

## AREA PLANS SUB-COMMITTEE 'WEST'

26 March 2014

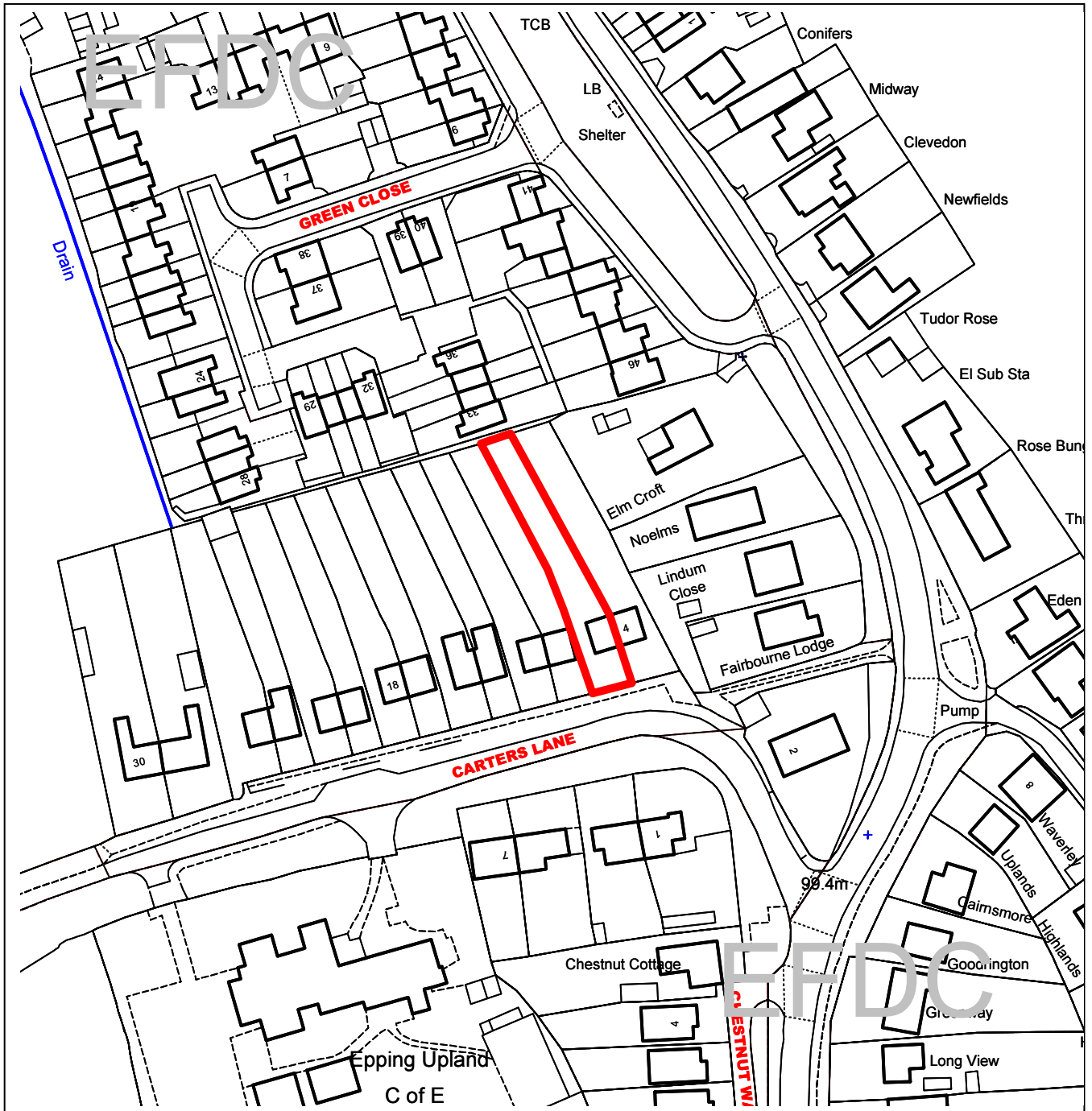
### INDEX OF PLANNING APPLICATIONS

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/2715/13	6 Carters Lane Epping Green Epping Essex CM16 6QJ	Grant Permission (With Conditions)	36
2.	EPF/0058/14	Builders yard rear of Bantham Cottage Rats Lane Loughton Essex	Grant Permission (With Conditions)	42
3.	EPF/0087/14	J & M Haulage Ltd Burleigh Lodge Nursery Hoe Lane Nazeing Waltham Abbey Essex EN9 2RJ	Grant Permission (With Conditions)	54
4.	EPF/0151/14	Griffins Wood House Copped Hall Estate High Road Epping Essex	Grant Permission (With Conditions)	64
5.	EPF/0188/14	2 Emblem Villas Epping Green Epping Essex CM16 6PW	Grant Permission (With Conditions)	68



# Epping Forest District Council

## AGENDA ITEM NUMBER 1



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Application Number:	EPF/2715/13
Site Name:	6 Carters Lane, Epping Green CM16 6QJ
Scale of Plot:	1/1250

**Report Item No:1**

<b>APPLICATION No:</b>	EPF/2715/13
<b>SITE ADDRESS:</b>	6 Carters Lane Epping Green Epping Essex CM16 6QJ
<b>PARISH:</b>	Epping Upland
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>APPLICANT:</b>	Mrs Sarah Duckett
<b>DESCRIPTION OF PROPOSAL:</b>	Single storey front and rear extensions (Revised application to EPF/2159/13)
<b>RECOMMENDED DECISION:</b>	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=558232](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=558232)

**CONDITIONS**

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

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

**Description of Site:**

The application site is located on the northern side of Carters Lane approximately 60 metres North West of the B181 within the village of Epping Green. The site itself is relatively level, long and narrow in shape and comprises of approximately 410 square metres.

A double storey semi-detached dwelling that is externally finished from white painted render is located towards the front of the site. One off-street parking space is located on the driveway to the

front of the dwelling. A medium size hedgerow is located along the side and rear boundaries of the site which provides screening for a large rear private garden area.

The site is located within a built up residential area that mainly comprises of semi-detached dwellings of varying design. The site is not located within the green belt or within a conservation area and is not within the setting of any listed buildings.

### **Description of Proposal:**

Planning permission is sought for the construction of single storey front and rear extensions to the existing dwelling.

The rear extension would project 4m from the original rear façade and have a width of 6m. The extension would have a flat roof with a skylight and a wall height of 2.8m.

The front extension would project 2m from the front façade, with the bay window and porch projecting slightly further. It too would have a width of 6m however it would have a pitched roof unlike the rear extension.

One parking space would be retained at the front of the dwelling.

### **Relevant History:**

EPF/2159/13 – Single storey front and rear extensions (refused)

### **Policies Applied:**

Local policies:

CP2 Protecting the quality of the rural and built environment

DBE9 Loss of amenity

DBE10 Residential extensions

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

### **Summary of Representations**

EPPING UPLAND PARISH COUNCIL: Objects for the following reasons:

- Loss of light amenity to neighbouring property, No 4; effect of both front and rear extensions

- Effect on street scene – front of extension would be out of keeping with rest of the properties and loss of front garden
- Concern as to size of extensions in relation to the original footprint of the property
- Concern as to car parking as may leave insufficient room for off street parking

#### Neighbours:

Five adjoining neighbours notified. No representations received.

#### **Issues and Considerations:**

The main issues to be addressed are:

- Design and appearance
- Neighbouring amenities

#### Design and appearance:

The rear extension would not be visible within the street scene and is a simple flat roofed design which is appropriate to the dwelling and the location.

Turning to the proposed front extension, it should be noted that the previous application ref: EPF/2159/13 for a 3m deep front extension was refused as officers felt that the depth was inappropriate and would be overly prominent in the street scene. The applicant has revised the proposal by reducing the depth of the front extension from 3m to 2m in order to overcome officer's previous concerns.

There are several similar single storey front additions to other properties on this side of Carters Lane and although this proposal is about half a metre deeper, given the set back of some 5.7 metres from the front boundary, it is not considered that the addition will appear overly prominent or harmful to the street scene. The pitched roofed design and the incorporation of a bow window are also considered appropriate design features.

Both the front and rear extension would be in accordance with policies CP2 and DBE10 in that they would be in keeping with the surrounding locality, the street scene and the existing building.

#### Neighbouring amenities:

Due consideration has been given to the possible harm the development might have upon the amenities enjoyed by adjoining property occupiers.

The house is separated from number 8 by about 2 metres and therefore will have no impact on the amenities of residents of that property.

With regard to the amenities of occupants of the attached property (number 2) the rear extension at 4 metres deep and 2.8m high will result in some overshadowing of the garden area and rear windows, but given the orientation of the property this will be restricted to later in the day and it is not considered that the loss of amenity would be excessive. In addition current Permitted Development Rights would allow a 6 metre rear extension in this position subject to no objection being received from neighbours and no such objection has been received.

The proposed front extension at just 2m in depth will not result in any significant loss of light or outlook.

Other issues:

It is noted that the Parish Council have objected to the development regarding the loss of off-street parking. It is noted that there is room for one vehicle on the driveway at present. There would still be room for one off-street parking space on the driveway following the development. As there is no increase in bedrooms and no loss of parking it is not considered that the proposal will result in increased on street parking. In addition, in the event of any overspill onto surrounding highways, it would be unlikely to harm highway safety or lead to traffic congestion.

**Conclusion:**

The proposal is considered appropriate in terms of its design and appearance and would not result in excessive harm to adjoining property occupiers. It is therefore in accordance with the policies contained within the Adopted Local Plan and Alterations and the National Planning Policy Framework and recommended for approval subject to conditions.

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

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

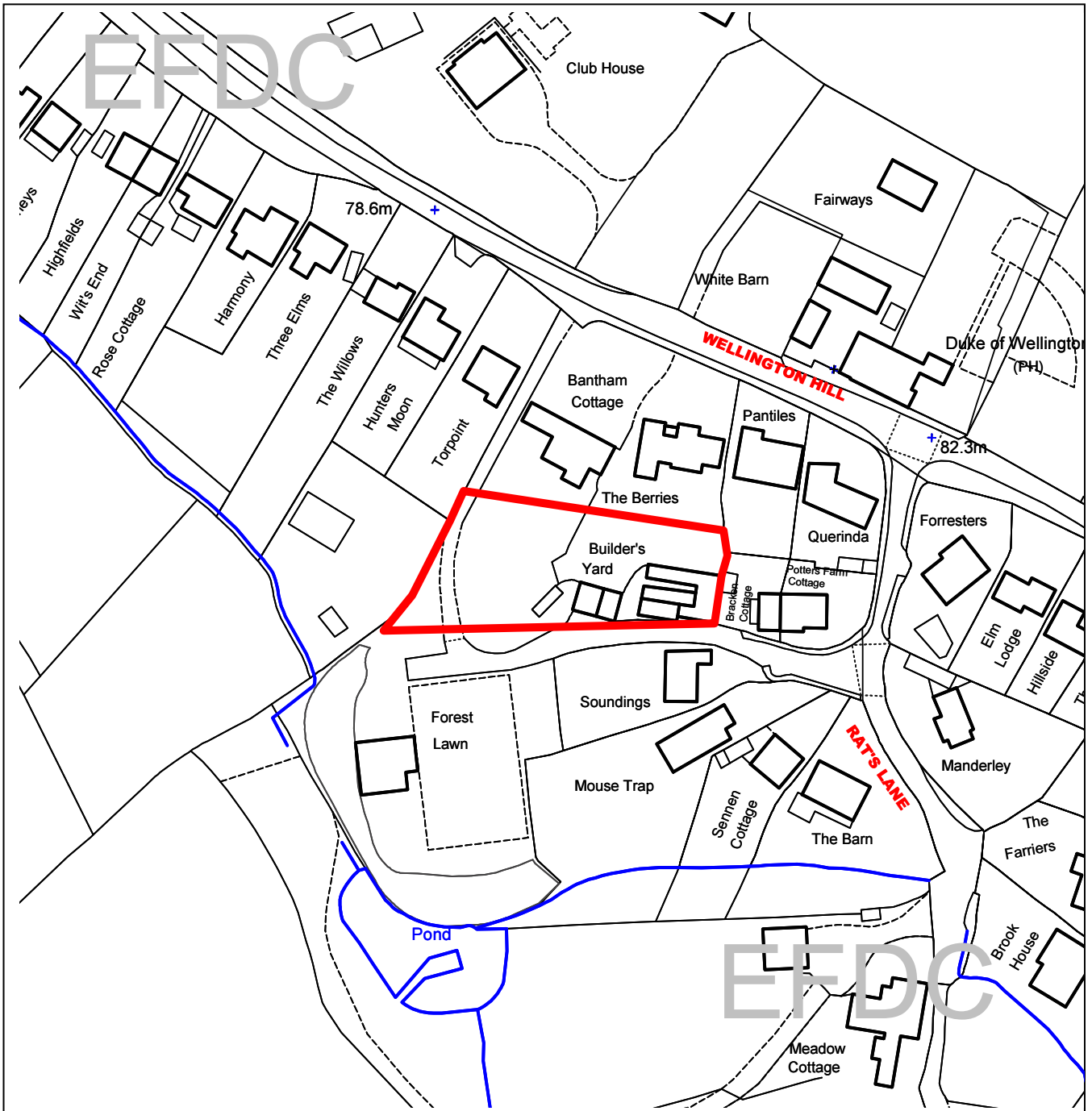
***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***

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# Epping Forest District Council

## AGENDA ITEM NUMBER 2



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Application Number:	EPF/0058/14
Site Name:	Builders yard rear of, Bantham Cottage, Rats Lane, Loughton
Scale of Plot:	1/1250



**Report Item No:2**

<b>APPLICATION No:</b>	EPF/0058/14
<b>SITE ADDRESS:</b>	Builders yard rear of Bantham Cottage Rats Lane Loughton Essex
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey High Beach
<b>APPLICANT:</b>	Bellstar Properties Ltd
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of all existing buildings on the site and the erection of two replacement dwellings, a two storey 5 bedroom house and a two bedroom bungalow.
<b>RECOMMENDED DECISION:</b>	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=558631](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=558631)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1 Rev: E, 2 Rev: A, 3 Rev: B, 4 Rev: A, 5 Rev: A, 6, 7
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 4 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other Order revoking, further amending or re-enacting that Order) no extensions or outbuildings generally permitted by virtue of Class A, B and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 If any tree, shrub or hedge shown to be retained on Ruskins Group Consultancy drawing number TPP-01 Rev1 dated 5th March 2014 is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five

years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.

- 6 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 7 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.
- 8 No services shall be installed within the root protection area of the trees shown to be retained within Ruskins Group Consultancy Arboricultural Report dated February 2014 unless the Local Planning Authority gives its prior written approval.
- 9 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garages hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.
- 10 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.

- 11 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 12 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]
- 13 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]

- 14 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 15 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 16 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 17 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

*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 consists of a former builder's yard located to the rear of Bantham Cottage and The Berries, Wellington Hill. The existing builder's yard is accessed from Rats Lane by way of the access that also serves Forest Lawn (former bowls club). As well as the application site the applicant also owns Bantham Cottage and The Berries to the North and Forest Lawn to the south.

The site is located within an enclave of residential dwelling houses that vary in size, style and form. The entire site is located within the Green Belt and there are a number of trees in and around the site, some of which are preserved.

## **Description of Proposal:**

Planning permission is sought to demolish all buildings on site and to erect two dwellings consisting of a two storey five bedroom house and a two bedroom bungalow.

The proposed two storey house would be a maximum of 15.8m in width and 11.6m in depth with a pitched roof reaching a maximum ridge height of 8.2m. This would benefit from a number of front and rear gable projections and would be constructed using traditional external materials (plain clay tile roof, mock timber framed rendered upper walls and facing brickwork lower walls). This dwelling would also be served by a detached double garage measuring 5.6m x 6.1m with a part hipped/part gabled roof with a ridge height of 5.1m.

The proposed bungalow would be a maximum of 14.7m in width and 7.4m in depth. Due to the sloping nature of the site the bungalow would have a partial two storey aspect when viewed from the west and would have a hipped roof with a ridge height varying from 6.2m to 6.5m, with a set down hipped roof over the attached garage. The bungalow would be constructed using plain clay tiles and facing brickwork. On the western elevation the first floor lounge would benefit from a 900mm deep roof terrace above the projecting lower ground floor dining room.

## **Relevant History:**

### **Builders Yard:**

EPF/0357/96 - Removal of builder's yard buildings and outline application for 2 dwellings (one to be entered from Wellington Hill and one from Rats Lane) – approved/conditions 24/06/96

EPF/0825/01 - Renewal of EPF/357/96 (removal of builder's yard and erection of dwelling and garage) – approved/conditions 25/06/01

### **Forest Lawn:**

EPF/1306/97 - Conversion of existing clubhouse (for Bowls Club) into a single residential dwelling – refused 05/01/98 (appeal allowed 05/08/99)

EPF/1783/00 - Four bedroomed replacement dwelling (revised scheme) – approved/conditions 03/01/01

EPF/0091/02 - Erection of two storey four bedroom replacement dwelling (revised proposal incorporating triple garage and extended bedroom over) – approved/conditions 03/04/02

EPF/1449/05 - Renewal of planning permission EPF/1783/00 for the erection of a four bedroomed replacement dwelling – approved/conditions 21/10/05

EPF/2485/06 - Erection of a two storey detached house to replace existing dwelling (renewal of planning permission EPF/91/2002) – approved/conditions 14/02/07

EPF/1178/08 - Erection of a four bedroom replacement dwelling (renewal of EPF/1449/05 and EPF/1783/00) – approved/conditions 08/09/11

EXT/EPF/0025/10 - Extension of time limit on EPF/2485/06 (which gave approval to the erection of a two storey detached house to replace existing dwelling) – approved/conditions 01/03/10

EXT/EPF/1679/11 - Extension of time limit to planning permission EPF/1178/08 (erection of a four bedroom replacement dwelling -renewal of EPF/1449/05 and EPF/1783/00) – approved/conditions 28/10/11

EXT/EPF/2101/12 - Extension of time limit on EPF/0025/10 (which gave approval to the erection of a two storey detached house to replace existing dwelling) – approved/conditions 07/01/13

### Bantham Cottage:

EPF/0404/97 - Outline application for erection of one dwelling – approved/conditions 14/07/97

RES/EPF/1476/98 - Reserved matters application for one detached house and double garage – approved/conditions 09/06/99

EPF/1892/03 - Demolition of existing house and erection of replacement two storey house with room in roofspace – approved/conditions 01/12/03

EPF/1768/04 - Demolition of existing house and erection of a replacement two storey dwelling with room in roofspace (revised application) – approved/conditions 11/11/04

EPF/1147/08 - Demolition of existing house and erection of replacement two storey house with room in roof space – approved/conditions 08/09/08

EXT/EPF/1585/11 - Extension of time limit of planning permission EPF/1147/08 (demolition of existing house and erection of replacement two storey house with room in roof space) – approved/conditions 19/09/11

### The Berries:

EPF/0404/97 - Outline application for erection of one dwelling – approved/conditions 14/07/97

RES/EPF/1297/97 - Approval of reserved matters for the erection of one dwelling, following the grant of outline planning permission under reference EPF/404/97 – approved/conditions 13/05/98

EPF/1365/99 - Revised elevational details of dwelling approved under reserved matters (RES/EPF/1297/97) on 13th May 1998 – approved/conditions 08/10/99

EPF/1851/99 - Further revisions to elevational details including dormer windows, to dwelling approved under ref. RES/EPF/1297/99 on 13th May 1998 – approved/conditions 14/01/00

EPF/0777/03 - Renewal of reserved matters approval (RES/EPF/1297/97), as amended by revisions EPF/1365/99 and EPF/1851/99, for the erection of one dwelling – approved/conditions 23/06/03

### Incorporation of several sites:

EPF/0159/97 - Outline application for erection of five dwellings – refused 04/08/97 (appeal dismissed 09/03/98)

EPF/0895/97 - Outline application for erection of four dwellings – refused 06/10/97 (appeal dismissed 09/03/98)

### **Policies Applied:**

CP1 - Achieving sustainable development objectives

CP2 - Protecting the quality of the rural and built environment

DBE1 - Design of new buildings

DBE2 - Effect on neighbouring properties

DBE4 - Design in the Green Belt

DBE9 - Loss of amenity

GB2A - Development within the Green Belt

GB7A - Conspicuous development

LL10 - Adequacy of provisions for landscape retention

LL11 - Landscape schemes

ST4 - Road safety  
ST6 - Vehicle parking  
U2B - Flood risk assessment zones  
RP4 - Contaminated land  
RP5A - Adverse environmental impacts

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

### **Consultation Carried Out and Summary of Representations Received:**

7 neighbouring residents were consulted and a Site Notice was displayed on 10/02/14 (with a second notice being displayed on 17/02/14 as the original came down due to inclemental weather).

PARISH COUNCIL – None received.

SENNEN COTTAGE, RATS LANE – Object as the use of the private drive to access all the proposed and existing houses would create excessive traffic, increased impact on neighbours and is unsuitable for large vehicles.

SOUNDINGS, RATS LANE – Object due to disturbance during construction, overlooking to neighbouring properties, impact on traffic and potential loss of trees.

BRACKEN COTTAGE, RATS LANE – Object due to loss of light from the proposed bungalow, disruption during construction, overlooking, drainage concerns, impact on highway safety and potential loss of trees. Also the access is via a private drive.

MEADOW COTTAGE, RATS LANE – Object. Gross overdevelopment. Similar development was turned down before. Also the vehicular access is excessive.

MOUSETRAP, RATS LANE – Object. The description of development is wrong, out of character, harmful to Green Belt, overdevelopment, school and infrastructure can't cope, harmful to residential amenities, harm to trees.

### **Main Issues and Considerations:**

The main issues to be addressed are the impact on the Green Belt, the design and appearance, the impact on the surrounding area, and with regards to the impact on neighbour's amenities.

## 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 is inappropriate development within the Green Belt, apart from some exceptions. Paragraph 89 of the Framework explains what constitutes these exceptions, which include the following:

- *Limited infilling in villages; and*
- *Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development.*

The definition of Previously Developed Land as laid out in Annex 2 of the NPPF is “*land which is or was occupied by a permanent structure, including the curtilage of the developed land*”.

There is a long and complex history to the site, and the surrounding properties also within the applicant’s ownership. This includes consents to replace the existing dwellings on Wellington Hill, permission to replace the (lawful) dwelling at the old bowls club (Forest Lawn), and the redevelopment of the former builder’s yard. Of particular interest is EPF/0357/96, which allowed for the removal of the builder’s yard buildings and the erection of two dwellings. Although this consent was subsequently renewed in 2001, it has now lapsed.

Whilst the physical impact from the redevelopment of this site would “*have a greater impact on the openness of the Green Belt*”, as the proposed two storey house and proposed bungalow (which also has a two storey aspect when viewed from the west) would have a greater volume than the existing single storey buildings currently on site, the application site is surrounded by residential dwelling houses within an established built up enclave and has already been agreed as an acceptable ‘infill’ plot in 1996 and 2001. For this reason it is not felt that the proposed redevelopment of the site would have an excess detrimental impact on the openness and character of the Green Belt or the purposes of including land within it, and therefore it is considered that the redevelopment of the previously developed site would meet the above exceptions and would not constitute inappropriate development in the Green Belt.

## Design and appearance:

Policy DBE4 requires new buildings to respect the wider landscape setting of the site and be of a design that is in keeping with the local character in terms of traditional plan form and detailing. The properties within this built up enclave vary greatly in terms of design and layout and the appearance of the proposed new dwellings are not considered detrimental to the overall character and appearance of the area.

The proposed two storey dwelling would be located towards the rear of the site and would be similar in character to the replacement house approved on Forest Lawn (EPF/2101/12). Given its



location it would not be viewed as part of the existing street scene and would not be particularly visible from public viewpoint. The proposed bungalow would replace the existing, somewhat unsightly, single storey former building yard structures and would be partially visible from Rats Lane. However the proposed bungalow would be far more appropriate in appearance than the existing builder's yard and therefore would be a visual improvement to the area.

The size and layout of the residential curtilages is appropriate in that they would meet the required level of private amenity space for future occupiers. Although the rear boundary of the curtilage of the proposed bungalow would be between 8m and 9m from the first floor rear windows of The Berries, this is similar to other examples within the immediate locality, including Bracken Cottage & Potters Farm Cottage immediately adjacent to the site. Therefore this is considered to be acceptable.

#### Impact on surrounding area:

There are a number of trees in and around the site, some of which are preserved. A tree survey has been requested from the applicant in order to identify the trees that may be impacted from the proposal, however given the history of the site (the previous consents and previous uses) and the location of the proposed dwellings, it is considered that the protection and retention of the important trees and established landscaping can be suitably dealt with by way of conditions.

Concern has been raised with regards to the use of the existing private access and the impact that the proposal would have on Rats Lane. The right of access and general use of the private road is not a material planning consideration and any legal right of use of this by future occupants would be dealt with through the relevant legal processes.

In terms of the increased usage of Rats Lane, the current lawful use of the site is as a builder's yard. Whilst this has been vacant for a number of years it could be reused for this lawful purpose. The redevelopment of the site for two dwellings would reduce the vehicle movements, size and type to the site when compared to the existing (lawful) use, and therefore the proposal would be more beneficial to highway safety and the free flow of traffic over the reopening of the existing builder's yard.

#### Neighbouring amenities:

The proposed two storey house would be located towards the rear of the site and would be set a considerable distance from the shared boundaries (between 4m and 7.5m). As such, there would be no physical impact from the new two storey dwelling.

The proposed bungalow would be built some 450mm from the shared boundary with Bracken Cottage. However as the dwelling would only be single storey adjacent to this neighbour, would replace a single storey building with a larger footprint that currently forms the boundary of the site, and would predominantly be adjacent to a detached outbuilding belonging to Bracken Cottage, the proposal would not result in a loss of light or outlook to these neighbouring residents.

The proposed dwellings would be located in such a way to ensure that there would be no undue loss of privacy or overlooking to neighbouring properties. Whilst the proposed bungalow would have a two storey aspect when viewed from the west, which would be located just 8m from the shared boundary with the new two storey house, this would only overlook the front garden/access to this property and would be a similar distance to other established examples within the locality. The existing screening on and around the site would also assist in lessening any impact from the proposed development.

The existing site is a lawful builder's yard and could reopen for this purpose. Given its location, surrounded by residential properties, such a use would likely be unneighbourly and cause a nuisance to local residents. Therefore, the removal of the builder's yard through the redevelopment of the site for two dwellings would potentially be more beneficial to the amenities of surrounding residents than retaining the site for its current purpose.

#### Other issues:

The proposed dwellings would be able to accommodate more than sufficient off street parking as required within the Essex County Council Vehicle Parking Standards.

The development is of a size where it is necessary to avoid generating additional runoff and where the opportunity should be taken to improve surface water runoff. As such, a flood risk assessment should be sought by way of a condition.

Due to the former use of the application site as a builder's yard and due to the presence of infilled ground, there is the potential for contaminants to be present on site. As domestic dwellings with gardens are classed as a particularly sensitive proposed use full contaminated land investigations will need to be undertaken. This can be dealt with by conditions.

Objection has been raised by residents with regards to the potential nuisance that would result during construction, however such impacts are short term concerns that are not material planning considerations. Furthermore, the existing lawful use of the site is as a builder's yard which, if bought back in to use, could cause noisy and unsocial workings on a permanent basis.

#### Conclusion:

The proposed redevelopment of this site would not constitute inappropriate development harmful to the Green Belt. The removal of the (albeit current unused) builder's yard and replacement with two dwellings would be beneficial with regards to traffic movements and potential nuisance caused to neighbours, and the proposed development itself would not be unduly detrimental to the amenities of adjoining residents or the character and appearance of the area. The application is therefore in accordance with the policies contained within the Local Plan and Alterations, which are consistent with the National Planning Policy Framework, and as such is recommended for approval.

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

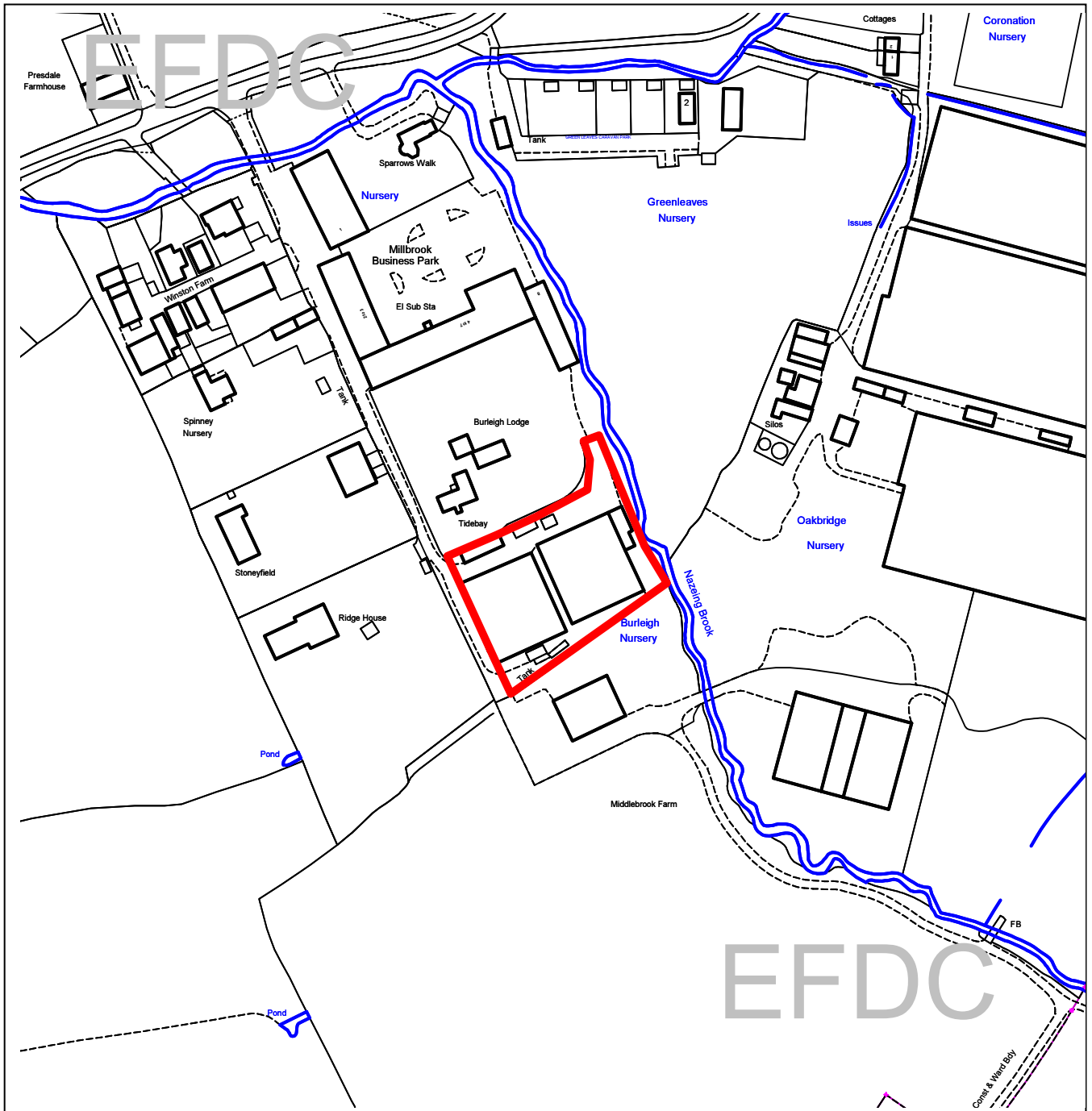
**Planning Application Case Officer: Graham Courtney  
Direct Line Telephone Number: 01992 564228**

**or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)**



# Epping Forest District Council

## AGENDA ITEM NUMBER 3



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Application Number:	EPF/0087/14
Site Name:	J&M Haulage Ltd, Burleigh Lodge Nursery, Hoe Lane, Nazeing EN9 2RJ
Scale of Plot:	1/2500

**Report Item No:3**

<b>APPLICATION No:</b>	EPF/0087/14
<b>SITE ADDRESS:</b>	J & M Haulage Ltd Burleigh Lodge Nursery Hoe Lane Nazeing Waltham Abbey Essex EN9 2RJ
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Lower Nazeing
<b>APPLICANT:</b>	Mr John Marcetic
<b>DESCRIPTION OF PROPOSAL:</b>	Outline application for proposed replacement of existing warehouse units and removal of glass house remains, with new warehouse building.
<b>RECOMMENDED DECISION:</b>	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=558770](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=558770)

**CONDITIONS**

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the reserved matters as defined in condition 2 below, whichever is the later.
- 2 a) Details of the reserved matters set out below ("the reserved matters") shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:
  - (i) landscaping.
  - b) The reserved matters shall be carried out as approved.
  - c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.
- 3 The development hereby permitted will be completed strictly in accordance with the approved drawings No's: 993 001, 993 02A and the submitted location plan.
- 4 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A of Part 8 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

- 5 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 6 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]
- 7 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]

- 8 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 9 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 10 No development shall take place until details of a satisfactory ground gas investigation and risk assessment has been carried out and submitted to the Local Planning Authority for approval in order to determine what if any ground gas remediation measures may be required or shall specify appropriate ground gas mitigation measures to be installed in the building(s) in lieu of any ground gas investigation.

The investigations, risk assessment and remediation methods, including remedial mitigation measures to be installed in lieu of investigation, shall be carried out or assessed in accordance with the guidance contained in BS 9485:2007 "Code of practice for the Characterisation and Remediation from Ground Gas in Affected Developments." Should the ground gas mitigation measures be installed, it is the responsibility of the developer to ensure that any mitigation measures are suitably maintained or to pass on this responsibility should ownership or responsibility for the buildings be transferred.
- 11 An assessment of flood risk, focussing on surface water drainage, shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS). The development shall be carried out and maintained in accordance with the approved details.
- 12 The uses hereby permitted shall not operate outside the hours of 08:00 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturdays and not at all on Sundays and Bank Holidays.
- 13 Materials to be used for the external finishes of the proposed development shall match those detailed on the submitted plan number 993 002A, unless otherwise agreed in writing by the Local Planning Authority.

- 14 There shall be no external working or storage in connection with the uses hereby approved.
- 15 Prior to the commencement of development a plan showing the extent of the vehicle repair area shall be submitted to the Local Planning Authority for approval.
- 16 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 17 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 18 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 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:**

Burleigh Nursery is located within a small enclave of residential, nursery, and commercial units located on a private road accessed on the south side of Hoe Lane. The site is located on the north east side of the private road, some 200m from the junction with Hoe Lane and currently consists of disused glasshouses with a vehicle repairs housed in units to the rear of the site and a car restoration housed in a brick building to the front of the site. The vehicle repairs and other specific buildings within the site benefit from lawful use confirmed by a Certificate of Lawfulness issued in 2009.

The existing glasshouses are in a poor state and extend up to the road edge, and are clearly no longer suitable for a horticultural use without extensive renovation or replacement. There is approximately 2000m<sup>2</sup> of glasshouse on the site which is to be demolished as part of the application. The site is relatively well screened to the sides and rear by existing planting and the application site sides on to the boundary of the Nazeing and South Roydon Conservation Area and backs onto a group Tree Preservation Order. The site is within the Metropolitan Green Belt. The site also lies within an area which has been de-designated as a glasshouse area.



### **Description of Proposal:**

Outline Consent is sought to demolish the buildings on the site and replace them with one, single warehouse structure. The building would have a floor area measuring approximately 30.0m x 20.0m. The eaves level would measure 4.5m from ground level and the ridge 6.5m at its highest point. 19 parking spaces would be provided with the remaining area taken up by an internal roadway and areas of landscaping. Part of the building would be used to house the existing vehicle workshop.

### **Relevant History:**

EPF/1528/09 - Certificate of lawful development for the use of part of the former horticultural nursery for parking 2 Heavy Goods Vehicles, the positioning of a diesel tank, use of two units as vehicle repair workshops (for only heavy goods vehicles authorised to be stored onsite and cars) and the use of the site for siting of 3 storage containers ancillary to the Haulage activities onsite – Lawful for specific buildings and uses as outlined.

EPF/0083/12 - Demolition of existing glass houses and vehicle workshops and erection of a replacement building to provide modern vehicle workshops and storage units. Refuse Permission - 08/03/2012. Appeal Dismissed: 27/02/13.

### **Representations Received:**

Nazeing Parish Council: Objection. Inappropriate development in the Green Belt and will result in a disturbance to residential properties in the area and cause additional traffic problems.

17 neighbours consulted: 1 reply received.

Concern about impact on neighbours and that this proposal will prejudice proposed residential developments in the immediate area. Concern about impact on highway safety and the lane is in a very poor state. We note that the applicant has cleared part of the site and is using it to park vehicles without consent.

### **Policies Applied:**

CP1 – Achieving Sustainable Development Objectives  
CP2 – Protecting the quality of the Rural and Built Environment  
GB2A – Development in the Green Belt  
GB7A – Conspicuous Development  
DBE2 – Effect on neighbouring properties  
DBE4 – Design in the Green Belt  
HC6 – Development within or adjacent to Conservation Areas  
LL1 – Rural Landscape  
LL2 Inappropriate rural development  
LL8 – Protected Trees  
LL10 – Adequacy of provision of landscape retention  
ST4 – Road Safety  
ST6 - Vehicle Parking  
RP4 – Contaminated Land  
RP5A – Potentially Adverse Environmental Impacts

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

## **Issues and Considerations:**

The main issues that arise with this application are the appropriateness of the development in the Green Belt, design, its impact upon neighbouring properties, impact on the adjacent Conservation Area and landscape and highway safety. The planning history of the site, comments of consultees and recent appeal decision are other material considerations.

### **Green Belt**

The applicant has chosen to make an outline application with landscaping held as a reserved matter to be considered at a later date. As stated earlier in the report part of the site benefits from a Certificate of Lawful Development (CLD) for commercial purposes and therefore when judged against paragraph 89 of the NPPF is a brownfield site. As such the general principle of the development is acceptable and what must be judged from a Green Belt perspective is whether the proposed development would have “a materially greater impact on open character”. The recent planning application in 2012 was refused consent on impact on the Green Belt. However this was for a building almost double the floor area of what is proposed here (54.0m x 20.0m). Furthermore the NPPF has brought about a sea change as to how such things should be judged. It is clear that the Planning Inspector who judged the subsequent appeal had no concern with the general principle but believed that the replacement building would be more substantial and solid. However the overall height would be no greater than the larger buildings to be replaced.

The overall footprint has been greatly reduced but the ridge and eaves level remains the same. It is evident that the Inspector was of the view that the height of the building would not have a materially greater impact on openness but the finished materials would be resulting in a much more permanent building on site. As a modern warehouse structure this is not an overly large building and if the intention is to use at least part of the site for vehicle workshops then the height would be necessary. The Local Planning Authority would take the view that the glasshouses are agricultural buildings and as such the general principle being assessed is the replacement of the lawful use buildings. In that regard it should be remembered that the existing buildings do benefit from permitted development rights and could be extended by up to 50% under recent changes to the Part 8 Permitted Development Regulations. As such the applicant could extend the existing buildings to have a footprint of circa 600 sq m.

Redevelopment of this site would bring some general benefits. These include;

- The existing glasshouses are in a poor state of repair and are unsightly.
- There is no realistic likelihood of horticultural production being re-introduced – recognised with the removal of the area from glass house protection under policy E13A in 2006
- Proposed development is a lot smaller in floorspace than existing buildings and glasshouse on the site
- Majority of site covered by Certificate of Lawfulness (EPF/1528/09)
- The National Planning Policy Framework (NPPF) provides advice on development in the Green Belt suggesting ‘the replacement of a building, provided the new building is not materially larger than the one it replaces, need not be regarded as inappropriate development
- Proposed building heights kept relatively low.
- Proposed building has been reduced in size than current buildings/glasshouses on site thereby centralising the proposal
- Proposal enhances land within the Green Belt in accordance with policy CP2 and enhancements can be agreed with a landscaping scheme agreed under reserved matters.

In light of the above appraisal a replacement building with a footprint of circa 600 sq m seems reasonable, bearing in mind that existing buildings with lawful uses as warehouses could be extended to this size. There would be the benefit of the general redevelopment of an aesthetically

poor site. There is the issue of the increased permanence of the new building but owing to the overall benefits that redevelopment would bring this is justifiable. Generally the proposed development is in compliance with Green Belt policy and can be supported. It is not considered that the scheme would materially impact on the open character of the Green Belt and furthermore there are clear benefits to approving the scheme, including the more productive use of the site as the glasshouse buildings are seriously under utilised. The development would be considered a sustainable form of development performing an economic, social and environmental role. Having regard to the dismissed appeal, what is before Members appears to be a reasonable compromise and the applicant has accepted the need to reduce the scheme in order to gain acceptability.

### Design

The rear of the site abuts the local Conservation Area. In that regard the replacement of the tired, dilapidated structures with one well designed warehouse is acceptable. The building is well designed and raises no concerns.

### Amenity

The proposal is located to the south and east of residential properties, however the proposal is not considered to have a significant impact on amenity as a B2 use currently exists at the site. If permission were granted, it would give the Council an opportunity to impose restrictive conditions on working times which are currently not imposed on the site.

### Highway Safety

The existing access onto Hoe Lane provides adequate visibility splays and the intensity of the use of the site would not result in a materially greater number of vehicular movements over and above the existing use of the site. The proposal provides adequate parking provision and ample turning for any size of vehicle using the site. Consequently the development will not be detrimental to highway safety, capacity or efficiency at this location.

### Landscaping

There is a 'woodland' TPO that runs along the Nazeing Brook. However this proposal should benefit these trees as development is moved away from the brook and additional planting is shown. Landscaping can be agreed with the Reserved Matters application.

### Land Drainage

The development is of a size where it is necessary to avoid generating additional runoff and the opportunity of new development should be taken to improve existing surface water runoff. A Flood Risk Assessment (FRA) is therefore required.

### Contaminated Land

Owing to existing and previous uses at the site contaminated land conditions are necessary.

### Conditions

It is necessary to restrict further extensions which could be carried out under Part 8 of the Permitted Development Regulations. A standard condition limiting operating hours is also deemed necessary and will bring benefits to neighbouring properties which could not otherwise be achieved through the planning system. As stated landscaping has been held back by the applicant to be dealt with as a Reserved Matter and this is acceptable.

## Neighbour Comments

A neighbour of the scheme has raised concern that an approval of this development would prejudice residential development in the immediate vicinity. It is the case that applications, which are currently invalid, have been received for residential schemes, including at Burleigh Nursery. As the current use of the site includes B2 uses there would be no material change in any future analysis should this scheme be granted consent. In any case this scheme must be judged on its own merits. It is also stated that the applicant has removed some of the buildings and is using the area to park vehicles. However as far as the Local Planning Authority is aware this is only for parking ancillary to existing uses and there has been no material change of use. The buildings could be removed without the need for planning consent.

## Conclusion:

It is considered that revisions to this scheme which have been undertaken since the appeal was dismissed now render what is proposed acceptable in planning terms and in compliance with national policy. It is therefore recommended that consent is granted, subject to conditions.

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

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

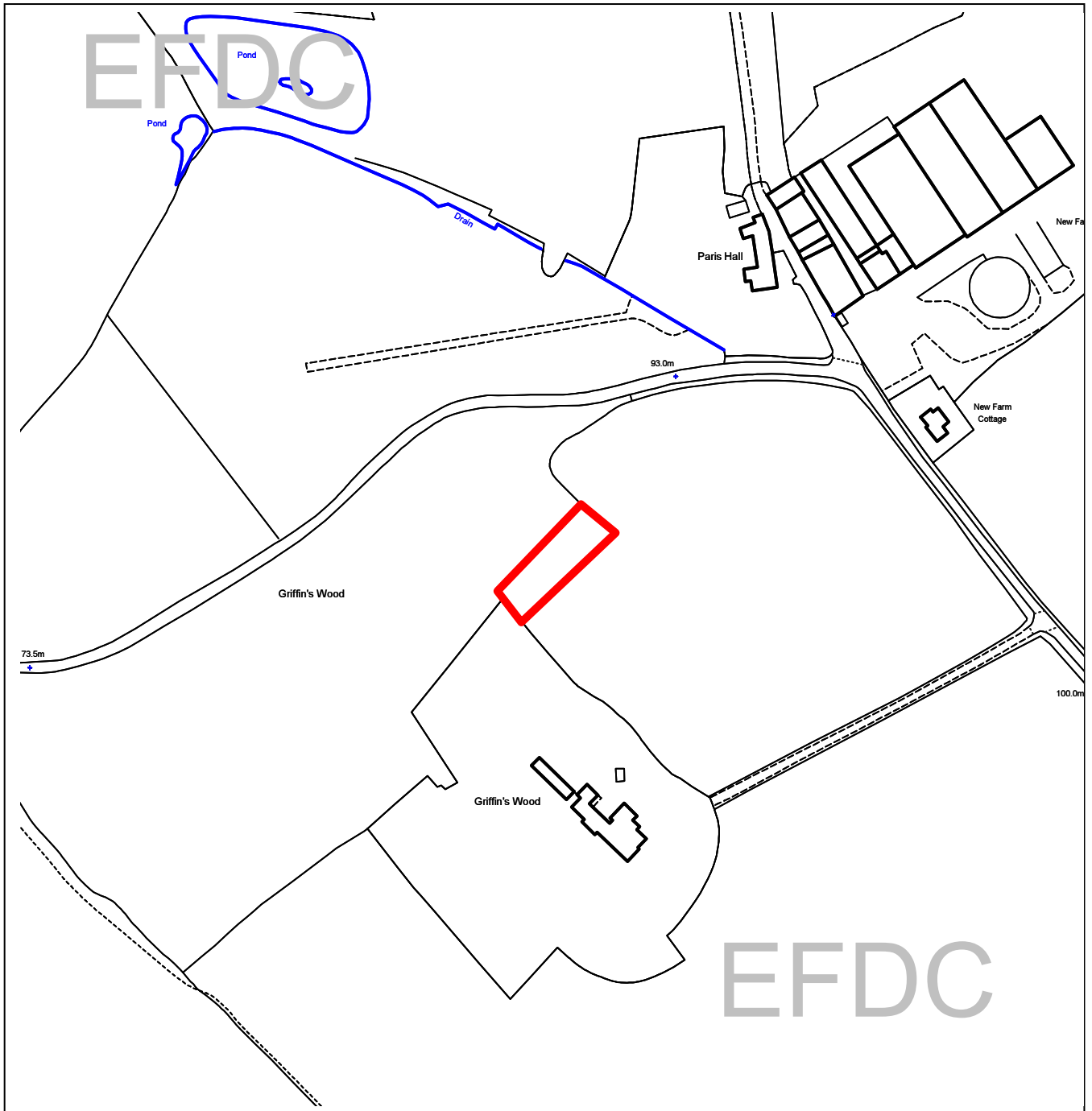
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# Epping Forest District Council

## AGENDA ITEM NUMBER 4



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Application Number:	EPF/0151/14
Site Name:	Griffins Wood House, Copped Hall Estate, High Road, Epping
Scale of Plot:	1/2500

**Report Item No:4**

<b>APPLICATION No:</b>	EPF/0151/14
<b>SITE ADDRESS:</b>	Griffins Wood House Copped Hall Estate High Road Epping Essex
<b>PARISH:</b>	Epping Upland
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>APPLICANT:</b>	Mr Jas Hare
<b>DESCRIPTION OF PROPOSAL:</b>	Retention of a stable and tack room, 8m x 4m x 2.7m high and change of use of land to horse keeping.
<b>RECOMMENDED DECISION:</b>	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=559090](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=559090)

**CONDITIONS**

- 1 No external lighting shall be installed without the prior written approval of the Local Planning Authority.
- 2 The building hereby approved shall be used solely in connection with the stabling of horses or ponies for private recreational use and there shall be no commercial use of the site, including livery, at any time.
- 3 Within three months of this decision the proposed timber finish shall be painted black.

*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 as submitted is a relatively small area of land measuring approximately 20.0m wide x 50.0m long. The site contains a small stable structure, approximately 8.0m x 4.0m with a ridge eight measuring 2.7m. The building is finished in timber with a plastic sheet roof. The site is within the Metropolitan Green Belt and the Copped Hall Conservation Area and is located some

distance from Epping Road, approximately 400m, and is accessed down a shared driveway. There is an area TPO abutting the northern side of the site. Griffins Wood is a Locally Listed building and there are also a number of Statutory Listed Buildings in the wider vicinity. A post and rail fence demarcates the plot.

### **Description of Proposal**

The applicant seeks consent to retain the stable building for the keeping of horses. As such the piece of land would change use from agriculture to horses keeping.

### **Relevant History**

No relevant history.

### **Representations Received:**

Site Notice Displayed: No replies received.

Parish Council: Objection. Lack of clarity in application and insufficient information. Area appears to be insufficient for proposed use. Concern as to future use and setting of precedent.

### **Policies Applied:**

CP2 – Protecting the Quality of the Rural and Built Environment  
DBE1 – New Buildings  
DBE2 – Effect on Neighbouring Properties  
DBE4 – Design in the Green Belt  
DBE9 - Loss of Amenity  
GB2A – General Constraint  
GB7A – Conspicuous Development  
RST4 – Horse Keeping  
RST5 – Stables  
LL1 – Rural Landscape  
LL2 – Inappropriate Rural Development  
LL10 – Adequacy of Provision for Landscape Retention  
HC6 & HC7 – Conservation Areas

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

### **ISSUES AND CONSIDERATIONS:**

The main issues to consider with this application relate to whether the development is appropriate within the boundaries of the Metropolitan Green Belt, its setting in a Conservation Area and the comments of consultees.

#### **Green Belt Setting**

The Parish Council have raised concern that the proposed development is inappropriate in the Green Belt and that there appears to be insufficient space to keep horses. Concern is also expressed that insufficient information has been provided.



It is considered that enough information has been submitted to determine the application, particularly as the building is in place and can therefore be assessed in situ. With regards to inappropriateness in the Green Belt, small scale structures that are needed in connection with outdoor sport and recreation are one of the exceptions where new buildings can be justified. As such a number of local policies address the issue and there is also national support for such developments provided by Paragraph 89 of the NPPF. This recognises “appropriate facilities for outdoor sport which preserve the openness of the Green Belt” as appropriate.

In this instance this is a small structure, smaller than most stable buildings which this Authority approves. There is more than enough land under the applicant’s ownership for the horses to graze and such activity would provide a quintessential rural setting for both the Conservation Area and the nearby Listed Buildings. No planning consent would be necessary for horse grazing on the wider site. The horses will be kept on the area identified, but the proposed building is as small as would be suitable for such a task. The building would be located against the backdrop of trees and in terms of impact on open character this is fairly minimal. It is therefore considered the proposed stables are acceptable from a Green Belt perspective and in compliance with local policy on horse keeping and stables.

### Conservation Area

The site is within the Copped Hall Conservation Area and is also in close proximity to a number of Listed/Locally Listed buildings. However the building is fairly typical of such structures in design terms. Local Planning Authorities have a duty to ensure that new development preserves or enhances such areas and it is considered that this aim has not been offended by this development. There are no objections to the retention of the stables; however, in order to lessen their appearance, a condition should require the stables to be painted black. A black finish is traditional in this area on outbuildings such as this and will be more appropriate within the Conservation Area.

### Trees

There is an area TPO adjacent to the site but the scheme has had no impact on the trees.

### **Conclusion:**

The proposed stable block and use of the site for horse keeping is deemed suitable and as such the scheme is recommended for approval with conditions.

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

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

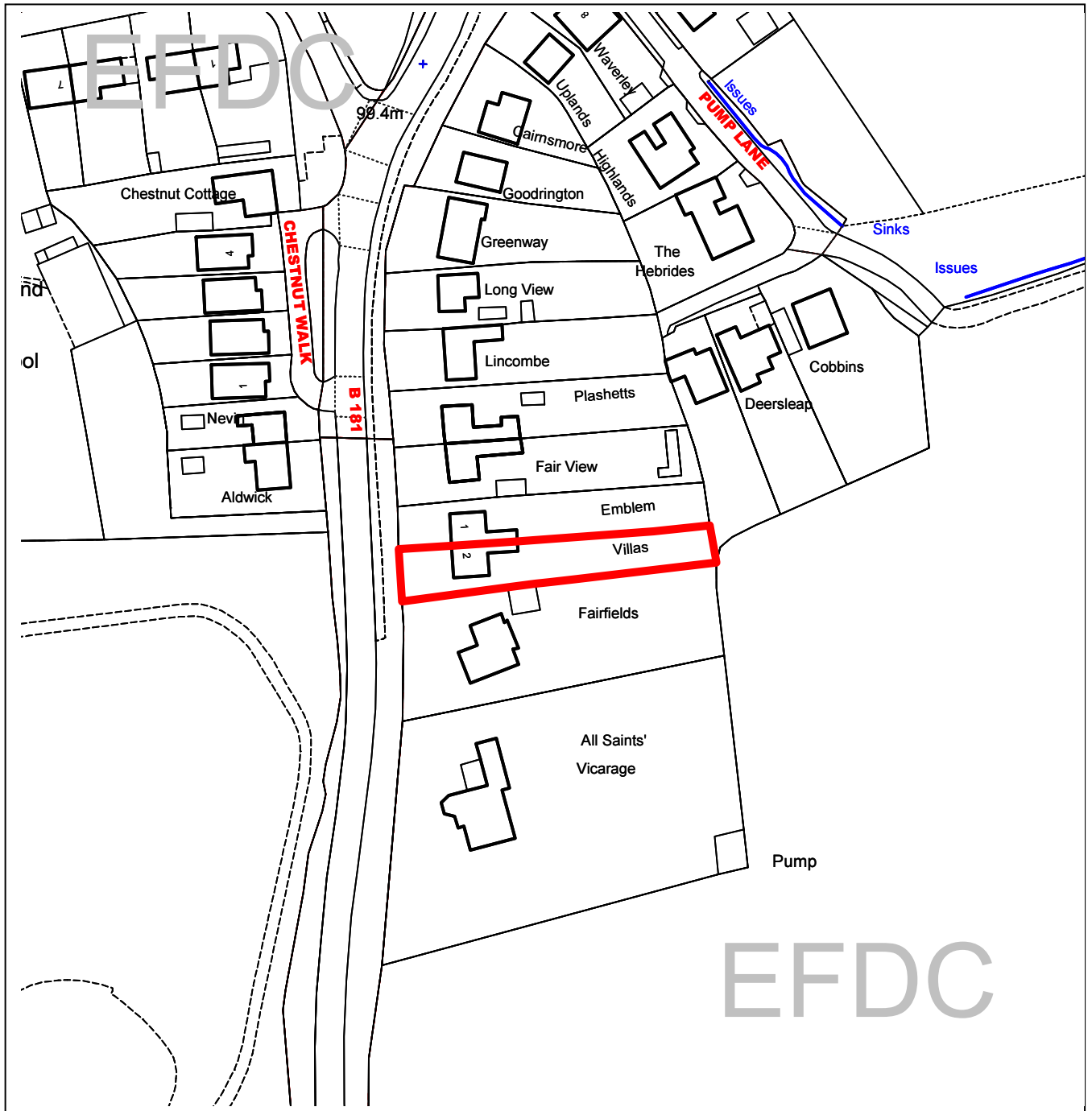
***or if no direct contact can be made please email:***

***[contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## AGENDA ITEM NUMBER 5



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Application Number:	EPF/0188/14
Site Name:	2 Emblem Villas, Epping Green, CM16 6PW
Scale of Plot:	1/1250

**Report Item No:5**

<b>APPLICATION No:</b>	EPF/0188/14
<b>SITE ADDRESS:</b>	2 Emblem Villas Epping Green Epping Essex CM16 6PW
<b>PARISH:</b>	Epping Upland
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>APPLICANT:</b>	Mrs Mireille Fox
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed side, rear extension and rooms in the roof.
<b>RECOMMENDED DECISION:</b>	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=559272](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=559272)

**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 Prior to first occupation of the development hereby approved, the proposed window opening on the first floor of the northern flank elevation shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 3 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.

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

### **Description of Site:**

The application site known as 2 Emblem Villas is located on the eastern side of the B181 as you enter into the village of Epping Green from the south. The site itself is long and narrow in shape, relatively level and comprises of approximately 570sqm.

A double storey semi detached dwelling house that is externally finished from pebble dash render is located towards the front of the site. Off street parking is located on the driveway towards the front of the property whilst a modest size garden area is located to the rear.

The site is located within a built up area of residential dwellings that all vary in size scale and form. The site is not located within the green belt or a conservation area and is not within the setting of any listed buildings.

### **Description of Proposal:**

Planning permission is sought for the construction of side and rear extensions and a loft conversion to the existing dwelling house.

The ground floor of the side extension would be constructed in line with the existing principle elevation, have a width of 1.7m and a depth of 14.5m. The first floor of the side extension would be set in from the principle elevation by 1m, have a width of 1.7m and a depth of 10.5m. Both the ground and first floors of the side extension would be set off the side boundary by 1m.

The ground floor of the rear extension would project 6.9m from the original rear façade of the dwelling and have a width of 8.1m. It would have a dummy pitch roof with a roof lantern. The first floor rear extension would project 3.8m from the rear façade and have a width of 5m.

The loft conversion would result in converting the existing hipped roof form to a gable end roof form and include a rear dormer window.

### **Relevant History:**

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

### **Policies Applied:**

Local policies:

CP2 Protecting the quality of the rural and built environment

DBE9 Loss of amenity

DBE10 Residential extensions

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.

### **Summary of Representations**

Epping Upland Parish Council: Objects for the following reasons:

- Overdevelopment of the site
- Concern as to the impact on neighbouring properties
- Out of keeping with sightline of existing properties
- Bulky in comparison with adjoining property

### **Neighbours:**

Three adjoining neighbours notified by post. No representations were received at the time of this writing this report.

### **Issues and Considerations:**

The main issues to be addressed are:

- Design and appearance
- Neighbouring amenities

### **Design and appearance:**

On balance, there are no objections to the design and appearance of the proposed development.

It could be argued that the proposed gable roof form could unbalance the pair of semi detached dwellings, however it is considered that given the majority of dwellings within the area have gable roof forms, it would not be at odds to the character and appearance of the street scene. It should be noted that if it was not for the side extension, then the hip to gable roof conversion could be carried out under permitted development.

The first floor of the side extension would be set in a metre from the principle elevation which would intern lower the ridge height which would help break up the bulk and massing of the proposal. It is considered that the proposal would result in the principle elevation appearing well articulated and visually interesting within with the street scene compared to its existing plain form. On balance it is considered that the proposal would not cause excessive harm to the character and appearance of the street scene.

It is noted that the overall size and scale of the proposal would virtually double the size of the existing dwelling in terms of its floor area. Although the extensions are of a considerable size, it is

considered that the proposal would not be at odds to the character and appearance the surrounding locality given the size and scale of other developments constructed on nearby properties including the adjoining property to the north. In fact the adjoining property to the north known as 'Fair View' has a first floor extension that would project beyond that of which is proposed. As such the rear the proposal would be consistent with the rear building lines within the locality.

The proposed rear dormer window would be set below the ridge and off the eaves and is considered to be well proportioned and subservient within the roof slope of the building.

#### Neighbouring amenities:

Due consideration has been given in respect to the potential harm the development may cause on the amenities enjoyed by adjoining property occupiers.

Due to the orientation of the site and siting of the proposal in relation to adjoining properties, it is considered that no excessive loss of light to adjoining properties habitable room windows and private garden areas would occur. Adequate light would be achieved to adjoining properties throughout the majority of the day.

New flank window and door openings are proposed on both the ground and first floors of the side extension. Although the openings on the ground floor would not cause any harm in terms of overlooking, there is the potential that the first floor window might. As such this window would be condition to be obscured glazed if planning permission is granted.

It is noted that the some minor overlooking into the adjoining properties rear garden areas would occur from the new first floor window and the rear dormer window. However this is not deemed to be excessive and some minor overlooking into rear garden areas is expected within built up residential areas.

Although both the ground and first floor extensions at the rear would project more than what would normally be regarded as acceptable, it is considered that on balance the extensions as a whole would not be visually intrusive or overbearing that would result in an unneighbourly development.

#### Conclusion:

Officers conclude that on balance the proposal is appropriate in terms of its design and appearance and that it would not result in excessive harm to adjoining property occupiers. It is in accordance with the policies contained within the Adopted Local Plan and Alterations and the National Planning Policy Framework and therefore officers therefore recommended that the application be approved subject to conditions.

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

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

**or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)**