



***District Development Management Committee
Wednesday, 1st September, 2021***

You are invited to attend the next meeting of **District Development Management Committee**, which will be held at:

Council Chamber - Civic Offices
on **Wednesday, 1st September, 2021**
at **7.00 pm**.

Georgina Blakemore
Chief Executive

**Democratic Services
Officer**

G. Woodhall Tel: (01992) 564243
Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors S Jones (Chairman), B Rolfe (Vice-Chairman), R Baldwin, H Brady, I Hadley, S Heap, S Heather, H Kauffman, P Keska, J Lea, R Morgan, C C Pond, S Rackham, J M Whitehouse and K Williamson

SUBSTITUTE NOMINATION DEADLINE:

18:00

1. WEBCASTING INTRODUCTION

This meeting is to be webcast and the Chairman will read the following announcement:

"I would like to remind everyone present that this hybrid meeting will be broadcast live to the internet (or filmed) and will be capable of repeated viewing (or other such use by third parties). Therefore by participating in this meeting, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If any public speakers on Zoom do not wish to have their image captured they should ensure that their video setting throughout the meeting is turned off and set to audio only.

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

2. ADVICE FOR PUBLIC & SPEAKERS AT PLANNING COMMITTEES (Pages 5 - 6)

(Team Manager – Democratic & Electoral Services) General advice for those persons attending the meeting of the Committee is attached as an Appendix to this agenda.

3. APOLOGIES FOR ABSENCE

(Team Manager – Democratic & Electoral Services) To be announced at the meeting.

4. SUBSTITUTE MEMBERS

(Team Manager – Democratic & Electoral Services) To report the appointment of any substitute members for the meeting.

5. DECLARATIONS OF INTEREST

(Team Manager – Democratic & Electoral Services) To declare interests in any item on the agenda.

6. MINUTES (Pages 7 - 10)

(Team Manager – Democratic & Electoral Services) To confirm the minutes of the meeting of the Committee held on 17 March 2021.

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

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

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

http://www.efdclocalplan.org/wp-content/uploads/2018/03/Planning-Policy-Briefing-Note_Mar-2018.pdf

8. PLANNING APPLICATION EPF/1186/21 - FORESTSIDE, BALDWINS HILL, LOUGHTON IG10 1SD (Pages 11 - 18)

(Service Manager – Development Management) To consider the attached report for a single storey rear extension and new roof lights to existing side return.

9. PLANNING APPLICATION EPF/1702/21 - 229 HIGH STREET, EPPING CM16 4BP (Pages 19 - 26)

(Service Manager – Development Management) To consider the attached report for an application for Consent to display an illuminated folded aluminium 3-part background fascia sign with 80mm returns.

10. PLANNING APPLICATION EPF/1800/21 - 229 HIGH STREET, EPPING CM16 4BP (Pages 27 - 34)

(Service Manager – Development Management) To consider the attached report for Listed Building Consent to display an illuminated folded aluminium 3-part background fascia sign with 80mm returns.

11. ANY OTHER BUSINESS

(Team Manager – Democratic & Electoral Services) 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.

12. EXCLUSION OF PUBLIC AND PRESSExclusion

(Team Manager – Democratic & Electoral Services) 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):

<u>Agenda Item</u>	<u>Subject</u>	<u>Paragraph Number</u>
Nil	None	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

(Team Manager – Democratic & Electoral Services) Article 17 (Access to Information) of the Constitution defines 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 one copy of each of the documents on the list of background papers for four years after the date of the meeting. Inspection of background papers can be arranged by contacting either the Responsible Officer or the Democratic Services Officer for the particular item.

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Advice to Public and Speakers at the Council's District Development Management Committee and Area Plans Sub-Committees

Are the meetings open to the public?

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

When and where is the meeting?

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

Can I speak?

If you wish to speak **you must register with Democratic Services by 4.00 p.m. on the day before the meeting**, by telephoning the number shown on the front page of the agenda. You can register to speak at the meeting either virtually via Zoom or in person at the Civic Offices. Speaking to a Planning Officer will not register you to speak; you must register with Democratic Services. Speakers are not permitted on Planning Enforcement or legal issues.

Who can speak?

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

What can I say?

You will be allowed to have your say about the application, but you must bear in mind that you are limited to **3 minutes**. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Committee members.

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

If you have registered to speak on a planning application to be considered by the District Development Management Committee, Area Plans Sub-Committee East, Area Plans Sub-Committee South or Area Plans Sub-Committee West you will either address the Committee from within the Council Chamber at the Civic Offices, or will be admitted to the meeting virtually via Zoom. Speakers must NOT forward the Zoom invite to anyone else under any circumstances. If attending virtually, your representation may be supplied in advance of the meeting, so this can be read out by an officer on your behalf should there be a technical problem. Please email your statement to: democraticservices@eppingforestdc.gov.uk

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

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

How are the applications considered?

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

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

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

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

Further Information

Further information can be obtained from Democratic Services.

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: District Development Management Committee **Date:** 17 March 2021

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

Members Present: S Jones (Chairman), H Brady, D Dorrell, I Hadley, S Heap, H Kane, H Kauffman, R Morgan, J Philip, J Share-Bernia, J M Whitehouse and A Beales

Other Councillors: N Avey

Apologies: B Rolfe and C C Pond

Officers Present: A Marx (Development Manager Service Manager (Planning)), G Woodhall (Team Manager - Democratic & Electoral Services), N Cole (Corporate Communications Officer), G Courtney (Planning Applications and Appeals Manager (Development Management)) and R Perrin (Democratic and Electoral Services Officer)

63. WEBCASTING INTRODUCTION

On behalf of the Chairman, the Team Manager for Democratic & Electoral Services reminded everyone present that the virtual meeting would be broadcast live to the internet and would be capable of repeated viewing, which could infringe their human and data protection rights.

64. ADVICE FOR PUBLIC & SPEAKERS AT PLANNING COMMITTEES

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements adopted by the Council to enable persons to address the Committee. The Committee noted the advice provided for the public and speakers in attendance at meetings of the Council's planning committees.

65. SUBSTITUTE MEMBERS

The Committee was advised that the following substitute members had been appointed for the meeting:

- (a) Councillor A Beales for Councillor C C Pond.

66. DECLARATIONS OF INTEREST

No declarations of interest were made by members of the Committee, pursuant to the Council's Code of Member Conduct.

67. MINUTES**RESOLVED:**

(1) That the minutes of the meeting of the Committee held on 21 December 2020 be taken as read and signed by the Chairman as a correct record, subject to one amendment whereby Cllr H Brady was informed by the Committee that the Corporation of London had objected to this application;

(2) That the minutes of the meeting of the Committee held on 20 January 2021 be taken as read and signed by the Chairman as a correct record.

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

The Service Manager for Development Management reminded the Committee that a briefing note had been prepared to ensure that a consistent approach was taken to the provision of planning policy advice, following the publication of the Epping Forest District Local Plan Submission Version on 18 December 2017. Members were advised that the primary purpose of the briefing note was to inform development management activities and to provide assistance for councillors, officers, applicants, planning agents and other persons involved in the development management process.

RESOLVED:

(1) That the Planning Policy Briefing Note for the Epping Forest District Local Plan Submission Version, be noted.

69. PLANNING APPLICATION EPF/2471/17 - LAND REAR OF OAKLEY HALL, HOE LANE, NAZEING

The Principal Planning Officer, G Courtney, presented a report for the demolition of a derelict Glasshouse and sundry structures, and the erection of a 50-bed care home with associated ancillary parking and landscaping; this planning application was a re-submission of the previously approved application EPF/1907/10. This application had been considered by Area Planning Sub-Committee West at its meeting held on 2 December 2020. The application had been recommended for refusal by Officers, however the Sub-Committee voted to grant planning consent and as this decision was contrary to planning policy, it had been presented to this Committee for a final decision. The recommendation of the Sub-Committee was to approve this planning application, subject to conditions and a Section 106 Legal Agreement to secure an appropriate contribution to address the impact on air quality from additional vehicle movements through the Special Area of Conservation (SAC) within Epping Forest.

G Courtney stated that the application site, located to the south of Oakley Hall, was largely disused with remains of glasshouses on the western half and open ground on the eastern half. The site had evidently not been used for horticultural purposes for a considerable period of time. The site and surrounding land were all within the Metropolitan Green Belt, with the Nazeing and South Roydon Conservation Area to the east of the site and glasshouses to the south of the site.

Planning Officers had originally concluded that the site had failed a number of key tests for exceptions to the Green Belt Policy, and had felt that to approve the development would undermine wider Green Belt protection in the area. It was acknowledged that planning permission for this site had been granted in 2010, but

planning permissions were only valid for a period of three years to allow possible consideration of changing planning requirements. This site was considered for allocation as part of the Local Plan but other sites were considered better suited to provide this type of accommodation, which were not in semi-rural Green Belt locations and in more sustainable locations for transport. However, the Sub-Committee felt that this proposal was supported by the Parish Council and local people, and the very special circumstances was the need for a dementia care facility in the area where none currently existed. If the Committee was minded to ratify the decision of the Sub-Committee then the release of the planning permission would be deferred pending the resolution of a mitigation strategy for the impact of the development on air quality within the SAC.

G Courtney added that the proposed development was not intended as a specialist dementia care unit but a general care home, and if the Committee agreed with the Sub-Committee then the planning permission should relate specially to dementia care and not a general care home.

The Committee noted the summary of representations that had been received in respect of this application, which consisted of letters of support from the Parish Council and the local MP for the area. The Committee heard from the Parish Council and the Applicant's Agent before proceeding to debate the application.

Cllr S Heap felt that, while the application site was within the Green Belt, Nazeing itself was not densely populated, and also acknowledged that the proposed development could not be restricted to patients who had lived in the District. It was a very balanced decision but the Councillor was in favour of granting planning permission. G Courtney reiterated that the application did not include any measures to mitigate the harm from the development to the SAC, and this would be agreed with the Applicant before the final permission was issued. The Service Manager for Development Management, A Marx, added that the second reason for refusal from Officers stated that the application contained insufficient information to satisfy the Council that the development would not adversely affect the SAC.

Cllr J Philip reminded the Committee that the Local Plan had assessed the need for dementia care within the District until 2030 and as the Planning Inspector had not requested the Council to amend the Local Plan, the allocation was considered sufficient. This area of the Green Belt had been considered inappropriate for development, and as no very special circumstances had been demonstrated, the Councillor could not support the application. Cllr H Kane highlighted that there had not been a single response from any of the 83 neighbours consulted on this planning application, and although the Councillor felt that the District needed a facility like this, this particular application was in an unsustainable location which would generate a lot of vehicle movements. G Courtney confirmed that the Council had not received a single response from any of the 83 neighbours consulted on this application, and that the site was an unsustainable location had been one of the original reasons for refusal for this application.

Cllr J M Whitehouse felt that the site had been considered as part of the Local Plan process, it had not been included for development and that the Officers had originally come to the right conclusion. Cllr H Brady pointed out that permission had originally been granted for this site in 2010, but it was not sustainable to put a 50-bed care home in such a location and therefore this would not be a good use for the site. Cllr Jones highlighted that the application would have been judged against a different set of planning policies in 2010 and therefore it would not be a contradiction if this application was refused permission.

Cllr J Philip agreed that planning policy situation had changed considerably in the last ten years. The key factors for this application was that the site was within the Metropolitan Green Belt and no very special circumstances had been demonstrated for this application. Therefore, the Councillor proposed that the application be refused planning permission for the reasons originally given by Officers to Area Planning Sub-Committee West; this proposal was seconded by Cllr H Brady.

Decision:

(1) That permission for planning application EPF/2471/17 on land to the rear of Oakley Hall in Hoe Lane, Nazeing be refused for the following reasons:

1...The proposals represents inappropriate development within the Green Belt which by reason of its scale and mass and the associated extent of hard landscaping would have a significant and adverse effect on the character and openness of the Green Belt, which has not been justified by an established case of very special circumstances in support of the proposals. The development would therefore be contrary to policies CP2, GB2A and GB7A of the Adopted Local Plan and Alterations, policies DM4, DM5 and DM9 of the Local Plan Submission Version 2017, and the NPPF.

2...The application does not provide sufficient information to satisfy the Council, as competent authority, that the proposed development will not adversely affect 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 proposed development should be permitted. As such the proposed development is contrary to policies SP1, SP6 and NC1 of the Epping Forest Local Plan (1998) and Alterations (2006), policy DM 22 of the Epping Forest District Local Plan Submission Version 2017 and the requirements of the Habitats Regulations 2017.

3...The location of the development in an unsustainable location would be remote from public transport or local service facilities without adequate and safe access for pedestrians in particular to and from such facilities, thereby increasing dependence on private car use contrary to policies CP1, CP2, CP3, CP6 and ST1 of the Adopted Local Plan and Alterations, policies SP1, SP2, T1 and DM21 of the Local Plan Submission Version 2017, and the NPPF.

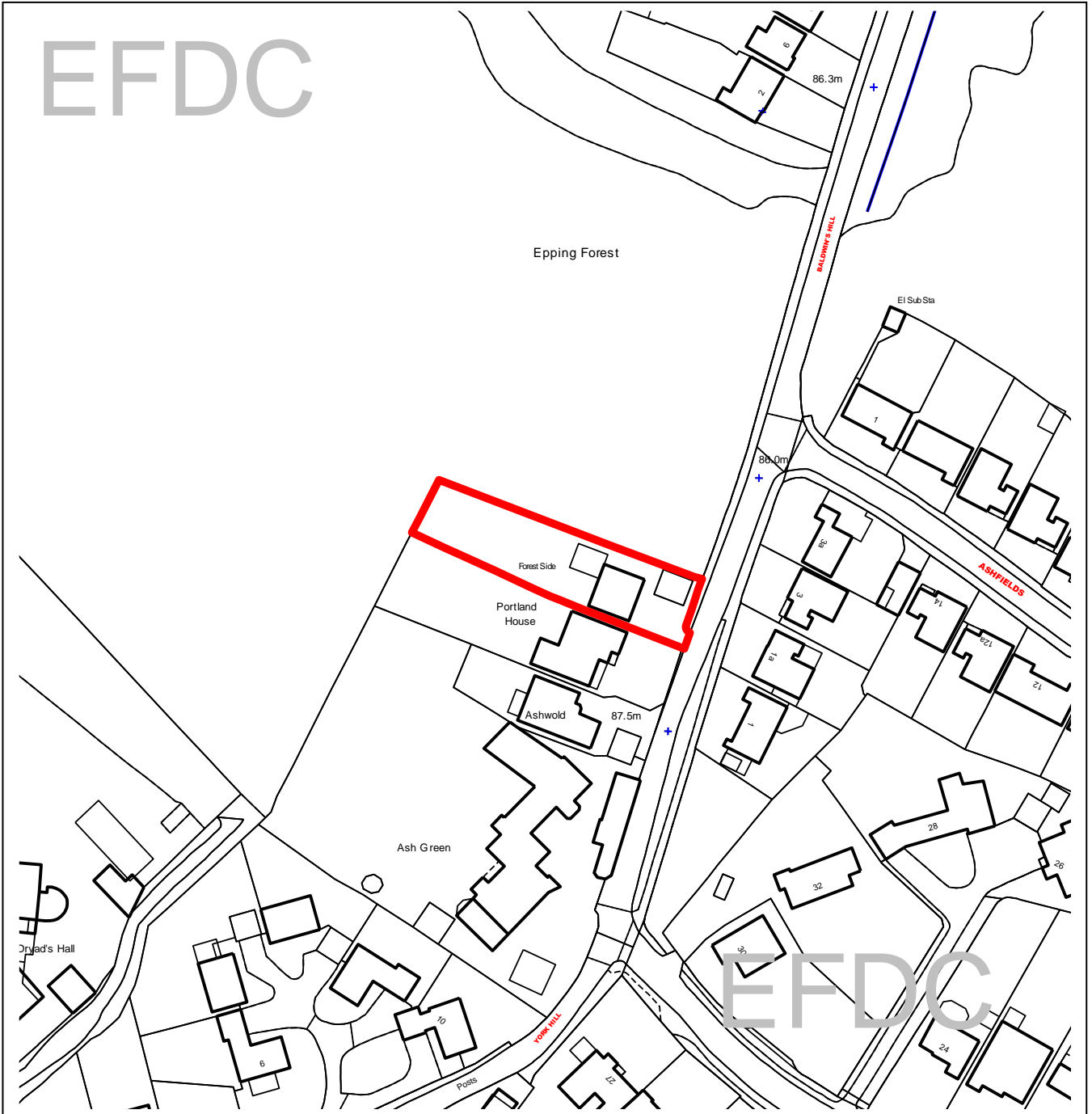
70. ANY OTHER BUSINESS

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

71. EXCLUSION OF PUBLIC AND PRESS

The Committee noted that there was no business which necessitated the exclusion of the public and press from the meeting.

CHAIRMAN



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Application Number:	EPF/1186/21
Site Name:	Forestside Baldwins Hill Loughton IG10 1SD
Scale of Plot:	1:1250

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Report to District Development Management Committee



**Epping Forest
District Council**

Report Reference: EPF/1186/21
Date of meeting: 01 Sept 2021

Address: Forestside, Baldwins Hill, Loughton, IG10 1SD
Subject: Single storey rear extension and new roof lights to existing side return.

Responsible Officer: Muhammad Rahman (01992 564415)

Committee Secretary: Gary Woodhall (01992 564470)

This application is before this Committee since it is an application that is submitted by or on behalf of a District Councillor (Pursuant to Article 10 of The Constitution).

RECOMMENDATION

That planning permission be **GRANTED** subject to the following conditions

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.

Reason:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: 035-EX-01, 035-PL-01 and 035-PL-02.

Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans.

- 3 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.

Reason: To ensure a satisfactory appearance in the interests of visual amenity of the area, in accordance with policy DBE10 of the adopted Local Plan 1998 & 2006, and Policy DM9 of the Local Plan Submission Version 2017, and the NPPF 2019.

- 4 Tree protection shall be implemented prior to the commencement of development activities (including demolition), and the methodology for development (including supervision) shall be undertaken in accordance with the submitted Tree Survey/ Arboricultural Method Statement reports and Tree protection shall be installed as shown on Moore Partners Ltd drawing number MH/FS/01 dated 1st June

2021 unless the Local Planning Authority gives its prior written approval to any alterations.

Reason: To safeguard and enhance the visual amenities of the area and to ensure a satisfactory appearance to the development, in accordance with policy LL10 of the adopted Local Plan 1998 & 2006, policies DM3 and DM5 of the Local Plan Submission Version 2017, the NPPF 2019, and Section 197 of the Town and Country Planning Act 1990 (as amended).

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

Reason:- To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 as well as to safeguard the amenity of the existing trees, shrubs or hedges and to ensure a satisfactory appearance to the development, in accordance with policies LL10 and LL11 of the adopted Local Plan and Alterations 1998 & 2006, and policies DM3 and DM5 of the Local Plan Submission Version 2017, and the NPPF 2019.

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

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours and in accordance with policies RP5A and DBE9 of the adopted Local Plan 1998 & 2006, and policies DM9 and DM 21 of the Local Plan Submission Version 2017, and the NPPF 2019.

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

Reason:- To avoid the deposit of material on the public highway in the interests of highway safety, in accordance with policy ST4 of the

adopted Local Plan and Alterations 1998 & 2006, policy T1 of the Local Plan Submission Version 2017, and the NPPF 2019.

Site and Surroundings

The site comprises of a detached house, located within a built-up area of Loughton. It is not listed nor in a conservation area or the green belt. A preserved tree lies to the rear of the site.

Proposal

The proposal is for a single storey rear extension and new roof lights to existing side return.

Relevant Planning History

EPF/0462/19 – Application for a Lawful Development Certificate for a proposed loft dormer forming a loft conversion for a master suite – Lawful

EPF/1016/19 - Single storey side extension - Approved

Development Plan Context

Local Plan and Alterations 1998 & 2006 (LP)

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

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

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

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:

Paragraphs 126, 130

Epping Forest District Local Plan Submission Version 2017 (LPSV)

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

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

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

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

Following the Examination Hearing Sessions for the emerging Local Plan, the Council has prepared a number of changes, known as Main Modifications (MM), 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, and the consultation will run for 10 weeks from noon on Thursday 15 July 2021 to 5pm on Thursday 23 September 2021.

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

Policy	Weight afforded
DM9 High Quality Design	Significant
DM10 Housing Design and Quality	Significant

Summary of Representations

Number of neighbours consulted: 1. 1 response(s) received

PORTLAND HOUSE – Objection – Summarised as;

- Loss of light;
- Overshadowing; and
- Overbearing and visual impact.

LOUGHTON TOWN COUNCIL – The Committee OBJECTED to this application on the grounds that due to the location of the property, adjoining the Forest, the glass roof lanterns on the single storey rear extension, along with the roof lights on the right-hand side of the side return (abutting the forest) would cause light pollution, resulting in a detrimental effect on the wildlife of the forest and its habitat. If the glass could be modified to prevent light pollution in the Forest, and protect the wildlife and its natural habitat, members would be willing to waive this objection.

Planning Considerations

The main issues for consideration in this case are:

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

Character and Appearance

The proposed works are considered to be of a size, scale and design that is acceptable and will have a neutral impact to the appearance of the existing building. Also, given the siting of the proposal to the rear of the site, it would not be visible from any public areas in connection with the CA, so there would be no material impact to the setting of the CA. There is sufficient space to the rear of the garden, and front, so, the proposed extension would not amount to harmful overdevelopment of the site.

Accordingly, the proposal is considered to comply with Policies CP2 and DBE10 of the LP, Policies DM9 (D) and DM10 of the LPSV, and Paragraphs 126 and 130 of the Framework.

Living Conditions

Given the orientation of the host house facing Northwest, the differing land levels, and the limited size and scale of the proposal, it is considered that there would be a limited impact to the living conditions of the adjacent neighbour in terms of loss of light, overshadowing, overbearing and visual impact that warrants a reason for refusal. The concerns regarding the light pollution are noted, however such levels of light are common within urban areas.

Therefore, the proposed development safeguards the living conditions of neighbouring amenities, in compliance with policies CP7 and DBE9 of the LP, Policy DM9 (H) of the LPSV and Paragraph 130 (f) of the Framework.

Trees and Landscaping

The Councils Tree Officer has raised no objections to the scheme subject to the imposition of conditions as part of the consent.

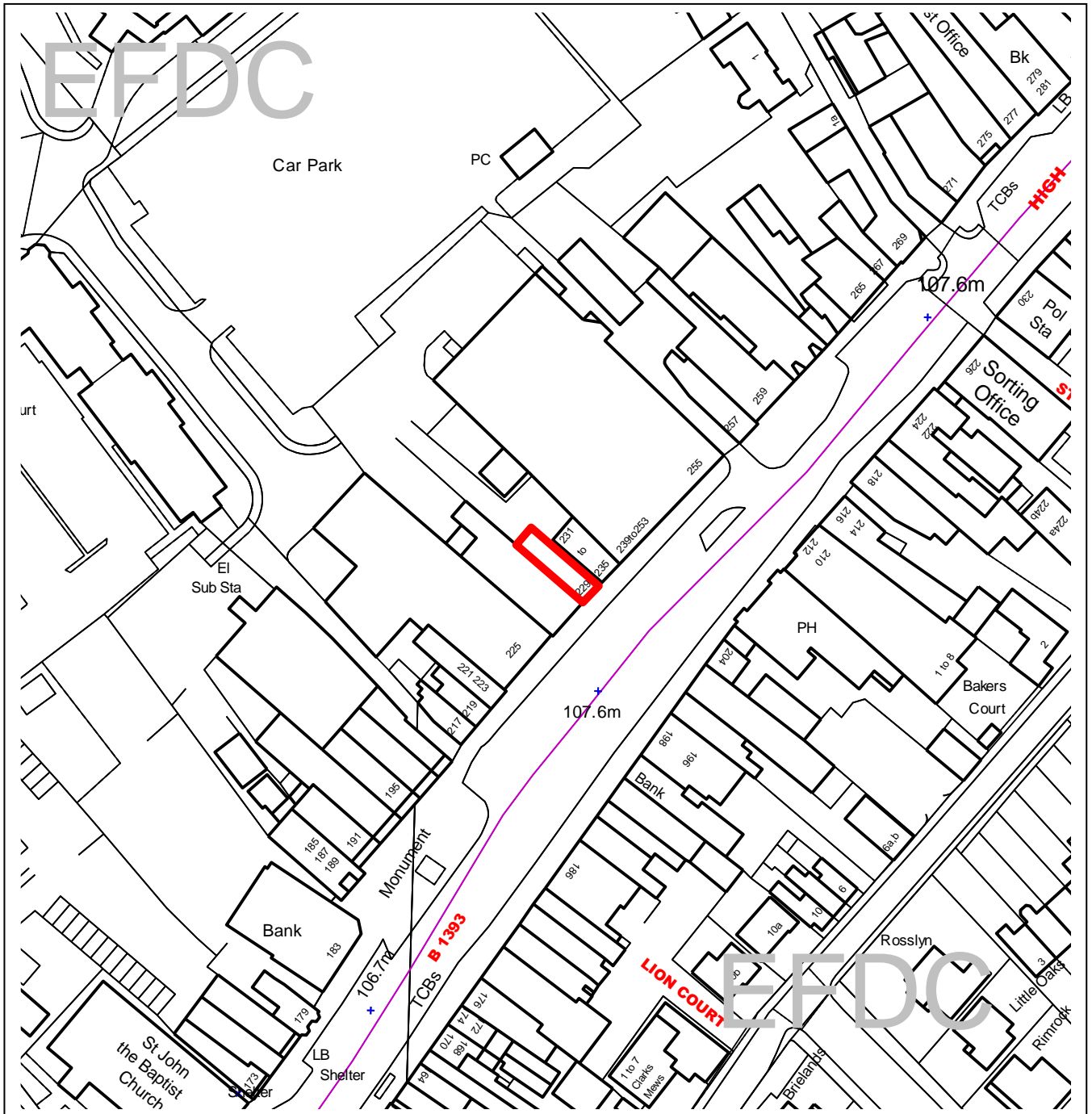
Conclusion

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

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

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

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



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Application Number:	EPF/1702/21
Site Name:	229 High Street Epping CM16 4BP
Scale of Plot:	1:1250

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Report to District Development Management Committee



**Epping Forest
District Council**

Report Reference: EPF/1702/21
Date of meeting: 01 Sept 2021

Address: 229 High Street, Epping, CM16 4BP
Subject: Application for Consent to display an illuminated folded aluminium 3-part background fascia sign with 80mm returns.

Responsible Officer: Sukhi Dhadwar (01992 564597)

Committee Secretary: Gary Woodhall (01992 564470)

This application is before this Committee since it is an application that is submitted by or on behalf of a District Councillor (Pursuant to Article 10 of The Constitution).

RECOMMENDATION

That planning permission be **GRANTED** subject to the following conditions

- 1 The maximum luminance of the sign granted consent by this Notice shall not exceed 180 candelas per square metre.

Reason:- In the interests of highway safety and visual amenity, in accordance with the guidance contained within the National Planning Policy Framework and policy DBE13 of the adopted Local Plan and Alterations.

- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans:

Location Plan, Heritage Statement, photograph of Abbotts sign, Block Plan, Illustrator drawing.

Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans.

Description of Site:

The application relates to the ground floor retail use within a mid-terraced building located on the western side of the High Street and is within a Key Frontage of the Epping Town Centre.

The host property was originally built in the 18th century but was then altered in the 19th Century. It is Grade II listed and is situated within the Epping Conservation Area.

Description of Proposal:

Advertisement consent is sought to display an illuminated folded aluminium 3-part background white fascia sign with 80mm returns. Stencil cut and pushed through 10 mm grey and red colour wording to read "MILLERS" "telephone 01992 540538" "www.millersepping.co.uk". The face of the fascia sign will be covered in vinyl. The lettering will be back lit by cold white LED lighting powered by 12V to create a halo around each character.

Parallel Listed Building application submitted under reference EPF/1800/21.

Relevant History:

Reference	Description	Decision
EPU/0100/64	Alterations to shopfront fascia.	Refuse Permission
A/EPU/0015/70	Illuminated Fascia	Grant Permission
EPU/0115/70	New shopfront	Grant Permission
EPU/0122/70	Alterations to provide toilets and reinstatement of first floor	Grant Permission
LB/EPF/0039/88 and EPF/0589/88	Change of use of jeweller's shop to office premises.	Grant Permission
A/EPF/0051/88	Illuminated fascia sign.	Grant Permission
LB/EPF/0072/88 and EPF/1249/88	LB application for alterations and installation of new shopfront.	Grant Permission
LB/EPF/0033/92	Listed Building consent for erection of a non-illuminated fascia sign.	Grant Permission
A/EPF/0387/99	Advert application for non-illuminated fascia sign.	Grant Permission

DEVELOPMENT PLAN

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

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

CP2	Protecting the Quality of the Rural and Built Environment
HC6	Character, Appearance and setting of Conservation Area
HC7	Development within Conservation Areas
HC10	Works to Listed Buildings
DBE9	Loss of Amenity
DBE13	Advertisements
ST4	Road Safety

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.

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

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

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

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

The LPSV has been submitted for Independent Examination and hearing sessions were held on various dates from February 2019 to June 2019. On the 2nd August, the appointed inspector provided her interim advice to the Council covering the substantive matters raised at the hearing and the necessary actions required of the Council to enable her to address issues of soundness with the plan without prejudice to her final conclusions. The main modifications are currently being consulted on and the consultation period is due to end on 24th September 2021.

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

Policy	Weight afforded
DM7 - Heritage Assets	Significant
DM9 - High Quality Design	Significant
DM13 - Advertisements	Significant

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 11

Site notice posted: Yes

Responses received as follows: -

EPPING SOCIETY: OBJECT: The proposed signage is a significant change from that approved nearly 30 years ago. The addition of any form of lighting to this listed building in the Conservation Area needs a formal technical description.

Full details are essential to assess if it is appropriate for the setting. These are also necessary to check that completed work complies with the permission.

We acknowledge that informal advice was given by a District Service Manager. However, we are surprised to find that an application from 1992 is cited in the application.

The lack of detail in this application makes an accurate appraisal impossible. Approval, on the basis of the details supplied, will create an unwelcome precedent.

PARISH COUNCIL: OBJECT to the internal illumination of the fascia sign, which would be detrimental to the character of the conservation area.

Relevant policies: DBE13(i) (a)

Emerging Local Plan: DM13

NPPF Para 132

Epping Town Council confirm they will attend and speak at Plans East to object to this proposal.

Main Issues and Considerations:

Paragraph 136 of the NPPF advises that

“the quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety.”

Local Policy DBE13 of the Local Plan and DM 13 of the Submission version are consistent with this policy.

Visual Amenity

The Local Planning Authority has a legal duty under S66(1) and S72(1) of the Planning and Listed Building and Conservation Areas Act 1990 to

- (1) have special regard to the desirability of preserving the Listed Building and its setting or any features of special architectural or historic interest which it possesses; and
- (2) special regard should be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

Paragraph 202 of the NPPF requires that: -

“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, where appropriate, securing its optimum viable use.”

The Conservation Officer has reviewed the application and objected to the proposal on the following grounds: -

This application seeks consent for a new fascia sign for the shopfront at No. 229 High Street, a grade II listed building, standing within the Epping Conservation Area; an area designated mainly for its medieval past as a market town of which High Street was the trading core. Particular attention should therefore be given when considering any changes to the shopfronts. This is reflected by specific local policies such as Policy DBE13 of our Local Plan and Alterations (1998 and 2006) and Policy DM13 and of our Submission Version Local Plan (2017).

As stated in DM13 – Advertisements

“Where advertisement consent is required, such consent will be permitted if the proposal respects the interests of public safety and amenity, and meets the following criteria:

- (i) the design, materials and location of the advertisement respects the scale and character of the building on which it is displayed and the surrounding area;*
- (ii) the proposals would not result in a cluttered street scene, excessive signage, or proliferation of signs advertising a single site or enterprise;*
- (iii) any illumination will be considered in relation to impact on visual amenity, potential light pollution, road safety and functional need;*
- (iv) **Internally illuminated signs will not be permitted where harm is caused to heritage assets including listed buildings and conservation areas;** and*
- (v) illuminated signs will not be permitted in residential areas.”*

As proposed, the internally illuminated signage would not comply with policies. External illuminations such as a trough (painted to match background) should be considered.

In addition, the fascia sign is proposed to replicate the “Abbots” box fascia which is also felt to not have complied with policies, due to its resulting bulky appearance and use of untraditional materials.

In the context of traditional shopfronts such as no.229, the fascia sign should be designed to reflect their character and appearance. It should not obscure any detailing and the name of the shop should either be painted directly onto the timber fascia board or fixed to it, in the form of detached letters (in metal for example). The proposed folded aluminium box fascia covered with vinyl is therefore considered to fail to positively relate to the existing shopfront, its host building and the wider conservation area.

The Conservation Officer therefore has a holding objection to the scheme.

Whilst the Conservation Officer comments are noted, the proposal will have a less than significant additional impact on the special significance to the listed building over and above the previous ‘Abbots’ sign (now removed) that it replaces, the overall appearance of the sign being not be dissimilar to what previously existed; the low level of illumination proposed (180 candelas); and this illumination being only focused around the edges of the lettering (halo effect) will limit its impact. The sign will also have a positive impact on the vitality and viability of the application business at a time when the Covid pandemic is adding additional pressures on the viability of businesses within town centres. It is therefore considered that

there are sufficient public benefits to outweigh the harm to the appearance of the host Grade II listed building. It is for this reason that the proposal complies with the requirements of paragraph 202 of the NPPF.

Public Safety

The signs are at least 2.1m above ground level and have an illuminance level of 180 candelas per square metre. This level of light is below maximum levels of luminance recommended within the advice given by The Institution of Lighting Engineers Technical Report No.5 "Brightness of Illuminated Advertisements" (1973). It is therefore not considered to have an adverse impact on pedestrian or highway safety.

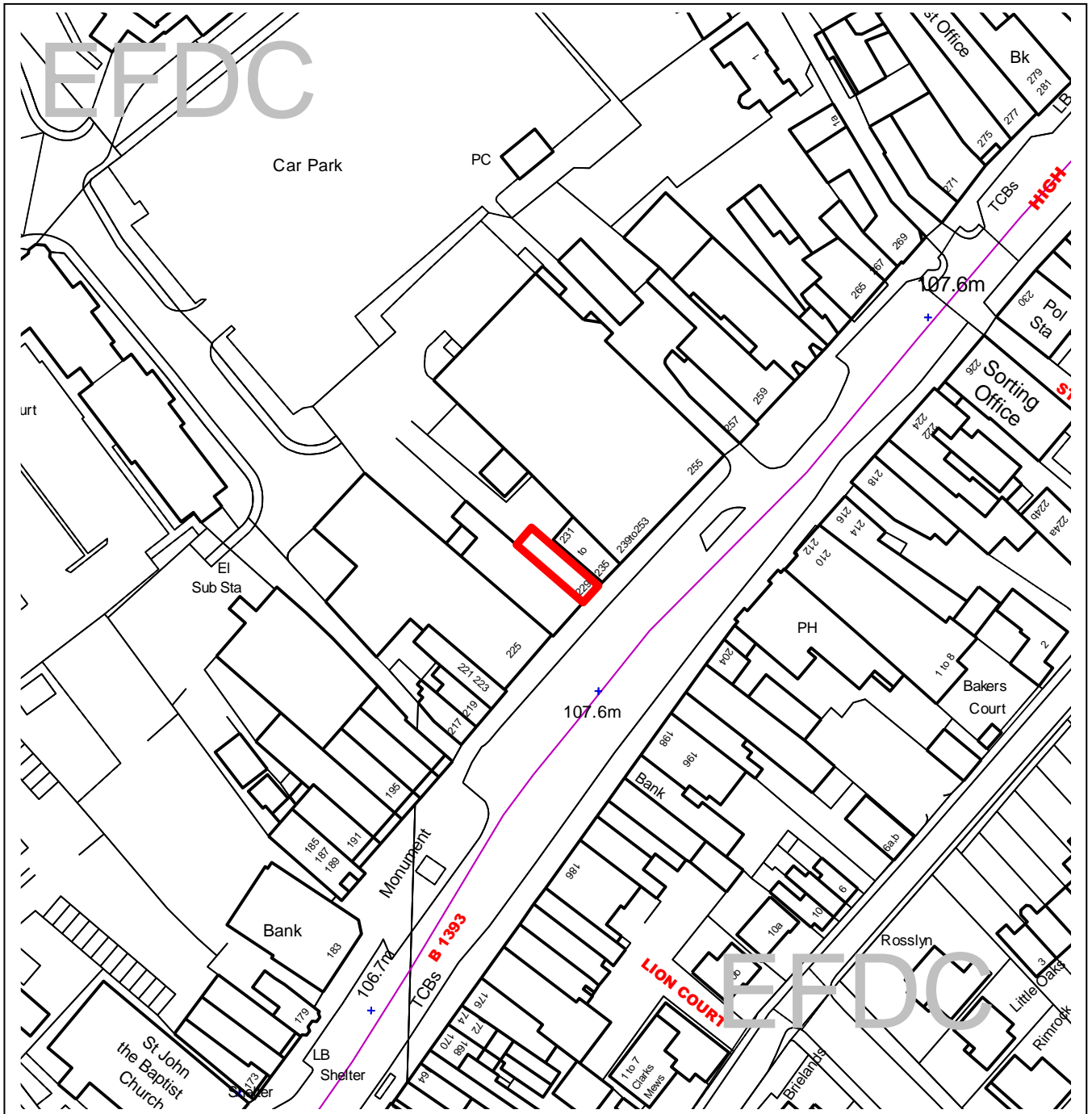
Conclusion:

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

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

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

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



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Application Number:	EPF/1802/21
Site Name:	229 High Street Epping CM16 4BP
Scale of Plot:	1:1250

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Report to District Development Management Committee



**Epping Forest
District Council**

Report Reference: EPF/1800/21
Date of meeting: 01 Sept 2021

Address: 229 High Street, Epping, CM16 4BP
Subject: Listed Building Consent to display an illuminated folded aluminium 3-part background fascia sign with 80mm returns.

Responsible Officer: Sukhi Dhadwar (01992 564597)

Committee Secretary: Gary Woodhall (01992 564470)

This application is before this Committee since it is an application that is submitted by or on behalf of a District Councillor (Pursuant to Article 10 of The Constitution).

RECOMMENDATION

That planning permission be **GRANTED** subject to the following condition:-

- 1 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans:

Location Plan, Heritage Statement, photograph of Abbots sign, Block Plan, Illustrator drawing.

Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans.

Description of Site:

The application relates to the ground floor retail use within a mid-terraced building located on the western side of the High Street and is within a Key Frontage of the Epping Town Centre.

The host property was originally built in the 18th century but was then altered in the 19th Century. It is Grade II listed and is situated within the Epping Conservation Area.

Description of Proposal:

Listed Building Consent is sought to display an illuminated folded aluminium 3-part background white fascia sign with 80mm returns. Stencil cut and pushed through 10 mm grey and red colour wording to read "MILLERS" "telephone 01992 540538" "www.millersepping.co.uk". The face of the fascia sign will be covered in vinyl. The lettering will be back lit by cold white LED lighting powered by 12V to create a halo around each character.

Parallel Advert Consent application submitted under reference EPF/1702/21.

Relevant History:

Reference	Description	Decision
EPU/0100/64	Alterations to shopfront fascia.	Refuse Permission
A/EPU/0015/70	Illuminated Fascia	Grant Permission
EPU/0115/70	New shopfront	Grant Permission
EPU/0122/70	Alterations to provide toilets and reinstatement of first floor	Grant Permission
LB/EPF/0039/88 and EPF/0589/88	Change of use of jeweller's shop to office premises.	Grant Permission
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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:

- HC6 Character, Appearance and setting of Conservation Area
- HC7 Development within Conservation Areas
- HC10 Works to Listed Buildings

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.

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Responses received as follows: -

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PARISH COUNCIL: OBJECT to the internal illumination of the fascia sign, which would be detrimental to the character of the conservation area.

Relevant policies: DBE13(i) (a)
Emerging Local Plan: DM13
NPPF Para 132

Epping Town Council confirm they will attend and speak at Plans East to object to this proposal.

Main Issues and Considerations:

Impact on the special significance of the Grade II listed building and wider Epping Conservation Area.

The Local Planning Authority has a legal duty under S66(1) and S72(1) of the Planning and Listed Building and Conservation Areas Act 1990 to

- (1) have special regard to the desirability of preserving the Listed Building and its setting or any features of special architectural or historic interest which it possesses; and
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Conclusion:

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

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

Planning Application Case Officer: Sukhi Dhadwar

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