

## AREA PLANS SUB-COMMITTEE 'EAST'

Date 21 September 2016 –  
continued from 7 September 2016

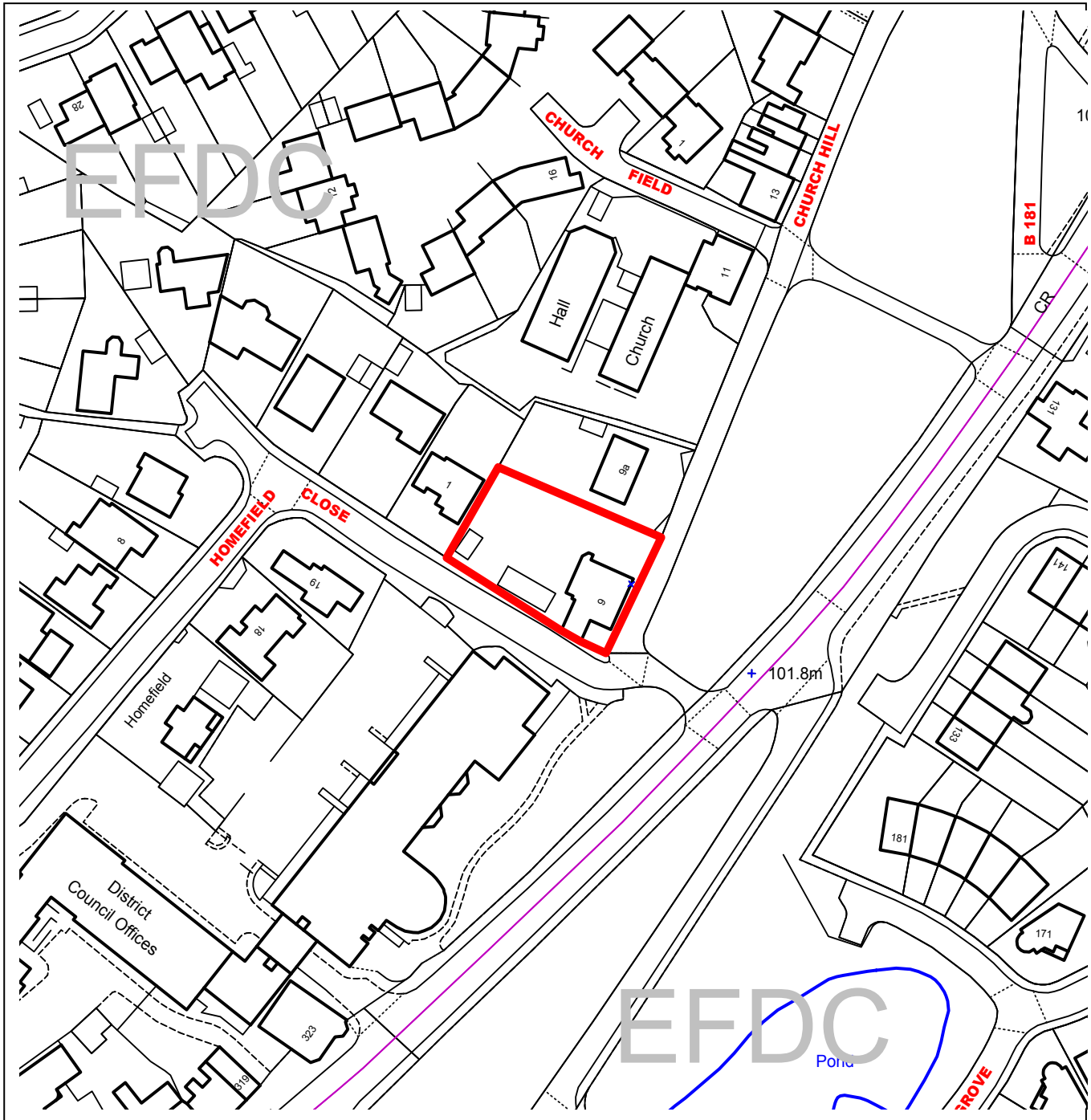
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# Epping Forest District Council

## Agenda Item Number 10



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Application Number:	EPF/1572/16
Site Name:	9 Church Hill, Epping, CM16 4RA
Scale of Plot:	1/1250

**Report Item No: 10**

<b>APPLICATION No:</b>	EPF/1572/16
<b>SITE ADDRESS:</b>	9 Church Hill Epping Essex CM16 4RA
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Lindsey and Thornwood Common
<b>APPLICANT:</b>	Mr Alan Dickinson
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of the existing single and 1.5 storey garage/store with the erection of a replacement single storey and 1.5 storey outbuilding providing ancillary accommodation to the main house
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=585218](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=585218)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No development shall 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.
- 3 The proposed development shall only be used as ancillary accommodation for the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling known as Dane Lodge, 9 Church Hill, Epping.
- 4 Additional drawings that show details of proposed new windows, doors, rooflights, eaves, verges, fascias, cills, and structural openings, by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of any works.
- 5 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

### **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 outbuildings to the rear of the property and the erection of a replacement outbuilding. The proposed new detached building would measure 11.9m in depth and 5m wide. The building would be formed from two sections and would be used as ancillary residential accommodation. The section closest to the dwelling would be single storey with a ridge height of 4.5m and the furthest section would be two storeys with a maximum ridge height of 6.2m.

### **Relevant History:**

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

### **Policies Applied:**

CP2 – Protecting the quality of the rural and built environment  
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  
DBE9 – Loss of amenity

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:**

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

TOWN COUNCIL – Object to this application. Whilst committee note the new application, many of their concerns have not been addressed in this new proposal. The proposal is an overdevelopment of the site in terms of its mass and scale; it does not respect the character and

setting of the conservation area and does not appear ancillary to the main accommodation. The proposal would have a detrimental effect on the street scene and 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 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 property is a prominent 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. Committee request that any permission granted for this application is subject to a condition that states it must always be used as ancillary accommodation to the main dwelling and must not be used as a separate dwelling.

LITTLE DAYNE, 9A CHURCH HILL – Object as this is similar to part of the previously refused scheme, which proposed this building as a separate residential unit. This application would therefore conflict with the previous refusal.

1 HOMEFIELD CLOSE – Object as this appears to be the same as part of the previously refused scheme and therefore conflicts with the previous refusal.

7 HOMEFIELD CLOSE – Object as this new building would be out of character with the area as the walls are largely blank and featureless and would be detrimental to the street scene. Regret the loss of the historic building since this was allowed to fall into disrepair and request that conditions are imposed about the use of the building and drainage details.

### **Issues and Considerations:**

Whilst concerns have been raised that the proposed replacement outbuilding is similar to part of the previously refused application, which proposed the provision of six residential units on the site, this proposal purely relates to the replacement of the existing outbuilding with a new outbuilding that would be used for ancillary residential purposes. The purpose of this application is due to the structural concerns regarding the existing outbuilding.

Due to this the main issues to be considered are the overall design and impact on the conservation area and locally listed building and regarding the potential impact on neighbour amenity.

### **Design:**

The existing property is a late 19<sup>th</sup> 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 outbuilding is a historic feature of the site and can be seen on the Ordnance Survey Map dating back to 1862-1893.

The existing outbuilding to the rear is in poor structural condition and the application has been submitted with a Structural Survey. This concludes that *“The building is in a very poor structural condition and in my opinion a dangerous structure. The existing building is of its time and due to its condition has surpassed its life span. The property could be upgraded to current design standards; however, the cost would be uneconomical and inefficient with regards to both finances and energy levels; this upgrade would be a temporary measure and would not prolong the sustainability of the building. The existing building could also be seen to be an inefficient use of site footprint. It is the conclusion of this survey and report that the most efficient proposal would be to demolish and rebuild a replacement dwelling so to achieve up to date levels of sustainability and energy efficiency”*.

The officer site visit to this outbuilding revealed that the building is in a poor state of repair and therefore, whilst it is regrettable to lose this historic outbuilding, the removal of this structure is considered to be acceptable.

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 this reflects the existing blank fascia of the existing outbuilding, plus the new development would be provided with visual interest through the use of high level fenestration.

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.

Amenities:

The proposed new outbuilding would replace the existing on the same footprint. As such this would not have any additional detrimental impact on the living conditions of neighbouring residents.

Other considerations:

Use:

Whilst concerns have been raised since this application is similar in form to part of the previously refused scheme ref: EPF/3024/15, which proposed the use of the new 'outbuilding' as a single self-contained residential unit this application is not proposes any separate residential use on the site. The intended use of the new outbuilding is for ancillary residential purposes (i.e. a 'granny annexe').

Although this permission would not allow for the use of this building as a separate dwelling, since further planning consent would be required for this, a condition could nonetheless be imposed to ensure that the building is only used for purposes incidental to the enjoyment of the main dwellinghouse and for no other purposes.

Drainage:

There has been no proposal to dispose of surface water. Since the geology of the area is predominantly clay, and therefore infiltration drainage may not be suitable, further details will be required regarding surface water drainage. This can be dealt with by way of a condition.

Conclusions:

Whilst it is regrettable to lose this historic outbuilding the existing building is in a poor state of repair and therefore the removal of this structure is considered to be acceptable. The proposed replacement building preserves the subservient character of this element of the existing building and would not harm the character or appearance of the conservation area, the locally listed building or the street scene. Therefore this application complies with the guidance contained within the National Planning Policy Framework and 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***

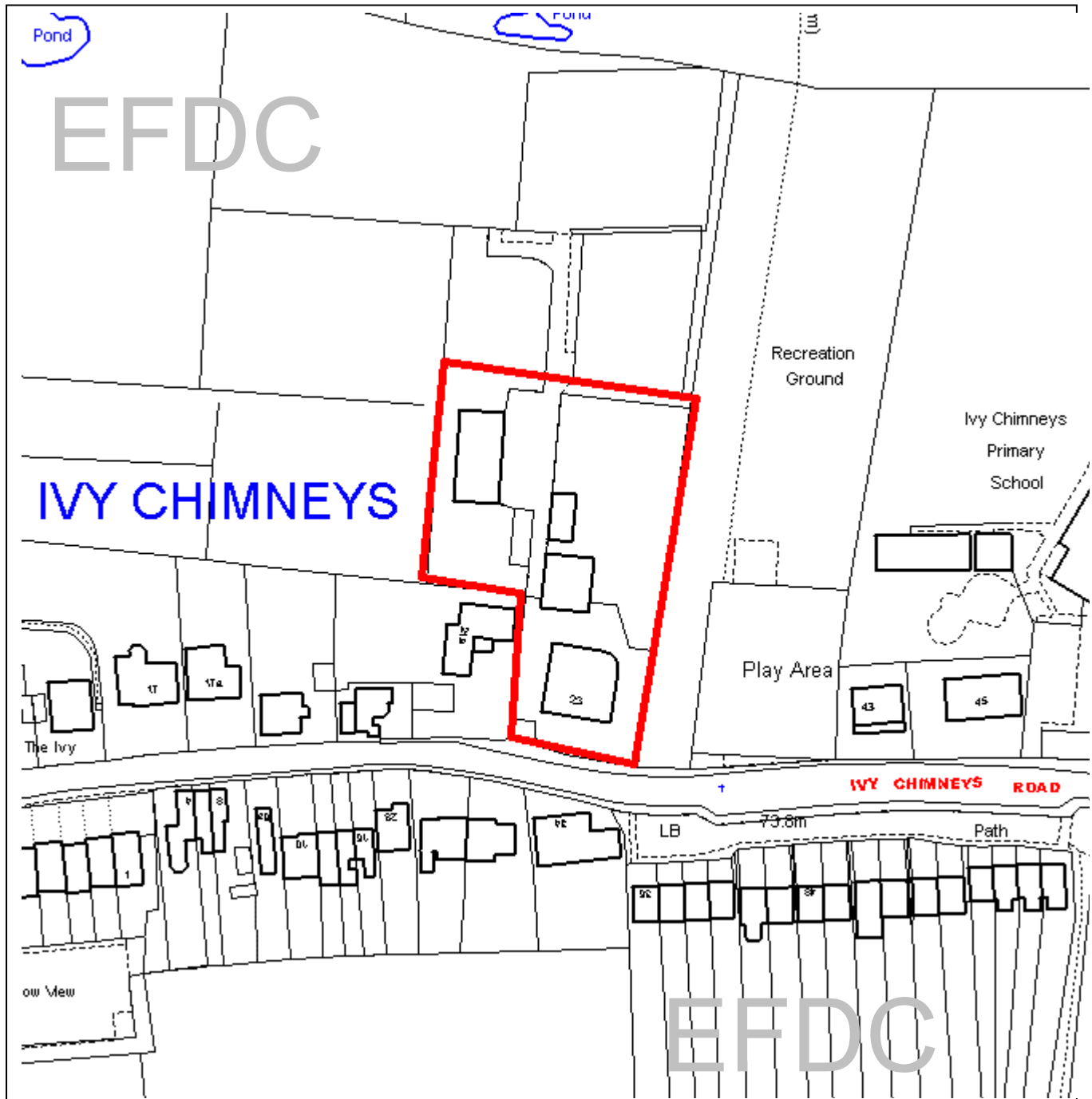
***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***

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# Epping Forest District Council

## Agenda Item Number 12



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Application Number:	EPF/1690/16
Site Name:	Broadbanks, 23 Ivy Chimneys Road, Epping, CM16 4EL
Scale of Plot:	1/1250



**Report Item No: 12**

<b>APPLICATION No:</b>	EPF/1690/16
<b>SITE ADDRESS:</b>	Broadbanks 23 Ivy Chimneys Road Epping Essex CM16 4EL
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>APPLICANT:</b>	Mr Mike Payne
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of stables and hardstanding, excavation over site to reduce levels and removal of all from site. Provision of access road and turning head. Erection of three detached dwellings and garages including ancillary works and landscaping.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=585435](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=585435)

**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 Location Plan, Existing Site Plan and drawings nos: 3010/3, 3010/1/A, 3010/2/A, 3010/4/A, 3010/1/B, 3010/2/B, 3010/4/B, 3010/1/C, 3010/2/C, 3010/3/C
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 4 Prior to first occupation of the development hereby approved, the proposed window opening in the southern first floor flank elevation of dwelling A as shown on drawing No. 3010/3 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.
- 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 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.
- 7 Prior to first occupation of development, the proposed private drive shall be constructed to a width of 5.5 metres for at least the first 6 metres from the back of carriageway and provided with an appropriate dropped kerb crossing of the footway.
- 8 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.
- 9 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.
- 10 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 11 There shall be no discharge of surface water onto the Highway.
- 12 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.
- 13 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]

- 14 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]
- 15 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]
- 16 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.
- 17 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.

- 18 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.
- 19 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.

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

#### **Description of Site:**

The application site consists of a 0.39 hectare equestrian site containing stables, barns, a manege and various other areas of hardstanding. The fields beyond and to the west of the site are also within the applicants ownership.

The application site is located on the northern side of Ivy Chimneys and doglegs around the rear of No. 21a Ivy Chimneys Road. The site is located within the designated Metropolitan Green Belt. To the east of the site is a recreational ground with Ivy Chimneys Primary School beyond this.

#### **Description of Proposal:**

Consent is being sought for the demolition and removal of the stables and hardstanding and the excavation of part of the site to reduce the levels (with the excavated material to be removed), and the erection of three detached dwellings and garages with all associated works.

Each of the three proposed dwellings would measure 15m in width and 11m in depth with hip ended pitched roofs to a ridge height of 10m. The dwellings would each be four bed properties with detached double garages. These would be served by a single roadway following the existing access road through the site that would utilise the existing vehicle crossover onto Ivy Chimneys.

#### **Relevant History:**

OUT/EPF/1430/85 - Outline application for the erection of a dwelling house with garage in garden of 'Broadbanks' – refused 27/01/86

OUT/EPF/2056/14 - Outline application with all matters reserved for demolition and removal of stables and hardstandings. Provision of access road with turning head, erection of five detached dwellings with garages and car spaces including ancillary works and landscaping – refused 11/12/14 (appeal dismissed 27/07/15)

OUT/EPF/0458/15 - Outline application with all matters reserved for demolition and removal of stables and hardstandings. Provision of access road with turning head, erection of three detached dwellings with garages and car spaces including ancillary works and landscaping (revised application to EPF/2056/14) – approved/conditions 22/04/15)

**Policies Applied:**

CP1 - Achieving sustainable development objectives  
CP2 - Quality of rural and built environment  
CP3 - New development  
GB2A - Development in the Green Belt  
H3A - Housing density  
H4A - Dwelling mix  
DBE2 - Effect on neighbouring properties  
DBE8 - Private amenity space  
DBE9 - Loss of amenity  
ST1 - Location of development  
ST4 - Road safety  
ST6 - Vehicle parking

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

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

48 neighbouring residents were consulted and a Site Notice was displayed.

TOWN COUNCIL – Object. The more intense use of the site would be detrimental to Highway safety. This is a busy and dangerous road, particularly for pedestrians and this is exacerbated by parking issues. The proximity of Ivy Chimneys Playground and Ivy Chimneys Primary School means that vehicle traffic and footfall at peak times is far greater than would be the case in a similar location without the school and playground nearby. Committee do not consider the infrastructure sufficient to enable an access drive that is 5.5m in width. The increased use of the site would result in more traffic at a point where traffic is moving downhill, resulting in adverse effects in an already dangerous area. Committee do not object to the number or type of houses proposed.

EPPING SOCIETY – Object. The scale of the development proposed for this area is unsuitable. There are potential road safety issues. The relatively narrow entrance is on the bend of a busy road. The area is particularly sensitive due to its proximity to Ivy Chimneys Primary School.

5 MEADOW VIEW – Object as the road is very busy and dangerous and this development would increase the traffic and chance of accidents. If permission is allowed then there should be no parking provided. Also there would be a loss of equestrian space and damage to the semi-rural character of the neighbourhood.

34 IVY CHIMNEYS ROAD – Object due to highway implications, additional parking congestion, and since this would be an inappropriate use harmful to the Green Belt and the rural area.

**Main Issues and Considerations:**

In 2015 outline planning consent ref: OUT/EPF/0458/15 was granted for the demolition of the existing equestrian structures and the erection of three detached dwellings with detached garages.

This proposed application is not a Reserved Matters application but rather a full planning consent, however it is similar in terms of scale and layout to the indicative plans previously submitted with OUT/EPF/0458/15.

Prior to this previous outline approval a scheme for five dwellings was refused consent at Area Plans East Committee in December 2014 for the following reason:

**The number of dwellings proposed and the use of the currently open area to the rear of the site as residential and / or garden land amounts to inappropriate development in the Green Belt, harmful to the rural character of the area, contrary to policies GB2A and CP2 of the Adopted Local Plan and Alterations.**

The printed minutes of this meeting state the possible way forward as:

*“Members suggested that a possible way forward would be to reduce the number of dwellings and remove the menage/hardstanding area (which is currently open) from the application site such that there will be no greater impact on openness than existing and no intrusion of residential paraphernalia into the rural area which is harmful to the character of the area”.*

Both the revised outline application (which was approved) and this proposed application have followed the above advice by reducing the proposed number of dwelling to three and excluding the rear part of the site from development. Whilst the manege and hardstanding area have still been included within the Red Line, the applicant’s agent has been asked to amend this, but if no such amendment is received before committee, a condition could be imposed clearly stating that no development or garden encroachment can take place within these two areas.

#### Green Belt:

Whilst located within the Green Belt the site is on the edge of the urban area of Ivy Chimneys, which itself forms part of the larger town of Epping. The erection of buildings within the Green Belt are considered inappropriate development unless they meet one of the exceptions as laid out within the National Planning Policy Framework (NPPF) or where the harm is clearly outweighed by very special circumstances. These exceptions include the following:

- *Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.*

The definition of previously developed land is laid out within Annex 2 of the NPPF and reads:

*Land which is or was occupied by a permanent structure, including the curtilage of the development land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.*

The existing use of the site is for the stabling of horses and associated equestrian purposes. This use has been continuing on site since at least 2005 as recorded by photographs taken by Planning Enforcement as a result of investigations. The site would not fall into any of the exclusions of previously developed land as specified within the definition and therefore this site would constitute brownfield land.

Consent has already been granted for the redevelopment of the site for three dwellings that indicatively were shown to be of a scale and size similar to this proposal. The dwellings would be smaller in footprint when compared to the existing structures on site however, due to the increased height would result in approximately 35% increase in terms of volume.

This application also proposes to reduce the ground level of the site by 1.5m. Whilst this is primarily intended to provide a level site for ease of construction and to remove any potential contamination it also has the benefit of reducing the potential impact on the openness of the Green Belt. Whilst the reduction in the entire site would not technically impact upon the 'above ground works' this reduced site level would in effect reduce the overall volume of the above (current) ground level development to a 10% increase over and above the existing equestrian buildings.

The menage and hardstanding area to the rear of the site, which previously were proposed to be built on, are now excluded from any built form. Whilst they are still included within the Red Line application site a condition could be imposed clearly stating that there shall be no garden encroachment into these two areas, which would most likely be retained as a communal open area

Although there would be some increase in the overall volume of buildings on the site there would be a reduction in footprint and, given the location of the site, no significant impact on the openness of the Green Belt. As such it is not considered that the proposal would constitute inappropriate development harmful to the Green Belt.

#### Design:

The three proposed dwellings would all be identical in terms of size and detailing however would differ in external materials/finishing. The properties would be fairly simple and traditionally designed and would be wholly appropriate to this edge of settlement location.

#### Amenity concerns:

Given the location of the site and proposed houses there would be no undue harm on the amenities of any surrounding residents. The closest property to a neighbouring resident is house A, which would be located side on to the shared boundary with 21A Ivy Chimneys, however there is significant distance to ensure that there would be no excessive loss of light or outlook. A first floor flank window is proposed facing this neighbour, however this can be conditioned to be obscure glazed and fixed shut to protect against any overlooking or loss of privacy.

The proposed dwelling A and B do have fairly small areas of private amenity space compared to the size of the houses, ranging from 120m<sup>2</sup> to 235m<sup>2</sup>, however given the presence of the open parcel of land to the rear, the nearby park, and the relatively short distance to other public open land it is not considered that this level of amenity space would be unduly detrimental to the future residents of the site. Dwelling C has a more appropriately sized garden area measuring some 480m<sup>2</sup>.

#### Access and Parking:

The proposed development would require two off-street parking spaces per dwelling plus one visitor parking space to serve the entire site. Each of the proposed dwellings would be served by a double garage and two additional off-street parking spaces, along with informal parking along the private access road. As such there is more than adequate space on site to allow for the required parking provision.

The proposed development would be served by the existing driveway onto Ivy Chimneys. There is no objection from ECC Highways subject to conditions regarding the following:

- The proposed private drive should be to a width of 5.5 metres for at least the first 6 metres from the back of carriageway and provided with an appropriate dropped kerb crossing of the footway. This should not be finished in any form of unbound material to avoid the displacement of loose material onto the highway;
- 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;
- No unbound material shall be used in the surface treatment of the vehicle access;
- There shall be no discharge of surface water onto the highway; and
- Residential Travel Information Pack for sustainable transport should be provided to the future occupants.

The existing access is 5.5m for at least the first 6m from the back edge of the highway and benefits from existing gates set back approximately 8m from the highway. Therefore the proposed development already complies with ECC Highways requirements and as such would not be detrimental to highway safety.

Other Concerns:

Due to the sites current use as a stable yard there is the potential for contaminants to be present on site. Since domestic dwellings with gardens are classified as particularly sensitive uses contaminated land investigations and, where required, remediation will be necessary. The statement in the covering letter *“upon clearance of the site, ground level over the whole site is to be reduced by some 1.5 metres, and the subsoil removed from the site. The purpose of this is:- .....3) To remove the onerous effect of contamination conditions otherwise likely to be imposed on permission if granted”* however this is not sufficient in lieu of the required contamination assessment, and a preliminary risk assessment will still be required.

The development is of a size where it is necessary to avoid generating additional runoff and where the opportunity should be taken to improve existing surface water runoff. As such a flood risk assessment is required, which can be dealt with by condition.

**Conclusion**

The proposed development is similar to the indicative layout plan submitted with the previously approved outline planning consent. Despite the slight increase in volume the proposed dwellings would not constitute inappropriate development harmful to the Green Belt, would not detrimentally impact on neighbours amenities, and would not be harmful to highway safety or traffic generation. The dwellings would be appropriately designed and would provide adequate amenity space and off-street parking provision. Therefore, subject to conditions, the proposal complies with the guidance contained within the NPPF and the relevant Local Plan policies and the application is therefore recommended for approval.

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

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

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

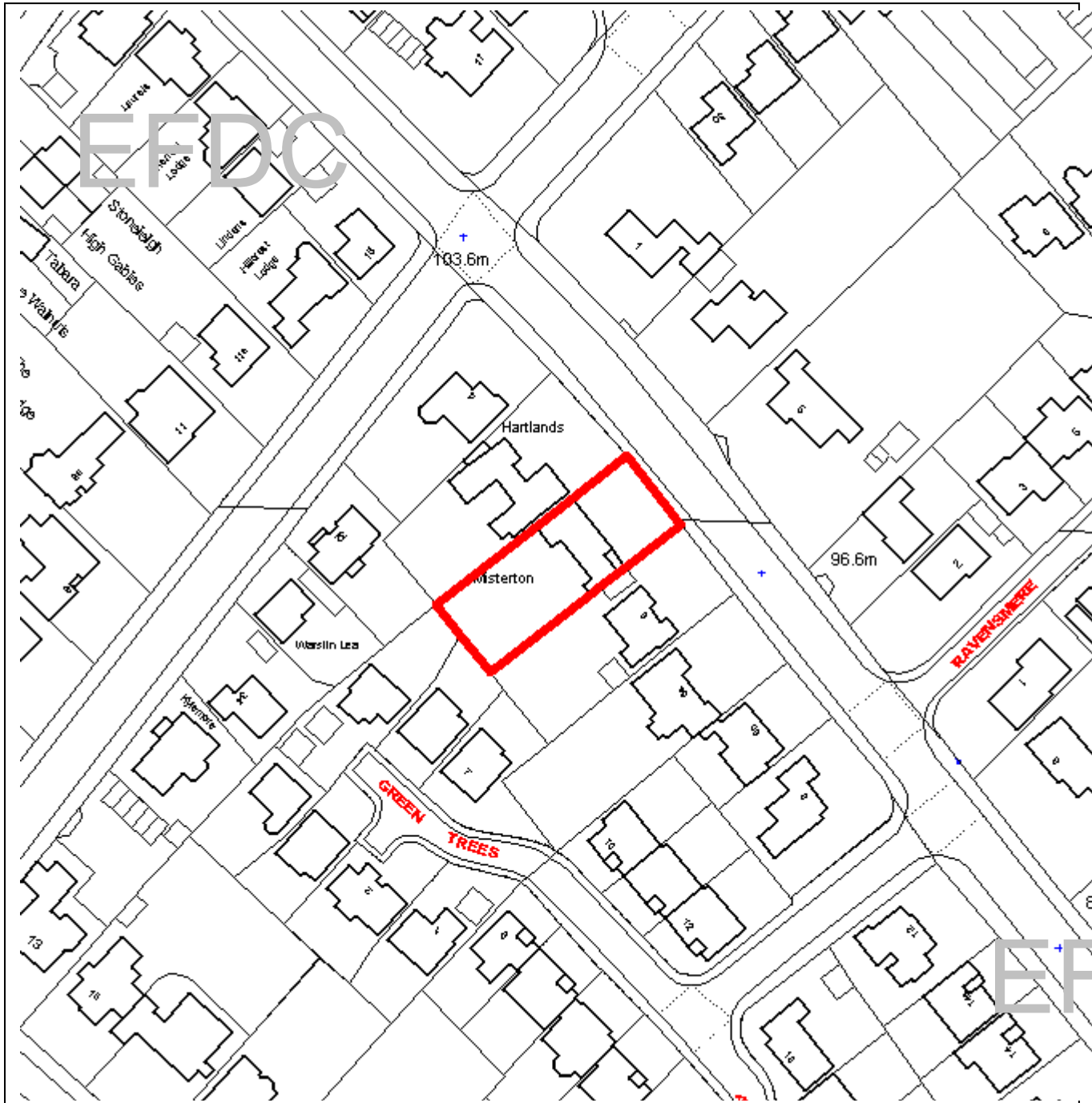


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# Epping Forest District Council

## Agenda Item Number 13



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Application Number:	EPF/1747/16
Site Name:	Misterton, Kendal Avenue, Eping, CM16 4PN
Scale of Plot:	1/1250

**Report Item No: 13**

<b>APPLICATION No:</b>	EPF/1747/16
<b>SITE ADDRESS:</b>	Misterton Kendal Avenue Epping Essex CM16 4PN
<b>PARISH:</b>	Epping
<b>WARD:</b>	Epping Hemnall
<b>APPLICANT:</b>	Mr & Mr Miller and Stanley
<b>DESCRIPTION OF PROPOSAL:</b>	Two storey side extension, single storey rear extension and loft conversion with 2 front slope dormers and 2 rear slope dormers.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=585541](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=585541)

**CONDITIONS**

- 1 Prior to first occupation of the development hereby approved, the proposed upper floor flank window in the northern flank elevation shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.

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

**Description of Site:**

The proposal site comprises a two-storey detached house and curtilage located on the western side of Kendal Avenue. The character of the surrounding area is defined by similar types of housing. The site is located within an urban area and is not Listed or in a Conservation Area. Ground levels around the site rise to the northwest and fall to the southeast.

### **Description of Proposal:**

Permission is sought for a two storey side extension, single storey rear extension and loft conversion.

This application is retrospective and is an amendment to the previously approved two storey side/rear extension with Juliet balcony, single storey rear extension and loft conversion with two front and two rear dormer windows and roof lantern to front gable at this site under reference EPF/2527/14.

The amendments include enlarging the rear dormers so they measure 2.3m wide and 2.15m high to ridge of their gable roofs.

Two additional roof lights have been installed and 1 high level oriel window has been inserted into the first floor rear elevation to serve bedroom 1.

The external walls are proposed to be covered by white painted render.

All other details remain as that approved under EPF/2527/14.

### **Relevant History:**

Planning permission was granted under EPF/2527/14 for two storey side/rear extension with Juliet balcony, single storey rear extension and loft conversion with two front and two rear dormer windows and roof lantern to front gable at this site

### **Policies Applied:**

National Planning Policy Framework  
National Planning Policy Guidance

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

DBE9: Loss of amenity  
DBE10: Residential extensions  
LL10: Adequacy of provision for landscape retention

### **Consultation Carried out and Representations Received**

12 neighbours were consulted

The following responses have been received

TOWN COUNCIL – No Objection

7 Green Trees:- The materials used for the external finish do not match the proposed description which is facing brick work and render. The dormer windows at the rear of the property are considerably larger than planned and overlook our property. The new Juliet balcony windows do not have obscured glass in them. The completed property is out of character with other properties in the neighbourhood. This is the first time we have been consulted regarding this property.

6a Kendal Avenue: Works have already been carried out. Advert displayed which announces the house is for sale and ready for occupation in August.

6 Green Trees: Disappointed that our objections regarding the original planning were dismissed. This neighbour repeats the concerns raised by 7 Green Trees and further adds that rear dormers are substantially larger than those at the front and would be difficult to be described as subordinate. Two additional roof lights have also been added causing significant overlooking to house and garden. Also points out inconsistencies in the plan. Occupiers of the application property will also have compromised privacy due to 5 and 6 Green Trees can see directly into all rooms within the rear elevation. The Epping Society and Epping Town Council both objected to the previous scheme.

5 Green Trees: repeats the concerns raised by 5 and 6 Green Trees.

Resident in Kendall Avenue: Work has already been carried out. I have no objection to the development however there are three large and attractive trees (including Scots Pine, Sweet Chestnut and another species) and the contractor is excavating very close to them and already exposed roots of the pine.

### **Main Issues and Considerations:**

The key considerations for the determination of this application are the impact of the proposal will have on the character and appearance of the area and neighbouring residential amenity.

#### Character and appearance

The rear dormers whilst larger in size than previously approved remain below the ridge line and are centrally located and remain subordinate in size and character to the main roof.

The site is not located within a conservation area. The painted render reflects the overall modern appearance of the extended property. It is therefore considered the change from half rendered walls and half brick to full render is not so significant as to justify refusal of the scheme.

There are also other examples of first floor high level oriel windows on other properties along this street.

The proposed roof lights fall within the permitted developments limitations of the property and do not materially alter appearance of the property.

It is therefore considered to preserve the character and appearance of the area in accordance with Chapter 7 of the NPPF and policy DBE10 of the Local Plan.

#### Trees

No conditions were imposed regarding tree protection when the initial application under EPF/2527/14 was approved. With the submission of this application the Tree Officer has put a Tree Preservation Order on all three trees on the front of the site. The Tree Officer is also making regular visits to the property to ensure that construction work does not impinge on the health of these protected trees. The proposal therefore complies with the requirements of LL10 of the Local Plan.

#### Impact on neighbouring amenity.

The nearest window to window distance from the rear elevation to properties at Green Trees is 35m. This distance accords with the standards set out in the Essex Design Guide and is more

generous than existing window to window distances at for example between 10 Green Trees and 6B Kendal Avenue. It is therefore considered that there will be no significant loss of privacy to neighbouring residents on Green Trees.

The clear Juliet balcony windows have already been approved under EPF/2527/16 and given the existing distance between neighbouring properties no overlooking issues arise.

#### Other matters

5 and 6 Green raise concern about the differences in the approved plans. It is correct that plan number M/KA/14/F14 shows bedroom 5 having a front elevation window. The agent has corrected the drawings to show the plans which reflect what has been built. Other discrepancies relate to the differences between the previously approved application and what is proposed now. Since these discrepancies are what is being applied for, they do not alter the determination of this application.

#### Conclusion

In conclusion the proposal accords with the NPPF and Combined Policies of Epping Forest District Local Plan and Alterations 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: Sukhi Dhadwar  
Direct Line Telephone Number: 01992 564597***

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