

AREA PLANS SUB-COMMITTEE 'WEST'

19 April 2017

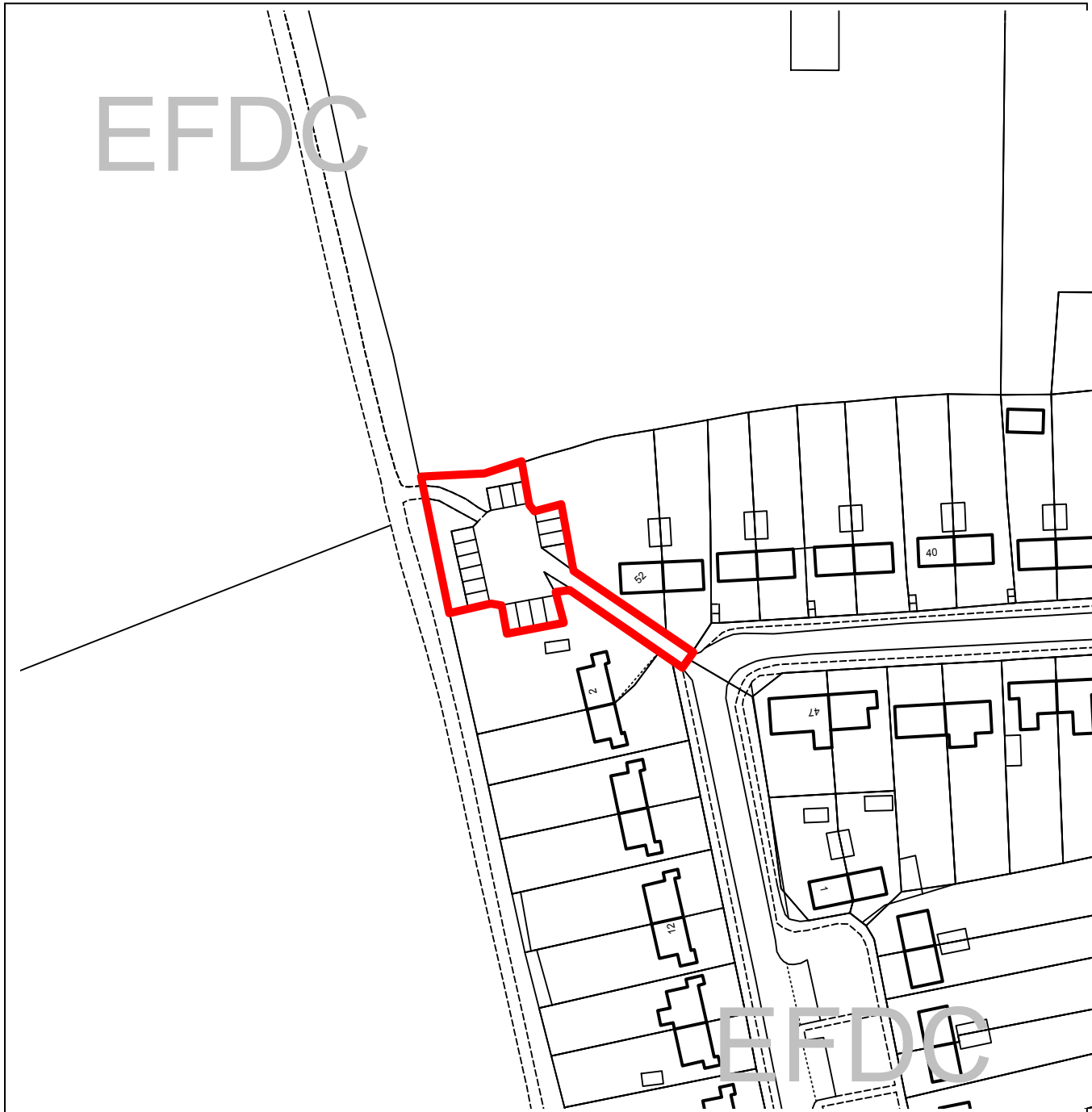
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Epping Forest District Council

Agenda Item Number 1



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Application Number:	EPF/1972/16
Site Name:	Land and garages adjacent 52 Hansells Mead/2 Parkfields, Roydon, CM19 5JB
Scale of Plot:	1/1250

Report Item No: 1

APPLICATION No:	EPF/1972/16
SITE ADDRESS:	Land and garages adjacent 52 Hansells Mead/2 Parkfields Roydon Harlow Essex CM19 5JB
PARISH:	Roydon
WARD:	Roydon
APPLICANT:	Mr East Thames
DESCRIPTION OF PROPOSAL:	2 affordable homes with 5 parking spaces
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=586093

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: 612 087: PL01 C, PL02 B, PL03 D, PL04, PL05, PL06B, PL07, PL08A. Transport Planning Practice Transport Statement ref 30872/D/49 dated June 2016.
- 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 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.
- 5 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (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 and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 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 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.
- 9 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved 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]

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

- 14 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.
- 15 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 (footpath no.53 Roydon) 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.
- 16 There shall be no discharge of surface water onto the Highway.
- 17 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 18 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 an application 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: Scheme of Delegation, Appendix 3)

Description of Site:

The proposal site is located in the most north western corner of Parkfields at the junction with Hansells Mead. It has an irregular shaped site plus access and covers an area of 0.083 hectare. It contains 16 garages, of which 15 are let and of those 11 are to local people. Trees line the parts of the perimeter of the site. The levels on the site are fairly even.

The application is situated within an estate of Airey constructed post war semi –detached housing built by the Local authority. To the north and west of the site are open fields.

The site is in an urban area which is not listed nor within a conservation area. The site adjoins Roydon Park which is part of the Lea Valley Regional Park.

Description of Proposal:

Permission is sought for the demolition of the existing garages on the site and construction of two affordable homes with 5 parking spaces. They are designed as a part of semi detached 3 bed roomed houses and have an internal area of 94 sqm each. The two houses are located centrally within the site and have front entrances which are south facing.

They each measure 10m wide by 5.9m deep and 7m high to the ridge of their gable roofs.

Solar panels are proposed for the southern roofslopes of both blocks. Materials include Hansen Arden Special Reserve or similar approved with feature curtain wall to front elevation for the walls. Redland plain in slate grey or similar approved colour roof tile will cover the roof.

The private garden areas are marked by a 1.8m fence with 0.3m trellis the semi private area are defined by porous paving.

Access to the site remains as existing. All of the 5 parking spaces provided in the southern section of the site in front of the new residential properties. 1 secure cycle storage box and waste and recycling bins are proposed to be positioned in the rear gardens of the new homes close to their side accesses.

Relevant History:

No relevant history

Policies Applied:

National Planning Policy Framework
National Planning Policy Guidance

Epping Forest District Local Plan (1998) and Alterations (2006).

CP2 – Protecting the Quality of the Rural and Built Environment
CP3 – New Development
CP5 – Sustainable Building
CP6 – Achieving sustainable urban development patterns
CP7 – Urban Form and Quality
DBE1 – Design of New Buildings
DBE2 – Effect on Neighbouring Properties
DBE3 – Design in Urban Areas
DBE8 – Private Amenity Space
ST1 – Location of Development
ST4 – Road Safety
ST6 – Vehicle Parking
H2A – Previously Developed Land
H4A – Dwelling Mix
LL10 – Adequacy of provision for landscape retention
LL11 – Landscaping schemes

Epping Forest District Draft Local Plan Consultation 2016

At the current time, only limited material weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions. The relevant policies in this case are as follows:-

SP1 – Presumption in favour of sustainable development
H1 – Housing mix and accommodation types
H2 – Affordable housing
T1 – Sustainable transport choices
DM9 – High quality design
DM10 – Housing design and quality
DM 11 – Waste recycling facilities on new developments
DM16 – Sustainable drainage systems
DM18 – On site management of waste water and water supply
DM21 – Local environmental impacts, pollution and land contamination

Consultation Carried out and Representations Received

ROYDON PARISH COUNCIL: Raise objections to the proposal as there is public right of way crossing this site. This proposal will also increase parking problems on the estate – the application states 11 of the current garages are occupied by local residents and moving these vehicles on the street will only make on street parking more difficult. The Parish Council has in the past asked for a survey of the estate to be done to try and secure more parking for residents. Construction will also be difficult.

36 neighbours were consulted and a site notice was displayed. This resulted in 7 objections being received.

43 HANSELLS MEAD: These terrace houses are ugly. They must be changed. Must be provision for garages on these plans as they replace existing garages. The public footpath is also paramount.

7 PARKFIELDS: I have no objection of the building of the houses because the garages are never maintained and are used by fly tippers. My only concern is that by removing the garages adds to the parking problems that we already have in Parkfields. There are three parking bays which could hold 15 cars already between number 1 and 15 Parkfields the residents own 16 cars between them and we struggle to find spaces. The bays are for anybody in Parkfields and are regularly used by Hansells Mead residents, some properties are lucky enough to have drives; many residents are forced to park illegally in their front gardens or on grass verges. In the evenings the parking is so bad we all worry emergency vehicles would not gain access.

PARKFIELDS (no specific address given) Object to allowing another two houses to be built on the estate as it will cause the parking problem to get even worse, there are not enough parking places for the houses that are already here. Two houses have already been built in peoples gardens at the bottom of Hansells Mead which has caused even more parking issues We need something done about the whole parking situation before you start increasing the problems by adding more houses.

1 BULL FARM COTTAGES ROYDON: We currently rent two garages from EFDC: Numbers 19 Parkfields and 1 Hansells Mead and have done so for numerous consecutive years. We were unwillingly forced to put our vehicles in nearby garages due to vandalism, malicious damage and attempted theft of our cars. Would you be able to inform us of the future arrangements to house mine and the other vehicles which are currently in the Parkfields sixteen garage area?

57 HIGH ROAD: The right of allowing walkers across the site should be retained.

ROYDON PARK: The proposal should not remove my legal pedestrian and vehicular right to way over the site.

52 HANSELLS MEAD: My boundaries are clearly lined out within the latest Land Registry Plans which is where part of the intended new build intrudes. I have looked at the application plans outlined within the proposed new build, and it clearly shows that there is intention to build on part of my privately owned land. **(Plans have now been amended to correct this error).**

Main Issues and Considerations:

Planning decisions must be made in accordance with the current development plan unless material considerations indicate otherwise. The 'saved policies' (i.e. they are consistent with current government policy) contained within the Epping Forest District Local Plan (1998 and Alterations 2006) The National Planning Policy Framework and the National Planning Practice Guidance (NPPG) are material considerations in all Council planning decisions. The key considerations for the determination of this application area:

The principle of the development;
Impact on the character and appearance of the site and surrounding area.
Impact on the living conditions of surrounding residents;
Quality of resulting residential accommodation; and
Impact on parking provision and highway safety.

Principle

In terms of planning policy, the site is considered as previously developed land, and in line with Government policy redevelopment of this land is encouraged.

Five year housing supply

The site is situated within a sustainable urban location close to local services, facilities and public transport and would make more efficient use of this site. Given that 92.4% of the District is designated Green Belt the principle of further development within existing sustainable settlements outside of the Green Belt is generally considered to be appropriate, provided all other policies are complied with. In addition, paragraph 49 of the NPPF states that "*housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites*".

The Council is currently in the process of preparing a new Local Plan where sites will be identified for residential development however the latest figures reveal that the Council can currently only demonstrate a 1.35 year supply of land for housing purposes. Due to this it has been shown in several recent appeal decisions, both within and outside of the district that such a lack of a demonstrable five year supply of housing weighs in favour of granting planning permission. However, this still has to be weighed against other material planning considerations.

The proposal has a density of 24 units per hectare and is compatible with the character and appearance of the surrounding area. It therefore meets the requirements of policies CP1, CP3 and H3A of the Local Plan.

Design and appearance

The proposed scale, height density, massing, materials and pitched roof design reflects properties within this locality. The fenestration, canopy and cladding are contemporary in appearance will have a neutral impact on the distinctive local character of this area. The two dwellings will be set further into site in comparison existing building line of the street, this is on balance considered

acceptable given their distance from neighbouring properties, the existing shape of the site their position making the most efficient use of the site.

The private and public space is clearly defined and semi-private area would be overlooked by the windows of the proposed dwellings. The front entrances also face outwards onto public spaces and contain the main entrances. The proposal therefore complies with the requirements chapter 7 of the NPPF and policies DBE1 and DBE3 of the Local Plan.

Trees

No information has been provided in relation to tree protection on the site to support this proposal. All that has been provided is a site layout, with the trees and their rooting areas plotted. However, given the current use of the site, the proposed layout is not expected to necessitate the removal of any trees that would be worthy of retention therefore the Tree and Landscape are satisfied that this matter can be controlled by tree protection and landscaping conditions. The proposal is therefore considered subject to condition to comply with the requirements of policy LL10 of the Local Plan.

Parking and Highway Safety

After reviewing the proposal the Highway Authority were satisfied that “any displaced parking will not be detrimental to the highway safety or efficiency as a result of the development. The submitted Transport Statement has demonstrated that at the very worst case the on-street parking levels will not reach an unacceptable amount. Although the Highway Authority does not necessarily endorse on street parking, the reality is there will be fewer vehicles actually displaced from the garages than worst case scenario, as a reasonable proportion of the garages will not be used for parking in or have demonstrated as being vacant.

Further to this the proposal will not increase vehicle movements above the level of the previous use, operating at full capacity, so the use of the existing access way will not be intensified by the development and there is sufficient turning being provided.”

The Authority is therefore satisfied subject to suggested conditions that the details submitted as part of this application are sufficient to ensure that there is adequate parking to meet current parking standards in compliance with policy ST6 and ST4 and that there will be no undue harm to highway safety. The proposal therefore complies with the requirements of ST2 of the Local Plan

Loss of garages for local residents

Objections have been raised at the loss of garage spaces which are currently let to the local residents. The Highways Authority has raised no objection to their loss. This lack of objection indicates that the residual cumulative impact of approving this application and the resultant loss of garage spaces would not be severe. In this circumstance paragraph 32 of the NPPF requires that planning permission should not be refused.

Furthermore both national and local policies contain no requirement for the Council to protect storage or garage uses. However the Local Authority is required to boost significantly the supply of housing which meets a local need.

Right of Way

Plans indicate that the existing right of way (Public Footpath 53 Roydon) will be realigned so that it runs between the western boundary of the site and the side flank wall of the proposed new house around the front of the property and then out through the existing access way into Hansell Mead and Parkfields. The Public Rights of Way Inspector raises no objection to this diversion, however does advise that this re-routing will require an additional legal order, under Section 257 of the

Town & Country Planning Act 1990 in order for it to be carried out. It may also be necessary to apply to ECC for temporary closure of this public footpath while construction works take place. These issues are to be controlled by condition.

The owner of Roydon Park objects to the proposal on the grounds that it would remove his legal vehicular right of way over the land. This matter has been reviewed by the Council's Legal officer who makes the following comments:-

"Where there exists any proven/undisputed claims over land that has been appropriated by a local authority under the Local Government Act 1972 and the Town and Country Planning Act 1990 this right can lawfully be overridden. However, it does become a right to compensation for any resulting loss. I advised that the land owner take advice to assess and value the potential size of the claim and resulting compensation. I must point out that the legal compensation discussions cannot take place until planning has been granted and The Council has given the project the required authority to proceed."

This matter is therefore considered to be a civil matter which is outside of the control of planning legislation.

Impact on neighbouring residential amenity

The side flank wall of 52 Hansell Mead is at least 13m away from the proposed development. Planning permission was granted at this address for a granny annexe under reference EPF/1760/16. The new houses will not extend beyond the front and rear elevation of this annexe and will be separated from it by a gap of 3m.

2 Parkfields is positioned 25m away from the nearest flank wall of the proposal. It is therefore considered that there will be no material impact on neighbouring properties in terms of light, outlook or privacy. The proposal therefore complies with the requirements of policy DBE9 of the Local Plan.

Quality of resulting residential accommodation.

The site will be owned and operated by East Thames Housing Association. This charity will provide affordable housing for people on low incomes. The 2, three bedroom dwellings are considered suitable for families, the proposal would therefore meet an existing housing need within the borough in line with the requirements of policy H4A of the Local Plan.

The proposed self-contained units have an adequate internal size, outlook, layout and ventilation in accordance with principles laid out in the Essex Design Guide. The amenity space provision is private, useable and of sufficient size to meet requirements laid out by policy DBE 8 of the Local Plan.

Flood Risk and Land Drainage

The site falls outside of a flood risk area. The applicant is proposing to dispose of surface water by soakaway. The Land Drainage Team have reviewed the plans and found that the geology of the area is predominantly clay and infiltration drainage therefore may not be suitable for the site, they therefore recommend further details be submitted and approved to ensure that adequate drainage is provided in accordance with policy CP2 of the Local Plan. .

Contaminated Land

The Contaminated Land team have raised concerns that there may be the potential for contaminants to be present on the site due to the use of the site as lock up garages and the presence of made ground. They therefore recommend that conditions be attached to any permission to ensure that appropriate assessments are made and if necessary mitigation measures undertaken in accordance with paragraph 109 of the NPPF and RP4 of the Local Plan.

Conclusion

The proposal will provide much needed good quality affordable housing for local people within an existing urban area of Epping Forest District Council. This benefit outweighs in policy terms the benefit of protecting the existing garages. The Highways Authority is satisfied that the proposal will not excessively impact highway safety or parking provision within the area. Impact on the living conditions of neighbouring occupiers will not be excessively more harmful than the existing situation. The design of the new housing will preserve the character and appearance of this area. It is therefore considered that the proposal meets the requirements of sustainable development in accordance with policy contained within the NPPF. Approval is therefore recommended.

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

***Planning Application Case Officer: Sukhi Dhadwar
Direct Line Telephone Number: 01992 564597***

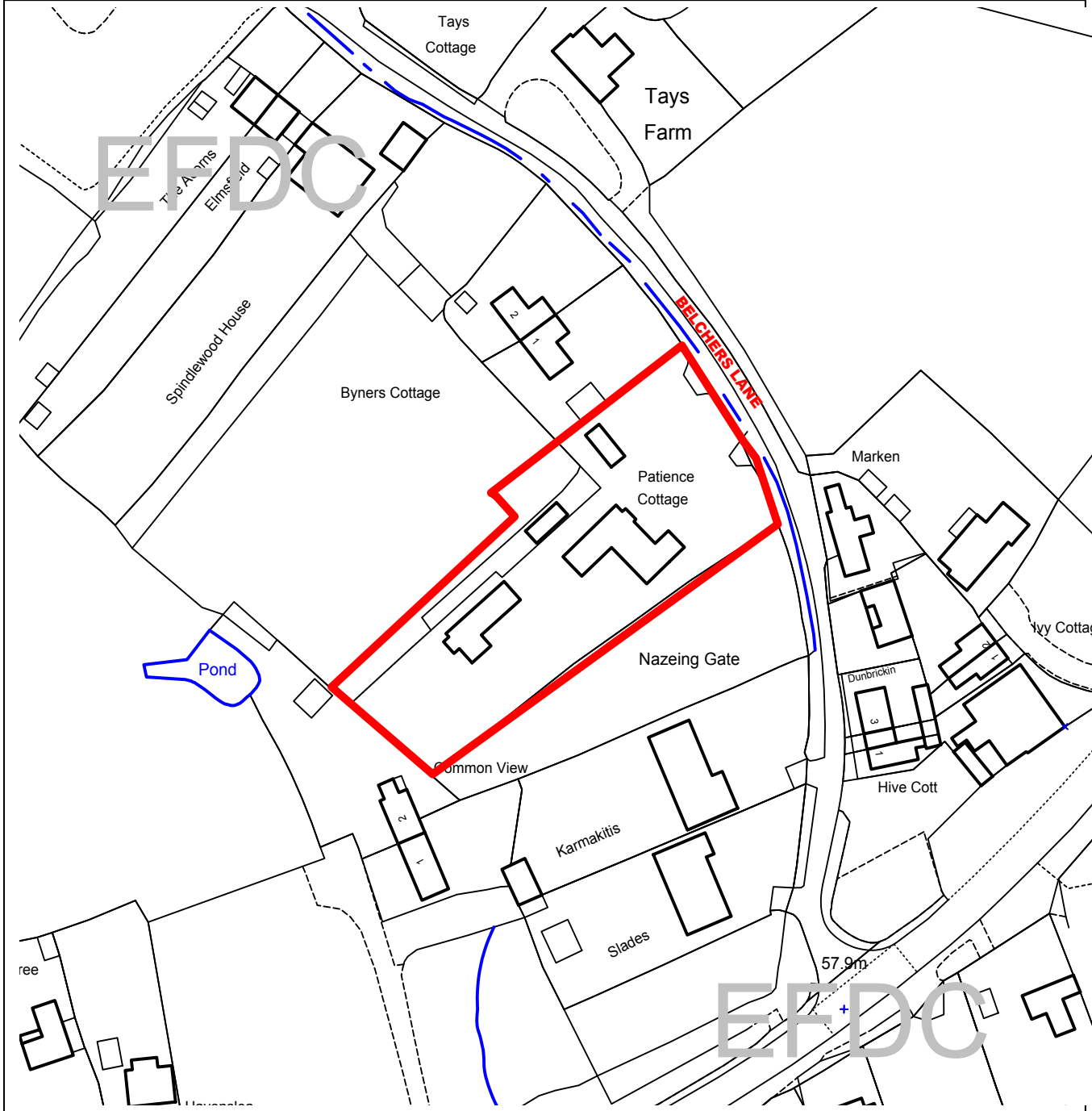
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

Agenda Item Number 2



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Application Number:	EPF/0105/17
Site Name:	Patience Cottage, Belchers Lane, Nazeing, EN9 2SA
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/0105/17
SITE ADDRESS:	Patience Cottage Belchers Lane Nazeing Essex EN9 2SA
PARISH:	Nazeing
WARD:	Broadley Common, Epping Upland and Nazeing
APPLICANT:	Mr Martin O'Brien
DESCRIPTION OF PROPOSAL:	Existing bungalow and annexes and other outbuildings to be demolished and replaced by 4 x 4 bedroom semi-detached dwellings and 2 x 4 bedroom detached dwellings.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=590934

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: BRD/16/071/001-A, BRD/16/071/002-A, BRD/16/071/003-A, BRD/16/071/004-A, BRD/16/071/005, BRD/16/071/006
- 3 Prior to the first occupation of any of the new dwellings the existing bungalow and outbuildings shall be demolished and the existing mobile homes at present located at the site shall be removed as shown on drawing no. BRD/16/071/001-A.
- 4 No development shall have taken place until details of the types and colours of the external finishes, including doors and windows, 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, any samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.
- 5 Prior to first occupation of the development hereby approved, the proposed window openings in the upper storey flank elevations shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in

which the window is installed and shall be permanently retained in that condition.

- 6 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.
- 7 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 8 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.
- 9 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.
- 10 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 11 There shall be no discharge of surface water onto the Highway.
- 12 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.

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

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

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

- 14 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 an application for residential development consisting of 5 dwellings or more (unless approval of reserved matters only) and is recommended for approval (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3) and since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3).

Description of Site:

Patience Cottage is a large detached bungalow set within extensive grounds on the west side of Belchers Lane within the small built up area of Bumbles Green. The site also contains a large residential annexe within the residential curtilage, a former stable building to the rear that is lawfully used for ancillary accommodation and two mobile homes also used for ancillary accommodation. The site is largely laid to hardstanding and it is understood that the applicant runs his commercial business from the site.

The site has direct access on to Belchers Lane by way of a carriage driveway and is enclosed along the front boundary by a high solid brick wall and two large gates.

The site is within the Metropolitan Green Belt and the Nazeing and South Roydon Conservation Area.

Description of Proposal:

Consent is being sought for the demolition of the existing dwelling and associated outbuildings and the removal of all ancillary accommodation and commercial activity from the site and the erection of six new dwellings. These would consist of 4 no. four bed semi-detached dwellings fronting onto Belchers Lane and 2 no. four bed detached dwellings to the rear of the site that would be served by a new internal access road.

Relevant History:

EPF/2309/09 - Replacement of detached building for use as annexe accommodation – approved/conditions 22/01/10

EPF/0482/10 - Siting of mobile home for temporary period – refused 19/05/10

CLD/EPF/0368/12 - Certificate of lawful development for the stationing of up to 2 mobile homes neither more than a single unit in size in the locations shown on the attached plan within the curtilage of Patience Cottage for the use as non-independent ancillary accommodation for a family member and other domestic purposes ancillary to the use of Patience Cottage as a single dwelling unit – lawful 08/06/12

CLD/EPF/1345/12 - Certificate of lawful development for a proposed change of use of stables to ancillary accommodation incidental to the use of the dwellinghouse known as Patience Cottage – lawful 06/09/12

Policies Applied:

Epping Forest Local Plan and Alterations (1998/2006)

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
GB2A – Development in the Green Belt
GB7A – Conspicuous development
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE8 – Private amenity space
DBE9 – Loss of amenity
H2A – Previously developed land
H3A – Housing density
HC6 – Character, appearance and setting of conservation areas
HC7 – Development within conservation areas
ST4 – Road safety
ST6 – Vehicle parking
U2B – Flood risk assessment zones

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

Epping Forest Draft Local Plan consultation document (2016)

The Epping Forest District Draft Local Plan is the emerging Local Plan and contains a number of relevant policies. At the current time only limited material weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions. The relevant policies within the Draft Local Plan are:

SP5 – Green Belt and district open land

H1 – Housing mix and accommodation types
T1 – Sustainable transport choices
DM2 – Landscape character and ancient landscapes
DM7 – Heritage assets
DM10 – Housing design and quality
DM15 – Managing and reducing flood risk

Consultation Carried Out and Summary of Representations Received:

21 neighbours were consulted and a Site Notice was displayed.

PARISH COUNCIL – Object. The council objects to the proposed development for the following reasons:

- i) It is not considered infill,
- ii) The property is situated in the Green Belt and conservation area,
- iii) The openness of the Green Belt would be compromised,
- iv) Whilst in principle the Council would not object to the four dwellings at the front of the site, the proposal to develop the land at the rear is considered overdevelopment.

BELCHERS FARM, BELCHERS LANE – Object as this is a conservation area with several listed buildings and the proposed development is not in keeping with the area and due to vehicle safety concerns.

1 BYNERS COTTAGE, BELCHERS LANE – Comment that the development would provide a more attractive use of the plot than at present however the number of properties should be reduced as the impact on traffic on Belchers Lane would be detrimental. Also feel that the encroachment into the adjacent field at the rear is unacceptable and concerns about the size and height of the proposed dwellings at the front of the site.

2 BYNERS COTTAGE, BELCHERS LANE – Object because, whilst the development would be more aesthetically pleasing the density of housing and encroachment into the adjacent paddock is unacceptable.

Issues and Considerations:

The main considerations in this instance are the appropriateness of the development in the Metropolitan Green Belt, the design and setting in relation to the conservation area, the impact on neighbours amenities, and regarding highway concerns.

Green Belt:

Whilst the erection of buildings constitutes inappropriate development within the Green Belt the National Planning Policy Framework provides a list of exceptions to inappropriate development which include:

- *Limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or*
- *Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.*

The application site is located within the village of Bumbles Green and is surrounded in part on all four sides by residential dwellings. To the north are Byners Cottages with further dwellings beyond this; to the east are Marken, and other properties surrounding King Harolds Head public house; to

the south is a small open field that has a recent consent for an infill property with dwellings beyond this (Karmakitis and those beyond); and to the west are No's. 1 & 2 Common View. Whilst part of the site would adjoin a paddock area (located to the northwest) and part of the frontage is opposite the field boundary of open agricultural land the site is clearly located within the built up enclave of Bumbles Green and any redevelopment would constitute 'infill'.

There have been two recently granted planning applications for infill properties within Belchers Lane, Bumbles Green (EPF/1788/15 & EPF/0470/16 – later revised by EPF/3346/16) and one to the north of Nazeing Common (EPF/1956/16) on the basis that these constitute 'limited infill within a village' and therefore it has clearly been accepted that Bumbles Green does constitute a 'village' whereby limited infilling is acceptable.

The last factor to consider is whether the proposed development would be suitably 'limited'. The proposal would demolish an existing bungalow and two annexe buildings and remove two ancillary residential mobile homes. Whilst all of these residences are lawfully one property the site is unusual in that there are affectively five households living within the site as an extended family. The proposed development would introduce six entirely self-contained dwellings in place of the existing property. This is a greater number than the three aforementioned examples in Bumbles Green, the largest of which proposed four dwellings, however the development would only amount to 20 dwellings per hectare. Since this is significantly below the recommendation of policy H3A which states that "*new housing developments will achieve a new site density of at least 30-50 dwellings per hectare*" it is considered that, in this location and on this size of site, six dwellings would be suitably 'limited'.

Due to the above it is considered that this proposed dwelling would comply with the exception of "*limited infilling in villages*" as laid out in the National Planning Policy Framework and therefore would not constitute inappropriate development harmful to the openness of purposes of the Green Belt.

In addition to the above, the application site (with the exception of a small parcel of the adjacent paddock that would be incorporated for amenity space) would constitute previously developed land. Whilst visually the redevelopment of the site would be beneficial since this proposal would remove several buildings, mobile homes, unsightly boundary treatment, hardstanding and commercial activity the increased height and volume of the new dwellings would have a greater impact on openness than the existing site. Nonetheless, as stated above, the proposal would constitute limited infilling where such factors are not material considerations.

Suitability of the site:

Whilst the location of the site is not particularly 'sustainable', since Bumbles Green is a small village with limited local amenities, there are some facilities and public transport links available. Since there have been three recent infill developments permitted in this village it is clear that this matter is not unduly detrimental enough to warrant refusal of planning consent.

In addition to the above, it has been shown in several recent appeal decisions both within and outside of the district that in areas with a lack of a demonstrable five year supply of housing the issue of sustainability alone is not sufficient to outweigh the provision of additional housing.

Although the Council is currently in the process of preparing a new Local Plan where sites will be identified for residential development the latest figures reveal that the Council can currently only demonstrate a 1.35 year supply of land for housing purposes. Since the proposed development would provide five additional houses on this site, which would assist in addressing the Councils current housing land shortfall, this matter ways in favour of granted consent and would be sufficient enough to outweigh any sustainability concerns with regards to the location of the site.

Design:

The application site is located within the conservation area and the proposal would introduce two storey dwellings (with additional rooms within the roof space) on a site that currently contains single storey bungalow/outbuildings. The proposed dwellings follow pre-application advice and have been amended following initial concerns/comments from the Conservation Officer. The dwellings would consist of two pairs of semi-detached dwellings on the eastern part of the site, fronting on to Belchers Lane, and two detached dwellings on the western part that would be served by a new internal access road.

The proposed redevelopment of this site would involve the removal of several large structures, the removal of the existing unsightly front wall/gates, and the removal of much of the hardstanding and ancillary commercial use on the site. As such it is considered that the redevelopment of this site and the opportunity to open up and landscape the front boundary would be beneficial to the street scene and the wider conservation area.

The semi-detached dwellings at the front of the site would be two storeys plus rooms in the roof space (resulting in a third storey) and each pair would be roughly square in form with crown roofs, projecting front gables and small rear dormer windows. The two pairs of semi-detached dwellings would differ through the presence/absence of a subordinate two storey side gable projection and further variation could be achieved by way of external materials used. Despite this alterations made as a result of the Conservation Officers comments there are outstanding concerns with regards to the overall bulk and use of crown roofs on these dwellings since such roof forms are not traditional to this type of property and are generally resisted in conservation areas (except where appropriate to the style of property).

Notwithstanding the Conservation Officers concern it is not considered that the size and presence of crown roofs would cause any undue harm to the character and appearance of the area. The presence of the flat section of the roof would not be appreciated from any angle (with the exception of above) and are considered necessary by the applicant due to the constraints of the site (i.e. the width). Whilst it is appreciated that such roof forms are not traditional and that permission would normally be refused for such a roof design, in this particular instance it is considered that the overall improvements to the site through the removal of the existing unsightly structures would outweigh any harm from the inclusion of crown roofs on these dwellings.

The two detached dwellings to the rear would be lower height two storey properties with catslide front roofs and a single first floor front dormer window in each. These properties would have traditional roof designs and would not have any habitable roof space. There has been no objection raised by the Conservation Officer with regards to the design and appearance of these two properties.

Despite the concerns of the Conservation Officer with regards to the crown roofs on the semi-detached dwellings the style of the properties is relatively traditional and have been influenced by the surrounding properties and the recently approved infill dwelling within the adjacent site. The redevelopment of this site would significantly enhance the overall character and appearance of the street scene and the wider conservation area and therefore is considered to comply with the NPPF and the relevant Local Plan policies regarding visual impact.

Amenity considerations:

The application site is a generous plot that can accommodate the proposed dwellings whilst still retaining significant distances between the new houses and the site boundaries. The closest neighbouring property would be that on the adjacent parcel of land that has not yet been erected (and is currently owned by the applicant). The properties to the rear (No's. 1 & 2 Common View)

are in excess of 24m from the closest new dwelling and as such there would be no detrimental loss of amenity to these neighbouring residents.

There would be more than sufficient private amenity space to cater for the future residents of each of the proposed new dwellings.

Highways/access:

The proposed development would utilise the existing access points serving the site and introduce an additional crossover for the new internal access road serving the detached dwellings to the rear of the site. Essex County Council state that “*from a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority*” subject to conditions.

The proposed semi-detached dwellings are all shown with two off-street parking spaces however there is more than adequate space to the front of these properties to provide further off-street visitor parking and manoeuvrability space. The proposed detached dwellings to the rear have each been shown with three off-street parking spaces.

Other matters:

Landscaping:

The only trees located on this site are around the boundaries and the majority of the site is laid to hardstanding. Since the site is within the Conservation Area all trees are afforded legal protection.

There is currently a standing objection from the Tree & Landscape Officer due to the lack of information with regards to the existing trees, however given the location of the existing trees, which are shown to be retained on the proposed site plan, it is considered that tree protection and landscaping conditions would be sufficient to address this issue. As such the lack of information in this instance is not considered sufficient enough to warrant a refusal of the application.

Land drainage:

The application site is located within an EFDC flood risk assessment zone and the development is of a size where it is necessary to avoid generating additional runoff and where the opportunity should be taken to improve existing surface water runoff. Therefore a condition requiring a flood risk assessment should be imposed. Furthermore, details of foul and surface water drainage would also need to be agreed, which can be dealt with by way of a condition.

Contamination:

Domestic dwellings with gardens are classified as a particularly sensitive use that are vulnerable to the presence of contamination. All readily available Council held desk study information for this site has been assessed and no evidence can be found of any potentially significant contaminating activities having taking place historically on the site (records indicate that the site has formed part of a field since at least the 19th Century) . As potential land contamination risks are likely to be low it should not be necessary for these risks to be regulated under the Planning Regime. It is the responsibility of the developer to ensure the safe development of the site and the addition of a single condition requiring the developer to stop development, contact the Local Planning Authority and carry out any necessary agreed investigation and remediation works if significant contamination is encountered should suffice.

Conclusion:

The proposal would constitute limited infilling within an existing village and therefore does not constitute inappropriate development harmful to the Green Belt. The development is considered to be suitable within this location and would not have any detrimental impact on neighbour's amenities. There would be no concerns with regards to highway safety or traffic generation and all adequate off-street parking provision and private amenity space is provided.

Whilst the Conservation Officer raises concerns about the bulk and inclusion of crown roofs on the proposed semi-detached properties and there is a standing objection due to the lack of any arboricultural information it is not considered that these matters would outweigh the significant benefits from redeveloping this site, including the improvements to the character and appearance of the street scene and the provision of additional housing.

Due to the above it is considered that the proposed development complies with the guidance contained within the National Planning Policy Framework and the relevant Local Plan policies and is therefore recommended for approval.

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

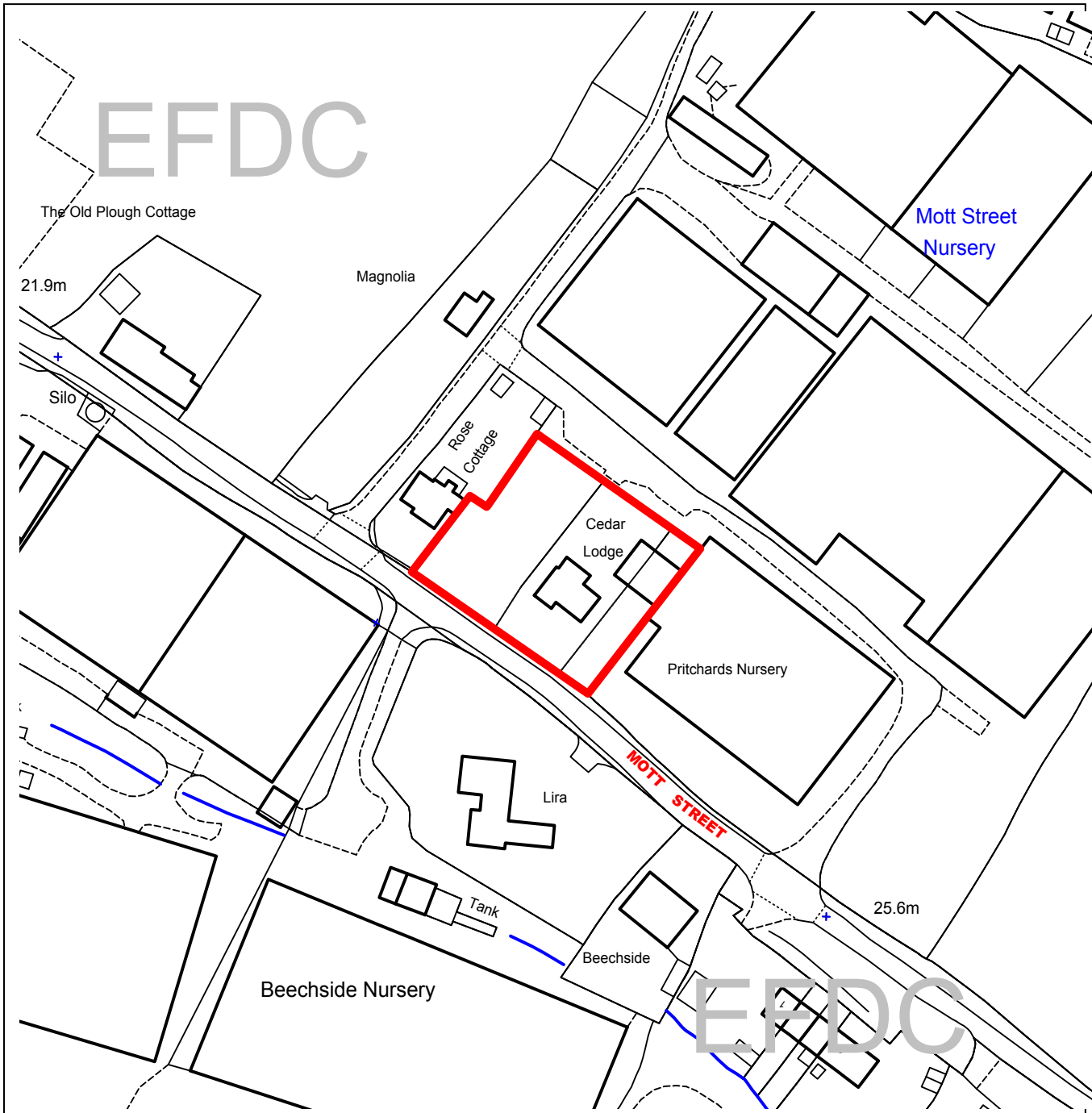
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992564228***

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



Epping Forest District Council

Agenda Item Number 3



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Application Number:	EPF/0176/17
Site Name:	Cedar Lodge, Mott Street, Waltham Abbey, E4 7RW
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/0176/17
SITE ADDRESS:	Cedar Lodge Mott Street Waltham Abbey Essex E4 7RW
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
APPLICANT:	Mr James Cann Planning Direct
DESCRIPTION OF PROPOSAL:	Outline application with all matters reserved for proposed demolition of existing dwelling and outbuilding and erection of 2 new build dwellings.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=591089

CONDITIONS

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters as defined in condition 2 below, whichever is the later.
- 2
 - a) Details of the reserved matters set out below ("the reserved matters") shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:
 - (i) layout;
 - (ii) scale;
 - (iii) appearance;
 - (iv) access; and
 - (v) landscaping.
 - b) The reserved matters shall be carried out as approved.
 - c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.
- 3 No 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 No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.

- 5 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Planning Authority.

- 6 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]

- 7 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]

- 8 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]

- 9 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.
- 10 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.
- 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.

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: Scheme of Delegation, Appendix 3) 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: Scheme of Delegation, Appendix 3)

Description of Site:

The site consists of a detached dwelling located on the north eastern side of Mott Street and is surrounded by various properties including residential dwellings, horticultural nurseries, and commercial sites (that are former horticultural nurseries). The site is located within the Metropolitan Green Belt.

Description of Proposal

Outline consent with all matters reserved is being sought for the demolition of the existing dwelling and outbuilding and the erection of two new build dwellings.

Relevant History:

EPF/0092/15 - Application for proposed removal of agricultural occupancy condition contained within planning permission EW/WHX/76/61, condition 2 – approved 13/03/15
CLD/EPF/2877/15 - Certificate of Lawful Development for proposed single storey side extensions (x2) and 2 storey rear extension – lawful 08/01/16
CLD/EPF/0431/16 - Certificate of Lawful Development for existing use of land as residential garden – lawful 31/03/16
EPF/2777/16 - Formation of a new driveway and retaining walls for the provision of off road parking – Withdrawn 17/01/17

Policies Applied:

Epping Forest Local Plan and Alterations (1998/2006)

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
GB2A – Development in the Green Belt
ST4 – Road safety
ST6 – Vehicle parking
U3A – Catchment effects

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.

Epping Forest Draft Local Plan consultation document (2016)

The Epping Forest District Draft Local Plan is the emerging Local Plan and contains a number of relevant policies. At the current time only limited material weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions. The relevant policies within the Draft Local Plan are:

SP1 – Presumption in favour of sustainable development
SP5 – Green Belt and district open land
T1 – Sustainable transport choices
DM21 – Local environment impacts, pollution and land contamination

Summary of Representations:

12 neighbouring properties were consulted and a Site Notice was displayed.

TOWN COUNCIL – Object. The committee commented that no exceptional circumstances had been submitted to build two houses in the Green Belt and that the site is not a sustainable one.

ROSE COTTAGE, MOTT STREET – Object as this is a continuation of the previously withdrawn access application that was subject to enforcement investigation, since the site is in the Green Belt and will affect openness and does not meet any of the exceptions, and as the site is within an unsustainable location.

MOTT STREET NURSERY, MOTT STREET – No objection but concerned that the sight lines shown are over land outside of the applicants control.

MAGNOLIA COTTAGE, MOTT STREET – Object as it would be harmful to the Green Belt, would result in additional cars and noise, trees and landscaping has already been removed, and due to the impact on drainage and services.

LIRA, MOTT STREET – Object as this site only has a CLD for a garden and does not benefit from permitted development rights, due to the additional movements and noise, and since there are no exceptions to allow the proposal.

BEECHSIDE NURSERY, MOTT STREET – Object as this is in the Green Belt and is harmful to openness, this is former agricultural land with no development rights, and since it is in an unsustainable location.

Issues and Considerations:

This application is for outline consent with all matters reserved. Therefore the only consideration in this application is the principle of demolishing the existing dwelling and outbuilding and erecting two properties on the site.

Green Belt:

The application site is located within the Metropolitan Green Belt. Paragraph 89 of the National Planning Policy Framework states that “a local planning authority should regard the construction of new buildings as inappropriate in Green Belt”, with a list of exceptions. Amongst these exceptions is:

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

The definition of previously developed land, as laid out within Annex 2 of the NPPF, reads:

Previously developed land: Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.

The application site is a residential property containing a detached dwelling and large detached outbuilding. The full extent of the application site was deemed to be lawful residential garden under a certificate of lawful use (ref: EPF/0431/16), which was issued in March 2016. Although this certificate contained a note highlighting that “this Certificate confirms that the use of the application site as residential garden land is lawful, however this does not automatically classify the land as residential curtilage and therefore the entire site does not necessarily benefit from rights as generally permitted by virtue of Part 1 of Schedule 2 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)” such matters do not alter the lawful designation of the site as previously developed land. The caveat on the above exception is that any proposed redevelopment should “not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development”.

Indicative plans have been submitted showing a potential two house scheme on the site, and figures regarding this possible scheme have been submitted. These indicate that the indicative scheme would provide two dwellings measuring 318m², which is no larger than the existing dwelling and outbuilding plus the permitted development extensions previously considered lawful under EPF/2877/15.

Irrespective of the above, since the application is for outline consent with all matters reserved (including scale and layout) the indicative plans submitted are not subject to assessment. The only consideration in this application is whether the principle of two houses being built to replace the existing house and outbuilding would be appropriate. Given that the redevelopment of previously developed sites such as this are not inappropriate it is clear that the principle of this proposal would not constitute inappropriate development within the Green Belt, subject to a full assessment of scale and layout at Reserved Matters stage. As such no exceptional circumstances are required to justify this proposal.

Sustainability:

Whilst the application site is not considered to be particularly 'sustainable' it has been shown in several recent appeal decisions both within and outside of the district that in areas with a lack of a demonstrable five year supply of housing the issue of sustainability alone is not sufficient to outweigh the provision of additional housing.

Although the Council is currently in the process of preparing a new Local Plan where sites will be identified for residential development the latest figures reveal that the Council can currently only demonstrate a 1.35 year supply of land for housing purposes. Given this, and since the proposed development would only provide a single additional dwelling within an existing enclave of residential properties, it is not considered that the impact on sustainability would be such to warrant refusal of the application on this issue.

Impact on amenities:

Concerns have been raised with regards to the noise and disturbance that would result from the proposed development due to additional use and vehicle movements. Since the proposal would only provide a single additional dwelling within a site that is surrounded by both residential and commercial sites it is not considered that the addition of one further household would cause any excessive loss of amenity as a result of disturbance.

Highways:

Whilst access is a reserved matter to be assessed at a later date it is necessary for the location of any proposed new access to be shown at outline stage, which has been done.

Mott Street is an unclassified road and as such planning consent is not required for a vehicular crossover, simply Highways Consent from ECC. Nonetheless it is considered that the provision of the access points as shown on the indicative plans would be sufficient enough to enable the proposed redevelopment of the site, subject to the approval of more detailed plans at Reserved Matters stage.

Flood risk:

It is proposed to dispose of surface water by main sewer, however the Councils records do not indicate a main surface water sewer at this location. As such further details of this, along with foul sewage drainage, are required by way of a condition.

Contamination:

Due to its former use as a horticultural nursery and the presence of Made Ground, there is the potential for contaminants to be present over all or part of the site. Since domestic dwelling with gardens are classified as a particularly sensitive proposed use it will be necessary for potential land contamination risks to be investigated and where necessary remediated by way of Condition.

Archaeology:

The Essex Historic Environment Record shows that the proposed development is located on the edge of the historic settlement of Sewardstone Street (EHER 3458). Sewardstone is late Saxon or early medieval in origin, and there is the possibility that the proposed development will impact on archaeological deposits relating to settlement along the road frontage. Archaeological deposits are both fragile and finite and therefore a programme of archaeological work should be sought by way of a planning condition.

Land ownership:

The adjacent neighbour raised concerns about the land ownership of the site as indicated on the submitted Red Lined application site. Whilst this matter has been raised with the applicant in order for them to address these concerns such land ownership disputes are not material planning considerations. The ability to redevelop the site for two dwellings would not rely on the area of land in dispute and therefore this factor does not alter the principle of the proposal.

Conclusion:

This application is for outline consent with all matters reserved. As such the only consideration is the principle of redeveloping the site. Since the application site constitutes previously developed land this can be redeveloped and therefore in principle would not constitute inappropriate development in the Green Belt (subject to an assessment of scale and layout at Reserved Matters stage).

Whilst the site is located within an unsustainable location this is not a sufficient reason for refusal in light of the current lack of a demonstrable five-year supply of land for housing. Furthermore the provision of one additional dwelling on this site would not result in any excessive loss of amenity or harm to highway safety. As such the proposed application complies with the guidance contained within the National Planning Policy Framework and the relevant adopted Local Plan and Draft Local Plan policies and is recommended for approval.

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

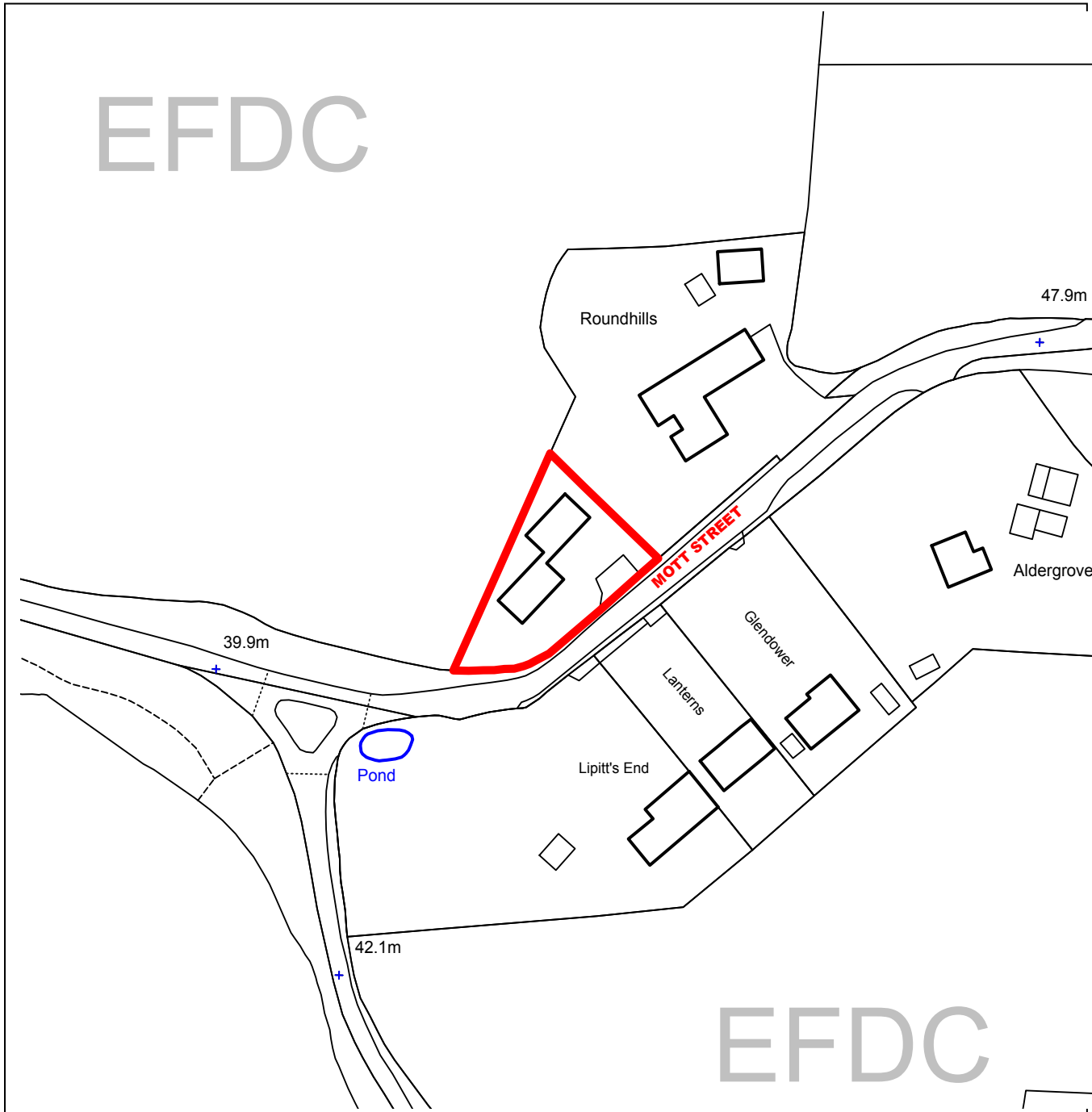
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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



Epping Forest District Council

Agenda Item Number 4



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Application Number:	EPF/0192/17
Site Name:	Lanterns, Mott Street, High Beech, IG10 4AP
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/0192/17
SITE ADDRESS:	Lanterns Mott Street High Beech Loughton Essex IG10 4AP
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
APPLICANT:	Mr Amrik Sanahu
DESCRIPTION OF PROPOSAL:	Conversion, alteration and extension of the garage, studio and swimming pool to residential use as a single dwelling with access and parking.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=591141

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 Location Plan and drawings nos: 11200/10, 11200/11, 11200/12, 11200/13, 24807_01_P, 24807_02_P, 24807_03_ES
- 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.
- 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 extensions or outbuildings generally permitted by virtue of Class 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.
- 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.

- 6 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 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: Scheme of Delegation, Appendix 3)

Description of Site:

The application site is part of the residential garden of Lanterns, which is a detached dwelling located on Mott Street. The application site is unusual in that, although forming part of the curtilage of Lanterns the site is located on the opposite side of the road with no physical attachment between the two sites.

The application site currently contains a large detached outbuilding containing a swimming pool, double garage, and other ancillary uses.

The site is located within the Metropolitan Green Belt.

Description of Proposal

Consent is being sought for the conversion of the existing residential outbuilding and change of use of the site into a separate three/four bed property. This would entail the erection of a 5.2m x 2.5m single storey front addition, a 3.9m x 2.25m entrance porch, a maximum 4.9m x 4.7m single storey rear extension and some alterations to the roof. There would also be various fenestration changes to the building.

The proposal would utilise the existing vehicular access from Mott Street and would benefit from three off-street parking spaces and an area of private amenity space.

Relevant History:

There are various previous applications on the wider Lanterns site but none that are directly relevant to this proposal.

Policies Applied:

Epping Forest Local Plan and Alterations (1998/2006)

- CP1 – Achieving sustainable development objectives
- CP2 – Protecting the quality of the rural and built environment
- GB2A – Development in the Green Belt
- GB8A – Change of use or adaptations of buildings
- ST4 – Road safety
- ST6 – Vehicle parking
- U3A – Catchment effects

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.

Epping Forest Draft Local Plan consultation document (2016)

The Epping Forest District Draft Local Plan is the emerging Local Plan and contains a number of relevant policies. At the current time only limited material weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions. The relevant policies within the Draft Local Plan are:

- SP1 – Presumption in favour of sustainable development
- SP5 – Green Belt and district open land
- T1 – Sustainable transport choices
- DM10 – Housing design and quality
- DM21 – Local environment impacts, pollution and land contamination

Summary of Representations:

4 neighbouring properties were consulted and a Site Notice was displayed.

TOWN COUNCIL – Object. Committee felt no exceptional circumstances had been put forward to build in the Green Belt. Concerns were also raised regarding the sustainability of the site.

Issues and Considerations:

Green Belt:

Paragraph 90 of the NPPF states that the reuse of buildings that are of permanent and substantial construction is 'not inappropriate' in the Green Belt provided openness is preserved and there is no conflict with the purpose of including land in the Green Belt. GB2A and GB8A further support this directive by stating that the Council will grant planning permission for the change of use and adaption of a building in the Green Belt provided that the building is of permanent and substantial construction and capable of conversion without major or complete reconstruction, is in keeping with the surroundings in terms of bulk and form, and the use would not have a materially greater impact than the present use on the Green Belt.

The existing building on the site is clearly a permanent and substantial structure and is in use as an ancillary residential outbuilding incidental to the use of Lanterns. Given the location of the site and the current ancillary residential use is it not considered that the proposed change of use would prejudice the purposes of the Green Belt.

Along with the change of use the application proposes various extensions to the existing building consisting of a single storey front addition, a new entrance porch, a single storey rear extension and some alterations to the roof. Paragraph 89 of the NPPF states that *“a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are”* (amongst others) *“the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building”*.

The proposed extensions to the existing building measure a total of 40.5m², which equates to an approximate 22% increase over and above the size of the existing building on the site. This would not be considered to be a disproportionate addition and therefore the proposed extension would not constitute inappropriate development harmful to the Green Belt.

The Town Council object to the proposal due to the lack of any exceptional circumstances however, due to the above, the proposal does not constitute inappropriate development and as such no exceptional circumstances are required in order to justify the works.

Design:

The alterations to the external façade of the existing building and the proposed extensions would provide a more modern and contemporary appearance to the sprawling outbuilding and would not appear detrimental to the overall character and appearance of the area.

Given the location of the site and the level of vegetation around the site boundaries the Tree & Landscape Officer was consulted however raises no objection to the proposed development.

Impact on amenities:

The only adjacent neighbour to the site is the large detached dwelling known as Roundhills which is located some distance from the shared boundary. Given this, along with the modest scale and single storey nature of the proposed extensions, the proposed change of use of the site and enlargement of this building would not cause any detrimental impact on the amenities of the neighbouring residents.

Highways:

Essex County Council has assessed the proposal and concludes that the development would not have any impact on highway safety or the free flow of traffic.

The proposed new dwelling would be served by three off-street parking spaces and adequate manoeuvrability space to enable vehicles to enter and leave the site in forward gear.

Flood risk:

It is proposed to dispose of surface water by soakaway. Whilst the application forms indicate that the soakaway will remain as existing there is an additional roof area which will need to discharge to the soakaway. The geology of the area is predominantly clay and infiltration drainage may not be suitable for the site. As such further details are required regarding surface water drainage, which can be dealt with by condition.

Conclusion:

The proposed change of use and limited nature of the proposed extensions would ensure that the proposal does not constitute inappropriate development in the Green Belt. The proposal would not be detrimental to the character and appearance of the street scene, neighbours amenities or highway safety and therefore the application complies with the guidance contained within the National Planning Policy Framework and the relevant adopted Local Plan and Draft Local Plan policies and is recommended for approval.

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

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

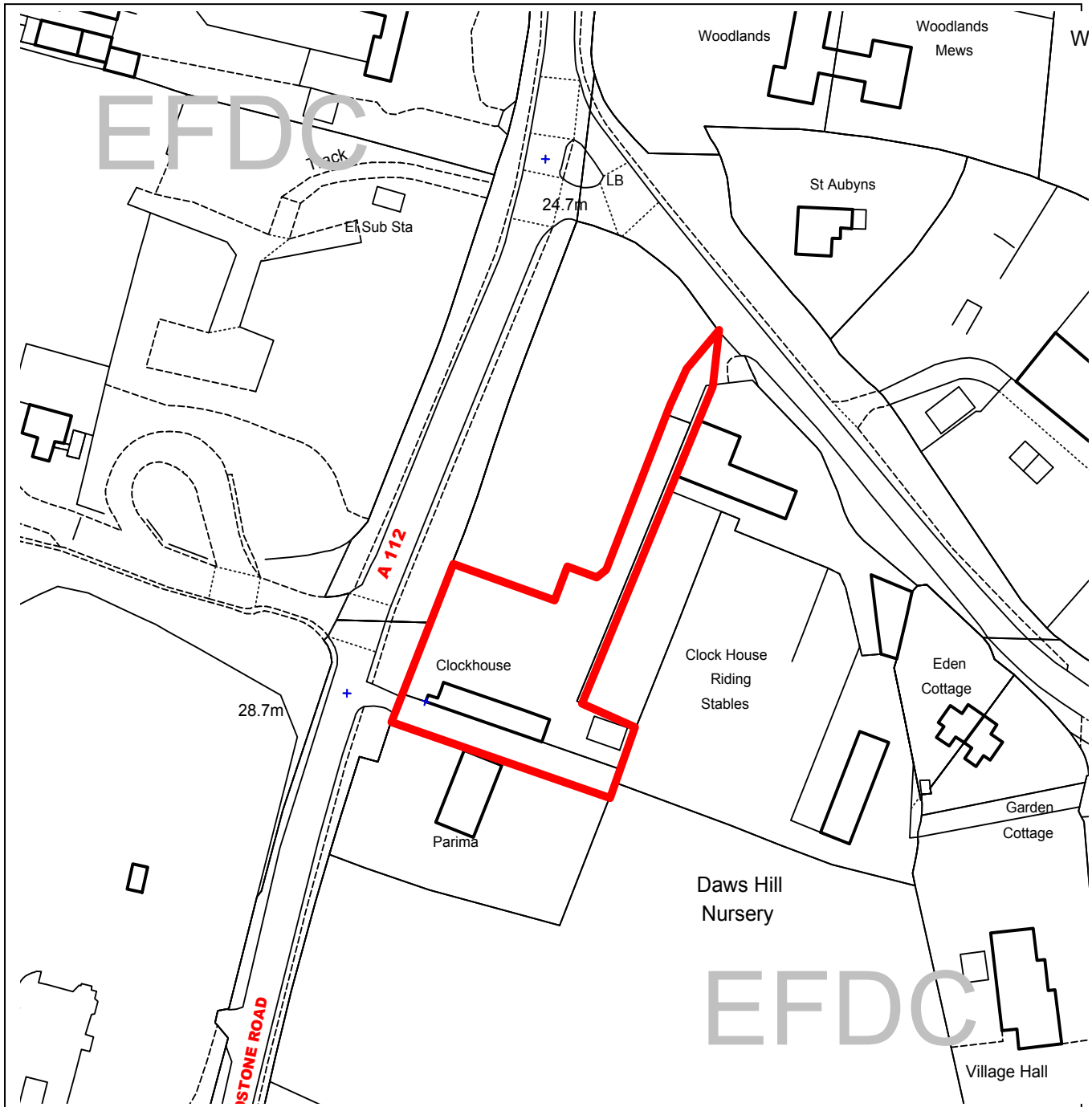
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

Agenda Item Number 5



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Application Number:	EPF/0198/17
Site Name:	Clockhouse, Daws Hill, Waltham Abbey, E4 7RD
Scale of Plot:	1/1250

Report Item No: 5

APPLICATION No:	EPF/0198/17
SITE ADDRESS:	Clockhouse Daws Hill Waltham Abbey Essex E4 7RD
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
APPLICANT:	Mr Lloyd Evans
DESCRIPTION OF PROPOSAL:	Alteration and extension of existing dwelling to form 4 X 3 bedroom houses, provision of associated parking and boundary landscaping.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=591156

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: 1599/01, 1599/02, 1599/03, 1599/04, 1599/05.
- 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 Prior to first occupation of the development hereby approved, the proposed window openings serving the proposed ensuite bathrooms at first floor level in the southern facing flank elevation facing Parima and the dormer windows in the southern facing roofslope facing Parima shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 5 No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.

- 6 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 7 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 and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 8 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased during development activities or 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.
- 9 The tree protection and methodology for construction adjacent to trees shall be undertaken in accordance with the submitted Tree Survey/ Arboricultural Method Statement unless the Local Planning Authority gives its prior written approval to any alterations. Tree protection shall be implemented as shown on Andrew Day Arboricultural Consultancy Ltd dated 20th November 2016.
- 10 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; areas of hardstanding; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 11 Prior to the first occupation of the development the existing vehicular access onto Sewardstone Road shall be fully reinstated to include full height kerbing and footway.
- 12 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.
- 13 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]
- 14 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]
- 15 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]

- 16 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.

- 17 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.

- 18 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 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))

Description of Site:

Detached single family dwelling house located on the eastern side of Sewardstone Road opposite the entrance to the Lee Valley Campsite. The dwelling is two storey plus accommodation at third floor within the roofspace. This is served by dormers front and back. The site is rectangular in shape leading down to a second entrance off of Daws Hill to the northeast.

There is a detached garage within the site to the east of the dwelling. Access is currently off of Sewardstone Road. The site is located within the Metropolitan Green Belt.

Description of Proposal:

Consent is sought to convert the existing two & a half storey dwelling into four x 3 bedroom dwellings. This would involve a new two storey extension across the rear of the property; the provision of 8 parking spaces and an associated landscaping scheme.

The existing garage would accommodate 2 of the 8 parking spaces. The access off Sewardstone Road would be closed to vehicles with the access off Daws Hill be used for this purpose instead. 2 spaces per dwelling are proposed.

The proposed two storey rear extension at 3m would be similar but slightly larger in size to that which could be erected under permitted development and a certificate has been issued by the Local Planning Authority to this effect in 2016.

The wider site would be split into two with the development proposing small rear gardens of approximately 90m², 102m², 102m² and 237m² respectively for each dwelling. The existing garden beyond would be separated however an access road from Daws Hill would run along the eastern side of this grassed area.

Existing planting would be retained on the boundaries.

Relevant History:

EPF/0644/89 - Conversion of building to dwelling and garage – Refused and dismissed on appeal

EPF/0013/92 - Renovation and conversion of building (previously stables with living accommodation over) to dwelling house with detached garage and garden – Refused

EPF/0759/93 - Change of use to form four(4) bedroom house and erection of ancillary double garage – Approved

EPF/0298/98 - Erection of a detached garage - Approved

EPF/0039/00 – Raising of the ridge height and installation of dormer windows to enable provision of rooms in the roof. Refuse permission

EPF/0902/00 – Raising of the ridge height and installation of 5 dormer windows to enable second floor accommodation. Approved.

EPF//1424/10 - One additional rear facing (north east) pitched roof dormer window – Approved

EPF/1440/16 - Certificate of Lawful Development for proposed two storey rear extension - Lawful

Policies Applied:

National Planning Policy Framework 2012

Local Plan (1998) and Alterations (2006)

CP1 – Achieving sustainable development objectives

CP2 – Protecting the quality of the rural and built environment

GB2A – Development in the Green Belt

GB7A – Conspicuous development

CB13 – Subdivision of houses

DBE1 – Design of new buildings

DBE2 – Effect on neighbouring properties

DBE4 – Design in the Green Belt
DBE8 – Private amenity space
DBE9 – Loss of amenity
ST4 – Road safety
ST6 – Vehicle parking
LL10 – Adequacy of provision for landscape retention
LL11 – Landscaping schemes
U2A – Development in flood risk areas
U2B – Flood Risk Assessment zones
RP4 – Contaminated Land

Epping Forest Draft Local Plan consultation document (2016)

The Epping Forest District Draft Local Plan is the emerging Local Plan and contains a number of relevant policies. At the current time only limited material weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions. The relevant policies within the Draft Local Plan are:

SP1 – Presumption in favour of sustainable development
SP5 – Green Belt and district open land
T1 – Sustainable transport choices
DM10 – Housing design and quality
DM21 – Local environment impacts, pollution and land contamination

Summary of Representations:

TOWN COUNCIL – Objection - The Committee were concerned that apart from road safety issues regarding entry and exit to the site, to build more houses in this part of the Green Belt would constitute ribbon development, and threaten the open land between the London Borough and Waltham Abbey.

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

ST AUBYNS –Objection - the proposal is at odds with Green Belt policy; no exceptional circumstances; proposal would create a terrace of houses from one property having a detrimental effect on the character and open nature of the area; negative effect on road traffic by increasing the volume of traffic; Daws Hill and Sewardstone Road are areas that already experience heavy traffic and have a high accident rate; access proposed to the rear has not been used for years and allowing this development would create a private road opening onto the already congested Daws Hill; proposal provides inadequate parking; no provision has been made for families with more than two cars, visitors, tradespeople etc with limited parking in the area; the entire property is very visible from the public highways and will not be screened by existing vegetation.

CONSERVATORS OF EPPING FOREST – Objection – Proposal breaches NPPF and Council's own policies relating to the protection of the Green Belt ; The scheme would suburbanise a semi-rural site with the associated infrastructure and boundary landscaping which will also change the character of the area. There is poor accessibility to local shops and services; therefore the overall benefit of providing three more dwellings is insufficient to outweigh the harm to the Green Belt.

Issues and Considerations:

The main considerations in relation to the proposal are the suitability of the buildings to be converted and the impact on the Green Belt, the overall design and impact on the surrounding area, amenity considerations, landscaping issues and highway safety/access.

Green Belt

Paragraph 90 of the NPPF states that the reuse of buildings that are of permanent and substantial construction is 'not inappropriate' in the Green Belt provided openness is preserved and there is no conflict with the purpose of including land in the Green Belt. GB2A and GB13 further support this directive by stating that the Council may permit the subdivision of existing large houses in the Green Belt into two or more dwellings provided that, amongst other things, the proposal demonstrates the suitability of the proposal in terms of living space, garden space, privacy, access, parking and other residential amenities; whether the appearance of the countryside would be impaired and that there is accessibility to employment, schools, shops, community services and public transport.

The existing building on the site is an existing dwelling. The conversion to 4 dwellings would not be at odds with green belt policy GB13 in this regard.

Along with the conversion to 4 dwellings, the application proposes a 3m deep rear extension. Paragraph 89 of the NPPF states that "*a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are*" (amongst others) "*the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building*".

The proposed extensions to the existing building measure a total of 511m³. The original building was slightly lower than the existing dwelling as the roof has been raised by approximately 1.3m under EPF/0902/00. This increase equates to approximately 70m³. So the combined increase over and above the original would be approximately 581m³.

The original dwelling when converted had a volume of approximately 957m³. Therefore the volume increase in percentage terms would be just under a 61% increase over and above the originally converted dwelling.

Whilst this could be considered to be a disproportionate addition in some instances, certainly more rural areas where the extension would appear more conspicuous, a two storey extension could be added to the property as it stands under permitted development which whilst smaller than the one proposed, would not appear substantially different.

It is considered that along this stretch of Sewardstone Road with other sizeable built form in close proximity, the extension would not appear so incongruous as to justify a refusal certainly as views of the building from Sewardstone Road are limited given the existing boundary screening around the site. Considering the balance of the above issues, Officers feel that the proposal would not materially prejudice the open character and appearance of the green belt in this location.

Separate curtilages will be created for each unit which would have some impact on open character with regards to close board fencing however this is not considered to excessively detract from the openness of the area.

The proposal is considered to comply with relevant criteria of Local Plan policy GB13 and in keeping with the spirit of the policy, certain permitted development rights can be removed to keep check of additional built form without requiring permission from the Local Planning Authority.

Although the Town Council are concerned this would cause a ribbon development in the green belt and threaten the open land between the London Borough of Waltham Forest and Waltham Abbey, Officers consider that a 3m deep two storey extension to the building would not cause material

harm to openness and would not materially reduce the open break between the site and the boundary with Waltham Forest which is in excess of 1km away.

Character and Appearance

It is considered that the proposed conversion and extensions would not materially detract from the character and appearance of the area. Although the proposal would introduce more residential paraphernalia and subdivision of the site, including new boundary fencing, it is not considered that this would outweigh the overall benefits from this scheme and in this location set away comfortably away from public viewpoints (screened by high hedging along Sewardstone Road and in excess 80m from the entrance along Daws Hill the conversion with the extensions is considered acceptable.

Materials such as render and Cedral weatherboarding are proposed to improve the appearance of the existing building and this is considered acceptable.

The objection by the Conservators of Epping Forest that the proposal would suburbanise the site is addressed here. Considering that much of the natural vegetation is to be retained the site would still appear semi-rural. The proposed weatherboarding would soften the appearance of the front of the building. The site is already in residential use and benefits from permitted development rights so additional buildings, hardstanding, means of enclosures could be erected without planning permission. In terms of the proposed scheme, permitted development rights can be removed to control additional extensions. The proposal would improve the appearance of the site as it stands currently.

Living Conditions

In terms of impact on neighbouring occupiers living conditions, the only neighbour that could potentially be materially affected by the proposal is that at Parima to the south. At first floor level, this property is already overlooked by six windows facing it with the two outer windows serving bedrooms and the four inner windows serving the hallway.

The proposal would reconfigure the openings at first floor level, reducing the size of the larger window. Two additional windows would be added. However, the outer windows would remain as bedroom windows and the six inner windows would be a mix of bedroom and ensuite windows.

The two inner bedroom windows would face predominantly the flank wall of the neighbour but some views could be had across the front and rear of the dwelling but not such that privacy would be materially compromised. The two outer windows would serve bedrooms as they do currently. No windows would directly face neighbouring windows.

The proposal would not increase openings in the roofspace with the existing dormers serving ensuite bathrooms. The dormer windows are proposed to serve a hallway. In order not to increase overlooking from these windows a condition can be imposed for these to be obscured.

Given the above it is not considered that the neighbour's privacy would be significantly impacted on. All other windows face away from neighbours.

The site's proposed layout allows for sufficient amenity space for each dwelling so there would be no serious issues of amenity for future occupants.

Trees/Landscaping

The applicant has submitted a Tree Report which confirms that the development is feasible from a trees perspective. Conditions requiring further details of tree protection measures and a landscaping scheme are necessary.

Highways

The Highways Authority has been consulted and has no objection to the scheme. If anything the closing of the access off Sewardstone Road could be of benefit to highway safety. The access off Daws Hill is existing and could currently have vehicle movement associated with it if it was used. Furthermore the access off Daws Hill provides good visibility. It is noted that the access into the site is not shown as being under the complete control or ownership of the applicant and whether they have a right of access across it. However, whether the applicant has a right of access across is largely a civil matter and not something that can be a material planning consideration.

Concern has been raised that the proposal would increase traffic movements in the area. This is accepted given the increase in the number of dwellings. All units are 3 bedrooms with 2 parking spaces provided for each dwelling which meets current standards. Whilst it is anticipated that the number of journeys to and from the site would increase, certainly along Daws Hill where the access is currently closed off, it is not considered that the introduction of three additional three bedroom units would increase the amount of vehicle movements unacceptably. Essex County Council's Highways Engineer has explained the reason not to object arguing that the existing access onto Daws Hill provides appropriate visibility and geometry for the speed of the road and the scale of the development. The traffic impact from 4 dwellings will be insignificant at this location and on the wider highway network. Consequently the proposal will not be detrimental to highway safety or efficiency.

Sustainability

Whilst the application site is not considered to be particularly 'sustainable' it has been shown in several recent appeal decisions both within and outside of the district that in areas with a lack of a demonstrable five year supply of housing the issue of sustainability alone is not sufficient to outweigh the provision of additional housing.

Although the Council is currently in the process of preparing a new Local Plan where sites will be identified for residential development the latest figures reveal that the Council can currently only demonstrate a 1.35 year supply of land for housing purposes. This development would provide additional housing to assist in the Council meeting its five-year land supply and as such it is not considered that the impact on sustainability would be such to warrant refusal of the application on this issue.

The objection raised by the Conservators of Epping Forest relating to this issue has been taken into consideration but the view differs in that whilst accessibility to local shops and services would be predominantly in the form of private motor vehicle, given the current supply of land for housing, Officers consider that the benefit of three additional dwellings here would outweigh this concern.

Contaminated Land

Although the dwelling is already in residential use, the land is susceptible to contamination due to the site's former use as stables. Therefore it has considered reasonable to attach conditions relating to the provision of contamination reports to address this issue.

Land Drainage

Further details of disposal of foul and surface water are also considered necessary. A separate Land Drainage Consent would also be required.

Third party representations

The objections raised by the Town Council, neighbouring occupier and the Conservators of Epping Forest have been addressed in the main body of the report above.

Conclusion:

The proposed development is considered acceptable when judged against local and national Green Belt policy. It is accepted that the extension is large but this is considered to be outweighed by the fact that the scheme would result in the creation of three additional residential units. From a design perspective, the proposed extension and boundary treatments are considered acceptable and the resultant scheme would not materially detract from the character of the area. The proposal would not materially prejudice the living conditions of neighbours and the proposed layout of the dwellings would provide a good standard of living for future occupants. In terms of trees and landscaping, the Council's Tree Officer is satisfied with the proposal subject to conditions relating to tree protection and landscaping. No objections have been raised by the Highways Engineer who considers the access onto Daws Hill acceptable and the increase in traffic not significant. Although the site is in the green belt it is not considered that the issue of sustainability is not sufficient alone to outweigh the provision of additional housing.

In conclusion the proposed scheme is considered a suitable form of development and on balance compliant with policy, so it is recommended that consent is granted subject to conditions.

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

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

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