

Committee Agenda



Epping Forest District Council

Area Planning Sub-Committee East Wednesday, 12th January, 2022

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

**Council Chamber, Civic Offices, High Street, Epping
on Wednesday, 12th January, 2022
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), R Balcombe, N Bedford, P Bolton, L Burrows, I Hadley, S Jones, C McCredie, J McIvor, R Morgan, J Philip, B Rolfe, P Stalker, B Vaz, C Whitbread, H Whitbread, J H Whitehouse and J M Whitehouse

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. The meeting may also be otherwise filmed by third parties with the Chairman's permission.

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 entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area or otherwise indicate to the Chairman before the start of the meeting.

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

1. WEBCASTING INTRODUCTION

1. This meeting is to be webcast. Members are reminded of the need to activate their microphones 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).

If you are seated in the lower public seating area it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

This may infringe your human and data protection rights and if you wish to avoid this you should move to the upper public gallery.”

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

General advice to people attending the meeting is attached.

3. MINUTES (Pages 9 - 16)

To confirm the minutes of the last meeting of the Sub-Committee held on 8 December 2021.

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 COUNCIL PLANNING POLICY BRIEFING NOTE (OCTOBER 2021)

This briefing note, dated October 2021, 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 ("LPSV"), which was published on 18 December 2017 and the Main Modifications to the LPSV published for consultation between 15 July and 23 September 2021. The primary purpose of this note is to inform the development management process and to assist Development Management officers, Councillors, applicants, and planning agents. Other Council officers involved in the development management process may also find the note helpful (e.g., Housing, Contaminated Land, Landscaping etc).

The Planning Policy Briefing Note (October 2021) is available at:

<https://www.eppingforestdc.gov.uk/wp-content/uploads/2021/10/Planning-Policy-Briefing-Note-06-October-2021-accessible.pdf>

8. SITE VISITS

To identify and agree requirements for formal site visits to be held with regard to any planning application listed in this agenda, prior to consideration of the application.

9. PLANNING APPLICATION - EPF/0537/19 PICKERELLS FARM, DUNMOW ROAD, FYFIELD CM5 0NP (Pages 17 - 28)

To consider the attached report for a change of use of existing building to form x 6 no. dwellings with associated amenity space, parking, bin store, bike store, passing bays and skip enclosure.

10. PLANNING APPLICATION - EPF/1781/21 26 HIGHFIELD GREEN, EPPING CM16 5HD (Pages 29 - 36)

To consider the attached report for a two storey side extension (Revised application to EPF/2393/20).

11. PLANNING APPLICATION - EPF/2627/21 57 FOREST DRIVE, THEYDON BOIS, EPPING CM16 7HB (Pages 37 - 42)

To consider the attached report for a single storey side and rear extension, new roof with front and rear dormers to create two additional bedrooms.

12. 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.

Advice to Public and Speakers at 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. Only in special circumstances are the public excluded. If you wish to observe meetings live you can view the webcast on the Council's website at: <https://www.eppingforestdc.gov.uk/your-council/watch-a-meeting/> Alternatively, you can attend in person and will be seated in the public gallery of the Council Chamber.

When and where is the meeting?

Details of the location, 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. You can register to speak at the meeting either virtually via Zoom or in person at the Civic Offices. 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: Only 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 **3 minutes**. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Committee members.

If you are not present by the time your item is considered, the Committee will determine the application in your absence.

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 South or Area Plans Sub-Committee West you will either address the Committee from within the Council Chamber at the Civic Offices, or will be admitted to the meeting virtually via Zoom. Speakers must NOT forward the Zoom invite to anyone else under any circumstances. If attending virtually, your representation may be supplied in advance of the meeting, so this can be read out by an officer on your behalf should there be a technical problem. Please email your 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 2021-22
 Members of the Committee and Wards Represented:

				
Chairman Cllr Keska	Vice Chairman Cllr Brady	Cllr Vaz	Cllr McCredie	Cllr J H Whitehouse
Chipping Ongar, Greensted and Marden Ash	Passingford	Chipping Ongar, Greensted and Marden Ash	Epping Hemnall	Epping Hemnall
				
Cllr J M Whitehouse	Cllr H Whitbread	Cllr Burrows	Cllr C Whitbread	Cllr Morgan
Epping Hemnall	Epping Lindsey and Thornwood Common	Epping Lindsey and Thornwood Common	Epping Lindsey and Thornwood Common	Hastingwood, Matching and Sheering Village
				
Cllr Balcombe	Cllr Rolfe	Cllr Stalker	Cllr Hadley	Cllr Bolton
High Ongar, Willingale and the Rodings	Lambourne	Lower Sheering	Moreton and Fyfield	North Weald Bassett
				
Cllr Mclvor	Cllr Bedford Shelley	Cllr Jones	Cllr Philip	
North Weald Bassett		Theydon Bois	Theydon Bois	

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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee East **Date:** 8 December 2021

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.00 - 8.20 pm

Members Present: P Keska (Chairman), H Brady (Vice-Chairman), R Balcombe, P Bolton, L Burrows, I Hadley, C McCredie, J McIvor, R Morgan, J Philip, B Vaz, C Whitbread, H Whitbread, J H Whitehouse and J M Whitehouse

Apologies: N Bedford, S Jones, B Rolfe and P Stalker

Officers Present: J Godden (Heritage, Enforcement & Landscaping Team Manager), R Hellier (Tree and Landscape Officer), A Prince (Planning Officer), V Messenger (Democratic Services Officer), J Leither (Democratic Services Officer) and R Moreton (Corporate Communications Officer)

64. 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.

65. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements adopted by the Council to enable persons to address the Sub-Committee, in relation to the determination of applications for planning permission. The Sub-Committee noted the advice provided for the public and speakers in attendance at Council Planning Sub-Committee meetings.

66. MINUTES

RESOLVED:

That the minutes of the meeting held on 10 November 2021 be taken as read and signed by the Chairman as a correct record.

67. DECLARATIONS OF INTEREST

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

68. ANY OTHER BUSINESS

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

69. EPPING FOREST DISTRICT COUNCIL PLANNING POLICY BRIEFING NOTE (OCTOBER 2021)

It was noted that the briefing note, dated October 2021, had been produced by the Planning Policy team to ensure that a consistent approach was taken to the provision of planning policy advice for the District, particularly in relation to the Epping Forest District Local Plan Submission Version (LPSV), which was published on 18 December 2017 and the Main Modifications to the LPSV published for consultation between 15 July and 23 September 2021.

The Planning Policy Briefing Note (October 2021) was available at:

<https://www.eppingforestdc.gov.uk/wp-content/uploads/2021/10/Planning-Policy-Briefing-Note-06-October-2021-accessible.pdf>

70. SITE VISITS

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

71. PLANNING APPLICATION - EPF/1080/19 LAND REAR OF 287-291 HIGH STREET, EPPING CM16 4DA

APPLICATION No:	EPF/1080/19
SITE ADDRESS:	Land rear of 287-291 High Street Epping Essex CM16 4DA
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	Proposed 1 no. 3 storey and 1 no. 2 storey buildings to accommodate x 3 residential units (1, 1 bed and 1, 2 bed units and 1, 3 bed dwellinghouse) with communal open space, landscaping and associated works. ** SAC back log case now progressing **
RECOMMENDED DECISION:	Grant Permission (With Conditions) 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=623394

CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans:

1519- LS-DR-500-P1; 1519- LS-DR-2004-P1;
1519- LS-DR-1002-P2; 1519- LS-DR-1003-P2;

1519- LS-DR-2001- P2; 1519- LS-DR-2003 - P2;
1519- LS-DR-1000-P3; 1519- LS-DR-1001-P3;
1519- LS-DR-2002-P3; 1519- LS-DR- 2005--P3;
1519- LS-DR-4000-P3;

- 3 No preliminary ground works shall take place until a written scheme and programme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out strictly in accordance with the approved scheme and programme.
- 4 Prior to their installation, samples of the type and colours of the external finishes of the development shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved samples. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.
- 5 Prior to preliminary ground works 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 the approved details, and shall be provided on site prior to the first occupation and shall be retained for the lifetime of the development.
- 6 Prior to first occupation of the development, measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.
- 7 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.
- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any other order revoking and re-enacting that order) no development permitted by virtue of Class A-E of Part 1, to schedule 2 shall be undertaken, without the prior written agreement of the Local Planning Authority.
- 9 Prior to any above ground works, full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) shall be submitted to and approved in writing by the Local Planning Authority. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of the building or completion of the development, whichever is the sooner. 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 No preliminary ground works shall take place until a flood risk assessment and management and maintenance plan has been submitted to and approved by the Local Planning Authority. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependent upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the substantial completion of the development hereby approved and shall be adequately maintained in accordance with the approved management and maintenance plan.
- 11 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.
- 12 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.
- 13 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.

- 14 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation, per dwelling and at no cost to the occupier, of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.
- 15 No deliveries, external running of plant and equipment or demolition and construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 07:30 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturday and not at all on Sundays, Public or Bank Holidays without the prior written permission of the Local Planning Authority.
- 16 Prior to any above groundworks, a strategy to facilitate super-fast broadband for future occupants of the site shall have been submitted to and approved in writing by the Local Planning Authority (LPA). The strategy shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a broadband service to that dwelling from a site-wide network, is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway, unless evidence is put forward and agreed in writing by the LPA that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure. The development of the site shall be carried out in accordance with the approved strategy unless otherwise agreed in writing by the LPA.
- 17 No construction works are to take place on a Monday when the Epping Market is in operation.

Noted – Members asked that the Planning Officer would write to ECC Highways regarding the grant of licences for highway parking and skips during the construction phase and that this should not affect the operation of the Epping Monday Market.

72. PLANNING APPLICATION - EPF/2257/21 67 HEMNALL STREET, EPPING CM16 4LZ

APPLICATION No:	EPF/2257/21
SITE ADDRESS:	67 Hemnall Street Epping CM16 4LZ
PARISH:	Epping
WARD:	Epping Hemnall

DESCRIPTION OF PROPOSAL:	TPO/EPF/32/08 (Ref: T5) T1: Lime - Crown lift to up to 5m above ground level, as specified.
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=656453

CONDITIONS

- 1 The work authorised by this consent shall be carried out under the direct supervision of the Local Planning Authority, who shall receive in writing, 5 working days notice of such works.
- 2 The crown lifting authorised by this consent shall extend only to the whole or partial removal of branches up to 65 mm in diameter, necessary to give 5 metres clearance above ground level and to give statutory clearance to public highways.
- 3 All work authorised by this consent shall be undertaken in a manner consistent with British Standard 3998 (2010) (or with any similar replacement Standard).
- 4 The works hereby authorised shall not be undertaken after a period of three years from the date of this consent has expired.
- 5 The works hereby authorised shall be undertaken only within the periods 1st January to 1st March inclusive and 1st July to 1st October inclusive.

73. PLANNING APPLICATION - EPF/2406/21 5 THE WEIND, THEYDON BOIS, EPPING CM16 7HP

APPLICATION No:	EPF/2406/21
SITE ADDRESS:	5 The Weind Theydon Bois Epping CM16 7HP
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Application for a proposed rear & side, part ground and part 2 storey extension.
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=657137

REASONS FOR REFUSAL

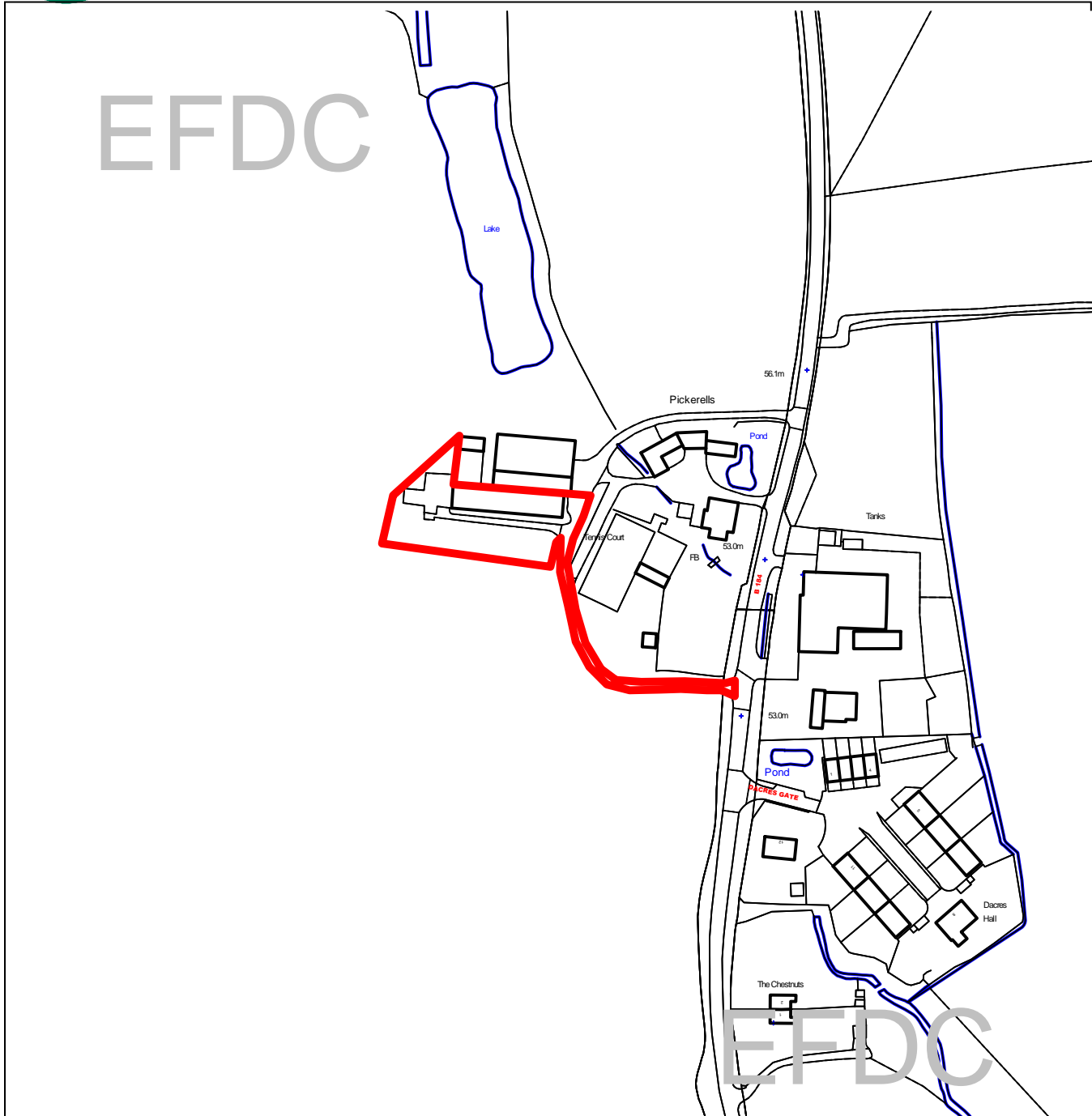
- 1 The proposal, by reason of its design, would not relate positively to its context in this locality in regard to the form, scale and massing prevailing around the site. The proposal would be contrary to Policy DBE10 of the Adopted Local Plan and Alterations (2006) and Policies DM9 (A, D) and DM10 (E) of the Epping Forest District Local Plan (Submission Version) 2017.

CHAIRMAN

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Epping Forest District Council



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Application Number:	EPF/0537/19
Site Name:	Pickerells Farm Dunmow Road Fyfield CM5 0NP
Scale of Plot:	1:2500

Report Item No: 9

APPLICATION No:	EPF/0537/19
SITE ADDRESS:	Pickerells Farm Dunmow Road Fyfield Ongar Essex CM5 0NP
PARISH:	Fyfield
WARD:	Moreton and Fyfield
APPLICANT:	Mr William Coote
DESCRIPTION OF PROPOSAL:	Change of Use of existing building to form x 6 no. dwellings with associated amenity space, parking, bin store, bike store, passing bays and skip enclosure.
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=621119

CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: 1708/DE; 01/B, 2593;1, 2, 3, G5823; 2, 3, 4
- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those specified on the approved plans, unless otherwise agreed in writing by the Local Planning Authority.
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any other order revoking and re-enacting that order) no development permitted by virtue of Class A, B, C, D and E of Part 1 to schedule 2 shall be undertaken, without the prior written agreement of the Local Planning Authority.
- 5 Prior to preliminary ground works taking place, details of foul and surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details, and shall be provided on site prior to the first occupation and shall be retained for the lifetime of the development.
- 6 Prior to any above ground works, full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) shall be submitted to and approved in writing by the Local Planning

Authority. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of the building or completion of the development, whichever is the sooner. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 7 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.
- 8 Prior to first occupation of the development the access arrangements including visibility splays and passing bays, as indicated on drawing no. SK01 Rev A, shall be fully implemented.
- 9 Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking areas shall be retained in perpetuity for their intended purpose.
- 10 The development shall not be occupied until a scheme of sound insulation for all wall and roof construction including windows, doors and ventilation has been submitted to and approved in writing by the Local Planning Authority. The scheme of sound insulation for the external windows shall be implemented prior to the occupation of the development and thereafter permanently retained.
- 11 Prior to first occupation of the development, measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.
- 12 Prior to any above groundworks, details and location of the parking spaces (including garages) equipped with active and/or passive Electric Vehicle Charging Point(s) shall have been submitted to and approved in writing with the Local Planning Authority (LPA), unless otherwise agreed in writing with the LPA. The installation of EVCP shall be completed in accordance with the approved details and made operational prior to first occupation. The details shall include:
 - Location of active and passive charging infrastructure;
 - Specification of charging equipment; and
 - Operation/management strategy. The council will expect that a management plan for the charging points is set out clearly. This will address:
 - a) Which parking bays will have active and/or passive charging provision, including disabled parking bays;
 - b) How charging point usage will be charged amongst users;
 - c) The process and the triggers for identifying when additional passive charging

points will become activated; and

d) Electricity supply availability. The electricity supply should be already confirmed by the Network Provider so that the supply does not need to be upgraded at a later date.

- 13 Prior to any above groundworks, a strategy to facilitate super-fast broadband for future occupants of the site shall have been submitted to and approved in writing by the Local Planning Authority (LPA). The strategy shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a broadband service to that dwelling from a site-wide network, is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway, unless evidence is put forward and agreed in writing by the LPA that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure. The development of the site shall be carried out in accordance with the approved strategy unless otherwise agreed in writing by the LPA.
- 14 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.
- 15 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.
- 16 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.

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, supported by 1 local resident (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council)

Description of Site:

The application site is a farm building on the western side of a farmstead which is served by Dunmow Road, to the north of Fyfield. The building is about 45 metres long with a depth of 10 metres and a pitched roof with a height of 5.5 metres. The building is relatively modern and constructed of blockwork with fibre cement sheeting roof.

The site is wholly located within the Green Belt. There are no Listed Buildings attributed to the site and it is not within a Conservation Area.

Description of Proposal:

Change of Use of existing building to form x 6 no. dwellings with associated amenity space, parking, bin store, bike store, passing bays and skip enclosure.

Relevant Site History:

EPF/0999/20 - Application for Prior Approval for change of use of an agricultural building to x5. no dwellings. – Prior Approval Required and Granted (With Conditions)

EPF/1201/18 - Change of use of existing building to form six dwellings with associated amenity space, parking, bin store, bike store, passing bays and skip enclosure. – Refuse Permission:

- 1) The proposed development represents inappropriate development in the Green belt due to the lack of information to demonstrate that the building can be re-used and will conflict with the third purpose of including land in the Green belt, in that the proposal would result in the loss of countryside from encroachment. The proposal is therefore contrary to Policies GB2A of the Epping Local Plan and Alterations and Policy DM4 of the Submission Draft plan and the provisions of the National Planning Policy Framework.
- 2) The retention of the agricultural barn to the north of the application site and in very close proximity to it has the potential to be harmful to the living conditions of the future residents of the application site by reason of noise, smells and general disturbance. The proposal is therefore contrary to Policy DBE9 of the Local plan and Alterations and the provisions of the Framework.

EPF/0501/88 - Change of use of part of existing redundant agricultural building for wholesale sales of basket ware, craft and fancy goods. – Grant Permission (With Conditions)

EPO/0028/74 - Details of petrol pump and underground storage tanks – Grant Permission

EPO/0396/60 – Conservatory – Grant Permission

Policies Applied:

Local Plan and Alterations 1998 & 2006 (LP)

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

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

- CP1 – Achieving sustainable development objectives
- CP2 – Protecting the quality of the rural and built environment
- CP3 – New development
- CP7 – Urban Form and Quality
- CP9 – Sustainable transport
- DBE1 – Design of new buildings
- DBE2 – Effect on neighbouring properties
- DBE4 – Design in the Green Belt
- DBE8 – Private Amenity Space
- DBE9 – Loss of Amenity
- DBE10 – Residential Extensions
- DBE11 – Sub-Division of Properties
- GB2A – Development in the Green Belt
- GB7A – Conspicuous Development
- GB8A – Change of Use or Adaptation of Buildings
- LL10 – Provision for landscape retention
- LL11 – Landscaping schemes
- ST4 – Road safety

National Planning Policy Framework 2021 (Framework)

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

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

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

Epping Forest District Local Plan Submission Version 2017 (LPSV)

Although the LPSV does not currently form part of the statutory development plan for the district, on 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 her final conclusions.

Following the Examination Hearing Sessions for the emerging Local Plan, the Council has prepared a number of changes, known as **Main Modifications**, to the Epping Forest District Local Plan Submission Version (2017) to address issues of soundness and/or legal compliance identified by the Inspector. These are put forward without prejudice to the Inspector's final conclusions on the Plan

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

Policy	Weight afforded
SP1 Presumption in Favour of Sustainable Development	Significant
H1 Housing Mix and Accommodation Types	Significant
T1 Sustainable Transport Choices	Significant
DM2 Epping Forest SAC and the Lee Valley SPA	Significant
DM4 Green Belt	Significant
DM5 Green and Blue Infrastructure	Significant
DM9 High Quality Design	Significant
DM10 Housing Design and Quality	Significant
DM22 Air Quality	Significant

Summary of Representation:

No. of neighbours consulted: 6 (including re-consultations of the same neighbours), 2 objections received

PICKERELLS FARM: STRONG OBJECTION - concerns regarding the following material planning matters:

- Impact on Living Conditions in regard to loss of privacy
- Flood Risk
- Impact on highway safety
- Potential damage to existing trees
- Inappropriate development within the Green Belt

Matters raised that can't be assessed:

- Valuation of property
- Potential for trespassing

- Concerns regarding rights of way
- Environmental Agency matters

MP ARCHITECTS: STRONG OBJECTION- concerns regarding the following:

- Concerns regarding the suitability of the conversion
- Inappropriate development within the Green Belt
- Concern regarding highway safety and access
- Overdevelopment of the site

PARISH COUNCIL:

The Parish Council wishes to object to the proposed development. It is the view of the Council that the proposals represent overdevelopment for the site. The proposed construction is unsympathetic to the environment and will have a negative impact on the amenity of adjacent properties. Coupled with this, the resultant impact on highways safety is unacceptable due to the difficult and dangerous junction with the B184 that would have to be negotiated.

We believe it is also likely that the site remains in the Green Belt and as such the change of use to residential is inappropriate.

Looking further at the details of the application there are further concerns about the existing trees and hedges on the approach to the proposed dwellings which in our view require further consideration in order to ensure that they are safeguarded and maintained. A similar concern applies also to flooding as despite its elevation, members of the Council have concerns that the site is prone to flooding.

Main Issues and Considerations:

The main issues to consider for the assessment of the application are as follows:

- Green Belt
- Design
- Impact on Living Conditions of Neighbours
- Highway Safety
- Drainage and Flood Risk
- Impact on the Epping Forest SAC

Green Belt

The Parish Council and Neighbours have objected to the proposal stating that the proposal would be inappropriate development within the Green Belt.

The site lies within the Metropolitan Green Belt. The National Planning Policy Framework (2021) indicates that the Government attaches great importance to Green Belts. The fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

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

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- 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; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

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

Planning permission was previously refused for the following reason:

The proposed development represents inappropriate development in the Green belt due to the lack of information to demonstrate that the building can be re-used and will conflict with the third purpose of including land in the Green belt, in that the proposal would result in the loss of countryside from encroachment. The proposal is therefore contrary to Policies GB2A of the Epping Local Plan and Alterations and Policy DM4 of the Submission Draft plan and the provisions of the National Planning Policy Framework.

A structural appraisal has been submitted as part of this application in order to address this reason for refusal and it is considered that sufficient information has been provided to show that a conversion of the building can be carried out. It should also be noted that a prior approval application (EPF/0999/20) to convert the building to 5 dwellings has been approved and applications to discharge the conditions attached as part of that permission have been submitted – therefore a reasonable fall back position is in place. It has already been accepted that the proposal would not constitute inappropriate development in all other respects, so this reason for refusal has been overcome. The development would not be inappropriate development within the Green Belt.

Design

The planning officer as part of a previous pre-app stated that the introduction of a substantial amount of front dormer windows will give the building a somewhat top-heavy appearance. However, it is some distance from Dunmow Road and is unlikely to be overtly visible from public areas of the street scene. As such it is not considered that there would be any significant harm to the character or appearance of the area. The dormers would be visible from the adjacent field, but not from any public vantage points and therefore the design of the conversion is acceptable.

Impact on Living Conditions of Neighbours

The Parish Council and neighbours have objected to the proposal stating that the proposal would cause harm to living conditions in regard to loss of privacy.

It is considered that the proposal would be a sufficient distance away from neighbouring properties so as to not cause excessive harm to the living conditions of neighbours in regard to loss of light, loss of privacy or by loss of outlook.

A previous reason for refusal on the site relates to the below:

The retention of the agricultural barn to the north of the application site and in very close proximity to it has the potential to be harmful to the living conditions of the future residents of the application site by reason of noise, smells and general disturbance. The proposal is therefore contrary to Policy DBE9 of the Local plan and Alterations and the provisions of the Framework.

The applicants have suggested that the proposed dwellings can be sufficiently insulated to compensate for any harm in relation to noise disturbance. In regard to odour, it is suggested within the planning statement that the building in question has not been used for agricultural purposes. Following a site visit to the property it was apparent that this was the case and, based on this visit, it can be reasonably considered that there would not be excessive harm to occupants in relation to this. In any case, the appropriate conditions can be added to mitigate any potential harm if reasonable and necessary.

Highway Safety

The Parish Council and Neighbours have objected to the proposal in regard to the harm to highway safety as a result of the proposal.

Essex Highways have been consulted as part of the proposal and stated that the proposal would be acceptable in the opinion of the Highway Authority subject to relevant conditions being attached to any planning permission.

Land Drainage and Flood Risk

The Parish Council and neighbours have objected to the proposal in relation to potential flood risk. The Council's Land Drainage team have been consulted on the proposal and have no objection to the proposal subject to appropriate conditions.

Contaminated Land

The Council's Contaminated Land team have been consulted on the application and have no objections to make subject to conditions.

Impact on the Epping Forest SAC

A significant proportion of the Epping Forest Special Area of Conservation (the EFSAC) lies within the Epping Forest District Council administrative area. The Council has a duty under the Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations) to assess whether the development would have an adverse effect on the integrity of the EFSAC. In doing so the assessment is required to be undertaken having considered the development proposal both alone and in combination with other Plans and Projects, including with development proposed within the Epping Forest Local Plan Submission Version (LPSV)

The Council published a Habitats Regulations Assessment in January 2019 (the HRA 2019) to support the examination of the LPSV. The screening stage of the HRA 2019 concludes that there are two Pathways of Impact whereby development within Epping Forest District is likely to result in significant effects on the EFSAC. The Pathways of Impact are effects of urbanisation with a particular focus on disturbance from recreational activities arising from new residents (residential development only) and atmospheric pollution as a result of increased traffic using roads through the EFSAC (all development). Whilst it is noted that the independent Inspector appointed to examine the LPSV, in her letter dated 2 August 2019, raised some concerns regarding the robustness of parts of the methodology underpinning the appropriate assessment HRA 2019, no issues were identified in relating to the screening of the LPSV or the Pathways of impact identified.

Consequently the Council, as Competent Authority under the Habitats Regulations, is satisfied that the Pathways of Impact to be assessed in relation to the likely significant effects of development on the EFSAC alone and in-combination with other plans and projects are:

Recreation activities arising from new residents (recreational pressures); and

Atmospheric pollution as a result of increased traffic using roads through the EFSAC.

This application has been screened in relation to both the recreational pressures and atmospheric pollution Pathways of Impact and concludes as follows:

The site lies outside of the 6.2 km Zone of Influence as identified in the Interim Approach to Managing Recreational Pressure on the Epping Forest Special Area of Conservation' (the Interim Approach) adopted by the Council on 18 October 2018 as a material consideration in the determination of planning applications. Consequently the development will not result in a likely significant effect on the integrity of the EFSAC as a result of recreational pressures.

The development has the potential to result in a net increase in traffic using roads through the EFSAC. Therefore the proposal has the potential to result in a likely significant effect on the integrity of the EFSAC as a result of atmospheric pollution.

Having undertaken this first stage screening assessment and reached this conclusion there is a requirement to undertake an 'Appropriate Assessment' of the application proposal in relation to the atmospheric pollution Pathway of Impact.

Stage 2: Appropriate Assessment

Atmospheric Pollution

The application proposal has the potential to result in a net increase in traffic using roads through the EFSAC. However, the Council, through the development of an Interim Air Pollution Mitigation Strategy (IAPMS), has provided a strategic, district wide approach to mitigating air quality impacts on the EFSAC through the imposition of planning conditions and securing of financial contributions for the implementation of strategic mitigation measures and monitoring activities. Consequently, this application can be assessed within the context of the IAPMS. The applicant has agreed to make a financial contribution in accordance with the IAPMS. In addition the application will be subject to planning conditions to secure measures as identified in the IAPMS. Consequently, the Council is satisfied that the application proposal would not have an adverse impact on the integrity of the EFSAC subject to the satisfactory completion of a Section 106 planning obligation and the imposition of relevant planning conditions.

The Council is satisfied that, subject to the satisfactory completion of a Section 106 planning obligation and the imposition of relevant planning conditions as set out above, the application proposal would not have an adverse effect on the integrity of the EFSAC.

Conclusion:

It is recommended that planning permission is granted subject to conditions for the reasons outlined above.

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: Alastair Prince

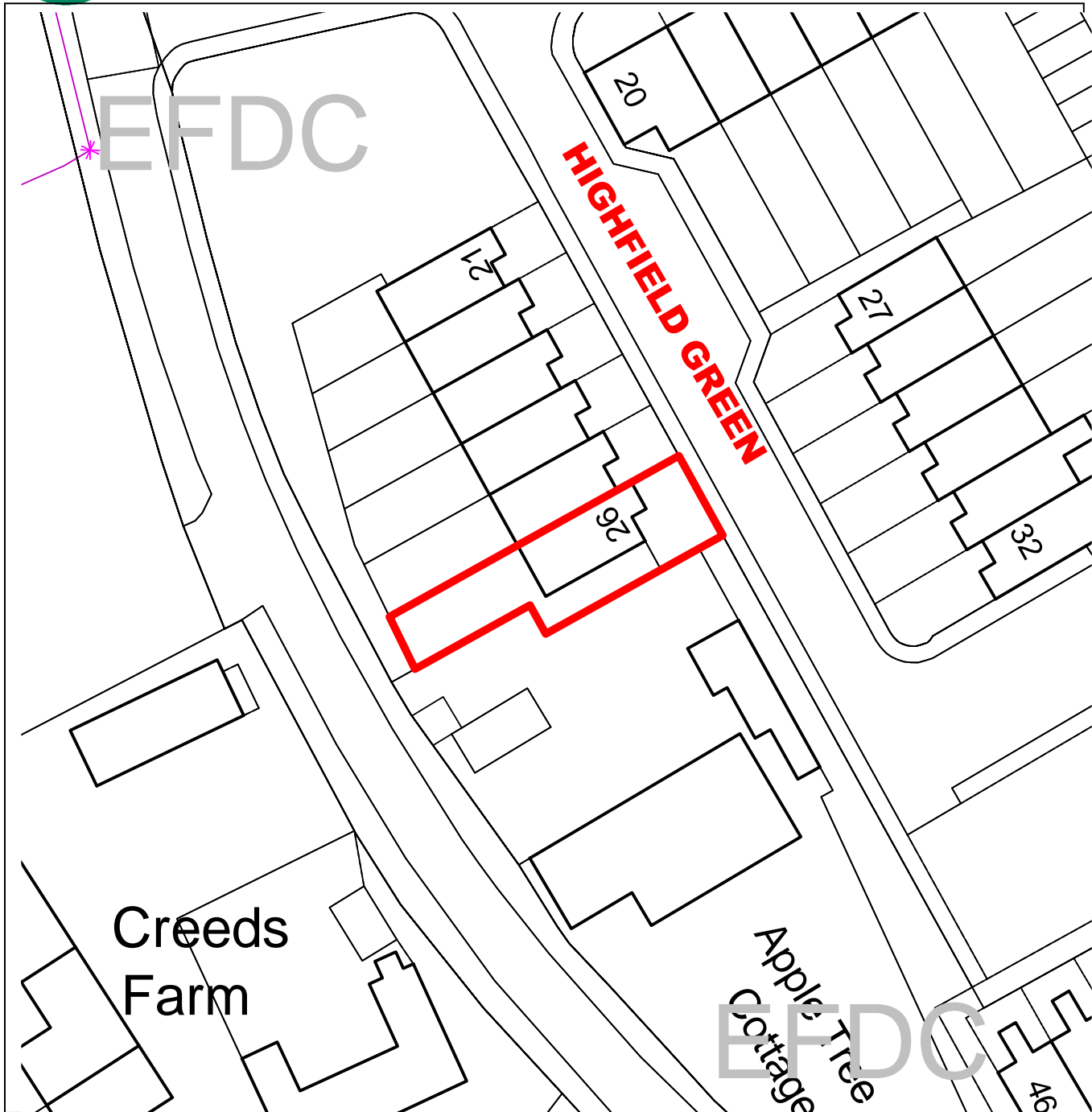
Direct Line Telephone Number: 01992 564462

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

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Epping Forest District Council



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Application Number:	EPF/1781/21
Site Name:	26 Highfield Green, Epping CM16 5HD
Scale of Plot:	1:500

Report Item No: 10

APPLICATION No:	EPF/1781/21
SITE ADDRESS:	26 Highfield Green Epping CM16 5HD
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	Mr and Mrs P Cogan
DESCRIPTION OF PROPOSAL:	Two storey side extension (Revised application to EPF/2393/20).
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=654325

CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: 20077-001; 20077_002; 20077_101; 20077_102 Rev A
- 3 Prior to any above ground works, documentary and photographic details of the type and colours of the external finishes of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 4 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.
- 5 Tree protection shall be installed as shown on Moore Partners Ltd 'Tree Constraints and Protection Plan' drawing number PS/HFG/01 (dated 25th September 2020) prior to the commencement of development activities (including any demolition). The methodology for development (including Arboricultural supervision) shall be undertaken in accordance with the submitted Tree Survey/ Arboricultural Method Statement reports.

6 No deliveries, external running of plant and equipment or demolition and construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 07:30 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturday and not at all on Sundays, Public or Bank Holidays without the prior written permission of the Local Planning Authority.

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, supported by 1 local resident (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council)

Description of Site:

No. 26 Highfield Green is a 2 storey, 3 -bed end of terrace, gable roof dwellinghouse located to the west of Highfield Green, a cul de sac comprising of 2- storey houses built in the 1960s as part of a larger redevelopment of 'Highfield', a substantial house which stands on the edge of the Bell Common Conservation Area and within the setting of the Apple Tree Cottage, a grade II listed property.

Apple Tree Cottage is recognised in the Bell Common Conservation Area Character Appraisal as one of the oldest buildings in the Conservation Area.

Description of Proposal:

This application is seeking consent for the construction of a 2-storey side gable roof, extension measuring a width of 2.5m, forming the depth of the main dwellinghouse with the front recessed by 0.6m and the roof set down from the main roof to provide additional living accommodation.

This current application is very similar to a previously refused application (ref. EPF/2393/20) with the only difference being that *the two-storey gable end is to be treated with "horizontal heritage style boarding with black finish"*.

Relevant History:

EPF/2393/20	Two storey side Extension <i>'The proposed extension by reason of its scale and siting is considered dominant and harmful, undermining and detracting from the special historical character and significance of the grade II listed building and as such, fails to conserve and protect it contrary to policy HC6 and HC12 of the adopted Local Plan and Alterations (1998 & 2006), and policy DM7 of the Submission Version Local Plan (2017), and, of the NPPF, 2019'</i>	Refused 07/04/21
EPU/0165/61	Erection of a house and garage r/o Apple Tree Cottage	Approved 20/02/1962

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
DBE2 Impact on Neighbouring Properties
DBE9 Loss of Amenity
DBE10 Residential Extensions
HC6 Character, Appearance and Setting of Conservation Areas
HC12 -Development Affecting the setting of Listed Buildings

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

NPPF, 2021

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 126, 189 -207

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.

The appointed Inspector issued her initial advice on 2 August 2019 and since then, the Council has undertaken further work to address the actions identified by the Inspector. This has led to the production of a number of proposed changes to the Local Plan Submission Version 2017 (known as the Schedule of Main Modifications) and additional supporting documents associated with the Main Modifications. These are to address issues of soundness and/or legal compliance identified by the Inspector.

The Main Modifications include changes to some of the supporting text and Policies within the Plan, deletion and amendment to some site allocations, updated Housing Supply data to March 2020, along with associated changes to the mapping contained within the Plan. The Main Modifications are put forward without prejudice to the Inspector’s final conclusions on the Plan. Following the close of the consultation (ends 23rd September 2021), the representations will be passed to the Inspector for her consideration before the publication of the Inspector’s final report.

The following policies in the LPSV are considered to be of relevance to the determination of this application:

Policy	Weight afforded
SP1 Presumption in Favour of Sustainable Development	Significant
DM7- Heritage Assets	Significant
DM9 - High Quality Design	Significant
DM10 Housing Design and Quality	Significant

Consultation Carried Out and Summary of Representations Received

EPPING TOWN COUNCIL - OBJECTION

- Overdevelopment of the site so close to the edge of the conservation area; Loss of amenity in terms of light and visual impact.

A Site Notice was displayed on the 13/08/21 and Advertised 15/08/21

9 neighbour consultations were undertaken, and one objection has been received from Epping Society that raise the following concerns:

- The original refusal was focused on protecting the setting of the adjacent listed building.
- The reliance on the trees to screen what is evidently an acknowledged issue is not appropriate.

Main Issues and Considerations:

- Design and siting; Impact on the Listed Building
- Impact on the amenities of the adjoining properties.

Design, Impact on the Listed Building

Local Planning Authorities are required by statute to protect buildings and structures which are of historical and architectural interest and which have been awarded listed building status.

Paragraph 194 of the NPPF states: *“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of grade II listed buildings, or grade II registered parks or gardens, should be exceptional”.*

This application is very similar to the previously refused application ref. EPF/2393/20 and the conservation officer has the following comments to make on this application:

“Grade II listed buildings are of special interest and warrant every effort being made to conserve them. The setting of a listed building is often an essential feature of its character. The significance of a heritage asset derives not only from its physical presence and historic fabric but also from its setting - the surroundings in which it is experienced. The original setting of the cottage was once open countryside and this setting has been significantly encroached upon in the last part of the 20th century through the development of the surrounding land.

The current planning application seeks consent to extend the end of No. 26 Highfield Green at two storeys towards the boundary of the plot, further into the setting of Apple Tree Cottage. The terrace currently presents a dominant gable end to Apple Tree Cottage, a building which is lower in height than the terrace; therefore, an extension of the building at two storeys will add further pressure onto the setting of Apple Tree Cottage. Any increase in this overbearing effect should be resisted. In terms of a way forward, a single storey addition to No. 26 Highfield Green, sensitively designed could be considered.”

The only difference in this current application appears to be the treatment of the two-storey gable end with “horizontal heritage style boarding with black finish”. Whilst it is acknowledged that this has been proposed to soften the gable end, it will give the appearance of an untraditionally scaled agricultural building, which would be out of character in this domestic setting and location and object to the development as it stands due to the harm it would cause to the significance of the setting of the listed building.

Notwithstanding the above comments, it is considered that the extension is of a satisfactory distance from the Listed Building and where it is considered acceptable in design terms. The extension is also considered of a limited scale and form, proportionate and subservient in respect of the dwellinghouse and the surrounding area and where visibility would be substantially screened from the Listed Building by the existing extensive mature, dense and high trees and foliage. Furthermore, the proposed additional use of horizontal clad heritage weatherboarding to the south flank gives a softer more sensitive appearance.

The specific site circumstances of the extension when balanced against the scale of any harm or loss and, the significance of the heritage asset is where a judgement will be required and it is considered that the arguments for and against the proposed extension is considered finely balanced, but overall the harm caused to the heritage asset is moderate and would not be so significant as to justify refusal of the scheme.

Impact on Neighbours' Amenities

The siting and separation distance of the development is not considered to give rise to any significant demonstrable harm to neighbour's living conditions in the form of light overbearing or privacy impact. The amenity of the adjoining occupiers would be maintained to an acceptable level

and accords with the requirements of policy DBE9 of the adopted Local Plan and policy DM9 of the emerging Local Plan, 2017.

The concerns of the Parish Council and Epping Society are noted. The proposed extension is considered as positively integrated with the surrounding townscape in terms of scale, massing and overall design and where appropriate conditions will be attached to any approval requesting that details of materials be submitted for consideration.

Trees and Landscaping

The Trees and Landscape officer has no objection subject to the retention of existing trees and shrubs, and which will be conditioned at approval to ensure a satisfactory appearance in accordance policy LL10, of the adopted Local Plan 1998 & 2006 and policy DM3 and DM5 of the LPSV, 2017.

Conclusion

For the reasons set out above, having regard to all matters raised, the development on balance, will provide additional accommodation outweighing any moderate harm whilst preserving and respecting the setting of the Listed Building and, with no demonstrable harm to the wider conservation area and is supported by policies HC6 and HC12 of the Local Plan and Alterations (1998 and 2006), policy DM7 of the Submission Version Local Plan (2017), and paragraphs 189, 194, 195, 197, 199, 200, 206 and 207 of the NPPF 2021. In light of the above considerations it is recommended that planning permission is Approved.

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:

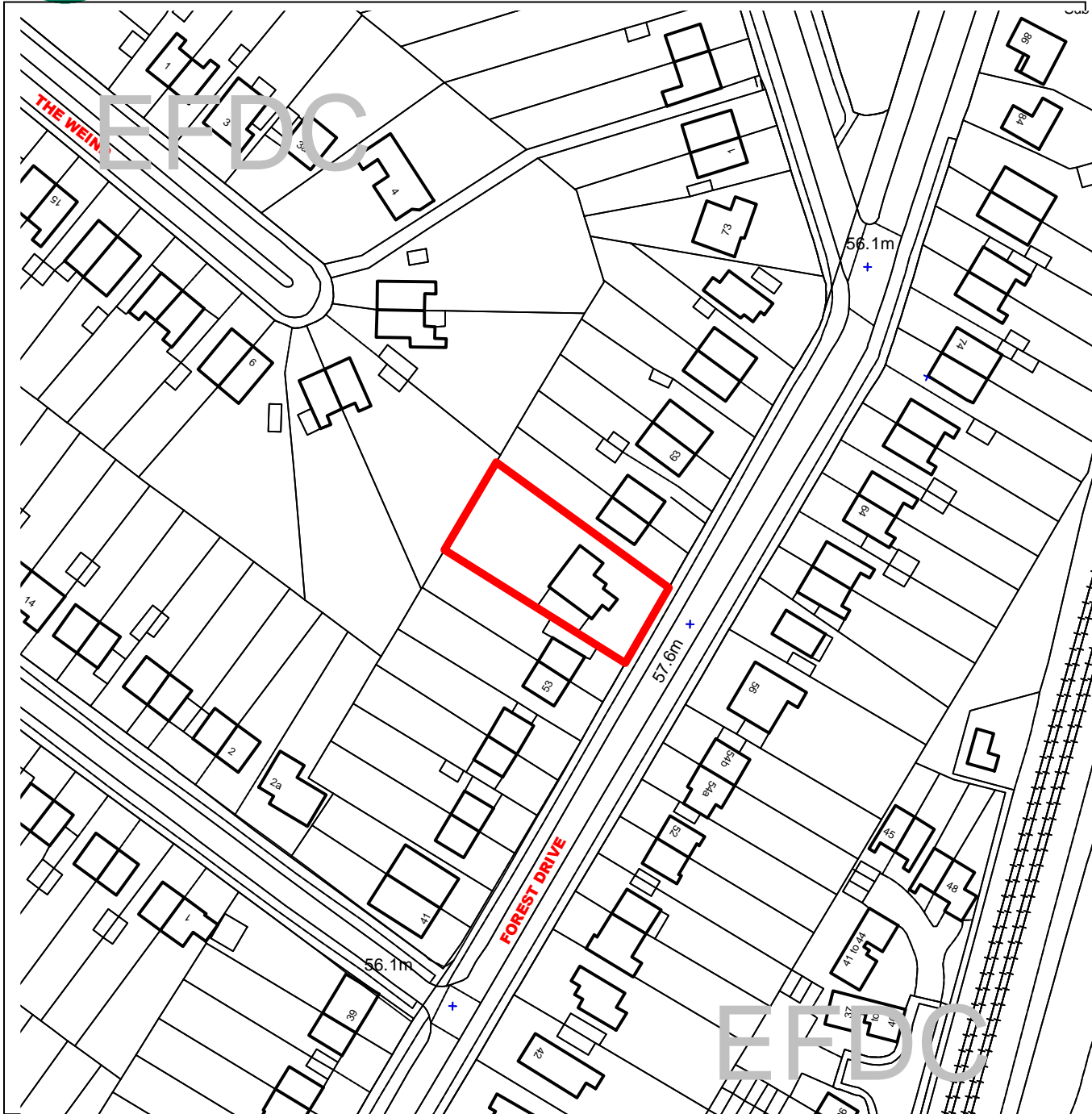
Planning Application Case Officer: Caroline Brown
Direct Line Telephone Number: 01992 564182

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

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Epping Forest District Council



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	Site Name:	57 Forest Drive, Theydon Bois CM16 7HB
	Scale of Plot:	1:1250

Report Item No: 11

APPLICATION No:	EPF/2627/21
SITE ADDRESS:	57 Forest Drive Theydon Bois Epping CM16 7HB
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr Dale Walker
DESCRIPTION OF PROPOSAL:	Single storey side and rear extension, new roof with front & rear dormers to create two additional bedrooms.
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=658275

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: 01 and 02D
- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 4 Prior to first occupation of the building/extension hereby permitted the windows in the flank elevation marked as obscured glazed/high level shall be installed as shown on plan no. 02D. Once installed the obscure glass/high level shall be retained thereafter.
- 5 Prior to first occupation of the extension hereby permitted the window in the flank elevation at first floor level, shall have been fitted with obscure glass with a minimum privacy level 3 obscurity. Once installed the obscure glass shall be retained thereafter.

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 the Local Council confirms it intends to attend and speak at the meeting where the application will be considered (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council)).

Description of Site:

The application site consists of a single storey bungalow located on the west side of Forest Drive within the built up area of Theydon Bois. The site is located between neighbouring two storey properties and is situated up a slope from the road edge and there are steps up to the dwelling entrance. The site is not within the Green Belt or a Conservation Area.

Description of Proposal:

The application seeks consent for the extension of the roof and front and rear dormers to allow for accommodation within the roof and a side and rear extension partly replacing an existing garage. The roof will not be raised but extended over the side extension, with two pitched roof dormers to the front, two to the rear and one to the side. The side extension will measure 2.9m wide and wrap around to the rear extension which will measure 5m deep and 7.3m wide.

Relevant History:

None relevant

Policies Applied:

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).

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

CP2	Protecting the quality of the rural and built environment
GB2A	Green Belt
DBE9	Loss of Amenity
DBE10	Design of Residential Extensions

Local Plan Submission Version (2017)

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:

DM4	Green Belt
DM9	High Quality Design
H1	Housing Mix and Accommodation Types

Consultation Carried Out and Summary of Representations Received

THEYDON BOIS PARISH COUNCIL: Objection

The Parish Council wishes to retain the limited remaining stock of bungalows in Theydon Bois to allow for a mixed and balanced community, and to provide opportunities for existing residents to downsize. There is currently a shortage of smaller properties for older people.

This proposal changes a 3 bedroom bungalow to a substantial 5 bedroom property, removing it from that limited stock of remaining bungalows in Theydon Bois and placing this property in a higher pricing band.

The Planning Committee takes issue with the application's assertion that three bedrooms on the ground floor retains the bungalow element of this property. With two bedrooms and a bathroom accommodated within a new crown roof with front and rear dormers, the property clearly becomes a two storey house that is significantly larger and higher in scale than the existing bungalow.

The Parish Council therefore objects to this proposal by reason that it adversely affects the range and mix of dwellings available in Theydon Bois, contrary to the requirements of Policy H4A of the adopted Epping Forest District Local Plan 1998 & 1996, Policy H1 (f) of the Epping Forest District Local Plan Submission Version 2017, and paragraph 62 of the NPPF 2021.

The Planning Committee of the Parish Council has raised objection to this application. We would be prepared to send a representative to an Area Planning Sub-Committee of EFDC, if this method of determination is deemed appropriate.

Number of neighbours consulted: 6

Neighbour responses:

THEYDON BOIS ACTION GROUP AND THEYDON BOIS RURAL PRESERVATION SOCIETY – Objection – The Society objects to the proposal on the basis that this is effectively the loss of another bungalow, which contradicts both the existing and proposed new local plans.

Main Issues and Considerations:

Principle of Proposal

The proposal results in the existing bungalow having a first floor which will contain 2 bedrooms and a bathroom. Three bedrooms and a bathroom will be retained at ground floor. SVLP Policy H1 F states that 'The loss of bungalows and specialist accommodation will be resisted'.

Since the publication of the SVLP, Main Modifications have been submitted to the Inspector – no modifications were proposed to Policy H1. However, included within the Additional Modifications Schedule a proposal to include a definition of bungalows has been proposed as follows:

"Bungalow

A house having only one storey. A bungalow can have accommodation in the roof-space served by accompanying roof-lights and dormer windows. This means that converting the loft of the existing roof to form additional internal accommodation does not result in the loss of that bungalow."

In this case although the roof is being extended this is a by product of the side extension, and therefore in this case it is considered that the proposals result in a 'chalet bungalow' ie: in line with the definition above with accommodation in the roof-space served by roof-lights and dormer windows. And therefore, is in line with Policy H1 F.

Design

The proposal results in a cohesive design extending the existing roof over the side extension with a single storey crown roof to the rear. The dormers are appropriate in size and scale and the whole proposal is considered an acceptable addition to the streetscene.

Impact on Neighbouring Amenity

The side extension is adjacent to the garage/side extension at No. 55 and although extending further out to the rear due to the angle of the boundary (away from the proposal) the gap from the boundary to the proposal widens from 0.6m towards the front to 1.4m away from the boundary and due to the gap no amenity concerns area raised. Side facing windows are proposed, but these are marked as obscured glazed/high level and can be conditioned as such.

With regards to the dormers, although views will be possible these will be in the main across the application site and similar to other properties views within the locality. A side facing dormer is proposed. As this is for the stairs this can be conditioned as obscured glazed to avoid any actual or perception of overlooking.

Conclusion:

The proposal is considered on balance to comply with relevant planning policy and it is recommended that planning permission with conditions be **granted**.

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

***Planning Application Case Officer: Marie-Claire Tovey
Direct Line Telephone Number: 01992 564414***

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

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