

AREA PLANS SUB-COMMITTEE 'EAST'

9 March 2016

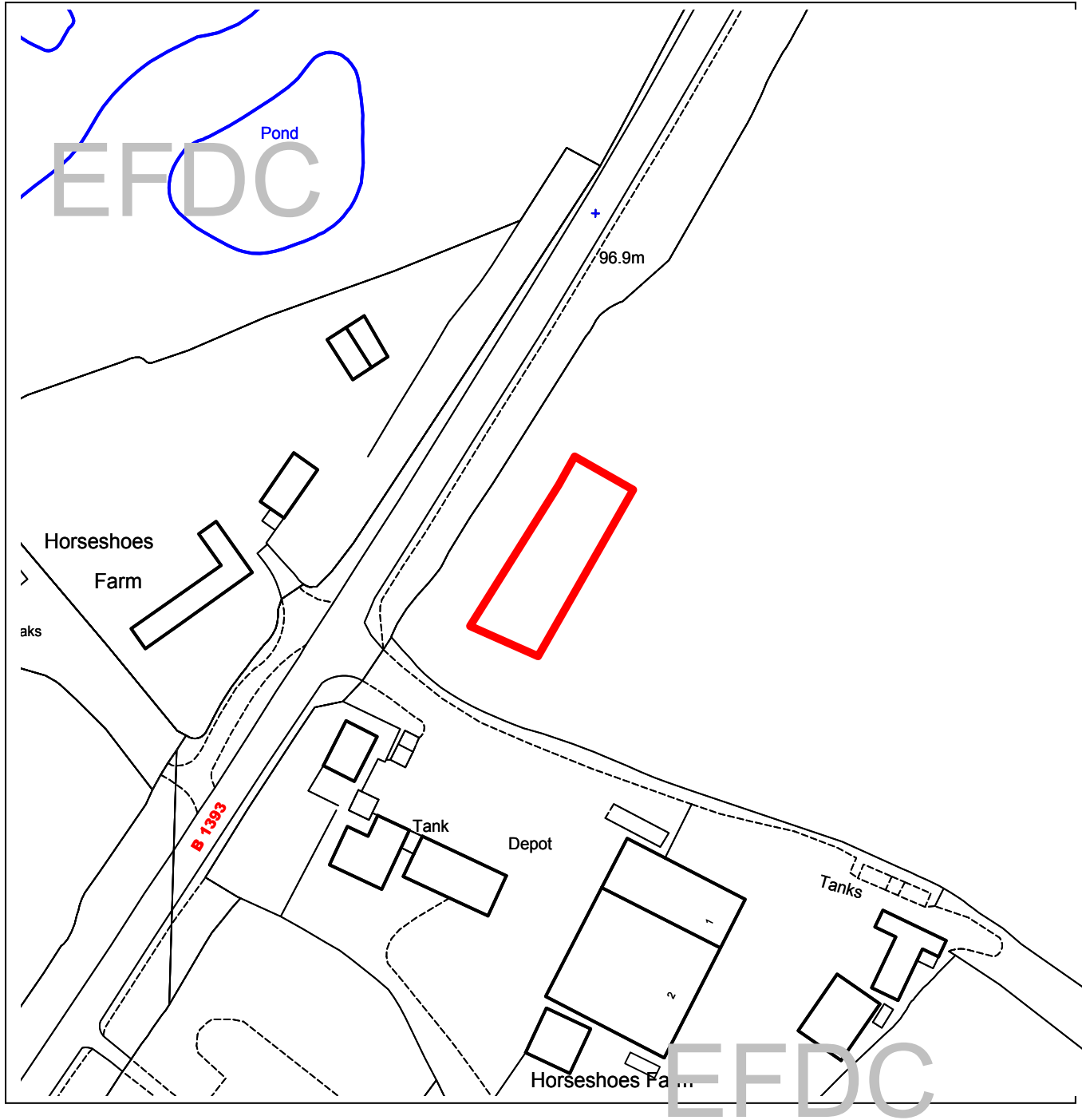
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Epping Forest District Council

Agenda Item Number 1



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Application Number:	EPF/2716/15
Site Name:	Field Adj to Horse Shoe Farm, London Road, North Weald Essex CM17 9LH
Scale of Plot:	1:1250

Report Item No: 1

APPLICATION No:	EPF/2716/15
SITE ADDRESS:	Field adj to Horse Shoe Farm London Road North Weald Harlow Essex CM17 9LH
PARISH:	North Weald Bassett
WARD:	Hastingwood, Matching and Sheering Village
APPLICANT:	Padfield (Hayleys) Ltd
DESCRIPTION OF PROPOSAL:	To erect a steel portal framed agricultural chemical sprayer cover and chemical store. Lean-to off one end.
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=580143

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

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 function, Schedule 1, Appendix A. (g))

Description of Site

The application site is a field adjacent to Horse Shoe Farm located on London Road in North Weald. There is currently an existing grain store to the east and the former farm complex is located to the south and is now occupied by a haulage business. There are neighbouring dwellings to the west located on the other side of London Road. The application site is located within the boundaries of the Metropolitan Green Belt and it is not in a conservation area.

Description of proposal

The proposed development is for a brown coated vertical cladded agricultural building to be used for the storage and maintenance of spraying equipment. Footprint will be 12m by 31m and 7.6m high to the central ridge of a shallow dual-pitched roof.

Relevant History

EPF/0111/09 - New grain store incorporating extension to the existing grainstore at Horseshoes Farm. – Refused and dismissed on appeal.

EPF/1313/10 - Extension to an existing agricultural building – Refused

EPF/2547/11 - Extension to existing grain storage facilities. – Refused and dismissed on appeal

EPF/0528/13 - Additional grain storage facilities and extension to existing area of hardstanding. – Refused and allowed on appeal

EPF/1818/15 - Agricultural chemical sprayer and chemical store as a steel portal frame with a lean-to off one end. - Refused

Policies Applied

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
DBE1 – Design of new buildings
DBE4 – Design in the Green Belt
GB2A – Development in the Green Belt
GB7A – Conspicuous development
GB11 – Agricultural buildings

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

Consultation carried out and summary of representations received

RUNDELLS – Objection – The building would cause significant harm to the Green Belt and the character of the area. The size of the building is excessive and will cause significant harm to the character of the Green Belt. The siting of the building is on higher ground which is not well screened from the road.

HORSESHOES FARM WEST – Objection – The building is excessively large and will cause significant harm to the character and appearance of the area. The building is inappropriate in the Green Belt. There is not a need for a building of this size in the area.

A J PURKISS LTD HORSESHOE FARM – Objection – The building is oversized and has not been fully justified. It will cause significant harm to the openness of the Green Belt and the character of the landscape.

NORTH WEALD PARISH COUNCIL - The Parish Council continues to **OBJECT** to this application due to the size of the proposal, the building does seem to be oversized, and it does seem to be overdevelopment and a building of this size does not seem to be necessary. Could a building half the size be utilised.

The Parish Council understands that there is advice available from DEFRA and Natural England in relation to the designs and sizes which are necessary and relevant to house Agricultural Chemical Sprayers and ask District Council to seek this advice, thereby ensuring that it is available to Members of the District Council at the Plans East Committee.

Concern has been raised at the inability to contact the authors of this advice at DEFRA.

The proposal is close to the B1393, and also very close to a pond and a residential dwelling, a Children's Nursery and a Haulage business and the Council feel that you would be moving the problems from one site to another.

This Council would also like to know that there would be a 100% guarantee that no chemical spray / water or chemical residue /aerosol spray, would enter into the soil / watercourse run off / into the outside air from the actions carried out in any building.

Issues and considerations

This is a revised application following a refusal of planning permission under EPF/1818/15 which was refused for the following reason:

It has not been demonstrated that the new agricultural building is necessary for the purposes of agriculture within the unit and therefore it is contrary policy GB11 of the Adopted Local Plan and Alterations, which is consistent with the objectives of the National Planning Policy Framework.

The proposed building will be located in the same position and has the same dimensions as the building proposed in the previous application. The only difference within this application is that the applicant has submitted further information to attempt to demonstrate the necessity of the new building.

An independent report regarding 'Catchment Sensitive Farming' has been submitted by the applicant and uses guidance from Natural England, the Environment Agency and DEFRA in order to make its recommendations. The report advises the applicant to erect 'a new covered filling area and associated pesticide store at Horseshoes Farm....To allow sprayer maintenance to be carried out on the boom, the filling/washroom area will need to be at least 26m wide'. The report goes on to suggest that there will be environmental benefits of having a new covered area for spraying to prevent pesticides going into ground waters, the soil and habitats of animals. Existing spraying occurs in an uncovered area of hardstanding near the main farming complex however causes significant levels of run off into potentially sensitive areas. Spraying also occurs within the field itself which infiltrates down into ground waters, potentially causing contaminants in both the water table and soils.

Current guidance from Natural England, the Environment Agency and DEFRA seeks to minimise contaminants in the environment and encourages best practice for reducing environmental harm caused by agriculture. There is a clear push from the Government to promote more sustainable and environmentally friendly farming practices. The new building will prevent pesticides infiltrating into ground waters and is therefore clearly in compliance with this approach.

The proposed building will be approximately 31m wide, including a small lean to for a chemical store. The Sprayer Filling Area will account for 26m wide and will therefore be in accordance with the advice received from the agricultural specialists. Furthermore there are no existing buildings on the site which are of a suitable size which could be converted for this purpose.

The information provided has therefore demonstrated that a building of this size is necessary for the purposes of best practice agriculture within this unit.

Green Belt

The National Planning Policy Framework (NPPF, CLG, 2012) states that the majority of development within the Green Belt is inappropriate and should be refused planning permission. However paragraph 89 lists exceptions to inappropriate development and the erection of agricultural buildings falls within this category.

Consequently the building is appropriate development in the Green Belt and the assessment of openness is not a material consideration.

Character and appearance of the area

Policy GB11 requires that the buildings will:

'Not be detrimental to the character and appearance of the locality and to the amenities of nearby residents'

The building will be sited adjacent to London Road which is well screened from public areas of the road. Viewed from London Road, the building will be set against the backdrop of an existing grain store and therefore will not appear incongruous within its setting. Horse Shoe Farm is located to the south which is used for business purposes and as such the addition of this building will not cause any significant harm to the character or appearance of the countryside.

Harm to neighbours

Due regard must also be given to the living conditions of neighbouring residents. There are no neighbours within close proximity to the building and therefore it will not appear overbearing, cause any loss of light or cause any other harm to their living conditions.

Flood Risk

The development is of a size where it is necessary to avoid generating additional runoff and the opportunity of new development should be taken to improve existing surface water runoff and therefore a Flood Risk Assessment (FRA) is required, which can be secured through condition.

Conclusion

The development has overcome the previous reason for refusal. It is further considered that there will be no undue harm to the neighbours nor the character of the area. Therefore the application is recommended for approval.

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

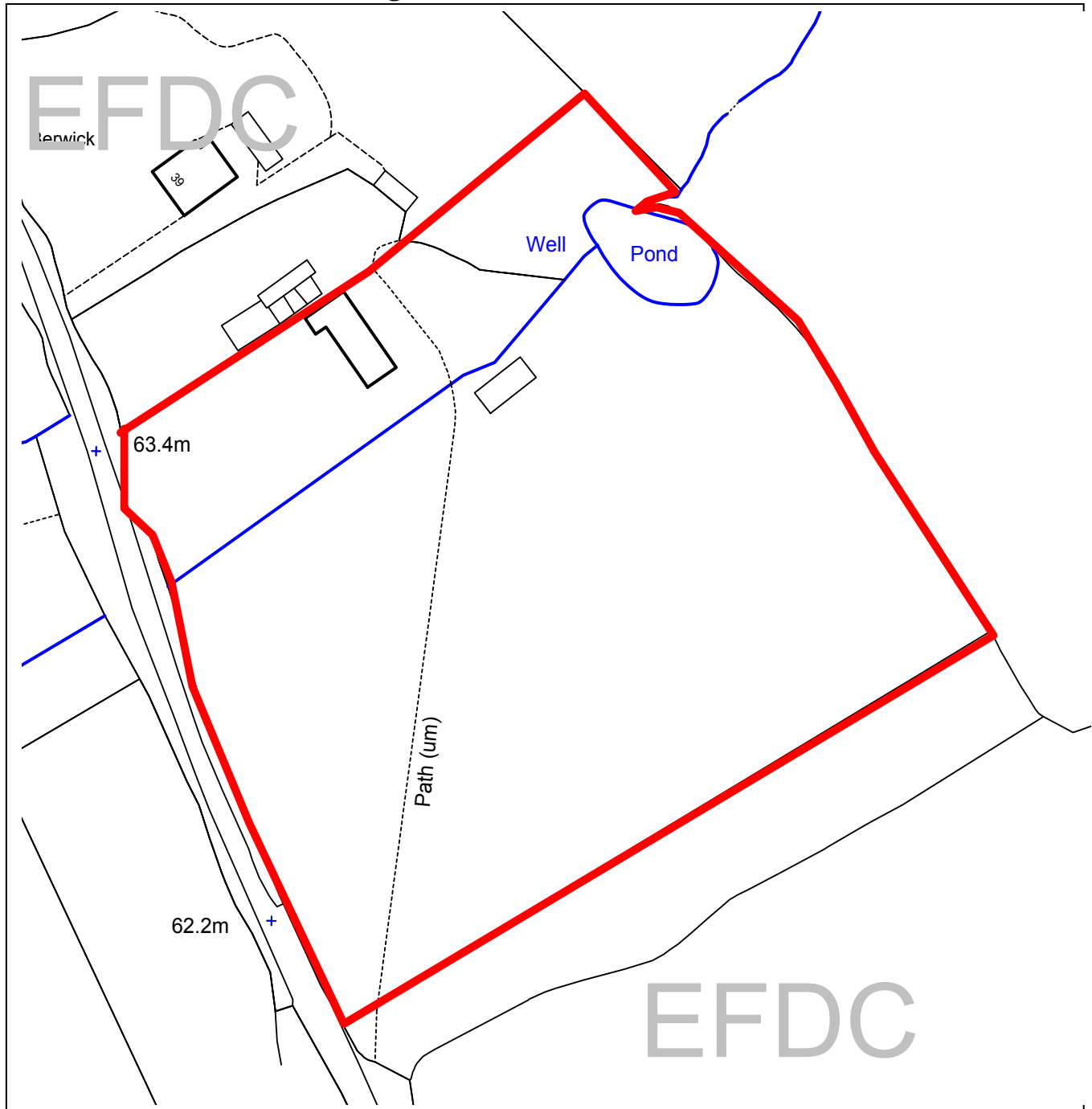
Planning Application Case Officer: James Rogers
Direct Line Telephone Number: 01992 564371

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/2832/15
Site Name:	39 Berwick Lane Stanford Rivers Ongar Essex CM5 9PZ
Scale of Plot:	1:1250

Report Item No: 2

APPLICATION No:	EPF/2832/15
SITE ADDRESS:	39 Berwick Lane Stanford Rivers Ongar Essex CM5 9PZ
PARISH:	Stanford Rivers
WARD:	Passingford
APPLICANT:	Mr & Mrs Katy Quorn
DESCRIPTION OF PROPOSAL:	New dwelling house on land adjacent to 39 Berwick Lane
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=580393

CONDITIONS & REASONS

- 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: EZP-002, 003 rev A, 004 rev A, 005 rev A, 006 rev A, 007 rev A and 1509 13-L-01 rev D
- 3 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]
- 4 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]

- 5 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]
- 6 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.
- 7 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.
- 8 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.
- 9 No construction works above ground level shall take place until documentary and photographic details, including samples where required, 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.

- 10 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 11 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; all hard surface finish materials, 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.
- 12 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.
- 13 Tree planting outside the curtilage of the dwelling house hereby permitted (as identified on drawing number EZP-003 rev A shall be carried out in the first planting season following commencement of any development on the site, including groundworks.
- 14 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 1. The parking of vehicles of site operatives and visitors
 2. Loading and unloading of plant and materials
 3. Storage of plant and materials used in constructing the development
 4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 5. Measures to control the emission of dust and dirt during construction, including wheel washing.
 6. A scheme for recycling/disposing of waste resulting from demolition and construction works.

- 15 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed at the site. The installed cleaning facilities shall be used to clean vehicles wheels immediately before leaving the site.
- 16 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 17 No trenches or pipe runs for services and drains required to service the development hereby approved shall be cut or laid otherwise than in accordance with BS5837:2012 (Trees in relation to design, demolition and construction – Recommendations), except with the approval of the local planning authority.
- 18 Any replacement gates to the entrance to the site shall be inward opening only and set back from the back edge of the carriageway by a minimum of 6 metres.
- 19 There shall be no increase in the garden to the development (as identified as the 'managed garden area' on drawing EZP-003 rev A hereby approved) without prior consent from the Local Planning Authority.
- 20 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, E and F] of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the LPA.

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 relates to a site of around 1.3ha located on the east side of Berwick Lane. The land originally formed part of a single plot with land to the north that now forms the residential curtilage of no. 39 Berwick Lane, a Grade II listed building, the new plot being created within the last 2-3 years having previously been used as a kennels/cattery. The site contains three single storey detached buildings in the northern part of the site of little architectural merit used previously as part of the business.

The site lies in within the Green Belt and in a corridor between two areas of protected woodland, immediately abutting the eastern edge of the site abuts Twentyacre Wood. The site is subject to a blanket Tree Preservation Order as a result. Other than the immediately adjacent dwelling, the nearest occupied building which is also a dwelling lies around 175metres away to the south.

Description of Proposal:

The application proposes a new dwelling house to replace the outbuildings previously associated with commercial activity on the site. The proposed dwelling will be part single, part two storey above ground with a basement area below ground. The dwelling includes 5 bedrooms, two in the basement served by lightwells, one at ground floor and one at first floor, the south facing master bedroom having use of an external balcony.

The building is built in a contemporary style with flat roofs throughout, it will be clad in timber with powder coated grey windows. A residential curtilage is identified on the application drawing extending to the south providing a managed garden area beyond which land will be retained as open countryside.

Landscaping works include retention of much of the existing tree screen between the proposed dwelling and the road frontage. Six trees are proposed for removal along with a cluster of laurel and accompanying vegetation which are assessed in the Arboricultural Report as being of low or poor value. Additional landscape enhancement includes formal planting around the site entrance and in front of the building and planting of a mix of oak and field maple trees south of the dwelling outside the managed curtilage to provide additional screening.

Access for vehicles utilises an existing vehicle entrance from the road. A new hard surface driveway will be laid and a parking area comprising three is proposed.

Relevant History:

Historic planning applications from the 1970's and 1980's show development was approved for use of the land as kennels, cattery, stables and ancillary uses. A range of extensions have also been approved to the listed building adjacent.

Policies Applied:

CP2	Quality of Rural and Built Environment
GB2A	Development in the Green Belt
GB7A	Conspicuous Development
HC12	Development affecting the setting of Listed Buildings
H2A	Previously Developed Land
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
ST6	Vehicle parking

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.

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 3

Site notice posted: Yes

Responses received: No response received from neighbours.

STANFORD RIVERS PARISH COUNCIL has objected to the application on the following grounds:

- Inappropriate development in the Green Belt
- Whilst it is understood that the applicants have designed the proposed building to try and blend in with the forestry close to the site, the design is such that it fails to adopt a significance in the street scene, specifically when considering its location to the listed structure directly adjacent and the design of the adjacent property. The design would in fact stand out as being completely out of place at this location. This is contrary to DBE1.

- Considering the proposed site, the applicant has failed to demonstrate why there is a need to site the property at this specific location thereby resulting in the loss of a number of TPO'd trees.

Main Issues and Considerations:

The application raises issue around development in the Green Belt, design issues relating the building and the landscape proposals and wider amenity considerations.

Green Belt considerations – Investigation of the history of the site supports the applicants submission that the outbuildings within the site were used as cattery and kennelling facilities on a commercial basis from the 1970's for a number of years. Officers also consider it apparent that the siting and layout of buildings, taken in conjunction with more recent works to the dwelling and its gardens, establish that the structures are outside the existing residential curtilage. In such circumstances, officers conclude that the land constitutes previously developed land as defined in para 89 of the NPPF and thereby an exception to usual Green Belt policy.

In this context, the broader impact of the development on the character and openness of the Green Belt should be considered. Buildings will be located within the general locality of the existing buildings on the site, close to the boundary with the existing dwelling and on the part of the site where the general environment includes more natural screening. This compares to the southern end of the site which is much more open where the land primarily consists of more meadow type conditions with less dense screening. The proposals preserve this balance, in terms of the siting of the dwelling, the extent of the managed garden area and the broader landscape proposals such that the proposals are consistent with objectives to protect the character of the Green Belt in this location.

Design and landscape proposals – The building comprises an above ground area of around 600 cubic metres which officers consider a reasonable size of building in comparison to the buildings being replaced. This does not include the basement which officers consider can reasonably be discounted from any such calculation as it is fully underground.

The building takes a modern approach in its form and choice of materials. The whole building will be timber clad in untreated boarding. This will in time weather to merge with the surrounding landscape. Floor to ceiling windows are used throughout comprising colour coated narrow aluminium frames which are seen as complementing the primary material. The bulk of the first floor of the building has been reduced by negotiation such that the main mass is visible primarily from the front where the natural screening from retained trees is at its most dense. Officers consider this a reasonable approach in the location and circumstances.

The scheme does result in the loss of a small number of trees from the site. An arboricultural assessment has been undertaken and has identified the trees concerned as being of low value. These findings have not been disputed by the Council's Tree and Landscape officers. New tree planting is proposed, a range of Oak and Field Maple trees are proposed to the south of the building to add screening and further tree planting including hornbeam and flowering cherry trees will be used around the building along with more formal ground level shrub beds. Overall, the substantive increase in tree planting and landscaping compensates for the trees and shrubs being lost.

Wider amenity issues – It is noted that the nearest dwelling is some considerable distance to the south and on the opposite side of the road. Thus in physical terms, the development has no impact on adjoining properties. In terms of the wider area, the associated activity arising from the development will not have a material impact.

Other matters – The existing dwelling to the north is a listed and Officers have considered the impact of the proposals of the setting of the listed building. Officers are satisfied that the evidence of separation between the two sites through existing tree screens and outbuildings is sufficient to be satisfied that the primary setting of the listed building is not adversely affected.

The past use of the land for kennels increases the potential for the land to be contaminated. This would warrant further investigation of ground conditions at an early stage and conditions to this affect are recommended.

Conclusion:

Officers acknowledge that the issues in this case are finely balanced and the acceptability of the proposals hinge on whether the site can satisfy Green Belt policy in relation to the definition of previously developed land. Officers have in this regard given substantial weight to the historic use for kennelling and cattery and to the evident physical separation between the adjoining dwelling and the land used commercially.

Once the principle is accepted as being compliant with policy, then it is considered that the siting of the development within the area of the previous buildings maintains the existing local character and protects the wider open character. The design of the building and the landscape enhancement works considered as a whole are a reasonable approach to the constraints that are still presented.

The proposal is therefore considered appropriate in this location.

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:

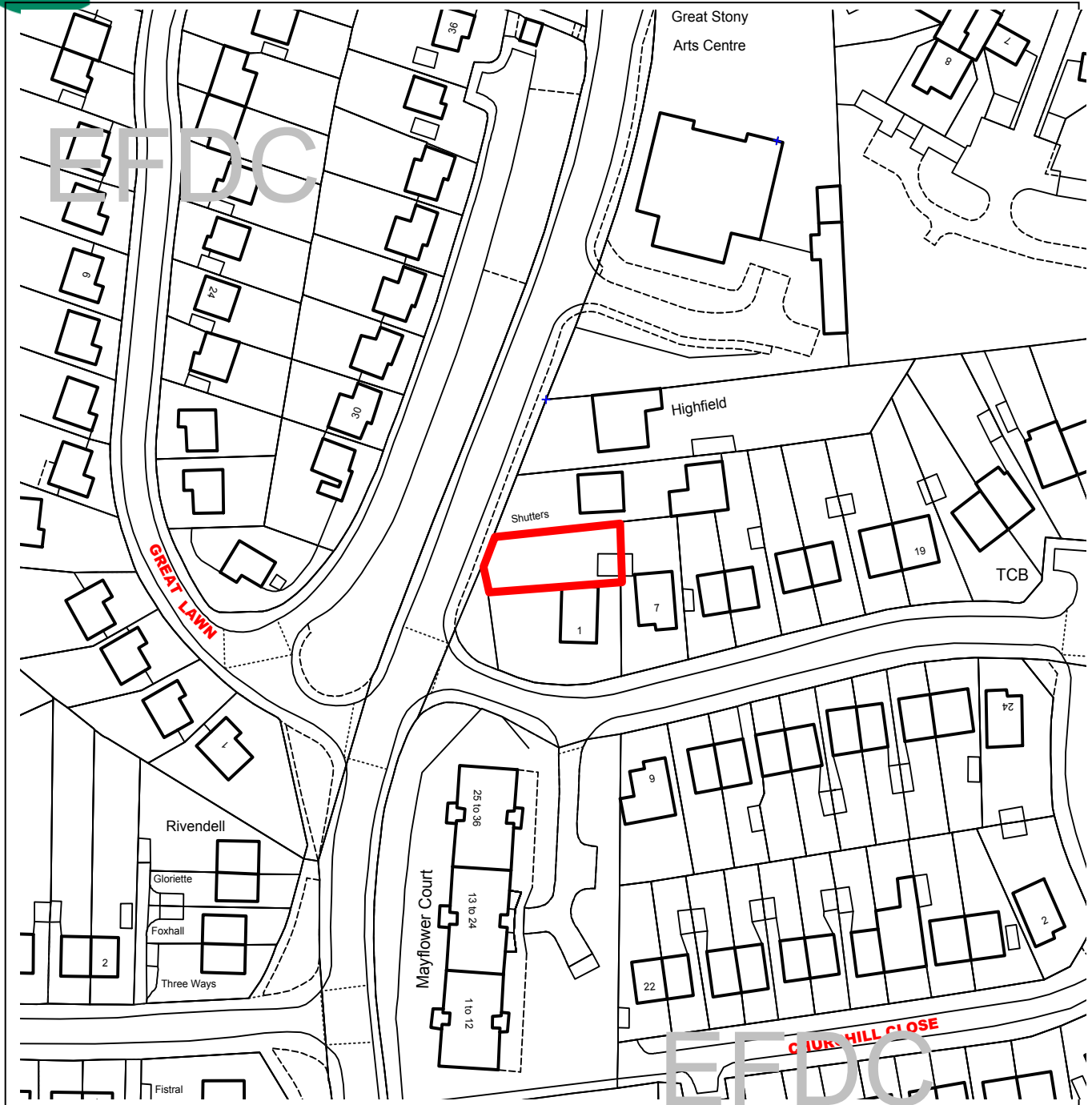
***Planning Application Case Officer: Ian Ansell
Direct Line Telephone Number: 01992 564481***

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



Epping Forest District Council

Agenda Item Number 3



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Application Number:	EPF/2934/15
Site Name:	1 Mayflower Way Ongar Essex CM5 9AZ
Scale of Plot:	1:1250

Report Item No: 3

APPLICATION No:	EPF/2934/15
SITE ADDRESS:	1 Mayflower Way Ongar Essex CM5 9AZ
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
APPLICANT:	Mr Martin Peacocke
DESCRIPTION OF PROPOSAL:	Proposed dwelling
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=580581

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 3 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained:; all means of enclosure; surfacing to parking areas, pedestrian ramp design incorporating resting areas and other minor artefacts and structures 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.
- 4 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor

slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.

5 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.

6 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.

7 The existing garage on the site, including the base thereof shall be removed in its entirety prior to the commencement of any development other than groundworks.

8 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.

9 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed at the site. The installed cleaning facilities shall be used to clean vehicles wheels immediately before leaving the site.

10 Prior to first occupation of the development the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 3 metres and shall be provided with an appropriate dropped kerb vehicular crossing of the footway.

11 Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.

12 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.

13 Other than those indicated on the plans hereby approved, no windows shall be installed in either flank elevation of the building without prior consent from the Local Planning Authority.

- 14 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 and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

This application is before this Committee in the event the recommendation for approval is contrary to any 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:

This is a corner site fronting the north side of Mayflower Way and the east side of High Street. The existing dwelling comprises a bungalow that has been extended and there is a detached garage close to the eastern site boundary with access along the side of the dwelling onto Mayflower Way. The plot is spacious although the open areas lie primarily to the public faces of the site.

Surrounding area is wholly residential, single and two storey to east in Mayflower Way. The adjacent property to the north on the High Street is a chalet style two storey set well back from the road and immediately north of this a new 3 storey development is taking place again set back.

The land falls east to west such that levels on the site are noticeably higher than on the road adjoining.

Description of Proposal:

The application proposes a 3 bedroom chalet bungalow on the northern portion of the site. The proposal follows two previous approvals for a similar development and design appears more or less unchanged from the previous scheme. The building aligns with the forward most point of the existing bungalow fronting High Road. The first floor includes a dormer across most of the rear elevation and at the front a gable with a window and a small dormer.

The dwelling includes an integral garage accessed from a forecourt parking and turning area accessed from High Street by a new drive, this will require a ramped entrance and a separate pedestrian access to Part M abuts, these works will require retaining walls to retained front garden area.

The double garage at the rear will be removed to complete a uniform rear garden.

Relevant History:

The existing bungalow was built under a 1954 permission. Various extensions have also been permitted to the original but are not relevant to the current scheme.

EPF/1411/98 Three bedroom detached dwelling house and garage refused – overdevelopment, cramped appearance, impact on neighbours and inadequate parking. An appeal was dismissed but only on the parking issue. The application had proposed that parking for both dwellings be provided in the driveway to the east of the existing dwelling.

EPF/1721/99 Three bedroom detached dwelling and detached single garage approved – this scheme is similar to the current proposal, the layout matches with the integral

garage and access from High Street. The garage referred to was a replacement garage for the existing property

EPF/0905/04 Renewal of above approved for further five years

Policies Applied:

CP1	Achieving sustainable development
CP2	Quality of Rural and Built Environment
CP3	New Development
CP7	Urban Form and Quality
DBE 1	Design of new buildings
DBE2	Effect on neighbouring properties
DBE3	Design in Urban areas
DBE8	Private Amenity space
DBE9	Loss of Amenity
ST4	Road safety
ST6	Vehicle parking

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.

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 47
Site notice posted: No, not required
Responses received: No response received from neighbours.

ONGAR TOWN COUNCIL: The Parish Council will be reviewing the application on 3rd March and their comments will be reported verbally.

Main Issues and Considerations:

In considering the character of the surrounding area, it is noted that there is significant variety in building form and siting, such that it is difficult to establish that there is a particular local character. Within a short distance are buildings of single, two and three storey height; buildings to the north are set well back from the highway while Mayflower Court to the south has a more orthodox frontage depth. In this location, a single dwelling on two floors is unlikely to be unduly intrusive in the street scene, even allowing for the development projecting forward of its northern neighbour and the lack of consistency with the bungalow. The detailed design has been approved on two previous occasions and there have been no changes to local policy to lead to any other conclusion on the external appearance.

The existing bungalow on the site has been designed so that windows in the side elevation facing the new dwelling are of a secondary nature and main habitable rooms are unaffected. The adjoining property to the north, Shutters, has habitable room windows in the front elevation and secondary windows in the flank, it is also set away from the shared boundary. Previous applications have considered the impact on this neighbour and concluded this is acceptable, and there have been no changes to the property to suggest a different conclusion could now be drawn.

The application does result in the loss of the existing garage to allow a satisfactory size garden to be provided, previous applications have included provision for a replacement but this does not. Whether in a garage or on the expansive drive at the side of the dwelling, adequate parking

remains available to the retained dwelling. The application proposes an integral garage and a forecourt area capable of accommodating two vehicles and sufficient space to allow vehicle to turn and exit in forward gear.

Conclusion:

The application is substantially the same as previously approved schemes for the site. There have been no significant changes in the local area, to adjoining properties or in Council policy that would suggest that the development would not now be acceptable.

The proposal therefore complies with relevant planning policy and planning permission should again 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: Ian Ansell
Direct Line Telephone Number: 01992 564481***

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



Epping Forest District Council

Agenda Item Number 4



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Application Number:	EPF/3024/15
Site Name:	9 Church Hill Epping Essex CM16
Scale of Plot:	1:1250

Report Item No: 4

APPLICATION No:	EPF/3024/15
SITE ADDRESS:	9 Church Hill Epping Essex CM16 4RA
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	Mr Alan Dickinson
DESCRIPTION OF PROPOSAL:	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.
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=580936

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:
MMD361235AA01-DR-Y-00-1001 Rev: P1 (x2), 01 B, 02 A, 03 F, 04 H, 05 F, 06 A, 07 B
- 3 Prior to first occupation of the development hereby approved, the proposed window openings in the first floor northern flank elevation of the stepped down rear section of the new build (shown as serving two bathrooms and a landing on drawing no. 03 F) 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 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.
- 5 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.

- 6 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 LPA in writing prior to the commencement of any works.
- 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 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 9 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.

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

Following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.
- 10 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

- 11 Prior to 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.
- 12 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.
- 13 There shall be no discharge of surface water onto the Highway.
- 14 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

This application is before this Committee since it is an application for residential development consisting of 5 dwellings or more (unless approval of reserved matters only) and is recommended for approval (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(d)) 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)) and 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: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(f).)

Description of Site:

The application site currently contains a large detached two storey dwelling with a collection of outbuildings 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 outbuildings to the rear of the property and the erection of replacement buildings and a new detached two storey building to the north of the existing dwelling. The existing dwelling would be converted and, along with the new buildings, would create two mews houses and four apartments with associated parking, access and bin storage.

The proposed new detached building would measure 17.2m in depth and a maximum of 7.2m in width and would be formed from a main structure to the front, with a hipped roof to a maximum ridge height of 7.6m (due to the sloping site) and a rear projection with a 700mm set down pitched roof. This would provide 2 no. two bed mews houses.

The new building to the rear of Dane Lodge would predominantly replace the existing outbuildings, which are in a state of disrepair and are to be demolished. The proposed new building would be formed of three sections. The lowest section, which immediately adjoins Dane Lodge, would

measure 5.5m in width and a maximum of 4.5m in depth with a pitched roof to a ridge height of 3.7m. This would form an extension to Dane Lodge. The second and third sections would form a self-contained one bed apartment and consist of a 5m wide by 6.4m deep single storey section to a ridge height of 4.5m and a 5m wide by 5.5m deep two storey element with a maximum ridge height of 6.2m.

The alterations to the existing Dane Lodge would be limited to the demolition of the two storey rear extension and conservatory and internal alterations. The existing house (and first section of the new building to the rear) would be converted into 1 no. one bed apartment and 2 no. two bed flats.

The proposed development would be served by six car parking spaces, five of which would be accessed from Homefield Close and one of which would be accessed from Church Hill.

Relevant History:

None

Policies Applied:

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.

Consultation Carried Out and Summary of Representations received:

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

TOWN COUNCIL – Object to this application. The proposal is an overdevelopment of the site and does not respect the character and environment of the locality. Within a conservation area, planning permission should not be granted for any development that is detrimental to the character, appearance or setting of the conservation area. The proposal includes the demolition of outbuildings which are integral to the character of the property. The outbuildings are the same date as the main dwelling and form part of its unique and historic character and setting. The demolition of a building in a conservation area will only be permitted if that building does not make a significant contribution to the character and appearance of that area.

This dwelling is a locally listed building which should receive special consideration in the planning process. Maintenance of these buildings should be encouraged and neglect taken into consideration in planning decisions.

EPPING SOCIETY – Object as the new building would have an overbearing impact and result in a loss of privacy to 9a Church Hill, the proposed covered parking would have a negative impact on 1 Homefield Close, and since the proposed parking provision would be inadequate.

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

1 HOMEFIELD CLOSE – Object as this would be an overdevelopment of the site out of keeping with the area. Also the proposed vehicle access in Homefield Close would cause traffic problems, since the covered parking area and bin/cycle store would restrict light to their property, and due to drainage concerns.

2 HOMEFIELD CLOSE – No objection since the development would tidy up the site however concerned about the proposed parking provision and drainage impact.

3 HOMEFIELD CLOSE – Object as this would add to the problem of parking, drainage and blocking out light.

7 HOMEFIELD CLOSE – Object as this would be an overdevelopment of the site and would have a cramped appearance, the largely featureless wall with high windows bordering Homefield Close would be out of character with the area, and since the vehicle access is poorly placed.

18 HOMEFIELD CLOSE – Object due to insufficient parking, increased traffic movements and inadequate drainage.

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.

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 existing 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 current proposal is the result of pre-application advice and subsequent discussions and revisions to the design during the course of the planning application.

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 are in poor structural condition so their rebuilding is supported; the proposed building heights and fenestration detailing preserves the subservient character of this element of the existing building. Whilst concerns have been raised about the blank fascia of the replacement building adjacent to Homefield Close this reflects the existing blank fascia of the outbuildings, plus the new development would be provided with visual interest through the use of high level fenestration.

The proposed new build respects the adjoining properties and streetscene in terms of its height, massing, elevation treatment, and materials. Church Hill is more densely built to the north beyond the church, so the erection of a building to infill this site is not out of character with the wider streetscene. The bulk of the building has been reduced by stepping down and reducing the width of the wing to the rear.

Due to the above it is not considered that the proposed development would harm the character or appearance of the conservation area, the locally listed building or the street scene.

Highways:

The majority of the off-street parking proposed would be to the rear of the site within a covered parking area. 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 site, 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, particularly when large vehicles are entering the Council Offices opposite, 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 six off-street parking spaces, which equates to one space per unit with no additional visitor spaces. The Essex County Council Vehicle Parking Standards (2009) recommends that a residential scheme such as this should be served by thirteen parking spaces (which equates to 2 x spaces for the two/three bed units, 1 x space for the one bed unit and 2 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. Whilst the new building is relatively deep it has been positioned so that it extends just 4.5m beyond the rear wall and 4.8m beyond the front wall of the neighbour and is stepped in between 1.75m and 2m from the shared boundary and 4.1m and 4.5m from the neighbours flank wall. This new building has been specifically positioned so as to not encroach on a 45 degree line from the neighbours closest front or rear windows and would be

sufficiently set away from the boundary to ensure that it does not appear unduly overbearing to this neighbour. Whilst the proposed new building would have first floor windows facing towards the neighbour at No. 9a Church Hill the windows within the rear 'projecting' section of the building (immediately overlooking the neighbours rear amenity space) would serve bathrooms or a hallway and therefore can be obscure glazed in order to avoid overlooking. The flank windows within the front part of the building would serve bedrooms, and therefore would be clear glazed, however these only overlook the front garden of the neighbouring property, which is not private and therefore does not require the same level of protection.

Concern has been raised with regards to the impact from the covered parking area and bin/cycle store. These would be located adjacent to the shared boundary with No. 1 Homefield Close and would have an eaves height of 2.5m and ridge height of 3.9m. Given the pitched roof on the buildings, and since the eaves height is only 500mm higher than a standard 2m high boundary fence, it is not considered that these structures would result in any excessive loss of light or visual amenity to the neighbouring residents.

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.

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-application discussions and various revisions throughout the planning application and is now 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***

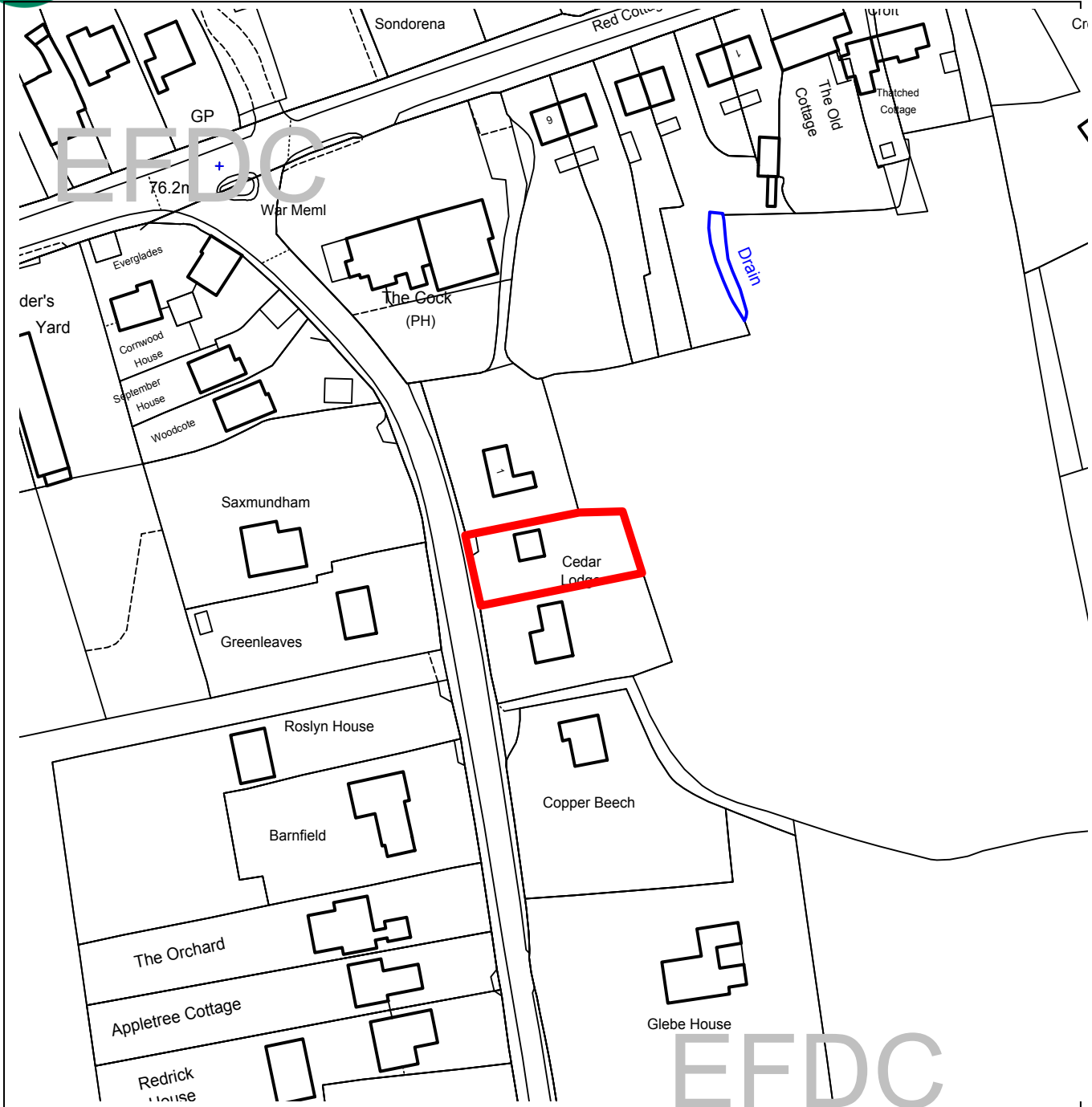
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

Agenda Item Number 5



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Application Number:	EPF/3038/15
Site Name:	Cedar Lodge Church Lane Sheering Essex CM22 7NR
Scale of Plot:	1:1250

Report Item No: 5

APPLICATION No:	EPF/3038/15
SITE ADDRESS:	Cedar Lodge Church Lane Sheering Harlow Essex CM22 7NR
PARISH:	Sheering
WARD:	Hastingwood, Matching and Sheering Village
APPLICANT:	Mr Martin Stace
DESCRIPTION OF PROPOSAL:	New two storey four bedroom house. (Revised application to EPF/2271/15)
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=580977

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 window openings in the north flank elevation(s) 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 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.
- 5 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally

permitted by virtue of Class A of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

- 7 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 8 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the substantial completion of the development hereby approved and shall be adequately maintained in accordance with the approved management and maintenance plan.
- 9 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 10 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.
- 11 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: BRD/15/020/: 001A, 002B, 003A, 004A

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 Church Lane within the settlement of Sheering. Currently on the site is a two storey detached dwelling situated within a large curtilage. There are dwellings surrounding the site on three sides, although the main settlement is located on the Street to the North. The application site is 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 new two storey dwelling on the land adjacent to Cedar Lodge.

Relevant History

EPO/0365/62 - dwelling within curtilage - Refused

EPO/0159/73 - details of garage and store/ playroom building - Approved

EPF/0849/77 - Proposed two storey rear addition – Approved

EPF/2964/14 - Alterations to front and rear elevations with the creation of gables and dormer insertion to join together existing gables on southern elevation. – Approved

EPF/1591/15 - Proposed new driveway entrance off highway – Approved

EPF/1880/15 - Certificate of Lawful Development for existing carport

EPF/2271/15 - Proposed two storey detached infill plot adjacent Cedar Lodge. – Withdrawn

Policies Applied

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
CP3 – New development
CP6 – Achieving sustainable urban development patterns
H2A – Previously developed land
H3A – Housing density
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE3 – Design in urban areas
DBE8 – Private amenity space
DBE9 – Loss of amenity
LL11 – Landscaping schemes
ST1 – Location of development
ST4 – Road safety
ST6 – Vehicle parking
GB2A – Development in the Green Belt
GB7A – Conspicuous Development

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

Consultation Carried Out and Summary of Representations Received

7 Neighbours consulted – NO COMMENTS RECEIVED

SHEERING PARISH COUNCIL – Objection - Adverse effect on the residential amenity of neighbours, by reason of (among other factors) noise*, disturbance*, overlooking, loss of privacy, overshadowing, etc. [*but note that this does not include noise or disturbance arising from the actual execution of the works, which will not be taken into account. Unacceptably high density / overdevelopment of the site, especially as it involves loss of garden land or the open aspect of the neighbourhood (so-called 'garden grabbing'). Effect of the development on the character of the neighbourhood. The proposed development is over-bearing, out-of-scale or out of character in terms of its appearance compared with existing development in the vicinity.

Issues and considerations

The main issues to consider when assessing this application are the potential impacts on the openness of the Green Belt, the living conditions of the neighbours, the character and appearance of the street scene, parking and access issues, land contamination and land drainage.

Green Belt

The National Planning Policy Framework (NPPF, CLG, 2012) states that new dwellings in the Green Belt normally constitute inappropriate development, which will by definition cause significant harm to its openness and such applications should be refused planning permission unless very special circumstances can be demonstrated which clearly outweigh the harm caused.

However paragraphs 89 and 90 of the NPPF indicate that there are exceptions to inappropriate development in the Green Belt, one of which is the:

'Limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan'

The starting point for applying this test is firstly to assess whether the site in question is located within a 'village'. The definition of a village is not given in National policy and therefore it is left to the discretion of the decision maker to make a judgement. The main settlement in Sheering is located further to the north, on The Street, Crown Close, The Plashets and Primley Lane. Church Lane is located to the south of The Street but forms a continuation of development, without any considerable open gaps in between. The continuous nature of development is such that it is reasonable to conclude that the site is within the main village of Sheering.

The next step is to assess whether the site in question forms a suitable infill within its village location. The NPPF does not define the limits of what can be considered limited within the Green Belt however in this case the site is a continuation of the existing village settlement and is surrounded on three sides by relatively substantial development. Therefore the site should be regarded as a suitable infill location.

The final part of the assessment is to assess whether the development can be considered to be 'limited'. As with the previous elements, the NPPF does not define 'limited' development however the addition of a single dwelling in the context of this site can reasonably be defined as constituting limited development within the Green Belt.

In light of the above appraisal the site should be regarded as limited infill within a village. As such, it would meet one of the exceptions set out in paragraph 89 of the NPPF and in those terms would

not constitute inappropriate development in the Green Belt. Given that it is not inappropriate development, a very special circumstances argument is not required to justify it.

Turning to the question of its potential impact on the openness of the Green Belt, the limited infill in village's exception which this development falls within, does not refer to its impact on openness nor to the purposes of including land within it. If openness is defined as the absence of built development it is an inevitable consequence that, if the NPPF allows for limited infill in villages in the Green Belt a certain degree of harm to openness is acceptable in those circumstances.

Living conditions of neighbours

The new dwelling will be positioned in front of Cedar Lodge so that its rear building line will not exceed this adjacent neighbour. Consequently there is no opportunity for the development to appear overbearing or cause any other harm to their living conditions.

Part of No.1 Church Lane is set against the side elevation of the proposed new dwelling at a distance of 2.5m. This neighbouring dwelling then projects a further 8m into the site at a distance of approximately 9m to the side elevation of the new dwelling. The new dwelling will project only slightly beyond this rear part of the neighbouring dwelling and given the significant distance between these two elements it will not appear overbearing or cause a significant loss of light into the property itself. There is slight concern that there may be impact on the small part of the garden area close to the shared boundary with the application site however it will not be significant given that it will be set 1.5m from the shared boundary and is not dissimilar to the existing situation. Furthermore No. 1 Church Lane has a very large garden, the majority of which is enjoyed towards the northern end of the site and therefore the harm caused to this small part of the garden will not cause excessive harm to their living conditions

Design

The new dwelling will have a conventional residential appearance which is of a bulk, size and scale akin to other properties within the street scene. Its relationship with the two adjacent neighbours is reasonable so that it will not appear overly prominent or harmful to the character or appearance of the street scene.

Parking and access Issues

The new dwelling will have a sufficient area for the parking of vehicles to the front of the site and will utilise an existing access which is currently used by the existing garage. The access has good visibility which will not harm the safety or efficiency of the public carriageway. The host property, whilst losing its detached garage will have a sufficient amount of space for the parking of vehicles to the front of their property. As a result there are no objections to the highway or parking arrangements.

Trees and landscape

Whilst the applicant has provided a tree report and / or an Arb Method Statement necessary planning conditions are required, this is because at this stage, all the applicant is required to do is to show that the development is feasible without a detrimental impact on trees. Following permission being granted the information that will be required to be submitted will include;

- o Tree protection plan to include the alignment of utility apparatus (including drainage and ground source heat pumps), and the site set up i.e. locations for site huts, temporary toilets, contractor parking, storage of materials, cement mixing etc. This information is not yet known.
- o A detailed Arboricultural Method statement including a list of contact details for all relevant parties. This information is not yet known.

- o Schedule of works to retained trees e.g. works required to facilitate demolition / construction activities. This information is not yet known.
- o Arboricultural site monitoring schedule, A detailed schedule of visits is required.

Land Drainage

The site lies within an Epping Forest District Council flood risk assessment zone. The development is of a size where it is necessary to avoid generating additional runoff and the opportunity of new development should be taken to improve existing surface water runoff, which can be secured through condition. The applicant has no proposal to dispose of foul sewage. However, there is a foul sewer in close proximity which should be the preferred proposal for the foul drainage. Further details are required. The applicant is proposing to dispose of surface water by soakaway. The geology of the area is predominantly clay and infiltration drainage may not be suitable for the site.

Land Contamination

All readily available Council held desk study information has been studied for this site and there is no evidence of any potentially significant contaminating activities having taking place historically on the site (records indicate that the site formed part of an agricultural field until the current house, formerly known as Glebe Cottage, was built at the beginning of the last Century, and has remained in domestic use since this time).

It is the responsibility of the developer to ensure the safe development of the site and a single condition requiring the developer to stop works and carry out any necessary investigations and remedial works should contamination be encountered during development works.

Conclusion

In light of the above appraisal 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**

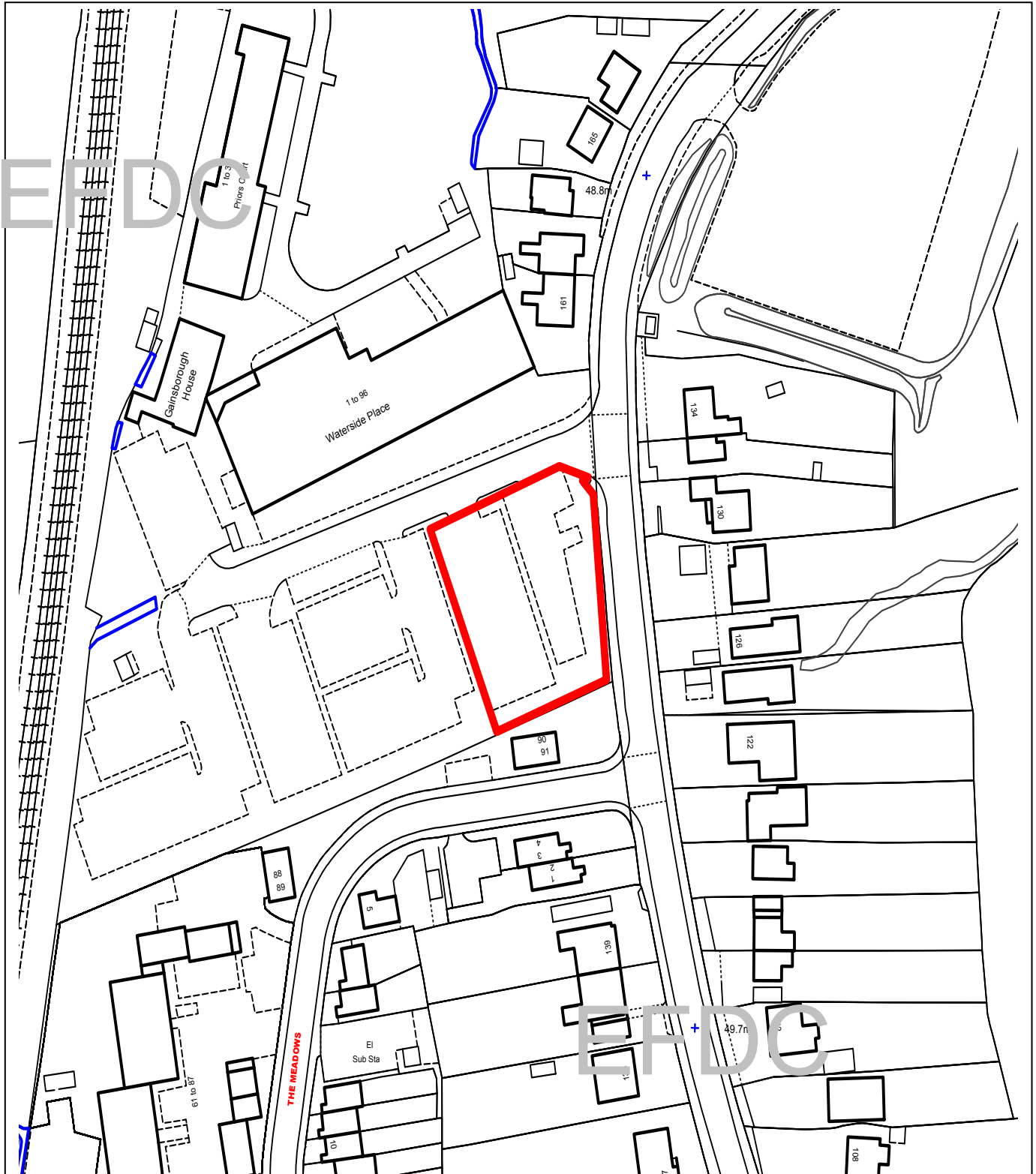
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

Agenda Item Number 6



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Application Number:	EPF/3121/15
Site Name:	Land at the Maltings, Waterside Place, Sheering Lower Road, Sheering Essex CM21 9JX
Scale of Plot:	1:1250

Report Item No:6

APPLICATION No:	EPF/3121/15
SITE ADDRESS:	Land at The Maltings Waterside Place Sheering Lower Road Sheering Essex CM21 9JX
PARISH:	Sheering
WARD:	Lower Sheering
APPLICANT:	Foxley Investments Ltd
DESCRIPTION OF PROPOSAL:	A revised scheme pursuant to extant planning permission EPF/0360/12 for the construction of a new building providing twelve flats with external parking and amenity areas.
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=581233

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: 2664-1, 2664-2c, 2664-3b, 2664-4a, 2664-5a, 2664-6d, 2664-7b, 2664-8, 2664-110c
- 3 Prior to occupation of the building hereby approved:
 1. The existing car park bays shown within the area edged blue on Plan Ref: 2 shall be marked out in brick as 2.4m wide bays and re-gravelled in accordance with details agreed in writing by the Local Planning Authority.
 2. Details of the works to the trees and proposed lighting columns shown on Plan Ref: 12 shall be submitted to and agreed in writing by the Local Planning Authority, and carried out prior to occupation of the development hereby approved.
 3. A scheme to carry out necessary works to prevent flooding and pooling of water on the existing parking area within the area edged blue on Plan Ref; 2 shall be implemented in accordance with details previously submitted to and approved in writing by the Local Planning Authority.
- 4 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.

- 5 Prior to occupation of the development hereby permitted details of the proposed refuse store shall be submitted to and agreed in writing by the Local planning Authority, and shall be carried out and retained in accordance with the agreed details.
- 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 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tool. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 11 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 12 Within two months of the date of this decision notice an updated 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) shall be 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.
- 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 an application for residential development consisting of 5 dwellings or more (unless approval of reserved matters only) and is recommended for approval (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(d)) and 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: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(f).)

Description of Site:

The Maltings consists of a group of Grade II listed buildings that are part of an extensive range of mid-late 19th century brick maltings to the south of Sawbridgeworth Station, partly to the east of the railway line and partly to the west, between the railway and the River Stort. The adjacent listed building (known as Waterside Place) is four storeys with attics, and reaches a maximum of six storeys in height.

The site lies within the Lower Sheering Conservation Area and is close to the district boundary with Harlow. The site lies within a flood risk assessment zone and an Environment Agency Flood Zone 2.

Description of Proposal:

A revised application to EPF/0360/12 is proposed which would increase the size of the previously approved block of flats to enable twelve flats to be provided. The proposed building would be T shaped and partially four storeys (including utilising the roof space) and partially three storeys/two-and-a-half storeys in height. It would reach a maximum width of 20.9m and a maximum depth of 25.3m. The four storey section would utilise the existing pitched roof that reaches a ridge height of 12.2m and the two-and-a-half storey side projection would benefit from a pitched roof to a height of 11.3m. The development would contain 1 no. one-bed flat and 11 no. two bed flats.

The key differences between this scheme and that previously approved is that the cross wing of the original T shaped building would be increased to four storeys in height through the habitation of the roof area, which would be served by two 'front' (northern) and two 'flank' (western) dormer windows; an additional two-and-a-half storey projection would be added to the west of this (containing flats 4 & 8); and a further three car parking spaces would be constructed on part of the previously approved 'garden' area.

Relevant History:

EPF/0976/09 - Erection of detached block containing nine, two bedroom apartments and ancillary works – approved/conditions 24/09/09
EXT/EPF/0360/12 - Extension of time limit on EPF/0976/09 (erection of detached block containing nine, two bedroom apartments and ancillary works) – approved/conditions 11/05/12
DRC/EPF/0900/15 - Application for approval of details reserved by condition 4 'materials', 5 'archaeology', 6 'contaminated land', 8 'refuse', 9 'tree protection' and 10 'landscaping' for planning application EPF/0360/12 (extension of time limit on EPF/0976/09) – details approved 13/07/15
EPF/1744/15 - A revised scheme pursuant to extant planning permission EPF/0360/12 for the construction of a new building providing thirteen flats with external parking and amenity areas – refused 20/10/15

Policies Applied:

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
CP3 – New development
CP7 – Urban form and quality
HC6 – Character, appearance and setting of conservation areas
HC7 – Development within conservation areas
HC12 – Development affecting the setting of Listed Buildings
H2A – Previously developed land
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE3 – Design in the urban areas

DBE8 – Private amenity space
DBE9 – Loss of amenity
LL3 – Edge of settlement
LL10 – Adequacy of provision for landscape retention
LL11 – Landscaping schemes
ST1 – Location of development
ST4 – Road safety
ST6 – Vehicle parking
U2A – Development in Flood Risk Areas
U2B – Flood risk assessment zones

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

Consultation Carried Out and Summary of Representations Received:

170 neighbouring properties were consulted and a Site Notice was displayed on 24/08/15.

PARISH COUNCIL – No objection however please note that the Parish Council wishes to ensure the following;

- That the Section 106 Agreement of £24000 which has been referred to in previous applications is written into any necessary legal documents.
- That the existing flooding problem within the car park is taken into consideration.

MANAGEMENT COMPANY RESPONSIBLE FOR THE MALTINGS – Object as this scheme is significantly larger than the previous proposal, the loss of light, privacy and outlook due to the increased height, parking concerns, since this would not enhance the conservation area, and due to flood risk. They also request that the previously imposed condition regarding works to the car park be altered to ensure these matters are addressed immediately rather than 'prior to occupation'.

90 THE MEADOWS – Object as the existing building already results in overlooking, a loss of light and general disturbance and the proposed extensions would further impact on privacy and light issues.

130 SHEERING LOWER ROAD – Object since the increase in height would result in a loss of privacy, the development would cause an increase in traffic, and since the area does not need more flats.

11 WATERSIDE PLACE – Object due to the increased car parking demand and additional flooding.

5 THE MEADOWS – Object as the larger development is not sympathetic to the character and appearance of the area, may result in greater noise nuisance, and would impact on traffic. There have also already been a number of breaches in the existing conditions regarding working hours.

46 WATERSIDE PLACE – Object due to increased parking demand, highway safety concerns, overlooking, and feel that the previously imposed condition should be altered to ensure works to the wider car park are undertaken immediately.

124 SHEERING LOWER ROAD – Object as the building is detrimental to the area, result in overlooking, there is not the infrastructure to support the proposal, and since there is already disturbance being caused as a result of the works.

96 WATERSIDE PLACE – Object due to parking concerns and the loss of light and privacy.

1 NEW ROW, THE STREET – Object as the development effects the existing parking and current flooding problems.

128 SHEERING LOWER ROAD – Object as a previous scheme for six dwellings was refused and now 13 flats are being sought. The development is larger than the previous approval. The development would exacerbate highway problems, would add to the already oversubscribed schools and local facilities, would increase flood risk and would result in overlooking.

25 PRIORS COURT – Object due to increased flood risk, removal of existing trees, impact on car parking, and highway safety concerns.

12 PRIORS COURT – Object as the current new build has already resulted in a loss of parking and this development would exacerbate the problem.

Issues and Considerations:

An application for a block of nine flats, arranged over a three storey building, was previously granted consent at Area Plans Sub Committee in 2009, and subsequently extended in 2012. Despite numerous objections from local residents the original development was considered acceptable and granted planning permission. Works on this approved development have already commenced on site.

In 2015 a revised scheme was submitted that proposed to increase the depth and, in part, the height of the originally approved building and increase the number of units to thirteen. This was refused planning permission in October 2015 for the following reason:

Due to the excessive bulk and height of the proposed building and the lack of meaningful amenity space and landscaping, the proposal will amount to overdevelopment of the site and have an adverse impact on the character and visual amenity of the conservation area, the setting of the adjacent Listed Building, and the street scene, contrary to policies CP2, CP7, HC7, HC12, DBE1, DBE3, and DBE8 of the adopted Local Plan and Alterations.

This latest revision no longer proposes to increase the height of the building and now only proposed to increase the width and utilise the roof space. This would allow for the number of units to be increased to twelve. The development would be served by 15 parking spaces that would be laid out as the originally approved car park containing 12 spaces and a new separate collection of 3 spaces accessed directly from the existing car park access road.

The main consideration in this instance is therefore whether the revised application overcomes the previous reason for refusal.

Design:

The site stands within a conservation area and the setting of a Grade II listed building that was converted to flats in the late 1980s. This conservation area adjoins another across the District border in Sawbridgeworth and together they contain an extensive group of mid to late-19th century Grade II listed malting's buildings which straddle the railway line.

The key concern in the last application was that “*due to the excessive bulk and height of the proposed building and the lack of meaningful amenity space and landscaping, the proposal will amount to overdevelopment of the site and have an adverse impact on the character and visual amenity of the conservation area, the setting of the adjacent Listed Building, and the street scene*”.

This further revised scheme has reduced the number of flats from the previously proposed 13 to 12 and no longer proposed to raise the height above that previously granted consent. The only additional bulk to the originally approved scheme would be as a result of the 7.2m wide by 9m deep two-and-a-half storey side projection.

The Maltings building closest to the application site stands at between five and eight storeys, plus dormer windows within the roof, so would remain as the larger and more dominant building of the two, preserving the hierarchy of the site. The proposed revised development would be no higher than that previously granted consent and the matching materials and details of the proposed building would maintain the character and appearance of the conservation area.

The reduction in the level of car parking proposed has allowed for a greater area of communal amenity space to be retained and allows for additional landscaping to be planted. This increase in amenity space along with the reduction in the number of units to twelve has ensured the proposal no longer constitutes an overdevelopment of the site.

Due to the above it is considered that the revised scheme would not appear dominant or visually excessive in this location and would no longer constitute an overdevelopment of the site. As such the revised application has overcome the previous reason for refusal and complies with the relevant design and conservation policies of the Local Plan and the guidance contained within the National Planning Policy Framework.

Other considerations:

Amenity considerations:

The previous application was not refused planning consent based on any harm to the amenities of neighbouring residents. Since this revised application is lower in height and contains fewer flats it would have even less impact than the previously refused application.

Whilst objections have been raised from residents of the adjacent maisonettes, who have not previously commented on any of the previous application, the additional three storey projection would be located some 15m from the shared boundary with these properties and as such complies with the requirements set out in the Essex Design Guide in relation to overlooking and would be sufficient distance to not result in a detrimental loss of light or outlook.

The proposed building would be located some 37m from Waterside Place, with a communal green area, the access road and parking areas separating the buildings. This distance would be sufficient so that the development would not result in an undue loss of light, privacy or visual amenity to the existing flats.

Car Parking:

The original application in 2009, and subsequent extension of time in 2012, resulted in a number of concerns and objections from local residents with regards to the loss of parking. The issues regarding car parking provision were extensively investigated and discussed at the earlier Committee and considered acceptable, subject to the following condition:

Prior to occupation of the building hereby approved:

- 1. The existing car park bays shown within the area edged blue on Plan Ref: 2 shall be marked out in brick as 2.4m wide bays and re-gravelled in accordance with details agreed in writing by the Local Planning Authority.*

2. *Details of the works to the trees and proposed lighting columns shown on Plan Ref: 12 shall be submitted to and agreed in writing by the Local Planning Authority, and carried out prior to occupation of the development hereby approved.*
3. *A scheme to carry out necessary works to prevent flooding and pooling of water on the existing parking area within the area edged blue on Plan Ref: 2 shall be implemented in accordance with details previously submitted to and approved in writing by the Local Planning Authority.*

The application site area of the revised development is identical to the previously approved scheme and therefore results in no further loss of existing parking than that approved under ref: EPF/0976/09 (and EXT/EPF/0360/12). Therefore, subject to the same condition, this revised development would have no further impact with regards to the loss of car parking within the wider car park.

Notwithstanding the above, the revised development proposes twelve flats, as opposed to the previously approved nine flats. As such the revised application would require additional car parking provision than previously approved. In order to accommodate this the new application proposes a second parking area to the north of the new building, adjacent to that previously permitted.

The previously approved application permitted 12 parking spaces to serve the nine new flats, which equated to 1.3 spaces per unit. The revised development proposes 15 off-street parking spaces to serve the twelve flats, which equates to 1.25 spaces per unit and is therefore still broadly in line with that previously permitted.

Flood risk:

The application site lies within a flood risk assessment zone and an Environmental Agency Floodzone 2 and has been submitted with a Flood Risk Assessment. Despite concerns raised by the neighbours with regards to existing flooding that takes place on the site, and how the development may exacerbate this, the Environment Agency and the Councils Engineering, Drainage and Water Team have no objection to the development.

Whilst a flood risk assessment has been submitted with the application further details would be required regarding flood risk by way of condition. In addition further details are required with regards to foul and surface water drainage, which can also be dealt with by way of a condition.

Community contribution:

Whilst not a requirement of obtaining planning consent the applicants have submitted a Unilateral Undertaking offering a Community Contribution of £24,000 to be used towards the provision of a community room in the Lower Sheering area. It is understood that this is the result of discussions with the Parish Council/Local Councillors.

Whilst not a requirement of Planning Policy the increase in residential properties that would result from the development would lead to a further strain and need for local community facilities, so the contribution is considered justifiable.

Landscaping:

Concern has been raised by neighbouring residents with regards to the loss of existing landscaping on the site. This has been investigated by the Councils Tree & Landscape Team and the majority of trees removed (those along the site frontage adjacent to Sheering Lower Road) were clearly shown on the EPF/0976/09 plan to be removed and therefore these works were previously granted consent. Whilst some individual trees elsewhere on the site have also been lost

the Tree & Landscape Team are satisfied that the removal of these trees was required due to their ill health. As such no unlawful works to the trees have currently taken place on site.

Whilst no revised tree reports have been submitted with this application the Tree & Landscape Officer is satisfied with the works that have currently taken place on site and that the development can be implemented without a detrimental impact on the trees remaining on the site. Nonetheless, conditions regarding tree protection and hard and soft landscaping (as originally imposed on EPF/0976/09) are required for the development.

Highway safety:

The proposed development would be served by the existing vehicle access from Sheering Lower Road, which currently serves the wider car park. Furthermore the internal access points to the two proposed car parking areas that would serve the development already exist. As such there would be no detrimental impact on highway safety as a result of the proposal.

Essex County Council have raised concerns over the size of the proposed parking bays, since these are below the recommended standards. However since the size of the bays are identical in size to the 12 already approved in 2009 it would be unreasonable to now refuse planning consent for the 3 new bays being below recommended standards. Furthermore the previous application, which proposed the same sized parking bays, was not refused consent for this reason.

Conclusion

This revised development, whilst larger than originally approved is a significant reduction over the previously refused scheme and has been designed in such a way so that it complements the existing Grade II listed buildings and conservation area. The majority of the previously approved communal amenity space is to be retained, which would also allow for additional landscaping to be planted. As such it is considered that this revised scheme has overcome the previous reason for refusal.

The revised scheme results in no further loss of existing car parking and continues to provide 1.25 off-street parking spaces per new residential unit, which is broadly in line with that previously considered acceptable in this location. Despite the increased length, which results in further windows facing neighbouring properties, the distances involved would ensure that there would be no excessive loss of amenity to neighbours as a result of this development.

As such the proposal complies with the guidance contained within the National Planning Policy Framework and all 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: contactplaning@eppingforestdc.gov.uk