

## AREA PLANS SUB-COMMITTEE 'EAST'

7 February 2018

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# Epping Forest District Council

## Agenda Item Number 1



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Application Number:	EPF/2363/17
Site Name:	Rozel, Loughton Lane, Theydon Bois, CM16 7JY
Scale of Plot:	1/1250

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/2363/17
<b>SITE ADDRESS:</b>	Rozel Loughton Lane Theydon Bois Essex CM16 7JY
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>APPLICANT:</b>	Mr Andrew Pigney
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing bungalow. Construction of two new dwellings.
<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=599154](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=599154)

**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: 1843/01, 10G, 11F, 13D, Design and Access Statement, Aboricultural Implications Assessment, MP/ROZ/01B.
- 3 Prior to first occupation of the development hereby approved, all the proposed window opening(s) in the upper floor levels of the eastern flank elevation facing Branscombe shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 4 No development shall take place until details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 5 No 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.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A, B, E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 7 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 8 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to 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.
- 9 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.
- 10 If any tree, shrub or hedge shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.

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

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

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

- 12 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway, in accordance with the guidance contained within the National Planning Policy Framework and policy ST4 of the adopted Local Plan and Alterations.

- 13 Prior to the first occupation of the development a 2m wide parallel band visibility splay, as measured from and along the nearside edge of the carriageway, across the entire site frontage shall be implemented. There shall be no obstruction above a height of 600mm within this splay and it shall be maintained as such in perpetuity.

- 14 Prior to the first occupation of the development the access arrangements, vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The access, parking and turning areas shall be retained in perpetuity for their intended purpose.

- 15 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

- 16 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.

- 17 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.

This application is before this Committee since it is for a type of development that cannot be determined by Officers if more than four 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 covers an area of 0.086 hectares and is almost rectangular in shape. This site comprises of the detached bungalow known as Rozel, its front and side garden and approximately half of its rear garden.

This property is located on the western side of Loughton Lane and is bound on the south western side by an access road and youth centre. It is accessed directly off Loughton Lane. A Cherry and Horse chestnut tree are located within the front elevation of the wider site and a variety of Cherry, Ash and Lime trees line the south western boundary of the site. The Lime Tree has a Preservation Order attached to it.

The site is within an urban area, not within a conservation area, and the existing bungalow is not listed. No listed buildings are within the vicinity of the site.

### **Description of Proposal:**

Permission is sought for the demolition of a bungalow and replacement with two houses

The dwelling within Plot 1 measures a maximum of 7.7m wide by 15.4m deep.

The dwelling within Plot 2 measures a maximum of 7.4, wide by 15m deep

Both dwellings are 7.1m high to the ridge of its hipped roof.

Materials include slate tiles for the roof, grey render and weatherboarding for the walls, grey aluminium windows and a resin bonded driveway.

The access will remain as existing.

4 shared car parking spaces are provided within the front forecourt of the proposal.

### **Relevant Planning History:**

Reference	Description	Decision
EPF/1917/06	a two storey rear extension	Granted
EPF/0950/09	Outline application for erection of detached house and garage at Land to the rear of Branscombe & Rozel Loughton Lane.	Granted
EPF/2364/17	Construction of a new 4 bedroom chalet bungalow in land to the rear of Rozel.	Pending

### **Policies Applied:**

#### *Adopted Local Plan:*

CP2 – Protecting the Quality of the Rural and Built Environment  
CP3 – New Development

CP5 –	Sustainable Building
CP6 –	Achieving sustainable urban development patterns
CP7 –	Urban Form and Quality
DBE1 –	Design of New Buildings
DBE2 –	Effect on Neighbouring Properties`
DBE3 –	Design in Urban Areas
DBE8	Private Amenity Space
DBE9	Neighbouring Amenity
ST1 –	Location of Development
ST4 –	Road Safety
ST6 –	Vehicle Parking
H2A –	Previously Developed Land
H4A –	Dwelling Mix
LL10 –	Adequacy of provision for landscape retention
LL11 –	Landscaping schemes

#### *NPPF:*

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

#### *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
- H1 – Housing mix and accommodation types
- T1 – Sustainable transport choices
- DM9 – High quality design
- DM10 – Housing design and quality
- DM 11 – Waste recycling facilities on new developments
- DM16 – Sustainable drainage systems
- DM18 – On site management of waste water and water supply
- DM21 – Local environmental impacts, pollution and land contamination

#### **Consultation Carried out and Representations Received**

20 neighbours were consulted on the originally submitted plans and the following responses were received.

**Branscombe Loughton Lane: Object** I feel that the property that is going to be built next to me is going to affect the amount of light that get into the building, it has been designed far too close to my property

I also notice that the 2nd property proposed has an area to the rear which I feel is intended to allow the light to flood into the proposed building next to me

Why hasn't this been copied into the new proposed building design next to me.

Also the dormer that looks over my property is far too intrusive and any window would have to be obscured glass

**2 Maple Close Loughton Lane:** No fundamental objection to the erection of two detached houses providing the height does not exceed existing houses adjacent to the proposed development. I also feel that the proposed frontage is not in keeping with the rural feel of Loughton Lane. Some planting of hedges etc could improve the stark look of the houses? In addition there needs to be some consideration of traffic exiting the Private Road to ensure good line of sight especially considering the provision of parking to the front of the houses. There is a lot of pedestrian and road traffic to the preschool at certain times of day.

**3 Maple Close Loughton Lane Object;** Three houses, as proposed for this site as it stands, may have a detrimental effect on the increase of traffic on this private access road and its access to Loughton Lane.

**7 Woodland Way Object;** Over intensification and urbanisation of site. Units are cramped on the site. Harmful to neighbouring amenity. Loss of front garden. If approval is recommended, permitted development rights should be removed.

**Parish Council: 18/1/17 (Amended Plans): No Objection – subject to conditions.**

The Parish Council notes the amended plans and is willing to withdraw its objection to this application on the understanding that all the conditions previously recommended by the Planning Officer are carried forward to this amended application.

The hard and soft landscaping scheme, to be agreed by the LPA, should be permanently retained and be such that it prevents any parking of vehicles adjacent to the boundary hedging fronting Loughton Lane.

Parish Council: **Strong Objection**

The Parish Council strongly objects to this proposal due to its overly-dominant design which is out of keeping with the street scene, in particular the bungalows to the right of the plot.

The proposed height, some 8.7 metres to the ridge, would be significantly out-of-keeping with the street scene, particularly as this property would be sited on a more prominent corner plot than its neighbours. In addition, the unusual fenestration would tend to emphasise the verticality of the principal elevation and would not accord with the more traditional design of the adjacent properties. We would suggest that any new dwelling in this location should feature a fully-hipped roof design, of two-storey height, with materials and fenestration complementary to those of neighbouring properties.

Additionally, in relation to Plot 1, for a dwelling of the currently-proposed size, there would be very little allowance for private amenity space, which would be further compromised by the allocation of part of the site to provide access to the proposed dwelling to the rear. This would appear to contradict Policy DBE8.

The proposed parking scheme at the front of the property is totally unacceptable, in particular the proposed parking space nearest to Loughton Lane, will undermine the sight lines when accessing or leaving the heavily-used private access road which leads to the Youth & Community Centre, the Scouts buildings and the sports ground, affecting the Pre-School Group and other voluntary agencies that use these buildings. In addition any vehicle parked in front of the existing tree (in the position once filled by a native hedge) would appear, from the angle of the plot, to 'jut out' awkwardly from the natural view lines along the perimeter of the site.



Retaining an outer perimeter of soft-landscaping to the front, and outer side boundary, of the site should be an essential requirement in this location, given the extant condition to retain hedging to the front of the adjacent properties, known as The Maples, and the fact that this is an approach road, in close proximity, to the Village Green, where the aspect of visual amenity is particularly important.

**Theydon Bois and District Rural Preservation Society: Object;** The society is familiar with this site and wishes to object to this application for the following reasons.

The present bungalow is in a prominent position on the corner of Loughton Lane and the busy private road entrance to the Community Centre etc. mentioned above. Consequently the proposal to park a car directly on the corner of the site would affect site lines of the many cars entering Loughton Lane from the busy adjacent private road.

The two proposed houses are tall and narrow and over dominant and out of keeping with the street scene. On one site there are two bungalows and on the other the houses are well set back from the road giving an overall impression of openness in keeping with the surrounding countryside and forest.

The amenity space of the larger house is very small in view of the proposed five bedrooms, restricted as it is by the access to the large chalet bungalow, so called, proposed to be built to the rear of the two houses, c.f. EPF/2364/17 which refers to the same development of this site.

The Society is not averse to the redevelopment of this site but strongly objects to the present proposals.

**Amended Plans.** – Following these objections and comments made by members of the East Area Planning Committee held on 10 January 2017, revised plans have been submitted which have reduced the size of the proposed dwellings such that the height of each is 7.1 metres (reduced down from 8.7m on plot 1 and 7.6m on plot 2) and the originally proposed second floor providing a 5<sup>th</sup> bedroom has been removed. Re-consultation has been carried out. **This re-consultation resulted in the Parish Council rescinding their objections to the scheme.**

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

The issues raised by this proposal are:-

The principle of the development;

The impact of the proposal on the character and appearance of the surrounding area;

The impact on existing trees.

The impact on the living conditions of neighbouring residential properties; and

The quality of accommodation proposed.

### **Principle**

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

### **Five year housing supply**

The site is situated within a sustainable urban location close to local services, facilities and public transport and would make more efficient use of this site. Given that 92.4% of the District is designated Green Belt the principle of further development within existing sustainable settlements outside of the Green Belt is generally considered to be appropriate, provided all other policies are complied with. In addition, paragraph 49 of the NPPF states that "housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant

policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites". The Council is currently in the process of preparing a new Local Plan where sites will be identified for residential development however the latest figures reveal that the Council can currently only demonstrate a 1.35 year supply of land for housing purposes. Due to this it has been shown in several recent appeal decisions, both within and outside of the district that such a lack of a demonstrable five year supply of housing weighs in favour of granting planning permission. However, this still has to be weighed against other material planning considerations.

### Design and appearance

Whilst the proposal site adjoins a chalet bungalow, the wider area is character of the area includes two storey large houses. The two storey nature the new dwellings will therefore still blend into their surroundings. The houses have a size, bulk and scale proportionate to their setting.

Plans have also been amended during the course of the application so that dwellings are just 0.5m higher than Branscombe. 1m higher than the adjacent bungalow and about 0.7 of a metre lower than the properties to the left.

A low level hedge is also now proposed behind a low picket fence as a compromise between maintaining visibility for traffic and respecting the green character of this locality.

In terms of its detailed design, the dwellings are a conventional modern residential design which will fit well with the character and appearance of Loughton Lane, as a whole. Materials are also in keeping. The proposal is therefore considered have a neutral impact on the distinctive local character of the application property and surrounding area. The proposal therefore complies with Chapter 7 of the NPPF and DBE1 and DBE3 of the Local Plan and Alterations.

### Trees

The preliminary arboricultural method statement proposes the removal of 4 small trees; part of the existing hedge along the south western boundary. The removal of the trees are required to enable the development and improve sightlines for traffic in relation to both this application and the new dwelling proposed under reference EPF/2364/17.

The Tree Officer has raised no objection to this loss since the trees and hedges can be removed by the householder at any time and these trees are of low quality (as defined by the British Standard). It is recommended that further conditions are imposed to ensure that the remaining trees are protected and that the proposed soft landscaping is of an acceptable standard. On this basis the proposal is considered to comply with the requirements policies LL10 and LL11 of the Local Plan.

### Quality of resulting residential accommodation.

Both dwellings meet current internal space standards set out in the Essex Design Guidelines. They also provide acceptable levels of outlook and ventilation. Both units exceed the amenity space standards required by Policy DBE8 of the Local Plan, the smaller plot 1 has a rear garden of approximately 125 square metres and plot 2 has about 180 square metres. The quality of the proposed accommodation is therefore considered acceptable.

### Impact on the living conditions of neighbouring residential properties.

The property on the south eastern boundary of the site is a chalet bungalow named Branscombe. Permission was given under reference EPF/1329/02 for extensions to the rear and a loft conversion with dormers at this neighbouring property. The side flank of this property therefore

has three windows at ground floor level which are secondary and serve a lounge /diner area and TV room. The first floor contains a dormer window serving a bathroom and 2 rooflight windows serving bedroom two. Given that the side flank bedroom rooflights follow the slope of the roof; are as a result of an extension and already overlook the application site along with there being a 2m gap between the properties, loss of light to this property is not considered to be excessive.

Plans indicate that the first floor hallway will be obscure glazed. It is also recommended that a condition be attached to any permission which requires that the windows are also fixed shut and that the obscurity is maintained in perpetuity. This should prevent any real and perceived overlooking to Branscombe's bedroom window.

Given that the proposal replaces an existing building on the site and for the reasons listed above, it is not considered that the proposal will result in excessive increase in the sense of enclosure felt by residents of this neighbouring property.

All other neighbours (including new dwelling proposed at rear of Rozel under reference EPF/2364/17) are over 20m away and therefore will not be excessively affected in terms of loss of light, outlook or privacy. The proposal therefore accords with the requirements of policy DBE9 of the Local Plan.

#### Impact on Highway Safety

The Highways Authority is satisfied that there is adequate parking to meet current parking standards in compliance with policies ST6 and ST4. Furthermore there will be no undue harm to highway safety. The proposal therefore complies with the requirements of ST2 of the Local Plan.

#### Contamination

The Land Contamination Officer considers that the risk of the site being contaminated is low and therefore only requests that a condition be imposed relating to unexpected land contamination in accordance with RP4 of the Local Plan.

#### Land Drainage

The site partially lies within an Epping Forest District flood risk assessment zone therefore the Land Drainage Officer requests that conditions be imposed requiring approval of a flood risk assessment and sustainable surface water drainage details prior to works commencing on the site in accordance with policy U3B of the Local Plan.

#### Conclusion

The proposal will provide much needed good quality housing within an existing urban area of Epping Forest District Council. Impact on the living conditions of neighbouring occupiers will not be excessively harmful subject to a condition controlling the permitted development limitations of the properties. The design of the new housing will preserve the character and appearance of this area. Conditions are recommended to ensure existing trees shown to be retained are protected during the construction phase of the development, as well as to ensure that the soft landscaping provided is of a good standard. The Highways Authority is satisfied that the proposal will not excessively impact highway safety or parking provision within the area. Additional conditions are also recommended to ensure that the proposal does not increase flood risk within the area. It is therefore considered that the proposal meets the requirements of sustainable development in accordance with policy contained within the NPPF. Approval is therefore recommended.

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

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

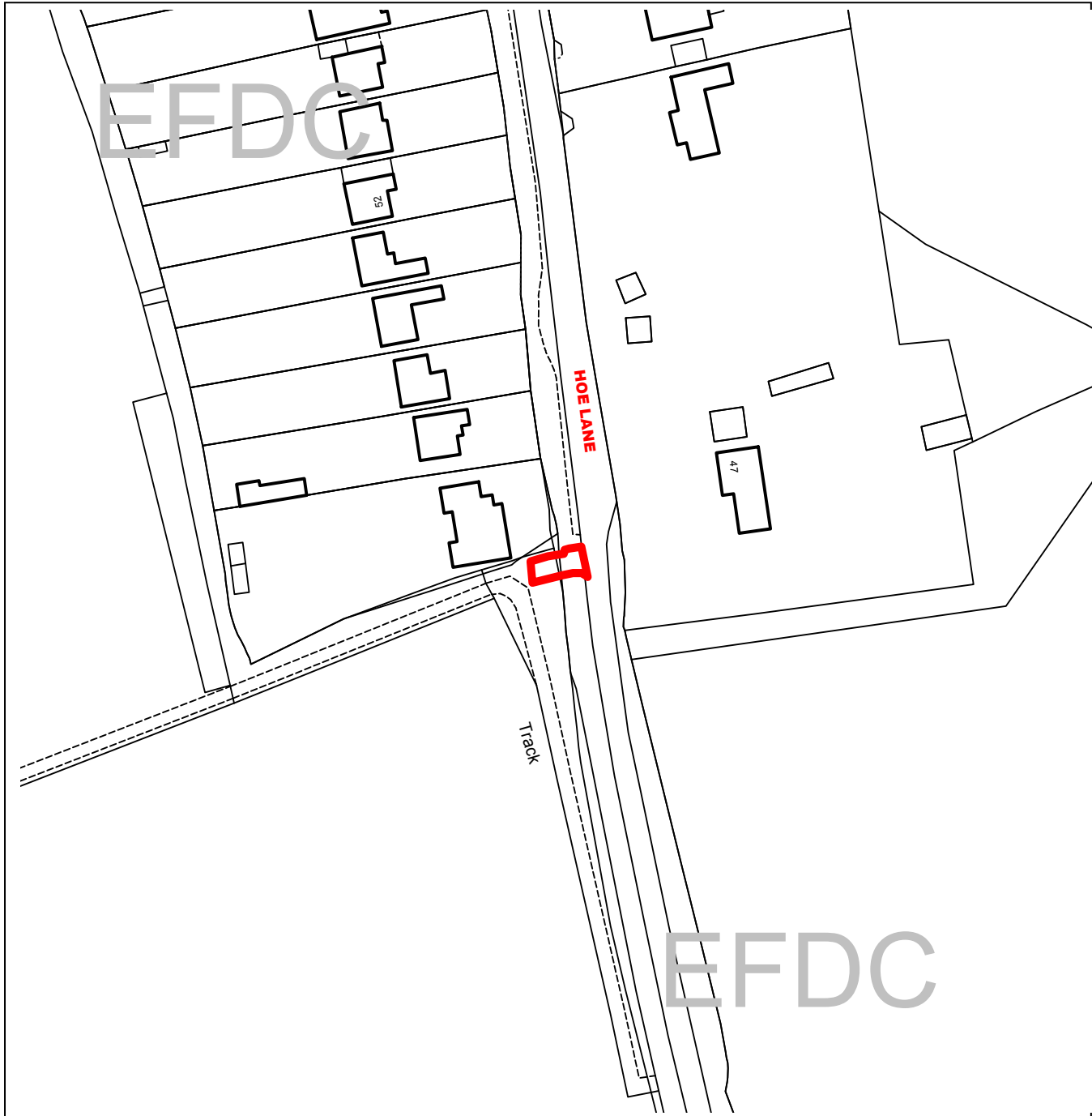
***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***

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# Epping Forest District Council

## Agenda Item Number 2



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Application Number:	EPF/2666/17
Site Name:	Land to rear of 40-62 Hoe Lane, Abridge, RM4 1AU
Scale of Plot:	1/1250

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/2666/17
<b>SITE ADDRESS:</b>	Land to rear of 40 -62 Hoe Lane Abridge Essex RM4 1AU
<b>PARISH:</b>	Lambourne
<b>WARD:</b>	Lambourne
<b>APPLICANT:</b>	Mr James Phillips
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed new vehicular/highway access from Hoe Lane to the existing dwelling (ref. PN/EPF/3000/14) (Revised application to EPF/1706/17)
<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=600615](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=600615)

**CONDITIONS**

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 17/102 01 A, 17/102 02 A
- 2 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 3 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.
- 4 There shall be no discharge of surface water onto the Highway.
- 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 development generally permitted by virtue of Class E of Part 9 of Schedule 2 to the Order shall be undertaken within the blue lined area 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: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(g)).*

### **Description of Site:**

The red lined application site is a strip of land, roughly 4m wide by 9m long, that runs west from Hoe Lane adjoining agricultural land with a rough track which leads to a building, formally an open sided agricultural building that was granted consent on appeal via a prior notification, for use as a dwelling with a small residential curtilage. The blue lined area surrounding the application site is agricultural land. The application site is within the Green Belt.

The site is situated adjacent to the highway on the eastern boundary of a field rear of houses on the west side of Hoe Lane, Abridge. Immediately to the rear of the site are a group of preserved trees and land that is part of Great Downs Farm. A pond immediately south of the site straddles the boundary of that field and Great Downs Farm. Land levels fall to the east and to the north.

The existing building is 16m in length, 5m wide and has a height of 3m with a mono pitched roof and will become a 2 bedroomed dwelling once works are completed.

### **Description of Proposal:**

Planning permission is sought for a new vehicular access from the highway in the form of an approximately 8 metre wide bell mouthed entrance with a 9 metre long by 4 metres wide area of hard surfaced roadway linking to an existing unsurfaced access track leading to the new dwelling.

### **Planning History:**

EPF/2389/12 – Erection of cattle barn and associated hardstanding - Allowed at appeal

EPF/3000/14 – Prior approval for change of use of cattle barn to a dwelling house – Allowed at appeal

EPF/1705/17 – Proposed new access and roadway – Refused

### **Policies Applied:**

National Planning Policy Framework 2012

Local Plan (1998) and Alterations (2006) policies relevant to this application are:

CP2	Protecting the rural and built environment
DBE1	Design of new buildings
DBE2	Effect on neighbouring properties



DBE4	Design in the Green Belt
DBE9	Loss of amenity
GB2A	Development in the Green Belt
GB7A	Conspicuous Development
LL2	Inappropriate rural development
LL10	Adequacy of provision for landscape retention
ST4	Highway Safety

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

**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:

SP6	Green Belt and District Open Land
SP7	The Natural Environment, Landscape Character and Green and Blue Infrastructure
T1	Sustainable Transport Choices

**Summary of Representations:**

Lambourne Parish Council - Objection – The proposed access would be detrimental to the amenities of 62 Hoe Lane and the land is already served by two existing accesses.

**Neighbours:**

7 neighbours notified - 6 OBJECTIONS RECEIVED – 47, 48, 50, 58, 60 and 62 HOE LANE- Summarised Below:

Impact on visual amenity and landscaping

Impact on the Green Belt

Impact on amenities of no. 62

Highway safety

**Issues and Considerations:**

The main issues to be addressed are:

- Green Belt and effect on character and appearance
- Effect on neighbours living conditions
- Highways

#### Green Belt and character and appearance

A new 8 metre wide crossover and 4 metre by 9 metre area of hardstanding is proposed adjacent to Hoe Lane. The proposed access would connect to an existing loose track which runs to the dwelling at the top of the field. Currently this side of field is bound by vegetation along the roadside behind a post and rail fence.

Whilst a new track is not considered necessary, an improved access of an appropriate scale would be considered acceptable in order to serve the residential dwelling. The proposal would not permit any changes to the track and would not affect any existing vegetation or boundary treatment along the existing track.

Moreover the visual impact of 9 metres of asphalt at 4 metres wide would not be significantly detrimental to the appearance of the Green Belt or out of character with the rural area and would be very similar to the entrance to no. 47 Hoe Lane opposite. The development is in scale with the single residential property that it will serve.

Whilst the development is inappropriate in the Green Belt the fact that there is an authorised residential use currently without direct vehicular access, and which is likely therefore to lead to inappropriate roadside parking, and /or confusion to visitors is considered to amount to very special circumstances sufficient to outweigh the relatively limited impact on openness from the creation of the access. The development would not be conspicuous within the street scene and the landscape, in line with policy GB7A of the Adopted Local Plan.

#### Effect on neighbours living conditions

Policy DBE9 seeks to ensure that development would not result in an excessive loss of amenity for neighbouring properties.

The provision of hard surfaced access of such a scale, adjacent to the boundary of no. 62 would be appropriate the scale of the property it will serve and would be unlikely to lead to an unacceptable amount of disturbance to the occupiers of number 62 as the two bedroomed dwelling under construction would only facilitate a limited number of vehicle movements.

#### Highways

Essex County Council's Highways Engineers have been consulted as part of the application and have no objections to the proposed access subject to the relevant conditions being imposed.

#### *Response to third party responses received*

These have been dealt with within the main body of the report.

**Conclusion:**

It is considered that the proposed development will not have any significant impact on the character and appearance of the locality and to the rural and open character of the Green Belt. For these reasons, it is recommended that planning permission be approved.

***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:***

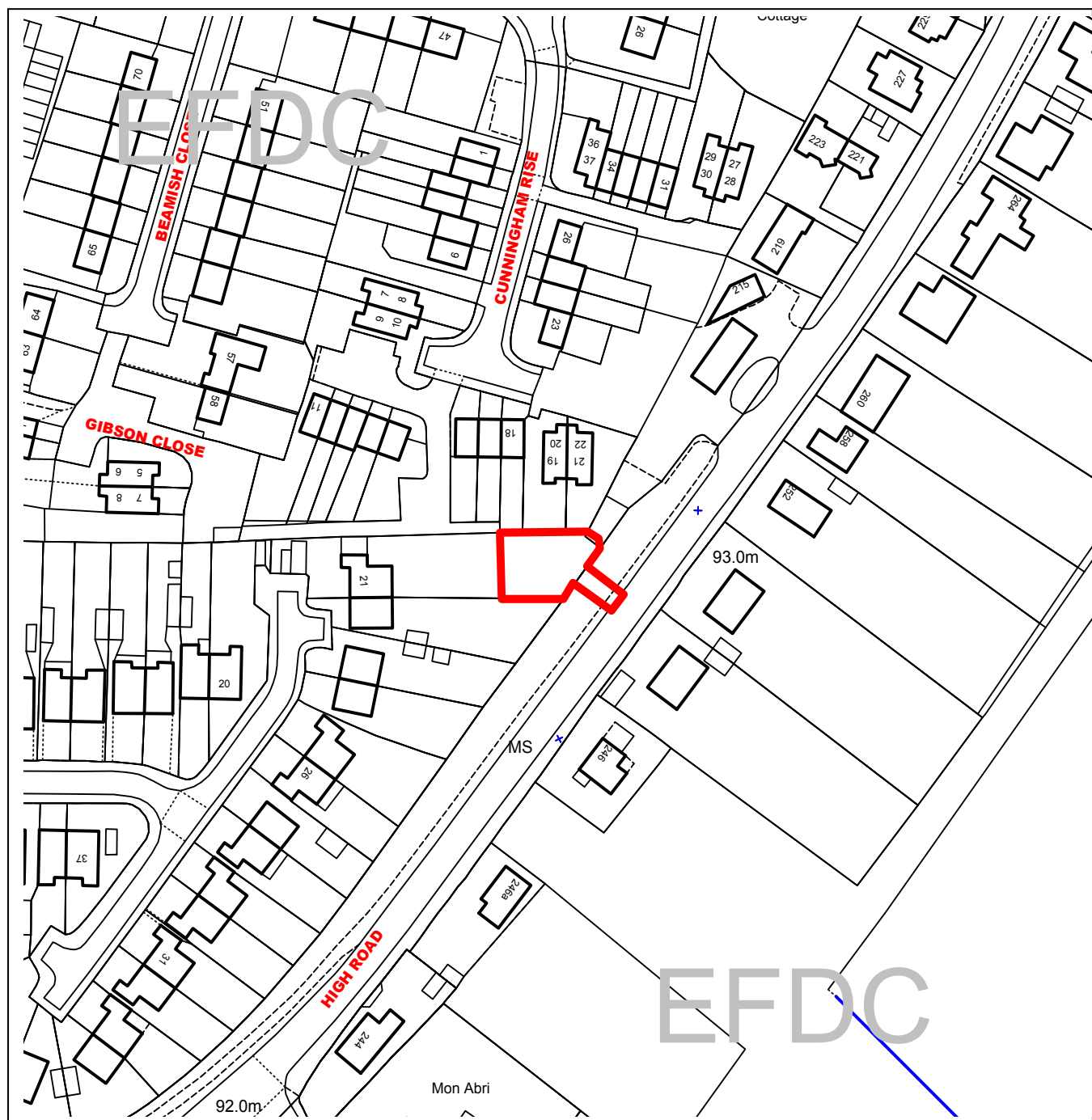
***Planning Application Case Officer: Corey Isolda  
Direct Line Telephone Number: 01992 564380***

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



# Epping Forest District Council

## Agenda Item Number 3



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Application Number:	EPF/2771/17
Site Name:	21 Princes Close, North Weald Bassett, Epping, CM16 6EN
Scale of Plot:	1/1250

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/2771/17
<b>SITE ADDRESS:</b>	21 Princes Close North Weald Epping Essex CM16 6EN
<b>PARISH:</b>	North Weald Bassett
<b>WARD:</b>	North Weald Bassett
<b>APPLICANT:</b>	Mr R Hirons
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of a detached 1.5 storey two bedroomed dwelling with associated car parking and new access onto High Road (alternative to previously approved bungalow EPF/1440/15).
<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=601116](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=601116)

**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/17/051/001A, and 002
- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Classes B and C (Roof extensions and alterations) of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 4 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.

- 5 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.
- 6 If any tree, shrub or hedge shown to be retained in the submitted arboricultural reports is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.
- 7 An assessment of flood risk, focussing on surface water drainage, shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS). The development shall be carried out and maintained in accordance with the approved details.
- 8 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.

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

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

- 9 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.
- 10 Prior to the first occupation of the development the vehicular access shown on the approved plans shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 3 metres and shall be provided with an appropriate dropped kerb vehicular crossing of the footway and verge.
- 11 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.
- 12 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.

*This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(g)) and since it is for a type of development that cannot be determined by Officers if more than four objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(f).)*

### **Description of Site:**

The application site is located at the end of the garden of No21 Princes Close in North Weald. 21 Princes Close is a fairly typical semi detached dwelling which is the end house in a cul-de-sac of properties. The submitted red line site plan outlines the rear section of the garden which faces onto North Weald High Road across a green strip of highway land. The garden of the house is demarcated by close boarded fencing on all three sides and the flank boundary abuts a number of maisonette properties on Cunningham Way.

### **Description of Proposal:**

Planning permission is sought for the erection of a detached 1.5 storey, two bedroomed dwelling with associated car parking and new access onto High Road (alternative to previously approved bungalow EPF/1440/15).

The hipped roof structure would be replaced with a steep pitch. The approved ridge height would be raised from 3.85m to 6.5m.

Two pitch dormer windows will be introduced within the roof slope measuring 1.67m wide, 2.3m high and 2.1m deep.

A pitch porch is also proposed.

All materials would match those of the previously approved scheme.

The rear private amenity space has been increased from 68m<sup>2</sup> to 88m<sup>2</sup>.

### **Relevant History:**

EPF/2378/14 - Erection of 1.5 storey detached dwelling in rear garden with access from the High Road. Withdrawn by Applicant - 19/11/2014.

EPF/2948/14 - Erection of 1.5 storey dwelling (revision to EPF/2378/14). Withdrawn by Applicant - 03/02/2015.

EPF/1440/15 - construct a single storey dwelling in the rear section of garden. Refused by Committee but allowed on appeal.

### **Policies Applied:**

#### *Adopted Local Plan:*

CP2	Protecting the quality of the rural and built environment
DBE1	New Buildings
DBE2	Effect on Neighbouring Properties
DBE8	Private Amenity
DBE9	Loss of Amenity
DBE10	Design of Residential Extensions

#### *NPPF:*

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

#### *Draft Local Plan:*

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



Plans 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:

DM9                      High Quality Design

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

Number of neighbours consulted: 13

Responses received:

WHITE WILLOWS: The taller the new proposed building the more our privacy is compromised and I assume the same is true for our immediate neighbours.

16 CUNNIGHAM RISE: It does not respect local context and street pattern or, in particular, the scale and proportions of surrounding buildings. It would be entirely out of the character of the area, to the detriment of the local environment.

22 PRINCES CLOSE: Impact to residential amenity, loss of privacy, overlooking, cramming, open spaces, parking and access.

23 PRINCES CLOSE: Overcrowding of the plot, Dangerous access from the highway, The property not in keeping with the street scene, Loss of privacy into my rear garden

15 CUNNIGHAM RISE: Town Cramming, loss of privacy, streetscene.

16 CUNNIGHAM RISE: Detrimental impact to residential amenity, cramming, subdivision of properties.

19 CUNNIGHAM RISE: Loss of light, impact to the rear garden.

22 CUNNIGHAM RISE: Loss of privacy, Issues concerning drainage and soakaways, Light Issues, Possible encroachment on my land, The proposed build is 8m tall, 13m x 8m footprint, The previous proposed build was 6m tall, 15m x 8m footprint, but was rejected. Possible flooding due to inadequate suitability for the soakaways and the general poor sewage systems in the area. The existing plot is small for a build of the proposed dimensions, thus overcrowding of the said plot. Highways Access (Dangerous bend and fast flowing traffic)

PARISH COUNCIL: The Council Objects to this application as per the previous application the main concerns are due to the height of the building, its massing and its access on to the High Road. It is deemed overdevelopment and will have a detrimental effect on the amenity of neighbours..

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

It is pertinent to note that the principle of residential development has been agreed on this site following an appeal to planning reference EPF/1440/15. When determining the recent appeal, the Planning Inspector concluded *"The proposed development would not have an adverse effect on the character and appearance of the area, nor upon the living conditions of the occupiers of neighbouring residential properties. For the above reasons, and taking into account all other matters raised, I conclude that the appeal should be allowed."*

The principle of a residential property on the site, its positioning, orientation and access have therefore already been agreed, the only issues for consideration therefore are the potential impact of the higher ridge height, and the proposed front facing dormer windows, with respect to neighbouring amenity, design and impact on the street scene and whether adequate amenity space is provided for the scale of the dwelling.

### Design

The ridge height now proposed is significantly higher than the 3.85m that was approved at appeal and at 6.5metres is in-keeping with a 1.5 storey chalet dwelling. The proposed dormers are well designed and sit well within the front roof slope creating a building that looks more like a dwelling than the previously approved building and the design is considered appropriate to the setting. The increased ridge remains below those of the two storey dwellings around the site and the development would not therefore be over prominent or conspicuous within the street scene.

### Living conditions

The approved scheme benefited from 2 habitable rooms with rear amenity space of 68m<sup>2</sup> was agreed. The current application will provide 3 habitable rooms. As such, a further 20m<sup>2</sup> has been subdivided from the rear amenity space of the donor building to provide adequate private amenity space for the new dwelling. The donor property still retains a substantial garden area. The proposal therefore conforms with policy DBE8 of the Local Plan.

### Residential amenity

The impact of the increased height and bulk of the development on the outlook and amenity of neighbours is the main concern here. The development will clearly have a greater impact than the scheme that was allowed and will be more visible to surrounding residents. However the fact remains that the dwelling is some twelve metres from the nearest dwelling and their view will be of the steeply pitched side gable. There will be no side facing windows facing properties to the north and no loss of privacy. The dwelling remains set off of the common boundary and the increase in height would not create a significant loss of amenity from the rear gardens of Cunningham Rise. Whilst concern has been expressed that the proposed development would breach the Human Rights of neighbouring occupants it is not considered that this scheme would seriously infringe amenity and the peaceful enjoyment of their homes.

Overall it is not considered that the impact of the increased ridge height and the introduction of dormers would result in excessive harm to the amenity of neighbours.

### Land Drainage:

Issues relating to land drainage have been addressed. A recommendation for a Flood Risk Assessment was attached to the recent planning consent. Should planning permission be granted for these amendments this condition would also be applied here.

### **Conclusion:**

The principle of the access and the residential development of 1 dwelling on this site has been allowed by the Planning Inspectorate. The increase in height of the proposed dwelling would enable an improvement in design terms and would not create a dwelling so large as to excessively impact upon the living conditions of neighbours. The proposal complies with relevant planning policies and it is recommended that planning permission be granted.

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

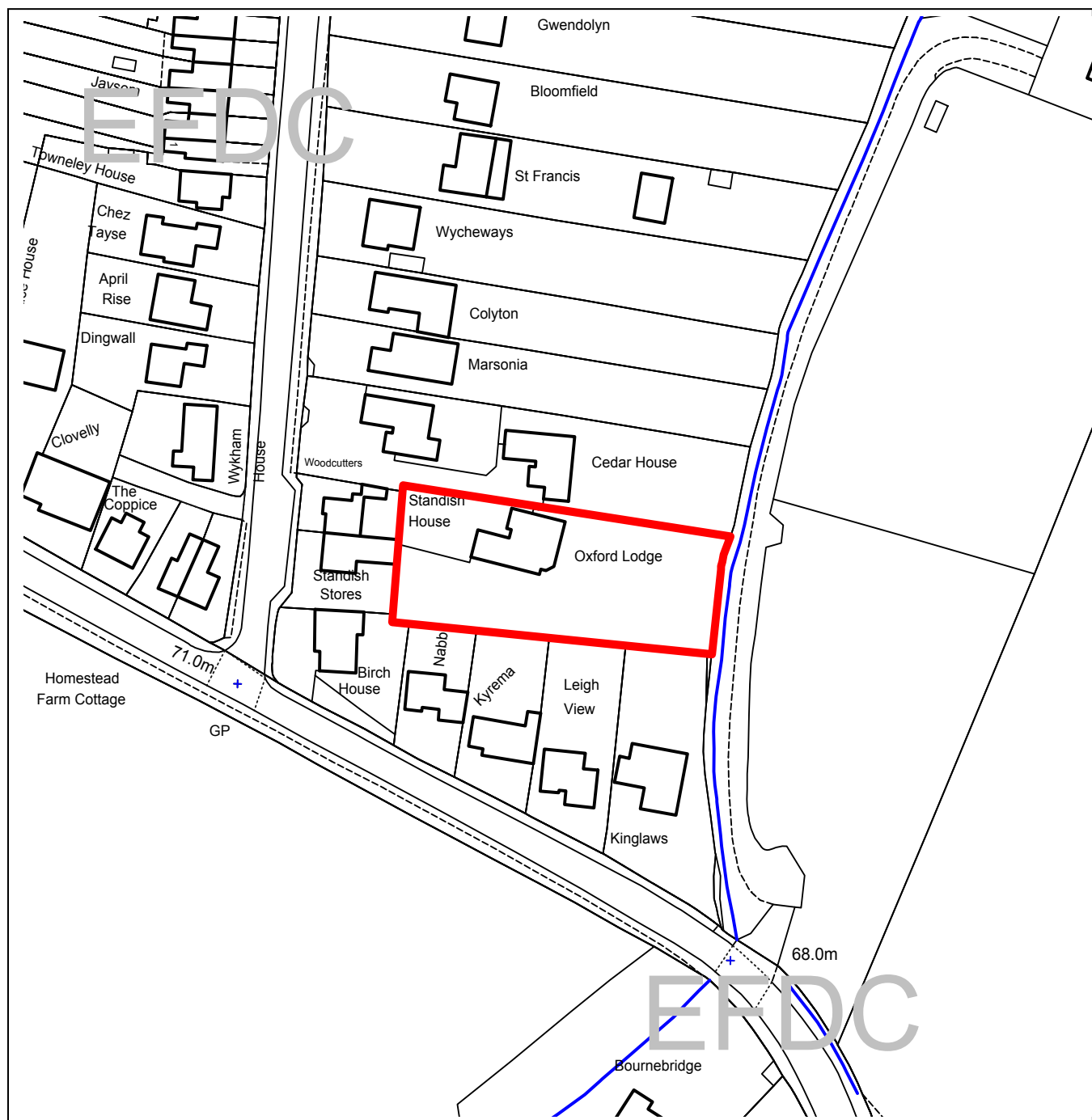
Planning Application Case Officer: Jill Shingler  
Direct Line Telephone Number: 01992 564 106

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



# Epping Forest District Council

## Agenda Item Number 4



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Application Number:	EPF/3007/17
Site Name:	Oxford Lodge, Tysea Hill, Stapleford Abbotts, RM4 1JP
Scale of Plot:	1/1250

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/3007/17
<b>SITE ADDRESS:</b>	Oxford Lodge Tysea Hill Stapleford Abbotts Romford Essex RM4 1JP
<b>PARISH:</b>	Stapleford Abbotts
<b>WARD:</b>	Passingford
<b>APPLICANT:</b>	Mr B McCayna
<b>DESCRIPTION OF PROPOSAL:</b>	Detached garage block and store.
<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=602074](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=602074)

**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 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.
- 3 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.

- 4 The tree protection, methodology for construction adjacent to trees and Arb site supervision shall be undertaken in accordance with the submitted Tree Survey/ Arboricultural Method Statement unless the Local Planning Authority gives its prior written approval to any alterations. Tree protection shall be implemented as shown on Andrew Day Arboricultural Consultancy Ltd dated 24th January 2018.

*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 comprises a two storey detached dwelling built on a large plot. It is a relatively new dwelling which was built and implemented as part of planning approval EPF/1042/04 for the demolition of a single detached dwelling and the construction of 3 no. replacement dwellings. The application site within the Metropolitan Green Belt. It is not within a Conservation area.

### **Description of Proposal:**

Detached garage block and store

### **Relevant History:**

Outline application for the demolition of a single detached dwelling and the construction of 3 no. replacement dwellings (Revised application). Grant Permission (With Conditions) – Approved and implemented

### **Policies Applied:**

#### *Adopted Local Plan:*

CP2	Protecting the quality of the rural and built environment
DBE9	Loss of Amenity
DBE10	Design of Residential Extensions
GB2A	Development in the Green Belt

#### *NPPF:*

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

#### *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:

DM9                    High Quality Design  
DM4                    Green Belt

### **Summary of Representations Received**

9 Neighbours consulted: NO OBJECTIONS received

STAPLEFORD ABBOTSS PARISH COUNCIL: OBJECT on the following grounds:

- Concerns over the height and size of the building and the concern that it may pave the way for another dwelling to be developed on the site of the proposed building - and attendant issues related to overdevelopment. We would recommend that a condition is applied to stipulate that this is not to be converted to housing at a later date. The Green Belt also cuts through the land here, and access and entry is a safety concern.

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

The main issues relate to the design of the proposal, impact on living conditions, impact on trees and green belt considerations.

#### Design

The application dwelling itself is considerably set back from the main highway (Tysea Hill). The proposal would also not be highly visible when viewed from the general streetscene. The proposal will have a pitched roof and would have a traditional design and external finish that would complement the existing house and its rural surroundings. Not all of the proposal would be fully enclosed, similar to car port applications approved in the vicinity particularly along nearby Oak Hill Road.

The proposal would be situated on a large plot and given the location of the proposal, the size of the application dwelling and garden area, the development would appear subservient to the application dwelling and not out of character/overbearing when viewed from the street scene.

#### Living Conditions

Due to the size and scale of the proposal and its considerable distance from neighbouring dwellings, it would not result in excessive harm to neighbour amenity. The proposal would safeguard the living conditions of neighbours.

#### Green Belt

The application dwelling is a new dwelling which has not been previously extended. The detached garage block would be seen in proximity to the dwelling and can be regarded as a limited extension to the dwelling and as such would not be inappropriate development in the Green Belt.

Whilst officers understand the concern regarding future development of the site, the current application must be considered on its own merits. Change of use to a separate residential unit would require planning permission. No condition to prevent this is therefore required.

### Trees

No objection from the tree and landscape officer

### Highway safety

The proposal would not cause harm to highway safety due to its siting and due to its nature.

### **Conclusion:**

The proposal by reason of its size and scale would not result in excessive harm to the amenities of neighbouring dwellings and would complement the design of the existing dwellinghouse. The proposal by reason of its size and siting would not be considered inappropriate development within the Green Belt. It is recommended that planning permission be granted.

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

***Planning Application Case Officer: Sukhdeep Jhooti  
Direct Line Telephone Number: 01992 564298***

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

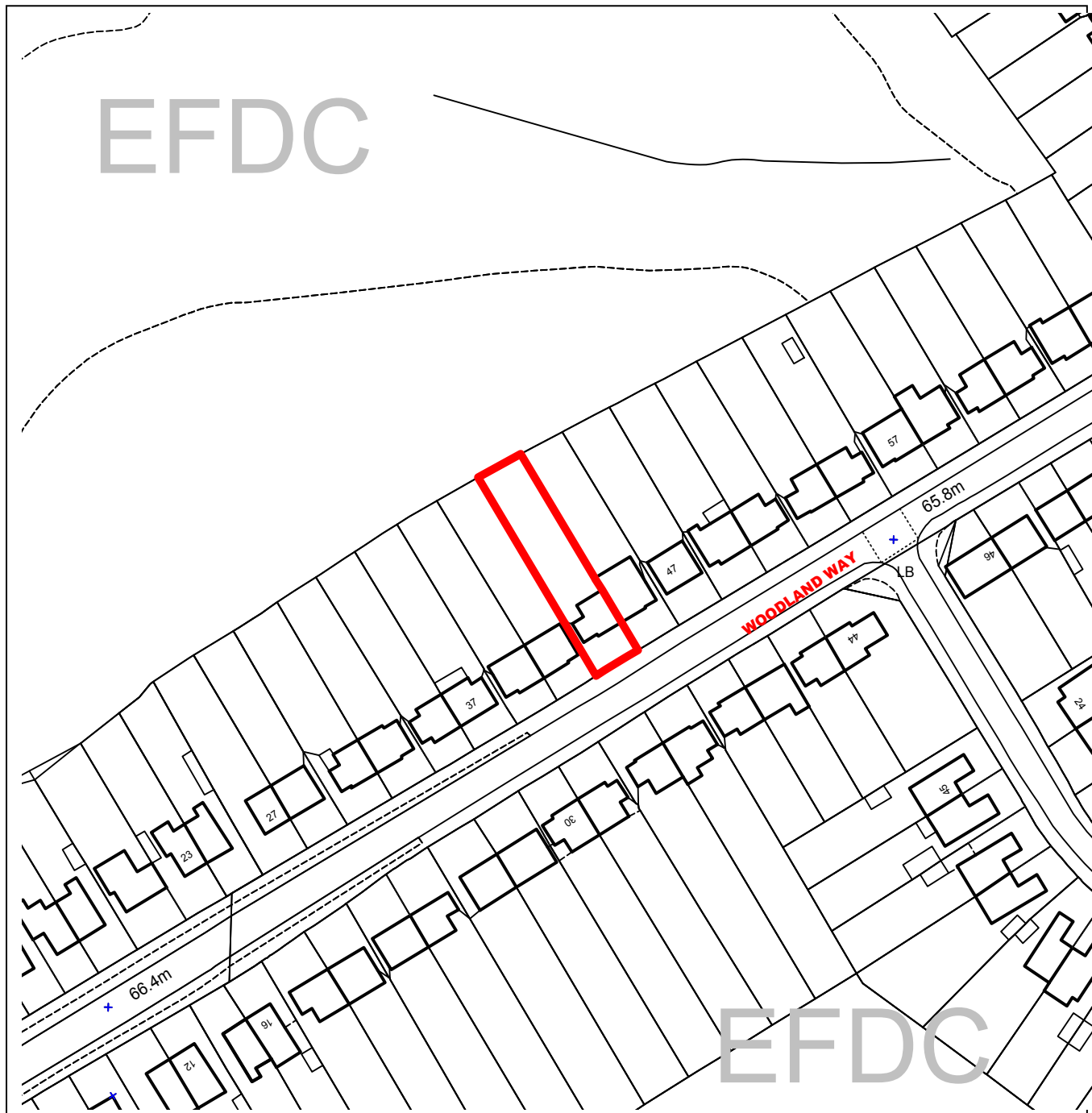


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# Epping Forest District Council

## Agenda Item Number 5



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Application Number:	EPF/3025/17
Site Name:	43 Woodland Way, Theydon Bois, CM16 7DY
Scale of Plot:	1/1250

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/3025/17
<b>SITE ADDRESS:</b>	43 Woodland Way Theydon Bois Essex CM16 7DY
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>APPLICANT:</b>	Ms Julia Peterkin
<b>DESCRIPTION OF PROPOSAL:</b>	Ground floor rear extension, ground and first floor side extension, loft conversion inclusive of rear dormer. Front porch and garage extension as previously consented in 2012.
<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=602122](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=602122)

**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 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.
- 3 Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio or similar amenity area.
- 4 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 5 Prior to first occupation of the development hereby approved, the proposed first floor window opening in the flank elevation shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.

- 6 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

### **Description of Site:**

The application site comprises of a two storey semi-detached dwelling built on a narrow but deep plot on Woodland Way, Theydon Bois. Dwellings on this street are a mixture of detached and semi-detached dwellings of a two storey nature. Surrounding dwellings have benefitted from significant extensions and alteration, in particular roof extensions to include front, side and rear dormer windows and two storey side extensions. There is no uniform architectural style or design of dwellings along this extensive road. The application dwelling as well as neighbouring dwellings benefited from generous front gardens with hardstanding for up to 2/3 vehicles. To the rear of houses along this stretch of Woodland Road, is Metropolitan Green Belt Land. It is however noted that the application dwelling is not situated within the Metropolitan Green Belt but is adjacent to it.

The application dwelling has similar land levels, building height and building line to immediate neighbouring dwellings 45 and 41 Woodland Way. The application dwelling is not Listed and is not within a Conservation area. Permitted development rights have not been removed on this street. A large number of roof extensions have been implemented on this street under permitted development. The application dwelling has been extended previously at ground floor level (single storey side and rear extension).

The application dwelling has previously been granted approval for two storey side and rear extensions as well as garage extension, front porch and rear dormer window. This has not been implemented (LPA reference EPF/1977/12). The proposal is seeking to add a gable end featured to the roof of the existing house and to the proposed roof of the two storey side extension. The previous consent maintained the hipped roof to better complement the design of the existing house.

### **Description of Proposal:**

Ground floor rear extension, Ground and first floor side extension, loft conversion inclusive of rear former. Front and garage extension as previously consented in 2012.

### **Relevant History:**

EPF/0903/93 Single storey side and rear extension. Approved

EPF/3025/17 Ground floor rear extension, ground and first floor side extension, loft conversion inclusive of rear dormer. Front porch and garage extension as previously consented in 2012. Approved.

**Policies Applied:**

*Adopted Local Plan:*

CP2	Protecting the quality of the rural and built environment
DBE9	Loss of Amenity
DBE10	Design of Residential Extensions

*NPPF:*

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

**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:

DM9	High Quality Design
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**Summary of Representations Received**

4 Neighbours consulted:

41 WOODLAND WAY commented that:

- The ground floor plan shows the proposed extension to the front elevation projecting beyond the façade of no 41 and the established building line. This projection would encroach towards the street and would compromise the existing building face alignment and impact on street scene. The ground floor plan confirms the width of the shared passageway is to remain as existing, to ensure this is established we request that the existing width dimension is recorded on the drawings. The passage width is 1350mm. These works will require Party Wall 3m Notice and an Award to ensure our access route to the rear garden is maintained at all times and our property is safeguarded, we assume this legal requirement will be made a planning condition.

**Officer comments**

The proposal would not project beyond the front elevation of 41 Woodland Way. The drawings show spacing between the shared boundaries with this dwelling. There is no requirement for this to be specifically conditioned. Boundary and party wall matters are regulated by the Party Wall Act 1996. This does not confer any powers to Local Planning Authorities/Local Building Control Authorities in regards to Party Wall and Boundary disputes/matters. It remains a civil matter enforced through the civil litigation. As such, a requirement to condition a Party Wall notice/award in the event of approval is not something the Council can insist upon.

THEYDON BOIS AND DISTRICT RURAL PRESERVATION SOCIETY OBJECTED to the proposal on the following grounds:

- Size of the loft conversion is very large requiring a gable end to the roof.
- This gable end element reduces the space between roof of the neighbouring dwelling and the roof of the application dwelling creating a terracing effect. This would be detrimental to the street scene
- At the rear, weather boarding rather than hung tiles would make the roof area more obtrusive. The large 'Juliet Balcony' with bi-fold doors will, because of its open length, allows angles of view into neighbouring gardens that could be considered obtrusive.

Officer comments:

Full assessment of the proposal in terms of its design and impact on living conditions of neighbours is outlined below.

THEYDON BOIS PARISH COUNCIL:

- OBJECTED to the proposal would increase bulk and massing of existing roofscape
- This would unbalance pair of semi-detached houses (43 and 45)
- Current proposal would more than double size of existing roof, evident through the width of the scheme
- Result in a terracing effect due to gable end roof.
- Previous proposal granted approval in 2012 (EPF/1977/12) maintained hipped roof form of the application dwelling to complement design of existing and neighbouring dwelling.
- Size of rear dormer and the width of the Juliet Balcony could result in overlooking to number 45's patio. The width of the dormer window and balcony should be reduced to avoid any loss of amenity to the occupiers of the adjoining dwelling.

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

The main issues with this application relate to design and impact on amenity

#### Design

##### *Ground floor rear extension*

The proposed ground floor rear extension would be 4m deep with a flat roof. It will be set off from the common boundary with 41 and would be slightly deeper than the extension at 45 Woodland Way (attached semi). The proposal would due to its width, would not be readily visible when viewed from the general street scene and when taking into account the depth of the rear garden , it would appear subservient to the application dwelling. It would be of a design that would complement the existing house. It would not be dissimilar to the ground floor extensions implemented along this extensive road.

##### *Ground and first floor side extension*

The proposed first floor side extension would have a gable end roof. It is noted that dwellings along this stretch of Woodland Way have carried out gable end roof extension particularly under permitted development. As such it would not be unusual for dwellings on this street to have gable

ended roofs. Moreover, an approval for a similar designed first floor side extension with a gable ended roof has been approved and implemented at 39 Woodland Way. The decision reference number for this is EPF/2762/14. There would be 0.65m spacing between the application dwelling and the common boundary with 41 Woodland Way, which is less than the minimum 1m spacing that would be required under policy DBE10 for proposed first floor side extensions. A minimum of 1m spacing is required for first floor extensions to semi-detached dwellings to avoid creating a 'terracing effect'. Whilst the 0.65m spacing would be less than the minimum 1m spacing required by planning policy, given that the 1m spacing has not been adhered by 41 Woodland Way as well as other dwellings along this stretch of Woodland Way, the spacing proposed would not result in the application dwelling appearing out of character, cramped or visually obtrusive when viewed from the general street scene. As a result, the proposed spacing of 0.65m which still retains an overall gap of about 1.35 metres between the dwellings is not considered to justify refusal of planning approval.

The proposed ground floor side extension would not be dissimilar to other ground floor side extensions on this street. It would be subservient in size and scale to the application dwelling and would not appear out of character when viewed from the street scene.

#### *Loft conversion to include rear dormer window with Juliet Balcony*

The proposed rear dormer would be substantial in width but would not be dissimilar in size compared to a rear dormer allowed under permitted development. It would be set back from the eaves, set down from the ridge and set in from the flank elevations of the dwellinghouse. It would therefore appear subservient to the roof of the existing house and would not be visible from the street scene. The dormer window is standard in design and the Juliet Balcony is no different to what is allowed under permitted development.

#### *Front rooflights*

These are allowed under permitted development and are acceptable in terms of their number, siting and profile. They would not overly dominate the roof plane of the application dwelling.

#### *Front porch and garage extension*

This is similar to what was previously approved and would be subservient in size and scale to the application dwelling. It would be similar to existing front extensions on this street.

#### Living Conditions of neighbours

##### *Ground floor rear extension*

The proposal would be sufficiently set away from the common boundary with 41 Woodland Way which does not currently benefit from a single storey rear extension. Due to the height, width and depth of the proposal, it would not result in excessive harm to the amenities enjoyed by the inhabitants of this neighbouring dwellinghouse. The proposed ground floor extension would be marginally deeper than the existing extension at 45 Woodland Way. Due to the overall height, width and depth of the proposal, it would not result in excessive harm to the amenities of this dwellinghouse.

##### *Ground floor and first floor side extension*

The proposal would not be readily visible from the front habitable room windows of adjoining dwellings and the glazing proposed would not result in increased levels of overlooking compared with the existing situation. Due to the similar building height and land levels of the application dwelling to neighbouring dwellings, the proposed ground floor and first floor side extension would

not result in significant overshadowing to neighbouring dwellings or result in an overbearing presence. As such, the proposed ground floor and first floor side extension would not result in excessive harm to neighbour amenity.

*Loft conversion to include rear dormer window with Juliet balcony*

The proposed loft conversion to include rear dormer window with Juliet balcony would not result in increased levels of overlooking compared with the existing rear glazing at this dwellinghouse. No dwellings are situated to the rear of the site due to it being Metropolitan Green Belt Land. The proposal would not project beyond the rear building line of the application dwelling. As such, the proposed rear dormer window and Juliet balcony would not result in excessive harm to neighbour amenity.

*Front roof lights*

The proposed front roof lights would not result in overlooking due to their positioning, profile and size. They would not directly face into any neighbouring habitable room windows or garden areas and would instead face directly into the sky. As such, they would not cause excessive harm to neighbouring amenity.

*Front porch and garage extension*

The proposed front porch and garage extension would not result in significant harm by way of outlook, loss of light or appearing overbearing due to its proposed depth, height and width. It would not be readily visible from the front habitable room windows of 41 and 45 Woodland Way.

**Conclusion:**

The proposal by reason of its size and scale would not result in excessive harm to the living conditions of 41 and 45 Woodland Way and neighbouring dwellings opposite the application site. The proposal would complement the design of the existing house and would not appear out of character when viewed from the general street scene. The proposal therefore complies with relevant planning policy and it is recommended that planning permission be granted.

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

***Planning Application Case Officer: Sukhdeep Jhooti***  
***Direct Line Telephone Number: 01992 564298***

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

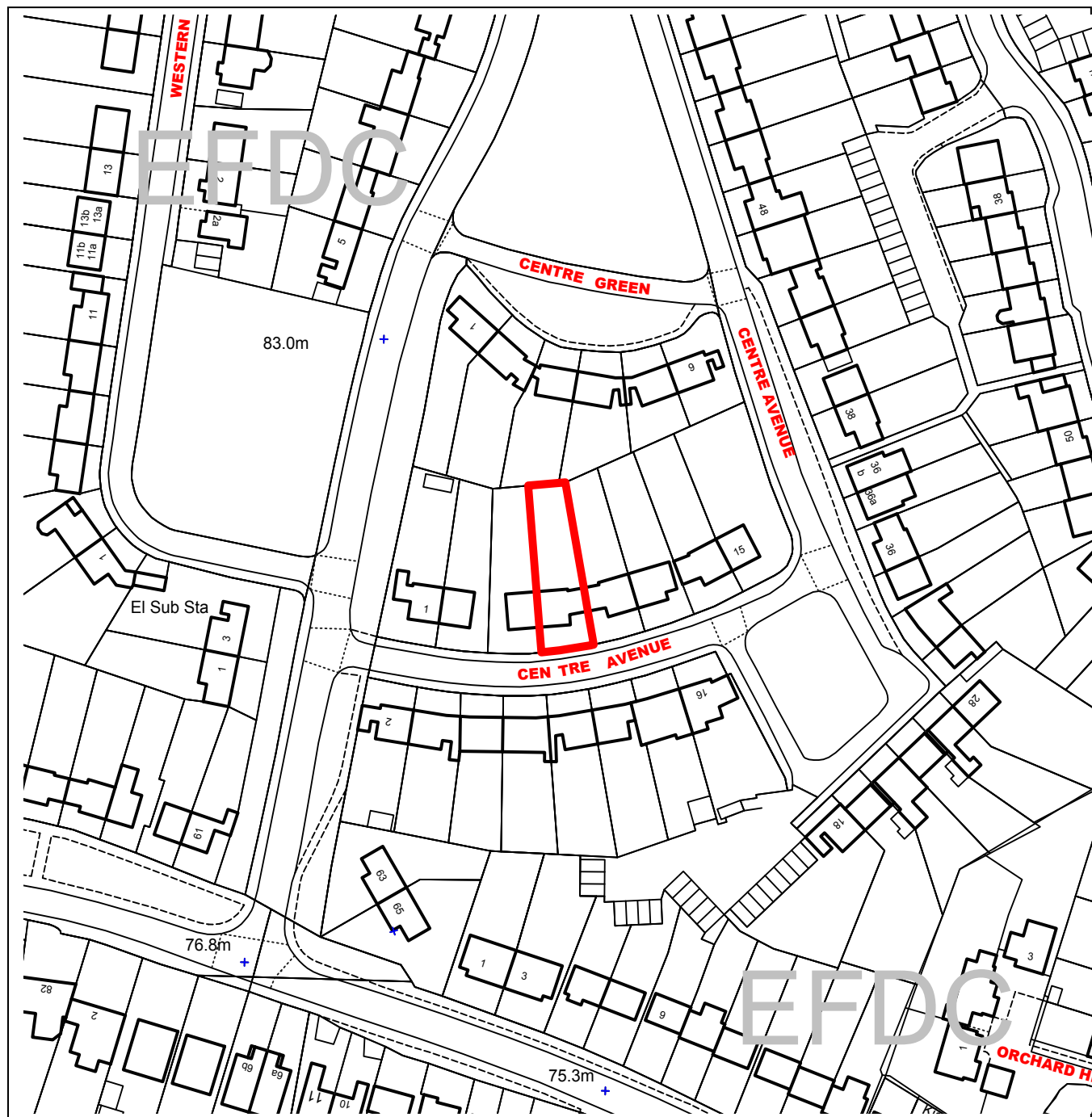


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# Epping Forest District Council

## Agenda Item Number 6



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Application Number:	EPF/3135/17
Site Name:	7 Centre Avenue, Epping, CM16 4JU
Scale of Plot:	1/1250

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/3135/17
<b>SITE ADDRESS:</b>	7 Centre Avenue Epping Essex CM16 4JU
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>APPLICANT:</b>	Mr Gunasuntharam Nimalan
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed part single and part double storey side extension, single storey rear extension, loft conversion and a porch extension with associated internal alterations.
<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=602560](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=602560)

**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 a two storey semi-detached dwelling located on the Northern side of Centre Avenue in Epping. There are no Listed Buildings on the site and it is not in a Conservation Area. The site is not within the Metropolitan Green Belt.

**Description of Proposal:**

Proposed part single and part double storey side extension, single storey rear extension, loft conversion and a porch extension with associated internal alterations.

**Relevant Site History:**

EPF/2490/17 – Certificate of Lawful Development for proposed loft conversion and front porch (08/11/2017) – Lawful

EPF/2418/17 - Application for prior approval for a 6m deep single storey rear extension, height to eaves 3m and overall height of 3.25m (13/10/2017) – Prior Approval Not Required

**Policies Applied:**

CP2 – Protecting the Quality of the Rural and Built Environment

DBE9 – Impact on Amenity

DBE10 – Design of Residential Extensions

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:

DM9 – Quality of Design

**Summary of Representation:**

No. of Neighbours Consulted: 5, no comments received

Epping Town Council: Committee OBJECT to this application. The proposal is an overdevelopment of the site in terms of its scale, bulk and density, which would result in a detrimental effect on the street scene. The proposal will result in a loss of amenity for neighbouring properties, in terms of loss of light, overshadowing and visual impact.

**Main Issues and Considerations:**

The main issues to consider for the assessment of this application are as follows:

Design

Impact on the Living Conditions of Neighbours

## Design

The proposed rear extension would have a flat roof with a parapet wall, which would be a similar design to the proposed front extension. The first floor side extension would have a gable end and set away from the neighbouring boundary by 1 metre. Two new windows would be inserted into the rear elevation and a loft conversion involving a box dormer and 3 no. velux rooflights would also be included. The overall design would be subordinate to the dwelling house and would be in keeping with the surrounding area, maintaining a suitable gap between dwellings at first floor to ensure that no terracing effect results. Whilst the rear extension and box dormer are large, they are permitted development and could be constructed without the need for planning permission. The main consideration is therefore the side extension and this has been amended in the course of the application to achieve an appropriate design which will not adversely impact on the character or amenity of the area.

## Impact on Living Conditions

The proposed larger rear extension would measure 6 metres in depth, 6.5 metres in width and 3.35 metres in overall height. It would be sited along the common boundary with 5 Centre Avenue and 2.25 metres from the boundary with 9 Centre Avenue. As this has already been assessed by way of a Larger Home Extension with no objections received, this part of the proposal can be built without the need for planning permission.

The smaller rear extension would measure 3 metres in depth, 3 metres in width and 3.2 two metres in overall height. The extension would be sited along the common boundary with 9 Centre Avenue. It is considered that there would not be excessive harm caused as a result of this part of the scheme.

The front extension would be 1.8 metres in depth, 4 metres in width and 3.2 metres in overall height. It would be along the shared boundary with 9 Centre Avenue. As the extension would be in line with the main building line of the existing dwelling, it is considered that there would not be excessive harm caused by this element of the proposal.

The first floor side extension would measure 2.85 metres in width, 5.5 metres in depth and 4.93 metres in height. It would be 1.2 metres from the adjacent boundary and 1.91 metres from the flank wall of 9 Centre Avenue. The side extension has been revised so that it is less bulky and would not cause excessive harm to surrounding neighbours. As there is a similar two storey side extension at 9 Centre Avenue, it is considered that there would not be an adverse impact to the living conditions of neighbours. There would be no impact in regard to overlooking and little impact in regard to loss of light.

There would not be excessive harm to the living conditions of neighbouring properties caused by the proposed loft conversion. It is considered that the dwellings situated to the rear of 7 Centre Avenue are far enough away to not be affected by overlooking by the rear dormer.

## **Conclusion:**

As the design of the amended proposal would fit well with the street scene and will not result in excessive harm to neighbouring amenity, Adequate private amenity space is retained The development is therefore in accordance with policy and it is recommended that planning permission is granted subject to conditions.

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

***Planning Application Case Officer: Alastair Prince  
Direct Line Telephone Number: 01992 564462***

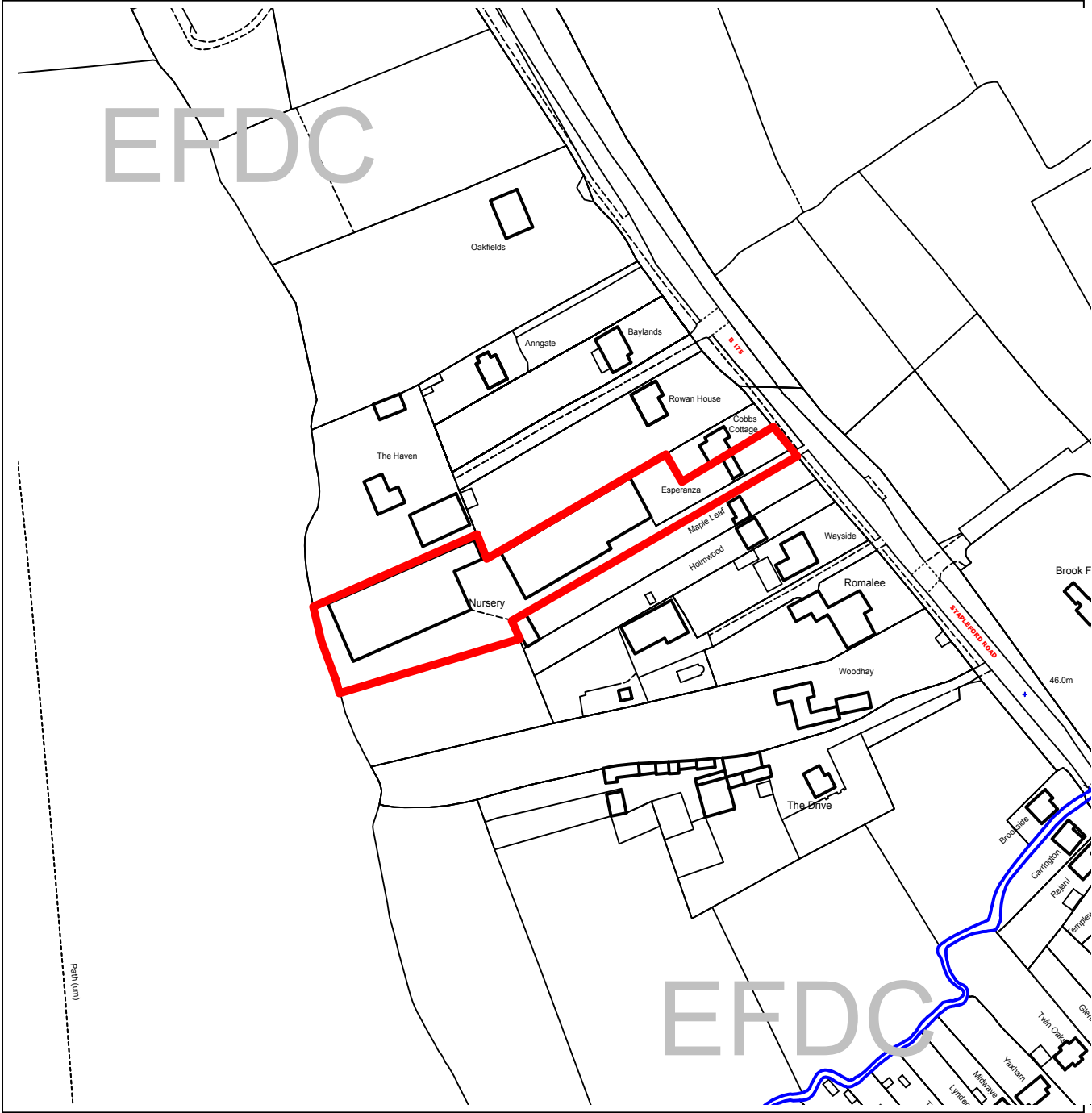
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# Epping Forest District Council

## Agenda Item Number 7



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Application Number:	EPF/3216/17
Site Name:	Esperanza Nurseries, Stapleford Road, Stapleford Abbots, RM4 1EJ
Scale of Plot:	1/2500



**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/3216/17
<b>SITE ADDRESS:</b>	Esperanza Nurseries Stapleford Road Stapleford Abbots Essex RM4 1EJ
<b>PARISH:</b>	Stapleford Abbots
<b>WARD:</b>	Passingford
<b>APPLICANT:</b>	Mr Tony Humphries
<b>DESCRIPTION OF PROPOSAL:</b>	Outline application to demolish office, boiler house and two glasshouses, erect five dwelling houses, lay out access drive and turning head, amenity and parking areas, form meadow/paddock and alter vehicular access onto Stapleford Road.
<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=602839](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=602839)

**CONDITIONS**

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters as defined in condition 3 below, whichever is the later.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos:  
PDB/17/907/01  
PDB/17/907/02  
PDB/17/907/03  
Planning, Design & Access and Sustainability Summary statement.
- 3
  - a) Details of the reserved matters set out below ("the reserved matters") shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:
    - (i) scale;
    - (ii) appearance; and
    - (iii) landscaping.
  - b) The reserved matters shall be carried out as approved.
  - c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.

- 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, 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.
- 6 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.
- 7 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 8 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local

Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

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

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

- 12 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 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.
- 14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A, B, C, or E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 15 The proposed private drive shall be constructed to a width of 5 metres for at least the first 6 metres from the back of carriageway and provided with an appropriate dropped kerb crossing of the footway/verge.
- 16 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision – per dwelling - and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.
- 17 There shall be no discharge of surface water onto the Highway.
- 18 No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.
- 19 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.
- 20 Built form within the site shall not exceed a volume of 4,200 cubic metres.
- 21 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 site is predominately occupied by derelict glass houses, previously used by a horticultural nursery. The site is within the Green Belt though, as discussed below, has been previously accepted to be an infill site; the site is not in open countryside. Not listed or in a conservation area.

### **Description of Proposal:**

Outline application to demolish office, boiler house and two glasshouses, erect five dwelling houses, lay out access drive and turning head, amenity and parking areas, form meadow/paddock and alter vehicular access onto Stapleford Road.

### **Relevant History:**

EPF/0112/17 - Outline application to demolish all buildings, clear the site and erect 3 chalet bungalows. Access and layout only to be determined (amended scheme to allow garages and enlargement of floor area for plots 1 and 3). – Granted 07/03/2017

EF\2017\ENQ\00853 - Demolish office, boiler house and two glasshouses, remove hard standings, erect 5 no. chalet bungalows, layout access drive and turning head, amenity and parking areas, alter vehicular access onto Stapleford Road and plant hedgerows and trees.

### **Policies Applied:**

#### *Adopted Local Plan:*

CP1	Achieving Sustainable Development Objectives
CP2	Protecting the Quality of the Rural and Built Environment
CP3	New Development
CP4	Energy Conservation
CP5	Sustainable Building
CP6	Achieving Sustainable Urban Development Patterns
GB2A	Development in the Green Belt
GB7A	Conspicuous Development
U3B	Sustainable Drainage Systems
DBE1	Design of New Buildings
DBE2	Effect on Neighbouring Properties
DBE4	Design in the Green Belt
DBE6	Car parking in new development
DBE8	Private Amenity Space
DBE9	Loss of Amenity
LL1	Rural Landscape
LL2	Inappropriate Rural Development
LL10	Adequacy of Provision for Landscape Retention
LL11	Landscaping Schemes
ST1	Location of Development
ST4	Road Safety
ST6	Vehicle Parking

## *NPPF:*

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

## *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 intends 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
SP2	Spatial Development Strategy 2011-2033
SP5	Green Belt and District Open Land
SP6	The Natural Environment, Landscape Character and Green Infrastructure
DM2	Landscape Character and Ancient Landscapes
DM9	High Quality Design
DM10	Housing Design and Quality
DM11	Waste Recycling Facilities on New Development
DM16	Sustainable Drainage Systems
DM18	On site management of Waste Water and Water Supply
DM19	Sustainable Water Use

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

Date of site visit: 16/08/2017

Number of neighbours consulted: 12

Site notice posted: 18/12/2017

Responses received: No response received from neighbours

PARISH COUNCIL: No objection with condition that as 5 houses potentially means parking for upwards of 10 cars which will also be accessing the road on a daily basis, the driveway should be wide enough for two cars to pass in either direction, and enough to safely accommodate large and wide vehicles including emergency vehicles, dustcarts and removal and delivery vans.

## **Main Issues and Considerations:**

The main issue in this case is the principle of residential development at this Green Belt site.

The application site is located within the Metropolitan Green Belt whereby the National Planning Policy Framework highlights that “the construction of new buildings is inappropriate”, however the NPPF lists a number of exceptions.

Paragraph 89 of the NPPF sets out exceptions to when a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. One such exception is “limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development”. However, the NPPF defines previously developed land as “Land which

is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings ... “ The buildings on the site have last been in an agricultural use and accordingly the site cannot meet the definition of previously developed land.

Nevertheless the most recent planning history of the site shows that its development has been accepted as limited infilling. Pre-application advice has recently been given to the effect that this is an “infill site”. Limited infilling in villages is one of the exceptions set out in the NPPF to when a local planning authority should regard the construction of new buildings as not being inappropriate in Green Belt.

The proposal would essentially infill between Maple Leaf, to the south, and Rowan House, to the north. Both these properties are in non-agricultural uses, are developed land, albeit at a fairly low density, and form part of a parade of residential properties at the fringe of the village of Stapleford Abbots. Gardens of the two western most dwellings would extend beyond the general line of neighbouring rear boundaries though the residential property of The Haven would adjoin to the north.

The current application, though for a greater number of dwellings than given outline planning permission by EPF/0112/17, would appear from the application documentation to involve approximately the same volume of built form (this point would have to be re-visited at a reserved matters stage). Given that this is a Green Belt site and that any determination of whether a site is infill development or not inevitably involves a subjective evaluation in practice, it is considered reasonable to impose, in order to ensure that Green Belt policy is observed, a condition limiting the degree of volume of built form that this planning permission would allow.

To determine what such a figure would be reasonable, the volume indicated in the application documentation has been assessed. The dwelling for plot 1 could be contained within a cuboid with a volume of 637 cubic metres (7x13x7). Assuming the dwellings on plots 2 to 5 have the same height as the dwelling on plot 1, each of these dwellings could be contained within a cuboid with a volume of 910 cubic metres (10x13x7). These figures produce a total of 4,277 cubic metres (637 + 3640). This figure does not take into account that the volume of the roofs is less than the volume of a cuboid in which it could fit. However, it also does not take into account garages and given that the roofs would have gables and dormers this figure arrived at is considered to be a fair one with which to limit future built form.

It has been assumed that the dwellings would be single storey with accommodation within roof spaces served by dormers. The block plan/roof plans shows dormers positioned in such a way as to not lead to any unreasonable degree of overlooking. Subject to removal of Permitted Development rights for dormers and roof lights, the layout shows an arrangement not unduly disadvantageous to neighbours.

The more efficient use of land represented by the increase from three to five is favoured by policy. In the light of the history and the setting of the site, officers have formed the opinion that the proposal can be considered to be limited infill in a village.

With regard to sustainability of the location of the site, Stapleford Abbots has been identified as a settlement with a population of more than 1,000 and has a primary school and a village hall to the north of the site and a public house and shop to the south. Stapleford Abbots has a number of bus stops.

The Highway Authority has no objection subject to conditions to any planning permission. The conditions would be to address a minimum width of the driveway, an information pack to future

occupiers to promote sustainable modes of transport, avoidance of surface water or loose materials onto the highway, and the position of any gates.

**Conclusion:**

In the light of the history and the particular circumstances of the site, the proposal in outline form is considered to comply with relevant planning policy and it is recommended that planning permission be granted.

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

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

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

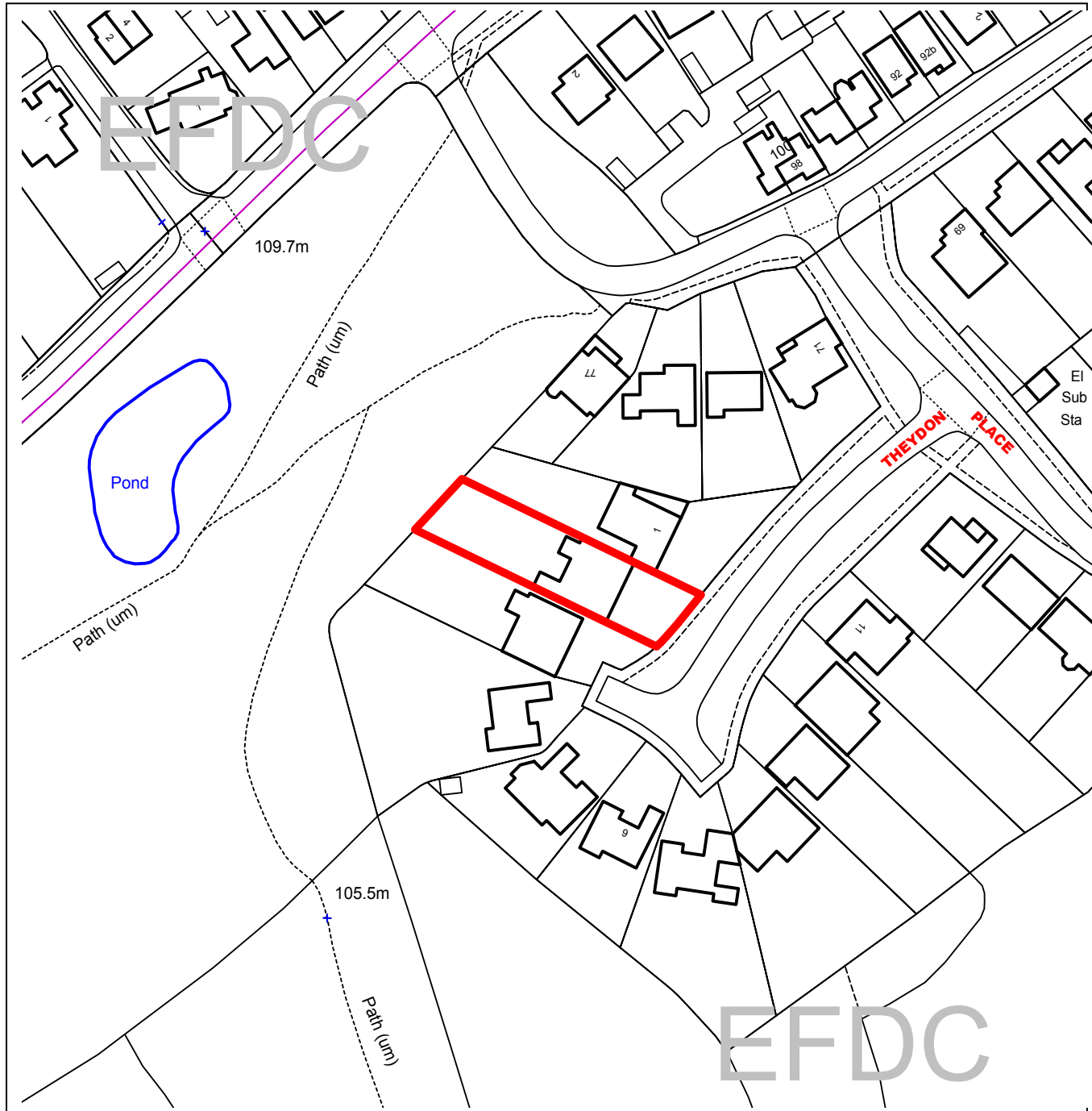


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# Epping Forest District Council

## Agenda Item Number 8



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Application Number:	EPF/3124/17
Site Name:	2 Theydon Place, Epping, CM16 4NH
Scale of Plot:	1/1250

**Report Item No: 8**

<b>APPLICATION No:</b>	EPF/3124/17
<b>SITE ADDRESS:</b>	2 Theydon Place Epping Essex CM16 4NH
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>APPLICANT:</b>	Mrs Davina Jacoby
<b>DESCRIPTION OF PROPOSAL:</b>	Loft conversion including raising the height of the dwelling and erection of new roof with first floor front and rear windows.
<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=602497](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=602497)

**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 detailed in section 11 of the submitted application form, unless otherwise agreed in writing by the Local Planning Authority.
- 3 Prior to first occupation of the development hereby approved, the proposed rooflights in the north and south flank elevations shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.

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

### **Description of Site:**

The application site is located on the northwestern side of Theydon Place which is a cul-de-sac of 11 properties. Dwellings are single storey with a mix of front and side facing gabled roofs. As the houses are arranged in a cul de sac there is no constant building line. There is a large mature tree located to the front of the site which partially screens the front of the building when viewed from in front of it. To the rear of the site lies Bell Common Conservation Area.

### **Description of Proposal:**

Planning permission is sought for a loft conversion including raising the height of the dwelling and erection of new roof with first floor front and rear windows.

The proposal would include an increase in the height of the bungalow by approximately 900mm. The roof would extend over the existing flat roof side extension adjacent to the boundary with 3 Theydon Place. Rooflights to the northern flank would serve en-suite bathrooms. A rooflight to the southern flank would allow light into the top of the stairs. Windows serving the bedrooms would be inserted in the gables, front and back.

The proposed materials would match the existing apart from the tiles which would be slate instead of the existing concrete pantiles.

The last application was refused on the following grounds:

*The development, due to the size and position and design of the proposed side dormer windows, will appear incongruous and out of keeping with the established street scene, to the detriment of the visual amenity and character of the local area, contrary to policies CP2 and DBE9 of the adopted Local Plan and Alterations.*

At Committee members discussed whether there was a way forward and it was minuted that the way forward would be to remove the dormer windows from the scheme.

This application has followed the suggested way forward and the applicant has removed the dormers in order to overcome the reason for refusal.

### **Planning History:**

EPF/0063/78 - Proposed erection of single storey rear extension – Approved

EPF/0952/07 - Rear extension, front porch and loft conversion including reconstruction of part of existing roof.

EPF/1990/17 - Loft conversion including raising the height of the dwelling and erection of new roof with two side dormer windows and first floor front and rear windows - Refused

## **Policies Applied:**

National Planning Policy Framework 2012

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

- CP2 – Protecting the rural and built environment
- DBE9 – Loss of Amenity
- DBE10 – Residential Extensions
- HC6 – Character, Appearance and Setting of Conservation Areas
- LL10 – Adequacy of provision for landscape retention

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:

H1 – Housing Mix and Accommodation Types

DM3 - Landscape Character, Ancient Landscapes and Geodiversity

DM5 – Green and Blue Infrastructure

DM7 – Heritage Assets

DM9 – High Quality Design

## **Summary of Representations**

Epping Town Council – OBJECTION – Whilst Committee note the removal of the dormer windows, the revised proposal does not address their previous concerns. The proposal would still be an overdevelopment of the building, which would have a detrimental effect on the character of the street scene and the surrounding area. This part of Theydon Place is all bungalows and altering the style of this building will set an undesirable precedent, which will ultimately result in the complete erosion of the character of this urban area. National Policy recognises the importance of taking into consideration the character of different areas, which is crucial in this location.

The constant development of bungalows into housing is eroding the stock of bungalows where there is an identified need for people wishing to downsize and this is adversely affecting the mix of dwelling types available. The importance of bungalow accommodation has been recognised in the emerging draft Local Plan. There will be no bungalows left for the Plan to protect if they are continually converted now, contravening evidence.

Relevant policies: CP2 (iv), CP7, DBE10 (i) H4A(Local Plan 1998 & A2006) H1E (Emerging Local Plan). NPPF para 17

### Neighbours:

4 neighbours consulted – None from immediate neighbours but 1 from The Epping Society

EPPING SOCIETY – OBJECTION - We note the removal of the dormers since the last application. Unfortunately the increase in height of approximately 0.9m along with the increased bulk of the proposed design does not sit well in the street scene. We feel the reasons given for the last refusal still stand “*The development, due to the size and position and design of the proposed side dormer windows, will appear incongruous and out of keeping with the established street scene, to the detriment of the visual amenity and character of the local area, contrary to policies CP2 and DBE9 of the adopted Local Plan and Alterations.*” The loss of a conventional sized bungalow is to be regretted and the loss of this type of property from our housing stock is unacceptable.

### Issues and Considerations:

The main issues to be addressed are:

- Effect on character and appearance
- Effect on neighbours living conditions
- Loss of bungalow
- Impact on trees

#### *Effect on 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.

The proposal would increase the height of the dwelling by 900mm and extend over the existing garage. The ridge would move over slightly towards 3 Theydon Place.

It is accepted that the properties next door and on the southeastern side of the road still appear as original bungalows however an application has been submitted for something similar at No 1 Theydon Place.

Even so, Officers consider that the ridge increase of 900mm would not appear wholly at odds with the heights of the adjacent dwellings due to combination of the staggered building lines; that 1 Theydon Place is on slightly higher ground and the view of the front of the property from within the streetscene is partially screened.

The rear boundary of the site abuts the Bell Common Conservation Area; however views of the dwellings from within it are limited due to the abundance of tree screening along the boundaries of the properties along this side of Theydon Place. Given the screening and distance of approximately 30m from the rear roofslope of the dwelling to the boundary it is not considered that

the character, appearance or setting of the Conservation Area would be unduly compromised by the proposal.

Whilst the dwelling would differ from the design of other properties in the road the property is not within a conservation area where special control is warranted. In addition there is partial screening to front gardens which would soften the changes. Therefore, it is not considered it will appear significantly out of place or detrimental to the character of the road and in this instance the design of the extension complies with policies CP2 and DBE10 of the Local Plan (1998) and Alterations (2006).

#### *Effect on neighbours living conditions*

Policy DBE9 seeks to ensure that an extension would not result in an excessive loss of amenity for neighbouring properties.

In terms of impact on the neighbours, the increase in pitch and height of the roof is considered to be a sufficient distance from the neighbouring side windows at 1 Theydon Place that serve their living room as not to excessively harm this occupier's amenity including outlook.

With regards to the impact on 3 Theydon Place, the alterations to the dwelling would bring the side roofslope closer to this dwelling. However similarly with regards to No.1, it is not considered that the changes would excessively harm the living conditions of that neighbour over and above the existing situation as the dwelling has already been extended up to close to the shared boundary already.

In terms of loss of privacy, the rooflights proposed are to serve an ensuite bathroom and the top of the stairs so could be conditioned to be obscured as not to result in overlooking into the neighbours plots.

Therefore the proposal is considered to comply with policy DBE9 of the Local Plan (1998) and Alterations (2006).

#### *Loss of Bungalow*

There is no policy within the current adopted Local Plan and Alterations that precludes the loss of bungalows however Epping Forest District Council Local Plan (Submission Version) 2017 policy H1 criterion E states that the loss of bungalows will be resisted as they provide a supply of accessible accommodation.

Whilst the intention for bungalows to be retained is accepted by Officers, given that the policy has not been formally adopted as yet, it is not considered that it holds sufficient weight in order to refuse an application on this ground alone. Whilst there may be evidence that bungalows are being lost there is also evidence that family housing is required and while there is no adopted policy restricting the loss of bungalows at present, the proposal is considered acceptable until there comes a time when the new policy is adopted.

### *Impact on trees*

There are preserved trees on the rear boundary with Bell Common. The Trees and Landscape Officer was consulted and has no objections to the proposal.

### *Response to Third party Representations*

These have been addressed in the main body of the report above.

### **Conclusion:**

The proposed development is appropriate in terms of design and appearance and would not result in excessive harm to the amenities of adjoining property occupiers. The loss of bungalow is accepted but with no formally adopted policy it is difficult to justify a refusal on this ground. The proposal is considered to comply with current relevant national and local plan policies and accords with the way forward suggested by this committee and therefore 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: Steve Andrews  
Direct Line Telephone Number: 01992 564 337***

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

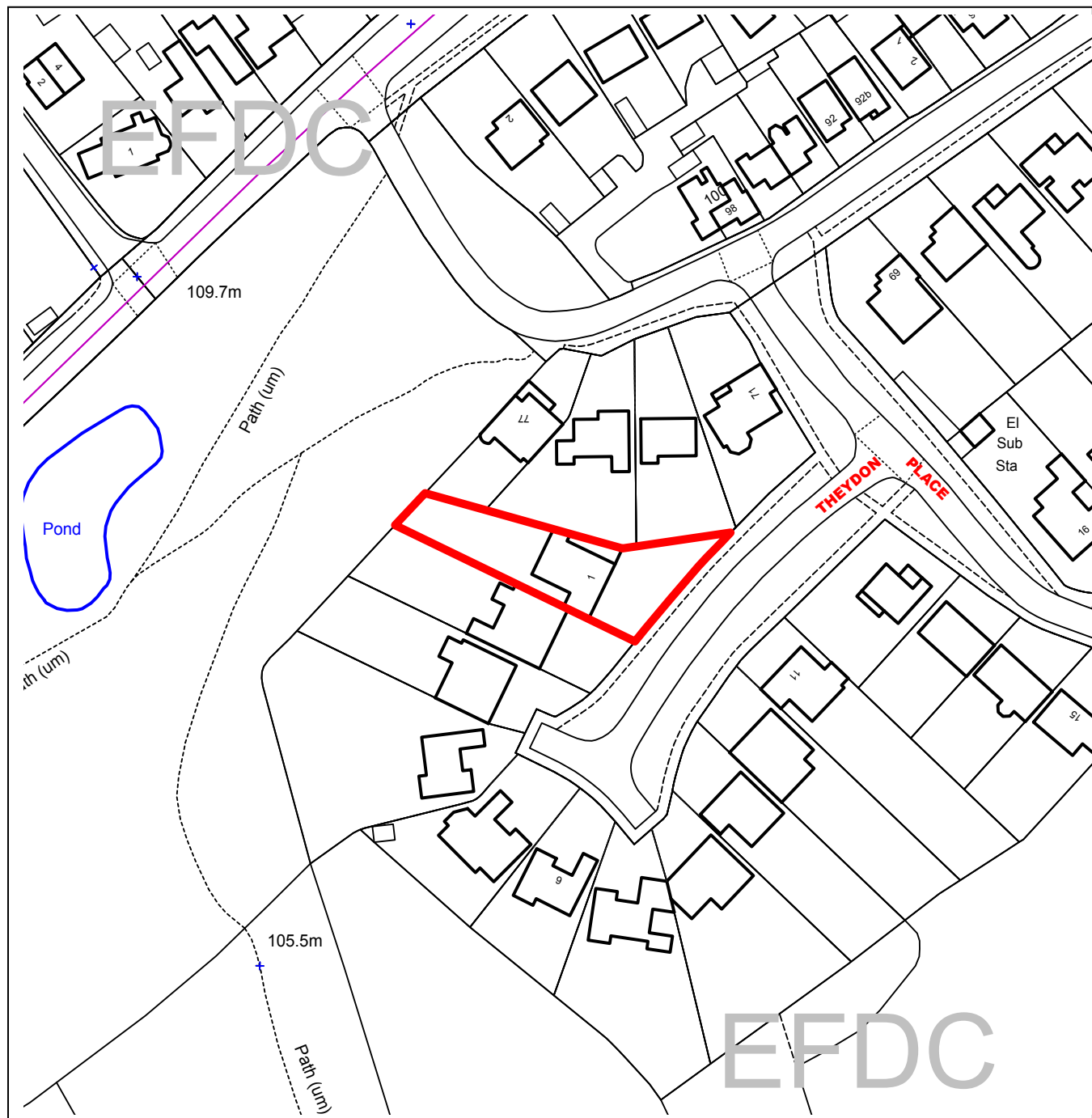


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# Epping Forest District Council

## Agenda Item Number 9



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Application Number:	EPF/3219/17
Site Name:	1 Theydon Place, Epping, CM16 4NH
Scale of Plot:	1/1250

**Report Item No: 9**

<b>APPLICATION No:</b>	EPF/3219/17
<b>SITE ADDRESS:</b>	1 Theydon Place Epping Essex CM16 4NH
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>APPLICANT:</b>	Mr & Mrs Peter Saggars
<b>DESCRIPTION OF PROPOSAL:</b>	Loft conversion including raising the height of the dwelling and single storey extension to sides and rear.
<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=602842](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=602842)

**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 Prior to first occupation of the development hereby approved, the proposed rooflights in the southern flank elevation shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 4 No development, including works of demolition or site clearance, shall take place until details of the retained landscaping (trees / hedges) and their methods of protection (in accordance with BS5837:2012 -Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details unless the Local Planning Authority gives its written consent to any variation.

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

### **Description of Site:**

The application site is located on the northwestern side of Theydon Place which is a cul-de-sac of 11 properties. Dwellings are single storey with a mix of front and side facing gabled roofs. As the houses are arranged in a cul de sac there is no constant building line. There is a large mature tree located to the front of the site which partially screens the front of the building when viewed from in front of it. The Bell Common Conservation Area runs along the rear and side (to the rear) boundaries of the site. There is a Horse Chestnut with a Tree Preservation Order on it within the rear garden.

### **Description of Proposal:**

Planning permission is sought for a loft conversion including raising the height of the dwelling and single storey extension to sides and rear.

The proposal would include an increase in the height of the bungalow by approximately 900mm. The roof would extend over the existing flat roof side extension adjacent to the boundary with 2 Theydon Place. A single storey side extension is proposed to the northern end of the site, replacing an existing car port and smaller side addition. A 3m deep flat roof extension with glazed roof lantern is proposed to the rear.

Rooflights to the northern flank would serve a landing. Windows serving the bedrooms would be inserted in the gables, front and back.

The proposed materials would match the existing.

### **Planning History:**

EPU/0090/71 - CONSERVATORY WITH GLASSROOF - Approved

EPF/1333/76 - Car port - Approved

### **Policies Applied:**

National Planning Policy Framework 2012

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

- CP2 – Protecting the rural and built environment
- DBE9 – Loss of Amenity
- DBE10 – Residential Extensions
- HC6 – Character, Appearance and Setting of Conservation Areas
- LL10 – Adequacy of provision for landscape retention

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:

H1 – Housing Mix and Accommodation Types

DM3 – Landscape Character, Ancient Landscapes and Geodiversity

DM5 – Green and Blue Infrastructure

DM7 – Heritage Assets

DM9 – High Quality Design

### **Summary of Representations**

Epping Town Council – OBJECTION – The proposal would be an overdevelopment of the building, in terms of its height and scale, which would have a detrimental effect on the character of the street scene and the surrounding area. This part of Theydon Place is all bungalows and altering the style of this building will set an undesirable precedent, which will adversely affect the character of this urban area. National policy recognises the importance of taking into consideration the character of different areas, which is crucial in this location.

The importance of bungalow accommodation has been recognised in the emerging Local Plan. The constant development of bungalows into houses is eroding the stock of bungalows in a town where there is an identified need for people wishing to downsize, adversely affecting the mix of dwelling types available, contravening evidence and the emerging local Plan.

Relevant policies: CP2 (iv), CP7, DBE10.

H4A (Local Plan 1998 & Alterations 2006)

H1 A & E (Emerging Local Plan). NPPF para 17 and para 50.

### **Neighbours:**

8 neighbours consulted – No responses received from immediate neighbours but 1 from The Epping Society

EPPING SOCIETY – OBJECTION - Theydon Place is a close of eleven 1960s bungalows. They are all single storey, six of the properties facing and adjacent to number 1 Theydon Place are of exactly the same design and proportions. The remaining four are of a similar scale. The proposed increase in height and the extended coverage of the roof will increase the effective street facing profile significantly. The infill of the lean-to the north side will add the impression of size. The site

is in a prominent position and it will have a negative impact on the street scene and set an undesirable precedent.

The loss of a conventional sized bungalow is to be regretted.

### **Issues and Considerations:**

The main issues to be addressed are:

- Effect on character and appearance
- Effect on neighbours living conditions
- Loss of bungalow
- Impact on trees

#### *Effect on 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.

The proposal would increase the height of the dwelling by 900mm and extend over the existing garage. The ridge would move over slightly towards 2 Theydon Place.

It is accepted that the properties next door and on the southeastern side of the road still appear as original bungalows however an application has been submitted for something similar at No 2 Theydon Place.

Even so, Officers consider that the ridge increase of approximately 900mm would not appear wholly at odds with the heights of the adjacent dwellings due to combination of the staggered building lines; the view of the front of the property from within the streetscene is partially screened and that this is the first dwelling in the cul-de-sac.

Both the side and rear extensions are modest in size and simple in design and are similar to those that could be erected under permitted development. There are no objections to their character and appearance.

The rear and side boundary to the rear of the site abut the Bell Common Conservation Area; however views of the dwellings from within it are limited due to the abundance of tree screening along the boundaries of the properties along this side of Theydon Place. Given the screening and distance of approximately 14m from the rear of the dwelling to the Conservation Area boundary and the acceptable design, it is not considered that the character, appearance or setting of the Conservation Area would be unduly compromised by the proposal.

Whilst the dwelling would appear in contrast to the main character of the road the property is not within a conservation area where special control is warranted. In addition there is partial screening

to front garden which would soften the changes. Therefore, it is not considered it will appear significantly out of place or detrimental to the character of the road and in this instance the design of the extension complies with policies CP2 and DBE10 of the Local Plan (1998) and Alterations (2006).

### *Effect on neighbours living conditions*

Policy DBE9 seeks to ensure that an extension would not result in an excessive loss of amenity for neighbouring properties.

In terms of impact on the neighbours, the increase in pitch and height of the roof is considered to be a sufficient distance from the neighbouring side windows serving their living room as not to excessively harm this occupier's amenity including outlook.

With regards to the impact on 2 Theydon Place, the alterations to the dwelling would bring the side roofslope closer to this dwelling, however it is not considered that the changes would excessively harm the living conditions of that neighbour over and above the existing situation as the dwelling has already been extended up to close to the shared boundary already.

In terms of loss of privacy, the rooflights proposed are to serve a landing area and the top of the stairs so could be conditioned to be obscured as not to result in overlooking into the neighbours plots.

The roof alterations and extensions to the side and rear are of an acceptable height and are located an acceptable distance from the rear elevations of the neighbours along Hemnall Street to the east to result in excessive harm to the living conditions of those neighbouring occupiers. No windows are proposed within this flank elevation.

Therefore the proposal is considered to comply with policy DBE9 of the Local Plan (1998) and Alterations (2006).

### *Loss of Bungalow*

There is no policy within the current adopted Local Plan and Alterations that precludes the loss of bungalows however Epping Forest District Council Local Plan (Submission Version) 2017 policy H1 criterion E states that the loss of bungalows will be resisted as they provide a supply of accessible accommodation.

Whilst the intention for bungalows to be retained in accepted by Officers, given that the policy has not been formally adopted as yet, it is not considered that it holds sufficient weight in order to refuse an application on this ground alone. Whilst there may be evidence that bungalows are being lost there is also evidence than family housing is required and while there is no adopted policy restricting the loss of bungalows at present, the proposal is considered acceptable until there comes a time when the new policy is adopted.

### *Impact on Trees*

There is a TPO'd horse chestnut tree in the rear garden, as well as other vegetation within the front and rear gardens. Irrespective of the development proposal we would have expected to have seen trees shown on the submitted plans. Notwithstanding this omission, and taking into account the proposal, there are no objections subject to a tree protection condition. This is to include protection for all retained trees to ensure that development activities and paraphernalia do not detrimentally impact on them.

### *Response to Third party Representations*

These have been addressed in the main body of the report above.

### **Conclusion:**

The proposed development is appropriate in terms of design and appearance and would not result in excessive harm to the amenities of adjoining property occupiers. The loss of bungalow is accepted but with no formally adopted policy it is difficult to justify a refusal on this ground. The proposal is considered to comply with all relevant national and local plan policies.

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

***Planning Application Case Officer: Steve Andrews***

***Direct Line Telephone Number: 01992 564 337***

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

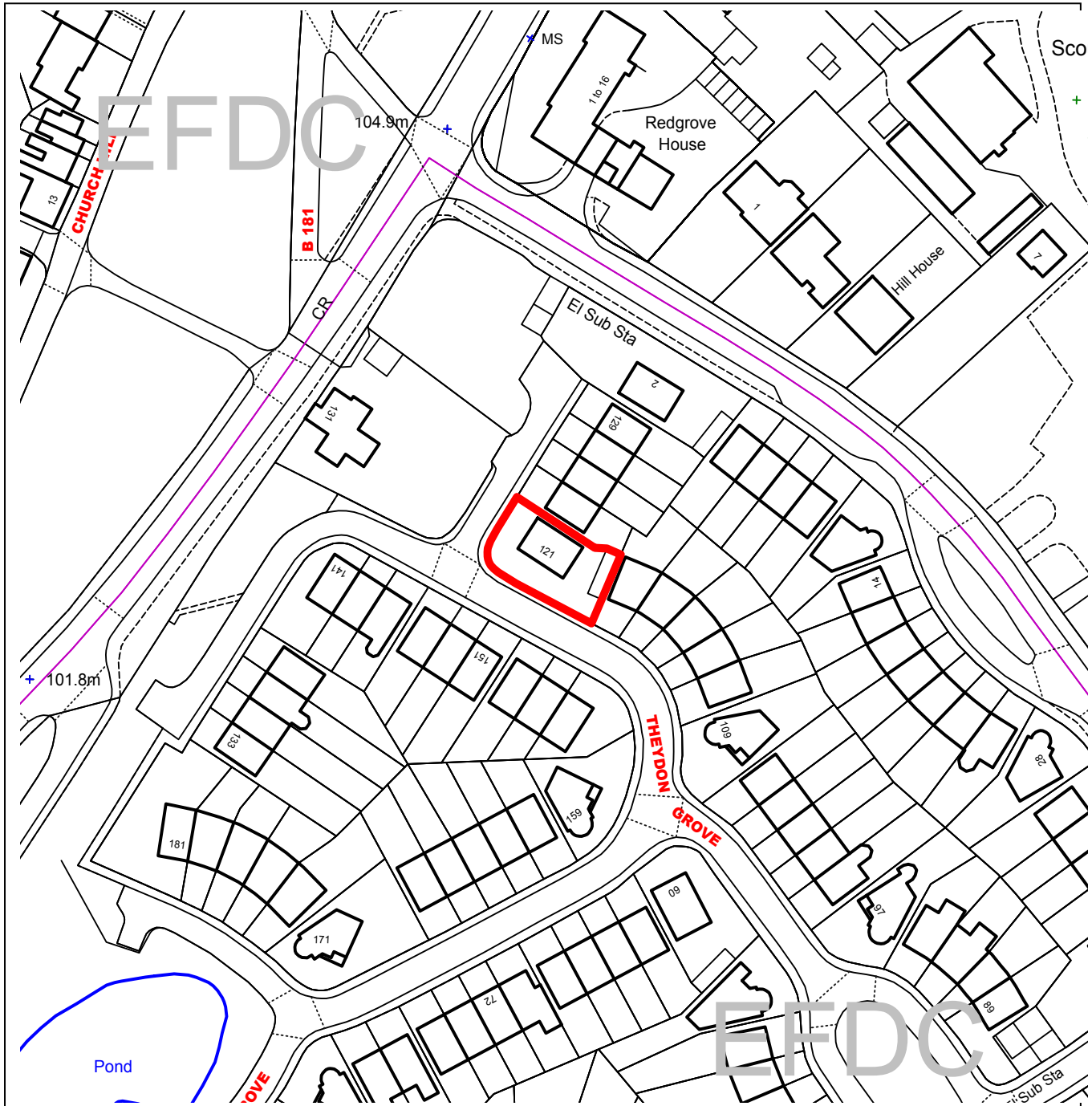


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# Epping Forest District Council

## Agenda Item Number 10



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Application Number:	EPF/3259/17
Site Name:	121 Theydon Grove, Epping, CM16 4QB
Scale of Plot:	1/1250

**Report Item No: 10**

<b>APPLICATION No:</b>	EPF/3259/17
<b>SITE ADDRESS:</b>	121 Theydon Grove Epping Essex CM16 4QB
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>APPLICANT:</b>	Mr & Mrs Kevin & Jennifer Dowsett
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed single storey side extension and garden wall.
<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=602975](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=602975)

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

### **Description of Site:**

The site is a corner plot on the northern side of Theydon Grove within the northwest part of this residential estate which itself is located to the east of the High Street and south of Stonards Hill. The plot accommodates a two storey mock Georgian detached dwelling with rooms in the roof. The situation is slightly unusual in that there is no rear garden space. There is a paved area (yard) to the eastern side of the dwelling between the house and the detached garage. To the west there is garden area but this is only semi-private as views can be had from the road.

### **Description of Proposal:**

Planning permission is sought for the erection of a single storey side extension and garden wall.

The dwelling benefits from 5 bedrooms. The existing garden size is limited. The applicant has a young family and requires a larger safe and enclosed garden than that which currently exists. The applicant wishes for a larger kitchen which would utilise some of the existing garden area/ Extending the private garden space would be to partly offset this but would also increase the garden space over and above the existing by approximately 8sqm.

The side extension is 3.2m wide by 4.5m deep finished with a hipped roof with a ridge height of approximately 3m.

The garden wall would be approximately 1.8m high and would be roughly horseshoe shaped. It would extend 3.7m in front of the principal elevation, extend across the front garden for approximately 5.7m then back toward the garage for a depth of approximately 4m. A gate is proposed with a raised arch above at a height of approximately 2m. The existing garden wall which extends across from just behind the front elevation to the garage would be removed.

NB: After discussions with Officers revised plans were submitted which has increased the distance between the proposed wall and the front of the site from 900mm to between 1.7m and 1.8m. Additionally, some planting is proposed in front. Re-consultation was not sought with neighbours and Town Council as it was felt that the objections to the original scheme were still relevant to the revised scheme.

### **Planning History:**

None

### **Policies Applied:**

National Planning Policy Framework 2012

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

- CP2 – Protecting the rural and built environment
- DBE8 – Private Amenity Space
- DBE9 – Loss of Amenity
- DBE10 – Residential Extensions

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:

DM9 – High Quality Design

### **Summary of Representations**

Epping Town Council – OBJECTION – The proposal will have a detrimental effect on the appearance of these carefully styled properties, affecting the character of the street scene and the surrounding area. It will adversely effect the particular detailing of the existing wall and the front garden will be adversely changed and dominated by the proposed wall. National policy recognises the importance of taking into consideration the character of different areas, which is crucial in this location, as they all follow a similar style.

Committee suspect covenants may exist in Theydon Grove which preserve specific characteristics of the buildings and estate.

Relevant policies: CP2 (iv), CP7, DBE10. NPPF para 17.

#### Neighbours:

6 neighbours consulted – 4 objections received from neighbouring properties. 1 from The Epping Society and 1 from the Theydon Grove Residents Association.

111 Theydon Grove – OBJECTION – The wall does not match the accepted layout of front gardens – It is too big and too near the pavement line. The fence at 159 should not be used as a precedent. No objection to the extension

123 Theydon Grove – OBJECTION – I feel it will be too permanent and conspicuous and impact negatively on the environment. The same result could be achieved with some creative thinking and erecting a quality wooden fence at a sensible distance from the pavement area. In the present design I object to this application although I appreciate the applicant's desire for privacy and security. I have no objection to the single storey extension.

153 Theydon Grove – OBJECTION – Properties on Theydon Grove have restrictive covenants in the property deeds and one listed is "walls, fences or hedges are not to be place in front of the building line." The proposed garden wall violates this covenant, and although not a condition of planning, should not be permitted. When viewed from our house (opposite) it would be obtrusive and destroy the line of the garden frontages which is a character of this part and of Theydon Grove – The precedents quoted in the application are misleading and incorrect – the wall is set further back and the fence was not subject to planning. No objection to the proposed kitchen extension.

157 Theydon Grove – OBJECTION - There are restrictive covenants in the property deeds of the Theydon Grove Estate and one of them forbids the placing of walls fences or hedges in front of the building line, so as to maintain the view of the garden frontages which gives a particular appeal and character to the Estate. In our opinion the proposed construction of the garden wall at 121 Theydon Grove would destroy the symmetry of the Estate. No objection to the proposed single storey kitchen extension.

Epping Society – OBJECTION – The streetscenes remain largely unaltered since the 1960s – the proposal would be detrimental to the present and designed coherent streetscene. The wall would damage the openness of the estate – The precedents put forward are not clear but being set much further back, the wall does not detract from the streetscene – the fence is a tenuous argument and does not sit well in the streetscene. The wall would be noticeably forward of the building line which currently follows the terrace.

Theydon Grove Residents Society – OBJECTION – we object to the wall but not the extension. The precedents put forward does not make it clear that the distance to the wall from the pavement at No. 60 is between 2.4m and 3m - Being set much further back, the wall does not detract from the streetscene – it would be acceptable to set the proposed wall back this distance – the fence at No. 159 was not subject to planning and does not sit well in the streetscene. The streetscenes remain largely unaltered since the 1960s – The wall would be past the building line which currently follows the adjacent terrace and have a negative impact on the streetscene.

### **Issues and Considerations:**

The mains issues to be addressed are:

- Effect on character and appearance
- Effect on neighbours living conditions

#### *Effect on 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.

The side extension is modest and discreet, tucked into the corner of the site, set back from public views. It would appear as a subordinate addition to the dwelling and would not detract from either the character and appearance of the host dwelling or the surrounding area.

The garden wall would be approximately 1.8m high and would enclose a section of the front garden. It would be set back between 1.7m (at its closest point) and 1.8m from the back edge of the pavement. There is a similar wall at No. 60 Theydon Grove that appears to have been in situ for a number of years. This wall also benefits from climbers that soften its impact when viewed from within the streetscene. However this wall is set further back into the site than the proposed, between approximately 2.4m and 3m from the back edge of the pavement. This is considered to sit comfortably within the plot and not appears at odds with the character of the dwelling.

The proposed wall here would be similar in size but closer to the road. Originally the proposal saw the wall being set back from the pavement by only 900mm but after discussions with Officers it was considered that an increased distance would be more acceptable. It would be constructed from bricks that match the existing dwelling and would enclose an area of approximately 26 sqm.

Although there are seven objections to this application, including the Town Council, amenity groups and neighbours, and that there is a restrictive covenant in place preventing the erection of walls in front of existing building lines now that the wall is set back from the pavement by between 1.7m and 1.8m it is not considered that the proposal would be so obtrusive as to materially detract from either the character and appearance of the dwelling or the character of the estate. The design references and complements the character of the host dwelling. Additional planting is proposed to the front of the wall to further soften the development.

Notwithstanding the restrictive covenant, planning permission can still be granted if it is considered that the proposal complies with Local Plan policy.

The wall at No. 60 Theydon Grove is a good example of how the proposed wall would appear once constructed. Although it is set further back than the proposed wall here, (and now by only 600mm at its closest point given the revisions to this scheme) it demonstrates that by reason of its size, design and materials a wall projecting forward of the main elevation does not detract from the character of the front gardens and symmetry of this 1960's mock Georgian estate. It is considered that the proposal here would have a similar impact.

Therefore, it is not considered that the neither the side extension wall would appear at odds with character and appearance of the host dwelling and this part of the estate and would therefore comply with policies CP2 and DBE10 of the Local Plan (1998) and Alterations (2006)

#### *Effect on neighbours living conditions*

Policy DBE9 seeks to ensure that an extension would not result in an excessive loss of amenity for neighbouring properties.

#### *Front wall*

The size and siting of the wall would ensure that there would be no excessive impact on the living conditions of neighbouring occupiers. The wall is sited too far from the front of the nearest neighbour at 119 with a garage between to affect their amenity.

Although the neighbour at No. 153 is concerned that the wall would appear obtrusive when viewed from his house, given its overall height and design and being set a sufficient distance from his front windows Officer's do not consider this to excessive detrimental to his outlook.

#### *Side extension*

The extension is modest in size and although it would project beyond the rear elevation of the neighbour at 123 Theydon Grove to the south, the distance between the extension and the neighbour combined with its depth and existing high boundary treatment would ensure that there would be no excessive harm to their living conditions.

Therefore the proposal is considered to comply with policy DBE9 of the Local Plan (1998) and Alterations (2006).

#### Amenity Space

Notwithstanding the side extension the size of the private amenity space is being increased over and above the existing due to the additional space proposed to the front of the dwelling.

#### *Response to Third party Representations*

These have been addressed in the main body of the report above.

#### **Conclusion:**

The proposed development is appropriate in terms of design and appearance and would not result in excessive harm to the amenities of adjoining property occupiers. The loss of bungalow is accepted but with no formally adopted policy it is difficult to justify a refusal on this ground. The proposal is considered to comply with all relevant national and local plan policies.

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

***Planning Application Case Officer: Steve Andrews  
Direct Line Telephone Number: 01992 564 337***

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

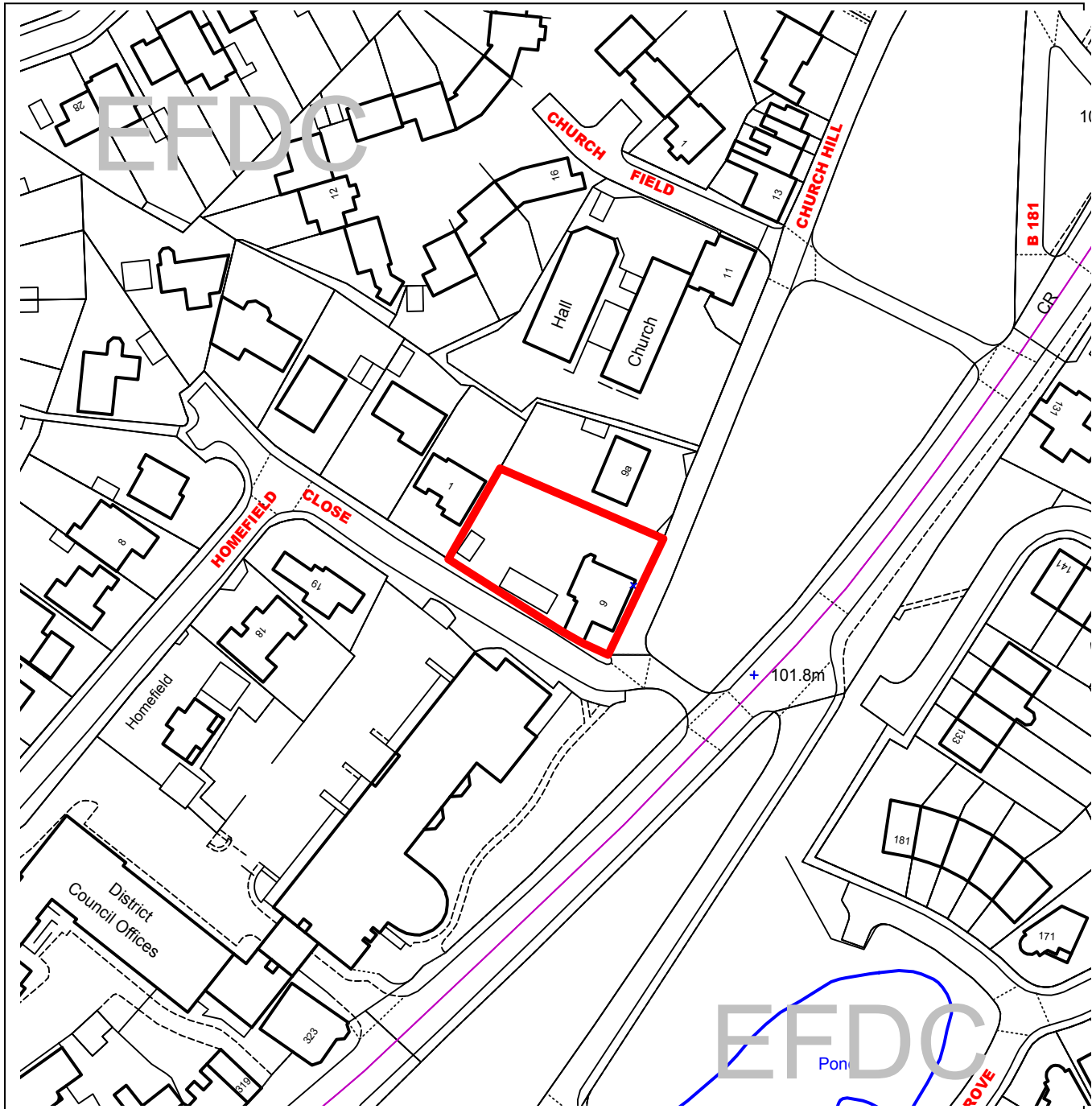


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# Epping Forest District Council

## Agenda Item Number 11



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Application Number:	EPF/3284/17
Site Name:	9 Church Hill, Epping, CM16 4RA
Scale of Plot:	1/1250

**Report Item No: 11**

<b>APPLICATION No:</b>	EPF/3284/17
<b>SITE ADDRESS:</b>	9 Church Hill Epping Essex CM16 4RA
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Lindsey and Thornwood Common
<b>APPLICANT:</b>	Mr Darren Hunt
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed works and extension to Dane Lodge to create 2 no. 2 bedroomed apartments and a semi-detached mews cottage along with a detached 3 bedroomed dwelling, all with associated car parking and amenity space.
<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=603055](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=603055)

**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/17/029/001, BRD/17/029/002, BRD/17/029/003-A, BRD/17/029/004-B, BRD/17/029/005-A
- 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. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.
- 4 Additional drawings that show details of proposed new windows and doors, 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 Prior to first occupation of the development hereby approved, the proposed first floor window openings in the northern flank elevation of the new detached dwelling (indicated as Unit 4 on drawing no. BRD/17/029/003-A) shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 6 No development shall take place, 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 Prior to the first occupation of the development the access arrangements, vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The access, parking and turning areas shall be retained in perpetuity for their intended purpose.
- 8 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.
- 9 There shall be no discharge of surface water onto the Highway.
- 10 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 11 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.

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

in writing by the Local Planning Authority prior to the recommencement of development works.

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

- 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 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 currently contains a large detached two storey dwelling located on the corner of Church Hill and Homefield Close. The dwelling is locally listed and sits within Epping Conservation Area.

Immediately adjacent to the site to the north and west are residential dwellings, and on the opposite junction of Homefield Close are the Council Offices. Adjacent to the site to the east is public open green space.

**Description of Proposal:**

Consent is being sought for the demolition of the two storey extension and conservatory on the rear elevation of Dane Lodge and the erection of a new two storey rear addition to replace the previous attached outbuildings and a new detached two storey building to the north of the existing dwelling. The existing dwelling would be converted into two no. two bed apartments, the new two storey addition would, along with part of the existing dwelling, be used as a two bed mews house, and the new build building would create a detached three bed dwelling. The development proposes associated parking, access, private and communal amenity space and bin and cycle storage.

The proposed new detached building would measure a maximum of 13.7m in depth and a maximum of 7.4m in width and would have a low pitched roof to a ridge height of 6.7m and an eaves height of 4.7m.

The new building to the rear of Dane Lodge would predominantly replace the existing outbuildings, which were in a state of disrepair and were subsequently demolished, with consent to replace

them with a similar structure. The proposed new building would be formed of two sections. The 'link' section, which immediately adjoins Dane Lodge, would measure 5.2m in width and a maximum of 5.5m in depth with a pitched roof to a ridge height of 6.4m, dropping down to 6m. This would form an extension to Dane Lodge. The second section would be off-set from the 'link' section and would measure 5.6m in width and 5.4m in depth. This would have a hipped roof to a maximum ridge height of 6.7m.

The alterations to the existing Dane Lodge would be limited to the demolition of the two storey rear extension and conservatory, the glazing of the open archway within the front elevation, and internal alterations.

The proposed development would be served by seven car parking spaces, four of which would be accessed from Homefield Close and three of which would be accessed from Church Hill.

### **Relevant History:**

EPF/3024/15 - Demolition of a two storey extension and conservatory on the rear elevation of Dane Lodge and its conversion into three apartments, the demolition and replacement of the rear outbuildings to provide one apartment and the erection of a new detached two storey building providing two mews houses, together with the provision of associated on-site covered parking and a bin store – refused 09/03/16 (dismissed on appeal 05/09/16)

EPF/1572/16 - Demolition of the existing single and 1.5 storey garage/store with the erection of a replacement single storey and 1.5 storey outbuilding providing ancillary accommodation to the main house – approved/conditions

### **Policies Applied:**

#### Epping Forest 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  
HC6 – Character, appearance and setting of conservation areas  
HC7 – Development within conservation areas  
HC13A – Local list of buildings  
DBE1 – Design of new buildings  
DBE2 – Effect on neighbouring properties  
DBE3 – Design in urban areas  
DBE8 – Private amenity space  
DBE9 – Loss of amenity  
LL10 – Adequacy of provision of landscape retention  
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 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  
H1 - Housing Mix and Accommodation Types  
T1 - Sustainable Transport Choices  
T2 - Safeguarding of Routes and Facilities  
DM1 - Habitat Protection and Improving Biodiversity  
DM3 - Landscape Character, Ancient Landscapes and Geodiversity  
DM7 - Heritage Assets  
DM9 - High Quality Design  
DM10 - Housing Design and Quality  
DM11 - Waste Recycling Facilities on New Development  
DM18 - On Site Management of Waste Water and Water Supply  
DM21 - Local Environmental Impacts, Pollution and Land Contamination

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

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

TOWN COUNCIL – No objection.

LITTLE DAYNE, 9A CHURCH HILL – Object as this would be an overdevelopment of the site, would overlook their property, due to inadequate parking and drainage concerns.

1 HOMEFIELD CLOSE – Object as this proposal would be out of keeping with Dane Lodge and since it would cause highway and parking problems.

6 HOMEFIELD CLOSE – Object as the entrance is not suitable for this type of development.

7 HOMEFIELD CLOSE – Object as this would be an overdevelopment of the site and would have a cramped appearance, the new build would reduce the openness and large garden character of the site, and the largely featureless wall with high windows bordering Homefield Close would be out of character with the area.

13 HOMEFIELD CLOSE – No objection to the development, however concerned about disruption during construction.

**Issues and Considerations:**

The main issues to be considered are the suitability of the site for the proposed development, the overall design and impact on the conservation area and locally listed building, highway considerations, and regarding the potential impact on neighbour amenity.

Planning consent for redevelopment of the site to provide six residential units through conversion, extension, and new build was previously refused for the following reason:

*The proposal due to the scale and mass of the proposed buildings and the level of site coverage amounts to overdevelopment of the site and fails to preserve or enhance the character and visual amenity of this prominent site within the Conservation Area contrary to policies CP2, CP3, CP7 and HP6 of the Adopted Local Plan and Alterations.*

This decision was appealed and dismissed with the Planning Inspector concluding that *“the loss of the garden setting of Dane House would cause harm to the character and appearance of the Epping Conservation area, meaning that the proposed development would be in conflict with Policy CP2 of the Epping Forest District Local Plan Alterations, 2006 (LPA) which seeks to protect the quality of the rural and built environment, Policy CP3 of the LPA which requires that the scale and nature of new development is consistent with the principles of sustainability and respects the character and environment of the locality, and Policy CP7 of the LPA which seeks to maintain the environmental quality of urban areas and to protect the character of areas of architectural and historic importance. It would also conflict with the Framework, which requires that great weight be given to the conservation of the character and appearance of conservation areas as designated heritage assets”*.

This revised application has sought to address the previous issues on the site through the reduction in the size of the new building along with the number of units on the site. These revisions have been produced in consultation with Planning Officers and the Council's Senior Conservation Officer.

#### Principle of the development:

The application site is located within the urban town of Epping just beyond the designated town centre. The site is within a short walking distance to the facilities and public transport serving the town. The 'golden thread' that runs through the National Planning Policy Framework (NPPF) in terms of both plan-making and decision-taking is the presumption in favour of sustainable development. The principle of further development within the type of location is considered to accord with this presumption and therefore this should be afforded significant weight.

Whilst residential gardens are specifically excluded from constituting 'previously developed land' as defined within Annex 2 of the NPPF the proposed development on this site would not result in an unacceptable 'backland development' since the site is located in a relatively wide plot and the main additional building would be to the side of the existing dwelling. Whilst the properties to the north and west of the site predominantly consist of single dwellings other flatted developments can be seen within the locality, such as Spriggs Court, Redgrove House and above the shops in the High Street. As such it is considered that the provision of flats and principle of the intensification of use of this location would be acceptable, subject to an in-depth assessment of the proposal.

#### Design:

The property is a late 19<sup>th</sup> century locally listed building within Epping Conservation Area. It occupies a prominent position on the corner of Church Hill and Homefield Close overlooking the green.

The only reason for refusal on the previous application ref: EPF/3024/15 was regarding the character and appearance of the Conservation Area. This decision was upheld on appeal. However within the Inspectors decision letter they confirmed that *“the replacement of the outbuildings would not... have a harmful effect in design terms on the character or appearance of the conservation area”, “the appeal proposal would not generate levels of activity which would have a harmful effect on the character of Epping Conservation Area”, and they “do not... consider that the appeal proposal would have a harmful impact on the appearance of the conservation area in this respect”*.

The sole harm that the Planning Inspector identified as a problem was the loss of the garden setting of Dane House. The reasoning behind this decision is as follows:

- “9.     *The proposed two storey block, containing two mews houses, to the north of the host building would sit in part of the original open garden area to the house. Its*



*frontage to Church Green is currently poorly bounded with close boarded timber fencing which sits uncomfortably next to the good, possibly early nineteenth century, iron railings to the front of the host dwelling itself. This element of the appeal scheme would have the effect of introducing what would appear from the front to be an additional house into the site. It would reduce the open setting of the host building to the side, making it part of the continuous run of houses running up Church Hill. To the rear, it would project back to nearly the end of the remaining garden area, creating what would in effect would be a courtyard between the original house, recreated outbuildings and parking area to the rear.*

10. *This element of the appeal proposal would therefore introduce a significant built element into the setting of Dane House, and cause a significant reduction to the original garden setting of the building which had marked out its high status as a large villa in an originally open rural setting. The proposed two storey block would, because of this, have a harmful visual impact on the setting of Dane House, a locally listed building, and thereby also reduce its historic significance. This element of the appeal proposal would therefore have a harmful effect on the character and appearance of this part of the conservation area. While some improvement to the boundary treatment to the front of the site could accrue from the proposed development, this benefit would not outweigh the demonstrable harm otherwise created.”*

The revised application has been subject to pre-submission discussions with the Councils Senior Conservation Officer. The proposed works to convert Dane Lodge to flats are sympathetic to the appearance of the building, particularly as the prominent front entrance will remain in use and the only other alteration to the front elevation will be to glaze the carriage arch.

The existing outbuilding extensions to the rear were in extremely poor structural condition so their demolition and rebuilding was approved. These outbuildings have been demolished but not yet replaced. The proposed replacement extension is larger than the previous approval, although would be on a smaller footprint. The proposed extension now stands at two storeys to allow access from the first floor of the house into the extension with the rear element of the extension reading as a “cottage” addition. There is still a degree of subservience between the house and the extension, and the design of the extension is in keeping with the house.

The proposed new build element of the development, which was the matter of contention on the previous application, is considered to respect the adjoining properties and streetscene in terms of its height, massing, elevation treatment, and materials. The bulk and height of the building of the building has been reduced by creating a narrow frontage facing the street and the large glazed opening at ground floor reflects the carriage arch within Dane Lodge. Furthermore the building has been set back approximately 4.5m further from the highway at the front. This will allow for additional screening/landscaping to the front of the site (between the new building and the proposed car parking spaces) to soften the development and retain a more green open aspect to the application site.

The building has been located and designed in negotiation with the Conservation Officer, to appear more as an outbuilding to the main house than as a separate dwelling.

Church Hill is more densely built to the north beyond the church so, notwithstanding the above quoted concerns from the Planning Inspectorate, the erection of an appropriately scaled building to partially infill this part of the site is not considered to be out of character with the wider streetscene.

Due to the above the proposal would not harm the character or appearance of the conservation area or the locally listed building. This is supported by policies HC6, HC7 and HC13A of our Local

Plan and Alterations, policy DM7 of our Submission Version Local Plan (2017), along with paragraphs 132 and 134 of the NPPF.

#### Highways:

The proposed development would provide four off-street parking spaces to the rear of the site within a small parking court, which would also serve the bin and cycle store. This would be served by a vehicle crossover onto Homefield Close, which would essentially be a slight relocation of the existing access. One parking space would be provided to the front of the existing building and two would be provided to the front of the proposed new dwelling, all of which would be accessed directly off of Church Hill.

Although concern has been raised from neighbours with regards to the potential impact of the vehicle access on the existing traffic problems experienced the previous proposal, which included five parking spaces to the rear of the site accessed from Homefield Close and one to the front accessed directly off of Church Hill, was not refused due to parking or highway safety grounds. Essex County Council Highways have raised no objection to the proposal and consider the development to be acceptable, subject to conditions.

The proposed development proposes seven off-street parking spaces, which equates to 1.75 spaces per unit. Given the layout of the proposed spaces it is envisioned that the two spaces directly in front of the new detached dwelling would serve this two bed detached house, the one parking space to the front of the existing building would serve the two storey mews house, and the four parking spaces to the rear would serve the two flats within the existing dwelling, along with any visitor parking requirements.

The Essex County Council Vehicle Parking Standards (2009) recommends that a residential scheme such as this should be served by nine parking spaces (which equates to 2 x spaces for each residential unit and 1 x visitor space), however it does state that *"a lower provision of vehicle parking may be appropriate in urban areas (including town centre locations) where there is good access to alternative forms of transport and existing car parking facilities"*. Given the location of the site just outside of the designated town centre of Epping it is considered that a lower provision of parking would be acceptable in this instance.

#### Amenities:

The proposed new detached building would be located between the existing Dane Lodge and the neighbouring property of No. 9a Church Hill and is smaller than the previously refused scheme. It has been positioned so that it extends just 5.6m beyond the rear wall of this neighbour and is stepped in 1.2m from the shared boundary and 4.6m from the neighbours flank wall. The impact from the proposed development would be similar to that of the previous scheme, which was not refused on the grounds of loss of amenity. As such it was previously accepted that a new building in this location would not be unduly detrimental to the living conditions of the neighbouring residents. The only high level flank windows within this building would serve bathrooms and therefore can be conditioned to be obscure glazed with fixed frames.

Whilst the intensification of use of the site and provision of car parking to the rear of the site, adjacent to No. 1 Homefield Close could cause some additional noise nuisance, given the urban location of the site and proximity to the significantly larger and intensely used Council Offices it is not considered that this would be excessive or unacceptable. Furthermore this matter did not form a reason for refusal on the previous scheme.

#### Other considerations:

#### Waste:

The Council carries out a front boundary refuse collection service from the point within the property closest to the public highway. The Area Waste Management Officer has calculated the amount of refuse that on average is produced by 7 residential units and based on this the following amount of bins would be required:

- 1 x 1100 refuse                      Dimensions W 1270mm x H1380 x D 1000
- 1 x 1100 recycling                  Dimensions W 1270mm x H1380 x D 1000
- 2 x 180 food
- 1 x 340 glass

A dedicated bin store is located towards the rear of the site which would be easily accessible to refuse operatives.

*Contamination:*

All readily available Council held desk study information for this site has been screened and no evidence can be found of any potentially significant contaminating activities having taking place historically on the site (records indicate that the site has formed part of the garden of 9 Church Hill since before the middle of the 19<sup>th</sup> Century, and is likely to have been agricultural land prior to its domestic development). As potential land contamination risks are likely to be low, it should not be necessary for these risks to be regulated under the Planning Regime by way of standard conditions. It is the responsibility of the developer to ensure the safe development of the site and the addition of a single condition requiring the developer to stop development, contact the Local Planning Authority and carry out any necessary agreed investigation and remediation works if significant contamination is encountered should suffice.

**Conclusion:**

The proposed development has been the subject to pre-submission discussions and has overcome the previous reason for refusal. The revised proposal is considered to be an acceptable and appropriate development that would not be detrimental to the character and appearance of the conservation area, the locally listed building or the wider area. The site is located within a sustainable location well served by local facilities and sustainable transport and its intensification of use would therefore be in line with the NPPF's presumption in favour of sustainable development. The design and layout is such that there would be a minimal impact on the amenities of neighbouring residents and it is not considered that the development would result in highways or parking concerns. Therefore this application complies with 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)***