

Report Item No: 1

APPLICATION No:	EPF/0461/13
SITE ADDRESS:	Bansons Yard High Street Ongar Essex CM5 9AA
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
APPLICANT:	Bloor Homes Eastern and Elizabeth Gould, Sally Hearne and Susan Fenwich-Clennell
DESCRIPTION OF PROPOSAL:	Redevelopment of hand car wash site including demolition of existing structures and hard standing and erection of 14 no. dwellings, including garages, parking, roadway, drainage and all ancillary works.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=546793

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: S240-/Sk205 Rev A, SU-0011-12-MAS.04, S240-01 Rev D, 2415-GMP-01 Rev B, Topographical Survey, SU-0011-12-Gar.01, SU-0011-12-Gar.02, SU-0011-12-Gar.03, SU-0011-12-Will.01 Rev A, SU-0011-12-Will.02, SU-0011-12-350/352.01 Rev A, SU-0011-12-350/352.02 Rev B, SU-0011-12-350/352.03 Rev B, SU-0011-12-350/352.04 Rev A, SU-0011-12-350/352.05 Rev B, SU-0011-12MAS.COL.01 Rev F, SU-0011-12-MAS.01 Rev F, SU-0011-12-MAS.02 Rev B, SU-0011-12-MAS.03 Rev C, SU-0011-12-Pres.01 Rev C and PA518/Sk05 Rev A
- 3 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.
- 4 The development shall be carried out in accordance with the Flood Risk Assessment and Drainage Strategy submitted with the application unless otherwise agreed in writing with the Local Planning Authority.

- 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 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 7 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.
- 8 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 1. Suitable access arrangements to the application site in connection with the demolition/construction operations to include a one way system to prevent vehicles conflicting at the access points onto the High Street
 2. Wheel washing facilities for the duration of the development to prevent the deposition of mud and debris onto the public highway
 3. Turning and off loading facilities for delivery/construction vehicles within the limits of the application site together with an adequate parking area for those employed in developing the site.
 4. Storage of plant and materials used in constructing the development within the site.
 5. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
 6. Measures to control the emission of dust and dirt during construction.

7. A scheme for recycling/disposing of waste resulting from demolition and construction works.
8. A routing agreement detailing proposed routes of vehicles making deliveries to the site.
9. Details for the method of constructing the biodiversity lagoon and means of protecting the Protected Horse Chestnut Tree on the adjacent land.
- 9 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.
- 10 No development or preliminary groundwork's of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Planning Authority.
- 11 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 porches at all, no extensions/enlargements to the houses hereby approved that are more than 4m high and no outbuildings within their curtilage, generally permitted by virtue of Classes A, B, D, E of Part 1, Schedule 2 to the Order and installation of microgeneration equipment generally permitted by Classes A, B, H and I of Part 40, Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 12 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]
- 13 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 in writing 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]

- 14 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 in writing 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]
- 15 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval in writing. The approved monitoring and maintenance programme shall be implemented.
- 16 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.
- 17 No development shall take place, including any works of demolition, until a lighting scheme for all outside lighting for the development is submitted to, and agreed in writing by the Local Planning Authority and the development shall be implemented in accordance with such agreed details.
- 18 Before any preparatory, demolition or construction works commence on site a full survey and mitigation strategy for the whole site shall be carried out and submitted to the Local Planning Authority, with a working methodology for site clearance and construction work to minimise impact to any protected species. Development shall be undertaken only in accordance with the agreed methodology and strategy.

- 19 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garages hereby approved shall be retained so that they are capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.
- 20 No development shall take place, including any works of demolition, until additional details of the proposed crib wall together with details of landscaping and its implementation within 3m of the wall are submitted to, and agreed in writing by the Local Planning Authority and the development shall be implemented in accordance with such agreed details.
- 21 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.
- 22 No development hereby approved shall take place until measures to enable the provision of education improvements to the local area, necessitated by this development, are secured.

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).)

This application is before this Committee since it is an application for residential development consisting of 5 dwellings or more (unless approval of reserved matters only) and is recommended for approval (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(d))

Description of Site:

The application site is a roughly rectangular site located to the rear of the properties fronting the High Street, accessed from the High Street by two narrow un-adopted accesses and is approximately 0.5ha in size. The site is currently used as carwash/car sales and there are single storey buildings located on the site, surrounded by metal palisade fencing and construction fencing. The application site is located just outside of the Ongar Conservation Area and partly within the Ongar Town Centre boundary. Central House, the property to the east is Grade II listed. The site itself is relatively level, though it is down a slope from the High Street and falls away at the western edge of the site and from here there is a slope down towards Cripsey Brook. The site is partly within the Green Belt, with the Green Belt boundary protruding into the site around the neighbouring buildings which are outside of the Green Belt boundary. The area to the west is within the ownership of the Applicants but outside of the application site. This area is an overgrown area, informally used for recreational purposes and is partly within Flood Zone 3. There are business/industrial units to the south of the site, a mix of residential and business to the east and a sheltered housing block to the north of the site.

Description of proposal:

Consent is being sought for the redevelopment of the hand car wash site including the demolition of existing structure and hard standing and erection of 14 no. dwellings, including garages, parking, roadway, drainage and all ancillary works. The proposal is for a roughly linear row of terraced and semi-detached properties with one detached property. The proposed houses will have steeply pitched roofs, with rooms within the roof slopes, and will be a mix of 4 and 5 bedroom properties. One of the properties has been designed to Lifetime Homes standard. The proposal includes 2 parking spaces in garage/carports with 3 additional visitor parking spaces. A road is to be created along the western edge of the site with the houses fronting this road overlooking the Cripsey Brook, and the road is to be gated with a brick wall fronting the business units opposite. A balancing lagoon is also proposed as part of the development which will be located on the land between the proposed housing and Cripsey Brook and this forms part of the application site.

The application when first submitted also included a proposal for the transfer of the sloping land to the western side of the site to the Town Council, but no landscape proposals or management schemes were proposed as part of the application.

Through communication during the application process, with the Town Council and the Applicant it became clear that although the offer was genuine, the Town Council are not currently in a position to confirm the end intentions for this piece of land. Subsequent to this communication process, the offer of the transfer of the land has been removed from the application as it is considered that the transfer can be dealt with as a private agreement between the Town Council and the Applicants separate to this application. No planning justification was given by the Applicants for this offer to transfer the land and therefore it is not considered that the removal of the offer has any significant bearing on the determination of this application.

Relevant History:

None relevant to this residential scheme, but the most recent applications include:
EPF/0763/12 - County matters application for retrospective planning application for the importation and deposit of inert waste – No objection

Representations Received:

ONGAR TOWN COUNCIL: No objection but concerned about the effect of construction parking during the build period on or adjacent to the High Street and would ask that consideration be given to limited disruption by way of an appropriate condition applying only for the period of construction which may, in view of the nature of the development, be for a considerable period.

86 Neighbours have been consulted and site notices erected close to the site: During the consultation period the Council was made aware of additional businesses operating in the units at Basons Yard, which may not have been consulted within the initial consultation period. An additional site notice was erected on the fence to the site, and the original site notice (erected close to the vehicular access from the High Road) was replaced as on the second visit it had been removed and this provided a further consultation period.

The following comments have been received:

UNIT 2, BANSONS YARD – Concern with regards to construction traffic due to single lane of road

UNIT 4A BANSONS YARD – Concern with regards to access during construction period, concern with regards to condition of un-adopted road

1 FRANK BRETTON HOUSE, BANSONS WAY – Objection – housing for families is inappropriate neighbour to complex for the elderly, additional traffic on High Street, loss of view, noise during construction period, and from families and cars, loss of light, loss of privacy

Policies Applied:

National Planning Policy:

National Planning Policy Framework (NPPF)

Local Planning Policies of the Adopted Local Plan and Alterations in conformity to the NPPF

CP2 – Protecting the Quality of the Rural and Built Environment
DBE1 - New buildings
DBE2 - Neighbouring Amenity
DBE3 – Design in Urban Areas
DBE4 – Design in the Green Belt
DBE6 - Car Parking
DBE7 – Public Open Space
DBE8 - Private Amenity space
H2A – Previously Developed Land
H3A – Housing Density
H4A - Dwelling Mix
H5A – Provision for Affordable Housing
H6A – Site Thresholds for Affordable Housing
ST1 – Location of development
ST4 - Parking
ST6 – Highway Safety
LL10 – Adequacy of provision for landscape retention
LL11 – Landscaping Schemes
NC4 – Protection of Established Habitat
GB2A – Development within the Green Belt
GB7A – Conspicuous Development within the Green Belt
HC6 – Character, Appearance and Setting of Conservation Areas

Issues and Considerations:

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

- Principle of the Development
- Character and Appearance
- Impact on the Green Belt
- Impact on Neighbouring Amenity
- Highway and Parking Issues
- Landscaping
- Ecology

Principle of the Development

The application site is located on the edge of the built up area of Ongar, close to the High Street with the shops, services, facilities and transport links the High Street offers within walking distance of the site. The site is in a sustainable location in terms of the location of new development within the District.

The site is also (partly) previously developed land and redevelopment of such sites is promoted by Local and National policies. The NPPF contains the presumption in favour of sustainable development. The redevelopment of the site to residential, removing the existing uses at the site is also more in keeping with the mixed residential/business nature of the surrounding area.

The proposal results in a net site density of 38 dwellings per hectare (dph) which accords with local policy H3A which suggests between 30-50 dph. In addition the proposal is for larger family homes within the town centre which is considered a welcome addition to the area. The proposal also includes parking (including visitor parking) private amenity areas and access down towards Cripsey Brook. Although the proposed private amenity area is slightly lower than policy DBE8 dictates, given this edge of urban location with easy access to the adjacent countryside, this is considered acceptable.

The proposed development falls below the thresholds for an affordable housing provision and this proposal therefore does not include any affordable housing provision.

Generally, notwithstanding the further discussion below, residential development on this site in principle is acceptable.

Character and Appearance

Three different house types are proposed all with rooms within the roof facilitated by pitched roof dormers and/or gables. The properties have a good level of detailing with string courses; exposed rafter ends under the eaves; brick lintels above the windows and exposed beam detail in the gables. This all provides a good level of interest to the properties and provides cohesion across the row. The houses have a maximum height of 10.5m, with the attached properties a width of 5m and depth of 10m. The detached property has a width of 8.5m and a total depth of 9.5m including a front bay projection and single storey element to the rear.

8 of the properties have inset balconies within the front gables, which take advantage of the views across countryside to the west and no dormers are proposed to the rear relying on rooflights instead, which also reduces any potential overlooking issues to the rear.

The proposed development results in a linear development towards the western side of the site with the rear gardens behind closest to the High Street. There is one garage proposed on the opposite side of the new road and gateway which is considered to form an attractive 'gateway' to the development, almost appearing as a gatehouse to the development. The design of the proposed layout and actual design of the houses follows the principles of the Essex Design Guide. The steep roof pitch, prominent gables, well proportioned pitched roof dormers and parking located to the side/rear are very typical of the Essex Design Guide. Pushing the parking to the rear of the properties reduces the dominance of parking within the development, and where the parking area is to the rear for plots 5, 6, 7 and 10 the garages are well overlooked by the proposed properties to aid security.

The garage designs are relatively standard pyramid roof designs with up and over doors. The detached house garage, located adjacent to Frank Bretton House and the garage adjacent to the entrance gates have the addition of a cupola which again adds interest and diversity to the roofscape.

The site is adjacent to the Ongar Conservation Area and currently does not make any contribution to the character or appearance of the adjacent Conservation Area. The Council's Conservation Officer has no objection to the proposal, as it is not considered to have an adverse impact on the setting of the Conservation Area or of the adjacent Grade II listed Central House. The proposed houses, as outlined above, have been sensitively designed taking account of traditional forms and detailing.

The Conservation Officer has highlighted the proposed materials as the proposed pantiles, plain tiles and soft red bricks do reflect the vernacular. However, the proposed roof coverings are concrete and synthetic slate which will mimic the appearance of traditional materials but do not have the same characteristics or degree of visual interest. Equally the proposed uPVC windows will not uphold the level of visual detail and quality of traditional and historic properties with timber windows. Although the use of high quality traditional materials is always encouraged, given that the site is not within the conservation area and will, on the most part, only be viewed in relation to the rear of Central House which comprises predominantly of later additions, the proposed materials for this proposal, in this location are acceptable particularly given the overall design and detailing of the proposed properties.

Green Belt

The western part of the site is within the Green Belt, with all bar plots 1-3 partly in the Green Belt, broadly the front parts of the houses will be within the Green Belt boundary. The Green Belt boundary is slightly unusual along the west side of Ongar as it kinks in at the application site but the business units to the south and Frank Bretton House to the north are excluded from the Green Belt although the proposal does not extend beyond these building lines of the neighbouring built form. Therefore although partly within the Green Belt the proposal will read as part of the Ongar Town Centre and is not considered to result in any significant detrimental harm to the character and openness of the Green Belt in this location particularly given the neighbouring built form.

The proposal will be viewed from the surrounding area against the context of the built up area of Ongar and although a far more prominent development than the existing low level buildings, the proposal is not considered to result in an overly conspicuous development when viewed from the surrounding Green Belt land.

The proposal also includes a retaining crib wall to the western boundary of the application site which, dependent on design (discussed in further detail below), will improve the wider appearance of the site once suitably landscaped.

The National Planning Policy Framework (NPPF) lists exceptions to inappropriate development within the Green Belt. This list includes '*limited infilling in villages,*' and '*limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use*'. This proposal can be classed as an infill development on previously developed land and is considered inline with National Green Belt policy.

Neighbouring Amenity

The nearest residential units are within Frank Bretton House directly to the north of the site and Basons Court located on the High Street at the access to the development site. In general terms due to the distances to the nearest residential properties the proposal is not considered to result in any significant loss of light, outlook or privacy to any neighbouring property.

The proposal is directly adjacent to the south corner of Frank Bretton House with the garage for plot 14, 2m from the flank wall of the building. Although close to the side of Frank Bretton House the eaves height of this garage is 2.2m and there does not appear to be any immediately adjacent flank windows to this part of Frank Bretton House in any event. In addition, the dwelling for plot 14 is some 6.5m from the shared boundary and therefore reducing any potential impact on the amenity of the occupiers of Frank Bretton House.

Although it is appreciated the existing view for occupiers of Frank Bretton House will change, the appearance of the site is presently poor and the development will improve its appearance.

There may be some overlooking from Frank Bretton House over the new properties but this will be mitigated by the existing (and proposed to be retained) trees along the boundary of the site and in any event any over looking will be in the main to the rear garden areas of the properties and therefore is not considered to result in any significant impact on amenity.

With regards to the residents at Basons Court, the built form of the development is not considered to result in any impact to this property. Although the access is alongside these properties the proposal is likely to result in similar or less traffic movements than the existing use of the site and this may result in a better level of amenity for these residents.

In addition the removal of the current uses and buildings at the site are considered to result in an improvement to neighbouring amenity, particularly visual amenity as the site will be much improved visually.

Highway Issues and Parking

The Essex County Council Highways Officer has raised no objection to this scheme. The site has two possible accesses that serve a mixture of uses including the application site. The proposed development, at worst will likely generate a comparable level of traffic to what the existing use could potentially generate which is minimal in capacity terms and imperceptible on the Highway network in this location. The accident history for this location has been investigated and there are no recorded accidents within the last 3 years associated with either access. Consequently the Highway Authority concludes that the proposal will not have a detrimental effect on highway safety, capacity or efficiency at this location.

Neighbouring businesses have raised concerns with regards to construction traffic and the potential issues that may arise, particularly given the presumably lengthy construction period. The Highways Officer has suggested a condition to ensure suitable access arrangements to the application site in connection with the demolition/construction operations, to include a one way system to prevent vehicles conflicting at the access points onto the High Street, wheel washing facilities for the duration of the development to prevent the deposition of mud and debris onto the public highway, turning and offloading facilities for delivery/construction vehicles provided for within the limits of the application site together with an adequate parking area for those employed in developing the site. This is considered acceptable given the location and specific circumstances of the site and given the concerns raised by the neighbouring businesses and this will mitigate against any potential disruption to the neighbouring businesses during the construction period.

2 parking spaces have been provided for each dwelling which meets the Essex County Council Parking Standards suggested minimum of 2 parking spaces per dwelling for any dwelling with 2 bedrooms or more. 3 visitor parking spaces have also been provided in a lay-by adjacent to the access road, which is 1 less than that suggested by the Parking Standards, but given this location close to the town centre it is not considered that this 1 space under provision is a significant issue.

Landscape Issues

A tree survey has been submitted with this application which shows there are no trees on site. There are trees on adjacent land, but these can be adequately protected during any development activities so that they are retained. The Tree and Landscaping Officer has no objection to the development but has raised an issue with regards to the 'crib wall' which forms the boundary between the development and the grassland leading to the river. The reason for the concern is to assess the visual impact on this when viewed from the wider Metropolitan Green Belt area to the west, this is particularly important as public rights of way cross the adjacent fields. Further information has been requested from the Applicant with regards to the detail of the crib wall and

this can be conditioned to ensure that in terms of the impact of the crib wall on the wider area the proposal is acceptable.

The Tree and Landscape Officer raised initial concerns with regards to the insufficient information submitted regarding the area of open space which was to be transferred to the Town Council, however as stated above this element has now been removed from the application. There is a protected tree on this land and the Tree Officer has raised concerns with regards to the protection of this tree during development, particularly with regards to the balancing lagoon located on this land, but a construction method statement could be added as a condition to ensure that the protection of this tree is taken into account as part of the application.

Subject to the condition above and a tree protection, landscaping and details of the crib wall condition the proposal is considered acceptable in terms of the landscape issues.

Ecology

An Ecological Assessment was submitted as part of the application which suggests that there is no significant biodiversity or conservation value either existing or the potential for this value. The Ecology report has not taken into account the area of the application site which includes the balancing lagoon and therefore additional information has been requested to cover this area with particular focus on slow worms which are known to populate the area to north and south of the site. In addition further information has been requested with regards to the trees lining the banks of the brook as, although outside of the application site it may be suitable for bats and this may inform a lighting scheme for the new development. Conditions can be added to any permission to ensure that appropriate mitigation takes place if necessary.

Other Issues

- Education:

Due to the size of the scheme, Essex County Council Education has calculated that a contribution of £11,408 is required towards student transport given that the nearest secondary schools are over 3miles away and this can be covered by a condition to ensure this money is paid and the applicants are aware of this request.

- Refuse

It is intended that the bins will be stored to the rear of the properties and a plan has been provided to show how occupiers will bring the bins to the front of the properties for collection which is considered acceptable.

- Flood Risk

The development is of a size where it is necessary to avoid generating additional runoff and the application was accompanied with a flood risk assessment and drainage strategy which the Council's Land Drainage team have found acceptable subject to a condition ensuring that the development is carried out in accordance with the submitted details.

Conclusion:

In light of the above appraisal, it is considered that the principle of the proposed development is acceptable. The proposal is considered an acceptable design with no significant harm to the adjacent conservation area or listed building. The proposal is not considered to result in any significant harm to neighbouring amenity and the existing infrastructure can absorb a new development of this size although it is acknowledged that there is a justified need for an education contribution that represents the community benefit necessitated by this development. The proposal makes an efficient use of this site in a sustainable location that has both National and Local planning policy support. It is therefore recommended for approval subject to conditions.

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

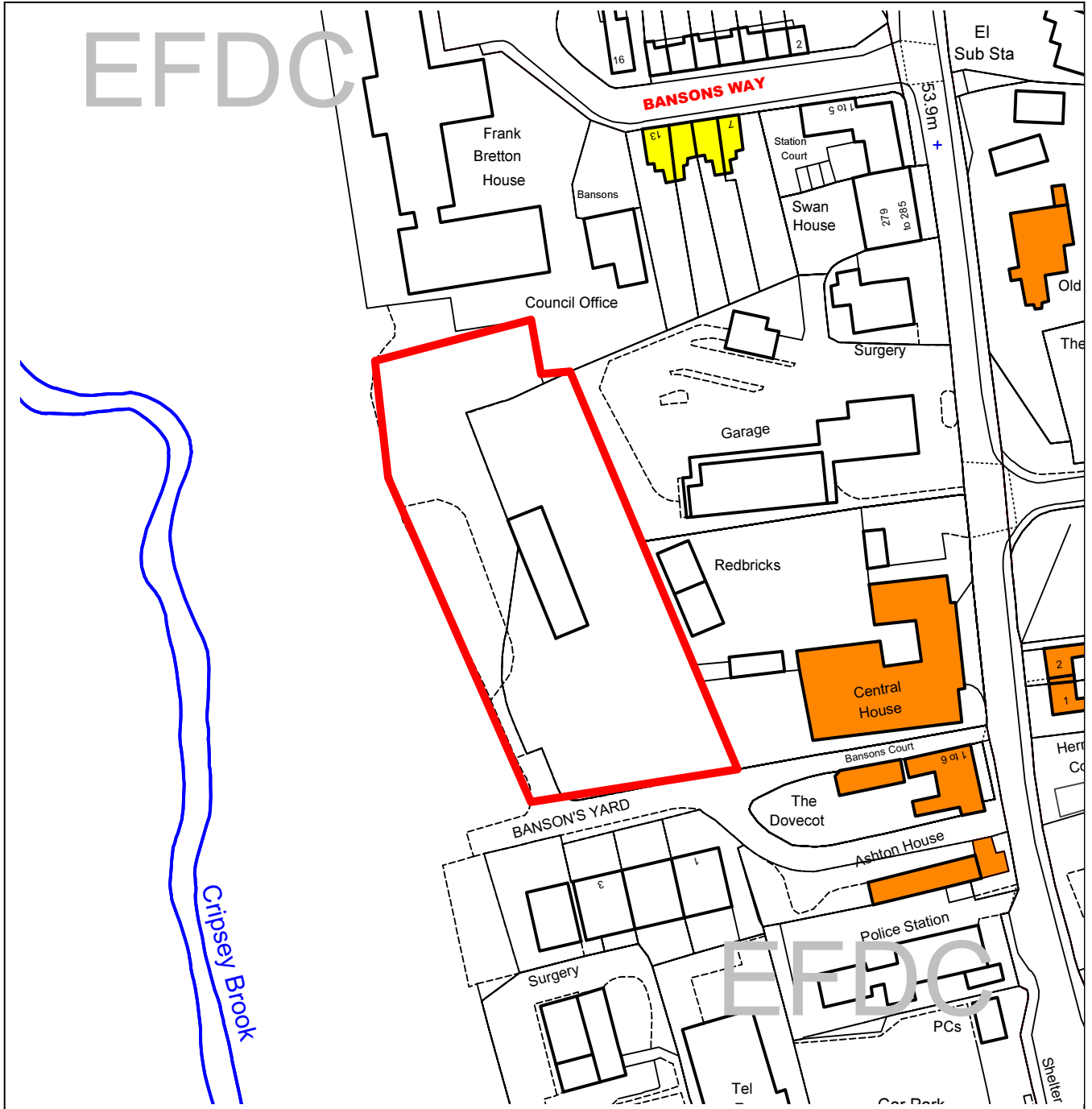
**Planning Application Case Officer: Marie-Claire Tovey
Direct Line Telephone Number: 01992 564371**

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:	1
Application Number:	EPF/0461/13
Site Name:	Bansons Yard, High Street Ongar, CM5 9AA
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/2343/12
SITE ADDRESS:	Stone Hall Downhall Road Matching Green Harlow Essex CM17 0RA
PARISH:	Matching
WARD:	Hastingwood, Matching and Sheering Village
APPLICANT:	Mr Phil Roberts
DESCRIPTION OF PROPOSAL:	Demolition of existing timber construction Use Class B1 units and replace with new Use Class B1 units and 6 no. 3 bedroom cottages.
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/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=543982

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos:211/S/100, S/101, S/102, P/11A,P/012, P/013, P/014, P/015, P/016, P/017, P/018P/019
- 2 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 3 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.
- 4 No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 5 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.

- 6 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order the B1 units hereby approved shall not be used only for uses falling within the B1 use and shall not be used for any other purpose without the prior written permission of the Local Planning Authority.
- 7 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 or E shall be undertaken without the prior written permission of the Local Planning Authority.
- 8 The B1 use hereby permitted shall not operate outside the hours of 0.800 to 20.00 on Monday to Saturday and 10.00 to 16.00 on Sundays and Bank/Public Holidays.
- 9 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.
- 10 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.
- 11 There shall be no external storage in connection with the approved B1 business use.
- 12 The parking areas for the B1 uses, shown on the approved plans shall be provided prior to the first use of any of the B1 units hereby approved and shall be maintained free of obstruction for the parking of vehicles in connection with the approved B1 uses thereafter and shall not at any time be used for the storage or parking of vehicles unconnected with the businesses operating at the site.
- 13 Prior to commencement of development details shall be submitted to and approved in writing by the Local Planning Authority for a bellmouth access into the site to include minimum kerb radii of 8m returning to the carriageway width of no less than 6metres for the first 10metres into the site, unless otherwise agreed in writing by the Local Planning Authority. The approved details shall be implemented prior to first

occupation of any element of the development.

- 14 Prior to the first use of any part of the approved development the site shall be provided with a size 3 turning head, as per the Essex Design Guide, before the gates to the business/industrial area.
- 15 No unbound material shall be used in the surface treatment of the vehicular access within 10m of the highway boundary.
- 16 Prior to commencement of 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.
- 17 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.
- 18 Prior to commencement of development details of phasing of the development including timing of demolition of the existing buildings, and erection of the replacement units and housing, shall be submitted to and agreed in writing by the Local Planning Authority. The works shall then be carried out in accordance with the agreed phasing plan unless alternative phasing is agreed in writing by the Local Planning Authority.
- 19 A flood risk assessment and management and maintenance plan shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 20 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]
- 21 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 in writing 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]

- 22 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 in writing 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]
- 23 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval in writing. The approved monitoring and maintenance programme shall be implemented.
- 24 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.
- 25 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.

And subject to the applicant first entering into a legal agreement under section 106 of the Town and Country Planning Act within 1 month of the date of this meeting to secure three of the proposed residential units as affordable rented accommodation.

This application is before this Committee 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 it is an application for residential development consisting of 5 dwellings or more (unless approval of reserved matters only) and is recommended for approval (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(d))

Description of Site:

The application site is located on the western side of Downhall Road to the north of Matching Green. The site comprises approximately 2.15 hectares in an L shape with a road frontage of approximately 180m. The site has two distinct elements, an undeveloped rectangular field of about 0.75 of a hectare with a road frontage of about 125m and a depth of between about 50 and 75metres, and an L shaped hard surfaced area with 5 single storey agricultural buildings which has been used as a business park for many years and also has a significant open storage element including the storage of large lorry containers. The site backs on to agricultural land and is adjacent to woodland to the North West. Immediately to the east is a group of dwellings, including the grade II listed Stonehall Barn which immediately abuts the boundary of the site close to the road frontage.

The site is within the Metropolitan Green Belt, but not within a conservation area.

Description of Proposal:

The application is for the redevelopment of the business park, by the removal of all the existing buildings, containers and open storage and their replacement with purpose built two storey business units with associated landscaping and car parking. This area is to be located to the rear of the site, taking up part of the area that currently has business use.

In addition the scheme proposes the erection of a terrace of 6 three bedroom cottages to be located within the front section of the site in an area that is currently part of the business park. The existing undeveloped field, although outlined in red as part of the site, is shown to be retained as an undeveloped grassed area.

The intention is to retain the existing access point to the site to serve both the business park and the residential units, but to swing the access track north, away from the existing residential uses. The proposed layout creates a separation of the built development from the adjacent listed barn.

The proposed cottages are traditional in design and true cottage style with the first floor accommodation within the roof, served by pitched roofed dormer windows to the front and rear. Each property has a rear garden of approximately 15m depth and there is a residential parking area including a car port and one space for each unit and additional visitor parking spaces. An open communal space is proposed to the front of the dwellings together with a small green area. The business park is set to the rear of this residential development and contains 14 business units and marked out parking for 50 cars and an additional overspill car park.

The layout indicates provision for cycle and powered two wheeler parking and also for refuse storage.

Relevant History:

The site was originally a poultry farm, use of the three larger buildings for business use was allowed on appeal back in 1989 and since then the uses have diversified and intensified and storage use has also taken place.

In 2011 a certificate of Lawfulness was granted for the open storage use as the applicants had proven on the balance of probability that the use had continued for in excess of 10 years.

Summary of Representations

35 neighbours (residential and existing business units) were consulted and a site notice was erected, the following responses were received.

UNIT 2 BEECH HOUSE, STONEHALL BUSINESS PARK – The development is very much needed – The current workshops are easily broken into, maintenance of the buildings leads to high service charges, the road conditions are poor resulting in regular punctures, there are poor bathroom facilities so work days can be very uncomfortable, the site is in poor shape and attracts crime. A modern revamp means 24/7 security from the neighbouring cottages and provide a much warmer safer environment to work in.

UNIT 3 BEECH HOUSE — Support, as long term tenant I am aware of current problems in trying to run business from these units. They are in poor condition, vehicle access is difficult and there are limited toilet facilities that freeze in the winter. The electricity supply is unreliable and there have been thefts and criminal damage. If the cottages went ahead security would improve. Only concern is possible increase in costs to tenants although I have been assured that this will not be the case.

UNIT 6/7 BEECH HOUSE – The proposals would be beneficial as we could purchase our own unit and expand the business which at present is not an option due to the amount of break-ins in the last 2 years. The site needs tidying up forever and the houses to the front are probably the key to the development happening. This would add much needed security.

UNIT 8 BEECH HOUSE – Fully support the proposals. The present structures are dilapidated and out dated with insufficient facilities, no insulation and no hot water or heating. There is inadequate parking. We have security concerns and the 6 cottages would eradicate this. Currently also suffer a rodent problem. Problems are all due to the age and design of the units.

UNIT 5 YEW HOUSE, STONEHALL BUSINESS PARK – Support the application. Having been a tenant for over a year and a half I feel that the units are past their best. The redevelopment would certainly increase security and amenities for the current tenants.

STONEHALL BARN, DOWNHALL ROAD – Support the proposed redevelopment. The proposed development would have a positive effect on the listed building and is a sympathetic design that will minimise impact from the new domestic neighbours as well as the business park traffic. There will be a reduction in noise; the green area will provide an attractive open space adjacent to the listed barn. The cottages will enhance security and improve the use of this area of land adjacent to my property. There will be more green space. The units will be for sale which will encourage occupiers to look after the estate. Residential properties and purpose built units will make the site more secure and deter criminals. The balance between business use and residential use is correct. We would oppose any of the adjacent green area being a children's play area as the barn has very thin walls. Building works must take into account the proximity of the listed barn as it is not a robust structure. It would be sensible to put weight restrictions on Down Hall Road which is unsuitable for HGV's. We understand that the angle of the development means that Stonehall Barn or its garden will not be easily overlooked.

STONEHALL HOUSE, DOWNHALL ROAD- We would welcome development that will take noise and light pollution further from our property. The six cottages would improve the appearance and add security to the area, it is understood that the developer would include our property in the new septic tank arrangements. I have no objection to the proposal and feel it can only be an improvement on the current situation.

UNITS 1, 4 and 5 TUDOR HOUSE-, STONEHALL BUSINESS PARK – Support the development. I have been here 7 years and have enjoyed working here but I now have 9 staff and the units and facilities for staff are limited, there is little insulation and the buildings are easy to break into. The development would provide a better working environment for the staff and being able to buy a freehold would be a great opportunity. The added benefit of homes being built in the vicinity would help security and improve the environment. I support the proposal because if I continue to grow my business I would probably have to move off the business park for the reasons set out above.

Policies Applied:

The NPPF

The following policies of the adopted Local Plan and Local Plan Alterations are considered to be in accordance with the NPPF and therefore are to be accorded due weight.

CP2 Quality of environment
CP3 New Development
CP5 Sustainable building
CP8 Sustainable economic development
GB2 A Development in the Green Belt
GB7A Conspicuous development
HC12 development affecting setting of listed building
RP4 Contaminated Land
RP5A Adverse environmental impacts
H5A affordable Housing
H6A Thresholds for affordable housing
H7A Levels of affordable housing
H8A Availability of affordable housing in Perpetuity
DBE1 Design of ne buildings
DBE2 Effect on neighbouring properties
DBE4 design in the Green Belt
DBE5 Design and layout of new development
DBE6 Car parking in new development
DBE8 Private Amenity space
DBE9 Loss of amenity
LL2 Inappropriate rural development
LL7 Planting and protection of trees
LL10 Adequacy of landscape retention
LL11 landscaping Schemes
ST1 Location of development
ST2 Accessibility of development
ST4 Road safety
ST6 Vehicle parking
I1A Planning obligations

Issues and Considerations:

Green Belt

The site is within the Metropolitan Green Belt. The NPPF states that the construction of most new buildings in the Green Belt should be regarded as inappropriate, exceptions to this include: the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces, limited infilling in villages and limited affordable housing for local community needs under policies set out in the Local Plans and limited infilling or partial or complete redevelopment of previously developed sites, 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 area of land that is affected by this proposal (which excludes the greenfield area to the front of the site which is to remain undeveloped), is accepted as being previously developed land, that is land on which there is lawful non agricultural use. The main consideration is therefore whether the proposed redevelopment will have a greater impact on openness and the purposes of including land in the Green Belt, than the existing development. The proposed redevelopment will not spread the built development outside the areas already developed, and despite the increase in the height of buildings and the introduction of residential as well as business uses, it is considered that the proposed redevelopment is sited and designed in such a way that it will have only a relatively minor increased impact on openness. However although this increased impact is relatively minor, this does make the development inappropriate, by definition and to be acceptable there need to be very special circumstances sufficient to outweigh this and any other harm. This will be assessed at the end of the report

Impact on Residential Amenity

The existing use of the site includes uses very close to the residential properties Stonehall Barn and Stonehall House and there is currently no control over hours of use of the site. The proposed redevelopment of the site moves the business uses further from the residential properties and provides an opportunity to impose conditions on the use of the buildings and the land to prevent late night working, and this will improve the residential amenity enjoyed by neighbouring residents. The new buildings although taller than any currently on site are sited such that there will be no overshadowing or overlooking of existing properties.

Design and impact on setting of listed building.

The proposals are the result of pre-application discussions and the proposed 6 cottages at the front of the site are well designed and appropriate in form and detailing to the rural area. In addition they are set away from the listed barn and would appear perhaps as estate cottages, and would not adversely impact on the setting of the listed barn.

The Councils Conservation Officer commented:

“The site lies within the setting of Stonehall Barn, a grade II listed building dating from the late 16th century. I have no objections to the proposed redevelopment of the site. The removal of the buildings next to the barn (The Lodge, Yew House and Tudor House) will enhance its setting and the sympathetic, traditional design of the proposed cottages preserves the setting and ensures the barn remains the central feature on the site. In addition, the proposed business units are not overly dominant in views to and from the barn due to their low height, screening by planting and the natural dip in ground level. The location of the parking areas away from the barn and the creation of open green spaces next to the barn also contribute to the enhancement of the barn’s setting. If the application is approved, the details and types of external finishes for the proposed buildings, boundary treatments and signage should be covered by condition.”

This is supported by policy HC12 of our Local Plan and Alterations (1998 and 2006)”.

Impact on Street Scene and Rural Character

The proposals include retaining the existing access and also retaining the fronting trees and hedgerows, the impact when viewed from the road will be minimal. What will be glimpsed through the access is the proposed row of cottages and as stated above these are considered appropriate to the rural location in design. The business units will be largely obscured from view and it is not considered that there will be a significant impact on the rural character of the area.

Traffic.

The proposal does have the potential to result in some increased traffic movements, as a result of the increased floor area of business use and the introduction of 6 houses, however the site is busy at the moment and has a history of being used for container storage, which would be much larger vehicles than one would expect for the new development. Essex County Council has raised no objection to the proposed scheme and it does provide the opportunity to bring the existing access up to a higher standard. The proposals provide ample parking within the site for both the housing development and the business units, with potential for overflow parking if necessary.

Subject therefore to conditions it is not considered that there will be harm to highway safety.

Trees and landscaping

The application was supported by a good quality tree report and landscaping proposals which demonstrate to the satisfaction of our landscape officer that the development is feasible without a detrimental impact on the trees on and around the site. Subject therefore to conditions the development is considered acceptable in landscape terms.

Sustainability.

One of the main tenets of the NPPF is sustainability. This site is not in a sustainable location, it is remote from centres of population and anyone living or working at the site will be heavily reliant on motorised transport. In addition it is a complete redevelopment, with no reused buildings or materials, which may be regarded as unsustainable. However offsetting this to some extent is that the new business units will meet current building regulation standards preventing excessive heat loss and reducing energy consumption compared to the clearly substandard existing units on the site.

Ecology

An extended phase one habitat survey was submitted with the application and this concluded that no protected species were likely to be impacted by the development due to the nature of the site and the existing land use/management. Although bats may forage along the existing tree corridors around the site, these are to be retained so there will be no adverse impact.

Affordable Housing.

As the application site is within the rural area and on previously developed land the policies of the Local Plan and Local Plan alterations require that where four or more dwellings are proposed 50% of the properties must be "affordable" housing.

The application was submitted with an economic viability assessment that concluded that the inclusion of affordable housing, or an affordable housing contribution would render the scheme unviable and delay the provision of replacement business units and housing.

As part of the assessment of the application therefore an independent review of this economic viability assessment was commissioned, (paid for by the applicant) and this concluded that many of the cost assumptions in the original appraisal were set unrealistically high and that in fact the development would still provide a reasonable return. Essentially it concludes that both the B1 use **and** the residential properties (with affordable housing) can be provided, whilst still providing a land value for the existing landowner, that is well in excess of the Existing Use Value - and, at the

same time, with a reasonable and healthy profit (of 17.5%) being returned to the developer even if the required 50% affordable housing is included.

The Director of Housing has confirmed that the provision of 50% of the houses as affordable units on this site, in line with current planning policy, is appropriate and indeed such on site provision is generally preferable to a contribution towards provision elsewhere due to the shortage of developable sites in the District.

Following discussion, although sceptical with regard to the conclusions of the independent assessment, the applicant has agreed to enter into a legal agreement to ensure that 3 of the 6 houses proposed will be affordable rented units.

Without this agreement the residential element of the development would be clearly contrary to current adopted policies and the scheme would be recommended for refusal. With the agreement, the proposals are in compliance with the affordable housing policy.

Very special circumstances

From the above assessment it is considered that the proposed redevelopment has several advantages that taken together do amount to very special circumstances sufficient to outweigh the relatively limited harm to the green belt from the increased volume of built form and the harm from poor location.

1. The development will create a separation between the existing Listed Stonehall Barn and remove dilapidated buildings from its setting. The conservation Officer agrees that the proposals do improve the setting of the listed building.
2. The proposals move the employment uses further from the existing residential properties and enable the introduction of conditions to prevent late working which will protect the amenities of neighbours.
3. The proposals enable the introduction of conditions to prevent open storage on the site, which will improve the visual amenity of the area.
4. The proposals provide modern adaptable buildings for business use, to replace the existing dilapidated sheds which provide very poor working conditions. This will enable longer term leases which will benefit local business and secure rural jobs in accordance with the economic strand of the NPPF.
5. The proposed housing will provide security to the employment site with an on site presence in the evenings and at weekends.

As such the proposal is considered on balance to comply with Green Belt policy.

Conclusion

In conclusion therefore it is considered that subject to conditions and to a legal agreement under section 106 to ensure that 3 of the proposed houses will be available for affordable rented accommodation in perpetuity, the development is in accordance with the NPPF and the adopted policies of the Local Plan and Local Plan Alterations and is recommended for approval.

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

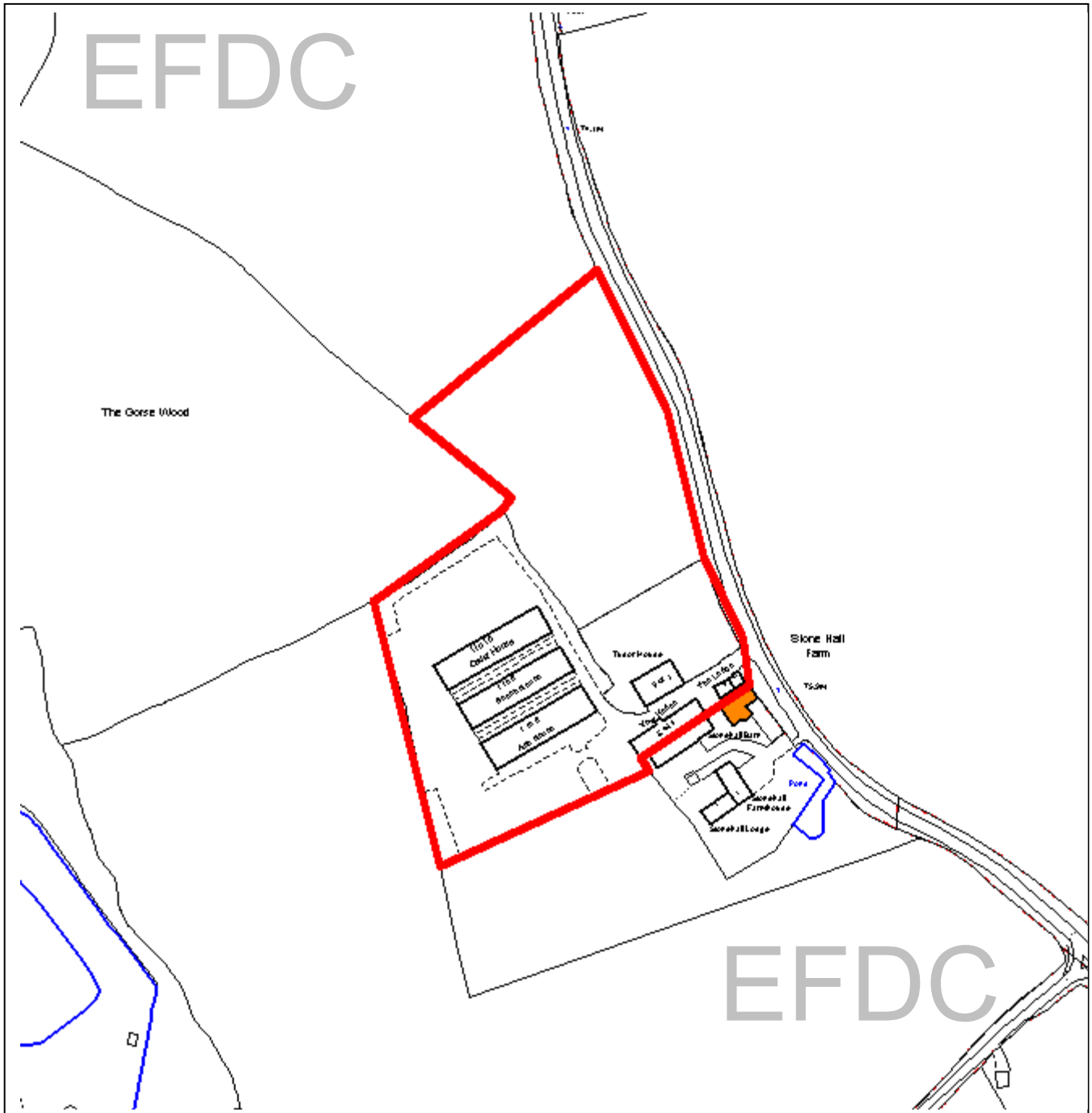
***Planning Application Case Officer: Mrs Jill Shingler
Direct Line Telephone Number 01992 564106***

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



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	2
Application Number:	EPF/2343/12
Site Name:	Stone Hall, Downhall Road Matching Green, CM17 0RA
Scale of Plot:	1/2500

Report Item No: 3

APPLICATION No:	EPF/2468/12
SITE ADDRESS:	Blunts Farm Coopersale Lane Theydon Bois Epping Essex CM16 7NT
PARISH:	Theydon Bois
WARD:	Passingford Theydon Bois
APPLICANT:	Mr Mark Swan
DESCRIPTION OF PROPOSAL:	Demolition of existing buildings comprising a dwelling house and agricultural / commercial buildings and the partial demolition of agricultural / commercial buildings, removal of areas of hard standing and the erection of four dwelling houses, access works, associated landscaping, drainage, infrastructure and ancillary developments.
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/AniteLM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=544447

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: EKV P3 01 rev B, EKV P3 02 rev B, EKV P3 03 rev B, EKV P3 04 rev B, EKV P3 H1_01, EKV P3 H1_02, EKV P3 H1_03, EKV P3 H1_04, EKV P3 H2_01, EKV P3 H2_02, EKV P3 H2_03, EKV P3 H2_04, EKV P3 H3_01, EKV P3 H3_02, EKV P3 H3_03, EKV P3 H3_04, EKV P3 H3_05 and EKV P3 H3_06
- 3 Prior to the commencement of the development hereby approved, all buildings and parts of buildings shown to be demolished on drawing number EVK P3 04 rev B shall be demolished and all resultant debris removed from the site.
- 4 Prior to the commencement of the development hereby approved, revised plans shall be submitted for the Local Planning Authority's approval in writing detailing the access arrangements including visibility splay. This plan shall also include details of the impact of the proposed access arrangements on existing trees and other planting within its vicinity. The development shall proceed in accordance with the approved details, which shall be implemented prior to the first occupation of any dwelling hereby approved.

- 5 Prior to the first occupation of the development, the proposed private drive shall be constructed to a minimum width of 5.5 metres for at least the first 6 metres from the back edge of the carriageway.
- 6 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 7 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.
- 8 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 9 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]
- 10 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under

Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

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

- 11 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval in writing. The approved monitoring and maintenance programme shall be implemented.
- 12 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 13 No development, 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.
- 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 The development shall proceed in accordance with the methodology and recommendations for ecological enhancements set out in the submitted PJC Ecology Extended Phase 1 Habitat Survey (January 2012).

- 16 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.
- 17 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
1. The parking of vehicles of site operatives and visitors
 2. Loading and unloading of plant and materials
 3. Storage of plant and materials used in carrying out demolition and in constructing the development
 4. Measures to control the emission of dust and dirt during demolition and construction
 5. Measures to prevent mud being brought on the highway during demolition and construction.
- 18 Notwithstanding the detail provided on submitted plans, prior to the commencement of the development hereby approved, details of the extent and location of individual residential curtilages within the development together with details of their means of enclosure shall be submitted to the Local Planning Authority for approval in writing. The development shall proceed in accordance with the agreed details.
- 19 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.
- 20 Prior to the commencement of the development hereby approved, details of refuse storage and collection arrangements shall be submitted to the Local Planning Authority for approval in writing. The development shall proceed in accordance with the approved details and any necessary facilities shall be available for use prior to the first occupation of any dwelling hereby approved.
- 21 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garages and car-ports hereby approved shall be retained so that they are capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.
- 22 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 additions, including any enlargements to roofs, and outbuildings generally permitted by virtue of Classes A, B and E shall be undertaken without the prior written permission of the Local Planning Authority.
- 23 No external lighting shall be installed within the site or on any of the dwellings hereby approved, unless agreed in writing by the Local Planning Authority.

And subject to the completion within 12 months of a legal agreement under section 106 to provide an appropriate contribution towards the provision of affordable housing in the District.

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

Description of Site:

The core of the application site comprises disused farm buildings which have been converted, without planning permission to 24 separate units for B1/B8 use. Their use has ceased. Part of this complex is in other ownership (to the east of the site). There is a house in the southern part of the site, which is set back to the north from Coopersale Lane by about 110m. Beyond the site to the south and east are two large houses; Blunts Chase and Blunts Farm Cottages. The land to the north and west of the site was previously granted permission for a Golf Course but this permission has now lapsed and the site has been subject to extensive enforcement action regarding unauthorised works, which has now been resolved following compliance with the requirements of enforcement notices. The whole site is within the Green Belt and the site commands panoramic views over the valley to the north. Parts of Coopersale Lane in this location are a protected lane.

Description of Proposal:

This application seeks planning permission for a residential development comprising four detached, 4 bed dwellings and the demolition of an existing dwelling within the application site. The houses would be two-storey. One of the houses would be a direct replacement for the existing house on the site. The remaining three would be constructed on lower ground, presently occupied by a number of disused farm buildings. The single-storey buildings would be completely demolished and a substantial part of the taller bulkier structures in the eastern part of the site would be demolished to facilitate the construction of the three new houses.

Relevant History:

EPF/0484/90	Change of use to golf course	Approved
EPF/0765/99	Change of use to golf course	Approved
EPF/1283/99	Change of use to golf course	Approved
EPF/0770/01	CoU to B1 and B8 use Appealed – appeal dismissed 2002	Refused

Reasons for Refusal:

1. *The development does not accord with policy GB8 of the adopted Local Plan which requires that planning permission will only be granted for the change of use of buildings in the Green Belt provided that they are of permanent and substantial construction, and would not result in traffic generation which is detrimental to the character and amenities of the countryside.*

2. *The proposals entail excessive traffic movements in Coopersale Lane to the detriment and character of this protected lane contrary to the requirements of policies T17 and HC4 of the adopted Local Plan.*
3. *The use of the site for commercial purposes results in disturbance detracting from the amenities of neighbouring residential properties contrary to the requirements of policy DBE9 of the adopted Local Plan.*

EPF/0831/06 Use of Barn as B1/B8 Refused

EPF/0832/06 Use of Building for B8 and ancillary office (adjacent site) Refused
Appealed – appeal allowed 2007

EPF/1772/09 Change of use of existing buildings to B1 (Light Industrial) and B8 (Storage) uses and alterations to provide flat roofs to open storage area Refused

Reasons for Refusal:

1. *The site is within the Metropolitan Green Belt. The proposed works represent inappropriate development and are therefore at odds with Government advice, as expressed in PPG2, the policies of the Adopted Local Plan and alterations and the East of England Plan. The latter state that within the Metropolitan Green Belt permission will not be given, except in very special circumstances for the construction of new buildings or for the change of use or extension to existing buildings except for the purposes of agriculture, mineral extraction or forestry, small scale facilities for outdoor participatory sport and recreation, cemeteries, or similar uses which are open in character. In the view of the Local Planning Authority the application does not comply with these policies as the proposed use will have a material and adverse impact on the openness, character and appearance of the Metropolitan Green Belt due to its scale, appearance, external parking, external storage, and traffic generation. In addition the siting of the scheme will be visible within the Metropolitan Green Belt and highly conspicuous, thereby detrimental to its visual amenity. Thus the scheme is contrary to PPG2, SS7 of the East of England Plan, and policies GB2A, GB7A and GB8A of the Adopted Local Plan and Alterations.*
2. *The proposed scheme, which has already been partially implemented, is of an urban, industrial and utilitarian design which is out of keeping with this rural area, contrary to policies DBE1 and 4 of the Adopted Local Plan and Alterations.*
3. *The proposed scheme is in a rural area which is not served by public transport. The scheme would see a considerable increase in vehicle movements and this site is not in a sustainable location, contrary to policies CP1, CP2, CP3 and 9 of the Adopted Local Plan and Alterations.*
4. *The proposed scheme, due to its proximity to Blunts Farm House, Blunts Chase and dwellings at Parsonage Farm would cause unacceptable noise and disturbance contrary to policies RP5A and DBE9 of the Adopted Local Plan and Alterations.*
5. *The proposed use of an existing "haul" road connecting the site to Abridge Road would be harmful to the character and landscape of this rural area, contrary to policies LL1 & 2 of the Adopted Local Plan and Alterations.*
6. *The proposed scheme would lead to the creation of a permanent access on a stretch of secondary distributor highway where the principal function is that of carrying traffic freely and safely between centres of population. The slowing and turning of vehicles*

associated with the use of the access would lead to conflict and interference with the passage of through vehicles to the detriment of that principal function and introduce a further point of possible traffic conflict, being detrimental to highway safety, contrary to policy ST4 of the Adopted Local Plan and Alterations.

EPF/0250/12 The demolition of existing buildings comprising a dwelling house and agricultural / commercial buildings and the partial demolition of other agricultural / commercial buildings, removal of areas of hard standing and the erection of 4 dwelling houses, access works, associated landscaping, drainage, infrastructure and ancillary developments (Revised application to EPF/1577/11) Refused

Reasons for Refusal:

- 1. The proposed development is inappropriate within the Metropolitan Green Belt and no very special circumstances exist sufficient to outweigh the harm that would result contrary to policy GB2A of the Adopted Local Plan and Alterations and the policies of the National Planning Policy Framework.*
- 2. Due to the height and design of the development and its position on open rising land, the proposed dwellings will be visually prominent and intrusive within the rural landscape and harmful to the rural character and openness of the area, contrary to GB7A, CP2 and LL2 of the Adopted Local Plan and Alterations.*
- 3. The proposed development is poorly located with regard to access by pedestrians and cyclists or by public transport and is relatively remote from services and employment opportunities. As such, the proposal is not considered to be sustainable development and is contrary to policies CP1, CP3, ST1 and ST2 and the principles of the National Planning Policy Framework.*

Policies Applied:

National planning policies are contained within the National Planning Policy Framework (NPPF)

Local Plan Policies

Core Policies

CP1 – Achieving Sustainable Development Objectives
CP2 - Protecting the Quality of the Rural and Built Environment
CP3 – New Development

Design and the Built Environment

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

Housing

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

Landscape and Landscaping

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

Sustainable Transport

ST1 – Location of Development
ST4 – Road Safety
ST6 – Vehicle Parking

Green Belt

GB2A – Development in the Green Belt
GB7A - Conspicuous Development
GB15A – Replacement Dwellings

Implementation

I1A - Planning Obligations

Recycling and Pollution

RP4 - Development of Contaminated Land

Summary of Representations:

THEYDON BOIS PARISH COUNCIL. Very strong objection.

“This site has of course been the subject of previous applications. Most recently we saw the refusal of application reference EPF/250/12. The only real change from that application is that one of the proposed dwellings has been relocated to the site of the partly demolished farmhouse. There were clear and fundamental reasons for the refusal of EPF/250/12. None of these fundamental points have been nor realistically can they be met by the applicant in relation to this Green Belt Site.”

“We can see no reason whatsoever to change any of the comments which we made previously in respect of EPF/250/12 as nothing of any consequence has changed. All the same very strong objections still stand – see below.”

The first matter we wish to address is the incorrect statement which is repeated throughout the Applicant's Supporting Planning Statement whereby the present planning use of the some of the buildings are referred to as commercial. There is no such authorised planning use. The present planning use is agricultural.

We would particularly refer to the Applicant's 'Comments on Original Application' within the Supporting Planning Statement. The statement is made that 'the continued commercial use of the existing buildings on the site the subject of the Statement would be of greater detriment to highway safety along the lane than would the proposed development.' This is misleading and wholly incorrect as there is no present authorised commercial use on the site. Indeed previous attempts to re-designate the agricultural buildings as commercial have been wholly unsuccessful. We would remind you of the following unsuccessful applications:

EPF/0770/01 Change of Use of existing buildings to B1 (Light Industrial) and B8 (Storage and Distribution)

The application was refused by Epping Forest District Council and then dismissed on appeal to the Planning Inspectorate.

EPF/1772/09 Change of Use of existing buildings to B1 (Light Industrial) and B8 (Storage)

The site was assessed for change of use of existing buildings to industrial use as recently as October 2009 and the application was refused on various grounds including the following 'The proposed scheme is in a rural area which is not served by public transport. The scheme would see a considerable increase in vehicle movements and this site is not in a sustainable location, contrary to policies CP1, CP2, CP3 and 9 of the Adopted Local Plan and Alterations.'

Our fundamental objection is that this site lies within the Metropolitan Green Belt where there is a presumption against inappropriate development. No special circumstances have been shown to apply. Specifically, the proposed for new dwellings are at odds with Government Advice Planning Policy Guidance Note 2 and policies GB2A (Development in the Green Belt), GB 4 (Extensions of Residential Curtilage), 7A (Conspicuous Development), 8A (Change of Use or Adaptation of Buildings) and 15A (Replacement Dwellings) of the adopted Local Plan and Alterations. Taking each of these in turn our comments are as follows:

GB2A/15A - none of the exemptions apply and in particular the requirements of GB 8A and GB15A have not been met. What is proposed is not a 'change of use or adaptation of buildings' capable of conversion without major or complete reconstruction – what is proposed is complete demolition of the existing agricultural buildings. The state of repair of the present buildings is entirely irrelevant when assessing the matter of impact on the Green Belt. What is relevant is that the proposed use would also have a materially greater impact than the present use on the Green Belt and the use and associated traffic generation would have a significant detrimental impact on the character and amenities of the countryside. It is noted that the application provides for the demolition of the existing half constructed dwelling for which planning permission was granted under Application EPF/0386/08. Work has commenced under this application and thus we would assume that the relevant planning permission remains extant. Should permission be granted for the current development and work recommence to complete the replacement dwelling, taken together, there would in fact be a very significant intensification of use of the site.

When considering the potential impact, one has to also take into account the increase in residential curtilage with associated 'garden paraphernalia' which would potentially result from the creation of four additional dwellings. The impact of increased curtilages with the intrusion of associated 'garden paraphernalia' was recently recognised in the refusal of EPF/1473/11 and EPF/2030/05 (dismissed appeal APP/J1535/A/06/2012811/12). We refer specifically to Policies GB4 (LL1 and LL2). The proposal involves the creation of a new wider area of residential curtilage which exceeds the size of the present residential curtilage thus intruding into the openness of the Green Belt, harmfully altering its landscape, character and appearance. This principle has been recognised in recent decisions issued by Epping Forest District Council (e.g. EPF/1473/11). On the subject of effect upon 'Openness of the Greenbelt', there is also the issue of the impact of boundary fencing and walls which will be part of this development. The Application Form (Boundary Treatments) makes reference to 'various fencing block/brick wall fencing t.b.a' but we note that the plans specifically provide for a 'new 1800mm high yellow stock brick wall between retained buildings'. The latter together with the other individual boundaries separating the new dwellings would undoubtedly harm the openness of the Green Belt in this rural location.

There is also the matter of additional light pollution which would undoubtedly emanate from the increased residential use. Theydon Bois has an intrinsically 'dark' landscape and the long established 'Dark Skies Policy' is extremely important to residents. This was most recently confirmed in the Village Design Statement, a very well received document which the Forward Planning Team have confirmed has been added to the evidence base for the Local Plan. This document (as evidenced by Surveys) refers to the importance placed by residents upon the

protection of the rural landscape, the Dark Skies Policy and the rigorous defense of the Green Belt surrounding the village.

Another fundamental and key objection is the unsuitability of the access arrangements and transport facilities which renders this site a clearly unsustainable location. The access from the site is onto Coopersale Lane, a narrow, rural 'Protected Lane' with several treacherous blind bends in the vicinity of the site. There is no existing public footpath (and no possibility of a public footpath owing to the number of roadside protected trees and narrow width of the lane itself). Pedestrians would be severely endangered and at risk of injury should they wish to access public transport or the village facilities on foot. For this reason the train station and village centre are not in fact reasonably accessible on foot and the bus stop (with infrequent and limited services) is situated in Abridge Road (B172), a very fast and extremely busy thoroughfare, again inaccessible on foot and without any safe crossing points for pedestrians. Thus residential development in this location would effectively render its residents 'car bound and car dependent'. We would repeat that this is not a sustainable location and nor does it meet Government Policy to discourage car use (CP1, 2, 3 and ST 1, 2 and 4).

NEIGHBOURS:

Consultation: 40 neighbouring/interested parties were consulted and a site notice displayed. Responses from 22 residents were received.

Letters of objection have been received from Blunts Chase, Coopersale Lane; 12 Coppice Row; 23, 52 Dukes Avenue; 8 The Heights & 45,56, 68 Forest Drive; 23 Graylands; 1A The Green; 16 Harewood Hill; 2 Hill Road; 14, 51, 57b Morgan Crescent; 38 Orchard Drive; 22, 31 Piercing Hill; 85A, Theydon Park Road; 1, 7 Woodland Way; (all within Theydon Bois) and from 78 Avondale Drive, Loughton. The representations made are summarised as:

- The site does not have safe pedestrian or cycle access therefore the development will be car dependant;
- Traffic associated with the development will harm the ambience of Coopersale Lane, a protected lane, and would cause a danger to highway safety at either end;
- Existing buildings within the site are not commercial – all structures are agricultural. Commercial use has been dismissed at appeal in the past.
- When operating as a farm the site never produced the number of vehicle movements claimed;
- The development encroaches onto Green Belt land – this impact could be worsened by future permitted development extensions. The development is inappropriate in the Green Belt and would appear conspicuous, harmful to openness, visual amenity and rural character of the Green Belt. No special circumstances exist;
- The site is prominent from Public Right of Way no.5 and therefore harmful to openness and the ambience of the landscape;
- Lights would be intrusive to the Theydon Bois Dark Skies Policy and visible from public rights of way and the eastern side of the village;
- The development would overload local services within the community.
- The landowner has allowed the land to become derelict and has made no attempt to farm it.
- The redevelopment of the existing house at the site has never been completed. It is unlikely this proposal would be completed.
- The loss of farm buildings at the site would prejudice the ability of the site to be used in connection with agriculture in the future. That would have a harmful impact on food security.
- The proposal is very similar to the previously refused proposal and there is no reason to take a different position.

- The grant of planning permission would create a precedent.

THEYDON BOIS & ABRIDGE ACTION GROUP. Strong objection. There are no changes that overcome the reasons for refusal of application EPF/0250/12. Site is located in the Metropolitan Green Belt where the development would be inappropriate and conspicuous. The site is in an unsustainable location. The road is dangerous. The proposed houses are not replacement dwellings. The existing buildings are not commercial, previous proposals for commercial use having been refused. The development would increase residential curtilages. Light from the development would compromise the Theydon Bois Dark Skies Policy.

THEYDON BOIS & DISTRICT RURAL PRESERVATION SOCIETY. Strong objection. Apart from resiting one of the four houses nearer to a partially demolished house there is no significant difference between this proposal and that previously refused. The site has always been agricultural – not commercial. Previous proposals to change the use to commercial were refused and appeals dismissed. There will be no reduction in traffic generated from the site. In fact an increase in traffic harmful to Coopersale Lane – a rural ‘protected lane’ would arise. The site is not in a sustainable location. Refer to PINS appeal decision on EPF/0423/10 which recognises similar highway/traffic issues. Proposed dwellings would have a greater impact on the Metropolitan Green Belt than the existing buildings which they will replace. The proposal would undermine the local Dark Skies policy. There are no very special circumstances in favour of the proposal.

CITY OF LONDON (EPPING FOREST CONSERVATORS). No response received in respect of this application, but in respect of related refused application EPF/0250/12 the Conservators advised they had no objection on the basis that the nearest City of London land is a considerable distance away from the site.

Issues and Considerations:

The proposal is for the same number of houses as refused application EPF/0250/12. The site area now reduced, excluding an open area to the west and some land to the east. The proposal now involves the direct replacement of an existing house on the site with another of similar scale in the same location, identified as plot 1. The remaining three houses would be arranged around a small courtyard sited on the lower part of the site immediately west of those parts of the larger agricultural buildings that would be retained.

A balancing pond would be constructed in the northern part of the site. Outside of the site but on land the applicants own the applicants indicate a proposal to establish a private footpath that would link to the existing right of way network. When originally submitted the footpath was part of the application site, but it was excluded from it at the request of Officers. Officers found the proposed footpath unnecessarily complicated the scheme and was not adequately detailed.

The proposals are designed to address the reasons for refusal of application EPF/0250/12 as far as possible. The applicant has had discussions with Officers as part of the preparation of the proposal and throughout the application process. Both the applicant and Officers recognise the very strong opposition to the proposal as well as the decision to refuse application EPF/0250/12.

The main issue in this case is the impact of the development in the Green Belt. Other matters include its density, provision for affordable housing, the impact of the proposed use on neighbouring amenity, the design of the development, the impacts on the surrounding highway infrastructure trees and landscaping matters and sustainability. This appraisal will have regard to all material considerations, including the planning history of the site and the comments received from third parties.

Acceptability within the Green Belt

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

The NPPF introduces additional types of development which may not be inappropriate within the Green Belt. These include the redevelopment of previously developed land where it would not have a greater impact on the openness of the Green Belt or the purpose of including land within the Green Belt than the existing development. However, despite the industrial character of the buildings proposed for demolition, the lawful planning use of the site remains unchanged from that for the purposes of agriculture and accordingly the site cannot be considered as previously developed land, as defined within the Framework.

One of the proposed houses may be considered as a replacement for the existing house within the site as it would not be materially different in size. As such, this part of the development may be considered appropriate within the Green Belt. However, the additional three dwellings would clearly constitute inappropriate development.

In accordance with advice given at paragraph 87 of the NPPF, inappropriate development should not be approved except in very special circumstances. The Applicant claims that very special circumstances (i.e. the removal of the industrial, buildings from the site) exist which outweigh the harm caused by inappropriateness. It should be noted that despite the appearance of the existing buildings within the site, they have no lawful use other than for the purposes of agriculture.

Aside from the issue of appropriateness within the Green Belt, the impact of the development on openness and the matter of how conspicuous the development would appear must also be considered.

In terms of the impact on openness, the proposed development would result in significant reductions in both footprint (56%) and volume (36%). Furthermore, a significant reduction in hardstanding of 47% would also be achieved by the proposal. Accordingly, even taking into consideration associated residential paraphernalia (such as garden fences etc) it is considered that the development would result in an overall improvement in openness.

The proposed development also consolidates buildings within the site and sites the three new houses such that they would be seen against the backdrop of adjacent agricultural buildings abutting the eastern site boundary, higher land levels and trees on higher land to the south. Views from the south would be obscured by the combination of level changes and established trees outside the site. Views from the west would also be mitigated by the change in land levels. Consequently, when seen from most positions near the site it is primarily only the roofs of the three new houses that would be apparent. The visual impact of such views would be mitigated as discussed, with those from the north mitigated by the distance separating the site from any publicly accessible area. They would not be readily visible from the built up area of Theydon Bois, some 700m to the west and separated from it by the Central Line embankment and significant trees, or from Footpath no. 5, some 400m to the north on lower ground. Other than within the site itself, and on immediately adjacent land to the north the proposal would not appear conspicuous.

It is therefore found that the improvements to openness arising from the proposed development would outweigh conspicuousness of the development when seen from within the application site

and immediately adjacent land to the north. This has been achieved through careful revision of the proposals previously refused, particularly in respect of the siting of the houses.

The conspicuousness of the new development may be further reduced by sympathetic and comprehensive mature landscaping to the front and rear boundaries of the site – in particular by the screening of hard boundaries (such as close boarded timber fences) with softer features such as a hedgerow and tree planting). This can be secured by condition.

Density and Affordable Housing

Policy H3A of the Local Plan seeks a net density across new residential developments of at least 30-50 dwellings per hectare. Whilst the proposed development would be of low density, the character of surrounding residential development is at an even lower density and it is not considered that this site would be suitable for development at the density level suggested within the Local Plan. Furthermore, whilst Policy H4A of the Local Plan seeks a mix of dwelling sizes, the proposed 4 bed dwellings would complement surrounding properties and is considered appropriate within this rural settlement.

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

Accordingly, it is considered necessary that if planning permission is granted, a financial contribution towards the provision of off-site affordable housing is provided in lieu of the onsite provision of affordable dwellings (although it must be considered that only three of the dwellings would be 'new' as one would replace the existing dwelling within the site). This may be secured by a legal agreement between the Applicant and the Council, if planning permission is granted. The precise sum would need to be agreed following consideration of a viability assessment that takes into account presently unknown costs such as possible remediation of land contamination at the site arising from its previous use for agriculture.

Neighbouring Amenity

The location of the proposed dwellings would be such that there would be no material reduction in amenity experienced by the occupiers of nearby neighbouring property. The future occupiers of the proposed development would be located in close proximity to the retained parts of existing buildings, which fall outside the applicant's ownership. However, subject to suitable screening of these buildings, the orientation of the proposed dwellings would be such that the occupiers would experience an adequate level of amenity.

The parts of the buildings which are to be retained, benefit from a planning permission granted in 2005 (EPF/0452/05) which gave consent for the stabling of horses for personal use and also in relation to the larger building for the storage of agricultural machinery.

The proximity of these retained buildings does give rise for potential harm for future occupants of the proposed new houses caused by disturbance arising from activities within the buildings. However, whilst the proposed aesthetic treatments to elevations of the buildings within the site would soften their appearance, such works would not disguise the scale of the building nor the potential for activities which may cause disturbance to occur within or around them. It is, therefore considered that prospective purchasers of the proposed dwellings may make an informed decision regarding whether or not reasonable disturbance is acceptable to them at the time of purchase.

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

Design and Appearance

The design of the proposed dwellings would be such that they would be appropriate within this rural location, subject to the considerations discussed above in terms of their impact on openness and their conspicuousness within the Metropolitan Green Belt.

Highways Matters

Officers from Highways at Essex County Council have been consulted on the planning application. They have advised that the proposed development would utilise an existing access and would not generate any more traffic than the lawful use of the site for the purpose of agriculture could. It is recognised the buildings do not presently generate traffic because they are not in use. On this basis they do not consider that the development will cause any safety or efficiency issues at the locality. They note that the proposal includes improvements to the existing access which will benefit all users of the highway.

Accordingly, Highway officers raise no objection to the application, subject to the imposition of a number of planning considerations which cover matters including visibility, road width and surface, gates, and the prevention of the discharge of surface water onto the highway.

Trees and Landscaping

The application is accompanied by a tree survey and a landscaping proposal. However, further information is required in addition to the submitted detail, particularly in terms of retained trees, works to trees/hedges to achieve the required highway visibility at the site entrance and also in terms of the standard of new landscaping – particularly in terms of the planting of new trees and the remediation of the site of the existing dwelling, to be demolished.

It is considered that these matters are capable of being dealt with by the imposition of planning conditions, if permission is granted, bearing in mind the comments made by the Highway officer in respect of the use of the existing access for reduced vehicle movements.

Ecology

The Council's Countryside Manager has been consulted on the planning application and has provided comment in respect of ecological issues. The submitted survey proposes ecological enhancements which are accepted by the Countryside Manager. These include:

- The installation of bird boxes.
- Additional planting of native tree species along the hedgerow.
- Use of wildflower mixes sown into borders in place of non-native ornamental species.
- Installation of bat boxes

The Countryside Manager also agrees with the Applicant's consultant's recommendation for no work to commence during bird breeding season (March – September).

Sustainability

The site is not well located with regard to access to public transport, shops and facilities and as a result is not a particularly sustainable location for residential development. It is sited approximately 1.2km from the centre of Theydon Bois, the proposal therefore conflicts with the principles of policy ST1 of the Local Plan, which encourages sustainable development and gives preference to housing sited within urban locations. Furthermore, the development cannot benefit from the presumption in favour of sustainable development contained within para. 14 of the NPPF.

Notwithstanding this, the re-use of this site for business purposes has previously been thoroughly explored and found to be unacceptable. This current proposal for a small number of residential properties would result in fewer traffic movements than either the lawful use of the site, or re-use for business purposes. To that extent, if the site were brought back into use, the current proposal would appear to be the most sustainable development option.

Paragraph 55 of the Framework advises that Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances such as *'...where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting'*. Whilst this proposal seeks replacement rather than reuse of buildings, it is considered that it would comply with its intent. Moreover, this site is no less sustainable than any other rural site and is arguably more sustainable than most having regard to its distance from Theydon Bois.

Other Matters

Contamination – the site has been identified by the Applicant as potentially being contaminated. Further investigations are necessary and possibly a need for mitigation will be identified through that process. These matters are capable of being controlled by the imposition of planning conditions, if permission is granted.

Land Drainage – the Council's Land Drainage Officers have been consulted on the proposed development. They agree with the findings contained in the submitted Flood Risk Assessment and do not raise any objection to the planning application.

The matter of whether the grant of planning permission would amount to a precedent has been raised. It is the case that a consent could be a material consideration but it would only be of weight in relation to the part of the former farmyard to the east, which is outside of the applicant's ownership. That is because any consent given could be clearly related to the very particular circumstances of this site.

Summary

In summary, this is a balanced report which has identified planning policies and considerations which both support and conflict with the proposal. The determination whether or not to support the development therefore requires carefully weighting of those matters.

In favour of granting planning permission, the proposed development would deliver additional housing within the District and make a contribution (albeit in a financial capacity) towards affordable housing. It would also make a positive contribution by improving the openness of the Green Belt within the vicinity of the site and would also considerably enhance the appearance of the site, both through the demolition of unattractive buildings and landscaping enhancements to soften the visual impact of those retained within the neighbouring site.

Notwithstanding the above, conflict arises in that three out of the four proposed houses would constitute inappropriate development within the Green Belt, defined as harmful by both local and

national planning policies. Furthermore, the site is not ideally located in respect of local services and public transport connections.

Conclusion:

In light of the above appraisal, it is, however, considered, on balance, that the improvements to the openness of the Green Belt and other visual improvements are sufficient to outweigh the harm caused by the inappropriateness of the proposed development and any other harm. Furthermore, the planning history indicates that alternate uses for the site have been explored and found to be unacceptable. This proposal would therefore provide a viable alternate use that would reduce the built form within the site, remove unsightly buildings and complement nearby residential uses. In the absence of any clear agricultural need for these buildings, whilst it may be argued that it would be more appropriate to allow the existing buildings to fall into disrepair and eventually restore the site to natural conditions, the buildings within the site are of substantial construction and it is unlikely that this process would occur during the foreseeable future.

Whilst the location is not highly sustainable, the use itself would likely generate fewer vehicle movements than existing and alternate uses.

It is, therefore recommended that planning permission be granted, subject to the conditions discussed within this report and subject to a Section 106 agreement to secure a contribution towards the provision of off-site affordable housing.

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:

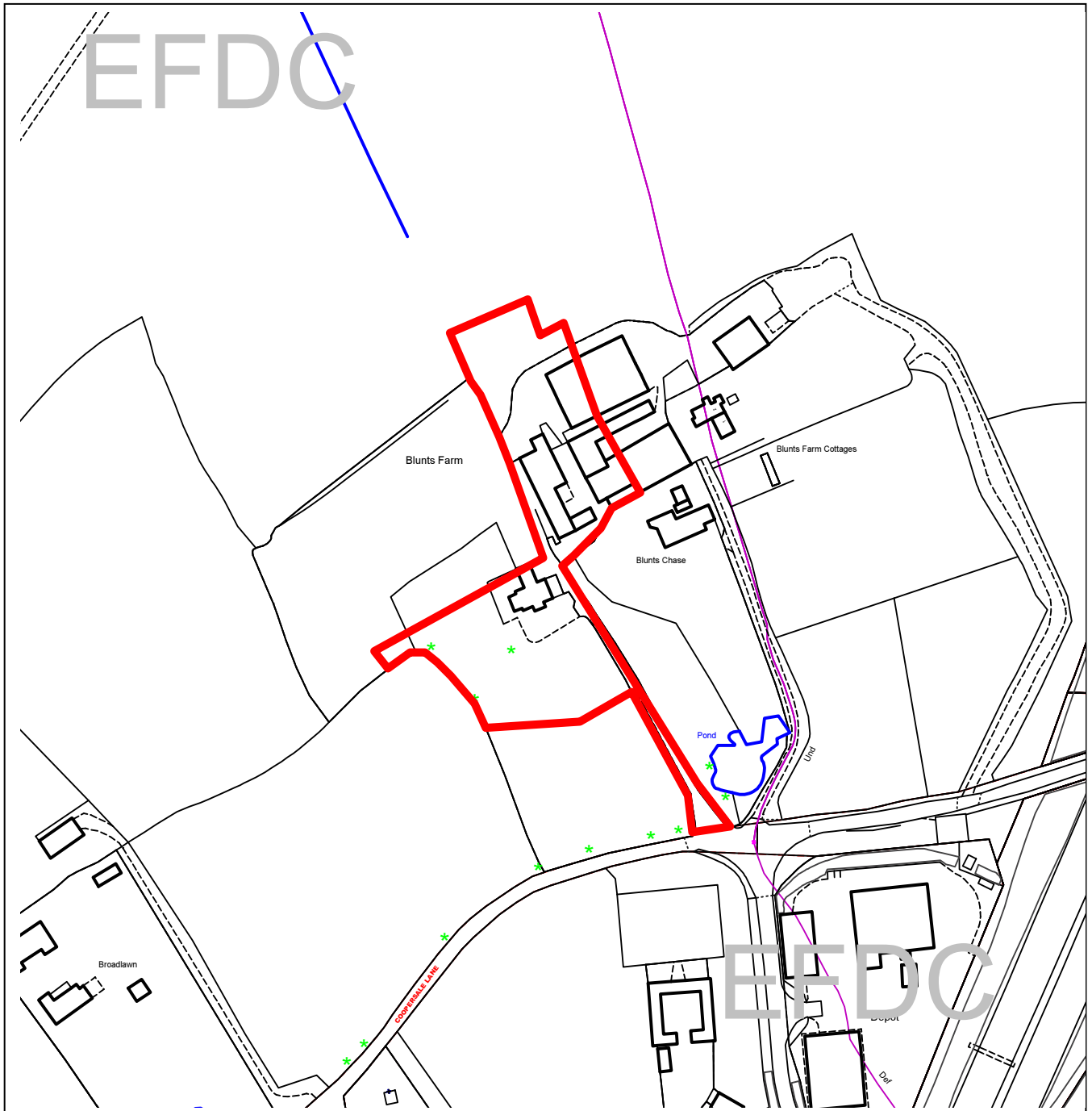
***Planning Application Case Officer: Stephan Solon
Direct Line Telephone Number: (01992) 564018***

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:	3
Application Number:	EPF/2468/13
Site Name:	Blunts Farm, Coopersale Lane Theydon Bois, CM16 7NT
Scale of Plot:	1/2500

Report Item No: 4

APPLICATION No:	EPF/0135/13
SITE ADDRESS:	42 Forest Drive Theydon Bois Epping Essex CM16 7EZ
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr Keith Sambridge
DESCRIPTION OF PROPOSAL:	Amended application for side and rear extension - incorporating a 0.6m reduction in the front projection of the proposed side extension (close to boundary with no.40) and a 0.6m reduction in the front projection of the existing flat roofed extension (close to boundary with no.44)
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=545155

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 Notwithstanding the provisions of the Town 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, and C, shall be undertaken without the prior written permission of the Local Planning Authority.

This application is before this Committee because the recommendation for approval is 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:

A bungalow in a row of 7 similar bungalows of a distinctive and attractive design. The property is not listed nor does it lie in a conservation area.

Description of Proposal:

Side and rear extension to bungalow, and forward extension to front bay window.

Relevant History:

The property has been extended some time ago in the form of small extensions at the front and rear.

Policies Applied:

DBE9 – Loss of amenity.

DBE10 – Residential extensions.

National Planning Policy Framework.

Summary of Representations:

THEYDON BOIS PARISH COUNCIL – The amended application does not address our concerns with the application, namely the bulk of the roofline which would extend the existing ridgeline from 1.5m to approximately 5 m. A similar massing was refused by the planning inspector in relation to the neighbouring no. 40, Forest Drive. We see no justification as to why the extended roofline is required. We are also concerned about the large side extension. We would wish to see a greater set back to accentuate the design and character of this sensitive row of bungalows. Following the prolonged planning battle over 40, Forest Drive, an approved design did eventually materialise (EPF/0087/12). This approved application has retained the essential characteristic features of the bungalows - without projecting forwards, without flattening out the front, and without lengthening the roof line, and this now sits comfortably in the street scene. We feel that the principles adopted in this design should be followed in the extension of 42, Forest Drive in order to compliment this sensitive and historically important row of bungalows in Theydon Bois.

NEIGHBOURS – 14 properties consulted and 12 replies received which are summarized below with 9 letters in support and 3 letters objecting:-.

32A, FOREST DRIVE - We can see from the plans that the proposals are in proportion to the adjacent and other properties. We also feel that the proposed development can only enhance the appearance and value of the local housing.

43, FOREST DRIVE – I have an interest in this property and its appearance as it is prominent in the view from our study and bedroom windows. I support this proposal since 1) the redevelopment of run down properties is good for the street scene, 2) the plans are much in keeping with other properties in the area, 3) the extension proposed is in proportion to current dimensions, and is minimal compared to the plot of land and other extensions that have been allowed and 4) I do not agree that the proposal is similar to other refused plans. The plans are very different from other plans rejected and a modest extension to one side is proposed. I would suggest that extension to the neighbouring property, which was approved, is far larger and less in keeping with the current look and feel of these properties.

45, FOREST DRIVE - we support this planning application. The extension is in keeping with the immediate area and we do not feel it will have an adverse effect on adjoining properties.

44, FOREST DRIVE – I am perfectly happy with the latest design, which including a small extension, retains the existing roofline and so is in keeping to the existing street scene of 5 or 6 similar sized dwellings. Following the struggle to get an appropriate resolution to the renovation of no. 40, I am of the view that the proposals for no. 42 are quite in keeping.

54B, FOREST DRIVE – I feel the proposed plans are acceptable, and I support this proposal.

53, FOREST DRIVE – The proposed plans look in keeping with the overall look of the village, and I can see the proposals will fit in well with the surrounding buildings

34, FOREST DRIVE – The plans show that the bungalow looks balanced to the existing bungalows in Forest Drive, and I do not have any objections.

48, FOREST DRIVE – I have observed the bungalows from 32 upwards and I am happy to support the plans as they are in keeping with neighbouring properties. I feel the refurbishment of the property would definitely add to the character of the street.

48, FOREST DRIVE – Having looked at the plans and having observed the bungalows from no.32 upwards I am happy to support the proposal as they are in keeping with neighbouring properties. I feel the refurbishment of the property would definitely add to the character of the street.

36, FOREST DRIVE – object to the proposal because 1) the extension comes forward of the building line on the front elevation, 2) the proposed roof line does not maintain the character of current row of bungalows, and if approved, permitted development rights should be removed.

43, DUKES AVENUE – object. Refers to the appeal decision referred to in the parish council comments above. Nos. 42 and 44 were built as a symmetrical pair and hence the proposal to extend the front bay by a metre, together with the proposed side extension, would alter the balance in the façade in contrast with the asymmetry of adjacent bungalows. As a result the width and bulk of the frontage would be accentuated whilst flattening out the original relief in the façade. The roofs over the proposed side extension would be awkward and out of character, and the substantial increase in the depth and bulk of the main roof, (the ridgeline of which would be increased from 1.6m to 4.7m) would be particularly evident in the street scene. The short ridge is perhaps the most striking feature of these properties, so that when viewed from the front and side, the steeply pitched roof appears to rise to a central apex. The final proposal at no.40, now built, has kept the pitch and depth of the original roofscape, together with the front projection, and it seems reasonable to consider retaining the same elements here.

7, WOODLAND WAY – Object to the proposed extensions to one of a distinctive row of 1920's bungalows. (Reference is also made to the above mentioned appeal decision). The extension of the ridge line from 1.5m to just under 5m would result in the loss of the characteristic and distinctive narrow roofscape and ridge line which neighbouring bungalows have. Although one of the other bungalows to the south has had a side extension and lengthened ridge line built some years ago, the side extension is set well back from the frontage and the altered roofscape does not appear to be incongruous with neighbouring properties because it is situated at the end of the original row of bungalows and seen alongside the larger more modern properties and shops. In contrast no.42 has neighbouring bungalows on both sides which retain the original steeply pitched roof and narrow ridge line. We object to the long side extension which would still project forward, flattening the frontage of the building. Furthermore the existing bay is still being brought forward by one metre and this would protrude in front of the building line out of context with its neighbours. The extension to the neighbouring no.40 has been carried out sympathetically and has retained the essential characteristic features of the bungalows, without projecting forwards, flattening out the front or lengthening the roof ridge line, and this sits comfortably in the street scene. If you are minded to approve this application we would ask that permitted development rights are removed as they were in the planning approval for no.40 Forest Drive.

Issues and Considerations:

The proposed rear extension to this bungalow is 2.8m in depth. Although the adjoining no. 42 sits further forward on its plot the proposed rear extension to no.40 will project to the same line as the

extension built on to no. 42. This latter extension has a 5.8m depth flat roof, with a full width of 5.7m, and the appearance of this large flat roof looks unsightly. The proposed rear extension to no.40 will be in the form of three sections of pitched roof with hipped ends. The rear extension therefore has an acceptable appearance, and it will also have a limited impact on the amenity of neighbours.

The existing roof ridge of these bungalows is different from the norm since they run at right angles to the road and not parallel to it. The existing ridge line is 1.7m long and will be extended rearwards by 4.7m in length. As mentioned in the representations received there are other examples of longer ridges having been formed in the past in this row of bungalows eg at numbers 32A and 32 where the ridge lengths are between 5 and 6m. long. A more important feature of these roof ridges than their length is that they should be retained at right angles to the road, which is the case in this application. Indeed the 2 schemes rejected by the planning inspector for the adjoining number 40 proposed a 'wider' form of more conventional roof running parallel with the road. In this proposal the extended ridge is proposed in part to provide some proportion to the new roofing over the rear of the property, and therefore helps to avoid a large area of flat roof being provided. Moreover, the depth of the ridge will not, as alleged in some of the representations, be unduly noticeable or conspicuous in the street scene.

The front of this bungalow has an old flat roofed extension on the north or left hand side of the front window bay with gable roof over. This extension comes out to the same line as the front of the window bay and hence detracts somewhat from an important feature of this and other bungalows. In order to provide more articulation to the front elevation the applicant therefore proposes to bring forward the window bay feature by 1m, and the proposed new side extension on the southern or right hand side of this bay window will also lie 1m behind the line of the new bay. The proposed alignment of the front elevation will therefore improve on the 'flatter' existing alignment. The applicant also states that when he initially presented his proposals to the parish council they asked him to bring the bay further forward so as to introduce a more stepped front elevation, but they now object to what they regard as a 'flattening out' of the front elevation. Objections received also are concerned that the more forward window bay would project beyond the building line, and be out of context with its neighbours. However the bungalows in this row are not in a uniform position, and the front bay window of the neighbouring no.40 will still lie 1m in front of the new position for the proposed bay to number 42, and indeed will lie 2m behind the line of the bay window at number 38. In this context the bringing forward of the window bay by 1m will not be out of context in the street scene, and it will introduce an acceptable variety in the alignment of the front elevation.

Comments on representations received:

Many close neighbours to the site have written in support of the proposals on the basis that the alterations and extension are in keeping with this row of bungalows and will not detract from visual amenity in the street scene. On the other hand the parish council and three other objectors have made precise and detailed objections to the proposal, partly based on their experience over the 'planning battle' regarding the adjoining number 40, Forest Drive. In general terms these bungalows are not listed and not in a conservation area, and while it may be desirable to retain as many of their common features as possible it is unreasonable to present a 'straightjacket' to householders when dealing with their applications for extensions and alterations.

Conclusions:

The proposal retains a ridge at right angles to the road. Although this ridge, and associated roof, is extended rearwards this change will not be unduly conspicuous in the street scene, and in any event two other bungalows in this row of seven have deeper ridge lines than proposed in this application. The bringing forward of the principal feature on this bungalow i.e. the bay window with gable roof over, reintroduces a more staggered and interesting front elevation, and this bay

window will still lie in a recessed position as compared to neighbouring bungalows at numbers 40 and 38. The proposed side extension is an acceptable addition, and the new width of the bungalow would in fact be some 1m. narrower than the extended bungalow at no.40. The proposal does therefore comply with relevant local plan policies, and it is recommended that planning permission be granted subject to conditions, one of which would be to remove permitted development rights for further extensions and alterations.

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

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

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



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	4
Application Number:	EPF/0135/13
Site Name:	42 Forest Drive, Theydon Bois CM16 7EZ
Scale of Plot:	1/1250

Report Item No: 5

APPLICATION No:	EPF/0402/13
SITE ADDRESS:	Mellstock Dunmow Road Fyfield Ongar Essex CM5 0NN
PARISH:	Fyfield
WARD:	Moreton and Fyfield
APPLICANT:	Mr Christopher Kirby
DESCRIPTION OF PROPOSAL:	Two storey front extension.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=546452

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:

The application site is located on the south eastern side of Dunmow Road approximately 50 metres north east of Queen Street within the village of Fyfield. The site itself is relatively level, irregular in shape and comprises of approximately 850sqm.

A double storey detached dwelling house which is externally finished from black stained weatherboarding and white painted render is located towards the front of the site. A detached single space garage is located in front of the dwelling along with a modest size hard standing area for further off street parking. A garden area is located to the rear and backs onto the River Roding. A slip stream splits the rear garden into two distinctive parts.

The subject site is located within a built up residential area of Fyfield with double storey detached dwelling houses located either side. The rear half of the site is located within the green belt

however it is not located within a conservation area or in close proximity to the setting of listed buildings.

Description of Proposal:

Planning permission is sought for the construction of a double storey front extension to the existing dwelling house. The extension would be centrally positioned along the front façade of the dwelling. It would project 1 metre from the existing front façade and have a width of 3.7 metres. At ground floor it creates an open porch area, with a two storey addition above.. The extension would have a gable roof form with the ridgeline being no higher than the existing ridgeline of the dwelling.

Relevant History:

There is no relevant recorded planning history.

Policies Applied:

Local Plan policies

CP2 Protecting the Quality of the Rural and Built Environment
DBE9 Loss of Amenity
DBE10 Residential extensions
GB7A Conspicuous development
U2A Development within flood risk areas
U2B Flood risk assessment zones

National Planning Policy framework

Summary of Representations

FYFIELD PARISH COUNCIL - Object

Following discussion of the above plans at our recent Parish Council meeting please can we request that the back extension at the above address that is currently being built be measured as we have received concern that this may not be within building limits.

The current plans for a 2 storey extension, Fyfield Parish Council would like it noted that there is concern regarding reduction of light to Pennybridge, the property next to Melstock. Due the stated concerns of both front and back extension there is also concern of over development of site.

We have also been informed that there may be covenants on these properties and this is an issue that needs looking into.

In relation to the Parish Council's comments, it should be noted that planning permission is sought only for the two storey front extension. As such the planning merits of this application should solely be based on what has been applied for.

However in relation to the single storey rear extension and as requested by the Parish Council, officer's have measured this extension and it is deemed to be a lawful development as it meets the set criteria of Part 1, Class A of the General Permitted Development Order.

In addition it should also be noted that the covenants are not something that the Local Planning Authority assess or enforces against. This is a civil matter where legal advice should be sought.

NEIGHBOURS:

7 adjoining and abutting occupiers notified by mail. No representations received at the time of writing this report.

Issues and Considerations:

The main issues to be addressed are:

- Design and appearance
- Neighbouring amenities

Design and appearance:

The proposed extension is unusual in design and has the appearance of a three storey gabled addition to a two storey house, which in many circumstances would not be considered acceptable. However in this instance due to the set back of the property well behind the frontages of the adjacent properties and would not therefore be at all prominent in the street scene and the fact that the next door property has a similar 3 storey gabled addition, it is considered to be in keeping with the architectural character of the area

It is considered that in this location the proposed development would not result in harm to the character and appearance of the street scene and the surrounding locality.

Neighbouring amenities:

Due consideration has been given to the potential harm the development might have on the amenities of adjoining occupiers in relation to loss of privacy, loss of light and visual blight.

New windows are proposed only in the front elevation that have an outlook facing North West overlooking the frontage of the site and the highway. The development would not result in directly overlooking into habitable room windows or private garden areas of adjoining properties.

Turning to the concern that the Parish Council raised in relation to a loss of light to the adjoining property known as Pennybridge, officers consider that there would not be an excessive amount of overshadowing to warrant a reason of refusal. Due to the orientation of the site and the position of the development in relation to both the adjoining dwellings and the fact that the addition only projects forward by less than a metre, it is believed that an adequate amount of light would be achieved to habitable room windows and private garden areas of adjoining properties for the majority of the day.

The proposed development would not be a visually intrusive or an overbearing development that would result in an unneighbourly development.

Other issues:

The site falls predominantly within Flood Zone 3. As the application is for a householder development, it is not required to refer the application to the Environmental Agency however the standard advice should be undertaken. As no new floorspace is created at ground floor there is no increased flood risk. The application was referred to Council's drainage officer who had no objections to the proposed development.

Even taking into account the rear extension built as permitted development (which is not shown on the submitted drawings as it was incomplete at the time of the submission), it is not considered

that the addition of this small front extension leads to overdevelopment of the site, which has a deep front garden, as well as significant side and rear gardens.

Conclusion:

The proposed extension is appropriate in relation to its design and appearance and it would not result in excessive harm to the amenities of adjoining property occupiers. The development is in accordance with the policies contained within the Adopted Local Plan and Alterations and the National Planning Policy Framework. Officers therefore recommend that planning permission be 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:

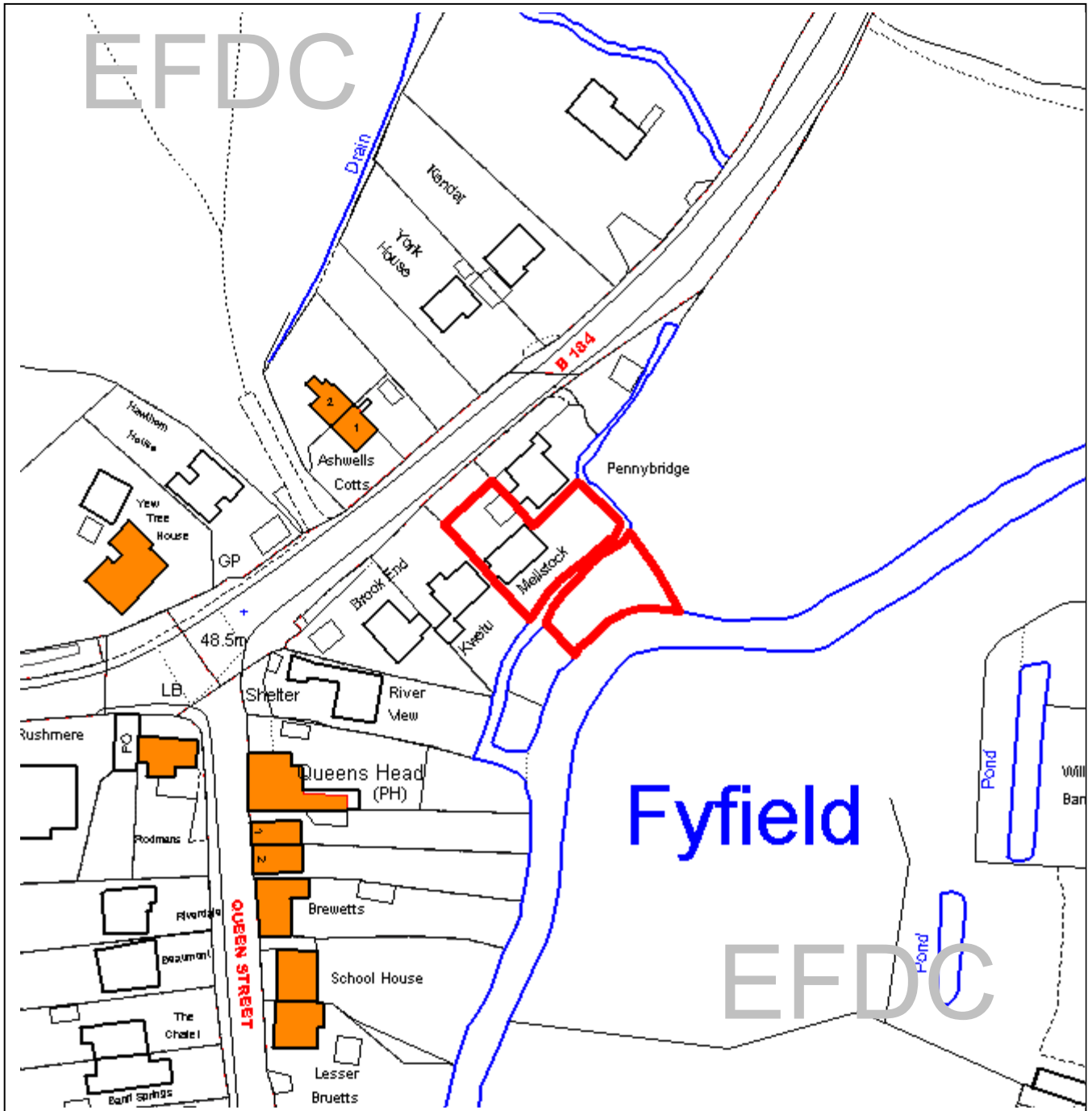
***Planning Application Case Officer: Lindsay Trevillian
Direct Line Telephone Number: 01992 564 337***

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



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	5
Application Number:	EPF/0402/13
Site Name:	Mellstock, Dunmow Road Fyfield, CM5 0NN
Scale of Plot:	1/1250

Report Item No: 6

APPLICATION No:	EPF/0655/13
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:	Temporary erection of marquee until end of September 2014.
RECOMMENDED DECISION:	Grant Permission - Time Limited Use (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=547614

CONDITIONS

- 1 The development hereby permitted shall be removed from the site together with any associated materials and the land restored on or before 30th September 2014 or following completion of the 'masterplan' approved under EPF/2513/11 whichever is first.
- 2 No amplified music or other amplified noise source shall be played within the marquee at any time.
- 3 The Marquee hereby approved shall be used for daytime functions only and all guests shall vacate the marquee before 19.00 hours.

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

Description of Site:

The application site is a Grade II listed building used as a hotel, restaurant and function venue situated in extensive, attractive grounds with associated ancillary and service buildings. The site is situated to the south of the A414 with the nearest properties located some 200m to the north west of the A414 and to the south east within the village of High Ongar. The site is within the Metropolitan Green Belt and there are several protected trees located within the site.

Description of proposal:

Consent is being sought for the retention of a marquee until the end of September 2014. The marquee has been erected and at the time of the Officer's site visit appeared to be in use. The

marquee measures 21 by 12m and has a pitched roof to a height of 4.2m. It is located to the rear of the main listed building, within a part courtyard area formed by a service wing to the north. Consent is being sought for the marquee to be retained until September 2014, which according to the Applicants will provide sufficient time to implement and complete the 'masterplan' which was given planning permission (after the legal agreement was signed) in March 2013 whilst allowing the continuation of functions at the venue. The Applicants have stated that the marquee will only be used in the day time as a dining venue for wedding breakfasts etc with any evening elements of a function taking place within the Mulberry House building.

Relevant History:

Extensive planning history the most relevant of which:

Extant enforcement notice to remove previous marquee from the land: The enforcement notice was issued on the basis of the harm to the Green Belt, the setting of the listed building and the harm to the amenities enjoyed by the occupiers of neighbouring dwellings due to the amplified music in the evening.

EPF/2513/11 - 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) – App/Con

EPF/1494/11 - Retention of Marquee for Assembly and Leisure (D2) Use for a Temporary Period To 30 September 2011 – Refused

EPF/1023/10 - Erection of a marquee for Assembly and Leisure (D2) use for a temporary period of 1 year – Refused

EPF/0582/09 - Retention of marquee for agricultural use and D2 use (February to September) - Refused

Representations Received:

HIGH ONGAR PARISH COUNCIL: High Ongar Parish Council object to the application for reasons below:-

1. It would seem that this is an application for a marquee to replace one for which planning consent has never been approved.
2. Two weddings at once were held on site recently without the use of a marquee, therefore why does there need to be a new marquee?
3. Planning permission for the new development has not yet been implemented because conditions imposed have not yet been discharged, therefore if no development activity is on site, why is there a need for this marquee?
4. Planning permission was given initially for 140 persons on site, not 140 guests as written in 1.13 of the Planning and Design Statement. With a planned workforce of 21 full time and up to 40 part time employees, it will be easy to see that the parking space for 70 cars would be easily exceeded.
5. If permission granted, how will the 'day time only' use of the marquee be monitored?

6 Neighbours have been consulted and a site notice erected:

GREEN PASTURES, CHELMSFORD ROAD – Strong objection – Presume that marquee will be in the same place as before we would like the marquee moved elsewhere on the site. Mulberry House must be forced to use decibel meter, business should not be run to local resident's detriment with the live music issue. No objection to functions held inside Mulberry House.

Policies Applied:

National Planning Policy:

National Planning Policy Framework (NPPF)

Local Planning Policies of the Adopted Local Plan and Alterations in conformity to the NPPF

GB2A - Green Belt Policy
GB7A - Conspicuous Development
DBE1 - Design
DBE2 – Impact on neighbouring amenity
RP5A - Adverse environmental impacts
ST6 - Parking
HC12 - Setting of a Listed Building
LL10 – Retention of Landscaping

Issues and Considerations:

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

- Impact on Amenity
- Setting of the Listed Building
- Impact on the Green Belt

Impact on Amenity

The marquee position within the site has been altered so that the marquee is within the main group of buildings of Mulberry House and is within a 'courtyard' type area. This location may result in less noise to surrounding properties as existing buildings will help to create a sound barrier of sorts. In addition the main change with this application, compared to the previously refused applications is that it is not the intention that the marquee will be used in the evening, but only during the day for wedding breakfasts, with the evening wedding celebrations being contained within the building complex of Mulberry House. Therefore it is considered that as this suggestion has been put forward by the applicant, should planning permission be granted a condition ensuring this is the case and preventing any amplified music or other form of amplified sound being played within the marquee is reasonable and this is considered to mitigate against any detrimental harm to neighbouring properties due to noise and overcome the previous reason for refusal relating to neighbouring amenity and noise.

Setting of the Listed Building

This current marquee is located much closer to the listed building (within 1.5m) than the last refused application, which was to the north of the site and clearly separate from the building. Although not ideal in the long term, the proposal on a temporary basis is considered acceptable, particularly given that as it is to the rear of the site it is not viewed in the context of the main façade but rather with the later additions and service buildings. The Conservation Officer has no objection to the proposal on the basis of the temporary nature, that it is within a cluster of buildings and that it is away from the primary elevation of the building. It is acknowledged by the Conservation Officer that it will have a slight negative impact on the setting of the buildings however, this is only in the short term.

Green Belt

The marquee is viewed within the context of the existing buildings at the site, and as stated above the proposal is within an almost courtyard setting compared to the more isolated position of previous locations. Therefore, again, although not ideal due to the overall size, the building is of a

temporary nature and is relatively well screened from the wider area and therefore in this case, in this location, on a strict temporary basis, is considered acceptable.

Landscape Issues

The Tree and Landscape Officer has no objection to the proposal in the main. The Officer considers this location much preferable to the previous and the use of the marquee on a temporary basis would have a minimal public adverse visual impact. There is a large, preserved tree adjacent to the marquee, but nothing of merit has been lost within the marquee area.

Other Issues

Notwithstanding the above discussion, marquees on this site have been refused and an enforcement notice was successfully defended at appeal which is still extant. However, subsequent to the previous applications and enforcement notice a planning application has been submitted and approved for a 'masterplan' development which will negate the need for a marquee in the future once this has been built. At present building works have not commenced on site, however within the supporting information provided it is the Applicant's intention that building works will have been completed by September 2014 and therefore 'wedding breakfasts' can be transferred from the temporary marquee to the newly built dining area.

Although this current location is considered an improvement to the previous application in terms of impact on amenity, the Green Belt and the listed building it is not ideal. In the interests of a local business being able to continue to operate during the construction period for the 'masterplan', which will result in a far better layout at this site, it is considered that given the discussion above the marquee is on balance considered acceptable.

Comments on Representations Received

With regards to the comments received from High Ongar Parish Council, the Parish is correct that this is an application for a marquee to replace one for which planning consent has not been approved. However, as stated above this marquee is in an alternative location and as suggested by the Applicant will be only used for wedding breakfasts and not the evening entertainment. It is the Applicant's assertion that the marquee is required to continue the business during the construction period (albeit that this has not commenced as of yet) and information has been provided with regards to the accounts for the business as part of this application. The 'masterplan' was granted permission for 140 guests, not persons as the Parish Council have stated and this proposal does not request any additional guest space

Conclusion:

In light of the above appraisal, the application is considered a balanced case, however given the improved impact on neighbouring amenity and the temporary nature of the marquee the application is acceptable for a short term temporary permission until the end of September 2014 and is therefore recommended for approval on this 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:

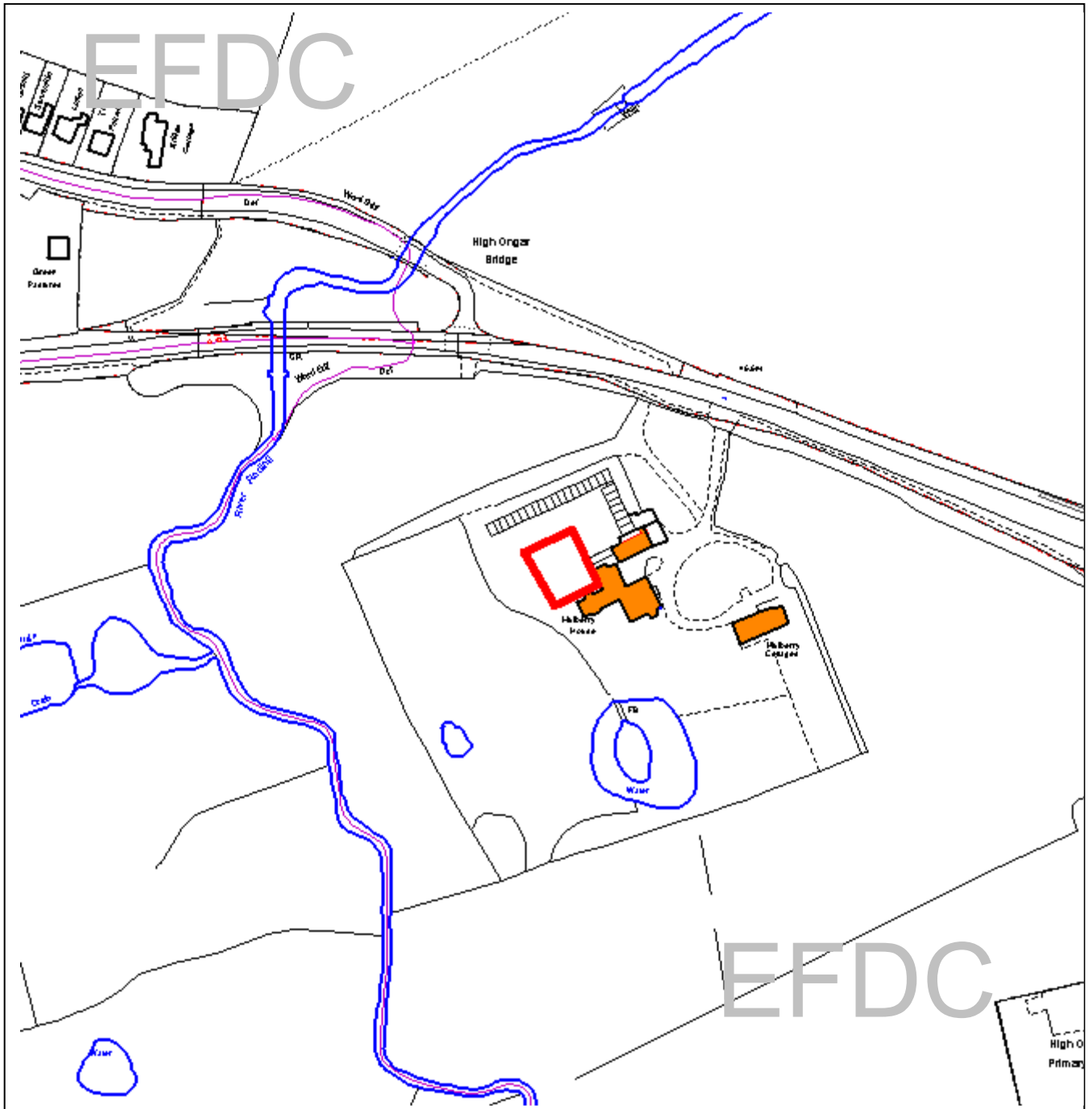
***Planning Application Case Officer: Marie-Claire Tovey
Direct Line Telephone Number: 01992 564371***

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:	6
Application Number:	EPF/0655/13
Site Name:	Mulberry House, Chelmsford Road High Ongar, CM5 9NL
Scale of Plot:	1/2500

Report Item No: 7

APPLICATION No:	EPF/0701/13
SITE ADDRESS:	Waylands Market Place Abridge Romford Essex RM4 1UA
PARISH:	Lambourne
WARD:	Lambourne
APPLICANT:	Mr M Jones
DESCRIPTION OF PROPOSAL:	Two storey rear extension and alteration works.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=547870

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 All construction materials shall be stored within the site during the construction period.
- 4 Prior to first occupation of the development hereby approved, the proposed first floor window openings in the 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.
- 5 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 four 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, 'L' shaped detached property located to the south of Market Place in the built up area of Abridge. The property and its neighbour, Strathyre (which is a bungalow) are located behind 'The Chestnuts' a flatted development which fronts Market Place and pedestrian and vehicular access to the application property is through the parking area for 'The Chestnuts', past the side of Waylands to the front. This vehicle access separates Waylands from properties in Whitehall and The Poplars. Waylands does not currently have any off street parking provision. The site is not within the Metropolitan Green Belt but is adjacent to the Abridge Conservation Area.

Description of Proposal:

The proposal seeks consent for a two storey rear extension and alterations to the existing property. The proposal follows the existing 'L' shape with a depth of 3m and 4m respectively at ground floor. At first floor both elements have a depth of 3m. The proposal results in a half hipped roof to the rear elevation. The proposal also includes a new 2m high fence to the boundary.

Relevant History:

No previous history

Policies Applied:

Epping Forest District Local Plan and Alterations

CP2 – Protecting the Quality of the Rural and Built Environment

DBE9 – Loss of amenity

DBE10 – Residential extensions

HC6 – Character, appearance and setting of Conservation Areas

Summary of Representations:

LAMBOURNE PARISH COUNCIL – No objections

NEIGHBOURS

17 neighbours were consulted and the following responses were received:

6 THE CHESTNUTS accompanied by signed petition from:

7 THE CHESTNUTS

4 THE CHESTNUTS

5 THE CHESTNUTS

1 THE CHESTNUTS

2 ABRIDGE MEWS

Objection – Concerns with regards to disruption to residents at The Chestnuts; concern with regards to parking for future occupiers and during construction; development would leave insufficient land for parking, extension to boundary would prevent the neighbour at Strathyre using a vehicle.

7 THE POPLARS – No objection but request side facing windows are obscured glass to provide privacy

2 THE CHESTNUTS (In addition to petition) – Concerns with regards to where residents and builders will park.

Issues and Considerations:

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

- Design Issues
- Impact on Neighbouring Amenity
- Parking

Design Issues

The proposal is considered to complement the existing building and existing detailing has been designed into the proposed extension including the half hip feature. The proposal is hidden away slightly from a wider public view but will be very visible from The Chestnuts and the neighbouring properties, however it is not considered the proposal will disrupt the appearance of this area.

The Conservation Officer has no objection to the proposal and it is not considered it will have a detrimental impact on the character or setting of the adjacent Conservation Area.

Amenity

The proposal will extend 1.1m beyond the rear wall of Strathyre. This is not considered excessive and given the 2m gap between the two properties is not considered to result in any significant loss of amenity to the occupiers of Strathyre. Although Strathyre is a bungalow, it is considered that this relatively modest distance is acceptable at two storey.

With regards to impact on the properties in Whitehall and The Poplars to the side; No.7 The Poplars has commented with regards to the side facing windows and it is considered reasonable that all the first floor side facing windows (which serve bathrooms or are secondary windows) are obscured glazed to prevent any actual or perception of loss of privacy. Given the separation to these properties to the side, no other amenity issues are raised.

The residents of The Chestnuts have raised concerns with regards to parking which is discussed in further detail below. With regards to loss of light, outlook or privacy the proposal is, although closer to The Chestnuts, not considered to result in any significant loss of amenity.

Parking

Parking is not normally assessed as part of a householder extension application, however in this case, given the concerns raised by the neighbours it is considered that it should form part of the assessment. Although a 'parking area' has been marked on the block plan this is outside of the site and is part of the existing parking area for The Chestnuts. It is not intended or proposed to adopt this area into the ownership/use of the application site.

The current property has no parking provision, however proposed parking is shown on the plans to the front of the property and this does appear to be fully within the application site and does not require permission in itself as the surfacing material is to be permeable and no new access is formed.

It is appreciated from the objections received from residents of The Chestnuts that parking can be an issue. Disruption during construction is not grounds for refusal. The Local Planning Authority cannot control where building contractors park, as in all such householder developments this is a civil matter. However in this instance it is considered reasonable to condition that all construction materials shall be stored within the site to minimise conflict with the parking at The Chestnuts.

Conclusion:

The proposal is considered an acceptable design, with no significant impact on amenity and therefore approval is recommended.

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

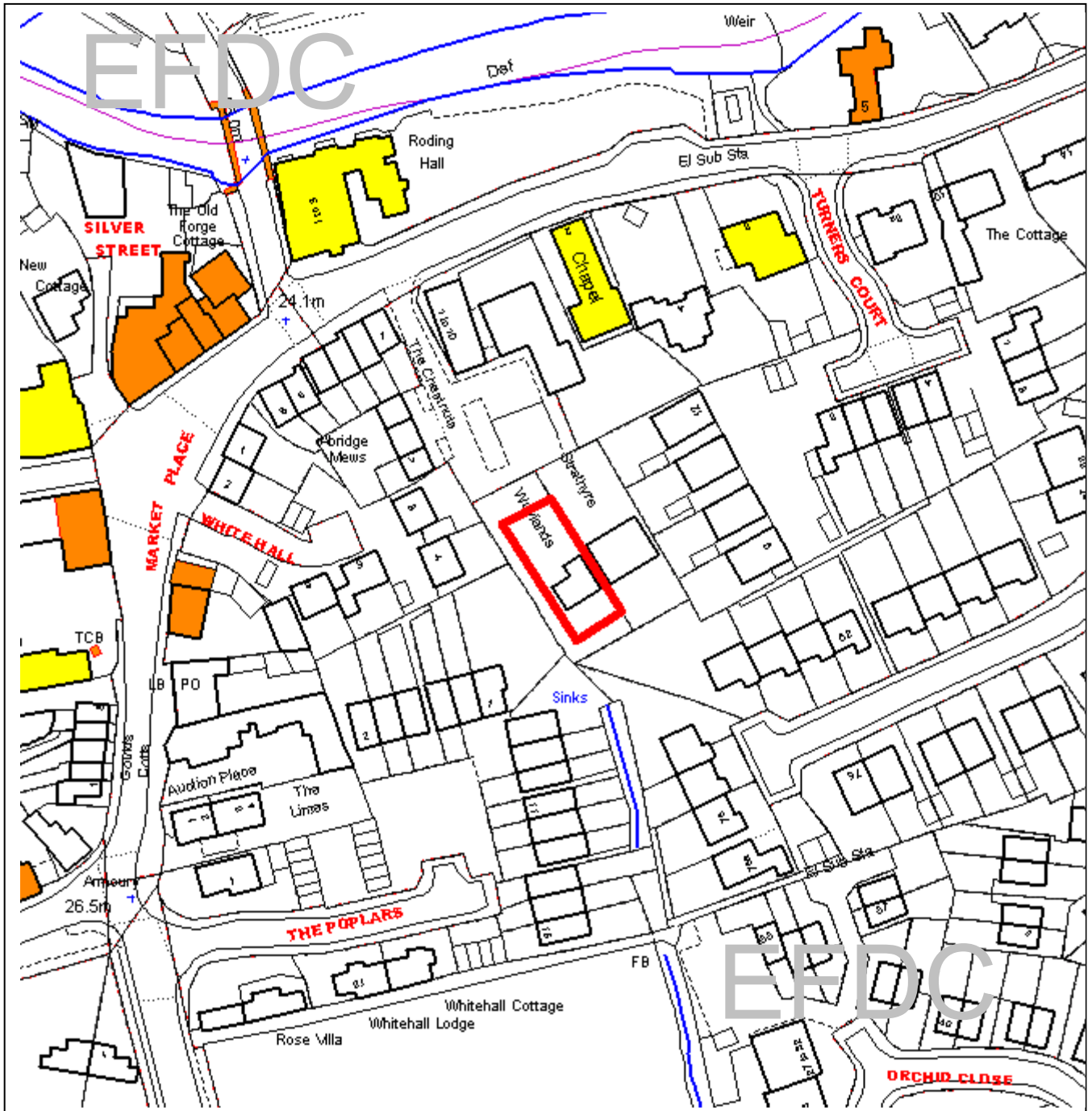
***Planning Application Case Officer: Marie-Claire Tovey
Direct Line Telephone Number: 01992 564371***

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Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	7
Application Number:	EPF/0701/13
Site Name:	Waylands, Market Place Abridge, RM4 1UA
Scale of Plot:	1/1250

Report Item No: 8

APPLICATION No:	EPF/0733/13
SITE ADDRESS:	34 Hartland Road Epping Essex CM16 4PE
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr Bryan Welch
DESCRIPTION OF PROPOSAL:	Loft extension to create bedroom by raising the ridge level with front and rear dormer windows.
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=548071

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan, 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.
- 4 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 the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g)) and since it is for a type of development that cannot be determined by Officers if more than four 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:

No34 Hartland Road is a detached dwelling which is half double, half single storey. The house has been extended in the roof and there are two dormer windows in the side roof planes of the main section of the dwelling, and a set of doors with a Juliette Balcony facing southwards. Hartland Road has a mix of dwelling styles but the dominant character is of large detached dwellings. The rear of the site backs on to a cul-de-sac of dwellings, Green Trees, and there is a fall in ground levels of approximately 2.0m from the application site to houses on this development. A heavy screen exists along the rear boundary of the site.

Description of Proposal:

The applicant seeks consent to raise the ridge level of a single storey section of the dwelling by 1.0m. This section of the house currently has a low ridged roof to the front and a flat section to the rear. Both areas would be built above to form a first floor. A dormer window would be inserted in the newly created front and rear roof slopes and a flat section of roof would join the rear dormer to an existing side facing dormer. The doors and Juliette Balcony would be removed and replaced by a window.

Relevant History:

CLD/EPF/2083/04 - Certificate of lawfulness for proposed loft conversion with side dormer windows. Lawful: 06/12/04.

EPF/1453/04 - Single storey front porch extension, single storey side extension conservatory and loft conversion with 1 dormer windows to southwest facing roof slope. Grant Permission with conditions - 29/11/2004.

EPF/2471/09 - Certificate of lawful development for a proposed erection of rear fence, raised deck area and front gates adjacent to 'Warslin Lea'. (Revised application). Lawful: 23/12/2009.

Policies Applied:

CP2 – Protecting the Quality of the Rural and Built Environment

DBE9 – Loss of Amenity

DBE10 – Residential Extensions

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 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:

7 neighbours consulted – 7 replies received.

1 GREEN TREES: Objection. Concern that the dwelling is already on much higher ground and towers over houses in Green Trees. The house already occupies a disproportionate amount of our skyline.

2 GREEN TREES: Objection. The house has been the subject of past development and the existing window overlooks houses in Green Trees. This proposal will exacerbate this situation. This site is in danger of overdevelopment if this is not already the case.

3 GREEN TREES: Objection. Objection. Concern that the dwelling is already on much higher ground and towers over houses in Green Trees. The house already occupies a disproportionate amount of our skyline.

4 GREEN TREES: Objection. This dwelling looms over the entire Green Trees development, and any further additions would dwarf my house. The previous extension resulted in overlooking of No5 Green Trees. We have tried to mitigate the impact of previous development with screening but if further development is approved this will allow for a larger family to occupy the house.

5 GREEN TREES: Objection. Concern that this site is already overdeveloped. Previous development has resulted in a loss of amenity to us by allowing direct views into our property. The application property is built on much higher land and if it is enlarged any more it will be an even greater eyesore from our street and will result in a loss of amenity to our neighbour at No4. We also have concern about noise coming from the property and if further extensions are permitted this will exacerbate this issue.

6 GREEN TREES: Objection. Concern this is an overdevelopment and the proposed extensions would result in a large, ugly façade facing Green Trees. The property already dominates the skyline and any further additions would exacerbate this. Concern an increase in size could result in greater noise coming from this property.

7 GREEN TREES: Objection. Concern about overlooking and that the enlarged dwelling would be unduly dominant when viewed from Green Trees. Further additions would result in an overdevelopment of the site.

TOWN COUNCIL: Objection. Committee were concerned that the proposal would result in an overdevelopment of the site and would not be in keeping with the streetscene. Members also drew attention to potential loss of amenity in relation to overlooking of properties in Green Trees.

Issues and Considerations:

The main issues to consider related to design, amenity and the comments of consultees.

The proposal has clearly been met with some concern by the occupants of the Green Trees development and the local Town Council. It is important therefore the issues raised are clearly addressed.

The first concern is that the proposed extensions would result in an overdevelopment of the site. The point is made that the original dwelling on the site was much smaller than that which currently exists. Officers are of the opinion that in order to be considered as an overdevelopment the house would have to appear crammed into the site. This would not be the case. The footprint of the building would not increase. The proposed extension would not increase the overall ridge height of the building. The house would not appear out of context or character with neighbouring houses on Hartland Road. The size of the original dwelling is of particular consequence on Green Belt dwellings but in urban areas this is not particularly relevant. Dwellings will alter and evolve in built up areas and the key concern for a Local Planning Authority is; does the resulting dwelling complement the existing house and remain in keeping with the streetscene? In this case the extensions are a logical way to extend the house in order to provide more living accommodation. The eastern side of Hartland Road contains a mix of dwelling styles; therefore the house would remain in character and would not appear excessively prominent or out of keeping. The dormer windows are similar in design to existing windows at first floor level. From a design perspective the proposal raises no serious concerns and a condition agreeing matching materials would ensure a satisfactory appearance. This proposal would not result in an overdevelopment and in order to be considered such would involve a considerable increase in built form to what is proposed.

Concerns have been expressed by occupants of properties in Green Trees, behind the development site. It is clear that 34 Hartland Road sits on much higher ground than these dwellings. As such the dwelling is clearly visible from public vantage points in this development, such as the roadway serving the houses. Some neighbours have outlined how the existing dwelling “looms over” Green Trees and that further development would “dwarf” houses adjacent to the rear of the application site. In order to accept the case put forward by objectors to the scheme the Local Planning Authority would have to identify an “excessive loss of amenity” in line with Policy DBE9, or accept that the design is poor. Reference is made to previous development at the site and the visual harm this has caused. Although the rear of the house is visible from Green Trees it does not appear excessively dominant and the proposed additions would not significantly increase its presence. The building is well designed and it is difficult to accept that the increase in size of the building would harm residential amenity, particularly when it would only be viewed from public vantage points or front garden areas. There would be an increase in built form when viewed from Green Trees but this would not seriously impinge on amenity and the overall scale and massing of the building is reasonable. As stated previously the overall height of the building will not increase and the footprint will remain the same. The proposed loft addition would be set some 10.0m from the rear boundary and would not play a significant role in the streetscene of Green Trees.

Neighbour objections have also recorded concern about the impact on the skyline from Green Trees. This is effectively alluding to a loss of view which cannot be considered a material planning matter, and there would be no loss of outlook. It has also been stated that the development would result in overlooking. However the rear dormer window would look directly towards the flank wall of 4 Green Trees and views of No5 would be obscured by the existing rear wall of the house. There is therefore no case of overlooking with this proposal.

Therefore although the concerns of neighbours are noted, following a full assessment of this proposal against the relevant local policy it is considered that the design of the development is acceptable and there would be no serious loss of amenity to neighbouring residents. A condition agreeing a suitable finish is necessary to render the development acceptable in planning terms.

Other Issues

There are preserved trees on the site which will not be impacted by the development but it is considered necessary to add a condition regarding tree protection during construction to ensure that roots are not adversely affected by storage of materials etc.

Conclusion:

Notwithstanding the concerns of neighbours and the Town Council the proposal is deemed acceptable and recommended for approval with conditions.

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

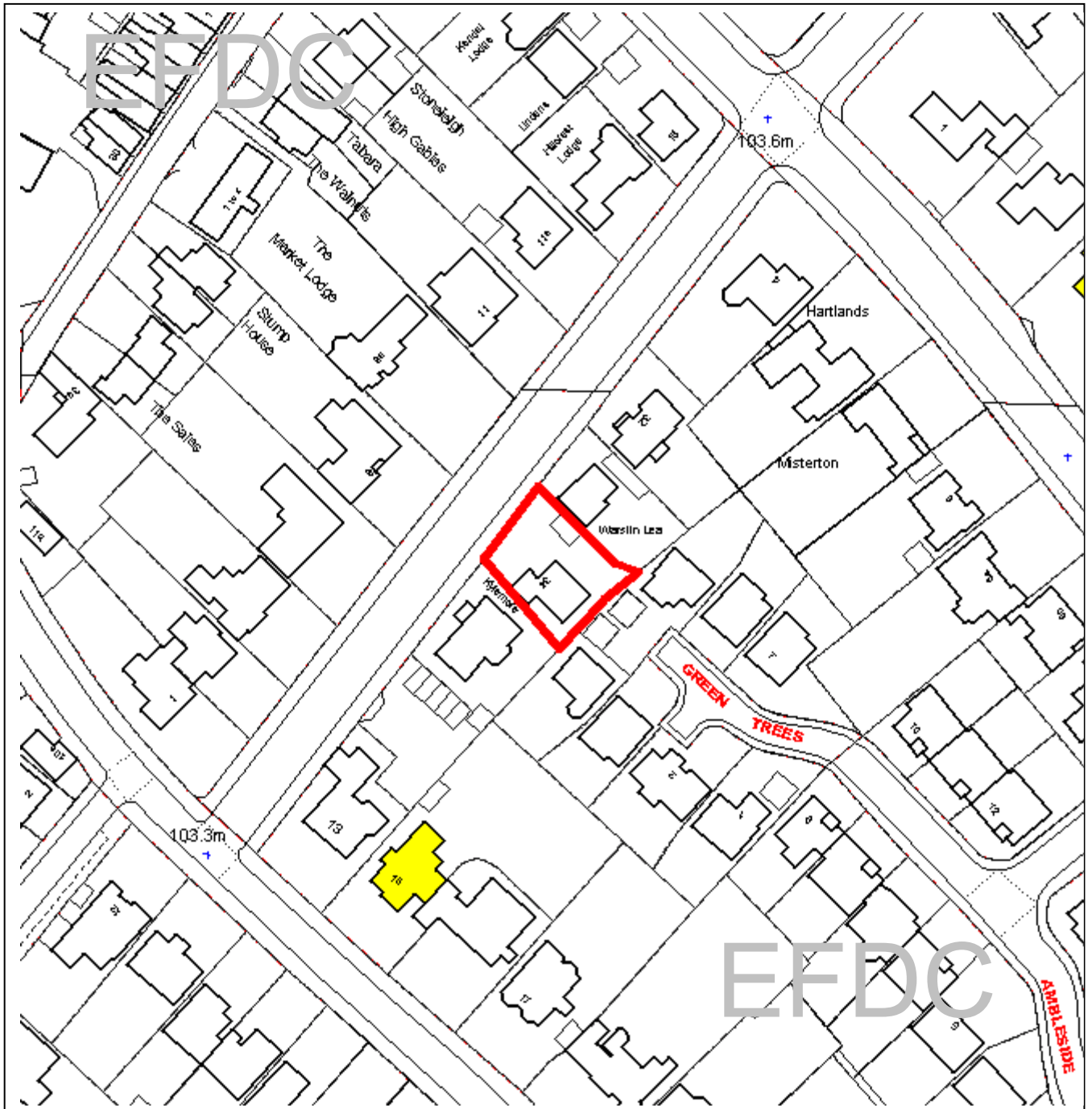
***Planning Application Case Officer: Mr Dominic Duffin
Direct Line Telephone Number: (01992) 564336***

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



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	8
Application Number:	EPF/0733/13
Site Name:	34 Hartland Road, Epping CM16 4PE
Scale of Plot:	1/1250

Report Item No: 9

APPLICATION No:	EPF/0741/13
SITE ADDRESS:	Rear of 9 & 10 Vicarage Lane East North Weald Bassett Epping Essex CM16 6ET
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	Mr R Shaw & Mr P Hughes
DESCRIPTION OF PROPOSAL:	Proposed detached house with garage. (Revised application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=548112

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: 1508/01, 1508/02b, 1508/03b and 1508/04b.
- 3 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.
- 4 Prior to first occupation of the development hereby approved, the proposed window opening on the first floor of the north facing flank elevation shall be entirely fitted with obscured glass and shall be permanently retained in that condition.
- 5 No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 6 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.
- 7 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.

- 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 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.
- 9 No development shall take place until details of levels have been submitted to and approved in writing 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.
- 10 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.
- 11 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 shall be undertaken without the prior written permission of the Local Planning Authority.
- 12 The parking spaces shown on the approved plans shall be created before the first use of the dwelling hereby approved and thereafter retained free of obstruction for the parking of vehicles.

This application is before this Committee since it is an application for a non 'other' development and the recommendation differs from more than two expressions of objection (Pursuant to Section CL56, Schedule A (f) of the Council's Delegated Functions).

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 currently forms part of the rear garden areas of the properties known as 9 & 10 Vicarage Lane East, North Weald. The site, as outlined in red on the submitted block plan (drg no 1508/01) measures 10 metres by 27 metres resulting in a total site area of 270 square metres. The site itself is relatively level, rectangular in shape and would have a frontage onto Bluemans.

Currently located on the site are a detached garage and a shed used by the occupiers of number 10 Vicarage Lane East, along with some medium size trees. A timber paling fence is located along the boundaries of the site. An existing crossover off Bluemans provides vehicle access to the garage used by number 10.

The subject site is located within a well established residential area that comprises a mixture of building forms and styles. Detached dwelling houses are predominantly found along the northern side of Vicarage Lane East whilst semi-detached dwelling houses are mainly found on both sides of Bluemans. Front setbacks from the highway particularly within Bluemans are consistent and spaces/gaps between building blocks forms a strong characteristic within the locality. The application site is not located within the green belt or a conservation area and it is not within the setting of any listed buildings.

Description of Proposal:

Planning permission is sought for the construction of a four bedroom detached dwelling house with an integral garage.

The dwelling house would have a maximum depth of 10.7 metres by a width of 9.1 metres. It would have a hipped roof form with a front projecting gable feature. The dwelling would have a maximum height of 8.4 metres to its ridgeline. The dwelling would be externally finished from facing brickwork, rendered blockwork and plain tiles.

In terms of its siting, the dwelling would be set back 8.6 metres from the highway, 1 metre from the northern boundary shared with number 2 Bluemans and it would be constructed right up to the new boundary line shared with number 9 & 10 Vicarage Lane East.

The existing crossover is to be removed and a new one constructed just south of the existing. Two off street parking spaces are proposed, one within the integral garage and one on the driveway. Approximately 85 square metres of private amenity space is proposed to the rear of the dwelling house.

Relevant History:

EPF/0232/13 - Proposed detached house with garage (withdrawn).

Policies Applied:

Local Policies which are broadly consistent with the NPPF and are to be afforded due weight.

CP1 Achieving Sustainable Development Objectives
CP2 Protecting the Quality of the Rural and Built Environment
CP7 Urban Form and Quality
DBE1 Design of New Buildings
DBE2 Detrimental Effect on Existing Surrounding Properties
DBE6 Car Parking
DBE8 Private Amenity Space
DBE9 Loss of amenity

ST4 Road Safety
ST6 Vehicle Parking
LL11 Landscaping Schemes
H1A Housing provision

National Planning Policy Framework

Summary of Representations

Amended drawings were received on the 3rd June, following negotiations with regard to design. Neighbours have been reconsulted, and the deadline for responses is following the close of the agenda for this committee, but before the committee date. The following comments relate to the superseded plans, any further comments will be reported orally at the Committee meeting. It is accepted that the amendments made are unlikely to overcome all the issues raised below.

NORTH WEALD PARISH COUNCIL – Object for the following reasons:

The proposed building is out of keeping with adjacent properties
The proposed building would have a visual impact on surrounding properties
The proposed building does not follow the existing building line
The height of the building is out of scale with existing properties

NEIGHBOURS:

The application was advertised to adjoining property occupiers. The following representations were received:

1 BLUEMANS, NORTH WEALD – Object

The proposal does not match the character of the existing properties within Bluemans in relation to its appearance, size, scale, layout and siting. In addition it would also result in harm to the amenities of adjoining properties in relation to overlooking, loss of light and visual blight. The proposal would also result in traffic congestion.

2 BLUEMANS, NORTH WEALD – Object

The nature and style of the house is not in keeping with the surrounding locality due to its townhouse design and inappropriate siting. It would result in harm to amenities, particular visual blight, and loss of light to habitable room windows. A lack of off street parking provisions are provided and as such result in congestion along the highways. A more sympathetic approach would have been to place the garage between no. 2 and the proposed building to increase the separation distance.

4 BLUEMANS, NORTH WEALD – Object

The proposed dwelling is not sympathetic to the surrounding properties. It does not sit in line with existing properties in the road and it has a higher roof line. It would more or less appear like a town house and it has only 1 off street parking space which would result in an overspill of parking into the highway which is already congested.

7 HOWS MEAD, NORTH WEALD – Object

The proposal would result in environmental problems, in particular in relation to drainage. It would result in a loss of light and privacy to adjacent buildings and visually it will be overbearing and out of scale.

Issues and Considerations:

The main issues to address in this case are:

- Design and Appearance
- Neighbouring amenities

Design and Appearance:

Local and National policy seeks to make the best use of urban land in order to protect the countryside from development and in the interests of sustainability. New development should however be compatible with the character of the surrounding area, and not prejudice the environment of occupiers of adjoining properties.

Although there are a number of detached dwellings within Vicarage Lane East, Bluemans, where the new dwelling would be sited, is predominately characterised by semi detached houses

Whilst this does not limit the construction of a detached dwelling house on this site, it does also mean that the design of the building (including its overall bulk and scale) will need to be sensitively considered for it to fit into the surrounding locality.

The building would be of a traditional design incorporating local features and materials to complement the existing street scene. The elevations that will front the public domain along Bluemans is considered to be appropriate having regard to the nature of the immediate surrounding buildings.

The height to the top of the pyramidal hipped roof is approximately 40cm higher than the adjacent properties in Bluemans. Given the hipped roof form, it is not considered that this change in height will be readily apparent, or harmful. A condition can be added to prevent further alteration to the roof.

It is acknowledged that the proposed dwelling would be set slightly forward of the building line in Bluemans but it is not considered that it would appear overly prominent in the street scene or be harmful to the character and amenity of the area. A two metre gap is retained between this and the adjacent property in Bluemans and in addition, the proposed development would ensure a large open frontage is provided that would match the open highway verge to the north of the site.

In terms of private amenity space, the proposed dwelling would have a well shaped and located useable garden area of approximately 85 square metres, and is considered an appropriate size to meet the recreational needs for future occupants; In addition the two donor properties 9 & 10 Vicarage Lane East still retain adequate garden land. It is not considered that the development would appear cramped or that there is overdevelopment. Some of the other properties in the locality have similar garden sizes.

It is considered that the design of the proposal is appropriate in terms of its siting, size and scale in that it would not cause excessive harm to the character and appearance of the street scene and the surrounding locality.

Neighbouring amenities:

Due consideration has been given to the potential impact the proposal would have on the amenities enjoyed by adjoining occupiers in relation to loss of light, loss of privacy and visual blight.

Located on the flank elevation at ground floor level of number 2 Bluemans is a door providing side access to the integral garage and a window that serves a study room. In addition there are obscured glazed windows on the first floor that services a bathroom and a W.C

The garage door and the bathroom windows do not constitute habitable rooms and therefore any loss of light to these rooms is on balance acceptable. In addition officers consider that there would be no greater material harm caused in terms of a loss of light to the existing study on the ground floor as the existing boundary treatment along with mature vegetation already overshadows this window. It is officer's opinion that the proposed development on balance would not result in an excessive harm to neighbouring amenity.

It is noted that the proposed windows on the rear elevation of the proposed dwelling house would overlook the rear of rear garden areas of adjoining properties. However this is not an uncommon occurrence within built up residential areas and some minor overlooking of rear garden areas is only natural. These windows would not have the potential to overlook into adjoining habitable room windows.

A bathroom window is proposed on the north facing flank elevation at first floor level. This window would be conditioned to be obscured glazed to prevent any direct overlooking into adjoining habitable rooms.

The proposed dwelling house would not be overbearing or visually intrusive to neighbouring properties.

Other issues:

For a two or more bedroom dwelling house, the required amount of off street parking spaces is two. At least two off street parking spaces can be accommodated on the site and as such it is not expected from an officer's point of view that there would be an unreasonable overspill onto the surrounding highways. The new position for the vehicular crossover does not raise any highway safety concerns. Both the donor properties (9 and 10 Vicarage Lane) have existing crossovers and parking for at least 2 cars off Vicarage Lane. It is considered that the development would not cause harm to highway safety or traffic congestion.

The site does not lie within an Epping Forest flood risk assessment zone and as such consultation with the Environmental Agency is not required. Council's drainage officer also stated that they had no objections with the proposed development and that there was no need for a flood risk assessment. However further details are required showing how the surface water is to be discharged from the site. This can be dealt with by way of a condition.

Conclusion:

In conclusion, the proposed development is appropriate in terms of its design and appearance and it would not result in excessive harm to the amenities enjoyed by adjoining occupiers. The development is in accordance with the policies contained within the Adopted Local Plan and Alterations and the National Planning Policy Framework. It is therefore recommended that the application be granted planning permission subject to conditions.

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

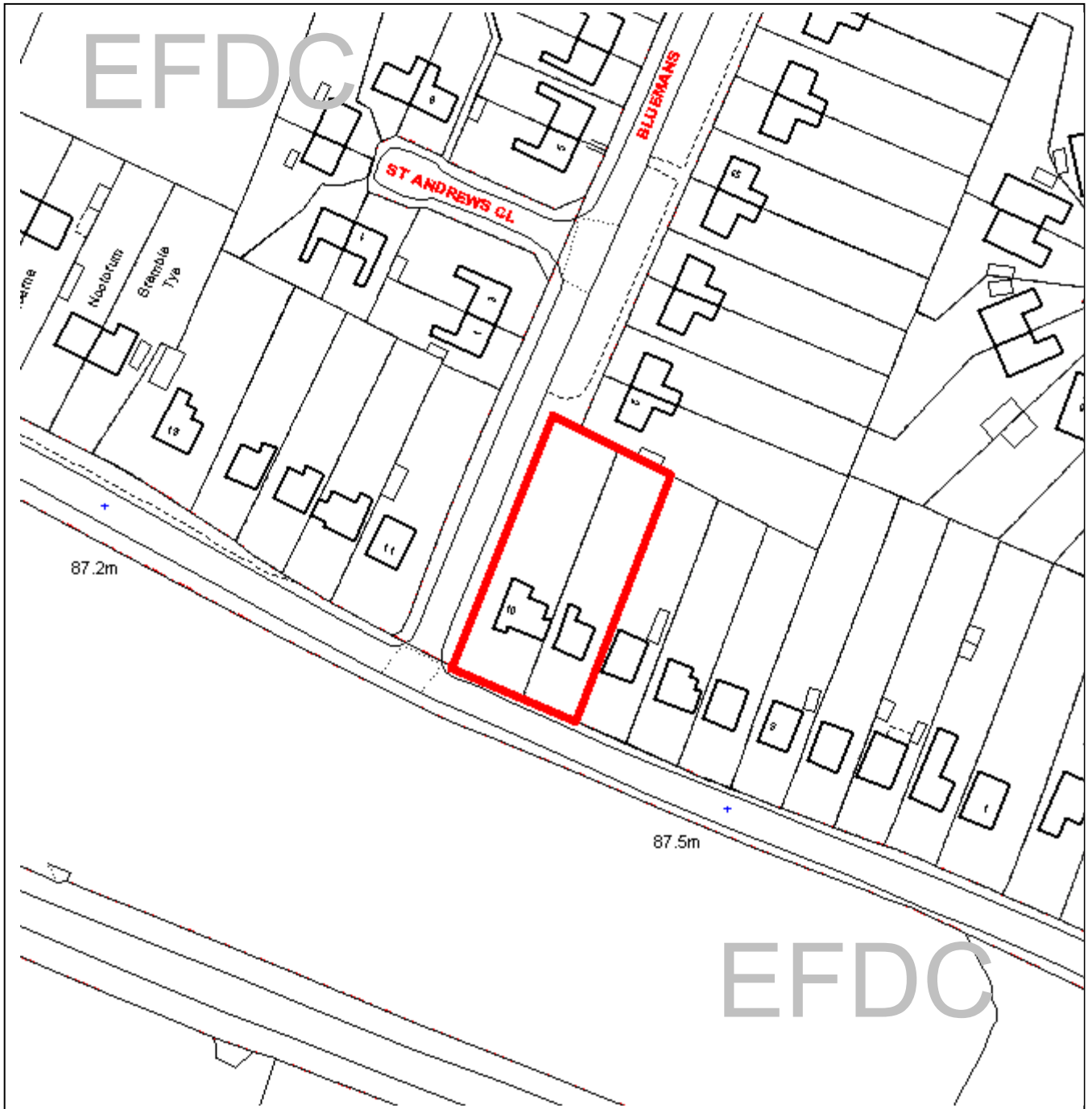
***Planning Application Case Officer: Lindsay Trevillian
Direct Line Telephone Number: 01992 564 337***

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



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	9
Application Number:	EPF/0741/13
Site Name:	Rear of 9 & 10 Vicage Lane East North Weald Bassett, CM16 6ET
Scale of Plot:	1/1250

Report Item No: 10

APPLICATION No:	EPF/0754/13
SITE ADDRESS:	134 - 136 High Street Epping Essex CM16 4AG
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	A J Poulton (Epping) Ltd
DESCRIPTION OF PROPOSAL:	Change of use of 1st floor office space to residential and extension at 1st floor level (rear of no.136 High Street) to create a total of 5 new flats. Replacement of escape/parking access external staircase. (Revised application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=548191

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 The development hereby permitted will be completed strictly in accordance with the approved drawings No's: 1, 2A, 3A.
- 4 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.

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 contains a pair of two storey commercial buildings within the heart of the town centre. The ground floor of No134 is currently in use as a teenage drop in centre and No136 is occupied by a Funeral Directors. The first floor of 136 is set back from the ground floor elevation by approximately 5.0m and has a gable roof. The first floor of 134 is flush with the ground floor and

has a flat roof. Both first floors are in office use (B1). The site is within the Epping Conservation Area and the Key Frontage of the town centre.

Description of Proposal:

The application is a revised submission following the refusal of consent for a recent scheme (EPF/1970/12. This application was to convert the existing upper floors to residential and to add an additional floor above No134. The application was refused consent for the following reason:

“The proposed additional floor of the building by reason of the bulk it would add at second floor level would have a detrimental impact on the setting, character and amenity of the Conservation Area and would fail to preserve or enhance its special character. This additional bulk coupled with the flat roof/parapet finish and the height difference with the adjoining building would provide unattractive views along the High Street. The development is therefore contrary to policies DBE1, HC6 and HC7 of the adopted Local Plan and Alterations”.

This proposal omits the second floor and involves the conversion of the first floor of the buildings from a use within Class B1 (Offices) to a use within Class C3 (Residential). This would be to provide five self contained flats (3 one bedroom, 2 two bedroom). A small extension would be added to the rear of No136 at first floor level. 5 parking spaces, a cycle storage area and refuse area would be located to the rear in a private yard area.

Relevant History:

There is a long history of applications at the site the most recent being,

EPF/1970/12 - Change of use of 1st floor office space to residential, erection of residential space at 2nd floor level (134 High Street) and extension at 1st floor level (rear of No. 136 High Street) to create a total of 6 new flats. Replacement of escape/parking access external staircase. Refuse permission – 04/04/13.

Policies Applied:

TC1 – Town Centre Hierarchy
TC3 - Town Centre Function
DBE1 – Design of New Buildings
DBE2 - Effect on Neighbouring Properties
DBE9 – Amenity
HC6 – Works in a Conservation Area
HC7 – Development within a Conservation Area
HC12 – Development Affecting the Setting of Listed Buildings
CP1 – Achieving Sustainable Development Objectives
CP2 – Protecting the Quality of the Rural and Built Environment
CP3 – New Development
CP6 – Achieving Sustainable Urban Development Patterns
CP7 – Urban Form and Quality
H2A – Previously Developed Land
H4A – Dwelling Mix

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 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:

32 neighbours consulted and site notice displayed – 1 reply received.

EPPING SOCIETY: Objection. Flats appear to be extremely small and no amenity space is provided. Concern that some of the bedrooms do not have windows and that the parking area to the rear is not sufficient.

EPPING TOWN COUNCIL: Objection. Committee believe that the retention of employment space in the town centre should remain a priority over housing. Concern that the level of parking proposed is not adequate.

Issues and Considerations:

The main issues with the proposal are its general principle, amenity, parking and the comments of consultees.

Principle of the Development

Local plan policies have traditionally aimed to protect office space in town centres. As such there has been a requirement for applicants to demonstrate the marketing of the property for this purpose and to clearly show that there is no demonstrable demand for offices. Within the last 18 months national policy has moved on to some degree with the adoption of the NPPF. Paragraph 51 of the NPPF actively encourages the reuse of B1 office buildings for residential purposes. The Local Planning Authority also has a number of policies which promote the reuse of brownfield sites and proposals which adhere to the principles of sustainable development.

On 30/05/13 amendments to the Town and Country Planning General Permitted Development Order came into force. This has introduced under Class J a prior approval system for applications such as this. Technically this scheme would not qualify as there would be a small extension to the rear. However the thrust of Government policy is clearly to encourage the reuse of B1 office buildings, whether in current use or not, to alternative uses. As stated there are clear sustainable reasons to encourage town centre living. This development would provide much needed residential units in a town centre location close to services and alternative forms of transport. This would play a small part in relieving pressure on the redevelopment of Greenfield sites.

Given this policy line, there is no clear policy basis, either locally or nationally, to refuse such an application in principle. A stance as promoted by the Town Council to favour employment sites over housing in town centres is therefore now inconsistent with the new national guidance. Furthermore, Local Plan policies are only relevant in instances were they are compliant with the NPPF. The advice from the Local Planning Authority's Counsel is that the local policies which promote employment sites over other uses in town centres (E4A and E4B) are not fit for purpose and should therefore be generally discounted on this issue. Therefore there is no longer a need for applicants to demonstrate a lack of demand for employment uses in town centres and indeed in the majority of cases such applications will be governed by the prior approval process.

The prior approval system as covered by Class J outlines that if a building has been in use as an office as of 30/05/13 then the Local Planning Authority judges the submission on; transport and highways impacts, contamination and flood risk. There are no other considerations and subject to reasonable accordance with these factors a change of use development could proceed. In this case there are no clear contamination risks on site and flood risk is not an issue. It should be noted that under the prior approval process transport and highway impacts does not include parking provision and only raises issue if there is a material increase or a material change in the character of traffic in the vicinity of the site. This is not the case here and the Highways Section at Essex County Council has no concerns with the proposal subject to a condition securing travel

packs for future occupants. A full explanation in relation to traffic movements/parking provision is provided in the following paragraph.

The development proposes 1 dedicated space per dwelling and in a town centre location with good public transport and amenity links this is an adequate provision. Hemnall Street is a one-way unclassified road and as such there are no capacity or efficiency issues associated with the proposal. The existing office use would have had a higher level of vehicle movements than the proposal and has operated at this location without any issues for many years. All the flats have a parking space and can turn within the site. Given the accessible location of the development and the comprehensive parking restrictions in place on the surrounding roads the parking provision is considered sufficient for the proposal.

Amenity

The site is surrounded by other commercial premises and this proposal would have no impact on amenity.

Refuse

The existing refuse facility would be utilised, is an adequate size, and this element of the scheme would not be of concern.

Objectors Comments

Concern has been expressed by the Epping Society that the proposed units are relatively small and that no private amenity space has been provided. There is no local policy requirement in terms of the size of residential units and as such no clear policy grounds to refuse on this point. None of the units are excessively small, the smallest being approximately 45 sq m, and bedrooms are not excessively restrictive. Such units would be aimed at singles or young couples who would be suited to town centre living and would not require an abundance of space. It is also noted that no private amenity space is provided with the flats. The proposed use is not that type of development and the efficient use of brownfield land in town centres is a key Government aim which will involve some level of compromise on characteristics. There is a wealth of public amenity space with the Forest, Stonards Hill Recreation Grounds, Lower Swaines Recreation Area and Bell Common all a short walk away.

It is further highlighted that Flat No2 is served by two bedrooms which do not have windows. The rooms are actually served by a glazed entrance court thus the corners of both rooms are glazed (plan No3A).

Conclusion:

The proposed development is considered a more efficient use of land which is in compliance with the aims and objectives of national planning policy. The local policies which refer to retaining employment space in town centres are now inconsistent with the NPPF and therefore out of date. There would be no impact on neighbour amenity and the parking provision is sufficient. The general layout of the development is appropriate and there are no clear policy reasons to withhold consent. The scheme 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

Report Item No: 11

APPLICATION No:	EPF/0760/13
SITE ADDRESS:	Threshers Hobbs Cross Road Matching Harlow Essex CM17 0NP
PARISH:	Matching
WARD:	Hastingwood, Matching and Sheering Village
APPLICANT:	Mr & Mrs Paul Pickering
DESCRIPTION OF PROPOSAL:	Two storey side/front extensions, two storey plus basement rear extension, replacement porch, orangery and external alterations. (Amended application to EPF/1183/05)
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=548231

CONDITIONS

- 1 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:

The application site consists of a former farm complex containing a large two storey detached farmhouse, which is a grandiose 9 bed property, a smaller three bed cottage, several ancillary outbuildings, and a stable yard and paddock area. The site is predominantly used for residential and equestrian use and is located within the Metropolitan Green Belt. It is located on the eastern side of the unnamed road between New Way Lane and Hobbs Cross Road and has neighbouring residential properties to the north and south, however these are some distance from the complex, which is relatively isolated.

Description of Proposal:

Amended application for two storey side/front extensions, two storey plus basement rear extension, replacement porch, orangery and external alterations. The principle and bulk of this application has been agreed under EPF/1183/05, which has been started and is therefore extant.

The amendments to this proposal are the removal of the existing and proposed bay windows to the front of the property, amendments to the roof design and the removal of the proposed parapet around the roof, and alterations to the windows and front porch. The amended roof here is proposed to be kept to the same height as existing, as opposed to the previously approved reduction in roof height. As such, the new roof design would be approximately 1m higher than the previously approved (reduced height) roof.

Relevant History:

EPF/1724/04 - Two storey front, side and rear extensions, and replacement porch – approved/conditions 03/11/04

EPF/2340/04 - Two storey side/front/rear extensions, alterations; replacement porch and single storey orangery – refused 24/01/05

EPF/0221/05 - Two storey side/front/rear extensions, alterations and replacement porch (revised application) – approved/conditions 01/04/05

EPF/0222/05 - Two storey side/front/rear extension, alterations, replacement porch and single storey orangery (revised application) – approved/conditions 01/06/05

EPF/1183/05 - Two storey side/front extensions, two storey plus basement rear extension, alterations, replacement porch (revised), orangery, replacement main roof at lower pitch (amendment to scheme approved under EPF/222/05) – approved/conditions 22/08/05

Policies Applied:

GB2A – Development in the Green Belt

DBE10 – Residential extensions

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

Consultation Carried Out and Summary of Representations Received:

4 neighbouring properties were consulted and a Site Notice displayed on 26/04/13.

PARISH COUNCIL – Object to the over-development of the site. The whole site is being developed too much.

Issues and Considerations:

As planning permission has been granted for the majority of the proposed extensions, the only consideration in this application is regarding the alterations to the proposal.

The removal of the bay windows would reduce the overall bulk and footprint of the proposed extensions by approximately 4%, however the most significant alteration is the change to the roof.

The previously approved scheme proposed to reduce the overall height of the roof and to install a parapet wall. The proposed amendment would retain the roof height to that of the existing building (approximately 1m higher than the previously approved scheme) and would not contain a parapet wall. Although this change would increase the total volume of the proposed extensions over that previously approved, it would nonetheless retain the height of the building as existing.

The design of the proposed alterations, including the new roof, is considered to be a visual improvement over the previously approved scheme and would continue to reflect the large, grandiose style of this property.

Whilst there has been a significant amount of development over the entire site (including on the smaller three bed cottage and the stable yard and paddock), it is not considered that this amended application would significantly be different to that already approved.

Conclusion:

The amended application would not significantly increase the harm to the openness of the Green Belt and would be a visual improvement over that previously approved (and started) in 2005. Whilst the height of the roof has increased over the previously approved scheme it would simply retain the roof level as existing, and it is not considered that the amendments would result in an 'overdevelopment' of the site. As such the amended application is considered to comply with the relevant Local Plan policies and is therefore recommended for approval.

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

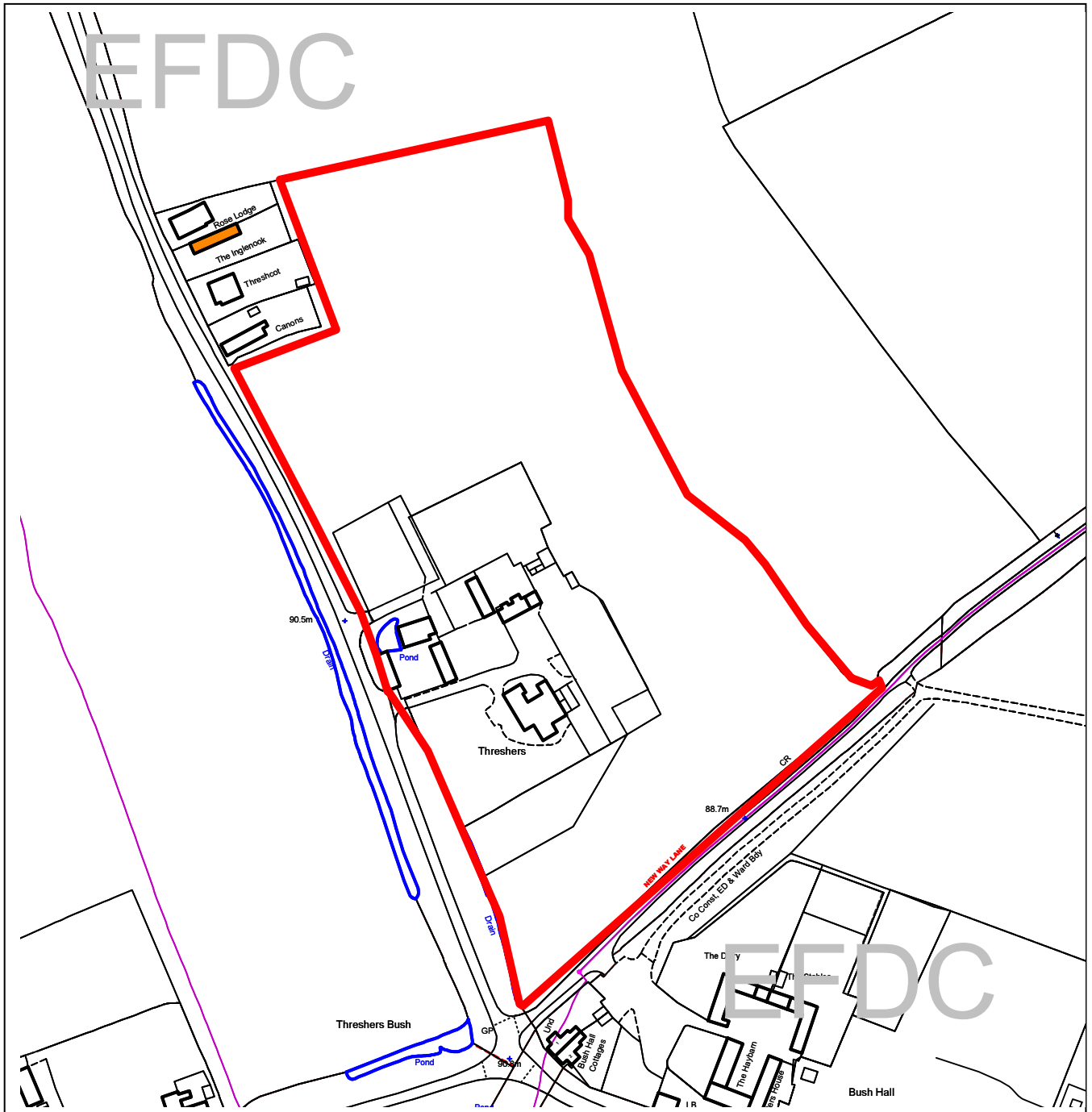
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	11
Application Number:	EPF/0760/13
Site Name:	Threshers, Hobbs Cross Road Matching, CM17 0NP
Scale of Plot:	1/2500

Report Item No: 12

APPLICATION No:	EPF/0816/13
SITE ADDRESS:	26 Springfield Close Ongar Essex CM5 0BB
PARISH:	Ongar
WARD:	Shelley
APPLICANT:	Mr Mark Fillingham
DESCRIPTION OF PROPOSAL:	Two storey side and rear extension, first floor front extension and dormer in a loft conversion.
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=548532

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 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 the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))

Description of Site:

The application site is a two storey detached property fronting Springfield Close. The site is in Shelley, Ongar, in the built up urban area and outside of the Green Belt and any area of special designation. Detached properties of various designs provide the character of the immediate area with a semi-detached pair opposite.

Description of Proposal:

The applicant seeks planning permission for a first floor front extension, an 'L' shaped 2 storey wrap around extension to the side and rear and an alteration to the roof slope to incorporate the rear addition, (although there is no change to ridge height), and a rear dormer window that would enable a loft conversion.

The proposed rear extension is 3.5m deep and the side extension is 2.4m wide.

The extensions would provide an additional two large bedrooms and a smaller bedroom, an extended lounge/kitchen area and garage at ground floor.

Relevant History:

EPF/1618/86 – Single storey front extension - Approved

Policies Applied:

The NPPF and the following policies from the Adopted Local Plan and Alterations which are considered to be in conformity with the NPPF.

CP2 – Protecting the Quality of the Rural and Built Environment

DBE9 – Loss of Amenity

DBE10 – Residential Extensions

Summary of Representations:

5 Neighbouring properties have been notified. A single property has objected as follows:

86 QUEENSWAY: Strong objection – The proposals are intrusive and not in keeping with the local area. The proposed windows in the roof directly face the back bedroom windows and garden. Complete invasion of privacy.

ONGAR TOWN COUNCIL: Objects to this application as it appears there is the possibility that a neighbouring property in Queensway will be overlooked.

Issues and Considerations:

The main issues that arise with this application are the potential impact to the street scene in terms of design, then also the potential adverse impact to neighbouring properties.

Street scene

The proposals would make significant additions to the property. The front and side extensions are those most visible and that would impact on the street scene. The first floor front extension would alter the profile of the property but in an area characterised by diverse designs, the proposed first floor extension would not appear unduly prominent.

The proposed side extensions maintain the existing ridge line as would be expected for a detached property, the width of the dwelling would increase but a gap of approximately 0.75m is retained to the boundary which leaves a gap of 2 metres between this and the adjacent property.. This is not unacceptable and a number of immediately neighbouring properties are positioned close to site boundaries. The area is characterised by a staggered building line, which would remain unaffected.

The proposed extensions would not appear unduly conspicuous or discordant in an area of varied designs with other properties close to site boundaries and as such Officers consider there is no harm to street scene.

Neighbouring amenity

The applicant seeks to extend 3.5m to the rear at single and two storey. The staggered building line means both neighbouring properties extend rearwards further than the existing property and it is not considered that the depth proposed will have a significantly adverse impact on amenity.

The letter of objection received is from a property to the rear regarding impacts from the proposed dormer window. It is well established that dormer windows do not result in a significant amount of additional overlooking beyond what is already in place from the first floor windows. Dormer windows on the rear often do not require consent and in this instance the objecting neighbour is separated by the depth of both the applicant's garden and the objector's garden (in excess of 30m even after the property is extended). For this reason the relationship is not considered uncommon to many in the District where rear dormers have been established as acceptable. Whilst there may be a perceived loss of privacy, there is no conflict with policy.

Conclusion:

The proposals are considered acceptable in design terms and impacts to neighbouring amenity are not excessive. The proposals are akin to many considered appropriate throughout the District and accordingly Officers recommend 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: Jenny Cordell
Direct Line Telephone Number: 01992 574481**

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:	12
Application Number:	EPF/0816/13
Site Name:	26 Springfield Close, Ongar CM5 0BB
Scale of Plot:	1/1250

Report Item No: 13

APPLICATION No:	EPF/0825/13
SITE ADDRESS:	Unit 3c The Maltings Station Road Sheering Harlow Essex CM21 9JX
PARISH:	Sheering
WARD:	Lower Sheering
APPLICANT:	Ms Joanne Morgan
DESCRIPTION OF PROPOSAL:	Change of use from laundrette to a take away and sit-in Pie and Mash shop and decking with seating.
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=548570

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Land Registry Location Plan title number EX265458, Floor Plan date stamped 29/04/13
- 2 The premises shall be used solely for A3 and/or A5 use and for no other purpose (including any other purpose in Class A of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.

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

Description of Site:

The application site is a former launderette measuring approximately 45 sq. m. in floor area located within The Maltings industrial/business estate. The unit is one of several in a terrace of commercial units within this Grade II listed building and is now being used as a mixed use A3/A5 Pie and Mash restaurant/takeaway.

The building is Grade II listed and the application site is located within a conservation area. It is also located within a designated E1 (employment) area.

Description of Proposal:

Retrospective consent is being sought for a change of use from a Launderette (A1) to a Pie and Mash restaurant/takeaway (A3/A5), which includes the installation of a decking area to the front of the unit to allow for an external seating area.

Relevant History:

The Maltings estate has a long and complex history; however none of this appears directly relevant to this particular unit.

Policies Applied:

HC6 – Character, appearance and setting of conservation areas
HC7 – Development within conservation areas
HC10 – Works to listed buildings
HC12 – Development affecting the setting of listed buildings
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. The below policies are no longer considered to be consistent with the NPPF and as such only limited weight should be afforded to them.

E1 – Employment areas

E2 – Redevelopment/extension of premises for business and general industrial use

Consultation Carried Out and Summary of Representations received:

16 neighbouring properties were consulted and a Site Notice was displayed regarding the associated listed building application (LB/EPF/0892/13) on 13/05/13.

PARISH COUNCIL – Object:

- a) out of keeping
- b) Inappropriate for listed building
- c) Decking/seating unsuitable in industrial area.

Issues and Considerations:

The main issues to be considered are the impact on the designated employment site and regarding the historic impact on the listed building and wider conservation area.

Employment considerations:

Whilst Local Plan policies E1 and E2 strive to restrict changes of use within the designated employment sites to B1, B2 and B8 uses, the previous lawful use of the building was as a launderette, which falls within use class A1. As such, the change of use of the site to A3/A5 use would not have any further impact on the industrial uses on The Maltings industrial/business site, and it could be considered that the proposed Pie and Mash shop is more ancillary to the surrounding industrial uses than a launderette, as it would predominantly be frequented by employees of the surrounding units. It should also be noted that Local Plan policies E1 and E2 are

no longer considered to be consistent with the NPPF and, as such, these policies should be given little weight in this decision.

The NPPF puts great emphasis on promoting sustainable economic growth and supporting existing businesses and states that “*the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth*” and the planning should “*support existing business sectors, taking account of whether they are expanding or contracting*”. Whilst the works on this site took place unlawfully, the Pie and Mash shop is now an established business that serves the workers of The Maltings industrial/business site, and its retention would comply with the overall aims of the NPPF. The entire Maltings estate contains a varied mix of business and industrial units contained in various sized units, and as part of this other cafes/food establishments can be seen within this estate.

The Parish Council has objected in part as they considered the “*decking/seating unsuitable in industrial area*”, however they do not clarify why this decking is unsuitable. The decking area has infilled a previous sloped area leading down to the front door, which is fairly unique to this unit as most other businesses within this building have level access. The area is in part fenced off from the adjacent parking/access area and there would be little difference between this and a pavement seating area seen on several cafes/restaurants around the District. It is not considered that the decking/seating area poses any form of health and safety risk nor would it be unduly detrimental to the character and appearance of this historic area (see below).

Conservation considerations:

The application site is located within the Grade II North block of the extensive mid-late 19th century brick Maltings complex. This block has been broken down into numerous small commercial units and suffers from signage clutter. The site is also located within a conservation area.

The Essex County Council Senior Historic Buildings Advisor has been consulted and raises no objection to the retrospective works. The change of use has not required any physical alterations to the historic fabric of the building and whilst the decking hides the historic sloping access, this is considered to be an improvement to the overall character and appearance of the listed building.

Concerns have been raised from the Historic Buildings Advisor with regards to the signage generally within the industrial/business site, although not specifically with this unit. However the signage does not form part of this proposal and as such is not under consideration here.

Conclusions:

Due to the above, it is considered that the works comply with the general guidance contained within the NPPF and are not detrimental to the character and historic interest of either the listed building or the conservation area. As such, the application complies with the relevant (compliant) Local Plan policies and the NPPF and is therefore recommended for approval.

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

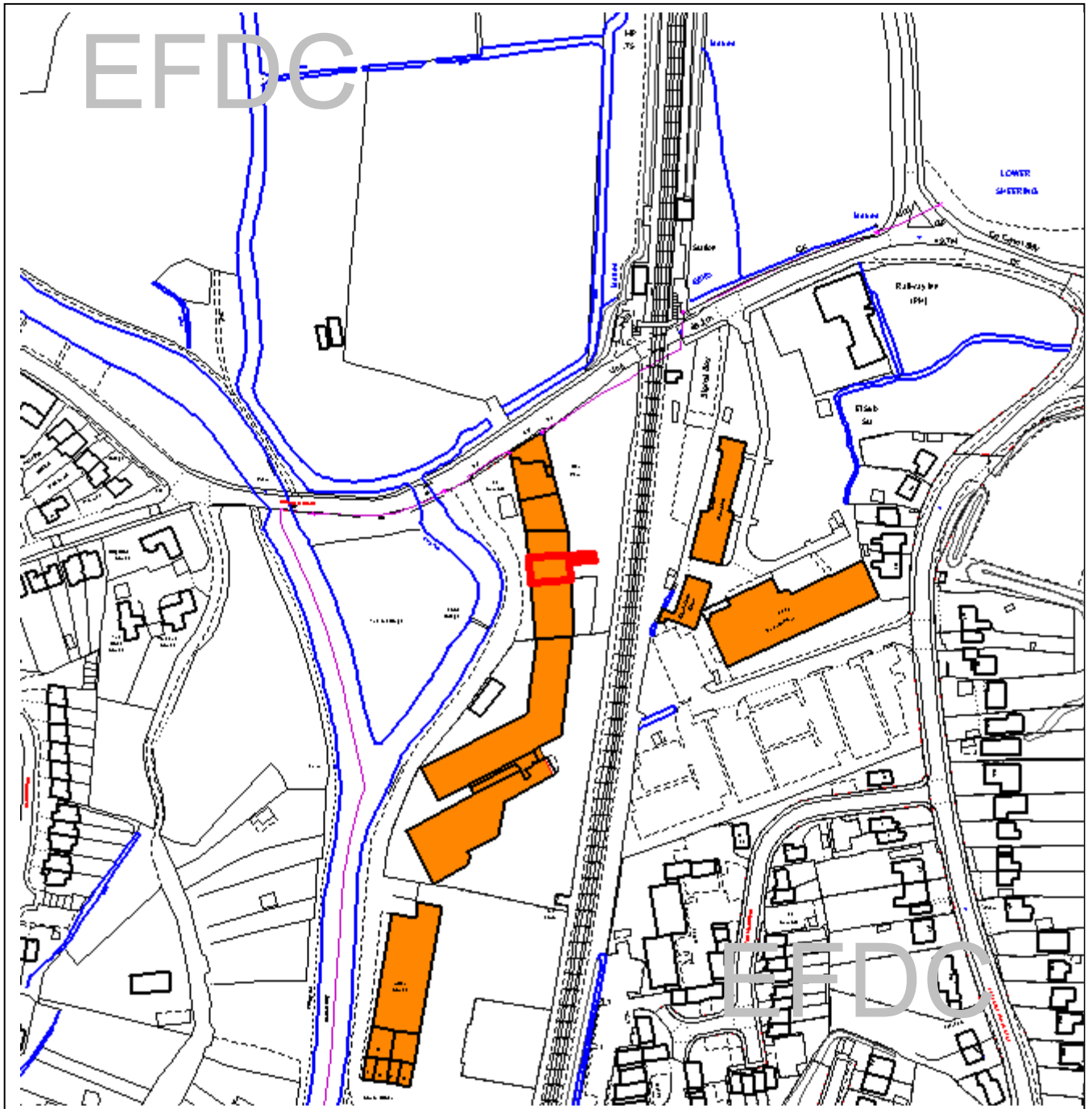
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	13 & 14
Application Number:	EPF/0825/13 and EPF/0892/13
Site Name:	Unit 3c, The Maltings, Station Road Sheering, CM21 9JX
Scale of Plot:	1/2500

Report Item No: 14

APPLICATION No:	EPF/0892/13
SITE ADDRESS:	Unit 3c The Maltings Station Road Sheering Harlow Essex CM21 9JX
PARISH:	Sheering
WARD:	Lower Sheering
APPLICANT:	Ms Joanne Morgan
DESCRIPTION OF PROPOSAL:	Grade II listed building consent for change of use from laundrette to a take away and sit in Pie and Mash shop and decking with seating.
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=548930

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Land Registry Location Plan title number EX265458, Floor Plan date stamped 29/04/13

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

Description of Site:

The application site is a former launderette measuring approximately 45 sq. m. in floor area located within The Maltings industrial/business estate. The unit is one of several in a terrace of commercial units within this Grade II listed building and is now being used as a mixed use A3/A5 Pie and Mash restaurant/takeaway.

The building is Grade II listed and the application site is located within a conservation area.

Description of Proposal:

Retrospective listed building consent is being sought for a change of use from a Launderette (A1) to a Pie and Mash restaurant/takeaway (A3/A5), which includes the installation of a decking area to the front of the unit to allow for an external seating area.

Relevant History:

The Maltings estate has a long and complex history; however none of this appears directly relevant to this particular unit.

Policies Applied:

HC6 – Character, appearance and setting of conservation areas

HC7 – Development within conservation areas

HC10 – Works to listed buildings

HC12 – Development affecting the setting of listed buildings

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 13/05/13.

PARISH COUNCIL – Object:

- d) out of keeping
- e) Inappropriate for listed building
- f) Decking/seating unsuitable in industrial area.

Issues and Considerations:

The main issues to be considered are regarding the historic impact on the listed building and wider conservation area.

The application site is located within the Grade II North block of the extensive mid-late 19th century brick Maltings complex. This block has been broken down into numerous small commercial units and suffers from signage clutter. The site is also located within a conservation area.

The Essex County Council Senior Historic Buildings Advisor has been consulted and raises no objection to the retrospective works. The change of use has not required any physical alterations to the historic fabric of the building and whilst the decking hides the historic sloping access, this is considered to be an improvement to the overall character and appearance of the listed building.

Concerns have been raised from the Historic Buildings Advisor with regards to the signage generally within the industrial/business site, although not specifically with this unit. However the signage does not form part of this proposal and as such is not under consideration here.

Conclusions:

Due to the above, it is considered that the works are not detrimental to the character and historic interest of either the listed building or the conservation area. As such, the application complies with the relevant Local Plan policies and the NPPF and is therefore recommended for approval.

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

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

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

Report Item No: 15

APPLICATION No:	EPF/0891/13
SITE ADDRESS:	11 Bower Hill Epping Essex CM16 7AD
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr Brian Grove
DESCRIPTION OF PROPOSAL:	Demolition of existing bungalow and erection of a new chalet bungalow and alterations to existing crossover. (Revised application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=548914

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: 786:01, 786:SK1A, Location plan and streetscene elevation.
- 3 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.
- 4 The proposed window openings in the southern flank elevation at first floor level shall be 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.
- 5 No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 6 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no extensions generally permitted by virtue of Part 1, Class A and B shall be undertaken without the prior written permission of the Local Planning Authority.

- 7 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 08.00 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 8 No development shall take place until details of levels have been submitted to and approved in writing by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 9 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.

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

No11 Bower Hill is the end plot in a row of bungalows which extend for some distance along the eastern side of the road. The road descends steadily along this part of Bower Hill such that the dwelling on the site is set approximately 1.0m above the property to the south. No11 is set further towards the road than this dwelling. The plot is regular shaped, with a frontage of approximately 15.0m, and a reasonably deep garden. A public footpath abuts the site to the north and beyond this is a development of houses set back from the road. The western side of the road contains more of a mix of styles including older dwellings and bungalows. A number of the bungalows on Bower Hill have been extended in the roof to form chalet style houses.

Description of Proposal:

The application is a revision following a recently withdrawn scheme. The applicant seeks consent to demolish the existing dwelling on site and replace it with a new house. The new dwelling would have a ridge height of 7.0m and an eaves level of 2.5m. The roof would be flat topped with a glass atrium feature. The front elevation would be 13.7m wide with a fully hipped roof above. The rear elevation would have a half hipped roof with a full two storey wall below. Two dormer windows would be installed on the front elevation with one on each side elevation. The existing crossover to the front would be widened to 4.0m.

Relevant History:

EPF/0190/13 - Demolition of existing bungalow and erection of a new chalet bungalow and alterations to existing crossover. Withdrawn by applicant - 09/04/2013.

Policies Applied:

CP1 – Achieving Sustainable Development Objectives
CP2 – Protecting the Quality of the Rural and Built Environment
CP3 – New Development
DBE1 – Design of New Buildings
DBE2 – Effect on Neighbouring Properties
DBE3 - Design in Urban Areas
DBE9 – Excessive Loss of Amenity to Neighbouring Properties
ST4 – Road Safety

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 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:

TOWN COUNCIL: Objection. Committee noted the changes from the previous application but still considered the overall scale not being in keeping with the streetscene. This property is situated among a row of bungalows and this is clearly a two storey dwelling.

30 neighbours consulted – 2 replies received.

2 BOWER COURT: Objection. This is the second time I have written in on behalf of my neighbours. The 20.0m side wall will totally obliterate the view of trees and the countryside from Bower Court. Concern about the loss of hedgerow along the Essex Way pathway adjacent to the site, and its impact on birds and wildlife. Concern that development close to the Horse Chestnut trees will result in their loss. This house is two storeys as opposed to a chalet bungalow and as such out of keeping. The house is twice the size of the existing dwelling and should be surely reduced to its bounds and reduced in width.

15 BOWER HILL: Objection. We feel an approved drainage system is needed to deal with the increased paved area. A new foul sewer feeding directly into the sewer on Bower Hill is needed.

Issues and Considerations:

The main issues that arise with this application relate to the design of the new dwelling, amenity and the comments of consultees.

Design

The application is a revision to a recently withdrawn scheme. This was much bulkier than what is proposed here, although a similar design. The proposed house is still a considerable increase to what currently exists on site; the existing house being a typical small scale bungalow. There have been recent approvals for redevelopments of bungalows along the road and indeed some schemes have been implemented. This application now draws on such approvals which retain a hipped roof as per the original houses. However this development would have a flat crowned roof and would effectively be two storeys to the rear. The issue is whether this new revision would be out of character with the existing streetscene.

It is worth noting that this site benefits from being an end house on the row and effectively “bookends” the run of properties. It also benefits from a wider plot than most houses on the road. The overall ridge height of this new scheme would not increase but the new house would fill more of the plot. This would potentially be more of an issue further down the hill but as an end house development this would not significantly impact on the streetscene. Dormer windows are a characteristic along the road which has become more common in recent years. In this case the additions are not excessively bulky and would not dominate the overall appearance of the house. The applicant has retained a half hip style to the rear in order to maximise internal space. This further increases the bulk of the building but it would be located to the rear of the dwelling and the full hipped appearance would be retained on the front elevation. As the house would be set forward from its immediate neighbour the side elevation would be visible along the hill but again this would not necessarily detract from the existing streetscene.

It is recognised by Officers that there would be a reasonable increase in built form on the site, however this would not be detrimental to the overall character of the road and the view has been formed that from a design perspective this development is generally acceptable.

Amenity

The proposed house would include side facing dormer windows on both flank elevations. The dormer on the northern side would overlook a public footpath and public amenity land serving Bower Court. As such a condition requiring obscured glazing is not deemed necessary. The southern dormer would overlook the front of the adjacent property, No13 Bower Hill. Although overlooking of rear amenity space is more of a concern it is still deemed reasonable and necessary to condition this dormer window as obscure glazed. This would guard against loss of amenity to occupants of this house. The new dwelling would not appear overbearing or result in loss of outlook from No13.

Objections have also been received from No2 Bower Court. This firstly cites concern about loss of view across open countryside for residents of this development. This can only be in relation to form the parking area to the front of these houses. Loss of a view is not a material planning matter and particularly when the assessment is being made from a public amenity/parking area to the front of houses. There would be no loss of outlook to residents of Bower Court and the proposed building is located some distance from houses.

Concern is also expressed about impact on the Essex Way footpath which runs adjacent to the site. However there are no plans to stop or divert the footpath and as a community facility it would not be prevented from providing this valuable local recreational service by the development of a new house. The loss of some hedgerow is regrettable but this is not a reason to withhold consent. There are no preserved trees on the plot and site clearance is in essence at the discretion of the householder.

A neighbour has also expressed concern about foul and surface water drainage. This matter can be adequately addressed with a condition requiring details of disposal.

Crossover

The increase in width of this crossover raises no issues and would have road safety benefits. This element of the scheme is suitable subject to appropriate conditions.

Permitted Development Rights

It is deemed reasonable to remove permitted development rights for extensions and roof additions as these could add considerable bulk to an already large dwelling. This could have a detrimental impact on the existing streetscene.

Conclusion:

The proposed dwelling would not appear excessively out of place in the existing streetscene. This is a larger house than the existing structure but on balance it is deemed acceptable. There are no serious concerns in relation to neighbour amenity. Subject to conditions the scheme is acceptable and as such 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:

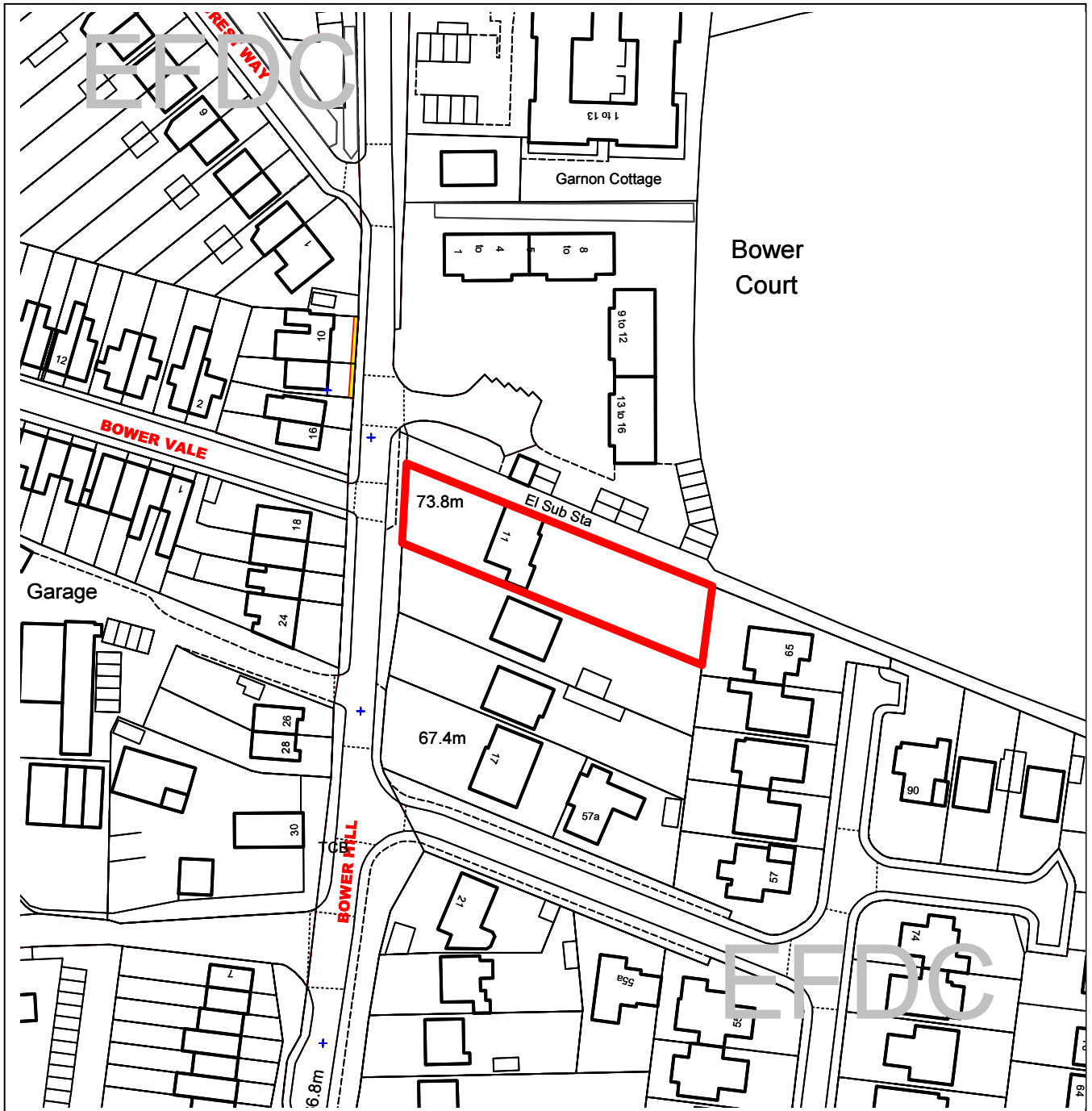
***Planning Application Case Officer: Mr Dominic Duffin
Direct Line Telephone Number: (01992) 564336***

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:	15
Application Number:	EPF/0891/13
Site Name:	11 Bower Hill, Epping CM16 7AD
Scale of Plot:	1/1250