

AREA PLANS SUB-COMMITTEE 'WEST'

17 January 2018

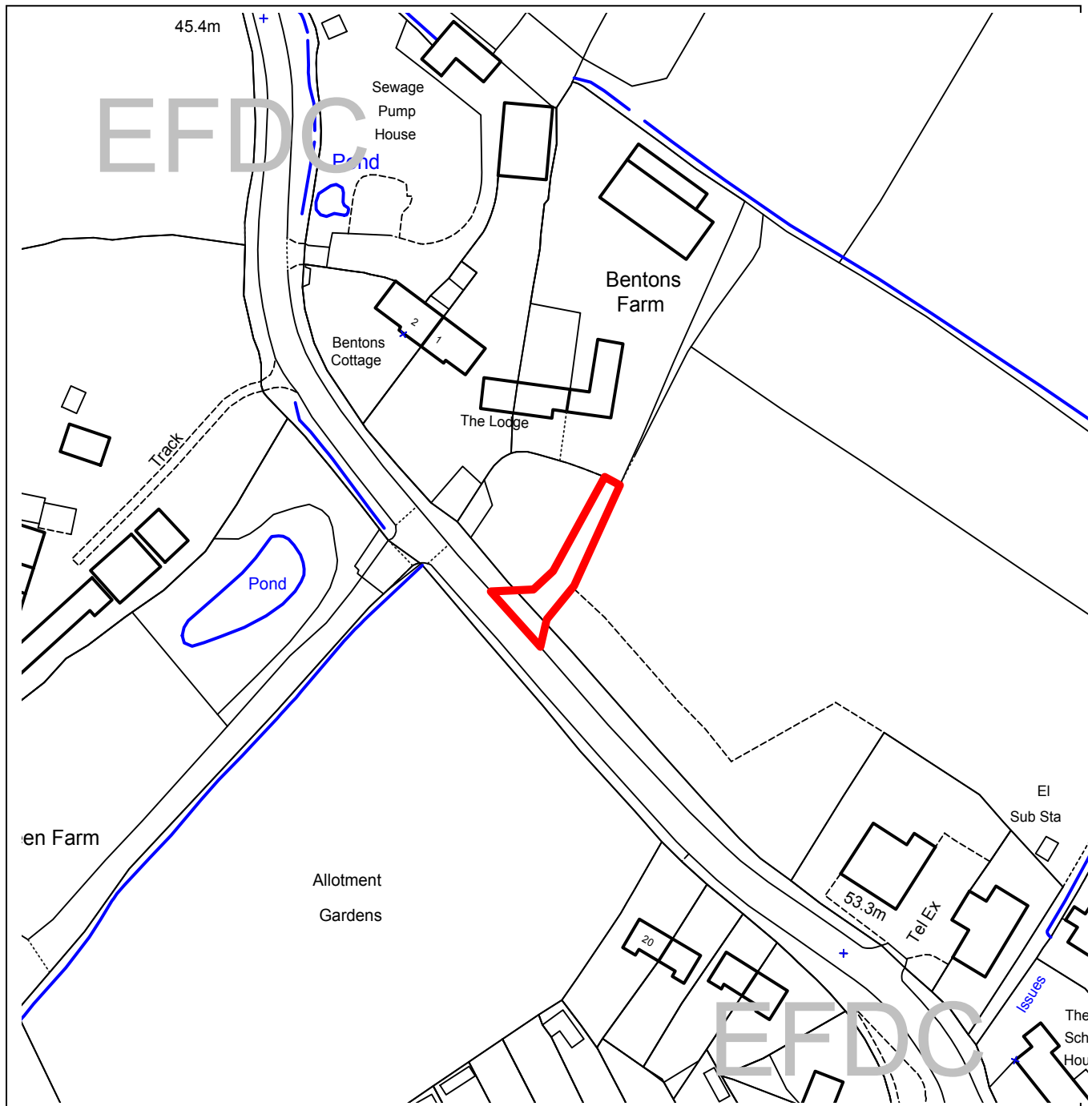
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Epping Forest District Council

Agenda Item Number 1



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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: 1

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

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. It is also contrary to policies DM4 and SP6 of the Epping Forest Local Plan (Submission Version) 2017.
- 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. It is also contrary to policies DM3 and DM7 of the Epping Forest Local Plan (Submission Version) 2017.
- 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. It is also contrary to policies DM3 and DM5 of the Epping Forest Local Plan (Submission Version) 2017.

- 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. The proposal is also contrary to policy T1 of the Epping Forest Local Plan (Submission Version) 2017

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))

This item was deferred from the last Committee Meeting as additional information was offered by the applicant to Officers and Members shortly before the previous meeting; this information was not requested by Officers. On receipt of the information, Members felt that more time was needed for them to fully review the submission of this additional documentation.

Firstly the information argues that the new access will make the existing highway situation safer; however there is no substantive evidence to support this claim, indeed as stated in the highway section of this report, there is no accident data to suggest that the current access is indeed dangerous and there is no evidence to suggest that the creation of a new access, whilst maintaining the supposed existing dangerous access will make the situation safer.

Another justification given for the new access is that contractors will already be on site for other development and if they do both aspects at the same time, it will save on the cost to the applicant. It is Officers view that the cost implications to the applicant do not outweigh the significant harm identified within this report.

The other issues raised in the submission do not offer any evidence which is in any way persuasive to alter the view that Officers have taken on this application.

Since the last Committee meeting, the new Epping Forest Local Plan (Submission Version) 2017 has been approved for publication and is the plan that the Council intends to submit for independent examination. The policies contained within the plan are considered to be up to date, backed up with evidence and compliant with National Policy and therefore are accorded substantial weight. For this reason, the recommended reasons for refusal have been amended to contain reference to policies from the new Local Plan.

Members are reminded that as the development is clearly contrary to adopted policy, should the Committee be minded to Grant consent, the application will need to be referred to the District Development Management Committee.

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

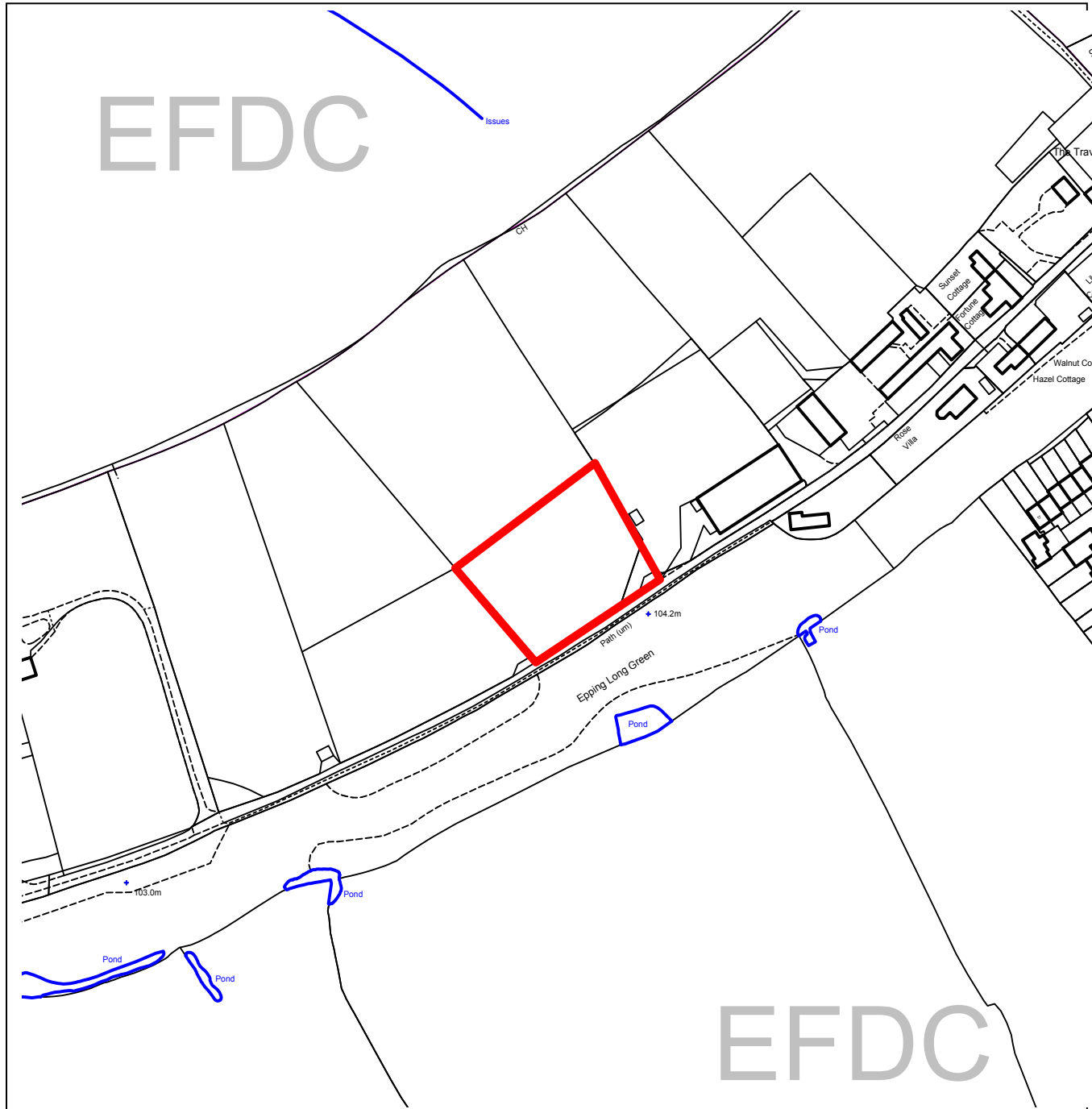
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

Agenda Item Number 2



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Application Number:	EPF/2878/17
Site Name:	Land at Epping Long Green, Epping Green, Epping, CM16 6QN
Scale of Plot:	1/2500

Report Item No: 2

APPLICATION No:	EPF/2878/17
SITE ADDRESS:	Land at Epping Long Green Epping Green Epping Essex CM16 6QN
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
APPLICANT:	Mr & Mrs John S Worby
DESCRIPTION OF PROPOSAL:	Change of use of land from agriculture to horse keeping and erection of stables, fencing, concrete hardstandings and ancillary works
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=601593

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved Location Plan and drawing no: 3044/1
- 3 Materials to be used for the external finishes of the proposed development shall match those specified within the submitted application, unless otherwise agreed in writing by the Local Planning Authority.
- 4 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

The application site is a small area of agricultural land used for grazing located at the end of Epping Long Green, which is a semi-private road serving residential dwellings, agricultural farms and the car-park for the Travellers Friend car park and is on the edge of the village of Epping Upland. The site is within the designated Green Belt.

The site is bordered to the north and west by open agricultural land and to the east by a recently permitted residential scheme in place of a previous equestrian site containing a large utilitarian building, a loose box, a manure bunker and some concrete hardstanding. Epping Long Green, whilst a semi-private road, contains a public footpath (number 45) and to the south of the site on the opposite side of Epping Long Green is Epping Long Green South Local Wildlife Site (LoWS) which contains a public Bridleway.

Description of Proposal:

Consent is being sought for the change of use of the land from agriculture to horse-keeping and erection of stables, fencing, concrete hardstanding and ancillary works to enable the site to be used for equestrian purposes.

The proposed stables would be L shaped reaching a maximum length of 18.6 and maximum depth of 8.7m with a shallow pitched roof reaching a ridge height of 3.4m. The development proposes a concrete yard directly adjacent to the building enclosed by a timber fence and a 6m x 4m muck heap in the southwestern corner of the paddock.

Relevant History:

None relevant to the application site.

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
DBE1 - Design of new buildings
DBE4 - Design in the Green Belt
DBE9 - Loss of amenity
RST3 - Loss or diversion of rights of way
RST4 - Horse keeping
RST5 - Stables
ST4 - Road safety

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 District Local Plan (Submission Version) 2017:

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

SP1 - Presumption in Favour of Sustainable Development

SP6 - Green Belt and District Open Land

SP7 - The Natural Environment, Landscape Character and Green and Blue Infrastructure

T1 - Sustainable Transport Choices

DM3 - Landscape Character, Ancient Landscapes and Geodiversity

DM4 - Green Belt

DM9 - High Quality Design

Consultation Carried Out and Summary of Representations Received:

3 neighbours were consulted and a Site Notice was displayed.

PARISH COUNCIL – Object:

- Abuse of Green Belt
- Change of use is inappropriate
- Unwarranted extension of the built up area
- Concern regarding setting of a precedent for future residential buildings

Issues and Considerations:

The main considerations are the impact on the Green Belt and with regards to the overall design and impact on the character of the area.

Green Belt:

Paragraph 81 of the NPPF states that “*local planning authorities should plan positively to enhance the beneficial use of the Green Belt*” through, amongst other things, providing “*opportunities for outdoor sport and recreation*”. Furthermore, paragraph 89 states that “*a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:*

- *Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it*”.

Horse keeping has long been recognised as an outdoor sport/recreational use. The proposed stable building would contain five stable boxes along with a hay room. The proposed stables would be relatively small scale and appropriate in size, design and layout.

Due to the above the proposal would not constitute inappropriate development harmful to the openness of the Green Belt.

Design:

The proposed building is a simple designed structure with a low pitched roof that would be wholly appropriate to its use. It would be located in the eastern corner of the site immediately adjacent to the neighbouring developed site so as to reduce the expansion of any built form into the open countryside.

The area of hardstanding would be laid immediately adjacent to the stables and would 'square off' the L shape. This degree of hardstanding would not be unduly detrimental to the appearance of this area.

The remainder of the land would be used as a small paddock area. Whilst this size of paddock is smaller than recommended for up to five horses the site is immediately adjacent to a public Bridleway that is a continuation of BR40, which runs to Bumbles Green, Claverhambury Road, and Holyfield Road and provides wider access to the parks and open areas within the District (including the LVRP).

Highways:

Despite being situated on a privately owned road Essex County Council Highways have been consulted, however raise no objection as the development "*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*".

Whilst a private road Epping Long Green does contain a public footpath, which would have to be maintained free and unobstructed at all times (including during construction). This can be highlighted to the applicant by way of an appropriately worded informative.

Other Considerations:

The Parish Council have objected for various reasons, which are assessed as follows:

- Abuse of Green Belt

It is unclear how the proposed development would be an 'abuse of Green Belt', considering that outdoor recreation is one of the key uses for the Green Belt.

- Change of use is inappropriate

As highlighted above, the proposed erection of stables and associated change of use of land meets the exception to inappropriate development as laid out within paragraph 89 of the NPPF. This view is reached having regard to the judgment of *Timmins v Gedling Borough Council* [2014] EWHC 654 (Admin).

- Unwarranted extension of the built up area

Whilst the proposed stable building would extend beyond the main built up section of Epping Long Green it proposes a small scale appropriate form of development that are commonplace within the countryside. Furthermore, whilst more sporadic, there are a number of further dwelling located beyond the application site along Epping Long Green that already extends built form into the countryside in this location.

- Concern regarding setting of a precedent for future residential buildings

The potential future use of the site is not a material planning consideration as any further development would require planning consent and would be subject to assessment at this time. Nonetheless, should a future residential redevelopment scheme come forward for assessment then any such redevelopment would, amongst other considerations, be subject to an assessment

on impact on openness. Given the small scale of the proposed stables any possible future residential scheme (if deemed appropriate in this location) would be equally limited.

Conclusion:

The proposed use of the land, stable building and ancillary works would not constitute inappropriate development within the Green Belt, and the design and location of these would be acceptable. As such the proposal complies with the guidance contained within the NPPF and the relevant Local Plan policies and is therefore recommended for approval.

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

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

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

Application Number:	EPF/2902/17
Site Name:	2 High Street, Roydon, CM19 5HJ
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/2902/17
SITE ADDRESS:	2 High Street Roydon Essex CM19 5HJ
PARISH:	Roydon
WARD:	Roydon
APPLICANT:	Mr David Davidson
DESCRIPTION OF PROPOSAL:	Change of use and internal alterations to create 3 new self-contained dwellings.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=601678

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: BRD/16/075/: 001, 002A and 003D
- 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.
- 4 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.

- 5 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.

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

The application site is located on the High Road which is within the settlement of Roydon. Currently on the site is a two storey building which is currently used as a pub which has a single dwelling above. Access to the site is from the northern edge from the High Street which leads to a small courtyard area and it is not located within the boundaries of the Metropolitan Green Belt but it is within a Conservation Area.

Description of proposal

The proposed development is to change the use of the existing pub into residential and to subdivide the entire building into three new dwellings.

Relevant History

EPF/2378/10 - Extension and alterations. – Refused

EPF/1019/11 - Erection of infill extension together with works to facilitate conversion of existing toilets/store into restaurant room. – Approved

EPF/1548/17 - change the use of the existing pub into residential and then to subdivide the entire building into three new dwelling bringing the total number of dwellings on the site to four. - Refused

Policies Applied

CP1 Achieving sustainable development objectives
CP2 Protecting the quality of the rural and built environment
CP3 New development
DBE1 Design of new buildings
DBE2 Detrimental effect on existing surrounding properties
DBE6 Car parking in new development
DBE8 Private amenity space
DBE9 Loss of Amenity
LL1 Rural Landscapes

LL2 Inappropriate rural development
LL10 Protecting existing landscaping features
LL11 Landscaping scheme
ST4 Highway safety
ST6 Vehicle parking

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 District Local Plan (Submission Version) 2017:

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

SP1 - Presumption in Favour of Sustainable Development
SP7 - The Natural Environment, Landscape Character and Green and Blue Infrastructure
DM21 - Local Environmental Impacts, Pollution and Land Contamination

Consultation Carried Out and Summary of Representations received

ROYDON PARISH COUNCIL – OBJECTION – There are still concerns regarding parking provision which is very restricted. The wall section which is proposed for removal is the long standing site of a noticeboard. The Parish Council would like to see the noticeboard retained.

11 Neighbours consulted –

1 CONFIER COURT – OBJECTION – The proposed development will increase the number of vehicle movements and better access is required. The parking offer is not suitable for the number of flats proposed.

10 HIGH STREET – OBJECTION – The proposed rear balcony is out of character for the property and will entirely overlook my garden.

Issues and considerations

The main issues to consider when assessing this application are the potential impacts on the living conditions of the neighbours, the character and appearance of the Conservation Area, Listed building considerations, parking and access, trees and landscaping and any other material considerations.

This is a resubmission of a previously refused application which was refused for the following reasons:

- The proposal will intensify the use of an existing access which has deficiencies in geometric layout which is not in accordance with current safety standards. The intensification of the access will lead to a deterioration in the efficiency of the through road, to the detriment of highway safety. The proposal is therefore contrary to ST4 of the

Adopted Local Plan and Alterations and with the objectives of the National Planning Policy Framework.

- The development fails to provide an access width wide enough to enable a vehicle to enter the site safely and efficiently whilst another vehicle is waiting to egress the site. This will result in vehicles unable to clear the carriageway to the detriment of highway safety which is contrary to policy ST4 of the Adopted Local Plan and Alterations and with the objectives of the National Planning Policy Framework.
- The proposal does not provide sufficient parking provision and the parking bay sizes are below the current required dimensions which could lead to inappropriate on street parking. the proposal is therefore contrary to policies ST4 and ST6 of the Adopted Local Plan and with the objectives of the National Planning Policy Framework.
- The proposal fails to demonstrate that there will be no harm caused to a tree within the application site which is afforded legal protection. The proposal is therefore contrary to policy LL10 of the Adopted Local Plan and Alterations and with the objectives of the National Planning Policy Framework.

This assessment will consider whether this revised application has overcome these previous reasons for refusal as well as any other material considerations.

Living conditions of neighbours

The proposal involves the creation of a new roof terrace on the north elevation fronting onto no.10 High Street and this neighbour has raised objection to this element. The roof terrace will be at first floor level approximately 9m from the side boundary of no.10. Whilst it will allow greater opportunity for overlooking of this neighbour, it is considered that there is sufficient distance between the two neighbours to ensure that the harm caused is not excessive. Furthermore there is already a first floor, clear glazed window on this north elevation and consequently the addition of the roof terrace will not be significantly different from the existing situation.

The proposal does not involve any extensions nor any other substantial alterations to the external part of the existing building but rather internal alterations in order to facilitate its conversion into three new dwellings. The alterations do not involve any changes to the window arrangement on the first floor, which already serve an existing dwelling.

The increased residential presence on the site would not cause any other harm to these neighbours, particularly in the context of the existing use of the site as a pub.

It is therefore concluded that the proposal will not cause excessive harm to the living conditions of the neighbours and is in compliance with policy DBE9 of the Adopted Local Plan.

Grade II Listed Building Considerations

The White Horse is a grade II listed former pub located within the Roydon Village Conservation Area. It dates from the late 18th century, but incorporates an earlier 17th century structure, and has been altered and extended throughout the 19th and 20th centuries. Most recently used as a restaurant, its use as a pub is now redundant as the village contains three other pubs and the White Horse does not benefit from any customer parking. The building occupies a very prominent position at the corner of Harlow Road and the High Street and is a key feature of Roydon village's townscape.

Consent is sought for the conversion of the former pub to three dwellings. The proposed scheme is considered to be sympathetic to the character of the building. On the first floor, no alterations to the layout are proposed as this floor is already divided into useable separate rooms. On the ground floor it is proposed to insert new dividing walls to form separate dwellings but these tend to follow obvious existing compartments within the building. Some 20th century stud walling will be removed, primarily to incorporate the existing WCs back into the cottage, but no historic fabric is proposed to be removed.

Externally, the primary elevations wrapping the corner will remain unaltered. The only external alterations proposed are confined to the rear of the building and to the 19th and 20th century extensions that are of less significance; it is proposed to reduce the size of unsympathetically wide windows in a 20th century lean-to extension to the rear, to introduce a metal staircase and enlarge a window to a door to provide access to the first floor unit, and to introduce metal railings to a single-storey flat roof extension to form a roof terrace. The formation of a roof terrace is slightly at odds with the character of the building as a former pub, however, the railings are of a simple design in keeping with the building and the flat roof is tucked around the rear of the building and partially obscured from view by other elements of the building. The external alterations are not considered to cause harm to the special interest of the building and better facilitate its new use; they are therefore considered acceptable. Furthermore, the alterations are not considered to be harmful to the character or appearance of the conservation area as the primary elevations of the building will remain unaltered and the alterations to the rear are not detrimental to the appearance of the building and are not in plain view.

Character and appearance of the Conservation Area

The alterations to the building are very minor and would be confined to the rear elevation of the existing building. The front elevation will maintain its current appearance and therefore it is not considered that there will be any harm caused to the character and appearance of the Conservation Area. This is consistent with the view of the Conservation Officer who considers that there will be no harm caused to the Listed Building.

Parking and access

Three of the four previous reasons for refusal were related to parking and access issues. The first reason related to the proposed geometric layout of the parking spaces, which in their previous state would not have allowed for safe and suitable vehicle movement in and around the site. The Essex Highway Engineer has advised that the new layout is geometrically suitable to allow for safe and efficient movement within the site and therefore the first reason for refusal has been overcome.

The second reason for refusal was due to deficiencies in the access to the site. As a result the applicant now proposes to remove a low level brick wall at the access to the site to improve sight lines and to allow vehicles to pass each other safely. The Highway Engineer considers that this will allow vehicles to pass each other safely and the sight lines are now adequate to allow for suitable access to the site and therefore this reason for refusal has been overcome.

The final reason for refusal based on highway grounds was that the application failed to offer a suitable provision of car parking spaces, given that those proposed did not meet the minimum space requirements of the Essex Parking Standards. The spaces within this proposal now meet the minimum required size of 2.5m x 5.0m and can therefore be considered as car parking spaces. Whilst the Essex Highway Engineer has still raised objection to the scheme on the grounds that a single car parking space per flat is not sufficient, Officers consider that the offer is acceptable given the size of the flats proposed and that Roydon Station is within comfortable walking distance to the site.

In light of the above assessment, Officers consider that the three previous reasons for refusal based on highway grounds have been overcome by this new proposal.

Landscaping issues

The final reason for refusal on the previous application was due to the fact that it had not been demonstrated that the development could be undertaken without harm to the protected tree in the northern corner of the site.

Tree reports have now been submitted which indicate that this tree is to be removed due to unauthorised works undertaken by a third party. The works that have been undertaken to the tree are substantial, a large portion of the crown has been removed and therefore the tree is now visually unbalanced. The Tree and Landscape team have concluded that the retention of the tree is no longer viable and therefore no objection is raised to its removal. As such this final reason for refusal has been overcome.

Conclusion

The proposed development has overcome the previous reasons for refusal and complies with the relevant policies of the Development Plan. It is therefore recommended that planning permission and Listed Building Consent are granted.

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

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

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

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Epping Forest District Council

Agenda Item Number 4



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Application Number:	EPF/2906/17
Site Name:	2 High Street, Roydon
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/2906/17
SITE ADDRESS:	2 High Street Roydon Essex CM19 5HJ
PARISH:	Roydon
WARD:	Roydon
APPLICANT:	Mr David Davidson
DESCRIPTION OF PROPOSAL:	Grade II listed building consent for proposed change of use and internal alterations to create 3 new self-contained dwellings.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=601693

CONDITIONS

- 1 The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.
- 2 Additional drawings that show details of proposed new windows, door, railings, and external staircase, 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.
- 3 No meter boxes, vent pipes, flues, ducts, or grills shall be fixed to the fabric of the building without the prior written approval of the Local Planning Authority.
- 4 The White Horse sign recessed above the door on Harlow Road and the metal railings along Harlow Road shall be retained in situ.

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

The application site is located on the High Road which is within the settlement of Roydon. Currently on the site is a two storey building which is currently used as a pub which has a single dwelling above. Access to the site is from the northern edge from the High Street which leads to a small courtyard area and it is not located within the boundaries of the Metropolitan Green Belt but it is within a Conservation Area.

Description of proposal

Grade II Listed Building application for the change the use of the existing pub into residential and its subdivision into three new dwellings.

Relevant History

EPF/2378/10 - Extension and alterations. – Refused

EPF/1019/11 - Erection of infill extension together with works to facilitate conversion of existing toilets/store into restaurant room. – Approved

EPF/1548/17 - change the use of the existing pub into residential and then to subdivide the entire building into three new dwelling bringing the total number of dwellings on the site to four. - Refused

Policies Applied

HC10 – Works to Listed Buildings

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.

Issues and considerations

The Listed Building aspects of the proposal are covered in the previous report in this committee agenda reference number EPF/2902/17. The summary of the analysis is that the proposed works will not harm the appearance or character of the Listed Building and it is recommended that Listed Building Consent is granted.

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

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

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