

APPLICATION No:	EPF/1173/19
SITE ADDRESS:	Threeways Nursery Sedge Green Roydon Essex CM19 5JR
PARISH:	Roydon
WARD:	Roydon
APPLICANT:	Mr Joe Schillaci
DESCRIPTION OF PROPOSAL:	Demolition of a one car garage unit and erection of a new car garage extension adjacent to the remaining building, including new external paving and an additional fire escape route.
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=623795

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: SP1909_GAEX-Location Plan (Location Plan), SP1909_GAEX-Location Plan (Site Plan), SP1909_GAEX-Site Plan, SP1914_GEEX-01, SP1914_GEEX-02, SP1909_GAEX-01, SP1909_GAEX-02, SP1909_GA-01 (General Arrangement Proposed Plan Ground Floor), SP1909_GA-01 (General Arrangement Proposed Plan Roof Level), SP1914_GE-01 (Plan showing existing North and South elevations) and SP1914_GE-01 (Plan showing Proposed North and South elevations)
- 2 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 3 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.
- 4 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 5 The development hereby permitted shall not be open to customers outside the hours of 09:00 to 18:30 on Monday to Friday, 09:00 to 13:00 on Saturday and closed on Sundays and Bank Holidays.

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 site relates to the car garage occupying Western part of the site. The site is located on the eastern side of Sedge Green close to the junction with Dobbs Weir Road.

The site is located within the Metropolitan Green Belt, it is not located within a conservation area and it is not a Listed Building.

Description of Proposal:

Demolition of a one car garage unit & erection of a new car garage extension adjacent to the remaining building, including new external paving & an additional fire escape.

Relevant History:

The site has a long and extensive history however none of the previously planning applications are considered directly relevant to this current proposal.

Policies Applied:

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan currently comprises the Epping Forest District Council Adopted Local Plan (1998) and Alterations (2006).

The following policies within the current Development Plan are considered to be of relevance to this application:

CP2 – Protecting the Quality of the Rural and Built Environment

DBE9 – Loss of Amenity

GB2A – Development in the Green Belt

NPPF:

The revised NPPF is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either;

(a) approving development proposals that accord with an up-to-date development plan without delay; or

(b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

In addition to paragraph 11, the following paragraphs of the NPPF are considered to be of relevance to this application:

Paragraphs 124 – 132, 133 – 147, 213

Epping Forest District Local Plan (Submission Version) 2017

Although the LPSV does not currently form part of the statutory development plan for the district, on 14 December 2017 the Council resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

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).

The LPSV has been submitted for Independent Examination and hearing sessions were held on various dates from February 2019 to June 2019. The appointed Inspector has indicated an intention to provide advice to the Council by 12 July 2019; this advice will be given without prejudice to the Inspector's final conclusions.

The following policies in the LPSV are considered to be of relevance to the determination of this application, with the weight afforded by your officers in this particular case indicated:

Policy	Weight afforded
SP1 – Presumption in favour of sustainable development	Significant
DM4 – Green Belt	Significant
DM9 – High quality design	Significant

Consultation Carried Out and Summary of Representations Received

Date of site visit: 04/07/2019

Number of neighbours consulted: 13

Site notice posted: No, not required
Responses received:

1 Objection - Adams View, Sedge Green "We live directly next door. We have encountered numerous ongoing problem, ie dumping of some 200 tyres that we had to dispose of safely. Constant burning at the weekends of combustible material, which recently exploded and landed into our garden where we keep our animals and grandchildren play. The illegal parking to their cars on our garden and the main road causing accidents. The constant blocking of ditches that causes flooding to our garden and house. We strongly object to this planning NO NO NO ."

Officer comment:

The concerns raised in the above objection are not planning matters and are issues present with the current situation, the proposed works would not have any further impact regarding these concerns raised.

Parish Council - Objection, comments were "The new building would provide additional workspace, very close to the roadside, which would intensify the use of the site. There is already considerable problems with vehicle parking which often results in cars being parked on the opposite corner of what is a very busy junction which has been the scene of a fatality. Further intensification would just exacerbate this problem."

Officer comment: There will be no net increase in parking, the footprint of the proposed building will be less and therefore there will be no intensification of the business compared to the existing situation. Sufficient off street parking has been provided on the site and so there will be no impact on off street parking compared to the current situation.

National Grid: No Objection

Main Issues and Considerations:

Green Belt

The proposed building will not be a disproportionate addition compared to the existing buildings as there is a net decrease, the existing total external area is 225m² (including building demolished due to fire damage) and the total proposed area is 150m². As there is a net decrease, this will be an improvement on the openness of the Green Belt.

Design

The proposed building has a utilitarian appearance akin to the existing building. Moreover, it will also have a similar height to the existing buildings and as such it will not have a detrimental impact on the character and appearance of the locality.

The proposal includes new external paving, the Design and Access statement refers to 'tarmac', this will be clarified before the committee meeting date and can be discussed with the officer taking the meeting. A condition will also be added ensuring the materials used are permeable or sustainably drained.

Neighbouring Amenity

The closest neighbouring property, 'Adams View', is approx. 90m from the site. Due to the size, siting and scale of the proposal, it will not have an adverse impact on the living conditions of this neighbouring property compared to the existing buildings. The application also includes an

additional pedestrian fire escape which would have no impact on neighbouring amenity as set out above.

Therefore, the proposal would comply with policies CP2, DBE1, DBE9 and GB2A of the adopted local plan, and SP4, DM7 and DM9 of the LPSV2017.

Conclusion:

The proposal complies with relevant planning policy and it is recommended that planning permission be **granted**.

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

***Planning Application Case Officer: Zara Seelig
Direct Line Telephone Number: 01992 564379***

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