

Committee Agenda



Epping Forest District Council

AREA PLANNING SUB-COMMITTEE WEST **Wednesday, 4th November, 2020**

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

Virtual Meeting on Zoom
on **Wednesday, 4th November, 2020**
at **7.00 pm**.

Georgina Blakemore
Chief Executive

Democratic Services
Officer:

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

Members:

Councillors D Dorrell (Chairman), J Lea (Vice-Chairman), N Avey, R Bassett, S Heather, H Kane, S Kane, Y Knight, J Leppert, A Mitchell, D Plummer, M Sartin and D Stocker

WEBCASTING/FILMING NOTICE

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. APOLOGIES FOR ABSENCE

4. MINUTES (Pages 9 - 12)

To confirm the minutes of the last meeting of the Sub-Committee held on 9 September 2020.

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/1533/20 FORMER DUKE OF WELLINGTON, WELLINGTON HILL, LOUGHTON (Pages 13 - 28)

To consider the attached report for the proposed demolition of existing buildings and construction of x2 no. apartment blocks, consisting of 8 flats, provision of ancillary car and cycle parking, electric vehicle charging points, amenity space, landscaping and boundary treatment.

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 29 - 30)**

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

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 West 2020-21

Members of the Committee and Wards Represented:



Chairman
Cllr Dorrell
Waltham
Abbey
Paternoster

Vice-Chairman
Cllr Lea
Waltham Abbey
North East

Cllr Avey
Broadley
Common,
Epping Upland
and Nazeing

Cllr Bassett
Lower Nazeing

Cllr Heather
Waltham
Abbey
Honey Lane



Cllr H Kane
Waltham Abbey
South West

Cllr S Kane
Waltham Abbey
Honey Lane

**Cllr Y
Knight**
Lower
Nazeing

Cllr Leppert
Waltham
Abbey
Paternoster

Cllr Mitchell
Waltham
Abbey North
East



Cllr Plummer
Waltham
Abbey South
West

Cllr Sartin
Roydon

Cllr Stocker
Waltham
Abbey
Honey Lane

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EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** 9 September 2020
West

Place: Virtual Meeting on Zoom **Time:** 7.00 - 7.45 pm

Members Present: D Dorrell (Chairman), R Bassett, S Heather, H Kane, S Kane, J Leppert, D Plummer, M Sartin and D Stocker

Other Councillors: None.

Apologies: J Lea, N Avey and Y Knight

Officers Present: C Brown (Planning Officer), J Godden (Heritage, Enforcement & Landscaping Team Manager), A Marx (Development Manager Service Manager (Planning)), A Hendry (Democratic Services Officer), V Messenger (Democratic Services Officer) and N Cole (Corporate Communications Officer)

32. 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. The Sub-Committee noted the Council's Protocol for Webcasting of Council and Other Meetings.

33. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the 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 the Sub-Committee that he would be a voting chairman and although the Vice-Chairman was absent for this meeting, he would not require an alternative Vice-Chairman to be nominated.

34. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 12 August 2020 be taken as read and signed by the Chairman as a correct record.

35. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Members' Code of Conduct, Councillor M Sartin declared a non-pecuniary interest in the following item of the agenda by virtue of being the Council's representative on the Lee Valley Regional Park Authority. The Councillor had determined that she would remain in the meeting for the consideration of the application and voting thereon:

- EPF1206/20 – Unit 7 St Leonard's Farm, St Leonard's Road, Nazeing EN9 2HG

(b) Pursuant to the Council's Members' Code of Conduct, Councillor S Heather declared a non-pecuniary interest in the following item of the agenda by virtue of being the Council's representative on the Lee Valley Regional Park Authority. The Councillor had determined that he would remain in the meeting for the consideration of the application and voting thereon:

- EPF1206/20 – Unit 7 St Leonard's Farm, St Leonard's Road, Nazeing EN9 2HG

36. ANY OTHER BUSINESS

It was reported that there was no urgent business for consideration at the meeting.

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

The Sub-Committee 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

38. SITE VISITS

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

39. PLANNING APPLICATION - EPF/1206/20 UNIT 7, ST LEONARD'S FARM, ST LEONARD'S ROAD, NAZEING

APPLICATION No:	EPF/1206/20
SITE ADDRESS:	Unit 7 St Leonard's Farm St Leonard's Road Nazeing EN9 2HG
PARISH:	Nazeing
WARD:	Lower Nazeing
DESCRIPTION OF PROPOSAL:	Change of use of the office and double garage within Unit 7 from agricultural use to an independent office (Class B1a) and storage (Class B8) and installation of a 1.8m high timber fence panel.
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=637776

REASONS FOR REFUSAL

- 1 The use by reason of inappropriateness is considered detrimental to the character, appearance of the residential dwellings and setting in the courtyard. For this reason, it would conflict with policies CP2, GB8A, DBE2 of the adopted Local Plan and Alterations (1998 - 2006) and policy DM4 and DM9 of the Submission Version of the Epping Forest District Local Plan, 2017 and the objectives of the National Planning Policy Framework, 2019.
- 2 The proposed first floor office accommodation, by reason of the elevated entrance directly adjacent to the side boundary of the adjoining residential dwelling of Ash Cottage results in an unacceptable loss of overlooking and privacy and to a lesser extent occupiers of the adjacent Chestnut Cottage to the detriment of their amenity, contrary to policy DBE2 and DBE9 of the adopted Local Plan and Alterations (1998-2006), policy DM9 of the Submission Version of the Local Plan, (2017) and the aims and objectives of the National Planning Policy Framework, 2019 to secure a good standard of amenity for all existing and future occupiers.'

After careful deliberation the Committee voted unanimously to refuse the application (contrary to the recommendation to approve) due to its inappropriateness in relation to its setting and impact on the character and appearance of the adjoining residential dwellings.

The Committee also considered that the proposed first floor office accommodation, by reason of the elevated entrance directly adjacent to the side boundary of the adjoining residential dwelling of Ash Cottage resulted in an unacceptable loss of privacy and overlooking, and to a lesser extent occupiers of the adjacent Chestnut Cottage to the detriment of their amenity, contrary to policy CP2, GB8A, DBE2 and DBE9 of the adopted Local Plan and Alterations (1998 -2006), policy DM4 and DM9 of the Submission Version of the Local Plan, (2017) and the aims and objectives of the National Planning Policy Framework, 2019 to secure a good standard of amenity for all existing and future occupiers.

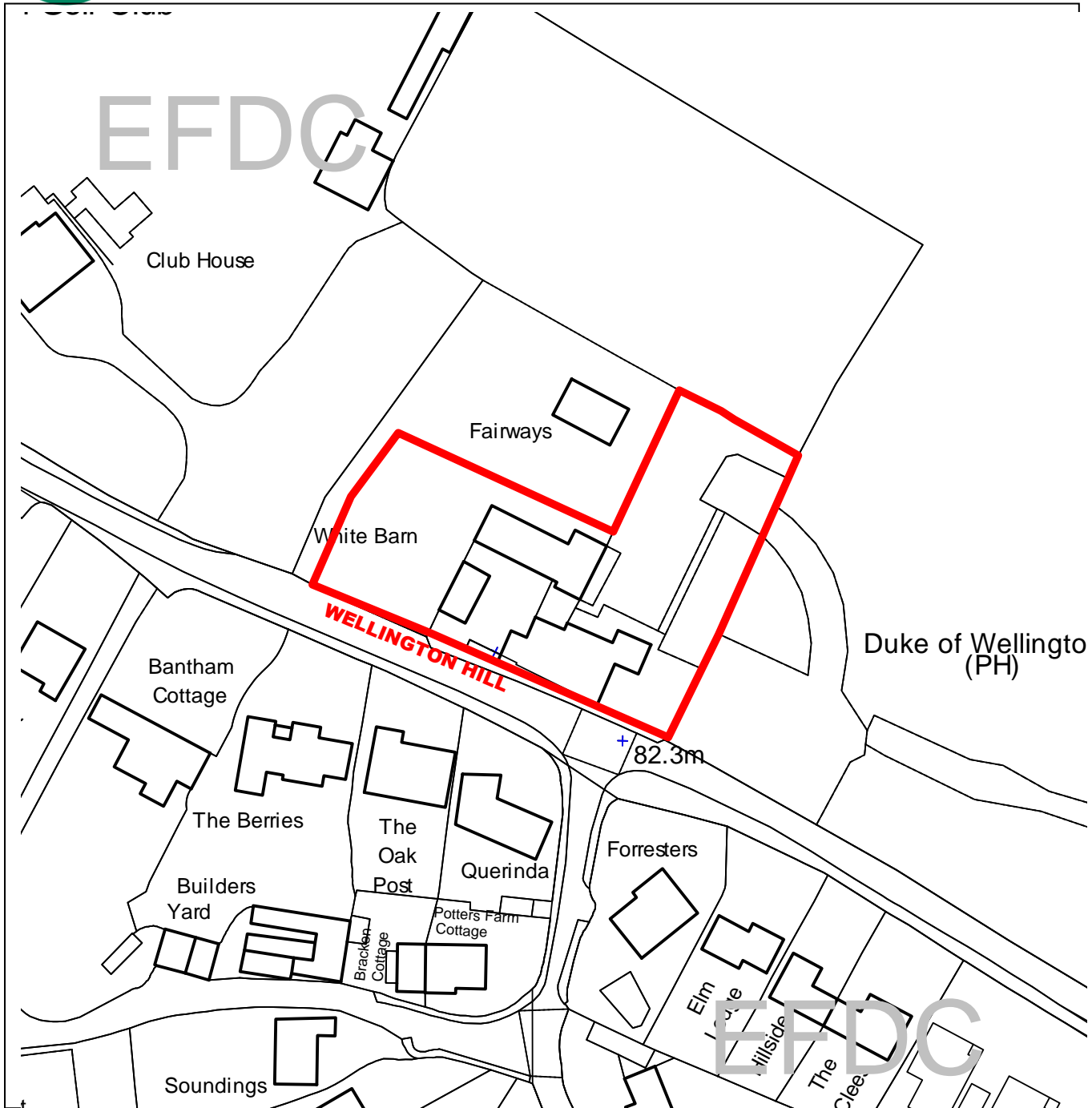
A way forward was proposed by Members to change the entrance to the building to the north flank through the existing site and close the existing garage up.

CHAIRMAN

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Epping Forest District Council



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Application Number:	EPF/1533/20
Site Name:	Former Duke Of Wellington Wellington Hill Loughton IG10 4AH
Scale of Plot:	1:1250

APPLICATION No:	EPF/1533/20
SITE ADDRESS:	Former Duke Of Wellington Wellington Hill Loughton IG10 4AH
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
APPLICANT:	Mr David Bales
DESCRIPTION OF PROPOSAL:	Proposed demolition of existing buildings & construction of x2 no. apartment blocks, consisting of 8 flats , provision of ancillary car & cycle parking, electric vehicle charging points, amenity space, landscaping & boundary treatment.
RECOMMENDED DECISION:	Grant Permission (Subject to Legal Agreement)

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=639473

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No construction works above ground level shall 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.
- 3 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.
- 4 No development shall commence until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), shall have been submitted to and approved in writing by the local

planning authority. If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the local planning authority. If, during the course of development, any contamination is found which has not been previously identified, 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 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 The development must be carried out in accordance with the Drainage Strategy (Surface Water Drainage Strategy, July 2020, Ref SuDs-2637-2020, Rev B) submitted with the application unless otherwise agreed in writing with the Local Planning Authority.
- 8 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 9 The access arrangements, including visibility splays, vehicle parking and turning areas as indicated on the approved plans shall be provided and retained as such in perpetuity for their intended purpose.
- 10 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 11 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.
- 12 Before any preparatory demolition or construction works commence on site, full ecological surveys, and where necessary a mitigation strategy, for the site shall be submitted to the Local Planning Authority for agreement in writing with a working methodology for site clearance and construction work to minimise impact on any

protected species and nesting birds. Development shall be undertaken only in accordance with the agreed strategy and methodology.

- 13 Prior to first occupation of the development, a scheme to enhance the ecological value of the site shall be submitted to and agreed in writing by the Local Planning Authority. The ecological value shall be quantified using the Biodiversity Impact Assessment Calculator (BIAC) where appropriate. The scheme shall be implemented in full prior to the occupation of the development hereby approved.
- 14 The development hereby permitted will be completed and retained strictly in accordance with the approved drawings numbers:
- a) Drawing No. 2626.3 (Ground Floor Plan Block A)
 - b) Drawing No. 2626.4 (First Floor Plan Block A)
 - c) Drawing No. 2626.5 (Proposed Block A Front, Rear and Side Elevations Plan)
 - d) Drawing No. 2626.8 (Existing Plan including Key to Buildings)
 - e) Drawing No. 2626/9 (Former Public House Building A)
 - f) Drawing No. 2626./10 (Existing Buildings B& D)
 - g) Drawing No.2626/11 (Existing Building C)
 - h) Drawing No. 26.26.2A (Proposed Site wit Railings Added)
 - i) Drawing No. 2626.1A (Proposed Site Plan with Frontage Treatment Amended)
 - J) Drawing No. 2626.7A (Existing & Proposed Street Scenes)
 - k) Drawing No. (3926/1(Site Location Plan),Dated 20/05/2020.
 - l) Drawing No.(Artwork Site Plan)
 - m) Drawing No. (Street Scene From Wellington Hill)
 - n) Drawing No. LP1 Rev 1 (Proposed Landscape Plan Amended) Dated 10/08/2020.
 - o) Arboricultural Report and Tree Condition Survey for Proposed Development)
 - p) Desk Study/Preliminary Risk Assessment Report Ref no. P2529J1853/JWT Dated 06/12/2019.
 - q) Planning Statement
 - r) Drawing No.2626.6 (Proposed Bike & Bin Stores)
 - s) Transport Statement Letter Dated 15th July 2020.
 - t)SuDS Statement Document Ref: SuDS-2637-2020 Revs:B- Final Dated 12/06/2020.
- 15 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.
 - 7. Tree protection measures.

And subject to the applicant first entering into a legal agreement under Section 106 to secure appropriate financial contributions for the management and monitoring of visitors to the Epping Forest Special Area of Conservation, within 2 months of the date of the decision or such longer period as may be agreed with officers.

This application is before this Committee since it is for a type of development that cannot be determined by Officers if more than five objections are received (or in cases where less than 5 were consulted, a majority of those consulted object) on grounds material to the planning merits of the proposal (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council).

Description of Site:

The application site is located on the northern side of Wellington Hill and was formerly the Duke of Wellington Public House. The site is currently occupied by four main buildings, ancillary hard standings and landscaped areas.

The site is not located within a Conservation Area and is not a Listed Building. The site is situated within a small enclave of houses along Wellington Hill that is surrounded by Epping Forest and is located within the designated Green Belt

The 4 main buildings are: -

- The former pub building itself, the ground floor of which is now in use as a Class A2 financial and professional services offices and the first floor of which is in use as a residential flat.
- The “White Barn”, immediately to the west of the pub building, in use as a single dwelling.
- A guest accommodation block, behind the former pub and White Barn, containing six guest accommodation units, and with planning permission to convert to three dwellings.
- Building in B1 office use (also to the rear of the former pub).

The main part of **the former pub building** is a rectangular two storey building with a side hipped roof. At its western end is a two-storey extension with a similar, but subservient hipped roof. A single storey lean-to projects forward of the main building. The front edge of the lean-to immediately abuts a narrow brick-paved footway on the applicant’s land, but there is no separation between the footway and the metalled road. The building is of yellow stock bricks and white render with grey slate roofs and uPVC windows.

The **White Barn** is a rectangular gabled cottage with its gable end facing the road. It is clad with horizontal white boarding, a grey slate roof and has white painted wooden window frames.

The **guest accommodation block** is a larger rectangular building set at right angles to the White Barn and constructed of similar materials.

The smaller **B1 office building** is of similar external appearance.

To the east of the **former pub building** is the hard-surfaced former pub garden. Between the four buildings are further hard surfaced courtyards and access areas. To the west of the buildings is the site’s car park, serving all the site’s existing uses.

At the far northern end of the car park is a five-bar gate that leads into the site of a bungalow under construction. To the rear northern side of the bungalow site is a paddock and a block of riding stables. To the west of the former pub’s car park are the car park and clubhouse of High Beech Golf Course. To the east is part of Epping Forest. To the south, opposite the site, and

extending for about 500m to the east and west, is an enclave of development consisting of about 50 or so dwelling houses.

Description of Proposal:

The proposal seeks the demolition of all existing buildings & construction of x 2 no. apartment blocks - Block A with 4 Flats and Block B with 4 flats, consisting of 8 flats in total, with 2 x 1 - bedroom flats and 6 x 2 bedroomed flats. Provision would be made for car & cycle parking, electric vehicle charging points, amenity space, landscaping & boundary treatment.

The existing trees and other vegetation which would be retained and protected where appropriate.

The blocks would each measure a width of 14.6m and a depth of 11m with an eaves height of 4.5 metres and the ridge height of 7.2metres and each of the residential units would benefit from a small front garden area.

The proposed Car Park would have a surface of permeable paving blocks and would have seventeen car parking spaces. Sixteen of which would be in the area of the existing car park and would be rearranged and resurfaced as required. The provision on site of four double electric vehicle charging points are proposed. A visitor/disabled parking bay is proposed on the site frontage.

The present vehicular access to the stables at the rear of the site would be closed off and a new grass surfaced track would be created across part of the former pub garden to the east of the proposed apartments. This would replace an existing gated access into the former pub garden.

Relevant History:

EPF/1534/19 - Change of use from A3 to A2. Deemed Permission Granted EPF/1337/19 - Certificate of lawful development for proposed single storey extension. Lawful
EPF/0043/18 - Change of use of the guest accommodation to three one-bedroom flats including minor external alterations to the building. Grant Permission (With Conditions) subject to legal agreement (e.g. s.106, unilateral undertaking)
EPF/0408/17 - The erection of an extension to the existing stable on land at the rear to provide storage in connection with the equestrian use of the field - revision of planning permission EPF/2041/12. Granted with Conditions
EPF/1154/12 - Erection of a storage barn. Refused Permission.
EPF/2041/12 - Extension to existing stable to provide storage in connection with existing equestrian use of field. (Revised application). Grant Permission (With Conditions)
EPF/0556/10 - Proposed erection of 6 bed guest accommodation. (Retrospective application) – approved/conditions
EPF/0240/09 - Alterations and single storey side extension. (Revised application) – Granted Permission (With Conditions)

Policies Applied:

Epping Forest Local Plan (1998) and Alterations (2006):

CP1 – Achieving Sustainable Development Objectives
CP2 – Protecting the Quality of the Rural and Built Environment
CP6 – Achieving sustainable urban development patterns
GB2A – Development in the Green Belt
GB8A – Change of use or adaptation of buildings
GB9A – Residential conversions

NC1 – SPAs, SACs and SSSIs
DBE2 – Effect on Neighbouring Properties
DBE8 – Private amenity space
DBE9 – Loss of amenity
H2A – Previously Developed Land
ST1 – Location of Development
ST2 – Accessibility of Development
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.

In addition to paragraph 11, the following paragraphs of the NPPF are considered to be of relevance to this application: 124, 127, 130, 131, 133-146

Epping Forest Submission Version Local Plan (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 in this particular case indicated:

SP 1 – Presumption in Favour of Sustainable Development	significant
E 4 – The Visitor Economy	significant
T 1 – Sustainable Transport Choices	significant
H 1 – Housing Mix and accommodation types	significant
DM 1 – Habitat Protection and Improving Biodiversity	significant
DM 2 – Epping Forest SAC and the Lee Valley SPA	significant
DM 4 – Green Belt	significant
DM 9 – High Quality Design	significant
DM 10 – Housing Design and Quality	significant
DM 22 – Air Quality	significant

Consultation Carried Out and Summary of Representations Received:

43 neighbours were consulted, and the following consultation responses were received:
26 objections were received including some emails without addresses

A Site Notice was put on the Site on 27 /07/2020

The objections are summarised below:

1 Beech Hill Gardens, 11 Beech Hill Gardens, 14 Beech Hill Gardens, Elm Lodge, The Risings, Monticello, Witts End,

Flats are out of keeping and out of character in the Forest, the pub was deliberately run down by the owner, materials are out keeping, hedges should be native species, loss of community hub, will put strain on the existing infrastructure, more traffic, parking issues

CPRE Essex – OBJECT

- inappropriate development within its setting adjacent to the ancient and protected woodlands of Epping Forest.
- No special circumstances have been identified for this development with the Green Belt.
- insufficient consideration of the harmful effects on the continued protection and well being of the SAC of Epping Forest.
- no reference that a Demolition and Construction Method Statement has been submitted to and approved
- proposal for two blocks of compact flats with minimal shared amenity space visual intrusion in this area and totally out of character.
- There is only one allocated parking space for visitors which will create problems
- the height of the proposed units is just below 8m it will be visible to visitors enjoying the views from High Beach and the Golf Course and well as neighbour's opposite
- the internal layout of these properties, lack of personal garden space, gloomy shared amenity space.
- probability Great Crested Newts! Further active survey work should be commissioned to locate any specimens
- No recommendation about appropriate lighting levels in this proposed development for Bats are especially sensitive to artificial light after dark.

Open Space Department - City of London OBJECT:

- As the development neighbours a SSSI there is little doubt that this development would have an adverse effect upon the SSSI both individually and in combination with the recent development
- Reliance of private vehicles
- Parking provision
- Recreational Impact
- No Habitats Regulations Assessment (HRA) submitted with the plan.

Epping Forest Forum OBJECT:

- The nature of the road on which the development sits is a very tight lane on a steep hill
- Epping Forest and EFDC have to work out how to reduce traffic into the SAC and not increase it which this development will do.
- Sewerage overload into an aging exiting system is also a problem.
- The development is not in keeping with the nature of surrounding buildings. These styles of developments are more fitting in more heavily urbanised areas where the visual impact would not be so dramatic and access by foot or cycling is achievable to mitigate traffic problems.

WALTHAM ABBEY TOWN COUNCIL – OBJECT:

The development is out of keeping with the surrounding area, it would have an adverse effect on the Green Belt and there are no special circumstances identified.

Main Issues and Considerations:

The principle of residential development on this previously developed site has already been established by the grant of permission for the conversion of the former Guest Accommodation to 3 flats, the residential flat on the first floor of the former pub and the White Barn.

The main issues for consideration are the impact on the Green Belt, housing need, flood risk, contamination, layout and design, highways and parking, neighbouring amenity, ecology & Epping Forest, and the Epping Forest Special Area of Conservation

Green Belt.

The site lies wholly within the Metropolitan Green Belt and the first assessment must be whether the proposed development is in accordance with Green Belt policy as set out within the NPPF 2019 and the adopted Local Plan. The NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open. Construction of new buildings is inappropriate in the Green Belt but the NPPF sets out some exceptions to this, these include

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

The Council accepts that the whole of the area proposed for development is previously developed land. It is the former Duke of Wellington site occupied by four main buildings, ancillary hard standings and landscaped areas located on the northern side of Wellington Hill. The site is largely containing four main buildings, of significant size, which are used or were previously used for residential and commercial purposes.

The application site has a long history of residential use on the northern side of Wellington Hill. The existing site consists of 5 dwellings. The proposal will be an increase from 5 to 8 dwellings (i.e. a net increase of just 3 units).

The redevelopment of the site, including three extra residential units would not inappropriate development provided it would not have a greater impact on the openness of the Green Belt than the existing built development on the site.

The assessment of the impact on openness is considered by examining the volume and spread of the existing and the proposed built development on the site.

Footprint of Buildings:

The footprint of the existing buildings is **359.5m²**, made up as follows:-

- Former pub building – 161.4m²
- White Barn – 41.8m²
- Guest Accommodation – 86.1m²
- B1 Office - 32m²
- Extension (implemented but not yet completed) – 38.2m²

The footprint of the proposed buildings is 344.6m², a decrease of 14.9m²

Volume of Buildings

The volume of the existing buildings at the site is **1,858m³**, and the volume of the proposed buildings is **1,927m³**, an increase of **69m³**. **However**, this is considered a minimal increase in volume and one which would not harm the openness of the Green Belt as laid out below.

Spread of Development

The current buildings at the site are spread over a width of **32 metres and a depth of 23 metres**. By comparison the proposed two residential buildings would be spread over a width of **30.5 metres and a depth of 11 metres**. This is a significant reduction in the depth of the of the development on the site, and this will therefore be less visually intrusive as compared to the existing built development and not will have any further detrimental impact on the openness of the Green Belt than that already caused by the current 4 buildings on the site.

The highest part of the proposed buildings would be the same as the highest part of the existing buildings (approximately 7m).

Furthermore, the existence of the 5 dwellings, A2, C1 and the B1 use, which have a greater volume than the current proposal, is taken into consideration of the appropriateness of the development in the Green Belt. It is considered that there will also be an improvement in the visual impact on the development on the site with the replacement of a number of different buildings being replaced with a well-designed and uniform scheme.

The proposed development would also result in the area of hardstanding being reduced by **406m²**, which has a positive impact on the openness of the Green Belt

Therefore, taking all these factors into account, it is considered that the proposed development would not have a greater impact on the openness of the Green Belt than the existing development and that it would be in accordance with LPSV policies SP6 and DM4(c) and Local Plan Alterations (2006) Policies GB2A and GB15A and paragraph 145 (d) and (g) of the NPPF 2019.

This site is not an allocated housing site in the SVLP but the previous consent for 5 dwellings and the A2, C1 and B1 uses on the site have been taken into consideration in reaching the view that the site is suitable for the erection of 8 dwellings on this site.

It is considered that there is no harm caused to the openness, character and appearance of the Green Belt in this location.

Design, Character and Appearance:

It is considered that the proposed Design for this new redevelopment would be an improvement as compared with the existing development with its frontage abutting Wellington Hill. The proposed development is of a high quality design which complies with para 127 of the NPPF as the proposed design and siting of the new development would improve the character and appearance of the site and improve the way the site functions by, eliminating the present conflict between the existing business and residential uses. The proposed design is a better and good design replacing a haphazard arrangement of buildings with a more coherent design. The proposed development is set back 5 metres from Wellington Hill, behind an open landscaped strip; replacing the existing residential units which have a sub optimal standard of amenity spaces with new dwellings with a higher standard of amenity space. The proposed design is providing better quality cycle parking provision; and providing landscaped communal amenity space.

The proposed design incorporates a mix of smaller units and would help redress the local balance of housing currently dominated by large detached houses. The smaller flats will be more affordable for lower income workers to rent or buy than the existing larger detached houses in the area.

The proposed design would create a safer and secured place by allowing for better informal supervision by residents than is possible at present. The proposed design will provide and improve the amenities of the future occupiers and encouraging improved access to the Forest and would promote health and well-being.

The overall shape and style of the proposed buildings would reflect the appearance of the larger dwellings on the opposite side of Wellington Hill. It is considered that when viewed from the street the proposed design would appear similar to the built development on the other side of Wellington Hill in this area and are in keeping with the area.

Visual Impact:

In the present case the proposed two block buildings would be visible from Wellington Hill as would the existing buildings, but they would not be clearly visible from public Forest land to the north and east. Whilst the existing buildings have some attractive design features, the site has evolved by the adding of extensions and alterations to the original buildings in a piecemeal fashion, giving rise to a haphazard arrangement and in particular, a lean-to front extension abutting Wellington Hill which presents a hard built up frontage which is unsympathetic in appearance to the character of the area with impact on the street scene as compared to the proposed design with its 5 metres set back from the road.

The design of the proposed buildings are considered a better quality design that includes the external materials and other details that reflects that of the existing former public house building and would complement the other development in the locality. The 5 metres set back is with its area of grass, shrubs and hedging in front of it as compared to the existing hard built up frontage of the existing buildings is considered to be an improvement in this area.

The proposed redevelopment of the site would significantly enhance the appearance of the site and provide a more open setting which would be appreciated from the viewpoints in Wellington Hill, where most people would be likely to observe the site.

The proposed redevelopment of the site will bring improvements to the car park and the landscaping of its boundaries and those of the site generally. It is considered that the visual impact of the proposed development would be a significant improvement as compared to the existing and would help to reduce the site's impact on the openness of the Green Belt.

Housing

The applicant has provided a Legal Opinion of whether this scheme should be regarded as a "windfall" site (i.e. a site which is not allocated for housing in the Local Plan but provides extra units which can go towards meeting housing targets). The Council is of the opinion that this matter would not affect the Officers recommendation and the opinion is noted.

Private Amenity Space Area Provision

There will be a Communal amenity space provided to the rear of the apartment blocks for future residents and further planting would be carried out in that area and along the site boundaries to provide screening and secure privacy for the future occupiers. It is considered that this is an improvement on the current development.

Epping Forest Special Area of Conservation:

The application site lies within the Epping Forest Special Area of Conservation (SAC). As set out in Policy DM 2 and DM 22 of the emerging Local Plan, issues have been identified with respect to the effect of development on the integrity of the SAC as a result of increased visitor pressure arising from new residential development, from the effects of air quality, and as a result of an urbanisation effect.

An interim strategy has been agreed with regards to visitor pressure. This concludes that a financial contribution of £352 per additional dwelling on sites within 0-3 km of the SAC will be required in order to mitigate any additional harm from visitor pressure. The applicant has confirmed willingness to enter into a legal agreement regarding this.

The Council is currently developing with partners a strategy for the management and monitoring of air quality on the SAC. In this case it is an existing residential and commercial site which already accommodated vehicle movements. A Transport Assessment has been provided and the daily vehicle movements from 71 to 27 vehicle movements a day which is a welcome reduction and would result in a significant improvement in air quality. Therefore, this proposal would not require any further mitigation measures in respect of Air Quality issues.

The final potential impact that must be assessed is with regards to any urbanisation effect given the proximity of the site to the SAC. A Preliminary Ecological Appraisal has been submitted which provides an extended Habitat Survey (and which also can be used to assess the impact on the Epping Forest SSSI). This appraisal assesses the impact of the scheme on both flora and fauna from the existing development and proposed scheme and concludes that there is not significant impact on the Forest from the new development and that some enhancements can be introduced (such as the provision of bats boxes). It is considered that this assessment is accurate and there will be no harm to the SAC or the SSSI as a result.

Transport & Sustainability

The site is located 2.6 miles from Loughton Underground Station and 3.6 miles from Chingford Station. There are no shopping facilities within the vicinity although there are leisure facilities and a public house within walking distance. It is not on or adjacent to any bus route. It is therefore the case that most journey to and from the site will be via private motor vehicle, as is currently the case with the existing development and the adjacent housing.

The applicant argues that there will be a reduction in vehicle movements from the site compared to its current uses and that an E-Bicycle would be provided free to each dwelling, electric charging points provided and footway improvements made to encourage the use of walking, cycling, and electric cars.

It is accepted that this is not a particularly sustainable site. However, it is in an enclave of a good number of dwellings, it is an existing previously developed site and there will be a reduction in vehicle movements over the current permitted uses. The provision of electric charging points and electronic bicycles are positive measures (albeit it is considered the E Bikes are more likely to be used for leisure than commuting) and it is considered that, on balance that this is an acceptable scheme and one which meets the national and local policies aims.

Asset of Community Value

The Duke of Wellington Pub has not been a pub since before 19 May 2017. In 2017 the pub changed its use from class A4 to a restaurant falling within class A3. The Council confirmed in writing on 13 December 2017 that this change of use was allowed under permitted development rights ref EPF/1534/19. Furthermore, in May 2019 the Council accepted that the change of use of the restaurant to class A2 offices was also permitted development and that remains its current use. The proposed development will not entail the loss of a community facility.

Marketing evidence has been provided to show that the site has been advertised as guest accommodation, yet no interest has been received. As such it is considered that sufficient evidence has been provided to justify the loss of the existing guest accommodation.

Parking provision:

Essex County Council has raised no objection to the parking provision subject to conditions.

Impact on Neighbouring Amenity

The proposed dwellings are all located sufficient distance from existing properties so as not to result in excessive loss of light or any significant loss of outlook. Immediately adjoining the site boundary is a small residential dwelling known as White Cottage (also in the ownership of the applicant).

The proposed change of use from guest accommodation to residential accommodation would be beneficial to the living conditions of this neighbour since it would remove potential conflict due to noisy recreational accommodation on the site, particularly when the guest accommodation was associated with the adjacent public house.

There will be some overlooking of the rear garden areas of properties but the distances to the private amenity areas are considered to be sufficient that there will not be a significantly harmful loss of privacy. The proposal is considered to be acceptable in this respect. Each of the proposed flats would share the communal rear garden space to the rear of the site. Nonetheless, given the location of the site immediately adjacent to Epping Forest and the

presence of a shared, gated front area of hardstanding, it is not considered that the proposal would cause any undue harm to the amenities of neighbouring occupants.

Other considerations:

Biodiversity:

Although adjacent to an SSSI, this is already an developed site and the proposed development would have no further adverse effects, as assessed in the submitted Ecological Appraisal due to the proposed conditions which will provide the relevant detailed design elements, such as lighting, to avoid any harm to wildlife.

Contaminated Land

The Contamination Officer has stated there is no record of contamination, however, recommends the use of standard conditions.

Environmental Protection & Drainage

No objection subject to appropriate conditions

Waste:

A shared refuse area is proposed towards the front of the site within the shared courtyard. Wastewater recycling measures would also be provided and can be conditioned.

Conclusion:

The redevelopment of this site is considered an acceptable scheme. The site is previously developed land and has 5 existing dwellings and an office use. The increase in 3 dwellings is not considered to cause any significant harm to the Green Belt, Epping Forest or neighbouring amenities. The scheme has a positive impact on the current built development of the site and will not have an adverse impact on Air Quality in the Epping Forest SAC. Whilst it is not a particularly sustainable site the reduction in vehicle movements and mitigation measures weighs in favour of the scheme. There will be no adverse impact on the adjacent Epping Forest SSSI.

It is therefore recommended for approval subject to legal agreement under Section 106 Agreement and Planning 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: Francis Saayeng
Direct Line Telephone Number: 01992 564161***

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

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