

## **AREA PLANS SUB-COMMITTEE 'WEST'**

**15 May 2018**

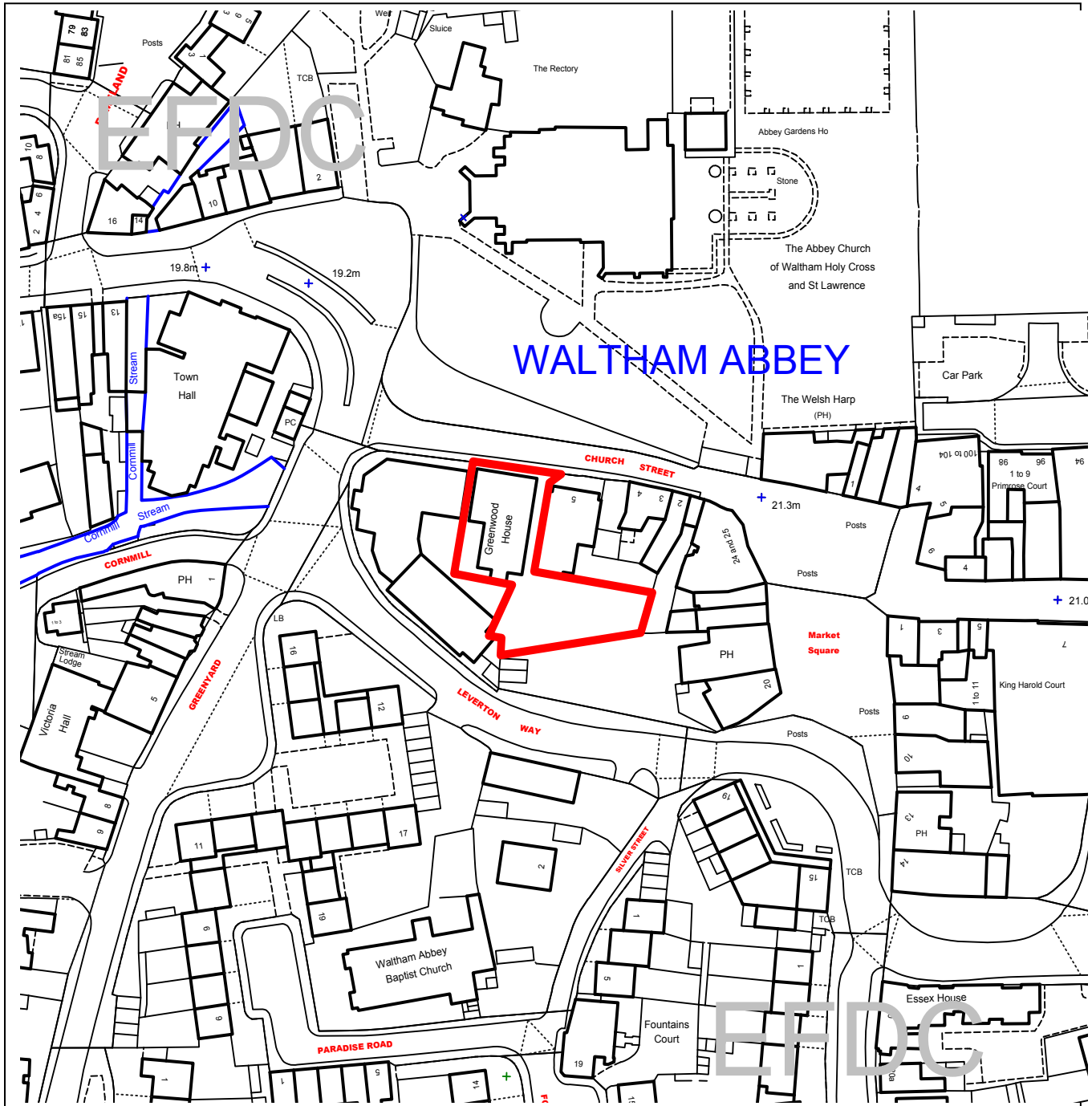
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# Epping Forest District Council

## Agenda Item Number 1



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Application Number:	EPF/0174/18
Site Name:	6 Church Street Waltham Abbey EN9 1DX
Scale of Plot:	1:1250

**Report Item No:1**

<b>APPLICATION No:</b>	EPF/0741/18
<b>SITE ADDRESS:</b>	6 Church Street Waltham Abbey Essex EN9 1DX
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	
<b>APPLICANT:</b>	Mr Theedam
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed conversion of office building B1 to 12 residential apartments C3 and installation of 8 x velux windows in the roof slopes.
<b>RECOMMENDED DECISION:</b>	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=607019](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=607019)

**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: 17047/12, 17047/14A, 17047/15A
- 3 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.
- 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, 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 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.

- 7 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.
- 8 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.
- 9 Prior to first occupation of the development, a scheme detailing the provision of bin and cycle storage to the site 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.

*And subject to the applicant first entering into a legal agreement under Section 106 to provide an off-site contribution of £20000 for affordable housing.*

*This application is before this Committee since it is an application for residential development consisting of 10 dwellings or more (other than an application for approval of reserved matters) and is recommended for approval (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council).*

#### **Description of Site:**

The application site consists of a detached block of offices. The building is three storeys in height. The application site is currently used as office space across all three storeys. A courtyard parking area is located to the rear of the building, with access from Church Street.

The site is located within the town centre of Waltham Abbey and falls within the Waltham Abbey Conservation Area. To the north of the site is the Waltham Abbey Church. The exterior of the building has remained relatively unchanged, apart from the addition of Velux type roof windows within the roof slope, since its construction in the 1980s.

#### **Description of Proposal:**

The current application builds on a previous submission for a Prior Notification under the Town and Country Planning (General Permitted Development) (England) Order 2015, for change of use from an office to 12 no. flats one and two-bedroom apartments (5 no. one bedroom and 7 no. 2 bedroom), with 12 associated parking spaces. During the course of the permitted conversion an application has been lodged to add a mezzanine level in the top floor apartments in order to make larger the approved floorplans of EPF/0542/17. This application sees no external changes apart from the addition of rooflights.

Access to the site is as existing. One parking space is provided for each flat (12 in total). The bin store measures 4 deep by 5m wide. The proposed development would also provide a communal gym within the existing basement of the building.

The schedule of accommodation is as follows:

Flat no.	Bedrooms	Floor area
1	1	40m <sup>2</sup>
2	2	50m <sup>2</sup>
3	1	35m <sup>2</sup>
4	1	36m <sup>2</sup>
5	1	36.7m <sup>2</sup>
6	1	35m <sup>2</sup>
7	2	53m <sup>2</sup>
8	2	52m <sup>2</sup>
9	2	69m <sup>2</sup>
10	2	70m <sup>2</sup>
11	2	78m <sup>2</sup>
12	2	73m <sup>2</sup>

### **Relevant History:**

EPF/0213/78 - Demolition of existing building and construction of new office block. – Granted

EPF/0542/17 - Prior notification application for change of use from Office (B1) to Residential (C3).  
– Prior Approval Not Required

### **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
GB16	Affordable Housing
HC6	Character, appearance and setting of Conservation Areas
HC12	Development affecting the setting of Listed Buildings
NC4	Protection of established habitat
H2A	Previously Developed Land
H3A	Housing Density
H4A	Dwelling Mix
H5A	Provision for Affordable Housing
H6A	Site Threshold for Affordable Housing
H7A	Levels of Affordable Housing
H9A	Lifetime Homes
U3B	Sustainable drainage systems
DBE1	Design of new buildings
DBE2	Effect on neighbouring properties
DBE5	Design and layout of new development
DBE6	Car parking in new development
DBE8	Private Amenity Space
DBE9	Loss of Amenity
LL7	Planting, protection and care of trees
LL10	Adequacy of provision for landscape retention

LL11	Landscaping schemes
ST1	Location of development
ST2	Accessibility of development
ST4	Road safety
ST6	Vehicle parking
I1A	Planning Obligations
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. 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:

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
H2	Affordable Housing
T1	Sustainable Transport Choices
T2	Safeguarding of routes and facilities
DM1	Habitat protection and improving biodiversity
DM2	Landscape character and ancient landscapes
DM5	Green infrastructure: Design of development

DM6	Designated and undesignated open space
DM7	Heritage Assets
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
D1	Delivery of infrastructure

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

Number of neighbours consulted: 10 and site notice erected.  
Responses received: NO OBJECTIONS RECEIVED

PARISH COUNCIL: NO OBJECTION - Concerns were raised by the committee on how the waste collectors will access the waste storage area.

EFDC WASTE MANAGEMENT – NO OBJECTION – subject to storage meeting space requirements

CONSERVATION - The conversion of the building from offices to flats does not raise concerns, however the associated installation of rooflights does. Although the six rooflights installed to the rear and sides are considered acceptable, the two front ones are quite visible and draw attention on the building, which because of its appearance does not contribute positively to the character and appearance of the conservation area and the setting of the church. I would prefer to see these roof lights installed above, on the flat roof, to make them invisible. However, it is not considered that these elements would form the basis of a recommendation for refusal.

HOUSING – NO OBJECTION - subject to a contribution of £20,000 towards off site affordable housing provision via an S106 agreement.

ESSEX COUNTY COUNCIL HIGHWAYS - 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.

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

#### **Principle of development**

The principle of the development has been established through the grant of a prior approval for the change of use from Office to Residential use, the current application only sees changes to the approved floor plan of the development and offers greater contributions than the previous development.

#### **Design and amenity issues**

The proposal is similar in layout to the approved 2017 application, albeit with larger, improved floor areas for each apartment. A majority of the apartments within the scheme meet or exceed the nationally prescribed space standards for new dwellings, required by policy DBE10 of the Local Plan Submission Version 2017. Whilst some of the units remain below this standard, they are an

improvement on the space offered by the previous consent for conversion from office to residential at the site and officers do not consider that this would justify refusal of the application.

Due to the proposals location within the conservation area and the existing design of the property and its sensitive location within the Waltham Abbey conservation area, it has not been possible to provide private amenity space to each apartment, however, alternative facilities, such as a communal gym area, have been provided in order to mitigate against any possible harm caused to future occupiers of the dwellings.

The neighbouring office block, Conquest House, also has an extant consent for conversion to a residential. It is not considered that the proposal would cause any significant harm to neighbouring amenity or the amenities of future occupiers.

### **Heritage and conservation**

The site stands within the Waltham Abbey Conservation Area and within the setting of several listed buildings located directly opposite and adjacent to the site. The impact the current application scheme will have on their settings should therefore be carefully considered.

Heritage assets are of special interest and considerable importance and weight is attached to the importance of enhancing and conserving the character, appearance and function of them. The setting of a listed building is often an essential feature of its character. In addition, the significance of a heritage asset derives not only from its physical presence and historic fabric but also from its setting – the surrounding in which it is experienced.

In this case and due to their location, the listed buildings are, if not historically, spatially and visually linked to the proposal site.

It has not been possible to relocate the rooflights to the flat area of the roof without harming the amenity and outlook of future occupiers of the dwelling. Due to the limited number of windows and their limited scale, it is not considered that cause any harm to the appearance of the building and the proposal when viewed in its entirety will preserve the appearance and character of the existing building, it is considered that the proposal would preserve the character of the conservation area and would cause no harm to the setting of the nearby listed buildings.

### **Affordable housing**

The policy position on the provision of affordable housing is clear in that the development exceeds the threshold at which an affordable housing contribution is required to be made. Under the provisions of the Local Plan Submission Version (2017), such a contribution would equate to 40% of the development.

An off-site contribution of £20000 has been agreed for this site, housing officers accept that off-site provision is appropriate in light of the circumstances surrounding the development, with the Council's consultants, Kift Consulting Ltd (KCL) agreeing to the developer's return at an industry standard of 17.5% of GDV and this is an acceptable approach.

### **Highways and traffic**

The scheme proposes one space per dwelling in the flatted development This level of provision is ample for the residential element.

The access on to Church Street would remain unchanged from the existing. The Highway Authority have made no objections to the scheme.



## **Epping Forest SAC**

The site is in excess of 3km from the Epping Forest Special Area of Conservation (SAC) and therefore given the Council's currently approved Interim Mitigation Strategy, it is not required to contribute financially to relieving the recreational pressure caused by visitors to The Forest. The previous use of the site was for an office with a capacity to hold 50 employees. In comparison, the proposed scheme would provide 12 no. one and two bedroomed flats. An air quality assessment, with transport modelling, has been submitted and confirms that the number of vehicle trips generated from the site each day would be reduced from approximately 135 to circa 31 for the proposed dwellings, reducing vehicle movements to and from the site by over 75%. In addition the proposed use would not generate an Nitrogen Dioxide (NOx). Therefore , as the development would greatly reduce the emissions generated by the current use of the building, there would be an overall benefit to the Epping Forest SAC and there is no longer a need for the developer, under a Section 106 legal agreement to secure appropriate mitigation for air quality monitoring or recreational impacts on the Epping Forest SAC.

### **Other matters**

The details of boundary treatment and the bin/cycle store can be controlled by condition.

### **Conclusion:**

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 and an affordable housing contribution, the new development would preserve the character and appearance of the conservation area. The scheme has an appropriate design and provides a good quality of accommodation and Officers are satisfied that the proposal would deliver an appropriate contribution towards affordable housing

It is, therefore, considered that the proposed development would constitute an acceptable form of development. 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:***

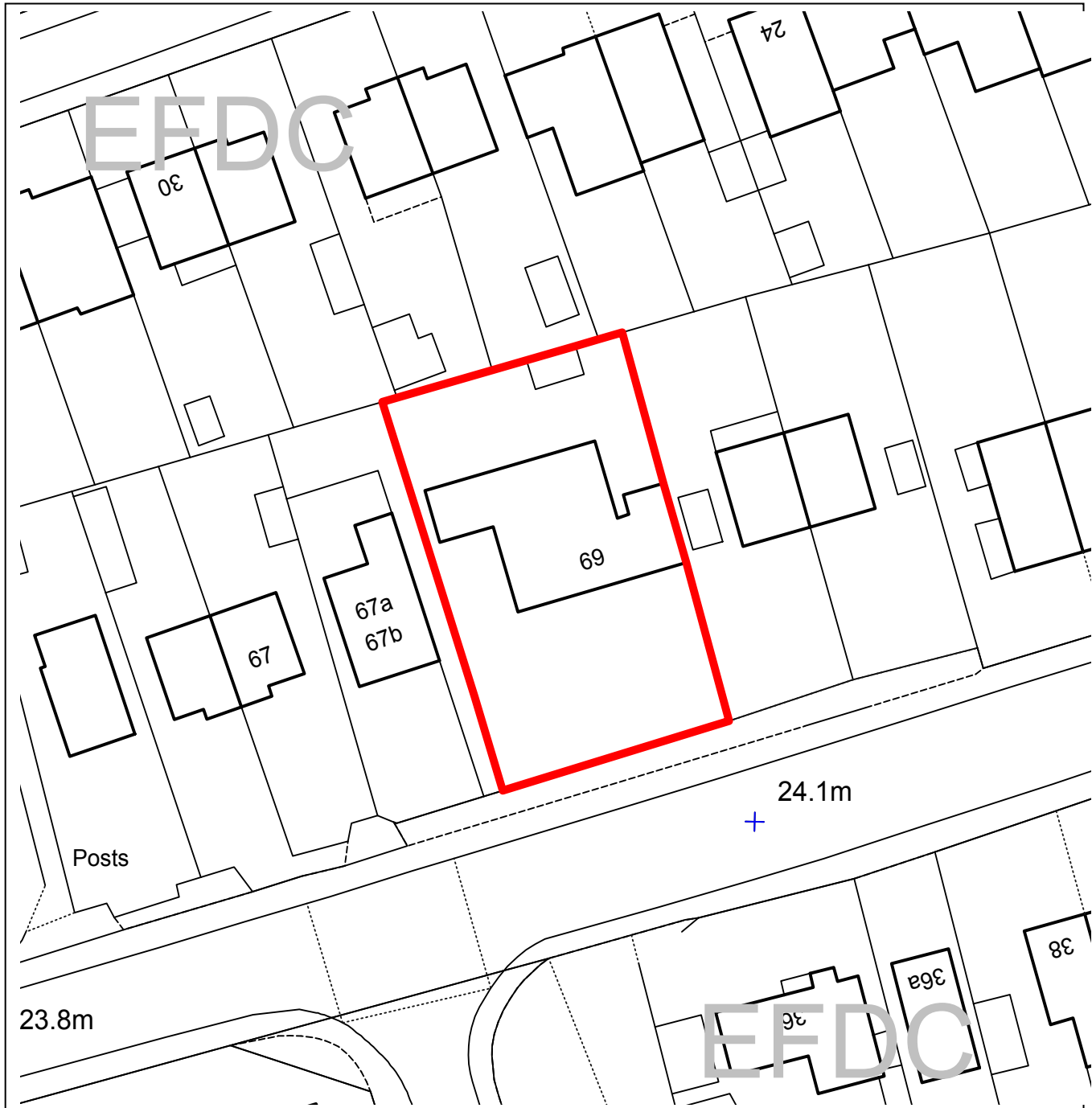
***Planning Application Case Officer: Corey Isolda  
Direct Line Telephone Number: 01992 564380***

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



# Epping Forest District Council

## Agenda Item Number 2



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Application Number:	EPF/3381/18
Site Name:	69 Farm Hill Road Waltham Abbey Essex EN9 1NG
Scale of Plot:	1/500

**Report Item No:2**

<b>APPLICATION No:</b>	EPF/3381/18
<b>SITE ADDRESS:</b>	69 Farm Hill Road Waltham Abbey Essex EN9 1NG
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey North East
<b>APPLICANT:</b>	Mr S Hellen
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of bungalow and erection of two, two storey linked blocks to provide 4 x 1 bedroomed flats and 2 x 2 bedroomed flats with associated car parking, bin and bike stores, amenity and landscaping
<b>RECOMMENDED DECISION:</b>	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=618695](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=618695)

**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: 1766/01 A, 1766/02 A, 1766/12 H, 1766/15 C, 1766/16 C
- 3 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.
- 4 Prior to preliminary ground works taking place, 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.
- 5 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.
- 6 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.

- 7 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.
- 8 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.
- 9 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 visitor's vehicles.
- 10 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.
- 11 No preliminary ground works shall take place until an assessment of flood risk, focussing on surface water drainage, has been submitted to and approved by the Local Planning Authority. 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.
- 12 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. In such instances, following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.

- 13 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 14 Prior to first occupation of the development the redundant vehicular access shall be fully reinstate including reconstruction of the footway and full height kerbing.
- 15 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.
- 16 There shall be no discharge of surface water onto the Highway.
- 17 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

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 and recreational pressure.

*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 proposal site comprises a mid-twentieth century red brick bungalow with attached garage and single storey rear extension. A small outbuilding adjoins the rear boundary of the site. The site has undulating site levels. It is located on the northern side of Farm Hill Road and is near the top of a hill. Adjoining the eastern and northern boundaries are a two storey semi detached houses and adjoining the western boundary is a two storey maisonette building. The application property is situated with a group predominately semi detached dwellings. The site is within an urban area and is not listed nor within a conservation area.

#### **Description of Proposal:**

Permission is sought for the demolition of the existing bungalow and the construction of 6 flats over two floors with 4 flats on the ground floor level and 2 at first floor Car parking, bin and cycle storage would be situated in the front forecourt.

This application follows a previous refusal for the redevelopment of the site for 8 and then 7 flats. This revised application has reduced the width of the building from 16.5m to two separate blocks of 7.7 metres with a small link at ground floor set back from the front elevation. The overall height of the building has been reduced from 9.35m to 8.35m. Furthermore the development has been redesigned to provide a more symmetrical and softer appearance than the previous scheme.

Access to the site is as existing. 1 parking space is provided for each flat with 1 visitor space (8 in total, 1 of which is suitable for wheelchair bound users) and storage area for up to 14 bicycles. The bike and bin store measures 8.8m deep by 2m wide.

The schedule of accommodation is as follows

Flat no.	Bedrooms	Floor area	Amenity space
1	1	50 m <sup>2</sup>	28m <sup>2</sup>
2	1	50m <sup>2</sup>	19.3m <sup>2</sup>
3	1	50m <sup>2</sup>	20m <sup>2</sup>
4	1	50m <sup>2</sup>	25.6m <sup>2</sup>
5	2	79m <sup>2</sup>	2.2m <sup>2</sup> (balcony)
6	2	79m <sup>2</sup>	2.2m <sup>2</sup> (balcony)

### **Relevant History:**

WHX/1017/47 - Proposed bungalow – approved/conditions 07/10/47

EPF/0705/78 - Proposed extensions to bungalow and garage – approved/conditions 30/06/78

EPF/2596/16 - Demolition of existing bungalow and construction of 8 flats, 4 x 1 bed and 4 x 2 bed. Parking to the front of the building and a bike store and a bin store to the front – refused 01/12/16 (dismissed on appeal 27/06/17)

### **Policies Applied:**

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

CP2 – Protecting the Quality of the Rural and Built Environment

CP3 – New Development

CP5 – Sustainable Building

CP6 – Achieving sustainable urban development patterns

CP7 – Urban Form and Quality

DBE1 – Design of New Buildings

DBE2 – Effect on Neighbouring Properties

DBE3 – Design in Urban Areas

DBE8 – Private Amenity Space

ST1 – Location of Development

ST4 – Road Safety

ST6 – Vehicle Parking

H2A – Previously Developed Land

H4A – Dwelling Mix

LL10 – Adequacy of provision for landscape retention

LL11 – Landscaping schemes

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

Epping Forest District Local Plan (Submission Version) 2017:

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be

given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

SP1 - Presumption in Favour of Sustainable Development  
SP7 - The Natural Environment, Landscape Character and Green and Blue Infrastructure  
H1 - Housing Mix and Accommodation Types  
T1 - Sustainable Transport Choices  
T2 - Safeguarding of Routes and Facilities  
DM3 - Landscape Character, Ancient Landscapes and Geodiversity  
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 Representations Received:**

15 neighbouring properties were consulted and 7 Objections were received.

36, 65, 67 A, 67 B FARM HILL ROAD  
28, 29, 30 HALFHIDES  
2 ROCHFORD AVENUE

OBJECT: Summarised as – harm to the street scene, harm to the character and appearance of Farm Hill Road, parking stress and highway safety, impact on ecology, noise and disturbance, overlooking.

TOWN COUNCIL – No Objection.

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

This revised application follows a previously refused application for the erection of 7 flats. The reason for refusal on this was:

*The proposed development results in a cramped and bulky development which would be out of character with the surrounding area contrary to policies CP3, DBE1, and DBE2 of the Adopted Local Plan and Alterations and policy DM9 of the Epping Forest District Local Plan (Submissions Version) 2017.*

The decision was appealed and subsequently dismissed with the Planning Inspector agreeing that the development would have an unacceptable harmful effect on the character and appearance of the area. However the Planning Inspector concluded that the proposal would not unacceptably diminish the amenity of existing neighbours nor be harmful to the amenities of future occupants.

In terms of the harm, the Planning Inspector stated that following:

*“3. The appeal site currently encompasses a single storey residential property and its associated garden. It is positioned on the northern side of Farm Hill Road, which is mainly an edge of town residential street. The pattern of development on the northern side of Farm Hill Road in the vicinity of the appeal site is predominately characterised by semi-detached properties set back from the road behind front gardens and arranged in a discernible building line. The buildings tend to have a similar height, width and overall massing. They are also arranged with a reasonable degree of spaciousness between and around the buildings. There are however, some notable exceptions including detached*

*buildings and a pair of semi-detached properties set notably forward of adjoining buildings.*

*4. The development on the southern side of the road has a much more eclectic form and scale and includes both a single storey community building and the large flatted development in Howards Close, which is a large standalone cluster of buildings arranged over three storeys.*

*5. The existing bungalow within the appeal site is broadly positioned in the centre of the plot. It is an anomaly within the row of two storey properties within which it is located and therefore its replacement with a two storey building of a similar massing to nearby buildings need not harm the character and appearance of the area and in some ways provides an opportunity to intensify and optimise development within the appeal site.*

*6. Nevertheless, the appeal scheme is for a building that would be overtly arranged over three floors and notably wider than any of the buildings on the northern side of the road in the vicinity of the appeal site. The proposed block of flats would also be much deeper than adjoining buildings and this would place its rear elevation unusually close to the rear boundary of the plot and result in untypically small area for outdoor amenity space.*

*7. The combined impact of these features of the design would result in the building appearing relatively cramped and bulky within its plot and therefore a strident addition to the street scene. The cramped appearance would not be aided by the presence of a large bike and bin store in the front garden and an unrelieved expanse of hand standing that would accommodated up to eight vehicles. Thus, I find that the proposal would harm the character and appearance of the area.*

*8. In reaching this conclusion I note that the proposal would not be higher than the existing buildings either side as the eaves and ridge heights would be comparable. The depth would also be broken up as the scale drops to a single storey and materials would be used that complement the locality. These aspects of the design are to be commended but they would not mitigate for the building's cramped appearance when considered as a whole."*

The revised application has reduced both the height and the width of the building and has amended the overall design. The new building would therefore retain more openness to the site and would be more subordinate to the surrounding two storey buildings.

The overall bulk has been reduced and the design altered such that the upper storey has been removed and from street level the proposal would have the appearance of two detached dwellings. As such it is considered that the proposed alterations to the building are sufficient enough to overcome the previous refusal and as such the development complies with policy H3A, CP3 and DBE1 of the adopted Local Plan and Alterations.

With regards to the emerging policies within the submission version of the Local Plan, policies DM9 and DM10 set out design requirements for new development and specify new housing requirements. The revised scheme accords with the requirements contained within these emerging policies.

Emerging policy H1 lists a number of requirements regarding housing mix, which includes H1 F., which states that *"the loss of bungalows and specialist accommodation will be resisted"*. The



proposed redevelopment of this site would result in the loss of an existing bungalow that would be contrary to this part of the emerging policy. Nonetheless there is a current identified need for additional housing in the District since the Council are currently unable to identify a five year supply of land for housing. The proposed redevelopment of this small urban site into 7 flats would go some way in addressing the current shortfall and resisting the pressure for sites within the Metropolitan Green Belt. Furthermore the proposed redevelopment would provide 4 no. one bed flats on the ground floor, which would need to conform to current Building Regulations requirements and would provide replacement ground floor accommodation suitable for potential older future occupants. As such, in this instance, the benefits of redeveloping this site for additional housing would be sufficient enough to outweigh the harm that would result through the loss of an existing bungalow on this site.

In terms of Government guidance, the site is previously developed land and, in line with the NPPF, the redevelopment of this land is encouraged. The NPPF's presumption in favour of sustainable development requires local planning authorities to positively seek opportunities to meet the development needs of their area and requires Council's to be able to identify a five-year land supply for housing. As such the proposed redevelopment would accord with the NPPF.

Impact on neighbouring residential amenity:

The previously refused scheme on the site, which proposed a larger building on the same general footprint, was considered by the Planning Inspectorate and it was concluded that *"the proposed development would not harm the living conditions of adjoining occupiers. The development is in compliance with Policies DBE9 and H3A of the Epping Forest District Local Plan (1998) and Alterations (2006) which seek to ensure, among other things, that development proposals do not harm the living conditions of adjoining occupiers"*.

This revised development is smaller in height and overall scale, is set in from the side boundaries, separated into buildings at first floor and roof level and would provide a majority obscure glazed and high-level windows within the flank and rear elevations to ensure that there would be no loss of privacy or overlooking. Whilst two windows would be provided in the rear elevation for the bedrooms of the first floor units, these would be set a significant distance away from properties to the rear so as not to cause any significant overlooking. Whilst neighbouring residents are continuing to object to the development on the grounds of impact it is considered that these neighbours will not be materially affected in terms of loss of light, outlook or privacy.

Quality of resultant residential accommodation:

Policy DBE8 of the Local Plan requires each flat to have access to at least 25m<sup>2</sup> of amenity space and that this space should be useable and provide privacy on a continuing basis. Despite this matter being a concern on the previous proposals the Planning Inspector concluded the following:

12. *The Council also refer to Policy DBE8 of the Epping Forest District Local Plan (1998) which requires development proposals to provide adequate amenity space for future occupiers. The proposed development would provide an amenity area to the rear for some of the units. These areas fall short of the 25 sq. m for each unit required by Policy DBE8. However, 4 of the flats would be 1 bed units and are more likely to be occupied by single people. I acknowledge that the other flats would be 2 bed units that could be occupied by young families. However, the private amenity space provided would be sufficient for activities such as sitting out and the hanging out of washing. In addition there are large areas of public amenity space within walking distance of the site, such as Larsens Recreation Ground opposite the site which could be used by families for supervised play.*

13. *Therefore, whilst the development would not provide amenity space at the site in line with Policy DBE8 of the Epping Forest District Local Plan (1998), I am satisfied that the proposal would result in adequate levels of private amenity space such that the living conditions of intended occupiers would not be materially harmed. In this regard the proposal is broadly in conformity with the objectives set out in Policy DBE8.*

The provision of amenity space is similar to that of the previous applications and would provide useable gardens for the units 1 to 4 and would provide units 5 and 6 with balconies to the front elevation. Due to the above decision it is considered that the level of amenity space proposed would not be contrary to policy DBE8 and is therefore considered to be acceptable.

Highway safety and parking provision:

The Highways Authority has reviewed the plans and considers that, subject to conditions, the proposal will not have a detrimental impact on highway safety. Furthermore, given the location of the site close to the town centre it is satisfied that one parking space per flat plus one visitor parking space will not cause excessive parking congestion. It is on this basis that the proposal is considered to comply with the requirements of policy ST4 and ST6 of the Local Plan.

Flood risk and surface water drainage:

The site is within an Epping Forest District Council flood risk assessment zone, the development is of a size where it is necessary to avoid generating additional runoff and therefore the Council's Land Drainage engineer has requested a Flood Risk Assessment condition to improve existing surface water runoff and a condition requesting details of surface water drainage in accordance with policy U2B of the Local Plan.

Contaminated Land:

A phase 1 Contaminated Land survey has been submitted. Officers are happy with the proposal subject to a condition ensuring protection against any unexpected contamination on the site.

Other matters:

The details of boundary treatment and the bin/cycle store can be controlled by condition.

**Conclusion:**

The revised application has reduced the number and size of residential units along with the overall bulk and scale of the proposed development. This, along with the revised design, has overcome the previous concerns upheld by the Planning Inspector.

Despite continued objection from neighbouring residents the proposal would not cause any undue loss of amenity to neighbouring residents nor would it cause any parking or highway harm. Furthermore it would adequately serve the living conditions of future occupants. Therefore the proposal now complies with the guidance set out within the NPPF and the relevant policies contained within the adopted Local Plan and Alterations, and the Submission Version of the emerging Local Plan. As such the application 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***

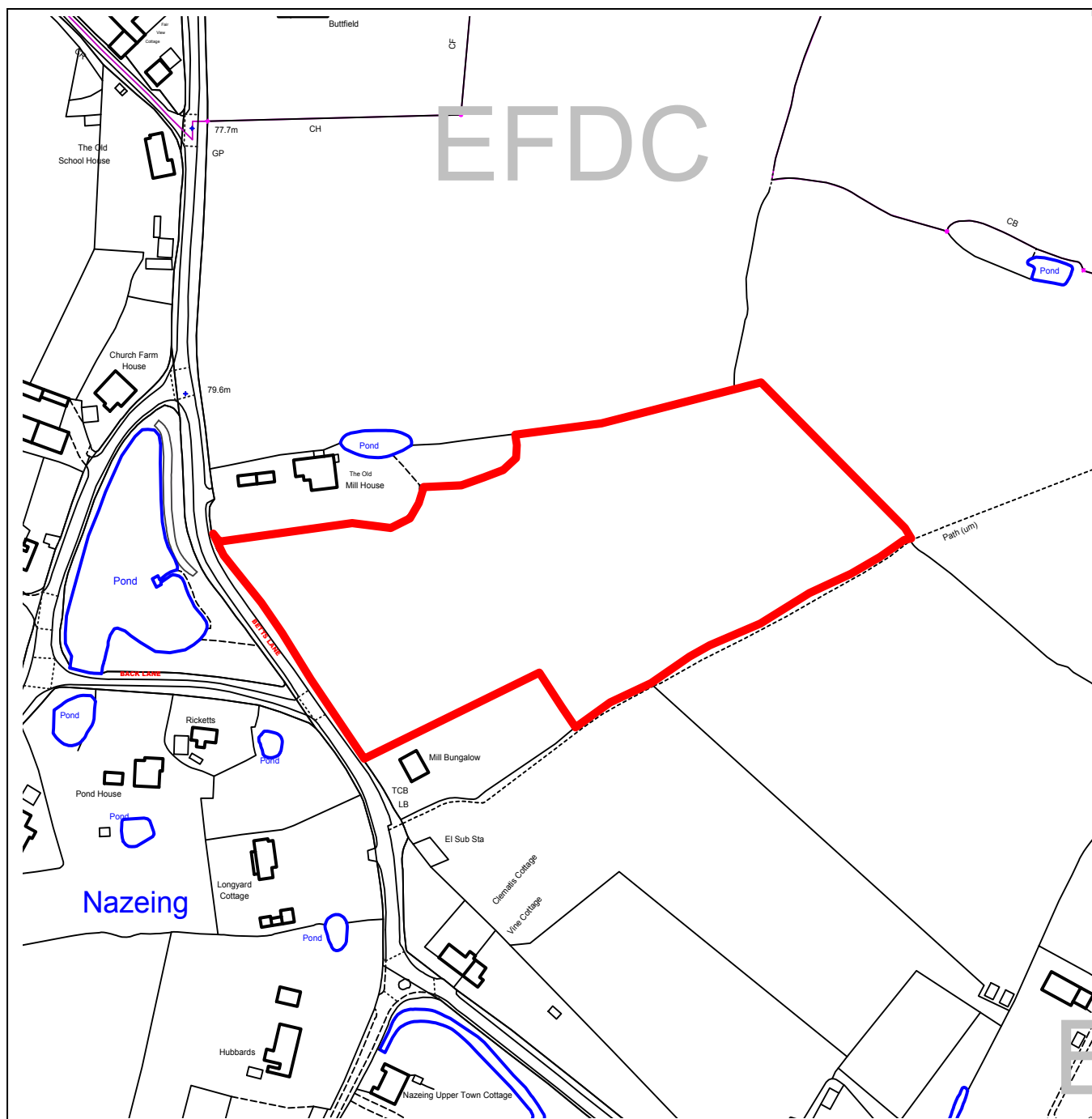
***Direct Line Telephone Number: 01992 564380***

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



# Epping Forest District Council

## Agenda Item Number 3



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Application Number:	EPF/3423/18
Site Name:	Mill House, Betts Lane, Nazeing Essex, EN9 2DB
Scale of Plot:	1:2500

**Report Item No:3**

<b>APPLICATION No:</b>	EPF/3423/18
<b>SITE ADDRESS:</b>	Mill House Betts Lane Nazeing Essex EN9 2DB
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>APPLICANT:</b>	Mr Casey
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of a single storey extension to existing stable block.
<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=618816](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=618816)

**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: NWA-13-007-41/G, NWA-13-007-40/D, NWA-13-007-60/B, Planning Statement
- 3 The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

*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 (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 is a large open field that is located in both the Green Belt and the South Roydon Conservation Area. Mill House is located to the north of the site and is a large detached dwelling and has a detached garage. Betts Lane runs to the west of the field which makes it visible from public viewpoints.

**Description of proposal**

Extension to existing stable block

### **Relevant History**

EPF/1729/13 - Existing bungalow to be demolished and replacement timber frame one-and-half storey dwelling erected. Alterations to existing access way. - Approved

EPF/0162/14 - Existing bungalow to be demolished and replacement timber frame one-and-half storey dwelling erected and outbuilding (Amended application to EPF/1729/13) – Approved

EPF/1609/14 – Erection of stable building – Approved

EPF/2667/14 - Retention of entrance gates for security purposes for a temporary period whilst building works on site proceed. - Refused

EPF/2447/15 - Proposed replacement entrance gates, new piers and wall. – Refused

EPF/1436/16 - Retrospective planning application for the erection of entrance gates, new piers and wall. – Recommended for refusal but approved by committee

EPF/2353/16 - Erection of stables. – Approved subject to legal agreement

EPF/1687/17 – Extension to previously approved equestrian building under ref: EPF/2353/16 to allow for field management equipment and general store (11/08/2017) – Refused.

### **Policies applied**

GB2A – Development in the Green Belt

GB7A – Conspicuous Development

DBE9 – Living conditions of neighbours

HC6 – Character, appearance and setting of conservation areas

HC7 – Development within conservation areas

CP7- Quality of development

CP2 – Protecting the Quality of the Rural and Built Environment

DBE10 – Design

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 214 states that due weight should be given to the relevant policies in existing plans according to the degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

### **Consultation carried out and summary of representations received**

No. of neighbours consulted: 3, 4 objections received, 1 comment received

MILL BUNGALOW: COMMENT – no objection but suggests that any drainage work is checked and installed properly.

SOUTH COTTAGE: STRONG OBJECTION – concern regarding development in the Green Belt and Conservation Area.

BUTTFIELD: OBJECTION – Concern regarding development in the Green Belt and Conservation Area.

WINDRUSH LODGE: OBJECTION – Concern regarding development in the Green Belt and Conservation Area.

CHURCH FARM HOUSE: OBJECTION – Concern regarding development in the Green Belt and Conservation Area.

PARISH COUNCIL: NO OBJECTION

### **Issues and Considerations**

The main issues to consider when assessing this application are the potential impacts on the Green Belt and the character and appearance of the Conservation Area.

#### **Green Belt**

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

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

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

However paragraph 145 of the NPPF allow some exceptions to inappropriate development. These are:

- The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
- Limited infilling in villages
- Limited infilling or the partial or the partial or complete redevelopment of previously developed sites, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

The majority of objections to this application are concerned with the proposal causing harm to the existing Metropolitan Green Belt. While these concerns are taken into account, it is considered that the extension would not be inappropriate development within the Metropolitan Green Belt. The reasoning behind this is that the scheme would be a limited extension and not a disproportionate addition. The approximate footprint of the proposal is 33sqm and, when calculated against the existing approximate footprint of 122.08, the development would be under 50% increase, which would be make the scheme a reasonable increase within the Green Belt. The proposal therefore complies with Green Belt Policy.

#### **Design in the Green Belt and Conservation Area:**

The proposed extension would be sited to the rear with a gabled roof. The materials would match the existing stable building.

Objections submitted in regard to this proposal suggest that the scheme would be contrary to the existing stable building. However, the Council's Conservation Officer is of the opinion that the proposal would blend nicely with the approved stables and ensure consistency throughout the building. The visual impact that may arise from this proposal would be limited due to its siting at

the rear of the structure. It is therefore considered that the proposal would preserve the special character and appearance of the Conservation Area.

**Conclusion:**

As the design of the proposal is favourable and would not cause adverse harm to the surrounding Green Belt, it is recommended that planning permission is Granted Subject to Conditions.

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

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

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