



Epping Forest District Council

AREA PLANNING SUB-COMMITTEE EAST **Wednesday, 15th June, 2022**

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

Council Chamber, Civic Offices, High Street, Epping
on Wednesday, 15th June, 2022
at 7.00 pm.

Georgina Blakemore
Chief Executive

Democratic Services
Officer:

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

Members:

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

WEBCASTING/FILMING NOTICE

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed. The meeting may also be otherwise filmed by third parties with the Chairman's permission.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy.

Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting 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 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. DECLARATIONS OF INTEREST

To declare interests in any item on this agenda.

5. MINUTES (Pages 9 - 20)

To confirm the minutes of the last meeting of the Sub-Committee held on 11 May 2022.

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/2740/19 4 HILL ROAD, THEYDON BOIS, EPPING CM16 7LX (Pages 21 - 30)

To consider the attached report on the proposed demolition of an existing two storey and single storey side extension, subdivision of site, erection of a new detached dwelling and provision of a part two storey/part single storey rear extension to the donor property with x2 no. new vehicle crossovers for each dwelling. ** SAC CASE HELD IN ABEYANCE NOW PROGRESSING**

10. PLANNING APPLICATION - EPF/1451/20 REDBRIDGE, OAK HILL ROAD, STAPLEFORD ABBOTTS, ROMFORD RM4 1EH (Pages 31 - 42)

To consider the attached report on the demolition of existing house and rear outbuilding and erection of two new detached dwelling houses with associated parking and landscaping. **SAC CASE NOW PROGRESSING**

11. PLANNING APPLICATION - EPF/2105/20 33 CHAPEL ROAD, EPPING CM16 5DS (Pages 43 - 52)

To consider the attached report on the erection of a two storey detached dwelling to the side of the existing property with one off-street parking space. Formation of a new off-street parking space at the existing house. **SAC CASE NOW PROGRESSING**

12. PLANNING APPLICATION - EPF/0212/22 OXFORD LODGE, TYSEA HILL, STAPLEFORD ABBOTTS, ROMFORD RM4 1JP (Pages 53 - 58)

To consider the attached report for a detached single storey building.

13. EXCLUSION OF PUBLIC AND PRESS

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

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

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

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

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

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

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

Are the meetings open to the public?

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

When and where is the meeting?

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

Can I speak?

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

Who can speak?

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

What can I say?

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

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

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

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

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

How are the applications considered?

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

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

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

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

Further Information

Further information can be obtained from Democratic Services.

Area Planning Sub-Committee East 2022-23
 Members of the Committee and Wards Represented:

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

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EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee East **Date:** Wednesday, 11 May 2022

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.00 - 8.25 pm

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

Members Present (Virtually): Councillors

Other Councillors: Councillors

Other Councillors (Virtual): Councillors

Apologies: P Bolton, P Stalker and H Whitbread

Officers Present: A Hendry (Democratic Services Officer), R Moreton (Corporate Communications Officer) and J Rogers (Principal Planning Officer)

Officers Present (Virtually): L Kirman (Democratic Services Officer), A Marx (Development Manager Service Manager (Planning)) and C Ahmet (Planning Officer)

118. 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.

119. WELCOME AND INTRODUCTION

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

It was noted that items 11 and 12 (EPF/0766/20 (21 Forest Drive, Theydon Boise) and EPF/2907/21 (32 the Orchards, Epping)) on the agenda had been withdrawn and that item 13 (EPF/3231/21) would be considered first.

120. DECLARATIONS OF INTEREST

- a) Pursuant to the Council's Code of Member Conduct, Councillor J Philip declared a non-pecuniary interest in the following item of the agenda by virtue of being a licenced minister in training. The Councillor had determined that he

would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0040/18 – Parish Church of St Mary & All Saints, Church Lane, Lambourne.
- b) Pursuant to the Council's Code of Member Conduct, Councillor C Whitbread declared a non-pecuniary interest in the following item of the agenda by virtue of his company having acted on behalf of one of the applicants . The Councillor had determined that he would remain in the meeting for the consideration of the application and voting thereon:
- EPF/3231/21 – Tilegate Farm, Tilegate Road, High Laver, Ongar
- c) Pursuant to the Council's Code of Member Conduct, Councillor J McIvor declared a non-pecuniary interest in the following item of the agenda by virtue of this being an application in his ward as a County Councillor. The Councillor had determined that he would remain in the meeting for the consideration of the application and voting thereon:
- EPF/0040/18 – Parish Church of St Mary & All Saints, Church Lane, Lambourne

121. MINUTES

RESOLVED:

That the minutes of the Sub-Committee held on 6th April 2022 be taken as read and signed by the Chairman as a correct record.

122. ANY OTHER BUSINESS

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

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

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

124. SITE VISITS

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

125. PLANNING APPLICATION - EPF/3231/21 TILEGATE FARM, TILEGATE ROAD, HIGH LAVER, ONGAR CM5 0EA

APPLICATION No:	EPF/3231/21
SITE ADDRESS:	Tilegate Farm Tilegate Road High Laver

	Ongar CM5 0EA
PARISH:	Moreton, Bobbingworth and the Lavers
WARD:	Moreton and Fyfield
DESCRIPTION OF PROPOSAL:	Application for Variation of Condition 2 for EPF/1052/17. (Demolition of existing industrial and storage workshops and equestrian buildings and replacement with three residential units plus annex and outbuilding together with reconfiguring of access road and landscaping).
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=661062

CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of permission EPF/1052/17 dated 01.06.2017.
- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans:
 - (02)003 F - Proposed Site Plan
 - (02)020 A - Proposed Main House Floor Plans
 - (02)024 A - Proposed Main House Elevations
 - (02)030 # - Proposed Garages and Tractor Store
 - (02)031 # - Proposed Garage and Tractor Store Elevations
 - (02)040 # - Proposed Annexe, Ground First and Roof Plans
 - (02)041 # - Proposed Annex Elevations
- 3 No construction works above ground level relating to the 'main house' shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 4 The flood risk assessment and management and maintenance plan measures approved under application EPF/0307/19, approved 29.05.19 shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 5 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.

Should any discoloured or odorous soils be encountered during development works for the 'main house' / the remaining unbuilt elements,

or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the Local Planning Authority contacted and a scheme to investigate the risks and / or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the Local Planning Authority prior to the recommencement of development works.

Following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.

- 6 The development hereby approved shall be implemented in accordance with the foul and surface water disposal details approved under application EPF/0307/19, approved 29.05.19.
- 7 Development shall take place in accordance with details approved under application EPF/0307/19, approved 29.05.19 relating to wheel washing or other cleaning facilities for vehicles leaving the site during construction works. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 8 Hard and soft landscaping shall be carried out in accordance with details approved under application EPF/0307/19, approved 29.05.19.

If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 9 Screen walls, fences or such similar structures shall be erected in accordance with details approved under application EPF/0307/19, approved 29.05.19 and thereafter maintained in the agreed positions before the first occupation of any of the dwellings hereby approved.

126. PLANNING APPLICATION - EPF/0040/18 PARISH CHURCH OF ST MARY & ALL SAINTS, CHURCH LANE, LAMBOURNE RM4 1AH

APPLICATION No:	EPF/0040/18
SITE ADDRESS:	Parish Church of St Mary & All Saints Church Lane Lambourne Essex RM4 1AH
PARISH:	Lambourne
WARD:	Lambourne

DESCRIPTION OF PROPOSAL:	The proposal is to build a new Church and Community Centre on a site adjacent to the Church grounds to provide space for activity rooms, event spaces, Church ancillary facilities and rooms for prayer and reflection. A new path to be carefully routed through the existing graveyard is proposed to link the new Church Centre to the Church and will be the subject of a separate Faculty application. Landscaping works and parking are provided within the proposed site.
DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=604213

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: P100, P101, P102, P110, P111, P112, P120, P121, P122, P123. P200B, P210B, P202B, P210B, P211B, P212B, P220B, P221B, P222B, P223B. P300B, P301B, P310B, and Location Plan.
- 3 No preliminary ground works shall take place until a written scheme and programme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out strictly in accordance with the approved scheme and programme.
- 4 Prior to preliminary ground works taking place, details of foul and surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details, and shall be provided on site prior to the first occupation and shall be retained for the lifetime of the development.
- 5 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - Recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents.
- 6 Samples of the types and details of colours of all the external finishes shall be submitted for approval in writing by the Local Planning Authority prior to the commencement of the development, and the development shall be implemented in accordance with such approved detail.

- 7 Additional drawings that show details of proposed new [windows, doors, rooflights, eaves, verges, fascias, cills, structural openings and junctions with the existing building - add/delete as appropriate], by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the LPA in writing prior to the commencement of any works.
- 8 Prior to commencement of development, details of screen walls, fences or other means of enclosure shall be agreed in writing by the Local Planning Authority, and shall be erected and thereafter maintained in the agreed positions before the first occupation of any of the dwellings hereby approved.
- 9 Prior to any above ground works, full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) shall be submitted to and approved in writing by the Local Planning Authority. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of the building or completion of the development, whichever is the sooner. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place.
- 10 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.
- 11 No services shall be installed within the root protection area of any retained tree / hedge unless the Local Planning Authority gives its prior written approval by way of an appropriate planning application.
- 12 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. 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.

- 13 The proposed new roof lights shall be of the conservation type and shall be installed so that it is not any higher than the surrounding roof tiles.
- 14 All new rainwater goods and soil and vent pipes shall be of black painted metal.
- 15 No deliveries, external running of plant and equipment or demolition and construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 07:30 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturday and not at all on Sundays, Public or Bank Holidays.
- 16 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.
- 17 All material excavated from the below ground works hereby approved shall be removed from the site.
- 18 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site. Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the local planning authority contacted and a scheme to investigate the risks and/or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the local planning authority prior to the recommencement of development works. In such instances, following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.
- 19 Prior to first occupation of the development hereby approved, 1 Electric Vehicle Charging Point shall be installed and retained thereafter for users of the site.
- 20 No increase in hard surfaces areas shown on drawing number P201B shall take place without prior consent from the Local Planning Authority through an appropriate planning application.
- 21 The building hereby permitted shall only be used for purposes directly ancillary to services and events within the adjacent church and shall not be used for any other purposes.
- 22 No amplified sound shall be used within the building so as to be audible from any location outside of the red line area of the application site as identified on the approved site location plan.

- 23 Other than use in connection with religious services in the adjacent church at Christmas and Easter, the building hereby permitted shall not be used after 10.30pm on any day of the week.

127. PLANNING APPLICATION - EPF/2579/19 SPENCERS FARM, OAK HILL ROAD, STAPLEFORD ABBOTTS, ROMFORD RM4 1JH

APPLICATION No:	EPF/2579/19
SITE ADDRESS:	Spencers Farm Oak Hill Road Stapleford Abbots Romford Essex RM4 1JH
PARISH:	Stapleford Abbots
WARD:	Passingford
DESCRIPTION OF PROPOSAL:	Erection of x6 no. new dwellings, parking and associated landscaping. ** SAC CASE HELD IN ABEYANCE NOW PROGRESSING**
DECISION:	Grant Permission (Subject to Legal Agreement)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=629733

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:
 - 2632.1 (Site and Block Plans)
 - 2632.2A (House Design/Floor Plans)
 - 2632.3A (House Design Elevations)
 - 2632.4 (Existing & Proposed Site Plans)
 - 2632.5 (Existing & Proposed Site Plans)
 - 2632.6(Existing & Proposed Facing Views)
 - 2632.7 (Site Location Plan)
 - OS- 1892-19.2 (Hard Landscape Plan)
 - OS-1860-19.2-1 (Hard Landscape Plan)
 - OS-1892 -19.2-1 (Tree Protection Plan)

OS-1892-19.3 (Soft Landscape Plan)
557/P/001 REV.A (Refuse Strategy)

- 3 Prior to any above ground works, details of levels shall have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 4 Prior to any above ground works, documentary and photographic details of the type and colours of the external finishes of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 5 Prior to first occupation of the building/extension hereby permitted the window(s) in the flank elevation(s) at first floor level and above, 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.
- 6 Prior to first occupation of the development, measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.
- 7 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.
- 8 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.
- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any other order revoking and re-enacting that order) no development permitted by virtue of Class A, B and E of Part 1 to schedule 2 shall be undertaken, without the prior written agreement of the Local Planning Authority.
- 10 Notwithstanding the hard and soft landscaping details shown on Open Spaces drawing numbers OS1860-19.2-1 dated 31st July 2019 ; OS1892-19.2 and OS1892-19.3 both dated 13th August 2019 and the accompanying planting schedule, the applicant shall submit further details of enhanced planting along the perimeter of the housing development for the written agreement of the Local Planning Authority. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Plan Submission Version 2017.

- 11 The tree protection, methodology for construction adjacent to trees and Arb site supervision shall be undertaken in accordance with the submitted Tree Survey/ Arboricultural Method Statement unless the Local Planning Authority gives its prior written approval to any alterations. Tree protection shall be implemented as shown on Open Spaces Tree Protection Plan drawing OS1892-19.2-1 and OS1892-19.2-2 both dated 14th August 2019.
- 12 Prior to any above groundworks, details and location of the parking spaces (including garages) equipped with active and/or passive Electric Vehicle Charging Point(s) shall have been submitted to and approved in writing with the Local Planning Authority (LPA). The installation of EVCP shall be completed in accordance with the approved details and made operational prior to first occupation. The details shall include:
- Location of active and passive charging infrastructure;
 - Specification of charging equipment; and
 - Operation/management strategy. The council will expect that a management plan for the charging points is set out clearly. This will address:
 - a) Which parking bays will have active and/or passive charging provision, including disabled parking bays;
 - b) How charging point usage will be charged amongst users;
 - c) The process and the triggers for identifying when additional passive charging points will become activated; and
 - d) Electricity supply availability. The electricity supply should be already confirmed by the Network Provider so that the supply does not need to be upgraded at a later date.
- 13 Following completion of the measures identified in the approved remediation scheme, and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 14 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the Phase 2 report, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 21 days of the report being completed and approved in writing by the local planning authority.
- 15 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.

- 16 The development shall be carried out in accordance with the SuDS Statement supplied by EAS, dated 06th September 2019 and drainage strategy submitted with the application unless otherwise agreed in writing with the Local Planning Authority.
- 17 An external lighting plan shall be submitted to and agreed in writing by the Local Planning Authority prior to first occupation. Any external lighting shall be installed in accordance with such agreed details.
- 18 Prior to the first occupation of the development the passing bays, as shown on drawing no.2632.4, shall be fully implemented and shall be retained in perpetuity for their intended purpose.

128. PLANNING APPLICATION - EPF/0766/20 21 FOREST DRIVE, THEYDON BOIS, EPPING CM16 7HA

Report Item No:

APPLICATION No:	EPF/0766/20
SITE ADDRESS:	21 Forest Drive Theydon Bois Epping CM16 7HA
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	Part retrospective application for creation of one bed flat and associated parking (Revised application to EPF/0066/20)** SAC CASE HELD IN ABEYANCE NOW PROGRESSING**
DECISION:	WITHDRAWN FROM AGENDA

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=635623

WITHDRAWN FROM AGENDA

129. PLANNING APPLICATION - EPF/2907/21 32 THE ORCHARDS, EPPING CM16 7BB

Report Item No:

APPLICATION No:	EPF/2907/21
SITE ADDRESS:	32 The Orchards Epping CM16 7BB
PARISH:	Epping
WARD:	Epping Hemnal
DESCRIPTION OF PROPOSAL:	Proposed conversion of the existing loft space into habitable accommodation with two side facing dormer windows with pitched roofs to south facing elevation and one side facing dormer window with obscured glazing to north facing elevation. The rear gable facing the garden and open fields is to be fitted with glazing with doors and Juliet balcony. This proposal makes efficient use of the existing loft space and is similar to many other similar loft conversions in the locality. This particular loft can be converted under permitted development rights that the dwelling enjoys and can be fully functioning. However, the applicant is applying under the householder application procedure as the overall roof extension compared to the original is just in excess of the 50 cubic metres allowable.
DECISION:	WITHDRAWN FROM AGENDA

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

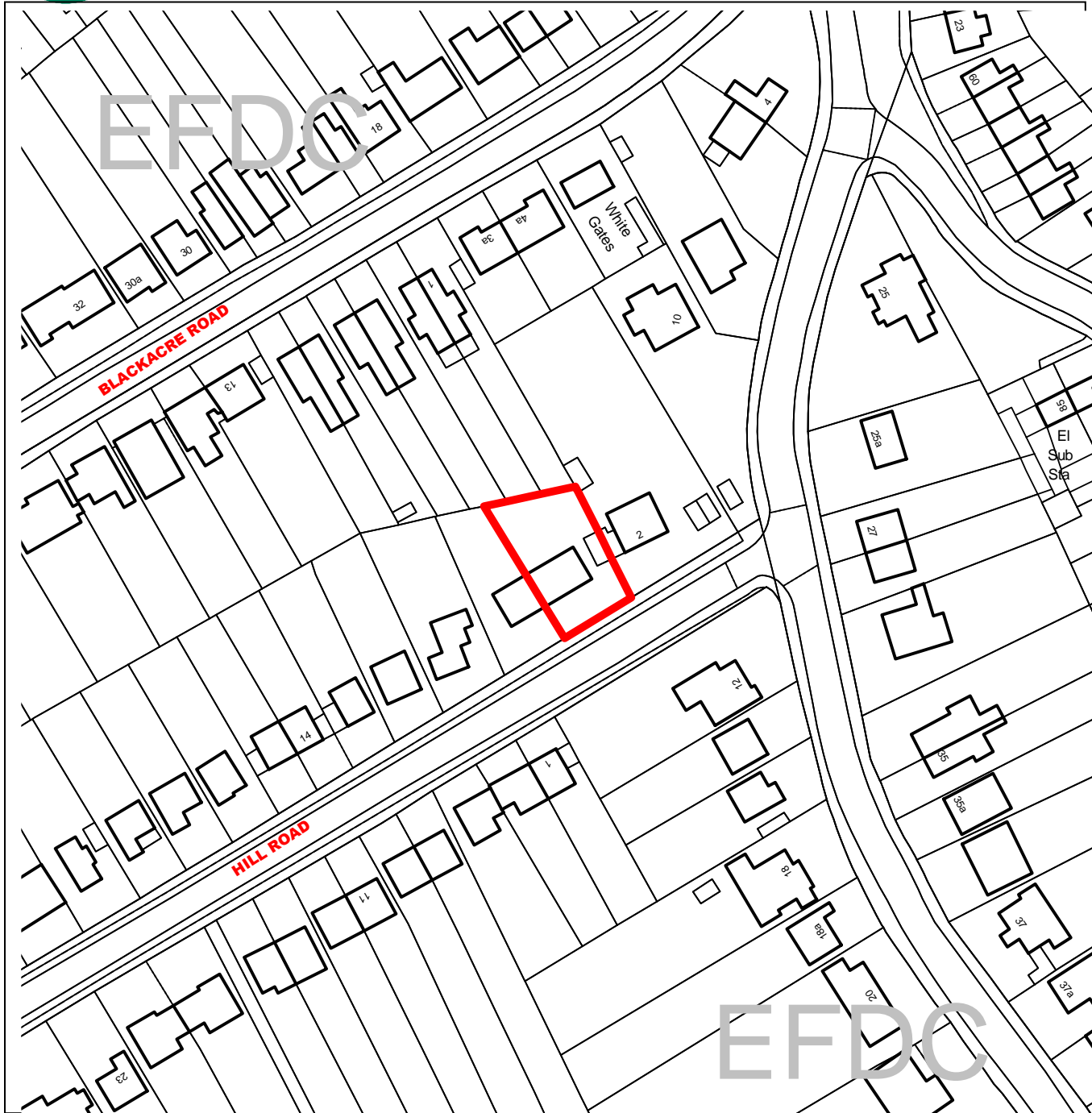
http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=659502

WITHDRAWN FROM AGENDA

CHAIRMAN



Epping Forest District Council



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Application Number:	EPF/2740/19
Site Name:	4 Hill Road Theydon Bois, CM16 7LX
Scale of Plot:	1:1250

Report Item No: 9

APPLICATION No:	EPF/2740/19
SITE ADDRESS:	4 Hill Road Theydon Bois Epping CM16 7LX
PARISH:	Theydon Bois
WARD:	Theydon Bois
APPLICANT:	Mr & Mrs P Debenham
DESCRIPTION OF PROPOSAL:	Proposed demolition of an existing two storey & single storey side extension, subdivision of site, erection of a new detached dwelling & provision of a part two storey/part single storey rear extension to the donor property with x2 no. new vehicle crossovers for each dwelling. ** SAC CASE HELD IN ABEYANCE NOW PROGRESSING**
RECOMMENDED DECISION:	Grant Permission (Subject to Legal Agreement)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=630455

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:
19020_P_000 REV A;
19020_P_001 REV A;
19020_P_002 REV A;
19020_P_003REV A;
19020_P_004 REV B;
19020_P_005 REV A;
19020_P_006 REV A;
19020_P_007 REV A;
19020_P_008 REV A;
19020_P_009 REV A;
19020_P_010 REV A; and
19020_P_011 REV A;
- 3 Prior to any above ground works, documentary and photographic details of the type and colours of the external finishes of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

- 4 Prior to first occupation of the building/extension hereby permitted the window(s) in the flank elevation(s) at first floor level and above, 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.
- 5 Prior to preliminary ground works taking place, details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details, and shall be provided on site prior to the first occupation and shall be retained for the lifetime of the development.
- 6 Prior to first occupation of the development, measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.
- 7 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed and utilised to clean vehicles immediately before leaving the site. Any mud or other material deposited on nearby roads as a result of the development shall be removed.
- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any other order revoking and re-enacting that order) no development permitted by virtue of Classes A, B and E of Part 1 to Schedule 2 shall be undertaken, without the prior written agreement of the Local Planning Authority.
- 9 Prior to any above ground works, a scheme of soft and hard landscaping and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule), have been submitted to the Local Planning Authority and approved in writing. The landscape scheme shall be carried out in accordance with the approved details and the agreed timetable. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place.
- 10 Prior to any above groundworks, details and location of the parking spaces (including garages) equipped with active 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 must include details as follows:
 - Location of active charging infrastructure; and
 - Specification of charging equipment to be used.
- 11 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.

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

This application is before this Committee since the recommendation is for approval contrary to an objection from a Local Council and an objection has been received from at least one non-Councillor resident material to the planning merits of the proposal. (Pursuant to The Constitution, Part Three: Scheme of Delegation from Full Council).

Description of site

The application site lies to the north side of Hill Road within the Theydon Bois Parish, comprising an extended 2-storey semi-detached dwellinghouse. The property also accommodates an attached single storey side utility and garage including off-street parking to part of the front garden. Site levels gently slope from a west to east direction. The current host building is constructed in block and render with a tiled roof.

The residential character of Hill Road is comprised of a mix of predominantly detached and semi-detached dwelling types with different architectural styles. The site is not designated within a conservation area.

Description of Proposal

The application proposals are comprised in 2 separate parts which are:

1. Demolition of existing 2 storey side extension including utility and garage and addition of a single and part first floor extensions to rear; and
2. Erection of a new 3-bed detached two-storey dwelling adjacent to host dwelling.

With regard to the extension works to the host building, the single storey addition will extend rearwards by approximately 3m (d) by 7.5m (w). The part first floor extension is contained to the left-hand side of the host building and will measure approximately 4.5m (w) and 3m (d). The external facing elevations of these additions will be completed in painted render with matching roof tiles (first floor only).

The 3 bed-dwelling will be detached from the host dwelling and located to its side whilst maintaining both forward and rear building lines. The overall dimensions of the building are approximately 7m (w);10.8m (d) and 8.5 m (h). The eastern flank of the building will be within 0.9m (front) and 1.45m (rear) of the side garden boundary adjacent to No.2 Hill Road. The external facing elevations will be completed in brick to ground floor and painted render at first floor including tiled roof.

Each property will be provided with 2 parking bays to the front with soft landscaping to demarcate separating boundaries.

Relevant Planning History

In 1973 an outline planning application for the subdivision and erection of a detached dwellinghouse was refused under LPA Ref: EPO/0178/73 on grounds of overdevelopment and resulting lack of private amenity space for future occupiers.

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
CP3	New Development
CP5	Sustainable Building
CP6	Achieving Sustainable Urban Development Patterns
CP7	Urban Form and Quality
CP9	Sustainable Transport
NC1	SPAs, SACs and SSSIs
H2A	Previously Developed Land
H3A	Housing Density
H4A	Dwelling Mix
H9A	Lifetime Homes
DBE1	Design of New Buildings
DBE2	Effect of Neighboring Properties
DBE3	Design in Urban Areas
DBE6	Car parking in new development
DBE8	Private Amenity Space
DBE9	Loss of Amenity
DBE11	Sub-Division of Properties
LL7	Planting, Protection and Care of Trees
LL10	Adequacy of Provision for Landscape Retention
LL11	Landscape Schemes
ST1	Location of Development
ST4	Road Safety
ST6	Vehicle Parking
I1A	Planning Obligations
U2A	Development in Flood Risk Areas
U2B	Flood Risk Assessment Zones
U3B	Sustainable Drainage Systems

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

POLICY	WEIGHT AFFORDED
SP1 - Presumption in Favour of Sustainable Development	Significant
SP2 - Spatial Development Strategy 2011-2033	Significant

SP7 - The Natural Environment, Landscape Character and Green and Blue Infrastructure	Significant
H1 - Housing Mix and Accommodation Types	Significant
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
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
DM18 - On Site Management of Waste Water and Water Supply	Significant
DM19 - Sustainable Water Use	Significant
DM21 - Local Environmental Impacts, Pollution and Land Contamination	Significant
DM22 - Air Quality	Significant
D1 - Delivery of Infrastructure	Significant
D3 - Utilities	Significant

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.

Summary of Representations

Number of neighbours consulted: 7

Number of neighbour objections received (including concerns of Theydon Bois & District Rural Preservation Society): 5

A summary of the main concerns raised are as follows:

- Existing car parking provision fewer than indicated on application form;
- Similar application to erect a dwelling in 1973 onsite was refused;
- Relationship with No.2 Hill Road would lead to a cramped form of development detrimental to the existing street scene;
- Impact on amenities of No.2 Hill Road caused by proximity of development;
- Removal of hedge on boundary with No.2 and parking surfaces to front creates a unsympathetic environment and out of keeping with the location;
- Extensions to the rear will reduce garden amenity for both properties;
- Loss of morning light to No.6 Hill Road as a result of rear extension to host building;
- If planning permission is granted, a minimum expectation is to include conditions on landscaping and removal of permitted development rights to both properties; and
- The circumstances in this application should not be compared to No.2A Hill Road

Issues and Considerations

The main issues for consideration in this case are as follows:

- Principle of sub-division of garden curtilage to provide additional housing
- Design quality
- Impact on amenities of neighbouring residents
- Parking
- Impact on EFSAC

Principle of sub-division of garden curtilage to provide additional housing

The demolition of the side extension of the host property including associated sub-division of the site in order to enable provision of an additional dwelling is considered acceptable in principle subject to other design, residential amenity and parking considerations being satisfied.

Design quality

The proposed single and part first floor extensions on the host building are considered sympathetic in terms of their scale and appearance. There are therefore no objections in this particular respect.

In terms of the new detached dwelling, it is considered that its proposed scale (height, depth and width) and siting is proportionate to the resulting plot size and will therefore not appear overcrowded/crammed. Private garden amenity of approximately 50m² would remain for the new dwelling and 60m² for the host property. Whilst it is acknowledged that the proposed garden spaces are smaller than others in the area, it is considered that the size and usability would be adequate for the respective future occupiers. With regard to appearance, the elevations will use materials that are sympathetic to the mixed nature of the street and therefore acceptable.

Officers have noted the previous outline planning application for a detached dwelling in 1973 which was refused on grounds of overdevelopment and lack of sufficient private amenity. Whilst this decision remains a relevant material consideration, officers consider that the main concerns raised are now outweighed by up-to-date planning policies and design standards that encourage support for greater housing provision in existing urban areas. Notwithstanding, it is also considered that permitted development rights should be restricted for the new dwelling specifically in terms of Classes A, B and E to ensure that any further future development and its impact on residential and visual amenities can be properly controlled.

Concerns raised in terms of removing soft landscaped areas/features to the front of the property to enable new parking areas have been remedied following a request by officers. The amended hard and soft areas illustrated on drawing no. 19020_P_004 REV.B illustrates how the spaces to the front can be successfully landscaped to maintain the integrity of the streetscene. Officers would recommend that a full landscaping condition is included on any permission that may be granted to ensure the highest quality of landscaping is secured.

Overall the proposed design quality and appearance and its impact on the existing streetscene of Hill Road are acceptable and therefore would comply with the requirements of policies DBE1, DBE4 and DBE5 of the adopted Local Plan (2008) and policies DM 9 and DM 10 of the emerging SVLP (2017).

Impact on amenities of neighbouring residents

The neighbouring properties likely to be most affected by the proposals are Nos. 2 and 6 Hill Road.

The proposed extensions to the host building on the shared rear garden boundary with No.2 Hill Road are not significant in either scale or depth that it would cause a harmful reduction in daylight, outlook or privacy.

With respect to No.6 Hill Road, the relative proximity and angle of the detached dwelling is also considered sufficient to minimise any resulting harm in terms of daylight, outlook and privacy.

Accordingly, the proposals will not have an adverse impact on the neighbouring living conditions and are therefore considered acceptable and would comply with policy DBE9 of the adopted Local Plan (2008) and policy DM 9 of the emerging SVLP (2017).

Parking

Essex County Highways initially raised concern in relation to the size of the off-street parking bays for each property. They stated that the space must meet the recommended design standards which equate to 5.5m x 2.9m. The applicant has subsequently demonstrated that 2 parking spaces, each achieving the required dimensions stated, can be adequately accommodated and therefore no objection is raised. An additional crossover will also need to be formed onto the highway to enable parking for the host dwelling. A planning condition is recommended to ensure both crossover and parking spaces are provided prior to occupation of the dwellings.

Accordingly, the impact of the proposals on the highways and parking are acceptable and therefore comply with policy ST6 of the adopted local plan (2008) and policy T 1 of the emerging SVLP (2017).

Epping Forest Special Area of Conservation (EFSAC)

Screening Assessment

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

a) 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. In addition, the site lies within the parish of Loughton/Buckhurst Hill/Theydon Bois (delete as appropriate). Consequently, the development would result in a likely significant effect on the integrity of the EFSAC as a result of recreational pressures.

b) 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 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 recreational pressures and atmospheric pollution.

'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 and identification of

Infrastructure Enhancement Projects in the Council's Green Infrastructure Strategy, has provided a strategic, district wide approach to mitigating recreational pressures on the EFSAC through the securing of financial contributions for access management schemes, monitoring proposals and Infrastructure Enhancement Projects specifically related to development within the parishes of Loughton, Buckhurst Hill and Theydon Bois. Consequently, this application can be assessed within the context of the Interim Approach and the Green Infrastructure Strategy. 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 and the Green Infrastructure Strategy. Consequently, the Council is satisfied that the application proposal would not have an adverse effect 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.

The Council is satisfied that, subject to the satisfactory completion of a Section 106 planning obligation and the imposition of relevant planning conditions as set out above, the application proposal would not have an adverse effect on the integrity of the EFSAC and therefore complies with policy NC1 of the adopted Local Plan (2008) and policy DM 2 and DM 22 of the emerging SVLP (2017).

Miscellaneous matters

In terms of flood risk and contamination impacts the Council's respective technical teams do not object to the proposals in principle subject to appropriate planning conditions.

Conclusion

The proposals will enable the provision of an additional dwelling which in terms of its design, appearance and size is such that there will be no material adverse impact on the street scene or have a detrimental impact upon the amenities of neighbouring residents. Accordingly, it is recommended that planning permission is granted subject to planning conditions and a Section 106 Agreement to secure recreation and air pollution mitigations in relation to the Epping Forest SAC.

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: Cuma Ahmet

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



Epping Forest District Council



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Application Number:	EPF/1451/20
Site Name:	Redbridge Oak Hill Road, Stapleford Abbots RM4 1EH
Scale of Plot:	1:1250

Report Item No: 10

APPLICATION No:	EPF/1451/20
SITE ADDRESS:	Redbridge Oak Hill Road Stapleford Abbots Romford RM4 1EH
PARISH:	Stapleford Abbots
WARD:	Passingford
APPLICANT:	Ms Mwase
DESCRIPTION OF PROPOSAL:	Demolition of existing house and rear outbuilding and erection of two new detached dwelling houses with associated parking and landscaping. **SAC CASE NOW PROGRESSING**
RECOMMENDED DECISION:	Grant Permission (Subject to Legal Agreement)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=639035

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: L9583/E, L 9583/T, GDE-001, and GDE-002.
- 3 A) Before any preparatory demolition or construction works commence on site, a Non-Licence Method Statement for Great Crested Newt shall be submitted to and approved in writing by the local planning authority. This will contain precautionary mitigation measures and/or works to reduce potential impacts to Great Crested Newts during the construction phase. The measures and/works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

B) Any works which will impact the breeding / resting place of bats, shall not in in any circumstances commence unless the local planning authority has been provided with either:
 - a. a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead; or
 - b. a method statement relating to a registered site supplied by an individual registered to use a Bat Mitigation Class Licence for Bats; or
 - c. a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

- 4 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - Recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents.
- 5 No preliminary ground works shall take place until a flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tool. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 6 Prior to preliminary ground works taking place, details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details, and shall be provided on site prior to the first occupation and shall be retained for the lifetime of the development.
- 7 Prior to any above ground works, a Biodiversity Enhancement Strategy shall be submitted to and approved in writing by the local planning authority following the recommendations made within the Preliminary Ecological Appraisal 200209-ED-01 (Tim Moya Associates, February 2020). The content of the Biodiversity Enhancement Strategy shall include the following:
 - a. Purpose and conservation objectives for the proposed enhancement measures;
 - b. detailed designs to achieve stated objectives;
 - c. locations of proposed enhancement measures by appropriate maps and plans;
 - d. persons responsible for implementing the enhancement measures;
 - e. details of initial aftercare and long-term maintenance.

The works shall be implemented in accordance with the approved details, prior to first occupation of the development, and shall be retained in that manner thereafter.
- 8 Prior to any above ground works, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme, prior to first occupation of the development, and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.
- 9 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.

- 10 Prior to any above groundworks, details and location of the parking spaces (including garages) equipped with active 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 must include details as follows:
 - Location of active charging infrastructure; and
 - Specification of charging equipment to be used.
- 11 Prior to first occupation of the building/extension hereby permitted the window(s) in the flank elevation(s) 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.
- 12 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.
- 13 Prior to the first occupation of the development the existing vehicular access shall be fully reinstated as highway verge with full height kerbing.
- 14 Prior to the first occupation of the development the access arrangements, visibility splay, vehicle parking and turning areas as shown on drawing no.GDE-001 Rev A, shall be provided and retained as such in perpetuity.
- 15 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal 200209-ED-01 (Tim Moya Associates, February 2020) and the Bat Survey (Tim Moya Associates, July 2020) prior to first occupation of the development, and so retained.
- 16 Hard and soft landscaping shall be implemented as shown on Tim Moya Associates 'Landscape Plan' drawing number 200229-LP-01 dated 26th June 2020 and the accompanying planting schedule unless the Local Planning Authority gives its prior written approval to any alterations. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 17 No services shall be installed within the root protection area of the retained trees unless the Local Planning Authority gives its prior written approval.

- 18 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 19 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.
- 20 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those specified on the approved plans.
- 21 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. 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.
- 22 Access to the flat roof over the single storey rear extensions 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.
- 23 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site. Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the local planning authority contacted and a scheme to investigate the risks and/or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the local planning authority prior to the recommencement of development works. In such instances, following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.
- 24 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.
- 25 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.
- 26 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, (or any other order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Classes A, AA and B of Part 1 of Schedule 2 to the Order, shall be undertaken without the prior written permission of the Local Planning Authority.

...and subject to the completion of a s106 Legal Agreement.

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 a detached dwelling, located within a built-up area of Stapleford Abbots. It is not listed nor in a conservation area, although part of the rear garden lies within the Green Belt. The site is not within a flood zone, nor are there any protected trees on site.

Proposal

The proposal is for the demolition of existing house and rear outbuilding and erection of two new detached dwelling houses with associated parking and landscaping.

Relevant Planning History

Pre-app - EF\2020\ENQ\00168 - Demolition of existing dwelling house and outbuildings and erection of two new 4 bed detached dwelling houses with associated landscaping and parking – Closed

EPF/1886/20 - Demolition of existing house and rear outbuilding and erection of one new detached dwelling house with associated parking and landscaping – Approved

Pre-app - EF\2021\ENQ\00928 - 1 new dwelling - Closed

EPF/3076/21 - Application for Variation of Condition 3 'Biodiversity mitigation' for EPF/1886/20. (Demolition of existing house and rear outbuilding and erection of one new detached dwelling house with associated parking and landscaping) - 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
CP7	Urban Form and Quality
DBE1	Design of New Buildings
DBE8	Private Amenity Space
DBE9	Loss of Amenity
ST4	Road Safety
ST6	Vehicle Parking
LL10	Adequacy of provision for landscape retention
LL11	Landscaping schemes

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
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 14th December 2017 the Council resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

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

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

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

Following the Examination Hearing Sessions for the emerging Local Plan, the Council has prepared a number of changes, known as Main Modifications, to the Epping Forest District Local Plan Submission Version (2017) to address issues of soundness and/or legal compliance

identified by the Inspector. These are put forward without prejudice to the Inspector's final conclusions on the Plan.

As the preparation of the emerging Local Plan has reached a very advanced stage, subject to the Inspector's Advice regarding the need for additional 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
DM3	Landscape Character, Ancient Landscapes and Geodiversity
DM5	Green and Blue Infrastructure
DM9	High Quality Design
DM10	Housing Design and Quality
DM15	Managing and Reducing Flood Risk
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: 7. 3 response(s) received
Site Notice posted: Yes.

BRACEBRIDGE, EL CAMINO & GLYNMORNE – Objections – Summarised as;

- Out of character;
- Impact on the Green Belt;
- Overdevelopment;
- Impact on trees and habitats/ecology;
- Environmental Impact;
- Noise disturbance;
- Highway/pedestrian safety;
- Loss of outlook and Privacy/overlooking;
- Flooding concerns; and
- Overbearing impact.

STAPLEFORD ABBOTTS PARISH COUNCIL – Stapleford Abbots Parish Council object to this application on the following grounds;

This is a very narrow plot for 2 detached houses - it is dubious that houses in keeping with the village in such a cramped space can be successfully designed.

- Question ability to produce a design empathetic with the village when putting two detached houses on such a small plot.
- Another infill is more drain on an already overstretched infrastructure.
- This is an exceptionally busy stretch of road. Difficult to cross at this point due to the site line. Egress and exit will therefore be dangerous for yet more cars.
- With more cars come more hazards for pedestrians, as the pavement at this point on the opposite side of the road is inaccessible.
- Drainage appears bad at this point on the road. It is feasible that additional buildings will affect neighbours.

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 to the living conditions of neighbouring properties;
- c) Standard of Accommodation for future occupiers;
- d) Highway safety and parking provision;
- e) Ecology;
- f) Trees and landscaping; and
- g) The impact on the Epping Forest Special Area of Conservation (SAC).

Character and Appearance

A pre-application discussion was carried out, and the recommendations set out in the Councils response are reflected within the current scheme.

Policy SP2 of the LPSV set outs a sequential approach to identifying sites suitable for development. As the site is previously developed land within the settlement of Stapleford Abbots, it is suitable for development.

With regards to the specifics of the site, the dwellings proposed are considered to be a chalet style bungalow, and of a contemporary design, appropriate size and scale that will have a positive impact to the wider area, including the street scene. There currently is no uniform architectural design, building size, type or building line on this street, so it would not be out of character and will relate positively to its immediate settings.

To add, the proposal follows a similar pattern to Rayside & Fallowfields, just 2 doors down to the northwest of the site.

Accordingly, the proposed development, is in accordance with policies CP2, CP7 and DBE1 of the adopted Local Plan 1998 & 2006, and policy DM9 (D) of the Local Plan Submission Version 2017, and paragraphs 126 & 130 of the Framework.

Living Conditions of Neighbouring Properties

The existing building is currently sited in front of both adjoining neighbours (Tradewinds and Glynmorne). Due to the proposed siting of the new dwellings, there would be no significant impact to Glynmorne, in terms of loss of light, loss of privacy, overbearing and visual impact.

With regards to the impact on Tradewinds, whilst the proposed dwelling is sited closer than the existing building it is still situated in front of their building, and together with the proposed height, depth and set in from the common boundary by approx. 1.75 metres, it is considered that there would not be any significant impacts to their living conditions in terms of overbearing impact, outlook, loss of light, or loss of privacy.

Standard of Accommodation of future occupiers

The proposed development would have sufficient external amenity space for occupiers of the proposed dwellings and would have a GIA of 250.9 sqm, so it meets the required internal space standard for a 4 bed – 8-person dwelling (124 sqm) as set out in policy DM10 of the LPSV.

Highway Safety and Parking Provision

There is sufficient space to park multiple cars on the site and no objections were raised by the Highways Officer, subject to the imposition of conditions on this scheme. So, it is considered that there would be no detrimental impact to the safety operation of the highway network.

Ecology

Bat roosts have been identified on the site, and the demolition of the existing building has the potential to destroy the bat roosts without any appropriate mitigation measures in place. In light of this, the Bat Survey report sets mitigation measures to avoid any harmful impact to the Bats. Furthermore, the proposal includes the loss of two ponds, and Great Crested Newts have been identified as being present within the site. As above, the survey sets out mitigation measures, one of which is for a replacement pond located to the rear end of the site (as shown on the Landscape Plan). This will be completed and made suitable to support existing and new Newts on site prior to the removal of the two ponds.

Notwithstanding the above, a mitigation license is legally required from Natural England before the existing building can be demolished and the two ponds removed. Thus, in this regard the Council is satisfied as a further review will be carried out by Natural England, in terms of if the development can proceed without having a detrimental impact to the existing Habitats and wildlife.

Too add, the Ecology Officer has raised no objections subject to the imposition of conditions as part of the consent.

Trees and Landscaping

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

Epping Forest SAC (EFSAC)

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

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

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

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

- 1) The site lies outside of the 6.2 km Zone of Influence as identified in the Interim Approach to Managing Recreational Pressure on the Epping Forest Special Area of Conservation' (the Interim Approach) adopted by the Council on 18 October 2018 as a material consideration in the determination of planning applications. Consequently, the development will not result in a likely significant effect on the integrity of the EFSAC as a result of recreational pressures.
- 2) The development has the potential to result in a net increase in traffic using roads through the EFSAC. Therefore, the proposal has the potential to result in a likely significant effect on the integrity of the EFSAC as a result of atmospheric pollution.

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

Stage 2: Appropriate Assessment

Atmospheric Pollution

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

Conclusion

For the reasons set out above, having regard to all the matters raised, it is recommended that conditional planning permission be granted subject to a s106 Legal agreement to secure contributions towards the EFSAC including monitoring fees.

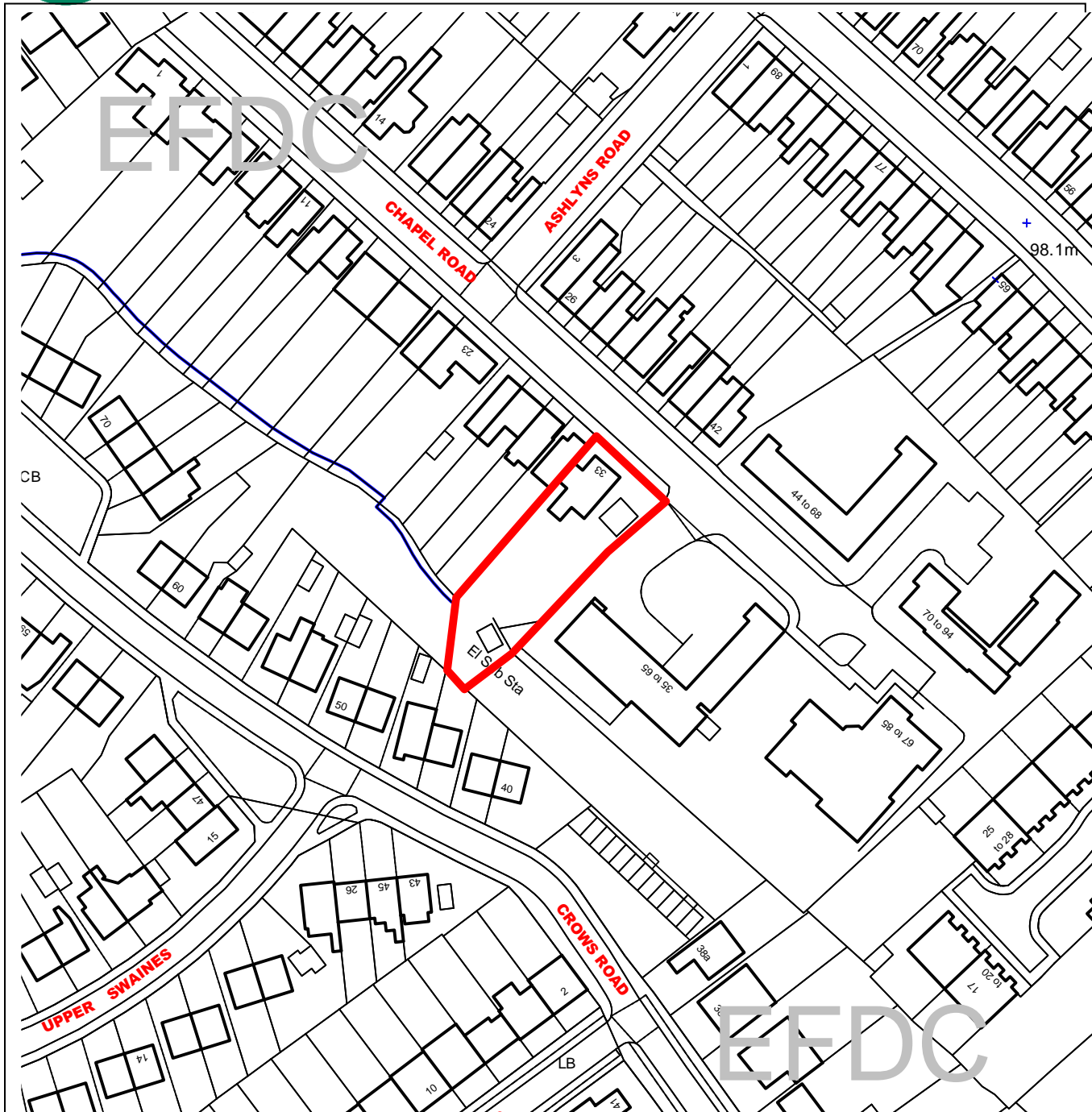
Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

Planning Application Case Officer: Muhammad Rahman on 01992 564415 or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council



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Application Number:	EPF/2105/20
Site Name:	33 Chapel Road Epping, CM16 5DS
Scale of Plot:	1:1250

Report Item No: 11

APPLICATION No:	EPF/2105/20
SITE ADDRESS:	33 Chapel Road Epping CM16 5DS
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	Mr Ian Bellis
DESCRIPTION OF PROPOSAL:	Erection of a two storey detached dwelling to the side of the existing property with one off-street parking space. Formation of a new off-street parking space at the existing house. **SAC CASE NOW PROGRESSING**
RECOMMENDED DECISION:	Grant Permission (Subject to Legal Agreement)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=642195

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: PL13.1 Rev A, PL13.2 Rev A, PL13.3 Rev A, PL13.4 Rev A, PL13.5 Rev A, PL13.6 Rev A, PL13.7 Rev A, PL13.8 Rev A, PL13.9 Rev A, PL13.10 Rev A, PL13.11 Rev A, PL13.12 Rev A, PL13.13 Rev A, PL13.14 Rev A, and PL13.15 Rev A.
- 3 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - Recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents.
- 4 Prior to preliminary ground works taking place, details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details, and shall be provided on site prior to the first occupation and shall be retained for the lifetime of the development.

- 5 Prior to any above groundworks, details and location of the parking spaces (including garages) equipped with active 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 must include details as follows:
 - Location of active charging infrastructure; and
 - Specification of charging equipment to be used.
- 6 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.
- 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 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. 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.
- 10 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those specified on the approved plans.
- 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.

- 13 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site. Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the local planning authority contacted and a scheme to investigate the risks and/or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the local planning authority prior to the recommencement of development works. In such instances, following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.
- 14 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 of Part 1 to schedule 2 shall be undertaken, without the prior written agreement of the Local Planning Authority.

...and subject to the completion of a s106 Legal Agreement.

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

Site and Surroundings

The site comprises of residential garden space for 33 Chapel Road, located within a built-up area of Epping. It is not listed, nor within a conservation area, or a flood zone. No protected trees lie within the site.

Proposal

The proposal is for the erection of a two-storey detached dwelling to the side of the existing property with one off-street parking space. Formation of a new off-street parking space at the existing house.

Relevant Planning History

EPF/1211/15 - Demolition of existing two storey dwellinghouse and garage, the construction of a new two storey residential building with loft and basement accommodation containing 3x1b and 4x2b apartments, with associated car, bicycle parking and refuse facilities – Refused

EPF/2484/15 - Demolition of existing two storey dwellinghouse and garage, the construction of a new two storey residential building with loft and basement accommodation containing 3x1 bed and 4x2 bed apartments, with associated car, bicycle parking and refuse facilities – Refused

EPF/2104/20 - Erection of a lower ground, ground and first floor rear extensions – Approved

EPF/0349/21 - Retention of boundary walls and railings - 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
CP7	Urban Form and Quality
DBE1	Design of New Buildings
DBE8	Private Amenity Space
DBE9	Loss of Amenity
ST4	Road Safety
ST6	Vehicle Parking
LL10	Adequacy of provision for landscape retention
LL11	Landscaping schemes

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
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 14th December 2017 the Council resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

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

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

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

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

As the preparation of the emerging Local Plan has reached a very advanced stage, subject to the Inspector's Advice regarding the need for additional 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
DM3	Landscape Character, Ancient Landscapes and Geodiversity
DM5	Green and Blue Infrastructure
DM9	High Quality Design
DM10	Housing Design and Quality
DM15	Managing and Reducing Flood Risk
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: 43. 6 response(s) received
Site notice posted: No, not required

29, 31, 34, 38, 40, 42 CHAPEL ROAD & EPPING SOCIETY – Objections - Summarised as:

- Loss of light/Overshadowing;
- Loss of outlook;
- Loss of privacy/overlooking;
- Air Quality;
- Parking concerns;

- Impact on wildlife;
- Impact on EFSAC;
- Out of character;
- Cramped/Overdevelopment;
- Overbearing impact;
- Inadequate garden space; and
- Drainage.

EPHING TOWN COUNCIL – No objection, concerns re trees and shrubs.

Planning Considerations

The main issues for consideration in this case are:

- a) The impact on the character and appearance of the locality;
- b) Highway safety and parking provision;
- c) The impact to the living conditions of neighbours;
- d) Standard of Accommodation for future occupiers; and
- e) The impact on the Epping Forest Special Area of Conservation.

Character and Appearance

The proposed dwelling would be of a size, scale and design that would have a neutral impact to the street scene and wider area. There is sufficient spacing around the building, so it would not amount to harmful overdevelopment of the site. The plot size would be similar to others present in the wider area.

Highway safety and Parking Provision

The Highways officer has raised no objections and both the host house and the proposed would have an allocated parking space to the front of the site, so the loss of the garage is acceptable. Given the site is within a highly sustainable location, some 0.7m from Epping Underground Station, the reduced car parking provision would be acceptable, in accordance with Policy T1 of the LPSV. The claims regarding additional parking stress are unsubstantiated.

Living Conditions of Neighbouring Properties

There will be no material impact to the occupiers of the host house, given that it does not protrude past the front and rear building line of the host house, the scale, in addition to the visual gap of some 900mm from the common boundary, and the orientation of the proposed house facing northeast.

There are no impacts to other neighbouring properties, given the significant separation distance.

Standard of Accommodation

The proposed development would have sufficient internal and external amenity space for future occupiers of the proposed dwelling. Too add, there would be ample garden space retained for the host house.

Epping Forest SAC (EFSAC)

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.

Other Considerations

Matters regarding drainage are normally dealt with at post application stage, and no objections have been raised by the Drainage officer subject to the imposition of conditions as part of the consent.

With regards to the trees and shrubs, they lie outside the boundary of the application site and in any event, they are afforded no legal protection. Notwithstanding, conditions have been added requiring further details of Tree Protection Plans etc prior to commencing of the development.

Conclusion

For the reasons set out above, having regard to all the matters raised, it is recommended that conditional planning permission be granted subject to a s106 Legal agreement to secure contributions towards the EFSAC including monitoring fees.

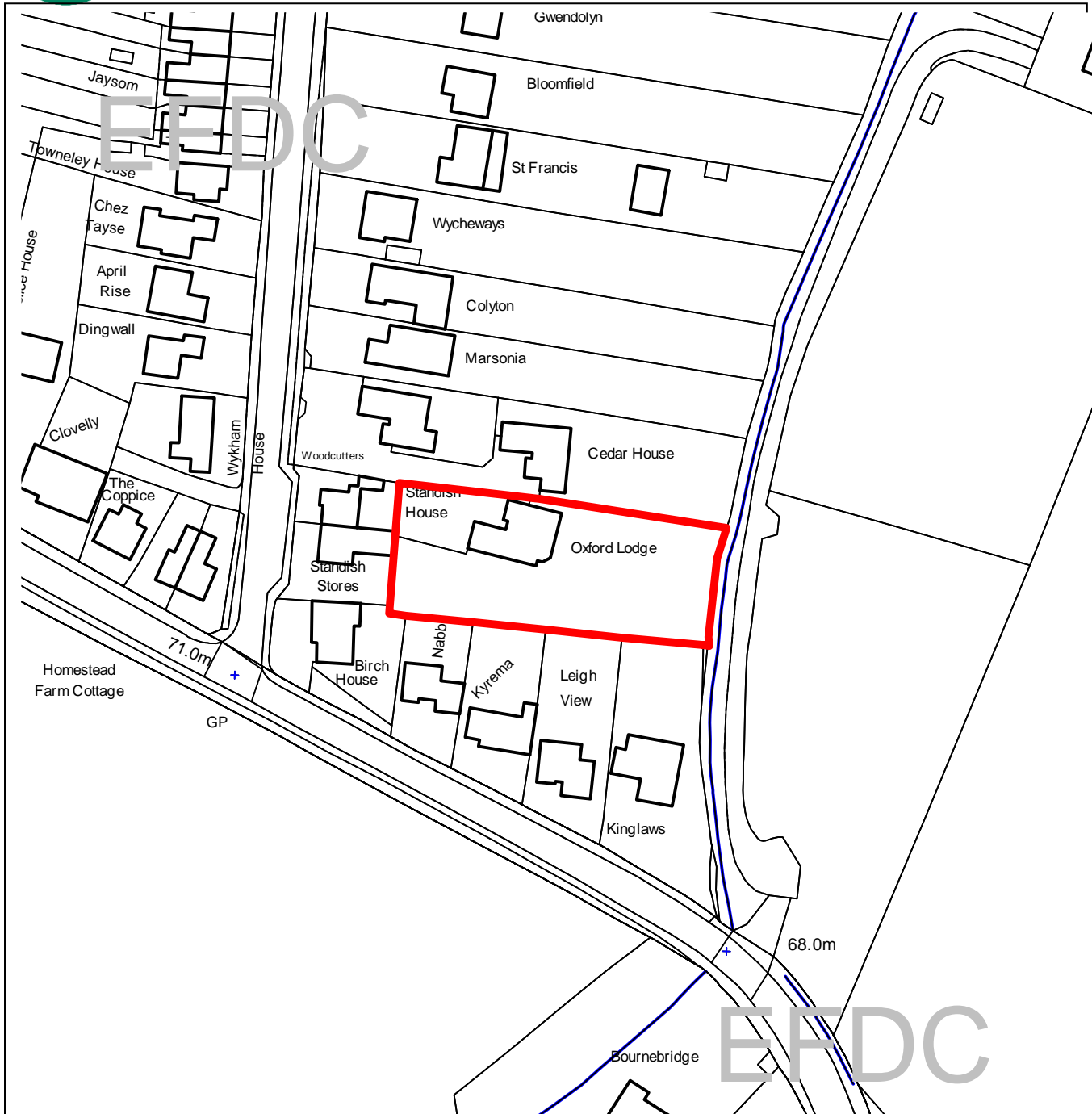
Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

Planning Application Case Officer: Muhammad Rahman on 01992 564415 or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council



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Application Number:	EPF/0212/22
Site Name:	Oxford Lodge Tysea Hill, Stapleford Abbots RM4 1JP
Scale of Plot:	1:1250

Report Item No: 12

APPLICATION No:	EPF/0212/22
SITE ADDRESS:	Oxford Lodge Tysea Hill Stapleford Abbots Romford RM4 1JP
PARISH:	Stapleford Abbots
WARD:	Passingford
APPLICANT:	Mr Ben McCayna
DESCRIPTION OF PROPOSAL:	Detached single storey building.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=662536

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: 2008/5 A; 2008/7 and Location Plan.
- 3 The tree protection, methodology for construction adjacent to trees and Arb site supervision shall be undertaken in accordance with the submitted Tree Survey/ Arboricultural Method Statement unless the Local Planning Authority gives its prior written approval to any alterations. Tree protection shall be implemented as shown on Andrew Day Arboricultural Consultancy Ltd dated 24th January 2018 under planning application granted with conditions: EPF/3007/17.
- 4 If any tree, shrub or hedge shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.
- 5 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

- 6 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building.
- 7 The building hereby permitted shall only be used for purposes incidental to the residential use of the main dwelling, and shall not be used for any primary residential accommodation.

This application is before this committee since the recommendation is for approval contrary to an objection from a Local Council which is material to the planning merits of the proposal, supported by 1 local resident (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council)

Description of Site:

The application site is on a large irregular shaped plot of land set back off the public footpath to the rear of residential dwellings on Tysea Hill, Stapleford Abbots. There are no listed buildings attributed to the site and it is not within a Conservation Area. The site is partly within the Metropolitan Green Belt. There are TPO trees present on the site.

Description of Proposal:

Detached single storey building.

Relevant Site History:

EPF/0824/09 – Conversion of existing garage to habitable room and construction of new detached garage block. Grant Permission Area Planning Committee East

EPF/2184/14 – TPO/EPF/15/03: 2 x Ash trees - Crown reduction as specified. Grant Permission with Conditions

EPF/3007/17 – Detached garage block and store. Grant Permission with Conditions Area Planning Committee East. Development commenced.

EPF/1479/20 – TPO/EPF/15/03

T1 & T2: Ash - Reduce height and laterals, as specified.

T3: Willow - Repollard, as specified.

T4: Willow - Reduce to previous pollard points. Granted Permission with Conditions

Policies Applied:

Local Plan (1998) and Alterations (2006)

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

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

CP1	Achieving Sustainable Development Objectives
CP2	Protecting the Quality of the Rural and Built Environment
DBE1	Design of New Buildings
DBE2	Effect on Neighbouring Properties

DBE3	Design in Urban Areas
DBE8	Private Amenity Space
DBE9	Loss of Amenity
LL10	Adequacy of Provision for Landscape Retention

National Planning Policy Framework (NPPF) (2021)

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

- a) approving development proposals that accord with an up-to-date development plan without delay; or
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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	124
Paragraph	127
Paragraph	130
Paragraph	131
Paragraph	145

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

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

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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:

Policy	Weight afforded
SP1 Presumption in Favour of Sustainable Development	Significant
DM5 Green and Blue Infrastructure	Significant
DM9 High Quality Design	Significant

Summary of Representation:

No. of neighbours consulted: 10, 1 objection received, 1 comment received.

Nabbit House: OBJECTION –

A summary of the concerns raised by the neighbour at Nabbit House are as follows:

- Overbearing due to size and scale
- Proximity to neighbouring house
- Inappropriateness
- Noise disturbance from new proposed use – games, swimming, sauna within 30m of neighbour
- Overlooking/loss of privacy

STAPLEFORD ABBOTTS PARISH COUNCIL: OBJECTION - *this is a garden room in the front garden, connected to the sewer, water, electric and gas. We are concerned about overdevelopment on the site, and neighbours are commenting too. We have reservations regarding the use of the building and if it would become a future dwelling – particularly as all the utilities are attached now. We also are concerned about vehicles coming out onto the highway, and car storage on site if it changes use from being a garage. We would also raise privacy concerns with this application.*

Main Issues and Considerations:

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

Design
Impact on the Living Conditions of Neighbours

Design

The proposed outbuilding would have a dual pitched gable roof and would be externally clad in black weatherboard. The siting of the proposed development is enclosed within private amenity space and is not visible from the public footpath. The site is also well screened by trees and shrubs. It is considered the design of the proposal would be acceptable and would not be detrimental to the existing dwelling house or wider area.

The applicant has submitted this application with changes to the roof from a hipped to gable. The other changes include the addition of a roof window and a solid side elevation in lieu of two open car port areas. The footprint of the outbuilding remains the same as already granted permission which has been commenced to foundations level.

The proposal would not constitute overdevelopment as it is considered that there would be ample private amenity space remaining on the site.

The building, amongst other recreational facilities, will continue to be used as a garage to house vehicles. Additionally, there is sufficient hardstanding space on site for car parking and vehicle access arrangements remain unchanged.

Impact on Living Conditions

The Parish Council and neighbour at Nabbit House object to the proposal stating that the development would result in harm to the living conditions of neighbours in relation to being overbearing and overdevelopment, loss of privacy and disturbance from activities of proposed use. There was also concern that the outbuilding will be used for residential purposes in the future.

The applicant has already secured consent for an outbuilding of this scale and in this location in 2017. Therefore, the issue is whether the proposed changes i.e. roof from hipped to gable, addition of roof window, closed elevation instead of car port, will cause additional and significant harm to the living conditions of the neighbour. On balance, it is considered that the revised proposal safeguards the neighbour from harm to their living conditions. The proposed changes do not have a window to the side elevation nearest to the neighbours at Nabbit House therefore there are no overlooking or loss of privacy concerns.

It is considered that due to the distance between the proposed outbuilding and the neighbouring dwelling at Nabbit House (approximately 30 metres), the scheme would be a sufficient distance so as not to cause excessive harm to the living conditions of neighbours in relation to noise disturbance.

The perception that the building has the potential to be converted into a dwelling house is not a current material consideration. A condition stating that the outbuilding can only be used as ancillary to the enjoyment of the dwelling house will be included. Any future change of use will require planning permission.

Other considerations

The Council's trees and landscaping team were consulted on the original application and have conditioned the original consent with Tree protection and landscaping requirements.

It should be noted that there are 4 trees protected by way of a Tree Preservation Order on the application site and which cannot be removed at any time by the applicants without needing to notify the Local Planning Authority with an obligation to plant a replacement if trees die or are removed. These conditions will continue to apply to the current application.

Conclusion:

For the reasons outlined above, it is recommended that planning permission is granted subject to conditions.

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

Planning Application Case Officer: Mohinder Bagry

Direct Line Telephone Number: 01992 564135

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