

Committee Agenda



Epping Forest District Council

AREA PLANNING SUB-COMMITTEE WEST **Wednesday, 14th December, 2016**

You are invited to attend the next meeting of **Area Planning Sub-Committee West**, which will be held at:

Council Chamber, Civic Offices, High Street, Epping
on **Wednesday, 14th December, 2016**
at **7.30 pm** .

Glen Chipp
Chief Executive

Democratic Services
Officer

R. Perrin Tel: (01992) 564243
Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors A Mitchell (Chairman), G Shiell (Vice-Chairman), R Bassett, R Butler, D Dorrell, R Gadsby, L Hughes, H Kane, S Kane, Y Knight, J Lea, M Sartin, S Stavrou and E Webster

WEBCASTING/FILMING 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. The meeting may also be otherwise filmed by third parties with the Chairman's permission.

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.

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 or otherwise indicate to the Chairman before the start of the meeting.

If you have any queries regarding this, please contact the Public Relations Manager on 01992 564039.

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 (or filmed) and will be capable of repeated viewing (or another use by such third parties).

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 ATTENDING THE COUNCIL PLANNING SUB-COMMITTEES (Pages 5 - 8)

General advice to people attending the meeting is attached.

3. APOLOGIES FOR ABSENCE

4. DECLARATIONS OF INTEREST

(Director of Governance) To declare interests in any item on this agenda.

5. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, 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.

6. DEVELOPMENT CONTROL (Pages 9 - 34)

(Director of Governance) To consider the planning applications 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.

7. 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.

Background Papers: Article 17 - 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 and in respect of executive reports, the advice of any political advisor.

The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

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Advice to Public and Speakers at the Council's District Development Management Committee and Area Plans Sub-Committees

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 Committee.

Meetings of the District Development Management Committee, Area Plans Sub-Committee East and Area Plans Sub-Committee West are held at the Civic Offices in Epping. Meetings of Area Plans Sub-Committee South are held at Roding Valley High School in Loughton.

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**, by ringing 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 generally allowed: One objector (maybe on behalf of a group), the local Parish or Town Council and the applicant or his/her agent. In some cases, a representative of another authority consulted on the application may also be allowed to speak.

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 Committee members.

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

If you have registered to speak on a planning application to be considered by the District Development Management Committee, Area Plans Sub-Committee East or Area Plans Sub-Committee West, you will address the Committee from within the Council Chamber at the Civic Offices. If you simply wish to attend a meeting of any of these Committees to observe the proceedings, you will be seated in the public gallery of the Council Chamber.

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. Any information sent to Councillors should be copied to the Planning Officer dealing with the application.

How are the applications considered?

The Committee 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 Committee will then debate the application and vote on either the recommendations of

officers in the agenda or a proposal made by the Committee. Should the Committee propose to follow a course of action different to officer recommendation, it is required to give its reasons for doing so.

An Area Plans Sub-Committee is required to refer applications to the District Development Management Committee where:

- (a) the Sub-Committee's proposed decision is a substantial departure from:
 - (i) the Council's approved policy framework; or
 - (ii) the development or other approved plan for the area; or
 - (iii) it would be required to be referred to the Secretary of State for approval as required by current government circular or directive;
- (b) the refusal of consent may involve the payment of compensation; or
- (c) the District Development Management Committee have previously considered the application or type of development and has so requested; or
- (d) the Sub-Committee wish, for any reason, to refer the application to the District Development Management Committee for decision by resolution.

Further Information?

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

Area Planning Subcommittee West 2016-17

Members of the Committee and Wards Represented:



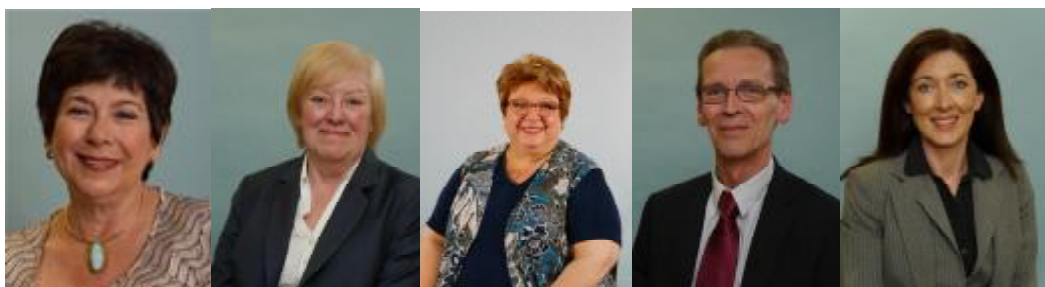
**Chairman
Cllr Mitchell**
Waltham
Abbey North
East

**Vice-Chairman
Cllr Shiell**
Waltham Abbey
Honey Lane

Cllr Bassett
Lower
Nazeing

Cllr Butler
Waltham Abbey
Honey Lane

Cllr Dorrell
Waltham Abbey
Paternoster



Cllr Gadsby
Waltham Abbey
South West

Cllr Hughes
Broadley
Common,
Epping Upland
and Nazeing

Cllr H Kane
Waltham
Abbey
South West

Cllr S Kane
Waltham
Abbey
Honey Lane

Cllr Knight
Lower
Nazeing



Cllr Lea
Waltham
Abbey North
East

Cllr Sartin
Roydon

Cllr Stavrou
Waltham
Abbey High
Beach

Cllr Webster
Waltham
Abbey
Paternoster

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AREA PLANS SUB-COMMITTEE 'WEST'

14 December 2016

INDEX OF PLANNING APPLICATIONS

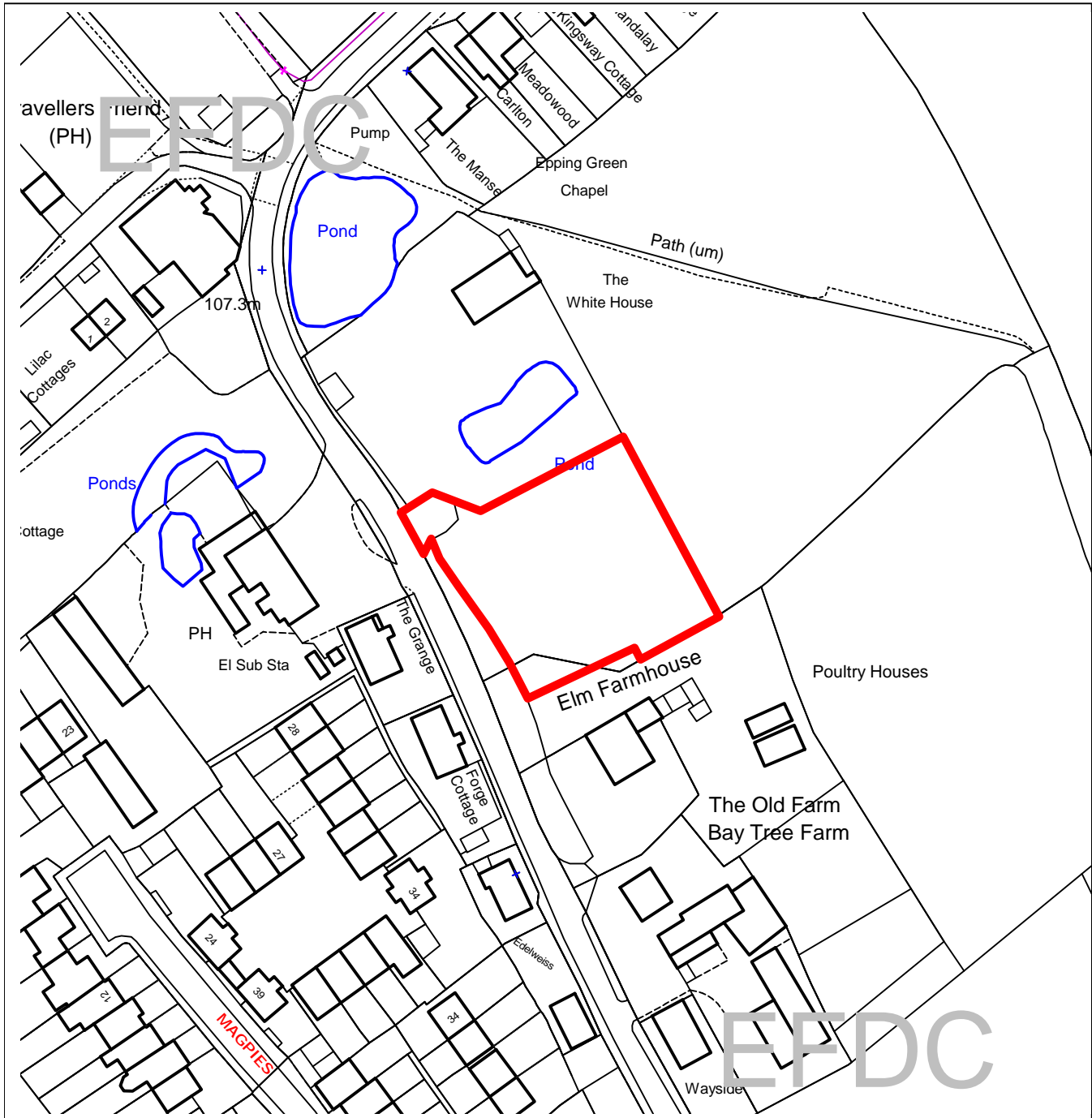
ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/2545/16	The White House Epping Road Epping Upland Epping Essex CM16 6PU	Grant Permission (With Conditions)	11
2.	EPF/2619/16	The White House Epping Green Essex CM16 6PU	Grant Permission (With Conditions)	17
3.	EPF/2620/16	Land and Garages Adjacent 44 Palmers Grove Nazeing Essex EN9 2HR	Grant Permission (With Conditions)	23

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Epping Forest District Council

Agenda Item Number 1



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Application Number:	EPF/2619/16
Site Name:	The White House, Epping Green, CM16 6PU
Scale of Plot:	1/1250

Report Item No: 1

APPLICATION No:	EPF/2545/16
SITE ADDRESS:	The White House Epping Road Epping Upland Epping Essex CM16 6PU
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
APPLICANT:	Mr Matthew C Carr
DESCRIPTION OF PROPOSAL:	Removal of outbuilding and erection of single storey annex for occupation by dependant relatives of the applicant.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=587978

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 take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 3 No development shall take place until details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 4 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.

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

Description of Site:

The application site is part of the residential curtilage of The White House, which is located on the eastern side of Epping Road within the village of Epping Upland. The site is located close to the corner junction opposite the Travellers Friend and Cock & Magpie public houses.

Whilst the site is located within the village of Epping Upland it is nonetheless within the designated Green Belt. There is a large pond located to the north of the site, a smaller pond located to the east, and a large established hedge bordering the site with individual trees located within the site area. The site currently contains a detached outbuilding immediately adjacent to the highway on the western boundary. Access to the site is via Epping Road opposite the carriage driveway serving the Cock & Magpie.

Planning consent has previously been granted for the erection of a four bed detached house on this site (EPF/2121/15) and planning permission has been granted and implemented for the erection of two detached dwellings with garages within the area of garden to the southeast of the application site (EPF/1640/15).

Description of Proposal:

Consent is being sought for the erection of a detached granny annex. The proposed outbuilding would measure 17m in width and 7.5m in depth with a dual pitched roof reaching a ridge height of 6.6m. This annex would contain a single combined living room/kitchen and two bedrooms each with en-suite bathrooms/dressing rooms. The proposed outbuilding would be constructed in place of the four bed detached dwelling previously granted consent in 2015

Relevant History:

EPO/0484/64 - Erection of two houses – approved/conditions 09/02/65

OUT/EPO/0639/72 - Outline Application for house – approved/conditions 10/10/72

OUT/EPF/1233/80 - Outline Application for one dwelling – refused 06/10/80 (appeal dismissed 10/11/81)

EPF/1499/90 - Erection of detached house – refused 11/01/91

OUT/EPF/1934/01 - Outline application for the erection of a detached house – refused 20/02/02

CLD/EPF/2143/02 - Certificate of lawfulness for use of land as residential curtilage – lawful 24/01/03

OUT/EPF/0910/14 - Outline application for the erection of two detached dwellings with garages within the curtilage of the existing dwelling and ancillary works – approved/conditions (subject to S106 Agreement) 28/08/14

EPF/1640/15 - Erection of two detached dwellings with garages, improved highway access, drives, turning areas and ancillary works – agreed to approve with conditions (subject to S106 Agreement)

EPF/2121/15 - Erection of single dwelling, detached garage within the curtilage of the existing dwelling, including ancillary works – approved/conditions 19/11/15

Policies Applied:

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
GB2A – Development in the Green Belt
GB7A – Conspicuous development
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE8 – Private amenity space
DBE9 – Loss of amenity
LL10 – Adequacy of provision of landscape retention
LL11 – Landscaping schemes
NC4 – Protection of established habitat
ST1 – Location of development
ST4 – Road safety
ST6 – Vehicle parking
U2B – Flood risk assessment zones

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:

9 neighbours were consulted. No Site Notice was required.

PARISH COUNCIL – Gross overdevelopment of a restricted site particularly in the Green Belt. Reservations because of previous planning application (EPF/2121/15). Is it now intended to rescind that application? Concern regarding drainage and surface water, particular concern in view of proximity to ditches and pond liable to flooding. Concern regarding impact on a locally important property. Concern that property is not on a historical/architectural list. Should application be granted would ask that there is a condition limiting the occupational use to the dependents of the existing owner.

Issues and Considerations:

The key considerations in this application are the impact on the Green Belt, the design, the impact on neighbouring residents, and regarding landscaping considerations.

Green Belt:

The application site is located within the Metropolitan Green Belt. The NPPF states that “a local planning authority should regard the construction of new buildings as inappropriate in Green Belt”

however there is a list of exceptions to inappropriate development contained in paragraph 89 that includes “*limited infilling in villages*”.

Consent was previously given, and is currently extant, for the erection of a detached four bed, two storey house on this site on the basis that this would constitute a ‘limited infill within a village’. The exception within the NPPF does not restrict what type of development could be considered as a ‘limited infill’ and therefore this does not just relate to new houses but could also allow for large outbuildings, extensions, etc. Therefore since the principle of developing this site within the Green Belt has already been agreed the proposed annex would not constitute inappropriate development harmful to the Green Belt.

Design:

The proposed outbuilding would be a two bed property with a relatively small ‘social area’ that could constitute an ‘annex’, however the size of the proposed building and the potential to extend into the roof in the future (subject to planning consent) would cast doubt over this building being truly ‘ancillary’ to the main dwellinghouse. Nonetheless, given that consent has already been granted for a separate dwelling, which this proposal would replace (since it would not be possible to erect both schemes), it is considered in this instance that the proposal would be acceptable on the site irrespective of whether it is used as an annex or as a separate dwelling.

The proposed outbuilding has been designed to appear akin to a large barn and would retain the appearance of an outbuilding despite its overall size and large roof. Epping Green contains a mix of dwellings or other buildings of various sizes and design and in this context the proposal is not considered to be detrimental to the overall character and appearance of the area.

Amenity considerations:

Given the location of site and proposed dwelling, the distance from neighbouring houses (including the donor property), and since the closest neighbours are the two public houses, it is not considered that the proposed development would be detrimental to the amenities of neighbouring residents.

Landscaping:

There are a number of trees and hedgerows on site, the most important of which is the large hedgerow along part of the street frontage. It is intended to retain this hedgerow. Since there has been no tree information submitted with regards to the development, and it is essential that adequate tree protection takes place to maintain the landscaping within site, conditions would be required to ensure adequate information is submitted and agreed prior to any works commencing on the site.

Other matters:

The applicant has not put forward any proposal to dispose of surface water and therefore details of surface drainage would need to be agreed, which can be dealt with by way of a condition.

The Parish Council have questioned whether the previous application for a detached dwelling would be rescinded, however this would not be necessary since it would not be physically possible to erect both the dwelling previously approved and the proposed annex. They have also suggested restricting the occupation of the annex to dependents of the main dwellinghouse. Such a condition can be imposed however is somewhat redundant since all that is being sought is a residential outbuilding and therefore any future use as a separate dwelling would require planning consent.

In addition to the above the Parish Council state that they have 'concerns regarding impact on a locally important property' and concerns 'that the property is not on a historic/architectural list'. No further justification of these concerns is given and it is unclear what they are referring to.

Conclusion:

The previous consent for the erection of a four bed detached house concluded that the erection of a building on this site does not constitute inappropriate development harmful to the Green Belt and is suitable within this location. The provision of a residential annex in place of the previously approved detached house would not alter this opinion. There would be no further harm as a result of this particular scheme and as such the proposed development complies with the guidance contained within the National Planning Policy Framework and the relevant Local Plan policies and the application is therefore recommended for approval.

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

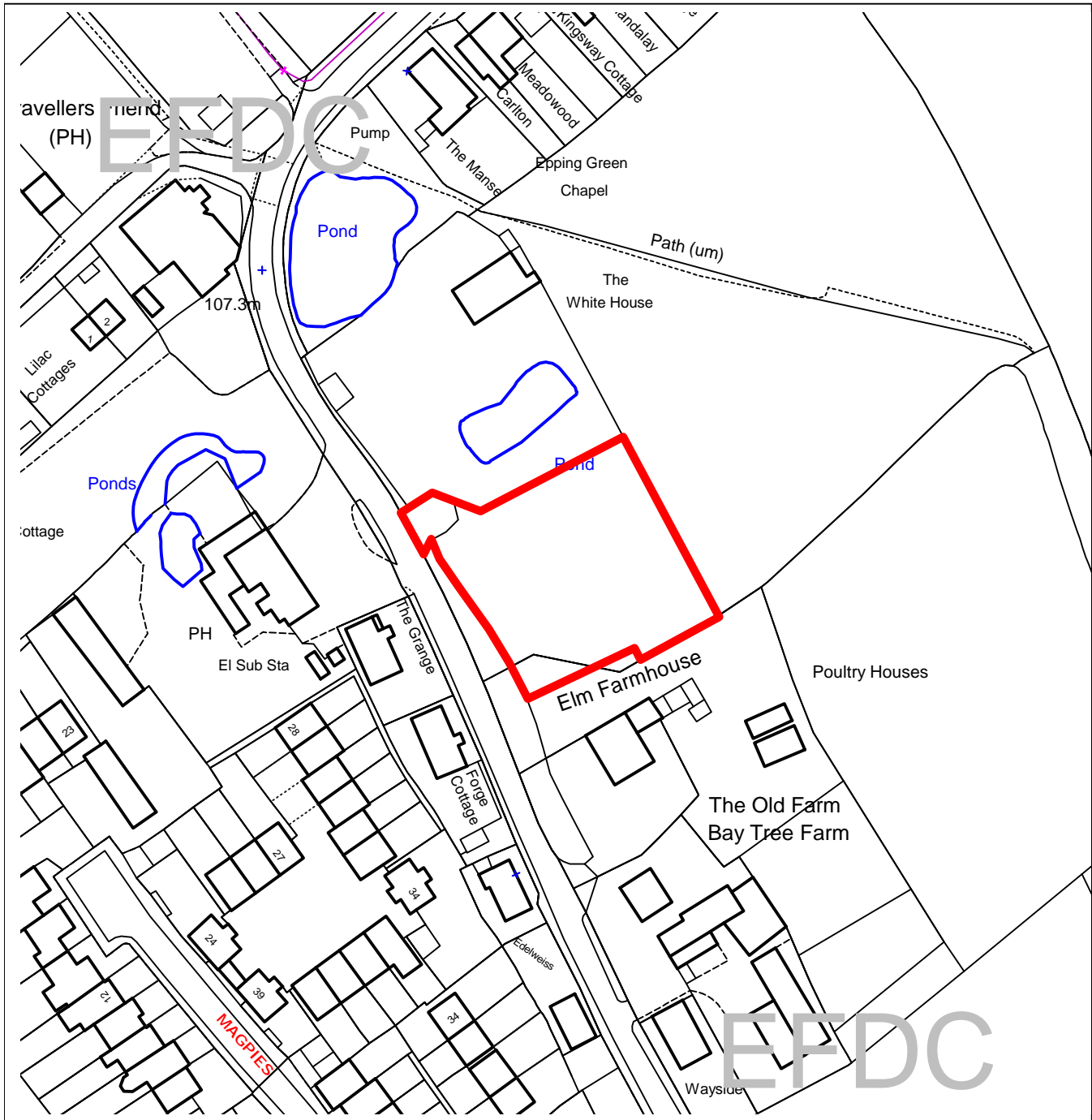
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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



Epping Forest District Council

Agenda Item Number 2



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Application Number:	EPF/2619/16
Site Name:	The White House, Epping Green, CM16 6PU
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/2619/16
SITE ADDRESS:	The White House Epping Green Essex CM16 6PU
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
APPLICANT:	Antellas Developments Ltd
DESCRIPTION OF PROPOSAL:	Minor material amendment to rear roof dormers details of planning permission EPF/1640/15 (Erection of two detached dwellings with garages, improved highway access, drives, turning areas and ancillary works)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=588235

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved Location Plan and plan numbers: A2, A3, A4, B2 & B3
- 2 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 3 No development shall take place until details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 4 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where

appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 5 No development, including works of demolition or site clearance, shall take place until details of the retained landscaping (trees / hedges) and their methods of protection (in accordance with BS5837:2012 -Trees in relation to design, demolition and construction Recommendations) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details unless the Local Planning Authority gives its written consent to any variation.
- 6 Before any preparatory clearance or construction works commence on site, full ecological surveys and a mitigation strategy for the site shall be submitted to the Local Planning Authority for agreement in writing with a working methodology for site clearance and construction work to minimise impact on any protected species and nesting birds. Development shall be undertaken only in accordance with the agreed strategy and methodology.
- 7 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Planning Authority.
- 8 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tool. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 9 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.

Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the Local Planning Authority contacted and a scheme to investigate the risks and / or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the Local Planning Authority prior to the recommencement of development works.

Following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no

unexpected contamination was encountered.

- 10 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.
- 11 Prior to first occupation of proposed development, the proposed private drive shall be constructed to a width of 5.5 metres for at least the first 6 metres from the back of the carriageway and provided with an appropriate dropped kerb crossing of the verge.
- 12 There shall be no discharge of surface water onto the Highway.
- 13 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 14 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.
- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A, B,C and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

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

Description of Site:

The application site is part of the former residential curtilage of The White House that now has (implemented) consent for the erection of two detached dwelling. The site is located on the eastern side of Epping Road within the village of Epping Upland close to the corner junction opposite the Travellers Friend and Cock & Magpie public houses.

Description of Proposal:

Consent is being sought for a minor material amendment to the original approval for the two houses ref: EPF/1640/15. The proposed amendments relate to the provision of a single rear

dormer window to each dwelling to replace the previously approved gable projections. The reason for this is to provide better headroom within the roof space than previously granted consent.

Relevant History:

EPO/0484/64 - Erection of two houses – approved/conditions 09/02/65

OUT/EPO/0639/72 - Outline Application for house – approved/conditions 10/10/72

OUT/EPF/1233/80 - Outline Application for one dwelling – refused 06/10/80 (appeal dismissed 10/11/81)

EPF/1499/90 - Erection of detached house – refused 11/01/91

OUT/EPF/1934/01 - Outline application for the erection of a detached house – refused 20/02/02

CLD/EPF/2143/02 - Certificate of lawfulness for use of land as residential curtilage – lawful 24/01/03

OUT/EPF/0910/14 - Outline application for the erection of two detached dwellings with garages within the curtilage of the existing dwelling and ancillary works – approved/conditions (subject to S106 Agreement) 28/08/14

EPF/1640/15 - Erection of two detached dwellings with garages, improved highway access, drives, turning areas and ancillary works – approved/conditions 11/11/15

Policies Applied:

CP1 – Achieving sustainable development objectives

CP2 – Protecting the quality of the rural and built environment

GB2A – Development in the Green Belt

GB7A – Conspicuous development

DBE1 – Design of new buildings

DBE2 – Effect on neighbouring properties

DBE8 – Private amenity space

DBE9 – Loss of amenity

LL10 – Adequacy of provision of landscape retention

LL11 – Landscaping schemes

NC4 – Protection of established habitat

ST1 – Location of development

ST4 – Road safety

ST6 – Vehicle parking

U2B – Flood risk assessment zones

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:

21 neighbours were consulted. No Site Notice was required.

PARISH COUNCIL – Object. Impact on Green Belt; highly visible from public footpath. Inappropriate for the setting. Concern on presumption of grant of application as amendment appears to have been started.

Issues and Considerations:

The application is for a minor material amendment to the design of the dwelling so that a rear dormer can be incorporated instead of the previously agreed gable projections. Since this is the only alteration to the properties this is the only matter under consideration.

Green Belt:

Consent has already been granted for the erection of the two dwellings currently under construction. The proposed amendment would replace the previously approved gable projections with a rear dormer window that would have less volume. Therefore the proposed amendment would have no greater impact on the openness of the Green Belt and such minor works would certainly not result in 'gross overdevelopment' of the site.

Design:

The proposed dormer windows would be located on the rear roof slopes of the two dwellings facing towards the fields to the east of the site. Public views of the dormers would be limited to users of the public footpath to the rear of the site.

The proposed dormer windows would have shallow pitched roofs that would be tiled to match the main roof and would be limited width to ensure that they do not dominate the roofslope. Due to this it is considered that the replacement of the previously approved gable projections with these small rear dormers would not cause any significant harm to the character and appearance of the surrounding area.

Amenity considerations:

The replacement of the gable projections with dormer windows would not cause any additional impact on the amenities of neighbouring residents.

Conclusion:

The proposed minor material amendment to the design of the rear roof slopes of the dwellings would not cause any detrimental impact on the openness of the Green Belt, the character and appearance of the area or the amenities of neighbouring residents.. As such the proposal complies with the guidance contained within the National Planning Policy Framework and 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:

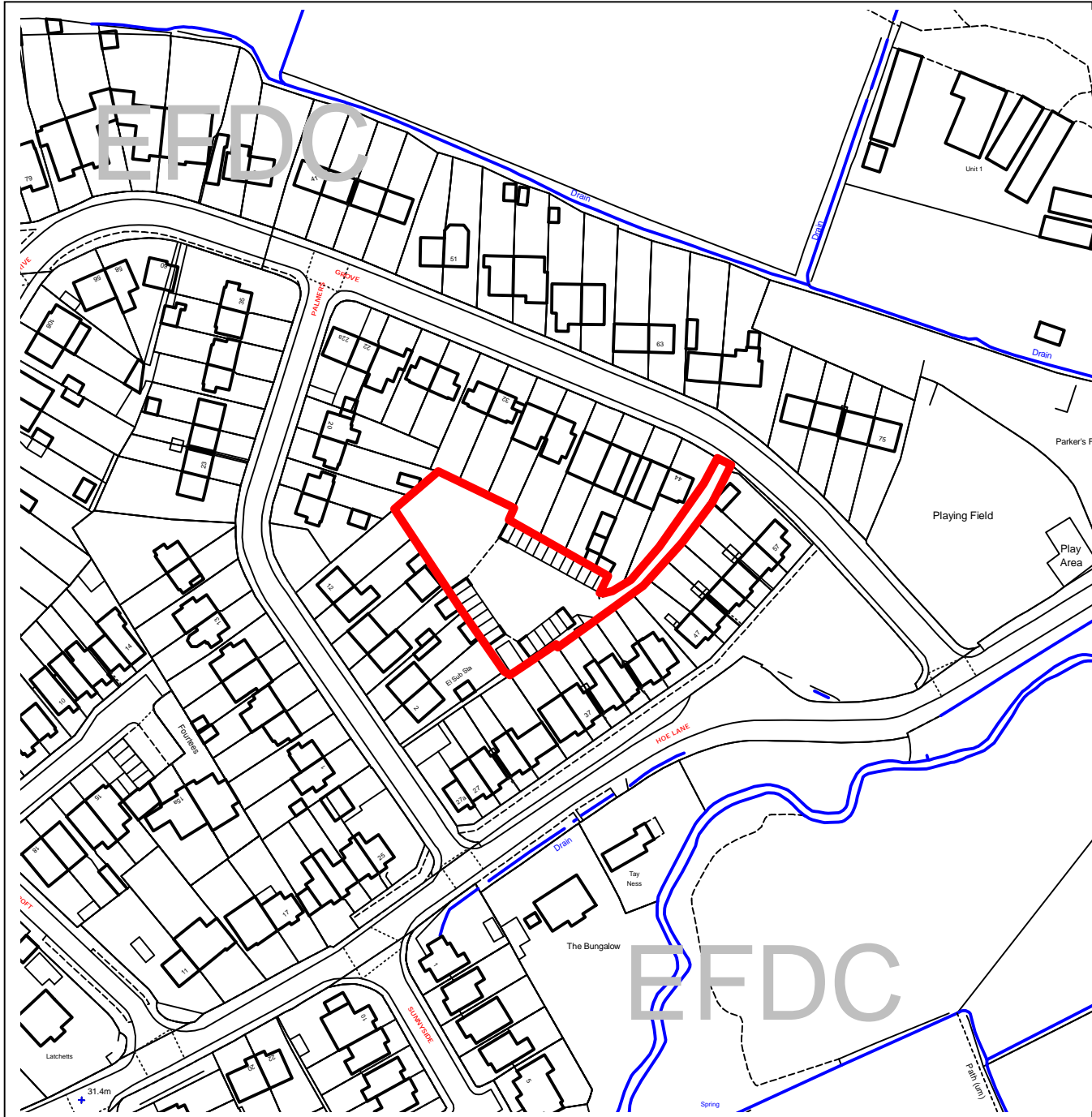
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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



Epping Forest District Council

Agenda Item Number 3



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Application Number:	EPF/2620/16
Site Name:	Land and Garages adjacent 44 Palmers Grove, Nazeing, EN9 2HR
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/2620/16
SITE ADDRESS:	Land and Garages Adjacent 44 Palmers Grove Nazeing Essex EN9 2HR
PARISH:	Nazeing
WARD:	Lower Nazeing
APPLICANT:	East Thames
DESCRIPTION OF PROPOSAL:	Demolition of existing garages and erection of 4 affordable homes with 10 parking spaces
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=588253

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: Transport Statement by Transport Planning Practice ref: 30872/D/2A, Chartwell Tree Consultants Ltd: Tree Survey dated 8th June 2016 carried out by Sam Bateson, 612 085: PL01, PL02. PL03C, PL04, PL05A, PL06, PL07, PL08A.
- 3 Prior to first occupation of the development hereby approved, the proposed window openings in the first floor eastern and western flank elevations shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 4 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.

- 5 No development shall take place until 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.
- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A, B and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 7 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 8 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.
- 9 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority

before the submission of details pursuant to the Phase 2 site investigation condition that follows]

- 10 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]
- 11 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]
- 12 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.
- 13 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.

- 14 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 15 Prior to the first occupation of the development , the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.
- 16 There shall be no discharge of surface water onto the highway.
- 17 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 18 No development shall take place until details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 19 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the substantial completion of the development hereby approved and shall be adequately maintained in accordance with the approved management and maintenance plan.

This application is before this Committee for three reasons. The first is that it is an application for development on the Council's own land or property which is for disposal and the recommendation is for approval. Secondly it is contrary to an objection from a local council which is material to the planning merits of the proposal and thirdly more than four objections have been received which are material to the planning merits of the proposal to be approved (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

The application site comprises an access route and land containing 25 garages in its centre. Plan number PL06 indicates that 19 of these garages are let of which 15 are to local residents. (6 garages are vacant). An electricity sub-station is situated within the south western corner of the

site and there is grassland in the north western section of the site. It has an irregular shape and covers an area of 0.16 hectares. The slope of the land rises in a north westerly direction.

It is surrounded by the rear garden boundaries of semi detached houses addressed as 2- 44 Palmers Grove and 35-57 Hoe Lane. These houses were built as part of an estate within the 1950s.

The site is in an urban area which is not listed nor within a conservation area. The site lies within an Epping Forest District Council Flood Risk Assessment Zone but is outside of any Environment Agency Flood zones.

Description of Proposal:

Permission is sought for the demolition of the existing garages and erection of 4 affordable homes with 10 parking spaces. They are designed as a group of three, 3 bedroomed terraced houses attached to fourth recessed 2 bedroomed house.

The terrace has a maximum width of 11.35m by a maximum depth of 5.1m and a maximum height of 8.15m to the highest ridge and 7.3m high to the ridge of the roof belonging to the 2 bedroomed house.

Materials include Hansen Arden Special Reserve or similar approved with feature curtain wall to front elevation for the walls.

Dark grey composite windows and doors and metal entrance canopies (colour 7012) along with timber main entrance doors.

Redland plain in slate grey or similar approved colour roof tile will cover the roof. Black fascia and soffit and rainwater goods are also proposed.

The private garden areas are marked by a 1.8m fence with 0.3m trellis the patios and semi private areas are defined by porous paving. The three bedroom houses each have gardens of over 130 sqm and the 2 bedroom house has a garden of over 70 sqm.

Solar panels are proposed for the south-eastern and north western roof slopes of the terrace.

4 secure cycle storage boxes (1 for each dwelling) and waste and recycling bins are proposed to be positioned in the rear gardens of the new homes close to a gated rear and side walkway along with further bins provided at the mouth of the access in order for ease of access by the waste collection service.

Relevant History:

No relevant history

Policies Applied:

National Planning Policy Framework
National Planning Policy Guidance

Epping Forest District Local Plan (1998) and Alterations (2006).

CP2 – Protecting the Quality of the Rural and Built Environment

CP3 – New Development
CP5 – Sustainable Building
CP6 – Achieving sustainable urban development patterns
CP7 – Urban Form and Quality
DBE1 – Design of New Buildings
DBE2 – Effect on Neighbouring Properties
DBE3 – Design in Urban Areas
DBE8 – Private Amenity Space
ST1 – Location of Development
ST4 – Road Safety
ST6 – Vehicle Parking
H2A – Previously Developed Land
H4A – Dwelling Mix
LL10 – Adequacy of provision for landscape retention
LL11 – Landscaping schemes

Consultation Carried out and Representations Received

NAZEING PARISH COUNCIL raises objection to the proposal on the grounds that:

- (i) The access to the proposed development is not suitable for emergency vehicles and refuse trucks;
- (ii) The garages and parking spaces were built for the benefit of the properties in Palmers Grove / Hoe Lane and consequently should not be removed;
- (iii) By removing the garages and parking spaces more cars will be parked within Palmers compromise access by emergency vehicles.
- (iv) Loss of amenity Policy DBE 9

40 neighbours were consulted and two site notices were displayed. This resulted in 10 objections being received.

6 PALMERS GROVE: no changes to the site for over 45 years. The demolishing of 22 garages, albeit not fully utilised, this will cause even greater pressure on the already stretched parking situation on the estate. Having studied the submitted plans online, it is clear that there will be no parking for existing residence as the plans only show 10 spaces, which presumably will be purely to service the proposed new residents. My family and I have used a rear access to my property all the time we have lived here, as have other neighbours on the estate. Clearly, from your plans, we will lose any rear access for vehicles completely and the loss of access could result in my house and garden no longer working for me and my family. Ultimately, this could result in me having to move. This in itself concerns me as the proposed development is highly likely to have a detrimental affect on the value of my property, and indeed, all properties that back onto the new development.

8 PALMERS GROVE: My son is wheelchair bound and finds it hard to drive on my drive with his car as result of parked cars. So he parks around the back of the garages and comes through that way if the garages are built, he will not be able to do this. Proposal will displace existing 25 cars that are using them where will they park in Hoe Lane and Palmers Grove which are full up with cars on both sides of the road so no one will be able to drive up them.

NO NUMBER GIVEN PALMERS GROVE: Detrimental impact upon residential amenities and also the negative visual impact. The adverse effect the build will have on the character of the area - over development. Highway safety will be compromised; more traffic will be generated, Palmers Grove does not have the capacity to accommodate more traffic. We are already at full capacity. Access to and from the garages is already precarious for pedestrians and motorists. The loss of

privacy and overlooking of the new properties for existing residents. The noise and smell the building work will generate. The garages have asbestos roofs. The safe removal of the garages; without affecting existing residents.

37 PALMERS GROVE: No other garages to let; New homes could de-value existing properties; No proper access to this site; Loss of privacy - gardens overlooked; Asbestos removal; Increase in car insurance as car no longer parked off road in garage; Security issues; Parking problems; Loss of security for vehicles; Problems loading and unloading car for elderly people and families; Loss of back access for walking the dogs; Public footpath; Alterations to Electricity Sub Station causing more noise; Noise, dust and inconvenience of building works; Stress and worry of the noise and security issues the proposed development will bring.

38 PALMERS GROVE: I rent a garage that is under threat; I live directly behind the development; I do not want social housing directly behind my home; I do not wish to look out onto new properties directly behind my garden; Access is unacceptable to this area for anything other than access to your garage

41 PALMERS GROVE : I cannot park where I live and therefore have to rent one of the garages on this site. Parking congestion is a major problem in this area. I suggest there should be residents only parking permits in this area to alleviate this problem.

35 HOE LANE: We do not want to go out of our back gate and be met with either the construction of the site (which will impact on our lives due to the noise and mess), or the view of new dwellings which appear to be given more consideration with their surroundings than the long suffering residents here have ever been afforded ie allocated parking spaces, somewhere for their bins, cycle parking.....

The erection of four dwellings will therefore mean that the whole reason for our choosing to live in a "village" will be destroyed.

Currently we have two garages which we rent from the council, where we park our vehicles every day. The lack of parking in this area is already a major issue. Although your plan says that these are affordable housing, just how many of the people who actually live in Nazeing are they going to be available to?

Nazeing was a village once, but for some reason the Council and the people putting these plans We know that there was also a plan for the garage area in Pound Close, Nazeing that was earmarked for a redevelopment such as this, which we understand has been refused. Therefore, please could you advise why in the light of this and the fact that the access to that site would have been a lot easier than this one, would you even consider that this plan was a good idea?

We would suggest that the access issues alone would have ruled out this application, as there is a substation which means that there is only one way in and one way out of the garage area by car, and I am sure that the residents whose gardens back onto the entrance of the garage will be thrilled to have cars coming and going past their back gardens at all time of the day and night.

This neighbourhood does not deserve to have any more houses, affordable or not, we do not need the increase of traffic or noise, and the disruption that it would bring to our lives.

Maybe if the council are so keen to have affordable housing in Nazeing they should have not allowed industrial units further up Hoe Lane, which causes us noise during the day and night due to heavy vehicles passing past our house, and maybe put some of these required properties up there.

There is not the infrastructure to cope with anymore development here, and we truly feel that if this plan were to go ahead it would have a detrimental effect, on what already exists here.

41 HOE LANE: We purchased our house knowing we did not have any houses overlooking our garden at the rear. My young daughter also has a heart condition which means we need constant access to our rear gate as the parking at the front & side is too far to carry her when she is unwell, she is 16 yrs old. We are concerned about the noise & dust pollution during any such works. The access road is too narrow to cope with heavy goods vehicles, damage to the boundary fences would be imminent. The parking is sparse at the moment. This would be magnified if the occupied garages then had to park on the street. Also car insurance premiums would rise due to cars being on the street overnight. I am also concerned about the possibility of property devaluation due to this. So my main concerns are the need for constant access to our rear gate. Noise and dust pollution into our garden. The already lack of parking becoming worse. Possible fence damage due to very narrow access road. The rear of our property/garden becoming overlooked. The potential of our property becoming devalued after any such development.

51 HOE LANE: I know of at least 10 garages that are currently used for parking cars and I rent 2 garages that currently have cars parked in them so I would be interested to know how you got to your figures. My family have rented at least 1 garage for more than 50 years and need to have this facility for numerous reasons including cars being vandalised. We have rear access from the service road to our house which is useful when unloading shopping etc. Parking in the road would then make it harder for emergency services to access Palmers Grove as there would be an extra 10+ vehicles parked. The layby in Hoe Lane has vehicles parked as there is nowhere else to park when in fact this is meant to be used as a passing place only. The insurance on our cars would increase if we had to park in the road. We don't want houses built on this site as it would overlook our houses plus there would be more traffic using service road and recycling lorry accessing the site each week going past rear of our house. Would we still have rear access to our house as we could then park in the rear garden if the planning application got the green light?

11 BARNFIELD CLOSE: Parking on Palmers Grove is bad enough already and that's with approximately 25 cars parked off the street in the garages. Imagine if all 25 of those cars were to be put back on the street. This would cause issues for the emergency services and rubbish collection as they simply wouldn't be able to get down the road to do their work.

The proposal is to remove 25 parking spaces and build 4 houses with 10 spaces. Most houses these days have 2 to 3 cars so say across the 4 houses there is 8 cars. Therefore the proposal is to remove 25 spaces and replace that with 2 spare spaces, this is absurd.

The council have an effectively free source of income from the garages with little to no expenditure. This income assuming £40 to £50 a month per garage multiplied by 25 is £1250 per calendar month.

Working this out for the additional houses in a best case scenario of a band D property which is £122 a month per property multiplied by 4 is £491 per month so an approximate loss of £759 per month into the council coffers.

Main Issues and Considerations:

Planning decisions must be made in accordance with the current development plan unless material considerations indicate otherwise. The 'saved policies' (i.e. they are consistent with current government policy) contained within the Epping Forest District Local Plan (1998 and Alterations 2006) The National Planning Policy Framework and the National Planning Practice Guidance (NPPG) are material considerations in all Council planning decisions.

The key considerations for the determination of this application area:

The principle of the development;
Impact on the character and appearance of the site and surrounding area.
Impact on the living conditions of surrounding residents;
Quality of resulting residential accommodation; and
Impact on parking provision and highway safety.

Principle

In terms of planning policy, the site is considered as previously developed land, and in line with Government policy redevelopment of this land is encouraged.

The National Planning Policy Framework (NPPF) presumption in favour of sustainable development requires local planning authorities to positively seek opportunities to meet the development needs of their area. There is a need for additional housing in the borough and sites such as these go some way in resisting the pressure for sites within the Metropolitan Green Belt to be brought forward for residential development in accordance with policy H2A of the Local Plan.

The proposal has a density of 25 units per hectare and is compatible with the character and appearance of the surrounding area. It therefore meets the requirements of policies CP1, CP3 and H3A of the Local Plan.

Housing Provision

The land is Council owned and the proposed houses would be affordable units provided by a registered social landlord to help meet the Council's demonstrated need for affordable units in accordance with chapter 6 of the NPPF and H5A of the Local Plan.

Design and appearance

Whilst the prevailing character of the development is that of semi detached post war dwellings built as part of an estate around the same time. The proposed dwellings would not be visible from the street due to their back land position adjoining the rear gardens of 2-12 and 30 – 44 Palmers Grove along with 35-45 Hoe Lane. The proposed terrace has a contemporary appearance which is of its time and the houses all have an acceptable scale, density massing and height and distance from neighbour properties, the proposal therefore comply with the requirements of DBE 1 of the Local Plan.

Private and public space would be clearly perceptible and safe. The front elevations face outwards onto public spaces and contain the main entrances. The proposal therefore complies with the requirements of policy DBE3 and DBE5 of the Local Plan.

Trees

The preliminary arboricultural method statement proposes that one category 'C' Ash Tree is to be felled as a result of the proposal. It is located close to rear boundary with 36 Palmers Grove. Given that its root spread extends underneath the existing garages, the tree officer was satisfied that this tree would not be compatible with the garage use on the site. All other trees are to be retained and additional soft landscaping is proposed. On this basis the proposal is considered to comply with the requirements policies LL10 and LL11 of the Local Plan.

Impact on neighbouring residential amenity

All neighbouring dwellings are in excess of 25m away from the front and rear elevations of the proposed houses. This is similar to window to window distances from the front elevation of

properties on Palmers Grove to the houses on the opposite side of the street. The side elevations of the proposal are all over 20m away and subject to a condition requiring that the windows in the first floor side walls be obscure glazed ensure that loss of privacy will not be excessive and there will be no material loss of light or outlook to neighbouring properties which surround the site.

Furthermore given the existing use of the site and its location within a residential area is not considered that the proposal will result in significant additional noise and disturbance over and above what currently exists. The proposal therefore complies with the requirements of DBE9 of the Local Plan.

Loss of view is not a material planning consideration.

Quality of resulting residential accommodation.

The site will be owned and operated by East Thames Housing Association. This charity will provide affordable housing for people on low incomes. The 3, three bedroom and 1, two bedroom dwellings are considered suitable for families or small households, the proposal would therefore meet an existing housing need within the borough in line with the requirements of policy H4A of the Local Plan.

All houses have an acceptable internal size, layout and amenity space provision and therefore comply with current standards contained within the Essex Design Guide and policy DBE8 of the Local Plan.

Impact on Highway Safety

The Highways Authority in their response to the Council considers that "Any displaced parking will not be detrimental to highway safety or efficiency as a result of the development. The submitted Transport Statement has shown that the very worst case scenario demonstrates that on street parking levels will not reach an unacceptable amount. Although the Highway Authority does not necessarily endorse on street parking, the reality is there will be fewer vehicles actually displaced from the garages than the worst case scenario, as a reasonable proportion of them will not be used for parking in. Further to this the proposal will not increase vehicles movements above the level of the previous use, operating at full capacity, so the use of the existing access way will not be intensified by the development. There is also sufficient turning provided within the site.' The Authority is therefore satisfied subject to suggested conditions that the details submitted as part of this application are sufficient to ensure that there is adequate parking to meet current parking standards in compliance with policies ST6 and ST4 and that there will be no undue harm to highway safety. The proposal therefore complies with the requirements of ST2 of the Local Plan.

Loss of garages for local residents

Objections have been raised at the loss of garage spaces which are currently let to the local residents. The Highways Authority has raised no objection to their loss. This lack of objection indicates that the residual cumulative impact of approving this application and the resultant loss of garage spaces would not be severe. In this circumstance paragraph 32 of the NPPF requires that planning permission should not be refused.

Furthermore both national and local policies contain no requirement for the Council to protect storage or garage uses. However the Local Authority is required to boost significantly the supply of housing which meets a local need.

Flood risk

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

Contaminated Land

The Contaminated Land team have raised concerns that there may be the potential for contaminants to be present on the site due to the use of the site as garages and the presence of made ground and an electricity sub station. They therefore recommend that conditions be attached to any permission to ensure that appropriate assessments are made and if necessary mitigation measures undertaken in accordance with paragraph 109 of the NPPF and RP4 of the Local Plan.

Other matters

Access for emergency vehicles is not a material planning consideration as it is controlled by Building Control regulations.

Damage to boundary fencing as a result of negligent driving would be a matter for the police.

Noise and disturbance during the construction phase of the development would fall outside the scope of planning legislation as it is already covered by Environmental Health legislation.

Reduction in the value of neighbouring residential dwellings; increase in car insurance premiums and income generated by the proposal are not material planning considerations.

Conclusion

This proposal is considered to comply with the requirements of 'sustainable development' as defined by the NPPF because it would contribute to housing supply within the borough, provides a type of accommodation which fulfils a local housing need in a sustainable location; will preserve the distinctive local character of the area and will not excessively impinge on neighbouring residential amenity, the proposal is therefore considered to comply with the aims and objectives of the NPPF and as such should be approved without delay.

Furthermore the Highways Authority has raised no objection to the loss of the garages. This lack of objection indicates that the residual cumulative impact of approving this application and the resultant loss of garage spaces would not be severe. In this circumstance paragraph 32 of the NPPF requires that planning permission should not be refused.

It should also be noted that both national and local policies contain no requirement for the Council to protect storage or garage uses. However the Local Authority is required to boost significantly the supply of housing which meets a local need.

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

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

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