

# Committee Agenda



## Epping Forest District Council

### **AREA PLANNING SUB-COMMITTEE WEST** **Wednesday, 19th January, 2022**

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

**Council Chamber, Civic Offices, High Street, Epping**  
on **Wednesday, 19th January, 2022**  
at **7.00 pm**.

**Georgina Blakemore**  
Chief Executive

**Democratic Services**  
**Officer**

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

#### **Members:**

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

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#### **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. APOLOGIES FOR ABSENCE**

To be announced at the meeting.

To report non-attendance before the meeting, please use the Members Portal webpage [https://eppingforestdc-self.achieveservice.com/service/Member\\_Contact](https://eppingforestdc-self.achieveservice.com/service/Member_Contact) to ensure your query is properly logged.

Alternatively, you can access the Members portal from the front page of the Council's website, at the bottom under 'Contact Us'

<https://www.eppingforestdc.gov.uk/your-council/members-portal/>

**4. MINUTES (Pages 9 - 14)**

To confirm the minutes of the last meeting of the Sub-Committee held on 25 August 2021.

**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/2825/20 GARAGE ADJACENT TO CLOCKHOUSE, DAWS HILL, WALTHAM ABBEY E4 7RD (Pages 15 - 24)**

To consider the attached report on the conversion and extension of existing former garage building to form a two bedroomed house. Provision of associated parking and landscaping. \*\*\* Re Consultation - SAC case now progressing \*\*\*.

**10. PLANNING APPLICATION - EFF/1834/21 COBBINS END FARM, COBBINSEND ROAD, WALTHAM ABBEY EN9 2AA (Pages 25 - 36)**

To consider the attached report on the proposed conversion of agricultural buildings to x4 no. residential units.

**11. PLANNING APPLICATION - EPF/2893/21 LAND AT BENTONS FARM, OFF MIDDLE STREET, BUMBLES GREEN, NAZEING EN9 2LN (Pages 37 - 54)**

To consider the attached report for the erection of 2no. single storey two bedroom detached residential dwellings together with single garages. Existing access will be utilized from Oak Tree Close.

**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):

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

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

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

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

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

## **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](mailto:democraticservices@eppingforestdc.gov.uk)

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

**Yes, you can but it must not be presented at the meeting.** If you wish to send further information to Councillors, their contact details can be obtained from Democratic Services or our website <https://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 West 2021-22  
 Members of the Committee and Wards Represented:

				
<b>Chairman</b>	<b>Vice Chairman</b>			
Cllr Heather	Cllr Dorrell	Cllr Avey	Cllr Bassett	Cllr Knight
Waltham Abbey Honey Lane	Waltham Abbey Paternoster	Broadley Common, Epping Upland and Nazeing	Lower Nazeing	Lower Nazeing
				
Cllr Sartin	Cllr Matthews	Cllr S Kane	Cllr Stocker	Cllr Lea
Roydon	Waltham Abbey High Beach	Waltham Abbey Honey Lane	Waltham Abbey Honey Lane	Waltham Abbey North East
				
Cllr Mitchell	Cllr Leppert	Cllr H Kane	Cllr Plummer	
Waltham Abbey North East	Waltham Abbey Paternoster	Waltham Abbey South West	Waltham Abbey South West	

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## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Area Planning Sub-Committee **Date:** 25 August 2021  
West

**Place:** Council Chamber, Civic Offices, **Time:** 7.00 - 7.35 pm  
High Street, Epping

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

**Other Councillors:**

**Apologies:** Y Knight, J Lea and D Plummer

**Officers Present:** G Courtney (Planning Applications and Appeals Manager (Development Management)), L Kirman (Democratic Services Officer), J Leither (Democratic Services Officer), R Moreton (Corporate Communications Officer) and P Seager (Chairman's Officer)

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### 1. 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.

### 2. 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.

### 3. MINUTES

#### RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 7 April 2021 be taken as read and signed by the Chairman as a correct record.

### 4. DECLARATIONS OF INTEREST

- (a) Pursuant to the Council's Code of Member Conduct, Councillor Heather declared a non-pecuniary interest by virtue of being a Member of The Lea Valley National Park.

- (b) Pursuant to the Council's Code of Member Conduct, Councillor M Sartin declared a non-pecuniary interest by virtue of being a Member of The Lea Valley National Park

**5. ANY OTHER BUSINESS**

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

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

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

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

**7. SITE VISITS**

The Sub-Committee agreed to hold a site visits to the following application location:

EPF/1223/21 – Aver House Nursery, Nazeing, EN9 2JE

**8. PLANNING APPLICATION - EPF/1223/21 - AVER HOUSE, NURSERY ROAD, NAZEING EN9 2JE**

<b>APPLICATION No:</b>	EPF/1223/21
<b>SITE ADDRESS:</b>	Aver House Nursery Road Nazeing Waltham Abbey EN9 2JE
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Lower Nazeing
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of commercial building and replacement with single dwelling.
<b>DECISION:</b>	Deferred

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=651913](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=651913)

**DEFERRED**

For consultation with LVPRA and Members site visit

9. **PLANNING APPLICATION - EPF/1501/21 - FIELD STATION, GUNPOWDER PARK, SEWARDSTONE ROAD, WALTHAM ABBEY EN9 3GP**

<b>APPLICATION No:</b>	EPF/1510/21
<b>SITE ADDRESS:</b>	Field Station Gunpowder Park Sewardstone Road Waltham Abbey EN9 3GP
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey High Beach
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed erection of a semi permanent canopy over the rear of the Field Station.
<b>DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=653114](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=653114)

**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: location plan, site plan, proposed elevations.
- 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 [or those shown on the proposed elevations, unless otherwise agreed in writing by the Local Planning Authority.
- 4 The development hereby approved shall be non-illuminated and remain in that position thereafter.
- 5 The application site shall not be open to customers / members outside the hours of 06.00 am to 21:00 on Monday to Friday , Saturday 07 .00 am to 12.00 noon and 08.00 am to 11.00am on Sundays and Bank Holidays.
- 6 There shall be no amplification used outside of the building outside the hours of 08.00 am to 21:00 on Monday to Friday , Saturday 08 .00 am to 12.00 noon and 08.00 am to 11.00am on Sundays and Bank Holidays.
- 7 The rating level of noise (as defined by BS4142:1997) emitted from the outside area hereby approved shall not exceed 35dB(A) when measured from the closest point of any surrounding noise residential properties.

10. **PLANNING APPLICATION - EPF/1529/21 - 8 THE MAGPIES, EPPING UPLAND, EPPING CM16 6QG**

<b>APPLICATION No:</b>	EPF/1529/21
<b>SITE ADDRESS:</b>	8 The Magpies Epping Upland Epping CM16 6QG
<b>PARISH:</b>	Epping Upland
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>APPLICANT:</b>	Mr & Mrs J & B Heaney
<b>DESCRIPTION OF PROPOSAL:</b>	Removal of existing conservatory and erection of part single storey and part two storey rear extensions.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=653217](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=653217)

**CONDITIONS**

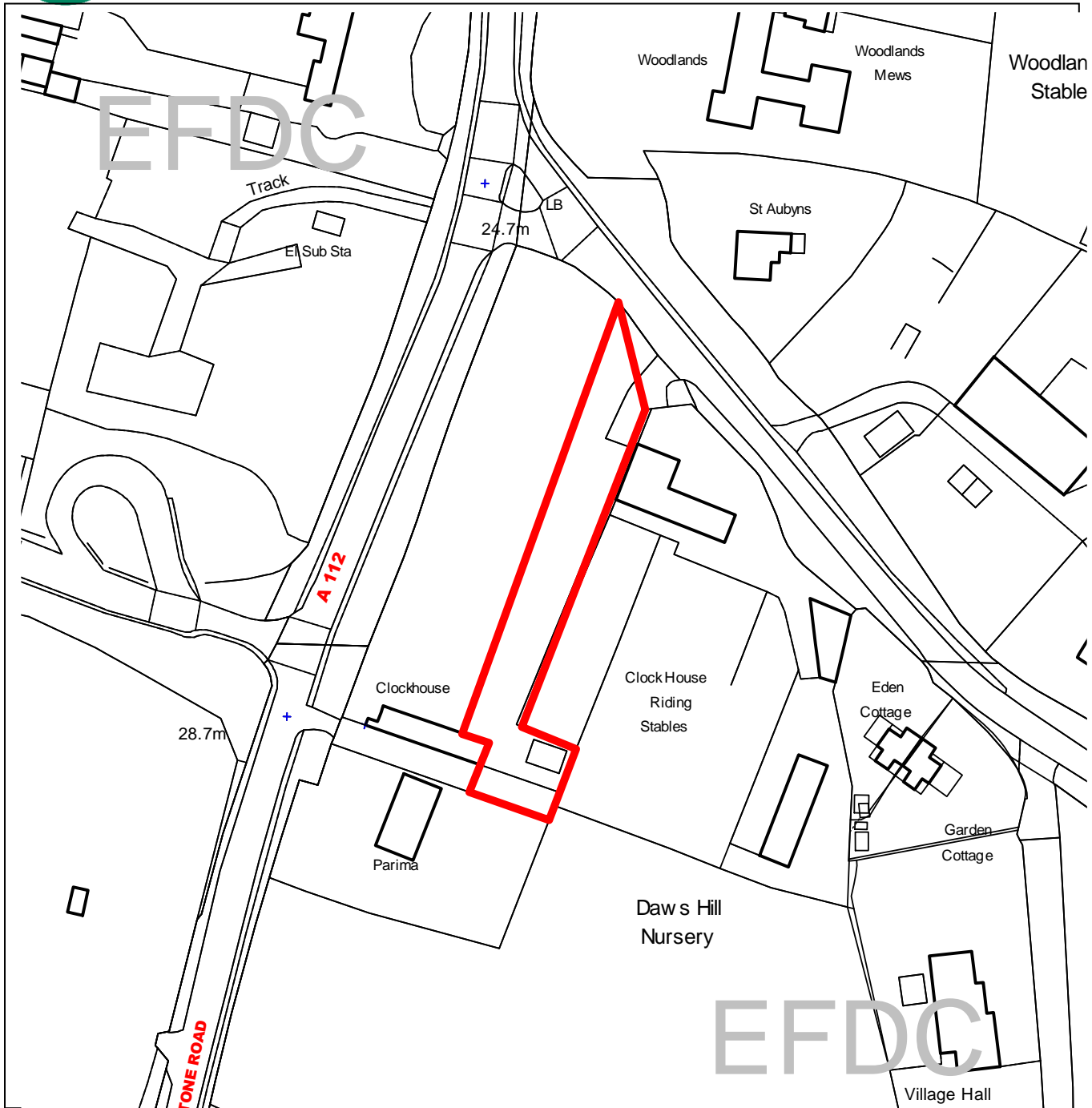
- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans:  
  
Drawing 14391-P001-B - Proposed Plans and Elevations  
Drawing 14391-S001-1st - Existing Plans and Elevations  
Photographs
- 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 Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a seating area, roof garden, terrace, patio or similar amenity area.
- 5 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.



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# Epping Forest District Council



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Application Number:	EPF/2825/20
Site Name:	Garage Adjacent to Clockhouse Daws Hill, E4 7RD
Scale of Plot:	1:1250

**Report Item No: 9**

<b>APPLICATION No:</b>	EPF/2825/20
<b>SITE ADDRESS:</b>	Garage Adjacent to Clockhouse Daws Hill Waltham Abbey E4 7RD
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey High Beach
<b>APPLICANT:</b>	Mr L Evans
<b>DESCRIPTION OF PROPOSAL:</b>	Conversion & extension of existing former garage building to form a two bedroomed house. Provision of associated parking & landscaping.  *** Re Consultation - SAC case now progressing ***
<b>RECOMMENDED DECISION:</b>	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=645435](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=645435)

**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: DD2469-5 SHT 1/4 Rev A, DD2469-5 SHT 2/4 Rev A, DD2469-5 SHT 3/4 Rev A, and DD2469-5 SHT 4/4 Rev A.
- 3 A) No work on any phase of the development (with the exception of demolition works where this is for the reason of making areas of the site available for site investigation), shall commence until an assessment of the risks posed by any contamination within that phase shall have been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of Potentially Contaminated Sites - Code of Practice and the Environment Agency's Guidelines for the Land Contamination: Risk Management (LCRM 2020) (or equivalent if replaced), and shall assess any contamination on the site, whether or not it originates on the site. The development shall only be carried out in accordance with the approved details unless the Local Planning Authority gives its written consent to any variation. The assessment shall include: (1) A survey of the extent, scale and nature of contamination and (2) An assessment of the potential risks to: human health; property (existing or proposed) including buildings, crops, livestock, pets, woodland, service lines and pipes; adjoining land; groundwater and surface waters; ecological systems; and archaeological sites and ancient monuments.



B) If following the risk assessment unacceptable risks are identified from land affected by contamination in that phase, no work on any phase of the development shall take place, until a detailed land remediation scheme has been completed. The scheme will be submitted to and approved in writing by the local planning authority. The scheme shall include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. (The remediation scheme shall be sufficiently detailed and thorough to ensure that after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990). The development shall only be carried out in accordance with the approved scheme. Following the completion of the remediation works and prior to the first occupation of the development, a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved in writing by the local planning authority.

- 4 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.
- 5 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.
- 6 Prior to first occupation of the building hereby permitted the window(s) in the flank elevation(s) facing Parima at first floor level, shall have been fitted with obscure glass with a minimum privacy level 3 obscurity, and no part of that/those window[s] that is less than 1.7 metres above the internal floor level of the room in which it is installed shall be capable of being opened. Once installed the obscure glass shall be retained thereafter.

- 7 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.
- 8 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.
- 9 The parking area shown on the approved plans shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.
- 10 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those specified in the submitted application form, unless otherwise agreed in writing by the Local Planning Authority.
- 11 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.
- 12 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.
- 13 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 Classes A, AA, B, D & E of Part 1 to schedule 2 shall be undertaken, without the prior written agreement 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 and at least one non-councillor resident, on planning grounds material to the application (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council).*

### **Site and Surroundings**

The site comprises of a former detached garage to the east of the Clockhouse, located within the Metropolitan Green Belt. It is not listed nor in a conservation area.

### **Proposal**

The proposal is for the conversion and extension of an existing former garage building to form a two bedroomed house with associated parking and landscaping.

The Planning Statement sets out the following;

- In the original approved scheme, the detached garage building was proposed to be used for some car parking in association with the Clockhouse conversion and three further parking spaces were proposed to the side of it.
- In the revised approved layout, a new access spur and turning head were proposed to the rear (north) of the approved gardens and 6 parking spaces were proposed at the rear of those gardens.
- Thus, the existing garage is not required to meet the car parking requirements associated with the conversion of the Clockhouse and is therefore redundant.

### **Relevant Planning History**

EPF/0198/17 - Alteration and extension of existing dwelling to form 4 X 3-bedroom houses, provision of associated parking and boundary landscaping – Approved by Area Plans West

EPF/2161/18 - Variation of condition 2 'Plan Nos.' of EPF/0198/17 (Alteration and extension of existing dwelling to form 4 no. 3 bedroom houses and associated parking and boundary landscape) for an alternative external works layout only - Approved

### **Development Plan Context**

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

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

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

CP2	Protecting the Quality of the Rural and Built Environment
CP3	New Development
CP7	Urban Form and Quality
H4A	Dwelling Mix
DBE2	Effect on Neighbouring Properties
DBE4	Design in the Green Belt
DBE8	Private Amenity Space
DBE9	Loss of Amenity
HC12	Development affecting the setting of Listed Buildings
GB2A	Green Belt
GB7A	Conspicuous Development
ST4	Road Safety
ST6	Vehicle Parking

#### *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.

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

Paragraph 80  
Paragraphs 126 & 130  
Paragraphs 137, 147 - 150  
Paragraph 180

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

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

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

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

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

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 Main Modifications, the **highest weight** should be afforded to LPSV policies in accordance with paragraph 48 of Framework. The following policies below are relevant to the determination of this application;

SP2	Spatial Development Strategy 2011-2033
H1	Housing Mix and Accommodation Types
T1	Sustainable Transport Choices
DM2	Epping Forest SAC and the Lee Valley SPA
DM4	Green Belt
DM7	Heritage Assets
DM9	High Quality Design
DM10	Housing Design and Quality
DM11	Waste Recycling Facilities on New Development
DM16	Sustainable Drainage Systems
DM19	Sustainable Water Use
DM21	Local Environmental Impacts, Pollution and Land Contamination
DM22	Air Quality

### **Summary of Representations**

Number of neighbours Consulted: 9. 3 response(s) received  
 Site notice posted: Yes

ST AUBYNS – Objections – Summarised as;

- Impact on the Green Belt;
- Unsustainable;
- Impact on EFSAC;
- Out of character/Inappropriate development; and
- Highway safety.

CLOCKHOUSE MEWS – 2 Letters of Support

WALTHAM ABBEY TOWN COUNCIL – Objection - The Committee believe that this proposed development would have an adverse impact on increased traffic and do not believe that it is an appropriate development on Greenbelt land.

A re-consultation exercise was carried and no further comments were received.

### **Planning Considerations**

The main issues for consideration in this case are:

- a) Green Belt;
- b) The Character and appearance;
- c) Sustainability;
- d) Impact on neighbouring amenities;
- e) Standard of accommodation;
- f) Highway safety and Parking Provision; and
- g) Epping Forest Special Area of Conservation.

#### **Green Belt**

The proposal consists of two elements; (1) extension to the building, and (2) conversion to a dwelling. As such the relevant exceptions to development in the Green Belt from the Framework are;

1. Paragraph 149 (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; and
2. Paragraph 150 (d) the re-use of buildings provided that the buildings are of permanent and substantial construction.

To establish the above, an assessment on the openness of the Green Belt is required. Openness has both a spatial and visual aspect. In spatial terms, it is commonly accepted that proportionate increases over the size of the original building is acceptable. Having said this, an assessment of a development on the Green Belt is not a purely mathematical exercise as reaffirmed by the recent High Court Judgement; in *Sefton MBC v SoS* (2021) EWHC 1082.

Spatially, the proposed extension would be of a limited size and scale, amounting to some 28% increase in volume over and above the size of the original building, which in this instance would be acceptable. Visually it would appear as a small extension to the existing building, be of the same height with matching materials. As such the proposed extension would not appear as a disproportionate addition. Moreover, the re-use of the building to form a detached dwelling would have no material impact to the openness of the Green Belt as the existing building is of a permanent and substantial construction and has been in place for a significant period. Therefore, the proposed development would not be inappropriate development in the Green Belt.

#### Character and Appearance

The proposed dwelling would be of a size, scale and design that would have a neutral impact to the character of the existing buildings within the rural locality.

#### Sustainability

Policy CP6 of the LP and SP2 of the LPSV seeks to accommodate development in a sustainable manner which counters trends towards more dispersed patterns of living, employment and travel. To do this, the policy seeks to concentrate new housing development within urban areas and applies a sequential approach to give preference to development within urban areas.

The site is not located within an urban area and it is remote from nearby services. However, it is also located within small pockets of existing housing within the wider area and in this respect, it is not isolated. Although the location of the site would be likely to encourage use by the private car, it is also located close to nearby Villages. Moreover, the Framework is clear that opportunities to maximise sustainable transport solutions will vary between urban and rural areas.

Despite the location of the site, there is no compelling evidence to suggest that this would be harmful. Consequently, having regard to local and national policy, and notwithstanding the conclusions identified above in relation to the Green Belt, it is considered that the location of the site would be suitable for housing as the development site can support the nearby villages in terms of economic and social benefits.

In this respect therefore, it would accord with Policies CP1 and CP6 of the LP, emerging policy SP1 and SP2 of the LPSV and paragraph 80 (c) of the Framework, which, taken together, seek to achieve sustainable development.

#### Living Conditions of Neighbouring Properties

There will be no material impact to neighbouring properties, in terms of loss of light, loss of privacy, overbearing and visual impact.

### Standard of Accommodation

The proposed development would have sufficient internal and external amenity space for future occupiers of the proposed dwelling.

### Highway Safety and Parking Provision

There is sufficient space to park a couple cars on the site and no change is proposed to the existing access, nor any objections have been raised by the Highways officer.

### 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 concluded 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 elements of the methodology underpinning the appropriate assessment of the LPSV, 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 this application pertinent to the likely significant effects of development on the EFSAC alone and in-combination with other plans and projects are:

- 1) Recreation activities arising from new residents (recreational pressures); and
- 2) Atmospheric pollution as a result of increased traffic using roads through the EFSAC.

### **Stage 1: Screening Assessment**

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

- 1) The site lies within the 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 would result in a likely significant effect on the integrity of the EFSAC as a result of recreational pressures.
- 2) The development has the potential to result in a net increase in traffic using roads through the EFSAC.

Consequently, the application proposal would result in a likely significant effect on the integrity of the EFSAC in relation to both the recreational pressures and atmospheric pollution Pathways of Impact.

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 both the recreational pressures and atmospheric pollution Pathways of Impact.

## **Stage 2: 'Appropriate Assessment'**

### Recreational Pressures

The application proposal has the potential to increase recreational pressures on the EFSAC. However, the Council, through the development of the Interim Approach, has provided a strategic, district wide approach to mitigating recreational pressures on the EFSAC through the securing of financial contributions for access management schemes and monitoring proposals. Consequently, this application can be assessed within the context of the Interim Approach. In doing so the Council has sought to take a proportionate approach to the securing of such financial contributions, and currently only seeks these from proposals for new homes within 3km of the EFSAC, as is the case with this planning application. The applicant has agreed to make a financial contribution in accordance with the Interim Approach. 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.

### 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.

### Conclusion

For the reasons set out above having regard to the matters raised, it is recommended that conditional planning permission be granted subject to a s106 legal agreement for mitigation measures towards the EFSAC including monitoring fees.

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

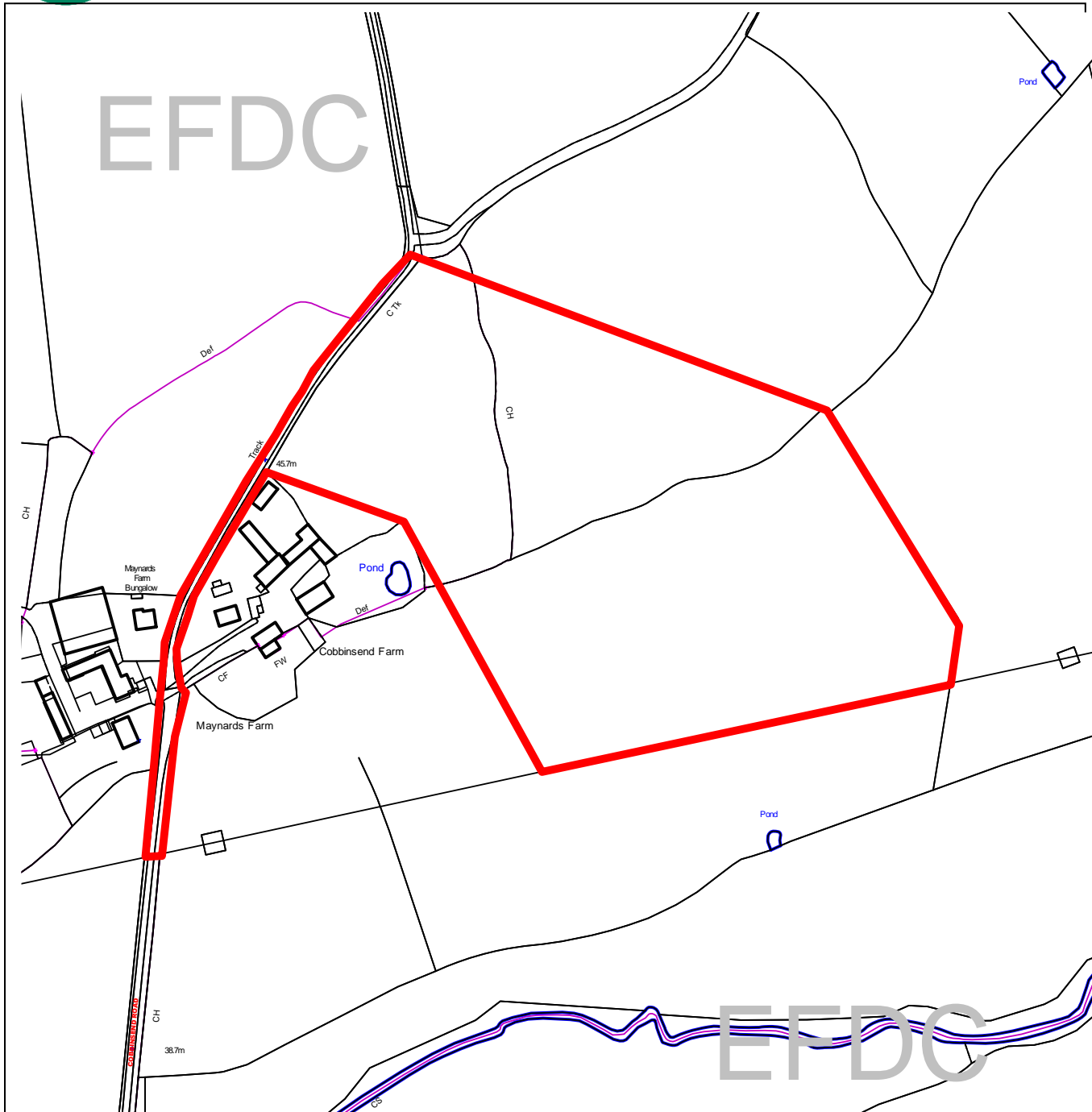
**Planning Application Case Officer: Muhammad Rahman**  
**Direct Line Telephone Number: 01992 564415**

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





# Epping Forest District Council



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Application Number:	EPF/1834/21
Site Name:	Cobbins End Farm Cobbinsend Road, Waltham Abbey EN9 2AA
Scale of Plot:	1:2500

**Report Item No: 10**

<b>APPLICATION No:</b>	EPF/1834/21
<b>SITE ADDRESS:</b>	Cobbins End Farm Cobbinsend Road Waltham Abbey EN9 2AA
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey High Beach  Waltham Abbey North East
<b>APPLICANT:</b>	Mr Julian Williams
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed conversion of agricultural buildings to x4 no. residential units.
<b>RECOMMENDED DECISION:</b>	Refuse Permission

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=654575](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=654575)

**REASON FOR REFUSAL**

- 1 The site is located within land designated as Metropolitan Green Belt where there is presumption against inappropriate development. The proposal due to the increase in site area; additional height; volume; hardstanding; design and inadequate access in comparison with that permitted by the prior approval application under reference EPF/2171/20 results in a development which is inappropriate development by definition, and which will fail to safeguard the countryside from encroachment. In addition, it is harmful to openness of the site and is detrimental to the visual appearance of the Green Belt. The development would therefore conflict with Chapter 13 of the National Planning Policy Framework, Policy GB2A and GB7A of the Epping Forest District Adopted Local Plan and Policy DM4 of the Submission Local Plan.
- 2 Having regard to the existing use and the additional traffic which this proposal will engender along Byway 94 Waltham Abbey, it is considered to be inadequate to cater for the proposed development while providing safety for all users owing to its single-track width, alignment and construction. A regular increase in use of the Byway will not only increase the propensity for vehicles to meet on the single track, resulting in vehicles having to perform adverse manoeuvres to find suitable passing places, but will also lead to conflict between horse riders, cyclists and pedestrians to the detriment of highway safety for all users of the Byway. Therefore, this proposal is contrary to policy ST4 of the adopted Local Plan 1998 & 2006 and Policy T1 of the Local Plan Submission Version 2017, and the NPPF 2021.
- 3 As far as can be determined from the submitted plans the applicant does not appear to control sufficient land to be able to provide the required visibility splays from the access onto the Byway, for the recorded speeds along it. The lack of such visibility would result in an unacceptable degree of hazard to the detriment of highway safety.

Therefore, this proposal is contrary to policy ST4 of the adopted Local Plan 1998 & 2006 and Policy T1 of the Local Plan Submission Version 2017, and the NPPF 2021.

- 4 In the absence of a completed Section 106 planning obligation, the development has failed to mitigate against the adverse impact it has and will have on the Epping Forest Special Area for Conservation in terms of air pollution. Failure to have secured such mitigation is contrary to policies CP1 and CP6 of the Adopted Local Plan and Alterations, policies DM2 and DM22 of the Submission Version Local Plan 2017 and the requirements of the Habitats Regulations 2017

***This application is before this Committee since it has been ‘called in’ by Councillor T. Matthews (Pursuant to The Constitution Part 3: Part Three: Scheme of Delegation to Officers from Full Council)).***

**Description of Site:**

The existing site covers an area of 3800 sqm and is comprised of a former dairy farm connected to the Locally Listed farmhouse to the west of the site. The site contains a number of farm buildings and barns associated with this use. The site is set slightly lower ~0.2 m than the associated house to the west. It slopes steeply in a south easterly direction. There is a pond located in the south eastern corner of the Site.

There is an existing access to the south west corner leading onto Cobbinsend Road.

The site is on land designated as Green Belt.

**Description of Proposal:**

Permission is sought for the conversion of agricultural buildings to x4 no. residential units.

Prior approval was given under reference EPF/2171/20 for the conversion of 4 agricultural buildings into residential accommodation.

This application seeks to amend the approved scheme so that:

- The site area is increased to 0.38 hectares
- Each dwelling is increased in size by 1 bedroom.
- Alterations are also proposed to the roof designs of barns 3 and 4.
- A new independent access taken off the adjoining lane is also proposed rather than passing the original farmhouse next to the site

The development will provide 1 x 2-bedroom, 2 x 3 bedroom and 1 x 4-bedroom detached houses with gardens.

**Relevant History:**

Reference	Description	Decision
EPF/2171/20	Prior approval for change of use of agricultural buildings to residential use.	Prior approval required and Granted
WHX/0100/49	Adaptation of stable into cowshed and the erection of a dairy annexe.	Granted

## **DEVELOPMENT PLAN**

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

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

CP1 – Achieving sustainable development objectives  
CP2 – Protecting the quality of the rural and built environment  
CP3 – New development  
CP6 – Achieving sustainable urban development patterns  
CP9 – Sustainable transport  
GB1 – Green Belt Boundary  
GB2A - Development in the Green belt  
GB7A- Conspicuous Development  
RP4 – Contaminated land  
H3A – Housing density  
DBE1 – Design of new buildings  
DBE4- Design in the Green Belt  
DBE8 – Private amenity space  
DBE9 – Loss of amenity  
LL9 – Felling of preserved trees  
LL10 – Adequacy of provision for landscape retention  
LL11 – Landscaping schemes  
ST1 – Location of development  
ST4 – Road safety  
ST6 – Vehicle parking  
NC1 - SPAs, SACs and SSSIs  
NC3 - Replacement of Lost Habitat  
NC4 - Protection of established Habitat  
NC5 – promotion of Nature Conservation Schemes

## **NATIONAL PLANNING POLICY FRAMEWORK (JULY 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.

## **EPHING FOREST DISTRICT LOCAL PLAN SUBMISSION VERSION (2017) (LPSV)**

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

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

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

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

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

SP1 - Presumption in Favour of Sustainable Development	Significant
SP2 - Spatial Development Strategy 2011-2033	Some
SP3 - Place Shaping	Significant
SP6 - Green Belt and District Open Land	Some
SP7 - The Natural Environment, Landscape Character and Green and Blue Infrastructure	Significant
H1 - Housing Mix and Accommodation Types	Some
T1 - Sustainable Transport Choices	Significant
DM1 - Habitat Protection and Improving Biodiversity	Significant
DM2 - Epping Forest SAC and the Lee Valley SPA	Significant
DM3 - Landscape Character, Ancient Landscapes and Geodiversity	Significant

DM4 - Green Belt	Significant
DM5 - Green and Blue Infrastructure	Significant
DM6 - Designated and Undesignated Open Spaces	Significant
DM7 - Heritage Assets	Significant
DM9 - High Quality Design	Significant
DM10 - Housing Design and Quality	Significant
DM11 - Waste Recycling Facilities on New Development	Significant
DM15 - Managing and Reducing Flood Risk	Significant
DM16 - Sustainable Drainage Systems	Significant
DM17 - Protecting and Enhancing Watercourses and Flood Defences	Significant
DM18 - On Site Management of Waste Water and Water Supply	Significant
DM19 - Sustainable Water Use	Significant
DM20 - Low Carbon and Renewable Energy	Significant
DM21 - Local Environmental Impacts, Pollution and Land Contamination	Significant
DM22 - Air Quality	Significant

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

Number of neighbours consulted: 6

Responses received: No response received from neighbours

PARISH COUNCIL: OBJECTION: The Committee were concerned that no comments from Essex Highways were included.

### **Main Issues and Considerations:**

#### **Green Belt**

The NPPF states that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. It is for these reasons that there is a presumption against inappropriate development in the Green Belt.

Policy GB8A refers to the change of use or adaptations of buildings provided a number of criteria are met. This includes that the building is of permanent and substantial construction and that the

use would not have a materially greater impact than the present use on the Green Belt and the purpose of including land in it.

Paragraph 149 of the NPPF states that new buildings are inappropriate development subject to a number of exceptions. Paragraph 150 lists certain other forms of development that are not inappropriate provided they preserve the openness of the Green Belt.

In terms of Paragraph 149 of the Framework, criterion (c) permits 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.

The proposal in this case seeks the erection of single storey extensions to the restored barns creating about 427 sqm of floorspace compared with 339 currently. This is a 21% increase.

However, building 3 and 4 will double in height to accommodate the extensions which will detract from their simple farm building configuration and would be visible from long views of the site, especially given the south easterly slope on the land in this location.

The site area has also doubled in size in comparison with the approved prior approval scheme resulting in the likelihood of additional domestic paraphernalia and more boundary treatment. It will also have an adverse impact on the visual amenity of the area as a result of the harm to the landscape.

The site falls within land designated as an ancient landscape and was assessed as part of the Epping Forest District Council Landscape Character Assessment by Chris Blandford Associates 2010. This document puts the site within the Upshire (F2) Landscape Character Assessment which describes the key characteristics to be: -

A series of farmsteads and small-scale linear roadside settlements contribute to settlement pattern;

- Patchwork of arable farmland and parkland, often containing frequent small to medium sized woodland blocks, which are key landscape features and frame views;
- Rows of electricity pylons often form tall vertical elements within views;
- A network of narrow lanes crosses the area, often lined with hedgerows containing hedgerow trees;
- There is a relatively strong sense of tranquillity and predominantly rural character throughout the area;
- Strongly undulating landform.

The proposal would be contrary to the suggested landscape planning guidelines made in the report. These include: -

- Conserve the predominantly rural character of this area and associated relatively strong sense of tranquillity;
- Conserve the landscape setting of Waltham Abbey to the south-west;
- Ensure that any new development within the farmland is small-scale, responding to historic settlement pattern, landscape setting and locally distinctive buildings styles;
- Maintain characteristic open and framed views across the area.

There is also an unnecessary bin store building and hammerhead, the development would only need one or the other. This hardstanding and structure will be visible from the public realm. The inclusion of both creates a lot of void space and increased hardstanding. Questions are therefore raised would this be a future development area.

These concerns together result in a scheme which as a consequence of its physical increase in height and volume which will be visible from long views resulting in serious harm to the openness of the site, loss of the positive visual subservient historic farm aesthetic and through the increased levels of activity generated by the larger scheme using a bridleway which is not of quality which could accommodate safely the additional traffic generated that this scheme will generate over and above the approved scheme, is therefore inappropriate development which is harmful to the openness of the Green Belt and will fail to assist in safeguarding the countryside from encroachment. It is therefore contrary to the requirements of the NPPG on Green Belt (July 2019), chapter 13 of the NPPF, GB2A, GB7A and GB8A of the adopted Local Plan along with DM4 of the Submission Version Local Plan.

My site visit confirmed that the existing frames of the structures labelled buildings 5 and 6 are derelict and therefore cannot be considered permanent and substantial.

#### Very special circumstances

Paragraph 144 of the NPPF requires that inappropriate development is by definition harmful to the Green Belt. It is for this reason that it would need to be demonstrated that there are very special circumstances which would clearly outweigh the harm to the Green Belt as a result of inappropriateness of the development and all other harms. The Council is unaware of any very special circumstances which would clearly outweigh the harm to the Green Belt.

#### Location Sustainability

Cobbins End Lane has no pavement and no street lighting. The site is over 4 miles from Epping and Broxbourne stations and 1.4 miles away from the nearest bus stop. There are also no footpaths along the route between the bus stop and the site. Given these distances, new occupiers will be dependent on cars for the majority of their journeys. The proposal is therefore not sustainably located. It is for this reason that any future application would need to design in factors which promote a low carbon future in accordance with chapter 14 of the NPPF and policies DM10, DM11, DM15, 16, DM18, DM19 DM20 and DM22 of the Submission Local Plan. However given the extant permission under prior approval refusal on these grounds cannot be justified.

#### Design

The surrounding context is predominately made up of open land and a locally listed farmhouse to the west. The nearest residential accommodation is currently located adjacent to the west of the Site boundary.

As stated above prior approval has already been given for the conversion of agricultural buildings into dwellings.

The front courtyard area is a car park. The car parking spaces proposed very close to the front elevations of the dwellings would result in real and perceived overlooking. There is mutual overlooking between the barns 1 and 2 with 4. Whilst the prior approval has already approved this relationship, the proposed extensions will result in a greater number of occupiers and therefore exacerbating this poor design.

The size and number of units in comparison to the size of the site is also not reflective of the existing spatial standards of this locality.



The proposal therefore falls short the quality of design required by the National Design Guide, chapter 12 of the NPPF, policies CP7 and DBE 1 of the Local Plan and SP3 and DM9 of the Submission Version Plan.

All units have an acceptable internal size and meet amenity space standards required by Policy DBE8 of the Local Plan.

### Trees

The Tree Officer is satisfied that subject to conditions the proposal will not have an adverse impact on existing trees on the site and therefore the proposal accords with the requirements of policy LL10 and LL11 of the adopted Local Plan 2017.

### Impact on neighbouring amenity

Whilst the proposal creates mutual overlooking for the proposed new dwellings, all other existing neighbours are sufficiently distant as to ensure that their living conditions will not be adversely affected in terms of light, outlook and privacy.

### Highways

The Highway Authority have raised objections to the proposal as the "Byway is a shared surface highway over which the public is entitled to travel on foot, horseback or pedal cycle and by motorised vehicle of all kinds, including horse drawn vehicles. Although legally open to all vehicles, a Byway is used mainly by the public for walking or riding. A residential development of 4 dwellings, given the remote location, is likely to generate 20-24 vehicle movements a day, which is not considered to be an acceptable intensification commensurate with its leisure use as a Byway.

The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public rights and ease of passage over public Byway no. 94 Waltham Abbey shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way."

They also raise concerns that the applicant does not appear to "Control sufficient land to be able to provide the required visibility splays from the access onto the Byway, for the recorded speeds along it. The lack of such visibility would result in an unacceptable degree of hazard to the detriment of the highway."

The proposal is therefore harmful to highway safety and as a result is contrary to the requirements of policy ST4 of the Local Plan and T1 of the SVLP.

### Archaeology

The Specialist Archaeologist's response states Cobbinsend Farm is a historic farmstead located on Cobbinsend Road. The farmstead lies opposite Maynards Farm which has been identified as having medieval origins (EHER48540). Some of the buildings proposed for conversion are evident on the first edition Ordnance Survey map of 1875. As original fabric, features and fittings are likely to survive within the buildings, it is important that a survey is undertaken to 'preserve by record' the buildings fabric prior to any conversion works or alterations taking place. A condition is therefore recommended which would look at investigating the possibility of archaeological remains being found within the site.

### Flood Risk and Drainage

The submitted flood risk assessment was considered acceptable by the Land Drainage Team. No details of foul drainage are provided, and further details of surface water drainage are required. These matters can be controlled by condition.

### Contaminated Land

The Contaminated Land Officer has reviewed this application and considers that “due to existence of asbestos containing materials there is the potential for contaminants to be present on site. In order to ensure that future occupiers are not put at risk from this contamination, he recommends that contamination mitigation conditions are attached to any permission in accordance with Paragraphs 120-124 of the NPPF and policy RP4 of the Local Plan (1998/2006).

### Epping Forest Special Area of Conservation

In the absence of a completed Section 106 planning obligation, the development has failed to mitigate against the adverse impact it has and will have on the Epping Forest Special Area for Conservation in terms of air pollution. Failure to have secured such mitigation is contrary to policies CP1 and CP6 of the Adopted Local Plan and Alterations, policies DM2 and DM22 of the Submission Version Local Plan 2017 and the requirements of the Habitats Regulations 2017.

### Ecology

The submitted Preliminary Ecological Appraisal by Tim Moya was carried out on 9<sup>th</sup> November 2020 found that

Since the site has the potential to shelter Great Crested Newts It recommends that

“The District Level Licencing (DLL) Scheme for Great Crested Newts is considered the most appropriate licencing strategy

...

Buildings B2, B4, B5 and B7 within the site were assessed as having potential for roosting bats.”

Further dusk-dawn surveys need to be carried out to meet the requirements of the S41 of the Natural Environment and Rural Communities Act, this issue could be dealt with as a pre-commencement condition.

### **Conclusion:**

The proposal constitutes inappropriate development in the Green Belt as a consequence of its site area, physical increase in height and volume which will be visible from long views resulting in serious harm to the openness of the site, loss of the positive visual subservient historic farm aesthetic and through the increased levels of activity generated by the larger scheme whilst using a bridleway which is not of a quality which could accommodate safely the additional traffic generated over and above the scheme approved under the prior approval process which used the existing access.

The proposal will therefore create further urban sprawl which will increase encroachment into the open countryside in comparison to the extant permission on the site, it therefore conflicts with purposes of containing land within the Green Belt.

There are no very special circumstances sufficient to outweigh this and any other harm from the development identified above.

In the absence of a completed Section 106 planning obligation, the development has failed to mitigate against the adverse impact it has and will have on the Epping Forest Special Area for Conservation in terms of air pollution.

The proposal is therefore contrary to both national and local policy and as such refusal is recommended.

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

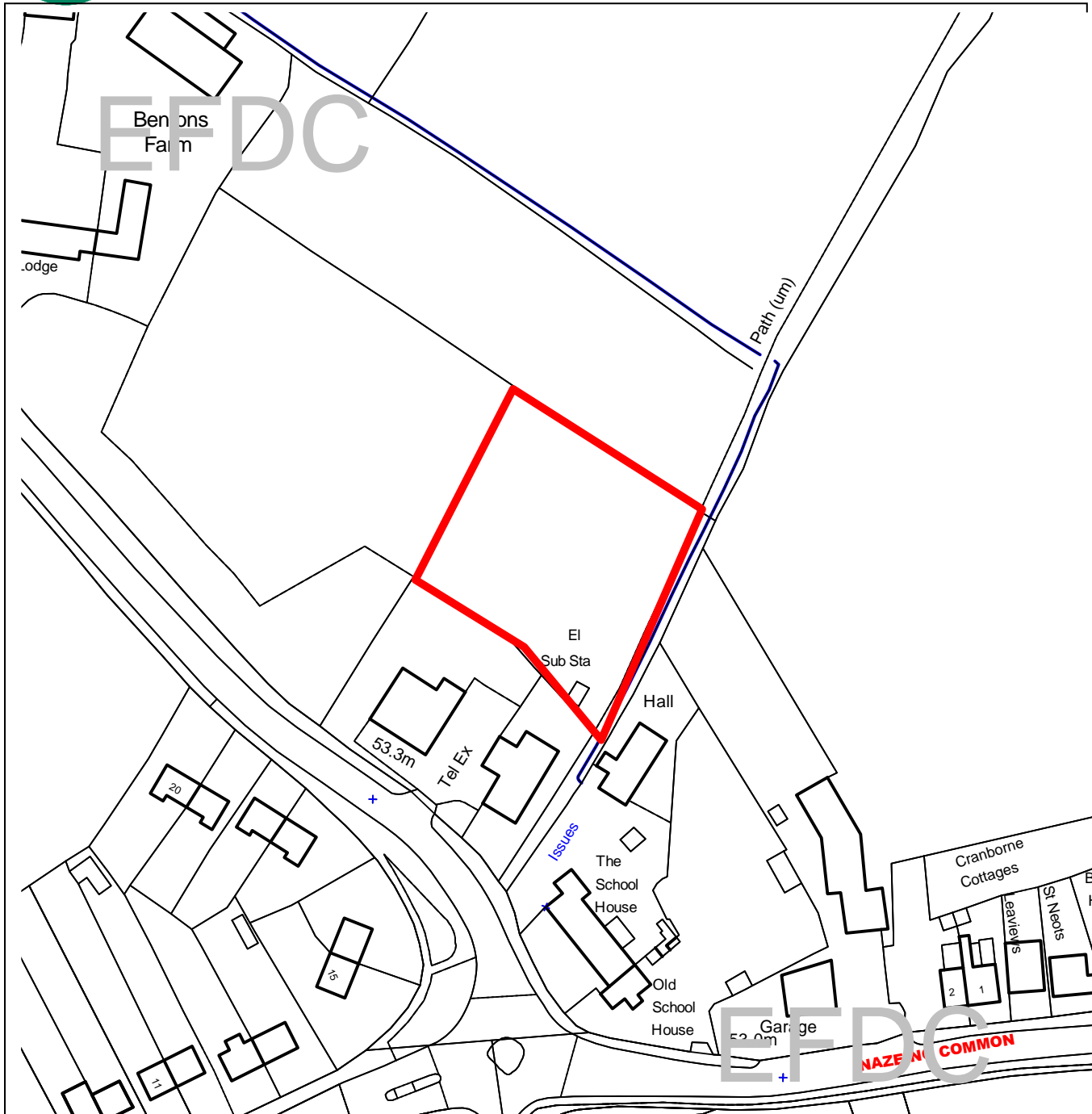
***Planning Application Case Officer: Sukhi Dhadwar  
Direct Line Telephone Number: 01992 564597***

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

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# Epping Forest District Council



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Application Number:	EPF/2893/21
Site Name:	Land at Bentons Farm Off Middle Street, Bumbles Green Nazeing, EN9 2LN
Scale of Plot:	1:1250

**Report Item No: 11**

<b>APPLICATION No:</b>	EPF/2893/21
<b>SITE ADDRESS:</b>	Land at Bentons Farm Off Middle Street Bumbles Green Nazeing EN9 2LN
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>APPLICANT:</b>	Mrs & Mrs Bray
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of 2no. single storey two bedroom detached residential dwellings together with single garages. Existing access will be utilized from oak tree close.
<b>RECOMMENDED DECISION:</b>	Refuse Permission

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=659474](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=659474)

**REASON FOR REFUSAL**

- 1 The site is located within land designated as Metropolitan Green Belt where there is presumption against inappropriate development. Due to the area and location of the site, the proposal is not considered to constitute the limited infilling of a village. No very special circumstances or other considerations have been advanced that would outweigh the harm caused by the inappropriateness and the other harm identified, and the development would therefore conflict with Chapter 13 of the National Planning Policy Framework and Policy GB2A of the Combined Policies of Epping Forest District Local Plan and alterations 2008 and DM 4 of the Submission Version Local Plan.
- 2 The site falls within land designated as being within the Nazeing and South Roydon Conservation Area. The significance of this Conservation Area is derived from its historic open natural landscape. A right of way adjoins the eastern boundary of the site. The siting of the proposed dwellings behind the existing frontage development would result in a discordant form of development that would be out of keeping with the prevailing character of the area. The orientation of the proposed dwelling perpendicular to the buildings in Middle Street would further emphasise the incongruous nature of the proposal. This suburbanisation of the site would erode the open verdant character of this locality and as such would fail to preserve or enhance the character and appearance of the Conservation Area and as such is contrary to the requirements of S72(1) of the Planning and Listed Building and Conservation Areas Act 1990, Chapter 16 of the NPPF and policies, HC6, HC7 of the Local Plan and DM7 of the Submission Version Local Plan.
- 3 The proposal fails to demonstrate that it will provide adequate privacy and outlook for future residents of the proposed new self-contained dwellings and as such the proposal provides a substandard form of accommodation and as such is contrary to

the requirements of policy DBE1, DBE2, DBE 5 and DBE9 along with DM9 of the Submission Version Plan and the National Planning Policy Framework.

- 4 In the absence of a completed s106 planning obligation the proposed development fails to mitigate against the adverse impact that it will have on the Epping Forest Special Area of Conservation in terms of recreational pressure and air pollution. Failure to secure such mitigation is contrary to Policy CP1 and CP6 of the Epping Forest Local Plan, Policies DM2 and DM22 of the Epping Forest District Local Plan Submission Version 2017 and the requirements of the Habitats Regulations 2017.

***This application is before this Committee since it has been 'called in' by Councillor Avey (Pursuant to The Constitution Part 3: Part Three: Scheme of Delegation to Officers from Full Council)).***

### **Description of site**

The application site is located on the northern side of Middle Street which is within the settlement of Nazeing. The site has a roughly rectangular shape and measures 0.19 hectares. The site is currently covered in vegetation. Adjoining the western boundary is a cul-de sac of 4 houses approved under reference EPF/0292/17. To the north are open fields, to the east are commercial uses and to the south is a telephone exchange building and workshop.

The application site is also located within the boundaries of the Nazeing and South Roydon Conservation Area and Metropolitan Green Belt.

### **Description of proposal**

Permission is sought for the construction of 2no. single storey two bedroom detached residential dwellings together with single garages. Access will be from the existing access at Oak Tree Close.

The bungalows have been designed so that their frontages face each other.

The dwelling within Plot A measures 7.64m deep by 14.61m wide and 5.73m to the ridge of its gable roof. The detached garage measures 7.64m deep by 5.4m wide and 4.7m high to its gable roof. It has an internal area of 130 sqm; provides 2 a total of parking spaces and 484 sqm of amenity space.

The dwelling within Plot B measures 7.64m deep by 19.34m and 5.97 to the ridge of its gable roof. It has an internal area of 124 which includes the attached garage; provides a total of 2 parking spaces and 456 sqm of amenity space.

External finishes for both dwellings include horizontal timber cladding in natural charred finish and Essex red brick in a Flemish bond for the walls; slate roof with integrated photovoltaic and solar thermal panel tiles for the dwellings and clay pantiles for the garage; and slim profile black aluminium and timber composite windows.

### **Relevant History**

Planning permission was granted under reference EPF/0292/17 for the construction of 4 no. detached four-bedroom residential dwellings. This permission is west of the application site on land owned by the applicant.

Planning permission was refused under reference EPF/0510/19 for an extension to four residential dwellings on an adjoining site. Infill comprising of x 2 no. four bedroom residential dwellings on the grounds that: -

- (1) The proposal constitutes inappropriate development in the Green Belt, for which there are no very special circumstances. Inappropriate development is, by definition, harmful to the Green Belt and therefore the proposal is contrary to policies GB2A and GB7A of the Adopted Local Plan and Alterations, DM4 of the Submission Version Local Plan and with the objectives of the National Planning Policy Framework.
- (2) The proposed dwellings are significantly recessed from the public carriageway which introduces an inappropriate pattern of development, in stark contrast to the prevailing character of the Conservation Area. The pattern of development is an important aspect of the Conservation Area and the proposal fails to preserve or enhance this pattern. Furthermore, the grain of development would introduce a cul-de-sac, which is suburban in character, into a rural hamlet setting. The suburban character of the development would be reinforced by the repetitive design of the proposed new dwellings, mirroring the ones previously granted. The proposal is therefore contrary to policies HC6 and HC7 of the Adopted Local Plan and Alterations, DM 7 of the Submission Version Local Plan and with the objectives of the National Planning Policy Framework.

An appeal on this application was later dismissed on the same grounds.

Members of the District Development Committee refused planning permission under reference EPF/0897/20 for the development of 1no. two storey four bedroom detached residential dwelling house together with double garage on the grounds that: -

1. The proposal constitutes inappropriate development in the Green Belt, for which there are no very special circumstances. Inappropriate development is, by definition, harmful to the Green Belt and therefore the proposal is contrary to policies GB2A and GB7A of the Adopted Local Plan and Alterations, DM4 of the Submission Version Local Plan and with the objectives of the National Planning Policy Framework.
2. The proposed dwelling is significantly recessed from the public carriageway which introduces an inappropriate pattern of development, in stark contrast to the prevailing character of the Conservation Area. The pattern of development is an important aspect of the Conservation Area and the proposal fails to preserve or enhance this pattern. Furthermore, the grain of development would extend a cul-de-sac, which is suburban in character, into a rural hamlet setting. The suburban character of the development would be reinforced by the repetitive design of the proposed new dwelling, mirroring the ones previously granted. The proposal is therefore contrary to policies HC6 and HC7 of the Adopted Local Plan and Alterations, DM 7 of the Submission Version Local Plan and with the objectives of the National Planning Policy Framework.
3. The application does not provide sufficient information to satisfy the Council, as competent authority, that the development has not adversely affected the integrity of the Epping Forest Special Area for Conservation and there are no alternative solutions or imperative reasons of overriding public interest why the development should be permitted. As such, the development is contrary to policies CP1 and CP6 of the Adopted Local Plan and Alterations, policies DM2 and DM22 of the Submission Version Local Plan 2017 and the requirements of the Habitats Regulations 2017.

An appeal on this application was later dismissed on the same grounds (a copy of the decision notice is attached to the bottom of this report).



## **Policies Applied**

CP1 – Achieving sustainable development objectives  
CP2 – Protecting the quality of the rural and built environment  
CP7 – Quality of development  
DBE10 – Design  
DBE9 – Residential amenity  
GB2A – Development in the Green Belt  
GB7A – Conspicuous Development  
HC6 – Character, appearance and setting of Conservation Areas  
HC7 – Development within Conservation Areas  
RP4A – Contaminated Land  
RP5A – Adverse Environmental Impacts  
DBE1 – Design of New Buildings  
DBE2 – Effect on neighbouring properties  
DBE4 – Design in the Green Belt  
DBE9 – Loss of Amenity  
ST4 – Road Safety  
ST6 – Vehicle Parking  
NC1 – SPAs, SACs and SSSIs  
NC3 – Replacement of Lost Habitat  
NC4 – Protection of established Habitat  
NC5 – promotion of Nature Conservation Schemes

### The National Planning Policy Framework

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.

## **EPHING FOREST DISTRICT LOCAL PLAN SUBMISSION VERSION (2017) (LPSV)**

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

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

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);

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

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

Consultation has been carried out on the Main Modifications required by the Local Plans Inspector. It is therefore at an advanced stage of preparation.

SP1 - Presumption in Favour of Sustainable Development

SP6 - Green Belt and District Open Land

H1 - Housing Mix and Accommodation Types

T1 - Sustainable Transport Choices

DM1 - Habitat Protection and Improving Biodiversity

DM2 - Epping Forest SAC and the Lee Valley SPA

DM3 - Landscape Character, Ancient Landscapes and Geodiversity

DM4 - Green Belt

DM5 - Green and Blue Infrastructure

DM7 - Heritage Assets

DM9 - High Quality Design

DM10 - Housing Design and Quality

DM11 - Waste Recycling Facilities on New Development

DM15 - Managing and Reducing Flood Risk

DM16 - Sustainable Drainage Systems

DM17 - Protecting and Enhancing Watercourses and Flood Defences

DM19 - Sustainable Water Use

DM20 - Low Carbon and Renewable Energy

DM21 - Local Environmental Impacts, Pollution and Land Contamination

DM22 - Air Quality

Number of neighbours consulted: 26

Site notice posted: Yes

14 Neighbours were consulted, and 1 response was received:

**BUMBLES GREEN FARM MIDDLE STREET SUPPORT:**

**Proposal has overcome previous reason for refusal as no longer detrimental to Green Belt or Conservation Area.**

**NAZEING PARISH COUNCIL – The Council SUPPORTS the application because the development provides a ‘lifetime’ dwelling, that would be suitable for a wheelchair user, with good road access, which will fulfil a need in the Parish for this kind of accommodation.**

**Main considerations**

The main issues to consider when assessing this application are the potential impacts on the Green Belt, the character and appearance of the Conservation Area, integrity of the Epping Forest Special Area of Conservation, the living conditions of neighbours. highway issues, land drainage considerations and contaminated land.

## Green Belt

Government Guidance states that new development within the Green Belt is inappropriate unless it falls within the list of exceptions set out in paragraphs 149 and 150 of the National Planning Policy Framework (NPPF). And provided it does not harm the openness of the Green Belt or conflict with the five purposes of including land within it than the existing development.

Local Policy GB2A is broadly in compliance with the aims and objectives of national Green Belt Policy. The NPPF states that one of the exceptions to inappropriate development within the Green Belt is the limited infilling or partial or complete redevelopment of previously developed sites, 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 first justification for the application is that it is in accordance with paragraph 149(e) 'limited infill within a village.

The case officer dealing with the previous application approved at West Area Planning Committee under reference EPF/0292/17 was satisfied that the site falls within a village.

The second limb of this exception is whether the proposal constitutes 'limited infilling'.

Once the site is considered to fall within a village, the next stage of this exception to inappropriate development is whether the proposal can be considered to constitute 'limited infilling'. (This view is supported by the overturned officer recommendation under reference EPF/0292/17)

Policy DM4 of the SVLP defines limited infilling as

"The development of a small gap in an otherwise continuous built up frontage, or the small-scale redevelopment of existing properties within such a frontage. It also includes infilling of small gaps within built development. Limited infilling should be appropriate to the scale of the locality and not have an adverse impact on the character of the countryside or the local environment."

The proposal will extend the cul-de-sac to an area of land which is not bound by built development but is instead currently open. The orientation of the bungalows remain perpendicular to the frontage development in Middle Street. It would also create an additional row of development behind the existing single line of development fronting Middle Street.

It would not be filling in a gap but would instead further extend the suburban cul-de-sac development beyond the linear ribbon development along Middle Street. It is therefore considered to be a back-land development and not an infill development and as a result will further encroach built development and associated household paraphernalia into the open countryside. This is urban sprawl. The fundamental purpose of Green Belt policy is to prevent urban sprawl.

When assessing the impact of the proposal on openness, the NPPG on Green Belt advises that openness is capable of having both spatial and visual aspects. This means what impact the proposal will have on the visual amenity of this location in the Green Belt and its general volume. Volume relates to the proposal's presence, irrespective of whether this volume can be seen or not.

Whilst plans have been revised to show that the 2 single storey dwellings which will no longer block public long views between the part single storey telephone building of the fields further north of the site from the street scene, the public views looking south towards the garage and house on the site from the public right of way to the north of the site will still be harmed. In any case future domestic paraphernalia installed by any occupier in the areas which provide the open views from the street scene would be difficult to prevent. It is for these reasons considered that the proposed development will encroach on the countryside and rural setting of this location. It is therefore considered that the proposal is not an infill development and as such is inappropriate development which is contrary to the requirements of policies GB2A and GB7A of the Adopted Local Plan, and DM 4 of the Submission Version Plan.

## Conservation Area Issues

S72(1) of the Planning and Listed Building and Conservation Areas Act 1990 states that special attention should be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

In determining planning applications, the Council is required by the NPPF to consider the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 193 of the NPPF requires that “When considering the impact of a proposal on the significance of the designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater weight should be given to its conservation. Significance can be harmed or lost through (inter alia) development within its setting”.

Paragraph 194 of the NPPF requires where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use”.

The proposal was reviewed by the Conservation Officer who made the following comments: -

### “Context

*The site stands within the Nazeing and South Roydon Conservation Area; a wide area designated to protect the surviving historic landscape and patterns of settlement, which includes the medieval 'long green' settlements of Middle Street. Although development within this part of the conservation area was rapid in the 20th century, until then, Middle Street consisted of only a handful of properties. Development in the 20th century has predominantly been linear and is characterised by detached properties occupying large plots which front the highway. Relevant planning history.*

*In 2017, a planning application (EPF/0292/17) was submitted for the erection of 4 no. detached four-bedroom residential dwellings on a similar and adjacent site at Bentons Farm. The application was recommended for refusal by officers, but permission was granted at the Area Plan West Committee. The Conservation Team objected to this application as we believed that the general principle of the development would harm the significance of this part of the conservation area which largely derives from open landscape and historic pattern of development. Significantly recessed from the highway it has been considered that the new dwellings would introduce an inappropriate pattern of development with a proposed building line greatly deviating from the existing. We also believed that such development would result in unnecessary and harmful encroachment of unbuilt land.*

*Early in 2019 an application for the erection of two more dwellings, ref. EPF/0510/19, on the adjoining site, to the east has been refused for the same reasons that were previously raised. In addition, the proposal was found to go even more against the grain of development as it would introduce a cul-de-sac, which is suburban in character, into a rural hamlet setting. In this well-established rural context, detached properties, such as proposed, should sit within a large plot. An appeal was lodged and dismissed in October 2019.*

*In his report the Inspector states that:*

*“I find the significance of this part of the CA largely derives from its open landscape and historic pattern of development which goes on to cover the majority of the CA.*

*While I accept that a development within the CA should not be considered unacceptable in principle, it is essential that great weight is given to an assets conservation as stated at paragraph 193 of the Framework. In this instance, although development exists surrounding it, the appeal site nonetheless contributes towards the open landscape that is an important and fundamental character of the CA. The introduction of built development would suburbanise the site, thereby further eroding the open character of the CA.*

*Moreover, the siting of the dwellings behind existing frontage development would result in a discordant form of development that would be out of keeping with the prevailing character of the area, resulting in additional harm to the CA.”*

*In 2020, an application ref, EPF/0897/20 was submitted for the erection of one detached four bed dwelling with associated garage in place of the refused two detached dwellings. The Conservation Team raised objections to the scheme which was refused. An appeal was lodged and dismissed in February 2021.*

*In his report the Inspector states that:*

*“17. The previous Inspector stated that the significance of this part of the Conservation Area (the CA) largely derives from its open landscape and historic pattern of development. I agree. It has an open and spacious character due to the loose knit nature of development and the greenery provided by mature landscaping. The prevailing form of development consists of ribbon development fronting the road, and the spaces between the buildings provides views of the surrounding countryside, which contributes to the open character of the area. The undeveloped nature of the appeal site to the rear of the existing built frontage contributes to the open character of the CA.*

*18. The siting of the proposed dwelling behind the existing frontage development would result in a discordant form of development that would be out of keeping with the prevailing character of the area. The orientation of the proposed dwelling perpendicular to the buildings in Middle Street would further emphasise the incongruous nature of the proposal. Whilst the scale of the proposal would be reduced in comparison to the previous appeal scheme, it would nonetheless suburbanise the site, which would erode the open character of the CA.*

*19. Having regard to the modest amount of proposed development, I find that the degree of harm to the significance of the CA would be less than substantial. In accordance with paragraph 196 of the Framework, any harm should be weighed against the public benefits.”*

*The proposal*

*The current scheme seeks consent for the erection of 2no. single storey two bedroom detached residential dwellings together with single garages.*

*Given that the context is identical, the reasons for refusal given in references to previously submitted schemes are still considered to be relevant. The proposed scheme raises the same concerns and it is considered that it will cause the same level of harm to the character and appearance of the conservation area. The harm caused was well expressed in reports by the LPA officers and the Inspectors.*

*Recommendations*

*It is still considered that the general principle of the development would harm the significance of this part of the conservation area and fail to preserve its special character. We, therefore, OBJECT to this scheme as it is contrary to policies HC6 and HC7 of our Local Plan and Alterations (1998*

and 2006), policy DM7 and DM9 of our Submission Version Local Plan (2017), and paragraphs 189, 194, 195, 197, 199 and 206 of the NPPF (2021).”

### Design

There is mutual overlooking between the two dwellings as their window to window distance is only 11.4m. This is not reflective of the spatial standards of the surrounding area or standards contained within the Essex Design Guide. Approval of this application will set precedent for this type of cramped development to be permitted on other sites.

Whilst it is noted that the open plan living/dining/kitchen area will be triple aspect allowing for the principle elevation windows of these areas to be obscure glazed, this solution would not be possible for the bedrooms facing each other. The secondary windows for the bedrooms 1 and 2 of plot A will be screened by trees. The western bedroom in plot B only has single aspect windows.

In addition the western bedroom window within plot A will face a garage wall.

The proposal therefore falls short the quality of design required by the National Design Guide, chapter 12 of the NPPF, policies CP2 and DBE 1 of the Local Plan and SP3 and DM9 of the Submission Version Plan.

Both units provide acceptable levels of daylight, internal area and amenity space.

The proposal includes low carbon or renewable technology energy efficient features such as air source heat pumps, photovoltaic and solar hot water panels on the roof, Mechanical supply and extract ventilation system along with charging points for both electric cars and bikes. This is a positive feature of the scheme.

### Living conditions of neighbouring residential occupiers

The nearest window affected by the proposal within 4 Oak Tree Close serves a utility room. The garage would extend around 7m beyond this window. However given tht it is not a habitable room. The impact to this room is not considered excessive. The garage extends 3m beyond the front elevation of the study room. However it also separated from this room by a similar distance, therefore impact will not be significant. All other residential dwellings are sufficiently distant to ensure that they are not materially affected. The proposal therefore complies with the requirements of policy DBE 9 of the Local Plan

### Epping Forest Special Area of Conservation

In the absence of a completed Section 106 planning obligation, the development has failed to mitigate against the adverse impact it has and will have on the Epping Forest Special Area for Conservation in terms of air pollution. Failure to have secured such mitigation is contrary to policies CP1 and CP6 of the Adopted Local Plan and Alterations, policies DM2 and DM22 of the Submission Version Local Plan 2017 and the requirements of the Habitats Regulations 2017.

### Trees and Landscaping

The Tree and Landscape Officer supports the in-principle objection to a housing development on this site, made by the Conservation Team and the Planning Inspector in his dismissal of the two previous appeals on the site for housing development. She advises that: -

*This site is within the Roydon and South Nazeing Conservation Area. This includes significant expanses of open countryside, which is characteristic of this part of our District.*

*The submitted information does demonstrate that existing boundary trees could be protected and retained, and that the site could be suitably landscaped. However, this parcel of land is currently part of a field, and we object in general terms to the development of the site and the loss of open landscape from the Conservation Area.*

*There have previously been two applications to develop this parcel of land –  
EPF/0510/19 – two dwellings  
EPF/0897/20 – single dwelling*

*Both have been refused and then dismissed at appeal.*

*The Appeal Inspectors' comments for EPF/0510/19 included –*

- 'the significance of this part of the Conservation Area largely derives from its open landscape and historic pattern of development which goes on to cover the majority of the Conservation Area.'*
- '.... contributes to the open landscape that is an important and fundamental character of the Conservation Area'*
- 'the Introduction of built development would suburbanise the site thereby further eroding the character of the Conservation Area.'*

*The Appeal Inspectors' comments on EPF/0897/20 included –*

- The previous Inspector stated that the significance of this part of the Conservation Area largely derives from its open landscape and historic pattern of development. I agree. It has an open and spacious character due to the loose knit nature of development and the greenery provided by mature landscaping.*
- The undeveloped nature of the appeal site to the rear of the existing built frontage contributes to the open character of the Conservation Area.*
- To develop as proposed '.... would erode the open character of the Conservation Area'.*

*Given that applications to develop on this site have been refused and appealed twice on the principal of erosion of the open character of the Conservation Area, we cannot see how this current proposal could overcome this previous reason for refusal. We therefore object to the proposal'*

It is for this reason that the proposal is contrary to the requirements of DM5 and DM7 of the Submission Version Local Plan.

### Ecology

A Phase 1 Ecological Report which includes a Biodiversity Impact Assessment and DEFRA Metric Calculation by T4 Ecology Ltd was submitted with the application, it found no protected species, or their habitats would be harmed as a result of the proposal.

Subject to the proposal installing the recommended in section 5.2 of this assessment and the landscape plan, a biodiversity net gain of 16.78% could be achieved. On this basis, the proposal would accord with the requirements of NC3 and NC4 of the adopted Local plan and DM1 of the SVLP.

### Highway considerations

The access has good visibility onto Middle Street and has appropriate geometry for the development. Consequently, there will be no detriment to the highway's safety or efficiency at this location.

### Land Drainage

The applicant has provided a SuDS Drainage Plan with the application and although the Land Drainage Team agree with its findings in principal, in order to approve a condition relating to

surface water drainage further details are required. As the footprint of the dwellings have increased from previous submissions, it must be demonstrated that the existing attenuation can accommodate the additional area. Conditions are therefore recommended which require details of this and how sewerage will be disposed of.

### Land Contamination

Due to the sensitive nature of the proposed residential use, standard conditions are recommended to ensure that there no adverse impacts from potential contamination on the site.

### Planning Balance

Paragraph 147 of the NPPF states that “inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.”

Paragraph 148 of the NPPF requires that “when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

There are benefits arising from the provision of wheelchair accessible housing, this is positive and therefore given moderate weight given to this benefit.

The Energy and Sustainability Statement by Elmstead Energy Assessments and Building Services dated 9/9/21 indicates that the proposal will provide homes which have rated as ‘A’ in terms of Energy Efficiency using SAP 2012 methodology. This benefit is given moderate weight.

The proposal will provide two dwellings. The National Planning Policy Guidance on Housing and economic land availability assessment which unequivocally states that a lack of a 5-year housing supply is not in its self-sufficient in itself to justify development within the Green Belt. It reads “Unmet housing need is unlikely to outweigh the harm to the Green Belt and other harm to constitute the “very special circumstances” justifying inappropriate development on a site within the Green Belt. This benefit is therefore given limited weight.

These benefits are weighed against the adverse impacts of the development, which are as follows:

The proposal is inappropriate development in the Green Belt and substantial weight is given to this harm.

The character of Nazeing and South Roydon Conservation Area is derived from its open landscape. The proposal through the creation of development behind the existing frontage development will erode this character and increase likelihood of further back land development.

The proposal therefore fails to preserve or enhance the character or appearance of the Conservation Area. This is contrary to legislation and policy protecting heritage assets. This harm is therefore given substantial weight.

The proposal will create two units which are poorly positioned relation to each other and as a result will create issues of overlooking for future occupiers and will create a cramped form of development which fails to reflect the existing spatial standards of the area. This harm is given moderate weight.

In conclusion, this new scheme in comparison to previous schemes listed above which have been dismissed at appeal fails to provide sufficient benefits which would clearly outweigh the harm to the Green and all other harms from the development. and therefore it is recommended that planning permission be refused.



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

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

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

# Appeal Decision

Site visit made on 9 February 2021

**by C Osgathorp BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 February 2021

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**Appeal Ref: APP/J1535/W/20/3262667**

**Land at Bentons Farm, Middle Street, Bumbles Green, Nazeing EN9 2LN**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Messrs R & V Bray against the decision of Epping Forest District Council.
  - The application Ref EPF/0897/20, dated 30 April 2020, was refused by notice dated 13 June 2006.
  - The development proposed is development of 1no. two storey four bedroom detached residential dwelling house together with double garage. Utilising existing access from Oak Tree Close.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. The date of 13 June 2006 shown on the Council's decision notice is an administrative error, and the Council has clarified that its decision was issued on 5 October 2020.
3. The Council refers to emerging policies of the Epping Forest Local Plan Submission Version 2017 (the LPSV), which was submitted to the Secretary of State for examination in September 2018. The plan has not been formally adopted and could be subject to further modification. Therefore, while the LPSV is a material consideration, I afford it limited weight.
4. On 19 January 2021, the Government published the latest Housing Delivery Test (HDT) and both main parties have been given the opportunity to provide comments.
5. The present appeal scheme follows a previous appeal at the site for 2no four-bedroom dwellings, which was dismissed on 14 October 2019<sup>1</sup>. Whilst I have had regard to the previous appeal decision, I have determined the current proposal on its own merits.

## Main Issues

6. The main issues are:

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<sup>1</sup> Appeal reference: APP/J1535/W/19/3232917

- whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
- the effect of the proposal on the openness of the Green Belt;
- whether the proposal would conserve or enhance the character and appearance of the Nazeing and South Roydon Conservation Area; and
- would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

## **Reasons**

### *Inappropriate development*

7. The appeal site is a roughly square, grassed parcel of land within the Green Belt. The Framework in paragraph 143 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It outlines that the construction of new buildings, other than in connection with a small number of exceptions set out in paragraph 145, should be regarded as inappropriate development.
8. Saved Policy GB2A of the Epping Forest District Council Local Plan 1998 Alterations Adopted 2006 (the Local Plan) sets out exceptions where new buildings would not be inappropriate development in the Green Belt. Furthermore, Policy GB7A of the Local Plan seeks to prevent conspicuous development in the Green Belt which would have an excessive adverse impact upon the openness, rural character or visual amenities of the Green Belt. However, Local Plan Policies GB2A and GB7A do not fully reflect the exceptions set out in paragraph 145 of the Framework and so they are not entirely consistent with the Framework. I have therefore proceeded on the basis of the approach set out in the Framework.
9. The appellant draws attention to the exception in paragraph 145 e) of the Framework, which sets out that limited infilling in villages is not inappropriate development. The Framework does not provide a definition of the terms 'limited infilling' or 'village' and therefore this is a matter for the decision maker.
10. There is no dispute between the parties that the appeal site is within a village. Given that the appeal site is near to surrounding development in the village, I see no reason to take a different view. The question, therefore, is whether the proposal constitutes limited infilling.
11. Paragraph 4.34 of the LPSV defines 'limited infilling' as the development of a small gap in an otherwise continuous built-up frontage, and also includes infilling of small gaps within built development. I consider that this is a reasonable definition and I have assessed the proposal on this basis.
12. The appeal site comprises an area of undeveloped land of approximately 0.19 hectares to the rear of Nazeing Telephone Exchange. A recent development of 4no detached dwellings is located to the west and the proposal would be accessed from here. Due to its open undeveloped nature; generous size; and location behind the built frontage comprising Nazeing Telephone exchange,

the character of the appeal site closely relates to the open countryside to the north, rather than being viewed as a small gap within built development. Therefore, I do not regard the proposal as the infilling of a small gap within built development. Furthermore, having regard to the location of the proposed dwelling behind the built frontage; the orientation of the proposal perpendicular to the frontage development in Middle Street; and the large separation to the development to the east, the proposal would not constitute the development of a small gap in an otherwise continuous built-up frontage.

13. Therefore, I find that the proposal would not meet the exceptions in paragraph 145 of the Framework and it therefore constitutes inappropriate development in the Green Belt, which, by definition, would be harmful to the Green Belt and should not be approved except in very special circumstances.

#### *Openness*

14. Paragraph 133 of the Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; and the essential characteristics of Green Belts are their openness and their permanence. Openness is the absence of development and it has both spatial and visual aspects.
15. The proposed 2 storey dwelling, double garage and associated hard surfacing would be located on land that is currently open and free of development. Accordingly, the proposal would cause a spatial loss of Green Belt openness. Furthermore, the proposed dwelling would be visible from Middle Street and Oak Tree Close, particularly during months when vegetation is not in leaf. It would also be visible from the nearby public right of way to the east of the appeal site. Consequently, the proposal would result in a visual loss of openness. Therefore, the proposal would, by virtue of its permanence and size, harm the openness of the Green Belt and it would be contrary to one of its purposes which is to safeguard the countryside from encroachment.

#### *Nazeing and South Roydon Conservation Area*

16. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.
17. The previous Inspector stated that the significance of this part of the Conservation Area (the CA) largely derives from its open landscape and historic pattern of development. I agree. It has an open and spacious character due to the loose knit nature of development and the greenery provided by mature landscaping. The prevailing form of development consists of ribbon development fronting the road, and the spaces between the buildings provides views of the surrounding countryside, which contributes to the open character of the area. The undeveloped nature of the appeal site to the rear of the existing built frontage contributes to the open character of the CA.
18. The siting of the proposed dwelling behind the existing frontage development would result in a discordant form of development that would be out of keeping with the prevailing character of the area. The orientation of the proposed dwelling perpendicular to the buildings in Middle Street would further emphasise the incongruous nature of the proposal. Whilst the scale of the

proposal would be reduced in comparison to the previous appeal scheme, it would nonetheless suburbanise the site, which would erode the open character of the CA.

19. Having regard to the modest amount of proposed development, I find that the degree of harm to the significance of the CA would be less than substantial. In accordance with paragraph 196 of the Framework, any harm should be weighed against the public benefits.
20. The proposal would deliver some public benefits in terms of adding to the overall provision of housing in the area and contributing to the local economy. However, the small scale of the proposal limits the weight that I give to these factors, which I consider in greater detail later in this decision. There would also be some opportunities for ecological enhancement through additional landscaping, which would provide a limited benefit.
21. In accordance with paragraph 193 of the Framework, great weight should be attributed to the designated heritage asset's conservation irrespective of whether the harm identified amounts to less than substantial harm. I find that the public benefits would not outweigh the harm to the designated heritage asset. The proposal would therefore be contrary to the historic environment policies contained within the Framework.
22. For the above reasons, I conclude that the proposed development would fail to preserve or enhance the character and appearance of the CA. The proposal would therefore conflict with Policies HC6 and HC7 of the Local Plan and the Framework, which, amongst other things, seek to ensure that developments are sympathetic to the character and appearance of conservation areas.

*Other considerations and Green Belt Balance*

23. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Framework is clear that substantial weight should be given to any identified harm to the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
24. The HDT results published 19 January 2021 show that the Council has a measurement of just 49% of homes delivered against its requirement over the previous 3 years. Paragraph 59 of the Framework sets out an objective to significantly boost the supply of homes. The proposed development would provide a benefit in contributing towards addressing the substantial shortfall in the supply of new housing. Furthermore, the proposal would create some employment at construction stage, and the occupiers of the proposed dwelling would provide economic support to local facilities and services. These benefits weigh in favour of the proposal, however this would be limited by the small amount of development.
25. Compliance with resource efficiency standards such as energy and water would help off-set the environmental impacts of the development, however there is no substantive evidence before me that this would go above and beyond policy requirements and so this weighs neutrally. Furthermore, whilst the design of the proposed dwelling is acceptable, it is not innovative or outstanding and so this carries neutral weight. There would be some

opportunities for ecological enhancement through additional landscaping, which would provide a limited benefit.

26. I have had regard to the appellant's reference to a development of 4no dwellings on land at Nazeing Common. However, there are limited details before me of the circumstances that led to approval being granted, and I have nevertheless determined the appeal scheme on its own merits.
27. I have found that the proposed development would be inappropriate development in the Green Belt and it would cause a loss of Green Belt openness. I therefore attach substantial weight to the harm to the Green Belt, in accordance with paragraph 144 of the Framework. In addition, I have found that the proposal would fail to preserve or enhance the character and appearance of the CA.
28. Overall, the other considerations identified in support of the scheme, even when taken together, would not clearly outweigh the totality of the harm to the Green Belt and other harm. Consequently, the very special circumstances necessary to justify the development do not exist. The proposal would therefore be contrary to the Framework and Policies GB2A and GB7A of the Local Plan, which seek to protect the Green Belt.
29. Whilst the HDT results indicate that the delivery of housing was substantially below the housing requirement over the previous three years, the application of policies in the Framework that protect the Green Belt provide a clear reason for refusing the development proposed. Paragraph 11(d) of the Framework is not therefore engaged.

#### **Other Matters**

30. The Council has raised concerns that sufficient information has not been provided to show that the proposed development would not adversely affect the integrity of the Epping Forest Special Area of Conservation ('EFSAC') and there are no alternative solutions or imperative reasons of overriding public interest why development should be permitted. EFSAC is a designated Habitat site which is subject to statutory protection under the Conservation of Habitats and Species Regulations 2017 as amended (the Habitat Regulations). Regulation 63(1) of the Habitat Regulations indicates that the requirement for an Appropriate Assessment is only necessary where the competent authority is minded to give consent for the proposal. As I am dismissing the appeal for other reasons, it has not been necessary for me to consider this matter further.
31. I have had regard to the representations in support of the proposal from Nazeing Parish Council and local residents. Furthermore, I note that the Council's Area Planning Sub-Committee West supported a motion to grant planning permission subject to conditions. However, this would not alter my decision.

#### **Conclusion**

32. For the reasons given above, I conclude that the appeal should be dismissed.

*C Osgathorp*

INSPECTOR