Committee Agenda

Webcast Meeting

Epping Forest District Council

Area Planning Sub-Committee East
Wednesday, 5th August, 2020

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

Virtual Meeting on Zoom
on **Wednesday, 5th August, 2020**
at **7.00 pm**.

Georgina Blakemore
Chief Executive

Democratic Services Officer: V Messenger
Democratic Services Tel: (01992) 564243
Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors P Keska (Chairman), H Brady (Vice-Chairman), B Rolfe, N Bedford, P Bolton, L Burrows, I Hadley, S Jones, C McCredie, M McEwen, J McIvor, R Morgan, J Philip, P Stalker, B Vaz, C Whitbread, H Whitbread, J H Whitehouse and J M Whitehouse

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 - 14)

To confirm the minutes of the last meeting of the Sub-Committee held on 8 July 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

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 - EPF/0966/20 ENVILLES FARM, ABBESS ROAD, LITTLE LAVER, ONGAR CM5 0JH (Pages 15 - 26)

To consider the attached report regarding the demolition of existing B8 store building and erection of x3 no. four bedroom dwellings with associated hard and soft landscaping. (Renewal of a previous consent in 2017, ref: EPF/0561/17).

10. EXCLUSION OF PUBLIC AND PRESS

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

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

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

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

(a) disclose any facts or matters on which the report or an important part of the report is based; and

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

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

11. REFER SIGN (Pages 27 - 28)

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. 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.

Speakers will be contacted just before they will be asked to speak by telephone by an officer of the Council. 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.

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. This will likely be by phone at the appropriate time in the meeting when a Democratic Services Officer will contact you. Therefore, 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

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://www.eppingforestdc.gov.uk. Any information sent to Councillors should be copied to the Planning Officer dealing with the application.

How are the applications considered?

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

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

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

(a) the Sub-Committee's proposed decision is a substantial departure from:

  (i) the Council's approved policy framework; or
  (ii) the development or other approved plan for the area; or
  (iii) it would be required to be referred to the Secretary of State for approval as required by current government circular or directive;

(b) the refusal of consent may involve the payment of compensation; or

(c) the District Development Management Committee have previously considered the application or type of development and has so requested; or

(d) the Sub-Committee wish, for any reason, to refer the application to the District Development Management Committee for decision by resolution.

Further Information

Further information can be obtained from Democratic Services.

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

Chairman
Cllr Keska
Chipping Ongar, Greensted and Marden Ash

Vice-Chairman
Cllr Brady
Passingford

Cllr Bedford
Shelley

Cllr Bolton
North Weald Bassett

Cllr Burrows
Epping Lindsey and Thornwood Common

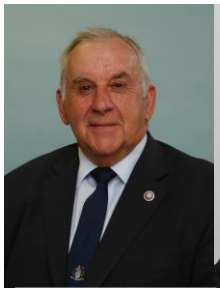
Cllr Hadley
Moreton and Fyfield

Cllr Jones
Theydon Bois

Cllr McCredie
Epping Hemnall

Cllr McIvor
North Weald Bassett

Cllr McEwen
High Ongar Willingale and the Rodings



Cllr Morgan
Hastingwood, Matching and Sheering Village

Cllr Philip
Theydon Bois

Cllr Rolfe
Lambourne

Cllr Stalker
Lower Sheering

Cllr Vaz
Chipping Ongar, Greensted and Marden Ash

Cllr C Whitbread
Epping Lindsey and Thornwood Common

Cllr H Whitbread
Epping Lindsey and Thornwood Common

Cllr J H Whitehouse
Epping Hemnall

Cllr J M Whitehouse
Epping Hemnall

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EPPING FOREST DISTRICT COUNCIL
COMMITTEE MINUTES

Committee:	Area Planning Sub-Committee East	**Date:**	8 July 2020
Place:	Virtual Meeting on Zoom	**Time:**	7.05 - 8.50 pm
Members Present:	P Keska (Chairman), N Bedford, P Bolton, L Burrows, I Hadley, S Jones, C McCredie, M McEwen, J McIvor, J Philip, P Stalker, C Whitbread, H Whitbread, J H Whitehouse and J M Whitehouse		
Other Councillors:			
Apologies:	H Brady, R Morgan, B Rolfe and B Vaz		
Officers Present:	G Courtney (Planning Applications and Appeals Manager (Development Management)), A Marx (Development Manager Service Manager (Planning)), J Leither (Democratic Services Officer), G Woodhall (Democratic & Electoral Services Officer) and T Carne (Corporate Communications Team Manager)		

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11. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the virtual meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings. The Sub-Committee noted the Council's Protocol for Webcasting of Council and Other Meetings.

12. MINUTES

RESOLVED:

That the minutes of the meeting held on 10 June 2020 be taken as read and signed by the Chairman as a correct record.

13. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Conduct, Councillor C McCredie declared a non-pecuniary interest in the following item of the agenda by virtue of being a member of Epping Town Council. The Councillor had determined that she would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0891/20 – 83 Bell Common, Epping CM16 4DZ

(b) Pursuant to the Council's Code of Conduct, Councillor J H Whitehouse declared a non-pecuniary interest in the following item of the agenda by virtue living in the same road as the applicant. The Councillor had determined that she would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0737/20 – 20 Dukes Avenue, Theydon Bois CM16 7HE

(c) Pursuant to the Council's Code of Conduct, Councillor N Bedford declared a non-pecuniary interest in the following item of the agenda by virtue of being a member of North Weald Parish Council. The Councillor had determined that he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2523/16 – Brent House Farm, Harlow Common, North Weald CM17 9JD

(d) Pursuant to the Council's Code of Conduct, Councillor J Philip declared a non-pecuniary interest in the following item of the agenda by virtue of knowing the resident who lives and number 22 Dukes Avenue. The Councillor had determined that he would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0737/20 – 20 Dukes Avenue, Theydon Bois CM16 7HE

14. ANY OTHER BUSINESS

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

15. 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

16. DEED OF VARIATION/RELEASE FROM S106 AGREEMENT FINANCIAL CONTRIBUTION - EPF/2523/16 BRENT HOUSE FARM, HARLOW COMMON, NORTH WEALD

The Principal Planning Officer presented a report to the Sub-Committee he advised that on 11 October 2017 planning consent was granted by the Area Plans Sub Committee East for the demolition and reconstruction of the Farm House together with the erection of 19 no. additional dwellings. This was approved subject to a legal agreement for the following:

That planning permission be issued after the completion of a legal agreement (Section 106 of the Town and Country Planning Act 1990) within 3 months of the date of this committee meeting that ensures the following as necessitated by the development proposal:

(1) a satisfactory financial contribution to the Council in respect of:-
  (a) £90,000 for off-site Affordable Housing;
  (b) The payment of £50,000 towards the provision of local community facilities, prior to first commencement of the development hereby approved; and

(2) provide on site, 2 of the proposed 2 bed town houses as affordable rented units in accordance with the Council's normal affordable housing requirements.

The Developer advised that, despite their best endeavours, there had been no interest in the two affordable housing units from Registered Providers. Their reasons

for this were generally outlined as the inefficiencies of taking only two units in an 'out-of-the-way' location, and management issues within a private housing estate.

The Council's Housing department were approached to take on the units; however they rejected the affordable housing units for the following reasons:

1) There were concerns with the number of units offered;
2) Concerns about construction methods used;
3) Concerns about potential issues with residual and surface condensation; and
4) Concerns about the structural warranty being provided including uncertainty about its effectiveness and level of cover.

In lieu of the two on site affordable houses, the developers have put forward a financial proposal of an affordable housing contribution of a minimum payment of £134,000, as well as a payment of 50% of the proceeds of any sale of the two units should the sale value rise above £350,000.

RESOLVED:

(1) That the S106 legal agreement be modified to allow for an additional payment of £134,000 towards the provision of affordable housing in lieu of the two no. 2 bed town houses to be provided as affordable rented units on site; and

(2) That a payment to the Council of 50% of the proceeds of any sale of the two units, should the sale value rise above £350,000.

17. SITE VISITS

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

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

18. PLANNING APPLICATION - EPF/2336/19 ELMS FARM, WAPLES MILL ROAD, ABBESS BEAUCHAMP AND BERNERS RODING, ONGAR

Report Item No: 10

APPLICATION No:	EPF/2336/19
SITE ADDRESS:	Elms Farm Waples Mill Road Abbess Beauchamp And Berners Roding Ongar CM5 0TE
PARISH:	The Rodings - Abbess, Beauchamp and Berners
WARD:	High Ongar, Willingale and the Rodings
DESCRIPTION OF	2 year temporary siting of x3 no. mobile homes during

PROPOSAL:	conversion of outbuildings to dwellings.
DECISION:	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=628783

REASONS FOR REFUSAL

1 The proposed mobile homes constitute inappropriate development within the Green Belt. No very special circumstances exist that clearly outweigh the harm from the development, or any other identified harm, and therefore the proposal is contrary to policy GB2A of the Adopted Local Plan and Alterations, Policies SP6 and DM4 of the Epping Forest District Local Plan (Submission Version) 2017, and the guidance contained within the National Planning Policy Framework.

2 The proposed mobile home A, as shown on drawing number 1905-001 Rev: A, will result in a detrimental impact on the openness and appearance of the site and surrounding area, contrary to policies CP2, GB2A, GB7A and GB17A of the Adopted Local Plan and Alterations, Policies SP6, SP7, DM4 and DM9 of the Epping Forest District Local Plan (Submission Version) 2017, and the guidance contained within the National Planning Policy Framework.

19. PLANNING APPLICATION - EPF/0737/20 20 DUKES AVENUE, THEYDON BOIS, EPPING

Report Item No: 11

APPLICATION No:	EPF/0737/20
SITE ADDRESS:	20 Dukes Avenue Theydon Bois Epping CM16 7HE
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Proposed first floor side extension and part two-part single storey rear extension. (Revised application to EPF/3075/19).
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=635513

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: D.A.1C, D.A.2B, D.A.3, D.A.4, D.A.5A, D.A.6 and D.A.7.

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

4 The window opening(s) in the flank elevation(s) shall be entirely fitted with obscured glass with a minimum Level 3 obscurity 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.

20. PLANNING APPLICATION - EPF/0891/20 83 BELL COMMON, EPPING

Report Item No: 12

APPLICATION No:	EPF/0891/20
SITE ADDRESS:	83 Bell Common Epping CM16 4DZ
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr P Commins
DESCRIPTION OF PROPOSAL:	Alterations to existing side roof dormer.
DECISION:	Deferred

Click on the link below to view related plans and documents for this case:
http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=636314

DEFFERED to DDMC

CHAIRMAN

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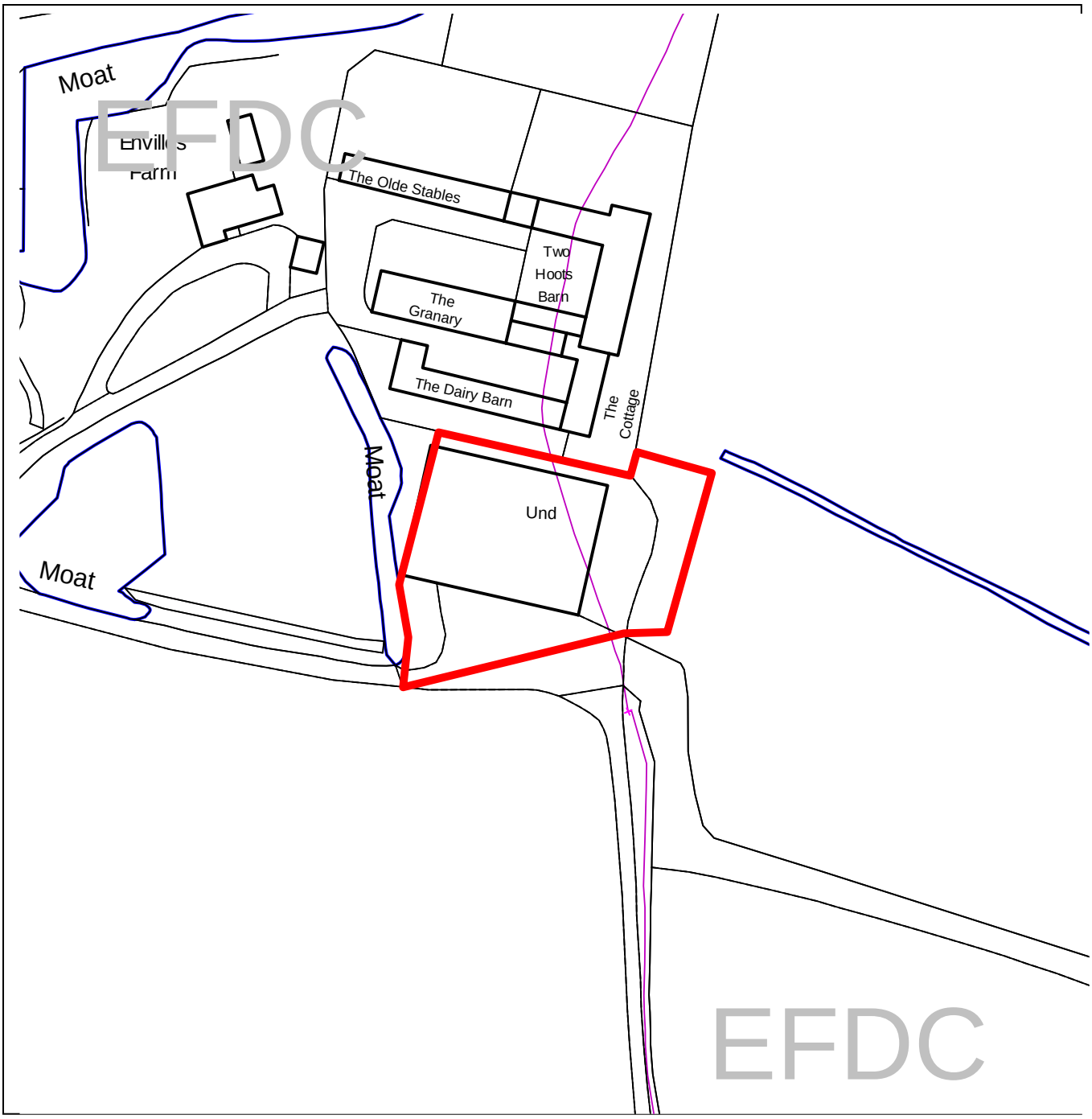
Epping Forest District Council



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Application Number:	EPF/0966/20
Site Name:	Envilles Farm Abbess Road Little Laver Ongar CM5 0JH
Scale of Plot:	1:1250

Report Item No: 9

APPLICATION No:	EPF/0966/20
SITE ADDRESS:	Envilles Farm Abbess Road Little Laver Ongar CM5 0JH
PARISH:	Fyfield Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
APPLICANT:	Mrs Susan Donovan
DESCRIPTION OF PROPOSAL:	Demolition of existing B8 store building & erection of x3 no. four bedroom dwellings with associated hard & soft landscaping. (Ref: EPF/0561/17).
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:
http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=636715

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: 16009_001; 17005_101 Rev B; Design & Access Statement; Site Location Plan; Aboricultural Report 12-05-17 updated 19-05-20

3 No construction works above ground level shall have taken 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, prior to the commencement of the development. 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 Classes A-E of Part 1 of Schedule 2 to the Order, shall be undertaken without the prior written permission of the Local Planning Authority.

5 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.

6 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.

7 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.

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

9 Prior to any above groundworks, 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.

10 The tree protection, methodology for construction adjacent to trees and Arb site supervision shall be undertaken in accordance with the submitted Tree Survey/ Arboricultural Method Statement unless the Local Planning Authority gives its prior written approval to any alterations. Tree protection shall be implemented as shown on Moore Partners Ltd 'Tree Constraints Plan drawing number PS/EN/01 RevB dated 18th May 2020.

11 Prior to first occupation of the development hereby approved, 1 Electric Vehicle Charging Point for each dwelling that has a garage or allocated parking space and 1 Electric Vehicle Charging Point that share unallocated parking shall be installed and retained thereafter for use by the occupants of the site.

12 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.

13 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed and utilised to clean vehicles immediately before leaving the site. Any mud or other material deposited on nearby roads as a result of the development shall be removed.

14 Prior to preliminary groundworks taking place, details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed 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 and more than 4 objections material to the planning merits of the proposal to be approved have been received. (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of site

Envilles Farm 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 sited to the north which were previously part of the original farm complex.

Access to the site is from a private road which joins 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.

Envilles Farm is a medieval moated site that subsequently became the site of a 19th Century model farm (EHER 4146-7, 15449).

Description of proposal

This application is a renewal of a previous consent in 2017 Ref: EPF/0561/17 for the demolition of the existing B8 store building and erection of x3 no. four bedroom dwellings with associated hard and soft landscaping.

Relevant History:

EPF/0561/17 - Demolition of the existing B8 storage building and the erection of 3, 4 bed dwellings with associated hard and soft Landscaping - Approved 19/07/17

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

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

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

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

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

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

Policies Applied:

Development Plan Context

Local Plan (1998) and Alterations (2006)

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).

CP1 Achieving sustainable development objectives
CP2 Protecting the quality of the rural and built environment
CP3 New development
DBE1 Design of new buildings
DBE2 Detrimental effect on existing surrounding properties
DBE4 Development within the Green Belt
DBE6 Car parking in new development
DBE8 Private Amenity space
DBE9 Loss of Amenity
GB2A Development within the Green Belt
GB7A Conspicuous Development
LL1 Rural Landscapes
LL2 Inappropriate rural development
LL10 Protecting existing landscaping features
LL11 Landscaping scheme
ST4 Highway safety
ST6 Vehicle parking
NC1 SPAs, SACs and SSSIs
U2B Flood risk assessment zones
U3B Sustainable drainage
ST1 Location of development
ST2 Accessibility of development
ST4 Road Safety
ST6 Vehicle parking standards
H1 Housing Provision
RP4 - Contaminated land

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

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.

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

Paragraph 59
Paragraph 124 -131
Paragraph 133-145
Paragraph 155
Paragraph 117

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

Although the LPSV does not currently form part of the statutory development plan for the district, on 14th 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 the Inspectors final conclusion.

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:

Policy	Weight afforded
SP1 Presumption in Favour of Sustainable Development	Significant
SP6 Green Belt and district open land	Significant
SP7 The Natural Environment, Landscape Character and Green and Blue Infrastructure	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 Infrastructure	Significant
DM7 Heritage Assets	Significant
DM9 High Quality Design	Significant
DM10 -Housing Design and Quality	Significant
DM15 Managing and Reducing Flood Risk	Significant
DM16 Sustainable Drainage Systems	Significant
DM18 On site management of waste water and water supply	Significant
DM19 Sustainable water use	Significant
DM21 Local Environmental Impacts, Pollution and Land Contamination	Significant
DM22 Air Quality	Significant
T1 Sustainable transport choices	Significant

Consultations Carried Out and Summary Of Representations Received

FYFIELD PARISH COUNCIL – OBJECTION

- The demolition and construction of new residential properties to be inappropriate contravening policies in the Local Plan.
- Overdevelopment of the site with a further 3 dwellings proposed, in addition to 6 dwellings that are already on site.

MORETON, BOBBINGWORTH & THE LAVERS PARISH COUNCIL – OBJECTION

- Contravenes Moreton, Bobbingworth & The Lavers Neighbourhood Plan policy 1.1 - New open market housing should comprise predominantly 1& 2-bedroom homes.
- 1.2 - The building remains in use and is not a conversion**.**
- There is no proper access road. The current track is already used by existing residents and is not suitable for additional traffic as it is very narrow and has a blind bend. It is also used by the farmer who owns the land and the access track.
- The site was originally one farmhouse, there are now 6 houses on this site. A further 3 would be overdevelopment in the Green Belt.
- The SAC was updated in 2020 and this development would result in an increase in traffic and therefore EFDC should not grant permission as there are no measures in place to mitigate the effect on the SAC.
- Request a site visit by Councillors.

23 adjoining neighbours were notified, and 5 objections have been received that raise the following concerns: -

- The new builds are not in keeping with the farmhouse and barn conversions.
- An additional 3 houses would cause issues on a single-track road with no passing points. Since moving here, we have had a few near misses with delivery drivers, and this would be exacerbated by further houses being built.
- Excessive traffic movements will be dangerous.
- A modern new build would change the change of the local environment.
- Noise from 3 properties as it is a rural area
- 3 large 4-bedroom houses is an over development of the site.
- The new properties do not site on the original floor plan of the barn.
- The development of the remaining agricultural sheds is being considered in isolation, without the full planning history being taken into account. It is not a brown field site it is a clear overdevelopment of a green belt site, which the council have already showed concern about through previous planning applications and the conditions attached to them e.g. removal of permitted development rights
- It is unclear from the plans how the usage of the existing footpaths crossing the site will be maintained.
- The houses are excessively large 4 bed houses which are not needed in the area and will be unaffordable to most. The recently adopted local plan (mp 1.1) makes clear that new development in the area should be one or two bed houses to meet the housing need of the area.
- Existing barn is shielded from our house and front garden by a line of trees. Concern that these would be damaged in construction which would make it more visually intrusive to our house and front garden. Note the plans submitted in the application show these trees being replaced with landscaping despite the fact they are on our land.
- Site has no drainage. Unclear how wastewater from the site can be dealt with. Concerned about impact on our moat which is adjacent to site and natural habitat for many animals.
- The site is within 15 feet of our bedroom

Main Issues and Considerations

The main issues to consider is the:

- History of the site and Appropriateness of the development in the Green Belt,
- Design, Appearance & Form of Accommodation
- Impact on the amenities of neighbouring properties
- Other Matters
- Highway and Access
- Land Drainage and Contamination
- Impact on trees and landscaping
- Contamination
- Archaeology
- Impact on the Epping Forest Special Area of Conservation

Impact on the Metropolitan Green Belt

The National Planning Policy Framework, (NPPF), 2019 states that 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. There is a presumption against inappropriate development which is, by definition, harmful to the green belt and should not be approved except in very special circumstances.

Paragraph 144 of the NPPF states that when considering planning applications, local planning authorities 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.

Paragraph 145 of the Framework states that the Council should regard the construction of new buildings as inappropriate in Green Belt with some exceptions. The relevant exceptions in this case include: -

d) *The replacement of a building provided the new building is in the same use and is not materially larger than the one it replaces.*
g) *limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
   – *not have a greater impact on the openness of the Green Belt than the existing development;*

Local Plan policy GB2A is broadly in compliance with the aims and objectives of national Green Belt Policy and seeks to resist inappropriate extensions to dwellings which would create a building of significantly larger or different in character when assessed against the original house.

Of material consideration is that this application is a resubmission of an application approved in 2017 Ref: EPF/0561/17 for the redevelopment of the site for 3 dwellings which has not been implemented. Whilst the application has now lapsed, this decision would be subject to the intended Extended Planning Permission Implementation Period that Central Government are seeking to implement. Once confirmed, this should extend the life of the previous application until April 2021.

In terms of planning policy, the site is considered as previously developed land and, in line with Government policy, redevelopment of this land is encouraged.

The development was approved at Planning Committee in 2017 where it was established that the proposed development constituted previously developed land as the building was currently used for B8 storage purposes and there is no reason to take a different view on this application. The principle of residential has already been established and the redevelopment of the site does not result in any greater impact on the openness of the Green Belt or to the purposes of including land within it than what presently exists.

It was determined in 2017 that the current building has a floor area of 1008sqm and a maximum ridge height of 7m. The replacement dwellings would have a ridge height of 6.2m and have a floor area of 202sqm which amounts to 606sqm in total. This is a reduction in built form of around 40% and as a result, will have a significantly reduced impact on the openness of the Green Belt than the existing building. The development is therefore considered to be appropriate development that would not result in any harmful impact on the Green Belt.

Notwithstanding the above, in order to prevent the dwellings from being substantially extended any further, to the detriment of the Green Belt, it would be reasonable to impose a condition removing permitted developments rights so that an assessment can be made on any future additions to the properties.

<u>Design, Appearance & Form of Accommodation</u>

The proposed dwellings have shallow pitched roof and the separation of the properties would give the appearance of barns. The siting of the dwellings are sited at some distance from the main public carriageway and will be accessed from a private road and consequently not considered to be overtly conspicuous from public viewpoints. Weight is also attributed to the previous consent where planning permission was granted for a larger single dwelling, which proposed a far more incongruous and bulky design.

In terms of its design and form, the development is considered sympathetic and comparable in context with the spatial design of development in the surrounding area and complies satisfactorily with the Local Plan that seeks to ensure that development meets the requirements of Chapter 12 of the NPPF and policy CP2 and DBE1 of the Local Plan and DM9 of the Submission Version, 2017.

The form of accommodation is acceptable with each room having sufficient daylight, outlook and ventilation and a satisfactory form of living space for future occupiers.

The Local Plan makes it clear that all new residential developments should provide garden area which are functional and usable in terms of width, depth, shape and orientation to meet the needs of future occupants and which would not suffer from any direct overlooking or loss of privacy. In this instance the proposed dwellings provide amenity area per plot which is functional and usable in terms of width, depth, shape and orientation to meet the needs of future occupants and which would not suffer from any direct overlooking or loss of privacy and accords with the requirements of DBE8 of the Local Plan and DM10 of the Submission Version Plan, 2017.

Impact on the Amenity of adjoining Properties.

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 smaller scale than the existing building and not considered to result in any harmful amenity implications above what presently exists.

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 and noise levels, however it is not anticipated that there will be any materially greater harm to the living conditions of the neighbours as a result of this proposal than what presently exists.

In summary, it is considered that the amenity of the adjoining occupiers would be maintained to an acceptable level and accords with the requirements of policy DBE9 of the Local Plan and policy DM4 of the Local Plan, Submission Version, 2017.

Other Matters

The concerns of the Parish Council and neighbouring properties are noted with the majority of the concerns having been addressed in the body of the report. The proposed development is considered of an appropriate design that is in keeping with the character and appearance of the area and which is considered to make a more valuable visual contribution to the quality of the environment than what presently exists.

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development and there are 3 dimensions to sustainable development: economic, social and environmental. The development supports the social role of strong vibrant communities by providing the supply of housing required to meet the need of present and future generations and by creating a high-quality built development and the environmental role of protecting and enhancing the natural and built environment. Taking everything into consideration, the site would provide a quality residential development that brings forward the growing need for additional housing.

Highways and Parking

The new dwellings will be served by an existing private road and the Essex Highway Officer has no objection 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.

Essex County Council Highways has no objection to the proposal in terms of highway safety which accords with the requirements of ST4 and ST6 of the Local Plan and policy T1 of the Local Plan Submission Version, 2017.

Land Drainage

The site does not lie within an Epping Forest District Council Flood Risk Assessment Zone. Any works to or within eight metres of an open or piped watercourse will require Land Drainage Consent**.**

Drainage have requested further details to be submitted to the Local Planning Authority of the disposal of foul sewage, surface water and drainage prior to preliminary groundworks commencing in accordance with policy U2B of the Local Plan which are considered reasonable and necessary.

Trees and Landscaping

The Tree and Landscape team have not raised any objection to the proposal that complies with the requirements of policy LL10 of the Local Plan and DM5 of the Submission Version subject to the attachment of suitable conditions which are considered reasonable and necessary.

Land Contamination

Domestic houses with gardens are classified as a particularly sensitive proposed use. The site has the potential to be contaminated as a result of its previous uses. The site requires gas protection measures to be installed in lieu of gas monitoring and this needs to be reported upon and for the site to be closed out in terms of site investigation and mitigation measures.

To ensure that future occupiers are not put at risk from this contamination, it is recommending that contamination mitigation measures are secured through conditions which are considered reasonable and necessary in accordance with Paragraphs 120 -124 of the NPPF and policy RP4 of the Local Plan

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 condition can ensure that there will be no loss of historic remains of intrinsic interest.

Implications for the Epping Forest Special Area of Conservation:

The proposed development involves the creation of 3 new dwellinghouses and has to be considered in the context of the Epping Forest SAC. In this regard the development lies outside of the 3KM zone where recreational use of the SAC may be impacted. The proposed development would result in vehicle activity and in accordance with policy DM22 could result in a greater impact on air quality.

Policy DM22 of the Submission Version Plan now requires that any permission would be subject to a financial contribution to mitigate against the harmful impacts of development on the air quality and biodiversity within the Forest. However, at the time of writing this report, the exact amount of contribution to air quality has not been agreed.

Notwithstanding this, this application is a resubmission of an already approved development in 2017 Ref: EPF/0561/17 and where the financial contribution to secure mitigation measures for air quality was previously not requested. As such it would be unreasonable to require such a contribution now.

Conclusion

The proposal is a renewal of a previous consent for the same development which has been identified as the redevelopment of previously developed land and not by definition inappropriate in the Green Belt. Site circumstances or policies have not changed other than more weight is now given to the Submission Version of the Local Plan.

The proposal is considered an efficient use of the land that is appropriate in its context and would not result in any additional harmful impact on the openness of the Green Belt. The design, and form of the development is considered acceptable and would not result in any harmful amenity implications on neighbouring dwellings; other aspects in relation to parking/highway safety, landscaping and contamination are considered satisfactory subject to the imposition of conditions which are supported by the policies of the adopted Local Plan and Alterations (1998 & 2006) and the emerging Local Plan, Submission Version, 2017 and the relevant parts of the National Planning Policy Framework. In the light of the above considerations, it is recommended that planning permission is approved 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: Caroline Brown

Direct Line Telephone Number: 01992 564 182

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

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