

Committee Agenda



Epping Forest District Council

Area Planning Sub-Committee East Wednesday, 4th April, 2018

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

**Council Chamber, Civic Offices, High Street, Epping
on Wednesday, 4th April, 2018
at 7.30 pm .**

**Derek Macnab
Acting Chief Executive**

**Democratic Services
Officer**

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

Members:

Councillors S Jones (Chairman), P Keska (Vice-Chairman), N Avey, N Bedford, H Brady, W Breare-Hall, A Grigg, M McEwen, R Morgan, J Philip, B Rolfe, P Stalker, D Stallan, C Whitbread, H Whitbread, J H Whitehouse and J M Whitehouse

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. MINUTES (Pages 9 - 22)

To confirm the minutes of the last meeting of the Sub-Committee held on 7 March 2018.

4. APOLOGIES FOR ABSENCE

5. DECLARATIONS OF INTEREST

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

6. 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.

7. EPPING FOREST DISTRICT LOCAL PLAN SUBMISSION VERSION - PLANNING POLICY BRIEFING NOTE (Pages 23 - 32)

(Director of Governance) The attached Planning Policy Briefing Note (March 2018) has been produced by the Planning Policy Team to ensure that a consistent approach is taken to the provision of planning policy advice for the District, particularly in relation to the Epping Forest District Local Plan Submission Version, which was published on 18 December 2017.

The Principal Planning Officer will introduce the requirements of the Planning Policy Briefing Note, the primary purpose of which is to inform the development management process and to assist Development Management officers, Councillors, applicants and planning agents.

8. DEVELOPMENT CONTROL (Pages 33 - 114)

(Director of Governance) 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.

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.

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.

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 telephoning the number shown on 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, Area Plans Sub-Committee West or Area Plans Sub-Committee South 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 from 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

Further information can be obtained from Democratic Services or through our leaflet 'Your Choice, Your Voice'.

Area Planning Subcommittee East 2017-18
Members of the Committee and Wards Represented:



Cllr Jones
Theydon Bois

Cllr Keska
Chipping Ongar,
Greensted and
Marden Ash

Cllr Avey
Epping
Hemnal

Cllr Bedford
Shelley

Cllr Brady
Passingford



Cllr Breare-Hall
Epping
Lindsey and
Thornwood
Common

Cllr Grigg
North Weald
Bassett

Cllr McEwen
High Ongar
Willingale and
the Rodings

Cllr Morgan
Hastingwood
, Matching
and Sheering
Village

Cllr Philip
Theydon Bois



Cllr Rolfe
Lambourne

Cllr Stallan
North Weald
Bassett

**Cllr C
Whitbread**
Epping
Lindsey and
Thornwood

**Cllr H
Whitbread**
Epping
Lindsey and
Thornwood

**Cllr J H
Whitehouse**
Epping Hemnal



**Cllr J M
Whitehouse**
Epping Hemnal

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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** 7 March 2018
East

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 9.50 pm
High Street, Epping

Members Present: S Jones (Chairman), P Keska (Vice-Chairman), N Avey, N Bedford, H Brady, A Grigg, M McEwen, J Philip, P Stalker, D Stallan, C Whitbread, H Whitbread, J H Whitehouse and J M Whitehouse

Other Councillors:

Apologies: A Boyce, W Breare-Hall, R Morgan and B Rolfe

Officers Present: J Godden (Principal Planning Officer (Heritage, Enforcement & Landscaping)), R Perrin (Democratic Services Officer) and J Leither (Democratic Services Officer)

61. 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.

62. 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.

63. MINUTES

RESOLVED:

That the minutes of the meeting held on 7 February 2018 be taken as read and signed by the Chairman as a correct record.

64. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor C Whitbread declared a non-pecuniary interest in the following items of the agenda. The Councillor had determined that he would leave the meeting for the consideration of the applications and voting thereon:

- EPF/2933/17 - Maes Mawr, Stapleford Road, Stapleford Abbotts; and
- EPF/3153/17 - 73 Hemnall Street, Epping.

(b) 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 knowing one of the objectors. The Councillor had determined that he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/3503/17 – 38 High Road, North Weald, Epping.

65. ANY OTHER BUSINESS

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

66. DEVELOPMENT CONTROL

RESOLVED:

That the planning applications numbered 1 – 9 be determined as set out in the schedule attached to these minutes.

CHAIRMAN

Report Item No: 1

APPLICATION No:	EPF/2522/17
SITE ADDRESS:	Walnut Barn Bushes Wind Hill Magdalen Laver Ongar Essex CM5 0DS
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
DESCRIPTION OF PROPOSAL:	Single storey kitchen and utility room extension. Single storey living room extension in order to provide a home gym. Regularisation of the existing car port conversion into habitable space. Enlargement of the first floor bedroom windows. Installation of a new swimming pool and erection of a pool/garden outbuilding; and removal of existing perimeter drive and relocation of parking within a newly formed parking court. No demolition of the existing building is proposed, however, some existing external walls are to be removed/adapted.
DECISION:	Deferred

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=599999

This application was deferred in order for a site visit to take place.

Report Item No: 2

APPLICATION No:	EPF/2582/17
SITE ADDRESS:	Walnut Barn Bushes Wind Hill Magdalen Laver Ongar Essex CM5 0DS
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
DESCRIPTION OF PROPOSAL:	Grade II* curtilage listed building application for a single storey kitchen and utility room extension. Single storey living room extension in order to provide a home gym. Regularisation of the existing car port conversion into habitable space. Enlargement of the first floor bedroom windows. Installation of a new swimming pool and erection of a pool/garden outbuilding and removal of existing perimeter drive and relocation of parking within a newly formed parking court. No demolition of the existing building is proposed, however, some existing external walls are to be removed/adapted.
DECISION:	Deferred

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=600193

This application was deferred for a site visit.

Report Item No: 3

APPLICATION No:	EPF/2654/17
SITE ADDRESS:	The Chequers Matching Green Matching Essex CM17 0PZ
PARISH:	Matching
WARD:	Moreton and Fyfield
DESCRIPTION OF PROPOSAL:	Proposed rear extension to enclose existing outdoor dining area.
DECISION:	Refuse Permission

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=600581

REASONS FOR REFUSAL

- 1 The proposed development results in a disproportionate extension to the existing building which has an adverse visual impact on the openness and character of the Green Belt, contrary to policies GB2A and GB7 of the Adopted Local Plan and Alterations and policy DM4 of the Epping Forest District Local Plan(Submissions Version) 2017.

Way Forward

Reduce the size of the rear extension and provide more car parking by removing fixed tables at the front of the site.

Report Item No: 4

APPLICATION No:	EPF/2666/17
SITE ADDRESS:	Land to rear of 40 -62 Hoe Lane Abridge Essex RM4 1AU
PARISH:	Lambourne
WARD:	Lambourne
DESCRIPTION OF PROPOSAL:	Proposed new vehicular/highway access from Hoe Lane to the existing dwelling (ref. PN/EPF/3000/14) (Revised application to EPF/1706/17)
DECISION:	Withdrawn From Agenda

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=600615

This application was withdrawn from the agenda.

Report Item No: 5

APPLICATION No:	EPF/2933/17
SITE ADDRESS:	Maes Mawr Stapleford Road Stapleford Abbots Essex RM4 1EJ
PARISH:	Stapleford Abbots
WARD:	Passingford
DESCRIPTION OF PROPOSAL:	Demolish existing barn and erect three, two storey detached dwellings 2 (no.) x 4 bedroom and 1 (no.) x 3 bedroom
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=601835

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:

199115: (1), (3), (4), (5),
19417/SP dated October 2017,
19417/SPH dated December 2017,
SJG1401,
Tree Survey, Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement and Tree Protection Plan in accordance with BS 5837:2012 Rev A dated 29/1/15,
4346-D-A- rev A,
Phase 1 Geoenvironmental Assessment by Green Earth Management Co Ltd
reference 975 R)1 Issue 2 June 2017
- 3 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 4 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub

or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.

- 5 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 and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 6 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.
- 7 No development shall take place until details of foul and 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.
- 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 tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 9 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 Prior to the installation of any lighting within the site, details of a bat friendly lighting scheme which accords with Bat Conservation Trust guidance shall be submitted to and approved in writing by the Local Planning Authority.

The lighting scheme shall be carried out in accordance with the details so approved, and shall be maintained as such thereafter. No other lighting shall be installed within the site.

- 13 No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and / or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

- 14 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.

- 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 Classes 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.
- 16 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.
- 17 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.

Report Item No: 6

APPLICATION No:	EPF/3153/17
SITE ADDRESS:	73 Hemnall Street Epping Essex CM16 4ND
PARISH:	Epping
WARD:	Epping Hemnall
DESCRIPTION OF PROPOSAL:	Two storey front extension and single storey rear extension. Extension to first floor flat roof at rear. Insertion of new windows.
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=602675

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 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 Prior to first occupation of the development hereby approved, the proposed window opening in the extended section of the first floor bedroom within the western flank elevation 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.

Report Item No: 7

APPLICATION No:	EPF/3364/17
SITE ADDRESS:	Granville 119 Theydon Park Road Theydon Bois Essex CM16 7LS
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Demolition of existing dwelling, erection of replacement dwelling and front boundary fence. Erection of detached garage and relocate vehicular access point.
DECISION:	Refuse Permission

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=603342

REASONS FOR REFUSAL

- 1 The proposed development results in a replacement dwelling which has an adverse impact on the openness and character of the Green Belt due to the size, height and mass of the building and detached garage, contrary to policies GB2A and GB7 of the Adopted Local Plan and Alterations and policy DM4 of the Epping Forest District Local Plan(Submissions Version) 2017.

Way Forward

Reduce the size, height and bulk of the building and remove the detached garage.

Report Item No: 8

APPLICATION No:	EPF/3503/17
SITE ADDRESS:	38 High Road North Weald Epping Essex CM16 6BU
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
DESCRIPTION OF PROPOSAL:	Change of use of part of ground floor from post office (A1) to Cafe (A3) and installation of brick faced stack for ventilation flue
DECISION:	Refuse Permission

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=603917

REASONS FOR REFUSAL

- 1 The use will cause unacceptable noise, odour and disturbance throughout the proposed opening hours such that there will be an excessive loss of amenity for neighbouring residents in this predominantly residential area contrary to Policy DBE9 of the adopted Local Plan and Alterations and policy DM9 of the Epping Forest District Local Plan(Submissions Version) 2017.

Way Forward

There is no way forward on this site for a scheme of this type.

Report Item No: 9

APPLICATION No:	EPF/0026/18
SITE ADDRESS:	Oak Lodge Weald Hall Lane Thornwood Common Epping Essex CM16 6ND
PARISH:	North Weald Bassett
WARD:	Epping Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	Two storey rear extension (Revised application to EPF/2439/17)
DECISION:	Refuse Permission (Householder)

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=604155

REASON FOR REFUSAL

- 1 The proposed development represents a disproportionate extension to this building in the Green Belt and is therefore inappropriate development in the Green Belt for which there are no very special circumstances to clearly outweigh the harm caused. Inappropriate development is, by definition, harmful to the Green Belt and therefore the proposal is contrary to policy GB2A of the Local Plan and with paragraph 87 of the National Planning Policy Framework.

Epping Forest District Council Planning Policy Briefing Note (March 2018)

1. Introduction

- 1.1. This briefing note has been produced by the Planning Policy team to ensure that a consistent approach is taken to the provision of planning policy advice for the District, particularly in relation to the Epping Forest District Local Plan Submission Version ("LPSV"), which was published on 18 December 2017. The primary purpose of this note is to inform the development management process and to assist Development Management officers, Councillors, applicants, and planning agents. Other Council officers involved in the development management process may also find the note helpful (e.g., Housing, Contaminated Land, Landscaping etc).

2. National Planning Policy Framework, the Presumption in Favour of Sustainable Development and the Five Year Housing Land Supply

- 2.1. By section 70(2) of the Town and Country Planning Act 1990 (TCPA 1990), when dealing with an application for planning permission, the Council must have regard to the provisions of the adopted development plan, so far as material to the application; and any other material considerations. By section 38(6) of the Planning and Compulsory Purchase Act (PCPA 2004) the Council must determine planning application in accordance with the adopted Development Plan for the District, unless material considerations indicate otherwise.
- 2.2. The National Planning Policy Framework (NPPF) is a material consideration in planning decisions (paragraph 196) and states that, 'in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development' (paragraph 197).
- 2.3. Paragraph 14 of the NPPF sets out what the 'presumption in favour of sustainable development' means both in terms of plan-making and decision-taking.

"For decision-taking, this means:

- approving development proposals that accord with the Development Plan without delay; and
- where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework [e.g., those policies relating to sites designated as Sites of Special Scientific Interest; land designated as Green Belt, or Local Green Space; or designated heritage assets] indicate that development should be restricted."

- 2.4. The Council's Housing Implementation Strategy, published in December 2017 (<http://www.efdclocalplan.org/wp-content/uploads/2017/12/Housing-Implementation-Strategy-Epping-Forest-District-Council-December-2017-EB410.pdf>) explains that, in accordance with paragraph 47 of the NPPF, the Council has identified a supply of specific deliverable sites sufficient to provide five years' worth of housing against the housing requirements in the LPSV.

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

- 3.1. At present, the statutory development plan for the District is comprised of:
- The saved policies in the adopted Local Plan (adopted 1998) and Alterations (adopted 2006), available at <http://www.efdclocalplan.org/planning-policy/existing-local-plan/> (please note that Policies GB14A, H1A and ST3 have now been deleted).
 - The Essex and Southend-on-Sea Waste Plan (adopted 2017) available at <https://www.essex.gov.uk/Environment%20Planning/Planning/Minerals-Waste-Planning-Team/Planning-Policy/Pages/Replacement-Waste-Local-Plan.aspx>
 - The Essex Minerals Local Plan (adopted 2014), available at <https://www.essex.gov.uk/Environment%20Planning/Planning/Minerals-Waste-Planning-Team/Planning-Policy/minerals-development-document/Pages/Default.aspx>
- 3.2. In accordance with paragraph 215 of the NPPF, "due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)" to saved policies in the adopted Local Plan (1998) and Alterations (2006).
- 3.3. The Council undertook an assessment of the consistency of adopted Local Plan policies against the policies within the NPPF (as published in 2012). This outcome of that assessment was reported to the Local Plan Cabinet Committee in March 2013. Further details can be found at:
- <http://rds.eppingforestdc.gov.uk/ieListDocuments.aspx?CId=688&MId=7142>

4. The Epping Forest District Local Plan Submission Version (2017)

- 4.1. On 14 December 2017, at an Extraordinary Full Council meeting, Members approved the LPSV for publication under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) ("the 2012 Regulations") and for submission to the Secretary of State for independent examination under section 20 of the PCPA 2004.
- 4.2. The LPSV comprises a series of up-to-date strategic and development management policies for the District, together with site allocations. It sets out the strategy for

meeting the District's objectively assessed needs for housing, employment and infrastructure from 2011 up to 2033. The LPSV is based on up-to-date evidence and the results of the previous Local Plan consultations undertaken in 2010/11, 2012, and 2016. Once adopted, the Plan will form part of the statutory development plan for the District and will replace the saved policies of the adopted Local Plan (1998) and Alterations (2006).

- 4.3. In accordance with Members' decision, the LPSV was published for a six-week period between 18 December 2017 and 29 January 2018 to allow any person to make representations to the Council about the LPSV under Regulation 20 the 2012 Regulations ("Regulation 20 representations"). As Regulation 19 requires the Council to publish the version of the Local Plan it intends to submit to the Secretary of State for independent examination, the six-week representation period is not a public consultation exercise in the sense that representations are invited on the final form of the LPSV before it is submitted to the Secretary of State for independent examination.
- 4.4. The primary purpose of the Regulation 19 publication period is to allow interested persons to make Regulation 20 representations about the soundness, legal compliance of the LPSV, and whether the Council has complied with the duty to co-operate under section 33A of the PCPA 2004 in its preparation. This reflects the purpose of the independent examination which is to determine, in respect of the LPSV, whether it satisfied the requirements of legal compliance; whether it is sound; and whether the Council has complied with the Duty to Co-operate under section 33A of the of the PCPA 2004, in its preparation.
- 4.5. Copies of all duly made Regulation 20 representations will be sent to the Secretary of State when the LPSV is submitted for independent examination under section 20 of the PCPA 2004. Under section 20(6) of the 2004 Act, any person who makes representations seeking to change the LPSV must (if s/he so requests) be given the opportunity to appear before and be heard by the person carrying out the examination. Regulation 23 of 2012 Regulations, the Local Plan Inspector appointed to the examine the LPSV must consider all duly made Regulation 20 Representations before making a recommendation concerning the adoption of the LPSV.
- 4.6. At the Extraordinary meeting on 14 December 2017, the Council also resolved to approve the Plan as a material consideration in decision-making. This means that the LPSV, as supported and justified by the Local Plan evidence base, should be taken into account as material planning considerations when determining future planning applications and giving advice at the pre-application stage. The documents comprising the Local Plan evidence base can be found at: <http://www.efdclocalplan.org/technical-information/>.
- 4.7. It is very important to note that, until it is adopted by the Council under section 23 of the PCPA 2004, the LPSV does not form part of the statutory development plan for the District. However, as it will not be altered materially before submission to the Secretary of State before 31 March 2018, the LPSV represents the completion of the preparation stage of the Local Plan.

- 4.8. As such, in accordance with paragraph 216 of the NPPF, when taking planning decisions, the Council may give weight to relevant policies in the LPSV "according to:
- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
 - the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."
- 4.9. When approving the LPSV for publication and submission to the Secretary of State for independent examination, at the Extraordinary Full Council meeting on 14 December 2017 Members resolved that:
- "(i) That the Local Plan Submission Version 2017 be endorsed as a material consideration to be used in the determination of planning applications and enforcement decisions to be given appropriate weight in accordance with paragraph 216 of the National Planning Policy Framework."
- 4.10. Accordingly, when dealing with applications for planning permission this means that Development Management officers and Councillors must continue to determine applications in accordance with the adopted Local Plan (1998) and Alterations (2006), unless material consideration indicate otherwise. **In all cases**, officers and Members must have regard to the LPSV, so far as material to the decision, and assess whether the proposal under consideration accords with the LPSV as a material consideration.
- 4.11. The Submission Version is the Local Plan which the Council intends to adopt, subject to the recommendations of the Local Plan Inspector appointed to examine the LPSV. It has been the subject of extensive consultation at each stage of the Local Plan's preparation. (Further details are provided in the Consultation Statement prepared by the Council at <http://www.efdclocalplan.org/submission-version-2017/>).
- 4.12. The policies and site allocations within the LPSV have been prepared having regard to and are consistent with national planning policy requirements and are supported by a comprehensive and up-to-date evidence base and Sustainability Appraisal. As the Council considers the LPSV to be sound and legally compliant, unless otherwise indicated in future specific advice from the Planning Policy team, Development Management officers and Councillors should accord relevant LPSV policies and allocations **significant weight** in the determination of applications.
- 4.13. The Council will submit the LPSV to the Secretary of State for independent examination in March 2018. The programming of the examination is a matter for the appointed Plan Inspector but the Council expects the examination hearings to be held in Autumn 2018. Adoption of the Epping Forest District Local Plan is expected in 2019.

5. Prematurity

- 5.1. Planning Policy Guidance (PPG) on 'Local Plans' (Reference ID: 12-019-2014030 states that the weight to be attributed to emerging plans increases during the plan-making process. The PPG on 'Determining a planning application' (Reference ID: 21b-014-20140306) stipulates that an application that is premature is unlikely to justify a refusal of planning permission in the context of the presumption in favour of sustainable development other than in exceptional circumstances where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account.
- 5.2. In accordance with the PPG (Reference ID: 21b-014-20140306) such circumstances are likely to be limited to situations where:
 - (a) The development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or neighbourhood plan; and
 - (b) The development would prejudice the delivery of the emerging allocations.
- 5.3. Before deciding to refuse planning permission on grounds of prematurity, the Council must identify clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process and prejudice the delivery of emerging allocations.
- 5.4. Given the substantial and extensive up-to-date evidence and site selection work which underpins the housing allocations in the LPSV, it is very unlikely that the Council will support any proposals for development outside of settlement boundaries which are not part of the LPSV allocations, or which are not in accordance with the Local Plan Rural Exceptions policy with respect to housing, or which do not comply with national and local policies concerning Green Belt and brownfield land. Larger scale developments within settlement boundaries which come forward on sites which are not allocated will be assessed against national, adopted Local Plan, and LPSV policies; consideration will be given as to whether the proposal would in any way prejudice the implementation of site allocations within the LPSV.

6. Local Plan Implementation

Strategic Masterplans, Design Codes and Concept Framework

- 6.1. The LPSV requires future developments in certain areas (as specified on the Policies Map) to be in general compliance with a Strategic Masterplan produced specifically for that area. These areas include:
- East of Harlow (part of the Harlow and Gilston Garden Communities);
 - Latton Priory (part of the Harlow and Gilston Garden Communities);
 - Water Lane Area (part of the Harlow and Gilston Garden Communities);
 - South Epping;
 - Jessel Green;
 - Waltham Abbey North;
 - North Weald Bassett;
 - North Weald Airfield; and
 - Limes Farm.
- 6.2. These Strategic Masterplans will provide a high-level overarching framework to ensure that planning and delivery of development and infrastructure is properly co-ordinated across the Masterplan Area. They will also ensure that development proposals are front-loaded and where possible accelerated.
- 6.3. The Council also requires more Design Codes to be produced for each of the areas in accordance with the principles set out in the respective Strategic Masterplan. These Design Codes will set out detailed design standards and should be used to inform planning applications to be submitted for individual sites. The Design Code also ensures co-ordination between different land parcels within a Masterplan Area and provides a level of certainty to developers of the quality and character of adjacent development.
- 6.4. The LPSV also requires the production of two Concept Frameworks, one for West Ongar and one for South Nazeing. These Concept Frameworks are more 'light-touch' in comparison with Strategic Masterplans but still set out high-level development principles which will ensure that a comprehensive and cohesive approach is taken to the planning and delivery of development and infrastructure in the locality.

Quality Review Panel

- 6.5. The production of Strategic Masterplans, Concept Frameworks, Design Codes, and where appropriate, other planning proposals should be considered and informed through review at key stages by the Council's Quality Review Panel. In general, the Council will expect schemes of more than 50 homes or 5,000 square metres of commercial/other floorspace to be informed by review. Other smaller schemes which are complex or contentious may also be appropriate for review.

7. Infrastructure Pooling

- 7.1. Since 6 April 2015, the requirements of Regulation 123(3) of the Community Infrastructure Levy Regulations 2010 have been in effect. This limits the funding or provision for any one specific infrastructure project or type of infrastructure to a maximum of five separate planning obligations.
- 7.2. The IDP provides guidance as to how and when infrastructure requirements associated with development identified within the LPSV should be delivered. The Council is required to work with landowners, promoters, infrastructure providers and other local authorities to determine how infrastructure contributions will be sought and section 106 contribution pooled to provide the necessary infrastructure. Careful consideration therefore needs to be given in relation to the identification and definition of infrastructure projects in relation to future section 106 agreements.

8. Neighbourhood Planning

- 8.1. Neighbourhood Plans were introduced by the Government through the Localism Act 2011. Once they have successfully completed the preparation process and have been made, Neighbourhood plans will form part of the statutory development plan for the District. Applications for development within the relevant neighbourhood plan area must be determined on accordance with the neighbourhood plan, so far as it is material to the application.
- 8.2. To be made, a neighbourhood plan must be in general compliance with the adopted Local Plan for the District and be used positively to encourage sustainable development. Within Epping Forest District, there are currently nine neighbourhood plan being prepared by the respective town or parish council for the area. For further detail on the progress of individual neighbourhood plans, please visit the Neighbourhood Planning on the Council's website:

<http://www.efdclocalplan.org/planning-policy/neighbourhood-planning/>

- 8.3. In certain circumstances, an emerging neighbourhood plan may be a material consideration in the determination of a planning application. in accordance with section 70(2)(aza) of the TCPA 1990 "a post-examination draft neighbourhood development plan, so far as material to the application", Where section 70(2)(aza) applies, the Council must decide the weight to be accorded to relevant policies within an emerging neighbourhood plan, in accordance with paragraph 216 of the NPPF (see above at paragraph 4.8).

- 8.4. In December 2016, the Minister of State for Housing and Planning, Mr Gavin Barwell MP, made a Written Ministerial Statement stating that relevant policies for the supply of housing in a neighbourhood plan that has been made and is part of the statutory development plan, should not be deemed to be 'out-of-date' under paragraph 49 of the NPPF, where all of the following circumstances arise at the time the decision is made:
- This written ministerial statement is less than 2 years old, or the neighbourhood plan has been part of the development plan for 2 years or less;
 - the neighbourhood plan allocates sites for housing; and
 - the local planning authority can demonstrate a three-year supply of deliverable housing sites.

The full Ministerial Statement can be found on the UK Parliament website at <https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2016-12-12/HCWS346/>

9. Housing White Paper and Starter Homes

- 9.1. The provision for starter homes to be defined as affordable housing was included in the Housing and Planning Act 2016. This includes a general duty to promote starter homes [Part 1 Chapter 1 (paragraph 4)] and through regulations place a requirement on local planning authorities to grant planning permission for a residential development of a specified description if the starter homes requirement is met [Part 1 Chapter 1 (paragraph 5) (1)]. However, the regulations are not yet in place and it is not clear when/ whether the current government intends to provide such regulations given the manner in which the matter has been covered in the recent Housing White Paper.
- 9.2. The Housing White Paper "Fixing Our Broken Housing Market" (February 2017) does not seek to introduce such a statutory requirement for starter homes at the present time (refer A124 p99). However it does expect local authorities to deliver starter homes as part of a mixed package of affordable housing of all tenures that can respond to local needs and local markets. The Government has expressed its intention to change the National Planning Policy Framework subject to the Housing White Paper consultation as follows:
- A change to the definition of affordable housing to include, among others, starter homes and affordable private rented housing (A120, p 99 and Box 4, p100)
 - To introduce a household earnings eligibility cap of £80,000 (£90,000 for London) on starter homes.
 - To make it clear that local authorities should seek to ensure that a minimum of 10% of all homes on individual sites are affordable home ownership products (A126, p101). This would include starter homes, shared ownership homes and

discounted market sales products. It would apply to sites of 10 units or more or 0.5+ hectares in size. This applies except for the following types of scheme:

- Build to rent
- Dedicated supported housing, such as residential care homes
- Custom build schemes
- Development on rural exception sites where it should remain a matter of discretion for the local authority. (A128, p101)

9.3. Until the Government responds to the consultation and makes the relevant changes to the NPPF these provisions will not be in place. Until these changes have been made to the NPPF affordable housing provision will be assessed against the policies of the current adopted Local Plan, the emerging Local Plan (Submission Version) and the NPPF as existing and at present Starter Homes will not be considered to meet the definition of affordable housing.

9.4. As part of the Housing White Paper, the DCLG has published a “Planning for the right homes in the right places: consultation proposals” on 14 September 2017. The document sets out a number of proposals to reform the planning system to increase the supply of new homes and increase local authority capacity to manage growth. One of the main proposals in the document was the introduction of a standard methodology for calculating local authorities’ housing need. For the District, the proposed new methodology suggests that the annual housing requirement for the District would be 923 dwellings per annum, which is significantly higher than the housing requirement proposed in the emerging Local Plan.

9.5. For emerging Plans, the consultation document proposed that if a Local Plan is submitted for examination on or before 31 March 2018 or before the revised Framework is published (whichever is later), Local Authorities should continue with the current plan preparation. Epping Forest District Council will submit the Local Plan for examination before 31 March 2018 and will therefore continue to use the current housing requirements and methodology set out in the Plan.

10. Housing Strategy 2017 – 2022

10.1. In 2017, the Council adopted its new Housing Strategy that includes a number of policies relating to the delivery of affordable housing. The main policies relating to the Local Plan are as follows:

- On developments which provide for 11 or more homes (or on land in excess of 1,000sqm gross floor space), the Council will generally seek up to 25% of the affordable homes as shared ownership homes (not as “starter homes”), to assist first time buyers to gain access to home ownership and to meet the National Planning Policy Framework’s requirement for the provision of affordable home ownership properties;

- In order for shared ownership homes to be affordable to as many people as possible, the Council will ensure that:
 - Initial equity sales to individual applicants for shared ownership properties are no less than 20% and no more than 75% of the open market value of the property;
 - For development appraisals undertaken by housing associations for the purchase or development of affordable housing, the assumption used for the average initial equity shares to be sold to applicants across all of the shared ownership properties on the development is no more than 35%, and is reflected in offers made to landowners and developers;
 - Shared owners are able to purchase additional equity shares (staircase) up to full 100% ownership, except for rural housing schemes for which a maximum of 80% equity can be purchased under current Homes and Communities Agency policy; and
 - The initial rent charged for the equity retained by the housing association is equivalent to no more than 2% of the value of the unsold equity per annum, with subsequent rent increases determined in accordance with the relevant housing association's rent setting policy;
- The Council will seek to ensure that housing associations and other providers charge affordable rents at no more than the level of the relevant Local Housing Allowance for the locality;
- The Council will ensure that developers comply with the Council's latest Guidance Note to Planning Applicants on the Submission of Viability and Financial Appraisals for Affordable Housing and will robustly assess and validate Viability Appraisals submitted for developments where developers assert that it is not possible to meet the Council's affordable housing requirements, in order to ensure that as much affordable housing is obtained as viably possible.

A copy of the Housing Strategy 2017 – 2022, which provides further background to these policies can be found here:

<http://www.eppingforestdc.gov.uk/home/file-store/category/436-business-plans?download=4700:housing-strategy-2017-22>

Contact

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AREA PLANS SUB-COMMITTEE 'EAST'

4 April 2018

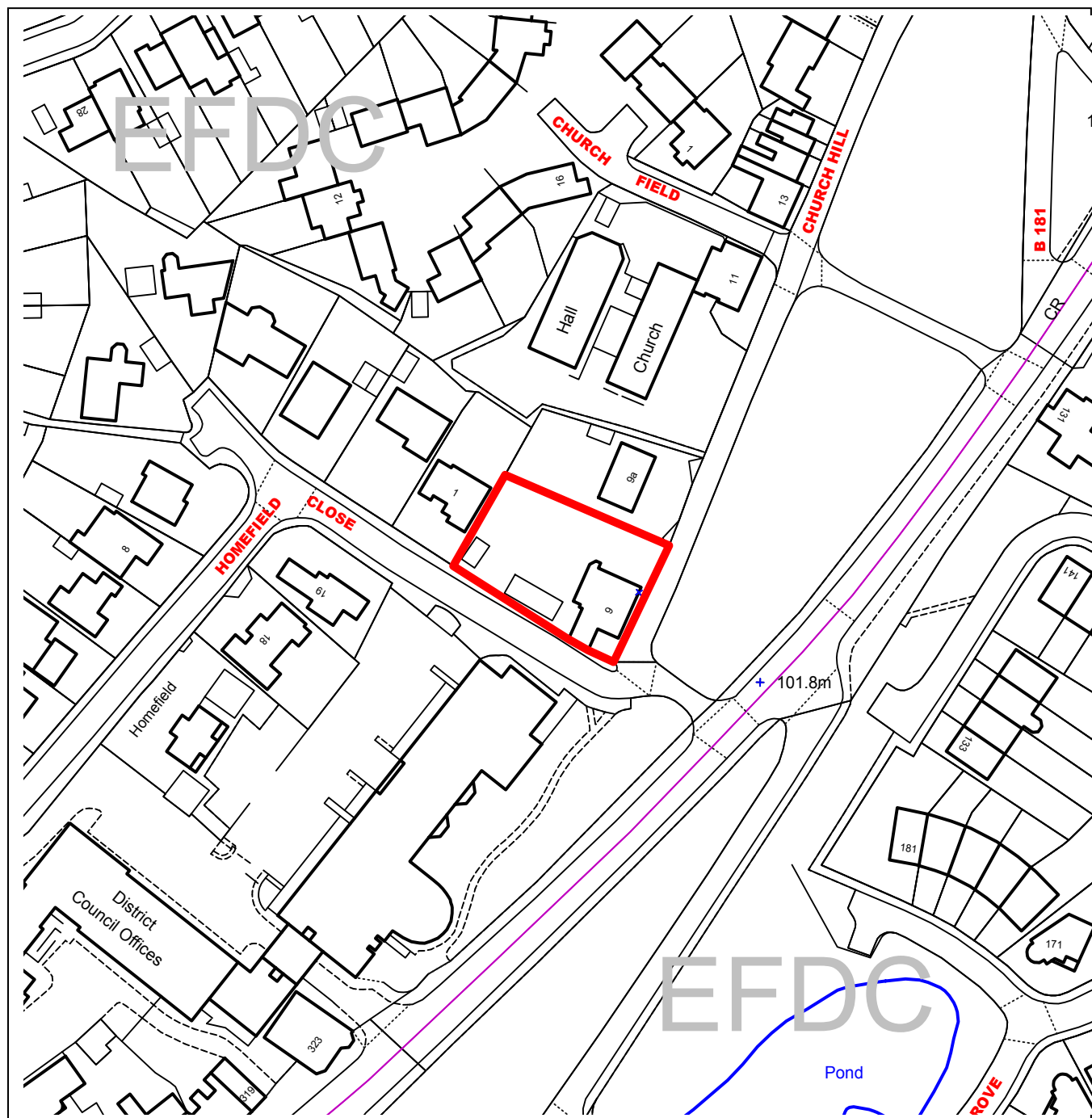
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Epping Forest District Council

Agenda Item Number 1



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Application Number:	EPF/3284/17
Site Name:	9 Church Hill, Epping, CM16 4RA
Scale of Plot:	1/1250

Report Item No: 1

APPLICATION No:	EPF/3284/17
SITE ADDRESS:	9 Church Hill Epping Essex CM16 4RA
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	Mr Darren Hunt
DESCRIPTION OF PROPOSAL:	Proposed works and extension to Dane Lodge to create 2 no. 2 bedroomed apartments and a semi-detached mews cottage along with a detached 3 bedroomed dwelling, all with associated car parking and amenity space.
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=603055

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: BRD/17/029/001, BRD/17/029/002, BRD/17/029/003-A, BRD/17/029/004-B, BRD/17/029/005-A
- 3 No development shall have taken 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.
- 4 Additional drawings that show details of proposed new windows and doors, by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of any works.

- 5 Prior to first occupation of the development hereby approved, the proposed first floor window openings in the northern flank elevation of the new detached dwelling (indicated as Unit 4 on drawing no. BRD/17/029/003-A) 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.
- 6 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 and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 7 Prior to the first occupation of the development the access arrangements, vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The access, parking and turning areas shall be retained in perpetuity for their intended purpose.
- 8 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.
- 9 There shall be no discharge of surface water onto the Highway.
- 10 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 11 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.

- 13 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

This application is before this Committee since it is for a type of development that cannot be determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

This application was deferred from a previous meeting to enable Members to carry out a site visit.

The original report is reproduced below.

Description of Site:

The application site currently contains a large detached two storey dwelling located on the corner of Church Hill and Homefield Close. The dwelling is locally listed and sits within Epping Conservation Area.

Immediately adjacent to the site to the north and west are residential dwellings, and on the opposite junction of Homefield Close are the Council Offices. Adjacent to the site to the east is public open green space.

Description of Proposal:

Consent is being sought for the demolition of the two storey extension and conservatory on the rear elevation of Dane Lodge and the erection of a new two storey rear addition to replace the previous attached outbuildings and a new detached two storey building to the north of the existing dwelling. The existing dwelling would be converted into two no. two bed apartments, the new two storey addition would, along with part of the existing dwelling, be used as a two bed mews house, and the new build building would create a detached three bed dwelling. The development proposes associated parking, access, private and communal amenity space and bin and cycle storage.

The proposed new detached building would measure a maximum of 13.7m in depth and a maximum of 7.4m in width and would have a low pitched roof to a ridge height of 6.7m and an eaves height of 4.7m.

The new building to the rear of Dane Lodge would predominantly replace the existing outbuildings, which were in a state of disrepair and were subsequently demolished, with consent to replace them with a similar structure. The proposed new building would be formed of two sections. The 'link' section, which immediately adjoins Dane Lodge, would measure 5.2m in width and a maximum of 5.5m in depth with a pitched roof to a ridge height of 6.4m, dropping down to 6m. This would form an extension to Dane Lodge. The second section would be off-set from the 'link' section and would measure 5.6m in width and 5.4m in depth. This would have a hipped roof to a maximum ridge height of 6.7m.

The alterations to the existing Dane Lodge would be limited to the demolition of the two storey rear extension and conservatory, the glazing of the open archway within the front elevation, and internal alterations.

The proposed development would be served by seven car parking spaces, four of which would be accessed from Homefield Close and three of which would be accessed from Church Hill.

Relevant History:

EPF/3024/15 - Demolition of a two storey extension and conservatory on the rear elevation of Dane Lodge and its conversion into three apartments, the demolition and replacement of the rear outbuildings to provide one apartment and the erection of a new detached two storey building providing two mews houses, together with the provision of associated on-site covered parking and a bin store – refused 09/03/16 (dismissed on appeal 05/09/16)

EPF/1572/16 - Demolition of the existing single and 1.5 storey garage/store with the erection of a replacement single storey and 1.5 storey outbuilding providing ancillary accommodation to the main house – approved/conditions

Policies Applied:

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

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
CP3 – New development
CP6 – Achieving sustainable urban development patterns
HC6 – Character, appearance and setting of conservation areas
HC7 – Development within conservation areas
HC13A – Local list of buildings
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE3 – Design in urban areas
DBE8 – Private amenity space
DBE9 – Loss of amenity
LL10 – Adequacy of provision of landscape retention
ST4 – Road safety
ST6 – Vehicle parking

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

Epping Forest District Local Plan (Submission Version) 2017:

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

SP1 - Presumption in Favour of Sustainable Development
SP7 - The Natural Environment, Landscape Character and Green and Blue Infrastructure
H1 - Housing Mix and Accommodation Types
T1 - Sustainable Transport Choices
T2 - Safeguarding of Routes and Facilities
DM1 - Habitat Protection and Improving Biodiversity
DM3 - Landscape Character, Ancient Landscapes and Geodiversity
DM7 - Heritage Assets
DM9 - High Quality Design
DM10 - Housing Design and Quality
DM11 - Waste Recycling Facilities on New Development
DM18 - On Site Management of Waste Water and Water Supply
DM21 - Local Environmental Impacts, Pollution and Land Contamination

Consultation Carried Out and Summary of Representations received:

21 neighbouring properties were consulted and a Site Notice was displayed.

TOWN COUNCIL – No objection.

LITTLE DAYNE, 9A CHURCH HILL – Object as this would be an overdevelopment of the site, would overlook their property, due to inadequate parking and drainage concerns.

1 HOMEFIELD CLOSE – Object as this proposal would be out of keeping with Dane Lodge and since it would cause highway and parking problems.

6 HOMEFIELD CLOSE – Object as the entrance is not suitable for this type of development.

7 HOMEFIELD CLOSE – Object as this would be an overdevelopment of the site and would have a cramped appearance, the new build would reduce the openness and large garden character of the site, and the largely featureless wall with high windows bordering Homefield Close would be out of character with the area.

13 HOMEFIELD CLOSE – No objection to the development, however concerned about disruption during construction.

Issues and Considerations:

The main issues to be considered are the suitability of the site for the proposed development, the overall design and impact on the conservation area and locally listed building, highway considerations, and regarding the potential impact on neighbour amenity.

Planning consent for redevelopment of the site to provide six residential units through conversion, extension, and new build was previously refused for the following reason:

The proposal due to the scale and mass of the proposed buildings and the level of site coverage amounts to overdevelopment of the site and fails to preserve or enhance the character and visual amenity of this prominent site within the Conservation Area contrary to policies CP2, CP3, CP7 and HP6 of the Adopted Local Plan and Alterations.

This decision was appealed and dismissed with the Planning Inspector concluding that “*the loss of the garden setting of Dane House would cause harm to the character and appearance of the Epping Conservation area, meaning that the proposed development would be in conflict with Policy CP2 of the Epping Forest District Local Plan Alterations, 2006 (LPA) which seeks to protect the quality of the rural and built environment, Policy CP3 of the LPA which requires that the scale and nature of new development is consistent with the principles of sustainability and respects the character and environment of the locality, and Policy CP7 of the LPA which seeks to maintain the environmental quality of urban areas and to protect the character of areas of architectural and historic importance. It would also conflict with the Framework, which requires that great weight be given to the conservation of the character and appearance of conservation areas as designated heritage assets*”.

This revised application has sought to address the previous issues on the site through the reduction in the size of the new building along with the number of units on the site. These revisions have been produced in consultation with Planning Officers and the Council’s Senior Conservation Officer.

Principle of the development:

The application site is located within the urban town of Epping just beyond the designated town centre. The site is within a short walking distance to the facilities and public transport serving the town. The ‘golden thread’ that runs through the National Planning Policy Framework (NPPF) in terms of both plan-making and decision-taking is the presumption in favour of sustainable development. The principle of further development within the type of location is considered to accord with this presumption and therefore this should be afforded significant weight.

Whilst residential gardens are specifically excluded from constituting ‘previously developed land’ as defined within Annex 2 of the NPPF the proposed development on this site would not result in an unacceptable ‘backland development’ since the site is located in a relatively wide plot and the main additional building would be to the side of the existing dwelling. Whilst the properties to the north and west of the site predominantly consist of single dwellings other flatted developments can be seen within the locality, such as Spriggs Court, Redgrove House and above the shops in the High Street. As such it is considered that the provision of flats and principle of the intensification of use of this location would be acceptable, subject to an in-depth assessment of the proposal.

Design:

The property is a late 19th century locally listed building within Epping Conservation Area. It occupies a prominent position on the corner of Church Hill and Homefield Close overlooking the green.

The only reason for refusal on the previous application ref: EPF/3024/15 was regarding the character and appearance of the Conservation Area. This decision was upheld on appeal. However within the Inspectors decision letter they confirmed that “*the replacement of the outbuildings would not... have a harmful effect in design terms on the character or appearance of the conservation area*”, “*the appeal proposal would not generate levels of activity which would have a harmful effect on the character of Epping Conservation Area*”, and they “*do not... consider that the appeal proposal would have a harmful impact on the appearance of the conservation area in this respect*”.

The sole harm that the Planning Inspector identified as a problem was the loss of the garden setting of Dane House. The reasoning behind this decision is as follows:

- “9. *The proposed two storey block, containing two mews houses, to the north of the host building would sit in part of the original open garden area to the house. Its frontage to Church Green is currently poorly bounded with close boarded timber fencing which sits uncomfortably next to the good, possibly early nineteenth century, iron railings to the front of the host dwelling itself. This element of the appeal scheme would have the effect of introducing what would appear from the front to be an additional house into the site. It would reduce the open setting of the host building to the side, making it part of the continuous run of houses running up Church Hill. To the rear, it would project back to nearly the end of the remaining garden area, creating what would in effect would be a courtyard between the original house, recreated outbuildings and parking area to the rear.*
10. *This element of the appeal proposal would therefore introduce a significant built element into the setting of Dane House, and cause a significant reduction to the original garden setting of the building which had marked out its high status as a large villa in an originally open rural setting. The proposed two storey block would, because of this, have a harmful visual impact on the setting of Dane House, a locally listed building, and thereby also reduce its historic significance. This element of the appeal proposal would therefore have a harmful effect on the character and appearance of this part of the conservation area. While some improvement to the boundary treatment to the front of the site could accrue from the proposed development, this benefit would not outweigh the demonstrable harm otherwise created.”*

The revised application has been subject to pre-submission discussions with the Councils Senior Conservation Officer. The proposed works to convert Dane Lodge to flats are sympathetic to the appearance of the building, particularly as the prominent front entrance will remain in use and the only other alteration to the front elevation will be to glaze the carriage arch.

The existing outbuilding extensions to the rear were in extremely poor structural condition so their demolition and rebuilding was approved. These outbuildings have been demolished but not yet replaced. The proposed replacement extension is larger than the previous approval, although would be on a smaller footprint. The proposed extension now stands at two storeys to allow access from the first floor of the house into the extension with the rear element of the extension reading as a “cottage” addition. There is still a degree of subservience between the house and the extension, and the design of the extension is in keeping with the house.

The proposed new build element of the development, which was the matter of contention on the previous application, is considered to respect the adjoining properties and streetscene in terms of its height, massing, elevation treatment, and materials. The bulk and height of the building of the building has been reduced by creating a narrow frontage facing the street and the large glazed opening at ground floor reflects the carriage arch within Dane Lodge. Furthermore the building has been set back approximately 4.5m further from the highway at the front. This will allow for additional screening/landscaping to the front of the site (between the new building and the proposed car parking spaces) to soften the development and retain a more green open aspect to the application site.

The building has been located and designed in negotiation with the Conservation Officer, to appear more as an outbuilding to the main house than as a separate dwelling.

Church Hill is more densely built to the north beyond the church so, notwithstanding the above quoted concerns from the Planning Inspectorate, the erection of an appropriately scaled building to partially infill this part of the site is not considered to be out of character with the wider streetscene.

Due to the above the proposal would not harm the character or appearance of the conservation area or the locally listed building. This is supported by policies HC6, HC7 and HC13A of our Local Plan and Alterations, policy DM7 of our Submission Version Local Plan (2017), along with paragraphs 132 and 134 of the NPPF.

Highways:

The proposed development would provide four off-street parking spaces to the rear of the site within a small parking court, which would also serve the bin and cycle store. This would be served by a vehicle crossover onto Homefield Close, which would essentially be a slight relocation of the existing access. One parking space would be provided to the front of the existing building and two would be provided to the front of the proposed new dwelling, all of which would be accessed directly off of Church Hill.

Although concern has been raised from neighbours with regards to the potential impact of the vehicle access on the existing traffic problems experienced the previous proposal, which included five parking spaces to the rear of the site accessed from Homefield Close and one to the front accessed directly off of Church Hill, was not refused due to parking or highway safety grounds. Essex County Council Highways have raised no objection to the proposal and consider the development to be acceptable, subject to conditions.

The proposed development proposes seven off-street parking spaces, which equates to 1.75 spaces per unit. Given the layout of the proposed spaces it is envisioned that the two spaces directly in front of the new detached dwelling would serve this two bed detached house, the one parking space to the front of the existing building would serve the two storey mews house, and the four parking spaces to the rear would serve the two flats within the existing dwelling, along with any visitor parking requirements.

The Essex County Council Vehicle Parking Standards (2009) recommends that a residential scheme such as this should be served by nine parking spaces (which equates to 2 x spaces for each residential unit and 1 x visitor space), however it does state that *"a lower provision of vehicle parking may be appropriate in urban areas (including town centre locations) where there is good access to alternative forms of transport and existing car parking facilities"*. Given the location of the site just outside of the designated town centre of Epping it is considered that a lower provision of parking would be acceptable in this instance.

Amenities:

The proposed new detached building would be located between the existing Dane Lodge and the neighbouring property of No. 9a Church Hill and is smaller than the previously refused scheme. It has been positioned so that it extends just 5.6m beyond the rear wall of this neighbour and is stepped in 1.2m from the shared boundary and 4.6m from the neighbours flank wall. The impact from the proposed development would be similar to that of the previous scheme, which was not refused on the grounds of loss of amenity. As such it was previously accepted that a new building in this location would not be unduly detrimental to the living conditions of the neighbouring residents. The only high level flank windows within this building would serve bathrooms and therefore can be conditioned to be obscure glazed with fixed frames.

Whilst the intensification of use of the site and provision of car parking to the rear of the site, adjacent to No. 1 Homefield Close could cause some additional noise nuisance, given the urban location of the site and proximity to the significantly larger and intensely used Council Offices it is

not considered that this would be excessive or unacceptable. Furthermore this matter did not form a reason for refusal on the previous scheme.

Other considerations:

Waste:

The Council carries out a front boundary refuse collection service from the point within the property closest to the public highway. The Area Waste Management Officer has calculated the amount of refuse that on average is produced by 7 residential units and based on this the following amount of bins would be required:

- 1 x 1100 refuse Dimensions W 1270mm x H1380 x D 1000
- 1 x 1100 recycling Dimensions W 1270mm x H1380 x D 1000
- 2 x 180 food
- 1 x 340 glass

A dedicated bin store is located towards the rear of the site which would be easily accessible to refuse operatives.

Contamination:

All readily available Council held desk study information for this site has been screened and no evidence can be found of any potentially significant contaminating activities having taking place historically on the site (records indicate that the site has formed part of the garden of 9 Church Hill since before the middle of the 19th Century, and is likely to have been agricultural land prior to its domestic development). As potential land contamination risks are likely to be low, it should not be necessary for these risks to be regulated under the Planning Regime by way of standard conditions. It is the responsibility of the developer to ensure the safe development of the site and the addition of a single condition requiring the developer to stop development, contact the Local Planning Authority and carry out any necessary agreed investigation and remediation works if significant contamination is encountered should suffice.

Conclusions:

The proposed development has been the subject to pre-submission discussions and has overcome the previous reason for refusal. The revised proposal is considered to be an acceptable and appropriate development that would not be detrimental to the character and appearance of the conservation area, the locally listed building or the wider area. The site is located within a sustainable location well served by local facilities and sustainable transport and its intensification of use would therefore be in line with the NPPF's presumption in favour of sustainable development. The design and layout is such that there would be a minimal impact on the amenities of neighbouring residents and it is not considered that the development would result in highways or parking concerns. Therefore this application complies with the relevant Local Plan policies and is recommended for approval.

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

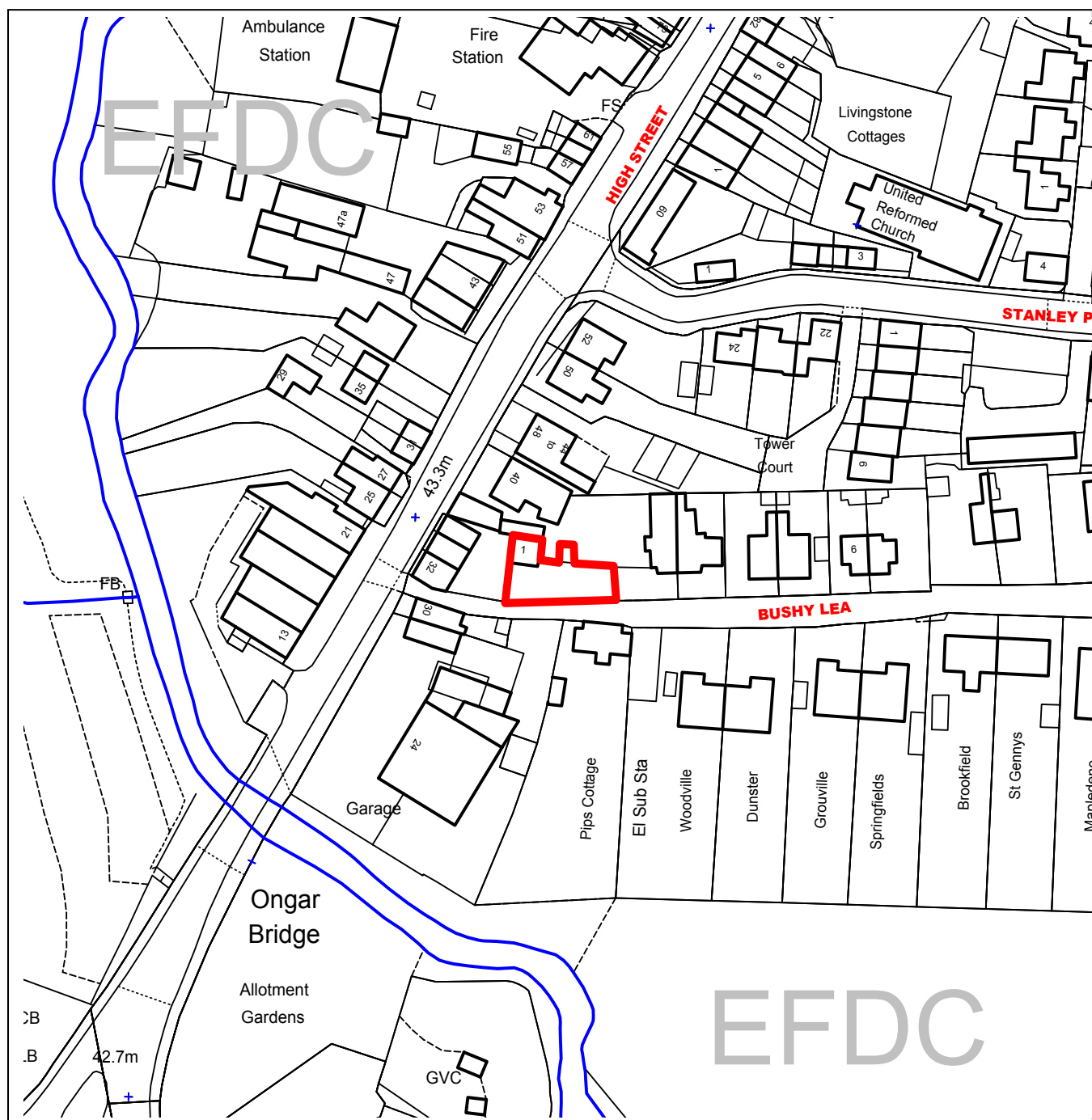
Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228

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/2891/17
Site Name:	1 Bushey Lea, Chipping Ongar, Essex, CM5 9ED
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/2891/17
SITE ADDRESS:	1 Bushey Lea Chipping Ongar Essex CM5 9ED
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
APPLICANT:	Mr Ash Thomas
DESCRIPTION OF PROPOSAL:	Retrospective planning application - single storey front extension has been built the full width one side.
RECOMMENDED DECISION:	Grant Permission

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=601633

CONDITIONS

- 1 The amendments shown in the approved drawings shall be carried out within 3 months of the date of this approval.

This application is before this Committee since it has been 'called in' by Councillor Keska (Pursuant to The Constitution Part 3: Scheme of Delegation, Appendix 4)

Description of Site:

The application site is a modest link detached two storey cottage, on the northern side of Bushey Lea. The property is within the Ongar conservation area and within the setting of the Listed Building, 40 High Street Ongar. Bushey Lea is a small lane directly off of Ongar High Street. The northern side of the lane is characterised by Victorian semi-detached, characterised by their large front gardens, a number of which have mature planting. The lane acts as a transition from the High Street and conservation area to the countryside beyond, with open fields at the end of the lane. The property was granted planning permission for the demolition of existing single storey extension and outbuildings and its replacement with a two storey side extension, with a small front projection. The original proposal was for the original dwelling to remain in its red brick finish, with the new extension being clad in timber feather edged weatherboarding in an off white colour.

The property sits within an unusual plot and does not benefit from any private amenity space to the rear of the property, with its garden space to the front of the property extending across towards 2 Bushey Lea. The garden of no. 2 Bushey Lea

Land levels fall from the road towards the front elevation by some 200mm, creating a step down towards the front of the property, which encloses the lower portion of the front projecting element.

Description of Proposal:

It is proposed to retain the extension as built, with a single storey front projecting element now crossing the width of the property at part 1 metre, part 1.5 metres deep in line with the 'set back' of the side extension, with a slate tiled roof. Both the front and side elevations are clad in a composite material weatherboarding with a wood grain effect and finished in cream, similar in tone to the rear of the adjoining property 38 High Street. The two storey side element remains at 5.5 metres wide by 4.6 metres deep. As part of the proposal revised drawings have been submitted in line with the conservation officers comments proposing the removal of UPVC soffit boards and the correction of some cladding around the windows in the Western side elevation, in order to make the proposal appear more appropriate to the character and appearance of the Ongar conservation area.

Relevant History:

EPF/1802/16 – Demolition of existing conservatory, garage and timber garden room, erection of a two storey side and single storey front extension. – Granted

EPF/2950/16 - Demolition of existing conservatory, garage and timber garden room, erection of a two storey side and single storey front extension (amended application to approved scheme to allow for change of materials to extension to feather edged boarding) - Granted

Policies Applied:

Adopted Local Plan

CP2 – Protecting the quality of the rural and built environment
DBE9 – Loss of amenity
DBE10 – Residential extensions
HC7 – Development within Conservation Areas

NPPF:

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

Epping Forest District Local Plan (Submission Version) 2017:

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications, in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

DM 9 - High Quality Design
DM 7 – Heritage Assets

Consultation Carried Out and Summary of Representations Received:

Number of neighbours consulted: 14
Site notice posted: 17/11/17
Responses received: 1

2 BUSHEY LEA – OBJECTION –

Summarised as: Extension built on land outside of the property's ownership. Removal of a tree not in their ownership.

ONGAR TOWN COUNCIL – NO OBJECTION

Main Issues and Considerations:

The main issue to discuss is the impact of the development on the character and appearance of the Ongar Conservation Area.

The single storey front extension across the full width of the house, with a maximum projection of 1.5 metres from the front wall of the property, is considered largely acceptable in its design as it is appropriate in scale, bulk and massing to the host property. The main concern that the Conservation Officer raised with the applicant about this part of the extension was about the addition of the double doors to the front extension. Whilst double doors were included in the original application with the smaller front extension, the doors requested would usually be of a timber construction, with a thinner profile. Instead, the doors fitted are made of UPVC, with a thick frame and external hinges. This would not usually be considered acceptable within the conservation, however, the applicant has provided evidence to show that doors were fitted by Thames Water in order to mitigate against flood risk, as the property has suffered from 'black water' flooding on a number of occasions. In the light of this evidence the retention of the UPVC is on balance considered acceptable. The harm caused to the conservation area is minor.

The second part of the retrospective application concerns the cladding of the entire building in a composite (concrete) weatherboarding. Composite cladding is not the type of material that is expected to be used within the conservation area. Planning application EPF/2950/16, specified the cladding of the extension only to be featheredged timber boarding, leaving the brickwork of the original house exposed. However, it is fair to say that the brickwork was not of any particular merit. Its covering with cladding is, therefore, not considered harmful to the appearance of the property and that of the wider conservation area. On balance, the composite cladding, which features a wood grain texture is considered acceptable.

Strong concerns were raised by the Conservation Officer about the execution and finishes of the windows surrounds and the two fascia's (one on the main part of the building and one on the single storey front extension) finished in white UPVC. As part of this application the UPVC fascia's would be removed to be replaced with the composite cladding on the rest of the building. These changes were proposed and submitted as additional drawings named "Details Structure" dated for the 7th February. The proposed changes are considered satisfactory and therefore the application is considered to have no adverse effect on the character and appearance of the Ongar Conservation Area and the application is therefore considered acceptable.

Other Matters

The proposal is not visible from the habitable rooms of any neighbouring properties and does not have any significant impact on neighbouring amenity. The neighbouring property raises concerns about the ownership of the land on which parts of the extension have been built. Whilst the planning officer understands there are some legal issues with the erection of the extension, this is a civil matter to be settled by legal professionals and cannot be addressed as part of the planning application. The objection received also states that a tree, not within the ownership of 1 Bushey Lea has been removed. Whilst approval from the Local Authority is needed for works to trees with a conservation area, no complaints have been received concerning the removal of trees at the proposal site or the surrounding area within the last 12 months, and there is no clear evidence of any trees being removed. Moreover aerial images show no evidence of mature trees on or close to the boundary of the application site and a tree officer has confirmed that the removal of any trees within the location specified would not cause any significant harm to the street scene or the character and appearance of the conservation area. Therefore the matter cannot be dealt with by the planning authority.

Conclusion:

The development, with the proposed amendments, would not detract from character and appearance of the conservation area. Accordingly, the proposal complies with the guidance contained within the National Planning Policy Framework and with relevant Local Plan policies. It is recommended 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: Corey Isolda
Direct Line Telephone Number: 01992 564380***

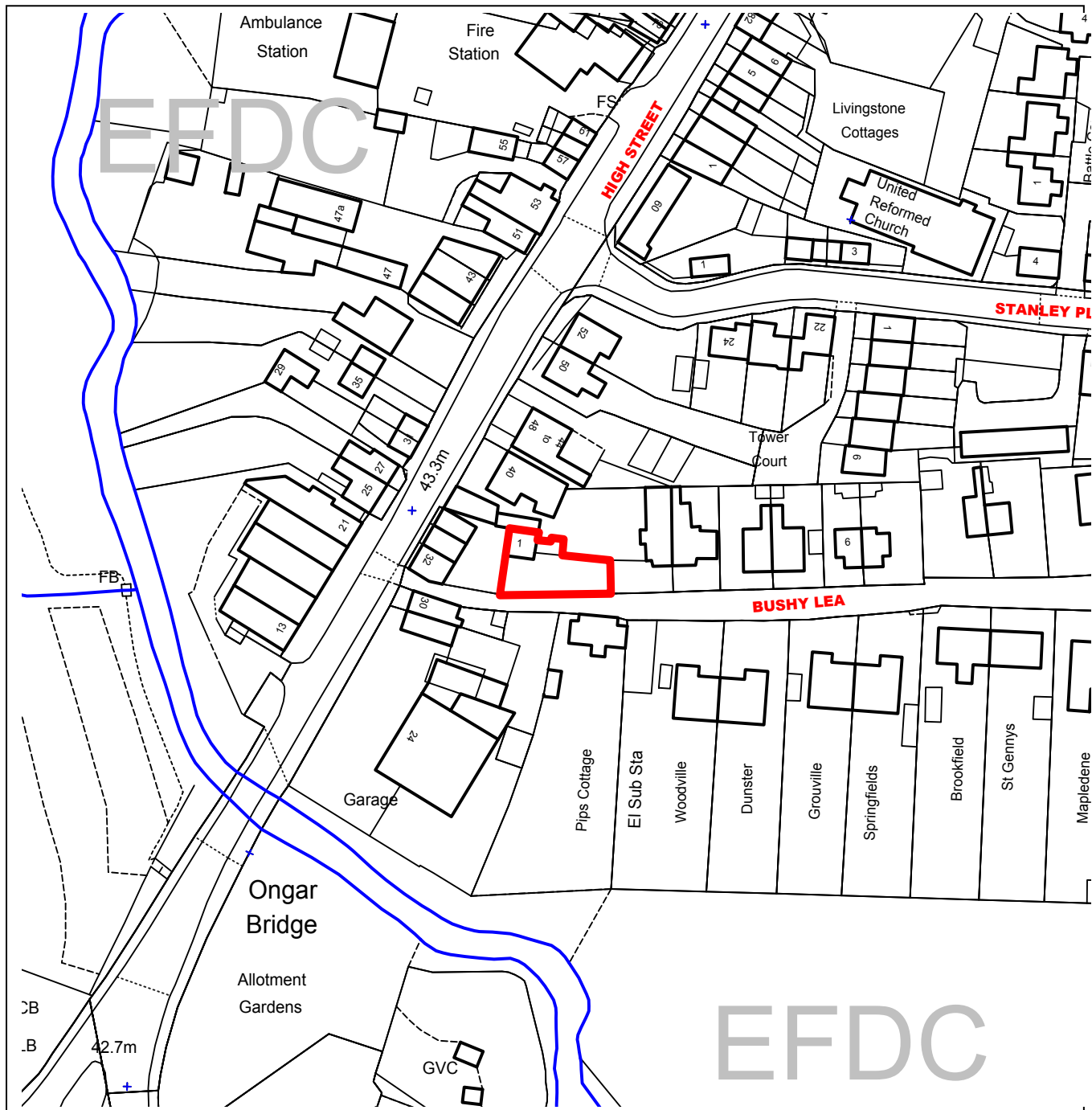
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Agenda Item Number 3



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Application Number:	EPF/2946/17
Site Name:	1 Bushey Lea, Chipping Ongar, CM5 9ED
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/2946/17
SITE ADDRESS:	1 Bushey Lea Chipping Ongar Essex CM5 9ED
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
APPLICANT:	Mr Ash Thomas
DESCRIPTION OF PROPOSAL:	Retrospective application for boundary wall.
RECOMMENDED DECISION:	Grant Permission

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=601863

CONDITIONS

- 1 The amendments shown in the approved drawings shall be carried out within 3 months of the date of this approval.

This application is before this Committee since it has been 'called in' by Councillor Keska (Pursuant to The Constitution Part 3: Scheme of Delegation, Appendix 4)

Description of Site:

The application site is a modest link detached two storey cottage, on the northern side of Bushey Lea. The property is within the Ongar conservation area and within the setting of the Listed Building, 40 High Street Ongar. Bushey Lea is a small lane directly off of Ongar High Street. The northern side of the lane is characterised by Victorian semi-detached, characterised by their large front gardens, a number of which have mature planting. The lane acts as a transition from the High Street and conservation area to the countryside beyond, with open fields at the end of the lane. A separate application has been made for the retention of extensions to the property.

The property sits within an unusual plot and does not benefit from any private amenity space to the rear of the property, with its garden space to the front of the property extending across towards 2 Bushey Lea. Land levels fall from the road towards the front elevation by some 200mm, creating a step down towards the front of the property. The garden of no. 2 Bushey Lea wraps around the proposal site. The front of the property has been enclosed by a 1.8 metre (approx.) wood panel

fence with concrete posts. The solid timber fence enclosed the front area of the property to provide private amenity space for the occupants, who do not have a rear garden. A large section of this fence was fitted onto a sliding rail and acted as a large gate to the property in order for the occupants of the dwelling to be able to park vehicles to the front of the property. The mechanism and frame for this gate has been retained, however the frame has now been clad in cedar wood panels. A red brick wall which appears to be original used to attach to the fence at the Western edge of the site, projecting from the front elevation of property and is now a part of the brick wall surrounding the property. The fencing has been removed and replaced with a solid red brick wall of some 2 metres in height across the frontage of the site, connecting to a timber fence at the boundary with no. 2 Bushey Lea.

Description of Proposal:

The fencing has been removed and replaced with a solid red brick wall of some 2 metres in height across the frontage of the site, connecting to a timber fence at the boundary with no. 2 Bushey Lea. This application originally sought the retention of this front wall. However through negotiation with planning and conservation officers the scheme has been revised significantly to reduce the height of the brick wall and replace the top section with iron railings which will maintain views to the front of the property and remove much of the wall's bulk, in order to make the proposal appear more appropriate to the character and appearance of the Ongar conservation area. The proposal will also see the reduction in height of the cedar clad gate, with the curved top section being removed.

Relevant History:

EPF/1802/16 – Demolition of existing conservatory, garage and timber garden room, erection of a two storey side and single storey front extension. – Granted

EPF/2950/16 - Demolition of existing conservatory, garage and timber garden room, erection of a two storey side and single storey front extension (amended application to approved scheme to allow for change of materials to extension to feather edged boarding) - Granted

Policies Applied:

Adopted Local Plan

CP2 – Protecting the quality of the rural and built environment
DBE9 – Loss of amenity
DBE10 – Residential extensions
HC7 – Development within Conservation Areas

NPPF:

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

Epping Forest District Local Plan (Submission Version) 2017:

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications, in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

DM 9 - High Quality Design
DM 7 – Heritage Assets

Consultation Carried Out and Summary of Representations Received:

Number of neighbours consulted: 14
Site notice posted: 17/11/17
Responses received: 4

2, 3, 10 and 11 FOXCROFT BUSHEY LEA, – OBJECTION –

Summarised as: Wall built on land outside of the property's ownership. Highway Safety and Emergency Access issues

ONGAR TOWN COUNCIL – OBJECTION – by reason of the contravention of original plans

Main Issues and Considerations:

The main issue to discuss is the impact of the development on the character and appearance of the Ongar Conservation Area. The 1.8 meter brick wall constructed as a replacement for the former close boarded timber fence was considered far too bulky and out of keeping with the open and green character and appearance of the boundary treatments found in Bushey Lea and was causing excessive harm to the character and appearance of the Ongar conservation area. Usually in such a location only a low wall would be acceptable. However, due to the existence of a 1.8 metre close boarded fence and associated gate for in excess of a decade and the need for privacy due to the fact that the space at the front is the only amenity space for the occupants of the property, officers proposed to the applicants to reduce the brick wall to 1.2 metres in height, finished with metal railings on top. This design provides an appropriate amount of private amenity space whilst acting as a potential enhancement to the appearance of the property as it will reduce the bulk and enclosure created by the former close boarded fence and the existing unauthorised brick wall

These changes have been proposed as in additional drawings called "Detail – Boundary Wall" and submitted on 13th March. With these changes the proposal would be considered to have a positive contribution to the character and appearance of the Ongar Conservation area as compared to the previous close boarded fence. Should planning permission be granted a condition can be added to ensure that the proposed changes are carried out. Failure to carry out the approved scheme will result in enforcement action being taken in connection with the existing unauthorised wall.

Other Matters

The proposal is not visible from the habitable rooms of any neighbouring properties and does not have any significant impact on neighbouring amenity. Neighbouring properties have raised concerns about the ownership of the land on which parts of the extension have been built. Whilst the planning officer understands there are some legal issues with the erection of the wall, this is a civil matter to be settled by legal professionals and cannot be addressed as part of the planning application. Bushey Lea is a private road; residents are concerned that emergency vehicles could no longer fit down the road to access properties at the end of Bushey Lea. From historic imagery and several concurrent site visits it can be said there has been no material change in the width of the road, with the proposed wall not projecting past the original Victorian brick wall to the western edge of the site. The average width of a fire engine is some 2.5 metres in width, whilst Bushey Lea remains at approximately 3 metres wide along the side of 1 Bushey Lea, meaning that access for emergency will remain sufficient. As Bushey Lea is a private road any matters affecting the road are outside of the control of the highway and local authority and become a civil matter to be dealt with by legal professionals.

Conclusion:

The revised proposals which reduce the height of the wall to 1.2m with railings above, would enhance the character and appearance of the conservation area compared to the previous lawful close boarded fence. Accordingly, the proposal complies with the guidance contained within the National Planning Policy Framework and with relevant Local Plan policies. It is recommended 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: Corey Isolda
Direct Line Telephone Number: 01992 564380***

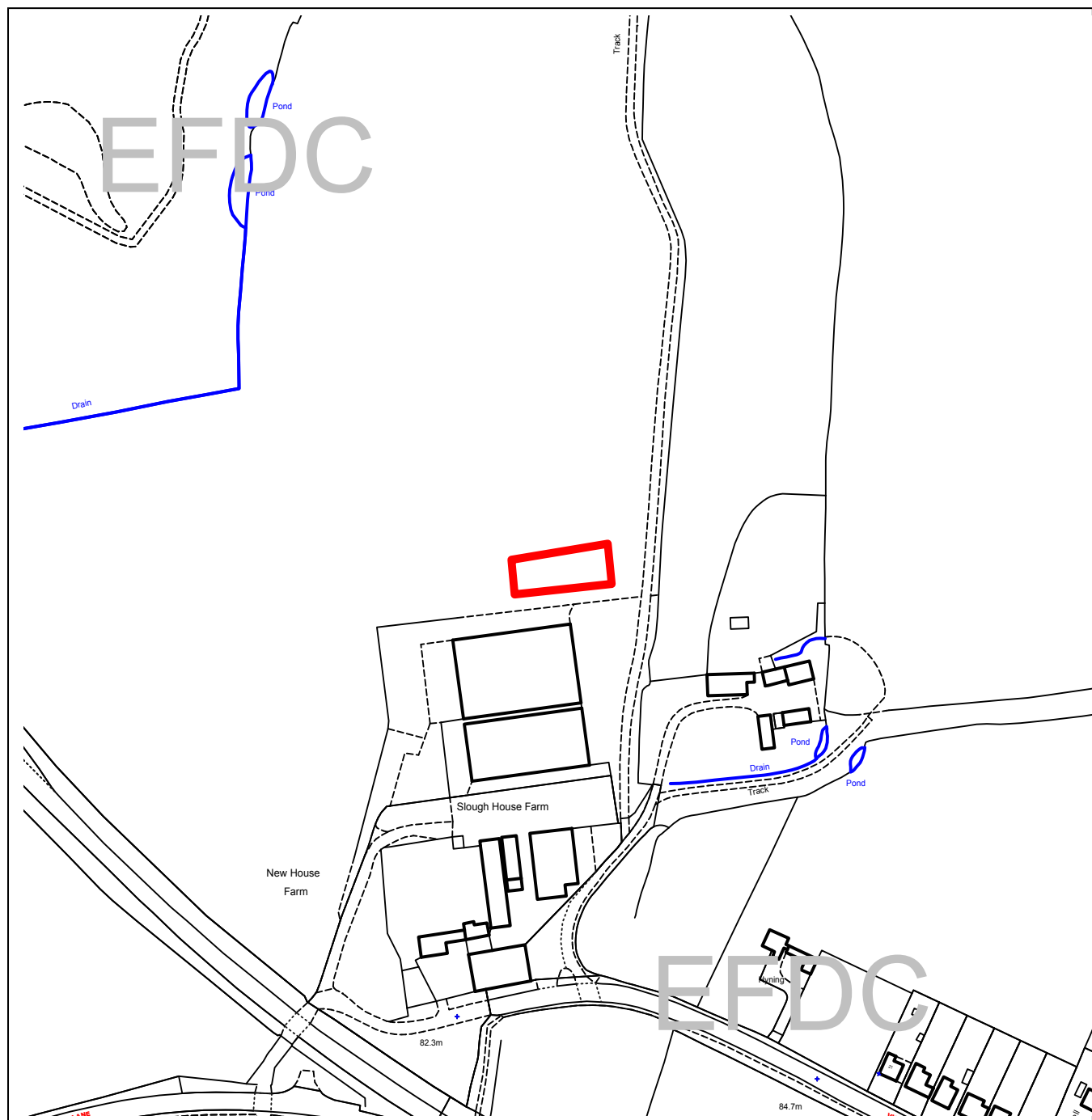
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Agenda Item Number 4



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Application Number:	EPF/3236/17
Site Name:	New House Farm, Vicarage Lane East, North Weald, CM16 6AP
Scale of Plot:	1/2500

Report Item No: 4

APPLICATION No:	EPF/3236/17
SITE ADDRESS:	New House Farm Vicarage Lane East North Weald Epping Essex CM16 6AP
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	Mr Andrew Kerr
DESCRIPTION OF PROPOSAL:	Erection of a steel portal framed agricultural building, purpose designed grain drier bunker and a bunded agricultural chemical sprayer cover and store.
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=602885

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 drawing no: 171103
- 3 Materials to be used for the external finishes of the proposed development shall match those specified within the submitted application, unless otherwise agreed in writing by the Local Planning Authority.
- 4 The building hereby approved shall be used solely for agricultural purposes and for no other purpose.

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 proposal:

Consent is being sought for the erection of a steel portal framed agricultural building. This would be 30.5m in length and 12m in depth with a shallow pitched roof to a ridge height of 10.1m and eaves height of 7.9m. The building would be constructed from pre-cast concrete walling panels with green steel cladding and stained brown Yorkshire gapped boarding above and a corrugated fibre cement roof. The building would be open sided on the southern elevation and would have an open lower wall on the western elevation. A large roller shutter door would be situated centrally within the northern elevation.

Description of site:

The application site is part of an existing and well established farm. The proposed grain store would be located to the north of the grain store recently granted consent in 2015. To the east of the proposed building is the existing farm track.

To the east of the farm is a small residential enclave. To the southwest of the site is North Weald Golf Course with North Weald Airfield beyond this. The site is located within the Metropolitan Green Belt.

Relevant History:

EPF/0136/99 - Agricultural storage building – approved/conditions 10/11/99

EPF/2092/00 - Change of use of farm buildings to B1 (business) use – approved/conditions 11/04/01

EPF/0378/06 - Erection of grain storage building – approved/conditions 12/04/06

AGR/EPF/0221/08 - Agricultural determination application for a cylindrical grain silo – withdrawn 18/03/08

EPF/0578/10 - Erection of agricultural grain storage building and lean to for farm machinery storage (structure approved part under EPF/0378/06) – approved/conditions 02/09/10

EPF/0416/14 - Retrospective application for change of use of agricultural building to B1 – approved/conditions 17/04/14

EPF/2438/15 - Erection of a steel portal framed agricultural building to store grain – approved/conditions 21/12/15

Policies Applied:

Epping Forest Local Plan and Alterations (1998/2006)

CP2 – Protecting the Quality of the Rural and Built Environment

GB2A – Development in the Green Belt

GB11 – Agricultural buildings

DBE1 – Design of new buildings

DBE9 – Loss of amenity

RP5A – Adverse environmental impacts

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

Epping Forest District Local Plan (Submission Version) 2017:

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies

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

SP1 - Presumption in Favour of Sustainable Development

SP6 - Green Belt and District Open Land

SP7 - The Natural Environment, Landscape Character and Green and Blue Infrastructure

E3 – Food production and glasshouses

DM3 - Landscape Character, Ancient Landscapes and Geodiversity

DM4 - Green Belt

DM9 - High Quality Design

Consultation Carried Out and Summary of Representations Received:

2 neighbouring properties were consulted and a Site Notice was displayed.

PARISH COUNCIL – Objects to this application, there would be an adverse effect on the openness of the countryside, no evaluation has been carried out as to whether this building is necessary for this purpose, especially in view of the previous decisions by the owner to convert the previous agricultural buildings on site.

SLOUGH HOUSE FARM – Object as previous agricultural buildings on the site have been rented out for non-agricultural industrial uses that cause detriment to the immediate area in terms of noise pollution and heavy transport.

Main Issues and Considerations:

The main issues to be considered in this case are the impact of the proposal on the Green Belt, on the character and appearance of the area, and on neighbour's amenities.

Green Belt:

The proposed new building would be a purpose built grain drier bunker and banded agricultural chemical spray cover and store. It would be located in an existing farmyard immediately to the north of large existing buildings. The National Planning Policy Framework states that “*a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this [include]: buildings for agriculture and forestry*”.

The design and appearance of the proposed building is very clearly for agriculture and would be located on an established and lawful agricultural site. Whilst a previous application was made in 2014 for the retrospective change of use of one of the agricultural buildings on the site to B1 (business) use it is not considered that this is relevant since it is clear that the proposed new barn is for agricultural use given its design and layout.

In addition, within a recent appeal decision relating to the erection of an agricultural building at Horse Shoe Farm, Hastingwood (EPF/2716/15) the Planning Inspector concluded:

6. *The appellant runs an agricultural business and the purpose of the proposed building is for the service of chemical sprayers and associated storage. Arguments over whether the building is necessary for the purposes of agriculture within the agricultural unit, or excessive in size for the proposed use, have no bearing on my assessment as to whether the development proposed is inappropriate in Green Belt*

terms or not, as neither the NPPF nor Policy GB2A include any such test. From the evidence before me, the proposed development is for an agricultural purpose.

7. *Therefore, the proposal would not be inappropriate development in the Green Belt as it would comprise a building for agriculture. Thus, there would be no conflict with Policy GB2A or the NPPF in this regard. By its very nature, such development should not be regarded as harmful either to the openness of the Green Belt or to the purposes of including land in the Green Belt. For this reason, there is no requirement for me to go on to consider the effect of the proposal on the openness of the Green Belt or the purposes of including land within it.*

Given the above it is considered to be clear that the proposed development would fall within the exception to inappropriate development as laid out within the NPPF.

Impact on area:

The proposed agricultural building would be located to the north of the existing agricultural building and viewed within the context of the existing farm complex. The building is appropriately designed and would match the adjacent buildings and wider farmland. As such it is not considered that this proposal would be harmful to the character and appearance of the area.

Neighbouring amenities:

The proposed agricultural building would be located over 50m from the boundary with the closest neighbouring dwelling (Slough House farmhouse) which would ensure that there would be no significant detrimental impact to the amenities of the adjacent neighbouring property.

Whilst an objection has been raised by the residents of this neighbouring property this appears to be regarding the impacts from the existing agricultural building(s) being rented out for industrial purposes rather than any potential harm from the proposed development.

Natural England:

A letter has been supplied by the applicant from Natural England dated 13th November 2017. This reads:

"...Newhouse farm lies within the Roding, Beam & Ingrebourne High Priority water quality area, which has pesticide issues in both ground and surface water. Further to our conversation, I can confirm that I support the installation of a pesticide handling area on your farm to reduce the risk of pesticide contamination, which is in line with CSF advice."

Conclusion:

Given the design and location of the proposed new building it is clear that this would be used for agricultural purposes and therefore the proposal would comply with the exception to inappropriate development.

The design, scale and location of the proposal would ensure that there would be no undue harm to the character and appearance of the wider area or the amenities of the adjacent residents and as such it is considered that the proposal complies with the guidance contained within the NPPF 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:

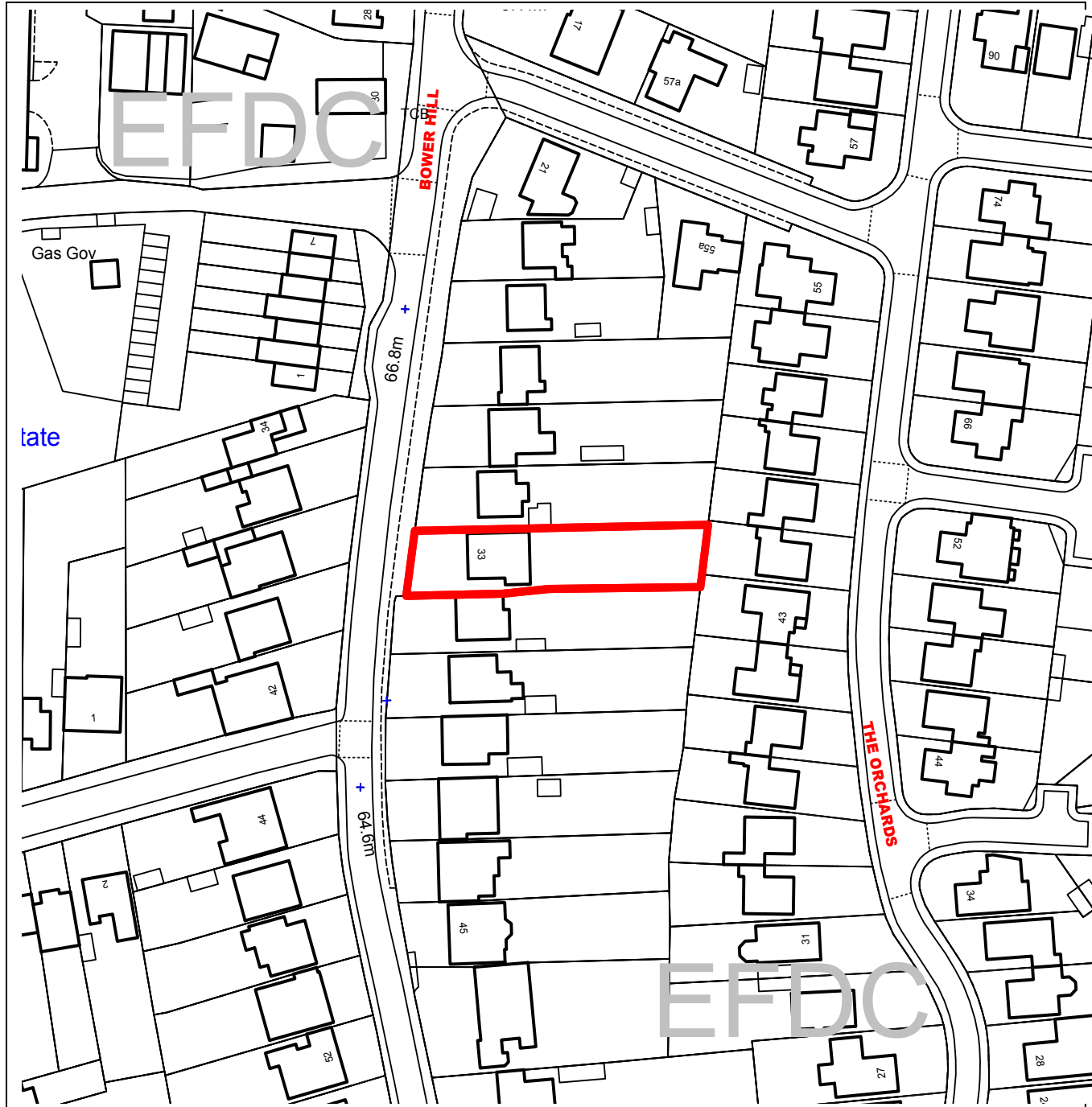
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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



Epping Forest District Council

Agenda Item Number 5



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Application Number:	EPF/3334/17
Site Name:	33 Bower Hill, Epping, CM16 7AL
Scale of Plot:	1/1250

Report Item No: 5

APPLICATION No:	EPF/3334/17
SITE ADDRESS:	33 Bower Hill Epping Essex CM16 7AL
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mrs Elizabeth Napthine
DESCRIPTION OF PROPOSAL:	Changes to front elevation including removal of bay and re-siting of entrance door. Creation of first floor raising roof height from existing by 350mm with flat roof dormer to rear and 2 x pitched roof dormers to front.
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=603276

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 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 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.

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 located on the eastern side of Bower Hill within the urban area of Epping. It is not within the Green Belt or within a Conservation Area. The street scene is characterised by detached bungalows with hipped roofs. The existing bungalow on the site appears largely unaltered at the front, but has a deep single storey flat roofed extension to the rear .

Description of Proposal:

The proposal is to raise the height of the roof of the bungalow by 35 cm change the roof of the bungalow from hip to gable and convert the roof space to provide 3 upper floor bedrooms. Two pitched roofed dormer windows are proposed in the front elevation and a large flat roofed dormer is proposed at the rear.

Relevant History:

None relevant

Summary of Representations:

The plans have been amended in the course of the application to reduce the size of the originally proposed front dormers, consultation was carried out on the initial plans and again on the revised plans.

6 neighbouring properties were consulted and no responses were received from them.

EPPING SOCIETY – Object. The proposed design will create a much larger two storey property. This area of Bower Hill is mainly 1930s single storey bungalows. The loss of this type of property from our town’s housing mix should be resisted. The Submission Version of the Local Plan states “The loss of bungalows and specialist accommodation will be resisted”

TOWN COUNCIL- (comment on original plans) Committee Object to this application. This part of Bower Hill has a lot of bungalows and altering the style of this building will set an undesirable precedent, which will affect the street scene,. National policy recognises the importance of taking into consideration the character of different areas, which is crucial in this location. The importance of bungalows has been recognised in the emerging local plan. The constant development of bungalows into houses is eroding the stock of bungalows in a town where there is an identified need for people wishing to downsize, adversely affecting the mix of dwelling types available and contravening evidence in the emerging plan. Relevant Policies CP2(iv), CP6, DBE1, DBE2, DBE9, DBE10, H3A, H4A (Local Plan and Alterations) H1A and E (Emerging Plan) NPPF Para 17 and Para 50

TOWN COUNCIL (Comment on amended plans) While the committee note that this application is amended with front dormer sizes reduced and the rear dormer moved in towards the front of the house, they still stand by their previous comments. This part of Bower Hill has a lot of bungalows and altering the style of the building will set an undesirable precedent, which will adversely affect the street scene. National policy recognises the importance of taking into account the character of different locations which is crucial in this location.

Policies Applied:

EFDC Adopted Local Plan and Alterations

CP2 - Quality of rural and built environment
DBE9 - Loss of amenity
DBE10 – Residential extensions

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

Epping Forest District Local Plan (Submission Version) 2017:

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

SP1 - Presumption in Favour of Sustainable Development
H1 - Housing Mix and Accommodation Types
DM9 - High Quality Design

Issues and Considerations:

The main concerns relate to the impact of the proposals on the design of the existing dwelling and on the street scene and the impact on the amenity of neighbouring residents.

Design and street scene.

The proposed roof alterations include raising the height of the roof by 35cm and changing from a hipped roof to a gabled roof. The proposals have been amended in the course of the application to improve the design by reducing the size of the proposed front dormer windows.

The proposed height increase is considered acceptable, given the separation between this and the adjacent dwellings. The main issue relates to the change from hip to gable as this will make the dwelling different to most of the surrounding buildings and interrupt the regular pattern of hipped roofs within the street scene which is the character of the area. Whilst there is sympathy with the Town Council's view on this, the bungalow could change from a hip to gable roof format without the need for planning permission and therefore given this fallback position it is not considered that much weight can be given with regard to the impact of this change.

The proposed front dormers would sit well within the roof and would not detract from the design of the building. The rear dormer, whilst large, will not be viewed from any public area and again would be similar to development that could be carried out without the need for an application. There are other examples of development with loft conversions within the street and given the fallback position it is not considered that there design grounds for refusal of the application, subject to materials matching the existing roof of the development.

Impact on neighbouring amenity

Given the separation between the proposed additions and the adjacent neighbours it is not considered that the proposal would result in any significant harm to residential amenity with regard to light and outlook, nor will there be any unacceptable overlooking.

Loss of a bungalow.

The existing dwelling could achieve a loft conversion which would provide accommodation within the roof, under permitted development allowances and in any case the definition of a bungalow includes dwellings with accommodation wholly within the roofspace. The proposals do retain two ground floor bedrooms and a bathroom, such that the dwelling would still be usable by people with mobility problems, it is not therefore considered that the development would be contrary to policy H1 of the emerging Local Plan

Conclusion:

In conclusion the proposed development is appropriately designed and will not be over prominent within the street scene. It will retain ground floor bedroom and bathroom accommodation and, as the first floor accommodation would be within the roofspace, the dwelling would still be regarded as a bungalow. No significant harm would be caused to neighbouring amenity. The development is therefore considered to accord with adopted and emerging policies and is recommended for approval.

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

***Planning Application Case Officer: Jill Shingler
Direct Line Telephone Number: 01992 564106***

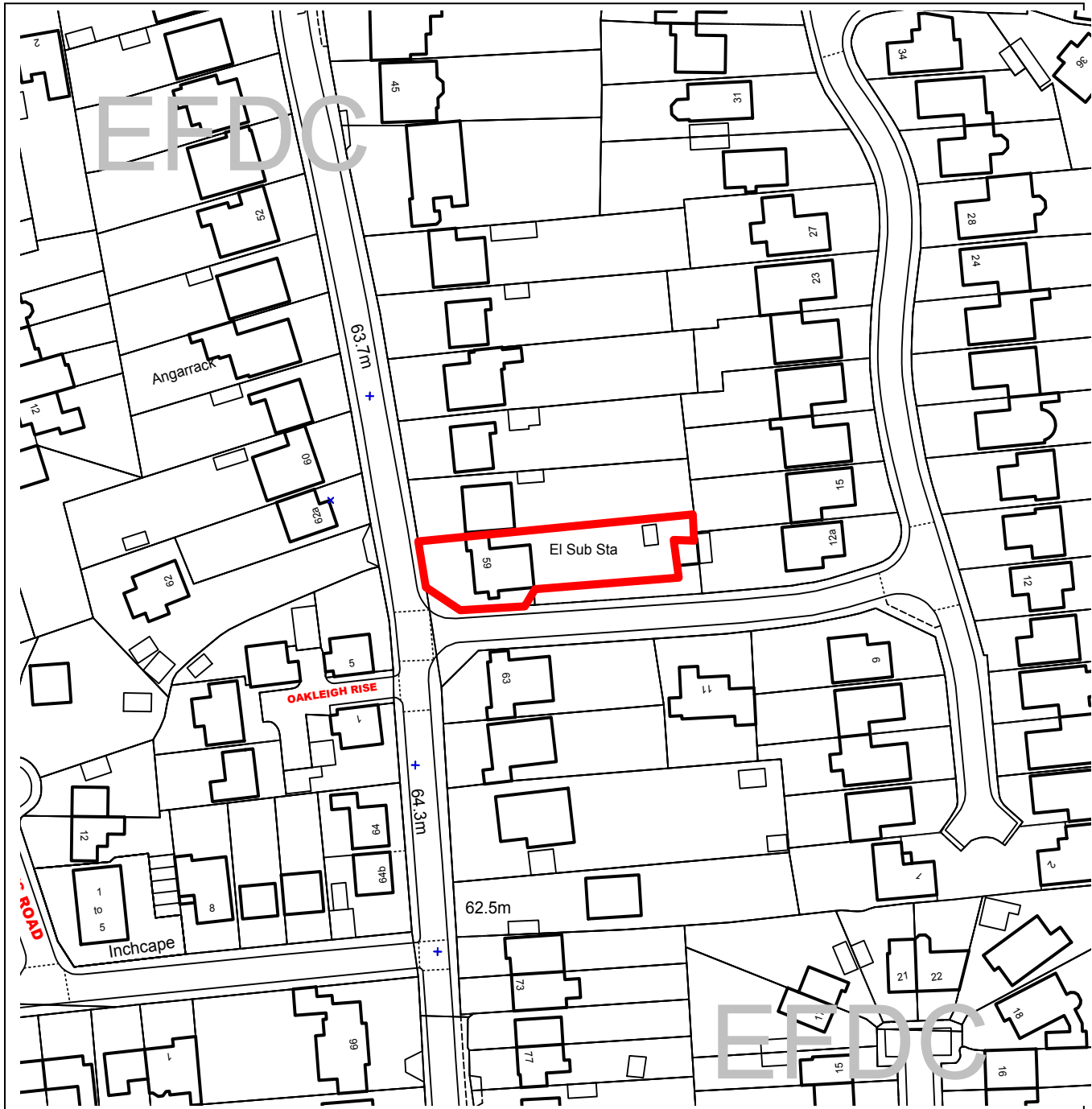
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

Agenda Item Number 6



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Application Number:	EPF/3395/17
Site Name:	59 Bower Hill, Epping, CM16 7AN
Scale of Plot:	1/1250

Report Item No: 6

APPLICATION No:	EPF/3395/17
SITE ADDRESS:	59 Bower Hill Epping Essex CM16 7AN
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Ms Holt
DESCRIPTION OF PROPOSAL:	Proposed single storey rear outbuilding to be used as an annexe ancillary to the main house.
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=603473

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: PLA: 01A, 02A and the site location plan
- 3 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.
- 4 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.
- 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 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.

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 located on Bower Hill which is within the built up area of Epping. Currently on the site is a chalet bungalow style building whose rear garden backs onto nos.12a and 15 the Orchards. The main public carriageway runs directly to the south and this boundary contains close boarded fencing and hedging. To the rear of the site is an existing small shed and an electrical sub station. The application site is not located within the boundaries of the Metropolitan Green Belt and it is not in a Conservation Area.

Description of proposal

The proposed development is to erect a single storey outbuilding in the rear garden which would be used as ancillary residential accommodation to the main house.

Relevant History

EPU/0012/58 - Application to erect a garage. – Approved

Policies applied

CP2 – Protecting the quality of the rural and built environment
DBE9 – Loss of amenity
DBE10 – Residential extensions
LL11 – Landscaping schemes
ST1 – Location of development
ST4 – Road safety
ST6 – Vehicle parking

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

Epping Forest District Local Plan (Submission Version) 2017:

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies

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

DM9: High Quality Design

Consultation Carried Out and Summary of Representations Received

5 Neighbours consulted –

NUFFIELD HEALTH, BRENTWOOD HOSPITAL – SUPPORTS the application, the applicants relative is elderly and requires day to day care. Being able to live with family will be ideal for my patients well-being.

The EPPING SOCIETY – OBJECTION – The new building is excessively high and will harm the street scene.

EPPING TOWN COUNCIL – OBJECTION – Whilst the committee note that this application is amended with height reduction and reduced footprint, they still stand by their previous comments

The proposal is an overdevelopment of the site in terms of its scale, bulk and density which would result in an 'enclosed' form of development that would have a detrimental effect on the street scene. National Policy seeks to resist inappropriate development of residential gardens and this is an additional dwelling, which is not ancillary to the main accommodation, using a large proportion of garden land.

National Policy recognises the importance of taking into consideration the character of different areas, which is crucial in this location where there are many bungalows.

Issues and considerations

The main issues to consider when assessing this application are the potential impacts on the living conditions of the neighbours and the design of the proposal and in relation to the character and appearance of the area.

Living conditions of neighbours

The proposed building will have a flat roof which will be 2.5m high and located partially on the shared boundary with nos.12A and 15 The Orchards. These neighbours have rear gardens approximately 19m in length and 12A has a single storey garage at the rear, directly adjacent to the existing substation.

The land slopes from west to east and consequently the outbuilding will be on higher ground than the neighbours on The Orchards. However given its reasonable 2.5m height, which is incidentally what could be built under Class E Householder Permitted Development Rights and the reasonably long rear gardens of the adjacent neighbours, the outbuilding will not cause harm to their living conditions. Indeed, neither of these neighbours has raised an objection to the scheme, which adds weight to this view.

The proposal is therefore compliant with policy DBE9 of the Adopted Local Plan and with DM9 (Part H) of the Epping Forest Local Plan (Submission Version) 2017.

Character and appearance of the area

The objections received from Epping Town Council and the Epping Society consider that the proposal is too prominent and would as a result, cause substantial harm to the character and appearance of the area.

The proposed outbuilding has a modest 2.5m height which, as previously identified, is the height that could be achieved under Permitted Development. However in this case Planning Permission is required since the application proposes a self-contained annexe with its own living accommodation and washing facilities etc. as opposed to a building incidental to the enjoyment of the dwelling house, allowable under Class E.

Since the physical dimensions of the building would fall within Class E, were it to be used for a different purposes, for example a games room, or summer house, it would not require planning permission. This carries substantial weight as a significant fall-back position.

However in any event, the building is set behind an existing 1.8 metre close boarded fence and there is also an area of amenity space between it and the pavement such that the building will not be at all prominent within the street scene. In addition it is slightly lower than the adjacent electricity sub station which does not appear prominent. Officers conclude that the building has a reasonable height and overall size which would not cause harm to the character or appearance of the street scene.

The site retains more than adequate private amenity space and the development can not be regarded as an overdevelopment of the site.

Land Drainage

The Land Drainage Team have commented that details of surface water drainage will be required if consent is given. This is a reasonable and necessary condition to impose.

Conclusion

The proposal will provide annexe accommodation for an elderly relative requiring day to day care. It is in the rear garden and surrounded by a close boarded fence and is of a height location and design such that it will not cause any harm to the living conditions of the neighbours nor to the overall character and appearance of the area. It satisfies all other policies of the Development Plan and therefore it is recommended that Planning Permission is 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: James Rogers
Direct Line Telephone Number: 01992 564 371

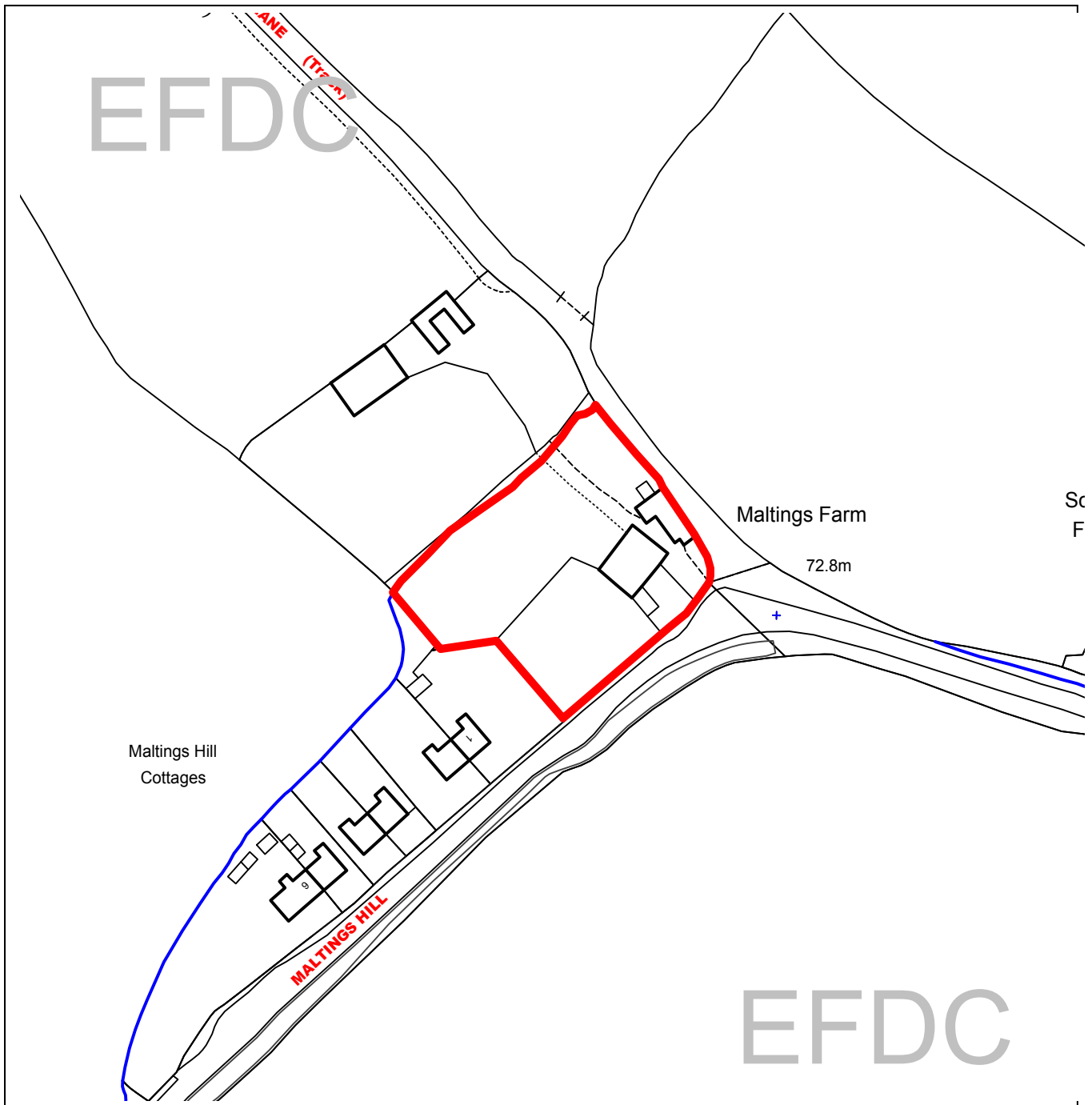
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Epping Forest District Council

Agenda Item Number 7



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Application Number:	EPF/0181/18
Site Name:	Maltings Farm, Maltings Hill, Church Road, Moreton, Ongar, CM5 0JY
Scale of Plot:	1/1250

Report Item No: 7

APPLICATION No:	EPF/0181/18
SITE ADDRESS:	Maltings Farm Maltings Hill Church Road Moreton Ongar Essex CM5 0JY
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
APPLICANT:	Mr Ray B Lewy
DESCRIPTION OF PROPOSAL:	Outline planning application for removal of outbuildings and existing dwelling. Erection of three detached dwellings. Formation of new highway access 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=604839

CONDITIONS

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters as defined in condition 2 below, whichever is the later.
- 2
 - a) Details of the reserved matters set out below ("the reserved matters") shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:
 - (i) layout;
 - (ii) scale;
 - (iii) appearance;
 - (iv) access; and
 - (v) landscaping.
 - b) The reserved matters shall be carried out as approved.
 - c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.
- 3 No development shall take place until details of foul and 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 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 5 No development shall take place 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]
- 6 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]
- 7 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]

- 8 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.
- 9 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.
- 10 Concurrent with the submission of reserved matters and prior to any clearance of the site, a Phase 1 Habitat Survey and any further surveys recommended within that document, shall be submitted to the Council.
- 11 No development shall take place, including works of demolition or site clearance, until an Arboricultural Implication Assessment and Tree Constraint plan, concurrently with the detailed site layout, has been submitted to and approved in writing by the Local Planning Authority. This should be drawn up in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations).
- 12 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 and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where

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

This application is before this Committee since it is for a type of development that cannot be determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

Maltings Farm is a detached dwelling located within a small group of dwellings in Maltings Hill. The dwelling appears single storey from the front but was extended significantly with two storey wings at the rear at some point in the 1970's. To the right of the property are substantial outbuildings which may have originally had agricultural use, but have clearly been part of the residential curtilage for a considerable period. To the left of the property is a substantial and overgrown garden area, where according to the applicants submission, there were previously two cottages. To the rear of the houses is a plot of land that was last used as a commercial cattery, with a variety of buildings, some of which are not permanent and substantial.

Description of Proposal:

Outline permission for removal of existing dwelling and outbuildings and erection of three dwellings, formation of access and ancillary works. All matters including access, scale and layout are reserved, however indicative plans have been submitted indicating how three bungalows could be accommodated on the site, with access from Maltings Hill to the front.

Relevant Site History:

EPF/1607/75 – Use of buildings as cattery (02/02/1976) – Approved

EPF/0252/76 – Two storey rear extension (21/08/1976) – Approved

EPF/0401/77 – Extension to cattery (23/06/1977) – Approved

EPF/1569/79 – Continued use of building as cattery (09/11/1979) – Approved

EPF/2108/17 - Outline permission for removal of cattery buildings, pens and runs. Removal of concrete hardstandings. Erection of two dwellings, formation of access and ancillary works. (29/11/2017) – Grant Permission (With Conditions)

Policies Applied:

Adopted Local Plan and Alterations:

CP1 – Protecting the quality of the rural and built environment

CP3 – New Development

CP6 – Sustainable Urban Development patterns
 GB2 – Development in the Green Belt
 GB7A – Conspicuous Development
 GB8A – Change of use or adaptation of buildings
 NC4 – Protection of Established Habitats
 NC5 – Promotion of nature conservation schemes
 RP4 – Contaminated Land
 H2A – Previously Developed Land
 H9A – Lifetime Homes
 U3B - Sustainable Drainage Systems
 DBE1 – Design of New Buildings
 DBE2 - Effect on Neighbouring Properties
 DBE4 – Design in the Green Belt
 DBE6 – Car Parking in new development
 DBE8 – Private amenity space
 DBE9 – Loss of Amenity
 LL1 – Rural Landscape
 LL7 – Planting protection and care of trees
 LL10 – Adequacy of provision of landscape retention
 LL11 – Landscaping Schemes
 ST1 – Location of Development
 ST2 – Accessibility of Development
 ST4 – Road Safety
 ST6 – Vehicle Parking
 I1A – Planning Obligations

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

SP1 – Presumption in favour of sustainable development
 SP5 – Green Belt and District Open Land
 T1 – Sustainable Transport Choices
 DM1 - Habitat protection and Improving Biodiversity
 DM9 – High Quality Design
 DM10 – Housing Design and Quality
 DM15 – Managing and Reducing Flood Risk
 DM16 – Sustainable Drainage Systems
 DM19 – Sustainable Water Use
 DM21 – Local Environmental Impacts, Pollution and Land Contamination

Summary of Representations:

No. of Neighbours Consulted: 11

3 Valid Objections Received:

HILL FARM: Concern regarding the demolition of Maltings Farm as it is an important part of the character and history of Moreton.

SCOTTS FARM: Concern regarding the potential creation of a small housing estate on greenfield land, with the dwellings being out of character with the area. Impact on privacy and highway safety also mentioned.

1 MALTINGS HILL: Concern regarding change to the nature of the area, inappropriate development in the green belt, highway safety, impact on existing infrastructure, overlooking, 'creeping' development.

An objection has been received from 6 Maltings Hill, however it is not considered to be a valid planning matter.

PARISH COUNCIL:: The Parish Council has NO OBJECTION to this application, subject to reserve matters addressing the points raised by other statutory consultees, and subject to the size of the buildings not being increased in volume in accordance with the calculations submitted as part of this application.

Main Issues and Considerations:

The main issues to consider for this application are as follows:

Development in Green Belt
Ecology and Landscaping
Highways/Access
Risk of Contaminated Land
Flood Risk
Impact on the Living Conditions of Neighbours

Development in Green Belt

The site is located fully within the Metropolitan Green Belt. The National Planning Policy Framework states that the purpose of Green Belt policy is to prevent Urban Sprawl by keeping land permanently open, with the essential characteristics of the Green Belt being its openness. Objectors at Scott's Farm and 1 Maltings Hill have raised concern in relation to the development being inappropriate within the Green Belt.

The NPPF states that the redevelopment of previously developed sites that would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development is not inappropriate. Due to its previous use as a cattery It is considered that the site is previously developed land and, as such, some development here would not be inappropriate.

The approximate existing overall volume of the existing dwelling house and outbuildings is 1,104.m3. The indicative proposed volume of the scheme in the indicative layout would be about 1,452.80m3. It is considered that an appropriate scale of development to enable three small dwellings on the plot which would not significantly exceed the existing volume of buildings within the site could be achieved.

The proposal can be classed as infilling on previously developed land due to the demolition of existing residential buildings. A suitable layout and access could be achieved such that the impact on the openness of the Green Belt would be no greater than the existing and as such the development would not be inappropriate in Green Belt terms.

Subject to careful attention to the scale, design and layout in the reserved matters application there would be no harm to the character or visual amenity of the area from the proposal.

Ecology and Landscaping

Land adjacent to the site has been identified as being of wildlife significance and there are several trees within the site that have become overgrown. The Ecological Team at Epping Forest District Council were consulted as part of this application and advised that if an application were to be approved, a condition relating to a Preliminary Ecological Assessment would have to be submitted to determine the potential presence of protected wildlife and subsequent mitigation if any protected species are found.

The Trees and Landscaping Officer had no objection to the development of the site with three extra dwellings however stated that a condition regarding tree and landscaping details be submitted under reserved matters if the application were to be approved.

Highways/Access

The indicative plan suggests access would be taken from Maltings Hill. It is considered that suitable access could be provided with suitable turning facilities. From a highways and transportation perspective Essex County Council had no comments to make and expected that further details regarding visibility, parking, surface materials and surface water damage to be provided at the reserved matters stage.

Risk of Contaminated Land

The Contaminated Land Officer was consulted as a part of this application and advised that due to the site's previous history as a farm/cattery and the presence of Made Ground, there is potential for contaminants to be present all over the site. Houses with gardens are classed as being a particularly sensitive proposed use in relation to the presence of contaminants. If approved, conditions relating to the remediation of the site would have to be discharged before the development can go ahead.

Flood Risk

The site is not within an Environment Agency Flood Zone 2 or 3, however there is a stream flowing from North-east to South-west through the site, which the neighbour at 3 Maltings Hill has mentioned in their objection letter to the Council. The Land Drainage Team at Epping Forest District Council had no objection to the application. However, given that this is only an outline application, details with regard to mitigation etc can not be requested at this stage, we merely need to be satisfied that a suitable drainage design and house design could be achieved that would not increase the risk of flooding elsewhere or be at risk of flooding. As such the details can be required by condition.

Impact on the Living Conditions of Neighbours and Design

It is considered that the dwelling houses would be of sufficient distance not to cause excessive harm to the living conditions of neighbours. It is important to note that the design of the proposed dwellings would be further assessed under reserved matters if the application were to be approved. The neighbours at Hill Farm expressed concern regarding the demolition of Maltings Farm as it is 'an important part of the character and history of Moreton'. As the building is not listed and not within a Conservation Area, there are no special constraints protecting the building. It should also be noted that it has been unsympathetically extended in the past and is not considered of architectural value.

Sustainability and Housing Need

The site is not well located with regard to access to facilities, schools, shops and work places and anyone occupying the new dwellings would be heavily reliant on private transport for everyday trips, generally the Council seeks to direct development to more sustainable locations, however at present The Council can not demonstrate a 5 year housing land supply and as such the introduction of 3 houses on previously developed land is considered to be a benefit which outweighs the locational shortcomings of the site. The applicant is however encouraged to ensure that at the detailed design stage efforts should be made to ensure that the buildings themselves incorporate sustainable features to help mitigate the issue.

Conclusion:

The site is previously developed land and subject to the reserved matters a scheme for 3 small dwellings could be achieved that would not cause harm to the openness of the Green belt and would therefore not be inappropriate development. Neither the scale, design nor layout are to be determined at this stage, as these are reserved matters. Officers are confident that an appropriate development can be achieved here that would not harm the character or amenity of the area and would accord with the policies of the Adopted Local Plan and the Submission Version Local Plan and the application is recommended for approval subject to conditions.

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

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

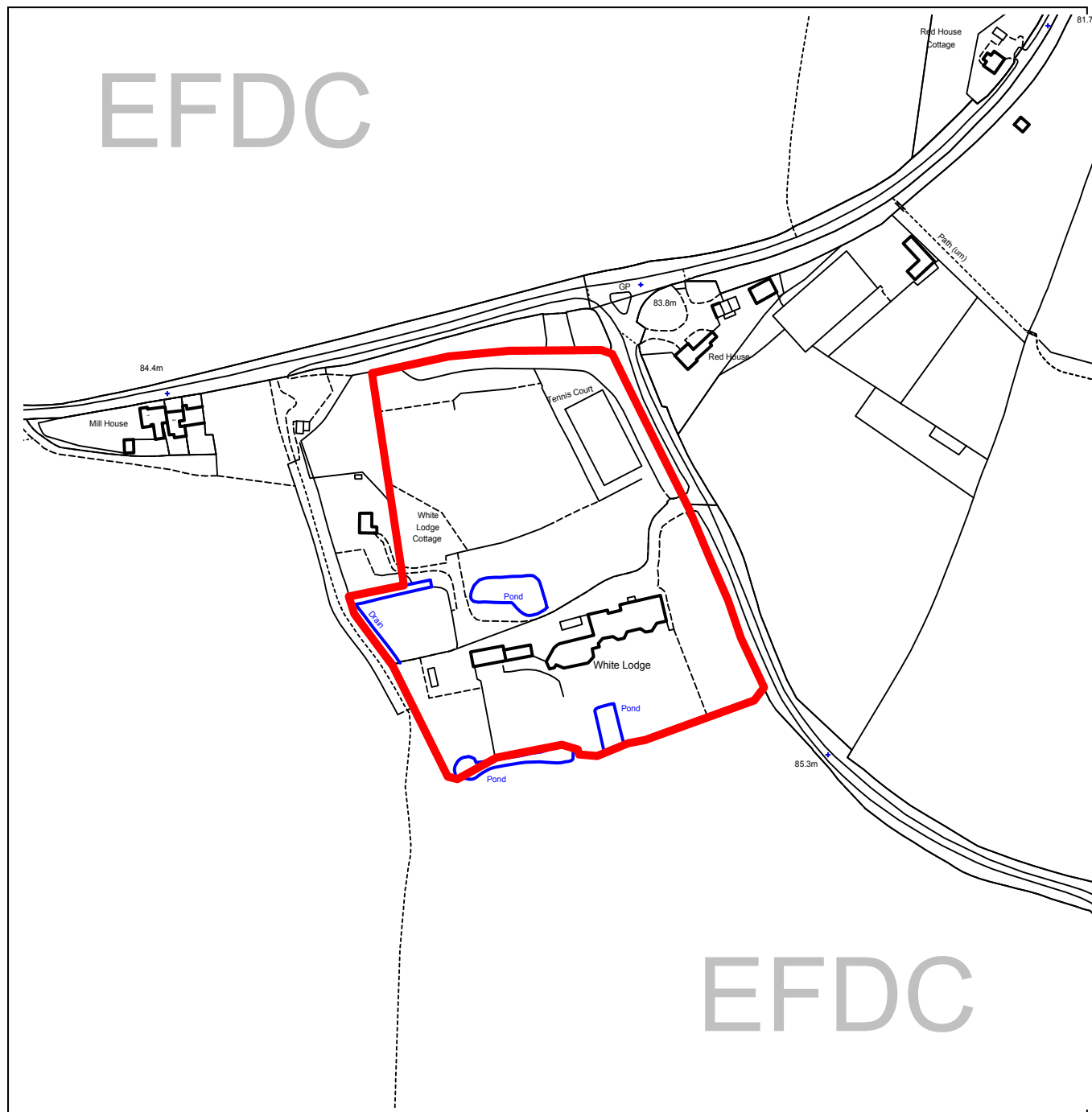
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

Agenda Item Number 8



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Application Number:	EPF/0182/18
Site Name:	White Lodge, Little Laver Road, Little Laver, Harlow, CM5 0JF
Scale of Plot:	1/2500

Report Item No: 8

APPLICATION No:	EPF/0182/18
SITE ADDRESS:	White Lodge Little Laver Road Little Laver Essex CM5 0JF
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
APPLICANT:	Mr & Mrs Smith
DESCRIPTION OF PROPOSAL:	Construction of storage barn and stable building. Re-submission of refused application: EPF/2826/17
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=604853

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 proposed materials shall be in accordance with those shown on the proposed plans and elevations.
- 3 The proposed stable shall be used only for the stabling of horses owned by the occupants of White Lodge and not for any business use including livery
- 4 The storage building hereby approved shall be used only as ancillary domestic storage and for the storage of machinery and equipment required in connection with the maintenance of the land within the ownership of the occupants of White Lodge.

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: Scheme of Delegation, Appendix 3)

Description of Site:

The site is a two storey detached dwelling located to the South of Little Laver Road in Little Laver. The main dwelling is a Grade II Listed Building and is not within a Conservation Area. The site is within the Metropolitan Green Belt.

Description of Proposal:

Proposed construction of storage barn and stable building. Re-submission of refused application: EPF/2826/17

Relevant Site History:

EPF/2826/17 – Construction of storage barn and stable building (20/12/2017) – Refuse Permission (Householder) – for the following reasons:

- The proposed stables and barn by reason of its bulk, scale, massing and design would be out of character with the domestic nature of White Lodge and its curtilage creating dominant structures within the setting of a listed building which would fail to enhance the appearance and character of the setting of the listed building.
- The proposed stables and barn by reason of scale, bulk, massing and volume would constitute inappropriate development within the Green Belt harmful to its openness and the visual amenity of the area as a whole.

EPF/2591/17 - Grade II listed building consent for proposed demolition of existing pool structure. Construction of new structure around existing pool. Gym/party room to the end. Extension to existing kitchen area. (08/12/2017) – Grant Permission (With Conditions)

EPF/2583/17 – Demolition of existing pool structure. Construction of new structure around existing pool. Gym/party room to the end. Extension to existing kitchen area. (08/12/2017) – Grant Permission

EPF/1356/12 – New gates and a driveway entrance (21/09/2012) – Grant permission (With Conditions)

LB/EPF/0028/84 - Alterations and extensions, including extension for covered swimming pool. (29/06/1984) – Grant Permission (With Conditions)

EPF/1006/83 - Alterations and extensions including extension for covered swimming pool. (07/11/1983) – Grant Permission (With Conditions)

EPF/0900/76 – Details of garden room extension (03/12/1976) - Lapsed

Policies Applied:

CP2 – Protecting the Quality of the Rural and Built Environment
GB2A – Development in the Green Belt
DBE9 – Loss of Amenity
DBE10 – Design of Residential Extensions
HC12 – Development affecting the setting of a Listed Building

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

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

DM4 – Green Belt
DM7 – Heritage Assets
DM9 – Quality of Design

Summary of Representation:

No. of Neighbours Consulted: 5, 2 Valid Objections received

MILL HOUSE: concern regarding visual impact and being out of keeping with a listed building.

2 MILL HOUSE, ABBESS ROAD: Concern regarding impact on openness, scale of development, overlooking and potential for residential development.

PARISH COUNCIL:

The Parish Council STRONGLY OBJECTS to this application. It is accepted that the Parish Council had no objection to the previously refused application EPF/2826/17, albeit with a the comment being that no Listed Building application had been submitted stating that in the opinion of the Parish Council this should be the case. After having reviewed both these resubmissions, and in light of further information that has come to light since the previously refused application, the Parish Council objects on the following grounds:

- The information contained in the supporting evidence is, we believe, incorrect. The Road to the side of the site IS NOT in the applicants ownership. In addition, this was never a 'road' that extended to the length of the side access of the property but a thin dirt path regularly used by local residents for recreational purposes. The land registry evidence shows a 'dotted line' indicating the route of a Footpath, and NOT the central demarcation lines of a road.
- The size of the proposed storage barn is excessive and not, as clearly suggested in the Officers notes from the previously refused application, a single storey open bay cart shed half the size of the previously refused barn.
- The applicant has decimated the access way at the side of the property, removing countless trees and erecting gates on land which, it is understood, is not in the applicants ownership but EFDC. This has caused a clear loss to the visual amenity and rural character of the local area and should be resisted. This is contrary to policy LL1 of the adopted Local Plan which states The Council will continue to act to:
 - o (i) conserve and enhance the character and appearance of the countryside; and
 - o (ii) encourage the considerate use and enjoyment of the countryside by the public.The creation of this road way (already being used by HGVs) is stopping local residents from using what was a rural natural walk. Policy SP7 of the submission version of the local plan states that 'The Council will protect the natural environment, enhance its quality and extend access to it'... and that 'the Council will conserve and enhance the character and appearance of the countryside'. The works completed by the applicant on land which doesn't belong to him (in fact, this belongs to EFDC and has been completed without permission) is contrary to these policies.
- The size of the proposed storage barn, together with the suggested items to be stored there, seems excessive for a residential garden.
- Should the LPA be minded to grant permission, permitted development rights should be removed from both buildings, and a condition imposed that these buildings must remain ancillary to the main dwelling.

Main Issues and Considerations:

The Main issues to consider for the assessment of the application are as follows:

Whether the previous reasons for refusal have been overcome

Design

Impact on the Green Belt

Impact on the Living Conditions of Neighbours

Impact on the setting of a Listed Building

Other Considerations

Previous reasons for refusal:

The previous application for this proposal was refused by reason of inappropriate development in the Green Belt and the general inappropriateness of the size, bulk and massing of the outbuildings being out of character within the setting of a Listed Building. The overall scale of the outbuildings have been reduced from approximately 1,328.67m³ (Barn) and 306.6m³ (Stables) to 567.98m³ (Barn) and 229.29m³ (Stables). By reducing the size and bulk of the original outbuildings to this extent, it is considered that the revised proposal has overcome the previous reason for refusal under planning reference EPF/2826/17.

Design and Impact on the setting of a Listed Building:

The proposed outbuildings would have external black weatherboarding on a red brick plinth with a clay tiled roof, which is seen as a traditional appearance for a rural setting. It is considered that the design of the outbuildings would be acceptable.

The White Lodge was built in 1831 as a rectory and listed at grade II in 1984. Originally of a square plan form (with an additional service wing to the west) and constructed of brickwork under a hipped slate roof, it had a symmetrical frontage and just a single canted bay to the rear. Extensions and alterations in the 1950s, 1960s and 1980s saw the house enlarged to its current size. This application seeks permission for the erection of a storage barn and stables to the east of the house. The buildings have been reduced in size following the refusal of an application for larger buildings in 2017 (EPF/2826/17). Concerns were previously raised regarding the scale of the buildings and the detrimental impact they would have on the setting of the listed building. The scale of the proposed buildings has been substantially reduced. It is therefore no longer considered that they will harm the setting of the listed building, particularly as they will be partially screened by existing and proposed greenery and trees.

Contrary to the views of the Parish Council, Listed Building Consent is not required for these buildings; such consent is only required for works to the listed building itself or anything attached to it.

Impact on the Green Belt:

Paragraph 81 of the NPPF states that “*local planning authorities should plan positively to enhance the beneficial use of the Green Belt*” through, amongst other things, providing “*opportunities for outdoor sport and recreation*”. Furthermore, paragraph 89 states that “*a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:*”

- *Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it”.*

Horse keeping has long been recognised as an outdoor sport/recreational use and as the size of the proposed stables is not considered to be excessive. To this end, it is considered that this would not constitute inappropriate development within the Green Belt.

Local Plan policy RST5 states that:

Stables will be permitted provided that:

- (i) They do not have a significantly adverse impact upon the character and appearance of the landscape and are appropriate in scale, location, design, materials and landscaping; and*
- (ii) The amount of horseriding that is likely to result would not lead to excessive highway danger on and across roads; and*
- (iii) The amount of horseriding that is likely to result would not have a significantly adverse impact on the management, ecology or public use of open spaces (e.g. Epping Forest) and rights of way; and*
- (iv) They are of a size adequate to meet the welfare requirements of the number of horses intended to use them; and*
- (v) Adequate car parking is provided.*

Given the size and location of the proposed stables, and the amount of land within the applicants ownership is considered that the application complies with the above criteria .

The proposed stables would meet welfare requirements and there is approximately 0.76ha of grazing land within the site for the animals to graze and exercise.

The proposed storage barn would be used to keep machinery and equipment required for the maintenance of the land within the applicant's ownership. As there is a parcel of agricultural land also within the possession of the applicant to the south 2.60ha in size, it is considered that the proposed storage barn would be necessary to the maintenance and or agricultural of the adjacent land and therefore not inappropriate development in the Green Belt.

Impact on the Living Conditions of Neighbours:

The proposed stable outbuilding would be 4 metres in depth 11.3 metres in width and 5.1 metres in overall height. The proposed storage barn is 6.65 metres in depth, 13.1 metres in width and 6.52 metres in height. Neighbours at Mill House and 2 Mill House have objected suggesting that there would be impact in regard to living conditions, however it is considered that the proposed outbuildings would be a sufficient distance away from neighbouring properties (97.5 metres away from the boundary of the nearest objector's boundary) and would not have excessive harm on the living conditions of neighbours in regard to visual impact, overlooking or loss of light.

Other Considerations:

Moreton, Bobbingworth and The Lavers Parish Council have objected to the application regarding the access found adjacent to the site. The access does not form part of the current application and as such no weight can be attached to this particular issue. The access track is the subject of an ongoing enforcement investigation, but the applicant has proven that there is a right of access over the Council's land to the application site.

A neighbour at 2 Mill House objected in regard to the potential for residential development on the site. Whilst this is an understandable concern – planning permission would be required for any changes of use or future development.

Conditions can be added so that the outbuildings are used only for the specific uses applied for given that it is only due to the specific proposed uses that the development is considered

appropriate in the Green Belt. This of course does not prevent applications being submitted for change of use in the future. Any such applications would need to be judged on its own merits.

Conclusion:

As the design of the proposal is favourable, would not be inappropriate development in the Green Belt, would not harm the setting of a Listed Building or the living conditions of neighbours – it is recommended that planning permission is granted subject to conditions.

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

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

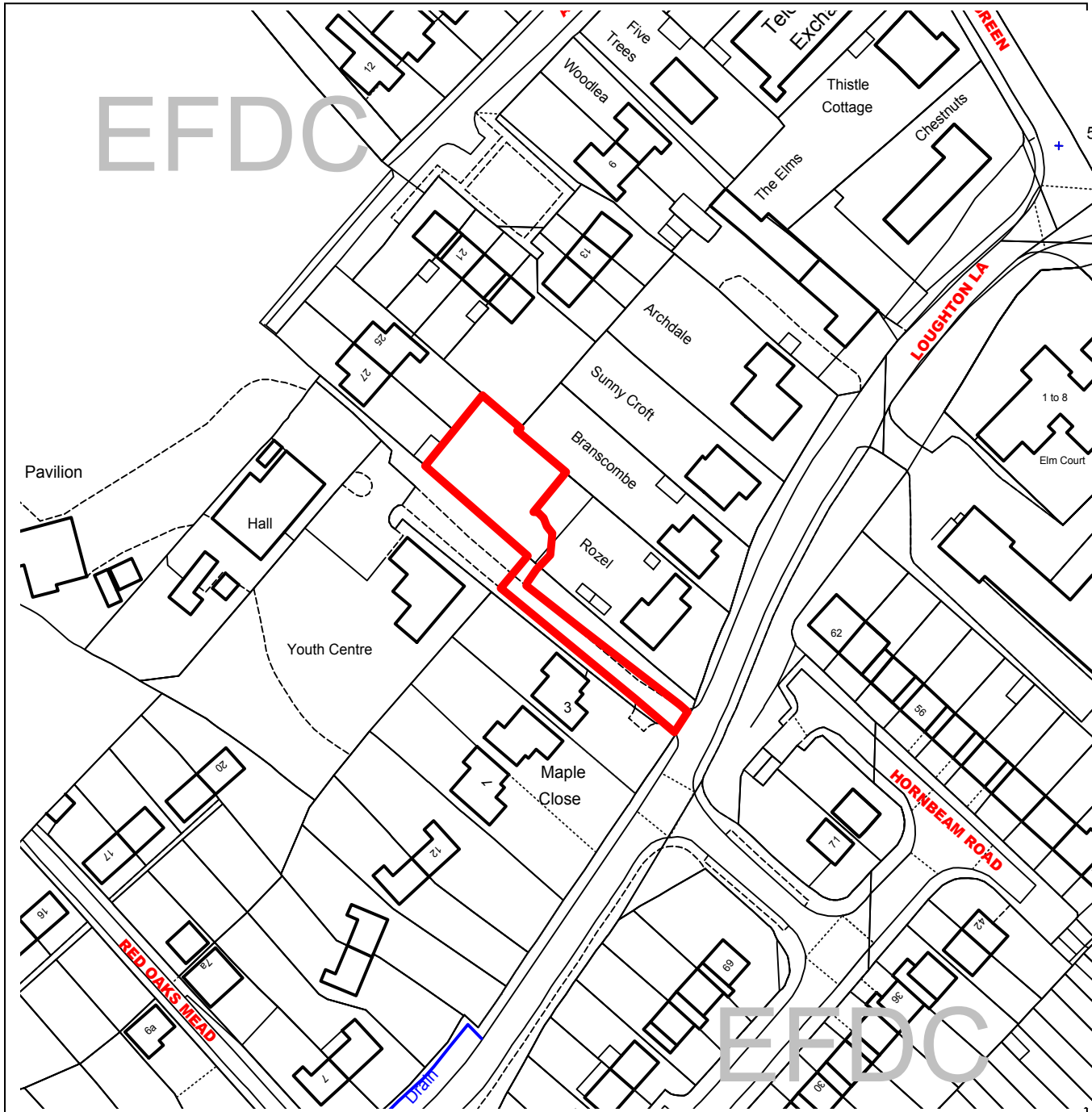
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

Agenda Item Number 9



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Application Number:	EPF/0184/18
Site Name:	Rozel, Loughton Lane, Theydon Bois, CM16 7JY
Scale of Plot:	1/1250

Report Item No: 9

APPLICATION No:	EPF/0184/18
SITE ADDRESS:	Rozel Loughton Lane Theydon Bois Essex CM16 7JY
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr Andrew Pigney
DESCRIPTION OF PROPOSAL:	Construction of new chalet bungalow in land to rear of Rozel. Re-submission of refused application EPF/2364/17
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=604855

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 Prior to first occupation of the development hereby approved, the proposed first floor window opening in the rear elevation 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 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 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.

- 6 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.
- 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 and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 8 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.
- 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 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.
- 12 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1843/14F, 1843/01A, MP/ROZ/02 A

This application is before this Committee as the recommendation is contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to the Constitution, Part Three: Scheme of Delegated, Appendix 3)

Description of Site:

The application site covers an area of 0.5 hectares. This land currently forms part of the rear garden associated with the detached bungalow known as Rozel. This dwelling is located on the western side of Loughton Lane and is bound on the south western side by an access road and youth centre. A Cherry and Horse chestnut are located within the front of the wider site and a variety of Cherry, Ash and Lime trees line the south western boundary of the site. The Lime Tree has a Preservation Order attached to it.

The site is designated as being within an urban area and is not within a Conservation area or the setting of any listed building.

Description of Proposal:

Construction of a new chalet bungalow in land to the rear of Rozel. It measures 16m wide by 7.3m deep and 6m high to the ridge of its pitched roof and an eaves height of 2.5metres.

Materials include plain tiles for the roof, brick plinth and render for the walls and UPVC fenestration.

Access will be via the existing private road.

Relevant History:

EPF/2364/17 Construction of new chalet bungalow in land to rear of Rozel. Refused

EPF/2363/17 Demolition of existing bungalow. Construction of two new dwellings. Approved.

Policies Applied:

Adopted Local Plan:

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

NPPF:

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

Epping Forest District Local Plan (Submission Version) 2017:

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

SP1	Presumption in favour of sustainable development
SP6	The Natural Environment, Landscape Character and Green Infrastructure
H1	Housing mix and accommodation types
T1	Sustainable transport choices
DM9	High quality design
DM10	Housing design and quality
DM11	Waste recycling facilities on new developments
DM16	Sustainable drainage systems
DM18	On site management of waste water and water supply
DM21	Local environmental impacts, pollution and land contamination

Consultation Carried Out and Summary of Representations Received

PARISH COUNCIL: OBJECTION

- Minor reduction in height, and offset from the boundary with the neighbouring property, would not fully address the earlier reasons for refusal, or the 'way forward' suggested in the Minutes of Area Planning Sub-Committee East, given that the width and overall bulk of

- the building has been increased.
- Negative impact on visual amenity of the neighbour, 'Branscombe'.
- Smaller and more conservatively sized bungalow would be more appropriate
- Provision of any built structures along the front boundary be specifically conditioned for approval by the Local Planning Authority
- Removal of permitted development rights under Schedule 2, Part 1, Class A, B, C and E.

THEYDON BOIS AND DISTRICT RURAL PRESERVATION SOCIETY: OBJECT;

- 'Garden grabbing' development
- Proposal is only slightly smaller in volume and height than previous proposal.
- Still large in size and height
- Not really classed as a bungalow due to its size and height
- Detrimental impact on dwellings along Avenue Road and Loughton Lane
- Recommend PD rights be removed if approval is granted,

20 Neighbours were consulted and a site notice was displayed

27 AVENUE ROAD OBJECT:

- Although height has been reduced, the floor area has increased from 1582sq ft. to 1644 sq. ft. Still a 2 storey 3-bedroomed dwelling with 2 parking spaces. Neighbours would suffer from privacy, noise and light pollution. Number of trees have been removed. Any replacement trees would take years to mature.

2 MAPLE CLOSE, OBJECT:

- Overdevelopment of the site
- Height been reduced but outside amenity space is too small for the site
- Issue with access over the private road to the Scout hut, Community Centre and Cricket Field.

Main Issues and Considerations:

The issues raised by this proposal are:-

The principle of the development;

The impact of the proposal on the character and appearance of the surrounding area

The impact on existing trees

The impact on the living conditions of neighbouring dwellings and the quality of accommodation proposed.

Principle of Development / Background

The aim of the National Planning Policy Framework (NPPF) is to encourage sustainable development and growth. Sustainable development is that which promotes positive economic, social and environmental outcomes. Paragraph 14 of the NPPF further dictates that sustainable development is only development which accords with the NPPF. It further requires that the Council should not approve development where inter alia the any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 53 of the NPPF requires that the Council should "resist inappropriate development of residential gardens where it would cause harm". This means the Council can only give favourable recommendations to schemes which are of good design and which provides a good standard of amenity for all existing and future occupiers of the application site and surrounding area.

Outline planning permission has already been granted for a two storey dwelling and garage within the same location under reference EPF/0950/09. Although in that instance the site was larger as it

included land to the rear of Branscombe so that the garden for the new dwelling could be provided to the rear rather than to the side.

In dismissing of an outline planning application for two houses on the larger plot in 2007, (under EPF/1684/07) the Inspector acknowledged that:

“There is no objection to the principle of residential development in this location...and I consider the two main issues are the effect of the proposed development on the protected lime tree at the front of the site and the effect of the proposed development on highway safety”.

The appeal was not dismissed on impact on neighbours or on the character and amenity of the area even though the two houses proposed were indicatively shown as fully two storey. The reason for dismissal was solely impact on the preserved tree.

This decision is therefore material consideration in the determination of this application.

Moreover, the site is not within the Green Belt and is situated within a sustainable urban location close to local services, facilities and public transport and would make more efficient use of this site.

The last application EPF/2634/17 was considered by members in January as refused for the following reason:

By reason of its bulk, height and siting in close proximity to the site boundary with Branscombe, Loughton Lane, the proposed dwelling would appear excessively overbearing when seen from Branscombe, causing significant harm to outlook from the relatively large adjacent area of its rear garden. As a consequence, the proposal would cause excessive harm to the living conditions of Branscombe, contrary to Local Plan and Alterations policy DBE9 and Draft Local Plan Submission Version 2017 policy DM9, which are consistent with the National Planning Policy Framework.

The way forward suggested by members is minuted as:

“Way Forward

Members considered a revised proposal of significantly reduced height and bulk that is set significantly further away from the site boundary with Branscombe would be likely to address the reason for refusal.”

The main consideration is therefore whether these issues have been adequately addressed.

The proposed new chalet style bungalow has been reduced in height by 0.9m and the previously proposed full two storey gable element has been removed. Significantly the eaves height of the dwelling has also been lowered by over 1.5 metres and the previous bulky roof design has been modified to a simple hipped roof design with small pitched roofed dormers. Due to the shape of the site and the position of trees along the front boundary it is not possible to bring the building far forward on the site, but the revised scheme has moved the dwelling a further 0.5 metres from the boundary with Branscombe and a further two metres away from the house.

Trees

The Tree Officer is satisfied that the tree report submitted with the application demonstrates that this development can be achieved without having a detrimental effect on the Lime tree subject to a Tree Preservation Order (TPO/EPF/20/06 T1) on the plot at the rear of Rozel.

The preliminary arboricultural method statement proposes the removal of part of the existing hedge along the south western (front) boundary. The partial removal of this hedge is required to enable the development and improve sightlines for traffic. The trees along the rear boundary facing Avenue Road are to be retained.

The Tree Officer has raised no objection to this loss since the hedge can be removed by the householder at any time and these trees are of low quality (as defined by the British Standard). It is recommended that further conditions are imposed to ensure that the remaining trees are protected and that the proposed soft landscaping is of an acceptable standard. On this basis the proposal is considered to comply with the requirements policies LL10 and LL11 of the Local Plan

Quality of accommodation

The new dwelling has a good standard of internal space, outlook, ventilation, access and amenity space. It is still considered that overall the proposal would provide a good standard of accommodation.

Impact on neighbours

All neighbours including the existing property at Rozel are between 21m – 31m away.

The existing trees on the mutual boundary with 25 and 27 Avenue Road are to be retained.

The building will be offset from the garden boundary of Branscombe and whilst it is accepted that it will be prominent in relation to the rear garden area it is not considered that it will have an excessively adverse impact on the living conditions of the occupants of that dwelling given the distance from the house and the length and width of the garden. In addition the low eaves, hipped roof design and small size of the dormer windows have been incorporated to minimise the impact while still making the best use of the land. The rear facing dormer would provide light to a bathroom and can be obscured glazed to prevent any overlooking.

It is therefore considered that the proposal will not be excessively harmful to any neighbouring amenity in terms of loss of light, dominance, outlook or privacy. The condition recommended by the Parish Council is considered necessary to ensure that further work to the property does not infringe on neighbouring amenity in the future. The proposal on this basis complies with the requirements of policy DBE 9 of the Local Plan.

Impact on Highway Safety

The Highways Authority is satisfied that there is adequate parking to meet current parking standards in compliance with policies ST6 and ST4. Furthermore there will be no undue harm to highway safety. The proposal therefore complies with the requirements of ST2 of the Local Plan.

Contamination

The Land Contamination Officer considers that the risk of the site being contaminated is low and therefore only requests that a condition be imposed relating to unexpected land contamination in accordance with RP4 of the Local Plan.

Land Drainage

The site lies outside of any Epping Forest District flood risk assessment zone and Environment Agency Floodzone therefore the Land Drainage Officer requests that a condition be imposed requiring approval of sustainable surface water drainage details prior to works commencing on the site in accordance with policy U3B of the Local Plan.

Conclusion

The proposal will provide much needed good quality housing within an existing urban area of Epping Forest District Council. Impact on the living conditions of neighbouring occupiers will not be excessive subject to a condition controlling the permitted development limitations of the property. The design of the new dwelling respects the character and appearance of this area. Conditions are recommended to ensure existing trees shown to be retained are protected during the construction phase of the development and to ensure that the soft landscaping provided is of a good standard. The Highways Authority is satisfied that the proposal will not excessively impact highway safety or parking provision within the area. Additional conditions are also recommended to ensure that the proposal does not increase flood risk within the area. It is considered that the previous reason for refusal has been addressed and that the development is in accordance policy contained within the NPPF, the adopted Local Plan and the Submission Version Local Plan and approval is therefore 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: Sukhdeep Jhooti
Direct Line Telephone Number: 01992 564298***

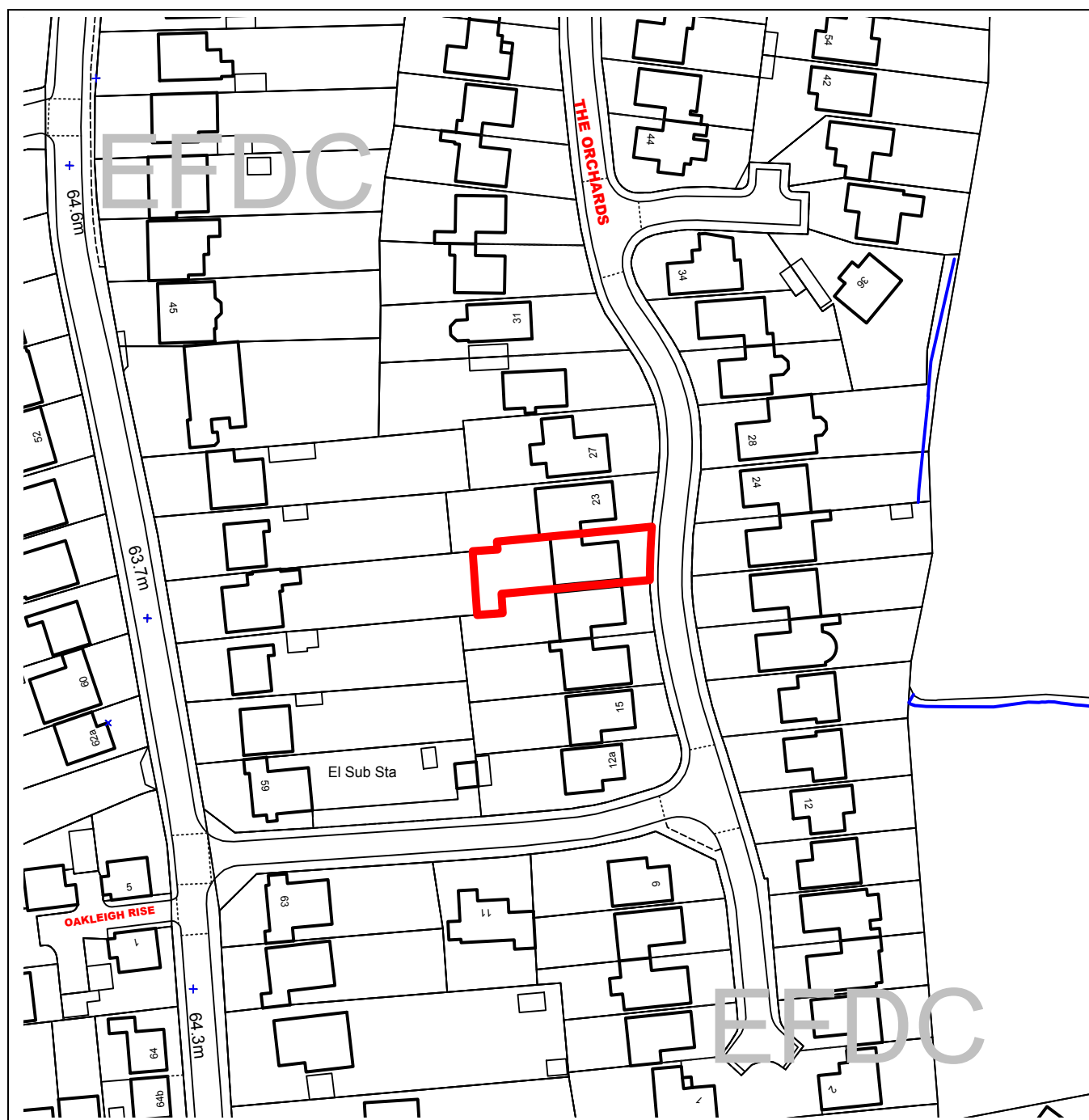
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Epping Forest District Council

Agenda Item Number 10



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Application Number:	EPF/0204/18
Site Name:	21 The Orchards, Epping, CM16 7BB
Scale of Plot:	1/1250

Report Item No: 10

APPLICATION No:	EPF/0204/18
SITE ADDRESS:	21 The Orchards Epping Essex CM16 7BB
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr & Mrs K Webb
DESCRIPTION OF PROPOSAL:	Single storey rear extension with pitched roof and loft conversion. Bedrooms to be retained at ground floor level to maintain the character of a bungalow.
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=604901

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 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 Prior to first occupation of the development hereby approved, the proposed roof window opening(s) in the flank elevation 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.

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: Scheme of Delegation, Appendix 3)

Description of Site:

The site is a bungalow located on the Western side of The Orchards in Epping. The road is characterised by bungalows with hipped roofs. The site is not within a Conservation Area and there are no Listed Buildings attributed to the site. The site is not within the Metropolitan Green Belt.

Description of Proposal:

Single storey rear extension with pitched roof and loft conversion. Bedrooms to be retained at ground floor level to maintain the character of a bungalow.

Relevant Site History:

No relevant history

Policies Applied:

Adopted Local Plan:

CP2 – Protecting the Quality of the Rural and Built Environment

DBE9 – Impact on Amenity

DBE10 – Design of Residential Extensions

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

H1 – Housing Mix and Accommodation Types

DM9 – Quality of Design

Summary of Representation:

No. of neighbours consulted: 6, no comments received

THE EPPING SOCIETY Object. In our view this will no longer be a bungalow. The proposed design with a bedroom, en-suite bathroom and a 'store' on new 1st floor; should be described as a 'chalet bungalow'

The 1st floor rear window will overlook the adjacent gardens. The other 1st floor windows may well overlook in part as they appear to be set high in roof area.

The Orchards is an area of bungalows. The loss of true bungalows from housing stock is unacceptable. Loss of amenity for the neighbouring properties will be created by the overlooking. This building would set an undesirable precedent.

TOWN COUNCIL: OBJECTION: There is an upstairs bedroom in the proposed plans and the Committee feel that this would turn the property into a chalet bungalow. Chalet bungalows are where the area enclosed within the pitched roof contains rooms even if this comprises a large of the living area and is fully integrated into the fabric of the property. True bungalows do not use the attic. The committee agree that chalet bungalows are not true bungalows.

The point of retaining bungalows is to retain the mix of dwelling types available. Bedrooms in the attic limit choice as they are not accessible to those unable to use stairs.

This part of The Orchards is characterised by true bungalows and altering the style of this building contributes to an undesirable precedent, which will adversely affect the character of this particular urban area. National policy recognises the importance of taking into consideration the character of different areas, which is crucial in this location.

The importance of this type of bungalow accommodation has been recognised in the emerging Local Plan. The emerging Local Plan refers to the accessibility of bungalows; rooms in the roof do not equal accessibility. The constant development of traditional, single storey bungalows is eroding the stock of bungalows in a town where there is an identified need for people wishing to downsize, adversely affecting the mix of dwelling types available, contravening evidence and the emerging Local Plan.

Main Issues and Considerations:

The main issues to consider for the assessment of this application are as follows:

Design
Impact on Living Conditions of Neighbours
Loss of Bungalow

Design:

The proposed extension would have a slight flat roof leading into a pitched roof. A small flat roof extension would be constructed to the rear of the garage. In respect of the loft conversion, there would be 4 roof lights inserted into the side elevation with a window installed into the rear elevation. The design would be modest in scale and respect the existing character of the building and wider street scene.

Impact on Living Conditions:

The proposed extension would be 3 metres in depth, and extend the full width of the bungalow with a pitched roof, 4 metres in height and behind the existing garage with a flat roof at 2.7 metres in height. The extension would be alongside the boundary with 23 The Orchards. It is considered that there would not be excessive harm to the living conditions of neighbours in regard to visual impact or loss of light.

The Epping society have raised concern regarding overlooking, however the back to back distance between this and the properties to the rear is in excess of 50 metres (the normally accepted back to back overlooking distance is just 25 metres).. The side facing rooflights are set high up in the roof such that overlooking is unlikely to be an issue but in addition they can be conditioned to be obscured glazed to ensure that no perception of overlooking can occur.

Loss of Bungalow:

Epping Town Council have objected to the application stating that the proposal would involve the loss of a 'true' bungalow, which would be contrary to Policy H1 of the submission version of the Epping Forest District Council Local Plan (2017). However it is considered that the proposed development would not result in the loss of a Bungalow as the definition of a bungalow includes dwellings with additional accommodation within the roofspace. The majority of the floorspace remains at ground floor, with all the facilities for living, available at that level. The use of the roofspace as additional accommodation could in any case be carried out without the need for any planning permission it is only the small rear extension that requires consent.

The overall style and nature of the building will be retained with no adverse impact to the existing street scene. Whilst the Town Council are correct in suggesting that Bungalows are an important stylistic feature of The Orchards – this proposal would not cause undue harm to the overall street scene. The roof height is not changing, no dormer windows are proposed and the front elevation remains substantially unchanged.

Conclusion:

As the design would be acceptable, with no excessive harm to the living conditions of neighbours no loss of housing stock and no harm to the character and visual amenity of the estate it is recommended that planning permission is granted subject to conditions.

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

Planning Application Case Officer: Alastair Prince

Direct Line Telephone Number: 01992 564462

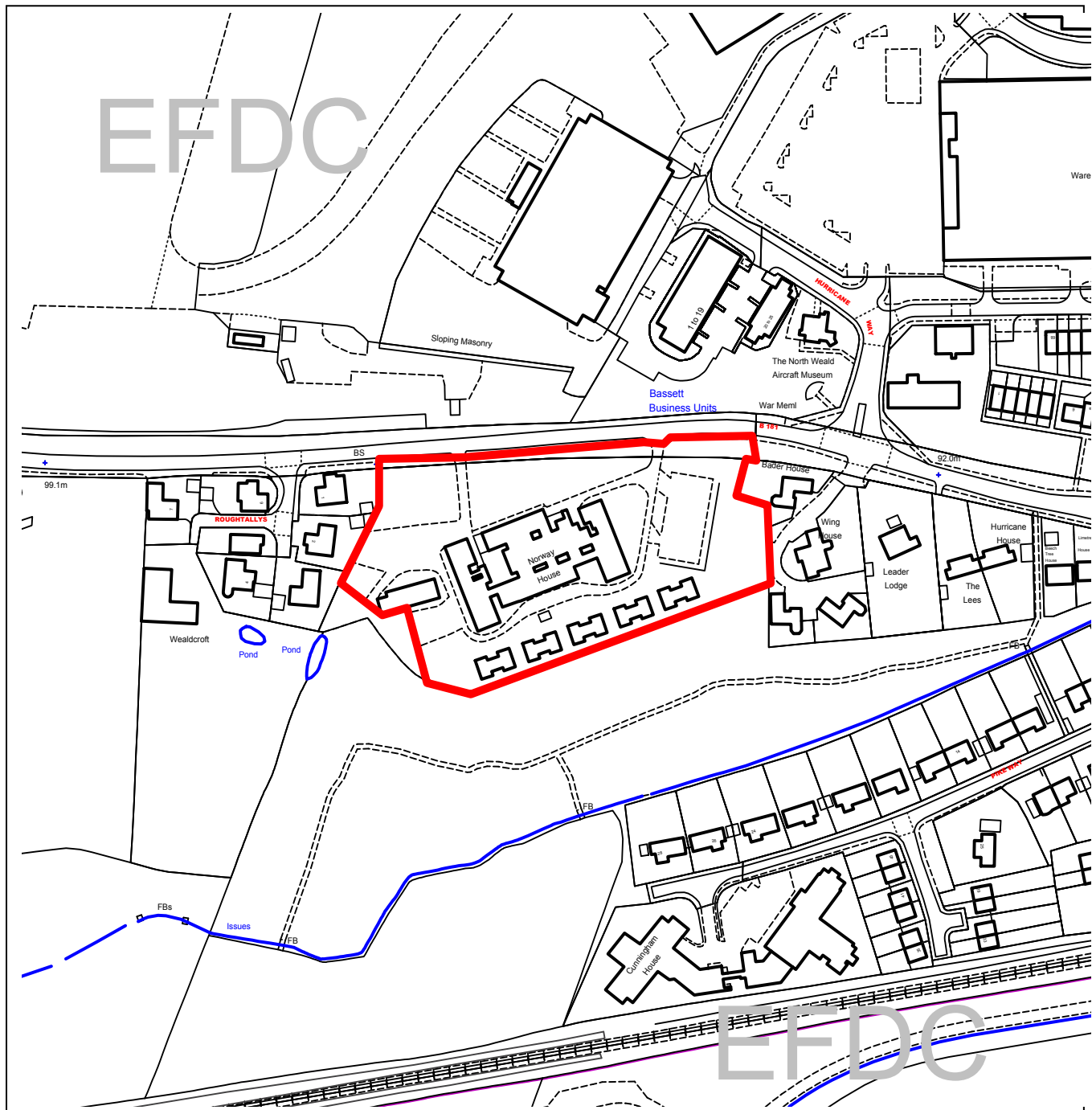
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Epping Forest District Council

Agenda Item Number 11



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Application Number:	EPF/0283/18
Site Name:	Norway House, Epping Road, North Weald, CM16 6BJ
Scale of Plot:	1/2500

Report Item No: 11

APPLICATION No:	EPF/0283/18
SITE ADDRESS:	Norway House Epping Road North Weald Essex CM16 6BJ
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	Mr John Hayes
DESCRIPTION OF PROPOSAL:	Erection of 3 modular pods to provide homeless accommodation for 6 persons (2 per pod) and 1 storage pod, together with associated modification of existing hard standings, parking spaces and landscaping.
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=605302

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: P-17-AB0261-: 1000B, 1001B, 1105, 1106, 1200, 1250, 1251, 1252,
- 3 No development shall take place until details of foul and 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 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.

- 5 The tree protection, methodology for construction adjacent to trees and Arb site supervision shall be undertaken in accordance with the submitted Tree Survey/ Arboricultural Method Statement unless the Local Planning Authority gives its prior written approval to any alterations. Tree protection shall be implemented as shown on Crown Arboricultural Consultants Tree Protection Plan (CCL 09915/TPP rev 2)
- 6 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.
- 7 Prior to the commencement of works a construction method statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall primarily focus on the protection of biodiversity and ecology.

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 is located on Epping Road and is within the settlement of North Weald. The existing building is a large Grade II Listed Building used as a homeless hostel for the housing of homeless people. The site is not within the boundaries of the Metropolitan Green Belt and it is not in a Conservation Area.

Description of proposal

The proposal is to construct three modular pods to provide accommodation for six homeless people (2 per pod) and 1 storage pod together with associated parking spaces and landscaping

Relevant History

There is history on the site, none of it relevant to this application, other than Norway House is an established shelter for homeless people.

Policies Applied

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE3 – Design in urban areas
DBE8 – Private amenity space
DBE9 – Loss of amenity

HC12 – Development affecting the setting of a Listed Building

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

Epping Forest District Local Plan (Submission Version) 2017:

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

SP1 - Presumption in Favour of Sustainable Development

SP7 - The Natural Environment, Landscape Character and Green and Blue Infrastructure

DM21 - Local Environmental Impacts, Pollution and Land Contamination

DM7 – Heritage Assets

Consultation carried out and summary of representations received

3 Neighbours consulted NO COMMENTS RECEIVED

NORTH WEALD PARISH COUNCIL – OBJECTION - The Parish Council **OBJECTS** to this Application and wishes to voice its Strong Reservations with regards to this proposal due to the following:

- Seemingly, No regard has been made to the original report, which included an Equality Analysis Report, to the EFDC Cabinet Meeting of 9th March 2017 and the subsequent minutes from that meeting, and in which the writer of the Report voiced various concerns. The Report stated that the 'pods' would be for the use of single vulnerable homeless people, and then gave a definition of vulnerable. The Report gave a definition of vulnerable people which included the following: *"in reality, the vast majority of single vulnerable people are people with serious mental health problems, which can include schizophrenia, psychosis and, bipolar disorder". The Report went on further to state "that the 'pods' would accommodate "people with mental health problems and other disabilities, which could include pregnant women".*
- When the Clerk asked the Planning Officer if he could give her the definition of a Vulnerable Person in relation to this application, she was told they were "Vulnerable because they were homeless and nothing more" – this is obviously different to the definition given in the Report to Cabinet above.
- Member of the Parish Council are very concerned for the safety of the Residents of Norway House, the Staff and Local People, especially if there are going to be people placed in the pods who have mental health issues, and there is inadequate safety and staffing. Concern has been highlighted regarding the pods having a shared kitchen area between people who may have mental health issues, would this be appropriate, The Report to Cabinet had comments from staff at Norway House who advised they were concerned regarding

staffing and safety. £5000, does not seem an adequate amount of money for Security, even if this was simply for CCTV. Whilst these may not be Planning Matters they are Moral Matters.

- The Report to Cabinet also stated that the Planning Officers advised that they did not want to see the application for the Pods placed on the “Drying Area”, in fact they wanted that area disregarded.

The Parish Council advises that they agree with this statement from the Planning Officers, as this area is in Compartment K of the Roughtalleys Wood Nature Reserve and would like to see a written Report as to why this has changed and what justification there is for this change from the original Report.

The Parish Council has been advised that a Listed Building Application is not necessary, however we have now viewed the comments of the Listed Building Officer and we feel by sighting the Pods so close to the setting of this Listed Building it is aesthetically inappropriate.

Comments on the views of the Parish Council

The majority of the comments received from the Parish Council are not material planning considerations. Firstly this application was the subject of a pre application with Council Officers, including the Senior Conservation Officer. Whilst it is not material to its merits, the submitted application differs from the original scheme mentioned in the Cabinet report due to the advice received from professional Officers. Given that the Council undertook a pre application from Planning Officers, the original scheme was always subject to alterations.

The definition of a vulnerable person is again, not relevant to this application. The Council is the applicant for this proposal and the main building is currently used as a hostel for sheltering homeless people. In any event however, these people are vulnerable and may have other issues associated with being homeless.

Concern has also been raised about the safety of residents of Norway House due to the potential housing of people with mental health issues. This again, is not relevant to the merits of this application and would be a matter for the management of Norway House.

The last point raised by the Parish Council is in truth, the only matter raised which is relevant to the merits of this proposal and is considered further in this report.

Issues and considerations

The main issues to consider when assessing this application are the potential impacts on the setting of the adjacent Listed Building, tree and landscape issues, ecology, land drainage and any other material planning considerations.

Principle of the proposal

The applicant seeks these modular buildings for the housing of homeless people. Norway House is currently used as a shelter for vulnerable people and within this context, further structures to be used for the same purposes on the same site is an acceptable notion in principle.

Clarification has been sought by Officers regarding the level of need for this type of accommodation in Epping Forest. At the time of writing this report, this has not been received, however will be verbally addressed by the presenting officer at Committee. It is assumed in any

case that the Council would not be considering providing this accommodation unless there were a need.

Setting of the adjacent Listed Building

Norway House is the former officers' mess serving North Weald Airfield. Constructed in the 1920s, it is now a grade II listed building due to it being one of the primary surviving historic structures of the airfield as well as it being a good example of its type. It is now in the ownership of EFDC and is used as a hostel for homeless people along with the five chalets to the rear of the site. The building is orientated with its rear elevation to the road and a symmetrical front elevation facing the rear of the site and Roughtallys Nature Reserve beyond.

Permission is sought on the erection of a pair of two storey accommodation 'pods' to provide additional temporary accommodation for homeless people. It should be noted that listed building consent is not required as the proposals do not involve the alteration of or additions to the listed building itself.

The pods are rectangular, modular units and will be arranged one on top of the other with an external staircase. The units are bulky and offer very little architectural merit and will appear slightly incongruous within the setting of the listed building. However, it is acknowledged that the setting of the building has already been compromised by the addition of other buildings (stores and chalets) and in being divorced in use from the airfield.

Following pre-application advice, it is proposed to site the pods to the south-west of Norway House behind an existing store and on an existing hardstanding (the drying area). In this position the pods will be partially screened from the road by the existing store and are located behind the line of the listed building's primary elevation, slightly minimising their impact on the setting of the building. The pods will be viewed in context with the existing buildings and their visual impact lessened.

The proposed colour (blue grey RAL 7031) is an innocuous colour which should blend in reasonably well with the surroundings. Light colours to match the existing store or red-orange colours to match the brickwork of Norway House are considered to be inappropriate as they will be too conspicuous so a darker tone is supported.

On balance, it is considered that the harm caused ("less than substantial harm" as per the NPPF) to the setting of the listed building in cluttering the site with further incongruous features of little aesthetic merit is outweighed by the public benefits arising from providing additional accommodation for homeless people, as per paragraph 134 of the NPPF.

Tree and landscape issues

The Tree and Landscape team consider that the proposal could be achieved without causing harm to the adjacent area of tree projection to the south. A condition can be imposed on the consent to ensure that these trees are protected, in accordance with the submitted tree protection plan.

Ecology

The Ecology Team consider that the proposal will not have an adverse impact on the Roughtalley Local Nature Reserve subject to a construction method statement ensuring its protection. This can be secured through an appropriate planning condition.

Land drainage

The Land Drainage Team consider that the proposal is acceptable in principle but further details on surface water drainage are required. These details can be secured through the use of planning conditions.

Conclusion

The proposal will create a public benefit by providing shelter for vulnerable homeless people which outweighs the less than substantial harm to the setting of the adjacent Listed Building. The proposal complies with all other aspects of the Development Plan subject to conditions. It is therefore recommended that planning permission is 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: James Rogers
Direct Line Telephone Number: 01992 564 371**

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