

# Committee Agenda



## Epping Forest District Council

### **AREA PLANNING SUB-COMMITTEE SOUTH** **Wednesday, 24th February, 2021**

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

**Virtual Meeting on Zoom**  
on **Wednesday, 24th February, 2021**  
at **7.00 pm.**

**Georgina Blakemore**  
**Chief Executive**

**Democratic Services**  
**Officer:**

Democratic Services Tel: (01992) 564243  
Email: [democraticservices@eppingforestdc.gov.uk](mailto:democraticservices@eppingforestdc.gov.uk)

#### **Members:**

Councillors J Share-Bernia (Chairman), S Rackham (Vice-Chairman), R Baldwin, A Beales, R Brookes, S Heap, R Jennings, J Jennings, H Kauffman, A Lion, L Mead, G Mohindra, S Murray, S Neville, M Owen, A Patel, C P Pond, C C Pond, C Roberts, D Roberts, B Sandler, D Sunger and D Wixley

#### **WEBCASTING/FILMING NOTICE (VIRTUAL MEETINGS)**

**Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.**

**You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy.**

**Therefore by participating in this virtual meeting, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If members of the public do not wish to have their image captured they should ensure that their video setting throughout the virtual meeting is turned off and set to audio only.**

**In the event that technical difficulties interrupt the virtual meeting that cannot be overcome, the Chairman may need to adjourn the meeting.**

**If you have any queries regarding this, please contact the Corporate Communications Manager on 01992 564039.**

**1. WEBCASTING INTRODUCTION**

1. This virtual meeting is to be webcast. Members are reminded of the need to unmute before speaking.

2. The Chairman will read the following announcement:

“I would like to remind everyone present that this meeting will be broadcast live to the internet (or filmed) and will be capable of repeated viewing (or another use by such third parties).

Please could I also remind Members of the Public who have registered to speak that they will be admitted to the meeting at the appropriate time.

Please also be aware that if technical difficulties interrupt the meeting that cannot be overcome, I may need to adjourn the meeting.”

**2. ADVICE TO PUBLIC AND SPEAKERS ATTENDING THE COUNCIL PLANNING SUB-COMMITTEES (Pages 5 - 8)**

General advice to people attending the meeting is attached.

**3. MINUTES (Pages 9 - 16)**

To confirm the minutes of the last meeting of the Sub-Committee held on 18 November 2020.

**4. APOLOGIES FOR ABSENCE**

**5. DECLARATIONS OF INTEREST**

To declare interests in any item on this agenda.

**6. ANY OTHER BUSINESS**

Section 100B(4)(b) of the Local Government Act 1972, requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

**7. EPPING FOREST DISTRICT LOCAL PLAN SUBMISSION VERSION - PLANNING POLICY BRIEFING NOTE**

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

The primary purpose of the Planning Policy Briefing Note is to inform the development management process and to provide assistance for Development Management Officers, Councillors, applicants and planning agents. The Planning Policy Briefing Note is available at:

[http://www.efdclocalplan.org/wp-content/uploads/2018/03/Planning-Policy-Briefing-Note\\_Mar-2018.pdf](http://www.efdclocalplan.org/wp-content/uploads/2018/03/Planning-Policy-Briefing-Note_Mar-2018.pdf)

**8. SITE VISITS**

Members are reminded that for the duration of the coronavirus pandemic, as decided at the Group Leaders' Meeting of 24 June 2020, **no member site visits will be conducted.**

Therefore, any planning application deferred for a site visit at an Area Planning Sub-Committee will be automatically referred to the District Development Management Committee for determination.

**9. PLANNING APPLICATION - EFP/2600/19 LAMBOURNE END OUTDOOR CENTRE, MANOR ROAD, LAMBOURNE, ROMFORD RM4 1NB (Pages 17 - 24)**

To consider the attached report for the retention of a single storey three-sided wooden field shelter and overshoot netting structure.

**10. PLANNING APPLICATION - EPF/2388/20 PINE LODGE, 307 VICARAGE LANE, CHIGWELL IG7 6LS (Pages 25 - 30)**

To consider the attached report for a proposed single storey rear extension.

**11. PLANNING APPLICATION - EPF/2794/20 209D HIGH ROAD, LOUGHTON IG10 1BB (Pages 31 - 36)**

To consider the attached report for the erection of canopies for use of garden as additional seating to café and associated landscaping.

**12. PLANNING APPLICATION - EPF/3002/20 47 TYCEHURST HILL, LOUGHTON IG10 1BZ (Pages 37 - 42)**

To consider the attached report for a proposed ground floor rear infill extension with alterations to terrace, new roof form with rear dormer and front rooflights (Amended scheme to EPF/2622/18).

**13. EXCLUSION OF PUBLIC AND PRESS**

**Exclusion:** To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

<b>Agenda Item No</b>	<b>Subject</b>	<b>Exempt Information Paragraph Number</b>
Nil	Nil	Nil

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

**Background Papers:** Article 17 - Access to Information, Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information and in respect of executive reports, the advice of any political advisor.

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

**14. REFER SIGN (Pages 43 - 44)**

If any member wants to **refer** a planning application to the District Development Management Committee (DDMC), please **hold up this refer sign** in front of your screen immediately after the vote has been taken. If at least 4 members agree/hold up their refer signs, the application will be referred to DDMC.

Alternatively, if any member wishes to **refer** a planning application to DDMC, they should propose a **motion to refer** this application immediately after the vote has been taken. The Chairman will then ask for a seconder. After a seconder has been sought, the Chairman will then ask if any other member wishes to support this resolution. If at least 4 members agree then the application will be referred to DDMC, otherwise the motion to refer will fail.

## **Advice to Public and Speakers at virtual meetings of the Council's District Development Management Committee and Area Plans Sub-Committees**

### **Are the meetings open to the public?**

Yes all our meetings are open for you to attend virtually if you are a speaker, or to view on the Council's website at <https://www.eppingforestdc.gov.uk/your-council/watch-a-meeting/> Only in special circumstances are the public excluded.

### **When is the meeting?**

Details of the date and time of the meeting are shown at the top of the front page of the agenda along with the details of the contact officer and Members of the Committee.

### **Can I speak?**

If you wish to speak **you must register with Democratic Services by 4.00 p.m. on the day before the meeting**, by telephoning the number shown on the front page of the agenda. Speaking to a Planning Officer will not register you to speak; you must register with Democratic Services. Speakers are not permitted on Planning Enforcement or legal issues.

### **Who can speak?**

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

### **What can I say?**

You will be allowed to have your say about the application, but you must bear in mind that you are limited to three minutes. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Committee members.

If you have registered to speak on a planning application to be considered by the District Development Management Committee, Area Plans Sub-Committee East, Area Plans Sub-Committee West or Area Plans Sub-Committee South you will address the Committee virtually.

Only registered speakers will be admitted to the virtual meeting. This will be via the Zoom meeting invite you have been emailed by Democratic Services. Speakers must NOT forward this invite to anyone else under any circumstances. Alternatively, speakers may be contacted by phone at the appropriate time in the meeting when a Democratic Services Officer will contact you. If you are not present by the time your item is considered, the Committee will determine the application in your absence. Speakers should be following the meeting on the Council's webcaster to enable them to know when their item will be considered.

A transcript of your representation must be supplied in advance of the meeting to enable the Democratic Services Officer to read this out on your behalf should there be a technical problem. Please email your written statement to: [democraticservices@eppingforestdc.gov.uk](mailto:democraticservices@eppingforestdc.gov.uk)

## **Can I give the Councillors more information about my application or my objection?**

**Yes you can, but it must not be presented at the meeting.** If you wish to send further information to Councillors, their contact details can be obtained from Democratic Services or our website <https://rds.eppingforestdc.gov.uk/mgMemberIndex.aspx?bcr=1>. Any information sent to Councillors should be copied to the Planning Officer dealing with the application.

## **How are the applications considered?**

The Committee will consider applications in the agenda order. On each case they will listen to an outline of the application by the Planning Officer. They will then hear any speakers' presentations.

The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Committee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Committee. Should the Committee propose to follow a course of action different to officer recommendation, it is required to give its reasons for doing so.

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

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

## **Further Information**

Further information can be obtained from Democratic Services.

Area Planning Sub-Committee South 2020-21  
 Members of the Committee and Wards Represented:



**Chairman**  
**Cllr Share-Bernia**  
 Buckhurst Hill West

**Vice-Chairman**  
**Cllr Rackham**  
 Grange Hill

**Cllr Baldwin**  
 Loughton Forest

**Cllr Beales**  
 Loughton Forest

**Cllr Brookes**  
 Loughton Roding

**Cllr Heap**  
 Buckhurst Hill East



**Cllr B Jennings**  
 Loughton St John's

**Cllr J Jennings**  
 Loughton St Mary's

**Cllr Kauffman**  
 Loughton St Mary's

**Cllr Lion**  
 Grange Hill

**Cllr Mead**  
 Loughton Fairmead

**Cllr Mohindra**  
 Grange Hill

**Cllr Murray**  
 Loughton Roding



**Cllr Neville**  
 Buckhurst Hill East

**Cllr Owen**  
 Loughton Broadway

**Cllr Patel**  
 Buckhurst Hill West

**Cllr C C Pond**  
 Loughton Broadway

**Cllr C P Pond**  
 Loughton St John's

**Cllr C Roberts**  
 Loughton Alderton

**Cllr D Roberts**  
 Loughton Alderton



**Cllr Sandler**  
 Chigwell Row

**Cllr Sungar**  
 Chigwell Village

**Cllr Wixley**  
 Loughton Fairmead

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## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Area Planning Sub-Committee **Date:** 18 November 2020  
South

**Place:** Virtual Meeting on Zoom **Time:** 7.00 - 8.46 pm

**Members Present:** J Share-Bernia (Chairman), S Rackham (Vice-Chairman), G Chambers, R Baldwin, A Beales, S Heap, R Jennings, H Kauffman, L Mead, S Murray, S Neville, M Owen, A Patel, C P Pond, C C Pond, C Roberts, D Roberts and D Wixley

**Other Councillors:**

**Apologies:** R Brookes, J Jennings, A Lion, G Mohindra and D Sunger

**Officers Present:** A Marx (Development Manager Service Manager (Planning)), G Courtney (Planning Applications and Appeals Manager (Development Management)), S Dhadwar (Senior Planning Officer), B Meade (Planning Officer), A Hendry (Democratic Services Officer), L Kirman (Democratic Services Officer) and P Seager (Chairman's Officer)

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### 66. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

### 67. ADVICE TO PUBLIC AND SPEAKERS ATTENDING THE COUNCIL PLANNING SUB-COMMITTEE

The Chairman welcomed members of the public to the virtual meeting and outlined the procedures and arrangements agreed by the Council, to enable persons to address the Sub-Committee in relation to the determination of applications for planning permission. The Chairman advised that she would be a voting Chairman.

### 68. MINUTES

#### RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 21 October 2020 be taken as read and signed by the chairman as a correct record.

### 69. DECLARATIONS OF INTEREST

There were no declarations of interest made pursuant to the Council's Members' Code of Conduct.

**70. ANY OTHER BUSINESS**

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

**71. EPPING FOREST DISTRICT LOCAL PLAN SUBMISSION VERSION - PLANNING POLICY BRIEFING NOTE**

It was noted that the Epping Forest District Local Plan Submission Version Planning Policy Briefing note was available at:

[http://www.efdclocalplan.org/wpcontent/uploads/2018/03/Planning-Policy-Briefing-Note\\_Mar-2018.pdf](http://www.efdclocalplan.org/wpcontent/uploads/2018/03/Planning-Policy-Briefing-Note_Mar-2018.pdf)

**72. SITE VISITS**

There were no formal site visits requested by the Sub-Committee.

The Sub-Committee noted that, for the duration of the Covid-19 pandemic, any planning applications referred for a site visit at an Area Plans Sub-Committee (or the District Development Management Committee) would be automatically referred to the District Development Management Committee (or Council) for determination.

**73. PLANNING APPLICATION - EFP/1160/20 156B QUEENS ROAD, BUCKHURST HILL IG9 5BJ**

<b>APPLICATION No:</b>	EPF/1160/20
<b>SITE ADDRESS:</b>	156 B Queens Road Buckhurst Hill IG9 5BJ
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed single storey rear and side extension.
<b>DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=637536](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=637536)

**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 and retained strictly in accordance with the approved drawings numbers:  
Location plan, block plan, QR-01C

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

**74. PLANNING APPLICATION - EFP/1376/20 37 FOREST VIEW ROAD, LOUGHTON IG10 4DX**

<b>APPLICATION No:</b>	EFP/1376/20
<b>SITE ADDRESS:</b>	37 Forest View Road Loughton IG10 4DX
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>APPLICANT:</b>	KMDS Designs
<b>DESCRIPTION OF PROPOSAL:</b>	Part single storey part two storey rear extension and loft conversion.
<b>DECISION:</b>	Refused

**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=638655](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=638655)

**REASON FOR REFUSAL**

- 1 By reason of the height and bulk the proposal would appear as overly dominant in relation to the adjacent properties resulting in an unacceptable loss of light thus causing significant harm to the living conditions of the occupants of the adjacent properties contrary to policies DBE2, DBE9 and DBE10 from the Local Plan and Alterations (LP) (1998 & 2006), policies DM9 and DM10 from the Epping Forest District Local Plan Submission Version (LPSV) (2017 and the NPPF.
- 2 By reason of the depth and projection beyond the established rear building line of the properties on Forest View Road the proposal would be inappropriate development contrary to policies CP2, DBE9 and DBE10 from the Local Plan and Alterations (LP) (1998 & 2006), policies DM9 and DM10 from the Epping Forest District Local Plan Submission Version (LPSV) (2017 and the NPPF.

**Way Forward**

To propose a smaller, lower and less bulky addition that will interfere less with neighbours amenities, or build the extension granted consent in 2003.

**75. PLANNING APPLICATION - EFP/2021/20 GARAGE BLOCK, PENTLOW WAY, BUCKHURST HILL IG9 6BZ**

<b>APPLICATION No:</b>	EPF/2021/20
<b>SITE ADDRESS:</b>	Garage Block Pentlow Way Buckhurst Hill Essex IG9 6BZ
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill East
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing garages, erection of a residential building with proposed flats with associated parking and landscaping, 7 units in total.
<b>DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=641836](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=641836)

## 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 and retained strictly in accordance with the approved drawings numbers:

200272 ECD ZZ XX DR A 1000 S3 P1, 200272 ECD ZZ 00 DR A 1001 S3 P1, 00272 ECD ZZ XX DR A 1100 S3 P3. 200272 ECD ZZ XX DR A 1101 S3 P1, 200272 ECD ZZ GF DR A 1201 S3 P5, 200272 ECD ZZ 01 DR A 1202 S3 P4, 200272 ECD ZZ 02 DR A 1203 S3 P4, 200272 ECD ZZ RP DR A 1204 S3 P3, 200272 ECD ZZ XX DR A 1255 S3 P3, 200272 ECD ZZ XX DR A 1256 S3 P5, 200272 ECD ZZ XX DR A 1260 S3 P2, 200272 ECD ZZ XX DR A 1261 S3 P2, 2118-T-1231 P3, Phase 1 Contaminated Land Assessment - Revision A by Create Consulting Ltd, Phase 2 Geo-Environmental Assessment - Revision B by Create Consulting Ltd, Remediation Method Statement - Revision A by Create Consulting Ltd, PRELIMINARY DRAINAGE STRATEGY dated 6/12/19, PRIVATE DRAINAGE STANDARD DETAILS (1 OF 3) dated 1/4/20, PRIVATE DRAINAGE STANDARD DETAILS (2 OF 3) dated 1/4/20, PRIVATE DRAINAGE STANDARD DETAILS (3 OF 3) dated 3/1/20 Drawing Base: 2118-T-1201 Preliminary Landscape GA dated 12/6/20, Arboricultural Site Assessment ref EV190925-389Rev02 18/5/2020 by MWA, MWA TCP 001 Tree Constraints Plan, MWA TLP 002 Tree Location Plan, 2118-T-1201 REVISION P4  
MWA TSS 002 - Tree Survey Schedule EV190925-389, Flood Risk Assessment and Drainage Strategy reference EW/CC/P18-1635/05 June 2020 by Create Consulting Ltd, Building External Finishes Schedule AB0272 Revision P1, Landscape finishes schedule - Pentlow Way 2118-T-

1241 Revision P1.

- 3 Following completion of the 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.
- 4 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 Phase 2 report, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 21 days of the report being completed and approved in writing by the local planning authority.
- 5 The development shall be carried out in accordance with the flood risk assessment (Flood Risk Assessment and Drainage Strategy, Ref EW/CC/P18-1635/05, June 2020) and drainage strategy (drainage plan, 2118-T-1201) submitted with the application unless otherwise agreed in writing with the Local Planning Authority.
- 6 Prior to any above ground works, full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) shall be submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 7 Prior to first occupation of the development hereby approved, the proposed window openings in the eastern and western flank elevations shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 8 Prior to the first occupation of the development, the access arrangements, the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The access, parking and turning areas shall be retained in perpetuity for their intended

purpose.

- 9 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary, in accordance with the guidance contained within the National Planning Policy Framework and policy ST4 of the adopted Local Plan and Alterations.
- 10 Prior to the commencement of any works a bat survey of the buildings should be undertaken in accordance with guidelines from Natural England (or other relevant body). These should be submitted to the Local Planning Authority for approval. Should the surveys reveal the presence of bats or their breeding sites or resting places then a detailed mitigation and compensation strategy in accordance with guidelines available from Natural England (or other relevant body) and submitted to the Local Planning Authority for approval. All works shall then proceed in accordance with the approved strategy unless otherwise agreed in writing by the Local Planning Authority.
- 11 Prior to the commencement of above ground works a biodiversity plan shall be submitted to and approved in writing by the Local Planning Authority. This could include native wildlife friendly planting and bird and bat boxes.
- 12 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation, per dwelling, of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.
- 13 The development hereby approved shall not be commenced until details of the siting and design of the proposed relocated electricity sub-station shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so approved unless otherwise agreed in writing by the Local Planning Authority.
- 14 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
1. The parking of vehicles of site operatives and visitors
  2. Loading and unloading of plant and materials
  3. Storage of plant and materials used in constructing the development
  4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  5. Measures to control the emission of dust and dirt during construction, including wheel washing.
  6. A scheme for recycling/disposing of waste resulting from demolition and construction works.
- 15 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.

- 16 Prior to first occupation of the development hereby approved, 1 Electric Vehicle Charging Point for each dwelling that has an allocated parking space and 1 Electric Vehicle Charging Point for every 10 properties that share unallocated parking shall be installed and retained thereafter for use by the occupants of the site.

- 17 Details of the layout, design and appearance (shown in context) of the bicycle storage area shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the dwellings hereby approved. The storage shall be covered and secure and provide for no less than 7 cycle spaces.

The bicycle storage area shall be provided strictly in accordance with the details so approved, provided/erected prior to the first occupation of the development, and maintained as such thereafter.

- 18 Notwithstanding the plans hereby approved, amended plans showing at least 2 car parking spaces for people with a disability should be submitted and approved to the Council. The development shall then be carried out in accordance with the amended plans so approved, prior to the first occupation of the residential units and shall be maintained as such thereafter

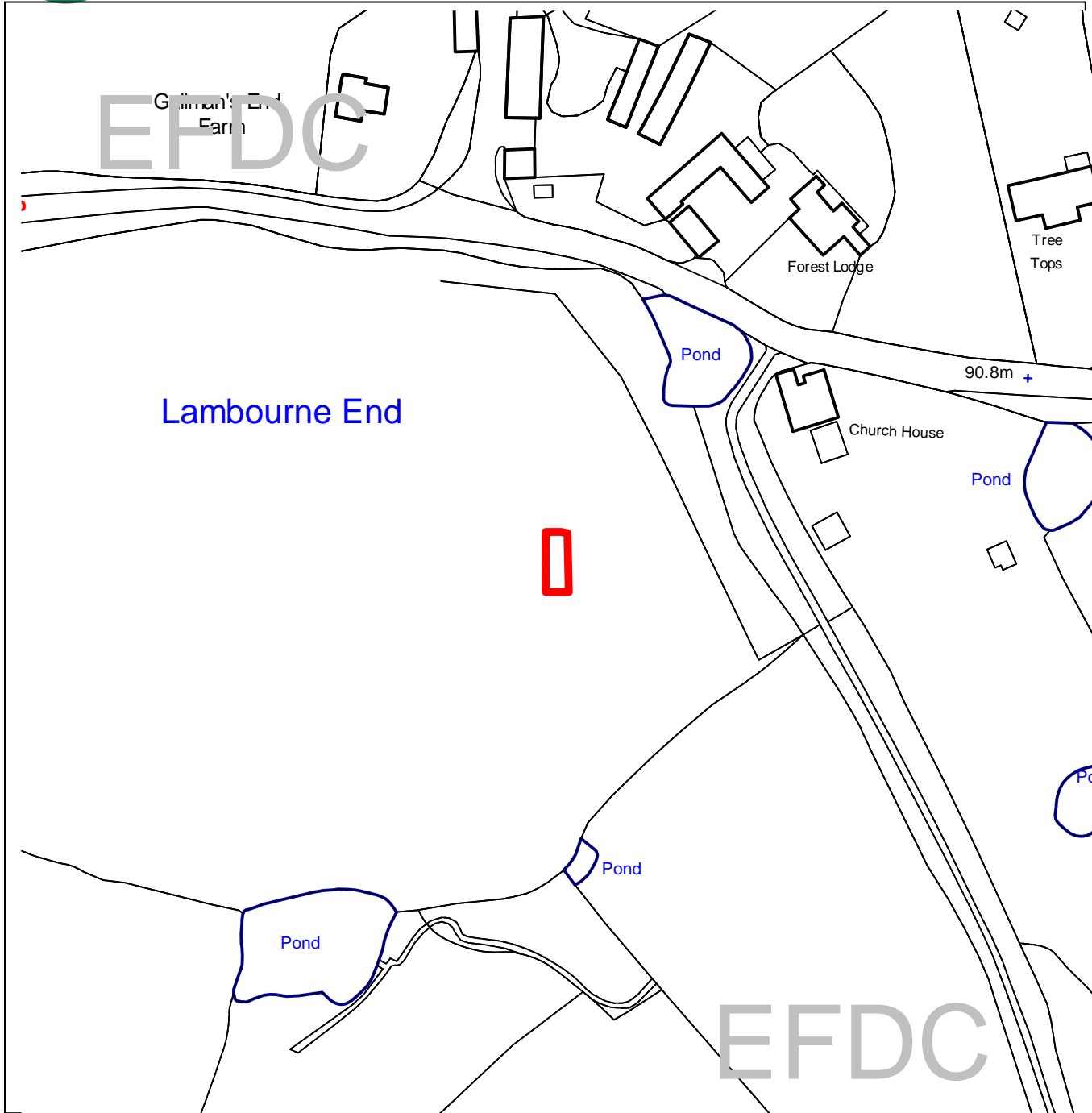
**CHAIRMAN**

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# Epping Forest District Council



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	Site Name:	Lambourne End Outdoor Centre Manor Road Lambourne Romford RM4 1NB
	Scale of Plot:	1:1250

**Report Item No: 9**

<b>APPLICATION No:</b>	EPF/2600/19
<b>SITE ADDRESS:</b>	Lambourne End Outdoor Centre Manor Road Lambourne Romford RM4 1NB
<b>PARISH:</b>	Lambourne
<b>WARD:</b>	Lambourne
<b>APPLICANT:</b>	Mr Rob Gayler
<b>DESCRIPTION OF PROPOSAL:</b>	Retention of a single storey three-sided wooden field shelter and overshoot netting structure.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=629814](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=629814)

**CONDITIONS**

- 1 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans:  
  
Post Set out Sketch, Location Plan, Open Fronted Field Shelter with animal feed storage, Field Shelter Netting Plan, Location Plan for Netting, email sent Wed 10/02/2021 12:14 from Rob Gayler CEO of Lambourne End Centre.
- 2 No permission is given for the shelter hereby approved to be used for the sheltering of animals or for the storage of animal feed.
- 3 Unless otherwise agreed in advance and in writing by the Local Planning Authority, the area designated for archery shall only be used for supplementary animal grazing between the months of February and March or September and November and when the archery facility is not in use. During the months February and March or September and November, when the animals are using the field, an electric fence shall be installed around the field shelter.
- 4 No more than 14 people (plus staff) shall be participating in archery at any one time on the site.
- 5 The development hereby permitted shall be used for activities related to archery and animal grazing only and shall be used for no other purpose.

*This application is before this Committee since the recommendation is for approval contrary to an objection from a Local Council and at least one non-councillor resident, on planning grounds material to the application (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council)).*

**Description of Site:**

The application site has an area of 88.32 square meters which is covered in grassland and a metal and chicken wire fence marks its perimeter. It forms part of the wider 54-acre Lambourne End Outdoor Leisure Centre site. The main buildings are located further south west of this application site.

The authorised use of the site is as an outdoor activity centre which also runs educational and support programmes for the young people including those with special educational needs and disabilities.

The site is located within Green Belt.

**Description of Proposal:**

Retrospective permission is sought for the erection of a single storey three-sided wooden field shelter. It measures 18.5m long by 4.8m deep and has a maximum height of 2.5m to the ridge of its monoslope roof.

Materials include 4x4 timber posts, clad in 6-inch feather board and painted sage green for the walls and additional cladding at each end of the shelter. It is proposed to be used as a shelter for people when taking part in archery sessions many of whom have special educational needs and disabilities.

1 solar light for each cupboard has been installed.

The overshoot netting consists of a ballistic netting support frame 30m long by 4m high from 48mm standard scaffolding to carry archery ballistic netting augmenting. These sizings are in accordance with Archery GB recommended overshoot distancing. It will be used to catch misdirected arrows

**Relevant History:**

<b>Reference</b>	<b>Description</b>	<b>Decision</b>
ONG/0007/51	PROPOSED CAMP & RECREATIONAL SITE	Granted
EPO/0342/59	GYMNASIUM	Granted
EPF/1058/81	Clubhouse extension.	Granted
EPF/1469/85	Single storey rear extension.	Granted
EPF/1272/84	Construction of single storey building as radio station and erection of 30m. high radio mast.	Refuse permission
EPF/0188/86 and EPF/0188A/86	Warden's accommodation	Granted
EPF/1000/98	Erection of new barn, provision of disabled access and paths, and erection of animal fences and enclosures.	Granted
EPF/1730/98	Agricultural barn for the winter housing of animals.	Refuse permission

The erection of a building of the size proposed in this area of open countryside would detract from the character of the area and would intrude into the landscape contrary to the provisions of Policy LL2 of the Adopted Local Plan.		
EPF/0425/00	Conversion and extensions of existing buildings to provide 4 No. staff accommodation units, additional office space and kitchen/dining facilities.	Granted
EPF/2317/08	Construction of a multi-face climbing wall utilising existing metal tower.	Granted
EPF/0005/10	Installation of solar water heating system.	Granted
EPF/0699/14	Extension to one of the one-bedroom bungalows on site to provide one additional bedroom and some storage space, in connection with use of site as childrens outdoor centre	Granted

## **DEVELOPMENT PLAN**

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan currently comprises the Epping Forest District Council Adopted Local Plan (1998) and Alterations (2006).

The following policies within the current Development Plan are considered to be of relevance to this application:

CP2	Protecting the quality of the rural and built environment
GB2A	Development in the Green Belt
GB7A	Conspicuous development
NC1	SPA's, SAC's and SSSI's
NC4	Protection of established habitat
RP4	Contaminated land
U3B	Sustainable drainage systems
DBE2	Effect on neighbouring properties
DBE4	Design in the Green Belt
DBE9	Loss of Amenity
LL10	Adequacy of provision for landscape retention
LL11	Landscaping schemes
ST4	Road safety
ST6	Vehicle parking

## **NATIONAL PLANNING POLICY FRAMEWORK (FEBRUARY 2019)**

The revised NPPF is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either;

- (a) approving development proposals that accord with an up-to-date development plan without delay; or
- (b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole  
 The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

**EPPING FOREST DISTRICT LOCAL PLAN SUBMISSION VERSION (2017) (LPSV)**

Although the LPSV does not currently form part of the statutory development plan for the district, on 14 December 2017 the Council resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

Paragraph 48 of the NPPF provides that decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The LPSV has been submitted for Independent Examination and hearing sessions were held on various dates from February 2019 to June 2019. On the 2nd August, the appointed inspector provided her interim advice to the Council covering the substantive matters raised at the hearing and the necessary actions required of the Council to enable her to address issues of soundness with the plan without prejudice to her final conclusions.

The following policies in the LPSV are considered to be of relevance to the determination of this application, with the weight afforded by your officers in this particular case indicated:

<b>Policy</b>	<b>Weight afforded</b>
SP6 - Green Belt and District Open Land	Significant
T1 - Sustainable Transport Choices	Significant
DM1 - Habitat Protection and Improving Biodiversity	Significant
DM2 - Epping Forest SAC and the Lee Valley SPA	Significant
DM3 - Landscape Character, Ancient Landscapes and Geodiversity	Significant
DM4 - Green Belt	Significant

DM5 - Green and Blue Infrastructure	Significant
DM9 - High Quality Design	Significant
DM15 - Managing and Reducing Flood Risk	Significant
DM16 - Sustainable Drainage Systems	Significant
DM21 - Local Environmental Impacts, Pollution and Land Contamination	Significant
DM22 - Air Quality	Significant

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

Number of neighbours consulted: 5  
 Site notice posted: No, not required  
 Responses received as follows: -

CHURCH HOUSE LODGE MANOR ROAD, FOREST LODGE MANOR ROAD – OBJECT:

Built without permission

Field has not been used for grazing

Should be relocated away from residential properties

Inappropriate in the Green Belt

Noise, smell and vermin nuisance

Harm to the wider landscape

Loss of view

Designated recreational use not farming.

Unsustainable location

Mixing children playing archery and cattle is a health and safety risk.

PARISH COUNCIL – OBJECTION: On the grounds of the positioning of the shelter and the intended use of cattle.

As a way forward the Council suggests the shelter be moved to the opposite end of the field away from local residents.

The applicant has agreed that he would be happy to abide by a condition not allowing it to be used for cattle and as reported by Cllr J Filby, not as a feed store and would put an electric fence around the shelter whenever animals were in the field.

## **Main Issues and Considerations:**

### **Green Belt**

The NPPF confirms that the construction of new buildings in the Green Belt should be regarded as inappropriate, except in a limited number of circumstances. One of the exceptions listed in paragraph 45(b) of the NPPF and Policy DM4 ( c ) (ii) of the LPSV lists development that could not be inappropriate as development for the purposes of outdoor recreation or associated essential small-scale buildings; and other uses which preserve the openness of the Green Belt and do not conflict with the purposes of including land within the Green Belt.

Archery is a sport which can only be played in open country locations. The shelter and associated paraphernalia as constructed, facilitates the use of this area for archery. This activity is consistent with the lawful use of the site, as an outdoor recreational and educational facility.

The built structures are of a reasonable size to carry out the activities they are intended for and are of a type one would expect within a countryside setting. Furthermore, trees around the boundaries of the wider site, screen it from long views. The development therefore meets the requirements of the exceptions listed in paragraph 145 (b) of the NPPF in that it promotes the use of the site for outdoor recreation and sports whilst causing only the minimum necessary harm to the openness of the site and as such is not inappropriate development and will preserve the openness of this site within the Green Belt in accordance with the requirements of the NPPG on Green Belt (July 2019), chapter 13 of the NPPF and GB2A of the adopted Local Plan, DM 3 and DM4 of the Submission Version Local Plan.

Whilst it is noted that objectors raise the decision to refuse planning permission under reference EPF/1730/98 for an agricultural barn as material consideration. However, since this decision was made on the basis of the requirements of PPG 2 which has now been superseded by paragraph 145 of the NPPF 2019, this decision is no longer material to the determination of this application.

### **Impact on neighbouring residential amenity.**

The original application indicated that the application shelter was for used as a shelter for grazing animals, and for people when taking part in archery sessions.

The applicant advises the following:-

- The whole field has been fenced off including the overshoot.
- We only plan to use the archery shelter as a shelter for people taking part in an archery session and for the storage of the equipment.
- This is not a noisy session and we have been using the shelter for this purpose for the last year without any complaints.
- We do not need to and will not use the shelter for the storage of animal feed.
- We do not intend to allow any animals to use it as a shelter as it would render it unusable for its purpose.
- We will at certain times of the year, autumn and spring, graze some animals in the field as part of good wildlife meadow management, but this will not be during late spring and summer when the archery shelter will be in constant use and we are growing the grass long for a crop of hay, or in the winter when the field is too wet and many of our animals are brought inside.
- Even when animals are grazing the field, they will not have access to the shooting range end and the shelter as livestock will churn up the shooting area and damage the shelter.
- If we are unable to use this field for archery, we would have to re-site our archery range to a different field on site and use this field for the permanent grazing of livestock.

During the planning officers unannounced site visit the shelter was found to be clean, with a bench running along its internal length and storage areas in each end, it therefore appears to be used as a sitting area and storage area for sports equipment.

The nearest residential property (Church House) is approximately 50m away from the shelter. Whilst it is acknowledged that the field can currently lawfully be used for animal grazing, the use of the shelter for animal protection would intensify an unneighbourly use, it is therefore recommended in line with the Parish Council's comments that a condition should be attached to any permission requiring that the shelter should not be used for the protection of animals and the storage of animal feed.

This would then prevent it being used for activities which would be harmful to the amenity of this neighbour as a result of adverse smells and nuisance. It is on this basis that the development complies with the requirements of policy DBE 2 and DBE 9 of the adopted Local Plan.

### Parking and Access

The development has not had a significant additional adverse impact on highway safety or parking provision within the site. It therefore complies with the requirements of policy ST4 and ST6 of the Local Plan.

### Design

The timber form, proportionate scale and single storey height is respectful of the countryside location of the site in accordance with DBE4 of the Local Plan.

### Epping Forest SAC

The proposal relates to an operational development on land already being used for outdoor recreational purposes therefore mitigation against the harmful impacts of the proposal on the integrity of the EFSAC is not required in accordance with NC1 of the Local Plan along with DM2 and DM22 of the SVLP.

### **Conclusion:**

This development is appropriate development within the Green Belt. Subject to further conditions controlling the use of the building so that it is not used for the welfare of animals, it will not have an adverse impact on neighbouring residential amenity.

Permitting this development will also provide social, physical and psychological benefits for the users of the site.

The proposal therefore complies with relevant planning policy and as such it is recommended that planning permission be granted.

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

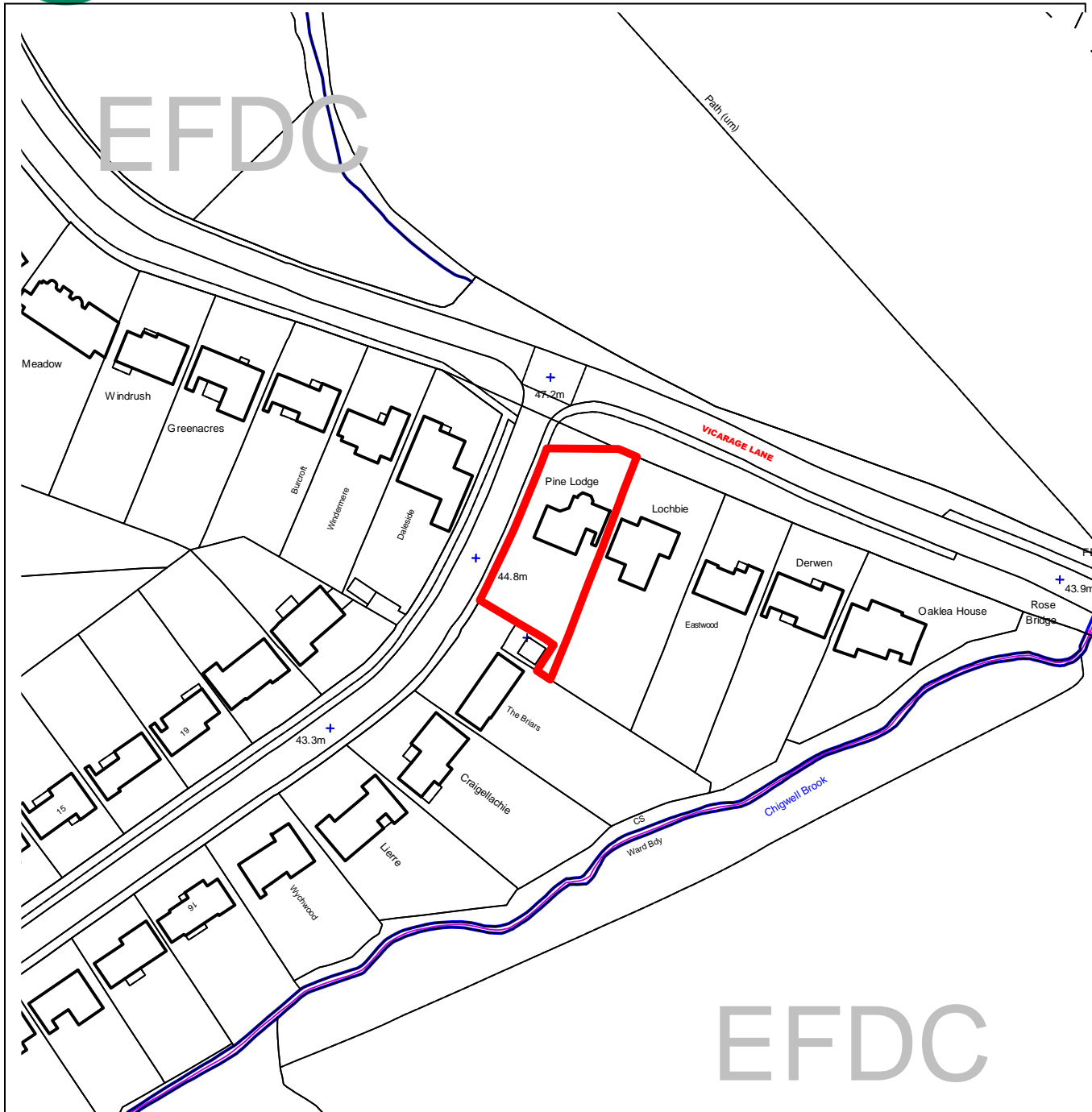
***Planning Application Case Officer: Sukhi Dhadwar  
Direct Line Telephone Number: 01992 564597***

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





# Epping Forest District Council



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Application Number:	EPF/2388/20
Site Name:	Pine Lodge 307 Vicarage Lane Chigwell IG7 6LS
Scale of Plot:	1:1250

**Report Item No: 10**

<b>APPLICATION No:</b>	EPF/2388/20
<b>SITE ADDRESS:</b>	Pine Lodge 307 Vicarage Lane Chigwell IG7 6LS
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Chigwell Village
<b>APPLICANT:</b>	Mr Sriram Srinivasan
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed single storey rear extension.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=643496](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=643496)

**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 shall be carried out and retained strictly in accordance with the following approved plans: (1) Existing & Proposed Location/Block Plan and (2) Existing & Proposed Floor/Elevation Plan.
- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building, 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 and at least one non-councillor resident, on planning grounds material to the application (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council).*

**Site and Surroundings**

The site comprises of a detached house, located on the corner junction between Vicarage Lane and Daleside Gardens. It is not listed nor in a conservation area.

**Proposal**

The proposal is for a single storey rear extension. This is an amended application to EPF/0298/20 which has been implemented.

## Relevant Planning History

EPF/0298/20 - Proposed first floor side extension, single storey side/rear extension, single storey front extension, new front entrance and loft conversion – Approved and Implemented

## Development Plan Context

### *Local Plan and Alterations 1998 & 2006 (LP)*

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan currently comprises the Epping Forest District Council Adopted Local Plan (1998) and Alterations (2006).

The following policies within the current Development Plan are considered to be of relevance to this application:

CP2	Protecting the Quality of The Rural and Built Environment
CP7	Urban Form and Quality
DBE9	Loss of Amenity
DBE10	Residential Extensions

### *National Planning Policy Framework 2019 (Framework)*

The Framework is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either;

- a) approving development proposals that accord with an up-to-date development plan without delay; or
- b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

In addition to paragraph 11, the following paragraphs of the NPPF are considered to be of relevance to this application:

Paragraphs 124, 127

### *Epping Forest District Local Plan Submission Version 2017 (LPSV)*

Although the LPSV does not currently form part of the statutory development plan for the district, on 14<sup>th</sup> December 2017 the Council resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

Paragraph 48 of the NPPF provides that decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The LPSV has been submitted for Independent Examination and hearing sessions were held on various dates from February 2019 to June 2019. On the 2<sup>nd</sup> August, the appointed inspector provided her interim advice to the Council covering the substantive matters raised at the hearing and the necessary actions required of the Council to enable her to address issues of soundness with the plan without prejudice to her final conclusions.

As the preparation of the emerging Local Plan has reached a very advanced stage, subject to the Inspector's Advice regarding the need for additional MMs, significant weight should be accorded to LPSV policies in accordance with paragraph 48 of Framework. The following table lists the LPSV policies relevant to the determination of this application and officers' recommendation regarding the weight to be accorded to each policy.

<b>Policy</b>	<b>Weight afforded</b>
SP1 Presumption in Favour of Sustainable Development	Significant
DM9 High Quality Design	Significant
DM10 Housing Design and Quality	Significant

### **Summary of Representations**

Number of neighbours consulted: 3. 3 response(s) received

CHIGWELL RESIDENTS ASSOCIATION, LOCHBIE, EASTWOOD – Objection – Summarised as;

- Overdevelopment; and
- Loss of daylight/overshadowing.

CHIGWELL PARISH COUNCIL – The Committee OBJECTED to this application, because the proposed extension would cause the existing structure to become unbalanced and incongruous in appearance, and completely out of keeping with the existing street scene.

### **Planning Considerations**

The main issues for consideration in this case are:

- a) The impact on the character and appearance of the locality; and
- b) The impact on the living conditions of neighbouring properties.

#### *Character and Appearance*

The proposed single storey rear extension is considered to be of a size, scale and simple design that is acceptable and complements the appearance of the existing building. Whilst, it would be partially visible from Daleside Gardens, it is not considered to be an incongruous feature to the

Street Scene. There is sufficient space to the rear of the garden so the proposed extension would not amount to an overdevelopment of the site.

Accordingly, the proposal is considered to comply with policies CP2 and DBE10 of the LP, policy DM9 (D) and DM10 of the LPSV, and paragraphs 124 and 17 of the Framework.

### *Living Conditions*

In terms of the impact to the adjacent neighbours, namely Lochbie, given the significant works carried out to their property, and the limited scale of the proposed development, the separation distance of some 1.1m from the common boundary, and the orientation of the host house facing Northeast, it is considered that there would be no material impact to the living conditions of Lochbie, in terms of loss of light, overshadowing, overbearing and visual impact that warrants a reason for refusal.

Therefore, the proposed development safeguards the living conditions of neighbouring amenities, in compliance with policies CP7 and DBE9 of the LP, policy DM9 (H) of the LPSV and paragraph 127 (f) of the Framework.

### **Conclusion**

For the reasons set out above having regard to all matters raised, it is recommended that conditional planning permission be granted.

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

***Case Officer: Muhammad Rahman - Direct Line: 01992 564415***

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

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# Epping Forest District Council



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	Site Name:	209 D High Road Loughton IG10 1BB
	Scale of Plot:	1:500

**Report Item No: 11**

<b>APPLICATION No:</b>	EPF/2794/20
<b>SITE ADDRESS:</b>	209 D High Road Loughton IG10 1BB
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>APPLICANT:</b>	Mr Nurtac Timur
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of canopies for use of garden as additional seating to café and associated landscaping.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM\\_websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=645293](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=645293)

**CONDITIONS**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans and documents: Location Plan (dated October 2020), 1008\_MR\_DS\_01, Existing and Proposed Site Plan (dated October 2020), Noise Impact Assessment by RF Environmental Ltd (dated October 2020) and Design & Access Statement (dated November 2020).
- 3 The use of the rear garden hereby permitted shall not be open to customers outside the hours of 8am to 6pm on Mondays to Sundays and Bank Holidays.
- 4 There shall be no exterior lighting affixed to any external surface of the canopy or fence hereby permitted.
- 5 Prior to first use of the rear garden by customers, a scheme of sound insulation for the proposed canopy shall have been submitted to and approved in writing by the Local Planning Authority. The scheme of sound insulation for the canopy shall be implemented prior to the first use the rear garden area by customers, and thereafter permanently retained.
- 6 Prior to first use of the rear garden by customers, a written Noise Management Plan (NMP) must be submitted to and approved in writing by the Local Planning Authority. The NMP should detail all possible noise sources associated with use of the garden area and how the business will be managed and run in order to mitigate the noise from each source. The NMP should take account of published good practice guidance such as that within the Institute of Acoustics Good Practice Guide on the Control of Noise from Pubs and Clubs or any other equivalent guidance. Any changes to the approved NMP will require the written prior approval of the Local Planning Authority. Noise from any activities associated with the use of the rear garden shall be managed in accordance with approved NMP in perpetuity.



- 7 No deliveries, external running of plant and equipment or demolition and construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 07:30 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturday and not at all on Sundays, Public or Bank Holidays without the prior written permission of the Local Planning Authority.
- 8 No noise from live or amplified music or other sound shall be played within the rear garden.

*This application is before this Committee since the recommendation is for approval contrary to an objection from a Local Council and at least one non-councillor resident, on planning grounds material to the application (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council).*

### **Site and Surroundings**

The site comprises of a ground floor commercial unit with a maisonette above, located within the Loughton Town Centre and within primary frontage. It is not listed nor in a conservation area. It is currently occupied by Molen's Café.

### **Proposal**

The proposal is for the erection of canopies for use of garden as additional seating to cafe and associated landscaping.

### **Relevant Planning History**

EPF/0553/14 - Change of use of shop premises from purposes within Use Class A1 (shops) to use for purposes within Use Class A3 (Restaurants & Cafes) – Approved

EPF/0808/17 - Erection of rear conservatory - Approved

EPF/0413/18 - Application for variation of condition 2 'plan numbers' and 3 'use of rear double doors' on planning application EPF/0808/17 (Erection of rear conservatory) – Refused

EPF/1366/18 - Application for variation of condition 2 'plan numbers' and 3 'use of rear double doors' on planning application EPF/0808/17 (Erection of rear conservatory) – Dismissed on Appeal

### **Development Plan Context**

*Local Plan and Alterations 1998 & 2006 (LP)*

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan currently comprises the Epping Forest District Council Adopted Local Plan (1998) and Alterations (2006).

The following policies within the current Development Plan are considered to be of relevance to this application:

CP2	Protecting the Quality of The Rural and Built Environment
CP7	Urban Form and Quality
DBE1	Design of New Buildings
DBE9	Loss of Amenity

*National Planning Policy Framework 2019 (Framework)*

The Framework is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either;

- a) approving development proposals that accord with an up-to-date development plan without delay; or
- b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

In addition to paragraph 11, the following paragraphs of the NPPF are considered to be of relevance to this application:

Paragraphs 124 & 127

*Epping Forest District Local Plan Submission Version 2017 (LPSV)*

Although the LPSV does not currently form part of the statutory development plan for the district, on 14<sup>th</sup> December 2017 the Council resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

Paragraph 48 of the NPPF provides that decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The LPSV has been submitted for Independent Examination and hearing sessions were held on various dates from February 2019 to June 2019. On the 2<sup>nd</sup> August, the appointed inspector provided her interim advice to the Council covering the substantive matters raised at the hearing and the necessary actions required of the Council to enable her to address issues of soundness with the plan without prejudice to her final conclusions.

As the preparation of the emerging Local Plan has reached a very advanced stage, subject to the Inspector's Advice regarding the need for additional MMs, significant weight should be accorded to LPSV policies in accordance with paragraph 48 of Framework. The following table lists the LPSV policies relevant to the determination of this application and officers' recommendation regarding the weight to be accorded to each policy.

Policy	Weight afforded
SP1 Presumption in Favour of Sustainable Development	Significant
DM9 High Quality Design	Significant

## Summary of Representations

Number of neighbours consulted: 20. 6 response(s) received

11, 29, 31, 33, 35 PRIORY ROAD & LOUGHTON RESIDENTS ASSOCIATION - Objections – Summarised as:

- Noise and general disturbance;
- Overdevelopment; and
- Visually intrusive development.

LOUGHTON TOWN COUNCIL – The Committee OBJECTED to this application, stating that previous proposal to use the garden space at this establishment had been refused to protect the amenity of occupiers of neighbouring properties.

Members could see no reason why this should be varied, drawing the attention of the Planning Officer to the Local Planning Authority's refusal of EPF/1368/18, in this regard:

*Use of the outside area by customers would be detrimental to the residential amenity of occupiers of neighbouring properties, especially a number of those fronting Priory Road, by reasons of noise and other disturbances. Excessive harm is particularly likely to occur at times beyond the normal working day since any condition to define the hours of use of the outside area would be unenforceable. As such the proposal is contrary to Policy DBE9 of the Adopted Local Plan and Alterations; Policy DM 21 of the Epping Forest District Local Plan Submission Version (2017); and, the provisions of the National Planning Policy Framework.*

## Planning Considerations

The main issue for consideration in this case are:

- a) The impact on the living conditions of neighbouring properties with particular regard to noise and general disturbance; and
- b) The impact on the character and appearance of the area.

In normal circumstances as the rear garden area and the café form a single planning unit, therefore, as the primary lawful use is an A3 restaurant/café the rear garden would be ancillary to that use, and a primary use may be carried on within any part of a planning unit. However, as per condition 2 (The rear garden of the application site hereby approved shall not be used in any way by customers) of EPF/0553/14 this benefit is removed.

Thus, as part of this consent it would allow the use of the garden area by customers. There is a short-term benefit, in terms of allowing social distancing during the pandemic (once restaurants are allowed to fully open), however consideration must be given to the long-term harm to adjoining occupiers from the use of the garden area which Officers have assessed below.

This application does follow a recent pre-application exercise, and Officer recommendations are present within this scheme, namely reducing the overall height of the proposed canopy from 2.8 meters to 2.5 metres and proposing suitable noise mitigation measures from the use of the garden area by customers. These measures are:

- 1) The external area will be closed to patrons after 18:00 hrs;
- 2) The number of covers will be restricted to no more than 40;
- 3) Signage will be displayed in the external area, requesting that patrons respect residents and keep noise to a minimum;
- 4) Management will make regular checks of the external area, to ensure noise levels are kept to a minimum. Any persons not complying with the management request to minimise noise will be asked to leave the premises;
- 5) The access door to the external area will be kept closed at all times, to ensure internal noise will not emanate into the external area;
- 6) No music will be played in the external area at any times; and
- 7) The canopy will be clad with acoustic membrane to enhance its sound insulation.

From the above recommended mitigation measures, points 1 and 6 & 7 would meet the six tests of adding a planning condition, so these points would be secured via a condition as part of this consent. To add, the Councils Environmental Health Noise Team have reviewed the noise survey and have raised no objections subject to the imposition of conditions as part of the consent.

Officers note the previous appeal decision (ref: EPF/1368/18), and for clarify the decision relates to a scheme of a materially different nature than currently proposed (i.e. the proposed canopy with enhanced sound insulation, rather than chairs and tables sited in the open garden area), and it was not accompanied by a noise survey, nor was their support from the Councils Environmental Health Noise Team.

Thus, Officers consider that subject to suitably worded conditions controlling the use of the garden, the proposed development would not result in significant harmful impact to adjoining occupiers that would make their living conditions unbearable from the proposed development, and is therefore in accordance with policies CP7 and DBE9 of the LP, policy DM9 (H) of the LPSV and paragraph 127 (f) of the Framework.

#### *Character and Appearance*

The proposed canopy is of an open nature and of a limited scale to be a visually intrusive development or amount to harmful overdevelopment of the site. It would not be readily visible from the street or public areas, so there is no impact to the street scene.

#### **Conclusion**

For the reasons set out above having regard to all matters raised, it is recommended that conditional planning permission be granted.

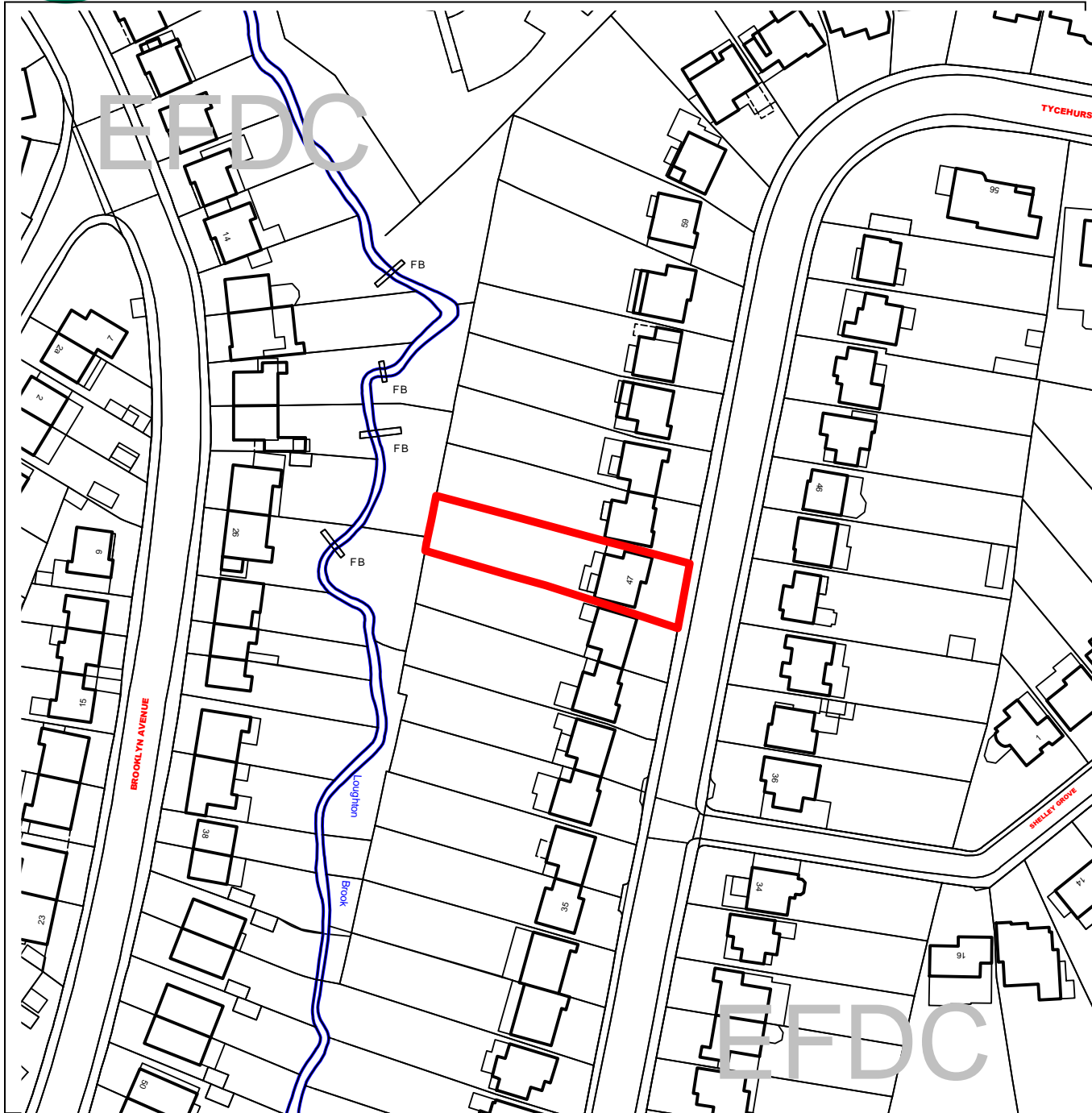
**Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:**

**Planning Application Case Officer: Muhammad Rahman**  
**Direct Line Telephone Number: 01992 564415**

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



# Epping Forest District Council



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Application Number:	EPF/3002/20
Site Name:	47 Tycehurst Hill Loughton IG10 1BZ
Scale of Plot:	1:1250

**Report Item No: 12**

<b>APPLICATION No:</b>	EPF/3002/20
<b>SITE ADDRESS:</b>	47 Tycehurst Hill Loughton IG10 1BZ
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>APPLICANT:</b>	Tanya Pasichnyk
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed ground floor rear infill extension with alterations to terrace, new roof form with rear dormer and front rooflights (Amended scheme to EPF/2622/18).
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM\\_websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=646273](http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=646273)

**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 shall be carried out and retained strictly in accordance with the following approved plans: TQRQM20343131151514, 66502 - 1100 Rev A, 66502 - 1101 Rev A, 66502 - 1102 Rev A, 66502 - 1103 Rev A, 66502 - 1200 Rev A, 66502 - 1201 Rev A, 66502 - 1300 Rev A, 66502 - 1500 Rev A, 66502 - 3100 Rev A, 66502 - 3101 Rev A, 66502 - 3102 Rev A, 66502 - 3103 Rev A, 66502 - 3200 Rev A, 66502 - 3201 Rev A, 66502 - 3300 Rev A and 66502 - 3500 Rev A
- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows [other than those expressly authorised by this permission] shall be constructed on the flank elevations.

*This application is before this Committee since the recommendation is for approval contrary to an objection from a Local Council and at least one non-councillor resident, on planning grounds material to the application (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council).*

## Site and Surroundings

The site comprises of a two-storey detached house. The site is within a built-up area of Loughton. It is not listed or within a conservation area. Land levels drop significantly at the rear of the property.

## Proposal

The proposal is for a ground floor rear infill extension with alterations to terrace, new roof form with rear dormer and front rooflights. This is an amended application to EPF/2622/18. The main amendments are;

1. Alterations to the front rooflights;
2. Rear box dormer;
3. Ground floor rear infill extension; and
4. Alterations to terrace.

## Relevant Planning History

EPF/2622/18 - Partial raising of end walls to gable, extending ridge line, rear glazed gable with balcony. Excavation and minor extension of existing rear basement – Approved

## Development Plan Context

### *Local Plan and Alterations 1998 & 2006 (LP)*

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan currently comprises the Epping Forest District Council Adopted Local Plan (1998) and Alterations (2006).

The following policies within the current Development Plan are considered to be of relevance to this application:

CP2	Protecting the Quality of The Rural and Built Environment
CP7	Urban Form and Quality
DBE9	Loss of Amenity
DBE10	Residential Extensions

### *National Planning Policy Framework 2019 (Framework)*

The Framework is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either;

- a) approving development proposals that accord with an up-to-date development plan without delay; or
- b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

In addition to paragraph 11, the following paragraphs of the NPPF are considered to be of relevance to this application:

Paragraphs 124, 127

*Epping Forest District Local Plan Submission Version 2017 (LPSV)*

Although the LPSV does not currently form part of the statutory development plan for the district, on 14<sup>th</sup> December 2017 the Council resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

Paragraph 48 of the NPPF provides that decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The LPSV has been submitted for Independent Examination and hearing sessions were held on various dates from February 2019 to June 2019. On the 2<sup>nd</sup> August, the appointed inspector provided her interim advice to the Council covering the substantive matters raised at the hearing and the necessary actions required of the Council to enable her to address issues of soundness with the plan without prejudice to her final conclusions.

As the preparation of the emerging Local Plan has reached a very advanced stage, subject to the Inspector's Advice regarding the need for additional MMs, significant weight should be accorded to LPSV policies in accordance with paragraph 48 of Framework. The following table lists the LPSV policies relevant to the determination of this application and officers' recommendation regarding the weight to be accorded to each policy.

<b>Policy</b>	<b>Weight afforded</b>
SP1 Presumption in Favour of Sustainable Development	Significant
DM9 High Quality Design	Significant
DM10 Housing Design and Quality	Significant

**Summary of Representations**

Number of neighbours consulted: 6. 2 response(s) received.

LOUGHTON RESIDENTS ASSOCIATION (PLANS GROUP) and 49 TYCEHURST HILL – Objections – Summarised as;

- Out of character; and
- Loss of daylight/overshadowing.



LOUGHTON TOWN COUNCIL – The Committee OBJECTED to this application stating that the roofline along this part of Tycehurst Hill was quite consistent. This proposal, due to its height, massing and bulk was out of keeping with the street scene.

### **Planning Considerations**

The main issues for consideration in this case are:

- a) The previous approved consent EPF/1622/18;
- b) The impact on the character and appearance of the locality; and
- c) The impact on the living conditions of neighbouring properties.

#### *Character and Appearance*

The proposed roof works has previously been granted consent under EPF/1622/18 and therefore is not under consideration as part of this proposal.

The design of the rear box dormer and the ground floor rear infill extension simplifies the appearance of the rear elevation than that previously approved.

Based on this assessment the proposal would be consistent with the established character of the locality and is considered to respect the street scene as well as the appearance of the host house.

Accordingly, the proposal is considered to comply with policies CP2 and DBE10 of the LP, policy DM9 (D) and DM10 of the LPSV, and paragraphs 124 and 17 of the Framework.

#### *Living Conditions*

In terms of the impact to the adjacent neighbours, given the existing relationship between the adjoining properties, the plot sizes, and the limited scale of the proposed works. It is considered that there would be no significant impact to the living conditions of adjoining occupiers in terms of loss of privacy, overshadowing, overbearing and visual impact that warrants a reason for refusal.

Though the orientation of the host house is facing Northwest, which would result in some loss of light to secondary windows particularly the landing and bathroom windows of no.49, however, the loss of light to these windows is not enough to justify a refusal, as these are not considered to be habitable rooms.

Therefore, the proposed development safeguards the living conditions of neighbouring amenities, in compliance with policies CP7 and DBE9 of the LP, policy DM9 (H) of the LPSV and paragraph 127 (f) of the Framework.

### **Conclusion**

For the reasons set out above having regard to all matters raised, it is recommended that conditional planning permission be granted.

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

***Case Officer: Muhammad Rahman - Direct Line: 01992 564415***

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

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