days per week. Approved 13/08/2009.

Several planning applications have been submitted for the erection/retention of a marquee since 2009. These have been refused planning permission and enforcement action has been taken in respect of the marquee, which has been erected seasonally.

EPF/2322/10. Demolition of chalet bedroom wing (17 Rooms), various outbuildings and hard standings (associated with temporary marquee) and erection of replacement building to provide dining room, dedicated kitchen, reception lounge, 25 guest bedrooms and basement containing meeting room and ancillary facilities comprising office, gym and plant room. Application withdrawn.

EPF/2692/10. Entrance feature comprising rockery, ponds and retaining walls. Application withdrawn.

Planning Enforcement

ENF/0408/11. Marquee erected no planning permission. Enforcement Notice served 31/10/2011

Policies Applied:

GB2A	Green Belt Policy
GB7A	Conspicuous Development
DBE1	Design
DBE9 &RP5A	Adverse environmental impacts
ST6	Parking
HC12	Setting of a Listed Building
LL11	Landscaping Schemes

Summary of Representations:

Notification of this application was sent to High Ongar Parish Council and to 1 neighbouring resident. A site notice was also displayed on Chelmsford Road, opposite the site entrance.

The following representations have been received:

HIGH ONGAR PARISH COUNCIL. Objection. The Parish Council **object** to the above application on the basis that it is both detrimental to a listed building and the green belt. It does not agree that the very special circumstances which permit development within the green belt have been met and I attach a listing of observations and comments which was produced by ward councillors after studying the plans.

The Parish Council have a copy of the title deeds for this property which show that in the Conveyance of the land dated 7 January 1976 a covenant exists which restricts what could take place at Mulberry House and I attach a copy of the title deeds that gives further details. However, it is likely that there is an amendment to this covenant dated July 2004 and a copy has been requested from the Land Registry for more information.

Further notes made by the Parish Council in relation to the application submission are attached at Appendix 1.

SPADGERS, THE STREET. Objection. I would like to register my strong opposition to the redevelopment of Mulberry House. I have lived in High Ongar 13 years and Mulberry House was open as a Christian retreat and now just appears to be a growing commercial business. I believe the current venue is large enough and any further redevelopment would affect the local area in a negative way. Please take this email as my strong objection to the proposed development.

Issues and Considerations:

The main issues in this case are the impacts of the proposed development on:

Neighbouring Amenity;
The open character and appearance of the Green Belt;
The setting of the listed building;
Trees and Landscaping; and
Parking and Highways.

Neighbouring Amenity

The recent use of the unauthorised marquee within the site has generated significant levels of complaint from nearby local residents who have had their amenity considerably harmed by noise and disruption from events at the site late into the night. Whilst the submitted legal agreement would oblige the Applicant to remove the marquee and associated area from the site, only limited weight is given to this benefit of the proposal – as the removal of these unauthorised structures can also be secured by means of a current effective enforcement notice.

In relation to the proposed development, events would be contained within solid buildings and there would be no overall increase in the number of guests/visitors permitted to be present on site at any one time (limited by planning condition to 140 people). Subject to the repetition of planning conditions relating to permitted hours and noise levels, it is not considered that there would be any increased harm caused to residential amenity.

The open character and appearance of the Green Belt

The site is located in the Green Belt and this provides the main constraint to the future development of the site. The impacts of the proposed development on the open character and appearance of the area must be considered and if any harm is found to be caused to the open character of the Green Belt then this harm must be outweighed by very special circumstances.

The application proposes the demolition of some structures. No weight should be applied to the removal of structures which are unauthorised (including the marquee, its hard standing and the rockery entrance features) – on the basis that powers exist to remove those anyway.

The proposed development would result in the demolition of the existing guest rooms to the side of Mulberry House and also several existing outbuildings.

The demolition of the existing guest accommodation would result in a loss of approximately 557.5m² in floor area and (having regard only to the development above ground level) approximately 2034.8m³ in volume.

The sheds to be removed (excluding the glasshouses, which by their nature have a less significant impact on the Green Belt) amount to a total floor area of approximately 140m² and applying an approximately average height of 2.5m to these buildings, a volume of approximately 350m³ would be lost.

Accordingly, the total lost floor space arising from the development would be 697.5m², representing a volume of approximately 2384.8m³.

The proposed development would loosely follow along similar lines to that which exists at present when viewed in elevation form, with the exception of the 'cottage' style building located at the end of the wing, which would increase the footprint of the building form.

The proposed development would provide two storeys of accommodation where only single storey buildings exist at present – however, this may be accommodated within loosely the same height as the existing building, on the basis that quite substantial ground works would be undertaken to sink the building into the ground (the exact level of the building may be controlled by the imposition of a planning condition requiring the Council's approval of levels prior to the commencement of works).

Estimations of the proposed floor area and volume as calculated from the submitted plans are that the proposal would result in the addition of approximately 908m² representing a volume of approximately 4,153.5m³.

Accordingly, whilst the proposed development would see an increase in the footprint of buildings by approximately 30%, the volume increase would be much greater at approximately 74%, due to the increased height of the proposal in relation to existing buildings. It is considered that these increases and also the increased prominence of the 'cottages' element of the development result in a significant impact upon the openness of the Green Belt. The development is, therefore considered to be inappropriate development within the Green Belt.

This view is contrary to that expressed by the Applicant's Agent, who has stated during the course of this planning application: *Paragraph 89 clarifies that the construction of new buildings should be regarded as inappropriate in the Green Belt, except for certain defined exceptions. Of the exceptions, which are set out in six bullet points, the current proposal suitably adheres to bullet point six:*

“Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.”

The proposal clearly represents the suitable redevelopment of a previously developed site with no greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. It does this through the erection of proposed built form in lieu of the demolition of existing structures on the site which are of a comparable footprint and scale to the proposal though of inferior design.

In being in accordance with bullet point six the proposal constitutes appropriate development in the Green Belt which does not require a demonstration of very special circumstances. Notwithstanding this position, very special circumstances exist in any case, as set out in the original planning application submissions.

The Planning Officer has considered the opinion of the Applicant’s agent, but does still consider that the redevelopment would have a greater impact on the openness of the Green Belt and would, therefore, be inappropriate development in the Green Belt. However, this does not mean that the application is necessarily unacceptable – consideration must first be given to whether or not there are very special circumstances which exist which would justify permitting the inappropriate development within the Green Belt.

Several key issues are relevant when considering the case for very special circumstances:

- The proposed development would be considerably more attractive than that which exists at present – result in a significant improvement to the character and appearance of the site.
- In addition to appearing more aesthetically pleasing, as above, the development would also be far more complementary to the setting and narrative of the historic building and, as a result, has the support of Historic Buildings Advisors at Essex County Council.
- The site contains an events venue which, if successfully operated, would benefit the local economy, in terms of direct employment and also linked revenue to other local business within the District. High Ongar Parish Council has raised concern regarding the lack of any economic appraisal to justify the Applicant’s position that the development will aid the viability of the venue, which it presently advises is running at a loss, being financially supported by the Applicant (the applicant advises, to the sum of £370,000 per annum). However, on the basis that it is readily clear that the proposed development would improve the attractiveness of the venue to prospective clients, Officers do not consider it necessary to require such an appraisal to be submitted. In any event, there would be no factual information relating to revenues following the completion of this development and any such appraisal would be dependant on the Applicant’s own forecasts and therefore difficult for the Council to independently appraise. It is clear to the Officers that the operation of an economically viable business from the site is essential to the long term future of Mulberry House, which is a local heritage asset.
- The submitted unilateral undertaking forfeits the implementation of an additional car park (previously approved to the front of the main building) which has a continuing extant planning permission on the basis that it formed part of a consent which has previously been commenced.
- It is also argued that the Applicant’s costs in providing the ghosted right hand turn land from the A414 into the site (a requirement imposed following the successful 2002 appeal)

were disproportionate and accordingly some economic return is necessary – however, the highway improvement works already exist and have previously been provided as very special circumstances for earlier developments at the site. It is not, therefore, considered by officers that significant weight may be applied to this issue when determining the extent of the very special circumstances.

As always, the issue of balancing inappropriate development within the Green Belt against a case for very special circumstances is difficult. However, in this case the aesthetic improvements to the development are significant. The impact of the scale and mass of the development when viewed from the A414 would be minimised by the articulation afforded by the design which is broken down into several distinct elements. Furthermore, views of the extensions from this public vantage point would be softened by the existing planting along this boundary of the site. On the basis of this and the considerable improvements to the setting of the listed building, it is the opinion of Planning Officers that considerable benefits exist in this case which outweigh the harm caused to the openness of the Green Belt.

The setting of the listed building

The Senior Historic Buildings Advisor at Essex County Council has been consulted on the planning application and has commented as follows:

The demolition and redevelopment proposals should enhance the setting of the listed building considerably, removing features which severely detract from the setting of the listed building and replacing them with structures of complementary design.

Subject to the imposition of several recommended planning conditions, the Historic Buildings Advisor is supportive of the proposal. On the basis of this professional advice, it is also the opinion of planning officers that the proposed development would not cause any harm to the setting of the listed building and would, on that basis, accord with both local and national planning policies.

Trees and Landscaping

The Council's Arboricultural Officer originally objected to the planning application, on the basis of discrepancies between the tree protection plans and the architectural plans. However, following the correction of this matter, the Arboricultural Officer has provided the following comment:

The information provided indicates the removal of the unpleasant rockeries and the hardstanding and a detailed planting scheme for the entrance area. I take it from the "Removals" plan that the additional car parking/ turning area associated with the wedding marquee is to be removed as well, which will also be beneficial.

This is an important and visually prominent building with an equally important landscape setting. As I see it the proposal benefits both. At the moment there is a good balance between the main house, (which is a big house, rather than a mansion), its subsidiary outbuildings and the surrounding landscaped grounds, well planted with (largely) appropriate trees. The proposals retains that, and possibly improves the relationship between house and outbuildings, removes undesirable features, (although there would be planning enforcement routes to achieve the same ends in most cases) and potentially enables significant improvement to the landscape context, by positive management of what is there, and appropriate new planting.

There are trees shown to be removed, but none significant or visually important. The new trees shown will be more than adequate compensation.

On the basis of the Officer's advice, it is the opinion of planning officers that the proposed development would not cause any harm to trees within the site, or to its landscape setting.

Parking and Highways

Access to the site would continue via the existing drive leading from the A414.

It is proposed to retain the existing (70) car parking spaces. No additional car parking is proposed and as referred to above, it is also proposed that the extant planning permission for an additional car parking area to the front of the main building will be foregone.

Whilst the level of accommodation and facilities within the site will be significantly increased, the Applicant specifically states that the number of guests on site at any one time will be retained at the existing cap of 140 people (the extensions will just provide more efficient space for accommodating those guests throughout the duration of an event).

On this basis, it is considered that the retention of existing levels of car parking is sufficient.

Other Matters

Flood Risk – Officers within the Council's Land Drainage Section have been consulted on the planning application and have commented as follows:

The site does not lie within an EFDC flood risk assessment zone, but the development is of a size where it is necessary to avoid generating additional runoff and the opportunity of new development should be taken to improve existing surface water runoff – the Applicant has provided a Flood Risk Assessment with the application and we agree with the findings in principle. Because the site lies within the Environment Agency's designated Flood Zone 2, the Applicant should refer to the EA's standing advice. The Applicant proposes to discharge surface water by sustainable drainage system, further details are required – this may be secured by the imposition of a planning condition.

Legal Agreement – The Applicant has submitted a unilateral undertaking which would oblige them to remove existing structures within the site (including the rockery, marquee and its hard standing), to complete repair works to an existing garden wall and would also prevent them from implementing an extant planning permission for additional car parking following the commencement of the development which is the subject of this planning application. Two amendments to this undertaking have been sought by the Planning Officer:

1. That the structures to be removed include the access road which leads from the hard surface below the marquee to the main drive into Mulberry House; and
2. That the obligation not to implement the additional car parking is triggered by the granting of planning permission rather than by its implementation – this would prevent the possibility of the Applicant installing the additional car parking following the grant of planning permission but prior to its implementation.

Conclusion:

The development is inappropriate within the Green Belt and would result in a considerable increase the built volume within the site. However very special circumstances, as referred to previously within this report, exist which would, on balance, justify permitting the development. Furthermore the proposal would be satisfactory in respect of other policy considerations, including the impact on nearby neighbouring residents, the character and appearance of the area, the setting of the listed building, the landscape setting of the site and matters of parking and highway

access. It is, therefore, the balanced recommendation of Officers that planning permission be granted subject to the submission of a revised unilateral undertaking to take account of the above. It is also requested that the Committee authorises Officers to refuse planning permission, in the event that reasonable progress is not made to complete a satisfactory agreement under Section 106 within 3 months of the date of this committee.

Appendix 1: Further Comments made by High Ongar Parish Council

NOTES ON PLANNING APPLICATION EPF/2513/11 MULBERRY HOUSE RETREAT AND LEISURE LTD

REPLIES

ITEM 6 Any new public roads within site – ‘No’

COMMENTS ON REPLIES

New roads will have to be made to access new proposed building entrances

ITEM 10. Vehicle Parking.
Existing number of spaces - 70
(+ 2 disabled parking bays)

Proposed number of spaces – 70 +2 disabled
no change despite increase in covers in restaurant, increase in numbers staying overnight plus increase in staff – ignoring conference needs, and increase in area.

ITEM 18. Class A3 Restaurants and cafes
– no floor space entered.

Restaurant has been operating on site for some considerable time.

Class C1 Hotels and halls of residence – 604 sq.m
Class D1 Non-residential No floor space entered despite existing conference suite
Total Existing floor space = 604 sq.m

Increase to 1115 sq.m – almost doubled
Increase to 709 sq.m

Proposed floor space = 1824.6 sq.m treble the previous amount.

ITEM 19 Employment
Existing Full time = 21
Existing Part time = 40

Proposed Full time = 23 +2
Proposed part time = 45 +5

ITEM 24. Visibility from public road, footpath, bridleway or other public land – stated ‘No’

Highly visible from A414 thanks to removal of hedge and can be seen from public footpath (Essex Way).

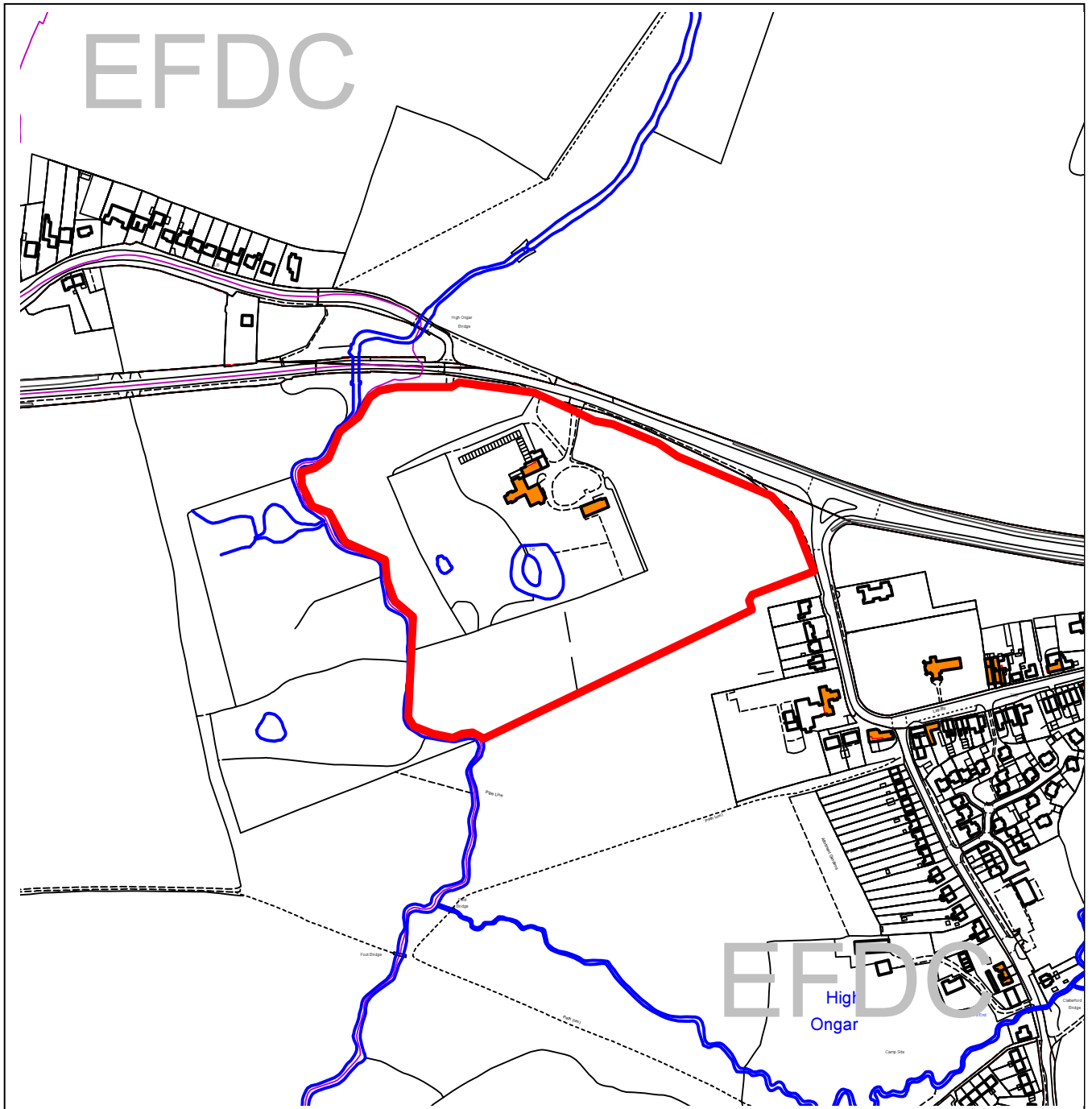
Additional questions - How many other bedrooms are there in e.g. The Mulberry Suite? (*answer given as 5 doubles, some of which are Family rooms*)

How many staff bedrooms and how many staff will be required to stay overnight? (*no answer given*)



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	2
Application Number:	EPF/2513/11
Site Name:	Mulberry House, Chelmsford Road High Ongar, CM5 9NL
Scale of Plot:	1/5000

Report Item No: 3

APPLICATION No:	EPF/1924/12
SITE ADDRESS:	261 High Street Epping Essex CM16 4BT
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	Mr G DiPiazza
DESCRIPTION OF PROPOSAL:	Conversion of office space (disused) into 3 no. self contained flats and alterations to existing bedsits into a single self contained flat.
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=542180

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: 08003.SP, 08003.002 Rev: P1, 08003.003 Rev: P1, 08003.004 Rev: P1

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))

This application was deferred from the Area Plans Sub Committee East on the 19 December 2012 in order that Members could undertake a Site Visit.

Description of Site:

Grade II listed building with an 18th century or earlier historic shop front, which is considered extremely important to the building, and 19th century and later extensions to the rear. The site is located within the key frontage of Epping Town Centre and accessed by way of an undercroft pedestrian walkway to the side of the unit. Vehicle access is also available from Buttercross Lane. The property contains a restaurant at the ground floor and a mix of a three bed bedsit and offices on the first floor.

Description of Proposal:

Consent is being sought to convert the existing offices into three self contained flats consisting of 1 no. two bed, 1 no. one bed and 1 no. studio flat, and to alter the existing bedsit into 1. no. two bed flat. The three new flats towards the rear of the site would be served by a shared entrance whilst the converted bedsit would benefit from its own separate entrance. There would be no alterations to the ground floor and no extensions to the existing building.

Relevant History:

EPF/1924/00 - External fire escape staircase and change of use of first floor to offices and bedsits – approved/conditions 14/03/01

EPF/1652/04 - Erection of first and second floor rear extension to provide 4 no. two bedroom apartments – refused 01/11/04

EPF/0198/05 - Erection of first floor extension with rooms in roof to provide 3 no. flats (revised application) – refused 22/06/05

EPF/1265/05 - Erection of first floor extension with rooms in roof to provide 3 no. flats (revised application) – approved/conditions 14/09/05

Policies Applied:

CP1 – Achieving sustainable development objectives

CP2 – Protecting the quality of the rural and built environment

CP7 – Urban form and quality

DBE8 – Private amenity space

DBE9 – Loss of amenity

E4A – Protection of employment sites

HC6 – Character and appearance and setting of conservation areas

HC7 – Development within conservation areas

HC13 – Change of use of listed buildings

TC1 – Town centre hierarchy

TC3 – Town centre function

ST1 – Location of development

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.

Consultation Carried Out and Summary of Representations Received:

8 Neighbouring properties were consulted and a Site Notice was displayed on 28/10/12 in relation to LB/EPF/1938/12.

TOWN COUNCIL – Object. Committee believes that retention of employment premises within the town centre should remain a priority over housing.

Issues and Considerations:

The main issues to be addressed in this case are the principle of the development in this location, whether the change of use would be detrimental to the listed building and conservation area, and whether there would be any harmful impact on the amenities of surrounding or future occupiers.

Principle of development:

Local Plan policy TC3 states that, in town centres, the Council will “*permit residential accommodation in appropriate locations but not at ground floor level*”, and the NPPF states that LPA’s should “*recognise that residential development can play an important role in ensuring the vitality of centres and set out policies to encourage residential development on appropriate sites*”.

Notwithstanding the above, Local Plan policy E4A states:

Sites currently or last in use for employment but outside the defined employment areas will be safeguarded from redevelopment or change of use to other land-uses. Housing on redundant employment land will be regarded favourably but any changes to this or other land uses will only be permitted in circumstances where it has been shown by an independent appraisal that either:

- (i) the site is particularly poorly located in relation to housing or access by sustainable means; or**
- (ii) there are material conflicts with adjoining land uses (e.g. by reason of noise, disturbance, traffic, environmental and amenity issues); or**
- (iii) existing premises are unsuitable in relation to the operational requirements of modern business; or**
- (iv) there is a demonstrable lack of market demand for employment use over a long period that is likely to persist during the plan period;**

and there are very significant development or infrastructure constraints, making the site unsuitable or uneconomic to redevelop for employment purposes.

The application site is located within Epping town centre with good access to shops, services and public transport links, and is therefore considered to be a sustainable location for residential development. Furthermore, given that the current employment use is for offices, it is not considered that this would materially conflict with adjoining land uses. As such, points (i) and (ii) of policy E4A cannot be argued in this instance.

The applicant submitted a letter stating that:

“We confirm that the offices at the above mentioned property were vacated by the previous tenant over 12 months ago.

Since that period, we have actively marketed the property. We have not received any interest to occupy the property as offices and to date, the offices remain vacant.

Demand for offices at this property has been non-existent”.

Further to this letter, an email from ‘Partners Employment Lawyers’ has also been submitted stating that:

“I confirm I was a tenant at [261a] High Street for some years. We had tried for over a year to assign the premises with two separate agents including Lloyds Commercial Agents. We also approached companies directly without success. We had two viewings over that period but no interest at all. In the end we had no choice but to surrender the lease.

I can therefore confirm there is a lack of demand and that numerous attempts have been made to rent or assign the premises”.

Furthermore, the site is still being advertised and continues to have a large sign up advertising ‘**1st Floor Office To Let**’. Due to the above, it is considered that the property has been adequately

advertised for employment purposes for a sufficient period without interest and therefore there is a lack of market demand for these premises.

Whilst the application site is located within a sustainable location, and the Town Council considers that employment use should remain a priority over additional housing, the application site is a listed building and as such any extensive alterations or redevelopment to provide up-to-date, modern facilities would likely be deemed unacceptable. Therefore, this site is considered to be severely restricted in terms of retaining suitable employment use. As the residential use of this site can be achieved through minimal internal and no external alterations, this is considered to be a preferable and more feasible use of this listed building and would comply with policy E4A (iii) and (iv).

Planning consent was previously granted for a new first floor extension (with habitable space within the roof space) to the rear of the application site, which incorporated three new residential flats. This consent shows that the principle of additional residential use on this site is considered acceptable.

Conservation issues:

This Grade II listed building comprises an 18th century or earlier frontage building with a 19th century rear extension, added in the Edwardian period and further extended in 1969. Whilst the frontage building contains the greatest historic significance, the 19th and early 20th century extensions do also contain a degree of significance with internal features of interest, including some raised and fielded panelled doors and Edwardian fireplaces.

No significant change is proposed within the frontage building, as this is simply being converted from a three bed bedsit to a two bed flat (with one previous bedsit being changed to a kitchen/lounge). The changes to the rear section of the building are minimal, as the majority of existing walls and divisions are to be retained. The alterations to the corridor to create a bathroom and moved doorways are considered reasonable, subject to two of the more historic doors being reused in the new layout.

The proposed layout appears to allow fire and sound regulations to be accommodated without loss of features, but any additional works must be sensitively executed and any new doors should be of sympathetic design. However it is not considered that the proposed conversion would detrimentally impact on the historic features or character of either the Grade II listed building or the wider conservation area.

Amenity concerns:

The site is surrounded by other commercial and residential first floor units and only overlooks rear yard areas. As such there would be no loss of amenity to any sensitive neighbours.

The proposal does not provide any private or communal amenity space for future occupants of the flats, however this is often not required in town centre locations such as this. There is an existing yard area serving the entire unit, which provides access and bin storage space, however the application form states that there are no parking spaces existing or proposed, so it is assumed that this is unavailable for parking provision. However, once again, the vehicle parking standards can be reduced within town centre locations, and in this particular instance (due to the limited site area and extremely sustainable location) it is considered that a zero parking scheme would be acceptable.

Conclusion:

As the existing office has been marketed for a period of at least 12 months (and is continuing to be advertised) without any interest, it is considered that there is no market demand for these premises, which is severely restricted in its potential to be enhanced, modernised or redeveloped. The proposed residential use within this first floor can be achieved without harming the historic fabric or character of the listed building or wider conservation area, and would be in line with both National guidance and Local Plan policies. Whilst the proposed flats would not be served by any amenity space or off-street parking it is considered that, due to the location and limitations of the site, the lack of this would be considered acceptable in this instance. Members should be aware that a previous enforcement notice against the change of use of a first floor office to a flat at no. 53 High Street, Epping was quashed on appeal in 2010 because there was evidence of marketing and lack of interest in office use.

Given the proposal complies with the relevant Local Plan policies, the application is recommended for approval.

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

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

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



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	3 & 4
Application Number:	EPF/1924/2 & EPF/1938/12
Site Name:	261 High Street, Epping, CM16 4BT
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/1938/12
SITE ADDRESS:	261 High Street Epping Essex CM16 4BT
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	Mr G DiPiazza
DESCRIPTION OF PROPOSAL:	Grade II listed building application for the conversion of office space (disused) into 3 no. self contained flats and alterations to existing bedsits into a single self contained flat.
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=542243

CONDITIONS

- 1 The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 08003.SP, 08003.002 Rev: P1, 08003.003 Rev: P1, 08003.004 Rev: P1
- 3 The doors to be removed to create the new layout of Flat 1, as shown on drawing No. 08003.004 Rev: P1, shall be reused within Flat 1 and retained as such thereafter.
- 4 Any new doors or additional works required to address Building Regulations shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of these works taking place.

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))

This application was deferred from the Area Plans Sub Committee East on the 19 December 2012 in order that Members could undertake a Site Visit.

Description of Site:

Grade II listed building with an 18th century or earlier historic shop front, which is considered extremely important to the building, and 19th century and later extensions to the rear. The site is located within the key frontage of Epping Town Centre and accessed by way of an undercroft pedestrian walkway to the side of the unit. Vehicle access is also available from Buttercross Lane. The property contains a restaurant at the ground floor and a mix of a three-bed bedsit and offices on the first floor.

Description of Proposal:

Grade II listed building consent is being sought to convert the existing offices into three self contained flats consisting of 1 no. two bed, 1 no. one bed and 1 no. studio flat, and to alter the existing bedsit into 1. no. two bed flat. The three new flats towards the rear of the site would be served by a shared entrance whilst the converted bedsit would benefit from its own separate entrance. There would be no alterations to the ground floor and no extensions to the existing building.

Relevant History:

LB/EPF/1944/00 – Grade II listed building application for an external fire escape staircase and change of use of first floor to offices and bedsits – approved/conditions 14/03/01

LB/EPF/1266/05 – Grade II listed building application for the erection of first floor extension with rooms in roof to provide 3 no. flats (revised application) – approved/conditions 23/09/05

Policies Applied:

HC6 – Character and appearance and setting of conservation areas

HC7 – Development within conservation areas

HC13 – Change of use of listed buildings

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:

A Site Notice was displayed on 28/10/12.

TOWN COUNCIL – Object. Committee believes that retention of employment premises within the town centre should remain a priority over housing.

Issues and Considerations:

The main issues to be addressed in this case are whether the change of use would be detrimental to the listed building and conservation area.

This Grade II listed building comprises an 18th century or earlier frontage building with a 19th century rear extension, added in the Edwardian period and further extended by 1969. Whilst the frontage building contains the greatest historic significance, the 19th and early 20th century extensions do also contain a degree of significance with internal features of interest, including some raised and fielded panelled doors and Edwardian fireplaces.

No significant change is proposed within the frontage building, as this is simply being converted from a three bed bedsit to a two bed flat (with one previous bedsit being changed to a kitchen/lounge). The changes to the rear section of the building are minimal, as the majority of existing walls and divisions are to be retained. The alterations to the corridor to create a bathroom and moved doorways are considered reasonable, subject to two of the more historic doors being reused in the new layout. This can be controlled by way of a condition.

The proposed layout appears to allow fire and sound regulations to be accommodated without loss of features, but any additional works must be sensitively executed and any new doors should be of sympathetic design. Subject to the imposition of a condition requiring this, it is not considered that the proposed conversion would detrimentally impact on the historic features or character of either the Grade II listed building or the wider conservation area.

Conclusion:

The proposed residential use within this first floor can be achieved without harming the historic fabric or character of the listed building or wider conservation area, subject to conditions, and therefore would be in line with both National guidance and Local Plan policies. As such, the proposal complies with the relevant Local Plan policies and the application is recommended for approval.

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

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

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

Report Item No: 5

APPLICATION No:	EPF/1996/12
SITE ADDRESS:	Valley View Curtis Mill Lane Stapleford Abbots Romford Essex RM4 1HS
PARISH:	Stapleford Abbots
WARD:	Passingford
APPLICANT:	Ms E Stevens and Mr J Smith
DESCRIPTION OF PROPOSAL:	Part retrospective application for the change of use of land to include stationing of caravans for occupation by gypsy-traveller family with new access, fencing, gates, hardstanding, utility block and cess pool/septic tank.
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=542497

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Plan 1, Plan 2 and Plan 3
- 2 The change of use of the land and the siting of the mobile home hereby permitted shall be for the benefit of Ms Emma Stevens and Mr Jack Smith and their resident dependants, and shall be for a limited period ending in January 2017, or at such time the premises are no longer occupied by the persons named above, whichever is the shorter.
- 3 When the land ceases to be occupied by those named in condition 1 above, or at the end of January 2017, whichever shall first occur, the use hereby permitted shall cease and all caravans, buildings, structures, materials and equipment brought on to the land, or works undertaken to it in connection with the use shall be removed and the land restored to its condition before the development took place.
- 4 No more than 2 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 shall be stationed on the site at any time.
- 5 Unless within 3 months of the date of this decision a Flood Risk Assessment is submitted in writing to the Local Planning Authority for approval, and unless the approved scheme is implemented within 3 months of the Local Planning Authority's approval, the use of the site hereby permitted shall cease until such time as a Flood Risk Assessment is approved and implemented; and if no scheme in accordance

with this condition is approved within 18 months of the date of this decision, the use of the site hereby permitted shall cease until such time as a scheme approved by the Local Planning Authority is implemented.

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 red lined application site is roughly rectangular measuring 25m x 20m fronting onto Curtis Mill Lane, an unmade road within a relatively rural area. The proposal has been implemented with 2m high fencing, a utility block, and mobile home already in situ. The application site is within the Metropolitan Green Belt and is within an Epping Forest District Council flood risk assessment zone. The opposite side of Curtis Mill Lane is within Brentwood Borough Council as is the entrance to Curtis Mill Lane from Murthing Lane.

Description of Proposal:

The proposal seeks retrospective planning permission for the change of use of the land to include stationing of caravans for occupation by gypsy-traveller family with new access, fencing, gates, hard standing, utility block and cess poll/septic tank. The works have, in the main, now been completed. This application was submitted following an enforcement investigation.

Relevant History:

No relevant history

Policies Applied:

Epping Forest District Local Plan and Alterations

GB2A - Development in the Green Belt.

H10A - Gypsy Caravan Sites

DBE2 – Effect on Neighbouring Properties

CP2 - Protecting the Quality of the Rural and Built Environment

LL1 - Rural Landscape

LL2 - Inappropriate Rural Development

U2B – Flood Risk Assessment Zones

Summary of Representations:

STAPLEFORD ABBOTTS PARISH COUNCIL – The Parish Council strongly oppose the application on the following grounds:

1. The land is designated Green Belt
2. The development is not sustainable
3. The hardstandings are likely to cause a drainage problem

NEIGHBOURS

7 neighbours were consulted and a site notice erected: No responses received

BRENTWOOD BOROUGH COUNCIL – Inappropriate within the Green Belt, applicant must show special circumstances to justify granting planning permission

Issues and Considerations:

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

- Impact on the Green Belt
- Flood Risk

Impact on the Green Belt

The site lies within the Metropolitan Green Belt and the proposal constitutes inappropriate development which, by definition, is harmful to the Green Belt as it does not fall within the exemptions listed within the NPPF/policy GB2A. Notwithstanding this policy H10A of the Local Plan Alterations states: *“In determining applications for Gypsy Caravan sites within the Green Belt the Council will have regard to (i) whether there are any very special circumstances which would justify an exception to the Green Belt policies of restraint, and (ii) The impact on the openness of the Green Belt and the character and appearance of the Countryside”*. As such planning permission should only be given if there are considerations that outweigh this harm.

Given the distance to neighbouring properties it is not considered that amenity is an issue and therefore other than flood risk (discussed in detail below), the determination of this application rests on the issue of whether there are ‘very special circumstances’ to justify an exception to Green Belt policy.

The application was accompanied by a detailed statement providing further details of the circumstances of this application. The site was gifted to one of the applicants (Ms. Stevens) by her parents who own nearby Oak Farm. Ms Stevens is from the settled community however her partner, Mr Smith, is a Romany Gypsy and Ms. Stevens has adopted the travelling way of life.

Previously the couple have travelled during the summer and over-wintered with Ms. Stevens’ parents or with cousins of Mr Smith, they now need to be settled for their 4 year old daughter who has a place at Stapleford Abbots Primary School, where she is currently at nursery. Mr Smith’s family own an authorised site in Collier Row, however there is no additional room at this site for the applicant’s family. Both applicants are from the area and Mr Smith has never lived in housing and would not consider doing so. Both applicants therefore have ties to the wider area and immediate locality

In addition to this the site is considered particularly suitable as although in a relatively rural location it is adjacent to grazing land within the same ownership for the couple’s horses which they buy and sell.

It is not considered however that this information, on its own, would amount to very special circumstances. However, notwithstanding this, there is a recognised need for additional Gypsy/Traveller pitches within the District and the Council does not have an up-to date five-year supply of sites. Government guidance issued in March 2012 ‘Planning policy for traveller sites’ states that:

‘if a local planning authority cannot demonstrate an up-to-date five-year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission’.

Therefore a temporary permission, where there is no presumption that a temporary planning permission should become permanent, is an option until such time as the five year supply can be demonstrated and other sites made available.

The argument for an outstanding need for Gypsy sites was assessed by the Planning Inspector on the Auburnville appeal (Carthegena Estate, Nazeing), which was dealt with thoroughly at a Public Inquiry, and it is stated within the appeal decision that:

“The Council indicates that Policy H10A was prepared and adopted having regard to quantitative assessments at that time. Even so, this criteria-based policy is now somewhat out-of-date and does not reflect the Circular 01/2006 guidance. The current inadequacies of the Development Plan Gypsy policy background is a material consideration of some weight in this appeal”.

It is acknowledged that the application will have some impact on the Metropolitan Green Belt as it is new development within the Green Belt, however it is an expectation that most sites will be within the Metropolitan Green Belt given the wording of policy H10A. With regards to part ii) of the policy it is to what extent this impact may have on the surrounding Green Belt area. This site, although enclosed by panel fencing to the front, to the rear is enclosed by post and rail fencing which retains a degree of openness, and the buildings are relatively low level, which again reduces any prominence of the development.

There is a general concern that most of this Council's current Gypsy provision is concentrated within the western part of the District. This application helps towards redressing this imbalance.

Flood Risk

The site lies within an Epping Forest District flood risk assessment zone, as the impervious surfaces have increased beyond the threshold of 50m² there is likely to be an increase in surface water runoff. The Council's land drainage team have requested a flood risk assessment condition to address any runoff issues. In addition to this the application included details of the foul drainage and the Land Drainage Team consider these to be adequate.

Conclusion:

Although there is clearly some impact on the openness of the Green Belt it is considered that on balance given the above special circumstances and the unmet need for Gypsy/Traveller pitches within the District this application is recommended for approval on a temporary basis.

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

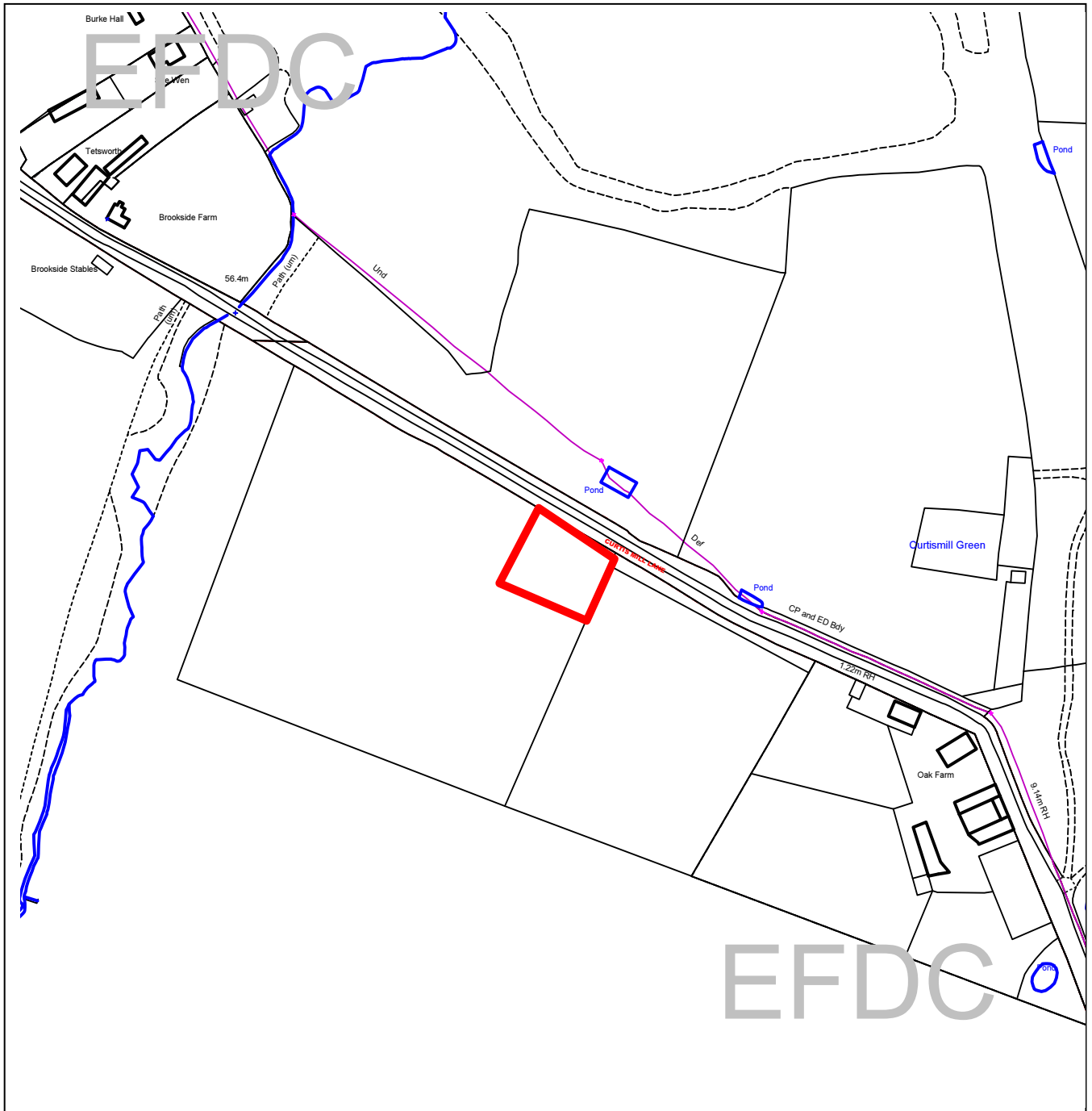
***Planning Application Case Officer: Marie-Claire Tovey
Direct Line Telephone Number: 01992 564371***

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



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	5
Application Number:	EPF/1996/12
Site Name:	Valley View, Curtis Mill Lane Stapleford Abbots, RM4 1HS
Scale of Plot:	1/2500

Report Item No: 6

APPLICATION No:	EPF/2020/12
SITE ADDRESS:	9 Lynceley Grange Epping Essex CM16 6RA
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	Mrs Ziggy Dale
DESCRIPTION OF PROPOSAL:	Ground floor rear extension and loft conversion, with front dormer windows and raising of the ridge level to match adjacent dwellings.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=542601

CONDITIONS

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

This application is before this Committee since the recommendation 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:

Lynceley Grange is a cul-de-sac of properties located off Lindsay Street. Most of the dwellings are a similar bungalow style with front gable features but there are other bungalows with gabled roofs and front dormer windows. The dwelling at No9 is also a bungalow style with a gabled roof and is "L" shaped. The application site is wedge shaped with a reasonable sized rear garden.

Description of Proposal:

Consent is being sought to extend in the roof of the dwelling. This would include raising the ridge level by approximately 1.0m and inserting three dormer windows in the front roof slope. Two half dormer windows would be added to the rear roof slope and the rear of the building would

effectively become two storeys. A 4.1m deep x 4.5m wide single storey extension would be added to the rear of the dwelling. This would have a lantern light feature.

Relevant History:

No relevant history.

Summary of Representations:

11 neighbours consulted: 3 replies received.

7, 11 13 Lynceley Grange: General support for this proposal.

EPPING TOWN COUNCIL: Objection. The bulk is not in keeping with the streetscene and the granting of permission could set a precedent.

Policies Applied:

CP2 – Protecting the quality of the rural and built environment

DBE9 – Loss of amenity

DBE10 – Residential extensions

The National Planning Policy Framework 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:

The key considerations in this application relate to the impact on neighbouring amenity and with regards to design.

Neighbour Amenity

The existing dwelling retains a gap to neighbouring dwellings and the proposed extensions and alterations would not impact on amenity. A side facing window on the rear return retains a gap to the boundary and it would not be necessary for this window to be obscure glazed and fixed shut to a height of 1.7m as per the commonly used condition.

Design

The general character of the immediate area is of bungalows which provide a pleasant if typically suburban setting, particularly along the eastern side of the cul-de-sac. No9 is located at the end of an out shot from the main road of the cul-de-sac and as such is set back in the streetscene. Any change to the dwelling would not therefore be as perceptible as it may be at other properties in the close. The raising of the ridge level would result in the ridge being a similar height to the adjacent neighbours. Indeed some of the neighbouring bungalows have been extended with flat roof, front dormer windows. Epping Town Council has expressed concern that the proposal would appear out of keeping with the streetscene and could set a precedent. Although the insertion of three dormer windows would be a new feature in the cul-de-sac it is not considered that this would be harmful to the streetscene. Dormer windows are a conventional way of extending in the roof and the dormer windows are modest, well designed and would not dominate the roof slope. The concern about precedent is noted but this site does have some distinctive characteristics including its design, differing from the other sites, which would guard against precedent. Any similar proposal at other sites in the close could be judged on their own individual merits and they may be considered

acceptable. The key issue with this proposal is that the dwelling is not located in a run of similar houses, but could be considered more as a stand alone property. No17 has been similarly extended with no serious impact on the streetscene. It is therefore considered that impact on the streetscene is acceptable. The single storey rear extension raises no adverse issues.

Conclusion:

The alterations to this dwelling are considered acceptable having regard to all material considerations. It is therefore recommended that consent is granted 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:

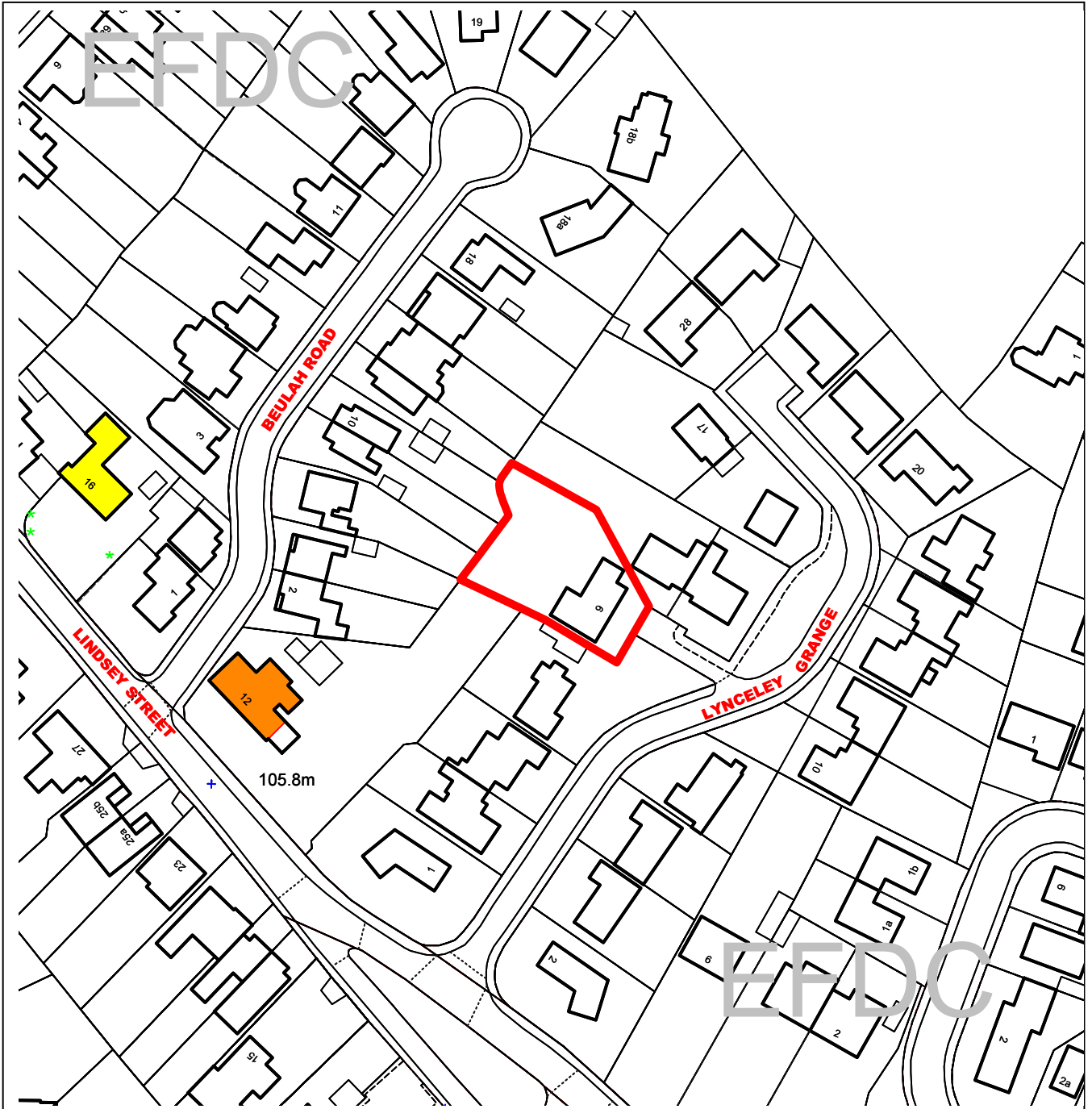
***Planning Application Case Officer: Mr Dominic Duffin
Direct Line Telephone Number: (01992) 564336***

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



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	6
Application Number:	EPF/2020/12
Site Name:	9 Lynceley Grange, Epping CM16 6RA
Scale of Plot:	1/1250

Report Item No: 7

APPLICATION No:	EPF/2137/12
SITE ADDRESS:	Threeways House Epping Road Ongar Essex CM5 0BE
PARISH:	Ongar
WARD:	Shelley
APPLICANT:	Mrs Tracy Flint
DESCRIPTION OF PROPOSAL:	Minor material amendment to EPF/1333/09 (Erection of 4 bedroom house) to include alterations to fenestration and the addition of roof lights to form a second floor of 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/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=543077

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1150.8-12
- 2 Within three months of the date of this decision notice the rooflights in the rear projection at second floor level shall be obscured glazed 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.
- 3 The window openings in the flank elevations at first floor level 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, Class A and B shall be undertaken without the prior written permission of the Local Planning Authority.

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

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 development site is surrounded on all four sides by residential properties, having once been the side garden area of Threeways House. The land has previously had a planning consent for a detached dwelling and a house has been constructed on the site. The plot is therefore now occupied by a large dwelling with associated hardstanding and landscaped grounds. A number of preserved trees are located in close proximity to the dwelling.

Description of Proposal:

The applicant seeks consent retrospectively for Minor Material Amendments to the dwelling that received planning consent under application EPF/1333/09. The amendments to the approved dwelling, which have already been completed, are as follows;

Alterations to the fenestration: This includes the insertion of four skylights in the roof to open up the roof area for habitable space. An increase in the number of windows on the front elevation, including a window to facilitate the conversion of part of the approved double garage to a habitable room. A change from a window to sliding doors on the rear elevation and minor changes to the position of some windows.

Relevant History:

There is a history of applications at the site, the relevant ones being:

EPF/1333/09 - Erection of 4 bedroom house. Grant Permission (With Conditions) – 15/09/09.
EPF/1889/12 - Non material amendment to EPF/1333/09 (Erection of 4 bedroom house) requesting the addition of a planning condition requiring that the development proceeds in accordance with approved plans. Approved - 22/10/2012.

Policies Applied:

CP1 – Achieving Sustainable Development Objectives
CP2 – Protecting the Quality of the Rural and Built Environment
CP3 – New Development
CP4 – Energy Conservation
CP5 – Sustainable Building
CP6 – Achieving Sustainable Urban Development Patterns
CP7 – Urban Form and Quality
DBE1 – Design of New Buildings
DBE2 – Effect on Neighbouring Properties
DBE3 - Design in Urban Areas
DBE8 – Private Amenity Space
DBE9 – Excessive Loss of Amenity to Neighbouring Properties
ST1 – Location of Development
ST2 – Accessibility of Development

ST4 – Road Safety
ST6 – Vehicle Parking
H2A – Previously Developed Land
LL10 – Landscaping Retention
LL11 – Landscape Schemes

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 Received:

43 neighbours consulted: 4 objections received.

16 SPRINGFIELD CLOSE: Objection. Concern that the house has not been constructed in accordance with the plans and that any changes to the design are effectively now a fait accompli.

18 SPRINGFIELD CLOSE: Objection. The house approved was over two storeys but the dwelling built is over three storeys. Almost all the windows have changed dimension or position. I have concern that the house is close to our property and overlooking will ensue. Not building in accordance with the submitted plans is a clear breach of planning laws and an affront to Epping Forest District Council. It now seems unreasonable to grant consent for something which may not have been granted from the outset.

20 SPRINGFIELD CLOSE: Objection. To describe the application as a "minor material amendment" is in itself a material mis-description of the application and misleading to interested parties. What the application seeks, amongst other things, is an increase in the floor space of some 30+% and numerous other alterations to the originally approved plans. The result of the unapproved works leaves my property in a position of not only being overlooked at first floor level but also by the Velux windows inserted in the roof as part of the unauthorised development, thus our kitchen/diner on the ground floor which is in use at all times, is now a room which lacks any form of privacy. I request that all previous objections that I have made to the various planning applications form part of this objection to the application for planning permission under reference number EPF/2137/12.

18 WALTER MEAD: Objection. As per all previous objections this plot of land is not big enough to sustain a four bedroomed property and family. The property is already an eyesore from our bedroom window and reduces our privacy.

ONGAR TOWN COUNCIL: Objection. Ongar Town Council is concerned that a major reconfiguration of this property appears to be the subject of a Minor Amendment application and are further concerned that residents believe that the works subject to the application have already been largely undertaken or are complete. We object to the reconfiguration to provide additional accommodation and believe there is a danger of neighbours experiencing intrusion from the new windows. We support neighbour objections concerning the loss of garage space which will lead to increased parking in a sensitive area.

Issues and Considerations:

There are clearly some longstanding neighbour concerns about the appropriateness of the development of this site to provide a single detached house. However the Local Planning Authority exercised its powers to grant consent subject to conditions having regard to all material planning considerations. The applicant now seeks consent to make some Minor Material Amendments to the approved scheme. It is also clear from the representations that some of the consultees do not

consider the works “minor”. The guidance from the Department of Communities and Local Government (DCLG) describes a Minor Material Amendment thus;

“A minor material amendment is one whose scale and nature results in a development which is not substantially different from the one which has been approved”.

This is not a statutory definition and of course allows for a degree of interpretation and flexibility. However what has largely occurred is alterations to the fenestration, including the addition of rooflights on the rear roof slope. This at least has the potential, having regard to the development as a whole, to be materially minor.

It appears that the changes have occurred during the construction of the dwelling and this seems a logical approach. Any property can benefit from permitted development rights granted by the General Permitted Development Order (GDPO) 1995 (as amended). With regards to this site application EPF/1333/09 removed permitted development rights Classes A and B by condition 4. This would prevent physical extensions to the dwelling including roof extensions such as dormer windows. However none of these changes to this dwelling would fall outside the scope of permitted development. It is therefore the position that if the dwelling had been physically completed as approved and these works then undertaken they would not have amounted to development requiring consent. Bearing in mind this fallback position these works should be considered minor. The neighbours concerns about the increase in the size of the dwelling by converting one of the garages to a habitable room and the creation of habitable space in the loft are usual options left open to householders and this was not prevented by condition on the previous application. The internal arrangement of the dwelling is not a planning matter unless specific restrictions are imposed by conditions. The rooflights inserted in the rear roof slope do not give rise to serious overlooking and even the rooflights in the rear return are some distance from the boundary and face the side elevation of the adjacent dwelling, and a screen which exists along the boundary. It is not considered that serious overlooking occurs however a condition requiring that these windows are obscure glazed would be reasonable and would guard against overlooking. This can be agreed by condition. From an aesthetic viewpoint it is not considered that the overall appearance of this dwelling materially changes and it is aesthetically acceptable. From all other considerations the dwelling is as approved in terms of heights and distances from boundaries.

It is therefore considered that the proposal is suitable to be dealt with by the Minor Material Amendment process. The frustration of neighbours that the development was not constructed strictly as approved is noted. However it is also recognised that slight changes to the design are part and parcel of developments of this nature and the Minor Material Amendment process exists to facilitate such changes. It is also recognised that if the development had been completed in accordance with the plans these works would not have required a planning consent afterwards.

Town Council concerns about the loss of part of the double garage resulting in parking issues is not accepted in this instance as there is clearly space for additional parking within the plot.

Conclusion:

The proposed changes to the external appearance are considered to be of a nature which it is suitable to consider as materially minor and as such it is recommended that consent is granted 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: 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



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Agenda Item Number:	7
Application Number:	EPF/2137/12
Site Name:	Threeways House, Epping Road Ongar, CM5 0BE
Scale of Plot:	1/1250

Report Item No: 8

APPLICATION No:	EPF/2147/12
SITE ADDRESS:	Land adjacent to 42 London Road Abridge Romford Essex RM4 1UX
PARISH:	Lambourne
WARD:	Lambourne
APPLICANT:	Ms Siobhan Cook
DESCRIPTION OF PROPOSAL:	Outline planning application for a three bedroom detached house (with all matters reserved).
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=543100

CONDITIONS

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters as defined in condition 2 below, whichever is the later.
- 2
 - a) Details of the reserved matters set out below ("the reserved matters") shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:
 - (i) layout;
 - (ii) scale;
 - (iii) appearance;
 - (iv) access; and
 - (v) landscaping.
 - b) The reserved matters shall be carried out as approved.
 - c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.
- 3 No development shall take place, including works of demolition or site clearance, until an Arboricultural Implication Assessment and Tree Constraint plan, concurrently with the detailed site layout, has been submitted to and approved in writing by the Local Planning Authority. This should be drawn up in accordance with BS 5837:2012 (Trees in relation to design, demolition and construction - Recommendations) .
- 4 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been

submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 5 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan, 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.
- 6 An assessment of flood risk, focussing on surface water drainage, shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS). The development shall be carried out and maintained in accordance with the approved details.
- 7 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.

Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the Local Planning Authority contacted and a scheme to investigate the risks and / or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the Local Planning Authority prior to the recommencement of development works.

Following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.

- 8 There should be no obstruction between ground level and a maximum height of 2m within a 2.4m wide parallel band visibility splay as measured from and along the nearside edge of the carriageway across the entire site frontage to include the existing no.42 property and the proposed dwelling. Such vehicular visibility splay shall be provided prior to first occupation of the proposed development and retained free of any obstruction at all times.

- 9 Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
- 10 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary of the site.
- 11 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.
- 12 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 13 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.

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 application site is a two storey detached property located on the north side of London Road within the built up area of Abridge. London Road extends out from the main area of Abridge forming a linear development which backs onto Green Belt land to the rear and open countryside sloping down to the river Roding. The property has an existing attached single storey garage to the west and a single storey attached element to the east (which is to be removed as part of this application). The plot itself is much wider than any other within London Road, approximately 25.5m compared to narrower plots of between on average, 7 and 14m. The property is outside of the Abridge Conservation Area.

Description of Proposal:

This application seeks outline planning permission for a detached three bedroom dwelling to the east of the existing property and this will involve the demolition of the existing single storey side element. The new plot will measure 10m wide and will have its own drive formed from the existing carriage driveway (therefore a new access is not required). The indicative plans show a dwelling 8m wide by 12.75m deep and 8.6m high to the ridge, set in from the side boundaries by 1m.

All matters (layout, scale, appearance, access and landscaping) are reserved for future consideration.

Relevant History:

Various applications – none relevant

Policies Applied:

Epping Forest District Local Plan and Alterations

CP2 - Protecting the Quality of the Rural and Built Environment

CP3 – New Development

CP7 – Urban Form and Quality

GB7A – Conspicuous Development

DBE1, 3 - Design

DBE 2, 9 – Amenity

DBE8 – Private Amenity Space

LL10 – Adequacy of Provision for Landscape Retention

LL11 – Landscaping

ST4 – Highway Safety

ST6 – Vehicle Parking

U2B – Flood Risk Assessment Zones

Summary of Representations:

LAMBOURNE PARISH COUNCIL: No objections in principle, however they would like to reserve any comments subject to any further planning applications

NEIGHBOURS

12 neighbours were consulted and the following responses received

38 LONDON ROAD – Strong objection – Impair view and natural light, plot is too narrow, will overshadow property, loss of privacy, loss of access for maintenance, contrary to policy, will detract from open nature of the area and unacceptable visual impact, out of scale with historic Oak Cottage, a car would not be able to turn in the drive.

44 LONDON ROAD – Objection – will spoil appearance of Oak Cottage, out of keeping with adjacent properties; detract from historic appearance of Oak Cottage, no 'turn around' drive, very narrow plot

55 LONDON ROAD – (2 comments submitted from separate occupiers) – Strong objection – changes village character, loss of the old cobblers (single storey element which is to be demolished), changes skyline and blocks visual links to the countryside

Issues and Considerations:

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

- Impact on neighbouring amenity
- Character and Appearance
- Highways
- Impact on the adjacent Green Belt

Neighbouring Amenity

The proposal will have a similar depth as the semi-detached property to the east (no.38) and the proposed plans show that the two storey element will be inline with the two storey element of No. 38, with a single storey element also to the same depth as No. 38. Therefore there is not considered to be any significant loss of outlook to this property and although there is likely to be some loss of sunlight it is not considered such to justify a refusal on this basis.

The neighbour at No. 38 has raised the issue of loss of privacy, however given the residential nature of this area it is not considered that the proposed property will give rise to any significant rise in overlooking above that which may exist already from the host property and the attached neighbour to No. 38.

In terms of amenity of future occupiers the garden area is more than adequate to comply with policy DBE8 providing in excess of the 20m² per habitable room.

Character and Appearance

Subject to appropriate details being secured through the approval of a reserved matters application, the scale and mass of proposed dwelling shown on the indicative plans is considered in keeping with the character and appearance of surrounding development.

The formation of a new dwelling in this plot is considered to complement the pattern of development which is a mix of semi-detached and detached properties in this locality. Splitting the existing plot into two creates two plots of similar sizes to neighbouring properties.

Highways

Ample parking is proposed to the front of the dwelling and this is acceptable in terms of parking policy. The Essex County Council Highways Officer has no objection to the scheme subject to conditions as there is enough room on site at either property for cars to turn and egress in a forward gear.

Green Belt

The proposal will be visible from the Green Belt to the rear of the site, however it will be viewed within the context of the linear residential development along London Road and it is not considered that this proposal will have an excessive adverse impact upon the openness, rural character or visual amenities of the Green Belt in this location.

Other Matters

Historic Interest

The neighbours have raised the issue of the historic importance of No. 42, however the property is not listed or within the Conservation Area and therefore has no statutory protection in terms of any historic interest. Furthermore, the property has not been included on the Council's Local List (buildings of local importance) and during a recent review of this Local List was not suggested as an addition. In any event, the property appears to have been substantially altered, with roof alterations, porch, two storey flat roof rear extension, conservatory and the addition of uPVC windows. The proposal only includes the removal of the single storey element with the main part of the building remaining as is, and therefore given the above this is not considered a significant issue.

Flood Risk

The site is within an Epping Forest District Council flood risk assessment zone, the development is of a size where it is necessary to avoid generating additional runoff and therefore the Council's Land Drainage engineer has requested a Flood Risk Assessment condition to improve existing surface water runoff.

Landscaping

There are existing trees and a hedge on the site and the Tree and Landscape Officer has requested conditions to ensure that the proposals do not harm the existing vegetation and requesting a landscaping plan.

Conclusion:

In light of the above appraisal, it is considered that the principle of the proposed development is acceptable. It is, therefore, recommended that planning permission be granted.

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

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

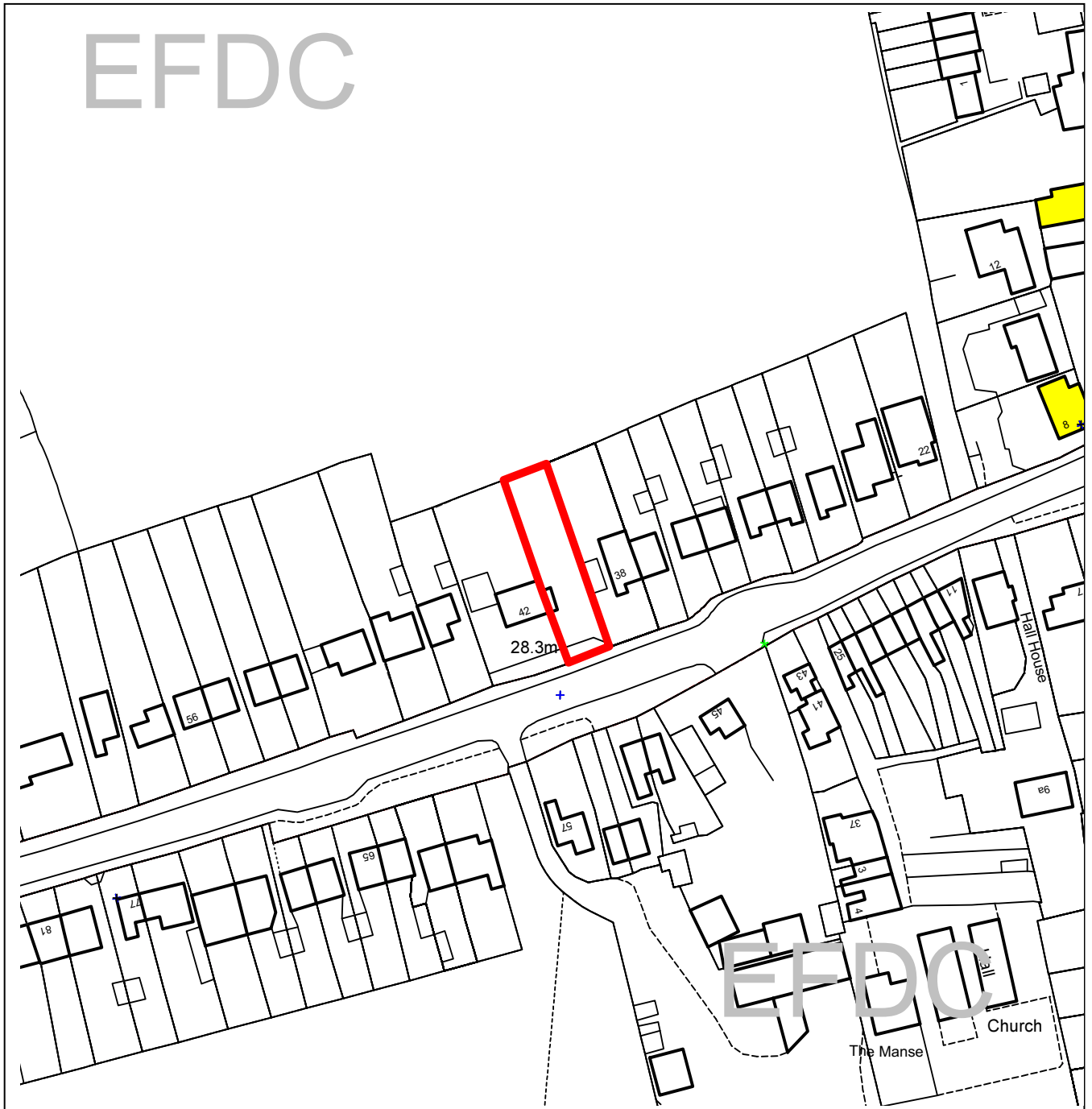
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee East

EFDC



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Agenda Item Number:	8
Application Number:	EPF/2147/12
Site Name:	Land adjacent to 42 London Road Abridge, RM4 1UX
Scale of Plot:	1/1250

Report Item No: 9

APPLICATION No:	EPF/2155/12
SITE ADDRESS:	The Old Rectory Mount Road Theydon Mount Epping Essex CM16 7PW
PARISH:	Theydon Mount
WARD:	Passingford
APPLICANT:	Mr Gary Littwin
DESCRIPTION OF PROPOSAL:	Replacement dwelling.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=543141

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 existing dwellinghouse at the application site shall be completely demolished prior to the commencement of works to construct the replacement dwelling hereby approved.
- 3 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 949.10, 949.11, 949.16, 949.17, 949.18, 949.19, 949.20 and 949.21
- 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 enlargement of the house, including any addition to its roof, and no building buildings generally permitted by virtue of Classes A, B and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 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.
- 6 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been

submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved within the first planting season following the substantial completion of the house hereby approved.

The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate.

If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 7 No 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.
- 8 Prior to first occupation of the development hereby approved, the proposed upper floor window openings in the northern and southern 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.
- 9 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 10 No development shall take place until wheel washing facilities for vehicles leaving the site during construction works have been installed. The wheel washing facilities shall be used to clean vehicles immediately before leaving the site.
- 11 All construction/demolition works and ancillary operations, including vehicle movement on site, which are audible at the boundary of noise sensitive premises shall only take place between the hours of 08.00 to 17.00 Monday to Friday and at no time during weekends and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

Description of Site:

The application site comprises a much extended detached 2-storey house with detached garage in the Green Belt that forms part of a small group of houses of varying scales situated on the east side of Mount Road. Land levels rise to the north and east and the carriageway of Mount Road is some 1m lower than the level of the house. The site is opposite the Hill Hall Conservation Area but not within a conservation area itself. The adjacent part of the Conservation Area is also part of a Registered Park and Garden. It is wooded and also protected by a tree preservation order.

The flank elevation of the house fronts the road and the principle elevation faces the detached garage on the boundary with a pair of semi-detached houses to the north, 42 and 43 Mount Road. Due to its orientation and limited depth there is considerable space between the north and south elevations and the side garden boundaries. The southern site boundary is bounded by an access drive to Coppers, a detached house rear of the site. South of the access to Coppers is a further large detached house.

The enlargement of the existing house has been achieved by the construction of recently completed substantial conservatories to the south and east elevations and an earlier single-storey flat roofed addition. The volume of the house as presently extended is 912m³. The volume of the house prior to the construction of the conservatories is calculated to be 696m³.

Description of Proposal:

It is proposed to erect a replacement detached house. The house would be two-storeys with a basement. Proposed outbuildings are partially indicated on the submitted drawings, but this application only concerns the proposed house, for which full details are submitted, and does not relate to the indicated outbuildings.

The proposed house would be of traditional design with the front elevation facing the street. It would be set further into the site, with its front wall aligning with the rear elevation of the existing garage. A distance of some 21m would separate it from the boundary with Mount Road. It would have hipped roofs with an eaves level of 5m and a ridge height of 8m. The house would have strong symmetry with a central entrance. First floor flank windows would serve bathrooms and would be obscure glazed.

The above ground volume of the proposed house would be 939m³.

Relevant History:

EPF/1517/08 Replacement house. Refused on the basis of harm to the Green Belt and unsympathetic design. Subsequent appeal dismissed.

EPF/2423/09 Replacement house. Refused for similar reasons as application EPF/1517/08.

Certificates of lawfulness have been given for 2 outbuildings rear of the house and the buildings they relate to have been constructed.

Policies Applied:

CP2	Protecting the quality of the rural and built environment
H2A	Previously Developed Land
GB2A	Development within the Green Belt
GB7A	Conspicuous Development
GB15A	Replacement Dwelling within the Green Belt
DBE1	Design of new buildings
DBE4	Development within the Green Belt
DBE9	Loss of Amenity
HC6	Character, Appearance and Setting of Conservation Areas
LL10	Protecting existing landscaping features
ST4	Highway safety
ST6	Vehicle parking

NPPF

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted. 14 neighbours have been consulted and responses received from two setting out comments on the proposal.

Site notice posted. No, not required:

Responses received:

42 BRICKFIELD COTTAGE, MOUNT ROAD:

Think plans reasonable, but request the materials to match adjoining properties, i.e. plain clay tiles, burnt flame, red clay bricks. As the proposed replacement house is in Green Belt and has recently been significantly enlarged by single story structures to the side and rear of the house with conservatories and a double garage built as well as a large indoor swimming pool and summer house we would request all future permitted development rights be removed. As the new house calls for a large basement that will require significant excavation (estimated in excess of 75 lorry loads) we request work to be carried out only between the hours of 8am and 5pm on weekdays and between 9am and 4pm at weekends. We understand that earth has to be removed for build of the basement but have real concerns that the movement of such quantities of earth will cause damage to Mount Road and curbs and driveway to our property. We would request that the council monitor for any damage and ensure any damage is made good to both Mount Road and driveway / curbs to numbers 42 and 43 Brickfield Cottages.

1 BEACHETT COTTAGES, THEYDON MOUNT:

No objection raised. Similar concerns expressed as 42 Brickfield Cottage. Concern expressed regarding external materials. Requested PD rights be removed having regard to recently completed extensions and outbuildings at the properties. Limitations to construction hours requested and potential damage to the highway arising from HGV movements.

THEYDON MOUNT PARISH COUNCIL: Objection. The proposal is significantly greater than the applicant's previous scheme (for a dwelling of 867m³) which was refused as not being compliant with the requirement for a replacement dwelling not to be materially greater in volume than that which it would replace.

Main Issues and Considerations:

The proposed house would be contained within a small enclave of houses within the Green Belt that is separated by Mount Road from the Hill Hall Conservation Area and Registered Park and Garden. At this point the Conservation Area/Registered Park and Garden consist of woodland that is the subject of a Tree Preservation Order. Having regard to the wooded nature of the Conservation Area/Registered Park and Garden and the degree of separation of the proposed house from the Conservation Area/Registered Park and Garden the house would not have any material effect on their setting. Furthermore, the design of the proposed house and its degree of separation from neighbouring houses is such that it would not cause any harm to their living conditions. In design terms the proposed house would appear acceptable. Planning conditions can be used to control external materials, limit PD rights and control construction, all of which are necessary and reasonable.

The main matter to consider, therefore, is whether the proposed house would have a materially greater impact on the Green Belt than the existing house. Two previous proposals for a replacement house have been found to have a materially greater impact and therefore inappropriate development. They are described briefly as follows in order that the planning history can be more clearly understood.

The proposal refused in 2008 and subsequently dismissed at appeal (ref EPF/1517/08) was found by the Planning Inspector to amount to an increase in built volume on the site of about 100%. The inspector also found that the proposal would be a much more imposing design which would be considerably more prominent than the existing house and considered the provision of 2 access points an extensive parking and turning area in front of that proposal to exacerbate the harm. The Inspector concluded the proposed house was inappropriate development in the Green Belt, harmful to the openness, visual amenity and character of the area and that no very special circumstances exist which override the harm likely to be caused.

The proposal refused in 2010, ref EPF/2423/09, was found to amount to an increase in built volume on site of 12%. Although a much reduced scheme, which was recommended for approval by Officers, Members found it materially greater in volume than the existing house and consequently inappropriate development. Members also found that particular proposal harmful to the character of the locality and that no very special circumstances exist which override the harm likely to be caused.

Turning to the current proposal, since the 2010 decision the house has been enlarged by the construction of substantial conservatories, which are permitted development. Their volume is calculated as 216m³ and therefore their construction achieves an increase in volume of 31%. It is likely that the additions have only been constructed to achieve the volume comparison and assist in gaining planning permission. While their construction is likely to be contrived, the fact is they exist and have a consequence for the volume of the house. They lawfully contribute to the present volume of the house and both policy GB15A and National planning policy concerning the erection of replacement dwellings in the Green Belt only seek to assess the proposed building in comparison to that which exists at the time the application is made. It is therefore not possible, in applying the relevant policy tests, to discount the volume of the recently constructed conservatories. The existence or otherwise of outbuildings is also not a material consideration when applying the relevant policy tests.

The volume of the house at the time the application is made is calculated as 912m³ while the above ground volume of the proposed house is calculated as 939m³, the difference being 27m³. The proposal would therefore result in a house that has an above ground volume some 3% larger than that which presently exists. On the basis of above ground built volume alone therefore, the proposal would have no greater impact than the existing house on the openness of the Green Belt.

While the house would clearly be larger since it would have a basement, it is not Officer practice to give weight to the volume of basements which are entirely underground, as in this case. That is because they have no clear impact on the openness of the Green Belt.

Although policy GB15A focuses particularly on a comparison of built volume, Green Belt policy within the NPPF is more general and does not focus on any particular indicator for assessing whether a proposed building would have a materially greater impact on the Green Belt than the existing house. In this case a significant bulk of the existing house is at ground rather than first floor since it is contained within the recently constructed conservatories. The ground floor volume of the existing house is similar to that of the combined first floor and roof, while originally it was much less. The proposed house would result in a transfer of some of the ground volume to first floor in order to achieve a house of better proportions. In doing so a greater volume than that which presently exists at first floor and roof level would be created. Presently a volume of some 460m³, or 50% of the total, is contained within the first floor and roofs. The proposed house would increase that to approximately 560m³, or 60% of the total. Prior to the construction of the conservatories the same absolute volume of the existing house was contained within the first floor and roof, but that amounted to 70% of the total volume of the house. The actual increase in first floor volume is therefore 100m³, which is an increase of some 22%. That is indicative of the proposal having a materially greater impact on the openness of the Green Belt. The degree of

impact on openness depends on its prominence and any mitigating factors. This is considered below.

Unlike the existing house, the principle elevation of the proposed house would front the street. That elevation would have a width of 13m at first floor, while the width of the existing house at first floor is approximately 6m. While the proposed house would have a better relationship to the street than that existing and would have a more pleasing design, it would appear more prominent when seen from Mount Road due to its additional bulk and width at first floor and roof level.

The degree of prominence is mitigated by setting the building considerably further into the site and the maintenance of good distances between the flanks of the proposed house and the site boundaries. The existing house is set some 7m from the site boundary with Mount Road and the proposed house would be set 21m from the boundary. Furthermore, the distance between the house and the northern site boundary with 42 Mount Road would be maintained at 11.5m while the distance separating its first floor from the southern site boundary would be halved to 4.5m. That is similar to the distance separating the ground floor of the existing house from the southern site boundary. Having regard to the above facts, it is found that the house would appear appropriate within the presently existing very large curtilage and that it would also appear appropriate within its setting as part of a small built up enclave.

In the circumstances, while the proposed house would appear somewhat more prominent at first floor and roof level, it would not appear inappropriately prominent within its context. Moreover, as a consequence of the additional setback from Mount Road, the proposal provides an opportunity to provide tree planting within the front garden adjacent to the boundary with the highway. Such planting can be secured by condition and would, in time, add to the mitigation of the first floor bulk. On that basis it is concluded the degree of impact of the proposal on the Green Belt would not be materially greater than that of the existing extended house.

Should planning permission be granted it would also be necessary and reasonable to impose conditions removing permitted development rights to construct additions to the house and to erect outbuildings. This would assist in maintaining the openness of the application site in the interests of the Green Belt.

Conclusion:

Having regard to all the material considerations it is found that the proposed house would not be inappropriate development in the Green Belt. Its volume would not be materially different to the existing extended house and although it would clearly be a different shape to the existing house and have additional bulk at first floor, the consequence for the Green Belt is limited and adequately mitigated by the significant additional setback of the proposed house from Mount Road, the maintenance of a good degree of separation from side garden boundaries and the opportunity for good tree planting within the front garden. Furthermore, the proposal is well designed with a much more positive relationship to the street than the existing house. It would not be of any consequence for the adjacent Hill Hall Conservation Area/Registered Park and Garden and would safeguard the living conditions of neighbours. On that basis it is recommended that planning permission be granted subject to appropriate 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:

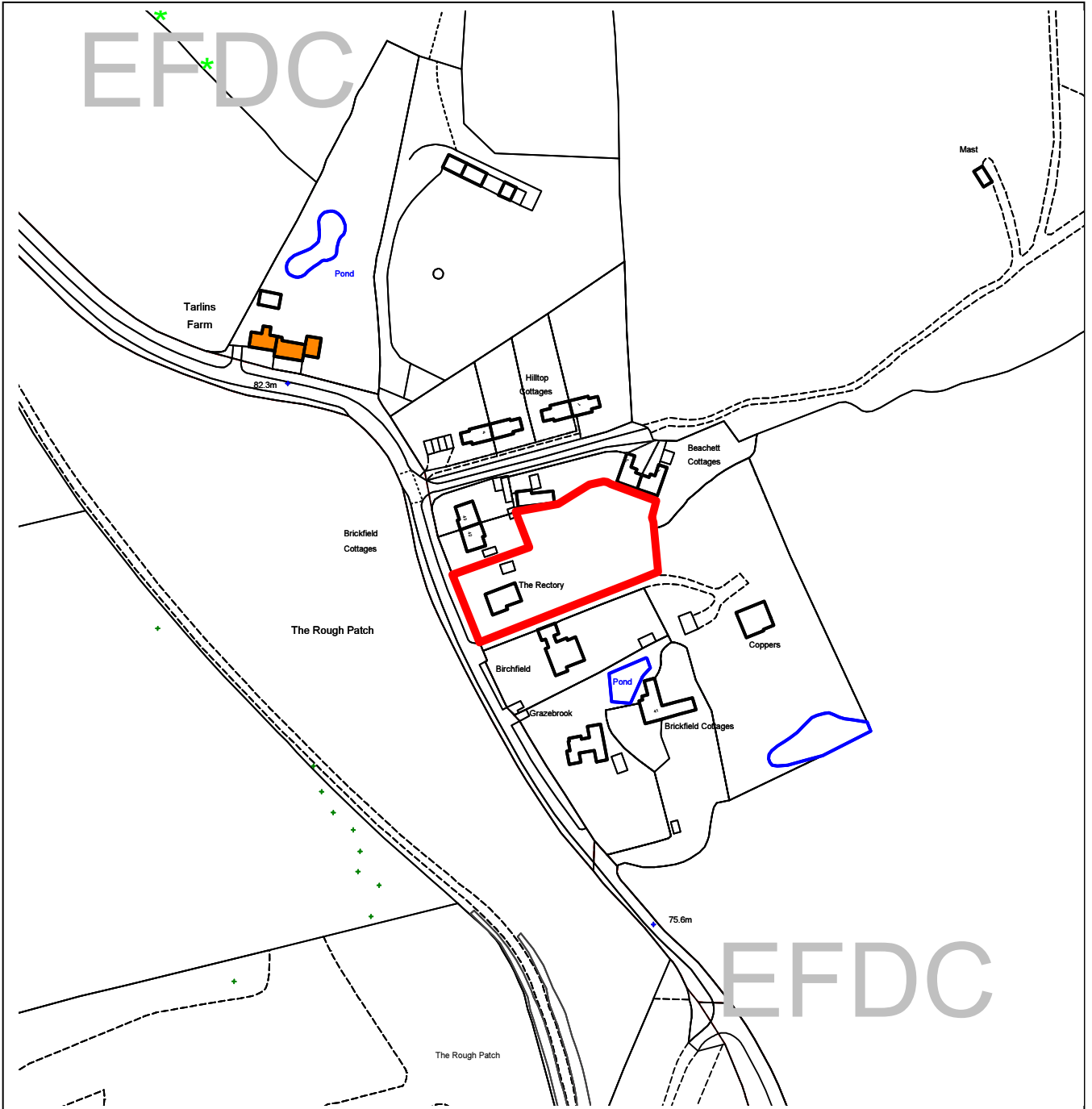
***Planning Application Case Officer: Stephan Solon
Direct Line Telephone Number: 01992 564018***

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



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	9
Application Number:	EPF/2155/12
Site Name:	The Old Rectory, Mount Road Theydon Mount, CM16 7PW
Scale of Plot:	1/2500

Report Item No: 10

APPLICATION No:	EPF/2192/12
SITE ADDRESS:	11A Lancaster Road North Weald Bassett Epping Essex CM16 6JA
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	Mr Gary Packman
DESCRIPTION OF PROPOSAL:	Erection of fencing (1.8m in height) and change of use of land, currently in use for parking of residents vehicles, to residential curtilage.
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=543287

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 fencing, unless otherwise agreed in writing by the Local Planning Authority.

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

Description of Site:

11a Lancaster Road is situated close to the corner of Lancaster Road and Church Lane. It is a stand alone property and backs on to the site of a number of lock up garages to the rear. The boundary of the Metropolitan Green Belt stops on the opposite side of the road. The garden area, which is enclosed by close board fencing, is to the side of the dwelling and a shed structure is located at the bottom of this. The actual development site is to the west, and adjacent to, the shed structure. This is a wedge shaped piece of land which is grassed and is currently used for the parking of residents' vehicles.

Description of Proposal:

The applicant seeks consent to enclose the wedge shaped piece of land with 1.8m close boarded fencing. Its use would change to residential curtilage. This would result in roughly 20.0m of fencing on all four sides of the piece of land.

Relevant History:

EPF/1732/10 - Change of use of land to residential curtilage. Erection of garage and erection of 1.8m fencing. Refuse Permission - 27/10/2010.

EPF/2433/10 - Additional fencing. Grant Permission (With Conditions) – 17/01/11.

Policies Applied:

CP2 – Protecting the Quality of the Rural and Built Environment

GB7A – Conspicuous Development from within the Green Belt

DBE1 – Design of New Buildings

DBE2 – Effect on Neighbouring Properties

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:

23 neighbours consulted: 6 replies received.

11 LANCASTER ROAD: Objection. The fence will represent an unsightly addition to the streetscene and would be detrimental to the character and openness of the Green Belt. Resident's vehicles will be more vulnerable to theft and vandalism. There is a need for this space for parking. Not all neighbours were consulted. Apparently this piece of land has always been used for the parking of vehicles and as such is common land.

13 LANCASTER ROAD: Objection. This land is communal and part of the parking area. The disputed site is currently used constantly for parking. The parking area would become much more unsafe. The proposal will severely restrict two of the parking spaces. The fencing would restrict vision at the junction with the main road. This would lead to an increase in parking on verges.

14 LANCASTER ROAD: Objection. No residence in Lancaster Road has ever had this piece of land in its curtilage and I would state that it is common land and all residents have a right of access to the entire parking area. The land is used for constant not occasional parking as stated in the application. The fencing will be out of scale and will result in an unsafe parking area. The fencing would restrict vision at the junction with the main road. This would lead to an increase in parking on verges. The fencing will block views across the fields.

15 LANCASTER ROAD: Objection. Fencing in the parking area will restrict views at the junction and will be a danger to pedestrians.

17 LANCASTER ROAD: Objection. The area is in constant use for parking of cars. We contest whether the applicant owns the land. This proposal will have an impact on road/pedestrian safety. The fence would block views across the open countryside.

18 LANCASTER ROAD: Objection. I have lived in Lancaster Road over 12 years and this land has always been used for Residents parking. I have been advised by neighbours it has been used for

Residents parking for well over 20 years. As it is we have insufficient parking for the 11 houses set back in Lancaster Road. The Car park has approx 15 spaces without counting the 3 in question; as most houses in question have between 2 - 4 cars per house we already have a problem. I work shifts and when coming home late at night it is extremely hard to find a place to park. The land in question has always been maintained by the council and never by the private owner. I believe our whole car park is private owned what would happen if the owner wanted change of use on this if this application was upheld.

NORTH WEALD PARISH COUNCIL: Objection. This is an overdevelopment of the site and it will have a visual impact on the area.

Issues and Considerations:

There has been some dispute about the ownership of this piece of land between the applicant and some of the neighbours. The wider area was originally owned by the Ministry of Defence and was sold for development. The development site is adjacent to the parking area but is grassed and does not appear to have been intended for parking. It appears that any parking on the land is ad hoc. From the applicants' perspective they have signed Certificate A and state that no one else has any ownership over this piece of land. There is no clear evidence that other parties have an interest in this land and have not been informed of this application. Therefore from a planning perspective the dispute over the ownership of the land is a civil matter that would be conducted outside of planning and this proposal can be judged on its own individual merits. Should planning permission be granted, this does not give the applicant the right to carry out works or change the use of the land if he does not own it.

The main considerations are the impact on the adjacent Green Belt, the overall design, highway safety and neighbouring amenity. The planning history of the site is also of relevance.

Green Belt

The piece of land is adjacent to the Green Belt which ends on the opposite side of Lancaster Road. However the continuation of the existing fence to enclose this piece of land would have no impact on the purposes of maintaining a Green Belt.

Design

The design is conventional and would simply continue an existing fence. It would have no serious impact on the character of what is a typical residential area.

Highway Safety

Several of the neighbours have commented on the loss of parking that this proposal will cause, however this land appears to be privately owned not originally intended for parking and could be fenced in (albeit with only a 1m high fence) without the need for planning permission and therefore it is not considered that loss of ad hoc parking is a significant issue.

Concern has also been expressed about road/pedestrian safety. The junction with the main road would remain relatively open and the safety of road users and pedestrians would not be compromised. Essex County Council Highways Authority has raised no objection to the proposal.

Neighbours have also expressed some worry that the adjacent parking area would become unsafe to use. The parking area would still remain relatively open and the safety of users would not be seriously increased by this development.

Amenity

The fencing retains a gap of some 15.0m to the nearest dwelling and no impact on amenity is envisaged. Comments with regards to loss of a view from the garden area of some properties are not a significant planning matter and in any case it is not considered that the current view would be seriously affected.

Other Issues

The previous application for change of use of this area of land, and erection of a garage, EPF/1732/10, was not objected to the Parish Council but was refused under delegated powers as the design and impact of the garage was considered harmful. This application does not include the garage and is not considered overdevelopment or harmful to amenity.

Conclusion:

The proposed development is considered to be in accordance with Local Plan policies and is therefore 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:

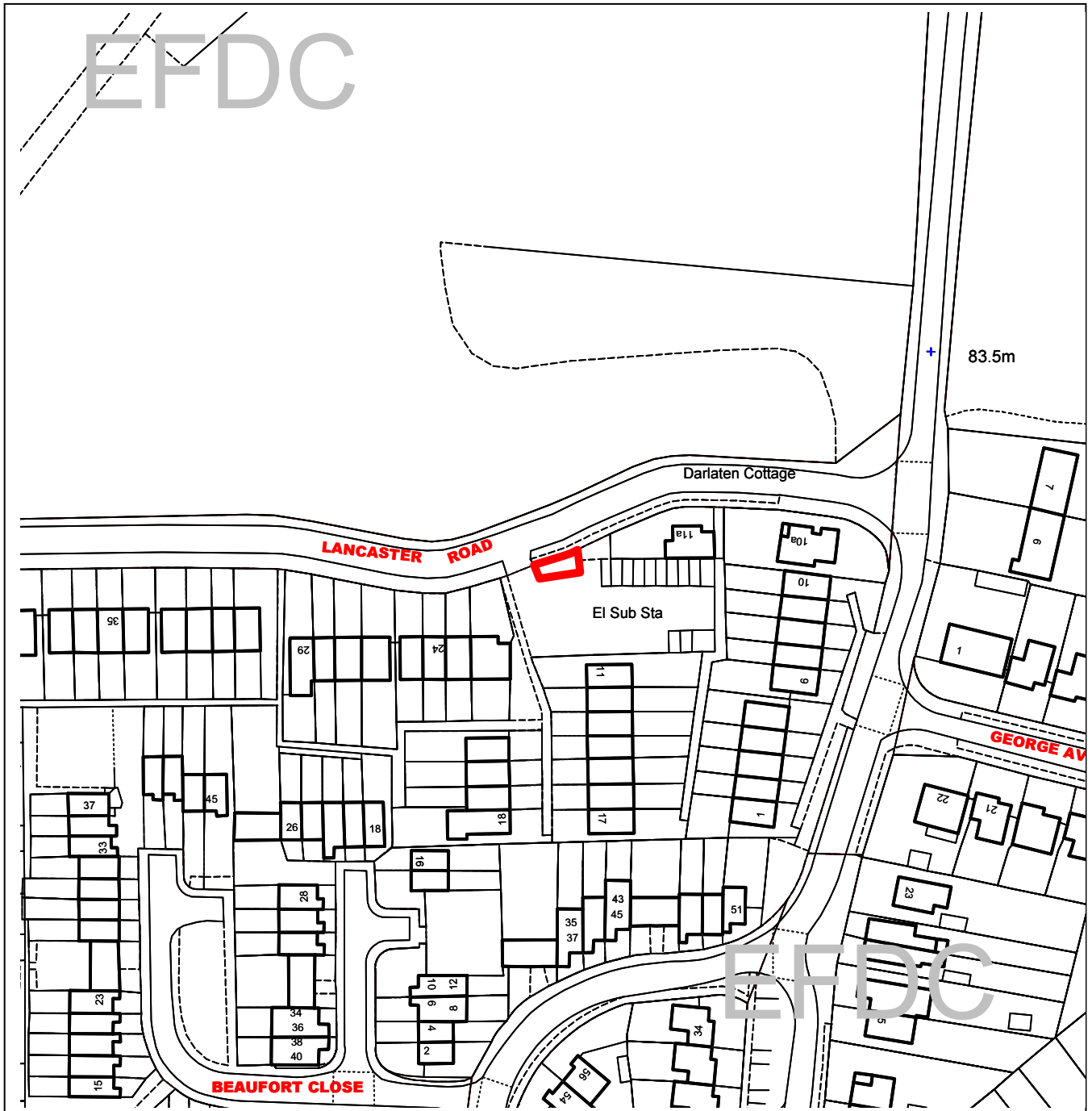
***Planning Application Case Officer: Mr Dominic Duffin
Direct Line Telephone Number: (01992) 564336***

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



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	10
Application Number:	EPF/2192/12
Site Name:	11A Lancaster Road, North Weald CM16 6JA
Scale of Plot:	1/1250

Report Item No: 11

APPLICATION No:	EPF/2274/12
SITE ADDRESS:	Greenacres Farm Bournebridge Lane Stapleford Abbots Essex RM4 1LT
PARISH:	Stapleford Abbots
WARD:	Passingford
APPLICANT:	Mr & Mrs Keeling and Tolfree
DESCRIPTION OF PROPOSAL:	Demolition of existing bungalow, domestic outbuildings, B1 office building, B1/B8 workshop/storage buildings and cessation of open storage use and the erection of two, two storey detached houses (amendments to previously approved scheme including repositioning of new house on plot 1 and redesign of house on plot 2)
RECOMMENDED DECISION:	Grant Permission (Subject to Legal Agreement)

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

http://planpub.eppingforestdc.gov.uk/AnitellM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=543682

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 by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 3 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 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, B, C, and E shall be undertaken to the two new dwellings hereby approved, or to the existing main dwelling to be retained on the site, without the prior written permission of the Local Planning Authority.
- 5 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan and Arboricultural Method Statement in accordance with BS:5837:2005 (Trees in relation to construction) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out

only in accordance with the approved Tree Protection Plan and Arboricultural Method Statement unless the Local Planning Authority gives its written consent to any variation.

- 6 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting and planting on the west boundary of the site), and implementation programme (linked to the development schedule), have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 7 Details of the sustainable drainage system to be used on this site shall be submitted to and approved by the local planning authority before any works commence on site, and once approved these details shall be implemented in full on site.
- 8 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 9 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 10 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]

- 11 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]
- 12 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report (referred to in PPS23 as a Validation Report) that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 13 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.
- 14 The area of the site to the south of the line delineating the extent of the domestic gardens, as shown on plan number 2472-3C, shall remain in use as agricultural land and shall not be used for any other purpose, including use as domestic gardens.
- 15 The two dwellings hereby approved shall not be occupied before the buildings shown to be removed in this application are demolished and the land made good. Similarly all outside storage, for example of machinery, equipment, and building materials, including containers, shall be removed from the site and the land made

good before the dwellings hereby approved are occupied.

- 16 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 2472-03C; 2472-05; Draft-1; 2472 -01, and an Arboricultural Tree Report produced by Phelps Associates dated 4th December 2012 ref PA.S740.

Subject to the completion and signing of a Unilateral Undertaking prior to issue of any decision notice

This application is before this Committee since it is an application contrary to the provisions of an approved draft Development Plan or Development Plan, and is recommended for approval (pursuant to the constitution, part three: planning directorate – delegation of council function, schedule1, appendix A.(a))

Description of Proposal:

Demolition of existing bungalow, domestic outbuildings, B1 office building, B1/B8 workshop/storage buildings, and cessation of open storage use, and the erection of two, two storey detached houses.

Background:

This application seeks approval to some minor revisions to a previous application for the above development (EPF/2613/11) that was 'recommended for approval' by this Committee on 4/7/12 - and then referred to and subsequently approved by the District Development Control Committee on 8/8/12. The full report to the 4/7/12 Committee is attached, and this report only discusses the proposed revisions to this previously approved development.

Policies Applied:

CP2 Protecting the Quality of the Rural and Built Environment
CP6 Achieving Sustainable Urban Development Patterns
GB2A Development in the Green Belt
GB15A Replacement Dwellings
DBE1 Design of New Buildings
DBE2 Effect on Neighbouring Properties
DBE4 Design in the Green Belt
LL10 Adequacy of Provision for Landscape Retention

Summary of Representations:

STAPLEFORD PARISH COUNCIL_– No objections to the application.

NEIGHBOURS – 4 properties consulted, and a site notice erected, and no replies received.

EFDC TREES and LANDSCAPE SECTION – Tree reports have been submitted with the application that demonstrate that this development can proceed without a detrimental impact to existing preserved trees on the site. We therefore have no objections subject to conditions SC66 Tree Protection, and SC59 Hard and Soft Landscaping, being applied.

EFDC CONTAMINATED LAND OFFICER – Due to its horticultural nursery and industrial uses, and the presence of made ground, this site is potentially a contaminated one. Conditions 87, 87A, 87B, 87C, 87D should be added to any decision.

EFDC LAND DRAINAGE – No objections – but applicant is proposing to dispose of surface water by means of a sustainable drainage system – please add a condition requiring approval of this SUD before work commences.

Proposed revisions to the development:

Firstly, the new house to be built in the east part of the site (plot 1) is to be repositioned some 20m to the south and hence further way away from the northern boundary of the site and preserved trees. The house would also be re-orientated to be on a west-east axis rather than north-south one. This amendment does not give rise to any planning issues and is acceptable.

Secondly, the footprint of the house to be erected in the west of the site (plot 2) is slightly enlarged and has an extra bedroom on the first floor. Having regard to the large amount of commercial outbuildings and uses to be removed from the site this small increase in the size of this house is acceptable in Green Belt terms. With regard to its appearance two, rather than the one originally approved, two-storey gabled end wings are now proposed for this house. However the design of the house is still appropriate to a rural area, and a considerable area of sloping roof is retained at first floor level. In addition the proposed changes result in a design more in keeping with the house to be erected on plot 1. The proposed changes to this plot 2 house are therefore acceptable.

Thirdly, to the west of plot 2 the proposed plan now shows new tree and shrub planting. This additional planting was required by a condition on the previous approval and it will provide screening of the new house when viewed from the west. Details of species to be used will still be covered by condition.

Conclusions:

The revisions to the previous approved scheme are minor in nature and are acceptable. The previous approval was linked to two unilateral undertakings (requiring that certificate of lawful development 'approvals' will not be implemented) and these undertakings will have to be replaced by one revised undertaking. Conditional planning permission is therefore again recommended - but any new planning permission can only be issued once a revised undertaking is signed.

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:

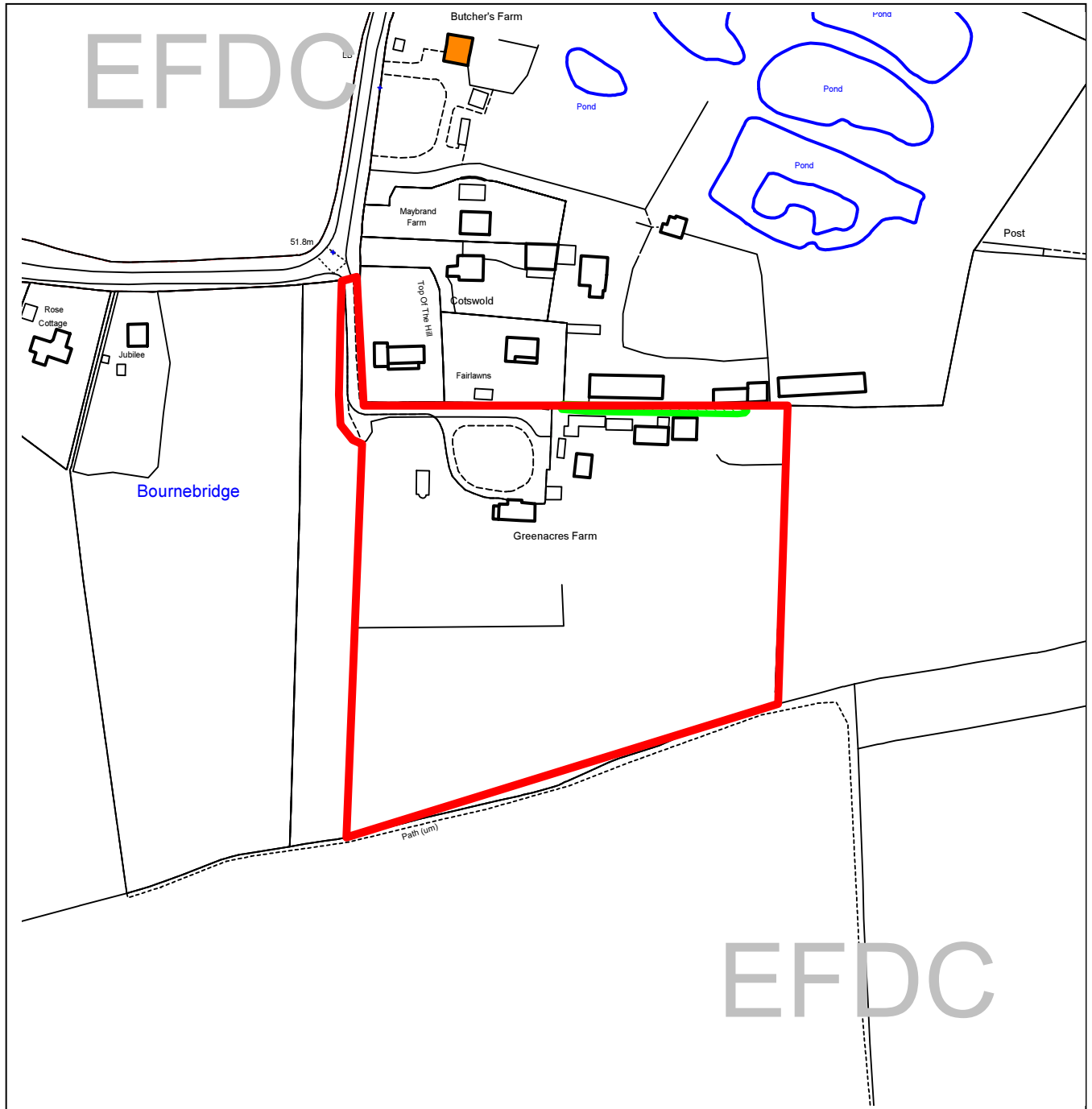
***Planning Application Case Officer: Mr David Baker
Direct Line Telephone Number: (01992) 564514***

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



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	11
Application Number:	EPF/2274/12
Site Name:	Greenacres Farm, Bournebridge Lane Stapleford Abbots, RM4 1LT
Scale of Plot:	1/2500