

AREA PLANS SUB-COMMITTEE 'EAST'

7 November 2018

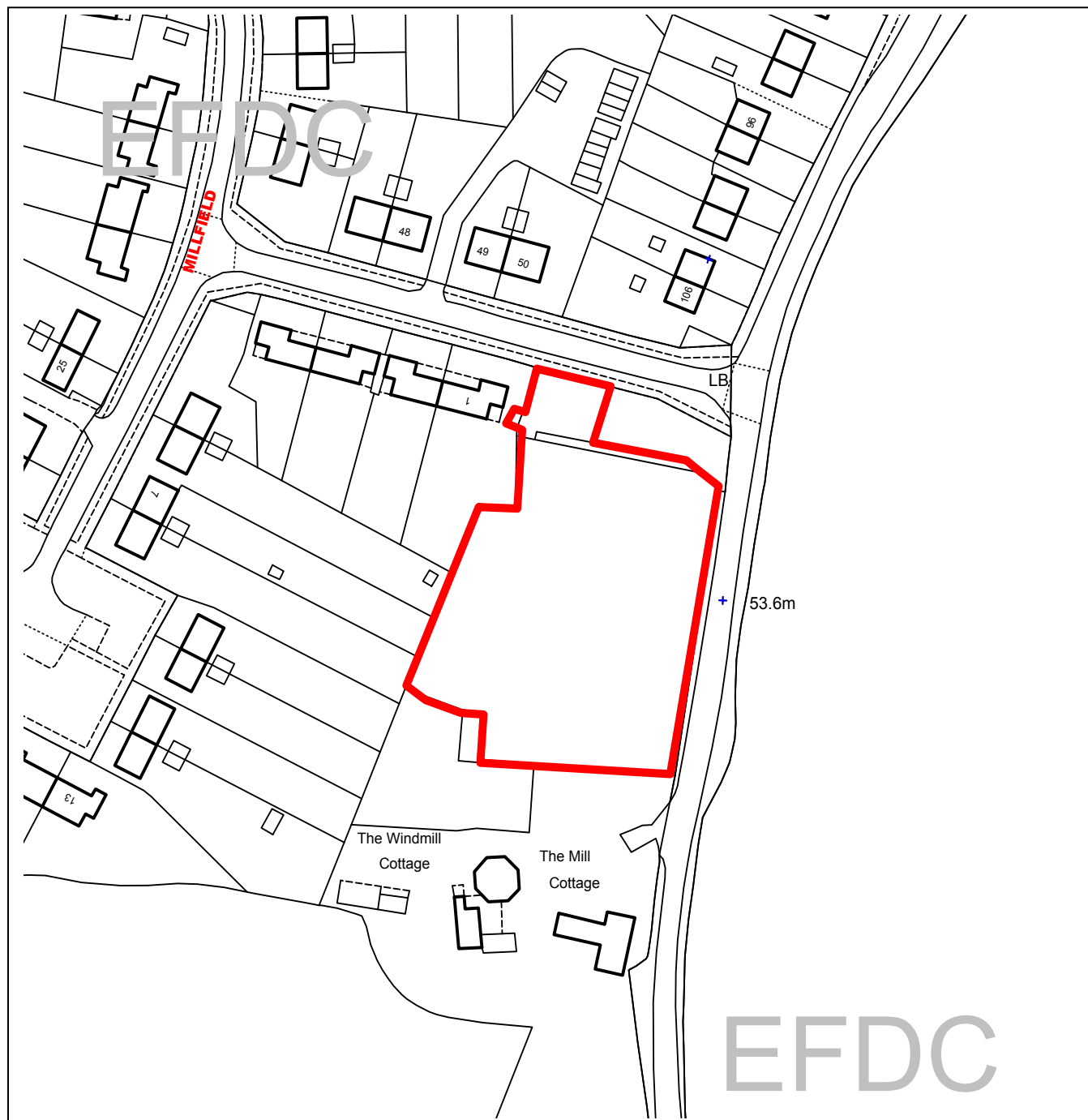
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Epping Forest District Council

Agenda Item Number 1



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Application Number:	EPF/1718/18
Site Name:	Land at corner of Mill Lane and Millfield, High Ongar, Essex
Scale of Plot:	1/1250

Report Item No: 1

APPLICATION No:	EPF/1718/18
SITE ADDRESS:	Land at corner of Mill Lane and Millfield High Ongar Essex
PARISH:	High Ongar
WARD:	High Ongar, Willingale and the Rodings
APPLICANT:	Mr D Sherrin
DESCRIPTION OF PROPOSAL:	Erection of 8 three bedroom houses including new access from Millfield, provision of parking spaces, amenity space and landscaping (revision to withdrawn application EPF/0403/17).
RECOMMENDED DECISION:	Grant Permission (Subject to Legal Agreement)

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=611134

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: 1780/13 rev E, 1780.14, 1780.15, 1780.16, 1780.17 rev A, 1780.18 and SK01
- 3 No development shall commence until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), shall have been submitted to and approved in writing by the local planning authority. If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the local planning authority. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 21 days of the report being completed and approved in writing by the local planning authority.

- 4 No preliminary ground works shall take place until a flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 5 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 1. The parking of vehicles of site operatives and visitors
 2. Loading and unloading of plant and materials
 3. Storage of plant and materials used in constructing the development
 4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 5. A programme for phased clearance of the site to avoid disturbance of any badgers which may be present. Should evidence of badger setts be identified during clearance, setts will be left undisturbed until it can be determined if the sett is active.
- 6 No ground works shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 7 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - Recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 8 Prior to commencement of the development the existing disabled bay adjacent to the proposed new access shall be relocated on Millfield, in a position agreed with the highway authority and local planning authority. Such works shall include, but shall not be limited to, siting within an appropriate distance of the users address and provision of any associated signing and lining as required.
- 9 No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority prior to such removal commencing.

- 10 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.
- 11 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 12 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed and utilised to clean vehicles immediately before leaving the site. Any mud or other material deposited on nearby roads as a result of the development shall be removed.
- 13 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 14 No construction works above ground level shall have taken 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, prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
- 15 Prior to any above ground works, full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) shall be 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.
- 16 Prior to first occupation of the development hereby approved, details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.

- 17 Prior to the installation of any equipment to facilitate the provision of external lighting within the development, details of all external lighting, demonstrating compliance with the Bats Conservation Trust guidance for external lighting shall be submitted to and approved by the Local Planning Authority. The works shall be implemented in accordance with the agreed details prior to first occupation of the dwellings hereby approved.
- 18 Prior to first occupation of the development, a scheme to enhance the ecological value of the site including, but not limited to provision of bird and bat boxes, infill planting to enhance hedgerows, planting of new hedgerows and some native wildflower planting shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved.
- 19 Prior to first occupation of the development, measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.
- 20 Prior to first occupation of the development hereby approved, 1 Electric Vehicle Charging Point for each dwelling that has a garage or allocated parking space and 1 Electric Vehicle Charging Point for every 10 properties that share unallocated parking shall be installed and retained thereafter for use by the occupants of the site.
- 21 Prior to the first occupation of the development the access arrangements, as shown in principle on drawing no.1780-13 Rev E, shall be fully implemented and shall include, but not limited to, the following:
 - Bellmouth access and appropriate radii;
 - Footway widened to 2m to the south of the site;
 - Provision of two dropped kerb crossing points and tactile paving;
 - Implement double yellow lines (parking restrictions), through a Traffic Regulation Order, approximately as shown on the plan with any associated signing and lining as required.
- 22 Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.
- 23 Following completion of the 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.
- 24 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.

- 25 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1 Classes A, B, E and F (other than in the case of Class F a single structure of not exceeding 10 square metres) shall be undertaken without the prior written permission of the Local Planning Authority.

And subject to the completion of a S106 Legal agreement to secure appropriate financial contributions for appropriate measures to mitigate potential impacts on air quality

This application is before this Committee since it is for a type of development that cannot be determined by Officers if more than five objections are received on grounds material to the planning merits of the proposal (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council).

Description of Site:

The application site lies on the south-western corner of the junction between Mill Lane and Millfield and comprises around 0.3ha site area. The site is vacant and generally overgrown, the application form refers to historic use as paddocks but no specific evidence of this has been identified. Similarly, no evidence of an existing point of access is visible.

The site lies on the edge of the Green Belt, the western site boundary and the road to the north currently forming the edge of the local plan designation. To the north and west, outside the Green Belt lies the established built area, comprising primarily two storey semi-detached houses. To the south, two dwellings lie immediately abutting the site boundary and there is a sparse ribbon of street front development beyond.

Two veteran trees the subject of Tree Preservation Orders lie on the western half of the site.

Description of Proposal:

Permission is sought for a residential development of 8 x 3 bed houses, comprising three pairs of semi-detached dwellings and two detached. The main ribbon of development lies in the centre of the site running north – south with one dwelling in the south west corner.

A new access to the site is proposed from Millfield, serving a total of 18 parking spaces, allocated two per dwelling and two for visitors. A turning head designed for service vehicles has been specified, the access road sited to ensure retention of the veteran trees on the site. There is no access from the site onto Mill Lane, and the hedgerow along this boundary is retained in full.

Submitted elevations indicate a mix of brick and render walls and tiled roofs. All dwellings have private gardens of a minimum of around 55 sq.m.

Relevant History:

- EPF/0724/01 Outline application for six houses with access from Mill Lane. Refused – impact on Green Belt, affordable housing issues inadequate sight lines for vehicle access points and insufficient parking.
- EPF/2475/10 Formation of vehicle access from Mill Lane (in south east corner of site). Refused – inadequate visibility splays on land within the applicants control.

EPF/0403/17 Erection of 8, three bedroom house. Application withdrawn.

Policies Applied:

Adopted Local Plan:

CP1	Achieving sustainable development objectives
CP2	Protecting the quality of the rural and built environment
CP3	New development
GB2A	Development in the Green Belt
GB7A	Conspicuous development
NC1	SPA's, SAC's and SSSI's
NC4	Protection of established habitat
RP4	Contaminated land
U3B	Sustainable drainage systems
DBE1	Design of new buildings
DBE2	Effect on neighbouring properties
DBE4	Design in the Green Belt
DBE5	Design and layout of new development
DBE6	Car parking in new development
DBE8	Private amenity space
DBE9	Loss of amenity
LL10	Adequacy of provision for landscape retention
ST1	Location of development
ST2	Accessibility of development
ST4	Road safety
ST6	Vehicle parking

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

NPPF:

The Revised National Planning Policy Framework (NPPF) (July 2018) states at paragraph 213 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 Local Plan Submission Version 2017 was submitted for independent examination in September 2018. Accordingly, it can be endorsed as a material consideration to be used in the determination of planning applications and be given appropriate weight in accordance with paragraph 48 of the NPPF.

Paragraph 48 provides that decision-takers may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

In general terms it is considered that the Submission Version of the Plan is at an advanced stage of preparation and the policies are considered to be consistent with the NPPF. As regards unresolved objections, some policies within the Submission Version have more unresolved objections than others. All of these factors have been taken into consideration in arriving at the weight accorded to each of the relevant policies in the context of the proposed development listed below:

SP1	Presumption in favour of sustainable development
SP2	Spatial Development Strategy 2011-33
SP6	Green Belt and District Open Land
SP7	The Natural Environment, Landscape Character, and Green and Blue Infrastructure
T1	Sustainable transport choices
T2	Safeguarding of routes and facilities
DM1	Habitat protection and improving biodiversity
DM2	Epping Forest SAC and the Lee Valley SPA
DM3	Landscape Character, Ancient Landscapes and geodiversity
DM4	Green Belt
DM9	High Quality Design
DM10	Housing design and quality
DM15	Managing and reducing flood risk
DM16	Sustainable drainage systems
DM19	Sustainable water use
DM21	Local environmental impacts, pollution and land contamination
DM22	Air quality
P12	Site selection Coopersale, Fyfield, High Ongar, Lower Sheering, Moreton, Sheering and Stapleford Abbots
App 6	Site Specific Requirements, site HONG.R1 – the site is identified in the Submission Version Local Plan for residential development

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 77

Site Notice Posted

Responses received: Objections have been received from residents at seven local properties – 9, 11, 13 and 23 MILLFIELD, and MILL COTTAGE, WINDMILL COTTAGE and 76, MILL LANE.

Objectors raise the following issues:

- Parking and traffic matters – all objections refer to these issues. Residents in Millfield in particular raise issues around the existing parking stress in the area due to limited on-street parking. One resident has supplied correspondence with the area housing team in respect of a review of parking capacity in the area which has been ongoing. Objectors also comment on the suitability of the proposed site entrance for service vehicles and implications for the Millfield / Mill Lane junction from increased traffic. One resident suggests if development were to be acceptable, access should be taken from Mill Lane.
- Green Belt issues, and local plan allocation – a number of residents consider the application should be refused on Green Belt grounds. One resident highlights the site allocation and considers the application premature until the plan has been through its full process.
- Intensity of development – comments refer to the development being cramped and of a high density, and detracting from the general character of the area.
- Impact on residential amenity – specifically, concerns are raised at the more direct impact

of the development on the immediate surrounding occupiers. Issues raised include loss of outlook and open views, and impact from overlooking, loss of privacy and noise and disturbance.

- Impact on existing trees on the site – Concerns are raised at the preserved trees and whether the development can proceed without damage thereto.
- Site boundaries – one objector suggests the application misrepresents the extent of the developable area of the site, which may affect the deliverability of the scheme.
- Impact on local infrastructure – while not material to the application, residents comment on the impact on the local primary school, drainage and water infrastructure.

PARISH COUNCIL: High Ongar Parish Council have objected to the application as under:

Object on grounds of insufficient parking provision and difficulty of access and overdevelopment of the site. This will exacerbate the existing parking provision in the immediate area.

Main Issues and Considerations:

Development principles

In accordance with the existing Local Plan allocation, the site has to be considered as being located within the Green Belt. In this context, the issues are relatively clear – a proposal for new residential development would be inappropriate and would have an adverse impact on openness and character.

However, the site is identified in the Local Plan Submission Version as a residential development site with capacity for up to 10 dwellings. This recognises that in the local context, it is considered appropriate to remove the site from the Green Belt.

The context of an LPSV that is altering Green Belt boundaries and allocating land for a significant number of new homes to meet identified future housing requirements is critical to the circumstances with respect to five year housing land supply.

Based on the Council's Housing Implementation Strategy 2017 (EB410) and the Housing Trajectory (LPSV Appendix 5), the plan will deliver a five-year housing land supply throughout the period of operation and secure a 5.3 year supply for the five year period between 2017/18 and 2021/22. This takes into account sites which already have planning permission and the allocations included in the LPSV. The delivery rate is expected to further accelerate from 2022 onward. By the end of the Plan period at 2033, a minimum of 13,152 homes is anticipated to have been delivered through the Local Plan, exceeding the identified requirement of 11,400. Progress on developing masterplans for strategic sites demonstrates that the proposed allocations in the LPSV are indeed deliverable.

The broader allocation under Policy P12 in the LPSV has been subject to objection, but the policy should be given some weight as the Council's spatial strategy and site selection process is supported by its evidence base and in line with national policy.

The site allocation recognises the constraints imposed by the protected trees and recognises the need to retain these. The absence of a vehicle access on to the site is recognised, as is the need for such access to be provided from Millfield. Further, an emphasis is placed on the need for a new defensible Green Belt boundary to be identified to the southern site boundary.

Paragraph 48 of the NPPF makes clear that policies at an advanced stage in the adoption process, and consistent with the NPPF, can be given greater weight. The delivery of allocated sites in the LPSV are critical to the delivery of an ongoing five year supply of housing land. Thus, officers conclude more weight should be given in the specific circumstances of this proposal to the

emerging plan and the application should be determined on the site specific issues, not on its current setting within the Green Belt. In policy terms therefore the development of the site for residential purposes is acceptable.

Highways and traffic issues

The highway issues are relatively clear. Access to the site from Mill Lane would not be practical or desirable – to achieve necessary sight lines would involve the removal of a large section of the existing hedgerow which is undesirable in visual amenity terms, notwithstanding any safety issues around the faster general traffic speed on Mill Lane compared to Millfield and the lack of a pedestrian footway at this location.

The proposed access meets highway authority visibility and geometry requirements, being set sufficiently clear of the junction to allow safe access and egress. The Highway Authority are also satisfied that vehicle generation from the development will not be detrimental to highway safety, capacity or efficiency at this location.

Some highway works are required. A disabled parking space has been installed immediately opposite the proposed site entrance and will need to be relocated, this matter can however be adequately dealt with by the highway authority and supported by condition. Parking restrictions immediately outside the site entrance will need to be introduced to ensure the access is free from obstruction. New pedestrian crossing points are proposed with dropped kerbs and tactile paving to assist residents from the development and beyond where currently none exist.

In considering the issues raised in consultation in respect of local parking stress, weight must be given to the fact that the proposals provide the required level of parking on site, including the required number of visitor spaces. The developer cannot be expected to take responsibility for existing parking issues and the proposals meet their obligations fully.

Design considerations

There are a number of constraints which have materially affected the proposals, and have no doubt contributed to the proposal delivering only 8 dwellings compared to the 10 identified in the LPSV. Existing hedgerows along the southern and eastern site boundary perform a function in establishing a defensible edge to the Green Belt boundary, as well as performing an important visual and ecological function in the wider context. The retention of the existing trees on the west side of the site affects the route of any access. These factors combine to limit the developable area and create the linear form of the main parts of the development. The buildings lie off the Mill Lane frontage in a position that reflects the general siting of buildings to the north, and ensuring the appearance does not dominate the road frontages. The scale and intensity of development therefore recognises the site constraints and is considered appropriate to the location.

The buildings themselves raise few issues, in terms of their finish, form and bulk they can be considered conventional and consistent with the wider vernacular. Internally, the proposals are consistent with national housing standards. Frontages include adequate softening through landscaping to soften the overall appearance. The built form is therefore acceptable.

Impact on neighbours

The overall level of development proposed is in fact relatively low. Measured against density standards in the existing Local Plan, the proposal would achieve only 25 dwellings per hectare and would be considered under developed. In such a context, officers suggest that the impact on neighbouring occupiers from general noise and activity would be limited.

Properties to the south, Mill Cottage and Windmill Cottage sit in an visibly elevated position above the development site, and lie a minimum of 20 metres from the common boundary. Separation distances to the west and greater, no. 1 Millfield the adjacent dwelling to the entrance is comfortably beyond 20 metres and houses due west have long rear gardens. To the north side of Millfield, the flank wall of the adjacent property fronts the side road, and the site.

A low intensity development, well sited in relation to its surroundings could not therefore be considered unduly intrusive to the locality.

Other matters

Officers are satisfied that the application proposals have been developed with due regard to the trees and shrubs on the site that it is desirous to protect. The siting of the access road and the buildings also allows these features to be safeguarded during construction.

In view of the suggested historic use of the site for horse paddocks and in the local area suggest there is a risk of contamination that warrants further investigation, particularly as residential uses are considered vulnerable to the presence of contaminants. These matters can however be adequately dealt with by condition.

A preliminary ecology study accompanies the application and identifies the possibility of badger activity, nesting birds and the presence of bats. Such evidence does not preclude development but does require particular safeguards in the context of current and future wildlife activity through the use of appropriate conditions.

The proposal results in additional vehicle activity and in accordance with policy DM22, it is appropriate that the developer makes a contribution to a programme of air quality monitoring. The developer has indicated they will enter into a legal agreement to secure this.

The site has been considered in the context of the Epping Forest SAC and policy DM2 in that regard and lies outside the 6.2km zone where recreational use of the SAC may be impacted.

The development is of a size where it is necessary to avoid generating additional runoff and the opportunity of new development should be taken to improve existing surface water run-off. These matters can be dealt with through conditions, in respect of a flood risk assessment and appropriate drainage measures.

Conclusion:

The allocation of the site in the Local Plan Submission Version should carry significant weight in the determination of the application. This is fully supported by the evidence base for the plan. Notwithstanding the current stage in the examination and adoption process, officers consider there is sufficient certainty as a result that the application could not be viewed as premature. It therefore follows that comments in respect of the location of the site within the Green Belt in the current local plan should attract little or no weight.

The site specific considerations suggest this is a low intensity scheme that responds well to the identified site constraints. Veteran and preserved trees are retained along with hedgerows which perform an important screening and ecological function. The siting of the buildings within the site provides separation from the road frontages and from surrounding buildings such that the proposals could not be considered intrusive to the street scene or neighbour amenity. Habitable areas are designed to minimise direct overlooking.

It is evident from the representations that wider vehicle related issues are important to local residents. However, there is little to support the suggestion that the proposal could be considered

as causing further impact. Parking provision is policy compliant, the site access meets highway design criteria and is safely located. The minor alterations to parking controls for the access road are acceptable to the highway authority, and the introduction of a new crossing point is of benefit to pedestrians the wider context.

Therefore, taking account of all material considerations, 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 3pm on the Monday preceding the meeting at the latest:

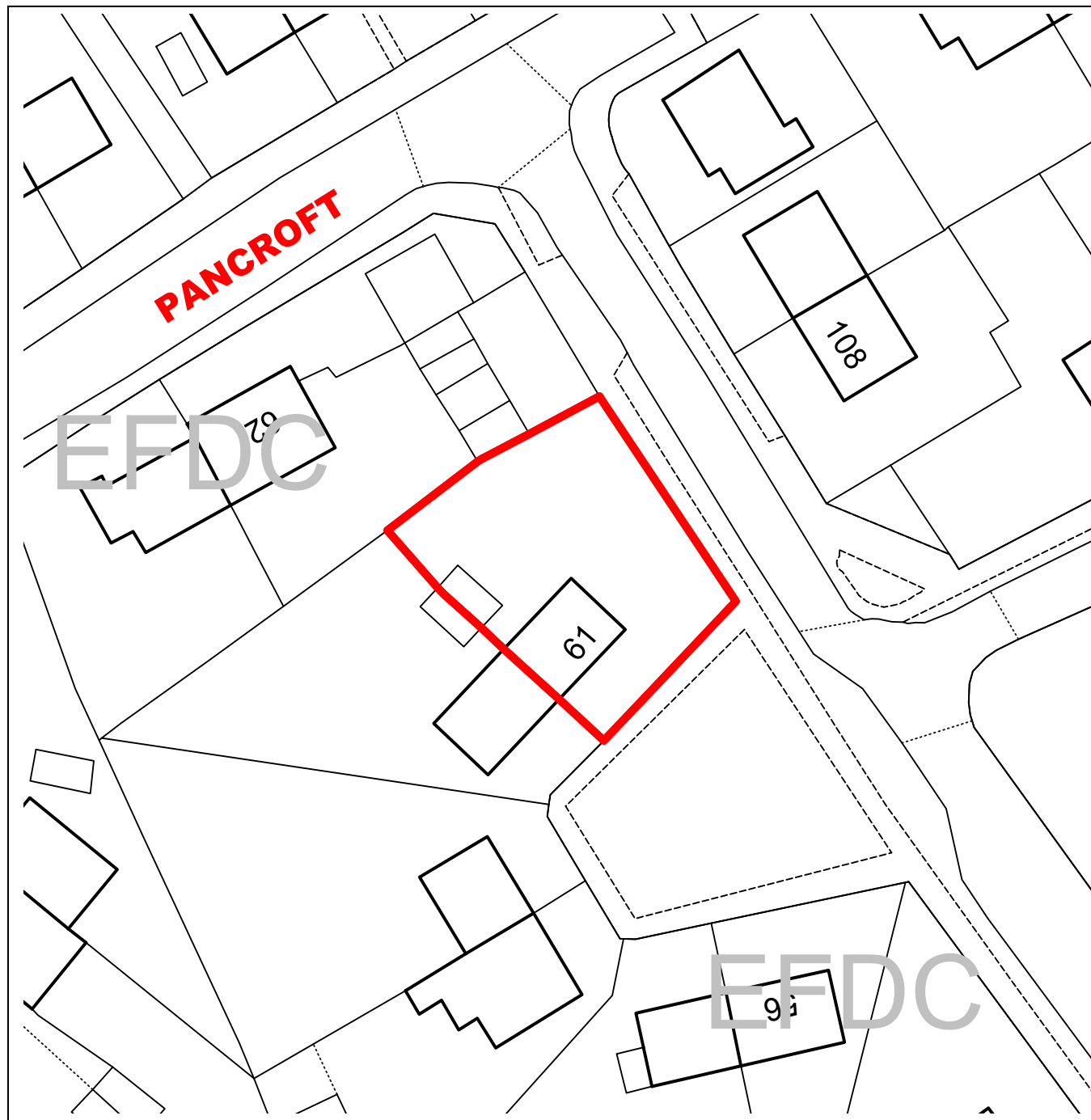
***Planning Application Case Officer: Ian Ansell
Direct Line Telephone Number: 01992 564481***

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



Epping Forest District Council

Agenda Item Number 2



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Application Number:	EPF/2060/18
Site Name:	61 Pancroft, Lambourne, Romford, RM4 1BX
Scale of Plot:	1:500

Report Item No: 2

APPLICATION No:	EPF/2060/18
SITE ADDRESS:	61 Pancroft Lambourne Essex RM4 1BX
PARISH:	Lambourne
WARD:	Lambourne
APPLICANT:	Mr Martin Aarons
DESCRIPTION OF PROPOSAL:	Erection of one no. new two storey attached dwelling house.
RECOMMENDED DECISION:	Grant Permission (Subject to Legal Agreement)

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=612655

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: 001, 002, 100, 101, 102, 103, 104, 105, 106
- 3 Prior to any above ground works, details of the proposed landscaping of the site, including retention of trees and other natural features and the proposed times of planting (linked to the development schedule), shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping shall be carried out in accordance with the approved details and at the agreed times.
- 4 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 (staff) and visitors vehicles.
- 5 Prior to first occupation of the development hereby approved, 1 Electric Vehicle Charging Point for each dwelling that has a garage or allocated parking space and 1 Electric Vehicle Charging Point for every 10 properties that share unallocated parking shall be installed and retained thereafter for use by the occupants of the site.
- 6 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

- 7 Prior to first occupation of the development, measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.
- 8 Prior to first occupation of the development, a scheme to enhance the ecological value of the site shall be submitted to and agreed in writing by the Local Planning Authority. The ecological value shall be quantified using the Biodiversity Impact Assessment Calculator (BIAC) where appropriate. The scheme shall be implemented in full prior to the occupation of the development hereby approved.

And subject to the applicant first entering into a legal agreement under section 106 to provide an appropriate contribution towards mitigation of any possible adverse impact on the Epping Forest Special Area of Conservation with regard to air quality.

This application is before this Committee since it is for a type of development that cannot be determined by Officers if more than five objections are received (or in cases where less than 5 were consulted, a majority of those consulted object) on grounds material to the planning merits of the proposal (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council).

Description of Site:

The application site consists of a two storey-semi-detached dwelling within a generous corner plot. The site makes up part of a crescent of three pairs of semi-detached houses located around a small green set back slightly from the road Pancroft. A block of garages used by surrounding dwellings is located to the rear of the garden, with a dropped kerb and access onto Pancroft.

Pancroft is characterised by rows of mid twentieth century terraced dwellings and is located within the village of Abridge and is not within a conservation area or the Metropolitan Green Belt.

Description of Proposal:

The proposal is to erect a two storey; three bedroomed dwelling which would form a terrace with numbers 61 and 63 Pancroft. Two parking spaces would be provided to the rear of the site.

Relevant History:

EPF/0713/15 - Detached 2 bedroom house. With 1 parking space – Refused for the following reasons:

1. The proposed development fails to make adequate provision for parking for the proposed dwelling contrary to the aims and objectives of policy ST6 of the Adopted Local Plan and Alterations and the aims and objectives of the NPPF.
2. By reason of its incongruous siting, scale and design the proposed detached dwelling would result in an uncharacteristic development that would form a poor contrast with the prevailing pattern of development. It would not respect the character and appearance of the locality and consequently would be harmful to it, contrary to policies CP1, CP2(iv), CP7 and DBE1 of the Adopted Local Plan and Alterations and the aims and objectives of the NPPF.

At that time the Parish Council raised no objection to the proposal.

The possible way forward suggested in the officer's report stated:

“ An attached property may be more in keeping with the surrounding area, following the design of the host property. Additional parking should also be provided to meet Essex County Council’s Parking Standards.”

Policies Applied:

Adopted Local Plan:

CP1	Achieving sustainable development objectives
CP2	Quality of Rural and Built Environment
CP3	New development
CP7	Urban Form and Quality
CP9	Sustainable Transport
H3A	Housing Density
H4A	Dwelling Mix
DBE1	Design of new buildings
DBE2	Effect on neighbouring properties
DBE6	Car parking in new development
DBE8	Private Amenity Space
DBE9	Loss of Amenity
ST1	Location of development
ST2	Accessibility of development
ST4	Road safety
ST6	Vehicle parking
NC1	SPA’s, SAC’s and SSSI’s

The National Planning Policy Framework

The National Planning Policy Framework (NPPF) has been adopted as national policy since July 2018. Paragraph 213 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:

On 14 December 2017, full Council resolved that the Epping Forest Local Plan Submission Version 2017 be endorsed as a material consideration to be used in the determination of planning applications and be given appropriate weight in accordance with paragraph 48 of the NPPF. The plan has now been submitted to the Planning Inspectorate.

Paragraph 48 of the NPPF provides that decision-takers may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

In general terms it is considered that the Submission Version of the Plan is at an advanced stage of preparation and the policies are considered to be consistent with the NPPF. As regards unresolved objections, some policies within the Submission Version have more unresolved objections than others. These factors have been taken into consideration in arriving at the weight accorded to each of the relevant policies in the context of the proposed development listed below:

The following policies are relevant:

SP1	Presumption in favour of sustainable development
SP2	Spatial Development Strategy
SP4	Place Shaping
SP6	Natural Environment, landscape character and green infrastructure
H1	Housing mix and accommodation types
T1	Sustainable Transport Choices
DM1	Habitat protection and improving biodiversity
DM2	Landscape character and ancient landscapes
DM9	High Quality Design
DM10	Housing design and quality
DM15	Managing and reducing flood risk
DM16	Sustainable drainage systems
DM21	Local environmental impacts, pollution and land contamination
DM22	Air quality

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 10

Responses received: 10 OBJECTIONS RECEIVED

31, 32, 33, 34, 56, 57, 59, 60, 62 and 109 PANCROFT – Summarised as:

Concerns around impact on the character of Pancroft, design, neighbouring amenity, highway safety, loss of property value and issues surrounding potential disruption caused by the construction works.

PARISH COUNCIL: The Council OBJECTS to the planning application because the estate was built with open spaces and it is felt that this should be kept with the open spaces as first built. It will also ruin the symmetry of the close and damage the street scene. It is also felt that it may set a precedent for other developments on the estate

Main Issues and Considerations:

Principle of development

The application site is located within the built up area of Abridge. Abridge is a well established settlement with a number of services. It is considered to be a sustainable and appropriate location for additional residential development in principle.

Design and Character of the surrounding area.

The proposal has been carefully designed to match the host dwellings and the surrounding terraced houses. The spacing and location of the proposed fenestration and materials matches that of the existing pair of houses and would create an appearance identical to the that of the surrounding terraced properties along Pancroft and would prevent the development from unbalancing the existing street scene. The appearance of the proposal from the eastern elevation

would not appear dissimilar to that of a side extension to the host dwelling, with a canopy to match that of the existing property.

Whilst it is accepted that currently there are three pairs of semi detached properties around the green and that this proposal will change that symmetry, the green itself remains unchanged and given the careful design and siting the proposal would still maintain the overall distinctive character of the area. The proposal references local design features and the character of Pancroft which is made up of a majority of terraced housing

The previous application on the site which was for a detached dwelling was considered to be out of character as there are no detached properties in the locality and the design was inappropriate it is considered that these issues have been addressed.

Neighbouring Amenity and Amenity of Future Occupants

The proposed dwelling would not project past the principle or rear elevation of the host dwelling, no. 61 Pancroft and due to its limited scale and appropriate siting would not appear overbearing or cause any significant overlooking of the host dwelling. The proposed dwelling would be set in excess of 25 metres of the rear windows of the closest neighbouring property to the rear and is well separated from dwellings to the north by the existing garage block.

The host dwelling has a large garden of some 300 square metres at present. The proposal would reduce the host dwellings garden to approximately 100 square metres, however this is still considered ample in relation to the size of the dwelling. The proposed dwelling would be served by a garden with an area of some 130 square metres, providing a high standard of amenity space for future occupants.

In addition the proposed dwelling would have a floor area of approximately 94 square meetings, meeting the Nationally Prescribed Space Standards set out in policy DM 10 of the Submission Version Local Plan (2017), providing a good quality of accommodation for future occupants of the proposed dwelling.

Highways and traffic

At present the host dwelling has no designated off street parking. The proposal would create two 'tandem' style parking spaces to the rear of the proposed dwelling, for that new dwelling, in accordance with current parking standards. This would limit any strain on 'on-street' parking in Pancroft. Whilst the host dwelling has a licence to access the rear garden to store a caravan, the property has no formal off street parking and therefore no parking provision will be lost. Therefore it is considered that the proposal would not cause any significant harm such as to warrant refusal on highway grounds.

Whilst neighbouring properties have concerns about the impact of construction works on parking provision within Pancroft, this is not a material planning consideration, however hours of construction will be restricted by condition in order to minimise any disturbance to neighbouring amenity when works take place.

Epping Forest Special Area of Conservation

As set out in Policy DM 2 and DM 22 of the emerging Local Plan, issues have been identified with respect to the effect of development on the integrity of the Epping Forest Special Area of Conservation (SAC) from local air quality issues within and adjacent to the SAC. The Council is continuing to develop with partners a strategy to monitor air quality. This will include measures to be funded through the securing of financial contributions from new development in accordance with the relevant policies above. Notwithstanding the fact that this work is yet to be completed the

agent has confirmed willingness to enter into a S106 agreement to provide the appropriate contributions if required.

Other matters

Objections have raised concerns that the proposal may cause a loss of value to no. 60 Pancroft. Property value cannot be taken as a material consideration within planning applications and therefore cannot be considered.

Conclusion:

The development would be a sustainable form of residential development and the design and layout of the proposal overcomes the previous reasons for refusal and follows the advice of officers. It maintains the distinctive character of the area and will not adversely impact on neighbouring amenity. Adequate car parking space would be provided in accordance with adopted standards.

In light of the above appraisal, it is considered that subject to the imposition of the planning conditions suggested and subject to a Section 106 obligation in regard to the Epping Forest SAC contribution, the development would comply with the adopted Policies of the Local Plan and the Emerging Policies in the Submitted Local Plan 2017, as such the application is recommended for approval.

All other relevant policies and considerations, including equalities have been taken into account. Consequently, the proposed development 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 564 380

or if no direct contact can be made please email:

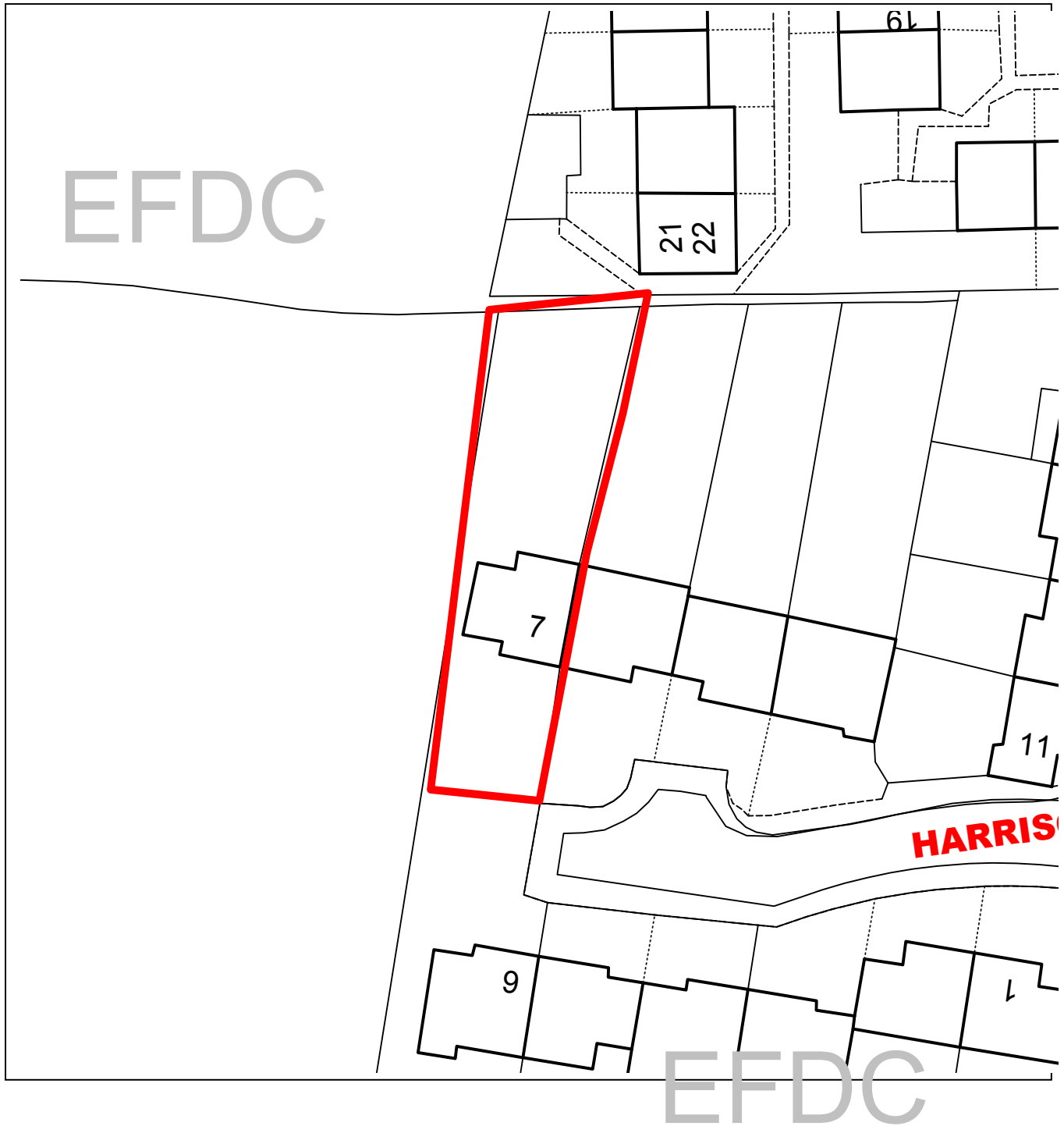
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Epping Forest District Council

Agenda Item Number 3



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Application Number:	EPF/2146/18
Site Name:	7 Harrison Drive, North Weald, Epping, Essex, CM16 6JD
Scale of Plot:	1:500

Report Item No: 3

APPLICATION No:	EPF/2146/18
SITE ADDRESS:	7 Harrison Drive North Weald Epping Essex CM16 6JD
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	Mr G Wilson
DESCRIPTION OF PROPOSAL:	Two storey side and single storey rear extension.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=613038

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Site Location Plan; 1673/P/15 Rev C; 1673/P/11 Rev A; 1673/P/12 Rev; 1673/P/13 Rev E; 1673/P/14 Rev C
- 2 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 3 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 4 An assessment of flood risk, focussing on surface water drainage, shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS). The development shall be carried out and maintained in accordance with the approved details.

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, and the Local Council confirms it intends to attend and speak at the meeting where the application will be considered (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council)).

Description of Site:

No. 7 is a 2- storey 3 - bed hip roof semi detached dwellinghouse located to the north of Harrison Drive at the head of a residential cul de sac within the settlement of North Weald. The property has a detached side garage with two front car spaces.

Proposal:

This application seeks consent to remove the existing garage and erect a:

- 2 storey side extension sited 1.15m of the west boundary measuring a width of 4.4m, a depth of 8.0m on the ground floor with the first floor set back 0.5m from the front main building line of the property with a gable roof set down 0.2m from the main ridge.
- A single storey rear extension forming the width of the existing dwellinghouse and the proposed 2- storey side extension measuring a depth of 3.3m, built up to the east boundary at a height of 3.5m lowering to an eaves height of 2.3m. (the parapet wall on the shared boundary with no. 8 has a height of 3.6m lowering to a height of 3.0m).

The alterations from the previously refused application is the reduction in the width of the 2- storey side extension from 5.2m to 4.43m

The west elevation is set in 1.16m from the west boundary from the previous gap of 0.3m.

The windows to the front elevation of the side extension have been amended.

Policies Applied:

The National Planning Policy Framework

The National Planning Policy Framework (NPPF) has been adopted as national policy since July 2018. Paragraph 213 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 Local Plan and Alterations (1998/2006)

CP1- Achieving sustainable development objectives

CP3 - New Development

RP5a - Environment Impacts

DBE1 - Design of New Building

DBE2 - Impact on Neighbouring Properties

DBE3 - Design in Urban Areas

DBE9 - Loss of Amenity

DBE10 - Residential Extensions

LL10- Adequacy of provision for landscape retention

LL11 – Landscape Schemes

ST4 - Road Safety

ST6 - Vehicle Parking

Epping Forest District Local Plan (Submission Version) 2017

On 14 December 2017, full Council resolved that the Epping Forest Local Plan Submission Version 2017 be endorsed as a material consideration to be used in the determination of planning applications and be given appropriate weight in accordance with paragraph 48 of the NPPF.

Paragraph 48 of the NPPF provides that decision-takers may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

In general terms it is considered that the Submission Version of the Plan is at its advanced stage of preparation and the policies are considered to be consistent with the NPPF. As regards unresolved objections, some policies within the Submission Version have more unresolved objections than others. All of these factors have been taken into consideration in arriving at the weight accorded to each of the relevant policies in the context of the proposed development listed below:

SP1 - Presumption in favour of sustainable development
 DM3 - Landscape Character, Ancient Landscapes and Geodiversity
 DM5 - Green and Blue Infrastructure
 DM9 - High Quality Design
 DM10 - Housing Design and Quality

Relevant History:

EPF/1383/18 - Two storey side and single storey rear extension - Refused 12/07/2018 for the following reasons;

- 1. The proposed 2 storey side extension by reason of its excessive width, design and form would not be subordinate to the existing dwellinghouse and constitute an unsympathetic and disproportionate addition that would fail to achieve a satisfactory standard of design contrary to policy DBE3 and DBE10 of the Epping Forest Local Plan and Alterations policies (1998-2006).*
- 2. Inadequate information has been submitted in respect of the impact of the proposed works and developments on the green barrier hedgerow along the western side boundary and as such the local Planning Authority is therefore unable to properly assess its impact. In the absence of detailed information it is considered that the proposed development would result in a detrimental impact on the character of the locality contrary to policies LL10 of the adopted Local Plan and Alterations (1998-2006) and the Submission Version) 2017*

EPF/1414/17 - Demolition of existing garage and erection of a 3- bed dwellinghouse - Refused 06/09/2017 by Plans Sub Committee East following a site visit, for the following reason:

'The proposed new dwellinghouse by reason of its position and cramped appearance would have a detrimental impact on the green barrier along its western side boundary and result in a terrace of houses out of keeping with the rest of this part of Harrison Drive, detrimental to the character of the locality, contrary to policies CP2 (iv), DBE1 and LL10 of the adopted Local Plan and Alterations.'

Representations:

PARISH COUNCIL - Object to the application on the grounds of over development, bulk and massing. Concern that the flat roof is detrimental to the amenities to the adjacent resident, concern at damage to the adjacent hedgerow. The Parish Council would wish to speak at the Area Committee, if this application is placed in front of Committee members.

5 neighbouring properties were consulted

One representation has been received .

8 HARRISON DRIVE - Harrison Drive consists of 14 dwellings arranged in seven pairs of semidetached houses in a cul de sac near the centre of North Weald.

One of the houses (No. 6) has been extended by building above the garage and the other by demolishing the garage and replacing it with a side extension (No.11). Both these extensions occupy the same footprint as the original buildings on the site.

This extension proposed at No. 7 is considerably larger than the others and seeks to almost touch the boundary hedge at the side and extend to the rear across the whole property and would clearly not provide any space for excavation or construction work or subsequent maintenance without damage to the foliage and the roots of the hedge.

Regrettably, although the applicant acknowledges the presence of trees and hedges on the site no arboriculture details are submitted and there is no detail as to how the boundary hedge will be protected.

Finally, the block plan shows the extent of the proposal coloured blue which exceeds the original footprint by a sizeable margin and if completed in its proposed form would dwarf the house next door and all others in Harrison Drive and is out of proportion and over development of the site.

Issues and Consideration:

The current application has been amended since the previous refusal in order to overcome the reasons for refusal. The alterations from the previously refused application include the reduction in the width of the 2- storey side extension from 5.2m to 4.43m which widens the gap to the side boundary from 0.3m to 1.16m. In addition the windows to the front elevation of the extension have been amended.

Design

There is no objection to the removal of the existing garage. Two car spaces can be provided on the front forecourt of the property which is sufficient to meet current standards..

Two storey side extensions should be designed to respect the character, form and size of the original dwellinghouse and garden. In this respect, the proposed side extension has been reduced in width from the previous refused application. The width of the extension at 4.4m set in 1.15m from the north boundary is considered of a scale and form that is subservient and proportionate with a subordinate roof design to the main dwellinghouse. Whilst therefore the width of the dwelling increases, the extension reads as an extension and does not adversely impact on the character of the property and the surrounding area. The reduction in width satisfactorily overcomes the first reason for refusal.

Impact on amenity

The adjoining semi-detached dwelling at no. 8 has an existing single storey 4.0m rear extension and the proposed rear extension at a depth of 3.3m and a maximum height of 3.3m is not considered to result in any significant amenity implications in the form of a loss of light or outlook, privacy or intrusive impact presently enjoyed by the occupiers of the adjoining properties. Furthermore, amenity did not form a reason for refusal on the previous application.

Impact on the hedgerow

The second reason for refusal on the previous application referred to the close proximity of the extension to the west boundary hedgerow. The hedgerow is on adjacent farmland separated from the site by a ditch and is not protected and not within the applicants control but is considered to provide a good boundary with the adjacent Green Belt land. As the gap to the side boundary has now increased from 0.3m to 1.15m, the development is considered of a distance that would prevent any detriment to the hedgerow complying with policy LL10 of the adopted Local Plan and

Alterations (1998-2006) and the Submission Version) 2017. Given the distance and the nature of the hedgerow the tree and Landscape Officer does not consider that there was a need for a detailed survey to be submitted and is satisfied that the hedgerow will not be adversely impacted. The second reason for refusal is therefore been overcome.

Other issues

The Council's engineering Drainage and Water Team has advised that the development is of a size that it is necessary to ensure that there is no increased runoff and have requested a suitable flood risk assessment condition be attached. In addition the development is within 8 metres of a watercourse, therefore land drainage consent will be required and an informative can be added to this effect.

Conclusion:

In summary, it is considered that the proposed development overcomes the previous reasons for refusal.

Adequate gap to the side boundary is maintained such that the hedgerow will not be impacted. The rear extension is less deep than that on the attached property number 8 and therefore there will be no harm to the living conditions of that neighbour. Adequate amenity space and parking space is maintained and the development would respect the character and appearance of the dwelling to be extended and the street scene. The proposal would therefore comply with the relevant policies set out above 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 564 380

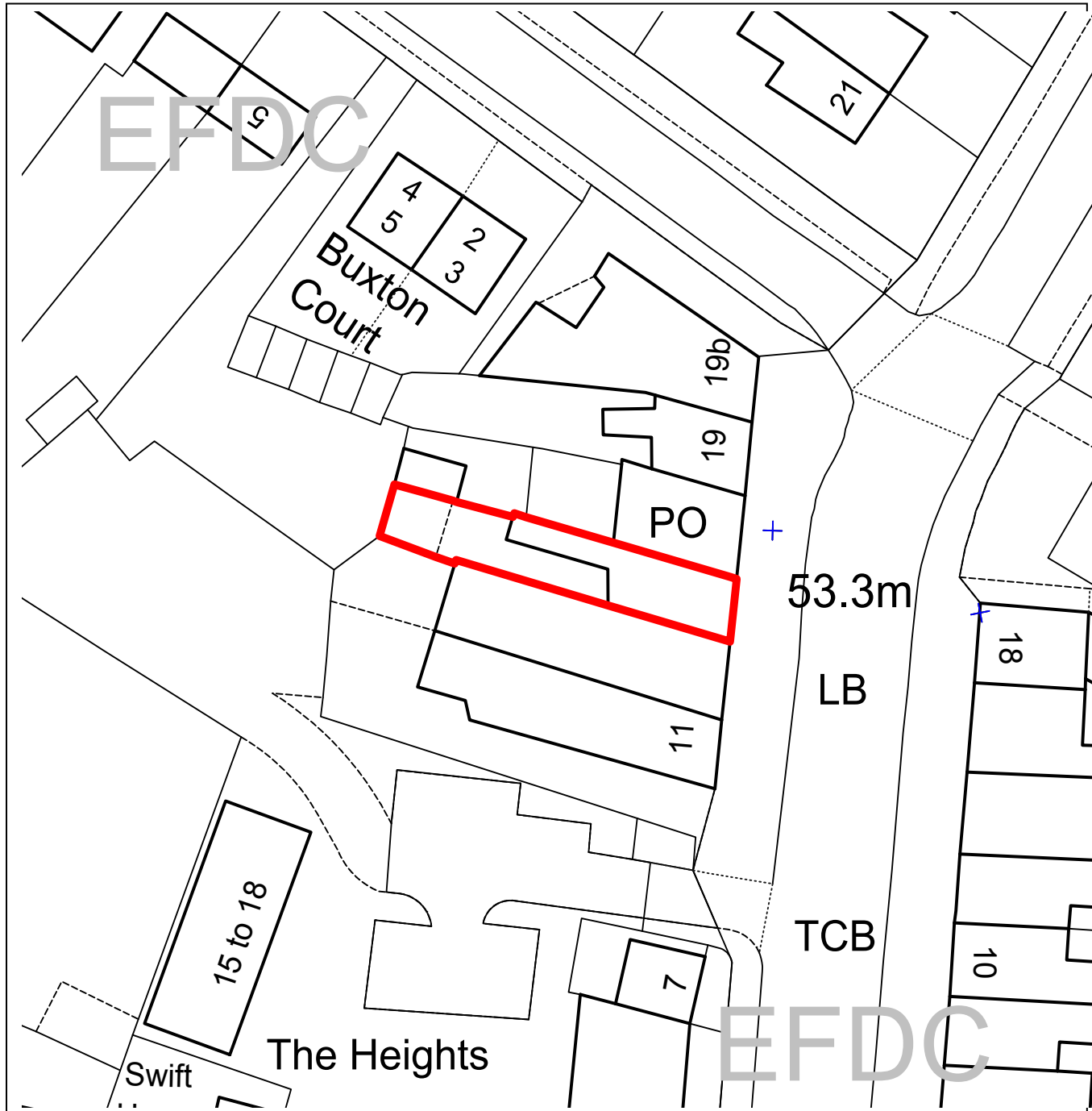
or if no direct contact can be made please email:

contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Agenda Item Number 4



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Application Number:	EPF/2228/18
Site Name:	15 Forest Drive, Theydon Bois, Epping, CM16 7EX
Scale of Plot:	1:500

Report Item No: 4

APPLICATION No:	EPF/2228/18
SITE ADDRESS:	15 Forest Drive Theydon Bois Epping Essex CM16 7EX
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr Mustafa Osman
DESCRIPTION OF PROPOSAL:	Retain raised enclosed platform on the shop forecourt.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=613474

CONDITIONS

- 1 The illumination level of the 4 low level lighting columns proposed shall not at any time exceed 25 watts or equivalent and no other lighting of any kind shall be installed on the raised platform or its balustrade or any other part of the property forward of the shopfront without the prior written approval of the local planning authority.
- 2 The raised platform enclosed by a balustrade shall only be used during the hours that the premises are open to the public. No table, chair, umbrella or other item associated with the raised platform shall remain in the area of the raised platform other than during opening hours.

This application is before this Committee since the recommendation is for approval contrary to an objection from a Local Council and at least one non-councillor resident, on planning grounds material to the application (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council)).

Description of Site:

The application property is a hot food takeaway, currently a fish and chip shop, within a commercial parade in Theydon Bois, on the western side of Forest Drive. There is a flat above the ground floor unit.

The site is designated as part of a Shopping Parade in the Local Plan 1998 Proposals Map (Inset Map 10).

The property is not listed or in a conservation area

Description of Proposal:

Retrospective application for a raised enclosed platform on the shop forecourt.

The platform is at a height of 0.4m where it adjoins the footway of Forest Drive. The platform is enclosed by a balustrade which is 1.0m in height relative to the surface of the platform. Along the front edge of the platform is a gap in the balustrade 1.5m wide where there is a ramp leading up from the level of the footway to the level of the surface of the platform.

The top surface of the platform and of the ramp and the vertical surfaces of the platform are all of a light-coloured stone. The balustrade is essentially of clear glazed panels set between a top rail and uprights of a polished stainless-steel appearance.

The plans also show an awning box from which a canopy over a depth of 2.0m could extend. The awning box would be set just below the fascia panel which bears the words Churchill's fish & chips; tradition, quality. The drawings also indicate 4 low level lighting posts at the outer corners of the platform and at the entrance to the ramp, 0.5m in height measured from the platform level.

Relevant History:

EPF/3030/16 - Certificate of lawful development for existing use as hot food takeaway. – Lawful 04/01/2017

Policies Applied:

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

CP2 – Protecting the quality of the rural and built environment
DBE3 – Design in urban areas
DBE9 – Loss of amenity

The National Planning Policy Framework

The National Planning Policy Framework (NPPF) has been adopted as national policy since July 2018. Paragraph 213 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:

On 14 December 2017, full Council resolved that the Epping Forest Local Plan Submission Version 2017 be endorsed as a material consideration to be used in the determination of planning applications and be given appropriate weight in accordance with paragraph 48 of the NPPF.

Paragraph 48 of the NPPF provides that decision-takers may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given)

In general terms it is considered that the Submission Version of the Plan is at an advanced stage of preparation and the policies are considered to be consistent with the NPPF. As regards unresolved objections, some policies within the Submission Version have more unresolved objections than others. All of these factors have been taken into consideration in arriving at the weight accorded to each of the relevant policies in the context of the proposed development listed below:

SP 1 - Presumption in Favour of Sustainable Development

DM 9 - High Quality Design

DM 14 - Shopfronts and On Street Dining

DM 21 – Local Environmental Impacts, Pollution and Land Contamination

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 4

Responses received:

22 DUKES AVENUE – Object, very much out of keeping, adds to increasingly haphazard aesthetic of the shopping parade on Forest Drive, work undertaken messily, concrete marks in front and to the sides are extremely unsightly and should be cleaned away.

PARISH COUNCIL: OBJECTION, 15 Forest Drive (Churchill's) is situated in the centre of a small parade of shops within the village of Theydon Bois. It is a takeaway, selling fish and chips. The flats above, and on the opposite of the road, are in residential occupancy and the whole area has a quiet ambience, both during the day and particularly during the hours of dusk.

It is noted that the structure has been constructed without permission, and that Churchill's currently use the platform on the shop forecourt as a seating area for customers to either eat the food they purchase or wait while their order is being prepared. The Planning Committee would suggest that the platform generally lacks quality in design and build, and also has concerns that the continued use of the seating area will impact on the amenity of residents in the vicinity, especially in relation to noise. The number of tables and chairs is not specified, but the platform area is cramped, so becoming cluttered when more seating is provided and, therefore, noisier. The Planning Committee is mindful of the on-going enforcement issues relating to a nearby eatery on Forest Drive and would suggest that the seating arrangements brought about by this application could potentially exacerbate any late night disturbance issues in the area. It is therefore suggested that, should this application be considered for approval, conditions should be added to state that the tables and chairs on the platform are limited, and removed by 18.00 every day of the week.

The plan submitted as part of this application also shows 4 light posts around the platform on the shop forecourt. However, a site inspection revealed that there would appear to be several more lighting cables in place, which are not yet functional. It is of particular concern that no details have been submitted as to the look, design or scope of such lighting, which could materially affect the amenity of the residents living in close proximity. The signage above the shop is currently illuminated in white fluorescent light, which is felt to be too bright and inappropriate in this setting, particularly since the Parish Council has successfully argued in favour of more subdued, down-lit signage on other establishments in the near vicinity.

In combination with the current signage, any further proposed lighting on this premises is likely to be in direct conflict with the Theydon Bois "Dark Skies" policy, which is strongly supported by residents.

Further, the submitted plan would appear inaccurate in its depiction of the proximity of the platform to the existing pillar box. A site visit revealed that the access way in between the pillar box and the platform is narrower than is drawn on the plan and, together with the existence of other nearby street furniture, could restrict access along the pavement.

The Planning Committee noted the provisions of Policy DM14 of the new Submission Version Local Plan, 2017 (Shopfronts and On Street Dining) and, for the reasons set out above, is of the

view that the proposal, as currently submitted in this application, does not accord with the requirements outlined within the supporting text and policy wording.

Main Issues and Considerations:

The main issues with this development are, as with the raised platform at no 13, design and impact on amenity.

The overall appearance of the raised platform has similarities with the outside seating area shown on approved plans for no. 13, currently in use as a Turkish restaurant (planning permission EPF/0981/13 refers). There are six units in the parade. The unit the subject of this application would be the second unit with a raised platform; the treatment to the private forecourt would not be an incongruous feature. The commercial unit is set within a pleasant though somewhat non-descript commercial parade along a two-storey building appearing to be of nineteen-thirties origin. Shopfronts have a variety of appearances though all are modern and of unremarkable design..

The comment of a local resident that the development now existing adds to increasingly haphazard aesthetic of the shopping parade is supported but is considered an inadequate point with which to substantiate a reasonable reason for refusal. The slightly haphazard nature of shop unit presentations, the departure from a uniform appearance, is a component to the character of the parade as is often the case with commercial parades of this scale and date. Other remarks from a local resident are also supported; details to the raised platform have an un-finished look. It is considered that a formal approval, subject to conditions, is the best way to achieve improvements to the details of the appearance.

The appearance of the raised platform and its balustrade is considered acceptable in its setting.

The raised platform is considered to have no material impact to public amenity beyond that which was the case when the private forecourt was in its original state. The single exception is in that the submitted plans show four light posts. These are discussed below. The comment of the Parish Council regarding inaccuracy of the depiction of the proximity of the platform to the existing pillar post box is noted but there exists an ample space between an edge of the raised platform and the slot to the post box on the post box door.

For the avoidance of doubt, the raised platform is on a private forecourt. The width of a footway along Forest Drive has been retained. Essex County Council, the local highway authority, was consulted on the application and a written response has been received that all the works are sited clear of the highway consequently there are no highway issues associated with this proposal.

The Parish Council comment that the platform on the shop forecourt is currently used as a seating area for customers to either eat the food they purchase or wait while their order is being prepared. Paragraph 4.95 of the Submission Version of the Local Plan states that on street dining facilitates can add to the vibrancy of town centres. The NPPF, at section 7, seeks to promote long-term vitality and viability of town centres and whilst the site's locality is far from being a town centre, the facility for customers is considered to accord with the general thrust of policy.

Customers would be able to congregate on the forecourt of the fish and chip shop whether the raised platform were retained or whether the private forecourt were returned to an open hard surfaced area. The inference that the Parish Council consider that the raised platform creates more noise to local residents is not one that can be adequately supported.

However, the comment of the Parish Council regarding a need for conditions to secure removal of any tables and chairs from the platform at a specified time and the need to ensure that no additional lighting is created on the platform are fully supported. A condition that tables and chairs are removed from the outside area when the premises are closed is considered necessary and

reasonable to ensure people do not continue utilising the area after closing, when the premises would be expected to be quiet. Whilst the 4 low level lighting posts shown on the submitted plans are considered appropriate to minimise risk of accident, a condition to the effect that no additional means of artificial illumination be installed on the development would ensure that its appearance during hours of darkness would not be out of keeping with its setting.

Conclusion:

The retention of the raised platform would aid the vitality and viability of the commercial parade and have no material adverse consequence for the living conditions of neighbours since the overall use would remain that of a private forecourt. The development is considered to accord with both adopted policy and the policies of the Submitted Local Plan, and the application is recommended for approval subject to conditions.

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

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

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