

## AREA PLANS SUB-COMMITTEE 'EAST'

11 November 2015

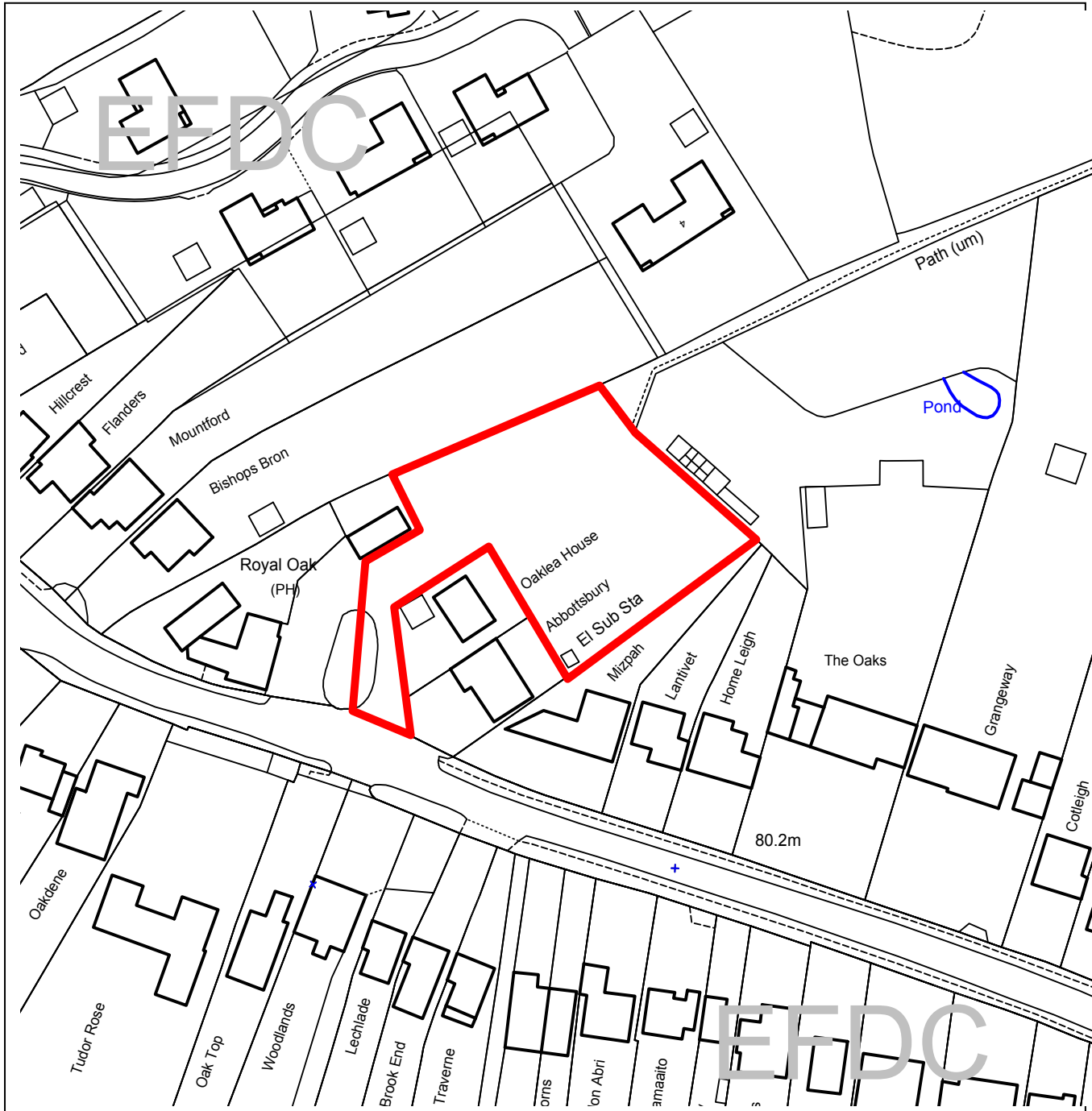
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# Epping Forest District Council

## Agenda Item Number 1



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Application Number:	EPF/1601/15
Site Name:	Royal Oak Public House, Oak Hill Road, Stapleford Abbots, RM4 1JL
Scale of Plot:	1/1250

**Report Item No:1**

<b>APPLICATION No:</b>	EPF/1601/15
<b>SITE ADDRESS:</b>	Royal Oak Public House Oak Hill Road Stapleford Abbotts Romford Essex RM4 1JL
<b>PARISH:</b>	Stapleford Abbotts
<b>WARD:</b>	Passingford
<b>APPLICANT:</b>	Morgan Lewis Developments Ltd
<b>DESCRIPTION OF PROPOSAL:</b>	Five detached four-bedroom houses.
<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/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=577444](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=577444)

**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:  
Site location plan  
15130/5 revision C  
15130/2 revision A  
15130/3 revision A
- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Classes A, B or E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no window or other opening shall be created in the southwestern elevation of the house on plot 1 shall be undertaken without the prior written permission of the Local Planning Authority.

- 5 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
  
- 6 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to 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 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]
  
- 8 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]

- 9 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]
- 10 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.
- 11 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.
- 12 Prior to commencement of development, details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected and thereafter maintained in the agreed positions before the first occupation of any of the dwellings hereby approved.

- 13 Before the commencement of the development or any works on site, details of the landscaping of the site, including retention of trees and other natural features, shall be submitted in writing for the approval of the Local Planning Authority, and shall be carried out as approved.
- 14 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 tool. 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.
- 15 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 16 The carriageway of the proposed estate road shall be constructed prior to the commencement of the erection of any dwelling proposed to have access from such a road. The footways commensurate with the frontage of each dwelling shall be completed prior to occupation of the dwellings they are to serve.
- 17 Prior to first occupation of the development the applicant shall implement the following improvement works to the existing access onto Oak Hill Road:
  - the provision of a footway from the existing position, to the west of the access, to the site access
  - provide an appropriate dropped kerb crossing from the new footway across the site access
  - the provision an appropriate radius kerb on the western side of the access to tie into the proposed footway above.
- 18 No development shall be permitted to commence on site until such time as an Order securing the diversion of the existing definitive right of way, with appropriate signage, to a route to be agreed with the Local Planning Authority has been confirmed and the new route has been constructed to the satisfaction of the Local Planning Authority.
- 19 The public's rights and ease of passage over public footpath no.33 Stapleford Abbots shall be maintained free and unobstructed at all times.
- 20 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.

- 21 There shall be no discharge of surface water from the development onto the Highway.
- 22 Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.

*This application is before this Committee since the recommendation is for approval and the application is for residential development consisting of five dwellings (and is not for approval of reserved matters only); more than two expressions of objection have been received; 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 Services – Delegation of Council function, Schedule 1, Appendix A.(d) (f) and (g))*

**Description of Site:**

The application site comprises a tarmacadam surfaced area that was previously part of the car park of the Royal Oak public house. It is situated to the rear of the public house and (with the exception of the pub) is surrounded by residential gardens.

The site is located within the Metropolitan Green Belt. Public Footpath no. 33 runs through the site.

**Description of Proposal:**

Five detached four-bedroom houses.

The layout of the houses would consist of two houses to one side and three houses to the other side of a vehicular turning area. All but one of the proposed houses would be provided with a parking area enabling two cars to park side by side. One house would have two parking spaces one behind the other to enable a house to be set further forward, away from a tree to the rear of the house. Four of the five houses would be of the same design although two would be handed versions of the other two to provide some variety. All the houses would have gable roofs and generally be of a traditional appearance.

**Relevant History:**

EPF/1024/14 – Outline application for five dwellings including determination of access, layout and scale. – Granted 19/09/2014

**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  
CP7 – Urban Form and Quality  
CP9 - Sustainable Transport  
GB1 – Green Belt Boundary  
GB2A – Development in the Green Belt

GB7A - Conspicuous Development  
H2A – Previously Developed Land  
H3A – Housing Density Mix  
H4A - Dwelling Mix  
H5A – Affordable Housing  
H6A - Site Thresholds for Affordable Housing  
H7A - Levels of Affordable Housing  
DBE1 – Design of New Buildings  
DBE2 – Detrimental Effect of Existing Surrounding Properties  
DBE4 – Development in the Green Belt  
DBE6 - Car Parking  
DBE8 – Private Amenity Space  
DBE9 – Excessive Loss of Amenity for Neighbouring Properties  
LL1 – Character, Appearance and Use  
LL7 – Promotes the Planting, Protection and Care of Trees  
LL10 – Adequacy of provision for Retention  
LL11 – Landscaping Schemes  
ST4 – Road Safety  
ST6 – Vehicle Parking

NPPF

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

STAPLEFORD ABBOTTS PARISH COUNCIL – The Parish Council OBJECTED to this application on the following grounds.

1. Concern was expressed that the turning head had been redesigned since the previous application, EPF/1024/14, and reduced in size, which would make access to the site more difficult for emergency and refuse vehicles, in particular.
2. There was concern that no provision had been made for the Public Right of Way footpath no. 33 to go through the site, and that a designated area for the PROW was needed.
3. Additional concern was voiced by councillors with the problem of on-street parking in the development's new access road. As the proposed allocated parking was two parking spaces per four-bedroom dwelling, possible overspill parking by patrons visiting the public house next door, especially during busy times, were likely to occur.

16 neighbouring properties were consulted and a site notice posted on 4 September 2015.

4 responses and a PETITION FROM 35 RESIDENTS have been received.

The petition is in response to the application the subject of this report and to an application for 14 apartments on an adjoining site (EPF/1602/15). In relation to the application the subject of this report the petition makes the following objections.

Re-arrangement of parking for the public house was not based on accurate car park utilisation figures, Highways were not made aware of impact of parking creating an overspill to nearby roads, officers were not previously aware of all the evidence, insufficient notification of original planning application, original application inadequately considered, Statement of Community Involvement was inadequate and misleading by consulting only three properties, in addition to the 35 petitioners there are 7 residents not available for comment, there would be negative impact on surrounding views and community, no resolution of overspill of the public house car park to surrounding roads or increased likelihood of highway accidents, a pub sign points customers to the rear overspill car park confirming front car park is already too small, precedent would be set for further development on the Green Belt, the application includes road layout changes that could provide access for more garden grabbing.



ABBOTTSBURY, OAK HILL ROAD – objection – inappropriate in the Green Belt, a previous application EPF/0090/15 though withdrawn was recommended for refusal due to increased footprint having an adverse impact on the openness of the Green Belt, a nearby site was refused planning permission EPF/1023/12 on Green Belt grounds, the site is needed to provide adequate parking for the public house especially at weekends, inadequate car parking and parking appears to have minimum bay sizes, lack of visitor parking which is especially needed in this unsustainable location and due to the houses being four bedroom, loss of outlook, loss of privacy, unsustainable location, the planning statement gives a misleading impression to facilities, such development would be contrary to the Government's presumptions regarding sustainable development, nearest houses have very small rear gardens, there would be no screening or landscaping to mitigate impact to nearest houses, view needs softening, addition of windows would lead to loss of any privacy, there has always been an open and undisturbed outlook for nearest properties to site, there has been no structure on the site so it cannot be considered to be previously developed land, the public house itself is outside the Green Belt and it should not be assumed that the whole of its curtilage could be developed, as the car park was open land then development would have an impact on the openness of the Green Belt, this is inappropriate backland development.

7 KENSINGTON PARK – inappropriate in the Green Belt, overdevelopment, unsustainable location,

6 KENSINGTON PARK – inappropriate in the Green Belt, this is not previously developed land, Design and Access Statement is incorrect in its assessment on the impact to neighbours, would urbanise the village, contrary to Government guidance, overdevelopment, inadequate car parking.

HOMELEIGH, OAK HILL ROAD – inadequate car parking, unsustainable location, loss of outlook, loss of privacy, construction process would be a nuisance, vehicular access problems, drainage problems, mature trees would be killed, accidents on road would increase.

EEC HIGHWAYS – the impact of the proposal is acceptable to the Highway Authority subject to a number of measures.

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

The main issues to be considered are the acceptability of the development within the Metropolitan Green Belt; the principle of the residential development; its impacts on the character and appearance of the area and on neighbouring amenity; highways and access; trees and landscaping.

#### **Green Belt**

The principle of the erection of five dwellings on this site has already been agreed. Exceptions to development being inappropriate in the Green Belt include limited infilling in villages and also redevelopment of previously developed sites if the proposal would not have a greater impact on the openness of the Green Belt than the existing development. This was judged to be the case when outline planning permission was granted.

Development of the site has been considered to constitute infill; the site is surrounded by residential gardens or other built development. As such the site has been considered village infill and therefore development which would not be inappropriate within the Green Belt, as defined by the NPPF.

#### **Principle of Residential Development**

The principle of residential development has been established by the outline planning permission for the site.

A financial contribution towards the provision of off-site affordable housing was considered to not be necessary at the time of the outline planning permission for the site. The site area is 0.166 hectares on a previously developed site (as the site has been a public house car park), under the threshold set out in Policy H6A.

### Character and Appearance

The pattern of development surrounding the site generally consists of good sized detached dwellings, set within fairly large plots (the immediately adjacent 'Oaklea House' and Abbotsbury' have shorter gardens, possibly these gardens have been truncated in the past by separation from the application site).

Although the development proposed smaller plot sizes, they would still provide good levels of amenity and the development would not appear cramped.

### Neighbouring Amenity

Two existing houses have rear elevations looking onto the site, Oaklea House and Abbotsbury.

Abbotsbury would look onto the rear of the rear garden of one of the plots. Oaklea House would look onto the side elevation of a house of a design referred to as house type B. No first floor side window would appear on the side elevation facing Oaklea House. An isolation distance of 13m would exist between the rear elevation of Oaklea House and the side elevation of the house nearest to it. A previous planning permission involved a single storey garage situated some 9.5m from the rear of Oaklea House and a distance of some 16m to the flank of the two-storey of a proposed dwelling. The current proposal therefore involves no garage or other single storey structure nearest the rear of Oaklea House but a two-storey structure 3m nearer. The house to the rear of Oaklea House would be 9m deep. On previously approved plans (reference 13.2310/P202 revision D) the house in question would not have been as deep but the elevation presented to the rear of Oaklea House would have been to a gable of a double garage and a gable of the house beyond. The elevation to the rear of Oaklea House would now be of a roof sloping up away Oaklea House. On balance it is considered that the current design would cause less of a sense of the loss of openness. The proposed house would be set to the northeast and accordingly no loss of direct sunlight would occur.

### Highways, Access and Public Right of Way

Officers at Essex County Council have been consulted on the application and do not raise any objection, subject to the imposition of planning conditions.

### Trees and Landscape

The Council's Tree and Landscape Officer has been consulted on the application and, following receipt of amended plans, raises no objection. Standard planning conditions are proposed in order to secure tree protection (the most significant tree being an oak located on adjacent land) and additional landscaping.

### Contaminated Land

Historic uses of the land including a stables, repair garage and pond have potential to result in the presence of contaminated land. This may be dealt with by the imposition of planning conditions requiring further investigation and, if necessary, remediation.

**Conclusion:**

The principal of the development has been granted with an approved layout, scale and access on this former car park to the pub and clearly is a material consideration. Members therefore are advised to specifically looking at the detail of position, design, appearance and potential impact on the amenities of the adjacent neighbours rather than principal. Officers consider that it complies with relevant planning policy and it is recommended that planning permission be granted.

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

***Planning Application Case Officer: Jonathan Doe  
Direct Line Telephone Number: 01992 564103***

***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 2



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Application Number:	EPF/1790/15
Site Name:	Station Court, Banson's Way, Ongar, CM5 9BS
Scale of Plot:	1/1250

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/1790/15
<b>SITE ADDRESS:</b>	Station Court Bansons Way Ongar Essex CM5 9BS
<b>PARISH:</b>	Ongar
<b>WARD:</b>	Chipping Ongar, Greensted and Marden Ash
<b>APPLICANT:</b>	Probit-E
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed refurbishment, rearrangement of parking layout, and two storey addition to form a 2 bedroom maisonette.
<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/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=577880](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=577880)

**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: 1986/1-6.
- 3 Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.
- 4 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.
- 5 No development shall take place until details of 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 Services – Delegation of Council functions, Schedule 1, Appendix A.(g)) and since;*

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

This application was deferred from the Subcommittee on 14<sup>th</sup> October to enable members to carry out a site visit. The original report is reproduced below.

### **Description of Site:**

The site contains an “L” shaped two storey block of flats situated on the corner of Ongar High Street and Bansons Way. The rear of the site is accessed by a crossover on Bansons Way. Five garages are located in a rear courtyard area. The site is bordered on the southern boundary by Swan House, a three storey commercial/residential building. A row of locally listed railway cottages border the site on the western boundary and there is another row across Bansons Way. These are not locally listed. The road descends steadily from its entrance on Ongar High Street.

### **Description of Proposal:**

This is a revised application following the refusal of consent in 2010 (EPF/1339/10) to extend this building to create two new residential units. This application was refused for the following reason;

*“By reason of its excessive height and massing adjacent to the site boundary, the proposed development would appear over dominant in relation to No7 Bansons Way and fails to respect its setting adjacent to a terrace of locally listed dwellings to the detriment of the street scene. The proposal is therefore contrary to policies CP2, HC13A and DBE1 of the Local Plan and Alterations”.*

This scheme differs in that a second unit which would have been accommodated in the roof has been removed. The new addition adjacent to the listed cottages on Banson Way has been reduced in height, width and bulk and would have a hipped roof. A new carriage style entrance would be created within the existing building for access to the rear. The garages in the courtyard area would be demolished and replaced by seven parking spaces and the carriage entrance.

### **Relevant History:**

EPF/1252/80 - Erection of five flats and garages. Grant Permission (with conditions) - 20/10/1980.  
EPF/1339/10 - Proposed refurbishment, two storey extension to form a two bed maisonette, conversion of part of roof space to form a one bed flat, and alterations to access and parking area and external remodelling. Refuse Permission - 21/09/2010.

### **Policies Applied:**

Policy CP2 – Protecting the Quality of the Rural and Built Environment  
Policy DBE1 – Design of New Buildings  
Policy DBE2 – Effect on Neighbouring Properties  
Policy DBE3 - Design in Urban Areas  
Policy DBE9 – Excessive Loss of Amenity to Neighbouring Properties  
Policy ST4 – Road Safety  
Policy ST6 – Vehicle Parking

Policy H2A – Previously Developed Land  
Policy H3A – Housing Density  
Policy H4A – Dwelling Mix  
Policy HC13A – Local List of Buildings

### **SUMMARY OF REPRESENTATIONS:**

Town Council: Objection. The proposed development represents a gross over development of the site. The new entrance is close to the junction with the high street and will result in hazardous highway conditions at this location, particularly for elderly residents. There has been a parking problem in Banson's Way for some time and the existing five flats already have 8 cars. The reduction to 7 parking spaces and a new flat will only exacerbate this parking problem. It should be noted that the neighbours have been canvassing for parking permits for some time. No mention has been made about the telegraph pole to the front.

27 neighbours consulted: 5 replies received.

2 Banson's Way: Objection. Looking at the plans I notice the new archway is proposed which I consider will be more dangerous than the present opening. As I live at No 2 Banson's Way I have stood at my front room window and watched the present occupants driving in and reversing out of the opening and there have been some near misses. And now with the new proposed archway whoever drives out they will have to be over the footpath before they can see anyone. And we all know that people that live in Frank Bretton are elderly and are not as quick on their feet as a younger person and what about a child that is taught to walk on the footpath they would not stand a chance.

6 Banson's Way: Objection. Concern about impact on parking in the immediate vicinity as the existing residents already have 8 cars and the garages are never used. The new entrance will result in hazardous conditions as cars try to exit the site. There is a telegraph pole located in front of the position for the new arch.

8 Banson's Way: Objection. Concern about loss of light to our property. The proposal will exacerbate an already strained parking situation on Banson's Way. Concern that this is not a sustainable development and in design and layout terms it is inappropriate.

9 Banson's Way: Objection. I am a resident in Banson's Way and parking is already an issue for the current residents, if an additional 2 bed maisonette is built then it will be even more difficult to park.

10 Banson's Way: Objection. Banson's Way is a narrow cul-de-sac of ten Victorian terraced houses and one detached house, Frank Bretton House sheltered housing at the end of the cul-de-sac and the existing five maisonettes of Station Court on the corner of Banson's Way and the High Street. There are also the Town Council offices. I believe that adding another dwelling will constitute overcrowding and lead to a further spoiling of the street scene. According to the plans the five existing garages are to be removed and there will be an additional two car parking spaces. However there are already eight cars belonging to the five maisonettes and the existing five parking spaces (apparently the garages are used for storage) and the additional vehicles are parked in Banson's Way adding to the increasing difficulties residents of Banson's Way have with parking in our own street.

The current entrance to the parking area for the maisonettes is not easy to access, and sometimes spaces are left empty as presumably it is easier for those residents to park their vehicles in Banson's Way than to navigate the entrance. The new entrance looks to be even more difficult and dangerous a) being closer to the corner and b) being an archway with high walls, meaning visibility will be poor. (The current entrance has low walls which are angled which allows better vision.)

The elderly residents of Frank Bretton House tend to walk up that side of the street on their way to the town, and cars tend to swing round the corner from the High Street into Basons Way, often at speed. Also there is a telegraph pole which looks as if it might be in the way of the proposed new archway. I am also concerned about the disruption and noise which will occur during construction and how car parking will be affected. Presumably the residents of the maisonettes will lose their parking spaces during this time and will attempt to park in Basons Way. I fear that this could lead to tension between the two groups of residents.

### **Issues and Considerations:**

The main issues to consider relate to design and impact on the streetscene, neighbour amenity and car parking and highway issues. The planning history and whether previous concerns have been overcome is another consideration as is the comments of consultees and neighbours.

### **Appearance of the Area/Design**

As stated the previous application, which was very similar to this scheme in terms of layout, was refused on design grounds and in particular the relationship with the row of listed cottages which was considered excessively dominating. In order to address this issue the applicant has reduced the overall height and depth of the building and reverted to a hipped roof. This does result in a better relationship with the row of cottages and in design terms the addition acts as a transition between the low set cottages and the higher set flats. It is considered that this design overcomes the previous concern and would result in the more efficient use of a previously developed site. Whilst the Town Council has concern that this is an overdevelopment of the site this additional unit can be comfortably accommodated.

### **Residential Amenity**

The proposal would extend the block of flats further into Basons Way creating new built form opposite No's 4 and 6. This would enclose currently vacant space; however it would not result in an excessive loss of outlook from these dwellings and it conforms to a traditional street pattern of housing fronting onto a public highway. The adjacent dwelling, No7, is served by two side facing windows at first floor level. These would still receive a good supply of natural light and the distance retained from the side elevation to the proposed extension would ensure there would be no serious loss of outlook or overbearing impact. The addition to the flat would locate rear facing windows closer to the common boundary. The garden is relatively deep and some screening exists at the boundary. A number of single storey additions at the rear and a detached outbuilding would be closest to the extension. This proposal would not excessively increase overlooking and there are no side windows proposed in the addition.

### **Highways and Parking**

Essex County Council Highways Department raise no objections to the creation of the new access point on to the public highway. Whilst this is a concern of some objectors the advice from the Highways Engineer is that there would be no highway safety issue. The proposal envisages seven parking spaces, which is more than one per dwelling. The current standards from Essex County Council require two spaces per two bedroom unit. However in built up areas with good transport links a reduction to this standard can be considered. Urban areas are defined as having frequent and extensive public transport and cycling and walking links, and access to education, healthcare, shopping and employment facilities. Although the London Underground service does not extend to Ongar, the area has enough of the above features to be considered urban. Therefore the proposed parking for the development is deemed acceptable. The bay sizes (5.0 x 2.5m) are the minimum deemed acceptable under the current standards. Bearing in mind the fairly tight constraints of the site the minimum size in this instance would be adequate. Whilst garages would



be lost it seems from representations received that for the most part they are not used for parking and as such 7 parking spaces may increase parking provision for the development.

#### Other Matters

Whilst a telegraph pole is located adjacent to where the new entrance will be located its repositioning can be agreed by the applicant and this is not a planning matter.

#### **Conclusion:**

The proposed development would result in a more efficient use of a previously developed site. The proposed design addresses a previous concern and there are no significant amenity issues. Sufficient parking is provided and the advice from Essex County Council is that there are no highway concerns with the new entrance. It is therefore recommended that consent is granted subject to conditions.

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

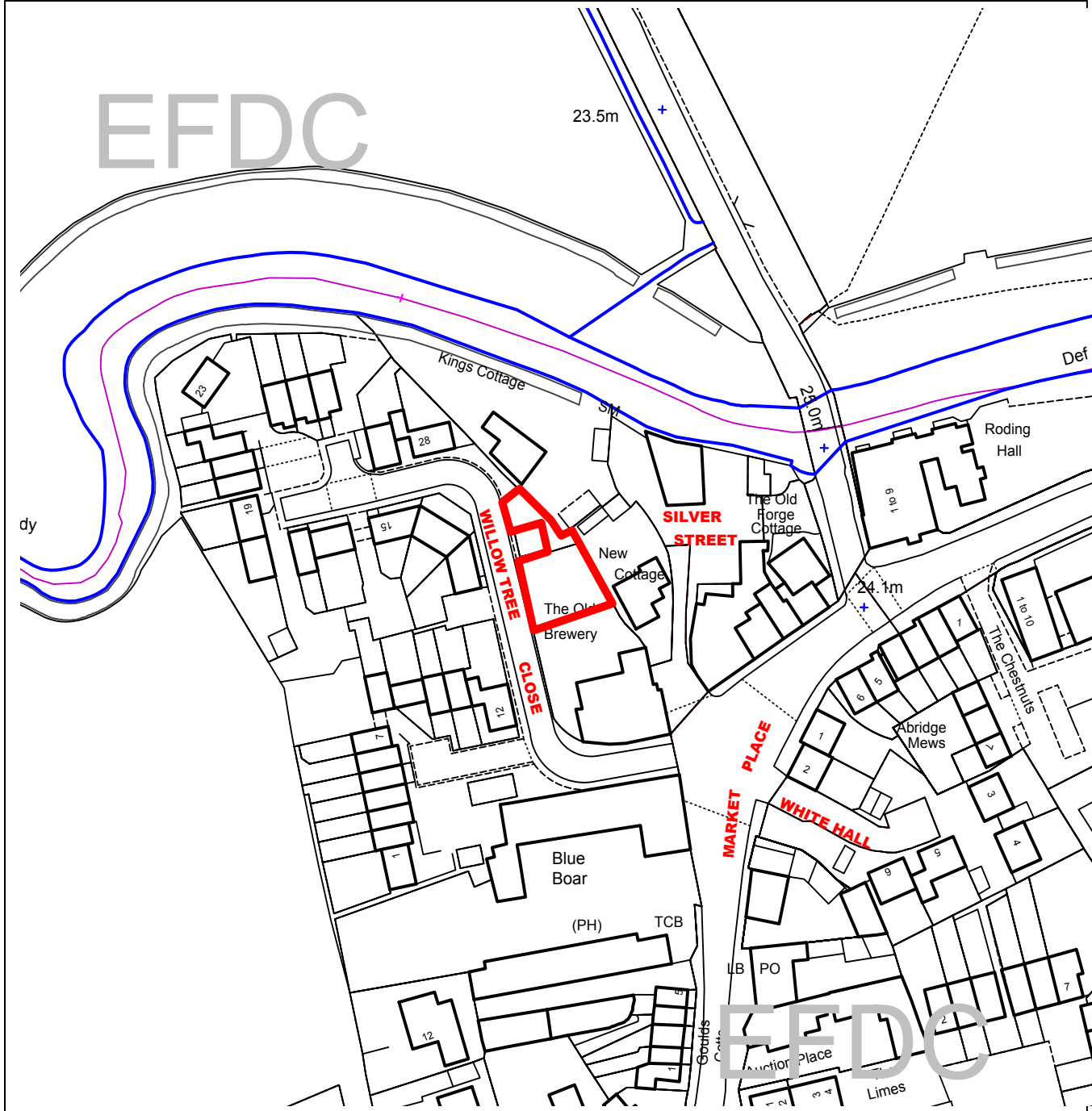
***Planning Application Case Officer: Mr Dominic Duffin  
Direct Line Telephone Number: (01992) 564336***

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



# Epping Forest District Council

## Agenda Item Number 3



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Application Number:	EPF/1991/15
Site Name:	Land to the rear of The Old Brewery, Willow Close, Abridge, RM4 1UA
Scale of Plot:	1/1250

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/1991/15
<b>SITE ADDRESS:</b>	Land to the rear of the Old Brewery Willow Close Abridge Essex RM4 1UA
<b>PARISH:</b>	Lambourne
<b>WARD:</b>	Lambourne
<b>APPLICANT:</b>	Ms R Beck
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed erection of new detached chalet bungalow, with associated parking
<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/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=578319](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=578319)

**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 approved shall be carried out in accordance with the flood risk assessment (The Old Brewery, Abridge Version 2.0, Ref RAB: 1004B, 15th July 2015) submitted with the application unless otherwise agreed in writing with the Local Planning Authority.
- 3 No development shall take place until details of 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.
- 4 No development shall have taken 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.
- 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 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.
- 11 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 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.
- 12 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 160-P (Rev A) 01, 02, 03, 04, 05, 06, 07, 08 and 09

*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 Services – Delegation of Council function, Schedule 1, Appendix A. (g))*

This application was deferred from the Subcommittee on 26<sup>th</sup> October to enable members to carry out a site visit. The original report is reproduced below.

### **Description of site**

The site is located to the rear of the Old Brewery public house, adjacent to Willow Close within the settlement of Abridge. There is a large two storey dwelling (New Cottage) located to the east which is sited close to the boundary of the application site. The dwellings in the locality have a mixed character and the majority are two storeys high. The Old Brewery is no longer used as a public house but has three businesses operating from its ground floor, there is a flat above these businesses. Part of the application site is located within Flood Zone two as defined by the

Environment Agency. It is not located within the boundaries of the Metropolitan Green Belt and it is in a conservation area.

### **Description of proposal**

The proposed development is for the erection of a one and a half storey dwelling.

### **Relevant History**

None relevant

### **Policies Applied**

CP2 – Protecting the Quality of the Rural and Built Environment  
DBE1 Design of new buildings  
DBE2 Effect on neighbouring properties  
DBE3 Design in urban areas  
DBE6 car parking  
DBE8 Private amenity space  
DBE9 – Loss of Amenity  
H2A Previously Developed Land  
U2A Development in flood risk areas  
U3B Sustainable drainage  
HC6 – Character, appearance and setting of conservation areas  
HC7 – Development within conservation areas  
ST4 Road safety  
ST6 Vehicle parking

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

### **Consultation carried out and summary of representations received**

47 Neighbours consulted –

Kings Cottage, Silver Street – OBJECTION – The development will cause a greater risk of flooding through loss of drainage, the additional traffic will cause harm in the locality.

13 Willow Tree Close – OBJECTION – increased parking problems as a result of the application and loss of privacy

14 Willow Tree Close – OBJECTION – The development will cause harm to the parking and access

22 Willow Tree Close – OBJECTION – The development will cause harm to parking and construction issues should be addressed prior to it being built.

24 Willow Tree Close – OBJECTION – The development will cause significant highway issues,

28 Willow Tree Close – OBJECTION – loss of light and there will be significant parking issues.

New Cottage, Silver Street – The new dwelling will cause a loss of privacy to our garden.

Lambourne Parish Council –STRONG OBJECTION – It is considered to be an overdevelopment of the site in an already restrictive road and has major concerns as to how the development will take place without causing mayhem from large vehicles on site. We agree with all the comments made in letters of objection from residents in Willow Tree Close. The Parish Council has been asking for double yellow lines on one side of the close for some considerable time because of the access problems.

### **Issues and considerations**

The main issues to consider when assessing this application are the potential impacts on the living conditions of the neighbours, the potential harm to the character and appearance of the conservation area, highway issues, contaminated land, potential flooding and land drainage.

#### **Living conditions of neighbours**

The new dwelling will have a ridge height of 7m and will contain two storeys with living space on the ground floor and in the roof. New Cottage is located approximately 11m to the east of the proposed new dwelling and is a large two and a half storey building with a blank elevation fronting onto the application site. As a result of its blank façade, the new dwelling will not be overtly visible from its private habitable areas and, combined with the significant distance that the new dwelling will be to New Cottage it will not appear overbearing.

Roof lights are proposed on the rear elevation however will be set at 1.7m above the first floor and consequently will not cause any overlooking of private areas of New Cottage.

There is an existing dwelling located to the south above the businesses within the Old Brewery however this flat has no first floor windows which could potentially overlook the site and as a result there will be no harm whatsoever to their living conditions.

The proposed dwelling is not situated within close proximity to any other neighbour and therefore no other harm will be caused to living conditions.

The blank elevation of New Cottage fronting onto the site will not cause any overlooking to the new dwelling. Consequently there will be no harm to their living conditions.

The amenity space of the new dwelling is adequate and will allow usable space for its occupants. In order to achieve the amenity space, some had to be given up by the host property above the Old Brewery. However a large amount of space remains for their enjoyment and therefore no harm will be caused.

#### **Impact on the conservation area**

The proposal will be located within the Abridge Conservation area and within close proximity to The Old Brewery which is locally listed.

The Councils Conservation Area specialist has no objection to the application and considers that the design of the bungalow is respectful to the character and appearance of the Conservation Area. Furthermore its bulk scale and massing is such that it will not appear overly prominent when viewed from public areas of the street scene.

Whilst the design is acceptable, it is reasonable and necessary to impose a planning condition to ensure that the materials allow for a high quality finish. The condition will ensure that materials will have to be agreed in writing by the Local Planning Authority prior to the commencement of the development.

### Highway issues

The existing double garage will be retained for the dwelling above the Old Brewery and as such raises no concerns in relation to the provision for this existing dwelling.

Two new spaces are proposed and one additional visitors space which will serve the new dwelling. These spaces conform to the sizes as set out in the Parking Standards document published by Essex County Council.

Much objection has been raised in relation to the parking issues that the new dwelling will cause and it is acknowledged that Willow Tree Close is often heavily parked and that Abridge does not offer a high level of public transport. Consequently it is more than likely that the new residents of this dwelling will utilise private vehicles for day to day activities. However the offer of three off street parking spaces is satisfactory, having regards to the adopted Parking Standards, given the size of the proposed dwelling. Consequently there will not be an excessive demand for on street parking and there will be no significant harm to the locality as a result.

### Contaminated Land

Due to its former uses as a Brewery and Vehicle Repair Garage there is the potential for contaminants to be present over all or part of the site.

Domestic dwellings with gardens are classified as a particularly sensitive proposed use.

As remediating worst case conditions should be feasible, it should be possible to deal with land contamination risks by way of condition.

### Flooding and land drainage issues

The position of the new dwelling is located just outside the boundaries of Flood Zone Two as designated by the Environment Agency. As a result the Sequential Test does not need to be applied in this case. The proposed garden is located within the boundaries of Flood Zone Two, however it is already used as amenity space for the existing dwelling and therefore its continued use for such purposes raises no concerns.

The Land Drainage team at the Council agrees with the findings of the submitted Flood Risk Assessment and has therefore raised no objection to the application, subject to suitable conditions.

### Conclusion

The development complies with the relevant policies contained within the Local Development Plan and the National Planning Policy Framework. Therefore it is recommended that planning permission is granted.

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

**Planning Application Case Officer: James Rogers  
Direct Line Telephone Number: 01992 564 371**

**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 4



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Application Number:	EPF/2023/15
Site Name:	191 High Street Epping CM16 4BL
Scale of Plot:	1/1250

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/2023/15
<b>SITE ADDRESS:</b>	191 High Street Epping Essex CM16 4BL
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Lindsey and Thornwood Common
<b>APPLICANT:</b>	Mr David Humphries
<b>DESCRIPTION OF PROPOSAL:</b>	Upgrading of glazed shopfront.
<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/NIM\\_websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=578396](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=578396)

**CONDITIONS**

- 1 The development hereby permitted will be retained strictly in accordance with the approved drawings nos: Location Plan, 105.

*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 Services – Delegation of Council function, Schedule 1, Appendix A.(g))*

**Description of Site:**

A1 unit within a small parade of shops with commercial above located on the western side of High Street Epping in a central location within the Conservation Area.

**Description of Proposal:**

The proposal is for a replacement shopfront which has already been installed. Although the stall riser has been removed there is a 150mm aluminium trim at the bottom of the shopfront which is powder coated grey. A new roller shutter housing has also been installed.

**Relevant History:**

Various applications for shopfronts and signage – one of relevance is:

EPF/1979/02 - Proposed new shop front and single storey rear extension – Refused on the grounds that the materials used were not in keeping with the Conservation Area.

### **Policies Applied:**

CP2	Quality of Rural and Built Environment
DBE12	Shopfronts
HC6	Character, Appearance and Setting of Conservation Areas
HC7	Development within Conservation Areas

National Planning Policy Framework 2012

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

#### Epping Town Council

OBJECTION – The building forms part of a continuous line of shops in the conservation area. This proposal removes a low feature wall which is part of the historic fabric and would have a detrimental effect on both the character of the building and the conservation area, contrary to policy DBE12.

Committee note that this is, once again, a retrospective application, and the work has already been undertaken, with harmful consequences to the conservation area, without permission being granted.

#### Neighbours

Five neighbours notified by letter and site notice erected. No representations received.

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

The main issues here relate to the impact of the new shopfront on the character and appearance of the existing building, parade and conservation area.

The application relates to 191 High Street also known as Toni and Guy. The shopfront is not as prominent as most of the shopfronts within the conservation area as it is set back from the pavement under a first floor canopy, therefore the lack of traditional stall riser does not appear as detrimental as it could do if it was more visible.

In addition, there are such a variety of styles of stall riser within Epping High Street that it is difficult to argue for something traditional; the two units at Wildwood and Lanes have an older traditional shopfront where there riser is only marginally higher than at the application site here.

In addition, on the eastern side of the High Street there are a number of more modern shopfronts with not only varying heights of riser but some without risers at all, namely at Pretty Woman, Clean and Green and Spirit.

With the above in mind it is difficult to justify a more traditional shop front here with high stall riser and given it being set back from the pavement the shop front is less conspicuous than others in the High Street.

Therefore notwithstanding the refusal in 2002 under EPF/1979/02 the proposal is not considered to materially detract from the host building, parade and wider conservation area and would comply with policies DBE12, HC6 and HC7.

**Conclusion:**

The proposal complies with relevant planning policy and it is recommended that planning permission be granted.

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

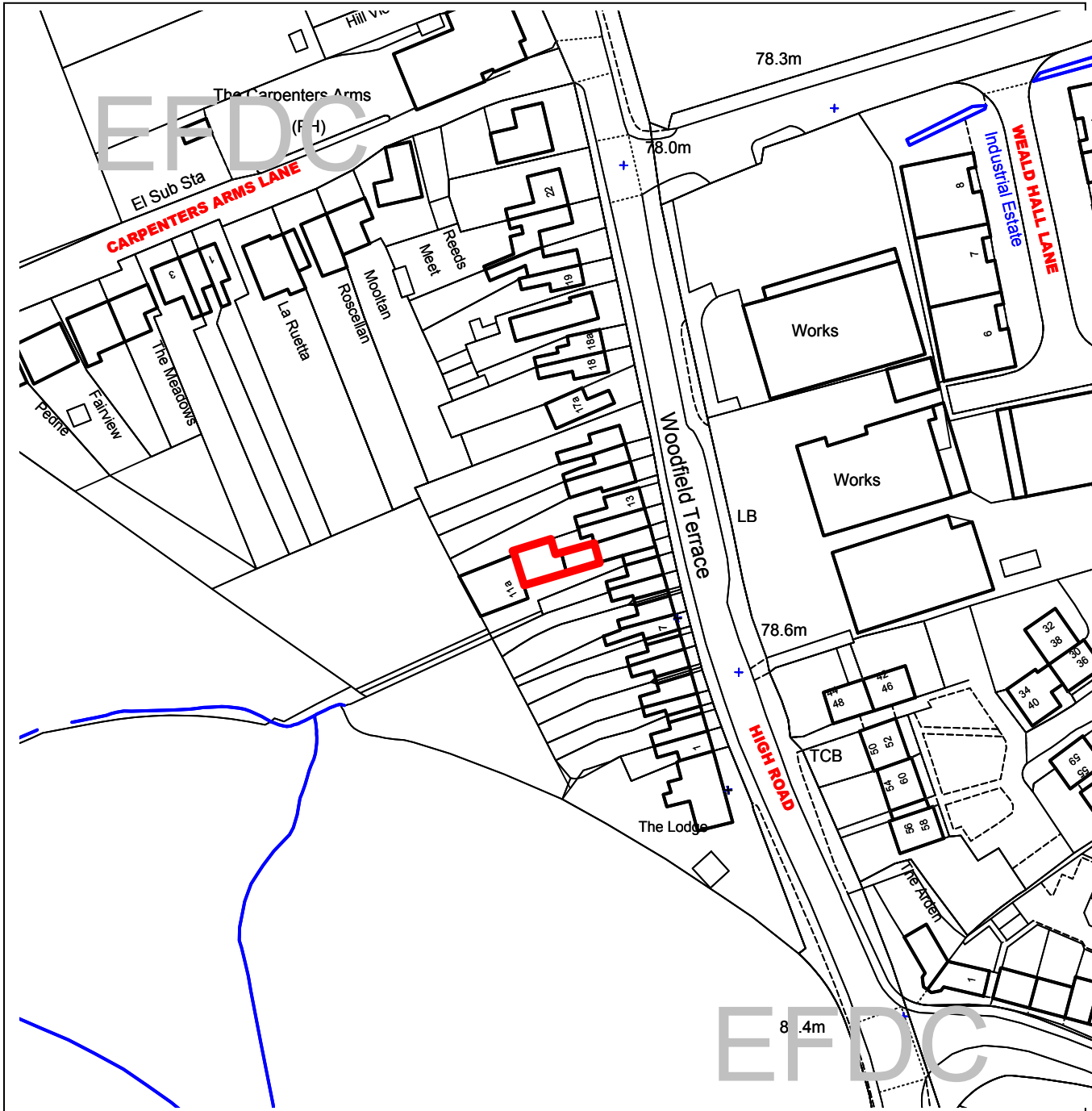
***Planning Application Case Officer: Steve Andrews  
Direct Line Telephone Number: 01992 564337***

***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/2060/15
Site Name:	11A Woodfield Terrace, High Road, Thornwood Common, CM16 6LL
Scale of Plot:	1/1250

**Report Item No:5**

<b>APPLICATION No:</b>	EPF/2060/15
<b>SITE ADDRESS:</b>	11A Woodfield Terrace High Road Thornwood Common Epping Essex CM16 6LL
<b>PARISH:</b>	North Weald Bassett
<b>WARD:</b>	Epping Lindsey and Thornwood Common
<b>APPLICANT:</b>	Ms Jennifer Cordell
<b>DESCRIPTION OF PROPOSAL:</b>	Single storey rear extension.
<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/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=578471](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=578471)

**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 it is an application that is submitted by a member of staff of Development Control Division of the Governance Directorate (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(j))*

**Description of Site:**

The property is a part two storey/part single storey one bed dwelling located to the rear of the donor link terraced house. This property was formed through the subdivision of the donor property, No. 11 Woodfield Terrace.

The application site is situated on the west side of the High Road and lies within the built up area of Thornwood. As such none of the site area is situated within the Metropolitan Green Belt. However the site is located within an EFDC flood risk assessment zone, and an Environment Agency Floodzone 3.

The donor property fronts onto the High Road with access to the rear in the form of a 'carriage arch'. The donor property was previously enlarged and extends to the rear from the front building line by some 20m. The site is unusual as, along with consisting of a narrow linear garden to the rear similar to the other adjoining terraces it also consisted of a large square shaped garden area extending some 35m beyond the common garden boundaries of the adjoining properties. The one bed cottage to the rear was formed out of the previous rear additions and incorporates the immediate rear section of garden (which dog legs behind the garden of No. 12 Woodfield Terrace). The subdivided dwelling is accessed by way of the 'carriage arch' and shares the access with the donor property, which retains the rear most area of garden and large outbuilding.

### **Description of Proposal:**

Consent is being sought for a single storey rear extension. This would involve the removal of an existing conservatory and the erection of a single storey addition measuring 4.8m in depth and 4.1m in width. The extension would have a dual pitched roof with a ridge height of 4.9m and eaves height of 3m (as per the revised plan ref: HP15602/02A that increased the roof pitch and reduced the eaves height).

### **Relevant History:**

CLD/EPF/0095/08 - Certificate of lawfulness for a proposed conservatory – lawful 22/02/08  
EPF/0701/08 - Proposed division of property to provide additional 1 bed cottage – approved/conditions 28/05/08

### **Policies Applied:**

CP2 – Protecting the quality of the rural and built environment  
DBE9 – Loss of amenities  
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.

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

5 neighbouring properties were consulted. No Site Notice was required. A further 14 day consultation was undertaken with regards to the amended plan. This report has been prepared prior to expiration of this re-consultation and therefore any additional comments received will be verbally reported to Members.

PARISH COUNCIL – No objection.

12 WOODFIELD TERRACE – Object as the extension is too large, would be higher and wider than the existing addition, will block light and be unsightly. Suggest that this should be no higher than the structure to which it is attached.



## **Issues and Considerations:**

The main considerations are regarding the design and the impact on the neighbour's amenities.

### **Design:**

The proposed extension would replace an existing single storey conservatory that measures 2.85m in depth and 2.8m in width and has a ridged roof to a maximum height of 3m. The new extension would be wider, deeper and higher than the existing conservatory and would be a brick built addition.

The existing one bed dwelling was created through the subdivision of No. 11 Woodfield Terrace and is formed from previous extensions to the rear of the donor property. The one bed property currently consists of a two storey section (attached to a single storey rear addition on No. 11) containing a single bedroom on the first floor and a kitchen and bathroom on the ground floor, a single storey section containing a lounge, and a rear conservatory. The proposed extension, which replaces the conservatory, would have a dual pitched roof with a ridge height some 1.5m higher than the single storey section to which it would be attached, however this would be lower in height than the two storey section. The extension is proposed to enable a reconfiguration of the internal space to provide a small second bedroom (nursery) within the ground floor.

Whilst the variation of height does appear somewhat unusual the existing dwelling is formed from extensions to the rear of No. 11 and is already made up of various roof heights. Given the location of the dwelling and the proposed extension the development would not be visible from the public highway and would have no impact on the street scene. Whilst the extension would be visible from neighbours rear gardens it would be partially obscured by neighbours fencing and landscaping and would be situated close to the large outbuilding to the rear of the site (owned and used by No. 11 Woodfield Terrace).

The proposed extension would be finished in matching material and would mirror the detailing of the existing dwelling. As such it is not considered that the extension would result in any unduly detrimental impact on the character and appearance of the area.

### **Neighbouring amenities:**

The proposed extension would be larger than the existing conservatory in terms of depth, width and height, and would be constructed of more solid materials. Due to the increased width the development would extend 750mm beyond the existing flank wall of the single storey section of dwelling to which it would be attached. This would result in the extension encroaching into the rear garden that doglegs around the rear of No. 12 Woodfield Terrace. As such the projecting 750mm part of the development would be immediately adjacent to the shared rear boundary of this neighbour and would be visible within their garden. Given the increased height the roof of the extension would also be visible from this neighbouring property.

An objection has been received from this neighbour since they consider that there would be a loss of light and visual amenity as a result of the extension. Whilst the proposed extension would undoubtedly be visible from the neighbour's garden and would have a greater impact than the existing conservatory the development only projects 750mm beyond the adjoining wall of the existing dwelling and, whilst relatively high at 4.9m to the ridge, it is nonetheless only single storey in nature. Although there may be some additional loss of light to the very rear part of the neighbours garden (that immediately adjacent to the extension), the development would have no detrimental impact on the living conditions of the neighbouring dwellinghouse or the majority of the rear garden area. As such it is not considered that the proposal would be excessively harmful to the amenities of this neighbouring resident.

To the south of the extension is the access track shared with No. 11 Woodfield Terrace. Since this is an access to the large outbuilding beyond the site the proposed extension would not be unduly detrimental to the amenities of the residents of the donor property. The boundary of the garden of the neighbouring property beyond this (No. 10) is over 3m from the flank wall of the proposed extension and therefore, given the height and roof design of the proposal, there would be no detrimental impact on the amenities of these neighbours.

Whilst the roof of the proposed extension is relatively high it is not high enough to be able to accommodate a first floor and therefore there is no risk of future overlooking as a result of the development.

*Other matters:*

The site lies within an EFDC flood risk assessment zone and an EA Floodzone 3, however is for a minor development that would only result in a negligible increase in surface water runoff. Therefore no flood risk assessment is required for the development.

**Conclusion:**

The proposed extension would not be visible from the street scene and would not harm the character and appearance of the area. Whilst there would be some impact on the neighbouring resident at No. 10 Woodfield Terrace this would not be excessively harmful, and there would be no detrimental impact on the amenities of any other neighbour. As such the proposal complies with the guidance contained within the National Planning Policy Framework and the relevant Local Plan policies and therefore the application is recommended for approval.

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

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

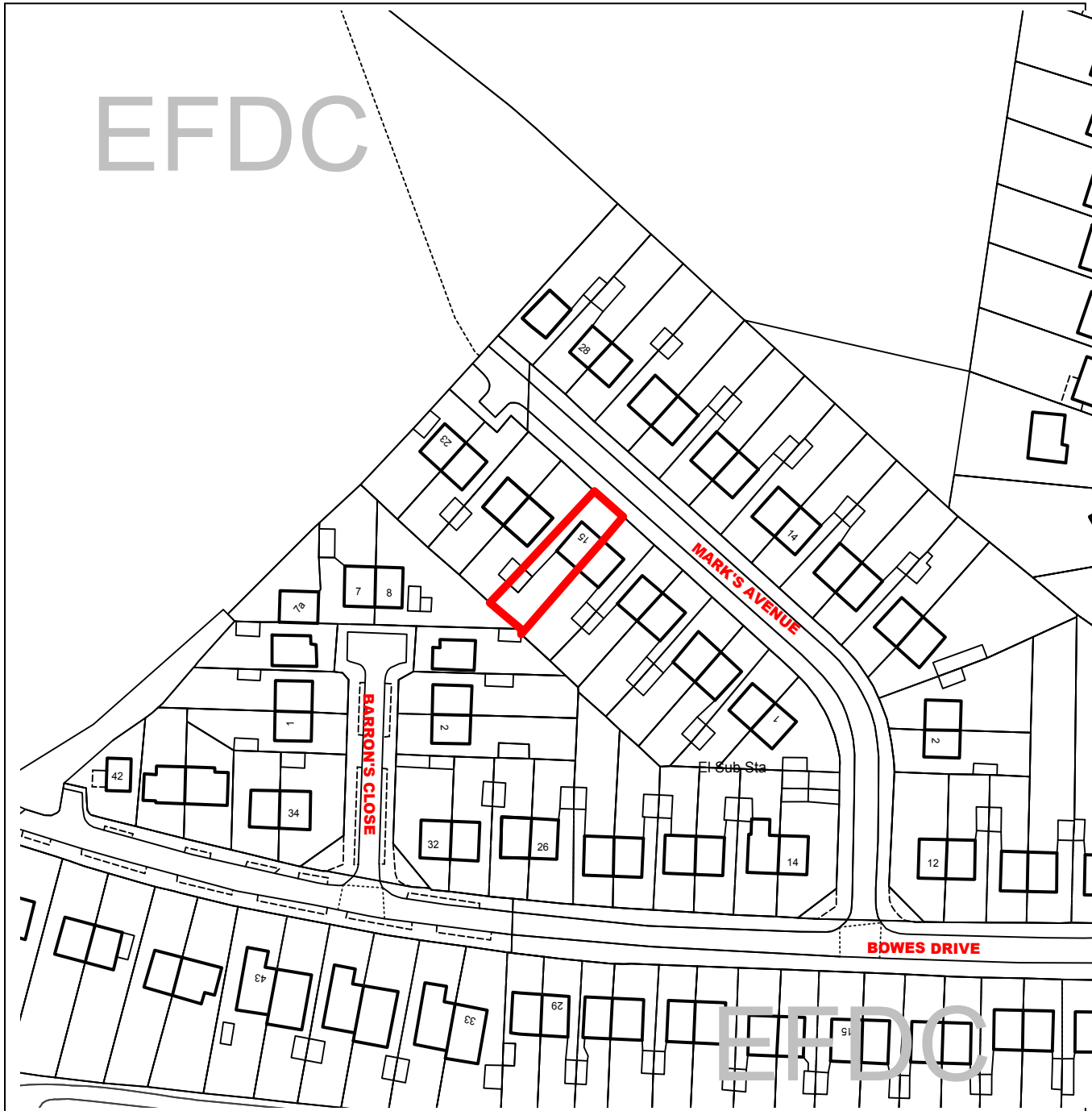
***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***

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# Epping Forest District Council

## Agenda Item Number 6



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Application Number:	EPF/2170/15
Site Name:	15 Marks Avenue, Ongar, CM5 9AY
Scale of Plot:	1/1250

**Report Item No:6**

<b>APPLICATION No:</b>	EPF/2170/15
<b>SITE ADDRESS:</b>	15 Mark's Avenue Ongar Essex CM5 9AY
<b>PARISH:</b>	Ongar
<b>WARD:</b>	Chipping Ongar, Greensted and Marden Ash
<b>APPLICANT:</b>	Mr Robert Mitchell Clayton
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing external garage, garden shed and greenhouse. Erection of outbuilding for use as ancillary residential annex.
<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/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=578734](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=578734)

**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 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 known as 15 Mark's Avenue, Ongar.
- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no window or door other than any window or door shown on the approved plans shall be installed in the building hereby permitted without the prior written permission of the Local Planning Authority.
- 4 Prior to commencement of development, details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected and thereafter maintained in the agreed positions before the first occupation of any of the outbuilding hereby approved.
- 5 No development shall take place until details of 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 and 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 Services – Delegation of Council function, Schedule 1, Appendix A. (g) ).*

**Description of Site:**

The application site is that of a semi-detached house towards the end of a cul-de-sac, Mark's Avenue. The property is not Listed and is not in a Conservation Area. The property is part of the built up area of Ongar, to the north of the railway station and to the west of the High Street.

Neighbouring properties in the street are also semi-detached houses. The rear boundary of the application property is shared with houses fronting onto Baron's Close.

The property has a long driveway, to the side of the house, leading to a garage set to the rear of the house. Behind the garage are a small greenhouse and a garden shed.

Ground levels of the site and its surroundings rise to the northeast, to the front, and fall to the southwest, to the rear.

**Description of Proposal:**

Demolition of existing external garage, garden shed and greenhouse. Erection of outbuilding for use as ancillary residential annex.

The proposed outbuilding would be almost "L" –shaped in footprint having a maximum length of some 10m and a maximum width of 5.2m. A 6.5m length would have a width of 3.5m. The building would have gable roofs that scale at a maximum height to the ridges of 3.5m, 2.7m to the eaves.

The building would be positioned in a rear corner of the rear garden with the length of the building running parallel with a side boundary of the non-attached neighbour, 17 Mark's Avenue, practically hard up against the side boundary with no. 17.

The building would provide a small bedroom, a shower-room and an open plan area with glazed double doors and a window at the side of the building, looking onto the remainder of the rear garden.

**Relevant History:**

None

**Policies Applied:**

CP2	Quality of Rural and Built Environment
H4A	Dwelling Mix
DBE1	Design of New Buildings
DBE6	Car Parking in New Development
DBE8	Private Amenity Space
DBE9	Loss of Amenity

NPPF

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

Number of neighbours consulted: 4

Site notice posted: No, not required

Responses received: No response received from neighbours.

TOWN COUNCIL: Object to this application due to overdevelopment of the site which is out of context with the residential street. It is felt that if this application was approved an undesirable precedent would be set.

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

The main issues that arise with this application are the principle of a residential annexe; neighbouring amenity; and, any impact to the appearance of the setting.

Policy H4A states that the Council will require that provision is made for a range of dwellings. Paragraph 50 of the NPPF states that to deliver a wide choice of high quality homes and create inclusive and mixed communities, local planning authorities should plan for a mix of housing based on current and future demographic trends and the needs of different groups in the community (such as older people). The Housing Minister has published guidance, with reference to housing for older and vulnerable people, (21 March 2015) asking councils to take better account of the needs of their older residents when planning new homes.

It is understood that the annexe would be occupied by the applicant's elderly parents. Accordingly, the proposal would accord with broad policy. It is understood that this type of development would be the first in the residential street in which it would be set and accordingly could be said to be out of context. Nevertheless, it is not contrary to policy and, for reasons set out below, is considered not to be detrimental to amenity or to be overdevelopment.

The building would have views to the side boundary of the attached neighbour, no. 13 but across a width of nearly 5m of the application property's garden. Due to rising ground from the end of the rear garden, the rear elevation of the attached neighbour is fairly visible but this is the case for the present occupiers of the application property standing at the end of the garden. The proposed building would be a minimum of 9m from the nearest part of the rear elevation of no. 13 and would be set to the west by southwest. No loss of sunlight to no. 13 is envisaged.

Much of the proposed building would be effectively hard up against a garage to no. 17. The proposed building would produce more shading of the rearmost corner of no. 17's garden behind its garage but, given such a relatively isolated position of this portion of no. 17's garden, it is considered that no adverse impact sufficient to constitute a reason for refusal would occur.

Beyond the rear boundary of the application property is a house, 6 Baron's Close, with a number of ground floor and first floor windows that are visible from the rear garden of the application property. It is considered that the proposal would make any overlooking of these side windows no greater than is the case now. No window of the proposed building would look towards 6 Baron's Close. The building would be set to the north of the house to the rear such that no loss of sunlight would occur.

The application property would retain a driveway in front of and continuing to the side of the house that would continue to provide a parking area.

The building would be set to the rear of the site on lower ground than that of the street and would not have a material adverse impact to the streetscene. Glimpses of the building may be possible from Baron's Close, a cul-de-sac to the southwest, to the rear of the site but the elevation that could be seen would be a 5.2m long blank elevation with a shallow gable roof running the length of the 5.2m. As such its appearance would be that of a typical outbuilding.

**Conclusion:**

Whilst the comment of Ongar Town Council has been noted, officers consider that the proposal accords with recent Government guidance regarding the need for additional housing and accommodation for older people. Based on an overall assessment, including a site visit, Officers consider that impact to neighbouring amenity is not to a significant degree required to justify refusal. Accordingly Officers recommend approval.

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

***Planning Application Case Officer: Jonathan Doe  
Direct Line Telephone Number: 01992 564103***

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