

## AREA PLANS SUB-COMMITTEE 'EAST'

13 June 2018

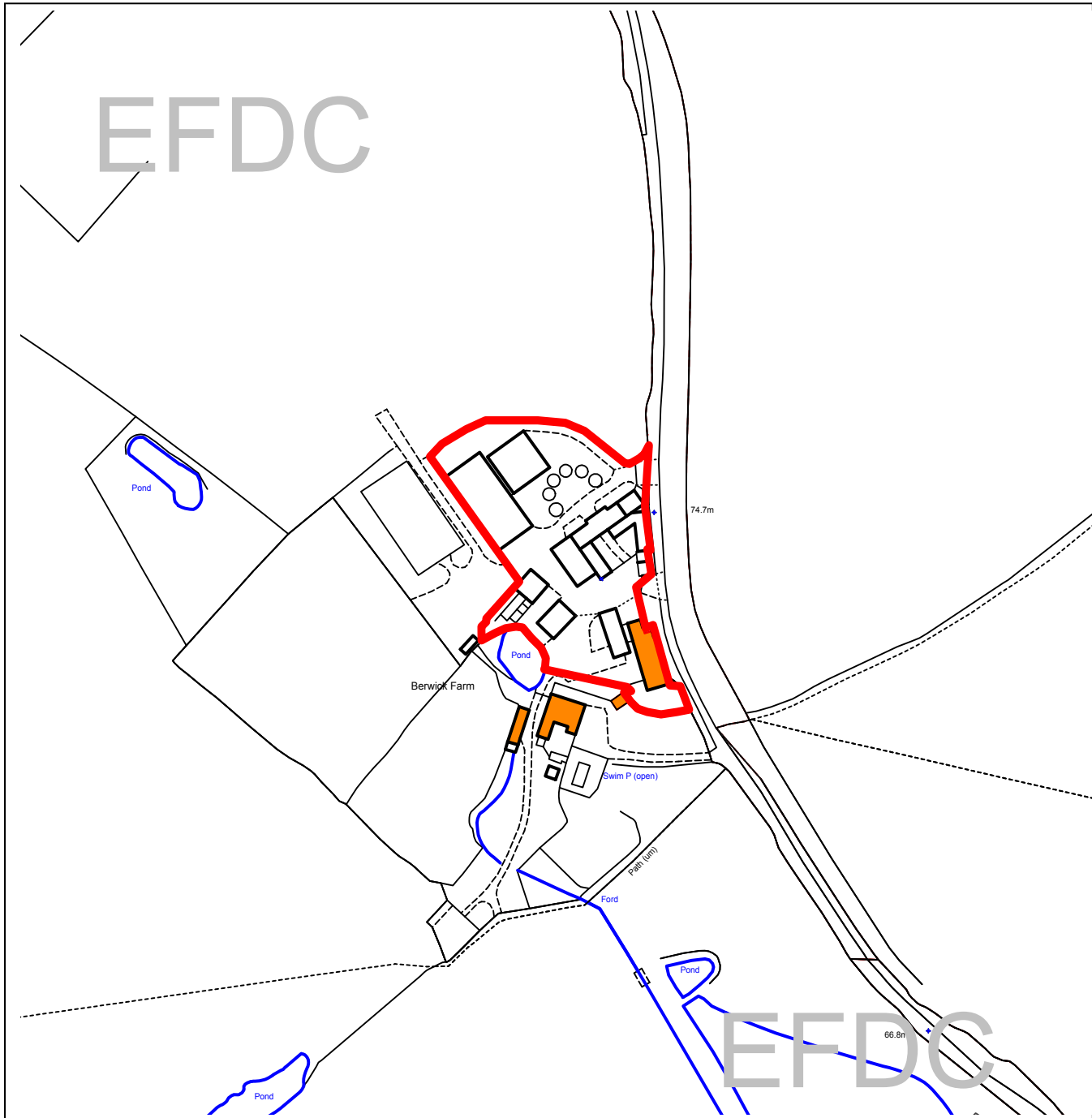
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# Epping Forest District Council

## Agenda Item Number 1



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Application Number:	EPF/0065/18
Site Name:	Berwick Farm, Stanford Rivers, Ongar, CM5 9PY
Scale of Plot:	1/2500

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/0065/18
<b>SITE ADDRESS:</b>	Berwick Farm Berwick Lane Stanford Rivers Ongar Essex CM5 9PY
<b>PARISH:</b>	Stanford Rivers
<b>WARD:</b>	Passingford
<b>APPLICANT:</b>	E, S and L Bray, Tolhurst and Harmstorf- Pearl
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of modern barns/parts of barns and conversion of historic and modern barns to 5 dwellings, with proposed construction of cartlodges.
<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=604333](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=604333)

**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:  
  
2017-879-001, 2017-879-002, 2017-879-03 rev C, 2017-879-E01, 2017-879-E01.2, 2017-879-E02, 2017-879-E03, 2017-879-E07, 2017-879-E08-09, 2017-879-E10, 2017-879-E11, 2017-879-P01 rev A (Grain Barn), 2017-879-P01.2 rev A (Threshing Barn and Milking Parlour), 2017-879-P02 rev A, 2017-879-P03 (Stables and Pigsty), 2017-879-P030 (street scene), 2017-879-P04, 2017-879-P05 (Modern Asbestos Barn), Bat and Owl Survey by John Dobson Essex Mammal Surveys November 2017, Chapman and Andre Maps, Excerpt from British History Online National Library of Scotland Maps, Planning, Heritage, Design and Access Statement by Sue Bell Ref 543 January 2018, Addendum to Planning, Heritage, Design and Access Statement by John Bell Design and Conservation dated April 2018.
- 3 No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.

- 4 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 5 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 6 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]

- 7      Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]
- 8      Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 9      In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 10     'No preliminary groundwork's of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority'.
- 11     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 [X] of Part [X] of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 12     Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garages/cart lodges hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no

time be converted into a room or used for any other purpose.

- 13 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 14 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 15 An electric vehicle charging point shall be provided for each of the approved dwellings prior to first occupation
- 16 Prior to first occupation measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.
- 17 The proposed two bedroom annexe within the building labelled 1.1 (Cartlodge / stables / workshop) on plan 003C shall only be used as ancillary accommodation for the main dwellinghouse within building labelled 1.0 (large Grain Barn) on the same plan and shall not be occupied as a unit separately from the dwelling known as building labelled 1.0 (Large Grain Store).
- 18 Prior to above ground works commencing on site, details of the treatment of all boundaries including drawings of any gates, fences, walls or other means of enclosure shall be submitted to and approved in writing by the local planning authority. The approved boundary treatments shall be completed prior to the first occupation of the development and shall thereafter be permanently retained and maintained.
- 19 Prior to the first use of any of the buildings for the purposes hereby approved the buildings shown to be removed on drawing no. 2017-879-003 rev C shall be demolished and all materials removed from the site.

*This application is before this Committee since it is an application for residential development consisting of 5 dwellings or more (unless approval of reserved matters only) and is recommended for approval (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)*

### **Description of Site:**

The application site comprises land and buildings located to the north of the Grade II listed Berwick Farm House which is historically associated with this complex but is outside of the red line of the site and in another person's ownership.

The site covers an area of 0.67 hectares and contains of 6 listed buildings and 6 modern structures (including a group of 6 silos).

The listed buildings include Grade II listed large grain barn and stables / cart lodge and workshop adjoin the western side of Berwick Lane. Further south of these buildings is the Grade II listed Threshing Barn. This building has two attachments; on its southern elevation is a Grade II listed Milking Parlour and attached to the western elevation is a 1950s built brick building.

In the south western section of the site is a Grade II listed stables and attached piggery and a modern asbestos open barn. The northern section of the site contains 2 modern asbestos barns and a group of 6 silos. Berwick Farm House is located further south of the site

The site is within the Metropolitan Green Belt and is located in a relatively isolated position.

### **Description of Proposal:**

Planning permission is sought for the demolition of modern barns/parts of barns and conversion of historic and modern barns to 5 dwellings, with proposed construction of cartlodes. Listed building consent is also applied for and the impact of the listed buildings is also assessed in this report.

Plan number 003C indicates that the following buildings are to be demolished: - The eastern end of barn 1, the western end of barn 1, buildings 7, 8, 9 Part of modern barn 10 and Silos 12.

Existing building	Building no. on site plan 003C	Heritage Value	Number of units	Demolitions and new builds	No. bedrooms	Amenity space (sqm)	No of parking spaces
<b>Barn1. Cartlodge, stables and workshop</b>	1.0 and 1.1	Grade II	1 (plus attached 2 bed annexe)	Removal of modern asbestos barn 9 and Silos	5 bedroom + 2 bed annexe	800	6
<b>Barn 2 and Milking Parlour</b>	2.0 and 2.1	Grade II	1	Removal of modern asbestos barn 7 and construction of a cartlodge	4	600	8
<b>Stables and</b>	3.0 and 3.1	Grade II	1	Removal of modern	4	450	2

<b>piggeries</b>				asbestos barn 8 and construction of a cartlodge			
<b>Steel Barn</b>	11	Modern	2	Construction of a car barn	3 and 3	300 and 550	4

External materials include soft red brick and black horizontal weatherboarding for historic barns and vertical cedar type boarding, red clay pantiles for the roof except for barn 11 which will have rolled metal sheeting. Hardwood painted or stained black windows for the historic barns and grey aluminium framed windows for barn 11.

Paving areas to be covered in shingle/block pavers.

Access will be as existing.

### **Relevant History:**

Reference	Description	Decision
EPO/0031/63	Corn store and general purpose building.	Grant Permission
EPO/0032/63	Potato store and general purpose building.	Grant Permission
EPO/0126/74	Details of potato storage building.	Grant Permission
EPF/0058/74	Details of machinery shed.	Grant Permission
EPF/0632/98	Steel framed agricultural grain store.	Grant Permission
EPF/0073/18	Grade II listed building application for proposed demolition of modern barns/parts of barns and conversion of historic and modern barns to 5 dwellings, with proposed construction of cartlodges.	Parallel application – pending.

### **Policies Applied:**

#### *Adopted Local Plan:*

CP1 Achieving Sustainable Development Objectives  
 CP2 Protecting the Quality of the Rural and Built Environment  
 CP3 New Development  
 CP6 Achieving Sustainable Urban Development Patterns  
 CP7 Urban Form and Quality  
 DBE1 Design  
 DBE2 Effect on Neighbouring Properties  
 DBE4 Design in the Green Belt  
 DBE6 Car parking in new development  
 GB2A Development in the Green Belt  
 GB7A Conspicuous Development in the Green Belt  
 GB8A Change of Use or Adaption of Buildings  
 RP4 Contaminated Land  
 U3B Sustainable Drainage Systems  
 H6A Site Thresholds for Affordable Housing  
 H7A Levels of Affordable Housing  
 LL1 Rural Landscape  
 LL2 Inappropriate Rural Development



LL10 Adequacy of provision for landscape retention  
 LL11 Landscaping Schemes  
 NC4 Protection of Established Habitat  
 NC5 Promotion of Nature Conservation Schemes  
 ST1 Location of Development  
 ST2 Accessibility of development  
 ST4 Road Safety  
 ST6 vehicle parking  
 HC12 Development affecting the setting of Listed Buildings  
 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:*

### **Epping Forest District Local Plan Submission Version 2017**

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

SP1 -	Presumption in Favour of Sustainable Development
SP6 -	Green Belt and District Open Land
SP7 -	The Natural Environment, Landscape Character and Green and Blue Infrastructure
H1 -	Housing Mix and Accommodation Types
T1 -	Sustainable Transport Choices
DM1 -	Habitat Protection and Improving Biodiversity
DM3	Landscape Character, Ancient Landscapes and Geodiversity
DM4	Green Belt
DM7	Heritage Assets
DM8	Heritage at risk
DM9	High Quality Design
DM10	Housing Design and Quality
DM11	Waste recycling facilities on new development and light wells
DM16	Sustainable Drainage Systems
DM19	Sustainable Water use
DM21	Local Environmental Impacts, Pollution and Land Contamination
P15 -	Rural Sites in the South of the District

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

Number of neighbours consulted: 3  
 Site notice posted: Yes  
 Responses received: No response received from neighbours

PARISH COUNCIL: No objection

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

The issues which are relevant to the determination of this application are:

- Impact on the aims and purposes of the Green Belt ;
- Impact on the special historic and architectural interest of the Grade II listed farm complex buildings
- Impact on neighbouring residential amenity; and
- Impact on parking and highway safety.

## Green Belt

Paragraph 79 of the National Planning Policy Framework (the Framework) says that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 87 says that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. This is broadly restated in Policies GB2A of the Local Plan. Paragraphs 89 and 90 of the Framework require that the Council should regard the construction of new buildings as inappropriate in Green Belt with some exceptions. The relevant exceptions in this case are:

The reuse of buildings provided that the buildings are of permanent and substantial construction provided that they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. Officers are satisfied that the buildings proposed for conversion are permanent and substantial.

The conversion of the modern barn (Building 11) to residential could also be carried out under class Q of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) under the prior approval process.

The principle of conversion of existing buildings into residential is therefore acceptable in Green Belt terms.

The construction of 3 cartlodges would be inappropriate development as they do not fall within any of the lists of exceptions with paragraphs 89 and 90 of the NPPF.

The proposal involves the removal of the modern part of Barn 1, barns 7, 8, 9, part of 10 and the 6 Silo structures. The effect in terms of massing of the buildings would result in the loss of about 900 sqm of building plus 160 sqm of silos.

The 3 open cart lodges proposed will occupy 144 sqm in area and are lower buildings within the group and as a result will have a significant positive impact on the openness of the site.

Furthermore the removal of existing buildings and the creation of gardens on the site will also result in the replacement of hardstanding with soft landscaping to this area. This will be beneficial to both the visual amenity and biodiversity of the local area.. Conditions are recommended to control the appearance and type of boundary treatment in order to ensure that it preserves the character of this location.

The proposal will therefore have an overall positive impact on the openness of the site and the reasons for including the site within the Green Belt. The proposal is therefore considered to comply with the requirements of chapter 9 of the NPPF

## Listed Buildings

S66(1) of the Planning and Listed Building and Conservation Areas Act 1990 makes it clear that a Local Planning Authority (LPA) should have special regard to the desirability of preserving the Listed Building and its setting or any features of special architectural or historic interest which it possesses.

In determining planning applications, the Council is required by the NPPF to consider the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 132 of the NPPF requires that "When considering the impact of a proposal on the significance of the designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater weight should be given to its conservation. Significance can be harmed or lost through (inter alia) development within its setting".

Paragraph 134 of the NPPF requires where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use".

The proposal was reviewed by the Conservation Officer who made the following comments:-

*"Berwick Farm is a now redundant farm complex containing five individually listed buildings; the farmhouse (15<sup>th</sup> century or earlier), a large barn to the north (early 18<sup>th</sup> century), a second barn fronting the road (17<sup>th</sup> century), stables (early 18<sup>th</sup> century), and a granary (18<sup>th</sup> century). Each of them benefit from inherent historic and architectural value but they form an important group as a traditional farm complex and each makes an invaluable contribution to the settings of the others. The application seeks consent for the conversion of Barn 1 (early 18<sup>th</sup> century barn at the north of the farmyard), Barn 2 (17<sup>th</sup> century barn along the road), and Barn 3 (the early 18<sup>th</sup> century stables). The farmhouse and granary fall outside the application site and no alterations are proposed. As the farm buildings are now redundant, sensitive residential conversion seems to be a sensible and viable new use. Pre-application advice has been given on the proposed scheme.*

### Demolition

*The buildings proposed for demolition are, on the most part, of no historic or architectural value and their removal would enhance the settings of the listed buildings on the site. The removal of three modern Asbestos barns (labelled as nos. 8, 9 and 10 on the proposed site plan) and the grain silos (no. 12) will improve the appearance of the site and better reveal the significance of the listed buildings. The demolition of the 1950s brick building to the west of Barn 2 is unfortunate as it is a relatively attractive building, however its proximity to Barn 2 is detrimental to the listed barn and its removal would reveal views of the western elevation. On balance, its demolition is considered to be acceptable in enhancing the setting of Barn 2.*

### Barn conversions

*Barn 1 (furthest north of the farmhouse) is a grade II listed early 18<sup>th</sup> century barn. It is clear from both the listing description and inspection on site that this barn was re-roofed and, additionally, some of the wall frames repaired or replaced. Nonetheless, much of its historic fabric is in a good condition and it has retained its inherent agricultural character. The proposal to demolish the modern structures abutting the barn (to the north-east and south-west) is supported as this will enhance the appearance of the barn and better reveal its original character.*

*Barn 2 (threshing barn and milking parlour) stands adjacent to Berwick Lane and is a grade II listed building of 17<sup>th</sup> century origins, again later re-roofed. The northern end of the barn has retained much of its original frame, other than a new roof, but the southern end of the barn has been poorly repaired, altered and remodelled and will need significant rebuilding. It is proposed to convert to a single dwelling and, in doing so, lower the floor level, insert a mezzanine floor and rebuild the milking parlour (southern) end.*

*This building is an early 18th century stables listed at grade II, again re-roofed. It stands at a storey and a half with a good sized loft floor, single storey outshot to the rear, and single storey pigsties to the south-west. There are a number of historic fixtures and fittings internally including brick pavers and stable stalls.*

*The proposed schemes to convert these three buildings are considered to be acceptable. Where relevant, they have incorporated the feedback given at pre-application stage. Within all three buildings the historic timber frames will be retained and repaired and existing openings are utilised wherever possible. New openings have been kept to a minimum and interfere as little as possible with the historic fabric. Further details of the full extent of timber frame repairs, structural interventions (including the insertion of first floors) and details of new windows and doors can be reserved by condition.*

#### *New cart lodges and gardens*

*The proposed cart lodges are traditional in form and materials and therefore will not appear incongruous within the settings of the listed buildings. They are positioned in logical locations on the site so as to minimise their impact on the settings of the listed buildings.*

*The proposed site layout follows logical divisions to create private gardens for the converted dwellings. Further details of new boundary treatments can be reserved by condition.*

#### *Modern building*

*The conversion of the modern agricultural building to the north of the site is far from ideal in terms of the setting of the listed buildings. A preferred approach would be its demolition and replacement with more sympathetically designed buildings; however, this may be at odds with other policies. It is a negative element within the setting of the listed buildings and, at best, its conversion preserves the setting in that it does not worsen the current situation. The new dwellings are accessed from a separate track and so are at least visually separate from the historic farmyard.*

*It is therefore recommended that **listed building consent is granted** subject to the following conditions:*

- Details of the types and colours of all external materials shall be submitted to and approved by the Local Planning Authority in writing prior to their first use on site.*
- Additional drawings that show details of proposed new windows, doors, and rooflights, 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 their first installation on site.*
- Details and colours of all external pipes, extracts, grilles, flues, lights and any alarm boxes or satellite dishes to be fixed to the fabric of the building shall be submitted to and approved by the Local Planning Authority prior to their first installation on site.*
- All new rainwater goods and soil and vent pipes shall be of black painted metal unless otherwise agreed in writing with the Local Planning Authority.*
- Any new first floors shall be supported independently of the historic timber frames unless agreed in writing with the Local Planning Authority.*

- Full details of the upgrading required to meet the building regulations, including thermal insulation, shall be agreed in writing with the Local Planning Authority prior to the upgrading of any part of the buildings.
- A schedule of repairs and any structural interventions for the building, illustrated on full timber survey drawings, shall be submitted to and approved by the Local Planning Authority, which shall include details of the historic finishes and fixtures to be retained, prior to the commencement of works.

*Reason: To ensure the proposed works preserve the special architectural and historic interest of the building. In accordance with the guidance contained within the National Planning Policy Framework and policy HC10 of the adopted Local Plan and Alterations.*

*In addition, it is recommended that the following condition is attached to the planning permission as well as a condition requesting further details of hard and soft landscaping:*

- *Additional drawings of the type, colour, and position of new boundary treatments shall be submitted to and approved by the Local Planning Authority in writing prior to their first installation on site.*

*This is supported by policy HC10 of our Local Plan and Alterations (1998 and 2006), policy DM7 of our Submission Version Local Plan (2017), and paragraphs 129, 131 and 132 of the NPPF.*

#### **ADDENDUM to comments dated 22<sup>nd</sup> March 2018**

*These additional comments have been written in response to the receipt of a second addendum to the submitted Heritage Statement (by Jon Bell Design and Conservation in April 2018) and a revised proposed site plan to clearly show the retention of the pigsty walls (building 3.1). The previous comments should still be referred to as the recommendation has not changed and nor have the suggested conditions.*

*The Heritage Statement addendum addresses concerns raised by the Council for British Archaeology (letter dated 11<sup>th</sup> April). The Council for British Archaeology (CBA) is one of the six National Amenity Societies who must be notified by a Local Planning Authority on any application to demolish all or part of a listed building. The CBA raised several concerns and, in response to these, made the below recommendations:*

The CBA strongly advises that Barn 7 is retained and the pigsty is used for storage and not included in the conversion of the stables to residential use. The CBA urges the LPA to seek a more detailed assessment of significance and impact that particularly examines the interior of the designated assets to better assist in determining the suitability of the proposals. The CBA advises that the rooflights on the Berwick Lane frontage of Barn 2 are removed from the proposals. The CBA advises that the proposed cart lodges are reconsidered in the light of our comments. The CBA advises that landscaping, servicing and drainage, and fenestration and door details are obtained prior to determination. The CBA recommends planning conditions to secure archaeological and historic building recording.

*It is now considered that the addition to the Heritage Statement and the revised proposed site plan have satisfied some of the recommendations made. Other recommendations are not considered to be necessary for reasons discussed below.*

#### **Barn 7**

A recommendation has been made to retain Barn 7. Barn 7 appears to date from 1950 – both its design and a date stone marked with ‘1950’ attest to this. It sits directly adjacent to the threshing barn (with later milking parlour at the southern end) and is likely to have been constructed as a cow shed connected through to the barn and milking parlour for ease of circulation. Despite the value the building holds in regards to the 20<sup>th</sup> century evolution and use of the farmstead, it is poorly constructed and of little architectural value. It also detracts from the more significant 17<sup>th</sup> century, grade II listed threshing barn, obscuring views of its west elevation. On balance, its demolition is considered to be acceptable in enhancing the setting of Barn 2 and a record of the building will be required by condition to preserve knowledge of its location, design, materials and use. Its removal is not considered to be detrimental to the settings of the listed buildings on the site.

#### Pigsty

The pigsty (piggery) is attached to the south-western elevation of the early 18<sup>th</sup> century, grade II listed stables building. A recommendation has been made that the pigsty should be used for storage rather than incorporated into the proposed conversion of the stables, however, it is considered that the scheme put provides it with a viable future use whilst minimising the interventions to the structure. The pigsty will be retained in its entirety including the walls to the external pens (the revised proposed site plan, drawing no. 2017-879-003 rev. C, confirms this) with existing openings being reused to form new windows. One opening will be enlarged to form a door and one stud removed in the adjoining stables wall to create access through. It is also proposed to lower the existing floor which is just bare earth, seemingly raised over the decades due to its use to house pigs. To be effectively used for storage similar interventions (strengthening/replacing doors, lowering the ground level, ensuring the structure is weathertight and dry, etc.) would have to be carried out otherwise the structure would be unusable.

#### Assessment of significance

Further assessment of the impact of the conversion scheme on the interior of the barns, particularly the insertion of first floors, has been provided. The internal interventions into barns and other agricultural buildings during their conversion to dwellings are always key considerations given the disparity between their original use and the new use. Approving details through conditions can ensure harm is minimised. My memo dated 22.03.18 requests conditions to ensure any first floors are supported independently of the timber frames, further details of any upgrading in regards to building regulations (including insulation), and a schedule of repairs and structural interventions illustrated by timber frame surveys. These conditions are considered to provide a satisfactory method of managing the interventions into the buildings.

#### Rooflights – Barn 2

Concerns were raised regarding the number of rooflights within the threshing barn (Barn 2) roofslope facing Berwick Lane. The addendum to the Heritage Statement argues that the number of rooflights within this roofslope (3 no.) is not excessive given the scale of the building. They are also proposed to be flush with the roof plane, in accordance with Historic England’s best practice guidance, and this can be also covered by condition.

#### Cart lodges

The proposed cart lodges are not considered to be incongruous features within the settings of the listed buildings. Two are proposed; one in place of (but smaller than) Barn 7, and one set behind the line of the rear elevation of the stables. Parking for the grain barn will be provided within an existing single storey open-sided extension to the south. The proposed materials, scale and form of the new buildings are sympathetic to the settings of the listed buildings and provide covered spaces to remove cars from view, enhancing the settings of the buildings. Although each site is judged on its own merits, examples of similar buildings have previously been approved on other comparable sites within the District.

Details of landscaping, servicing and drainage, and fenestration and door details

*It has been recommended that these details are submitted up-front. The indicative details of these features on the proposed drawings (not including servicing and drainage) are largely acceptable and sympathetic to the buildings and their settings. Further details and detailed drawings can be reserved by condition (as requested within memo dated 22.03.18) to ensure the proposals are well detailed. The same approach has been taken on other sites.*

Building recording

*The recommendation for building recording is supported and can be reserved by condition. The Historic Environment Officer at Place Services (Essex County Council) has requested a full archaeological condition which will include the recording of the buildings (the brief to be drawn up by the Historic Environment Officer to ensure it is thorough enough)."*

It is for these reasons considered that the less than substantial harm to the special significance of the heritage assets within and around the site as a result of the installation of conservation rooflights to Barn 2 and the construction of cart lodges does not outweigh the public benefits of the scheme. These are that the proposal seeks to put the buildings into a viable use which is consistent with their conservation; The scheme will have an overall positive impact on the aims and purposes of the Green Belt and will contribute to reducing the under supply of housing within the District. It is therefore considered that the proposal complies with the requirements of chapter 12 of the NPPF.

Trees

The Tree Officer is satisfied that the development will not harm the health and stability of existing trees on the site. It is also recommended that a condition be imposed to ensure that the proposed soft landscaping is acceptable. 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

All dwellings meet current internal space standards set out in the Essex Design Guidelines and National Technical Standards. They also provide acceptable levels of outlook and ventilation. All units meet amenity space standards required by Policy DBE8 of the Local Plan. The quality of the proposed accommodation is therefore considered acceptable.

A condition is recommended to ensure that the two bedroom annexe proposed within building 1.1 (Cartlodge stables and Workshop) as shown on site plan 003C shall not be used as self-contained residential accommodation as this will result in mutual overlooking for occupiers of both building 1.0 and 1.1. and as a result will be harmful to the living conditions of both future occupiers.

Impact on neighbouring residential dwellings.

The proposal relates to predominately existing structures. Neighbouring residential dwellings are also sufficiently distant as to not be materially affected in terms of loss of light, outlook or privacy. The proposal therefore complies with the requirements of DBE9 of the Local Plan.

Ecology

The proposal requires the demolition of existing structures; it is therefore considered that there is a strong likelihood that owls and bats or their breeding sites and resting places might be present

within the site. It is for this reason that the Countrycare team require that bat tubes or bat tiles are installed within each dwelling and 1 barn owl box is erected on site.

It is on the basis of these suggested conditions that the proposal is considered to make adequate provision for the protection and suitable management of established habitats of local significance for wildlife in accordance with Chapter 11 of the NPPF and policy NC4 of the Local Plan.

### Highways

The Highways Authority has not raised any objection to the proposal in terms of access and highway safety. The proposal exceeds the minimum parking requirements for the number of dwellings proposed. Cycle storage space is also proposed. The proposal therefore meets the requirements of policy ST4 and ST6 of the Local Plan.

### Land Drainage

The site does not lay within any Environment Agency (EA) Floodzones; therefore consultation with the EA is not required. However, the site is at risk of surface water flooding therefore the applicant is strongly recommend to consider the EA's flood risk standing advice. Building number 10 is at the highest risk of flooding and therefore any proposals other than agricultural storage will need to review the risks in more detail. No development is proposed for this building.

The applicant has no proposal to dispose of foul sewage. The applicant is proposing to dispose of surface water by soakaway. The geology of the area is predominantly clay and infiltration drainage may not be suitable for the site. It is for these reasons that further details of foul and surface water drainage is required. The proposal subject to these conditions complies with the Utilities policies within the Local Plan and Submission Version.

### Land Contamination

Due to the previous use of the site being a farmyard and stables, the proposed use being of a sensitive nature and the lack of any evidence to demonstrate the level of contamination on the site, the Contaminated Land Officer recommends that conditions be imposed which require that these investigations and if necessary remediation works be carried out prior to the construction of any new dwelling. It is on this basis that the proposal accords with paragraph 109 of the NPPF and RP4 of the Local Plan.

### **Conclusion:**

The proposal subject to conditions will positively regenerate existing redundant listed farm buildings to a more viable use. The alterations proposed to these buildings and to the site in general will preserve the historic rural character of these buildings. The proposal will also improve the open character of the site as the result of the demolition of redundant modern buildings and the provision of soft landscaping. It is therefore consistent with the aims and purposes of Green Belt policy.

The proposal will not excessively affect neighbouring residential amenity and it raises no parking or highway safety concerns. The proposal is therefore considered to comply with the requirements of policy contained within the NPPF and the Local Plan and Alterations and as such 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: 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)***



The map shows a site plan for Berwick Farm. A red boundary outlines a central area containing several buildings and a pond. To the left of this area is another pond. Below the red boundary is a 'Ford' and a 'Path (un)'. Further down is a 'Swim P (open)'. At the bottom of the map is another pond. A large 'EFDC' watermark is present in the top left and bottom right corners. A scale bar at the bottom right indicates a distance of 8m.

Application Number:	EPF/0073/18
Site Name:	Berwick Farm, Berwick Lane, Stanford Rivers, CM5 9PY
Scale of Plot:	1/2500

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/0073/18
<b>SITE ADDRESS:</b>	Berwick Farm Berwick Lane Stanford Rivers Ongar Essex CM5 9PY
<b>PARISH:</b>	Stanford Rivers
<b>WARD:</b>	Passingford
<b>APPLICANT:</b>	E, S and L Bray, Tolhurst and Harmstorf- Pearl
<b>DESCRIPTION OF PROPOSAL:</b>	Grade II listed building application for proposed demolition of modern barns/parts of barns and conversion of historic and modern barns to 5 dwellings, with proposed construction of cartlodes.
<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=604353](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=604353)

**CONDITIONS**

- 1 The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos:  
  
2017-879-001, 2017-879-002, 2017-879-03 rev C, 2017-879-E01, 2017-879-E01.2, 2017-879-E02, 2017-879-E03, 2017-879-E07, 2017-879-E08-09, 2017-879-E10, 2017-879-E11, 2017-879-P01 rev A (Grain Barn), 2017-879-P01.2 rev A (Threshing Barn and Milking Parlour), 2017-879-P02 rev A, 2017-879-P03 (Stables and Pigsty), 2017-879-P030 (street scene), 2017-879-P04, 2017-879-P05 (Modern Asbestos Barn), , Chapman and Andre Maps, Excerpt from British History Online National Library of Scotland Maps, Planning, Heritage, Design and Access Statement by Sue Bell Ref 543 January 2018, Addendum to Planning, Heritage, Design and Access Statement by John Bell Design and Conservation dated April 2018,
- 3 Details of the types and colours of all external materials shall be submitted to and approved in writing by the Local Planning Authority prior to the first use on site.

- 4 Additional drawings that show details of proposed new windows, doors, and rooflights, 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 their first installation on site.
- 5 Details and colours of all external pipes, extracts, grilles, flues, lights and any alarm boxes or satellite dishes to be fixed to the fabric of the building shall be submitted to and approved by the Local Planning Authority prior to their first installation on site.
- 6 All new rainwater goods and soil and vent pipes shall be of black painted metal unless otherwise agreed in writing with the Local Planning Authority.
- 7 Any new first floors shall be supported independently of the historic timber frames unless agreed in writing with the Local Planning Authority.
- 8 Full details of the upgrading required to meet the building regulations, including thermal insulation, shall be agreed in writing with the Local Planning Authority prior to the upgrading of any part of the buildings.
- 9 A schedule of repairs and any structural interventions for the building, illustrated on full timber survey drawings, shall be submitted to and approved by the Local Planning Authority, which shall include details of the historic finishes and fixtures to be retained, prior to the commencement of works.

*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)*

This is the listed building application that is required for the works to the listed buildings in connection with the preceding planning application EPF/0065/18 for barn conversions. The impact of the development on the listed buildings has been fully explained in the preceding report and the conclusion is that subject to conditions the proposed works to the listed buildings are acceptable and will enable the beneficial use and future retention of the buildings. It is therefore recommended that listed building consent 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: Sukhi Dhadwar  
Direct Line Telephone Number: 01992 564597.***

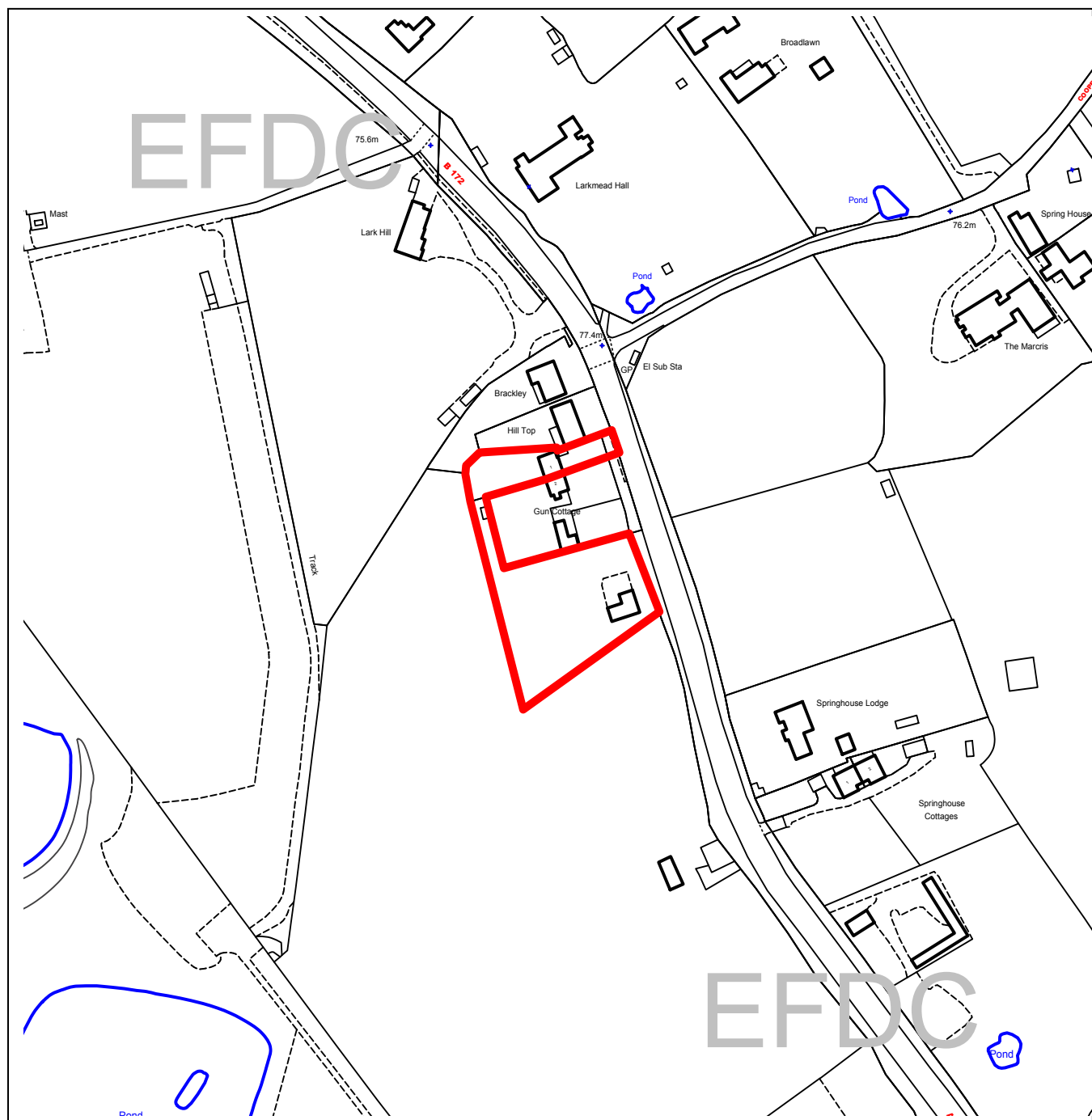
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# Epping Forest District Council

## Agenda Item Number 3



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Application Number:	EPF/0102/18
Site Name:	1 Gun Cottage, Abridge Road, Theydon Bois, CM16 7NN
Scale of Plot:	1/1250

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/0102/18
<b>SITE ADDRESS:</b>	1 Gun Cottage Abridge Road Theydon Bois Epping Essex CM16 7NN
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>APPLICANT:</b>	Mr Greame Skinner
<b>DESCRIPTION OF PROPOSAL:</b>	Retrospective application for use from stable to general B8 storage use.
<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=604454](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=604454)

**CONDITIONS**

- 1 This approval relates only to the stable building and area of land outlined in red on the approved location plan date stamped 15th March 2018.
- 2 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 H and J of Part 3 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 3 There shall be no external storage in connection with the use hereby approved at any time, including storage of vehicles. Vehicles shall only be on site during loading and unloading and shall not be left at 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: Scheme of Delegation, Appendix 3)*

### **Description of Site:**

The application site comprises an existing private stable building and small area of hardstanding which is accessed from the western side of Abridge Road. The stable building is on flat land however to its rear the land slopes significantly downwards in a westerly direction.

The site is owned by the occupiers of residential property at 1 Gun Cottage, Abridge Road. This property is connected to the stables via the link track to the rear (west) of 2 Gun Cottage and the open field within which it is situated.

Vehicular access to the site is from Abridge Road.

The wider area is predominately made up of open fields and sporadic housing.

The site falls within land designated as Green Belt.

### **Description of Proposal:**

Planning permission is sought for the retrospective application for use from stable to general B8 storage use.

The stables are L shaped with wings of 11.65m and 9.85 metres respectively and a height of approximately 3.8m

The area of hardstanding covers an area of approximately 113 square metres.

The site area has been amended in the course of the application to include only the stable block hardstanding and access way. The surrounding field is not included in the proposal.

No changes are proposed to the existing access.

### **Relevant History:**

Reference	Description	Decision
EPF/2212/05	Erection of private stables and hardstanding.	Refused
EPF/0908/06	Erection of private stables and hardstanding. (Revised application)	Approved subject to conditions
EPF/0255/14	Proposed conversion of stable block to a 2 bed single storey dwelling.	Refused and dismissed at appeal
EPF/2870/14	Erection of 2 metre high fence and gates comprising close boarded fencing together with concrete posts and kicking panels. Resubmission following withdrawn application EPF/2423/14.	Refused

### ***Adopted Local Plan:***

CP2	Protecting the quality of the rural and built environment
DBE9	Loss of Amenity
CP1	Achieving sustainable development objectives



CP2	Protecting the quality of the rural and built environment
GB2A	Development in the Green Belt
GB8A	Change of Use or Adaptation of Building
ST4	Road Safety
ST6	Parking Standards

#### ***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
SP6 -	Green Belt and District Open Land
DM4 -	Green Belt

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

Responses received:

#### **PARISH COUNCIL: STRONG OBJECTION:**

The application site is an open field within the Green Belt, which is clearly visible from the Abridge Road and, by virtue of its elevated position, from the public footpath in the valley below. The land is located beyond the settlement boundary and the site affords appreciable views across the wider countryside.

A number of previous applications have been refused over the years, including that for the residential conversion of the existing stable, with an appeal, relating to that proposal, having been dismissed in 2015, due to the adverse impact on the openness of the Green Belt.

At the time when the stable was originally granted in 2006, the Officer's Report highlighted concerns over the potential for the site to be separated from 1 Gun Cottage, and the need to ensure that any future use was of a private and domestic nature, solely for the keeping of horses. Accordingly, the Grant was conditioned specifically to ensure that "the stables hereby approved shall be used for private stabling purposes only and not for any commercial or business activity, including livery".

Construction was completed in 2009 and, therefore, any B8 storage use, which it is claimed has taken place since 2011, has been unlawful. It would be entirely unacceptable to suggest that the

current proposal should endeavour to make lawful, by way of a 'retrospective' application, a use that was in breach of that Condition.

In addition, the site is indicated to be the full extent of the land in the ownership of 1 Gun Cottage, whereas the proposal is said to be for the use of the building only. However, the two are not entirely separate and changing the use of the building would also impact negatively on the surrounding field which, in recent weeks, has been subject to a significant amount of excavation work, and the laying of artificial turf, which would not appear to accord with either the natural landscape setting nor the previous low-key use of the stable.

B8 use covers a range of activities, classified as 'storage, warehousing and distribution', and, if granted, would likely result in the potential for a far greater degree of commercial activity in and around the site, not limited to the business interests of the current owner, including a significant increase in the number of vehicles permitted to park on the adjacent hardstanding, traffic movements on and off the site, unrestricted hours of business, outdoor storage and the addition of permitted development rights for further handstandings, extensions, and conversions.

Such activities would be difficult to manage solely by conditions and the intensification of use would clearly have a substantial, permanent and detrimental impact on the Green Belt in this sensitive location, contrary to the provisions of Paragraphs 79, 80 and 90 of the NPPF. The proposal would, therefore, constitute 'inappropriate development', since the change to B8 use would not preserve the openness of the site but, instead, would allow for the urbanisation of that use to encroach further into the rural landscape setting.

#### **THEYDON BOIS ACTION GROUP -STRONG OBJECTION**

The site Location Plan does not comply with the Validation Requirements Checklist. The application submitted is for the change of use of a stable building to B8 use not whole site. It is important that the application for B8 storage use only applies to the existing stable building and does not include the surrounding open Green Belt land.

The fact that the applicant did not keep a horse in the stable for more than 2 years, in spite of having made two attempts to gain permission to build a stable in an open Green Belt field, should not undermine or negate the importance of this condition, without which planning permission would not have been granted in the first place.

#### **Building**

Recent appeal decisions on the site ref 2227268 dated 1 June 2015 support this view.

The application form indicates that foul sewerage will be disposed through a septic tank. A B8 storage use should not require a septic tank. Application is also incorrect in that it states that there no trees or hedges on or within the site including an attractive Willow Tree.

If despite out strong objection application is approved. PD rights should be removed.

Theydon Bois and District Rural Preservation Society OBJECT: Inappropriate development to grant change of use to B8 for a building within a normal domestic curtilage and also one within the Green Belt that could lead to an urbanisation or intensification of use that would be harmful to keeping the land permanently open and detract from the amenities of the Green Belt.

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

#### **Background**

Permission was granted under reference EPF/0908/06 for the construction of a stables. Condition 3 of that permission requires:-

‘The stables hereby approved shall only be used for private stabling purposes only and not for any commercial or business activity, including livery.’

Reason: In accordance with the terms of the application and to prevent a commercial activity that may detract from the highway safety and the amenities of the Green Belt.

This application has retrospectively been submitted as a result of enforcement action against the stables being used as a private storage unit.

The applicant has informed officers that the building was in use as a stables for two years only. (2009-2011). This use ceased when the two horses owned by the applicant died. It was then used by the applicant's son for the storage of products he sold on his market stall. This application has been submitted to regularise the change of use.

### Green Belt

Paragraph 79 of the National Planning Policy Framework (the Framework) says that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 87 says that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. This is broadly restated in Policies GB2A of the Local Plan. Paragraph 90 of the Framework states that the Council should regard the re use of buildings of a permanent and substantial construction as not being inappropriate development provided they do not conflict with the purposes of including land within the Green Belt

The change of use of the building itself from stabling to storage does not impact on openness, no extensions are proposed. The main potential impact is therefore the use of the hardstanding for parking and the potential increase in traffic movements in connection with the use. The area of hardstanding is relatively small and conditions can be attached removing permitted development rights for extensions and for further hardstanding, and a further condition can prevent the use of the hardstanding for open storage (including for the storage of vehicles)

On this basis it is not considered that the use would adversely impact on openness.

The wider field area, which will no longer be associated with any stable use will revert to agricultural use and planning permission would be required for any further development.

### Trees

This application relates to a change of use only and therefore there will be no additional impact on the health and stability of existing trees on and in close proximity to the site.

### Design

No changes are proposed for the external elevations of the building.

### Highways

The access to the site is as existing and given the small scale of the building the use is unlikely to generate significant amounts of traffic.

### Impact on neighbouring residential amenity

Neighbouring residential properties are sufficiently far from the proposal to ensure that they are not unduly affected by the proposal in terms of noise and disturbance. The proposal therefore complies with the requirements of policy DBE9 of the Local Plan.

### **Conclusion:**

The reuse of the building is not inappropriate in the Green Belt and subject to conditions preventing extensions and restricting the use of the hardstanding, it is not considered that the use causes harm to the openness of the Green Belt or the character and amenity of the area. As such The proposal complies with relevant planning policy and it is recommended that planning permission be granted.

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

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

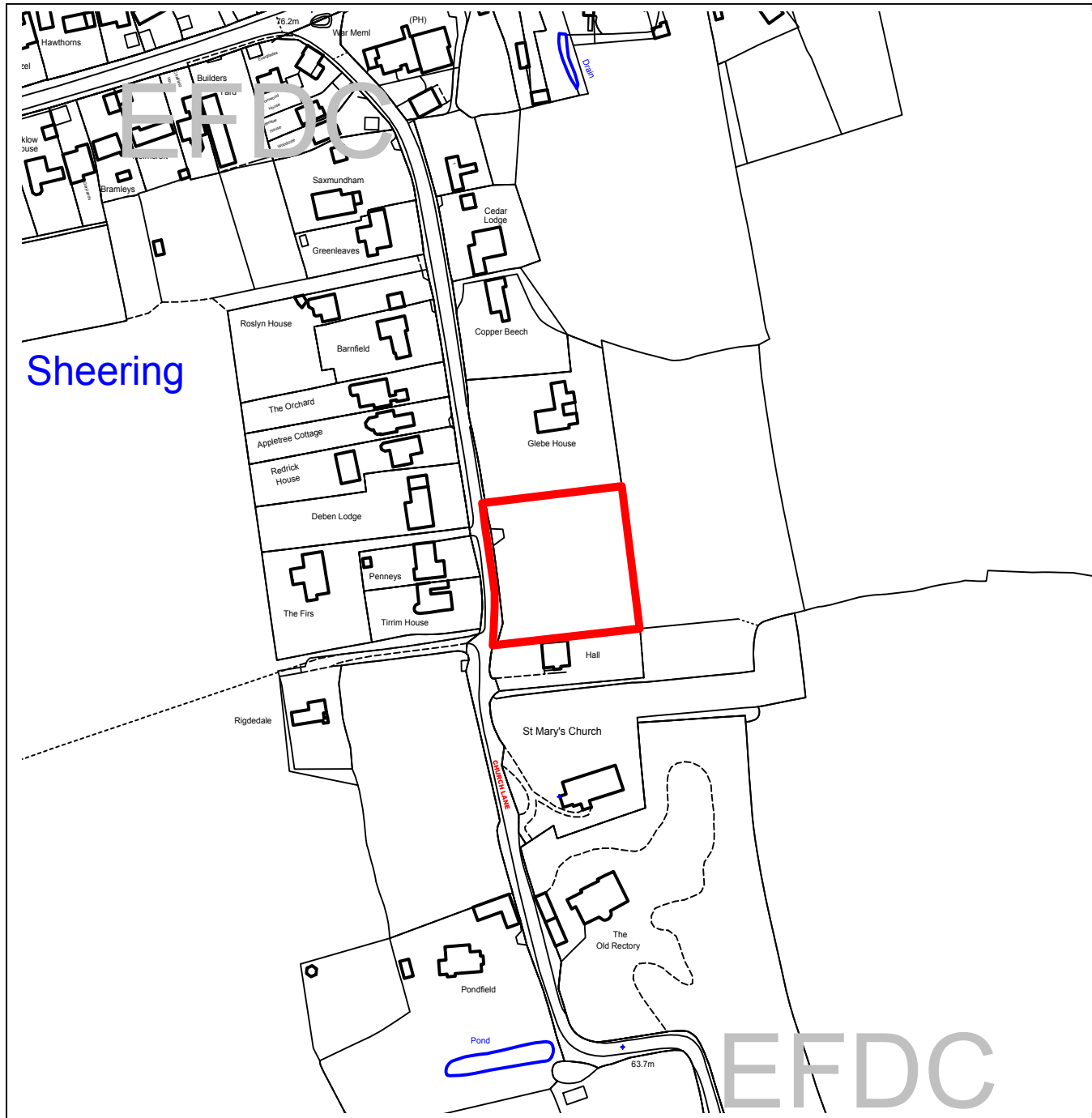
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# Epping Forest District Council

## Agenda Item Number 4



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Application Number:	EPF/0141/18
Site Name:	Land East of Church Lane, Sheering
Scale of Plot:	1/2500

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/0141/18
<b>SITE ADDRESS:</b>	Land East of Church Lane Sheering Essex
<b>PARISH:</b>	Sheering
<b>WARD:</b>	Hastingwood, Matching and Sheering Village
<b>APPLICANT:</b>	Chelmsford Diocese Board of Finance
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of 3 no. new dwellings complete with garages, infrastructure, and associated works, including access from Church Lane.
<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=604619](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=604619)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved Location Plan and drawings nos: 3277:01 Rev: E, 3277:02 Rev: E, 3277:03 Rev: B, 3277:04 Rev: A, 3277:05
- 3 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Planning Authority.
- 4 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 5 No development shall take place until details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.

- 6 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 7 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garages hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.
- 8 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.
- 9 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.
- 10 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.



- 11 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.
- 12 The development hereby approved shall be carried out in accordance with the flood risk assessment (Evans Rivers and Coastal - Flood Risk Assessment and Surface Water drainage/SuDS Strategy, Ref 1937/RE/11-17/01 Revision A January 2018), unless otherwise agreed in writing with the Local Planning Authority.
- 13 An electric vehicle charging point shall be provided for each of the approved dwellings prior to first occupation
- 14 Prior to first occupation measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.
- 15 Prior to first occupation of the dwellings hereby approved measures to improve the ecological value of the site shall be implemented in accordance with details that have been submitted to and agreed in writing by the Local Planning Authority.
- 16 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.
- 17 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

### **Description of Site:**

The application site consists of a 0.3 hectare parcel of land situated on the eastern side of Church Lane within the settlement of Sheering. The site is a linear strip of land within the Metropolitan Green Belt that is located to the south of the main nucleus of Sheering Village (which is outside of the Green Belt). It is situated between residential properties to the north, residential dwellings to the west, and the church hall and church to the south.

### **Description of Proposal:**

Consent is being sought for the erection of three detached houses with detached garages, a new access, and associated parking and amenity space. Each of the three dwellings would front onto Church Lane and would benefit from rear garden areas. The new access point would be installed to the south of the existing access (which would be closed up) and would serve all three dwellings.

The proposed houses would each be of the same overall design with slight variations. Plot 1 would have a floor area of 162m<sup>2</sup> with a right handed front gable projection and two partially submerged front dormer windows. It would have a ridged roof with a hipped roof on the southern flank and would reach a maximum height of 8.5m. Plot 2 would have a floor area of 167m<sup>2</sup> and a central front gable projection along with two partially submerged front dormer windows on either side. It would have a gable ended roof to a ridge height of 8.5m. Plot 3 would have a floor area of 162m<sup>2</sup> with a left handed front gable projection and two partially submerged front dormer windows. It would have a hipped roof on the northern flank and would reach a maximum height of 8.5m.

### **Relevant History:**

None

### **Policies Applied:**

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

CP2 – Protecting the quality of the rural and built environment  
GB2A – Development in the Green Belt  
DBE1 – Design of new buildings  
DBE2 – Effect on neighbouring properties  
DBE4 – Design in the Green Belt  
DBE8 – Private amenity space  
DBE9 – Loss of amenity  
RP3 – Water quality  
U3A – Catchment effects  
ST4 – Road safety  
ST6 – Vehicle parking  
LL10 – Adequacy of provision for landscape retention  
LL11 – Landscaping schemes

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

they are consistent with the Framework. The above policies are broadly consistent with the NPPF and therefore are afforded full weight.

#### Epping Forest District Local Plan (Submission Version) 2017:

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

SP1 - Presumption in Favour of Sustainable Development  
SP6 - Green Belt and District Open Land  
T1 - Sustainable Transport Choices  
DM3 - Landscape character, ancient landscapes and geodiversity  
DM4 - Green Belt  
DM5 - Green and Blue Infrastructure  
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:**

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

PARISH COUNCIL – Object on the following grounds:

- 1) Land is green belt
- 2) Loss of green space
- 3) If the land is to be developed would it not be more appropriate for more smaller homes to be built?

TIRRIM, CHURCH LANE – Object due to increased traffic, as the land is Green Belt, will take away open space, could cause highway safety issues, and since the houses are too large.

PENNEYS, CHURCH LANE – Object as the development is unnecessary as it is for luxury houses, since it is yet another erosion of green belt land and cannot be classed as 'infill', due to disruption during construction, increased traffic, loss of open space within the village, and due to highway safety concerns.

SAXMUNDHAM, CHURCH LANE – Object as this proposed development is not a natural infill, due to disruption of this country lane environment, interruption of green space views, and due to increased traffic. The applicants should also demonstrate provision of additional grave spaces as the church graveyard is rapidly filling up before proposing this development which is taking up Church land.

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

The key considerations are the impact on the Green Belt, the character and appearance of the surrounding area, regarding neighbours amenities, highway safety considerations, and any impact on the landscaping.

### Green Belt:

The application site is located within a linear offshoot to the south of the main nucleus of Sheering Village. Whilst the bulk of Sheering village is outside of the Green Belt the application site is located within the Green Belt. The National Planning Policy Framework states that the erection of new buildings within the Green Belt constitutes inappropriate development, however provides a number of exceptions to this. The list of exceptions includes “*limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan*”.

Sheering would undoubtedly constitute a ‘village’, although the majority of this large built up area is located outside of the Green Belt (and therefore no exception to inappropriate development would need to be argued). The definition of infill development as laid out within Appendix 1 of the Submission Version of the Local Plan reads:

*“Infill development refers to the development of a small gap in an otherwise continuous built up frontage, or the small scale redevelopment of existing properties within such a frontage”.*

There has been a recent planning approval reference EPF/2802/16 for a similar infill development on land (almost) opposite the site for the erection of three bungalows. It was accepted in that instance that the proposal would constitute a ‘limited infill within a village’ and therefore planning consent was granted.

Similar to the above example, this application site is surrounded on three sides by existing development, with only the eastern boundary adjoining open undeveloped land. It is considered that three properties would be considered suitably ‘limited’ in this location and would clearly be seen within the context of the village of Sheering and would not detrimentally encroach into open countryside. Therefore it is considered that the proposed dwellings would comply with the exception of “*limited infilling in villages*” as laid out in the National Planning Policy Framework and therefore would not constitute inappropriate development harmful to the openness of purposes of the Green Belt.

### Design:

The proposed dwellings would consist of three detached two storey dwellings of the same style but varying designs. The existing properties within Church Lane predominantly consist of one-and-a-half and two storey detached houses. The proposed new dwellings would reflect this and would be constructed from a mix of render and weatherboarding with front gables as a predominant feature.

It is considered that the overall design and scale of the new dwellings would not appear detrimental to the character and appearance of the street scene.

All of the proposed dwellings would benefit from an excess of the required private amenity space.

### Amenity concerns:

The property on Plot 1 would be located some 7m from the shared boundary with the neighbour to the north, Glebe House, which itself is set a significant distance from the boundary. Due to this distance and the lack of any first floor windows, there would be no detrimental impact on the amenities of these neighbours.

There would be more than sufficient distance between the proposed new dwellings and those on the western side of Church Lane to ensure that there would be no detrimental impact on the amenities of these neighbouring residents.

### Access and Parking:

The proposed dwellings would be served by a new access that would replace the existing access to the site. Essex County Council suggested some alterations to the initial plans regarding the access, which have been complied with, and not raise any objection to the proposal.

The dwellings would be served by more than the required level of off-street vehicle parking which adequate space for manoeuvrability to enable vehicles to enter and leave the site in forward gear.

#### Trees and Landscaping:

The layout of the proposed dwelling and new landscaping have been amended following advice from the Council Tree & Landscape Officer. The revisions enable the significant Beech tree within the adjacent property to be a key visual focal point for the development and, subject to suitably worded conditions regarding the retention and protection of existing landscaping, along with details about new landscaping, the proposed development is considered to be acceptable.

#### Other Concerns:

##### *Archaeology:*

The Historic Environment team of Place Services, Essex County Council has identified that the application has the potential to impact on archaeology. The Essex Historic Environment Record shows that there is known archaeology immediately adjacent to the proposed development. A watching-brief during the construction of the Church Hall (EHER 9129) recorded 2 pits, 4 shallow ditches, 3 narrow slots and a possible post hole. The linear features were all aligned approximately E-W and most likely represent timber structures and boundary ditches. Datable finds came only from a small pit and consisted of Late Bronze Age/Early Iron Age pottery. The prehistoric finds add to the growing body of evidence for early 1st millennium BC settlement along the Lea and Stort valleys. A test-pit (EHER 9131) recorded 12<sup>th</sup> century pottery and building debris, demonstrating medieval activity on the site, as well as the foundations for an 18<sup>th</sup>-19<sup>th</sup> century brick wall (EHER 9132). Archaeological remains are both fragile and finite, in view of this the implementation of a programme of archaeological works must be agreed, which can be dealt with by condition.

##### *Drainage:*

The application site is not located within an EFDC flood risk assessment zone however a flood risk assessment has nonetheless been submitted with the application. The development should be carried out in accordance with this.

As a detailed drainage plan has not been confirmed and is not yet available a condition would be required with regards to surface water drainage details.

##### *Contamination:*

All readily available Council held desk study information has been screened and no evidence of any significant contaminating activities having taken place historically on the proposed redevelopment site can be found. Records indicate that the site has formed part of an undeveloped field since at least 1799.

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.

### *Construction works:*

Concerns have been raised with regards to disturbance, nuisance and parking problems as a result of construction works, however such matters are not material planning considerations as this harm would only be temporary during the period of construction. Time constraints for construction works are suggested in order to minimise any impact on neighbours.

### **Conclusion**

The proposed development would constitute a limited infill within a village and therefore would not be inappropriate development harmful to the Green Belt. The design and layout of the proposed dwellings is considered to be appropriate to the wider street scene and would not detrimentally impact on neighbour's amenities or the existing landscaping on or around the site. No objection has been raised from Essex County Council Highways with regards to the new vehicles access point and sufficient off-street parking is provided. Therefore, subject to conditions, the proposal complies with the guidance contained within the NPPF and the relevant Local Plan policies and the application is therefore recommended for approval.

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

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

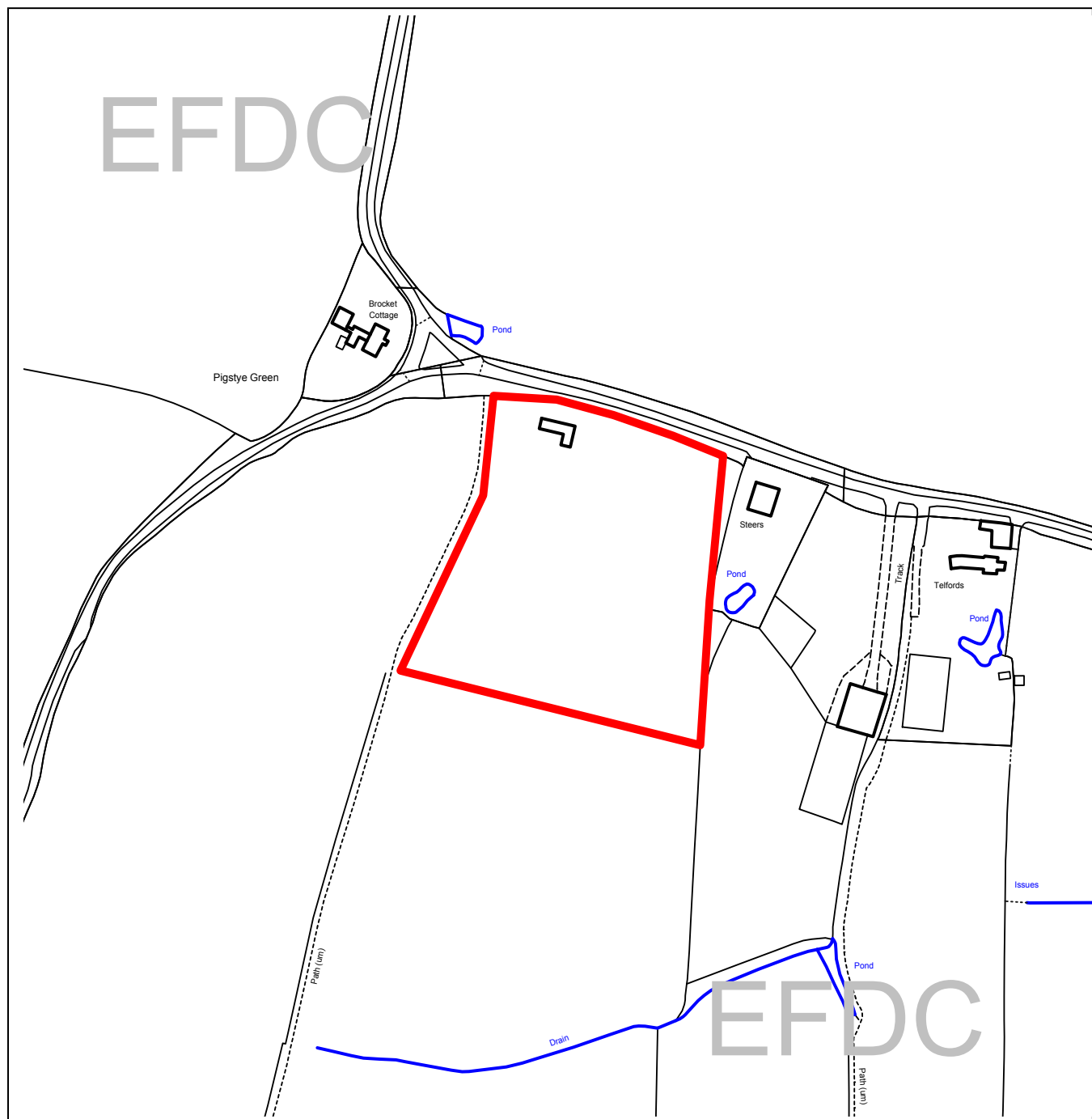
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# Epping Forest District Council

## Agenda Item Number 5



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Application Number:	EPF/0615/18
Site Name:	Steers, Pigstye Green Road, Willingale, Ongar, CM5 0QF
Scale of Plot:	1/1250



**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/0615/18
<b>SITE ADDRESS:</b>	Steers Pigstye Green Road Willingale Ongar Essex CM5 0QF
<b>PARISH:</b>	Willingale
<b>WARD:</b>	High Ongar, Willingale and the Rodings
<b>APPLICANT:</b>	Mr J O'Connors
<b>DESCRIPTION OF PROPOSAL:</b>	Application for variation of condition 6 'no commercial activity' on enforcement appeal ENF/0524/15 (Change of use of land from domestic horse keeping to residential)
<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=606500](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=606500)

**CONDITIONS**

- 1 The use hereby permitted shall be carried on only by the following: Mr and Mrs Martin and Marian O'Connor and their resident dependents; Mr Jerry O'Connor, his wife Joanna Maloney and their resident dependents and Mr Michael O'Connor.
- 2 The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 of Planning Policy for Traveller Sites, August 2015 (or its equivalent in replacement national policy).
- 3 The use hereby permitted shall be limited to 3 pitches. No more than 2 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 shall be stationed on any pitch at any time and no more than 1 caravan per pitch shall be a static caravan.
- 4 No vehicle over 3.5 tonnes shall be shall be stationed, parked or stored on this site.
- 5 Other than private motor cars, no more than 2 vehicles shall be kept on each pitch.
- 6 With the exception of a single 'mini-digger' and associated trailer in accordance with the technical specifications submitted and approved, no commercial activities shall take place on the land, including the storage of materials, plant or equipment.

- 7 The internal layout of the site (including the siting of static caravans, sheds, areas of hardstanding, vehicle parking, fencing, gates, walls and other means of enclosure); proposed and existing external lighting on the site boundaries and within the site; tree hedge and shrub planting (including plant species, plant sizes, number, density, the timing of planting, seeding or turfing and measures for the replacement of trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased); and the provision for the storage of waste and recyclables shall be carried out in accordance with the details agreed by approved of details reserved by condition application reference EPF/0309/18.
- 8 The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of that use shall be removed within 3 months of the date of failure to meet the requirements set out in (i) below:  
i) Within 3 months of the date of this decision, details of foul and surface water disposal shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.

*This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3) and since it is for a type of development that cannot be determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)*

**Description of Site:**

The application site is a recently approved lawful residential gypsy and traveller caravan site that is subject to personal occupancy conditions and limited to no more than 3 pitches, each with no more than two caravans to be stationed on them.

The site is situated on the southern side of Pigstye Green Road and is within the Metropolitan Green Belt. There are residential dwellinghouses situated to the immediate east and west of the site and a public footpath running along the western boundary. The site is served by a single access from Pigstye Green Road and is relatively well screened through existing boundary vegetation.

**Description of Proposal:**

Consent is being sought for a variation of condition 6 of the Planning Inspectors decision notice regarding enforcement appeal ref: ENF/0524/15. The current condition reads:

6. *No commercial activities shall take place on the land, including the storage of materials, plant or equipment.*

The proposed variation of condition is being sought to enable the storage of a mini digger and trailer on the site.

**Relevant History:**

EPF/2667/15 - Retrospective application for the stationing of 3 mobile homes as a gypsy and traveller site together with 3 touring caravans and use of stable building as day rooms – refused 05/01/16

ENF/0524/15 – Unauthorised development of land and erection of gates, pillars and fencing – Notice issued 22/02/16 (allowed on appeal and Notice quashed – 12/06/17)

**Policies Applied:**

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

CP2 – Protecting the quality of the rural and built environment  
GB2A – Development in the Green Belt  
GB5 – Residential moorings and non-permanent dwellings  
DBE9 – Loss of amenity  
H10A – Gypsy caravan sites  
LL1 – Rural landscape  
LL2 – Inappropriate rural development  
ST4 – Road safety

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

Epping Forest District Local Plan (Submission Version) 2017:

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

SP1 - Presumption in Favour of Sustainable Development  
SP6 - Green Belt and District Open Land  
H4 - Traveller Site Development  
T1 - Sustainable Transport Choices  
DM3 - Landscape character, ancient landscapes and geodiversity  
DM4 - Green Belt  
DM9 - High quality design

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

32 neighbours were consulted and a Site Notice was displayed.

PARISH COUNCIL – Object. The decision by Mr K L Williams BA, MA, MRTPI on 12<sup>th</sup> June 17 was unequivocal – *“the material change of use of land at The Steers, Pigstye Green Road, Willingale, Essex, CM5 0QF from domestic horse keeping to a mixed use of horse keeping and the stationing of caravans for residential purposes subject to the conditions set out in the attached schedule.....*

*Condition 5. Other than private motor cars, no more than 2 vehicles shall be kept on each pitch.*

*Condition 6. No commercial activities shall take place on the land, including the storage of materials, plant or equipment.”*

There would seem to be little purpose in holding an Inquiry, obtaining an Inspector’s Decision if key terms of those conditions are then varied. The operative phrase here is *“residential purposes”* and in applying the *“no commercial activities”* condition, the inspector was rightly mindful of the very close proximity of the immediate residential neighbours, and the general tranquil Green Belt nature of the location. It would create a dangerous precedent to remove condition 6, or to vary it to specifically allow even a single mini-digger and trailer (& presumably tow vehicle). The application to vary should be turned aside. If the occupants are not able to store equipment at site (which is what they said they usually did at the inquiry) then there are numerous commercial yards that they could and should rent to store such equipment. This intentional and unauthorised occupation has caused significant harm to the Green Belt, and has unfortunately also created considerable tension between the occupants and the surrounding community. The development (which has already taken place) has harmed the landscape quality and scenic beauty of the site, as well as eroding the general openness and rural nature of the site. The unauthorised development also has an adverse visual impact, as the development is clearly visible from public viewpoints, and further, has had a material adverse impact on the outlook of the adjacent residential property.

Accordingly, the Council wishes to register its strong objection to the planning application, which it considers to be inappropriate development in the Green Belt, and which is contrary to Section 87 of the National Planning Policy Framework. It is also contrary to Policy E of DCLG’s Planning Policy for Traveller Sites (*“traveller sites in the Green Belt are inappropriate development”*).

The Council therefore requests that permission be refused and that the permitted use shall immediately cease and all caravans, buildings, structures, materials and equipment brought on to the land, or works undertaken to it in connection with the use, be removed and the land restored to its condition before the development took place.

CHURCHSIDE, THE STREET – Object since this would lead to additional commercial use of the land, which would cause a highway safety concern.

BASSETTS, BASSETTS LANE – Object as it is understood that commercial activity already takes place on the site and the roads are not capable of sustaining this traffic.

BRIDGE FARM, BASSETTS LANE – Object as the original approval was given subject to this restriction in order to alleviate the impact of the development and feel that the commercial storage could take elsewhere on a dedicated commercial storage yard.

STEERS FARM, PIGSTYE GREEN ROAD – Object as the conditions were imposed by the Inspector and should be complied with.

TELFORDS FARM, PIGSTYE GREEN ROAD – Object as the majority of conditions are not being complied with and the variation of this condition would have a significant impact on the local environment, the local landscape, and the lives of surrounding residents. Also increased commercial activity would have highway safety implications.

LOWERBROOK, NORTON HEATH ROAD – Strongly disagree with a change of use.

NO ADDRESS PROVIDED – Object due to the impact on traffic and highway safety.

**Issues and Considerations:**

Consent has been granted for the continued use of the site as a gypsy and traveller caravan site. The only consideration in this application is any subsequent impact on the Metropolitan Green Belt, the character and appearance of the area, neighbouring residents, and regarding highway safety as a result of a variation of the condition.

The proposed application is not to remove the existing condition but simply to vary this to enable the storage of a single mini-digger on a trailer on the site for use by one of the lawful site occupants. Specifications have been provided for the mini-digger intended to be stored on the site, which are for a Volvo EC15C, EC17C or EC18C 'compact excavator'. These are single cab mini-diggers that are of a maximum size of 2.2m x 1m with a maximum height of 2.4m (with dozer blade retracted). The mini-digger would be transported to and from the site on a trailer, and would remain on the trailer when stored on site. It has been indicated on an annotated Site Plan map that the mini-digger would be stored adjacent to the existing stable building to the east of the entrance to the site. The mini-digger would not always be stored on site since it would be at job sites when in use.

Whilst the application site is situated within the Green Belt permanent consent has been granted for the retention of the site for three gypsy and traveller pitches (subject to conditions) due to 'very special circumstances'. Although the use of the site for commercial activity and storage would exacerbate any harm from the development the proposed variation of the condition to allow for the storage of a single mini-digger and trailer would not cause any significant additional harm to the openness of the Green Belt or the purposes for including land within it.

The mini-digger would be stored within a site that is predominantly hardstanding and contains an existing stable building, up to six mobile homes and up to six commercial vehicles (not larger than 3.5 tonnes), along with numerous private motor cars. As such the mini-digger and trailer would be viewed within the context of this wider development and would not cause any significant additional detrimental impact on the character of the area.

The site is well screened along its boundaries and additional planting has been agreed under condition 7 of the Inspectors decision, which would assist in the further screening and softening of the site. Due to this, and given the small scale of the proposed mini-digger and trailer, the proposal would not cause any visual intrusion or significant harm to the amenities of surrounding residents or the appearance of the wider area.

Concerns have been raised about highway safety and traffic problems that would result from commercial use on the site, however the variation of this condition could be worded such that it only permits a single mini-digger and trailer, which would have minimal additional impact on traffic.

Essex County Council Highways have been consulted on the application and have stated that *"from a highway and transportation perspective the Highway Authority has no objections to make on this proposal as it is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, policies ST4 & ST6 of the Local Plan and policy T1 of the Local Plan Submission Version 2017"*.

**Conclusion:**

The proposed variation of the condition to enable the storage of a single mini-digger and associated trailer would not cause and significant additional harm to the openness or purposes of the Green Belt, the character and appearance of the area, the amenities of neighbours, or on highway safety or the free flow of traffic. As such, subject to a suitable rewording of the condition, the proposal complies with the guidance contained within the NPPF and the relevant adopted and emerging Local Plan policies and is therefore recommended for approval.

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

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

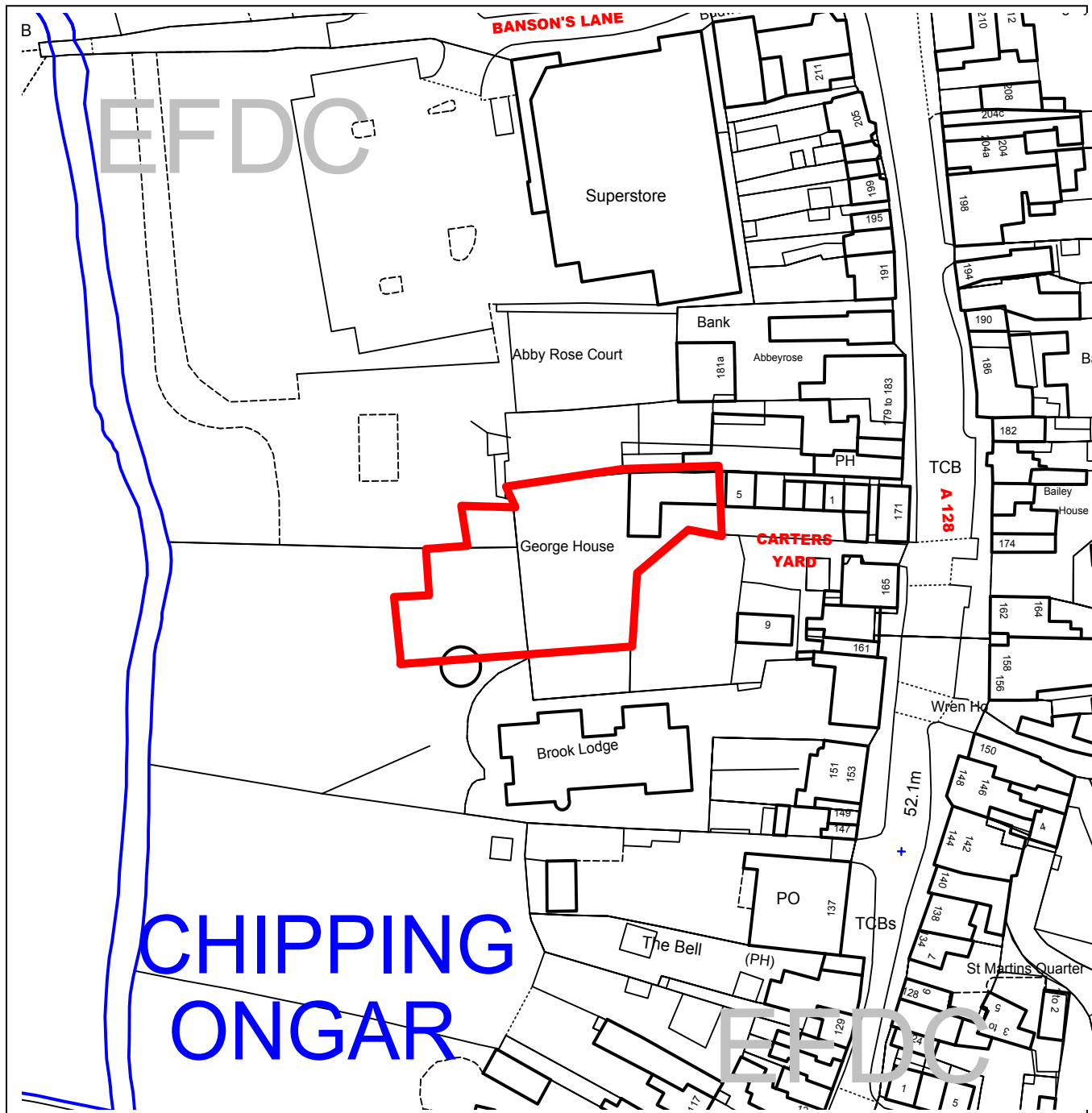
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# Epping Forest District Council

## Agenda Item Number 6



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Application Number:	EPF/0891/18
Site Name:	George House, High Street, Ongar, CM5 9JG
Scale of Plot:	1/1250



**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/0891/18
<b>SITE ADDRESS:</b>	George House High Street Ongar Essex CM5 9JG
<b>PARISH:</b>	Ongar
<b>WARD:</b>	Chipping Ongar, Greensted and Marden Ash
<b>APPLICANT:</b>	Mr Ian Leith
<b>DESCRIPTION OF PROPOSAL:</b>	Conversion of existing house into 4 x 2 bedroom maisonettes.
<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=607614](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=607614)

**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: TJK506.1, TJK506.2, TJK506.3, TJK506.6, 1971-01, 1971-02 Rev. C
- 3 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.
- 4 An electric vehicle charging point shall be provided for each of the approved dwellings prior to first occupation
- 5 Prior to first occupation measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.

- 6 Prior to first occupation of the dwellings hereby approved measures to improve the ecological value of the site shall be implemented in accordance with details that have been submitted to and agreed in writing by the Local Planning Authority.

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

**Description of Site:**

The application site comprises of a two storey detached dwelling, of a traditional render finish, within the Ongar conservation area and the setting of several listed buildings, most of which front the High Street.. The site slopes gently towards the rear. The southern corner of the site has an extant planning permission for 2 no. detached dwellings. The application site is not listed nor is it within a conservation area. The application site is not situated within the Metropolitan Green Belt.

**Description of Proposal:**

Reconfiguration of the property, with minor external alterations, to provide 4 no. 2 bedroomed maisonettes, with 1 parking space each, cycle storage, bin storage and a shared amenity space to the rear.

**Relevant History:**

EPF/726/14 – Erection of 2 no. three bed dwellings, replacement lodge for George House.

EPF/2786/17- Erection of 2 no. three bed dwellings, replacement lodge for George House. (renewal of extant permission)

**Policies Applied:**

*Adopted Local Plan:*

CP2	Protecting the quality of the rural and built environment
DBE1	Design of New Buildings
DBE2	Effect on Neighbouring Properties
DBE9	Loss of Amenity
ST1	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 Draft Local Plan consultation document (2016)

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
DM7	Heritage Assets
DM9	High Quality Design
DM10	Housing Design and Quality
DM19	Sustainable Water Use
DM21	Local Environmental Impacts, Pollution and Land Contamination
DM22	Air Quality
T1	Sustainable Transport Choices

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

Number of neighbours consulted: 51

Responses received: 2

9, 23 BROOK LODGE – OBJECT – Summarised as - Lack of parking provision, potential harm to protected trees, harm to the amenity of Brook Lodge, will reduce accessibility of Brook Lodge

Ongar Town Council: RESOLVED NOT TO OBJECT to the following application on the proviso that 2 parking spaces are provided for each dwelling.

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

The main issues raised by the proposal are its impact on the character and appearance of the Ongar Conservation area, the provision of parking and the potential impact on the landscaping of the existing property.

#### **Design and character**

George House is an “L” shaped building which ‘closes’ Carters Yard. The proposed conversion of the building would result in very few external alterations to the existing property, with very few windows and door being added, and is considered to preserve the overall appearance of the building.

The finished appearance of the building would be similar to that of the adjacent terraced dwellings within Carters Yard, and would be considered sympathetic to the host dwelling, the wider conservation area and the setting of the adjacent listed buildings.

The proposed dwellings are designed to an acceptable standard to provide an appropriate level of living space for future occupants of the dwelling, whilst maintaining the character of the building within its sensitive setting.

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

The proposed development would not have any significant impact on the neighbouring amenity of properties within Brook Lodge or Carters Yard. The proposed location of new windows would not

overlook any private amenity space and parking has been provided towards the rear, limiting any harm to the visual amenity of neighbouring properties.

#### Parking Provision

The proposed development would provide 4 parking spaces, all designed to meet the Essex Parking Standards, alongside cycle storage facilities. Whilst Ongar Town Council request that each dwelling is provided with 2 parking spaces, Ongar is considered a sustainable location, with a number of amenities and bus stops within a short walking distance from the site and 1 space per dwelling, along with the provision for cycle storage, is considered to be a suitable level of provision for the proposed development. Moreover the provision of further vehicle parking would likely be detrimental to the character and appearance of the dwelling and may be detrimental to the existing trees on site.

#### Landscaping

The proposed development would retain all existing landscaping. Tree and Landscape officers have been consulted as part of the application and have no objection the proposal, subject to conditions.

#### Other Matters

Neighbours have raised concerns that the proposal could impact the access to Brook Lodge. The existing access would not undergo any alterations as part of the proposal, and parking provision to the rear of the property would ensure that the front of the property would remain clear of vehicles.

#### **Conclusion:**

The proposed development will not be unduly detrimental to the character and appearance of the conservation area or the amenities of the neighbouring residents. Whilst only one parking space per unit is proposed this is a sustainable location with good access to facilities and the lower parking provision is considered appropriate for these small 2 bed dwellings. The proposal therefore complies with the guidance contained within the National Planning Policy Framework and the relevant Local Plan policies and is recommended for approval.

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

***Planning Application Case Officer: 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)***

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# Epping Forest District Council

## Agenda Item Number 7



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Application Number:	EPF/1000/18
Site Name:	21/23 Forest Drive, Theydon Bois, CM16 7HA
Scale of Plot:	1/1250

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/1000/18
<b>SITE ADDRESS:</b>	21/23 Forest Drive Theydon Bois Essex CM16 7HA
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>APPLICANT:</b>	Willem Botha
<b>DESCRIPTION OF PROPOSAL:</b>	Ground floor roof extension, ground and first floor side extension, roof extensions for loft accommodation
<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=607997](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=607997)

**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 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 B of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 4 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

### **Description of Site:**

Two storey detached dwelling situated within a built up frontage. It is in close proximity to the local shopping parade and not far from Theydon Bois Tube Station. There is no uniform character or architectural style of dwellings on this street. A number of dwellings have benefitted from significant visible alterations and extensions. It is not within a Conservation area nor is it Listed building

### **Description of Proposal:**

Ground floor roof extension, ground and first floor side extension, raising of roof to enable loft conversion

### **Relevant History:**

EPF/1000/18 21/23 Forest Drive Theydon Bois Essex CM16 7HA Ground floor roof extension, ground and first floor side extension, roof extensions for loft accommodation

EPF/3159/16 21 and 23 Forest Drive Theydon Bois Epping Essex CM16 7HA Side and roof extension to form 3 x 2 bedroom and 4 x 1 bedroom flats (7 flats in total) together with associated parking and landscaping. Refused

EPF/1699/05 23 Forest Drive Theydon Bois Epping Essex CM16 7HA Change of use to ground floor dental surgery with residential accommodation above. - Granted

EPF/2102/00 23 FOREST DRIVE, THEYDON BOIS First floor rear extension, two storey side extension and single storey front extension (revised application).- Granted

### **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:

SP1 - Presumption in Favour of Sustainable Development

DM9 - High Quality Design

DM10 - Housing Design and Quality

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

Number of neighbours consulted: 8

Responses received: No response received from neighbours

PARISH COUNCIL: **Objection** - The application site occupies a prominent corner plot between Forest Drive and Buxton Road in the centre of the Village. It is a sensitive location as it signifies the start of the residential roads from the commercial shops in the centre.

The proposed width of the side extension (3.5m) to 21 Forest Drive is considered to be too obtrusive on this corner plot, which should retain a greater degree of openness. The extension would also significantly breach the building line of properties in Buxton Road (behind) and imbalance the façade of these two semi-detached properties. Concern is also expressed regarding the lack of private amenity space to 21 and 23 due to earlier back land development on the site.

If, however, the officer recommendation is to approve, the Council requests for consideration to be given to the removal of permitted development rights to manage design of further roof alterations (Class B) to 21 Forest Drive.

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

#### Design

##### Ground floor roof extension

The proposed roof alteration would result in a change in the existing single storey roof to a pitched roof which would complement the roof design of the existing house

##### Ground and first floor side extension

The proposed ground and first floor side extension would be less than half the width of the application dwelling. It would have an external appearance that would complement the design of existing building and would retain a gap of nearly a metre to the back edge of the pavement on Buxton Road. Whilst this is forward of the Buxton Road Building line it is not unusual for corner properties to break that line. It is not considered that the addition will be overly prominent or harmful to the character of the area or incongruous in its design and appearance when viewed from the general street scene.

##### Roof extensions for loft conversion

The raising of the roof ridge would result in the dwellinghouse having a similar roof height to the adjoining house at 25 Forest Drive. The increase would be minimal in size and would not result in the application dwelling appear significantly out of character or over-dominant when viewed from Forest Drive and Buxton Road.

### Living Conditions of neighbours

The proposed extensions by reason of their height, width depth and siting would not result in excessive harm to neighbour amenity. They would not result in significant loss of light, outlook or privacy when viewed from the rear first and ground floor windows of neighbouring dwellinghouses. Overall, the proposal would safeguard the living conditions of neighbours.

### Permitted development rights

A condition is deemed necessary to remove Class B permitted development rights for the application site. This is to manage any future roof extensions to this dwelling. As such, any further roof extensions would require the consent of the Local Planning Authority in the form of a planning approval as a result of the imposition of this condition. This would safeguard design of the existing house.

### **Conclusion:**

The proposal complies with relevant planning policy in that the proposal complements the design of the existing house and would safeguard the living conditions of neighbours. The application is therefore recommended for approval.

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

***Planning Application Case Officer: Sukhdeep Jhooti  
Direct Line Telephone Number: 01992 564 298***

***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/1002/18
Site Name:	21/23 Forest Drive, Theydon Bois, CM16 7HA
Scale of Plot:	1/1250

**Report Item No: 8**

<b>APPLICATION No:</b>	EPF/1002/18
<b>SITE ADDRESS:</b>	21/23 Forest Drive Theydon Bois Essex CM16 7HA
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>APPLICANT:</b>	Willem Botha
<b>DESCRIPTION OF PROPOSAL:</b>	Ground floor roof extension, ground and first floor side extension
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM\\_websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=607999](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=607999)

**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.
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class B of Part 2 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

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

**Description of Site:**

Two storey detached dwelling situated within on a corner plot between Forest Drive and Buxton Road. It is within a built up frontage. There is no uniform architectural style and design of dwellings along this extensive street. A number of dwellings have benefitted from significant visible extensions and alterations over the years. It is in close proximity to the local shopping parade on Forest Drive and not far from Theydon Bois Tube Station.

**Description of Proposal:**

Ground floor roof extension, ground and first floor side extension.

**Relevant History:**

EPF/1000/18 21/23 Forest Drive Theydon Bois Essex CM16 7HA Ground floor roof extension, ground and first floor side extension, roof extensions for loft accommodation

EPF/3159/16 21 and 23 Forest Drive Theydon Bois Epping Essex CM16 7HA Side and roof extension to form 3 x 2 bedroom and 4 x 1 bedroom flats (7 flats in total) together with associated parking and landscaping. Refused

EPF/1699/05 23 Forest Drive Theydon Bois Epping Essex CM16 7HA Change of use to ground floor dental surgery with residential accommodation above. - Granted

EPF/2102/00 23 FOREST DRIVE, THEYDON BOIS First floor rear extension, two storey side extension and single storey front extension (revised application).- Granted

EPF/1192/00 23 FOREST DRIVE, THEYDON BOIS Two storey side extension, first floor rear extension and single storey front extension. Refused

**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:

SP1 - Presumption in Favour of Sustainable Development

DM9 - High Quality Design

DM10 - Housing Design and Quality

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

Number of neighbours consulted: 8

Responses received: No response received from neighbours

#### **PARISH COUNCIL:**

Objection: The application site occupies a prominent corner plot between Forest Drive and Buxton Road in the centre of the Village. It is a sensitive location as it signifies the start of the residential roads from the commercial shops in the centre.

The proposed width of the side extension (3.5m) to 21 Forest Drive is considered to be too obtrusive on this corner plot, which should retain a greater degree of openness. The extension would also significantly breach the building line of properties in Buxton Road (behind) and imbalance the façade of these two semi-detached properties. Concern is also expressed regarding the lack of private amenity space to 21 and 23 due to earlier back land development on the site.

If, however, the officer recommendation is to approve, the Council requests for consideration to be given to the removal of permitted development rights to manage design of further roof alterations (Class B) to 21 Forest Drive.

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

#### **Design**

##### *Ground floor roof extension*

The proposed ground floor roof extension would alter the roof of the existing single storey rear extension from a flat to pitch roof. This would better reflect the roof of the existing house and would be modest in size, scale and design. Whilst it would be visible when viewed from, Buxton Road, it would not be visually obtrusive or incongruous due to its overall design and size. It would also not be unusual compared with single storey rear extensions approved/implemented within the locality and wider district.

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

The proposed ground and first floor side extension would be less than half the width of the application dwelling. It would have an external appearance that would complement the design of existing building and would retain a gap of nearly a metre to the back edge of the pavement on Buxton Road. Whilst this is forward of the Buxton Road Building line it is not unusual for corner properties to break that line. It is not considered that the addition will be overly prominent of

harmful to the character of the area or incongruous in its design and appearance when viewed from the general street scene.

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### Living Conditions

#### Ground floor roof extension

The proposed ground floor roof extension by reason of its modest height, and 15 percent pitch gradient would not appear excessive overbearing or result in significant loss of outlook or light when viewed from the rear habitable room windows of the adjoining dwelling at 25 Forest Drive.

#### Ground and first floor side extension

The extension proposed by reason of its siting would not result in increased level of harm by way of loss of outlook, light or privacy compared with the existing situation. It would not result in excessive harm to neighbouring dwellings to the rear due to its size and scale and siting.

#### Removal of permitted development rights

Permitted development rights can be removed to ensure further roof extensions under Class B are managed by submitting any potential proposal to the Local Planning Authority in the form of a planning application.

### **Conclusion:**

The proposal by reason of its design would fit well with the existing dwelling and locality and would safeguard the living conditions of neighbours. The application is therefore recommended for approval.

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

***Planning Application Case Officer: Sukhdeep  
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)***

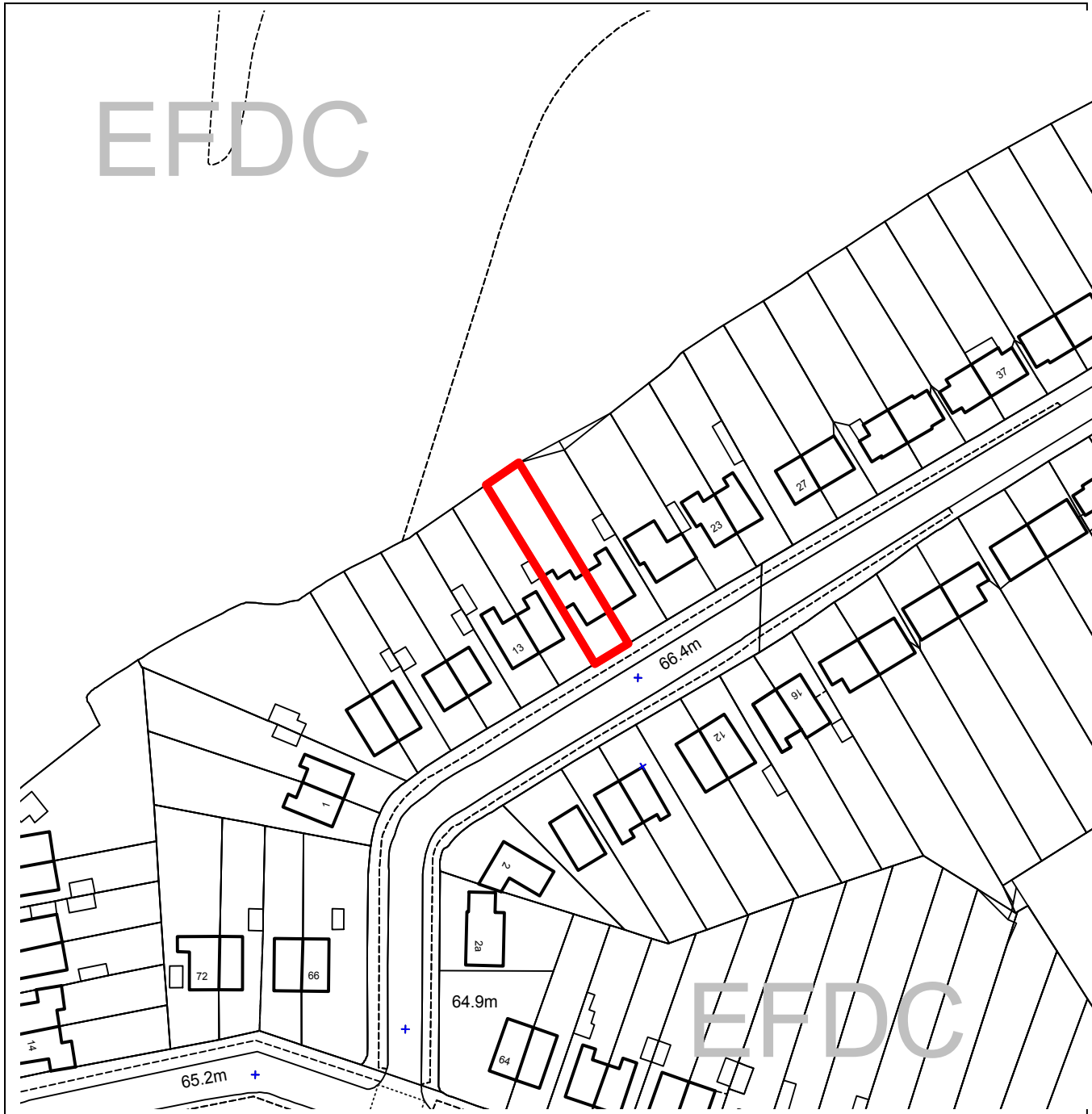


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# Epping Forest District Council

## Agenda Item Number 9



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Application Number:	EPF/1043/18
Site Name:	17 Woodland Way, Theydon Bois, CM16 7DY
Scale of Plot:	1/1250

**Report Item No: 9**

<b>APPLICATION No:</b>	EPF/1043/18
<b>SITE ADDRESS:</b>	17 Woodland Way Theydon Bois Epping Essex CM16 7DY
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>APPLICANT:</b>	Mr Ben Petters
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed double storey side extension with pitch roof, rendered and painted to match existing house. Single storey extension to the rear with dual pitch roof.
<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=608154](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=608154)

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

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

**Description of Site:**

Two storey semi-detached dwelling with a cat-slide roof. The dwelling is situated within a built up frontage and is outside the Green Belt. It is not within a Conservation area nor is it Listed. No uniform architectural style of dwellings. A number of on this street have benefitted from significant roof extensions including side, dormer windows and first floor side extensions

**Description of Proposal:**

Proposed double storey side extension with pitch roof, rendered and painted to match existing house. Single storey extension to the rear with dual pitch roof.

**Relevant History:**

EPF/0808/18 Prior approval application for a proposed 5.987m deep single storey rear extension, height to eaves 2.711m and maximum height of 3.760m FINAL DECISION 22-03-2018 Prior Approval Not Required (Not 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

*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  
DM9 - High Quality Design  
DM10 - Housing Design and Quality

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

Number of neighbours consulted: 6

Responses received: No response received from neighbours

### **PARISH COUNCIL: Objection**

The property is one of many original semi-detached chalet-style dwellings, which feature predominantly in the surrounding Baldocks Estate. The main characteristic features are the distinctive cat-slide roof, with the upper floor diamond window set directly below, and the bay windows, on both floors, to the front façade, which afford these properties their visual articulation and interest.

However, the current proposal would significantly alter the form of the building, flattening the frontage and removing all evidence of the cat-slide roof. This would unbalance the symmetry of the semi-detached pair, to the detriment of the adjoining neighbour and the visual amenity of the streetscene.

The Parish Council has raised objection on many occasions with respect to proposals that have compromised the original character and design of these properties, having been advised of the dismissal of an appeal, in 2012, with respect to a similar proposal. That decision has been a material consideration in the determination of applications for all subsequent extensions to this style of property. We are also aware that, at the time, the then-appellant raised the issue of the few existing dwellings which had not been sympathetically developed, but the Planning Inspector noted that these were very much the exception and only served to compound his concerns. (APP/J1535/D/12/2176034)

Where recent proposals for double-storey extensions have not been set back by a minimum of 50cm to preserve the cat-slide roof (and, hence, the balance between the semi-detached properties), the Parish Council has raised objection and/or successfully presented this argument to the District Committee. Very occasionally, we have sought the assistance of the compliance/enforcement team when construction has not been completed in accordance with approved plans.

Therefore, as a way forward, we would wish to see a set-back of 50cm on the upper floor to retain the distinctive catslide roof and diamond window.

THEYDON BOIS DISTRICT AND RURAL PRESERVATION SOCIETY- OBJECT due to the bulk of the proposal when viewed from the general streetscene

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

#### **Design**

Proposed double storey side extension with pitch roof

The proposed double storey side extension with a pitch roof would have sufficient spacing between the boundaries to avoid creating a 'terracing effect'. Gaps between dwellings which are a key characteristic feature on this road would therefore be maintained. Whilst the proposal would result in a significant change in the appearance of the existing roof form, the proposed pitched roof form would be traditional and in conformity with the suburban character of this extensive street.

Following the objection from the Parish Council the application has been amended to set the 2 storey extension back from the frontage by 300mm to ensure the proposed side extension appears subordinate to the existing house and to ensure that the distinctive shaped front gable of the pair of semi detached properties is maintained as a feature. The upper floor diamond glazing retains its prominence when viewed from the general street scene. The 0.3m set back , whilst less than the 0.5m required by the Parish Council, would still achieve the aim of maintaining the character of the pair..

Single storey extension to the rear with dual pitch roof.

The proposed single storey rear extension would not be readily visible from the street scene and is of a size, scale and design that would complement the existing house.

### Living Conditions

Proposed double storey side extension with pitch roof

The proposed double storey side extension with pitch roof would not be readily visible from the front or rear habitable room windows of adjoining dwellings. Adjoining dwellings including the application have similar building heights, land levels and building lines. As such the proposed side extension would not appear overbearing, or result in significant loss of outlook, light or privacy when viewed from neighbouring dwellings 15 and 19 Woodland Way.

Single storey rear extension with dual pitch roof

The proposed single storey rear extension has been approved under decision reference EPF/0808/18. It has yet to be implemented. It would by reason of its height, depth and width not result in significant loss of light, outlook or privacy to adjoining dwellings when viewed from their rear ground floor habitable room windows.

Overall, the proposal would safeguard the living conditions of neighbours.

### Conclusion:

The proposed development as amended would complement the design of the existing house and the street scene and would safeguard the living conditions of neighbours. The proposal is accordingly recommended for approval subject to conditions.

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

***Planning Application Case Officer: Sukhdeep Jhooti  
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)***