

AREA PLANS SUB-COMMITTEE 'EAST'

14 June 2017

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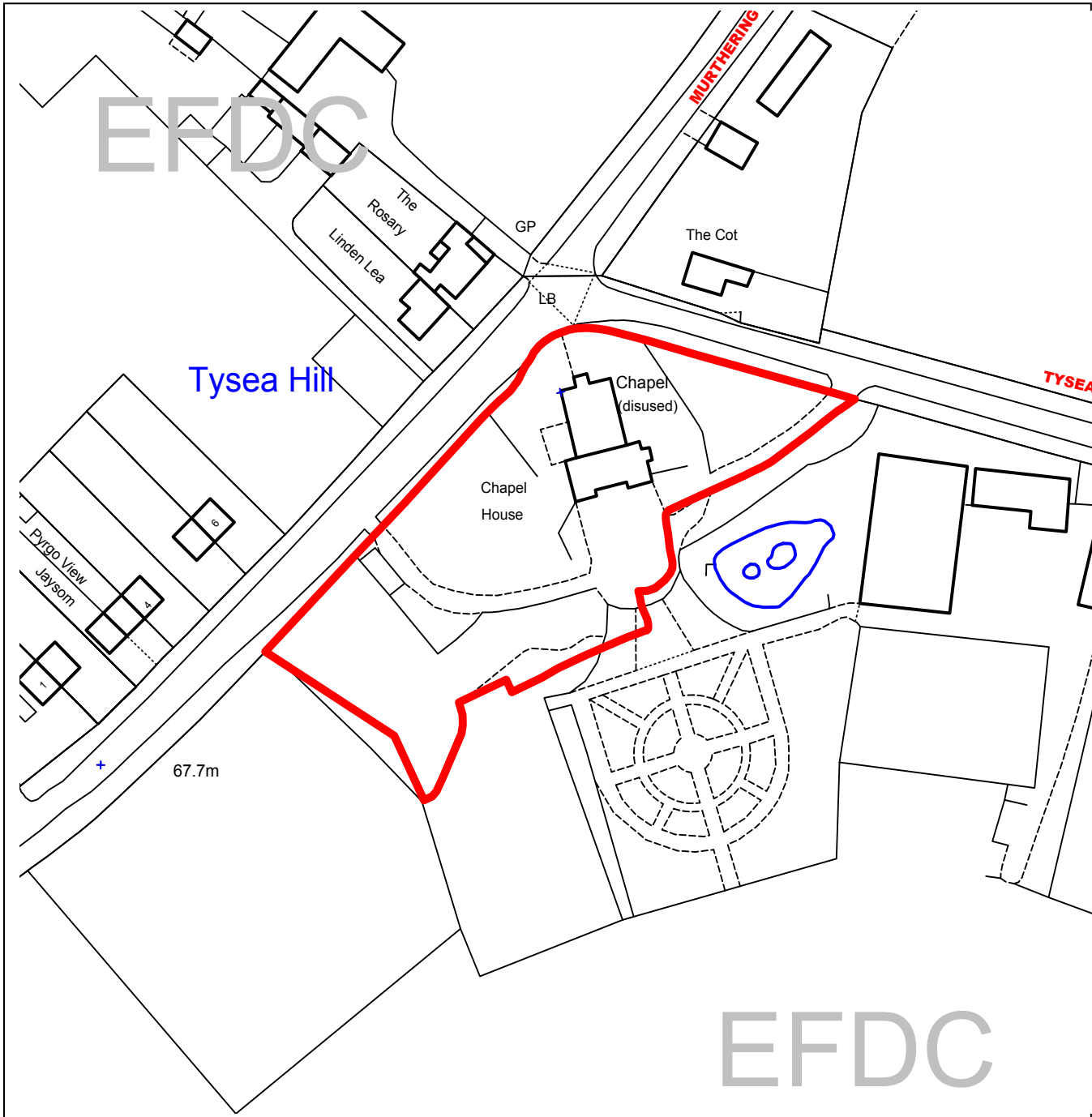
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Epping Forest District Council

Agenda Item Number 1



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Application Number:	EPF/0819/17
Site Name:	The Chapel House, Tysea Hill, Stapleford Abbots, RM4 1JU
Scale of Plot:	1/1250

Report Item No: 1

APPLICATION No:	EPF/0819/17
SITE ADDRESS:	The Chapel House Tysea Hill Stapleford Abbots ROMFORD RM4 1JU
PARISH:	Stapleford Abbots
WARD:	Passingford
APPLICANT:	Mr Stephen Begg
DESCRIPTION OF PROPOSAL:	T8 Oak (T7 of the TPO) Reduce crown to 4m pollard, T13 Oak (in G5 of the TPO) T14 Oak (in G5 of the TPO) - Fell and treat stumps.
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=592949

CONDITIONS

- 1 A replacement tree or trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted within one month of the implementation of the felling hereby agreed, unless varied with the written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, dies or becomes seriously damaged or defective another tree 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.
- 2 The work authorised by this consent shall be carried out under the direct supervision of the Local Planning Authority, who shall receive in writing, 5 working days notice of such works.
- 3 The crown reduction authorised by this consent shall be to a height not exceeding 4m above ground level.
- 4 All work authorised by this consent shall be undertaken in a manner consistent with British Standard 3998:2010 (Tree work - recommendations) (or with any replacement Standard).
- 5 The works hereby authorised shall not be undertaken after a period of three years from the date of this consent has expired.

This application is before this Committee since the Director of Governance considers it expedient or appropriate to present to committee for decision as it raises issues of claims for compensation - (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council Functions, Schedule 2 - Protection of Trees, (3)(iv))

Description of Site:

The property is a period vicarage and converted chapel, set in extensive grounds with pasture land beyond. The dwelling is located close to the junction of Tysea Hill and Murthing Lane. The roadside boundary has a strong tree screen, largely concealing the house and providing landscape presence within the locality. T8 Oak stands approximately 13 metres tall on the western roadside boundary. T13 & 14 Oak are at the eastern edge of an oak spinney of screening trees bordering the western boundary.

Description of Proposal:

The application was submitted to carry out the following:- T8. Oak – Fell, T13 & 14. Oak - Fell.

During the course of assessing the proposal, the application has been amended to:- T8. Oak – Reduce Crown to 4m Pollard, T13 & 14. Oak - Fell.

Relevant History:

EPF2298/10. Crown reduce Yew by 30%. Granted permission.

Policies Applied:

Epping Forest District Local Plan and Alterations:

LL09 Felling of preserved trees.

'the Council will not give consent to fell a tree protected by a TPO unless it is satisfied that this is necessary and justified. Any such consent will be conditional upon appropriate replacement of the tree.'

LL08 Works to preserved trees

'the Council will give consent for works to a tree or woodland protected by a tree preservation order provided it is satisfied that the health and appearance of the tree will not be impaired and the works will not unjustifiably inhibit or prevent the full and natural development of the tree, or the works are necessary to its on its continued retention and consistent with good arboricultural practice..'

Summary of Representations

STAPLEFORD ABBOTTS PARISH COUNCIL – members object to the proposed felling of these trees without DNA based root evidence gathered by EFDC tree officers.

Issues and Considerations:

Introduction

The proposal seeks to remedy a cyclical pattern of structural damage to the property.

Information provided with the application is listed, as follows:

- i) Engineering report.
- ii) Arboricultural report

- iii) Crack monitoring information
- iv) Brick course level monitoring data.

Background

The proposal sought initially to fell the 3 largest oaks closest to areas of damage. Technical data in the form of brick course level survey results show that considerable movement is occurring seasonally in certain areas of the building. The conclusion drawn by the applicant's tree expert is that, of the 8 or more mature trees near to the chapel, the three oaks are the most likely cause of this movement, which results in annual variations in crack widths and building level changes.

Considerations

The main planning considerations in respect of the proposal are:

Evidence

While the results of level monitoring produce relatively large movements in a seasonal pattern, typical of vegetation induced subsidence, there is a lack of root and soil analysis to back it up. The applicant has refused to submit further technical data. However, it should be noted that, of all the tests used to establish tree related damage, long term level monitoring is accepted as the best indicator of tree induced seasonal subsidence (Council Tree Officers DNA is not deemed necessary in this case) and the results shown in this case are compelling for all three oaks. It is also generally acknowledged that, of the various tree species near the building, mature oak has the greatest capacity to generate far reaching root systems to produce this type of soil shrinkage based building movement.

Variation of proposal from T8 Oak Fell to; T8 Oak. Pollard.

A suggestion to vary the proposal to fell T8. Oak to a heavy crown reduction or pollarding was accepted by the owner, who has expressed his reluctance to lose trees.

By removing the crown, water demand will be considerably reduced and remain minimal providing any regrowth is removed on a regular repollarding cycle.

It was noted on inspection that the tree's broad crown has resulted in branch and stem damage from passing vehicles scraping or ripping off limbs overhanging the road. Telephone also wires pass through the crown and rub on branches.

Compensation

In the event of a member decision to retain the trees, a threat exists from a claim for compensation for costly remedial engineering solutions to overcome ongoing damage to the property. A sum in excess of £50,000 has been estimated within the Engineer's report.

Visual amenity

T13 &14 Oak are both tall, vigorous but one sided trees, reliant on each other to form a full crown canopy. Standing on the inner most edge of a tall group of oaks, these largely obscured trees have low public amenity.

T8 Oak has a broad form of visual significance, which will be largely lost following pollarding but it will remain an historic feature at a prominent point and provide green screening continuity along this roadside boundary, albeit at a diminished size.

Replacement options

There is scope to replace both trees with suitable saplings at appropriate locations within the property. This will substantially mitigate for the loss of T13 and 14 without compromising the building's footings.

Precedent

To avoid setting a precedent whereby future applications to remove large trees suspected of causing subsidence can be justified without sufficient evidence, it is stated that the recommendation to sacrifice trees T13 and T14 is based on their low public landscape value.

Conclusion:

There is justification to remove T13 and T14 Oak on the grounds that their removal will have minimal detrimental impact on public amenity. T8 Oak will be retained as a prominent pollard and still perform a landscape role. Therefore, it is recommended to grant permission to fell T13 and T14 in accordance with Local Plan Landscape Policy LL9 and prune T8 in accordance with Planning Policy LL8.

In the event of members agreeing to allow the felling of T13 and 14 Oak, it is recommended that a condition requiring suitable replacements and prior notice of the works to remove the two trees be attached to the decision notice.

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: Robin Hellier
Direct Line Telephone Number: 01992 564546***

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

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Agenda Item Number 2



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Application Number:	EPF/0082/17
Site Name:	5 Bluemans, North Weald Bassett, CM16 6EU
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/0082/17
SITE ADDRESS:	5 Bluemans North Weald Bassett Epping Essex CM16 6EU
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	Mr & Mrs Kelly
DESCRIPTION OF PROPOSAL:	Two storey side extension and single storey rear extension. New front porch. Demolition of existing outbuilding, and creation of new double garage. Widening of drive. Internal alterations.
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=590873

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 No construction works above ground level shall take place on the new boundary wall 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.

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)) and 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: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(f).)

Introduction:

This application was previously considered at Area Plans Sub-Committee East on the 10th May 2017 however was deferred in order to undertake a site visit and in order for additional information to be provided.

Additional information:

The information requested by Members at the previous committee was:

1. *The distance that the previous refused bungalow was from the side boundary:*

The previously refused bungalow proposed under ref: EPF/2889/15 (and subsequently dismissed on appeal) would have been located 1m from the side boundary running adjacent to St. Andrews Close. This proposed two storey side extension would be located 3.645m from this boundary.

2. *The percentage increase to the volume of the existing dwelling:*

The volume of the proposed extension would result in a 74% increase over and above the existing dwelling.

The percentage increase of a dwelling outside of the designated Green Belt is often not considered relevant. Instead the key consideration are whether any proposed extension could be incorporated without causing undue harm to the appearance of an area and amenities of neighbours, provided adequate separation can be maintained from the site boundaries, and as long as adequate amenity space is retained for future occupants. It is considered that the proposed extension can be incorporated without undue harm to any of the above factors.

Original report

Description of Site:

The application site is located on the corner of Bluemans and St. Andrews Close, on the western side of the road. To the rear of the site sits No. 6 St. Andrews Close at a right angle to the application site. The existing property sits within a large corner plot and consists of a two storey semi-detached house. The application site is not located within the Green Belt or a conservation area.

Description of Proposal:

Consent is being sought for the erection of a two storey side extension, single storey rear extension, new porch and replacement garage. The proposal has been amended from the original submission.

The proposed two storey side extension would be 3.8m in width and 6.4m in depth at ground floor level and stepped back 1m from the existing front elevation at first floor level with a stepped down pitched roof and a small pitched roof over the projecting ground floor. The proposed single storey rear extension would measure 4m in depth and would stretch across the entire width of the dwelling (inclusive of the additional side extension). It would be flat roofed to a height of 2.9m with a roof lantern above the new dining room addition. The proposed front porch would measure 1.25m deep and 2.4m wide with a pitched roof to a ridge height of 3.3m and would be open sided. The proposed new double garage would replace the existing detached garage to the rear of the

site and would measure 6.2m x 6.2m. It would have a pitched roof to an eaves height of 2.2m and a ridge height of 4.3m. The application also proposes an increase in the width of the existing crossover on St Andrews Close in order to serve the new double garage and a 1.8m high brick wall along the side boundary of the rear garden.

Relevant History:

EPF/2339/11 - New dwelling – refused 03/01/12

EPF/0225/12 - New dwelling (revised application) – refused 11/05/12

EPF/1197/12 - Two bedroom dwelling – refused 16/08/12

EPF/2076/13 - Two bedroom dwelling (resubmission of EPF/1197/12) – refused 12/11/13 (appeal dismissed 26/02/14)

EPF/2889/15 - Construction of a 2 bed bungalow on the land adjacent to 5 Bluemans – refused 11/01/16 (appeal dismissed 28/06/14)

Policies Applied:

Epping Forest Local Plan and Alterations (1998/2006)

CP1 – Achieving sustainable development objectives

CP2 – Protecting the quality of the rural and built environment

DBE9 – Loss of amenity

DBE10 – Residential extensions

ST4 – Road safety

ST6 – Vehicle parking

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

Epping Forest Draft Local Plan consultation document (2016)

The Epping Forest District Draft Local Plan is the emerging Local Plan and contains a number of relevant policies. At the current time only limited material weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions. The relevant policies within the Draft Local Plan are:

DM9 – High quality design

Consultation Carried Out and Summary of Representations Received:

10 neighbours were consulted on this application. No Site Notice was required.

PARISH COUNCIL – Objects to this application due to its massing and it being out of keeping it goes against the openness of the whole of the Bluemans estate, that it would have a detrimental effect on the street scene and is visually intrusive.

2 ST. ANDREWS CLOSE – Object as the proposed extension does not fit into the housing scheme of the area and is large, out of place, overbearing and dominant and would overlook the front of their house.

3 ST ANDREWS CLOSE – Object as the development would result in the loss of openness to this junction, would restrict views and overlook their property, as the extension would be detrimental to the character and appearance of the street scene and as it would bring extra cars into St Andrews Close.

4 ST ANDREWS CLOSE – Object as the extension is large and not in symmetry with other houses, it intrudes into St Andrews Close and will result in overlooking of neighbours. The green nature of the site would be lost.

5 ST ANDREWS CLOSE – Object as the extension would be overbearing and dominant, would be unsympathetic and detrimental to the appearance of the local environment, would be out of line with the building line in St Andrews Close, and the new brick wall would be visually intrusive.

7 BLUEMANS – Object as it would be detrimental to the character and appearance of the street scene, the revised roof line would be inconsistent with surrounding properties, it would affect the green nature of the junction, the proposed garage is twice the size of the existing garage and would overshadow the neighbouring site, and since the porch and relocated path would conflict with the style of the road.

8 BLUEMANS – Object as the extension is large and out of proportion to surrounding houses and the openness of the junction would be lost. The relocated porch and path is out of keeping with the houses opposite.

10 BLUEMANS – Object as the extension is large and out of character with the street scene and the proposed wall would impact on the green and open nature of the junction.

Issues and Considerations:

The key issues in this consideration are the design and impact on the street scene and with regards to amenity considerations.

There is a long planning history to this site with several previous attempts to obtain consent for a new attached dwelling adjacent to the existing house. These have all been refused consent primarily due to the overbearing and dominant form of the development or because they are out of keeping with the character and appearance of the street scene. Some of the previous decisions have been appealed and dismissed by the Planning Inspectorate.

Whilst the history of the site and the material considerations that were assessed within the previous applications are relevant to this current application it should be noted that this proposal is not for the erection of a new dwelling but simply for a residential extension to the dwelling. The previous attempts to obtain a new dwelling on the site are not in themselves material to this assessment, although many of the issues considered continue to be relevant.

Design:

As highlighted above this proposed application is for a householder extension and not for a new dwelling and as such the assessment differs greatly, however the physical impact of the development still needs to be assessed in a similar way to the previous applications.

Within the appeal decision regarding EPF/2076/13 it was noted by the Planning Inspector that:

4. *The [Bluemans and St Andrews Close] junction has a relatively open and exposed character, with the adjacent houses set well back from the edge of the highway, and is visible for some distance in views from Bluemans. The entrance into St Andrews Close is flanked by the appeal site and by No 3, with each providing splayed boundaries from Bluemans opening into the cul-de-sac. The properties in the cul-de-sac are arranged in neatly spaced pairs and the side flanks to both No 3 and No 5 generally follow the main St Andrews Close building line. These factors all combine to give a fairly uniform and well-balanced pattern of development at the junction affording significant views into the cul-de-sac, and this appearance is generally consistent with the wider pattern of development in the adjoining Bluemans.*

The Inspectors decision on the later appeal regarding EPF/2889/15, which was for a single storey dwelling, continues to highlight that *“although I acknowledge it would be single storey in height the proposal would extend development beyond the building line with No 6 [St Andrews Close] and be of a significant depth, very close to its side boundary. This would result in the introduction of an overly prominent building that would appear cramped on the site and unduly dominant at this junction”*.

The originally submitted proposal was for a very deep two storey side/rear extension that would have followed the existing roof of the dwelling and been a prominent addition to this junction. However following the concerns being raised with the applicant’s agent, revised plans were submitted and a reconsultation was undertaken. These revisions significantly reduced the depth of the proposed two storey extension such that it would be stepped in 1m from the existing front elevation and would not extend beyond the existing rear elevation. This also allowed for a stepped down ridge roof similar to the two storey side extension that can be seen at No. 19 Bluemans.

Although the proposed two storey side extension would continue to extend beyond the front building line of the properties in St Andrews Close this would now be just 2.5m beyond the front elevation of No. 6 St Andrews Close and would retain a 3.65m gap between the flank wall of the extension and the side boundary of the application site. It is considered that such an encroachment for a residential extension such as this would not cause a significant detrimental impact on the character and appearance of the street scene.

It is noted that the introduction of a 1.8m high brick wall along the side boundary of the rear garden would further enforce this sense of enclosure on the junction however such boundary treatments are commonplace at road junctions and necessary to protect the privacy of site occupants. As such it is not considered that this element would be unduly harmful to the character of the area.

The proposed single storey rear extension would not extend beyond the rear wall of the neighbours extension and would be flat roofed to a height of 2.9m. This would not appear prominent within the street scene or harmful to the appearance of the surrounding area.

The proposed double garage would replace an existing, albeit smaller, outbuilding to the rear of the site and is set back a significant distance from the highway boundary. This, combined with the modest height and appropriate design of the garage, would ensure that this would not be detrimental to the appearance of the streetscene.

Concern has been raised with regards to the relocation of the front door more centrally to the (extended) dwelling and the provision of a canopy porch. Whilst the dwellings on the western side of Bluemans all benefit from uniform entrance locations the dwellings on the eastern side of Bluemans all have centrally located entrance doors. Other properties in the locality have had porch extensions in a variety of styles and as such it is not considered that this alteration would be unduly detrimental to the character of the area.

Neighbouring amenities:

The proposed two storey side extension would be located a significant distance from the shared boundaries of any neighbouring properties. Concerns have been raised about possible overlooking and loss of privacy to properties in St Andrews Close however the only areas overlooked would be to the front of these houses at quite some distance. As such it is not considered that this would cause any undue loss of amenity to the nearby residents.

The proposed single storey rear extension would not extend beyond the rear wall of the attached neighbours rear extension and as such would not have any detrimental impact on the amenities of any surrounding residents.

The proposed new double garage would be located within the north western corner of the site immediately adjacent to the shared boundaries with No. 6 St Andrews Close and No. 7 Bluemans. Nonetheless the proposed garage would largely replace an existing outbuilding and would be a moderately sized building with a pitched roof reaching an eaves height of 2.2m and a ridge height of 4.3m. Given the size of the outbuilding and location in relation to neighbouring dwellings it is not considered that the new garage would cause any excessive loss of amenity to neighbouring residents. Concerns have been raised with regards to the possible presence of asbestos in the existing garage however this is not a material planning consideration since the safe removal and disposal of asbestos is dealt with by other legislation.

Other considerations:

The provision of a double garage and the access serving this would enable the retention of more than sufficient off-street parking to serve the dwelling. The enlargement of the existing access onto St Andrews Close does not require planning consent in and of itself since this road is unclassified, however consent from Essex County Council Highways is needed.

Whilst concerns have been raised that the proposed extension would enable a new dwelling to be erected on the site, despite the previous refusals, any such works would require planning consent and would be assessed at that time and any possible or suspected future proposals for the site are immaterial to the current planning application being assessed.

Conclusion:

The previous history and considerations on this site have been taken into account however it is considered that the significantly reduced scheme for a residential extension as proposed (and

amended) would not have an undue detrimental impact on the character and appearance of the street scene or the amenities of neighbouring residents. As such it is considered that the proposed would comply with the guidance contained within the NPPF and the relevant Local Plan policies and is therefore recommended for approval.

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

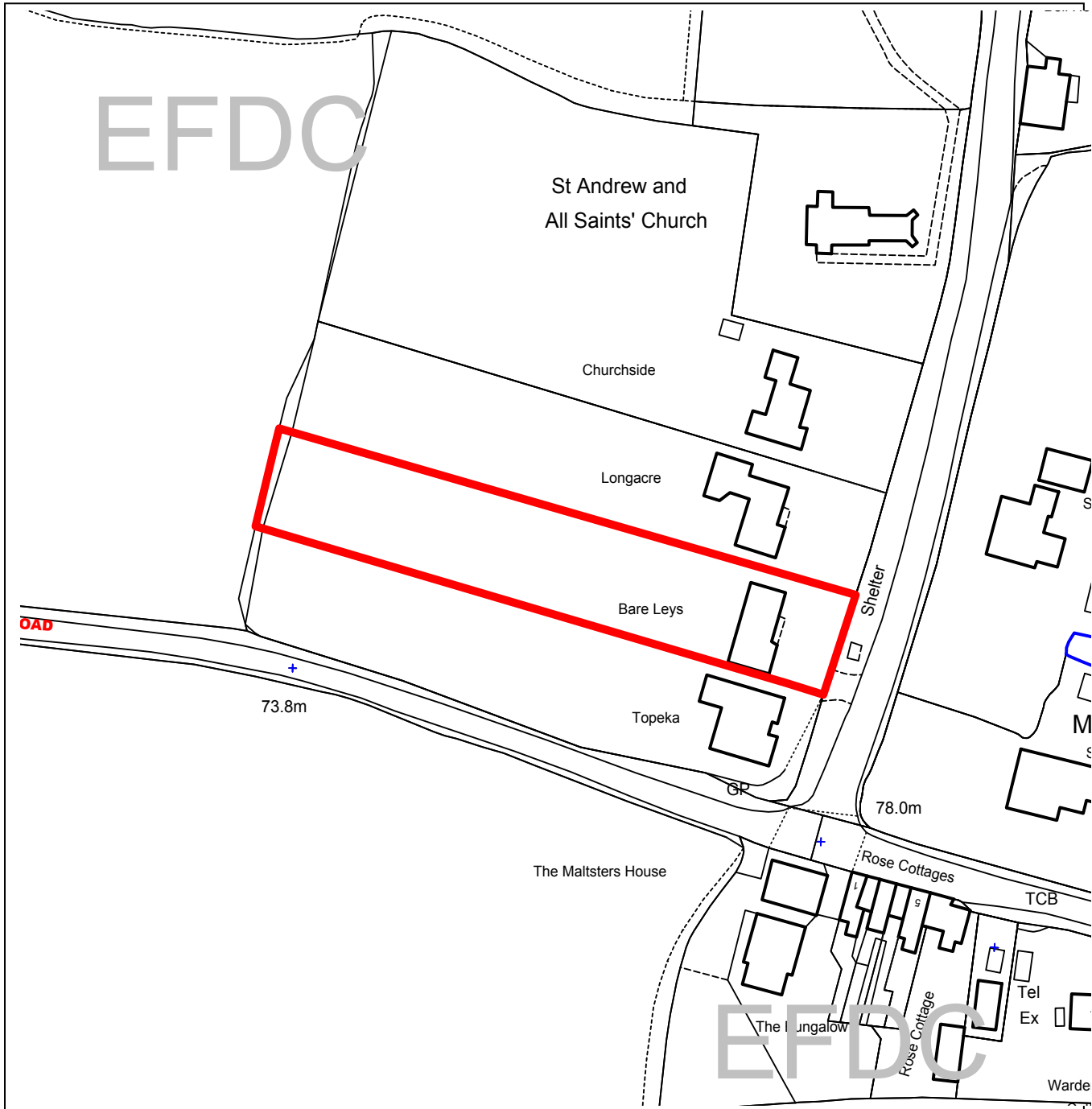
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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



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Agenda Item Number 3



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Application Number:	EPF/2616/16
Site Name:	Bare Leys, The Street, Willingale, CM5 0SJ
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/2616/16
SITE ADDRESS:	Bare Leys The Street Willingale Essex CM5 0SJ
PARISH:	Willingale
WARD:	High Ongar, Willingale and the Rodings
APPLICANT:	Miss Jacqueline Wye
DESCRIPTION OF PROPOSAL:	Single storey rear extension incorporating element of two storey where linked with extension over existing garage to create a roof terrace.
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=588216

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: PR01 Rev P1, PR02 Rev P.1, PR03, SP-01, EX01, EX02 and EX03
- 3 A privacy screen of 1.7m in height above the height of the balcony area shall be erected on the boundary shared between the application site and Longacre. The privacy screen should project along the entire length of the balcony adjacent to Longacre and it, or a similar replacement shall be permanently retained in that position.
- 4 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 5 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.

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

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

Introduction:

This application was previously considered at Area Plans Sub-Committee East on the 10th May 2017, however it was deferred in order to undertake a site visit, which will have taken place before the meeting. The original report is set out below.

Description of site

The application site is located on The Street which is located within the settlement of Willingale. The existing building is a large two storey detached dwelling situated within a large plot. The immediate neighbours are similar in terms of their size but all three have a varied appearance in the street scene. Longacre is the neighbour to the north whose first floor projects beyond the rear elevation of Bare Leys and whose single storey element is used as a balcony. Topeka is the other adjacent neighbour whose rear elevation also projects beyond Bare Leys. 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 part single, part two storey rear extension which will form a balcony area and a first floor side/front extension.

Relevant History

None

Policies Applied

CP2 – Protecting the quality of the rural and built environment
CP7- Quality of development
DBE10 – Design
DBE9 – Residential amenity
DBE2 – Effect on neighbouring properties
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.

Epping Forest Draft Local Plan consultation document (2016)

The Epping Forest District Draft Local Plan is the emerging Local Plan and contains a number of relevant policies. At the current time only limited material weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions. The relevant policies within the Draft Local Plan are:

DM9 – High Quality Design

SP1 – Presumption in favour of sustainable development

SP5 – Green Belt and district open land

DM21 – Local environment impacts, pollution and land contamination

Consultation Carried Out and Summary of Representations Received

5 Neighbours consulted –

WILLINGALE PARISH COUNCIL – OBJECTION - The Council noted the revised plans presented by the applicant and her architect, and the arguments presented in favour of the proposal, and also heard from the two neighbouring owners, who summarised their objections.

The Council was of the opinion that the drawings of the proposed side elevation (viewed from the North) were inaccurate and considerably understated the visual impact of the two storey addition with hipped roof. It also noted that the proposed roofline appears to be above the ridge height of the existing building, and that the rear projection was significant. When drawn correctly, the “mass” of the extension would appear to be disproportionate to the existing building – the Council thought that the increase in floor-space overall, was in the order of 80% (or 100% including the garage conversion).

Although the Council considered the removal of the proposed balcony adjacent to “Topeka” to be a welcome revision, the large balcony now proposed on the opposite side presented new privacy issues for “Longacre” albeit the Council noted the proposed privacy screen, that Longacre itself had a large balcony, and that “Bare Leys” already had a more modest balcony.

The Council concluded that whilst “Bare Leys” was probably in need of modernisation, and suitable for enlargement, given the Green Belt location the proposed extension was simply far too big, disproportionate to the existing accommodation, and created an excessive visual intrusion for both neighbours. Accordingly and by unanimous decision, the Council’s strong objection remained, although the Council said it would be receptive to a smaller and more sensitive proposal. It would like to see “street scene” drawings to accompany any future application to get a better sense of how any development would appear alongside the neighbouring properties.

LONGACRE – OBJECTION – The extensions are out of scale and are inappropriately large in the Green Belt. They will also allow a direct line of sight into the private areas of our property. The balcony will allow significant overlooking into our private areas, particularly as there is not such screening on the boundary. The new extensions are not in keeping with the existing street scene.

TOPEKA – OBJECTION – The proposal is inappropriate in the Green Belt, will cause an excessive loss of privacy due to the extensions and balcony, will appear overbearing and a loss of light.

CHURCHSIDE – OBJECTION – The proposal is too large in the Green Belt, the proposed fundamental changes to the external appearance are not in keeping with the village and are not sympathetic with the neighbouring properties and the size of the extension over the garage would appear to be excessive in height and also overlooking and intrusive to the neighbouring properties

Comments on representations

The Parish Council states that the revised drawings which were submitted were inaccurate and at the time of their Council meeting the first set of revised drawings was indeed an inaccurate depiction of the proposal. However revised plans were subsequently received which accurately showed the proposed extension and the Parish Council were again reconsulted to give any further comments they may have. No further comments have been received but the Parish Council have however made it clear that despite rectification of any previous inaccuracies in the drawings they maintain their strong objection to the proposal.

Issues and considerations

The main issues to consider when assessing this application are the potential impacts on the Green Belt, the living conditions of the neighbours and the design of the proposal in relation to the existing building and its setting.

Green Belt

The National Planning Policy Framework (NPPF, CLG, 2012) indicates that the Government attaches great importance to Green Belts. The fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should be refused planning permission unless very special circumstances can be demonstrated which clearly outweigh this harm.

The NPPF also emphasises that when considering an application, a Local Planning Authority should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt, by reason of inappropriateness and any other harm, is clearly outweighed by other considerations.

However paragraphs 89 and 90 of the NPPF allow certain exceptions to inappropriate development 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 first part of this exception is to consider whether or not the application site can reasonably be considered to be within an existing 'village' for the purposes of planning policy. The main part of Willingale is located on The Street and whilst it covers a relatively small area, there are a substantial number of dwellings within its boundaries, there are also two Churches, a cricket club and a village hall. The result of these features is that Willingale can reasonably be considered as a village for the purposes of planning policy.

The next stage of the assessment is to consider whether the site can be considered as a suitable location for infilling. Bare Leys is located betwixt Topeka to the south and Longacre to the North and has Spain End opposite. Being surrounded by development on three sides, the site is considered suitable for limited infilling development. The final part of the assessment is to consider whether the extension can be considered to be 'limited'.

Whilst the proposed extensions are substantial additions to the dwelling, given that the Council has previously accepted new dwellings as constituting 'limited infill' on particular application sites within existing villages in the Green Belt, it is considered that an extension to an existing dwelling can reasonably be considered to be 'limited'.

The proposal is therefore not inappropriate in the Green Belt and as a result very special circumstances are not required to justify it.

Living conditions of neighbours

The single storey element will be set 3m from the shared boundary with Longacre and will be almost entirely against its side elevation. Such a distance from the shared boundary and being set against the existing side elevation of Longacre will not appear overbearing or cause any significant loss of light.

It is proposed to use the area of flat roof created by the single storey extension as a balcony area. Balconies give rise to a significant potential for overlooking of neighbouring properties and in this case the neighbour of Longacre is particularly concerned about this element of the proposal. Bare Leys has an existing, albeit small balcony area which currently has a fence to obscure direct views into Longacre. The new single storey rear extension will have a projection very similar to the existing rear building line of Longacre and therefore the balcony will certainly offer greater potential for overlooking into the garden of this neighbour. However it is considered that with adequate screening, which can be secured through condition, the balcony will not allow significant overlooking into any area that is not already overlooked by first floor windows. Views towards the rear of neighbouring gardens are generally accepted, it is the area immediately adjacent to the back of neighbours properties that is normally protected from overlooking. Furthermore Longacre itself has a rather large balcony area which projects significantly beyond the rear elevation of its adjacent neighbours and which currently offers unrestricted views into the rear garden of both Bare Leys and the other adjacent neighbour. Whilst this would not justify any significant harm to the living conditions of Longacre, it is not considered that such harm would be caused if the proposed screening is required by condition.

The first floor extension will be 2.1m away from the shared boundary with Topeka and it will not significantly exceed the existing rear elevation of this neighbour. As a result it will not be excessively overbearing or cause any other harm to the living conditions of this neighbour.

Design

The first floor side/rear extension will be located adjacent to Topeka, approximately 2.1m from the shared boundary and will project slightly forward of the existing front elevation. The ridge of the first floor extension will exceed the ridge height of the existing dwelling; however will not exceed the ridge heights of the two adjacent neighbours and it is therefore considered that its bulk, scale and massing is respectful to the existing building and the street scene. Whilst it does result in a wide property, given that the frontage is broken into two elements and that at least two metres is retained to each side boundary, it will not look out of place or overly prominent within the street scene.

The single storey element also has a reasonably conventional design which will not be visible from public viewpoints and therefore will not harm the character or appearance of the street scene.

Conclusion

The proposal is not inappropriate development in the Green Belt, as it amounts to only limited infilling within a village. Due to the positions of the adjacent properties it will not result in excessive

harm to the living conditions of the neighbours and a screen will prevent unacceptable overlooking from the proposed balcony. The design whilst resulting in a larger building relates well to the scale of other properties in the locality and will not be harmful to the character and appearance of the street scene. The development therefore accords with adopted policies and the NPPF and 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 4



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Application Number:	EPF/0590/17
Site Name:	182 High Road North Weald, CM16 6BZ
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/0590/17
SITE ADDRESS:	182 High Road North Weald Bassett Essex CM16 6BZ
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	Mr & Mrs Madden
DESCRIPTION OF PROPOSAL:	Proposed 4 bedroom house. (Revised application to EPF/2287/16)
RECOMMENDED DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=592358

REASON FOR REFUSAL

- 1 The proposal will be facilitated by the loss of a prominent and attractive area of grass verge on Thornhill and as a result this will cause significant harm to the character and appearance of the street scene and is therefore contrary to policies CP2(iv) and DBE1 of the Adopted Local Plan and Alterations and with the objectives of the National Planning Policy Framework.
- 2 By reason of its size, scale and proximity to the shared boundary of no.180 High Road, the proposed development will have a significant overbearing impact and will also cause a substantial loss of natural light to this neighbouring property, harmful to its living conditions. The proposal is therefore contrary to policy DBE9 of the Adopted Local Plan and Alterations.
- 3 The detailed design of the new dwelling and the size of the proposed curtilage are in stark contrast to other properties in the street scene and the prevailing pattern of development in the wider context of the locality. The proposal will therefore appears incongruous and is therefore contrary to policies DBE1 and CP2(iv) of the Adopted Local Plan and Alterations and with the objectives of the National Planning Policy Framework.

This application is before this Committee since it has been 'called in' by Councillor Stallan (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(h))

Description of site

The application site is located on the High Road within the built up area of North Weald. The main dwelling is a two storey semi detached dwelling which fronts onto the High Road. The rear garden is approximately 30m long, projects southwards and Thornhill is located directly adjacent to the east. The neighbour to the south fronts onto Thornhill and has a rear garden area approximately 11m long. The application site is not located within the boundaries of the Metropolitan Green Belt and it is not in a conservation area.

Description of proposal

The proposed development is for a new four bedroom detached house. The house will be set over two storeys, will have a maximum ridge height of 8m, a width of 13.5m and a depth of 12.5m. The house will be in an 'H' shape and will create a small courtyard area to the rear. Access will be from Thornhill and will be across a grass verge.

Relevant history

EPF/0383/86 – outline application for pair of semi-detached houses with garages. – Refused and dismissed on appeal

EPF/0767/86 - Outline application for pair of semi detached dwellings complete with garage. – Refused and dismissed on appeal

EPF/1483/86 - Erection of single storey dwelling. – Refused and dismissed on appeal

EPF/2287/16 - Proposed 3 bedroom chalet bungalow - Refused

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

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
Epping Forest Draft Local Plan consultation document (2016)

The Epping Forest District Draft Local Plan is the emerging Local Plan and contains a number of relevant policies. At the current time only limited material weight can be applied to the Draft Local

Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions. The relevant policies within the Draft Local Plan are:

SP1 – Presumption in favour of sustainable development

T1 – Sustainable transport choices

DM21 – Local environment impacts, pollution and land contamination

Consultation carried out and summary of representations received

NORTH WEALD PARISH COUNCIL – OBJECTION – Overdevelopment, parking concerns, lack of amenity space, massing, it would set an unacceptable precedent in that area.

8 Neighbours consulted and 2 objections received –

16 THORNHILL – OBJECTION - The site would mean removing the public verge and the Cherry trees that have been part of the attractive local area. Which in essence, would diminish the local landscape and character. The property is not in keeping with the surrounding properties and would be intrusive with increased noise and reduced privacy as the rear of the development is only a few metres from the rear of my garden fence. My rear doors from my property would be approximately 12 metres from the rear of the proposed property. The outlook from my garden would be severely affected, plus noise levels would increase. The proposed build would also decrease the light levels by blocking early morning to mid day sunshine as I am North facing and the property development is to the North East of my property. This would all severely affect my light levels in the garden and to the rear of my property. The development is a clear case of over development. The Garden space proposed for the build is of a limited depth and the property will take up most of the current garden space.

180 HIGH ROAD – OBJECTION - The development will adversely affect the enjoyment of our property, due to the loss of our privacy, overshadowing noise and disturbance. The development would overlook the whole of the rear of our property and would also cut out all light to our property including sunlight to our garden. it would add over development in the area and loss of grass verges and generally adversely effect the character of the neighbourhood the development would in our opinion affect highway safety.

Issues and considerations

The main issues to consider are the potential impacts on the living conditions of the neighbours, the character and appearance of the area, highway issues and any other material planning considerations.

Procedural matters

This is a revised application to a previous refusal (EPF/2287/16) which proposed the erection of a new chalet bungalow to the rear of 182 High Road and was refused for the following reasons:

- *The new dwelling will be significantly overlooked by the neighbouring properties on the High Road and on Thornhill and therefore will create a substandard level of accommodation contrary to policy DBE8 of the Adopted Local Plan and Alterations and with the objectives of the National Planning Policy Framework.*
- *The proposal will be facilitated by the loss of a prominent and attractive area of grass verge on Thornhill and as a result this will cause significant harm to the character and appearance of the street scene and is therefore contrary to policies CP2(iv) and DBE1 of*

the Adopted Local Plan and Alterations and with the objectives of the National Planning Policy Framework.

- *The detailed design of the new dwelling and the size of the proposed curtilage are in stark contrast to other properties in the street scene and the prevailing pattern of development in the wider context of the locality. The proposal will therefore appear incongruous and is therefore contrary to policies DBE1 and CP2(iv) of the Adopted Local Plan and Alterations and with the objectives of the National Planning Policy Framework.*

This assessment will consider whether these reasons for refusal have been overcome by the revisions in this proposal.

Living conditions of neighbours and standard of proposed accommodation

The proposal has sought to overcome the issue of being overlooked by creating an enclosed courtyard area at the rear, which would allow the amenity space to not be directly overlooked by the neighbouring properties. This has successfully overcome this first reason for refusal but as a result has created a small and dark space for amenity use which is completely unacceptable for a dwelling of this size. The garden area will therefore create a substandard level of accommodation contrary to policy DBE8 of the Adopted Local Plan and Alterations.

The creation of the new courtyard area is facilitated by a first floor element which will have a 4m eaves height located 1.4m away from the shared boundary with no.180 High Road and across over 90% of this neighbour's rear garden. The roof then slopes away from the boundary and reaches a ridge height of 7m, 4.4m from the shared boundary with no.180. Such a relationship will appear overbearing and create a significant sense of enclosure to this neighbour and will cause a substantial loss of natural light which is exacerbated by the small size of the neighbour's garden of only 12m in length. The proposal will therefore cause significant and unacceptable harm to the living conditions of no.180 High Road and is therefore contrary to policy DBE9 of the Adopted Local Plan and Alterations.

Given that only a small portion of the proposed flank wall will be adjacent to the rear garden of no.182, it is not considered that the development will cause such substantial harm to their living conditions.

Design

There have been various appeal decisions for similar developments on this site and these decisions also deal with the issue of the potential impact on the character and appearance of the area. Having regard to the latest of the 1986 applications which proposed one, single storey bungalow, similar to this proposal, the inspector considered that:

The appeal site comprises the greater part of the gardens of the existing gardens...it seems to me that the bungalow would occupy about half of the available site and this would involve the loss of an attractive hedge and wide grass verge in Thornhill, which is not shown as being in the ownership of the applicant. It seems to me that the verge with its trees and hedge make an important contribution to the character of the area. Thornhill leads to an attractive but high density residential area and it would be a matter of considerable regret if the spacious character of the approach road were lost.

The hedge remains in position to this day, as does the grass verge located on Thornhill. The applicant proposes a new access and crossover through this grass verge which would certainly involve the loss of the hedge as well. It is agreed that both these elements contribute greatly to the character and appearance of the street scene and their removal would cause it significant harm. The applicant could remove the hedge without the need for planning permission; however the new

access would require express consent as it will serve a new dwelling. It is therefore considered that the erosion of this prominent and attractive area of grass verge will cause significant harm to the character and appearance of the street scene. It is also questionable whether the applicant could ever implement the new access through the grass verge as it is outside control of the applicant and this would require the land owners permission.

Furthermore the proposed garden area and positioning of the new dwelling is in stark contrast to that of other neighbours within the locality, the majority of which have relatively long rear garden areas used incidental to their enjoyment. In this case the majority of the site is engulfed by the proposed dwelling, leaving very little space for use as a garden area. Such a small garden is contrary to the prevailing pattern of development within the locality and as a result the development amounts to overdevelopment of the plot.

In terms of detailed design, the new dwelling would have a relatively conventional appearance when viewed from public areas of the street scene. However it includes an entirely blank western elevation, save for three skylights in the roof slope. The applicant has proposed this design to ensure that neighbours are not overlooked by first floor windows. However this would create an unusual and poor form of development which fails to respect the character and appearance of the street scene.

As a consequence it is considered that the proposal will cause significant harm to the character and appearance of the locality and is therefore contrary to policies DBE1 and CP2(iv) of the Adopted Local Plan and Alterations.

The second and third previous reasons for refusal therefore, have not been overcome.

Highway and parking considerations

The Essex County Council Highway Engineer has no objection to the proposal as the new access will offer good visibility onto the public carriageway and therefore it will not cause any harm to the safety or efficiency of the public carriageway.

The proposal offers two car parking spaces which is considered adequate for the new dwelling and in line with current parking standards.

Land Drainage

The Land Drainage Team has no objection to the application subject to a planning condition ensuring that a Flood Risk Assessment is submitted to demonstrate there will not be excessive surface water run-off.

Conclusion

The new dwelling will not provide a suitable level of habitable accommodation, will cause undue and unacceptable harm to the living conditions of no.180 High Road and will cause significant harm to the character and appearance of the locality. It is therefore recommended that planning permission is refused.

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:

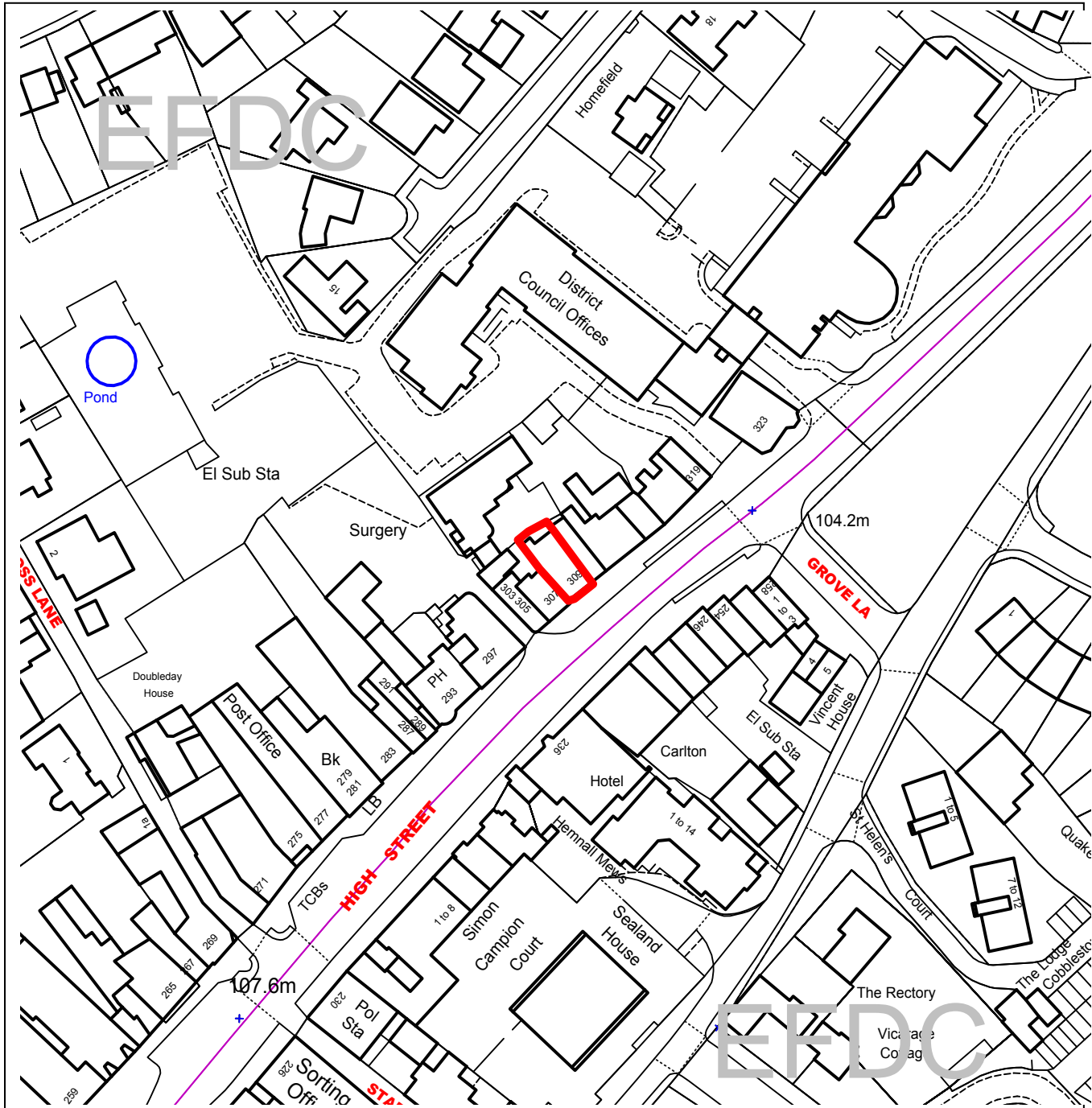
**Planning Application Case Officer: James Rogers
Direct Line Telephone Number: 01992 564 371**

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



Epping Forest District Council

Agenda Item Number 5



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Application Number:	EPF/1135/17
Site Name:	Poppy's Café, 309-311 High Street, Epping, CM16 4DA
Scale of Plot:	1/1250

Report Item No: 5

APPLICATION No:	EPF/1135/17
SITE ADDRESS:	Poppy's Cafe 309-311 High Street Epping Essex CM16 4DA
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	Mr M Dogan
DESCRIPTION OF PROPOSAL:	Replacement shop front.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=593848

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 decorative panel above the shopfront door shall be retained and reinstated within the new shopfront unless otherwise agreed in writing with the LPA.
- 3 Additional horizontal and vertical section drawings of the shopfront, at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the LPA in writing prior to its installation.
- 4 The colour of the shopfront shall match the existing unless otherwise agreed in writing with the LPA.
- 5 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 862/1B received 26th May 2017, 862/SF received 22nd March 2017

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

Description of site:

The application site consists of a grade II listed building along with the neighbouring shop at no.311 (currently occupied by Millers estate agents) located on the northwestern side of the High Street. Likely dating from the 18th century, the building forms a group of listed properties running from nos.309 to 319 High Street, and also stands within the Epping Conservation Area.

The site currently contains a café at ground floor level with ancillary storage on the first floor.

Description of proposal:

Consent is being sought for a replacement shop front.

Relevant History:

EPF/0623/16 - First floor rear extension to create 2 flats – Approved
EPF/0144/64 – Alterations to shopfront - Approved

Policies Applied:

National Planning Policy Framework 2012

Adopted Local Plan 1998 and Alterations 2006

HC6 – Character, Appearance and setting of Conservation Areas
HC7 – Development within Conservation Areas
HC10 –Works to Listed Buildings
DBE12 – Shopfronts

Epping Forest Draft Local Plan consultation document (2016)

The Epping Forest District Draft Local Plan is the emerging Local Plan and contains a number of relevant policies. At the current time only limited material weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions. The relevant policies within the Draft Local Plan are:

DM7 – Heritage Assets
DM14 – Shopfronts and on street dining

Consultation Carried Out and Summary of Representations Received:

13 surrounding properties were consulted and a Site Notice was displayed.

TOWN COUNCIL - Object. The proposal will remove the intricate historic detail and bay character of the existing shopfront, which will be harmful to the listed building and conservation area. This building sits in a row with historic features and character and the removal of these historic details

will affect the group. This property has already been granted permission for major works to the rear. If further internal walls are removed, there will be nothing of the historic building left. Some of this structure is 16th century and the already additional load on the building will irreversibly harm its character. Committee request that the conservation officer's comments are made available with the other plans at this stage, so some expert guidance can inform their views. Committee further note that these plans are quite unclear and request plans must be accessible and clear for residents as well as experts.

EPPING SOCIETY – Object. Unfortunately the new application does not supply enough information to confirm that all of the historic elements are protected. We ask for a professional report that has the proposed future of each element of the building explained. An executive summary would be helpful.

Main Issues and Considerations:

The main issues here relate to the impact of the new shopfront on the character and appearance of the existing listed building, parade and conservation area.

The Council's Senior Conservation Officer has been consulted on the planning application and her response is as follows:

The existing shopfront is in poor condition (both due to rot and damage by vandals) and in need of renewal. The shopfront is unlikely to be historic as permission was granted in the early 1960s for alterations and the listing description from 1972 states the building has 'modern shop windows'. There is an attractive decorative timber panel above the door, which has possibly been imported from elsewhere, but it is proposed to keep this feature within the new shopfront. The loss of historic fabric is therefore limited and will not cause harm to the significance of the listed building.

The proposed replacement shopfront is sympathetic to the building and the streetscene, utilising traditional shopfront details (including timber stallriser, pilasters, and decorative fanlights) and maintaining the existing layout of a central door and large windows either side.

The proposals will not result in the detrimental loss of historic fabric, and the replacement traditionally detailed shopfront is considered to preserve the character of the building and the wider conservation area so subject to the imposition of suitable conditions the proposal is therefore considered to comply with Local Plan and Alterations policies HC6, HC7, HC10 and DBE12 and policies DM7 and DM14 of the

Response to representations made

The concerns raised by the Town Council have been considered in the main body of the report above. Comments regarding internal works are not considered as part of this application as these do not require planning permission. The Town Council requested that the Conservation Officer's comments are made available at the time with the other plans at this stage but the Conservation Officer is consulted at the same time as the Town Council so it is difficult sometimes for consultees to have their comments back to Planning Officer's prior to Town Council meetings.

In relation to the plans being unclear, additional drawings have been requested. These will show the internal works in a clearer manner. However the internal works relate to the Listed Building application solely. With regards to the plans submitted for the shopfront, the Senior Conservation Officer considers that a condition requesting additional horizontal and vertical section drawings be submitted and approved by the Local Planning Authority prior to installation.

In terms of a report being submitted, a Heritage Statement was submitted with the Listed Building application and the Council's Senior Conservation Officer considers that sufficient information has been submitted in order for her to put forward a recommendation on this planning application.

Conclusion:

The proposed development would not be detrimental to the character, appearance or historic significance of the listed building or wider conservation area.

Due to the above it is considered that the proposed development is in accordance with the relevant policies within the Adopted Local Plan, which are consistent within the National Planning Policy Framework, 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: Steve Andrews
Direct Line Telephone Number: 01992 564337***

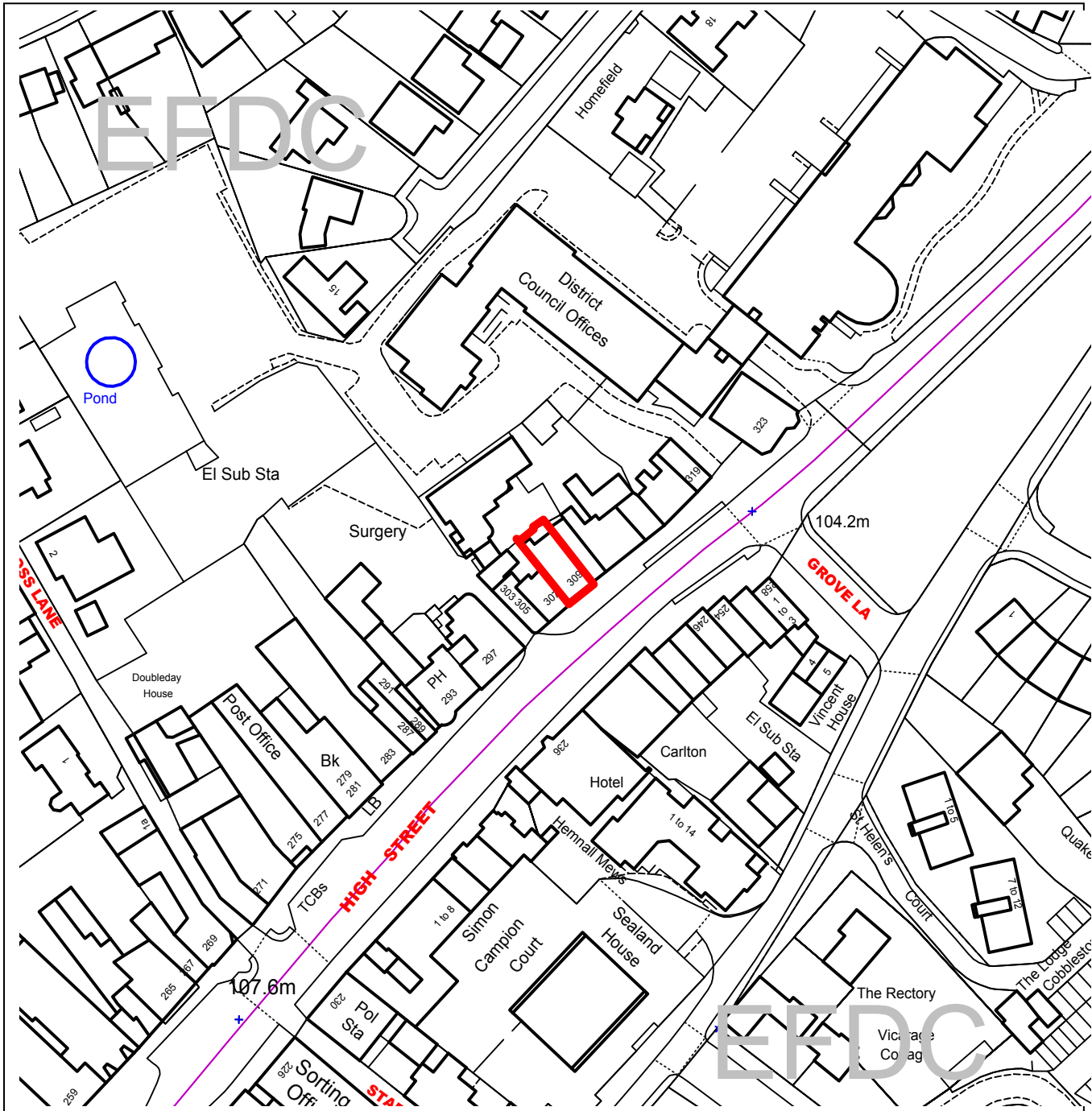
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Epping Forest District Council

Agenda Item Number 6



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Application Number:	EPF/0683/17
Site Name:	Poppy's Café, 309-311 High Street, Epping, CM16 4DA
Scale of Plot:	1/1250

Report Item No: 6

APPLICATION No:	EPF/0683/17
SITE ADDRESS:	Poppy's Cafe 309-311 High Street Epping Essex CM16 4DA
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	Mr M Dogan
DESCRIPTION OF PROPOSAL:	Grade II listed building application for proposed removal of ground floor internal wall sections and replacement shop front.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=592582

CONDITIONS

- 1 The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.
- 2 The decorative panel above the shopfront door shall be retained and reinstated within the new shopfront unless otherwise agreed in writing with the LPA.
- 3 Additional horizontal and vertical section drawings of the shopfront, at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the LPA in writing prior to its installation.
- 4 The colour of the shopfront shall match the existing unless otherwise agreed in writing with 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 site consists of a grade II listed building along with the neighbouring shop at no.311 (currently occupied by Millers estate agents) located on the northwestern side of the High Street. Likely dating from the 18th century, the building forms a group of listed properties running from nos.309 to 319 High Street, and also stands within the Epping Conservation Area.

The site currently contains a café at ground floor level with ancillary storage on the first floor.

Description of proposal:

Listed Building Consent is being sought for Grade II listed building application for proposed removal of ground floor internal wall sections and replacement shop front.

Relevant History:

EPF/0623/16 - First floor rear extension to create 2 flats – Approved

EPF/0144/64 – Alterations to shopfront - Approved

Policies Applied:

National Planning Policy Framework 2012

Adopted Local Plan 1998 and Alterations 2006

HC6 – Character, Appearance and setting of Conservation Areas

HC7 – Development within Conservation Areas

HC10 –Works to Listed Buildings

DBE12 – Shopfronts

Epping Forest Draft Local Plan consultation document (2016)

The Epping Forest District Draft Local Plan is the emerging Local Plan and contains a number of relevant policies. At the current time only limited material weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions. The relevant policies within the Draft Local Plan are:

DM7 – Heritage Assets

DM14 – Shopfronts and on street dining

Consultation Carried Out and Summary of Representations Received:

13 surrounding properties were consulted and a Site Notice was displayed.

TOWN COUNCIL - Object. The proposal will remove the intricate historic detail and bay character of the existing shopfront, which will be harmful to the listed building and conservation area. This building sits in a row with historic features and character and the removal of these historic details will affect the group. This property has already been granted permission for major works to the rear. If further internal walls are removed, there will be nothing of the historic building left. Some of this structure is 16th century and the already additional load on the building will irreversibly harm its character. Committee request that the conservation officer's comments are made available with the other plans at this stage, so some expert guidance can inform their views. Committee further

note that these plans are quite unclear and request plans must be accessible and clear for residents as well as experts.

EPPING SOCIETY – Object. We feel the application does not detail which parts of this listing building are included in the application phrase “removal of ground floor internal wall sections” We object to the application as it does not contain enough information. We do not object to the replacement shop front.

Main Issues and Considerations:

The main issues here relate to the impact of the new shopfront and the removal of the wall sections on the historic character and appearance of the existing listed building.

The Council’s Senior Conservation Officer has been consulted on the application and her response is as follows:

Removal of internal walls

Consent was granted in 2016 (EPF/0624/16) for a first floor rear extension above an unsympathetic 20th century flat-roofed extension, and for alterations to the internal layout at both ground and first floor. The internal alterations included the removal of modern partitions in within the rear flat-roofed extension, the removal of a 20th century staircase within the original building, and its relocation to the rear extension.

The current application seeks consent for the removal of further sections of internal wall. The works are limited to modern walls of no historic value including:

- The section of wall behind the existing staircase which has been dissected by the 20th century staircase and, following an on site inspection, appears to be constructed from modern materials (including concrete). The structural column of wall will be retained.
- A section of wall alongside the existing counter which is also of modern construction and was likely constructed to box in pipes and services. This section of wall, although modern, stands in alignment with the original rear wall of the building and a structural column (possibly historic) will be retained.
- The modern studwork wall between the counter and kitchen. This is a modern wall located within the 20th century rear extension and is of no historic value.
- The modern studwork walls creating the existing WCs. Again, these are modern walls located within the 20th century rear extension and are of no historic value.

An on site inspection has revealed that none of the walls proposed for removal are of intrinsic historic value and there are no objections to their removal as the significance of the listed building will not be impacted.

Shopfront

The existing shopfront is in poor condition (both due to rot and damage by vandals) and in need of renewal. The shopfront is unlikely to be historic as permission was granted in the early 1960s for alterations and the listing description from 1972 states the building has ‘modern shop windows’. There is an attractive decorative timber panel above the door, which has possibly been imported from elsewhere, but it is proposed to keep this feature within the new shopfront. The loss of historic fabric is therefore limited and will not cause harm to the significance of the listed building.

The proposed replacement shopfront is sympathetic to the building and the streetscene, utilising traditional shopfront details (including timber stallriser, pilasters, and decorative fanlights) and maintaining the existing layout of a central door and large windows either side.

The proposals will not result in the detrimental loss of historic fabric, and the replacement traditionally detailed shopfront is considered to preserve the character of the building and the wider conservation area so subject to the imposition of suitable conditions the proposal is therefore considered to comply with Local Plan and Alterations policy HC10 and policy DM7 and of the Draft Local Plan.

Response to representations made

The concerns raised by the Town Council have been considered in the main body of the report above. The Town Council requested that the Conservation Officer's comments are made available at the time with the other plans at this stage but the Conservation Officer is consulted at the same time as the Town Council so it is difficult sometimes for consultees to have their comments back to Planning Officer's prior to Town Council meetings.

In relation to the plans being unclear, additional drawings have been requested and these will show the internal works in a clearer manner. However the Senior Conservation Officer has detailed the alterations above and is satisfied with the works. With regards to the plans submitted, the Senior Conservation Officer considers that a condition requesting additional horizontal and vertical section drawings of the shopfront be submitted and approved by the Local Planning Authority prior to installation.

In terms of a report being submitted, a Heritage Statement was submitted and the Council's Senior Conservation Officer considers that sufficient information has been submitted in order for her to put forward a recommendation on this Listed Building application.

Conclusion:

The proposed development would not be detrimental to the character, appearance or historic significance of the listed building or wider conservation area.

Due to the above it is considered that the proposed development is in accordance with the relevant policies within the Adopted Local Plan, which are consistent within the National Planning Policy Framework, 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: Steve Andrews
Direct Line Telephone Number: 01992 564337***

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 7



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Application Number:	EPF/0406/17
Site Name:	Delmont, 88 London Road, Lambourne, RM4 1XP
Scale of Plot:	1/1250

Report Item No: 7

APPLICATION No:	EPF/0406/17
SITE ADDRESS:	Delmont 88 London Road Lambourne Essex RM4 1XP
PARISH:	Lambourne
WARD:	Lambourne
APPLICANT:	Mr Michael Caine
DESCRIPTION OF PROPOSAL:	Two storey front, side and rear extension and loft conversion with rear dormer
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=591818

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.

This application is before this Committee since the recommendation for approval is contrary to an objection from a local council which is material to the planning merits of the proposal, (pursuant to the 'constitution, part three: planning services – delegation of council function, schedule 1, appendix A(g)).

Description of Site:

A two storey semi detached house located in the urban settlement of Abridge with Green Belt land lying to the rear. The property is not listed nor does it lie in a conservation area.

Description of Proposal:

Two storey front, side and rear extension, and loft conversion with rear dormer.

Relevant History:

None.

Policies Applied:

Adopted Local Plan:

DBE9 – Loss of amenity.

DBE10 – Residential extensions.

GB7A Conspicuous development.

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.

Draft Local Plan

At the current time, only limited material weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions. The relevant policies in this case are as follows:

- DM9 - High Quality Design
- SP5 – Green Belt and District Open land

Summary of Representations:

LAMBOURNE PARISH COUNCIL – object – because the building will extend to the side boundary of the property. It is felt that the proposed side extension should be drawn back (set in from the side boundary) to be in line with the first floor and hence giving at least 1m access to the rear.

NEIGHBOURS - 5 consulted and no replies received.

Issues and Considerations:

Although the proposed extensions are substantial several other houses in this row have been significantly extended, and it is to be noted that these houses are located on sizeable plots.

A part one and part two storey side extension is proposed – the ground floor section will extend to the side boundary with no. 90 but the first floor will be set in from this side boundary by 1m. This 1m gap at first floor will retain a visual break between the houses in accordance with Local Plan policy DBE10. This policy does allow for ground floor extensions to be built up to the side boundary. Although this will remove outside access to the rear garden, as pointed out by the Parish Council, this is a matter of personal choice and is not a material planning consideration. It is the case, however, that the proposed side extension will block off vehicular access to a garage located to the rear of the house. However, the current front drive area can accommodate 3 cars to be parked off street, and the loss of the garage to accommodate a car is acceptable in this context. In design terms the existing profile of a semi hipped roof on the house will be extended sideways over the first floor side extension and its appearance will be acceptable.

At the rear a 3m deep part one and two storey addition is proposed. The first floor element will be positioned 2m away from the side boundary with no.88 and a 45 degree line, which whilst not being a policy requirement is an industry good rule of thumb, drawn from the neighbours nearest bedroom window will not be breached by this first floor extension. The ground floor section of this extension will be built up to the side boundary with no.86. No.86 has a longer 3.5m deep conservatory close to this boundary, and therefore there will be a very limited impact on the amenity of this neighbour. On the other side with no.90 the two storey rear addition will extend

rearwards to just beyond the line of a similar two storey rear addition recently built at no. 90, and the proposed extension will have a small impact on the amenity of this neighbour.

Originally the proposed two storey rear extension had an unsatisfactory flat roof and revised plans have been submitted which show a gabled roof over and in appearance, this extension in terms of appearance is now considered acceptable. It will form part of the proposed rear dormer window, which is also considered to be satisfactory in scale and appearance, causing no undue overlooking concerns.

Conclusions:

For the reasons outlined above this householder proposal, as revised, now complies with relevant policies. It is therefore recommended that planning permission be granted subject to conditions.

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

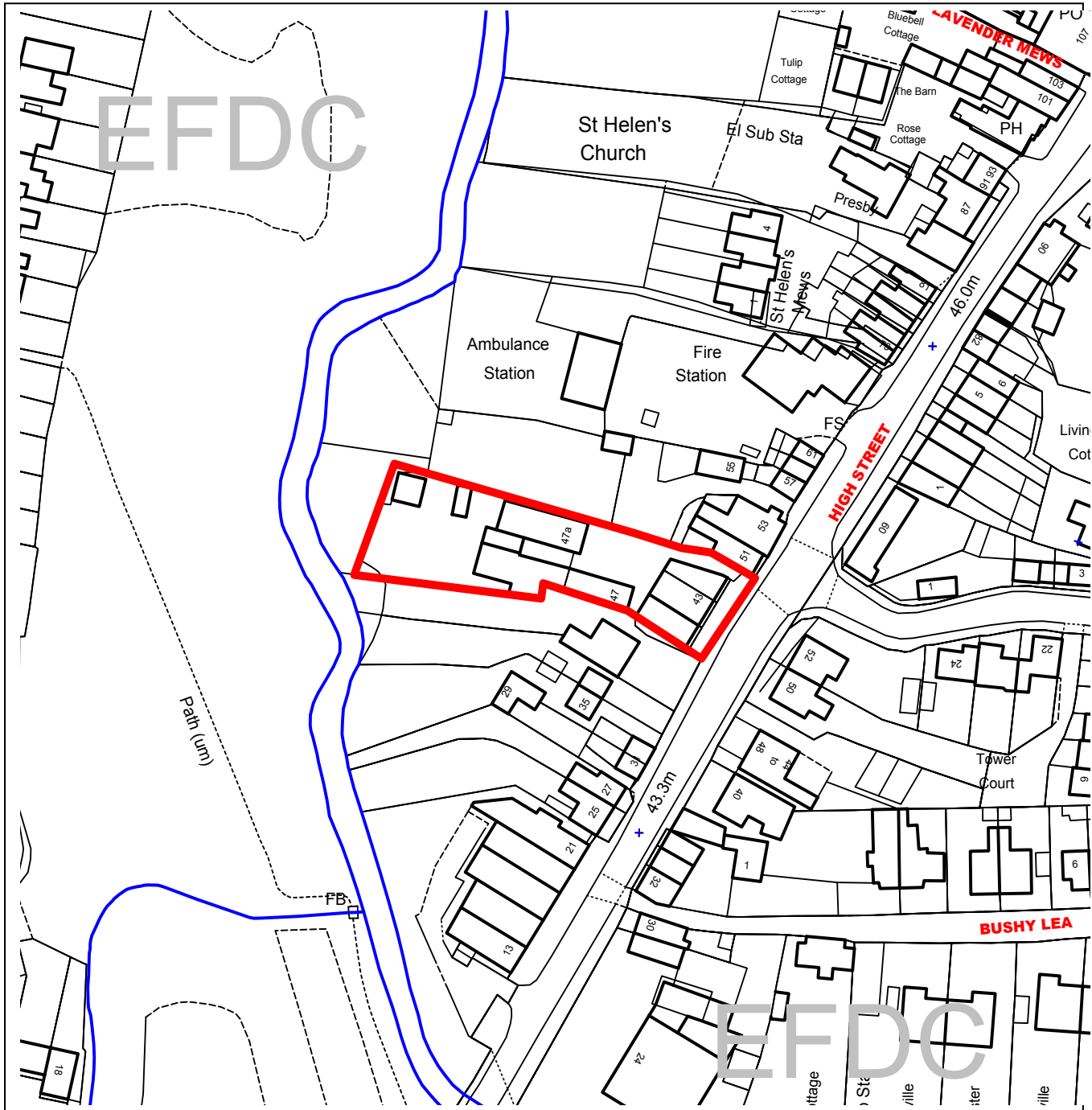
***Planning Application Case Officer: David Baker
Direct Line Telephone Number: 01992 564514***

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



Epping Forest District Council

Agenda Item Number 8



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Application Number:	EPF/0072/17
Site Name:	47 High Street, Ongar, Essex, CM5 9DT
Scale of Plot:	1/1250

Report Item No: 8

APPLICATION No:	EPF/0072/17
SITE ADDRESS:	47 High Street Ongar Essex CM5 9DT
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
APPLICANT:	Mr Andrew Taylor
DESCRIPTION OF PROPOSAL:	Proposed demolition of existing offices and workshops at the rear of the site and replacement with a terrace of five houses.
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=590833

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: 7212 - 02, 03A, 04A, 05A, 06A, 07A, 08, 09, 10, 11 and 12A
- 3 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted by the applicant and approved in writing by the local planning authority. The works as approved shall thereafter be fully undertaken prior to commencement of any construction works, including the construction of foundations..
- 4 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]

- 5 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]
- 6 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]
- 7 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.
- 8 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.

- 9 A bat survey will be carried out on the buildings prior to the commencement of any works on the site, in accordance with Natural England guidelines for such surveys. Should this survey reveal the potential for bats to be present in the buildings, a further dawn/dusk emergence/re-entry survey shall be undertaken. Should this reveal the presence of bats roosting in the buildings, details of measures for protection of the native population, including a copy of an appropriate licence obtained from Natural England, shall be submitted to and approved by the Local Planning Authority. All works recommended in the report approved shall be fully implemented and appropriate certification from a recognised body of said compliance shall be submitted prior to first occupation of the dwellings hereby permitted.
- 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, and details of proposed finished floor levels within the buildings.. The development shall be carried out in accordance with those approved details.
- 11 No development shall have taken place until samples and details of the types and colours of all external finishes to the buildings hereby approved 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.
- 12 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to 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 (including works to the retained boundary wall including strengthening and coping details),; car parking finishes; 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.

- 13 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.
- 14 Prior to the commencement of development other than groundworks, details of external lighting within the site boundaries shall be submitted to and approved by the Local Planning Authority. All works as agreed shall thereafter be fully implemented prior to first occupation of the dwellings hereby permitted.
- 15 Prior to the commencement of development other than groundworks, details of the design of cycle stores, including security measures, shall be submitted to and approved by the Local Planning Authority. All works as agreed shall thereafter be fully implemented prior to first occupation of the dwellings hereby permitted.
- 16 Prior to the commencement of development other than groundworks, details of the layout of refuse stores shown on the approved plan shall be submitted to and approved by the Local Planning Authority. All works as agreed shall thereafter be fully implemented prior to first occupation of the dwellings hereby permitted.
- 17 A minimum of 1 bat brick per house will be incorporated into the buildings. Plans of locations and types of bat bricks to be used shall be submitted to and approved by the Local Planning Authority prior to the commencement of works other than groundworks, and thereafter completed in accordance with the agreed details prior to first occupation of the buildings hereby permitted.
- 18 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.
- 19 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.
- 20 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.
- 21 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) "Flood Risk advice accompanying the application, produced by EAS. In particular, the scheme shall be carried out in accordance with the compensatory flood storage measures detailed

within the FRA. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

- 22 All first floor windows in the southern elevation of units 1 -4 inclusive hereby approved shall be finished in obscure glazing and non-opening below 1.7m above finished floor levels at first floor, and shall be permanently retained in that form.
- 23 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Classes A, B, C and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal. In addition, the application is before this Committee since it has been 'called in' by Councillor Keska (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

The application site is known locally as Taylors Yard and lies to the west of the High Street covering around 0.14 hectares. The main building lies along the southern site boundary for most of its length and comprises garages, stores and offices. To the northern side lie single storey workshops. There is an undercroft access to the rear part of the site which includes a further store and parking areas; it is noted that all open areas on the site are hard surfaced. The site is used by a building company.

Vehicle access is provided from High Street by a single width access on the northern site boundary adjacent to the frontage building of 41-45 High Street, a 3 storey building comprising shops on the ground floor and flats above accessed by an external staircase to the rear.

The site is adjoined to the north and south by residential properties, those to the south are conventional street fronting houses. To the north behind the frontage properties lies a communal parking area with a dwelling fronting on to this, beyond the parking area is a communal landscaped area.

The site falls from front to rear and the lower western boundary abuts Cripsey Brook which lies within the Green Belt. The site is also within the Ongar Conservation Area and adjacent buildings at 39, 51 and 53 High Street are all individually listed.

Description of Proposal:

The application proposes residential redevelopment of the site comprising of five, two storey dwellings. Four x two bedroom dwellings are proposed extending east west along the site length, stepping down to reflect changes in levels, and one x three bedroom unit is proposed to the

northern part of the site, this unit has the third bedroom over the undercroft serving the rear parking area.

All units have private gardens and four units are accessed from the central courtyard, unit 4 having access from the rear parking court. A car port for two vehicles is proposed adjacent to unit 1 and 8 parking spaces are located at the rear. Provision is indicated for bin store adjacent to the car port and cycles stores in front of unit 5

Relevant History:

None relevant

Policies Applied:

Adopted Local Plan:

CP1	Achieving sustainable development objectives
CP2	Protecting the quality of the rural and built environment
CP6	Achieving sustainable urban development patterns
CP7	Urban form and quality
HC1	Scheduled monuments and other archaeological sites
HC6	Character, appearance and setting on Conservation Areas
HC7	Development within Conservation Areas
HC12	Development affecting the setting of listed buildings.
NC4	Protection of established habitat
RP4	Contaminated land
H2A	Previously developed land
H3A	Housing Density
U2A	Development in Flood Risk Areas
U3B	Sustainable drainage systems
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
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.

Draft Local Plan:

At the current time, only limited weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions. The relevant policies in this case are as follows:

SP1	Presumption in favour of sustainable development
SP2	Spatial Development Strategy
SP4	Place Shaping

SP6	Natural Environment, landscape character and green infrastructure
H1	Housing mix and accommodation types
T1	Sustainable transport choices
DM1	Habitat protection and improving biodiversity
DM5	Green infrastructure – design of development
DM7	Heritage assets
DM9	High quality design
DM10	Housing design and quality
DM15	Managing and reducing flood risk
DM16	Sustainable drainage systems
DM21	Local environmental impacts, pollution and land contamination

Consultation Carried Out and Summary of Representations Received

32 neighbouring properties were consulted on both the original application and amended scheme.

Responses received: In response to the original scheme, 6 OBJECTIONS were received from residents at 35, 37, 39, 51, 53A and 55 HIGH STREET. Common themes raised by these objections included:

- Concern that the proposals constitute overdevelopment of the site.
- Traffic and parking issues – concerns at the level of parking provided and the safety of the access, residents refer to previous applications for frontage parking at 35 High Street (early 2000's) residential development at the rear of 51-57 (early 1990's), both of which were refused at appeal, inter alia, on highway grounds.
- Issues around flooding and sewage systems – objectors comment that rear gardens are in the flood plain for the Brook and this has flooded in the past. Concerns are raised that this may be exacerbated by the development. Further concerns about the capacity of the local sewage system are not material to the planning application.
- Impact on local wildlife, particularly creatures living in the Cripsey Brook corridor.
- Impact on the conservation area in general terms arising from the character of the development and its scale and intensity.
- Concerns at loss of amenity from external lighting in terms of the impact on neighbours and on local wildlife.
- Overlooking and loss of light. Residents to the north of the site initially raised issues around overshadowing and direct overlooking. Residents to the south (35, 37 and 39) made particular reference to their desire to see the flank wall of the existing two storey building on the boundary retained to maintain privacy and screening which they argued would not wholly prevent overlooking of gardens and their properties but would lessen the impact.

Subsequently, officers are aware the agent approached local residents to explain the scheme and objections from neighbours to the north have not been forthcoming on the revised plans.

On re-consultation on the revised plans, residents at 35 and 39 HIGH STREET responded. Both had OBJECTED that alterations to the boundary wall, which sees part of this being removed, failed to address their earlier objections and increased the degree of overlooking that would result.

ONGAR TOWN COUNCIL OBJECTED to the application on the following grounds:

- a) Lack of privacy to neighbouring property.
- b) Possibility of flood risk.
- c) Safety concerns of the access from site to the High Street.
- d) Preservation of wildlife that exists in the area.
- e) Capacity of existing sewers for the new development.

Main Issues and Considerations:

In terms of the Council's sustainable development objectives, the proposals meet many of the objectives. The site lies within the existing built up area and is sustainable in terms of access to local services and facilities. In the context of the immediate surroundings, it removes what is now a non-conforming commercial yard with potential for intensive and intrusive use and replaces this with a more compatible residential use. The scheme provides a relatively low density development (36 dwellings per hectare) which is entirely appropriate to this location. Officers are therefore satisfied that both the principle and level of development are acceptable.

The scheme has developed with particular regard to the location of the site within the conservation area. The scheme demonstrates a good understanding of its location and an adequate adaptation to its site. Situated at the rear of High Street, where once were the ancillary buildings, the development remains subordinate to No.43 respecting the building hierarchy, and at the same time, the historic layout of the medieval town. The scheme also follows the course of the terrain that slopes towards Cripsey Brook, gradually stepping down. The terrace of houses with red clay tiled pitch roofs will blend with the Chipping Ongar traditional roofscape providing attractive views from the brook's banks. Both the landscaping scheme and material palette, featuring high quality traditional materials, such as timber, render, brick and tiles would complete its integration. Thus the proposal is considered appropriate to the wider conservation area context.

The scheme proposes 10 parking spaces and thereby meets adopted standards; provision for cycle storage is also indicated and can be dealt with by condition. Much comment has been made about the suitability of the site access for the level of vehicular activity proposed. The access is single vehicle width and around 2.6metres wide at its narrowest. The Highway Authority has commented:

Whilst it is recognised that the accessway is constrained it is existing and does serve an existing commercial use which is not controlled by planning conditions. The proposed scheme will reduce the amount of vehicle movements below the existing use and will greatly reduce commercial vehicle movements through this narrow access to the benefit of all highway users. The development is proposing appropriate parking provision and also has a large turning area. Consequently there will be no detriment to highway safety or efficiency as a result of the development.

Officers support this view that the access is suitable for a development of this scale.

In terms of the amenity of existing residents, the issues arising relate predominantly to the neighbouring properties to the south. The gardens at these properties are set at a lower level than the site (where levels have been built up by previous resurfacing) such that close to the dwellings there is around 1 metre difference, gradually reducing towards to the rear. The existing office building at two storeys high is built along this boundary and does form a significant and substantial barrier having no windows or openings in this elevation. In some circumstances, such a wall (around 25m long and up to 6m high) may be considered intrusive, but it lies to the north of neighbours and its function in screening activity on site and as a result its amenity value to the neighbouring occupiers is acknowledged.

The application proposes partial removal of the wall. The section closest to the frontage buildings where it forms part of the staircase to the existing flats is retained at full height, 1 metre is removed over a length of around 8 metres, 2 metres over the next 8 metres and 3 metres from the remainder. Officers have supported this approach having regard to a number of factors. Firstly, it must be recognised that the wall is part of a building and not a freestanding structure and therefore this will require some additional structural work to ensure its safety when the rest of the building is

removed. The car port indicated at the eastern end contributes to this and further support piers are proposed along the length. Officers have also had regard to future residents of the new development; the wall lies on the southern boundary of these properties and the wall lies within at some points 3metres of the rear of the new dwellings.

All ground floor windows in the new dwellings will be sufficiently screened by the boundary wall to ensure that, taking account of levels changes, there is no direct overlooking. At first floor, all windows in this side of the building are to bathrooms and stairways only, all bedroom windows being on the north or west elevations, as a result the rear first floor windows can be conditioned to be obscure glazed and largely fixed. Taking account of all relevant considerations above, officers consider that the proposals represent a reasonable compromise and would not result in overlooking or substantial loss of amenity to the neighbours to the south.

The neighbours to the north, 51, 53A and 55 have not objected on the revised plans and the amenity grounds for this are evident. The proposed buildings are a minimum of 20metres from the closest dwelling to the north and lie at an angle of not less than 45 degrees, thereby ensuring no direct impact in terms of overshadowing or overlooking.

Concerns are also raised in representations in regards flood risk and impact on local wildlife. On the former, part of the site does lie in the flood plain and a flood risk assessment has accompanied the application which includes recommendations for compensatory flood storage and on finished floor levels within the buildings. The Environment Agency have been consulted thereon and have accepted the findings, subject to conditions relating to the remediation measures above being completed.

On the latter, the site is wholly hard surfaced and fenced and would not be expected to provide habitat in its existing form, other than the possibility of bats within the existing buildings (a condition requiring a survey is recommended, together with the use of bat bricks in the development. New landscaping is being proposed around the boundaries to the parking areas, including areas for tree planting and this would be consistent with the open land behind.

Conclusion:

The application proposes a low density residential development in a highly sustainable location within the existing built up area. While the loss of an employment site from the area is noted, that use has potential to affect amenity and is generally incompatible with the prevailing residential character of the immediate neighbours.

The built form has due regard to the location of the site in the conservation area being subordinate to the frontage building, following the natural ground level and using traditional materials. The scheme includes an appropriate level of car parking which is considered to have less impact on the road network than the existing use, notwithstanding the limited width of the access.

Primary amenity considerations concern the potential impact on neighbours to the south. Officers would contend that the siting and scale of the buildings do not directly impact on adjoining properties and the siting of only bathroom and stairwell windows above ground floor fully addresses concerns about overlooking. Alterations to the boundary wall provide a balance between the desire of neighbours to retain the additional screening, the structural integrity of the wall as a freestanding structure (not as part of a building) and ensuring adequate daylight to the rear gardens of the new dwellings.

As a result, and subject to appropriate conditions, including matters relating to site drainage, contamination and withdrawal of permitted development allowances. The proposals are therefore considered to be consistent with adopted and emerging policy and are 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: Ian Ansell
Direct Line Telephone Number: 01992 564481**

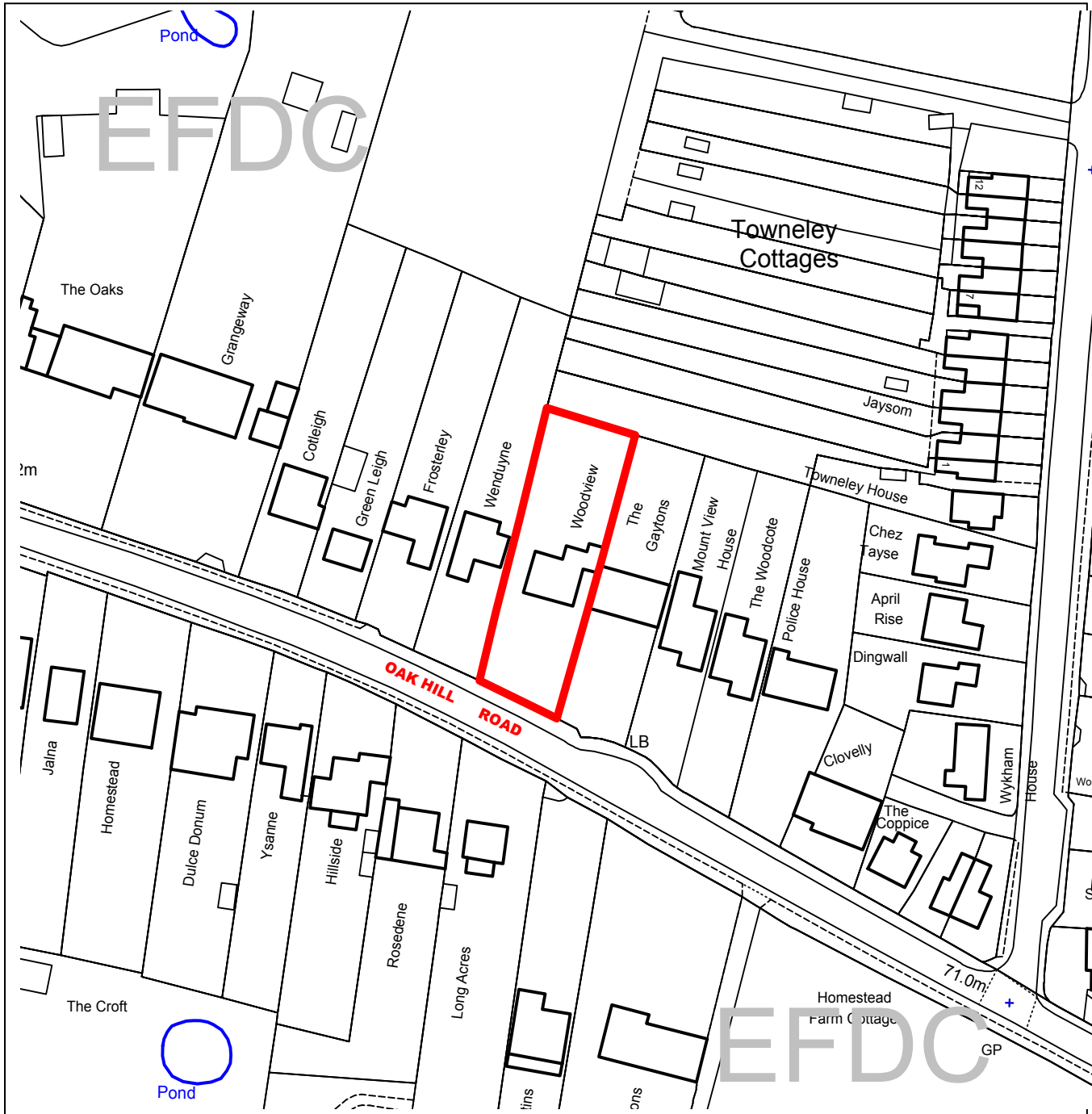
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Epping Forest District Council

Agenda Item Number 9



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Application Number:	EPF/0600/17
Site Name:	Woodview, Oak Hill Road, Stapleford Abbots, RM4 1JL
Scale of Plot:	1/1250

Report Item No: 9

APPLICATION No:	EPF/0600/17
SITE ADDRESS:	Woodview Oak Hill Road Stapleford Abbots Romford Essex RM4 1JL
PARISH:	Stapleford Abbots
WARD:	Passingford
APPLICANT:	Mrs Marielle Dunn
DESCRIPTION OF PROPOSAL:	Conversion of integral garage into a study room, redesign of the porch, erection of car port and store in front garden, and new timber electric gate at the front.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=592368

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 facing brick and roof tile to be used on the proposed development shall match that used on the existing house on the site, unless otherwise agreed in writing by the Local Planning Authority.
- 3 The existing hedge on the front boundary of the site shall be maintained (or replaced if it dies) on a permanent basis.

This application is before this Committee since the recommendation for approval is contrary to an objection from a local council which is material to the planning merits of the proposal, (pursuant to the 'constitution, part three: planning services – delegation of council function, schedule 1, appendix A(g)).

Description of Site:

A relatively new two storey detached house located in the urban settlement of Stapleford Abbots. The property is not listed nor does it lie in a conservation area.

Description of Proposal:

Conversion of integral garage into a study room, redesign of the porch, erection of car port in front garden, with provision of new timber electric gate at the front and railings to be installed on the existing front boundary wall.

Relevant History:

EPF/2503/07 was an approval for the erection of a replacement dwelling which was then erected. A condition attached withdrew permitted development rights for extensions and alterations.

Policies Applied:

Adopted Local Plan:

DBE9 – Loss of amenity.

DBE10 – Residential extensions.

ST6

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.

Draft Local Plan

At the current time, only limited material weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions. The relevant policies in this case are as follows:

- DM9 - High Quality Design
- T1 - Sustainable Transport Choices
-

Summary of Representations:

STAPLEFORD ABBOTTS PARISH COUNCIL – object – (garage/store) is not in keeping with the street scene and might set a precedent.

NEIGHBOURS - 7 consulted and no replies received.

ESSEC CC HIGHWAYS AUTHORITY – no comments to make since the proposal is not contrary to the Highway Authority's Development Management Policies.

Issues and Considerations:

It is proposed to enclose the existing open sided front porch, principally with glazing, and this change is acceptable in appearance. It is also proposed to convert the existing garage, which is just 2.5m wide, to habitable accommodation. Given that the deep front area to this house can accommodate several cars to be parked off the road the loss of this garage is acceptable.

The main issue raised by this application is the proposal to erect a double car port plus storage unit in the front hard surfaced garden area – to which the Parish Council have objected because it would not be in keeping with the street scene and may set a precedent. Detached buildings to the front of houses need to be assessed on their own merits. This is a large front garden area and the front boundary contains a long established hedge behind the front wall that would hide most of the

view of the proposed building. The original plans have been amended to move the proposed building a minimum of 2m from this front boundary to ensure the health of the hedge is not adversely affected. The permanent retention of this hedge will be required by a condition.

The proposed building is quite low in height being 2.2m to eaves and 2.7m to ridge. It would have a shallow angled roof with hipped ends, and the roof and brick to be used will match that used on the main house. As mentioned above it would be largely hidden from view from the road by the existing hedge, and there are examples of garage buildings positioned to the front of houses in rural and semi rural areas. Bearing all these points in mind the proposed building would not have a significant impact on the appearance of the street scene, and would not set an undesirable precedent.

On the front boundary, railings will be installed on the top of the existing wall in between the existing brick piers, and a new timber electrical sliding gate is to be erected. This gate will be recessed 5.5m from the front boundary of the site which, combined with the width of the pavement, will give ample access for a car to pull completely off the road whilst the gates are opening. The Highways Authority have no objections to this proposal, and the railings and recessed gate will have an acceptable appearance in the street scene.

Conclusion:

For the reasons outlined above this householder proposal, as revised, now complies with relevant policies. The forward garage will be screened and therefore not dominate the street scene. The other alterations are in keeping with the new house and the surroundings. It is therefore recommended that planning permission be granted subject to conditions.

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

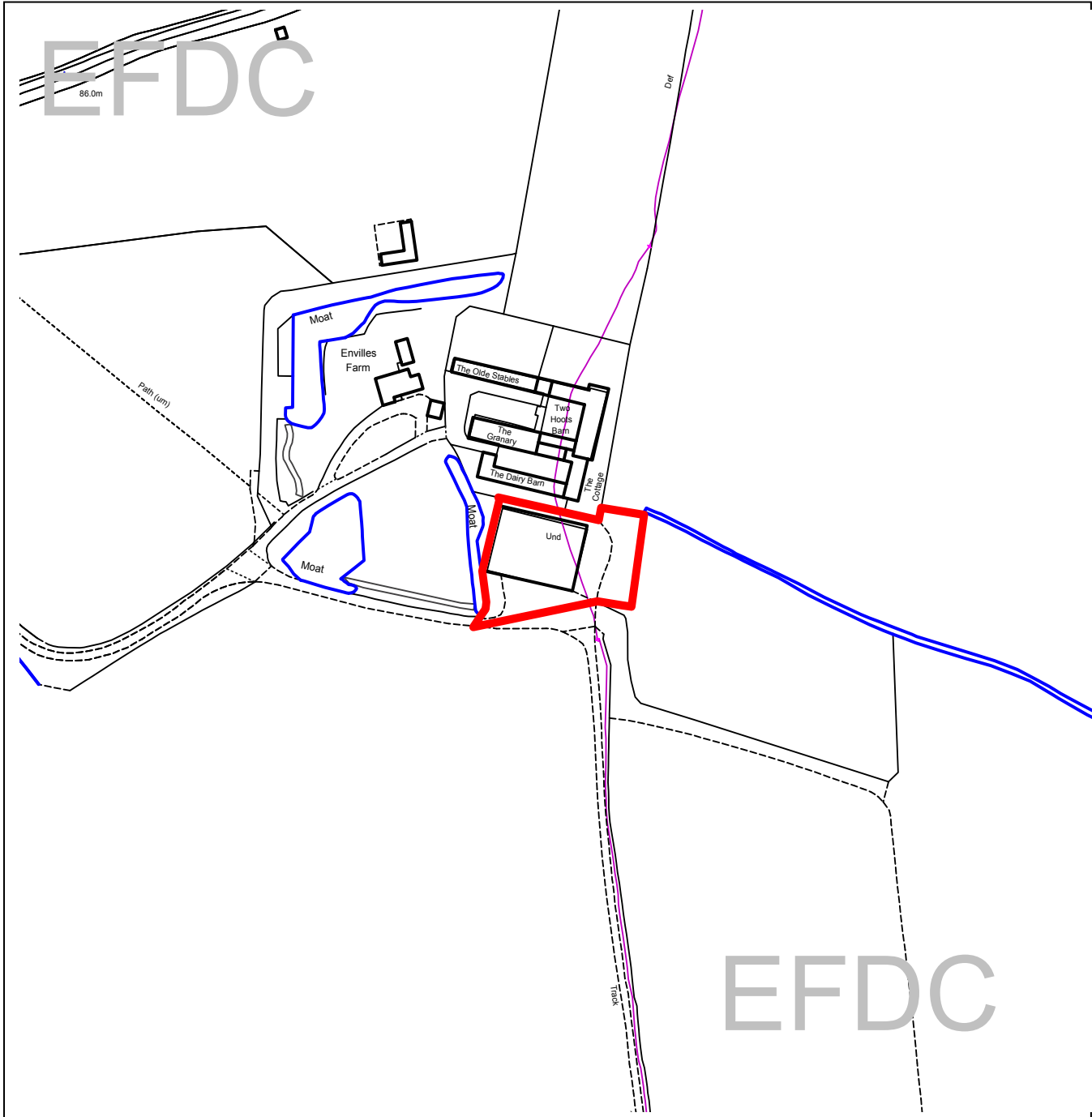
***Planning Application Case Officer: David Baker
Direct Line Telephone Number: 01992 564514***

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



Epping Forest District Council

Agenda Item Number 10



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Application Number:	EPF/0561/17
Site Name:	Envilles Farm, Abbess Road, Little Laver, Ongar, CM5 0JH
Scale of Plot:	1/2500

Report Item No: 10

APPLICATION No:	EPF/0561/17
SITE ADDRESS:	Envilles Farm Abbess Road Little Laver Ongar Essex CM5 0JH
PARISH:	Fyfield Moreton, Bobbingworth and the Lavers
WARD:	
APPLICANT:	Mr J Donovan
DESCRIPTION OF PROPOSAL:	Demolition of the existing B8 store building and the erection of 3 no. four-bed dwellings with associated hard and soft landscaping.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=592262

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: 16009_001, 17005_001, 17005_002 and the site location plan
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 4 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 and B of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

- 5 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.
- 6 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.
- 7 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]
- 8 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]
- 9 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]

- 10 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.
- 11 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.
- 12 No preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.
- 13 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.

- 14 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.
- 15 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.
- 16 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.
- 17 Retention of trees and shrubs amended to read - If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.

This application is before this Committee since it is for a type of development that cannot be determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(f).)

Description of site

The application site is located within a very sparse area of development in the settlement of Little Laver. Currently on the site is a large utilitarian style building used as a B8 storage situated within a large plot. There are residential dwellings to the north which were previously part of the original farm complex. Access to the site comes from a private road which joins onto the main public carriageway to the north. The 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 demolish the existing building and to erect three new dwellings.

Relevant History:

EPF/0122/94 - Continued use of farm buildings for storage of inner tubes. Approved.

EPF/0191/03 - Change of use of agricultural outbuildings to 10 no. dwelling units. Refused

EPF/1316/04 - Change of use and conversion of farm buildings to 3 no. dwellings. Approved.

EPF/0754/08 - Change of use and conversion of redundant agricultural barn to residential use. Approved.

EPF/1848/09 - Amended conversion scheme (pursuant to existing consent EPF/1316/04) including additional residential floorspace within existing building. Approved.

EPF/1338/16 – Demolition of existing building and erection of one dwelling – Approved.

Policies Applied

The following saved policies within the Council's adopted Local Plan (2004) and Alterations (2008) are relevant:

CP1 – Achieving Sustainable Development Objectives
CP2 – Protecting the Quality of the Rural and Built Environment
DBE4 – Design in the Green Belt
DBE9 – Loss of Amenity
ST4 – Road Safety
LL1 – Rural Landscape
LL9 – Felling of Preserved Trees
LL10 – Adequacy of Provision for Landscape Retention
LL11 – Landscaping Schemes
DBE1 Design of new buildings
RP4 Contaminated land
U3B sustainable drainage
DBE8 private amenity Space
ST6 vehicle parking standards
ST1 Location of development
ST2 Accessibility of development
H1A Housing Provision
GB2A – Development in the Green Belt
GB7A – Conspicuous Development

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

MORETON, BOBBINGWORTH & THE LAVERS PARISH COUNCIL – NO OBJECTION

1 Envilles Cottage – OBJECTION - Any further development would amount to over development on the green belt. The access track is inadequate at present, being of poor design with inadequate site lines. This has, over the past few years resulted in the demise of various domestic pets as a consequence of speeding motorists. The inevitable increase in traffic will only exacerbate the situation. This community does not require any more detached four bedroom houses.

Wellington – OBJECTION - Firstly, it is entirely questionable that this development will provide much needed, affordable housing. Secondly, the tiny country lane that leads to this potential development is already under huge traffic constraints as a result of the previous over development of existing farm buildings.

Envilles Farm – OBJECTION – The proposal will be an overdevelopment of the site, will cause harm to the openness of the Green Belt and will harm the appearance of the area. The increase in traffic will cause significant harm to the existing vehicle situation and there will be harm to the existing trees on the site.

NO ADDRESS GIVEN – OBJECTION – The proposal is an overdevelopment of the site and will cause excessive traffic movements.

NO ADDRESS GIVEN – OBJECTION – The proposal will cause harm to the Green Belt and will cause a significant increase in traffic.

NO ADDRESS GIVEN – OBJECTION – The site has a only a small access road and the increased traffic will be dangerous.

PARISH COUNCILLOR AND RESIDENT OF LITTLE LAVER – OBJECTION – This is an overdevelopment in the Green Belt, the road is unsuitable, there will be harm to neighbours.

Issues and considerations

The main issues to consider are the potential impacts on the Green Belt, the living conditions of neighbours, the design of the proposal in relation to its setting, land drainage issues, land contamination, trees and landscaping issues, parking and access and any other material considerations.

Green Belt

The National Planning Policy Framework (NPPF, CLG, 2012) indicates that the Government attaches great importance to Green Belts. The fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

The NPPF states that inappropriate development in the Green Belt should be refused planning permission unless very special circumstances can be demonstrated which clearly outweighs the harm caused.

However paragraphs 89 and 90 of the NPPF give certain exceptions to inappropriate development, one of which is the:

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.

This is a further application to a previous approval of planning permission which allowed the demolition of the existing building and the erection of a single detached dwelling (EPF/1338/16). Within that proposal the Council accepted that the site constitutes previously developed land as the building is currently used for B8 storage purposes and there is no reason to take a different view within this application. Indeed from a site visit it was clear that the site was used for storage purposes rather than as an agricultural building.

Whilst the building is previously developed land, the proposed redevelopment must not have a greater impact on the openness of the Green Belt or to the purposes of including land within it.

The current building has a floor area of 1008sqm and a maximum ridge height of 7m. The replacement dwellings will have a ridge height of 6.2m and each one will have a floor area of 202sqm which amounts to 606sqm in total. This is a reduction in built form in the Green Belt of around 40% and as a result, clearly this proposal will have a significantly lesser impact on the openness of the Green Belt than the existing building. The development therefore comfortably falls within this exception to inappropriate development in the Green Belt and therefore very special circumstances are not required to justify the development.

To ensure there is no excessive harm to the Green Belt, it is considered reasonable and necessary to remove Class A and B Permitted Development Rights to ensure the Council retains control of future development of the site.

Living conditions of neighbours

The Dairy Barn and The Cottage are residential dwellings located to the north of the site and whose rear gardens are currently adjacent to the existing building. The proposed dwellings are of a far smaller scale than the existing building and therefore in the context of the existing building on the site it is not considered that there will be any harm to the living conditions of these neighbours due to the development.

The neighbours have raised concern that the introduction of three new dwellings will cause a substantial increase in the number of vehicle movements on the private lane, however it is not anticipated that there will be any significant harm to the living conditions of the neighbours as a result of this proposal.

Design

The new dwellings will have a very shallow pitched roof which has very little architectural merit, but which bears some resemblance to the existing building on the site. The new dwellings will also be located some distance from the main public carriageway and will be accessed from a private road and consequently it will not be overtly visible from public viewpoints. Weight is also attributed to the previous consent where planning permission was granted for a very large single dwelling, which proposed a far more incongruous and bulky design. It is considered that this new proposal will be an improvement to this currently extant planning permission.

As a result it is considered that there will not be significant harm to the character or appearance of the area and the proposal is considered to comply with Local and National design policy.

Land drainage

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. A Flood Risk Assessment (FRA) is required

It is also necessary to assess details of foul and surface water discharge and these issues can be secured through the use of planning conditions.

Highways and parking

The new dwellings will be served by an existing private road and the Essex Highway Officer has no objection to this as the introduction of three new houses will not cause an excessive number of vehicle movements over and above the existing situation.

In terms of parking, each dwelling has a substantial area for the parking of cars and therefore no concerns are raised.

Trees and landscaping

The Tree and Landscape team have objected to the proposal on the grounds that there have not been any submitted tree reports and that there are trees adjacent to the moat on the western end of the application site. Despite this objection, the edge of the moat is around 30m from the front elevation of the proposed new dwellings and there was no objection raised to the previous approval which is still an extant consent. In any event it is considered in this instance that these adjacent trees can be safeguarded through the use of planning conditions.

Land Contamination

Due to its historical farm use and the presence of electricity sub-station, tanks and infilled moat, there is the potential for contaminants to be present over all or part of the site.

Domestic dwelling gardens are classified as a particularly sensitive proposed use and no assessment information has been provided with the application, it will be necessary for the risks to be investigated, assessed and where necessary remediated by way of condition.

Archaeology

The Essex Historic Environment Record (EHER) shows that Envilles Farm is a medieval moated site, that subsequently became the site of a 19th century model farm (EHER 4146-7, 15449). In addition the route of a Roman road is thought to cross the development area (EHER 4207). It is possible therefore that the proposed development will impact on archaeological remains relating to the origin or development of the site. The use of a planning condition can ensure that there will be no loss of historic remains of intrinsic interest.

Conclusion

The proposal is not inappropriate development in the Green Belt being that it is previously developed land by definition and this proposal will have a significantly lesser impact on the openness of the Green Belt than the existing building. It will not harm the living conditions of the neighbours, the design is acceptable and all other considerations are satisfied. Therefore it is recommended that planning permission is granted.

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

Planning Application Case Officer: James Rogers
Direct Line Telephone Number: 01992 564 371

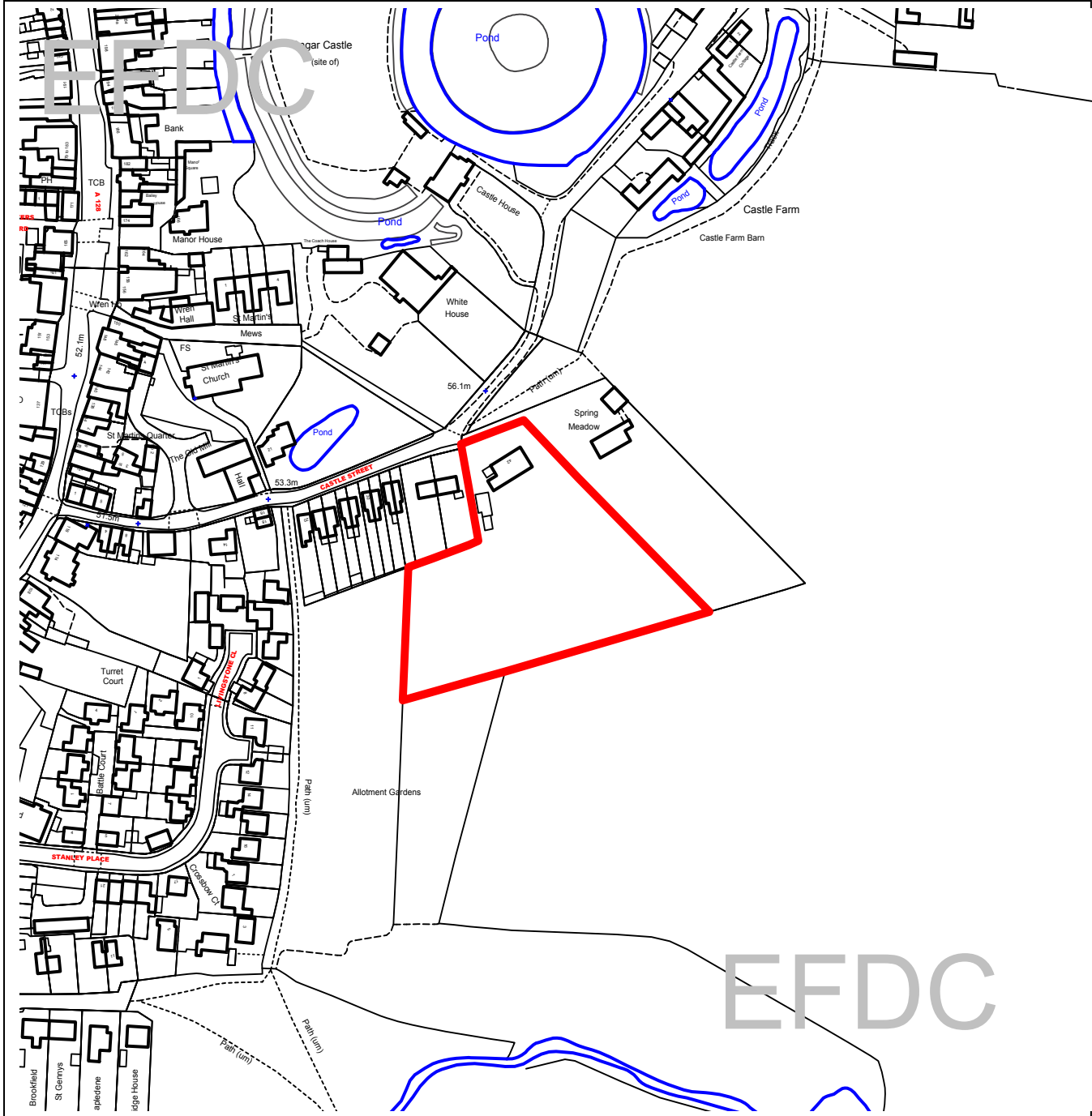
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

Agenda Item Number 11



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Application Number:	EPF/0948/17
Site Name:	42 Castle Street, Ongar, CM5 9JS
Scale of Plot:	1/2500

Report Item No: 11

APPLICATION No:	EPF/0948/17
SITE ADDRESS:	42 Castle Street Ongar Essex CM5 9JS
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
APPLICANT:	Mr & Mrs Fenn
DESCRIPTION OF PROPOSAL:	Demolish the existing detached dwelling and outbuildings on the site and to construct a replacement detached house with garage.
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=593357

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: 2707/01, 03, 05 and 06 rev A
- 3 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.
- 4 No development shall take place until details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 5 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to

present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]

- 6 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]
- 7 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]
- 8 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

- 9 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 10 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.
- 11 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.
- 12 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.
- 13 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural Report is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed,

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

- 14 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 15 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 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 B, C and D] of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

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

Description of Site:

The application site, also known as Spring Ponds, comprises around 0.75 hectares and lies on the south side of Castle Street. The existing dwelling on the site is two storey with rooms in the roof at the rear and a single storey wing on the west side; the building is finished in white painted render with a tiled roof. There is a detached garage to the west side and a car port on the frontage north east of the dwelling. A single vehicle access point is located in the north west corner of the site. The extensive rear garden includes a swimming pool on the eastern boundary and extends around the rear of gardens to 36, 38 and 40 Castle Street.

The site lies in a predominantly residential area wherein lies a mix of built forms, the principle building being the listed White House to the north, largely screened from the street. Properties to the west fronting Castle Street are of more modest scale and simpler design.

The application site lies wholly within the Green Belt, as does the adjoining house to the east and land and buildings to the north. The properties to the west are outside the Green Belt, but do lie within the Ongar Conservation Area, the boundaries of which follow the site's western and north western boundaries.

Description of Proposal:

The application proposes demolition of the existing building and replacement with a new single 4 bedroom dwelling. The building is sited to align more with the western side boundary facing in a more north easterly direction and is primarily two storeys. The rectangular form is broken by front and rear projecting bays centrally located with gables featuring decorative pediments and bullseye windows within the gables – at the rear part of an en-suite bedroom that extends across much of the rear half of the building with rooflights either side of the gable. The front elevation also features a projecting canopy to the entrance. Principle materials are indicated as brickwork and slate tiles.

A double garage is indicated to the west side of the house, set back from the frontage and attached to the main house with a single storey link block. Basement areas are indicated below around two thirds of the width of the house and separately below the whole of the garage; raised terrace is provided at the rear. Vehicle access is unaltered and the hard surface frontage retained.

Relevant History:

None

Policies Applied:

Adopted Local Plan:

CP1	Achieving sustainable development objectives
CP2	Protecting the quality of the rural and built environment
GB2A	Development in the Green Belt
GB7A	Conspicuous development
GB15A	Replacement dwellings
HC6	Character, appearance and setting of Conservation Areas
HC12	Development affecting the setting of Listed Buildings
RP4	Contaminated land
RP5A	Adverse environmental impacts
H2A	Previously developed land
U3B	Sustainable drainage systems
DBE1	Design of new buildings
DBE2	Effect on neighbouring properties
DBE4	Design in the Green Belt
DBE8	Private amenity space
DBE9	Loss of Amenity
LL10	Adequacy of provision for landscape retention
LL11	Landscaping schemes
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.

Draft Local Plan:

At the current time, only limited weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions. The relevant policies in this case are as follows:

SP1	Presumption in favour of sustainable development
SP5	Green Belt and District Open Land
SP6	Natural Environment, landscape character and green infrastructure
H1	Housing mix and accommodation types
T1	Sustainable transport choices
DM5	Green infrastructure – design of development
DM7	Heritage assets
DM9	High quality design
DM10	Housing design and quality
DM16	Sustainable drainage systems
DM21	Local environmental impacts, pollution and land contamination

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: Eight

Responses received: No response received from neighbours.

ONGAR TOWN COUNCIL objected to the application on the following grounds:

- i) DBE-4 (ii) Design in the Green Belt because it is NOT 'of a design which respects local character in terms of traditional plan form and detailing'.*
- ii) Despite not being in the Conservation area it is adjacent to the conservation area so that HC6 applies and states that 'within or adjacent to a conservation area, the council will not grant planning permission for any development ...which could be detrimental to the character, appearance or setting of the conservation area.' This completely different architectural style proposed is detrimental.*
- iii) HC7 (i) states it should be sympathetic to the character and appearance in terms of scale etc. and (iv) the façade should incorporate a substantial degree of visual intricacy COMPATIBLE with that of the facades of The Historic buildings. It is not compatible with any historic buildings in the area.*
- iv) The style of the proposed 'Palladian style' façade is a dominating one, and despite being smaller in scale than the listed White House, its visual impact competes for attention trying not to be subservient. This would adversely affect the 'Setting' of the neighbouring Designated Heritage Asset known as the White House looking from the White House downhill towards 42 Castle Street. This is contrary to HC12 and NPPF.*

Main Issues and Considerations:

In terms of the site location in the Green Belt, the application proposes a one for one replacement in a similar position close to the site frontage. In terms of the built footprint above ground, the living accommodation comprises an increase of around 17% floor area but taking into account the outbuildings being demolished and the new garage, the increase is around 10%. This represents a proportionate increase and the development is therefore considered appropriate in the Green Belt.

In considering the design and elevational treatment of the building, particular regard should be had to the relationship the site has with the Conservation Area and the listed building to the north. There is a degree of visual separation between the application site and the Conservation Area and more significantly the listed building as a result of existing trees and hedges. Approaching the site from the west (within the Conservation Area), only the upper floor flank elevation is visible and the

frontage is only visible from the site entrance (and the proposal orientates the building away from this vista. The new building is no taller at ridge than the existing building and will therefore not have a material greater visual impact on the Conservation Area.

Comments from the Town Council that the building is of a 'completely different architectural style' are not disputed, but this is true of most of the buildings within this part of the Conservation Area, where each of the pairs of houses to the west all display noticeably different characteristics and detailing.

The listed building lies to the north and is screened by a dense area of woodland that creates clear visual and physical separation and distinction between the two. Given the limited views of the front elevation of the building, officers consider there is no material impact on the listed building or the approach thereto.

Comments on the detailed built form are more subjective, though. The building includes a projecting gabled front with a decorative pediment. The Conservation Officer has raised some concern over this particular pediment feature, but this finishes some way below the ridge height and is well proportioned in the context of the overall elevation. The building is consistent with the overriding local character using facing brick and slate tiles (the existing building is rendered) and introducing chimney stacks at either end. The garage is subordinate in scale and siting and the development is sited partially over the existing built footprint. While individual elements may not be to every taste, it cannot reasonably be argued that the proposals do not represent good design or that the building as a whole is not appropriate to the location.

The proposals do not raise any issues of direct amenity impact, the neighbouring property to the east is well screened and around 14 metres off this boundary while the single storey elements lie between the main building and the western boundary. Adequate off site provision is made for vehicle parking and turning with the garage and frontage area.

Conclusion:

The application proposes a replacement dwelling that is sited in a similar position to the existing building and represents a proportionate increase in the overall built mass. The development is therefore acceptable within the Green Belt.

The proposal represents good design in that it uses material appropriate to the location and is comparable in overall scale to the building it replaces. The site does lie outside the Conservation Area but is visible from within it but the proposals do not compromise the conservation importance of the area. Similarly, the site abuts a listed building but has no substantive impact thereon as the two sites are not visually connected.

In the circumstances, the proposals are considered to meet local and national policy and acceptable in amenity terms.

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