

# Committee Agenda



## Epping Forest District Council

### **Area Planning Subcommittee East Wednesday, 26th September, 2012**

You are invited to attend the next meeting of **Area Planning Subcommittee East**, which will be held at:

**Council Chamber, Civic Offices, High Street, Epping  
on Wednesday, 26th September, 2012  
at 7.30 pm .**

**Derek Macnab  
Acting Chief Executive**

**Democratic Services  
Officer**

Adrian Hendry - The Office of the Chief Executive  
Email: [democraticservices@eppingforestdc.gov.uk](mailto:democraticservices@eppingforestdc.gov.uk) Tel:  
01992 564246

#### **Members:**

Councillors A Boyce (Chairman), Mrs S Jones (Vice-Chairman), K Avey, Mrs H Brady, W Breare-Hall, T Church, P Gode, Mrs A Grigg, D Jacobs, P Keska, Mrs M McEwen, R Morgan, J Philip, B Rolfe, D Stallan, G Waller, C Whitbread, Mrs J H Whitehouse and J M Whitehouse

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**A BRIEFING FOR THE CHAIRMAN, VICE-CHAIRMAN AND APPOINTED SPOKESPERSONS WILL BE HELD AT 6.30 P.M. IN THE CONFERENCE ROOM ON THE DAY OF THE SUB-COMMITTEE.**

#### **WEBCASTING NOTICE**

**Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.**

**You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy and copies made available to those that request it.**

**Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area**

**If you have any queries regarding this, please contact the Senior Democratic Services Officer on 01992 564249.**

**1. WEBCASTING INTRODUCTION**

1. This meeting is to be webcast. Members are reminded of the need to activate their microphones before speaking.

2. The Chairman will read the following announcement:

“I would like to remind everyone present that this meeting will be broadcast live to the Internet and will be capable of repeated viewing and copies of the recording could be made available for those that request it.

If you are seated in the lower public seating area it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

This may infringe your human and data protection rights and if you wish to avoid this you should move to the upper public gallery”

**2. ADVICE TO PUBLIC AND SPEAKERS AT COUNCIL PLANNING SUB-COMMITTEES (Pages 5 - 8)**

General advice to people attending the meeting is attached.

**3. MINUTES (Pages 9 - 22)**

To confirm the minutes of the last meeting of the Sub-Committee, held on 29 August 2012 (attached).

**4. APOLOGIES FOR ABSENCE**

**5. DECLARATIONS OF INTEREST**

(Assistant to the Chief Executive) To declare interests in any item on this agenda.

**6. ANY OTHER BUSINESS**

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs (6) and (24) of the Council Procedure Rules contained in the Constitution requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

In accordance with Operational Standing Order 6 (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks' notice of non-urgent items is required.

**7. DEVELOPMENT CONTROL (Pages 23 - 62)**

(Director of Planning and Economic Development) To consider planning applications

as set out in the attached schedule

Background Papers:

(i) Applications for determination – applications listed on the schedule, letters of representation received regarding the applications which are summarised on the schedule.

(ii) Enforcement of Planning Control – the reports of officers inspecting the properties listed on the schedule in respect of which consideration is to be given to the enforcement of planning control.

**8. DELEGATED DECISIONS**

(Director of Planning & Economic Development) Schedules of planning applications determined by the Head of Planning & Economic Development under delegated powers since the last meeting of the Sub-Committee could be inspected in the Members' Room or on the Planning & Economic Development Information Desk at the Civic Offices in Epping.

**9. EXCLUSION OF PUBLIC AND PRESS**

Exclusion

To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Confidential Items Commencement

Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

Background Papers

Paragraph 8 of the Access to Information Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.

## **Advice to Public and Speakers at Council Planning Subcommittees**

### **Are the meetings open to the public?**

Yes all our meetings are open for you to attend. Only in special circumstances are the public excluded.

### **When and where is the meeting?**

Details of the location, date and time of the meeting are shown at the top of the front page of the agenda along with the details of the contact officer and members of the Subcommittee.

### **Can I speak?**

If you wish to speak **you must register with Democratic Services by 4.00 p.m. on the day before the meeting**. Ring the number shown on the top of the front page of the agenda. Speaking to a Planning Officer will not register you to speak, you must register with Democratic Service. Speakers are not permitted on Planning Enforcement or legal issues.

### **Who can speak?**

Three classes of speakers are allowed: One objector (maybe on behalf of a group), the local Parish or Town Council and the Applicant or his/her agent.

Sometimes members of the Council who have a prejudicial interest and would normally withdraw from the meeting might opt to exercise their right to address the meeting on an item and then withdraw.

Such members are required to speak from the public seating area and address the Subcommittee before leaving.

### **What can I say?**

You will be allowed to have your say about the application but you must bear in mind that you are limited to three minutes. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Sub-Committee members.

If you are not present by the time your item is considered, the Subcommittee will determine the application in your absence.

### **Can I give the Councillors more information about my application or my objection?**

**Yes you can but it must not be presented at the meeting.** If you wish to send further information to Councillors, their contact details can be obtained through Democratic Services or our website [www.eppingforestdc.gov.uk](http://www.eppingforestdc.gov.uk). Any information sent to Councillors should be copied to the Planning Officer dealing with your application.

### **How are the applications considered?**

The Subcommittee will consider applications in the agenda order. On each case they will listen to an outline of the application by the Planning Officer. They will then hear any speakers' presentations.

The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the

Subcommittee propose to follow a course of action different to officer recommendation, they are required to give their reasons for doing so.

The Subcommittee cannot grant any application, which is contrary to Local or Structure Plan Policy. In this case the application would stand referred to the next meeting of the District Development Control Committee.

**Further Information?**

Can be obtained through Democratic Services or our leaflet 'Your Choice, Your Voice'

Area Planning Subcommittee East 2012-13  
Members of the Committee:



Cllr Boyce	Cllr Avey	Cllr Brady	Cllr Breare-Hall	Cllr Church
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Cllr Gode	Cllr Grigg	Cllr Jacobs	Cllr Jones	Cllr Keska
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Cllr McEwen	Cllr Morgan	Cllr Philip	Cllr Rolfe	Cllr Stellan
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Cllr Waller	Cllr Whitbread	Cllr Janet Whitehouse	Cllr Jon Whitehouse
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## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Area Planning Subcommittee East    **Date:** 29 August 2012

**Place:** Council Chamber, Civic Offices, High Street, Epping    **Time:** 7.30 - 9.26 pm

**Members Present:** A Boyce (Chairman), Mrs S Jones (Vice-Chairman), K Avey, Mrs H Brady, T Church, Mrs A Grigg, D Jacobs, Mrs M McEwen, R Morgan, B Rolfe, D Stallan, G Waller, C Whitbread and J M Whitehouse

**Other Councillors:**

**Apologies:** W Breare-Hall, P Gode, P Keska, J Philip and Mrs J H Whitehouse

**Officers Present:** J Shingler (Principal Planning Officer), M Jenkins (Democratic Services Assistant) and P Seager (Chairman's Secretary)

### 25. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings. The Sub-Committee noted the Council's Protocol for Webcasting of Council and Other Meetings.

### 26. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements adopted by the Council to enable persons to address the Sub-Committee, in relation to the determination of applications for planning permission. The Sub-Committee noted the advice provided for the public and speakers in attendance at Council Planning Sub-Committee meetings.

### 27. MINUTES

#### RESOLVED:

That the minutes of the last meeting of the Sub-Committee held on 1 August 2012 be agreed.

### 28. DECLARATIONS OF INTEREST

(1) Pursuant to the Council's Code of Member Conduct, Councillor R Morgan declared a non-pecuniary interest in the following item of the agenda by virtue of knowing the applicant, the Councillor indicated that he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0834/12 New House Farm, Vicarage Lane, North Weald CM16 6AP

(2) Pursuant to the Council's Code of Member Conduct, Councillor T Church declared a non-pecuniary interest in the following item of the agenda by virtue of knowing the applicant, the Councillor indicated that he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0836/12 Forest Gate, Bell Common, Epping CM16 4DZ

(3) Pursuant to the Council's Code of Member Conduct, Councillor T Church declared a non-pecuniary interest in the following item of the agenda by virtue of living off of Buttercross Lane where the application site was situated. The Councillor indicated that he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/1221/12 3 Buttercross Lane, Epping CM16 5AA

(4) Pursuant to the Council's Code of Member Conduct, Councillor K Avey declared a non-pecuniary interest in the following item of the agenda:

- EPF/0836/12 Forest Gate, Bell Common, Epping CM16 4DZ

(5) Pursuant to the Council's Code of Member Conduct, Councillor C Whitbread declared a non-pecuniary interest in the following item of the agenda by virtue of having called in the application. The Councillor indicated that he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0836/12 Forest Gate, Bell Common, Epping CM16 4DZ

**29. ANY OTHER BUSINESS**

It was noted that there was no other urgent business for consideration by the Sub-Committee.

**30. DEVELOPMENT CONTROL**

**RESOLVED:**

That the planning applications numbered 1 – 8 be determined as set out in the schedule attached to these minutes.

**31. DELEGATED DECISIONS**

The Sub-Committee noted that schedules of planning applications determined by the Head of Planning and Economic Development under delegated authority since the last meeting had been circulated and could be inspected at the Civic Offices.

**CHAIRMAN**

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/1221/12
<b>SITE ADDRESS:</b>	3 Buttercross Lane Epping Essex CM16 5AA
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Lindsey and Thornwood Common
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/23/01 Scots Pine - Fell.
<b>DECISION:</b>	Granted Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=538694](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=538694)

## CONDITIONS

- 1 A replacement tulip tree (*Liriodendron tulipifera*) of a size and in a position as agreed in writing by the Local Planning Authority, shall be planted and inspected and agreed to be in accordance with the details prior to implementation of the felling hereby agreed, unless varied with a written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or dies, or becomes seriously damaged and defective another tree of the same species and size of that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/1339/12
<b>SITE ADDRESS:</b>	The Limes Medical Centre The Plain Epping CM16 6TL
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Lindsey and Thornwood Common
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/05/07 T56 - Robinia - Fell
<b>DECISION:</b>	Granted Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=539297](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=539297)

**CONDITIONS**

- 1 The work authorised by this consent shall be carried out under the direct supervision of the Local Planning Authority, who shall receive in writing, 5 working days notice of such works.

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/0864/12
<b>SITE ADDRESS:</b>	New House Farm Little Laver Road Moreton Ongar Essex CM5 0JE
<b>PARISH:</b>	Moreton, Bobbingworth and the Lavers
<b>WARD:</b>	Moreton and Fyfield
<b>DESCRIPTION OF PROPOSAL:</b>	Retrospective application for the change of use of redundant agricultural buildings for commercial activities including brewery, carpentry workshops and commercial storage facilities.
<b>DECISION:</b>	Application Withdrawn

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=537281](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=537281)

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/2517/11
<b>SITE ADDRESS:</b>	New House Farm Little Laver Road Moreton Ongar Essex CM5 0JE
<b>PARISH:</b>	Moreton, Bobbingworth and the Lavers
<b>WARD:</b>	Moreton and Fyfield
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of an agricultural steel portal framed purpose designed grain storage building.
<b>DECISION:</b>	Application Withdrawn

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

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=533534](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=533534)

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/0991/12
<b>SITE ADDRESS:</b>	34 Great Stony Park High Street Ongar Essex CM5 0TH
<b>PARISH:</b>	Ongar
<b>WARD:</b>	Chipping Ongar, Greensted and Marden Ash
<b>DESCRIPTION OF PROPOSAL:</b>	Single storey rear extension and extending the existing decking area. (Revised application)
<b>DECISION:</b>	Granted Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=537747](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=537747)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No 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.
- 3 Notwithstanding the details shown on the submitted plans, additional drawings that show details of the proposed new window and door openings at scales between 1:20 and 1:1 as appropriate, shall be submitted and approved by the Local Planning Authority prior to the commencement of works.

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/2577/11
<b>SITE ADDRESS:</b>	Sparks Farm 185 Nine Ashes Road High Ongar Ongar Essex
<b>PARISH:</b>	High Ongar
<b>WARD:</b>	High Ongar, Willingale and the Rodings
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of a two storey detached dwelling and Community Nature Reserve.
<b>DECISION:</b>	Referred to District Development Control Committee

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=533837](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=533837)

Members, whilst being sympathetic to the scheme, were concerned that insufficient information was provided regarding the 106 agreement and were worried that a S106 agreement would not ensure the retention of a publically accessible nature reserve in the long term. They therefore referred the application to the District Development Control Committee with a recommendation to grant, subject to legal advice regarding the validity and enforceability of the proposed section 106 and that it will secure long term benefits.

**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: 1268 01A, 1268 04B and 956/03, 956/04, 956/05, 956/06, 956/07, 956/08, 956/09, 956/10 and 956/11.
- 3 The development hereby approved shall not be commenced until a detailed methodology for amphibian and reptile mitigation including capture effort and removal together with a relevant plan in respect of the application site and adjoining land in the applicant's ownership as indicated on drawing number 1268 01A have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved methodology.
- 4 The development hereby approved shall not be commenced until a detailed description of "appropriate measures" that should be adopted if bats are found in trees, as referred to in section 6.8 of the ecological survey included with the application, have been submitted to and approved in writing by the Local Planning Authority in respect of the application site and adjoining land in the applicants ownership as indicated on drawing number 1268 01A . The development shall be carried out in accordance with the approved measures.



- 5 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.
- 6 No development, including site clearance, shall take place until a scheme of soft landscaping and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule) in respect of the application site and adjoining land in the applicants ownership as indicated on drawing number 1268 01A, have been submitted to the Local Planning Authority and approved in writing. The landscape scheme shall be carried out in accordance with the approved details and the agreed timetable. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand in writing.
- 7 A Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas within the application site and adjoining land in the applicants ownership as indicated on drawing number 1268 01A shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The landscape management plan shall be carried out as approved.
- 8 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 9 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be

conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

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

- 10 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]
- 11 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 12 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 13 No work to construct the house hereby approved shall take place until all the buildings shown on drawing number 956/10 have been demolished and all resulting debris removed from the application site and adjoining land in the applicants ownership, as identified on drawing number 1268 01A.
- 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 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 extensions, roof enlargements, buildings and means of enclosure generally permitted by virtue of Classes A, B and E of Part 1, Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/0834/12
<b>SITE ADDRESS:</b>	New House Farm Vicarage Lane North Weald Essex CM16 6AP
<b>PARISH:</b>	North Weald Bassett
<b>WARD:</b>	North Weald Bassett
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of 50kW microgeneration wind turbine with a tower height of 25m and blade diameter of 19m.
<b>DECISION:</b>	Deferred

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

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=537159](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=537159)

Members were concerned that we do not have any tailored response from the CAA and we do not know whether the development would impact on the future of North Weald Airfield. They therefore deferred the application with a request that further consultation take place with the CAA and also with the Council's Airfield Consultants and that the impact on Microlight movements be particularly considered. It was also requested that details of the safeguarding zone be provided when the item is reported back.

**Report Item No: 8**

<b>APPLICATION No:</b>	EPF/0836/12
<b>SITE ADDRESS:</b>	Forest Gate Bell Common Epping Essex CM16 4DZ
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>DESCRIPTION OF PROPOSAL:</b>	Conversion and extension of existing function room and outbuildings into a restaurant area including basement and front extension and increase parking area. (Revised application)
<b>DECISION:</b>	Granted Permission (with Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=537176](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=537176)

The case officer referred to a further letter received from adjacent neighbour regarding hours of use and exit from the site.

Members considered that the design of the proposal was acceptable as the proposal would bring the building into use and improve the site. They therefore determined to Grant Permission, subject to the following conditions.

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No development shall take place until samples of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.
- 3 The restaurant use hereby approved shall not be open to customers outside of the opening hours of the adjacent public house.
- 4 The parking area shown on the approved plan shall be provided prior to the first use of the restaurant and shall be retained free of obstruction for the parking of customers and staff vehicles.
- 5 No development, including site clearance, shall take place until a scheme of soft landscaping and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule), have been submitted to the Local Planning Authority and approved in writing. The landscape scheme shall be

carried out in accordance with the approved details and the agreed timetable. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand in writing.

- 6 Prior to the first use of the restaurant, a suitable kitchen extraction system shall be installed, details of which shall be submitted to and agreed in writing to the Local Planning Authority before installation.

## AREA PLANS SUB-COMMITTEE 'EAST'

Date 26 September 2012

### INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1	EPF/1153/12	New House Cottages, Little Laver Road, Moreton, Ongar	GRANT	25
2	EPF/1269/12	1 Little Colemans, Romford Road, Stanford Rivers, Ongar	GRANT	30
3	EPF/1496/12	Darlingtons, Coppice Row, Theydon Bois	GRANT	36
4	EPF/1546/12	4 Marconi Bungalows, High Road, North Weald Bassett, Epping	GRANT	45
5	EPF/1430/12	5 Marconi Bungalows, High Road, North Weald Bassett, Epping	GRANT	49
6	EPF/1586/12	6 Marconi Bungalows, High Road, North Weald Bassett, Epping	GRANT	54
7	EPF/1610/12	12 Marconi Bungalows, High Road, North Weald Bassett, Epping	GRANT	58

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**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/1153/12
<b>SITE ADDRESS:</b>	New House Cottages Little Laver Road Moreton Ongar Essex CM5 0JE
<b>PARISH:</b>	Moreton, Bobbingworth and the Lavers
<b>WARD:</b>	Moreton and Fyfield
<b>APPLICANT:</b>	Mr Clarkson Partnership
<b>DESCRIPTION OF PROPOSAL:</b>	Replacement of New House Cottages with a single dwelling house and provision of a new access. (Amended application to EPF//0988/10 to include an orangery to rear)
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AnitellM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=538327](http://planpub.eppingforestdc.gov.uk/AnitellM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=538327)

**CONDITIONS**

- 1 The existing access to the south-east of the proposed access shall be suitably and permanently closed to the satisfaction of the Local Planning Authority, incorporating the reinstatement of the highway verge to the satisfaction of the Highway Authority immediately the proposed new access is brought into use.
- 2 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 3 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 4 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, D and E shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 The landscaping scheme and tree protection and retention for the site, approved under EPF/2625/10 shall be fully implemented including all tree and hedge planting shown, within 8 months of the date of this permission. 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. Once established the proposed boundary hedge shall be thereafter maintained at a height of not less than 1.5m.

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

### **Description of Site:**

The application site originally contained a pair of two storey semi-detached cottages, these have been demolished and a large single dwelling house with rear orangery has been erected in their place. The new house which was approved under EPF/0988/10 has not yet been finished but the main building works have been completed, the orangery element of the scheme was not on the originally approved plans. A new detached garage block has also been built and is nearing completion (this was granted planning permission under a separate application). The site is within a rural location on the east side of Little Laver Road at a gentle bend in the road so that the house fronts and sides onto the road. The whole site extends to approximately 0.5 acres and has a wide frontage, with a relatively shallow depth. The application site is not within a Conservation Area but is within the Metropolitan Green Belt. The site backs on to open fields with the nearest residential neighbour some 80m to the north.

### **Description of Proposal:**

Due to the addition of the orangery before the completion of the dwelling, the house is not in accordance with the approved plans and therefore the application is for the replacement dwelling and access way. The only difference between this and the approved scheme is however the single storey orangery to the rear that measures 4m x 5.748m.

### **Relevant History:**

EPF/0335/09 – Two storey rear extension and detached garage – App/Con (not implemented)  
EPF/0988/10 – Replacement of New House Cottages with a single dwelling house and provision of a new access – App/Con  
EPF/2625/10 Landscaping and flood Risk Details - Approved  
EPF/0871/11 – Erection of a garage – App/Con

### **Policies Applied:**

#### Epping Forest District Local Plan and Alterations

CP1 – Achieving Sustainable Development Objectives  
CP2 – Protecting the Quality of the Rural and Built Environment  
CP3 – New Development  
GB2A – Development within the Green Belt  
GB7A – Conspicuous development within the Green Belt  
GB15A – Replacement Dwellings within the Green Belt  
DBE4 – Design in the Green Belt  
DBE1 – Design of new buildings  
DBE2 – Effect on Neighbouring properties  
DBE9 – Impact on amenity  
ST4 – Road Safety  
LL10 – Retention of Landscaping

### **Summary of Representations:**

MORETON, BOBBINGWORTH AND THE LAVERS PARISH COUNCIL – Objection – overdevelopment of the Green Belt, original planning application had already taken into account the normal allowance for extensions. Any further extension is inappropriate and by definition harmful to the Green Belt.

### NEIGHBOURS

2 Neighbours consulted and a site notice erected: No responses received

### **Issues and Considerations:**

The main issues that arise with this application are considered to be the impact of the addition of the orangery on the following:

- Green Belt
- Impact on Neighbouring Amenity
- Design

### Green Belt

Replacement houses within the Green Belt are considered acceptable provided the replacement house is not materially greater in volume than that it would replace. Planning permission was originally granted on the basis that the proposed house was not materially greater in volume than the two houses it replaced (coupled with the volume of an extension allowed under reference EPF/0335/09 which could have been built at the time).

At the time of the previous application, the supporting statement suggested that by using the existing volume; proposed volume from the extension; existing outbuildings volume and permitted development allowance volume for both properties the resulting scheme would result in a 2m<sup>3</sup> decrease in volume. The Council did not agree with the inclusion of the outbuildings and possible permitted development additions, but excluding these it was calculated that the proposal resulted in an approximately 10% increase, over the volume of the two dwellings and the approved but unimplemented extension. As the Council considered the proposed dwelling to be the maximum allowed under GB15A, permitted development rights for any further extensions or outbuildings were removed by condition to give the Council control over future additions in the interests of preserving the openness of the Green Belt. Subsequently a further planning permission was granted for a detached garage at this site.

With regards to this current scheme, which includes the addition of the conservatory, the volume is increased by approximately 60m<sup>3</sup> which adds a further 5% to the volume above the original dwellings and (not implemented) extension.

The design and bulk of the main house has previously been accepted as appropriate by Committee and although it is regrettable that the addition to the rear has been added without consent we must assess whether this particular addition has any adverse impact on the openness of the Green Belt. The orangery is located at the rear of the south east wing of the building and does not intrude any further rearwards into the site than the north wing. Viewed in this context it has very limited impact on openness.

Bearing in mind the applicants fall back position, that they could remove the orangery complete the house as approved and then apply at a later date for the orangery officers have to consider whether in such circumstances the orangery would be an acceptable extension in accordance with

Green Belt Policy. Given its small size, position and design it would be considered a limited addition and therefore appropriate development within the Green Belt in accordance with Policy GB2A.

Therefore, although the total volume of the development before us is perhaps 5% greater than would normally be considered acceptable for a replacement dwelling it is not considered to result in such harm to the Green Belt above that of the previously approved dwelling to justify a refusal.

#### Residential Amenity

Due to the distances to the nearest residential neighbour it is not considered that the addition of the orangery has any significant impact on amenity.

#### Design and Visual Amenity

The replacement house as it stands in its unfinished state does appear quite stark and prominent on the site, however an extensive landscaping scheme is approved which includes native hedging around the boundary of the site along the road frontage and new tree planting, which when complete will significantly soften the development.

The orangery addition complements the existing building, is of suitable design with matching materials utilised and will not adversely impact on the visual amenity of the area.

#### Conclusion:

The scheme is considered an acceptable design and there are no amenity issues raised. The scheme results in a larger dwelling within the Green Belt, however, on balance this is considered acceptable and therefore approval is recommended.

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

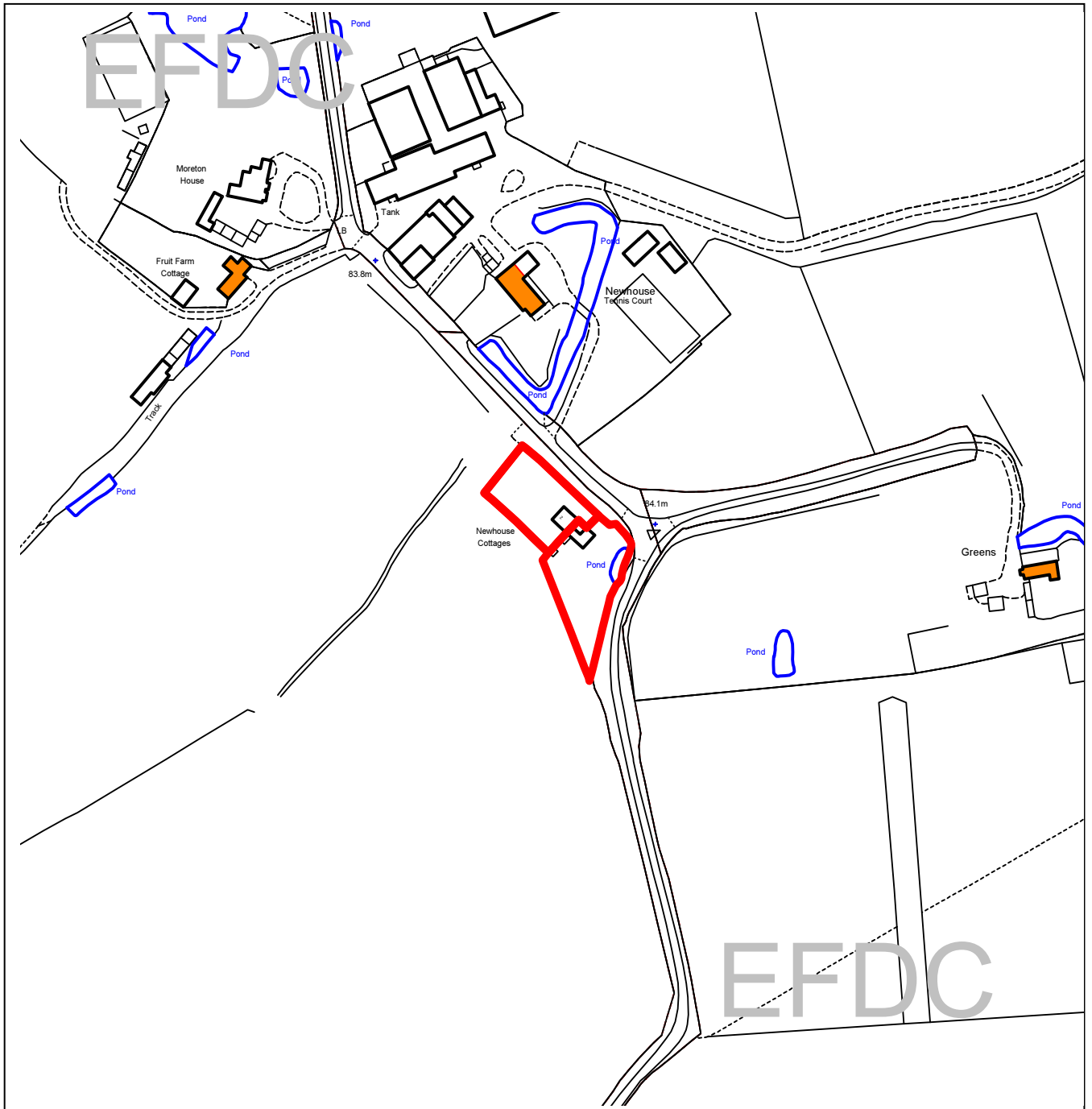
***Planning Application Case Officer: Marie-Claire Tovey  
Direct Line Telephone Number: 01992 564371***

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



# Epping Forest District Council

## Area Planning Sub-Committee East



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<b>Agenda Item Number:</b>	<b>1</b>
Application Number:	EPF/1153/12
Site Name:	New House Cottages, Little Laver Road Moreton, CM5 0JE
Scale of Plot:	1/2500

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/1269/12
<b>SITE ADDRESS:</b>	1 Little Colemans Romford Road Stanford Rivers Ongar Essex CM5 9PQ
<b>PARISH:</b>	Stanford Rivers
<b>WARD:</b>	Passingford
<b>APPLICANT:</b>	Mrs Roberta Khan
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use of annexe to separate dwelling house with garden. (Revised application)
<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/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=538943](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=538943)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.  
Act 1990 (as amended).
- 2 Additional drawings that show proposed new windows, doors, rooflights and railings shall be submitted to and approved by the Local Planning Authority prior to their installation, within one year of either the separation (by reason of the erection of the boundary treatment) of the annexe from the house, or the first occupation of the new dwelling, unless agreed in writing with the Local Planning Authority.
- 3 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 extensions or outbuildings generally permitted by virtue of Schedule 2, Part 1, Classes A, B or E shall be undertaken without the prior written permission of the Local Planning Authority.
- 4 The entire frontage of the site outlined in red shall be maintained clear of any obstruction up to a height of 2 metres, within the visibility splay 2.4 metres back from the carriageway edge.

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

### **Description of Site:**

The application site comprises a detached dwelling and its garden area, which is located mainly to the side of the house. It also includes a courtyard area within which is a large detached 2 storey annexe and garage. The building which was originally a barn has been converted so it is cable of being used as a residential annexe with the benefit of planning permission, although the actual use as an annexe has not commenced. The site is accessed via gated entrance from London Road.

The annexe was not built strictly in accordance with the approved plans and was then subsequently extended without the benefit of express planning permission. However, last year a certificate was issued in respect of the works confirming that they were lawful, as more than 4 years has passed since their substantial construction. The building, as it stands, is therefore lawful.

The site is located within the Metropolitan Green Belt and 1 Little Colemans is a Grade II Listed Building.

### **Description of Proposal:**

This application seeks planning permission for the division of the site into two, to allow the existing annexe building to be occupied as an entirely separate 3 bed dwelling.

Both properties would be accessed via the existing access onto London Road and a courtyard area, surrounded by 1.5m high railings, would be created to the front of the barn/annexe. The annexe would have its integral garage reinstated and would have a second car parking space to the front of the garage.

Amenity space for the three bed dwelling created would be provided both within the courtyard and on the existing roof terrace to the side. Whilst these areas would not be overlooked from neighbouring dwellings, they would be exposed to users of the parking area retained to the rear of 1 Little Colemans. However, should occupiers of the converted barn wish for a greater level of privacy in the courtyard area, this may be secured by the planting of landscaping behind the proposed railings.

In order to satisfy a highway safety concern regarding the likely intensification of the existing substandard access onto London Road (by reason of additional use by the occupiers of the new dwelling) the application also proposes the ongoing trimming maintenance of the conifer hedge along the highway boundary by the Applicant, to improve existing visibility splays.

Alterations to the elevational detail of the building, including new/enlarged windows are also proposed.

### **Relevant History:**

EPF/1519/02. Rebuilding of barn to provide residential annexe for elderly relative. Approved 29/11/2002.

EPF/0003/11. Certificate of lawful development for existing side extension and roof terrace over, velux windows and internal partitions and carport conversion. Lawful - 08/03/2011.

### **Policies Applied:**

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

DBE1 - Design  
DBE 2, 9 – Amenity  
DBE6 – Car Parking  
DBE8 – Private Amenity Space  
LL10, 11 – Landscaping  
HC12 – Development Affecting the Setting of a Listed Building  
GB2A – Inappropriate Development in the Green Belt  
GB7A – Conspicuous Development in the Green Belt

### **Summary of Representations:**

Notification of this application was sent to Stanford Rivers Parish Council and to 2 neighbouring residents.

The following representations have been received:

STANFORD RIVERS PARISH COUNCIL. Strong Objection. This is a change to green belt policy opening flood gates for similar applications. Annexe in green belt only allowed in 'special circumstances' ancillary to the main dwelling house for the personal enjoyment of that existing dwelling. Highways cannot prove 90m x 2.4 sight line due to the existing hedge the 90m sight line toward Ongar sub standard. Although agreement to keep conifer hedge at a height of 2.00m not only is this hedge tight and parallel to the road and brick screen wall is constructed within the hedgerow. OBJECT on highway grounds. The parking standard area achieved by car port with visitor parking in front the amenity space reached under Town Planning made up by railing area and a balcony over the car port resulting in overlooking, no screening in this location. Object to overlooking issues involved with first floor balconies.

### **Issues and Considerations:**

The main issues in this case are the impacts of the proposed development on residential amenity, on the Green Belt, on the character and appearance of the area, on the setting of the listed building and in relation to highway safety.

#### **Residential Amenity**

When considering the impact that this proposed development would have on the amenities enjoyed by the occupiers of neighbouring dwellings, it must be borne in mind that the building may presently be lawfully occupied as an annexe. This would permit its full time occupancy by individuals or a family related to the occupiers of 1 Little Colemans. Therefore, for the purposes of this application, it is the relationship between the occupiers of the barn and 1 Little Colemans which is most significant, as there would be no material change in relation to impact upon the occupiers of the neighbouring 2 Little Colemans. Notwithstanding this, it is considered that the relationship between the barn and 2 Little Colemans would be acceptable.

In terms of the relationship between the barn and 1 Little Colemans, the greatest issue (if the dwellings were occupied by unrelated households) would be the levels of privacy within their garden areas. However, whilst low level boundary treatment is proposed, this may be reinforced by additional landscaping in the future, should the occupiers so desire. This would afford greater levels of amenity. The issue would be greater for the occupants of the barn, as it would be their main amenity area that would be subject to overlooking. For the occupants of 1 Little Colemans, more private areas of the garden would be retained to the side and front. On balance, it is considered that the relationship would be satisfactory. Anyone considering living in the dwelling would be fully aware of the overlooking issues.



All habitable rooms within the barn would have acceptable levels of light, outlook and privacy. Bedroom 3 is, somewhat unusually, served by a roof light and a very low level window. However, it has adequate levels of light and a tolerable level of outlook (and as discussed previously, it could presently be occupied as a permanent bedroom and there is therefore no material worsening of the existing situation).

### Character and Appearance

The proposed physical works (i.e. to boundary treatment separating the two plots) will have limited visibility from any public vantage point and will not, therefore cause any material harm to the character and appearance of the wider locality. The minor elevational alterations to the building would enhance its appearance. The more significant issues in respect of character and appearance are those in relation to the Green Belt and the setting of the listed building. These matters are addressed elsewhere in this report.

### Impact on Setting of Listed Building

The Historic Buildings Advisor at Essex County Council has been consulted on this application and has commented as follows:

*In particular, the landscape to the rear of the listed house remains unchanged – previously the hard landscaping was extended onto the garden space – the extent of the yard remains unchanged and it remains legible as an entity, with the subdivision given a simpler treatment (though metal post and rail might be more appropriate).*

*The principle of subdivision is still contentious, as the listed house will be deprived of an asset. However, the house retains an outbuilding, so the proposal should not result in additional outbuildings being required for the house. The appearance of the annex would also be drastically improved, to make it more in keeping with the traditional context and finer detail of the listed building.*

*Given the reduction in harm to the setting of the listed building and the benefit of improving the appearance of the annex, I have no further objection to the subdivision of the curtilage provided that it is ensured that the improvement works take place.*

### Highway Safety

Highways officers at Essex County Council have also been consulted on the planning application. The use of the barn as an independent dwelling would cause an intensification of the existing vehicular access onto London Road which has in the past had poor visibility, due to the overgrowth of a large conifer along the frontage of the site and the adjacent cottage (2 Little Colemans). However, the Applicant has cleared the visibility splays both sides of the access to the benefit of all users of the highway and has agreed to maintain them as such with the agreement of the neighbouring landowner. A condition can be applied to require the site line to be maintained. On this basis, the Highways officer is satisfied that there would be no harm to highway safety caused by the additional use of the access.

### Green Belt

The site is located within the Metropolitan Green Belt. The proposed development would entail the re-use of an existing building and the proposed works (primarily the erection of the new boundary fencing) would not result in materially greater harm to the openness of the Green Belt. Accordingly, following the definition with the National Planning Policy Framework, the development would not be inappropriate within the Green Belt.

The building already exists and any harm to the Green Belt would be limited to the provision of additional boundary treatment. The site is not visible from London Road due to the existing hedge screen. From the fields to the rear of the site there would be only limited views of the additional boundary treatment within site.

**Conclusion:**

In light of the above appraisal, it is considered that the proposed use of the building as an independent dwelling would not be inappropriate within the Green Belt and would not cause significant other harm. It is, therefore, 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:***

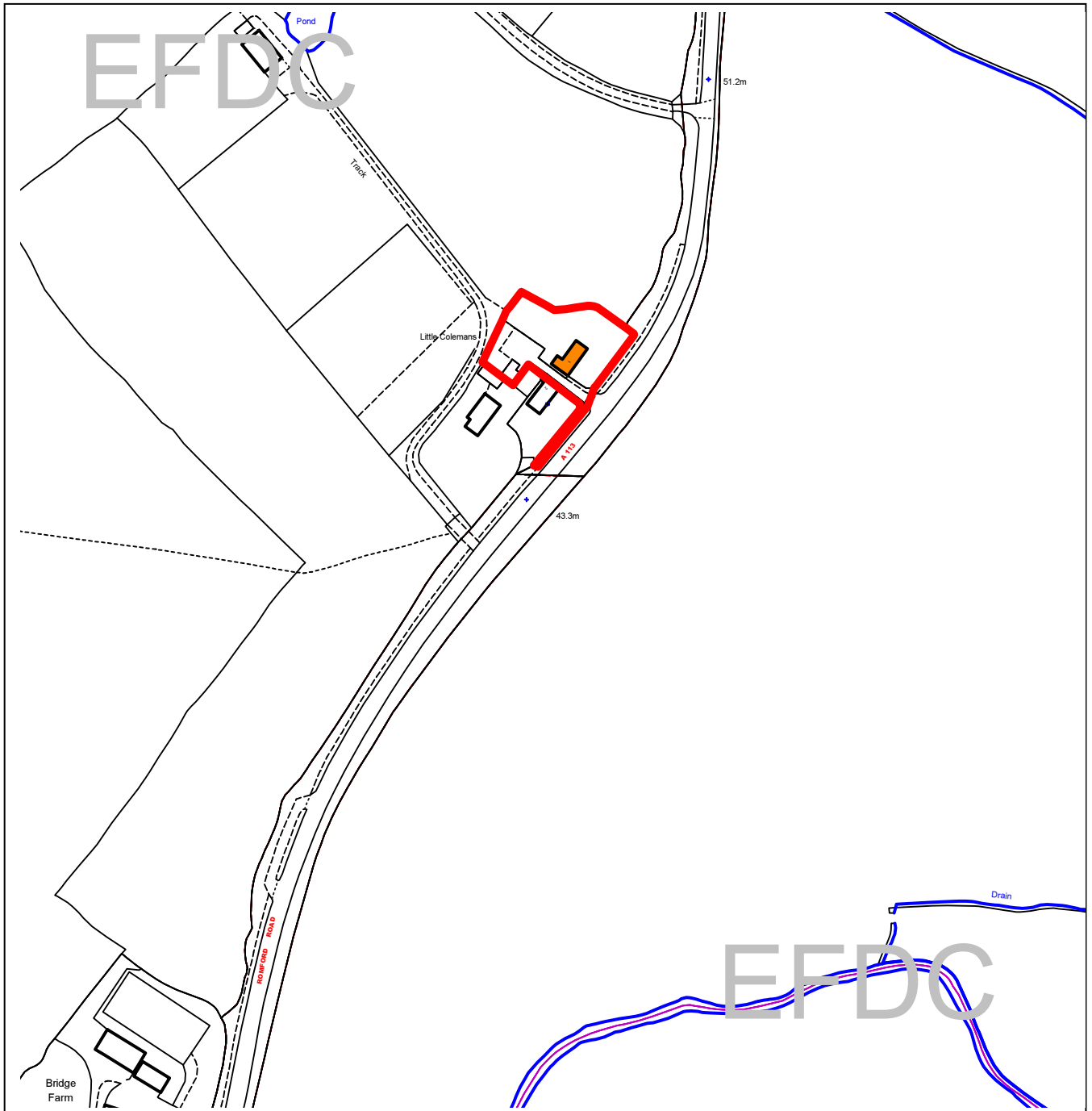
***Planning Application Case Officer: Mrs Katie Smith  
Direct Line Telephone Number: (01992) 564109***

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



# Epping Forest District Council

## Area Planning Sub-Committee East



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<b>Agenda Item Number:</b>	<b>2</b>
Application Number:	EPF/1269/12
Site Name:	1 Little Colemans, Romford Road Stanford Rivers, CM5 9PQ
Scale of Plot:	1/2500

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/1496/12
<b>SITE ADDRESS:</b>	Darlingtons Coppice Row Theydon Bois Essex CM16 7ES
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>APPLICANT:</b>	Mr Neil Cottrell
<b>DESCRIPTION OF PROPOSAL:</b>	Removal of condition 2 'Drawing numbers' of planning permission EPF/1423/11 (Demolition of existing garage and construction of two storey block to provide seven, two bed and one, one bed apartment(s) with ground floor patios area and first floor balconies. Associated works involve closure of existing vehicular access, formation of new vehicular access with sliding electronic gates and new pedestrian access. Provision of 13 car parking spaces, turning area, drying area, bin store, bike store, communal open space and landscaping.) to allow for submission of revised plan as minor amendment of approved development.
<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/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=539834](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=539834)

**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: 010736/PL.202 Rev A, 010736/PL.203, 010736/PL.204 Rev A, 010736/PL.205, 010736/PL.206, 010736/PL.207 Rev A and 010736/PL.208.
- 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 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.

- 5 The development shall be carried out in accordance with the hard and soft landscaping details approved under decision ref EPF/1473/12, dated 12 September 2012, unless otherwise approved in writing by the Local Planning Authority. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 6 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 7 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]
- 8 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the

Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

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

- 9 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report (referred to in PPS23 as a Validation 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.
- 10 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 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 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and access ways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 13 Prior to first occupation of the proposed development, the applicant shall submit a Travel Information and Marketing Scheme for sustainable transport for approval in writing by the Local Planning Authority. The details as approved shall be implemented prior to occupation.
- 14 Prior to commencement details shall be submitted to and approved in writing by the Local Planning Authority securing works to the adjacent highway to include the provision of two dropped kerb crossing points with tactile paving in Orchard Drive at its junction with Coppice Row. The approved details shall then be implemented, prior to first occupation of the development.
- 15 No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority for the provision of raised kerbs to current Essex County Council specification for the east (Stop ID: THYBOIS2) and west (Stop ID: 21003007) bound bus stops on Coppice Row to the west of the site.

- 16 Prior to first occupation of the development the redundant existing vehicular crossovers on Orchard Drive and Coppice Row shall be suitably and permanently closed to the satisfaction of the Local Planning Authority, incorporating the reinstatement to full height of the highway verge/footway and kerbing.
- 17 The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.
- 18 Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
- 19 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 20 Prior to first occupation of the development hereby approved, details of the boundary treatment shall have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved before first occupation.
- 21 No occupation shall take place until details of external lighting has been submitted and approved in writing by the Local Planning Authority and implemented as approved.

**Subject to the completion, within 3 months of this decision, a deed of variation to ensure the S106 Agreement completed in connection with planning permission EPF/1423/11 also relates to this application and the planning permission arising from it.**

*This application is before this Committee since it is an application for residential development of 5 dwellings or more and is recommended for approval (Pursuant to Section CL56, Schedule A (d) of the Council's Delegated Functions).*

**Description of Site:**

The application site is a former motor vehicle dealers that is now vacant and enclosed by hoardings following the grant of planning permission to redevelop the site for flats. The approved development is for 8 flats in a two-storey building with a T-shaped footprint that would have a pitched roof of similar height at the ridge to the existing flat roofed motor vehicle dealer building. Two bays with hipped roofs would break up the Coppice Row elevation. The mix of flats in the approved development is 1 x one bedroom flat and 7 x two-bedroom flats. An existing 9m high flat roofed building that would be demolished presently dominates the site.

The site is situated within a residential area on the east side of the junction of Orchard Drive and Coppice Row and is highly visible from the south across Theydon Green. It is a level site although land in the locality rises to the west and falls to the east. To the north and west are a mix of bungalows and two-storey houses. Properties abutting the site to the north and east comprise

two-storey houses with the second floor largely contained within the roof, that fronting Coppice Row being the more substantial building. Further to the east beyond the neighbouring house fronting Coppice Row are substantial two-storey houses.

### **Description of Proposal:**

Planning permission is sought for minor material amendments to the approved flat development. This application follows the refusal of planning permission for previously proposed minor material amendments and considerable post decision consultation by the applicant with the Parish Council and residents.

The main changes proposed to the originally approved development are a revised internal arrangement that would result in 2 of the flats being provided in the roof space of the main part of the building fronting Coppice Row, the removal of 1 ground floor flat from the rear projection and the enlargement of the internal floor area of the flats by varying amounts. The two 2-bedroom flats at first floor would each gain an additional room that would have an area of some 6.5m<sup>2</sup> and is shown as a study in the submitted drawings. The detailed amendments are as follows:

- Rationalising the elevational treatment of the building such that the front Coppice Row elevation would be simplified by giving greater focus to two bays set against the backdrop of a building with a ridge that would be the same height as the approved building and a lower eaves height. The bays would be set further apart to give the elevation greater symmetry. Their width would remain the same. The changes would result in the proportion of roof to wall height increasing while the wall would be further broken up by a canopy and balcony feature between ground and first floor.
- The projection of the building rear of the main structure fronting Coppice Row would have the same height as the corresponding part of the approved building but the eaves would be lowered 1m to 4.4m thereby increasing the proportion of roof to wall height with the consequence that first floor windows would take the form of half-dormers.
- Internal alterations are proposed to facilitate the provision of 2 of the flats within the roof space, the removal of one ground floor flat from the rear projection and the enlargement of the internal floor area of the flats by varying amounts including the addition of a study to the two first-floor flats. Further internal alterations include re-siting internal bin and cycle storage, repositioning of the entrance to the building, repositioning of an internal stairs and the provision of an internal lift.
- Two additional off-street parking spaces would be provided in an undercroft adjacent to cycle storage raising the total number of spaces to 15.

### **Relevant History:**

EPF/1423/11 Demolition of existing garage and construction of two storey block to provide seven, two bed and one, one bed apartment(s) with ground floor patios area and first floor balconies. Associated works involve closure of existing vehicular access, formation of new vehicular access with sliding electronic gates and new pedestrian access. Provision of 13 car parking spaces, turning area, drying area, bin store, bike store, communal open space and landscaping. Approved following the completion of a S106 agreement in respect of a contribution of £70,000 for community facilities.

EPF/0905/12 Minor material amendment to approved plans referred to in condition 2 of planning permission EPF/1423/11. The proposal amendments comprised rationalising the front elevation, increasing the ridge height of the proposed building, introducing 3



feature chimneys, lowering eaves on the rear part of the block, provision of 2 additional parking spaces and carrying out significant internal alterations. Refused for the following reason:

“The proposed increase in height over the approved scheme and creation of a three storey block with high gables and inappropriate false chimney features, fronting The Green, results in an overly prominent development out of scale and keeping with the surrounding residential area and harmful to the character and visual amenity of the locality, contrary to policies CP2 and DBE1 of the adopted Local Plan and Alterations.”

**Policies Applied:**

DBE1	Design of new buildings
DBE2	Effect on neighbouring properties
DBE3	Design in urban areas
DBE5	Design and layout of new development
DBE6	Car parking in new developments
DBE8	Private amenity space
DBE9	Loss of amenity
LL11	Landscaping schemes
ST6	Vehicle parking
I1A	Planning obligations

NPPF

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

Number of neighbours consulted. 16

Site notice posted: Yes – fixed to hoarding enclosing site at junction of Coppice Row and Orchard Drive

Responses received:

None from neighbours

Theydon Bois Parish Council: - NO OBJECTION

**Main Issues and Considerations:**

What may constitute a minor material amendment to approved plans is defined broadly as any change whose nature and scale results in a development that is not substantially different to the development which has been approved. This proposal does not include any change to the number or mix of flats approved but does propose a number of material changes to the external appearance and internal arrangement of the building as detailed in the section of this report describing the proposal. For the avoidance of doubt, Members are advised the width of the building fronting Coppice Row would not change, the height of the building would accord with that of the approved building and the position of the building within the site would be unchanged. Although the resulting building would have a marked difference in appearance to the approved building, the proposals are consistent with the nature and scale of the approved building. There is no doubt that the proposals can properly be dealt with under an application for approval of minor material amendments to the originally approved plans.

Having regard to the reason for refusal of the previously proposed minor material amendments, the main matter to consider when assessing the merits of the proposal is design. It is also appropriate to consider the consequences for the living conditions of neighbouring houses.

### Design

The case officer's opinion is that the originally approved design lacks interest and while it would certainly enhance the appearance of the existing site, it would not make the most of its relatively prominent situation fronting Theydon Green on the south side of Coppice Row. The present proposal is for a building with a ridge height no higher than that originally approved which significantly reduces the prominence of accommodation within the roofspace and omits the false chimney features that were a component of the previously refused proposal. The present proposal therefore addresses the District Council's objection to the refused proposal.

The proposed rationalisation of the proposal would remove mundane repetition of gable features, achieve a more symmetrical frontage and include detailed design features that would significantly enhance the appearance of the building. As a consequence the street scene and the setting to Theydon Green would be significantly enhanced. The increase in the proportion of roof to wall height together with the use of contrasting materials for the ground and first floor and the increased separation of 2 prominent bays are the main elements that achieve the enhanced interest of the amended design. The provision of two of the approved flats within the resulting roof space is an appropriate use of the space that creates the opportunity to enhance on-site parking provision.

As with the original design, the main bays to the front elevation serve an important function in design terms by breaking up the width of the building. The amended proposal achieves this with much improved symmetry and, as a consequence of the change in roof form to a gabled design, much more effectively. The addition of a pair of small centrally positioned dormers contributes to breaking up what was previously a monotonous design in a sympathetic manner.

The appearance of quality is enhanced by fine detailing of windows, a central balcony and canopies to the outside flanks of the bays. That continues to the more subordinate rear part of the building which would have a softer appearance. That would be achieved by lowering the eaves and having first floor windows as half-dormers. Fine detailing to the eaves, which are more pronounced than those of the approved building, is a theme repeated to positive effect in the main building fronting Theydon Green.

The revised proposal is separated from houses to the north by the width of Orchard Drive. The building would also be separated by some 3.5m from the flank of the house to the east. As with the approved building, it would contribute to a harmonious pattern of building heights east of Orchard Drive and along Orchard Drive. The significant improvements in detailed design would enable the development to achieve far better relationship with Theydon Green that makes the most of this prominent corner site.

### Impact on living conditions

The amendments would not result in any change in the relationship of the physical bulk of the building or the site layout to neighbouring houses. Neither the approved nor the amended development would appear excessively overbearing or cause any loss of light to neighbouring houses. No excessive overlooking would arise as a consequence of the proposed amendments. As a whole, the proposed minor material amendments would not cause any harm to the living conditions of neighbouring houses.

### Other matters

The alteration in the floor area of the flats is varied but, with the exception of the two first floor flats in the main part of the building, is not significant. The two first floor flats would each gain an additional room that is some 6.5m<sup>2</sup> in area. Although very small, they could conceivably be used

as a third bedroom. Should that be the case there is no consequence for the requirement of amenity space provision for the development. There is also no change in terms of off-street parking requirement for the development arising from the proposed amendments, however the amendments to the proposal do include the provision of an additional 2 off-street parking spaces. Such provision ensures adequate off-street parking provision would be provided for the flats. Moreover, it has been achieved in a way that complements the design of the proposal within an undercroft.

In the event of planning permission being granted a new planning permission for the development as a whole would arise. It would therefore be necessary to include all conditions imposed on the original planning permission on the new consent and ensure the planning obligation completed would relate to the new permission. The latter point can be achieved by a deed of variation.

**Conclusion:**

The proposal is properly put forward as a minor material amendment. It would safeguard the living conditions of neighbouring houses and have a much improved appearance that would amount to a significant enhancement of the originally approved design. Moreover, it successfully addresses the objections raised by the District Council in its decision to refuse the previously proposed minor material amendments. The present proposal complies with adopted planning policy and it is recommended that conditional planning permission be given subject to the completion of a deed of variation to secure the planning benefits achieved through the original permission.

***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:***

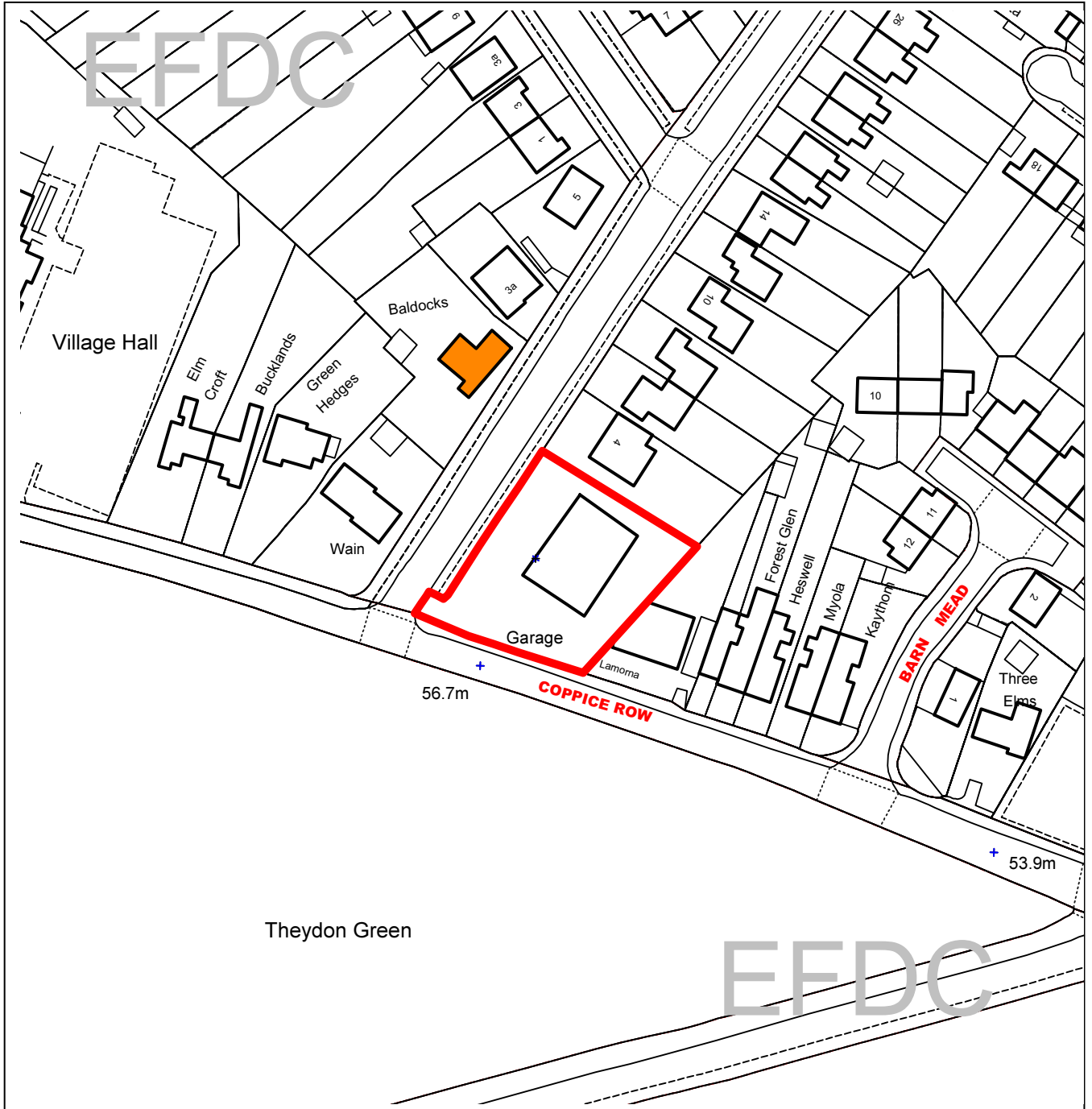
***Planning Application Case Officer: Stephan Solon  
Direct Line Telephone Number: 01992 564018***

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



# Epping Forest District Council

## Area Planning Sub-Committee East



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<b>Agenda Item Number:</b>	<b>3</b>
Application Number:	EPF/1496/12
Site Name:	Darlingtons, Coppice Row Theydon Bois, CM16 7ES
Scale of Plot:	1/1250

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/1546/12
<b>SITE ADDRESS:</b>	4 Marconi Bungalows High Road North Weald Bassett Epping Essex CM16 6EQ
<b>PARISH:</b>	North Weald Bassett
<b>WARD:</b>	North Weald Bassett
<b>APPLICANT:</b>	Mr Ben Boyten
<b>DESCRIPTION OF PROPOSAL:</b>	Change of land use to garden/residential curtilage purposes.
<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/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=540023](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=540023)

**CONDITIONS**

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Location Plan, BB8122/01
- 2 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, Class E and F shall be undertaken without the prior written permission of the Local Planning Authority.

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

**Description of Site:**

The application site consists of the detached area of land to the rear of No. 4 Marconi Bungalows, that whilst owned and used by the residents of 4 Marconi Bungalows does not form part of the residential curtilage. There is an outbuilding located on the northern side of the land adjacent to the access road that serves all 12 bungalows. This area of land sits within the Metropolitan Green Belt.

### **Description of Proposal:**

Retrospective consent is being sought for the change of use of the rear piece of land to residential garden. The area of land proposed for use as residential garden is a 0.1ha piece of land located beyond the shared access road.

### **Relevant History:**

EPF/0827/99 - Demolish lean to and erection of two storey side extension and formation of loft conversion (front rooflights and rear dormers) – approved/conditions 16/08/99

EPF/0104/02 - Formation of new driveway – approved/conditions 22/03/02

EPF/0085/05 - Demolition of existing garage and erection of new double garage – approved/conditions 14/03/05

EPF/1996/05 - Single storey extensions to front and rear – refused 10/01/06

EPF/0136/06 - Single storey rear extension (Revised application) – approved/conditions 20/02/06

EPF/2491/10 - First floor rear extension – approved/conditions 20/01/11

EPF/0250/11 - Retention of existing outbuilding for storage purposes – approved/conditions 14/04/11

### **Policies Applied:**

GB2A – Development in the Green Belt

GB4 – Extensions of residential curtilages

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.

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

2 neighbouring residents were consulted. No Site Notice was required.

PARISH COUNCIL – Object due to it being inappropriate development within the Green Belt and it is also considered harmful to the openness of the Green Belt.

### **Issues and Considerations:**

The area of land proposed for change of use is a strip of land sold to the appellant (along with similar strips sold to neighbouring residents) by the adjacent land owner when Blakes Golf Course was developed. The strip of land has been used by the applicants for the last nine years as an extension of their residential garden. This application, along with other applications being submitted by neighbouring residents, is a result of Enforcement investigations to regularise this situation.

Local Plan policy GB4 states:

**The extension of the curtilage of a residential property which involves an incursion into the Green Belt will be permitted only where the Council is satisfied that;**

- (i) it would not have an adverse effect upon the open character of the landscape; and**
- (ii) it would relate well to the curtilages of any adjoining residential properties; and**
- (iii) it would not be excessive in size.**

**In granting planning permission for any such development the Council may:**

- (a) withdraw permitted development rights for the area concerned in respect of building and hard surfaces; and**
- (b) impose appropriate planning conditions.**

(i) The area of land was previously agricultural land and, if not sold to the applicant, would have formed part of Blakes Golf Course. The majority of the strips are open and undeveloped, with the only structures consisting of relatively low boundary treatments and small outbuildings. Due to this, the use of this piece of land (along with the neighbours land) is not considered unduly harmful to the openness of the Green Belt.

(ii) As all the strips of land to the rear of the original bungalows are now being used/applied for as residential gardens, these all relate well to each other.

(iii) Whilst the piece of land to the rear, combined with the existing rear curtilage, does result in a fairly large garden, the rear section is separated off by the access road serving all the bungalows. This forms a sufficient break between the original and extended garden areas and avoids these being used as single, excessively sized gardens.

Given the separation of the piece of land and the original garden area, and as this land encroaches into the Green Belt, it would be appropriate to remove permitted development rights to these new rear sections of garden to protect against buildings and other structures being erected without prior approval by the Council. Subject to this, it is not considered that the change of use would constitute inappropriate development within the Green Belt.

**Conclusion:**

Due to the above, the proposed retrospective development would not constitute inappropriate development and, subject to conditions, would comply with the relevant Local Plan policies and is therefore recommended for approval.

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

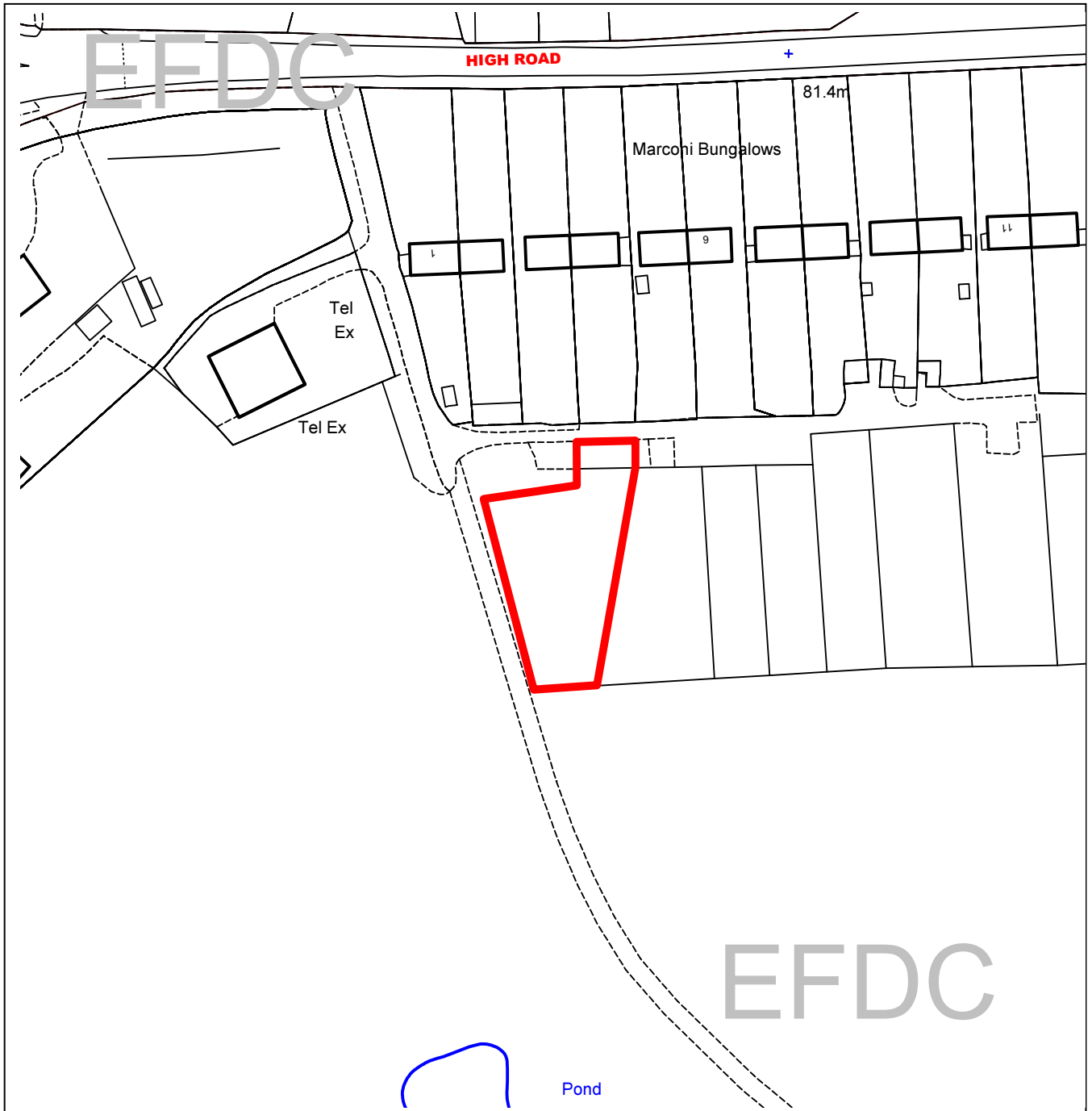
***Planning Application Case Officer: Graham Courtney  
Direct Line Telephone Number: 01992 564228***

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



# Epping Forest District Council

## Area Planning Sub-Committee East



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<b>Agenda Item Number:</b>	<b>4</b>
Application Number:	EPF/1546/12
Site Name:	4 Marconi Bungalows, High Road North Weald Bassett, CM16 6EQ
Scale of Plot:	1/1250



**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/1430/12
<b>SITE ADDRESS:</b>	5 Marconi Bungalows High Road North Weald Essex CM16 6EQ
<b>PARISH:</b>	North Weald Bassett
<b>WARD:</b>	North Weald Bassett
<b>APPLICANT:</b>	Mr Stephen Messenger
<b>DESCRIPTION OF PROPOSAL:</b>	Retention of existing outbuilding and change of use of rear amenity land to residential garden.
<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/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=539600](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=539600)

**CONDITIONS**

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Location Plan, SEM0712\_Site, SEM0712/ERE, SEM0712/NSE, SEM0712/PV, SEM0712/SSE, SEM0712/WFE
- 2 The outbuilding hereby approved shall only be used for vehicle parking and/or domestic storage purposes incidental to the use of 5, Marconi Bungalows as a dwellinghouse, and it shall not be used for any other purpose.
- 3 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, Class E and F shall be undertaken without the prior written permission of the Local Planning Authority.

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

**Description of Site:**

The application site consists of the detached area of land to the rear of No. 5 Marconi Bungalows, that whilst owned and used by the residents of 5 Marconi Bungalows does not form part of the residential curtilage. The outbuilding is located on the northern side of the land adjacent to the

access road that serves all 12 bungalows. This area of land sits within the Metropolitan Green Belt.

**Description of Proposal:**

Retrospective consent is being sought for the retention of the existing outbuilding and the change of use of the rear piece of land to residential garden. This outbuilding is 5.9m wide and 7m deep (including the overhanging roof) with a dual pitched roof to a ridge height of 3.95m in height. The area of land proposed for use as residential garden is a 0.1ha piece of land located beyond the shared access road.

**Relevant History:**

EPF/1094/96 - Side extension, rear dormers and alterations to roof – approved/conditions 22/10/96

EPF/0758/00 - Formation of vehicular crossover at front – approved/conditions 21/07/00

EPF/1183/08 - Retention of solar water heating (evacuated tubes) onto flat roof (dormer) on rear south facing side of dwelling – refused 16/07/08

EPF/1295/09 - Retention of solar panels to rear facing flat dormer roof of dwelling (revised application) – refused 09/09/09

**Policies Applied:**

GB2A – Development in the Green Belt

GB4 – Extensions of residential curtilages

DBE1 – Design of new buildings

DBE2 – Effect on neighbouring properties

DBE4 – Design in the Green Belt

The above policies form part of the Council's 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.

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

6 neighbouring residents were consulted. No Site Notice was required.

PARISH COUNCIL – Object due to it being inappropriate development within the Green Belt and it is also considered harmful to the openness of the Green Belt.

4 MARCONI BUNGALOWS – No objection assuming the design and appearance are considered sympathetic to the surroundings and keen to avoid 'over-cluttering' of the land to the rear of the bungalows.

**Issues and Considerations:**

The area of land proposed for change of use is a strip of land sold to the appellant (along with similar strips sold to neighbouring residents) by the adjacent land owner when Blakes Golf Course was developed. The strip of land has been used by the applicants for the last nine years as an extension of their residential garden. This application, along with other applications being submitted by neighbouring residents, is a result of Enforcement investigations to regularise this situation.

Local Plan policy GB4 states:

**The extension of the curtilage of a residential property which involves an incursion into the Green Belt will be permitted only where the Council is satisfied that;**

- (iv) it would not have an adverse effect upon the open character of the landscape; and**
- (v) it would relate well to the curtilages of any adjoining residential properties; and**
- (vi) it would not be excessive in size.**

**In granting planning permission for any such development the Council may:**

- (c) withdraw permitted development rights for the area concerned in respect of building and hard surfaces; and**
- (d) impose appropriate planning conditions.**

(i) The area of land was previously agricultural land and, if not sold to the applicant, would have formed part of Blakes Golf Course. The majority of the strips are open and undeveloped, with the only structures consisting of relatively low boundary treatments and small outbuildings. Due to this, the use of this piece of land (along with the neighbours land) is not considered unduly harmful to the openness of the Green Belt.

(ii) As all the strips of land to the rear of the original bungalows are now being used/applied for as residential gardens, these all relate well to each other.

(iii) Whilst the piece of land to the rear, combined with the existing rear curtilage, does result in a fairly large garden, the rear section is separated off by the access road serving all the bungalows. This forms a sufficient break between the original and extended garden areas and avoids these being used as single, excessively sized gardens.

Given the separation of the piece of land and the original garden area, and as this land encroaches into the Green Belt, it would be appropriate to remove permitted development rights to these new rear sections of garden to protect against buildings and other structures being erected without prior approval by the Council. Subject to this, it is not considered that the change of use would constitute inappropriate development within the Green Belt.

With regards to the retention of the existing outbuilding, planning permission was recently granted for a detached outbuilding of almost identical proportions in a similar location to the rear of the adjacent neighbour at No. 4. Whilst the outbuilding is located within the Green Belt and outside of the original curtilage of the applicant's dwelling the recent neighbour approval has set a precedent for outbuildings to be erected within this strip of hardstanding adjacent to the access road (as opposed to the more open area of land to the south).

The design of the building is appropriate to the location and, similar to that next door, the outbuilding is considered an acceptable development within the Green Belt. However a condition would be required restricting the use of this outbuilding.

### **Conclusion:**

Due to the above, the proposed retrospective development would not constitute inappropriate development and, subject to conditions, would comply with the relevant Local Plan policies and is therefore recommended for approval.

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

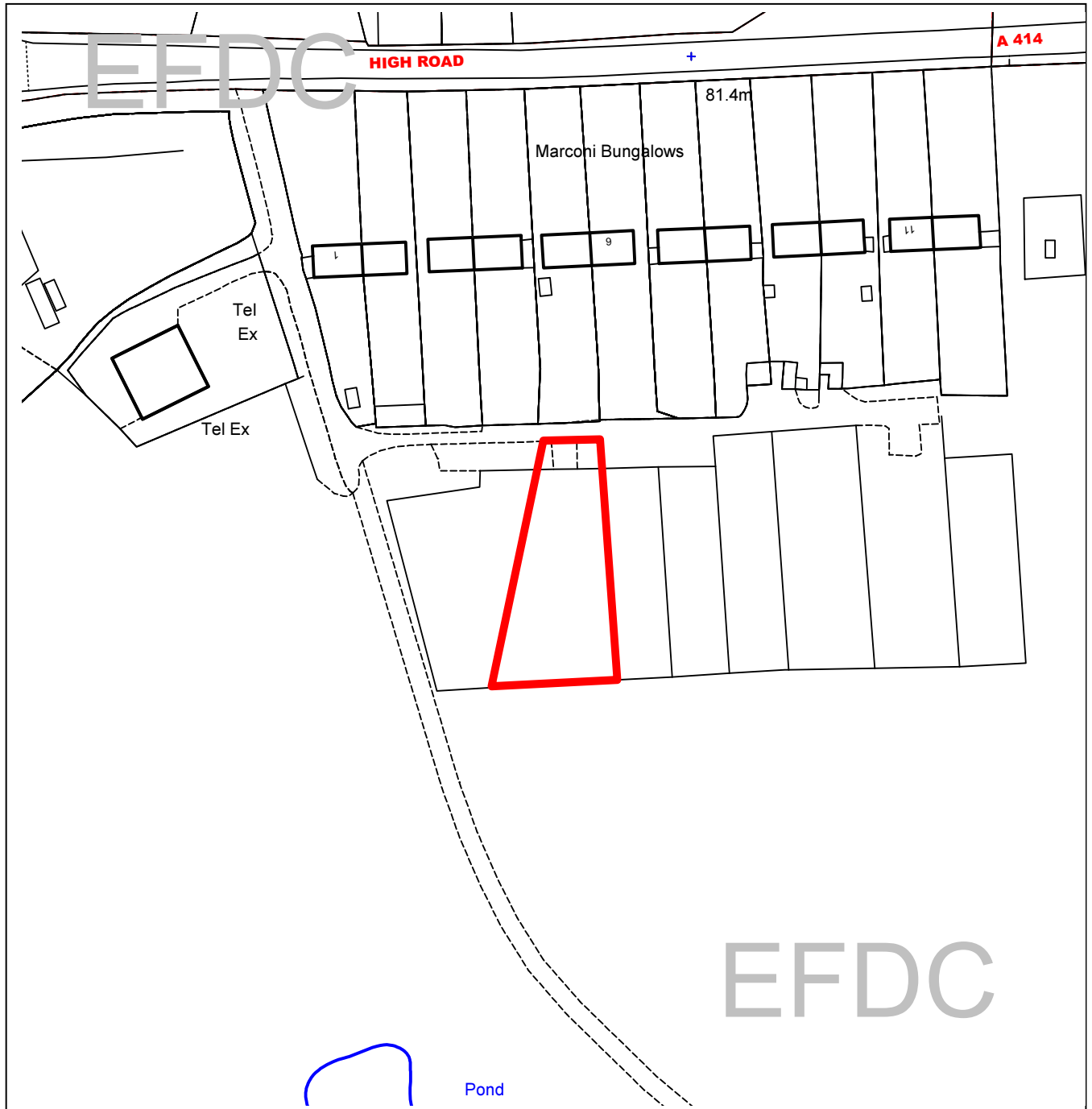
**Planning Application Case Officer: Graham Courtney  
Direct Line Telephone Number: 01992 564228**

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



# Epping Forest District Council

## Area Planning Sub-Committee East



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<b>Agenda Item Number:</b>	<b>5</b>
Application Number:	EPF/1430/12
Site Name:	5 Marconi Bungalows, High Road North Weald, CM16 6EQ
Scale of Plot:	1/1250

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/1586/12
<b>SITE ADDRESS:</b>	6 Marconi Bungalows High Road North Weald Bassett Epping Essex CM16 6EQ
<b>PARISH:</b>	North Weald Bassett
<b>WARD:</b>	North Weald Bassett
<b>APPLICANT:</b>	Mr John Reynolds
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use of land and retention of existing shed in garden.
<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/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=540283](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=540283)

**CONDITIONS**

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Location Plan title number EX702859, BB/111019/01
- 2 The outbuilding hereby approved shall only be used for vehicle parking and/or domestic storage purposes incidental to the use of 6, Marconi Bungalows as a dwellinghouse, and it shall not be used for any other purpose.
- 3 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, Class E and F shall be undertaken without the prior written permission of the Local Planning Authority.

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

**Description of Site:**

The application site consists of the detached area of land to the rear of No. 6 Marconi Bungalows, that whilst owned and used by the residents of 6 Marconi Bungalows does not form part of the residential curtilage. The shed is located on the northern side of the land adjacent to the access road that serves all 12 bungalows. This area of land sits within the Metropolitan Green Belt.

### **Description of Proposal:**

Retrospective consent is being sought for the retention of the existing outbuilding and the change of use of the rear piece of land to residential garden. This outbuilding is 4.8m wide and 6.3m deep with a dual pitched roof to a ridge height of 3.7m in height. The area of land proposed for use as residential garden is a 0.06ha piece of land located beyond the shared access road.

### **Relevant History:**

EPF/0287/01 - Single storey rear extension and loft conversion with dormer windows to front elevation – refused 16/03/01

EPF/0610/01 - Single storey rear extension and loft conversion with dormer windows to rear elevation – approved/conditions 11/05/01

EPF/1245/05 - Amendment to half hip roof and enlargement of rear dormer – approved/conditions 21/10/05

### **Policies Applied:**

GB2A – Development in the Green Belt

GB4 – Extensions of residential curtilages

DBE1 – Design of new buildings

DBE2 – Effect on neighbouring properties

DBE4 – Design in the Green Belt

The above policies form part of the Council's 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.

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

2 neighbouring residents were consulted. No Site Notice was required. This report has been prepared prior to the expiry of the consultation period. Any further comments received will be verbally reported to the Committee.

PARISH COUNCIL – Object due to it being inappropriate development within the Green Belt and it is also considered harmful to the openness of the Green Belt.

### **Issues and Considerations:**

The area of land proposed for change of use is a strip of land sold to the appellant (along with similar strips sold to neighbouring residents) by the adjacent land owner when Blakes Golf Course was developed. The strip of land has been used by the applicants for the last nine years as an extension of their residential garden. This application, along with other applications being submitted by neighbouring residents, is a result of Enforcement investigations to regularise this situation.

Local Plan policy GB4 states:

**The extension of the curtilage of a residential property which involves an incursion into the Green Belt will be permitted only where the Council is satisfied that;**

- (vii) it would not have an adverse effect upon the open character of the landscape;**
- and**

- (viii) it would relate well to the curtilages of any adjoining residential properties; and
- (ix) it would not be excessive in size.

In granting planning permission for any such development the Council may:

- (e) withdraw permitted development rights for the area concerned in respect of building and hard surfaces; and
- (f) impose appropriate planning conditions.

(i) The area of land was previously agricultural land and, if not sold to the applicant, would have formed part of Blakes Golf Course. The majority of the strips are open and undeveloped, with the only structures consisting of relatively low boundary treatments and small outbuildings. Due to this, the use of this piece of land (along with the neighbours land) is not considered unduly harmful to the openness of the Green Belt.

(ii) As all the strips of land to the rear of the original bungalows are now being used/applied for as residential gardens, these all relate well to each other.

(iii) Whilst the piece of land to the rear, combined with the existing rear curtilage, does result in a fairly large garden, the rear section is separated off by the access road serving all the bungalows. This forms a sufficient break between the original and extended garden areas and avoids these being used as single, excessively sized gardens.

Given the separation of the piece of land and the original garden area, and as this land encroaches into the Green Belt, it would be appropriate to remove permitted development rights to these new rear sections of garden to protect against buildings and other structures being erected without prior approval by the Council. Subject to this, it is not considered that the change of use would constitute inappropriate development within the Green Belt.

With regards to the retention of the existing outbuilding, planning permission was recently granted for a detached outbuilding in a similar location to the rear of No. 4. Whilst the outbuilding is located within the Green Belt and outside of the original curtilage of the applicants dwelling the recent neighbour approval has set a precedent for outbuildings to be erected within these areas.

The design of the building is appropriate to the location and the outbuilding is considered an acceptable development within the Green Belt. However a condition would be required restricting the use of this outbuilding.

### **Conclusion:**

Due to the above, the proposed retrospective application would not constitute inappropriate development and, subject to conditions, would comply with the relevant Local Plan policies and is therefore recommended for approval.

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

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

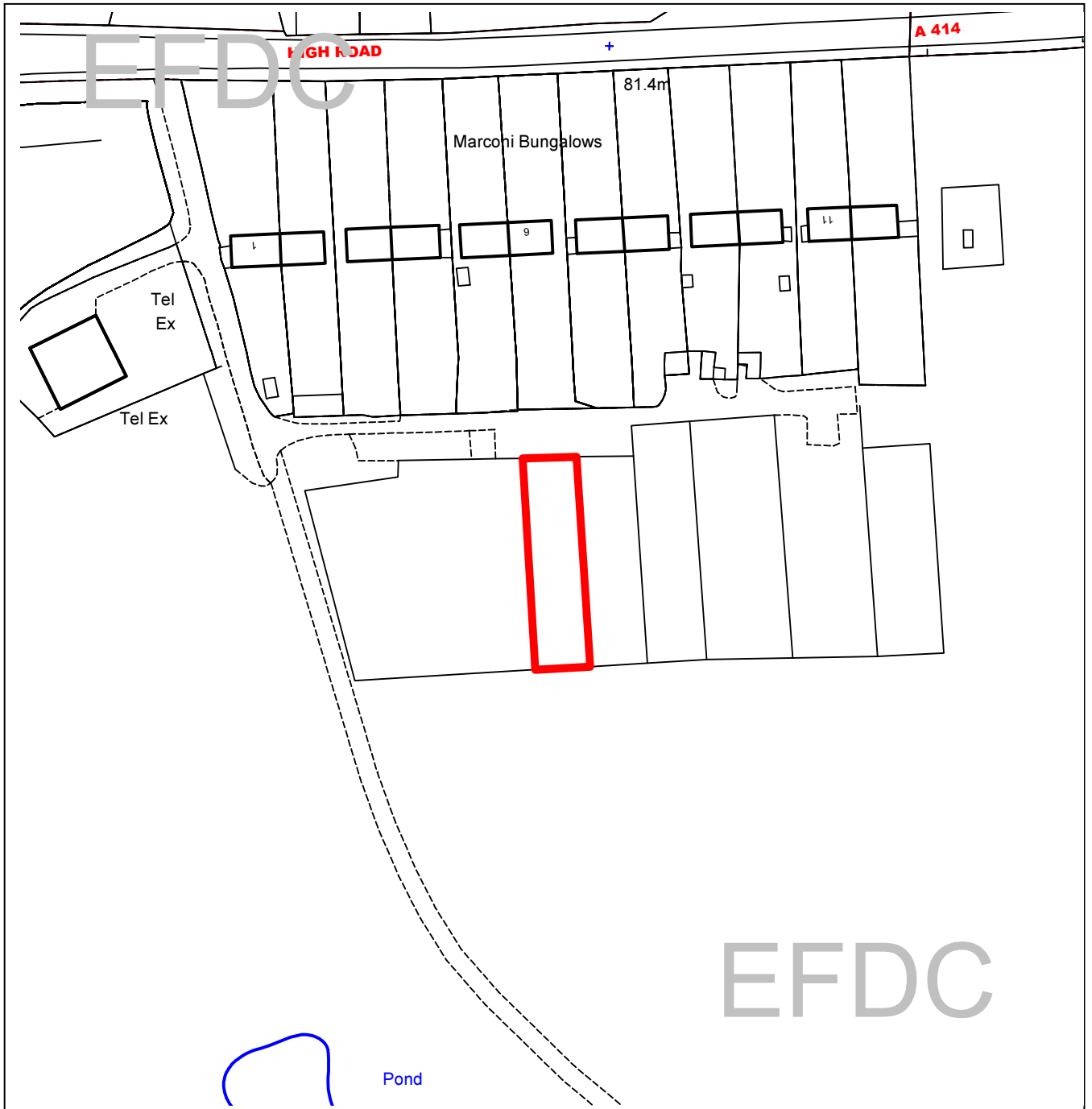
***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***





# Epping Forest District Council

## Area Planning Sub-Committee East



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<b>Agenda Item Number:</b>	<b>6</b>
Application Number:	EPF/1586/12
Site Name:	6 Marconi Bungalows, High Road North Weald, CM16 6EQ
Scale of Plot:	1/1250

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/1610/12
<b>SITE ADDRESS:</b>	12 Marconi Bungalows High Road North Weald Bassett Epping Essex CM16 6EQ
<b>PARISH:</b>	North Weald Bassett
<b>WARD:</b>	North Weald Bassett
<b>APPLICANT:</b>	Mr William Barnikel
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use of land at rear to garden/residential curtilage purposes.
<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/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=540443](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=540443)

**CONDITIONS**

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Location Plan title number EX703485
- 2 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, Class E and F shall be undertaken without the prior written permission of the Local Planning Authority.

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

**Description of Site:**

The application site consists of the detached area of land to the rear of No. 12 Marconi Bungalows, that whilst owned and used by the residents of 12 Marconi Bungalows does not form part of the residential curtilage. This area of land sits within the Metropolitan Green Belt.

### **Description of Proposal:**

Retrospective consent is being sought for the change of use of the rear piece of land to residential garden. The area of land proposed for use as residential garden is a 0.07ha piece of land located beyond the shared access road.

### **Relevant History:**

EPF/1216/01 - Conservatory to side – approved/conditions 31/08/01

### **Policies Applied:**

GB2A – Development in the Green Belt  
GB4 – Extensions of residential curtilages

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.

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

1 neighbouring resident was consulted. No Site Notice was required. This report has been prepared prior to the expiry of the consultation period. Any further comments received will be verbally reported to the Committee.

PARISH COUNCIL – None received at time of producing report (however objections received for three almost identical developments).

### **Issues and Considerations:**

The area of land proposed for change of use is a strip of land sold to the appellant (along with similar strips sold to neighbouring residents) by the adjacent land owner when Blakes Golf Course was developed. The strip of land has been used by the applicants for the last nine years as an extension of their residential garden. This application, along with other applications being submitted by neighbouring residents, is a result of Enforcement investigations to regularise this situation.

Local Plan policy GB4 states:

**The extension of the curtilage of a residential property which involves an incursion into the Green Belt will be permitted only where the Council is satisfied that;**

- (x) it would not have an adverse effect upon the open character of the landscape; and**
- (xi) it would relate well to the curtilages of any adjoining residential properties; and**
- (xii) it would not be excessive in size.**

**In granting planning permission for any such development the Council may:**

- (g) withdraw permitted development rights for the area concerned in respect of building and hard surfaces; and**
- (h) impose appropriate planning conditions.**

(i) The area of land was previously agricultural land and, if not sold to the applicant, would have formed part of Blakes Golf Course. The majority of the strips are open and undeveloped, with the only structures consisting of relatively low boundary treatments and small outbuildings. Due to this, the use of this piece of land (along with the neighbours land) is not considered unduly harmful to the openness of the Green Belt.

(ii) As all the strips of land to the rear of the original bungalows are now being used/applied for as residential gardens, these all relate well to each other.

(iii) Whilst the piece of land to the rear, combined with the existing rear curtilage, does result in a fairly large garden, the rear section is separated off by the access road serving all the bungalows. This forms a sufficient break between the original and extended garden areas and avoids these being used as single, excessively sized gardens.

Given the separation of the piece of land and the original garden area, and as this land encroaches into the Green Belt, it would be appropriate to remove permitted development rights to these new rear sections of garden to protect against buildings and other structures being erected without prior approval by the Council. Subject to this, it is not considered that the change of use would constitute inappropriate development within the Green Belt.

**Conclusion:**

Due to the above, the proposed retrospective development would not constitute inappropriate development and, subject to conditions, would comply with the relevant Local Plan policies and is therefore recommended for approval.

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

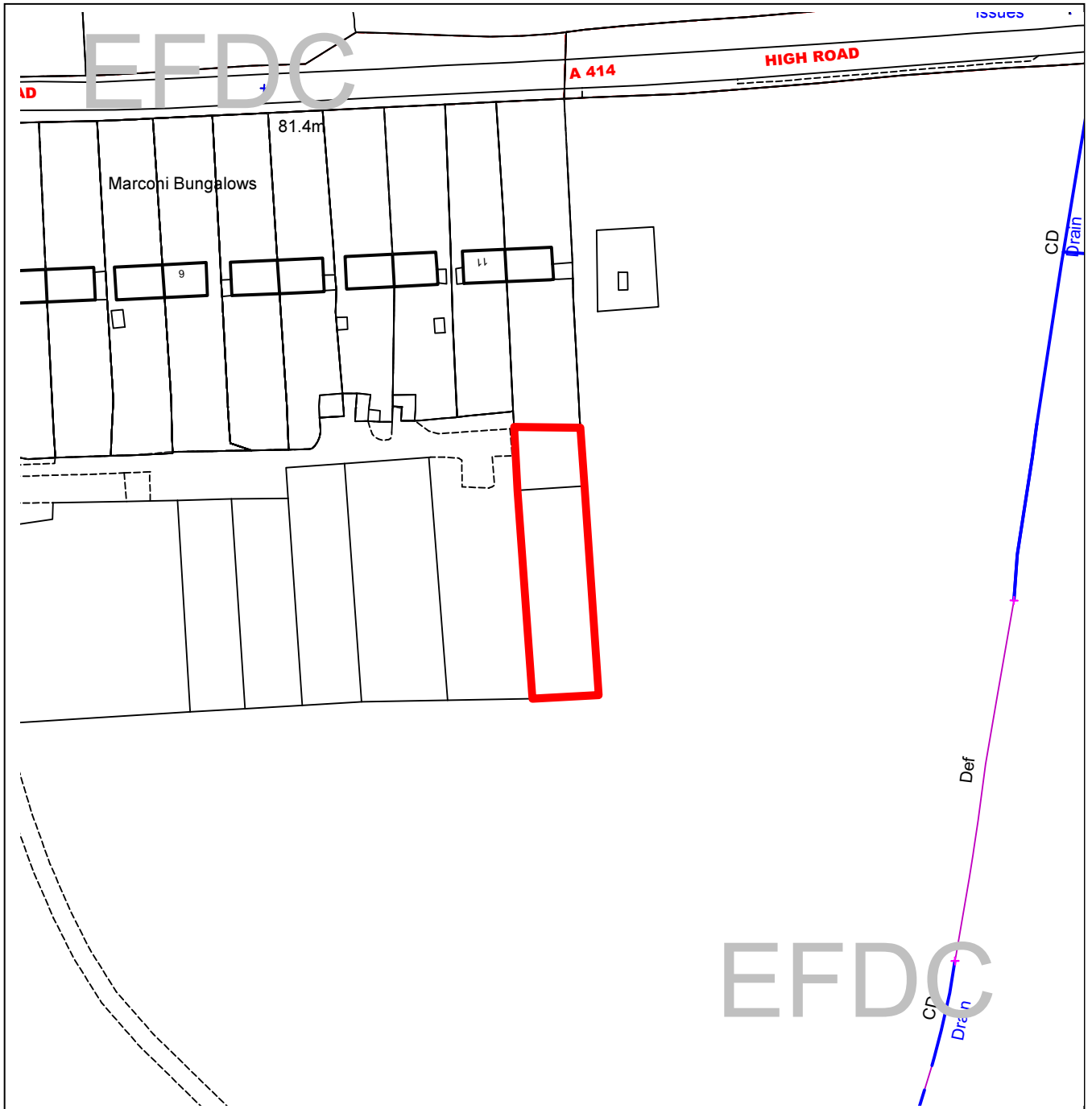
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# Epping Forest District Council

## Area Planning Sub-Committee East



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<b>Agenda Item Number:</b>	7
Application Number:	EPF/1610/12
Site Name:	12 Marconi Bungalows, High Road North Weald, CM16 6EQ
Scale of Plot:	1/1250

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