

## AREA PLANS SUB-COMMITTEE 'WEST'

13 December 2017

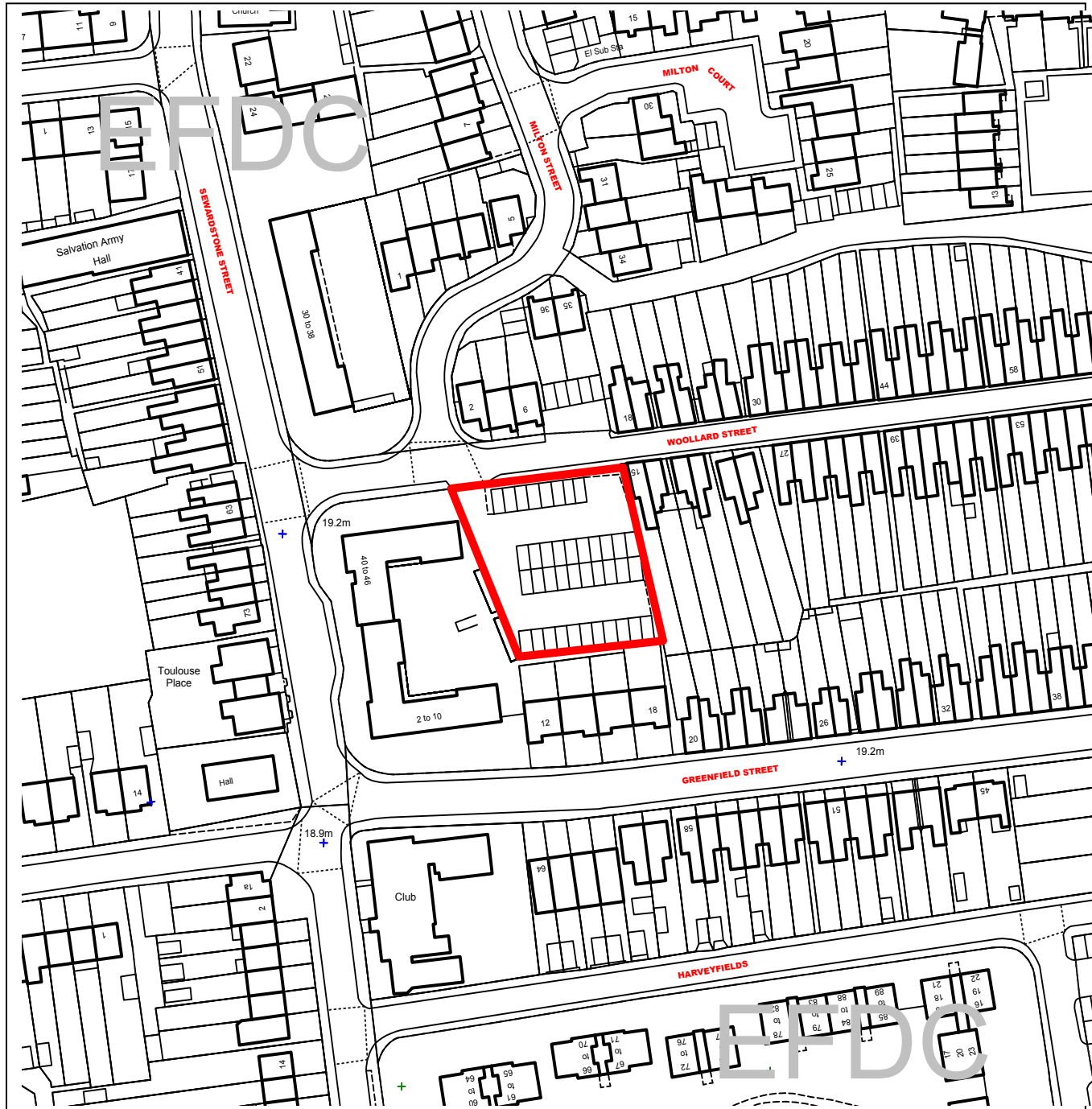
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# Epping Forest District Council

## Agenda Item Number 1



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Application Number:	EPF/2170/17
Site Name:	Land and Garages Woollard Street, Waltham Abbey, EN9 1HE
Scale of Plot:	1/1250

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/2170/17
<b>SITE ADDRESS:</b>	Land and Garages Woollard Street Waltham Abbey Essex EN9 1HE
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey South West
<b>APPLICANT:</b>	Mr Neal Penfold
<b>DESCRIPTION OF PROPOSAL:</b>	9 affordable homes with 19 parking spaces
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM\\_websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=598293](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=598293)

**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: PL01A, PL02A, PL03B, PL04A, PL05A, PL06A, PL07A, PL08, PL09
- 3 The provision and prioritisation of alternative garage provision within the Harveyfields garage site shall be offered to the current occupants of the garage on the Woollard Street garage site as outlined within the letter dated 16 October 2017 from Mrs R Smith, Area Housing Manager (North), shall be undertaken prior to commencement of the development, unless otherwise agreed in writing by the Local Planning Authority.
- 4 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.
- 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 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 7 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 8 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved 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]
- 9 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes,

adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

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

- 10      Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]
- 11      Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 12      In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 13      No development 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.

- 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.
- 15 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.
- 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.

*This application is before this Committee since it is an application for development on the Council's own land or property that is for disposal (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3), 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 application site is currently occupied by 39 garages to the south of Woollard Street. Access to the site is from the north.

**Description of Proposal:**

Consent is being sought for the demolition of the existing garages and the erection of a block of 9 apartments and 19 parking spaces.

The proposed apartment building would measure a maximum of 19.5m in width and 14m in depth with a partial crown roof to a maximum height of 9.1m and eaves height of 5.1m. The proposed new dwellings would be affordable properties and each would benefit from a private terrace or balcony.

**Relevant History:**

None

### **Policies Applied:**

#### **Epping Forest District Council Local Plan (1998) and Alterations (2006):**

CP1 – Achieving sustainable development objectives  
CP2 – Protecting the quality of the rural and built environment  
CP3 – New development  
CP6 – Achieving sustainable urban development patterns  
H2A – Previously developed land  
H3A – Housing density  
H5A – Provision for affordable housing  
H6A – Site thresholds for affordable housing  
H7A – Levels of affordable housing  
DBE1 – Design of new buildings  
DBE2 – Effect on neighbouring properties  
DBE8 – Private amenity space  
DBE9 – Loss of amenity  
LL11 – Landscaping schemes  
ST1 – Location of development  
ST4 – Road safety  
ST6 – Vehicle parking

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

#### **Draft Local Plan Consultation document (2016):**

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

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.

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

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

TOWN COUNCIL – Object. Councillors raised concerns regarding the location of the development and also the layout. The flats should be two storeys high with no balcony as it is an invasion of the neighbours' privacy. The development would also be located down a private road with no vehicle access. Parking is also a serious issue in the area surrounding this development site.

15 WOOLLARD STREET – Object due to the impact from the new access and vehicle movements, the loss of light, privacy and amenity, and because of the loss of parking.

18 WOOLLARD STREET – No objection in principle but consider that the proposed development does not adequately take into account the constraints on the site and the character of the surrounding area, the development would cause detrimental impact to neighbouring amenity, and since the height of the building would be out of scale with the surrounding properties. Furthermore there are some concerns regarding the relocation of the access and whilst the level of parking proposed is considered to be appropriate this should not be restricted but instead be available to surrounding local residents.

22 WOOLLARD STREET – Object due to the impact on the already difficult on-street parking situation

55 WOOLLARD STREET – Object due to the loss of parking.

68 WOOLLARD STREET – Object due to the loss of the garages and the vandalism that occurs to cars parked on the highway.

14 GREENFIELD STREET – Object due to the proposed balconies and overlooking that would result.

23 GREENFIELD STREET – Concerned about the impact of the construction and would like to ensure that the parking spaces would be available for all local residents.

8 LEAVIEW – Object as the proposed development is too big for the area and will cause further parking problems.

86 ROUNTON ROAD – Object as the development does not reflect the character of the area and will worsen the existing car parking problems.

### **Issues and Considerations:**

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

### **Principle of the Development:**

The application site is located within an already heavily built-up residential estate in the town of Waltham Abbey and constitutes a brownfield site since it currently contains garages. Both Local Plan policy H2A and paragraph 17 of the National Planning Policy Framework “*encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value*”.

Notwithstanding consideration regarding the loss of the garages and assessment of the design/layout of the proposal the principle of developing this site would be acceptable since it would make more efficient use of an urban, previously developed site.

### **Affordable Housing:**

There is no requirement for any affordable housing to be provided on a scheme of this size, however since the proposed development is located on Council owned land the proposed development would be 100% affordable housing. This would be of benefit to the overall housing provision within the district.



Since there is no requirement to provide affordable housing on this site, and as this is a Council led development, it is not necessary to secure this by way of a legal agreement.

#### Highways/Vehicle Parking:

A key consideration in this case is with regards to the loss of the existing parking provision.

The submitted Transport Statement states that twenty three of the existing thirty nine garages are currently rented out, all but two of which are rented locally (although one local property rents two garages). The Transport Statement highlights that the internal width of the garages is around 2.2m and the overall size falls far short of the 7mx3m as prescribed within the Essex County Council Vehicle Parking Standards. As a result of this it can prove difficult to utilise the garages for the parking of many modern cars.

A study by Mouchel's, on behalf of Essex County Council, revealed that 78% of lock-up garages are not used for the parking of vehicles but instead are used for general storage/utility uses. Based on this it is estimated within the Transport Assessment that the loss of these garages would result in up to five cars displaced onto the highway. During the applicants study it was observed that there were four cars parked within the garage court (outside of garages). It is therefore concluded within the Transport Statement that there would be nine additional cars displaced from the garages

The proposed development would provide 19 parking spaces. This would accommodate the 9 spaces required for the new one-bed dwellings with an additional 10 spaces to accommodate any visitor parking or that displaced from the existing garage site.

Whilst the approach laid out above in terms of calculating possible displacement (based on a 22% parking rate) has generally been accepted in redevelopment schemes of the Councils garage courts it is considered that the reliance on this estimated figure is not appropriate in this particular instance. This is because it is understood that several of the occupants of these particular garages previously rented garages on other sites that have recently been redeveloped, which accounts for the higher than average occupancy. This is also likely to lead to a higher than average parking usage within these garages. Furthermore the current parking stress of Woollard Street is at 115%, which is very high and is generally considered to be unacceptable. In areas with such a high existing parking stress measures should be taken to reduce the existing stress and no additional displacement would be accepted in such circumstances.

These issues were raised by Essex County Council who responded as follows:

*Given the demonstrably high parking levels around the site and the vicinity (as shown within the submitted parking surveys), and the high level of usage of the garages and forecourt, the parking provision is not considered acceptable for the proposed development. The proposal will displace more parking into an area already overburdened in terms of on-street parking to the detriment of highway safety.*

The matter was discussed with the applicant with a view to mitigate these concerns and the wider parking problems. As a result of these discussions a letter has been received from the Area Housing Manager (North) confirming the following:

*I understand that there have been concerns about the displacement of vehicles should this site be redeveloped. With this in mind I have been asked to confirm our intentions towards the 23 existing garage users of Woollard Street.*

*Assuming a successful planning application, it would be our intention to offer all existing Woollard Street garage tenants a transfer to an alternative garage on our nearby Harveyfields site, where we presently have 30 vacant garages. There are presently no*

*applicants waiting for these 30 garages, however should we suddenly receive an influx of interest, it has been agreed that priority will be given to applicants wishing to transfer from Woollard Street.*

Should the 23 current occupants of the Woollard Street garages be relocated to the Harveyfields garages then there would be no displacement resulting from garage occupants. As such the additional 10 spaces would purely cater for visitor parking and as a mitigation measure to the already overstressed parking within the surrounding area. As such, subject to the current occupants being offered a garage at Harveyfields as indicated within the submitted letter, the proposed development would not cause any additional on-street parking and will go some way towards relieving the existing parking stress within the locality.

A dedicated cycle storage area has been proposed within the ground floor of the site to enable safe and secure bicycle storage for future residents of the site.

#### Design:

The proposed block of flats would be three storeys in height, however the upper floor would be wholly situated within the roof area.

The site is situated between a row of Victorian terrace properties and a block of purpose-built flats located on the junction of Woollard Street and Sewardstone Street. Whilst the overall scale of the proposed development would be significantly greater than the surrounding dwellinghouses it would be set off the shared boundary with the neighbouring Victorian terraces by some 6m and stepped back from the site frontage in order to align the development more with the blocks of flats to the west.

The overall design of the building is considered to be acceptable and would not be out of character within the area. The existing garage site is something of an eyesore and therefore its redevelopment would enhance the overall visual impact in the streetscene.

Each of the proposed flats would have a private terrace or balcony and there would be a small amount of communal green space to the north (front) and west of the building. Given the location and nature of the site and the proximity to local facilities, including the town centre and nearby Town Mead recreation ground, the level of proposed amenity space is considered to be acceptable.

There are no existing trees on the site however there is an opportunity to provide landscaping to soften and screen the proposed building and to add to the public amenity of the streetscene as a whole. The details of new landscaping can be agreed and dealt with by way of a condition.

#### Neighbouring Amenity:

The proposed block of flats would be situated 7m from the flank wall of the neighbouring dwelling to the east however steps back at the point of their rear wall such that there would be a distance of almost 10m from the boundary of the closest neighbours rear garden. The development would be 10.5m from the closest point of the neighbouring block of flats to the west and would not significantly extend beyond the rear wall of this element of the neighbouring property. There would be a distance in excess of 19m between the proposed block of flats and the rear boundary of the dwellinghouses to the south. Due to these distances there would be no significant impact with regards to outlook or loss of light as a result of the development.

The proposed block of flats would include a number of balconies and roof terraces on the upper storeys north, south and west elevations however these include the provision of privacy screens and have been located in such a way to ensure that there is no direct overlooking to surrounding

neighbours. The only upper storey flank windows would be small obscure glazed windows that would not result in a loss of privacy.

The proposed development would be served by a new access road along the eastern side of the site immediately adjacent to the neighbouring dwelling. Whilst this would result in vehicle movements adjacent to this neighbouring site it is not considered that that would cause any excessive additional harm given the current use of the site.

Other considerations:

*Land Drainage:*

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. As such a flood risk assessment is necessary, however can be dealt with by condition.

The applicant is proposing to dispose of surface water by soakaway however the geology of the area is predominantly clay and infiltration drainage may not be suitable for the site. Therefore further details are required by way of a condition.

*Contamination:*

Due to the use of the site as lock up garages, the presence of Made Ground from former development and imported demolition waste, the presence of a gassing Landfill Site within 250m, and the presence of Peat Beds in the underlying natural geology, there is the potential for contaminants to be present on site. Since domestic dwellings are classified as a particularly sensitive proposed use an appropriate contamination assessment is required. As remediating worst case should be feasible it should be possible to deal with land contamination risks by way of condition.

*Waste:*

A dedicated refuse storage area has been proposed on the ground floor that would be directly accessible from the access road.

**Conclusion:**

The proposed development would provide much needed affordable housing within an existing built-up area that will assist in the Council meeting its five-year land supply. The design and layout of the proposed flats would be acceptable and the development would not result in any excessive loss of amenities to surrounding neighbours.

Although the proposed development would result in the loss of occupied garages the provision of replacement garages within the nearby Harveyfields garage site and additional parking spaces proposed as part of the development would adequately accommodate any displacement from the existing site and would go some way to mitigate the existing parking stress within the locality.

Given the above, the proposed development is considered to be acceptable and therefore the application is recommended for approval, subject to conditions.

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

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

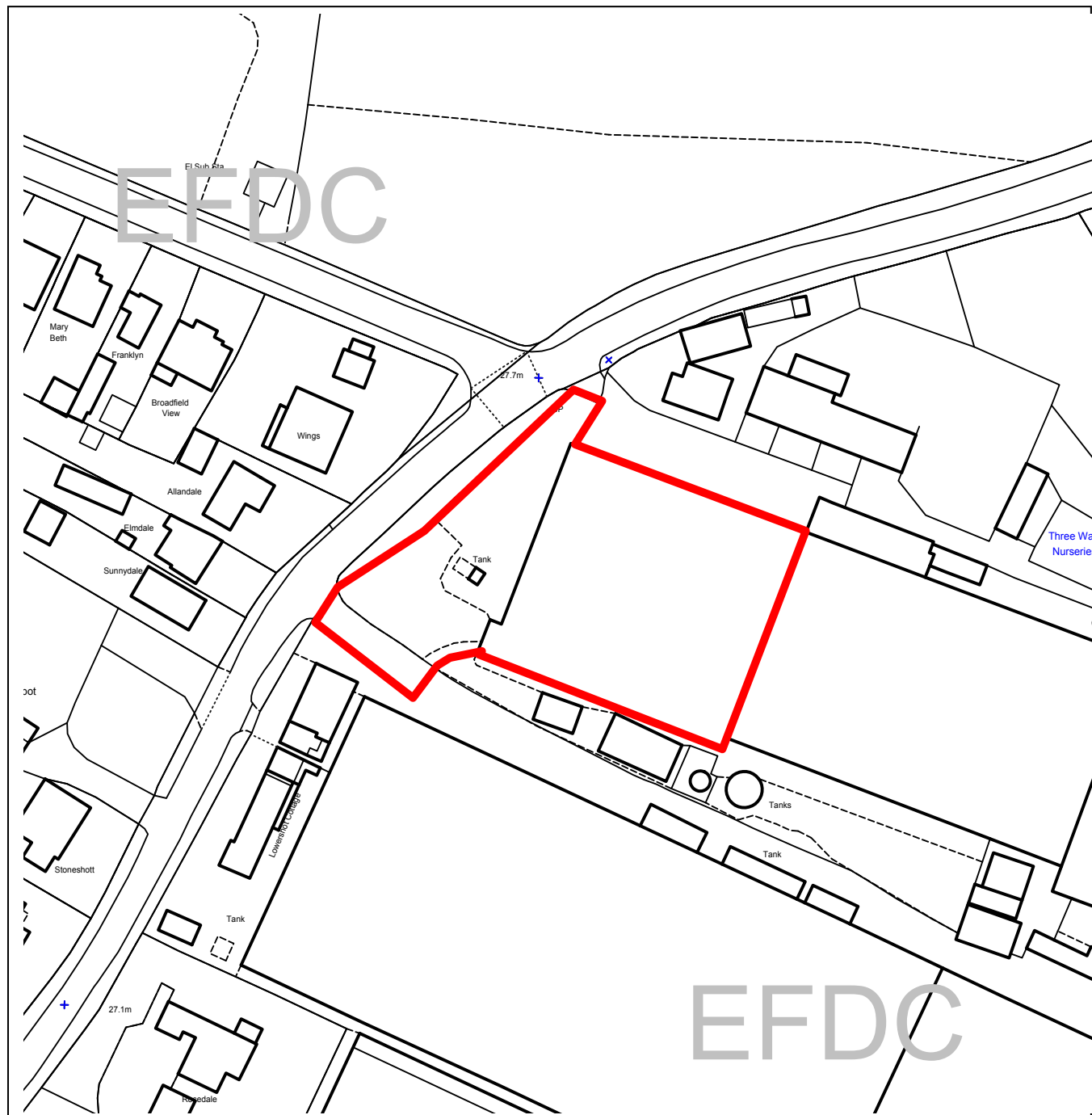
***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***

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# Epping Forest District Council

## Agenda Item Number 2



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Application Number:	EPF/2278/17
Site Name:	Threeways Nursery, Sedge Green, Roydon, CM19 5JS
Scale of Plot:	1/1250

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/2278/17
<b>SITE ADDRESS:</b>	Threeways Nursery Sedge Green Roydon Essex CM19 5JS
<b>PARISH:</b>	Roydon
<b>WARD:</b>	Roydon
<b>APPLICANT:</b>	Mr M Martorana
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of part of existing glasshouses; change of use and conversion of remainder to form 10 units in mixed light industrial estate and storage use (class B1/B8).
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=598793](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=598793)

**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: 3715/1, 3751/2, 3751/3, 3751/4, 3751/5, 3715/6
- 3 The external colour of the proposed development will be either grey or dark green, unless otherwise agreed in writing by the Local Planning Authority.
- 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 The development hereby permitted shall not be open to staff outside the hours of 08:00 to 18:00 on Monday to Friday, 08:00 to 13:00 on Saturdays and at no time on Sundays and Bank Holidays.
- 6 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as

appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 7 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.
- 8 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved 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]
- 9 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.



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

- 10      Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]
- 11      Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 12      In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

*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 relates to a block of glasshouses measuring approximately 48m x 52m occupying the northern part of the applicant's horticultural site. The site is located on the eastern

side of Sedge Green close to the junction with Dobbs Weir Road and is situated within the Metropolitan Green Belt.

**Description of Proposal:**

Consent is being sought for the demolition of part of the existing glasshouses and the change of use of the remaining glasshouses into 10 units for mixed light industrial and storage use (B1/B8).

**Relevant History:**

The nursery site has a long and extensive history however none of the previously planning applications are considered directly relevant to this current proposal.

**Policies Applied:**

**Epping Forest District Council 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  
GB8A – Change of use or adaptation of buildings  
E12A – Farm diversification  
E13B – Protection of glasshouse areas  
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.

**Draft Local Plan Consultation document (2016):**

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

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.

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

4 neighbours were consulted and a Site Notice was displayed.

PARISH COUNCIL – Object. This would be a more intensive use of the site which would generate more traffic and noise and set a precedent for other sites in the area.

## **Issues and Considerations:**

The main issues to consider are the impact of the proposed change of use on the Metropolitan Green Belt, the design of the proposal, the existing glasshouse employment area, and regarding highways and neighbour amenities.

### **Green Belt Considerations:**

Local Plan policies and the National Planning Policy Framework (NPPF) allow for the change of use or adaptation of buildings in the Green Belt. Paragraph 28 of the NPPF promotes the *"sustainable growth and expansion of all types of business and enterprise in rural areas...through conversion of existing buildings"*. Paragraph 90 states that *"certain other forms of development are not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt"* and includes *"the re-use of buildings provided that the buildings are of permanent and substantial construction"*.

Whilst glasshouses are generally not considered to constitute permanent buildings and as such would usually not be permitted for conversion to alternative uses there have been a number of recent exceptions to this. These include the recent approval for a redevelopment of Happy Grow Garden Centre (EPF/1454/16) whereby it was accepted that *"the majority of the site is comprised of glasshouses which generally have questionable permanence when being assessed within the planning system, however records indicate that the full extent of the glasshouses as they currently stand have been on the site since at least 1987 and used as a garden centre since 2001. It is therefore considered that despite their materials of construction, the glasshouses are in a non-agricultural or horticultural use and can be regarded as permanent structures for the purposes of planning policy"*. Secondly, and more relevant, planning consent was recently approved for the partial demolition and partial change of use of glasshouses into three dwellings at Erica's Nursery, Kents Lane (EPF/0069/17) where the applicant showed that the existing glasshouses were capable of conversion without any substantial replacement or rebuilding.

With regards to the application site, it is stated within the Planning Statement that *"the existing glasshouses were constructed in the 1970s and consist of a solid aluminium frame supported on a grid of concrete 'dollies'. The frame is clad with glass, which has been replaced from time to time throughout its life. The framework of the glasshouse is in good condition and the building is clearly of permanent and substantial construction"*.

This proposed development would demolish a 'central spine' approximately 8m in width in order to provide access to the new units however the remainder of the glasshouses are proposed for retention and reuse. The existing glass panes would be removed and replaced with insulated panels with the structure of the glasshouses remaining. Further details of the methods to which the conversion would take place were requested and a Structural Report subsequently submitted. This highlights that the main structure would be utilised with some elements to be removed to create access and to clear space within the buildings. The Structural Engineer concludes that *"having carried out our structural appraisal we are satisfied the existing structures can be utilised for the proposed change of use to business-type units"*.

Due to the evidence provided by the Structural Engineer it is accepted in this particular instance that the glasshouses on this site are capable of conversion for the intended purposes. The caveat of such conversions within the Green Belt are that *"they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt"*. Given that the proposal would result in a reduction in built form of approximately 40% (through the demolition of part of the existing glasshouses) it is clear that the proposal would preserve and enhance the openness of the Green Belt. As such the proposal would not constitute inappropriate development.

### Design:

The application site is situated within a relatively built-up area containing a mix of horticultural sites, commercial businesses and residential properties. The level of built form, style and general use is extremely mixed and as such it is considered that the proposed development would not be detrimental to the character of the area.

It is proposed to either use grey or green cladding. The grey cladding has been suggested since this would provide the closest match to the colour of the existing glasshouses and would have a matt finish to prevent light being reflected off of the building. Alternatively the building could be clad in dark green to soften its appearance and blend it in with the surrounding landscaping. Such colouring is standard in new agricultural buildings.

It is considered that either colour cladding would be appropriate within the area and therefore a condition specifying either grey or dark green could be imposed.

### Impact on Glasshouse area:

The application site is located within a retained E13 area within the existing Local Plan. The emerging Local Plan policy E3 states:

- C. *in considering applications for a change of use of a glasshouse site, the Council will take into account the following factors:*
- i) *If in a Green Belt location, the essential characteristics of permanence and openness, and the five purposes of including land in the Green Belt (in accordance with national planning policy);*
  - ii) *Landscape impact of the proposed development, including long distance public views;*
  - iii) *The adequacy and suitability of the rural road network to accommodate traffic associated with the proposed development;*
  - iv) *Potential adverse effects on the amenities of adjoining and nearby residents;*
  - v) *Results of tests of site contamination, and methods of treatment and monitoring to render the site suitable for the proposed use; and*
  - vi) *Conclusive and suitably authorised evidence that continuation of glasshouse horticulture is unviable – this could include details of attempts to market the site or to consolidate with neighbouring units.*

Evidence has been submitted with regards to the viability and marketability of the application site including the following justification for the proposed change of use:

- 5.3 *... in the Sedge Green glasshouse area, of which the applicant's nursery forms a part, growers at Leabank Nursery and Bettina Nursery have successfully acquired adjoining sites to create larger more viable nurseries. However the two northernmost nurseries in the Sedge Green Area, Lovershott and Threeways Nurseries, have become more disaggregated in recent years as portions have been sold off, so that the prospects for amalgamation are now limited.*
- 5.4 *Each of the growers whose nurseries immediately abut the application site has written to confirm that they have no wish to purchase the applicant's nursery.*

Information has also been submitted with regards to the company's accounts which show that the last year in which the business made a profit was 2011/12 however since then has made a loss each year despite significant investment (totalling £280,950 since this last profitable year).

Due to the evidence provided it is clear that the existing glasshouse is no longer viable for horticultural use and therefore, in accordance with policy E12A (Farm Diversification), the alternative use of the existing buildings is considered to be appropriate and would enable the continued support of the rural economy.

#### Amenity considerations:

The development is located a significant distance from neighbouring residential properties however the access to the site is within close proximity to the dwellings at the junction of Sedge Green and Dobbs Weir Road. Given the existing use of the site and the surrounding area it is not considered that the proposed change of use would result in any significant increase in disturbance as a result of traffic movements to the site.

Operating hours of 08:00 to 18:00 Monday to Friday have been put forward, which would protect against noise and disturbance at unsociable hours and can be conditioned. Whilst not specifically requested it is not considered that limited opening hours on Saturdays would cause any undue disturbance to neighbours and therefore could be made available should the business so wish.

It is highlighted within the Planning Statement that the existing conifers bounding the site along Sedge Green road are in poor condition, are non-native, and do not provide an effective screen and therefore the applicant proposes to remove these, to erect a 2m green grid fence behind some recently planted laurels, and install additional planting behind this. The provision of more robust landscaping as proposed would result in a more effective screen that would further reduce the impact of the development on the surrounding residential properties and the wider locality.

#### Highways:

The proposed development would continue to use the existing access onto Sedge Green that currently serves two nurseries, various business premises and a number of units of horticultural workers accommodation. Essex County Council Highways have been consulted on the application and have responded as follows:

*From a highway and transportation perspective the Highway Authority has no comments to make on this proposal as it is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, and policies ST4 & ST6 of the Local Plan.*

*The proposal will remove vehicular traffic associated with the existing nursery use, with particular regard to HGV's. The development proposals, given the scale, would not attract a lot of HGV movements themselves and would be commensurate with the existing use through a long established access into the site. Consequently the Highway Authority is satisfied that the proposal will not be detrimental to highway safety or efficiency at this location.*

Each of the units would be served by three off-street parking spaces, which given the small scale of the units would be sufficient to meet their needs. Whilst not specifically referenced on the submitted plans the shared access road to the various businesses on the site consists of a large area of hardstanding that can accommodate occasional visitor parking if/when required without causing any significant impact on the access to the wider site or highway safety.

#### Other considerations:

##### Drainage:

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. As such a flood risk assessment is required, but can be dealt with by way of a condition.

The applicant is proposing to dispose of foul sewage by package treatment plant and surface water by existing watercourse. Further details of these are required, which can be dealt with by condition.

*Contamination:*

Due to the use of the site as a horticultural nursery, the presence of two landfill sites within 250m, and the presence of peat beds in the underlying geology, there is the potential for contaminants to be present on site. As remediating worst case should be feasible it should be possible to deal with land contamination risks by way of condition.

**Conclusion:**

Whilst glasshouses are generally not considered to constitute permanent buildings that are suitable for conversion the submitted structural statement and information is sufficient to show that in this instance the existing building is capable of conversion. Since the proposal would constitute the reuse of an existing building and, due to a 40% reduction in built form, would have a positive impact on the openness of the Green Belt, the proposal would not constitute inappropriate development.

The development would not undermine the wider glasshouse industry within the district, have a detrimental impact on neighbours amenities or highway safety, or harm the character and appearance of the area. Therefore the application complies with the relevant Local Plan policies and the guidance set out within the NPPF 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***

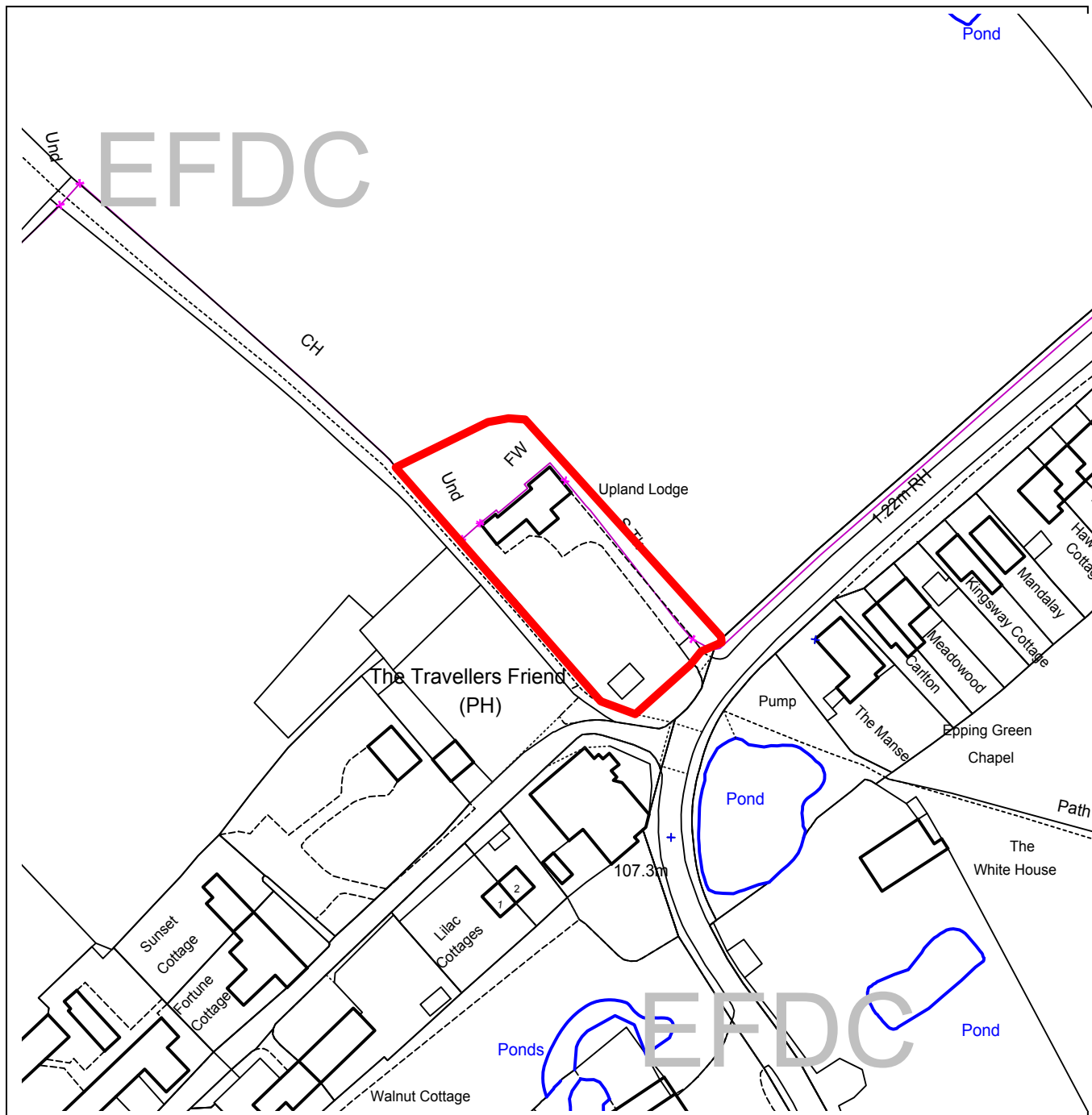
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# Epping Forest District Council

## Agenda Item Number 3



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Application Number:	EPF/2400/17
Site Name:	Upland Lodge, Epping Road, Epping Upland, CM16 6PX
Scale of Plot:	1/1250



**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/2400/17
<b>SITE ADDRESS:</b>	Upland Lodge Epping Road Epping Upland Essex CM16 6PX
<b>PARISH:</b>	Epping Upland  Nazeing
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>APPLICANT:</b>	Mr Abe Cohen
<b>DESCRIPTION OF PROPOSAL:</b>	Double storey rear extension, 2m high fencing and 2m high electric entrance gates to front boundary and alterations to fenestration.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=599294](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=599294)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development shall match those of the existing building and/or those described in section 11 of the submitted application form, unless otherwise agreed in writing by the Local Planning Authority.
- 3 Within 3 months of the date of this permission, the existing fencing shown to be removed on approved drawing 038-08 REV E shall be removed unless approved 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:**

Two storey detached dwelling located on northeast side of Epping Road, in a built up settlement within the parish of Epping Upland. The dwelling is set approximately 40m back from the road and is largely screened by existing hedging and conifers to front and side boundaries. The site benefits from an existing vehicle access with brick wall and gates in situ.

An existing footpath (Public Right of Way) no. 42 Nazeing cuts through the middle of the application site from the southwest to northeast corners. It is currently blocked by a 2m boundary fence recently erected, the corner of an existing garage approved in 1987 and the corner of the existing house extended under EPF/0562/86.

### **Description of Proposal:**

Double storey rear extension, 2m high fencing and 2m high electric entrance gates to front boundary and alterations to fenestration.

### **Relevant History:**

EPF/0785/98 - Erection of rear conservatory and replacement greenhouse - Approved

EPF/0926/87 - Double garage - Approved

EPF/0562/86 - Residential extension to accommodate elderly parent of applicant, with bedrooms and bathroom above - Approved

### **Policies Applied:**

National Planning Policy Framework 2012

Local Plan (1998) and Alterations (2006)

CP2 – Protecting the quality of the rural and built environment

GB2A – Development in the Green Belt

GB7A – Conspicuous development

DBE9 – Loss of amenity

DBE10 – Residential Extensions

RST3 – Loss of Diversion of rights of way

ST4 – Road safety

ST6 – Vehicle parking

LL10 – Adequacy of provision for landscape retention

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

## **Summary of Representations:**

### TOWN COUNCIL – Objection –

- Extension is in the Green Belt with no exceptional circumstances
- Gate is too close to the road and should be set back for safety
- The fence blocks the footpath and the gate would also block the footpath

6 neighbours consulted and site notice displayed – No responses received.

## **Issues and Considerations:**

The main considerations in relation to the proposal are the impact on the Green Belt, the overall design and impact on the surrounding area, living conditions considerations, landscaping issues and highway safety/access.

### *Green Belt*

Policy GB2A states that planning permission will not be granted for the use of land or the construction of new buildings in the Green Belt unless it is for the purposes of agriculture, horticulture, outdoor participatory sport and other uses that will preserve the openness of the Green Belt or conflict with the purposes of including land within the Green Belt.

Furthermore in line with paragraph 89 of the Framework, Policy GB2A states that an extension will not be granted approval in the green belt unless it is a limited extension.

The increase in volume over and above the original would be around 75% (original overall volume approximately 540m<sup>3</sup> and proposed overall volume 948m<sup>3</sup>) excluding the conservatory already erected to the rear. However, a similar conservatory could be added without the need for planning permission and given that permitted development rights are rarely removed by the Council when residential extensions are approved if this hadn't already been erected then one could be in the future which would result in a similar situation and similar impact on the openness of the green belt.

The proposed fence would be screened to the front by existing hedging and the walls and gates would not appear unduly obtrusive due in part to the hedging and them being set back but also due to the dwellings location within a small built up settlement and it is therefore seen in conjunction with the existing buildings. Therefore, on balance the proposal is considered not to detract from the open character of the green belt in this location.

### *Character and Appearance*

It is considered that the extension would not materially detract from the character and appearance of the area. It would be located to the rear of the property and only oblique public views through the roadside hedging would be had of the extension from the road to the northeast of the site. A public right of way currently goes through the site and the extension would be also seen from that. However it is not considered to be of a size that would appear at odds with the size of the existing dwellings and it would not appear conspicuous when viewed from the surrounding area.

The fence would be hidden by the existing hedging. The front walls and gates would be set back from the road, and would only be largely seen when in front of the site itself given the roadside screening.

### *Living Conditions*

There would be no excessive harm caused by any elements of the proposal due to the distance between the application dwelling and neighbouring properties.

### *Trees/Landscaping*

The proposed site plan has been revised and now confirms that all the existing hedging on the site is to remain. On the back of this, the Council's Tree and Landscape Officer has no objections to the proposal.

### *Highways*

The Highways Authority has been consulted and now has no objection to the scheme. A section of existing fencing erected along the southwestern boundary appears to conflict an existing public right of way. This section of fencing requires planning permission as it is considered to be adjacent to a highway and on a revised site plan submitted is indicated as to be removed from the proposal. For the avoidance of doubt, a proposed length of fencing has also been removed from the proposal which would have joined the proposed front fence with the existing side fence. This ensures that the public right of way remains accessible and overcomes the Parish Council objection.

In addition, the Parish Council object to the gate that has been erected within the grounds of the property adjacent to the dwelling which they argue also blocks the footpath. From the Council's map of the site, it appears that the corner of the house blocks the right of way however even if it was the gate, from viewing it on site it appears that it is below 2m in height and can be erected without the need for planning permission and does not form part of this application.

Although the Parish Council have objected to the proposed access gates on highways safety grounds being concerned that they are too close to the road, no objections have been raised by the Highways Engineer. Amended drawings have been received that now indicate the distance from proposed gates to the road. The proposed gates would be set back from the road approximately 6.9m which are set slightly further back into the site compared to where the existing gates are. This would allow for a vehicle to pull off of the road while the gates open.

### *Third party representations*

The objections raised by the Parish Council have been addressed in the main body of the report above.

### *Other Issues*

Given that the existing right of way cuts through the middle of the site and is affected by the corner of the garage and house, it would appear to be in the applicant's best interest to have this diverted if possible. An informative can be added to any permission recommending that the applicant discusses the issue with the Definitive Rights of Way team at Essex Highways as currently the existing obstructions can according to the Highways Engineer be enforced under legislation separate to planning.

**Conclusion:**

The proposal is considered to be a limited extension which would not materially detract from the openness of the green belt in this location. Its design would be in keeping with the host dwelling and not appear at odds with the prevailing pattern of development in the area. There would be no material harm to neighbours living conditions nor the existing landscaping and would be in line with highway policy. Furthermore, the section of fencing would be removed to ensure that the existing public right of way is not stopped up. Therefore the proposal is considered to comply with both the NPPF and Local Plan policy 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: Mr Steve Andrews***

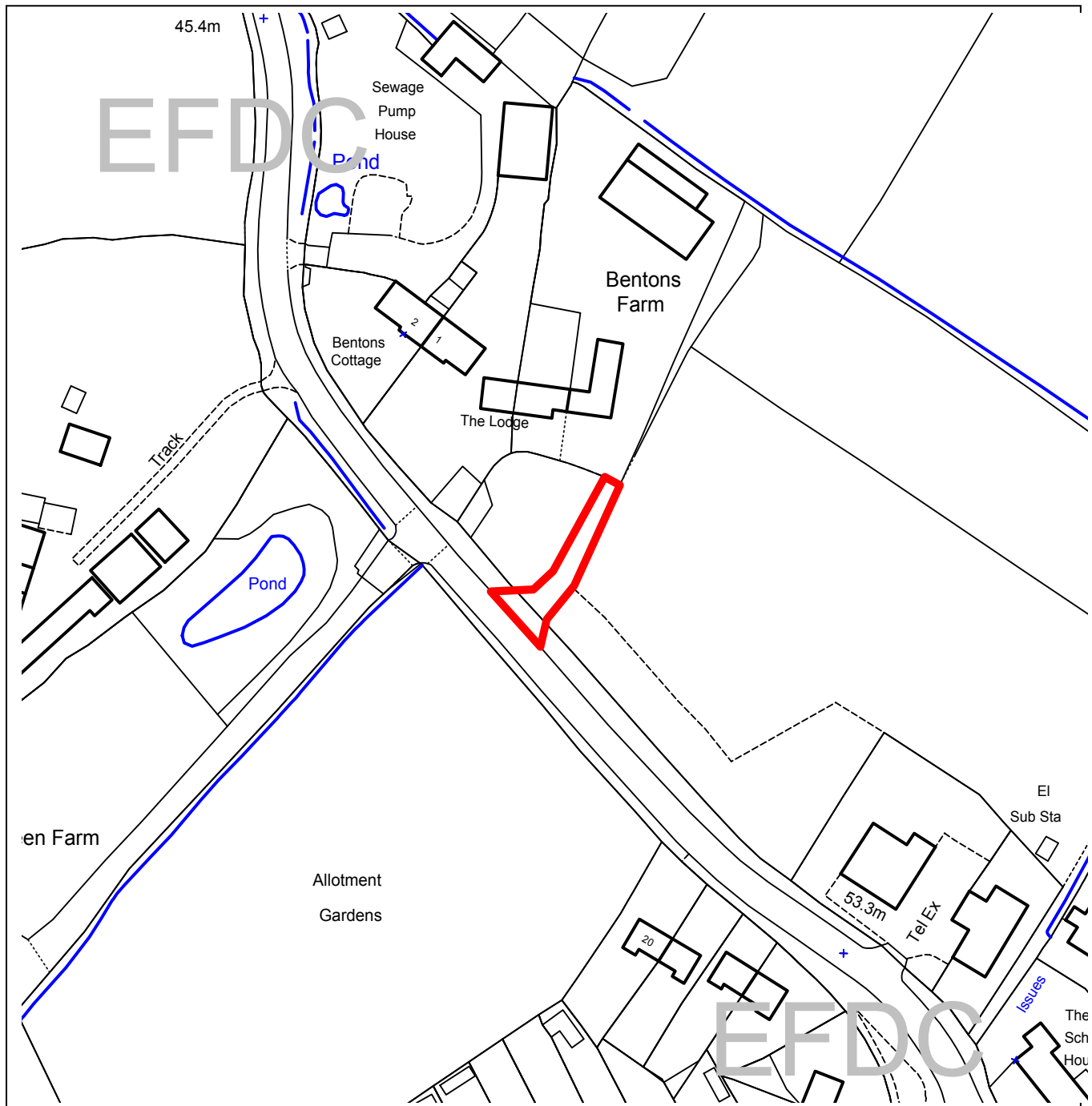
***Direct Line Telephone Number: (01992) 564337***

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



# Epping Forest District Council

## Agenda Item Number 4



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Application Number:	EPF/2413/17
Site Name:	1 Bentons Cottages, Middle Street Nazeing, EN9 2LN
Scale of Plot:	1/1250

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/2413/17
<b>SITE ADDRESS:</b>	1 Bentons Cottages Middle Street Nazeing Essex EN9 2LN
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>APPLICANT:</b>	Mr B Bray
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed new access at 90 degrees to main road
<b>RECOMMENDED DECISION:</b>	Refuse Permission

**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=599395](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=599395)

**REASON FOR REFUSAL**

- 1 The proposal constitutes inappropriate development in the Green Belt, which is, by definition, harmful to the Green Belt and for which there are no very special circumstances which clearly outweigh this harm. The proposal will also cause additional harm to the openness of the Green Belt and therefore the proposal is contrary to policies GB2A and GB7A of the Adopted Local Plan and with paragraph 87 of the National Planning Policy Framework.
- 2 The proposal will cause a significant erosion to the character and appearance of the Conservation Area through the removal of the attractive vegetation at the front of the site and the substantial urbanising impact of the new access. In addition the failure to submit a heritage statement has not justified the identified harm. The proposal is therefore contrary to policies HC6 and HC7 of the Adopted Local Plan and with the objectives of the National Planning Policy Framework.
- 3 The proposal will remove an area of protected trees and vegetation at the front of the site and the applicant has not submitted tree reports to accompany the application. The proposal has therefore failed to demonstrate the adequate provision for the retention of trees and hedgerows and is therefore in conflict with policy LL10 of the Adopted Local Plan and with the objectives of the National Planning Policy Framework.
- 4 The proposal would lead to the creation of an additional and unnecessary access on a stretch of Secondary Distributor highway where the principal function is that of carrying traffic freely and safely between centres of population. The slowing and turning of vehicles associated with the use of the access would lead to conflict and interference with the passage of through vehicles to the detriment of that principal

function and introduce a further point of possible traffic conflict to the detriment of highway safety. Therefore this proposal is contrary to policy ST4 of the Local Plan and with the objectives of the National Planning Policy Framework.

*This application is before this Committee since the recommendation is for refusal contrary to a support 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**

The application site is located on the southern end of Middle Street which is within the settlement of Nazeing. The red lined site is a small strip of land adjacent to Bentons Cottage to the north west and is adjacent to a set of 4 new dwellings not yet built to the east and which abuts Middle Street to the south. There is a robust screen of vegetation on its front boundary which is afforded legal protection as the site is within the boundaries of a Conservation Area. The site is also located within the boundaries of the Metropolitan Green Belt.

### **Description of proposal**

The proposed development is for the construction of a new access onto Middle Street.

### **Relevant History**

EPF/0292/17 – Erection of four detached dwellings – Approved

### **Policies Applied**

CP1 – Achieving sustainable development objectives  
CP2 – Protecting the quality of the rural and built environment  
CP7- Quality of development  
DBE9 – Residential amenity  
GB2A – Development in the Green Belt  
GB7A – Conspicuous Development  
HC6 – Character, appearance and setting of Conservation Areas  
HC7 – Development within Conservation Areas  
DBE2 – Effect on neighbouring properties  
DBE4 – Design in the Green Belt  
DBE9 – Loss of Amenity  
ST4 – Road Safety  
ST6 – Vehicle Parking  
LL10 - Landscaping

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

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

38 Neighbours consulted –



THE LODGE – SUPPORT – The new access onto Middle Street will be a lot safer than the existing access.

NAZEING PARISH COUNCIL – NO OBJECTION and the Council fully SUPPORTS the improved egress from the property. The Council also supports the proposal to improve highway safety while the adjacent development is in progress.

### **Issues and considerations**

The main issues to consider when assessing this application are the potential impacts on the Green Belt, the character and appearance of the Conservation Area, the existing legally protected trees on the site and highway issues.

#### **Green Belt**

The Framework (CLG, 2012) indicates that the Government attaches great importance to Green Belts. The fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

The Framework states that inappropriate development is by definition, harmful to the Green Belt and should be refused planning permission unless very special circumstances can be demonstrated to clearly outweigh the harm caused.

The Framework also emphasises that when considering an application, a Local Planning Authority should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt, by reason of inappropriateness and any other harm, is clearly outweighed by other considerations.

However the Framework does allow for specific exceptions to inappropriate development, this proposal, which involves the provision of hardstanding and construction of a new access does not comfortably fall into any of the exceptions given by the Framework however the most relevant one to consider is:

*Engineering operations...provided it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it*

The construction of a new access and its associated hardstanding could fall within an 'engineering operation' or a 'building operation' and there is little guidance within legislation to separate these two concepts. However in a court judgment *Fayrewood fish Farms Vs SOS and Hampshire CC* 1984, it was held that an engineering operation could be:

*An operation that would generally be supervised by an engineer, however it is not essential that an engineer is actually engaged on the project and nor is the phrase limited to any special branch of the engineering profession.*

However a slightly different view was taken in a more recent appeal decision (APP/J1535/C/12/2186463) where the inspector concluded that:

*There is no persuasive evidence to demonstrate the provision of hardstanding is the type of work that would generally be supervised by an engineer. I therefore conclude that it could more properly be described as "other operations normally undertaken by a person carrying on a business as a builder". The construction of the hardstanding should therefore be regarded as a building operation rather than as an engineering operation.*

Whilst an 'engineer' could be employed to carry out this work, it is not essential and often it is carried out without such supervision. As a consequence the laying of hardstanding such as this falls rather more comfortably within the definition of a building operation than an engineering operation. Therefore whilst an engineering operation may fall under an exception to inappropriate development under paragraph 90 of the NPPF, as it is not an engineering operation the construction of hardstanding cannot be considered to be 'not inappropriate' in the Green Belt.

The proposal is therefore inappropriate development in the Green Belt for which there are no very special circumstances. The proposal is therefore contrary to policy GB2A of the Adopted Local Plan and very substantial weight should be attached to this.

### Openness

In terms of openness, the provision of this new access road diminishes the openness of the Green Belt and will be a significantly visible and obvious feature within the visible street scene. It therefore conflicts with the fundamental aim of the Green Belt which is to permanently keep land open.

Even if it were accepted that the unauthorised hardstanding were an engineering operation rather than as a building operation, as it fails to preserve the openness of the Green Belt, it conflicts with the principle purpose of Green Belt policy to keep land permanently open and therefore cannot comply with the exception to inappropriate development as defined in paragraph 90 of the NPPF, which requires that these exceptions preserve the openness of the Green Belt and do not conflict with the purpose of including land within it.

### Conservation issues

The application site is located within the Nazeing and South Roydon Conservation Area and Paragraph 128 of the NPPF states that applicants are required to describe the significance of any heritage assets affected and how the proposal will impact on its significance.

The Nazeing and South Roydon Conservation Area was designated to preserve the medieval 'close field' pattern and the medieval 'long green' settlements; important landscape features which form a fundamental part of the character and appearance of the area.

The existing boundary treatment adjacent to Middle Street consists of a robust mix of trees and hedges and this contributes strongly to the character and appearance of the part of the conservation area. A recent planning application granted consent for the erection of four detached dwellings on land adjacent to the application site (EPF/0292/17). The screening at the front of the site will serve to screen these large detached dwellings from publicly visible viewpoints within the Conservation Area and this was an important factor in this previous application obtaining planning permission. The erosion of this screening will not only diminish the character of the Conservation Area through the removal of attractive vegetation but will also make this previously approved development far more visible in the street scene, further diminishing this character.

In addition the applicant has not submitted a heritage statement as required by the Framework and the lack of the required information is in itself grounds for a refusal. Without such information there is no justification for the new access cannot be fully understood. Paragraph 132 states that great weight should be given to an asset's conservation and that, as an irreplaceable resource, any harm to significance should require "clear and convincing" justification. No clear and convincing justification has been provided and therefore the proposal is contrary to HC6 and HC7 of the Adopted Local Plan and with the objectives of the Framework.

### Trees and landscaping

As previously identified, the boundary treatment between the application site and Middle Street is an attractive feature in the locality and contributes greatly to the character and appearance of the Conservation Area.

As this site is within a Conservation Area all trees are afforded legal protection and could not be removed without the express consent of the Local Planning Authority. This proposal will necessitate the removal of trees along this boundary and no tree surveys or justification has been submitted to justify their removal. Notwithstanding the lack of tree reports, which would be grounds for refusal in itself, the proposal clearly fails to make adequate provision for the retention of trees and hedgerows and is therefore in conflict with policy LL10 of the Adopted Local Plan.

### Highway and access issues

The proposal would lead to the creation of an additional and unnecessary access on a stretch of Secondary Distributor highway where the principal function is that of carrying traffic freely and safely between centres of population. The slowing and turning of vehicles associated with the use of the access would lead to conflict and interference with the passage of through vehicles to the detriment of that principal function and introduce a further point of possible traffic conflict to the detriment of highway safety.

The applicant uses the argument that this new access will be an improvement to highway safety issues and has submitted various photographs in an attempt to illustrate how dangerous the existing access is onto Middle Street. Whilst these photographs do show various cars having crashed, it is not clear where these pictures have been taken from and no evidence that they have been caused as a direct result of the existing access. Furthermore the Essex County accident data has no recorded accidents on this part of Middle Street for the last 5 years.

The new access would be further from the bend to the north than the existing access, however it is explicit that the applicant is not proposing to close this existing, supposedly dangerous access. As such, contrary to the applicant's contention that this proposal would improve highway safety, it would actually cause it significant harm to its function of carrying traffic safely through through the proliferation of accesses onto a Secondary Distributor Road.

The proposal is therefore contrary to policy ST4 of the Local Plan and with the objectives of the Framework.

### Conclusion

The proposal constitutes inappropriate development in the Green Belt and will cause additional harm to its openness, it will cause significant harm to the character and appearance of the Conservation Area, to existing protected trees and to highway safety issues. Therefore it is recommended that planning permission is refused.

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

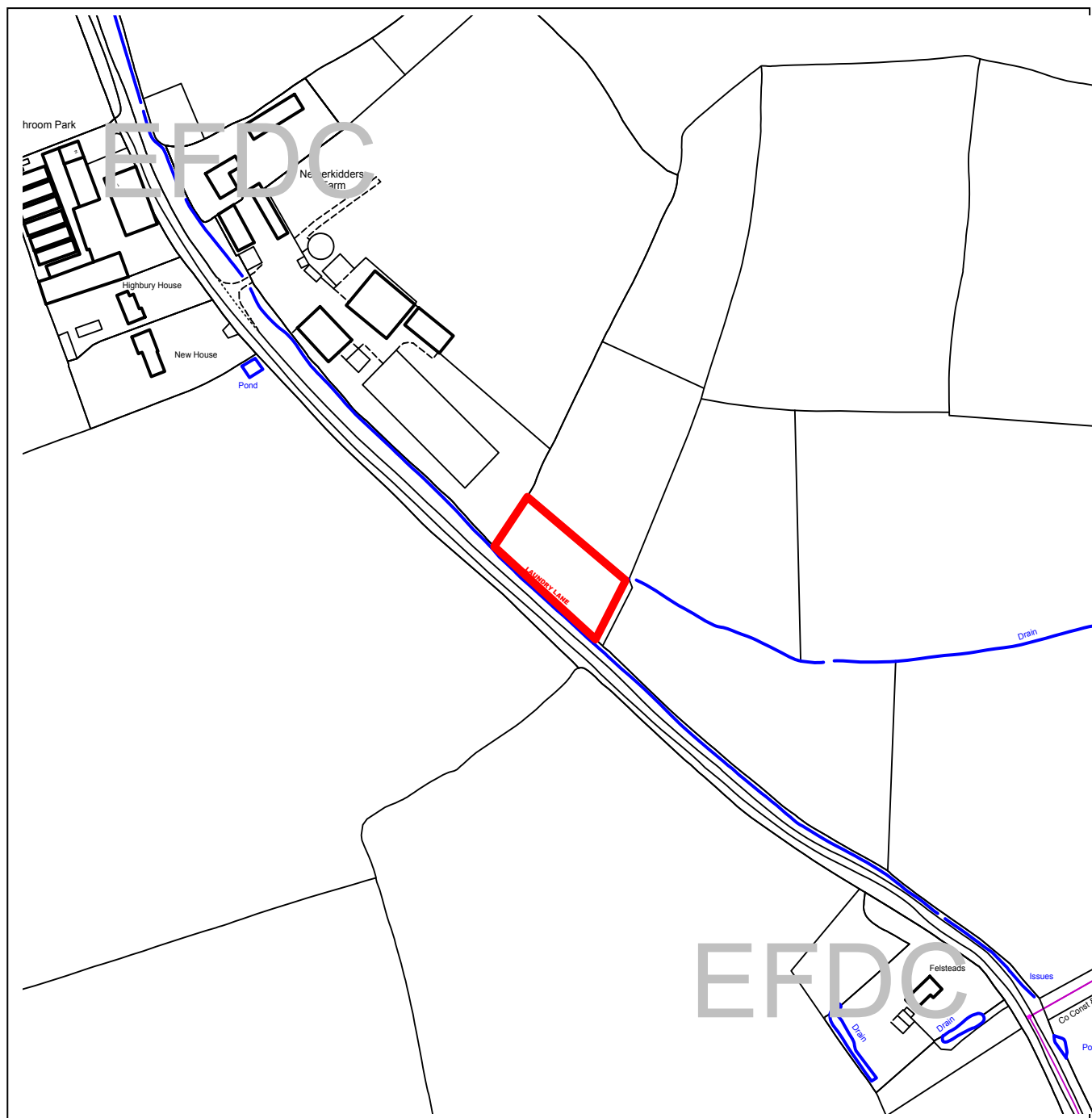
**Planning Application Case Officer: James Rogers**  
**Direct Line Telephone Number: 01992 564 371**

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



# Epping Forest District Council

## Agenda Item Number 5



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Application Number:	EPF/2569/17
Site Name:	Netherkidders, Laundry Lane, Nazeing, EN9 2DY
Scale of Plot:	1/2500

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/2569/17
<b>SITE ADDRESS:</b>	Netherkidders Laundry Lane Nazeing Essex EN9 2DY
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Lower Nazeing
<b>APPLICANT:</b>	Mr P N Gross
<b>DESCRIPTION OF PROPOSAL:</b>	Outline application for agricultural workers dwelling, with all matters reserved.
<b>RECOMMENDED DECISION:</b>	Refuse Permission

**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=600142](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=600142)

**REASON FOR REFUSAL**

- 1 The proposal constitutes inappropriate development in the Green Belt which is, by definition harmful to the Green Belt and for which there are no very special circumstances to clearly outweigh the harm caused. In addition to the harm caused by reason of inappropriate development, it will also cause significant harm to its openness, in conflict with its fundamental purpose of keeping land permanently open. The proposal is therefore contrary to policies GB2A, GB7A and GB17A of the Adopted Local Plan and with paragraph 87 of the National Planning Policy Framework.
- 2 The site is at a high risk of flooding and no Flood Risk Assessment has been submitted by the applicant. The proposal has therefore failed to demonstrate that it could be implemented without being at substantial risk of flooding or causing an increased risk of flooding elsewhere in the floodplain. The proposal is therefore contrary to policies U2A and U2B of the Adopted Local Plan and with the objectives of the National Planning Policy Framework.

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

## **Description of site**

The application site is located on Laundry Lane which is within a very rural part of Nazeing. Netherkidders Farm is primarily a horse keeping enterprise and has a number of stable buildings and tack rooms and other buildings used for the storage of machinery. The application site is located within the boundaries of the Metropolitan Green Belt and it is not in a Conservation Area.

## **Description of proposal**

The proposal is for outline consent for the erection of a rural workers dwelling.

## **Relevant History**

EPF/0910/82 - Outline application for agricultural dwelling. – Refused and Dismissed on appeal

EPF/1415/03 - Outline application for the erection of a bungalow for occupation in association with the equestrian use of Netherkidders Farm. - Refused

EPF/1416/03 - Change of use of farm from agriculture to equestrian use including provision of an outdoor manege. - Refused

EPF/0437/05 - Change of use from agriculture to equestrian use; including adaption of buildings to provide stabling, provision of an outdoor manege, lighting and associated facilities. (Retrospective application) – Approved

EPF/1479/09 - Variation of conditions 2 and 6 on EPF/0437/05 to allow use as horse stud farm and livery. – Approved

## **Policies applied**

CP1 – Achieving sustainable development objectives  
CP2 – Protecting the quality of the rural and built environment  
CP3 – New development  
CP6 – Achieving sustainable urban development patterns  
H2A – Previously developed land  
H3A – Housing density  
DBE1 – Design of new buildings  
DBE2 – Effect on neighbouring properties  
DBE3 – Design in urban areas  
DBE8 – Private amenity space  
DBE9 – Loss of amenity  
LL11 – Landscaping schemes  
ST1 – Location of development  
ST4 – Road safety  
ST6 – Vehicle parking  
GB2A – Development in the Green Belt  
GB7A – Conspicuous Development  
GB17A – Agricultural, Horticultural and Forestry Workers Dwellings  
U3B – Sustainable drainage systems

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

## 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:

DM9 – High Quality Design

SP1 – Presumption in favour of sustainable development

SP5 – Green Belt and district open land

DM21 – Local environment impacts, pollution and land contamination

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

2 Neighbours Consulted – no comments received

NAZEING PARISH COUNCIL – NO OBJECTION - provided that if permission is granted then a condition in accordance with Local Plan Policy GB17A (vi) is included in addition to those referred to in the Planning Appraisal and Business Assessment document.

## **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 outbuilding and erecting a new property within the eastern part of the site.

### Five year housing supply

The Council is currently in the process of creating a new Local Plan; which will allocate sites for new residential development. However the Council is clear that it cannot currently demonstrate a five year supply of housing land within the District as required by the NPPF. In this respect, the Council's policies relation to housing provision cannot be considered up to date (in accordance with paragraph 49 of the NPPF). The shortfall in housing land supply within the District carries weight in favour of granting planning permission.

### Green Belt

The Framework indicates that the Government attaches great importance to Green Belts. The fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. This fundamental characteristic is achieved primarily through a permanent absence of development.

Inappropriate development is, by definition, harmful to the Green Belt and should be refused planning permission unless very special circumstances can be demonstrated to clearly outweigh the harm caused.

The Framework also emphasises that when considering an application, a Local Planning Authority should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt, by reason of inappropriateness and any other harm, is clearly outweighed by other considerations.

There are various exceptions to inappropriate development in the Green Belt as outlined through paragraphs 89 and 90 of the Framework, however this proposal does not fulfil any such exception and is therefore inappropriate development.

The starting point for this assessment therefore is that the development is inappropriate in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt.

The proposal is therefore contrary to policy GB2A of the Local Plan and with the objectives of the Framework, this should be given very substantial weight in the decision making process.

### Openness

In addition to the harm caused to the Green Belt by reason of inappropriate development, the proposal will introduce built form into an existing open part of the Green Belt which is clearly visible from public viewpoints. It will therefore cause a substantial erosion of its openness and will thereby conflict with its fundamental purpose to maintain openness in perpetuity by keeping land free of development.

The proposal is therefore in conflict with policy GB7A of the Adopted Local Plan and with the objectives of the Framework, this should be given very substantial weight in the decision making process.

### Other considerations relating to Green Belt

Notwithstanding the fact that this proposal is inappropriate development in the Green Belt, the Framework allows certain applications to be acceptable in Green Belt terms if there are very special circumstances attached to the proposal to clearly outweigh the harm caused.

Policy GB17A of the Adopted Local Plan sets out a potential scenario which the Council may accept as a very special circumstance to clearly outweigh the harm to the Green Belt, which is that the Council will grant planning permission for agricultural dwellings where it is completely satisfied that:

*The dwelling is **essential**, taking into account the nature of the enterprise (eg. Presence or otherwise of livestock) possible reorganisation of the existing labour force, the potential offered by existing residential accommodation on the farm or holding, and the outcome of any approach made to the Council as a housing authority under the Rent (Agriculture) Act 1976. (Underline for Officer emphasis)*

The first thing to address is that the site is not currently within an agricultural use, but is in fact used for the stabling and keeping of horses, which is clearly distinct from an agricultural use. The proposal therefore fails to comply with the fundamental element of this policy which only allows agricultural workers dwellings in very specific circumstances. As the site is not agricultural, it simply cannot comply with the provisions of this policy.

The submitted statement details that the applicant and his wife currently manage the enterprise and also reside on the adjacent Farmhouse, literally next door to the application site. This existing arrangement whereby the owner of the business is so close to the site, serves to severely undermine the notion that a new dwelling is absolutely essential on this site for its continued use.

The applicant submits that one of their children has a medical condition which requires him to need special attention and supervision and that this takes up a large amount of their time. Therefore their involvement in the running of the business will decrease in the future and the intention is that an employee will take over the running of the business. It is further contended that this new employee will require their own on site accommodation in order to look after the animals on the site.



Whilst Officers have sympathy with the circumstances of the family, personal circumstances rarely outweigh inappropriate forms of development, which will be in place long after the personal circumstances have expired and which are contrary to both Local and National planning policy.

Indeed within the context of the applicant owning and residing at the adjacent farmhouse, it is within the applicants gift to potentially allow this new employee to reside in the main residence, or to have a minder to look after the child if both parents are working on the equine use next door. It would also be possible for either the applicant or the new employee to seek the rental or acquisition of alternative existing accommodation in the local area, an avenue which has not been explored by the applicant whatsoever.

The submitted statement makes reference to an intention in the future to run a small sheep enterprise which would comprise of around 40 breeding ewes with the lambs then raised to killing weight. This is nothing more than an intention and therefore can only carry very limited weight.

The final circumstance put forward by the applicant is that the site is often used for the illegal disposal of materials commonly known as 'fly-tipping'. The supposed fly tipping on the site could clearly be remedied in another way such as securing and monitoring the site and cannot justify the erection of a separate dwelling in this instance. It is also unclear how the erection of a new dwelling would prevent fly tipping on this land or any other adjacent piece of land.

There is no compelling evidence to demonstrate that there is an essential need for a new dwelling on Netherkidders Farm for the proper functioning of the enterprise. Indeed the whole notion of the need for a new dwelling is fundamentally flawed given that the applicant and his family reside in the cottage adjacent to the application site and that it is not an agricultural venture.

The proposal therefore fails to comply with policy GB17A of the Local Plan and has not demonstrated very special circumstances to clearly outweigh the substantial harm to the Green Belt.

#### Living conditions of neighbours

The principle of a single additional dwelling on this site, if suitably designed and located, would not cause any undue harm to the amenities of surrounding residents.

#### Access and highway issues

The Highway Team have commented that the proposal would be acceptable in principle subject to two conditions requiring satisfactory visibility splays for the access and that no unbound material shall be used in the surface treatment of the access within 6 metres of the highway boundary. As this element will be addressed in a reserved matters application, these conditions are not necessary to impose.

#### Land drainage

The Councils Land Drainage team have lodged an objection to the application on the grounds of flood risk. The site lies fully at risk of surface water flooding and the central portion of the site is at a high risk of surface water flooding. No Flood Risk Assessment has been submitted by the applicant with regards to potentially alleviating concerns of flooding.

#### **Conclusion**

The proposed development is inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and for which it has not been demonstrated that there are suitable very special circumstances to outweigh the harm caused. In

addition to the harm caused to the Green Belt by reason of inappropriate development, it will also cause harm to its openness. Consequently the proposal is contrary to policies GB2A, GB7A and GB17A of the Adopted Local Plan.

The proposal is also at a substantial risk of flooding for which a Flood Risk Assessment has not been submitted to alleviate concerns. The proposal is therefore contrary to policies U2A and U2B of the Adopted Local Plan.

It is therefore recommended that planning permission is refused.

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

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

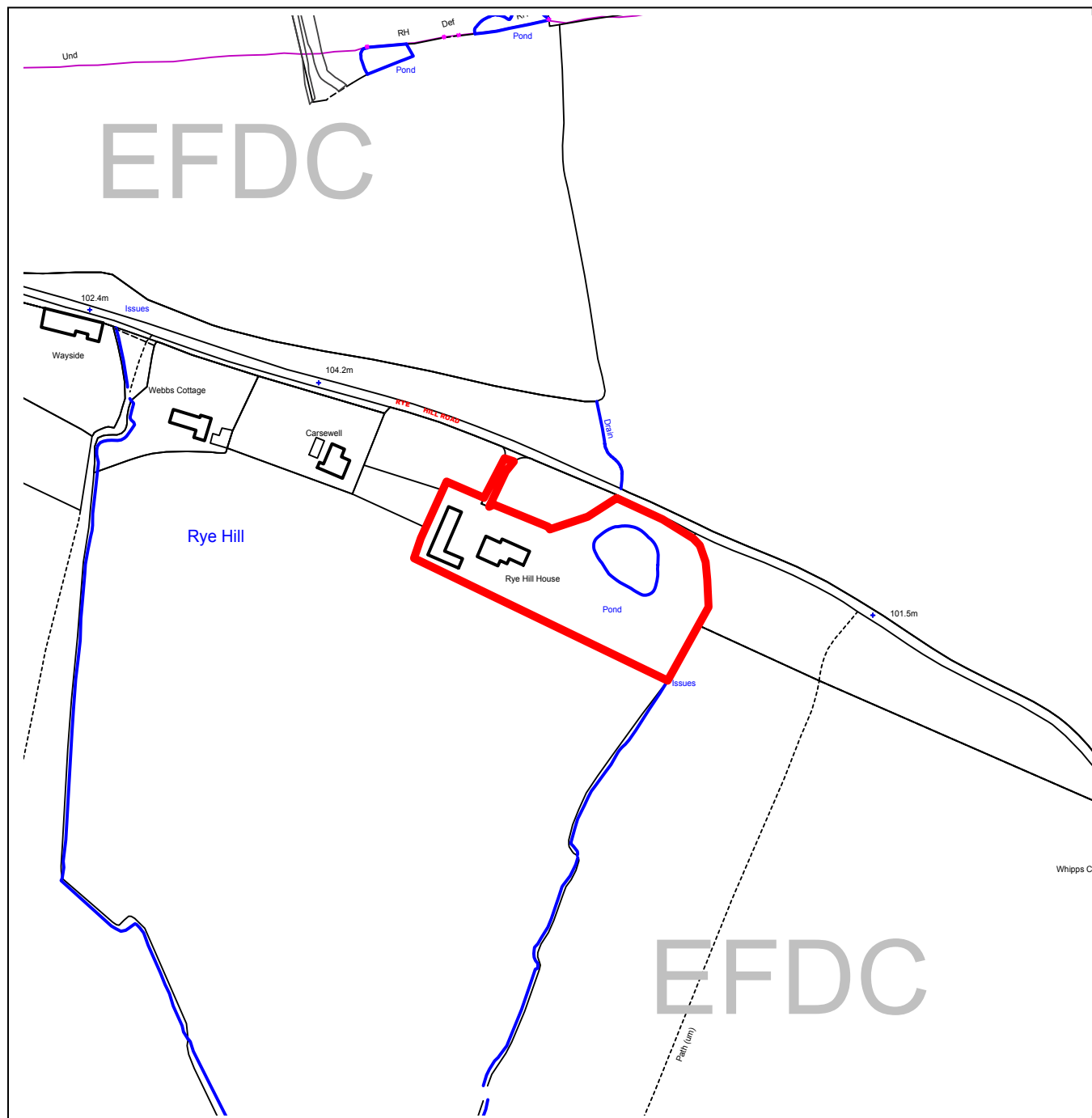
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# Epping Forest District Council

## Agenda Item Number 6



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Application Number:	EPF/2585/17
Site Name:	Rye Hill House, Rye Hill Road, Epping Upland, CM18 7JG
Scale of Plot:	1/2500

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/2585/17
<b>SITE ADDRESS:</b>	Rye Hill House Rye Hill Road Epping Upland Essex CM18 7JG
<b>PARISH:</b>	Epping Upland
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>APPLICANT:</b>	Mr & Mrs Marway
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing barn (approved conversion under application EPF/1700/15 & 1519/16) and construction of new linked single storey building.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=600215](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=600215)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 The proposed development shall only be used for purposes incidental to the enjoyment of the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling known as Rye Hill House, Rye Hill.
- 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 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 generally permitted by virtue of Class A or B of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of 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 consists of a large detached dwelling with a detached barn located on the southern side of Rye Hill Road. The property is set back behind a large common green area and is well detached from neighbouring properties.

The site is located within the Metropolitan Green Belt.

### **Description of Proposal:**

Consent is being sought for the demolition of the existing barn and the construction of a new linked single storey building. This would replace the previously approved barn conversion and extensions previously granted planning consent under ref: EPF/1700/15, EPF/1519/16 and EPF/0501/17.

The proposed new development would be almost identical in scale and design to that which was previously granted planning consent.

### **Relevant History:**

EPF/0467/74 - Extension to dwellinghouse – approved/conditions 16/08/74

EPF/0480/79 - Details of alterations and extension – approved 20/04/79

EPF/0537/82 - Single storey side extension – approved 28/05/82

EPF/0824/88 - First floor extension – approved 24/06/88

EPF/0987/00 - Erection of single storey extension and 2 conservatories – refused 10/07/00

EPF/1311/00 - Erection of front porch and side conservatory and removal of existing rear conservatory and wc extension – approved/conditions 01/09/00

EPF/1700/15 - Extension and change of use of barn to residential purposes, ancillary to Rye Hill House – approved/conditions 07/09/15

EPF/1519/16 - Extension and change of use to residential purposes – approved/conditions 28/07/16

EPF/0501/17 - Extension to connect barn to house, and change of use to residential purposes. First floor rear extension over new extension to extend master bedroom. Amendment to approved application: EPF/1519/16 – approved/conditions 19/05/17

### **Policies Applied:**

#### **Epping Forest Local Plan and Alterations (1998/2006)**

CP2 – Protecting the quality of the rural and built environment

CP3 – New development

GB2A – Development in the Green Belt

DBE4 – Design in the Green Belt

DBE10 – Residential extensions

RP3 – Water quality

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

DM9 – High quality design

DM10 – Housing design and quality

DM18 – On site management of waste water and water supply

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

3 neighbouring properties were consulted. No Site Notice was required.

PARISH COUNCIL – Objection

- Demolition of the barn would be a loss of an attractive rural landscape
- Would affect the character of Rye Hill House by the alteration
- The new build would be over dominant with the existing house

### **Issues and Considerations:**

This application is an amendment to the previously approved applications to convert and link the outbuilding to the main dwelling and instead of proposing to retain and convert the existing barn now proposes to demolish and rebuild this.

#### Green Belt:

Whilst the nature of the development has changed from the previous proposal paragraph 89 of the NPPF states that “a local planning authority should regard the construction of new buildings as inappropriate in Green Belt”. It then provides a list of exceptions to this which includes:

- *the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces; 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 proposed new single storey building would replace the existing barn and previously approved extensions and would be like for like in terms of scale and location. Furthermore, since the entire application site forms the curtilage of the existing dwelling and this is situated outside of a built up area, the site meets the definition of ‘previously developed land’ and therefore can be redeveloped under the above exception.

Given that the proposed replacement building would have no additional impact over and above the previously approved scheme (most of which relates to an existing building on the site), it is clear that this revised application would not ‘have a greater impact on the openness of the Green Belt’ and therefore does not constitute inappropriate development.

*Design:*

The proposed replacement building would be identical in design to the previously approved conversion and extensions and as such would have no further impact on the character and appearance of the area.

Given that the proposed development would not increase the scale of the building over the existing barn and previously approved extensions the development would not be over dominant to the existing house as claimed by the Parish Council.

**Conclusion:**

Whilst the nature of the proposed development has changed from the previously approved conversion in this instance, since the proposed replacement building would replace an existing ancillary residential barn within the curtilage of the house with a new build identical in scale and design to that previously approved, the proposal would continue to be an appropriate development within the Green Belt and would result in no additional impact on the appearance of the existing dwelling or the character of the area and therefore it is considered that the development continues to comply with the relevant Government guidance and 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](mailto:contactplanning@eppingforestdc.gov.uk)***

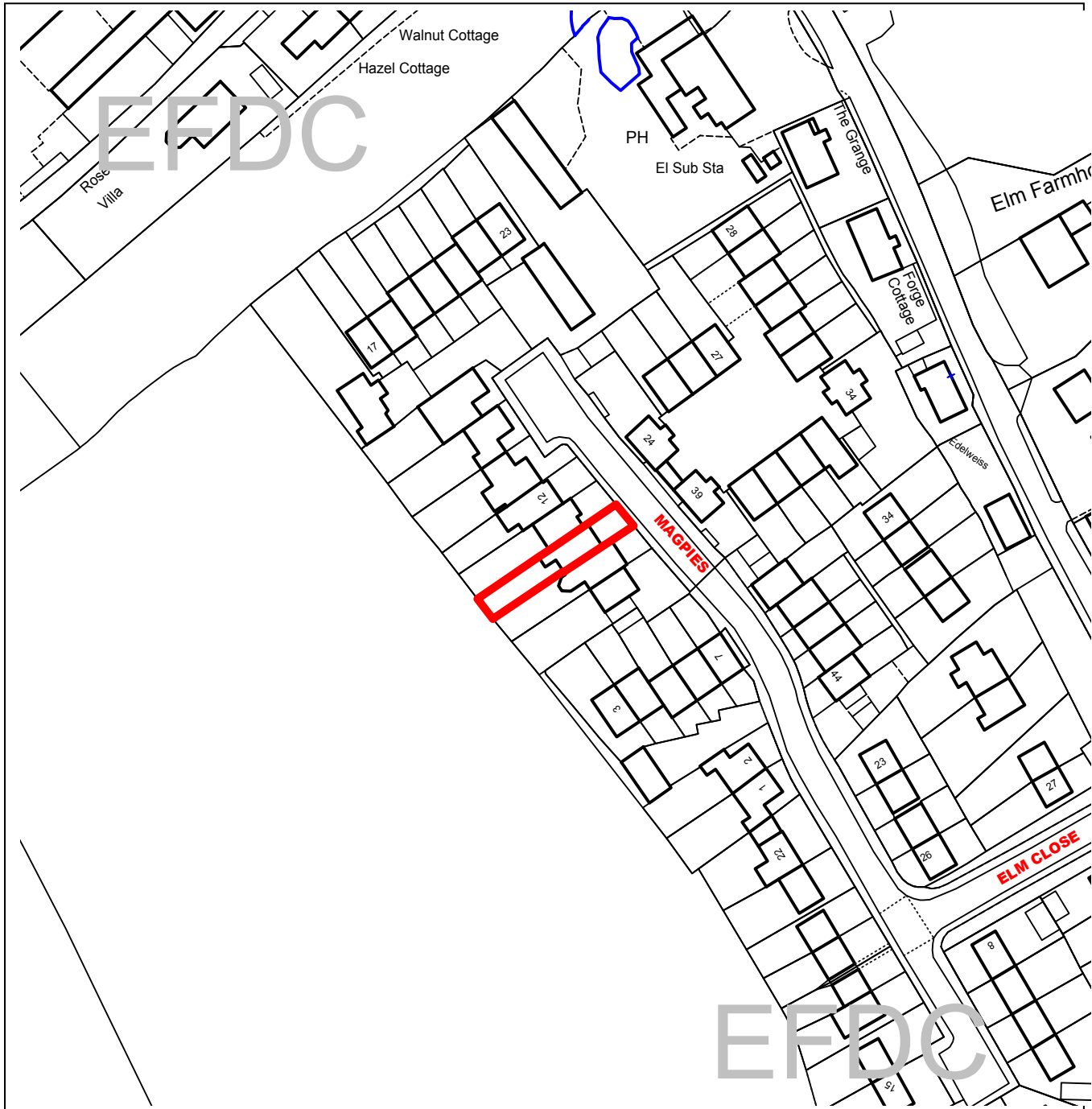


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# Epping Forest District Council

## Agenda Item Number 7



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Application Number:	EPF/2600/17
Site Name:	10 The Magpies, Epping Upland, CM16 6QG
Scale of Plot:	1/1250

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/2600/17
<b>SITE ADDRESS:</b>	10 The Magpies Epping Upland Epping Essex CM16 6QG
<b>PARISH:</b>	Epping Upland
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>APPLICANT:</b>	Mr M Greneski
<b>DESCRIPTION OF PROPOSAL:</b>	Roof extension with rear dormer and 2 roof windows to the front
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM\\_websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=600255](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=600255)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 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 site is located within a built up residential area of the small village of Epping Green and accommodates a two storey mid-terrace dwelling located within an enclosed courtyard with private

garden space to the rear. The site and the surrounding area are not located within the Green Belt or a conservation area and are not within the setting of any listed buildings.

**Description of Proposal:**

Planning permission is sought for a loft conversion with a rear dormer extension and roof lights in the front elevation.

**Relevant History:**

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

**Policies Applied:**

Epping Forest Local Plan and Alterations (1998/2006)

DBE9 – Loss of amenity

DBE10 – Extensions to dwellings

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

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:

DM9 – High quality design

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

**EPPING UPLAND PARISH COUNCIL – Objection:**

- Inappropriate development as it is not compatible with the character of the surrounding area
- Visible from over half a mile away in the Green Belt from the rear
- This property does not face into a housing area unlike previous applications
- Incorrect detail on existing front elevation
- Plan does not show proper use of the room at the top of the building
- Clear from plans that have converted part of integral garage into a habitable room which also raises health and safety concerns – would appear that there is no window and no other exit in an emergency other than through the house
- Concern that this is on the development's main road with no area for lorries etc to park and manoeuvre affecting residents and emergency services
- The removal of permitted development was required by Epping Forest District Council when granting permission for the original construction in the 1970s. There is still no permitted development
- The Magpies development was an award winning feature over 40 years ago and should remain so not being spoilt by inappropriate overdevelopment

11 THE MAGPIES – Object since permitted development rights were originally removed from this estate, the development would be visible from the Green Belt, would be out of keeping with the surrounding, out of character with the dwelling, would adversely affect the street scene, and since there appears to have been a garage conversion that has taken place.

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

The main issues to be considered are:

- Character and Appearance
- Effect on Living Conditions

#### **Background:**

Planning permission is required for the proposed dormer window since permitted development rights were removed from the buildings within The Magpies when originally constructed. Otherwise the proposal could have been constructed lawfully without planning permission.

#### **Character and Appearance:**

Policies CP2 and DBE10 seek to ensure that a new development is satisfactory located and is of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and not prejudice the environment of occupiers of adjoining properties.

In design terms, the proposed dormer window is fairly standard for a rear dormer window and is considered acceptable. Although it would be visible from the adjacent fields (which are situated within the Green Belt) and the bridleway and footpath to the northwest, given that this would be viewed within the context of the village of Epping Upland it is not considered that this would cause any significant harm in terms of long views and the wider landscape.

The proposed dormer is set off the eaves and below the existing ridgeline and appears as a subordinate addition within the roof slope. Due to this it would be in keeping with the character of the host dwelling.

Other loft extensions have been constructed within the estate, albeit not within this particular stretch of houses. Whilst concerns have been raised that this development may lead to similar dormer windows in adjacent properties it is not considered that such additions would cause any significant cumulative harm.

The submitted plans have shown flush fitted windows within the existing front elevation and none within the proposed front elevation, which is clearly a mistake in the labelling of these two elevations. The provision of two rooflights within the front roofslope would not cause any significant impact on the character and appearance of the street scene or wider area.

#### **Living Conditions:**

Due to the location of the dwelling the rear dormer window would face over the adjacent fields and therefore would cause no additional overlooking or loss of privacy to neighbouring residents.

#### **Other matters raised:**

The Parish Council have raised several issues that are either irrelevant or not material planning considerations in this application. These include:

- *Visible from over half a mile away in the Green Belt from the rear*

Whilst Local Plan policy GB7A states that planning permission would be refused for “*development conspicuous from within or beyond the Green Belt which would have an excessive adverse impact upon the openness, rural character or visual amenities of the Green Belt*” it is not considered that a rear dormer window on a small dwelling situated within a densely built up residential enclave would have an ‘excessive adverse impact’ on the adjacent Green Belt in terms of openness, character or visual amenities.

- *Plan does not show proper use of the room at the top of the building*

It is unclear what this concern relates to since the proposed loft plan clearly shows the new habitable space to be used as a bedroom, dressing room and en-suite.

- *Clear from plans that have converted part of integral garage into a habitable room which also raises health and safety concerns – would appear that there is no window and no other exit in an emergency other than through the house*

The existing ground floor plan does appear to show that the garage has been partially converted however this does not form part of this planning application and therefore is not under consideration here. Whilst there may be the need for enforcement investigation and a subsequent retrospective planning application for these works they would in no way relate to the development proposed in this application.

- *Concern that this is on the development’s main road with no area for lorries etc to park and manoeuvre affecting residents and emergency services*

The Parish Council should be aware that matters such as this are not material planning considerations as any harm would only be temporary during the period of construction. However time constraints for construction works can be imposed in order to minimise any impact on neighbours.

### **Conclusion:**

The proposal is considered to comply with the guidance contained within the National Planning Policy Framework and the relevant Local Plan policies and the application is therefore recommended for approval.

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

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

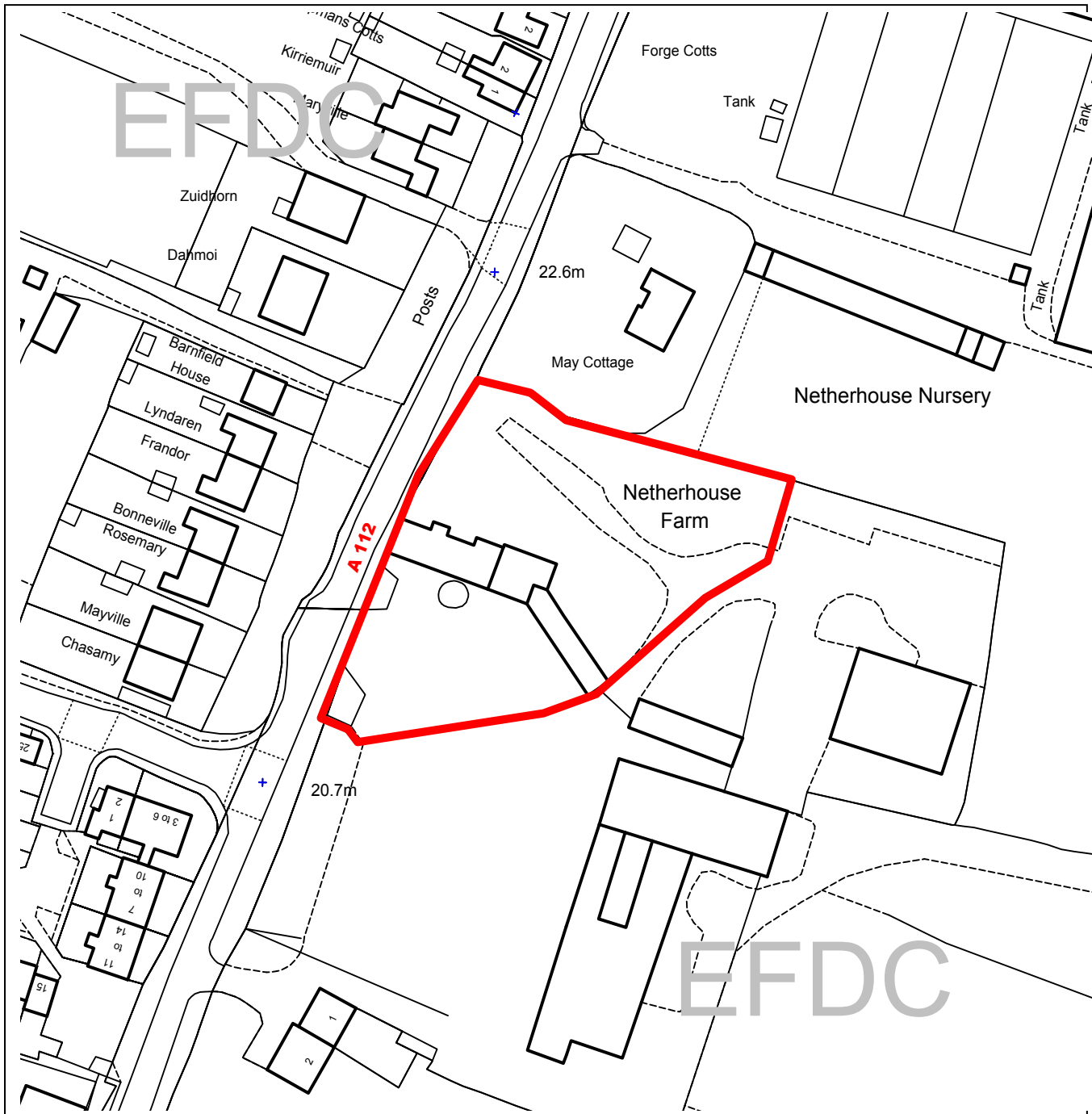
or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)

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# Epping Forest District Council

## Agenda Item Number 8



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Application Number:	EPF/2914/17
Site Name:	Netherhouse Farm, Sewardstone Road, Waltham Abbey, E4 7RJ
Scale of Plot:	1/1250



**Report Item No: 8**

<b>APPLICATION No:</b>	EPF/2914/17
<b>SITE ADDRESS:</b>	Netherhouse Farm Sewardstone Road Waltham Abbey Essex E4 7RJ
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey High Beach
<b>APPLICANT:</b>	Mr Don Benton
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of garage and stable building, conversion of existing barn into 3 dwellings, and construction of four new semi-detached dwellings in place of garage and stables.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=601738](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=601738)

**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: 3964/PA02, 1732/05, 1732/11J, 1732/12M, 1732/13M, 1732/14K, 1732/17K, 1732/18H
- 3 No development shall have taken place until samples of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
- 4 Additional drawings that show details of proposed new windows, doors, rooflights, eaves, verges, fascias, sills and structural openings, by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of any works.
- 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 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A, B, C, D 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 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 shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]
- 9 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the

intended use of the land after remediation.

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

- 10 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 11 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 12 The parking and turning areas shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained in perpetuity for their intended purpose.
- 13 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)*

**Description of Site:**

The application site comprises a curtilage listed barn along with two other former agricultural buildings located within the site of a former farm complex on the eastern side of Sewardstone Road, which was previously associated with the adjacent listed farmhouse. Planning consent was granted in 2016 for the conversion of the historic barn into a single dwelling and the replacement of the garage and stable building with a further two residential units.

To the north, east and south of the site is agricultural and horticultural land consisting of open fields and farm buildings. To the north of the site is a residential property known as May Cottage, and to the immediate south is Netherhouse farmhouse, a Grade II listed building. Opposite the site to the west are residential properties that form the ribbon development that is Sewardstone. The entire site is located within the Metropolitan Green Belt.

### **Description of Proposal:**

Consent is being sought for the demolition of the garage and stable building and the erection of four new dwellings along with the conversion of the barn into three residential units.

This scheme is an amendment to EPF/2425/16, which proposed a similar development, albeit for a total of three dwellings (two new and one located within the historic barn). Aside from some relatively minor alterations to the previously approved scheme in order to accommodate seven smaller dwellings on the site, the scheme is physically similar to that previously granted consent.

The dwellings would be served by the existing access to the larger site, which also serves the café, the surrounding farmland and the recently approved woodland cemetery.

### **Relevant History:**

EPF/2110/08 - Demolition of buildings and structures, construction of 40 residential units with 205 sq. m. industrial use. Restoration of listed barn and conversion to commercial use and landscape improvements – withdrawn 12/01/09

EPF/0583/09 - Demolition of ancillary farm buildings and construction of 41 residential units with parking and associated landscaping. Restoration of listed barn to provide 160sqm (G.E.A) shop/community use (revised application) – refused 09/07/09

EPF/2533/13 - Conversion of curtilage listed barn and ancillary buildings into three residential units and removal of existing grain store – approved/conditions 27/01/14

LB/EPF/2579/13 - Grade II listed building application for the conversion of curtilage listed barn and ancillary buildings into three residential units and removal of existing grain store – approved/conditions 27/01/14

EPF/2369/14 - The conversion and redevelopment of existing redundant commercial buildings to provide 21 new residential dwellings, 10 of which to be affordable units – withdrawn

EPF/2370/14 - The conversion and redevelopment of existing redundant commercial buildings to provide 16 new residential dwellings, 8 of which to be affordable units – approved/conditions 08/06/15

EPF/2425/16 - Demolition of garage and stable building, conversion of barn into dwelling, and construction of two new dwellings in place of garage and stables – approved/conditions 08/11/16

### **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 adaptation of buildings

H2A – Previously developed land

DBE1 – Design of new buildings

DBE2 – Effect on neighbouring properties

DBE4 – Design in the Green Belt

DBE8 – Private amenity space

DBE9 – Loss of Amenity

HC12 – Development Affecting the Setting of Listed Buildings  
HC13 – Change of use of Listed Buildings  
LL1 – Rural Landscape  
LL2 – Inappropriate Rural Development  
ST1 – Location of Development  
ST4 – Road Safety  
ST6 – Vehicle Parking

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

#### 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  
DM7 – Heritage assets  
DM9 – High quality design

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

19 neighbouring residents were consulted and a Site Notice was displayed.

TOWN COUNCIL – Members were unable to comment on the application at this stage as an architectural report is still to be submitted. Members will review the application when the above documents are provided. **[It is unclear as to what the Town Council are expecting since a Design & Access Statement has been submitted with the application, which is publicly viewable, and all other required information has been received]**

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

The key considerations in this application are the impact on the Green Belt, impact on the curtilage listed buildings, impact on amenities, and in terms of highway safety and parking.

This application is an amended scheme to the previously approved EPF/2425/16, which allowed for the demolition of the existing garage and stable building and construction of two new dwellings and the conversion of the historic barn into a single dwelling.

It has been stated that the previously approved dwellings, due to their overall size, location and the proximity of various surrounding uses, has resulted in these being unmarketable and unviable. As such a pre-application submission was made exploring the possibility of erecting four semi-detached dwellings in place of the two previous detached dwellings and converting the historic barn into three properties instead of a single large dwelling. The advice provided within the pre-application submission has been followed and this application subsequently submitted.

#### Green Belt

The proposed amended application would provide seven significantly smaller dwellings however would be almost identical in scale to the previously approved development for three large dwellings. As such the proposal would have no additional impact on the openness of the Green Belt.

Whilst the provision of seven dwellings would result in great subdivision within the site and increased movement/activity the site is situated within a relatively built-up enclave and immediately adjacent to various commercial uses including a fencing company, restaurant and offices. Therefore it is not considered that these matters would cause any significant additional harm to the character of the Green Belt in this location.

#### Impact on curtilage listed barn

The historic barn is a Grade II curtilage listed building due to its historic relationship with the Grade II listed Netherhouse Farmhouse, whereby the garage and stable buildings are 20<sup>th</sup> century in date and are not curtilage listed. It has previously been accepted that the two later buildings can be demolished and replaced with new buildings of this scale and design.

The proposed amendments have been the subject of pre-application discussions and a subsequent site visit from the Council Senior Conservation Officer. This application has followed the advice given during this pre-application submission and continues to retain the historic character and significance of the curtilage listed barn and the setting of the adjacent listed building.

#### Amenity considerations

Given the location of the existing buildings and since consent has already been given for the use the site for three dwellings the proposed development would not have any significantly greater impact on any neighbouring residents. There would be a distance of greater than 30m between the rear windows of the proposed dwellings and the shared boundary with May Cottage, and any further increase in activity on the site would be minor.

#### Highways

From a highway and transportation perspective the Highway Authority has raised no objection to the proposal as it is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, and policies ST4 & ST6 of the Local Plan.

There is adequate space on site to provide all necessary off-street parking for the seven dwellings, including informal space for visitor parking.

#### Other matters

Due to the former uses of the site there is the potential for contaminants to be present on site. As this application is for residential purposes, which is a particularly sensitive proposed user, contaminated land investigations and (where necessary) remediation will need to be undertaken. This can be suitably dealt with by conditions.

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. As such a flood risk assessment is required for the development, which can be dealt with by condition.

The applicant is proposing to dispose of surface water by 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 with regards to surface water drainage, which can be agreed by condition.

**Conclusion:**

The proposed development for seven smaller dwellings would not cause any additional harm over and above the previously approved scheme for three larger dwellings and would continue to maintain the historic character and significance of the curtilage listed building and the setting of the adjacent listed building.

There would be no significant additional impact on neighbours and the development continues to provide adequate amenity space, parking provision, and highway safety and therefore the proposed development complies with the guidance contained within the National Planning Policy Framework and the relevant 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](mailto:contactplanning@eppingforestdc.gov.uk)***