

Report Item No: 1

APPLICATION No:	EPF/0223/13
SITE ADDRESS:	Brook Cottage Mutton Row Stanford Rivers Ongar Essex
PARISH:	Stanford Rivers
WARD:	Passingford
APPLICANT:	Mr Tim Gray
DESCRIPTION OF PROPOSAL:	Proposed two storey and single storey side extensions, dormers and porch.
RECOMMENDED DECISION:	Refuse Permission (Householder)

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=545503

REASON FOR REFUSAL

- 1 The proposed additions, by reason of their bulk and position, would result in a disproportionate enlargement of the dwelling. The proposal therefore represents inappropriate development which would cause harm to the open character of the Green Belt, contrary to policy GB2A of the adopted Local Plan and Alterations, and also contrary to the National Planning Policy Framework.
- 2 The proposed additions, by reason of their bulk and position, would result in a dwelling that would dominate the listed building on the site. The proposal would therefore detract from the setting of a listed building contrary to policy HC12 of the adopted Local Plan and Alterations, and contrary to the National Planning Policy Framework.

This application is before this Committee since it has been 'called in' by Councillor Heather Brady - (pursuant to the constitution, part three: planning directorate – delegation of council function, schedule 1, appendix A (h)).

Description of Proposal:

Proposed two storey and single storey side extensions.

Description of Site:

2 storey dwelling located in an isolated and rural location within the Green Belt. It also stands within the curtilage of a listed building.

Relevant History:

EPF/839/93 gave approval to the erection of an dwelling to replace the existing listed dwelling on the site which had been subject to flood damage.

Policies Applied:

GB2A - Development in the Green Belt.
DBE9 – Loss of amenity
DBE10 – Residential extensions
HC12 – Development affecting the setting of listed buildings
LL10 – Adequacy of provision for landscape retention.
National Planning Policy Framework.

Summary of Representations:

STANFORD RIVERS PARISH COUNCIL – No objections.

NEIGHBOURS – there are no neighbours and no response to site notice.

EFDC CONSERVATION OFFICER – The replacement Brook Cottage built in the early 1990's occupies the same footprint as the original cottage, and a condition withdrew permitted development rights so as to protect the open character of the Green Belt - and to ensure the new dwelling remained of equal status to the original dwelling and did not dominate its setting. The replacement dwelling was allowed under exceptional circumstances, so any substantial extensions or additions should be viewed critically. In addition a development of this kind would not normally have been allowed in the curtilage of a listed building like Brook Cottage, so its presence on the site should not be accentuated by substantially increasing its volume. Although there are no objections to the principle of extending the property to a lesser degree, the proposed extensions will have a detrimental impact on the setting of the listed cottage by increasing its dominance on the site. A smaller side extension, or as the listed buildings advisor has suggested, an extension to the north which faces away from the listed cottage, may be acceptable.

Issues and Considerations:

In 1993 planning permission was approved for a new dwelling to be erected in the north part of this site to replace a listed cottage in the south of the site. The listed cottage was extensively damaged by flooding owing to its position close to a stream, and the Council agreed that exceptional circumstances warranted the erection of a new dwelling on higher land further away from the stream. The former cottage was to be retained as an outbuilding for the new dwelling.

The newer dwelling has a similar footprint to the original cottage. However, the current proposal provides for one and two storey side extensions which increase the floorspace of the house by 63%. The proposed side wings will significantly add to the bulk and width of the house and they represent a disproportionate addition to a dwelling which would detract from the open character of the Green Belt.

The size and footprint of the new dwelling allowed in the 1993 was similar to the original listed cottage on the site. As set out above the Conservation officer feels that the proposed extensions are too large, that they will dominate the appearance of the site and at the same time demote the original cottage in its setting.

Is there a way forward? A revised application proposing a smaller side extension, and/or a rear extension which would face away from the listed building, would be more likely to be acceptable.

Conclusions:

The proposed extensions, by reason of their size and position, do not represent a limited extension to a house in the Green Belt and they would detract from the open character of the Green Belt. Additionally the extensions would detract from the setting of the original listed dwelling on the site. For these reasons, and those set out elsewhere in the report above, it is recommended that planning permission be refused.

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

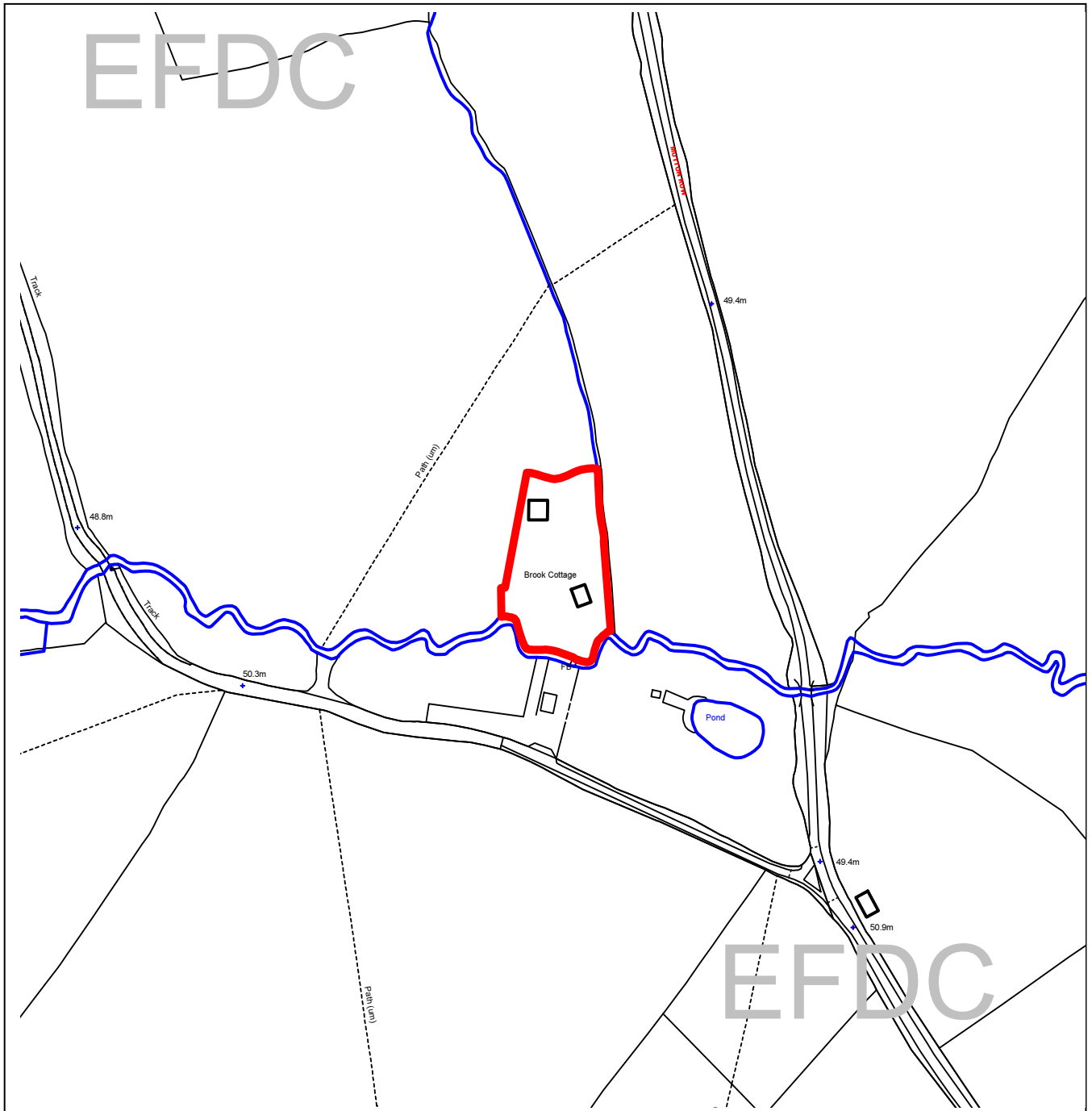
***Planning Application Case Officer: David Baker
Direct Line Telephone Number: 01992 564514***

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:	1
Application Number:	EPF/0223/13
Site Name:	Brook Cottage, Mutton Row, Stanford Rivers, CM5 9QQ
Scale of Plot:	1/2500

Report Item No: 2

APPLICATION No:	EPF/0553/13
SITE ADDRESS:	Land adjoining Broadlawns Coopersale Lane Theydon Bois Essex CM16 7NP
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr Richard Axon
DESCRIPTION OF PROPOSAL:	Agricultural determination for storage building (further details submitted)
RECOMMENDED DECISION:	Prior Approval Required and Granted

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=547210

CONDITIONS

- 1 The building hereby granted prior approval shall not be used for the sale of Christmas trees to persons visiting the site.
- 2 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.

This application is before this Committee since the recommendation to grant 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 Proposal:

Prior approval determination for erection of storage building. – this barn building is to be used for storage of tools, a small tractor, chemicals, and tree stakes in connection with a forestry business ie growing of Christmas trees.

Description of Site:

The south west corner of a field located on the north side of Coopersale Lane. There is a vehicular access to the field in this south west corner, and an access track leads down the west side of the field. The field lies in the Green Belt and preserved trees lie close to the site of the proposed storage building. Part of the field has recently been planted with Christmas trees

Relevant History:

EPF/423/10 was a refusal of planning permission for loose boxes and stable in this south west corner, and an appeal against this refusal was dismissed.

EPF/2390/12 concerned another agricultural determination for a barn building in the north east corner of the site. Prior approval for this building was refused owing to the environmental impact an access road across the field would have had, possible adverse affect on preserved trees, creation of a vehicular access gap in a protected hedgerow, and inappropriate siting of the building in relation to the agricultural unit as a whole.

Policies Applied:

GB11 – Agricultural buildings
LL4 – Agricultural/Forestry related development.
National Planning Policy Framework.

Summary of Representations:

THEYDON BOIS PARISH COUNCIL – This is one of a long line of applications refused on this site. The key point is that the proposal once again constitutes inappropriate development in the Green Belt. This field has open views across the village to Epping Forest and the proposal would impact on openness. We still have concerns about highway safety. Our objection is supported by the dismissal of the appeal against refusal of the stables application EPF/423/10 which included reasons such as ‘significant harm to the openness of the Green Belt’....’as a result of the loss of openness/views across to Theydon Bois’.

NEIGHBOURS – three letters received:-

7, WOODLAND WAY – object – contrary to what is stated in the application this field has not been used for agriculture for 30 years, and hence the proposed building is not reasonably necessary for agricultural purposes. In addition the proposed building could be better located elsewhere in this 13.49 hectare ‘agricultural unit;’ some of which is in Abridge. It has been noted however, that there is evidence of Christmas tree planting in the last few months. The building would affect openness, and the vehicular access to Coopersale Lane is poor with blind bends posing a threat to road safety. The application appears part of an ongoing history of attempts to erect a building on this site. In any event the conditions relating to permitted development have not been met since the proposed building *is not on agricultural land .. and not in use for agriculture for the purposes of a trade or business and is not reasonably necessary for the purposes of agriculture within the unit.*

THEYDON BOIS AND DISTRICT RURAL PRESERVATION SOCIETY – object – we understand that this field is only a small part of this land holding the major part being in Abridge, and the building should be relocated to this larger part of the unit . Vehicular access on to Coopersale Lane is blind and dangerous - which was a reason why previous applications have been refused, and transfer of Christmas trees in this position would be dangerous.

THEYDON BOIS ACTION GROUP - object – they raise similar concerns as raised in the letter from 7, Woodland Way - and that the strict criteria of the General Development Order have not

been met eg the larger area of land in Abridge is 1.75 miles away and hence the unit does not have an area of 5 hectares, and the fields in Abridge are not in use for agricultural purposes. The building is not reasonably necessary because there are redundant agricultural buildings at the adjacent Blunts Farm - the lack of use of which was referred to by their owner in a recent application for their demolition to make way for 5 houses – and this application was refused so these buildings are still available for renting. The proposed building would compromise the integrity of the historic protected Coopersale Lane, and as stated by the planning inspector in previous appeals the access is unsuitable. This is an inappropriate site for this new building and if reasonably necessary the building should be sited at Abridge.

EFDC TREES AND LANDSCAPE SECTION – The submitted tree report demonstrates that the proposal could be implemented without a detrimental impact on the preserved trees on the site. We have no objection subject to Condition no.66 (requiring details of tree protection) being imposed.

Issues and Considerations:

Agricultural or Forestry buildings normally fall within permitted development but before they can be built they need to be subject of a prior approval determination with the local planning authority. This procedure allows for a local planning authority to determine whether the siting and appearance of the proposed building is acceptable, and no other issues, including the principle of why the building is required, can be taken into account. 28 days is the normal time allowed for a council to issue its decision. However, if a council decide that further details are required to assist them in making a decision, then a further 56 days is available once the details are submitted. In this particular case, because the proposed building lies close to preserved trees, further details were required to in order to assess whether the proposal would impact on the health of these preserved trees.

The proposed building is modest in size, measuring 3.66m in width by 11m in length, and 3.78m to eaves. Its walls would be timber clad with a low angled pitched (fibre cement) roof. Not only is it a smaller building than the previously rejected application EPF/2390/12, it is located close to the existing vehicular access into this field (and the adjoining field to the north) and hence a new vehicular access on to Coopersale Lane, and track across the fields, is not required. The further details submitted have been assessed by the Councils Trees and Landscape section and as stated above they feel that the proposal building can be built without a detrimental impact on the trees. They therefore raise no objections subject to a tree protection condition being imposed. The existence of screening trees close to the building, and its position close to the corner of the field, will ensure that the building is not unduly conspicuous, and in terms of its siting and appearance it is acceptable.

Other issues and comments on representations received

Part of this field has recently been planted with Christmas trees and the building is required to house equipment related to this use, and permitted development rights for this forestry business are the same as they are for agricultural uses. Part of the agricultural unit associated with this field lies on the other side of Coopersale Lane and part also within Abridge. Government guidance does state that a separate or second agricultural enterprise can be established within a larger agricultural unit and hence the use of this field for a forestry use is one for which permitted development rights do apply. As such only the siting and appearance of the proposed building can be taken into account - and not whether it represents inappropriate development in the Green Belt, which was one reason why the stables building under EPF/423/10 was refused and dismissed on appeal.

The concern of objectors that this is another attempt to get a building on this site is acknowledged. However, the regulations are clear that buildings approved under this agricultural prior approval

procedure can only be used for agricultural or forestry purposes, and they stipulate that if an agricultural or forestry use ceases within 10 years of the building's completion then the building must be removed. In addition the existence of redundant farm buildings on the adjoining site of Blunts farm is not a justifiable reason to refuse prior approval for the proposed building – since it is related to a different agricultural unit and enterprise.

Conditions can be imposed on any prior approval granted for this building. It is agreed that the vehicular access suffers from poor visibility sight lines, and in this context it would be undesirable for the proposed building to be used for the retail sale of Christmas trees grown on the site. To this end a condition prohibiting retail sales of Christmas trees from the building is proposed.

Conclusions:

Ancillary buildings related to agriculture or forestry uses assist in ensuring that associated large areas of land are retained in an open character. The siting and appearance of the proposed building, which is of a modest size, is acceptable, and it does appear to be reasonably required for a fledgling forestry business. It is recommended therefore that prior approval for the proposed building be granted, subject to conditions, prohibiting retail sales of Christmas trees from the building, and requiring tree protection details to be submitted before any works commence.

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:

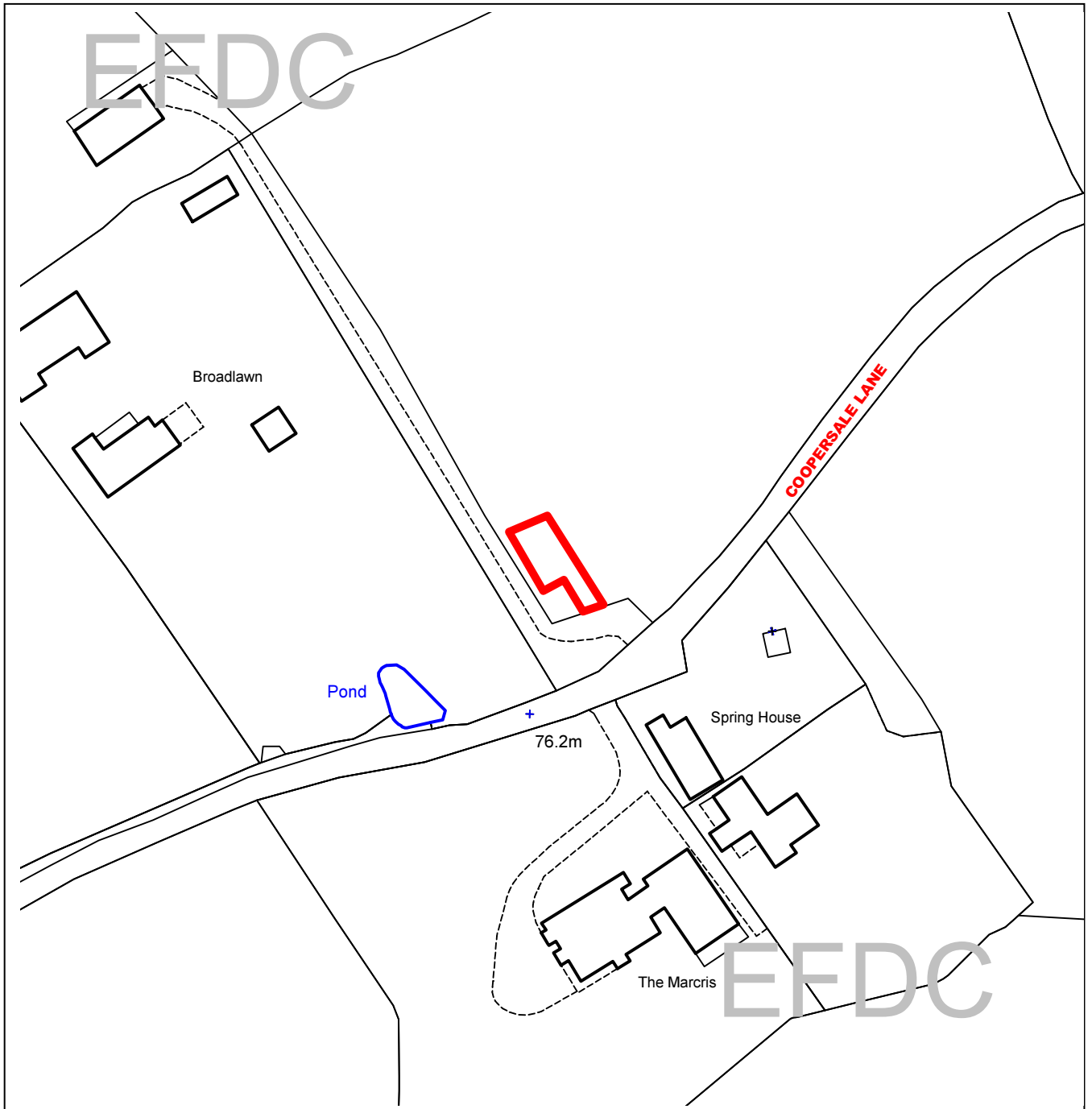
***Planning Application Case Officer: David Baker
Direct Line Telephone Number: 01992 564514***

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Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	2
Application Number:	EPF/0553/13
Site Name:	Land adjoining Broadlawns, Coopersale Lane, Theydon Bois, CM16 7NP
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/0688/13
SITE ADDRESS:	151-153 Millrite Engineering London Road Stanford Rivers Ongar Essex CM5 9QF
PARISH:	Stanford Rivers
WARD:	Passingford
APPLICANT:	N H Estates
DESCRIPTION OF PROPOSAL:	Variation of condition 2 'Drawing numbers' and removal of condition 17 'Obscure glazing' of planning permission EPF/1008/11 (Redevelopment of site to provide 4 detached chalet bungalows and garages) to permit the redevelopment of the site for 4 two storey detached houses with accommodation in the roof and lowering site levels.
RECOMMENDED DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=547790

REASON FOR REFUSAL

- 1 The proposed development is inappropriate development in the Green Belt. Moreover, by reason of the significant upper storey bulk of the proposed houses, the proposed development would cause considerably greater harm to the openness of the Green Belt than the development approved under planning permission ref EPF/1008/11. The considerations put forward in favour of the development do not amount to very special circumstances that outweigh all of the harm that would be caused by it. Consequently the proposal is contrary to Local Plan and Alterations policies GB2A and GB7A, which are consistent with the provisions of the national Planning Policy Framework.

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

Description of Site:

The application site is located on the southeast side of London Road (the A113), Stanford Rivers, between the Woodman PH and former White Bear PH. It is within the Metropolitan Green Belt but is not within a conservation area.

The White Bear PH has been converted to a number of dwellings: White Bear House and White Bear Mews. The Woodman PH is set adjacent to London Road while White Bear House and Mews are situated off an access road southeast of London Road at significantly lower level such that they are not clearly visible from the main road. Those buildings are Grade II listed.

The site itself is a disused engineering works and detached house accessed off the same road that provides access to White Bear House and Mews. It is an irregular shaped site, approximately rectangular in shape. It is largely screened from view of London Road by a hedgerow on the highway verge, a leylandii hedge adjacent to the access to the site and by its level being significantly lower than that of the carriageway.

The buildings on site are a mix of single and two-storey structures with a maximum ridge height of 7.2m situated on the north-eastern part of the site that enclose a concrete surfaced yard area. They are substantial and permanent structures that have a total volume of some 2300m³ covering a ground area of 545m².

The south-western half of the site is an open grassed area with some trees. The site levels drop approximately 2m from northwest to southeast.

The south-eastern boundary of the site is enclosed by close board fencing, beyond which is an open field that falls away from the site. Views to the east beyond the adjacent field are of open countryside. The field is used for a mix of agricultural and recreational purposes, the recreational activity being clay pigeon shooting.

The north-western site boundary is enclosed by a close board fencing with hedgerow on highway land between the site boundary and London Road.

Description of Proposal:

This application is reported to Committee for decision since the proposed development would be of a very similar form to that proposed under application EPF/2399/09, which was refused by this Committee on 14 April 2010. That decision, which was contrary to Officer recommendation, was subsequently upheld at appeal.

It is proposed to redevelop land comprising a disused engineering works and detached house together with a large grassed area to provide 4 two-storey detached houses and associated gardens. The proposal is made on the basis that it is a minor material amendment to an approved development (planning permission ref EPF/1008/11) of 4 two-storey detached houses that take the form of chalet-bungalows with the first floor contained entirely within the roof space. Each approved house would have 3 bedrooms and contain an integral double garage.

The houses proposed in this application would also be situated on the developed north-eastern part of the site and be accessed by the existing access point.

A significant difference between the proposed development and that approved is the entire land level on this part of the site would be lowered by approximately 1m.

A further significant difference is the houses would be two full storeys with a roof over and would not include any garage. Each house would have 5 bedrooms with the master bedroom and a

playroom proposed in the roof space. There would be the opportunity for the designated playroom to be used as a 6th bedroom.

The houses would be arranged much as those approved. One house would be sited midway along the northeastern boundary and its garden would continue to the southeast boundary. A private drive would separate that house from the remaining 3. Their private gardens would be provided on the existing open part of the site.

The houses would have maximum ridge heights of 8.75m. The total volume of all the proposed buildings would be some 2816m³ while their ground area would be 422m². In comparison, the approved chalet bungalows would have maximum ridge heights of 7.3m and their total volume would be some 2800m³ while their ground area would be 570m².

The applicant maintains a previously accepted offer of a contribution of £74,000 towards the provision of off-site affordable housing. The applicant states he is willing to complete a deed of variation to the effect that a S106 agreement attached to planning permission EPF/1008/11 would apply equally to the new permission. The terms of the agreement are that 50% of the contribution would be paid prior to the commencement of the development and the balance within 12 months of commencement.

Relevant History:

- EPF/0713/09 Retaining store/forge to front and converting to two bedroom single storey unit, retaining spray and bending building and conversion to a two bedroom bungalow, retaining two, two storey workshops and office building and converting to a four bedroom house. Approved following the completion of a S.106 agreement requiring the payment of a contribution of £100,000 to the provision of social housing upon completion of the development. (Development not commenced)
- EPF/2399/09 Replacement of existing 2 storey dwelling and redevelopment of remainder of site to provide 3 additional 2 storey dwellings and associated garaging and amenity space (giving a total of 4 new 5/6 bedroom houses). Refused on Green Belt grounds. Subsequent appeal dismissed.
- EPF/2400/09 Replacement of existing 2 storey dwelling and redevelopment of remainder of site to provide 3 additional 2 storey dwellings and associated garaging and amenity space (Alternative scheme also giving a total of 4 new 5/6 bedroom houses). Refused on Green Belt grounds. Subsequent appeal dismissed.
- EPF/0372/13 Amendment to EPF/1008/11 (Redevelopment of site to provide 4 detached chalet bungalows and garages). Application not valid. Although not withdrawn, this application has been superseded by the current application.
- EPF/0406/13 Minor material amendment to planning permission reference EPF/1008/11 (Redevelopment of site to provide 4 detached chalet bungalows and garages).
Withdrawn following the proposal being found to be more than a minor material amendment.

Policies Applied:

NPPF

Policies applied to application EPF/1008/11 that remain applicable:

CP2 (compliant) Protecting the Quality of the Rural and Built Environment

CP3-5 and ST1 (compliant)	Sustainable development policies
GB2A (generally compliant)	Development in the Green Belt
GB7A (compliant)	Conspicuous Development
GB15A (compliant)	Replacement Dwellings
HC12 (partially compliant)	Development Affecting the Setting of Listed Buildings
H2A (compliant)	Previously Developed Land
H3A (partially compliant)	Housing Density
H4A (partially compliant)	Dwelling Mix
H5A-7A (partially compliant)	Policy relating to the provision for affordable housing
DBE1, 2, 4, 6, 8 & -9 (compliant)	Policy relating to design and impact of development on amenity
LL10 (compliant)	Adequacy of Provision for Landscape Retention
LL11 (compliant)	Landscaping Schemes
ST4 (compliant)	Road Safety
ST6 (compliant)	Vehicle Parking

Policies applied to application EPF/1008/11 that can no longer be applied:

E4A (NOT compliant)	Protection of Employment Sites
E4B (NOT compliant)	Alternative Uses for Employment Sites

Summary of Representations:

The occupants of 4 neighbouring properties were consulted and a site notice was displayed but no response was received.

STANFORD RIVERS PARISH COUNCIL:

“The Parish Council has NO OBJECTION to this Application however we would ask that the District Council ask Essex County Council Highways to look at making improvements along the stretch of road where the development is taking place in order to reduce the speed of traffic and improve highway safety.”

Issues and Considerations:

The District Council accepted the principle of the loss of this site for employment purposes and accepted the sustainability of the location for residential development when it granted planning permission for the conversion of the existing buildings to provide a total of four dwellings including the existing house, Ref EPF/0713/09.

In dismissing the appeals against the refusal of application EPF/2399/09 and EPF/2400/09 the Planning Inspector found the improvement of the sites appearance by the proposals to be an important consideration. He found the scheme that restricted the built form to the area covered by the existing buildings (EPF/2399/09) far preferable to the alternative proposal. However, he found the bulkiness of the buildings proposed and the urban character of the schemes layout would cause significant harm to the Green Belt, countryside and setting of neighbouring listed buildings. The inspector therefore concluded that, on balance, the improvement in the sites appearance that would be achieved by that scheme would not amount to the very special circumstance necessary to justify the proposal.

The District Council subsequently found the proposal for 4 chalet bungalows overcame the Inspectors objections to the proposal and gave planning permission on completion of a S106 agreement in respect of a contribution towards off-site affordable housing (planning permission reference EPF/1008/11).

The current application proposes a variation of a planning condition on that consent requiring the development to be constructed in accordance with approved drawing numbers. The variation would be to replace the drawing numbers with those of the drawings describing the current proposed development. This mechanism was introduced by the Government to allow greater flexibility for developers when implementing planning permissions so that minor material amendments can be made to approved schemes without the need to make a full planning application. Nonetheless, should consent be granted that consent will amount to a new full planning permission and it would be necessary to include all appropriate planning conditions. The period for implementing the new development cannot be varied by this mechanism however. In this case, planning permission EPF/1008/11 was given on 15 November 2011 therefore the last date for implementing any consent given for the present proposal would remain 14 November 2014.

The matter of whether the proposal is a minor material amendment to the approved development has been given consideration by Officers when assessing the validity of this application. On balance, it was found the proposal can be treated as such since there is no statutory definition of what a minor material amendment. In making that decision weight was given to the Governments objective of bringing development forward. Members are entitled to take a different view.

On the basis that the proposal is for a minor material amendment the main issues to consider when assessing the planning merits of this proposal are whether the development is acceptable in Green Belt terms and its effect on the setting of the adjacent listed buildings. This must be assessed having regard to the planning history of the site and particular weight given to the impact of the applicant's fall-back position of implementing the approved development. Particular weight is given to the approach taken by the Planning Inspector when dismissing the appeal against the refusal of planning application EPF/2399/09. In the light of that decision Officers would not now make a favourable assessment of that proposal.

Openness of the Green Belt:

The proposed development and the approved development includes the replacement of an existing house. However, the existing house is a significantly smaller and lower structure than any of the proposed or approved houses. The greater part of both schemes would result in the replacement of existing commercial buildings with houses. As a consequence they do not amount to replacement of existing buildings with new buildings in the same use. Moreover, both schemes as a whole would result in an increase in total building volume on the site of some 22% and an increase in the spread of buildings across the site. Both the approved development and presently proposed development are therefore materially larger than that which exists on the site.

Both schemes do amount to the complete redevelopment of a previously developed site. The NPPF states such development may not be inappropriate where it would not have a greater impact on the openness of the Green Belt (and the purpose of including the land within it) than the existing development. Having regard to the above analysis it is clear that both schemes would have a greater impact on openness than the existing development. The comparative impact of both schemes will be considered further below, but on that basis it is found the development to which this application relates is inappropriate in the Green Belt and therefore, by definition, harmful. Such development can only be allowed where very special circumstances exist that outweigh the harm caused by its inappropriateness, and any other harm including harm to openness.

The current proposal is for a development that would be of a very similar form to that proposed under application EPF/2399/09. The main differences are the omission of attached garages and the lowering land levels on the developed part of the site by approximately 1m.

Compared to the existing development on the site, the proposed development would result in an increase in built volume of some 500m³, 22% of that existing. This is not materially different to that of the approved development. However, when assessing the impact of the development proposed under refused application EPF/2399/09 on the openness of the Green Belt, the inspector also gave particular weight to matters including height and bulk.

Since the present proposal is for full two-storey houses that could each have up to 6 bedrooms as opposed to 3 of the approved development, they would appear considerably bulkier than the approved development. That is primarily due to their additional wall height and width at first floor and roof level. At up to 8.5m high they would also be approximately 1m higher than both the existing development on the site and the approved development. The visual impact of the increase in height would, however, be mitigated by the proposed 1m reduction in site levels on the developed part of the site.

When seen from London Road the upper parts of the roofs of the new houses would be apparent. However, as a consequence of the lowering of land levels the ridge heights of the houses would be similar to the maximum height of the existing development. Furthermore, the deletion of garages from the development would result in development on a smaller ground area and some reduction in visual bulk. However, the consequence of lowering land levels and deleting the garages for the openness of the Green Belt must be balanced against the additional bulk and width of the proposed houses at upper level. That bulk would be considerable therefore the presently proposed houses are found to have a materially greater impact on openness than the approved development when seen from London Road.

The development would appear particularly prominent when seen from the open countryside to the southeast. That is a consequence of a drop in land levels beyond the site which would afford clear views of the bulk of the development. The additional bulk of the proposed development would be clearly visible from this direction and the harm caused to openness of the Green Belt would be much greater than the approved development despite the proposed omission of garages and reduction in land levels.

The proposed upper level bulk would also have the effect of giving the development a much more urban appearance which, compared to the approved development, would have greater prominence and be at odds with the rural setting of the site.

On the matter of openness, therefore, it is found the present proposal would cause considerable additional harm to the openness of the Green Belt.

Setting of Listed Buildings

The application site is set between two Grade II listed buildings, the Woodman PH on higher ground to the south of the site and the former White Bear PH, now converted to flats, on lower ground to the north of the site.

Although the proposed houses would be well separated from the Woodman PH, they would be close to The White Bear. The additional bulk of the buildings when compared to the approved chalet-bungalows would result in a development that would appear more intrusive in the setting of The White Bear. While that impact is somewhat mitigated by the proposed lowering of land levels, it is the upper floor bulk that would cause the main harm. Essentially, the approved and proposed developments would have similar ridge heights in relation to The White Bear but the upper floor bulk of the proposal would somewhat diminish its visual importance.

This issue is more finely balanced however, and the Council's Conservation Officer has found no harm would be caused by the current proposals to either neighbouring listed building.

Other Matters

Although garages of the approved development, or indeed those of refused application EPF/2399/09, are not included in this proposal the development would continue to comply with the adopted vehicle parking standards.

The application site is accessed indirectly from the main carriageway of London Road rather than directly off it. Since the development would not generate any more vehicle movements than the lawful use of the site for employment purposes there is no case for any traffic calming measures on London Road arising from the proposal. Consequently, should planning permission be given that would not serve as justification for providing such measures. In the circumstances it would not be appropriate to seek the implementation such measures by Essex County Council in connection with the grant of such permission as requested by Stanford Rivers Parish Council.

The continued provision of a financial contribution for affordable housing addresses the matters raised in relation to previously relevant policies concerning the loss of employment uses.

The removal of condition 17 is acceptable since it is specifically designed in relation to the approved scheme and is not necessary for the present scheme.

There is an issue of potential excessive overlooking to The White Bear from Plot 1, which does not arise with the approved development. There is also potential excessive overlooking from Plot 3 to the houses proposed on the adjoining plots 2 and 4. This matter appears capable of resolution without any major redesign and the applicant has been approached with a view to doing so. The outcome of that exercise will be reported verbally.

Case for Very Special Circumstances:

A case of very special circumstances was accepted for the approved development, which also is inappropriate and harmful to openness. That case was the approved development would achieve a much better balance between harm to openness, and impact on the setting of the adjacent listed buildings than a previously approved proposal (which had lapsed) for the conversion of existing buildings on the site. The combination of achieving a significant improvement in the appearance of the site and setting of listed buildings was found to be a sufficiently unique set of circumstances which, in that particular case, just amounted to very special circumstances. In other words, the decision to grant planning permission was a balanced one.

The applicant maintains that the current proposal would achieve a further improvement to openness and would, as a consequence of providing more floor space at upper level, achieve a more spacious development.

In relation to impact on openness the current proposal is found to cause greater harm than the approved development for the reasons set out above. While the proposal may be more spacious at ground level that would not translate to an improvement in openness since the additional space would only be appreciated within the site. The additional upper storey bulk of the proposed development would be clearly apparent and give rise to harm greater than that of the approved development.

No other matters are expressly put forward by the applicant as very special circumstances. In the circumstances it is found that while there are a number of material considerations to have regard to when assessing the merits of the proposal, no matters are raised that clearly outweigh the harm the present proposal would cause. Consequently it is found that no very special circumstances in favour of the development have been demonstrated.

Conclusion:

The proposed development has been found to amount to a minor material amendment of the development approved under planning permission EPF/1008/11. In relation to its impact on the setting on adjacent listed buildings the proposed revised development is found to, on balance, safeguard their setting. As with the approved development, the proposal is inappropriate in the Green Belt. However, it would cause considerable additional harm to the openness of the Green Belt as a consequence of its additional upper storey bulk. No very special circumstances in favour of the proposal that would outweigh the harm caused by reason of inappropriateness and harm to openness have been demonstrated.

The matter of potential overlooking is expected to have been resolved by the date the Area Plans Sub-Committee will consider this application and it will be reported verbally.

The approved development was only found to be acceptable on balance. In the circumstances Officers find there is no way forward for the development. It is understood the motivation for the applicant to secure planning permission for much larger houses than those approved is financial, although no viability assessment for the current proposal compared to the approved development has been submitted. A revised proposal should include full information on the matter of viability. In the light of the NPPF, the status of Local Plan and Alterations policies and, in particular the finding that policies E4A and E4B are not compliant, the applicant should also reconsider the need to make any contribution to 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:

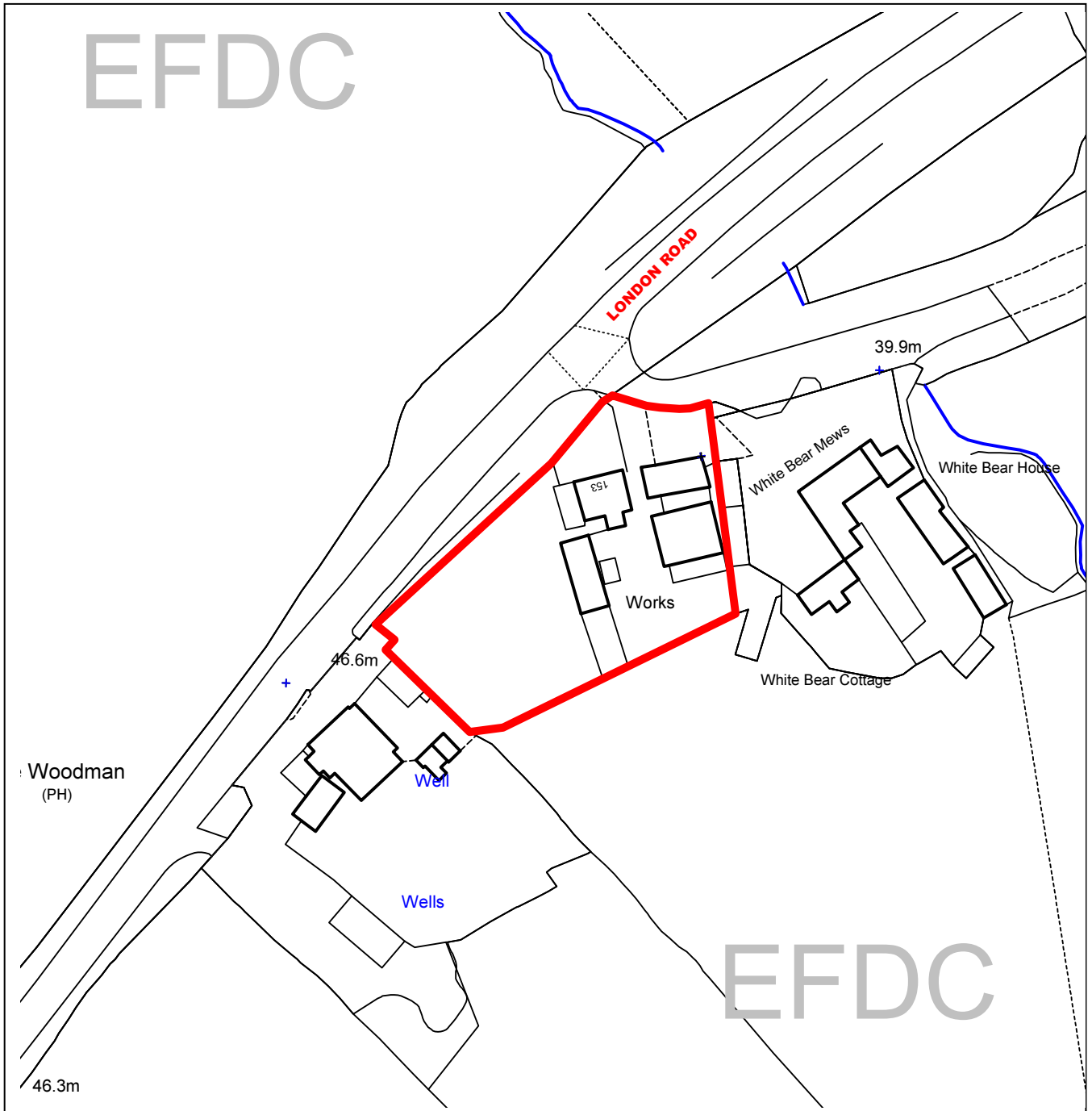
***Planning Application Case Officer: Stephan Solon
Direct Line Telephone Number: 01992 564018***

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/0688/13
Site Name:	151-153 Millrite Engineering, London Road, Stanford Rivers, CM5 9QF
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/0900/13
SITE ADDRESS:	Mickleham Theydon Road Epping Essex CM16 4EE
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr Mike Bond
DESCRIPTION OF PROPOSAL:	Demolition of the existing garage and replacement with a garden room/annexe.
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=548973

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such approved details.
- 3 The proposed development shall only be used as ancillary accommodation for the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling presently known as Mickleham.

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 the junction of Theydon Road and Great Gregories Lane. The property was once a semi-detached pair that has been merged into a single property.

The property benefits from a generous garden stretching along Great Gregories Lane. At the end of the garden is a single detached garage with separate gated access onto Great Gregories Lane.

Description of Proposal:

The applicant seeks planning permission to demolish the existing single garage and replace the structure with a single storey building with a footprint 11m x 5.5m reaching a height of 3.2m with a flat roof.

The proposed structure is offset from the boundaries by 1.5m, 3.6m and 3.2m, therefore is well separated from the boundaries.

The proposed building is intended for use as one bedroom annexe accommodation. The building would be self contained, with its own kitchen, shower room and living areas.

The proposed building requires permission as the height is 3.2m (as oppose to 3m as allowed under the GPDO) and as the building provides primary accommodation. The use of the building is therefore not within the definition of an incidental use as required by the GPDO.

Relevant History:

None

Policies Applied:

CP2 (Compliant) – Protecting the Quality of the Rural and Built Environment

GB2A (Generally Compliant, adjustments needed in relation to agricultural buildings and impact to openness only) – Development in the Green Belt

DBE9 (Compliant) – Loss of Amenity

DBE10 (Compliant) – Residential Extensions

Summary of Representations:

3 Neighbouring properties have been notified. No neighbouring objections have been received.

THEYDON BOIS PARISH COUNCIL: Objection. This proposal effectively constitutes a new residential dwelling in the Green Belt. It is designed as a permanent and self contained residence with bedroom and living room. Therefore we take the view that this is an inappropriate development in the Green Belt and thus is contrary to our strict policy on protection of the Green Belt.

In the event that consent is however granted, then we would strongly recommend the application of a permanent condition to ensure that the outbuilding must be used for purposes ancillary to the main house only.

Issues and Considerations:

The main issues that arise with this application are the potential impact to the Green Belt, impact to the street scene in terms of design, then also the potential adverse impact to neighbouring properties. Parking is not a concern as ample parking is provided to the front of the main dwelling.

Green Belt

Limited additions to existing properties within the Green Belt are identified as acceptable within policy GB2A. The proposed footprint is of a reasonable size in relation to the floor area of the main dwelling, and the proposed scale is akin to many outbuildings in the district where garden sizes

are more generous. Therefore no concern is raised in relation to the scale or form of the building in the Green Belt.

The objection raised by the Parish Council regarding potential separation of the annexe is noted, however this can be dealt with by way of a condition requiring that the building is occupied in association with the main dwelling, known as Mickleham only. The approach has been satisfactory elsewhere in the District.

It is also noted that the building is orientated so that the larger frontage looks out to the boundary and towards the main dwelling as opposed to the highway. Generally detached dwellings are designed to have a greater presence in the street by having a longer street frontage.

Street scene

The proposed annexe building is single storey, flat roofed and modern in design. This is a direct contrast with dwellings in this area that are larger, with a pitched roof and generally orientated with a longer frontage to the street as oppose to the 5.5m proposed. The design of the building is such that it appears as intended, as a modern outbuilding that is associated with what is clearly the main dwelling on the plot. The separate access is noted, however many properties maintain a garden access for ease of access and this is not considered unacceptable. The proposed annexe is therefore considered to appear as a small scale addition to the main property, in the rear garden area and to be largely obscured from view by landscaping, unless viewed from immediately opposite the access, where in its surrounding context, the building proposed is not considered unacceptable.

Neighbouring amenity

The proposed annexe is well separated from neighbouring properties and offset from the boundaries. The height of the building is low level and the boundaries are screened by mature vegetation, therefore no significant adverse impacts are anticipated to neighbouring amenity.

Conclusion:

The proposed annexe is considered acceptable, with a design and scale that reflects the intended use. There is no significant adverse impact identified to the Green Belt, Street scene or neighbouring amenity and concerns regarding future subdivision can be dealt with by condition, 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: Jenny Cordell

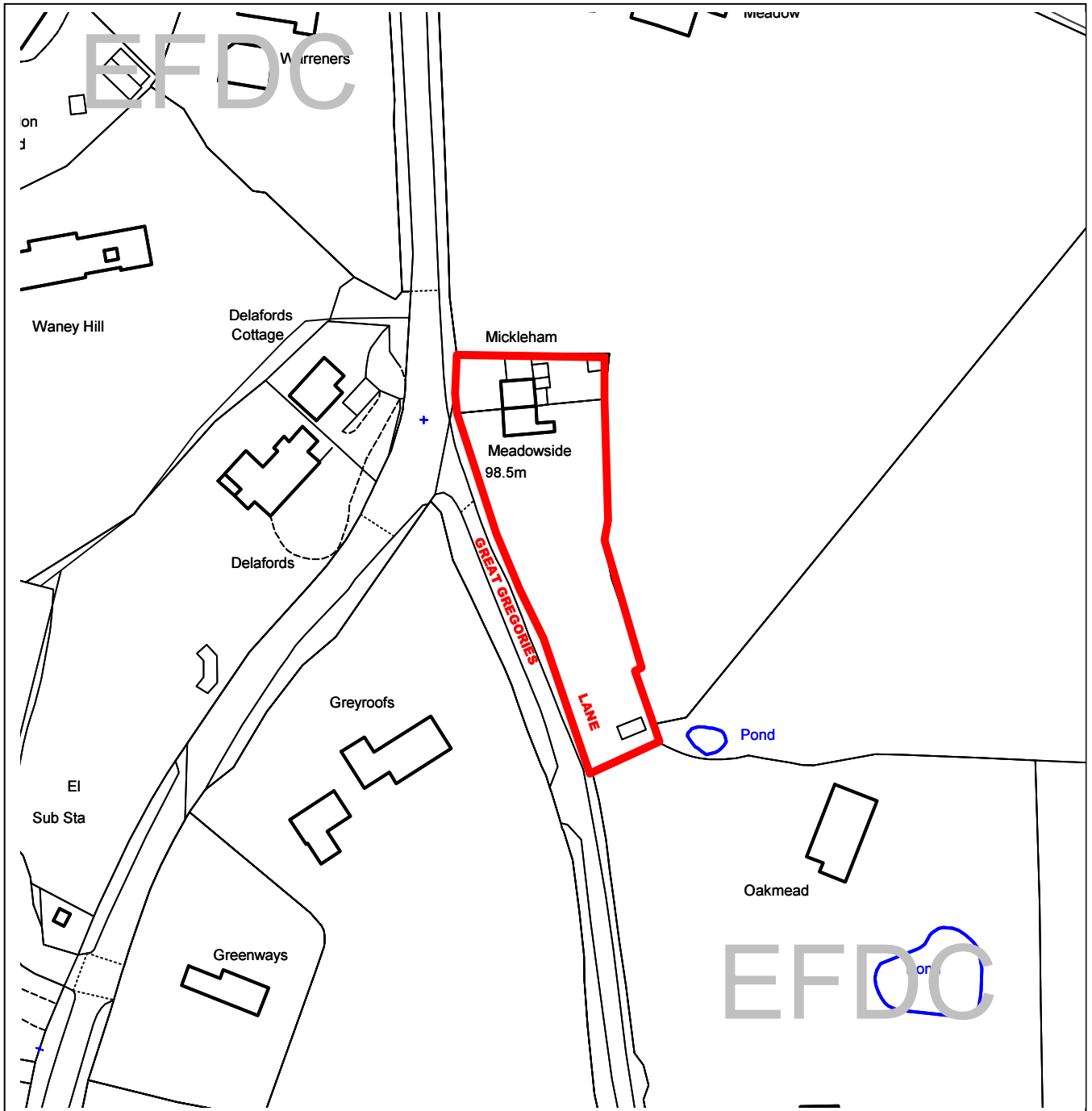
Direct Line Telephone Number: 01992 574481

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:	4
Application Number:	EPF/0900/13
Site Name:	Mickleham, Theydon Road, Epping, CM16 4EE
Scale of Plot:	1/1250

Report Item No: 5

APPLICATION No:	EPF/0916/13
SITE ADDRESS:	3a Hemnall Street Epping Essex CM16 4LR
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr Darren Hunt
DESCRIPTION OF PROPOSAL:	Demolition of the existing dwelling and garage building, with the erection of a terrace of 4 no. 2 and a half storey dwellings and alterations to the vehicular entrance and front boundary wall, some of which falls within the Conservation Area. (Revised application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteLM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=549035

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: BRD/12/042/001, BRD/12/042/002, BRD/12/042/003 Rev: A, BRD/12/042/004, BRD/12/042/004 Rev: A, BRD/12/042/005 Rev: C, OS 539-12.1, OS 539-12.2, OS 539-12.3
- 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 Prior to first occupation of the development hereby approved, the proposed window openings shown on drawing no. BRD/12/042/003 Rev: A to be obscured 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 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of

Part 1, Class A and B shall be undertaken without the prior written permission of the Local Planning Authority.

6 Prior to occupation of the development, hard and soft landscape works shall be carried out as submitted within the Open Spaces Soft Landscape Plan drawing no. OS 539-12.3. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

7 No development, including works of demolition or site clearance, shall take place until Tree Protection measures have been put in place as submitted in the Open Spaces Arboricultural Impact Assessment and Tree Protection Plan drawing no. OS 539/12.2. The development shall be carried out only in accordance with this approved document unless the Local Planning Authority gives its written consent to any variation.

8 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.

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

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

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 Prior to the first occupation of the development, details of how the existing vehicular access onto Station Road shall be permanently closed, incorporating the reinstatement to full height of the footway and dropped kerbs, shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. The works shall be implemented prior to occupation of the development, and retained thereafter in accordance with the approved details.

11 Prior to first occupation of the development, a Residential Travel Information Pack, as approved by Essex County Council, shall be provided and implemented to the future occupants of the dwellings and shall include six one day travel vouchers for use with the relevant local public transport operator.

- 12 Prior to the occupation of the development, details of the number, location and design of cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be provided prior to occupation of the dwellings and retained thereafter.

- 13 Prior to the 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 thereafter.

- 14 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.

- 15 No unbound material shall be used in the surface treatment of the vehicular access within 5 metres of the highway boundary of the site.

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

Description of Site:

The application site currently contains a detached part single storey/part two storey dwelling with a small detached garage located on the south eastern side of Hemnall Street on the junction with Station Road. The section of road serving the site is a one way street. Adjacent to the site to the northeast are the service yard of the shops within the High Street. To the immediate east, northeast and south are residential properties. The very front section of the site (containing the historic boundary wall) is located within the conservation area.

The existing building is L shaped and forms part of the side boundary with The Sales, Hemnall Street. The existing dwelling measures a maximum width of 15m and maximum depth of 15m and is only partially two storeys in height, with the remainder being single storey. The existing site benefits from two vehicle access points, one on Hemnall Street and one on Station Road serving the detached garage.

Description of Proposal:

Consent is being sought for the demolition of the existing dwelling and garage and the erection of a terrace of 4 no. two-and-a-half storey dwellings, along with alterations to the vehicular entrance

and front boundary wall. The proposed new dwellings would each be 5.5m in width and 9.5m in depth and would be two and a half storeys in height. The ridge height of the proposed development would be 9.7m and the total width of the terrace of four houses would be 22m.

Relevant History:

EPF/0119/13 - Demolition of existing dwelling and garage building, with the erection of a terrace of 4no. 2 and a half storey dwellings and alterations to the vehicular entrance and front boundary wall, some of which falls within the Conservation Area – withdrawn 15/02/13

Policies Applied:

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
CP3 – New development
CP6 – Achieving sustainable urban development patterns
H2A – Previously developed land
H3A – Housing density
HC6 – Character, appearance and setting of conservation areas
HC7 – Development within conservation areas
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE3 – Design in urban areas
DBE8 – Private amenity space
DBE9 – Loss of amenity
LL11 – Landscaping schemes
ST1 – Location of development
ST4 – Road safety
ST6 – Vehicle parking

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

Consultation Carried Out and Summary of Representations Received:

41 neighbours were consulted and a Site Notice displayed on 21/05/13.

TOWN COUNCIL – No objection.

EPPING SOCIETY – Object as this is an overdevelopment of the site, is out of keeping with this side of Hemnall Street, it would result in a loss of amenity to neighbours, and as there is inadequate parking and amenity space proposed.

THE SALES, HEMNALL STREET – Object as the development would be very bulky and not in proportion to the houses on this side of Hemnall Street.

ROSCOMMON, HEMNALL STREET – Object due to overlooking and loss of amenity to neighbours and with regards to potential traffic problems.

1 HARTLAND ROAD – Object as the development would be out of keeping with the area, it will have an adverse effect on the residential amenity of neighbours, and it would provide inadequate amenity space for future residents. Also there are concerns about highway safety.

3 HARTLAND ROAD – Object as this is too dense a development that would be out of scale and dominant on this side of Hemnall Street, it would be detrimental to neighbours amenities, it fails to provide sufficient amenity space, and concerned about the control over the proposed obscure glazing.

5 HARTLAND ROAD – Object as this is out of scale with the residential side of Hemnall Street, it would result in a loss of privacy, and as it would be an overdevelopment of the site out of character with the surrounding area. The additional information submitted (including the street scene and 3D images) does not alter this opinion.

9 HARTLAND ROAD – Object due to inadequate parking provision, loss of privacy to neighbours, and as it would be out of character with the area.

Main Issues and Considerations:

The key issues within this application are the suitability of the site for such a development, amenity considerations, design, and regarding highway and parking concerns.

Suitability of site:

The application site is located within the urban area of Epping, adjacent to the designated town centre. Epping is one of the larger built up towns within the District and is well served by local services and amenities, and has good public transport links. The 'golden thread' that runs through the NPPF in terms of both plan-making and decision-taking is the presumption in favour of sustainable development. The principle of further development within the type of location is considered to accord with this presumption and therefore this should be afforded significant weight. Furthermore, the redevelopment of this site would constitute the reuse of previously developed land. Both the NPPF and Local Plan policy H2A encourage the reuse and intensification of use of such sites; however applications still need to be assessed on their individual merits.

But the main consideration is whether the density is inappropriate to the location of this site close to the commercial buildings in Station Road and in a relatively built up area the proposal is considered to be in keeping with the pattern of development.

Amenity considerations:

The proposed development would replace an existing part single storey/part two storey building with a considerably larger two-and-a-half storey row of dwellings. The proposed new dwellings would be some 2m higher than the adjacent neighbour to the northeast, however the new houses would not extend beyond the rear wall of this neighbouring house and there would be a minimum distance of 1.1m from the shared boundary and a total distance of 5.1m between the flank walls of the dwellings, the area of which contains the neighbours existing attached garage. Given the orientation of the dwellings, the proposed development would only affect direct sunlight reaching the neighbours rear garden in the late afternoon, and there would be no overlooking of this neighbours rear amenity space. As such, whilst the proposed development would clearly have some visual impact on this neighbour due to the increased bulk and height, it is not considered that this would be unduly detrimental to their amenities.

The adjacent neighbouring property to the south is an unusually located and plotted dwelling that has its rear wall almost forming the side boundary with the application site. Given the unusual layout of this neighbour, it is not considered that there would be any undue impact on the amenities of these neighbouring residents.

Due to the staggered rear boundary to the site, the dwellings would be located at varying distances from the shared rear boundaries with the properties on Hartland Road. The proposed four dwellings would be located an individual minimum distance (from north to south) of 8.5m, 8m, 7.7m, and 10.2m. Whilst this distance is not ideal, the neighbours to the rear benefit from very deep gardens and, as a result, the distance between the rear walls of the new houses and the closest rear windows to the neighbours in Hartland Road would be between 31m and 35m. This exceeds the 25m window to window requirement laid out within the Essex Design Guide. Furthermore, the upper most windows of the proposed dwellings would serve en-suites, and half of the windows within the first floor would serve bathrooms. As such, the majority of the windows (two-thirds) would be obscure glazed and would not therefore result in overlooking. Also the shared boundary to the rear is very heavily screened, which would further protect against a loss of privacy. As such, it is not considered that the proposed development would result in any detrimental loss of amenity to the neighbours within Hartland Road.

Local Plan policy DBE8 and the Essex Design Guide expect 20 sq. m. of private amenity space for each habitable room when assessing new residential dwellings. Under this expectation, the proposed houses would require a minimum of 80 sq. m. private amenity space per dwelling. The majority of the proposed dwellings fail to meet this requirement, as three of the new dwellings would only benefit from 42 sq. m., 45 sq. m. and 64 sq. m. of rear garden (although the southernmost property would benefit from 99 sq. m. of garden area). Notwithstanding this, the requirement is only an expected figure and the supporting text of policy DBE8 recognises that *“subject to the character of adjacent residential areas... the sizes of private gardens are for the most part matters for the marketing judgement of developers”* and states that *“the Council may be prepared to relax these standards in certain circumstances. These may include where: ... iii) the size and/or disposition of a plot does not quite facilitate what, in all other terms, would be an acceptable form of development”*.

There have been several decisions (at both District Council and Planning Inspector level) for residential development with a lower than expected level of amenity space in town centre locations and where there is public amenity space available. Whilst not located within the town centre, the site is located adjacent to this in an extremely sustainable urban location. Furthermore it is fairly close to a variety of public amenity areas, such as Epping Forest, Bell Common and the Town Common. The majority of dwellings within the locality on this side of Hemnall Street have similarly short gardens with less than required levels of private amenity space, including both the adjacent dwellings, and as such it is not considered that the lack of amenity space would warrant a refusal of planning permission in this instance.

Design:

The proposed development is two-and-a-half storeys in height, with the second floor being located within the roof area and served by front and rear dormer windows. Although the surrounding properties on this side of Hemnall Street are predominantly two storeys in height, and the proposed development would be some 2m higher than the adjacent dwelling, other two-and-a-half and three storey properties can be seen within both Hemnall Street and Hartland Road to the rear. Given the location of the site on the corner of Hemnall Street and Station Road it is considered that a larger, more prominent building could be accommodated without detriment to the street scene. The building on the opposite corner is a larger three storey building (Purlieu House). The combination of this and the proposed new dwellings would create a 'gateway' into Hemnall Street at this junction and would not be considered out of character with the surrounding area. On the opposite Hemnall Street/Station Road junction is an even larger four storey building (Edmunds House), and further down Hemnall Street can be found examples of three storey buildings. As such it is not considered that the overall bulk or height of the development or introduction of two-and-a-half storey buildings in this location would be detrimental to the street scene.

Although the immediate neighbouring properties are detached or semi-detached properties there are several rows of terrace properties within Hemnall Street. As such the principal of the development is not considered detrimental to the character of the area.

The specific design of the proposal was subject to pre-application discussions between the applicant, Planning Officer, and the Councils Conservation Officer, and it was considered that the details, materials and overall appearance would not be detrimental to the character or appearance of the area. The scheme has been amended since the previously withdrawn scheme, which includes a reduction in height of some 420mm and a reduction in eaves to create fully submerged dormers and a more proportionate roof to wall ratio to the building. The materials to be used would be traditional to complement the adjacent conservation area and to ensure a suitable appearance and finish to the development.

An arboricultural impact assessment, tree protection plan, and soft landscaping plan have been submitted with the application. There are no trees worthy of retention on the application site, however there is a tree in an adjacent garden which overhangs the rear boundary. This has been identified as requiring protection during construction, which can be dealt with by way of a condition. Additionally, as with any new development of this scale, hard and soft landscaping should be implemented. Sufficiently detailed information has been provided with the application, which is considered acceptable.

Highways and parking issues:

The proposed dwellings would be served by six off-street parking spaces. The Essex County Council Vehicle Parking Standards requires 2 spaces per 2+ bedroom residential units (total of eight in this instance). However, the parking standards state that "*a lower provision of vehicle parking may be appropriate in urban areas (including town centre locations) where there is good access to alternative forms of transport and existing car parking facilities*". Given the sustainable town centre location of the site, which is well served by local facilities and public transport, it is considered that six off-street parking spaces would be acceptable in this instance.

The proposed development would close up the existing substandard vehicular entrance onto Station Road and would widen/improve the existing access onto Hemnall Street. As a result of these works the application site would have a beneficial impact on highway safety, despite the intensification of use of the site. There is adequate manoeuvrability space to allow for vehicles to enter and leave the site in forward gear, and therefore it is not considered that the proposal would be detrimental to highway safety or the free flow of traffic on this section of Hemnall Street.

Other matters:

Concern has been raised with regards to the originally submitted street scene and the choice of surrounding buildings shown. As a result of the neighbours letters, and a street scene produced by a neighbouring resident, a further street scene and some 3D images were submitted by the applicant to show the context of the building.

Conclusion:

In light of the above the proposed development is considered acceptable. The location of the site justifies providing less than the standard level of amenity space and parking provision, and the overall bulk, scale and design of the building is considered acceptable within the street scene. The introduction of additional landscaping would help to soften the impact of the development, and the works to the existing vehicle crossovers would improve the safety and usability of the highway. Whilst the proposed development is over the density requirements laid out in policy H3A, this proposal would make more efficient use of previously developed land and would be in line with the National Planning Policy Framework's presumption in favour of sustainable development. As such

the application is considered to broadly meet with the relevant policies and guidance 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:

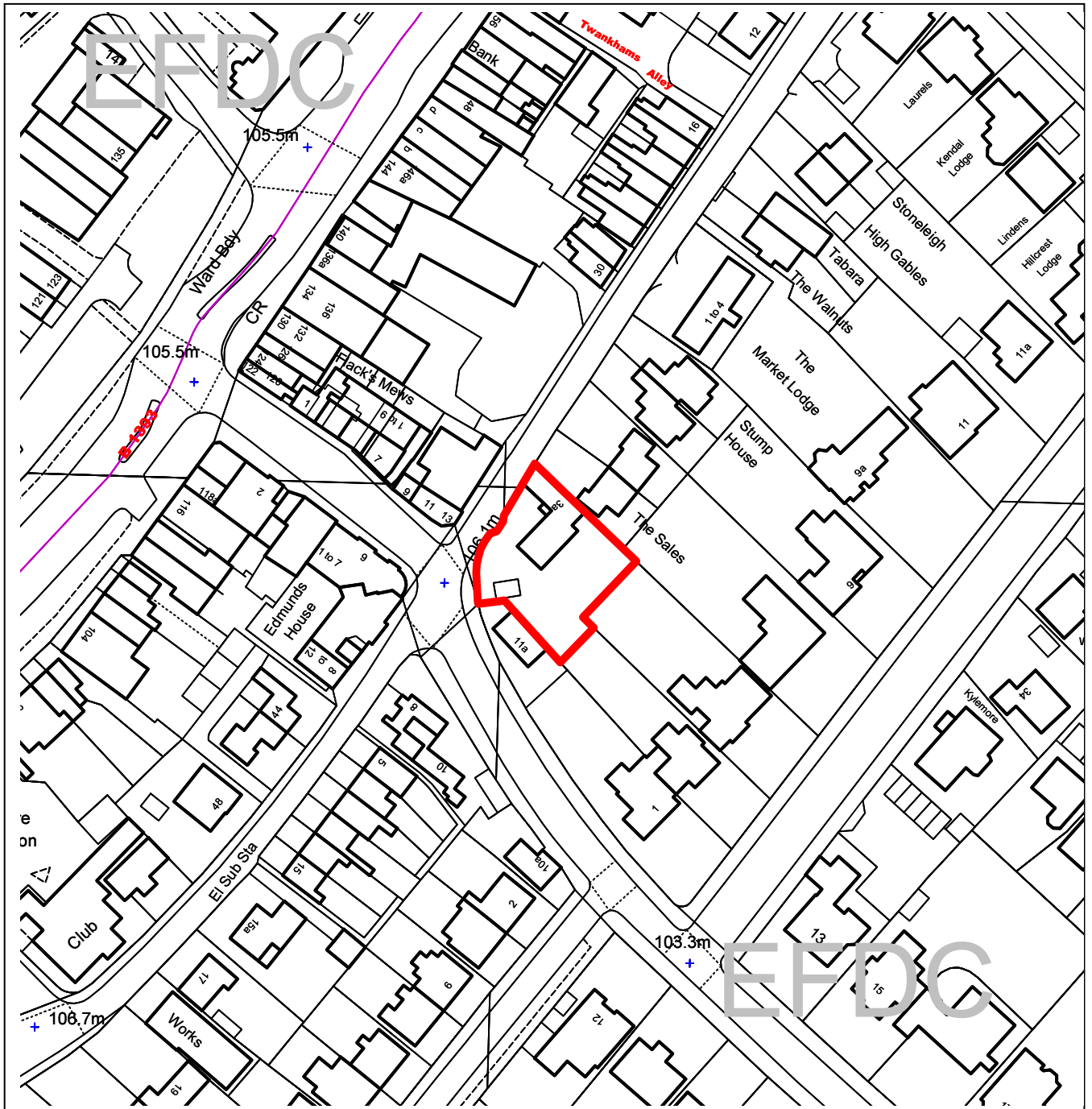
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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:	5
Application Number:	EPF/0916/13
Site Name:	3A Hemnall Street, Epping, CM16 4HR
Scale of Plot:	1/1250

Report Item No: 6

APPLICATION No:	EPF/0917/13
SITE ADDRESS:	Copped Hall Garden Nursery High Road Epping Essex CM16 4DH
PARISH:	Epping Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing Epping Lindsey and Thornwood Common
APPLICANT:	Mr C Dean
DESCRIPTION OF PROPOSAL:	Demolition of existing nursery buildings, erection of detached bungalow and garage and change of use of land to garden with provision of landscaping.
RECOMMENDED DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=549036

REASON FOR REFUSAL

- 1 The site is within the area identified in the Epping Forest District Local Plan as Metropolitan Green Belt. The proposal to construct a bungalow with a detached garage is defined as being an inappropriate development and by definition would be harmful within the Green Belt. No adequate very special circumstances have been demonstrated by the applicant to outweigh the harm of the development to the Green Belt. The development is therefore contrary to policies CP2 and GB2A of the Adopted Local Plan and Alterations which are consistent with the National Planning Policy Framework.
- 2 The proposed development due to its poor design, in particular its excessive building footprint, size and scale and the use of inappropriate materials all contributes to a development that would be detrimental to the character and appearance of both the Bell Common and Copped Hall Conservation Areas and will adversely affect the setting of the Grade Two Listed building known as Ladderstile Farmhouse. The development is therefore contrary to policies HC6, HC7 and HC12 of the Adopted Local Plan and Alterations and the National Planning Policy Framework.

This application is before this Committee since it has been 'called in' by Councillor Whitbread (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(h))

Description of Site:

The application site is located on the northern side of the High Road abutting the M25 motorway to the south west and opposite a cricket field on the edge of the town settlement of Epping. The site itself is relatively level consisting of a small frontage before expanding in width the further it continues in depth. The site has an approximate area of 0.75 of a hectare.

The site is currently used as a nursery which contains two glasshouses and a shade tunnel, along with other associated structures, hard surfacing and landscape areas. Vehicle access to the site is from the High Road, via a forecourt which also provides access to three adjoining dwellings.

Open fields used for agriculture are located to the west and north of the site whilst Epping Forest is located beyond the cricket field to the south. A linear row of dwelling houses are located to the north east of the site fronting onto the High Road. The subject site and the surrounding area are located within the Metropolitan Green Belt and the Copped Hall and Bell Common Conservation areas. The adjoining dwelling to the east known as Ladderstile Lodge is a listed building.

Description of Proposal:

Planning permission is sought to demolish the existing nursery buildings on the site and construct a new bungalow with a detached garage and to change the use of the land to residential.

The proposed bungalow would be single storey with a basement containing three bedrooms. It would be shaped like an 'H' and would measure 17 metres by 22.4 metres containing an overall floor area of 276sqm. The bungalow would have a gable roof form with a height of 6.3 metres to its ridge. It would be centrally position towards the front of the site with the front façade being approximately in line with the adjoining dwelling known as Ladderstile Lodge.

The proposed garage would be located approximately 3 metres from the south western corner of the bungalow. It would measure 6.4 by 6.4 metres and would also contain a gable roof form and would have a height of 5.6 metres to its ridge.

The walls of the both the bungalow and the garage would be externally finished from yellow stock brickwork with red brickwork detailing whilst the roofs would be finished from grey slate.

Relevant History:

EPF/1293/96 - Demolition of existing glasshouses and replacement with new glasshouse (approved)

EPF/0347/98 - Erection of 2 poly tunnels for plant growing (approved)

EPF/0805/99 - Use of existing nursery for the sale of a limited range of bought in related garden items (approved)

EPF/0403/02 - Alterations and change of use of existing workshop, office, staff room and store building to one bedroom residential unit (approved)

Policies Applied:

Local Plan policies relevant to this application are:

- CP1 Achieving sustainable development objectives
- CP2 Protecting the quality of the rural and built environment
- CP3 New development
- CP5 Sustainable Buildings
- DBE1 Design of new buildings
- DBE2 Detrimental effect on existing surrounding properties
- DBE4 Development within the Green Belt
- DBE6 Car parking in new development
- DBE8 Private amenity space
- DBE9 Loss of Amenity
- GB2A Development within the Green Belt
- GB7A Conspicuous Development
- HC6 Character, appearance and setting of conservation areas
- HC7 Development within Conservation Areas
- HC12 Development affecting the setting of listed buildings
- LL1 Rural Landscapes
- LL2 Inappropriate rural development
- LL10 Protecting existing landscaping features
- LL11 Landscaping scheme
- ST1 Location of development
- ST4 Highway safety
- ST6 Vehicle parking
- E4A Protection of employment sites
- E4B Alternative uses of employment sites

National Planning Policy Framework

Summary of Representations

EPPING TOWN COUNCIL: No objection

NEIGHBOURS:

Adjoining neighbours notified and a site notice displayed. Three letters of support were received from the occupiers of the following properties:

Ladderstile Lodge, High Road, Epping – Support

The replacement dwelling house would be an improvement to the character of the surrounding locality and the adjoining dwellings. At present the existing nursery buildings are unattractive. In addition, existing deliveries to the site cause traffic problems and the replacement dwelling would result in less traffic.

The Garden House, High Road, Epping – Support

The proposal for a new dwelling would greatly enhance the area and is a far better outlook than the existing nursery buildings. The lorries delivering plant equipment can be very disruptive both to adjoining neighbours and the High Road.

Ladderstyle Farm, High Road, Epping. Support. Current use generates heavy traffic which detracts from area and causes congestion and inconvenience as the entrance gets blocked. The development is in keeping with the historic nature of the area. removal of glasshousing will enhance the aesthetics. There is a significant need for additional housing in the District. Proposal is a positive improvement that will enhance the site.

EPPING SOCIETY: The society objects to this application as the site is located within the green belt. No adequate very special circumstances have been provided to outweigh the harm the proposed residential development would have on the green belt.

Issues and Considerations:

The main issues to consider are:

- Green belt
- Design and appearance
- Neighbouring amenities

Green Belt:

The proposal is neither a one for one replacement dwelling within the Green Belt, nor does it comprise the change of use or the adoption of an existing building on site. As such policies GB8A and GB15A do not apply when assessing the merits of this application.

Policy GB2A sets out what is an appropriate use or development when the application site falls within the Green Belt. For all other uses and development, such as the proposed, it must preserve the openness of the Green Belt and must not conflict with the purposes of including land in the Green Belt.

The National Planning Policy Framework explains that the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of

Green Belts are their openness. One of the purposes of including land within the Green Belt is to safeguard the countryside from encroachment. The Framework explains that the construction of new buildings as inappropriate development within the Green Belt.

New development such as dwelling houses are regarded as inappropriate development within the Green Belt and they do not fall within any of the exceptions to this. The site would neither constitute as a limited infill within a village and glasshouses do not constitute as a brownfield site that has been previously developed on.

The proposed development to construct the bungalow forms an inappropriate development which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The applicants agents has suggested within the Design and Access Statement that very special circumstance do exist that would outweigh the harm the development would have on the green belt. In particular, it is stated that the proposed would result in the volume of buildings on the site being reduced by 63% and the footprint of the buildings would be reduced by 69% and as such would meet the purposes of including land within the green belt. In addition, it was stated that the proposal would improve the general character and appearance of the surrounding locality and the historical significance of the conservation areas.

Officers agree that the proposed would result in a less physical presence on the site than the existing nursery buildings however this does no overcome the fact that the proposal is still by definition an inappropriate form of development and therefore harmful upon the green belt.

In addition, officers consider that there are no very special circumstances that make this site so unique to allow a residential development compared to any other glasshouse site within the district. Although each application should be assess on its own merits, allowing this form of development on a glasshouse site would set a strong precedent for similar development on other glasshouse sites within the district.

Design and Appearance

The site straddles two conservation areas: Bell Common Conservation Area at the south of the site and Copped Hall Conservation Area at the north. It also stands within the setting of Ladderstile Farmhouse, a grade II listed building of 17th century origin, and its associated outbuildings, some of which are late 19th century in date (as shown on historic OS maps).

Officers have no objection to the removal of the glasshouses on the site as they do not contribute to the character of either conservation areas. Their removal would enhance the appearance of the areas, in particular Copped Hall Conservation Area, as they would be removed from long views over the historic, open landscape. The setting of the listed farmhouse would also be improved.

However, officers have concerns regarding the size and design of the proposed house. Although the height of the house, at just one storey, will lessen its impact in views from the Copped Hall Conservation Area and allow the existing planting to screen it in views through the Bell Common

Conservation Area, the footprint of the proposed house is particularly large in relation to the existing houses and listed building to the east. In addition, the overall design is considered inappropriate for its context.

The successful integration of modern buildings into a historical context, in this case a plot which lies adjacent to a listed farmhouse with a traditional 'farmyard' arrangement of outbuildings (some which are not historic but are traditional in style and scale), relies on the new building respecting the scale and, to some degree, style of the neighbouring buildings. Although the proposed house takes its architectural inspiration from a historic, well-detailed building elsewhere within the Bell Common Conservation Area, it bears no relation to the immediate setting in which it will be viewed, and does not respond to the neighbouring buildings in terms of its detailing or material palette.

As a historic farmhouse, it is an important aspect of the listed building's character that it is the dominant building on the site. At present, although the use of the surrounding buildings (modern and historic) are the same, i.e. dwelling houses, their scale and appearance as modest, vernacular outbuildings gives them a subservient character alongside the listed building which respects the historic hierarchy of the site. Of course, the glasshouses are much larger than the farmhouse but due to their agricultural/commercial nature (something to be expected next to a farmhouse), it is still viewed as the key building in the wider group. The proposed house, in some ways, has the appearance of a lodge type building because of its refined brick detailing and prominent elevations and is not in keeping with the existing agricultural style of the buildings on the site. Its prominent style will also increase its visual intrusiveness within the Copped Hall Conservation Area in views across the historic landscape.

The proposal will have a detrimental impact on the character and appearance of the Copped Hall and Bell Common Conservation Areas and will adversely affect the setting of Ladderstile Farmhouse, a grade II listed building contrary to policies HC6, HC7 and HC12 of our Local Plan and Alterations and the National Planning Policy Framework.

Neighbouring amenities:

The proposed development would not result in a detrimental impact to the amenities of adjoining property occupiers. The new bungalow would be located a significant distance away from adjoining boundaries and dwellings as not to result in a loss of privacy, loss of light or visual blight. There would also be no unforeseen impacts in terms of noise and disturbance from that of which is normally associated with a residential dwelling house.

Other issues:

Due to the existing use of the site, there is the potential for contaminants to be present on this site. As such, Council's contaminated land officer has requested the standard land contamination conditions be required if planning permission was to be granted that entails full surveys before any works are commenced on site.

The site lies within Epping Forest District Council flood risk assessment zone. If the proposal was to be granted approval, due to the size of the development it would be necessary to avoid generating additional runoff and the opportunity of a new development should be taken to improve existing surface water runoff. As such a condition would have been required for a Flood Risk Assessment be provided and approved before any works are undertaken on site.

The application was referred to Essex County Council's highways officer who had no objections to the proposed development. It was stated that compared to the existing use of the site, it is considered to be a highway gain as the vehicle movements, and size of vehicles, will dramatically decrease through the access onto this busy section of the High Road.

The proposed development would be more than able to meet the required needs for future occupiers in terms of off street parking and private amenity provisions.

Conclusion:

Given the above appraisal, the proposal would be of an inappropriate development which by definition is harmful to the green belt. In addition due to the development excessive size, scale and inappropriate materials, it would also result in harm to the character and appearance of both conservation areas and the setting of the nearby listed building. The development is therefore contrary to policies CP2, GB2A, HC6, HC7 and HC12 of the Adopted Local Plan and the National Planning Policy Framework.

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:

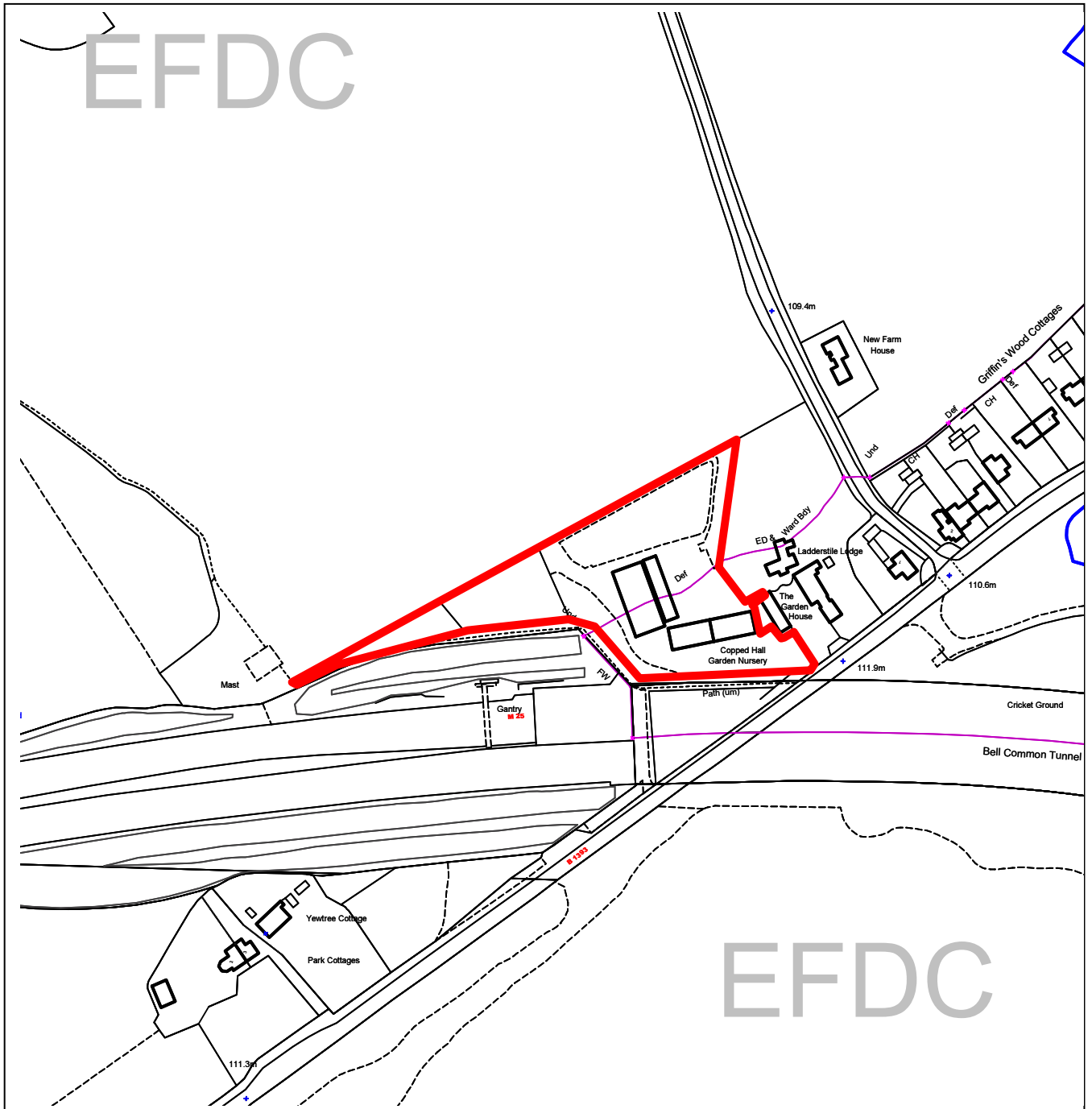
***Planning Application Case Officer: Lindsay Trevillian
Direct Line Telephone Number: 01992 564 337***

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:	6
Application Number:	EPF/0917/13
Site Name:	Copped Hall Garden Nursery, High Road, Epping, CM16 4DH
Scale of Plot:	1/2500

Report Item No: 7

APPLICATION No:	EPF/1043/13
SITE ADDRESS:	Great Notts Moreton Road Ongar Essex CM5 0LU
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
APPLICANT:	Mrs Shirley Bates
DESCRIPTION OF PROPOSAL:	Application for engineering operations comprising formation of roadway and installation of cesspool (Resubmitted application to EPF/0132/13)
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=549756

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: 2467-01, 2467-02
- 3 No development shall take place until details of the proposed surface materials for the roadway have been submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be installed and retained thereafter, unless otherwise agreed in writing by the Local Planning Authority.
- 4 Prior to commencement of works, 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 thereafter.
- 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.

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

Description of Proposal:

Resubmitted application for the formation of a roadway and installation of a cesspool. The proposed roadway would be 3m wide and would stretch from the recently approved new field entrance to a section of land to the rear of the site. The proposed cesspool would be located close to the recently approved field access.

Description of Site:

Great Notts is an agricultural farm approximately 4 hectares in area located on the northern side of Moreton Road. The site lies within the Green Belt and an EFDC flood risk assessment zone.

Relevant History:

EPF/1246/94 - Retrospective application for retention of field shelter for horses and livestock – approved/conditions 23/05/95

EPF/1493/99 - Demolition of sheds and replace with two storey barn – approved/conditions 24/03/00

EPF/1653/12 - Resiting of existing field gate – approved/conditions 02/11/12

EPF/0132/13 - Application for engineering operations comprising formation of roadway and installation of cesspool – refused 19/03/13

Policies Applied:

GB2A – Development in the Green Belt

GB7A – Conspicuous development

ST4 – Road safety

U2B – Flood risk assessment zones

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

Consultation Carried Out and Summary of Representations Received:

1 neighbouring resident was consulted and a Site Notice was displayed on 21/06/13. This report has been produced before the expiration of 21 days from the date of the Site Notice (due to a delay in it being displayed). Therefore, any additional comments received will be verbally reported to Members.

PARISH COUNCIL – Object to this application on the basis of:

- Inappropriate development within the Green Belt without any very special circumstances to permit development.
- Concerns over Highway Safety – width of road would cause vehicles towing caravans to enter/exit directly onto opposite side of the road. Access onto A414 from Moreton Road is inadequate and would be dangerous at busy times.

GREAT NOTTS, MORETON ROAD – Unclear as to the justification of the works and on how the caravan site would be monitored.

ROUGHTALLEYS, MORETON ROAD – Object as the use of the site for caravans and the access would be detrimental to the use of the highway and as there are no pavements within the vicinity of the site.

TY GWYN, MORETON ROAD – Object as the use of the site for caravans would be out of keeping with the area and would be detrimental to the environment.

WINDY RIDGE, MORETON ROAD – Object as it is unlikely that the restrictions of the camping and caravanning club will be adhered to.

HIGHFIELD, MORETON ROAD – Object as this would result in noise and nuisance to the neighbouring residents, the site would not be adequately managed, and as this could be an attempt to revive a residential planning application for the adjacent barn at a later date.

MILLRISE, MORETON ROAD – Object as this development is purely to enable use of the site for camping and caravanning purposes and/or for illegal use of the adjacent barn.

Issues and Considerations:

The main considerations are the impact on the Green Belt, highway safety and flood risk. The previous application was refused planning permission for the following reason:

The proposed engineering operations would introduce unnecessary and unjustified additional development to the site that would erode the rural character and openness of the area. As such, the proposed works would constitute inappropriate development harmful to the Green Belt. There are no very special circumstances that clearly outweigh this harm, and therefore the proposal is contrary to the guidance contained within the National Planning Policy Framework and policies GB2A and GB7A of the adopted Local Plan and Alterations.

Green Belt:

The proposed development would result in a very long, 3m wide section of roadway and a cesspool being installed in an otherwise green and relatively undeveloped parcel of land. The previous application put forward that the works were required to serve a camping/caravanning area to be used under the 28 day rule permitted by the GPDO, however no further details regarding this were provided. Due to this lack of information, the proposed engineering operations were previously considered unnecessary and unjustified.

The current resubmitted application contains additional information with regards to the need for the roadway and cesspool. The roadway and cesspool have been confirmed as necessary in order for an exemption certificate to be issued from the Caravan and Camping Club. The submitted Camping and Caravanning Club booklet '*Your Certified Site - All You Need To Know*' states:

The Camping and Caravanning Club has special exemptions to run small sites, meaning that no planning permission or site licence is needed from your local authority.

In legal terms... "Under the terms of Paragraph 5 of the Caravan Sites and Control of Development Act (1960), The Camping and Caravanning Club is entitled, as long as the basic requirements are met, to issue a certificate to a landowner for the use of an assigned area of land, for not more than five members' caravans or motorhomes without the landowner having to obtain planning permission".

This exemption would only allow for a maximum of five caravans or motorhomes and ten tents (unless express permission to have more has been granted by the Club) and members can only camp (within a tent, caravan or motorhome) for a maximum of 28 days at a time.

Given the above intention, the use of the land for camping and caravanning is not under consideration here. The only aspect of the proposal being considered is the proposed roadway and cesspool. Nonetheless, these works are required in order for an exemption certificate to be issued. A copy of an email from the Club has been submitted with the application. Within this it states:

“We base the necessity for Certificated Sites having a chemical disposal point on information contained within the Model Standards for Touring Sites in the Caravan Sites and Control of Development Act 1960, section 5, which states that ‘whether or not WCs are provided, a properly designated disposal point for the contents of chemical closets should be provided together with an adjacent adequate water supply of water for cleansing containers. The method of disposal will need to be considered in light of the particular circumstances and should be to the satisfaction of the local authority and the appropriate water authority.’ This states that a CDP is necessary on site and, as a result, it is logical that related engineering works will be necessary too.

As for engineering works for the track way, it is necessary for the entrance to the site to be so installed as to enable units to pass on and off the site safely, therefore engineering works will be essential to this.

I hope this is assurance enough that the proposed works are necessary in the securing of a certificate at the proposed site.”

Unlike the previous application, it is considered that this resubmitted application provides sufficient justification for the works. The proposed surface material for the roadway would be grass seeding over the sub-base, which would ensure that the roadway appears reasonably inconspicuous within the landscape. Furthermore, the installation of cesspools is not uncommon within the Green Belt, provided they are considered necessary. As the proposed engineering operations are considered necessary in order to obtain an exemption certificate from the Camping and Caravanning Club, it is felt that the works would no longer constitute inappropriate development within the Green Belt. Small scale facilities necessary for outdoor recreation are appropriate development.

Highway safety:

The proposed new roadway would be accessed from a recently approved field gate on Moreton Road. The maximum number of caravans/motorhomes that could be stationed on the site is five, and the maximum number of tents is ten, and none can stay for more than 28 days at a time. Whilst this would result in a number of vehicles entering and leaving the site (including those towing caravans), Essex County Council Highways have no objection to the works on grounds of highway safety, subject to the imposition of conditions.

Flood risk:

The application site lies within an EFDC flood risk assessment zone. Whilst the proposed development would only cause a negligible increase in surface water runoff, the applicant is proposing to dispose of surface water by sustainable drainage system. Further details of this would be required. Furthermore, additional details regarding the cesspool and the foul water drainage would also be required. These can be dealt with by the imposition of conditions.

Other matters:

The majority of objections relate to the use of the site as a camping and caravan site, which in itself does not require planning permission. Although the engineering operations are necessary to obtain an exemption certificate for the use of the rear of the site for this purpose, the front section of the site (closest to the road) could be utilised instead, which would negate the need for the roadway. This is considered to be a likely 'fallback' position that should be given some weight in this decision, particularly as this would be more visually intrusive than the use of the rear section of the site that is a considerable distance from the public highway.

Concern has been raised with regards to the applicant complying with the requirements of the exemption certificate (i.e. the number of caravans and length of time that they can remain on site). These requirements are monitored and enforced by the Camping and Caravanning Club who would revoke the licence if this is breached.

Conclusion:

The proposed engineering operations are considered necessary to enable an exemption certificate to be issued from the Camping and Caravanning Club to the applicant. As such, it is considered that the proposal no longer constitutes inappropriate development within the Green Belt. The visual impact of the development would be minimal, and the use of the site for camping and caravanning cannot be considered as part of this application. Due to the above it is considered that, on balance, the application complies with the relevant Local Plan policies and is therefore recommended for approval.

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

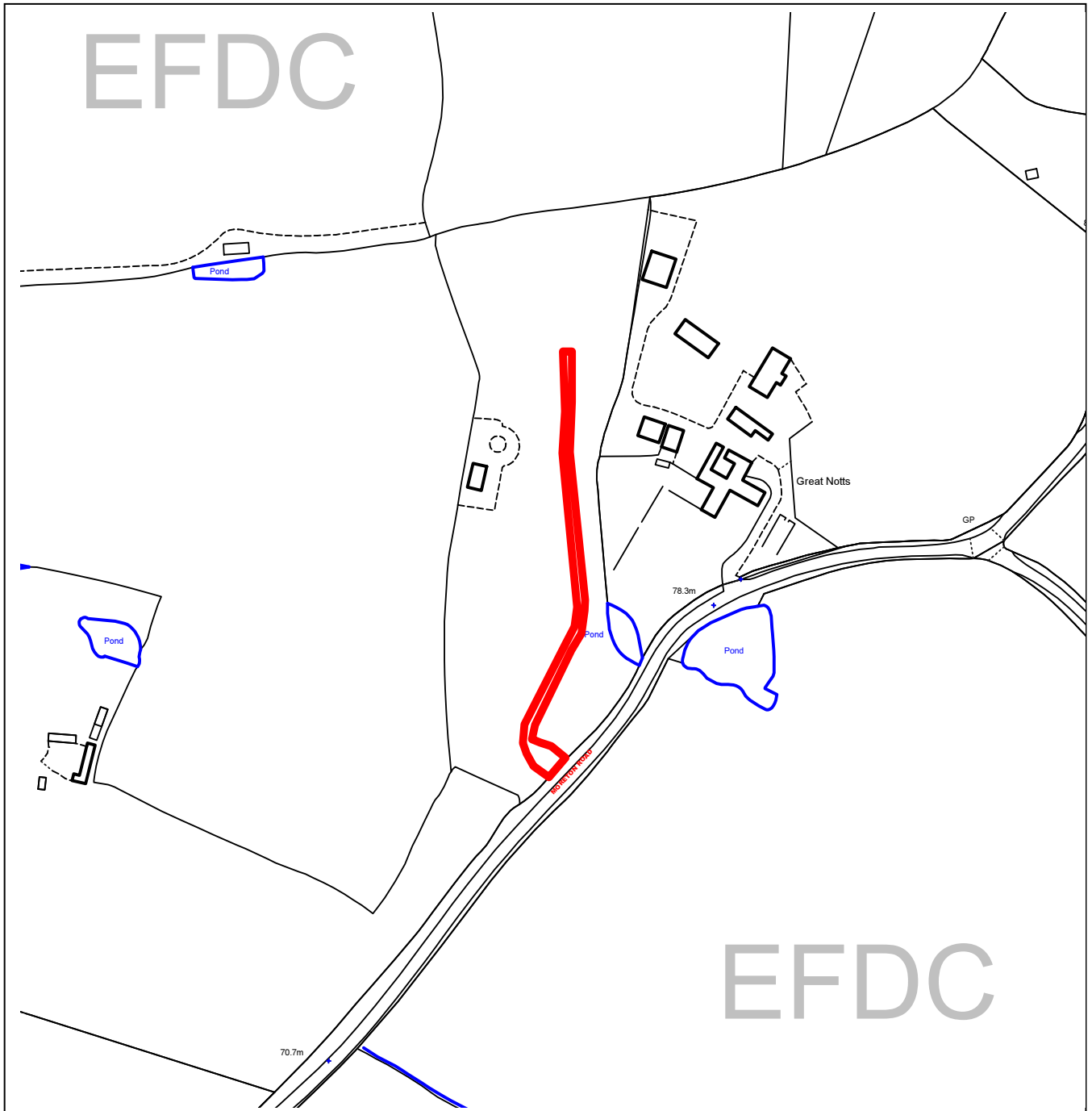
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	7
Application Number:	EPF/1043/13
Site Name:	Great Notts, Moreton Road, Ongar, CM5 OLU
Scale of Plot:	1/2500

Report Item No: 8

APPLICATION No:	EPF/1082/13
SITE ADDRESS:	2 Elm Gardens North Weald Epping Essex CM16 6DR
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	Dr Hassiba Mohammad
DESCRIPTION OF PROPOSAL:	Change of use from dwelling house to single chair dental surgery (D1) to serve the local community.
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=549931

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: Drawing (1), Drawing 2
- 3 The premises shall be used solely as a single chair dental surgery and for no other purpose (including any other purpose in Class D1 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. There shall be no further surgery, consultancy room or hygienist operating from the site, unless otherwise agreed in writing by the Local Planning Authority.
- 4 The dental surgery hereby permitted shall not be open to patients/visitors outside the hours of 09:00 to 17:00 on Monday to Friday and at no time on Saturdays, Sundays and Bank/Public Holidays.
- 5 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of staff, patients and visitors vehicles.
- 6 There shall be no parking within the rear curtilage of the site other than that indicated on the approved plan ref: Drawing 2.

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

Description of Site:

The application site is a link-detached dwelling (attached to the neighbour by way of a single storey garage) located on the corner of Elm Gardens and the High Road. This is one of thirteen dwellings within Elm Gardens, which is a small residential close. The rear boundary of the site forms part of the side boundary of No. 8 Elm Close. There is a small open green verge to the immediate northwest of the site, which provides sight lines to the southwest when leaving the close. The dwelling currently benefits from two parking spaces (including the attached garage) and a single vehicle crossover.

Description of Proposal:

Consent is being sought for the change of use of the existing dwellinghouse to a single chair dental surgery (Use Class D1). The external alterations to the site would entail the creation of a second vehicle crossover and the creation of additional car parking within the curtilage of the site. It is proposed that there would be two new staff spaces created to the side of the building (along with the use of the garage) and three spaces would be made available at the front of the site for patients/visitors.

Relevant History:

EPF/0692/13 - Change of use from dwelling house to dental surgery (D1) – withdrawn 29/05/13

Policies Applied:

CP1 – Achieving sustainable development objectives
CP3 – New development
DBE9 – Loss of amenity
RP5A – Adverse environmental impacts
ST1 – Location of development
ST6 – Vehicle parking

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

Consultation Carried Out and Summary of Representations Received:

12 neighbouring residents were consulted and a Site Notice was displayed on 19/06/13. This report has been produced before the expiration of 21 days from the date of the Site Notice. Therefore, any additional comments received will be verbally reported to Members.

PARISH COUNCIL – No objection.

5 ELM GARDENS – Object due to the increased traffic, vehicle movements and parking that would result from the proposed change of use, as the storage of drugs could result in crime, this would not serve the community as it would not treat National health patients, and as the number of patients is grossly underestimated.

6 ELM GARDENS – Object due to insufficient parking provision, highway safety concerns, and regards to the adequacy of the existing drainage.

7 ELM GARDENS – Object due to the increased traffic and associated highway safety concerns, the loss of amenity to neighbours due to noise, parking concerns, and concern about a possible alternative D1 use taking place.

8 ELM GARDENS – Object due to the impact on neighbours amenities due to the parking layout, possible impact on sewage, parking and highway safety concerns, this location is unsuitable for a dental surgery, and as the dentist would not serve the local community.

9 ELM GARDENS – Object as this will no doubt grow beyond a single chair surgery and as this would introduce strangers into the close, would make it less safe for children, and due to inadequate parking provision.

10A ELM GARDENS – Object as this would result in increased parking and a road hazard. Also concerned about toxic and bio hazards being discharged directly into the sewerage system.

10B ELM GARDENS – Object due to insufficient parking provision and impact on highway safety.

Issues and Considerations:

The main considerations are the impact on the surrounding area and with regards to parking provision/highway safety.

Impact on surrounding area:

The proposed development would result in a change of use of the existing dwellinghouse into a commercial dentist. The application site is located within a small close containing thirteen residential properties, and is surrounded by residential dwellings. Notwithstanding this, it is very common for dwellings within residential areas to be converted into dental surgeries, particularly if there is a need for such within that catchment area.

The applicant has highlighted that there is currently no dental surgery within North Weald and as such residents have to travel to other towns for dental care. The Parish Council have raised no objection to this application, and the comments received on the previous (withdrawn) application stated that “*a dental surgery is welcomed in the village*” (although it should be noted that they did object to the previous application due to the poorly proposed parking layout). As such, it is clear that there is a need for a dental surgery within the area, which is given significant weight.

The application dwelling is a detached property (albeit linked to its neighbour by a single storey garage) and is located at the entrance to the close. As such there would be less noise nuisance caused to the immediate neighbour and patients/visitors would not have to travel past other dwellings in Elm Gardens to visit the surgery. Although the site is within a residential area it is only approximately 130m from North Weald’s designated Local Centre and is close to the High Road, which is a very busy highway that carries heavy amounts of traffic. As such, subject to the proposal complying with highways/parking requirements, it is considered that the principal of this change of use is acceptable in this location. Whilst the proposed surgery is for a private practice, the applicant has highlighted their intention to seek NHS arrangements in order to cater for NHS patients.

Parking provision/highway safety:

The current dwellinghouse benefits from an attached garage with space in front for a single parking space. The proposed change of use would entail the creation of a second vehicle

crossover at the northern end of the site frontage to grant access to additional parking along the side of the building. The proposed parking layout would result in a total of three parking spaces for staff, with three parking spaces within the front garden being used for patients/visitors. Although two of these spaces would form the access to the staff parking spaces, these would only be used for parking during the times that staff are working and therefore would not need to be kept clear.

The proposed use would be for a single chair dental surgery that would employ one dentist, one nurse and one receptionist. The internal layout of the surgery would create one surgery, one x-ray enclosure, one decontamination enclosure, one reception room, one toilet, and a staff area. The Essex County Council Vehicle Parking Standards requires 1 space per full time equivalent staff and 3 spaces per consulting rooms in D1 medical centres (there is no specific standards for a dental surgery). Based on the proposed use of the site this would require a maximum of 6 off-street parking spaces, which is achieved on this site.

In terms of vehicle movements, the applicant has provided an estimate of some 15 patients visiting the site per day, which equates to one every half hour (which is stated as being consistent with most private dental practices). This figure is reached as follows:

- The total population of North Weald is stated as approximately 4500, with an estimated 10% being children between 4-12 years old.
- Potential patients from adjoining villages are estimated to add a further 1500 persons, resulting in a possible patient pool of 6000 persons, the majority of which will already be on a dentists list.
- Based on these figures, and assuming a dissatisfaction factor of 30% (with existing providers), the maximum number of patients to eventually (and permanently) attend the proposed surgery is estimated at 1620 patients (based on 30% of 6000 minus 10% as being under 4 years of age).
- Most patients attend a dental surgery an average of 2 visits per year, which equates to a maximum number of attendances being 3240 patients per year.
- Assuming the surgery will operate 44 weeks per year, the weekly attendance would be 75 visits, and the daily attendance would be 15 visits per day.
- The proposed opening hours of the surgery are 09:00 to 17:00 Monday to Friday, which would equate to one patient every 30 minutes.

One neighbouring resident considers that this is a 'gross underestimation' of patient numbers, however has not provided any evidence as to why or any alternative estimated figures. A single chair private dental surgery would not be able to see more than one patient at a time, and it is unlikely that visits would be more frequent than one every half hour. As such, it is unlikely that any additional parking space over the proposed three patient/visitor spaces would be required.

The proposed change of use, additional parking provision and new vehicle access has been assessed by Essex County Council Highway, however they raise no objection to the proposed development on highway safety grounds.

Other matters:

Concerns have been raised with regards to the existing drainage system of the area and the impact the proposal would have on this. It is unclear how a single chair dental surgery would have any greater impact on the water utilities than a single dwellinghouse (and it is in reality likely to have less impact), but nonetheless this is not considered to be a material planning considerations.

Concern has been raised with regards to potential crime being attracted due to the storage of drugs on site, and the possibility of toxic and bio hazards being discharged into the sewer system.

Both these factors are subject to strict rules controlled and enforced outside of the Planning regime, and as such are not considered to constitute a material planning consideration.

Conclusion:

The proposed change of use of a dwellinghouse to a dental surgery in a residential area such as this is not uncommon. The detached nature of the existing building, its location at the entrance to Elm Gardens, and the ability to provide sufficient off-street vehicle parking make this site suitable for such a conversion, and the overall need for a dental surgery within North Weald is given significant weight in this consideration. Due to the above it is considered that the application complies with the relevant Local Plan policies and Government guidance 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:

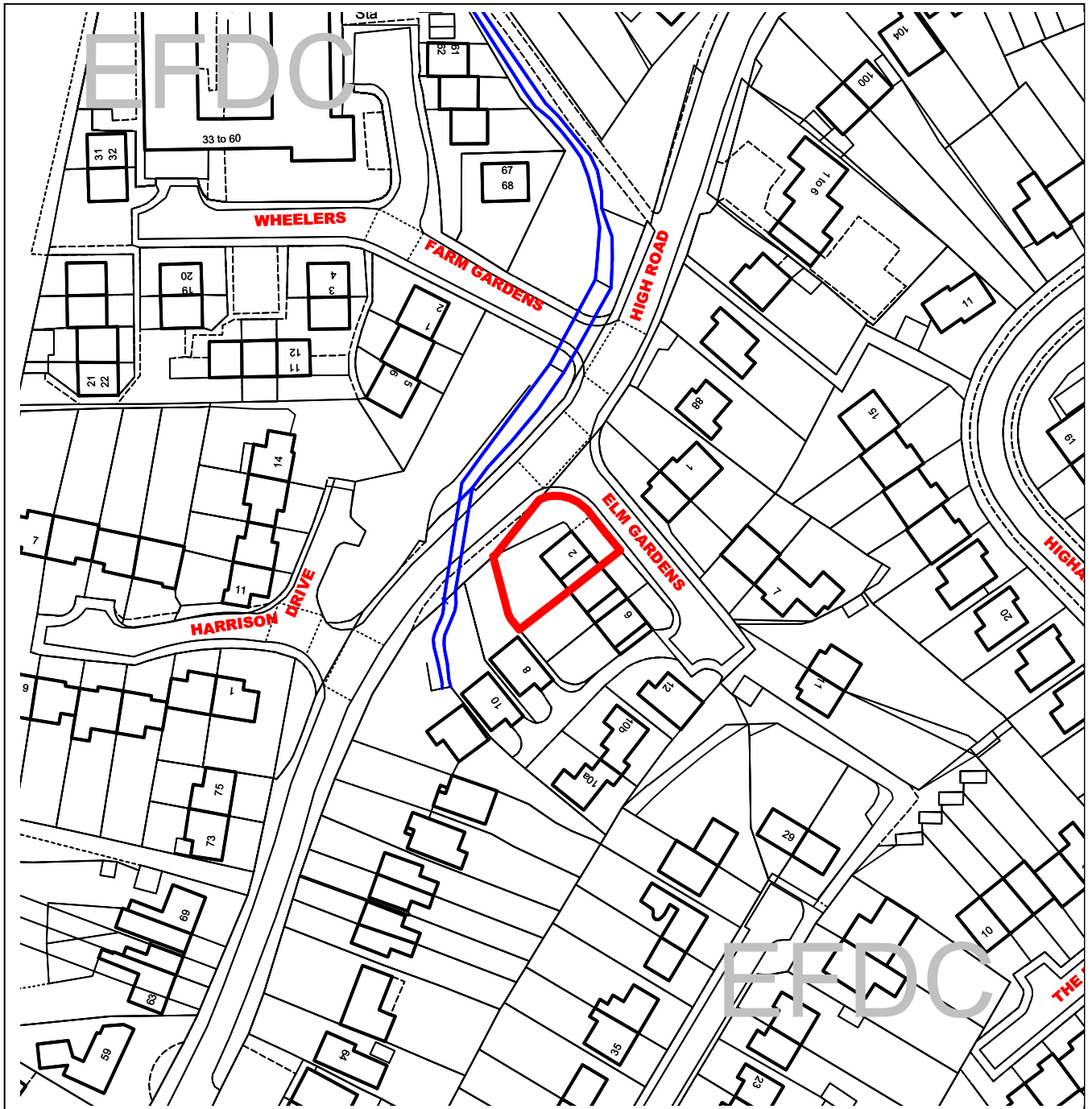
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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:	8
Application Number:	EPF/1082/13
Site Name:	2 Elm Gardens, North Weald, Epping, CM16 6DR
Scale of Plot:	1/1250