



***District Development Management Committee
Wednesday, 2nd December, 2015***

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

**Council Chamber, Civic Offices, High Street, Epping
on Wednesday, 2nd December, 2015
at 7.30 pm .**

**Glen Chipp
Chief Executive**

**Democratic Services
Officer**

Gary Woodhall
The Directorate of Governance
Tel: 01992 564470
Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors B Sandler (Chairman), B Rolfe (Vice-Chairman), A Boyce, H Brady, R Butler, J Hart, R Jennings, S Jones, H Kauffman, J Knapman, Y Knight, A Mitchell, G Mohindra, C C Pond and J M Whitehouse

SUBSTITUTE NOMINATION DEADLINE:

16:00

1. WEBCASTING INTRODUCTION

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

2. The Senior Democratic Services Officer 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 third parties).

If you are seated in the lower public seating area then 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 then you should move to the upper public gallery.

Could I please also remind Members to activate their microphones before speaking.”

2. ADVICE TO PUBLIC AND SPEAKERS AT COUNCIL PLANNING SUB-COMMITTEES (Pages 5 - 6)

(Director of Governance) General advice to people attending the meeting is attached.

3. APOLOGIES FOR ABSENCE

(Director of Governance) To be announced at the meeting.

4. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23 JULY 2002)

(Director of Governance) To report the appointment of any substitute members for the meeting.

5. DECLARATIONS OF INTEREST

(Director of Governance) To declare interests in any item on the agenda.

6. MINUTES

To confirm the minutes of the last meeting of the Committee held on 4 November 2015 (to be circulated).

7. EPF/1531/15 - GARAGES COURT NORTH OF 52 STEWARDS GREEN ROAD, EPPING (Pages 7 - 18)

(Director of Governance) To consider the attached report for the erection of four affordable homes with nine parking spaces (DEV-014-2015/16).

8. EPF/1771/15 - GARAGES BEHIND 17 QUEENS ROAD, NORTH WEALD (Pages 19 - 32)

(Director of Governance) To consider the attached report for the demolition of 54 existing garages and the erection of 12 affordable homes with 28 parking spaces (DEV-015-2015/16).

9. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and 24 of the Council Procedure Rules contained in the Constitution 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.

In accordance with Operational Standing Order 6 (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks' notice of non-urgent items is required.

10. EXCLUSION OF PUBLIC AND PRESSExclusion

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

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

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

Confidential Items Commencement

Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

Background Papers

Paragraph 8 of the 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 (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.

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Advice to Public and Speakers at Council Planning Subcommittees

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.

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 Subcommittee. A map showing the venue will be attached to the agenda.

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**. Ring the number shown on the top of the front page of the agenda. Speaking to a Planning Officer will not register you to speak, you must register with Democratic Service. Speakers are not permitted on Planning Enforcement or legal issues.

Who can speak?

Three classes of speakers are allowed: One objector (maybe on behalf of a group), the local Parish or Town Council and the Applicant or his/her agent.

What can I say?

You will be allowed to have your say about the application but you must bear in mind that you are limited to three minutes and if you are not present by the time your item is considered, the Subcommittee will determine the application in your absence.

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 through Democratic Services or our website www.eppingforesdc.gov.uk. Any information sent to Councillors should be copied to the Planning Officer dealing with your application.

How are the applications considered?

The Subcommittee 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 Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the Subcommittee propose to follow a course of action different to officer recommendation, they are required to give their reasons for doing so.

The Subcommittee cannot grant any application, which is contrary to Local or Structure Plan Policy. In this case the application would stand referred to the next meeting of the District Development Control Committee.

Further Information?

Can be obtained through Democratic Services or our leaflet 'Your Choice, Your Voice'

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Report to District Development Management Committee



**Epping Forest
District Council**

Report Reference: DEV-014-2015/16
Date of meeting: 2 December 2015

**Subject: Planning Application EPF/1531/15 – Garages Court North of 52
Stewards Green Road, Epping, Essex CM167DA – Erection of 4
affordable homes with 9 car parking spaces**

Responsible Officer: Jill Shingler (01992 564106)

Democratic Services: Gary Woodhall (01992 564470)

Recommendation:

(1) That planning permission be granted subject to the following conditions:

- 1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.**
- 2. The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 612 040 PI 01a, 02a, 03b, 04a, 05a, 06a, 07a, 08, 09, 10.**
- 3. No construction works above ground level 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. No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.**
- 5. No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.**
- 6. No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The**

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

7. 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 unless the Local Planning Authority gives its written consent to any variation.
8. 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 extensions generally permitted by virtue of Class A and B of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
9. No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows.]

10. **Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.**

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows.]

11. **Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.**

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows.]

12. **Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.**

13. In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition
14. Prior to the first occupation of the development the access arrangements and vehicle parking areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The access and parking areas shall be retained in perpetuity for their intended purpose.
15. Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.
16. There shall be no discharge of surface water onto the Highway.
17. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

Report:

1. This application was deferred to this committee by the Area Planning Sub Committee East meeting of 9 September, with a request that additional information regarding parking displacement and parking surveys be provided to this committee. The required surveys have now been carried out and the Highway Authority has been re-consulted.

2. The original report to the Area Sub Committee is therefore reproduced below but the section entitled "Vehicle Parking" has been amended to take into consideration the additional information that is now available.

Description of Site:

3. The application site is currently occupied by a group of 14 garages arranged in two blocks facing each other across an entrance court with a grassed strip to the front. The garages are located to the north of Stewards Green Road on the outskirts of Epping. The garages serve residents in the immediate area. The dwellings are arranged in short runs of two storey and single storey terraces.

Description of Proposal:

4. The applicant seeks consent to construct a short run of four terrace dwellings facing the road. In total nine parking spaces would be provided with private amenity space to the rear. The buildings would be similar in design to the terrace of properties to the south. The applicant is East Thames Housing Group and the land is owned by the Council. The proposed dwellings would be affordable rented units.

Relevant History:

5. No relevant history.

Policies Applied:

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
CP3 – New development
CP6 – Achieving sustainable urban development patterns
H2A – Previously developed land
H3A – Housing density
HC6 – Character, appearance and setting of conservation areas
HC7 – Development within conservation areas
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE3 – Design in urban areas
DBE8 – Private amenity space
DBE9 – Loss of amenity
LL10 – Provision for landscape retention
LL11 – Landscaping schemes
ST1 – Location of development
ST4 – Road safety
ST6 – Vehicle parking

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

Consultation Carried Out and Summary of Representations Received:

TOWN COUNCIL: No Objection.

40 neighbours consulted and site notice displayed: 3 replies received.

30 STEWARDS GREEN ROAD: Objection (2 letters). Concern about the loss of parking spaces, we use our garage to park and it is difficult to get a parking space in the vicinity as people use the area to park for the tube station. I have constantly contacted local councillors about the prospect of yellow lines but have received no reply. I have also been informed that Essex County Council has no plans to designate resident only parking bays. The vast majority of residents in the immediate area own more than one car and where will these go.

40 STEWARDS GREEN ROAD: Objection. In relation the proposed redevelopment of the garage site in Stewards Green Road I wish to formally object based on the following points. I rent one of the garages in question which houses a classic car so I will not have anywhere to keep the car dry. The proposed parking spaces will in no doubt be filled by commuters using Epping Train station as is the case on a daily basis which is a real issue in Stewards Green Road for residents. The community in Stewards Green Road have a high population of young children who play on the Green so using this area for motor vehicles will cause great danger to the children playing in this area. Based on the above I feel that only building four houses will not outweigh the cost to the local community.

43 STEWARDS GREEN ROAD: OBJECTION. This is a small loop road that is already overrun with traffic because commuters seem to use it as an overflow car park for Epping Station. Although parking spaces are provided within the planning application the quantity does not allow for visitors, deliveries, and households with large vans that take up more than one space. The volume of moving traffic down this small street is already ridiculous. We already have people with vans who seem to be operating a business from their home premises (there is a van which drops off goods at least 5 times every weekday night) and it is sometimes impossible to actually reverse off ones own drive because of the parking on this street. I would suggest that you undertake a traffic survey in order to estimate the traffic volume.

There are many families with children in this area and any increase in traffic along this little road automatically makes it a higher risk area for accidents.

The quality of the road surface is disgraceful and more traffic will simply compound this issue. It took many, many emails and phone calls to the council earlier this year to register the major pothole in the road and this was not even planned into a work schedule so I can only presume that the fixing was a complete accident - I was told in no uncertain terms that it was not considered a priority so may never be fixed. More traffic equals more road damage which will never appear on anyone's radar.

Why not build a children's play area, a pocket park or allotments for people to enjoy - many of the bungalow residents have a small gardens this would be such a positive addition to the community. This little loop road would be an absolutely ideal area for promoting community spirit within Epping and with a small amount of support from the Council we could set up a Community Association to oversee the development of this area.

This is a very quiet residential area, with elderly residents - can you guarantee that these occupants of this housing will follow suit?

If this application goes ahead at the very least you should consider resident only parking permits.

Issues and Considerations:

7. The key issues within this application are the suitability of the site for such a development, amenity considerations, design/layout, any trees adjoining the site and regarding highway and parking concerns.

Principle of the Development/Design/Layout

8. The application site is located in the built up area of Epping and notwithstanding potential issues with regards to the loss of the garages this is a brownfield site and suitable for redevelopment. The proposed design follows the form of the existing dwellings and would conform to the character of the area. In principle there are no planning issues with redeveloping the site. Materials in compliance with the physical character of the road would ensure a suitable finish.

Vehicle Parking

9. A number of objections have been raised with regards to the loss of the garages and it is evident from the site visit and the submitted documentation indicates that at least some of the garages, 9 in total, are in use for the parking of

vehicles. If the garages are removed from site there will be some displacement of parking in the immediate area. The Highways Authority initially raised some concern that there was insufficient information submitted with the application regarding the level of on street parking in the area or whether replacement provision was available for the displaced parking. The Highway Authority suggested that parking surveys of the area should be carried out.

10. Following the referral of the application to the District Development Management Committee by the Area Committee, a transport statement has been submitted, this includes a parking survey which firstly identified the potential number of on street spaces available within 200m of the site, this identified the areas of the surrounding street that were suitable for safe kerbside parking, excluding areas of dropped kerb and areas close to junctions. The methodology as set out in the report was as follows:

“All vehicle crossovers, kerb space within 7.5 metres of junctions, and kerb space where it is too narrow to park on both sides of a road has been eliminated from the surveys. The remainder of the parkable kerb space within the survey area has been measured on-site; the total distance of kerb space between crossovers/ junctions has been recorded and split into increments of 5 metres in accordance with the Merton parking survey methodology (extract as follows):“The distance between crossovers is to be measured in units of 5m. For example, if the distance between 2 crossovers or a crossover and a junction is 12m then only 10m is to be counted in the survey. If the space between crossovers is less than 5m this length is to be discounted from the calculation.”

11. Using this methodology they have identified that there are 43 potential on street car parking spaces within 200m of the application site.

12. Subsequently two overnight on street parking surveys were carried out on weekday nights between the hours of 00.30 and 05.30 which represents the expected normal time of peak demand for residents parking. This methodology was agreed with the Highway Authority, prior to the surveys being conducted.

13. On Tuesday 7 October at 1.30 am there were 26 cars parked within the 43 available spaces, and on the following night at 3.00am there were 24 cars parked. This gives an average of 25 out of the 43 spaces being utilised, or 58%. This leaves 18 spaces available for use by any vehicles displaced by the development.

14. The garages that are to be removed are only around 2.2m wide and it would be very difficult to use them for car parking on a day to day basis. The standard garage size required for modern cars, under the adopted Essex standards includes a minimum internal width of 3m.

15. Of the 14 garages on the site 9 are currently rented out, 7 of which are rented to people within the parking study area. If all those tenants, do actually use the garage for parking a vehicle, the development would result in 7 cars being displaced onto the roads immediately adjoining the site. The current observed parking stress is around 58% and this would potentially rise to around 66% if the 7 additional cars were to park on street. Therefore, in the worst case scenario, impact from the loss of the garages on existing parking conditions can be adequately absorbed without detriment to road safety, capacity or neighbouring amenity.

16. The Highway Authority has considered the submitted transport statement and survey results and has withdrawn their original objection to the scheme.

17. Whilst the loss of this existing parking facility would be regrettable the area is not as heavily parked as some roads in Epping and this is a sustainable location where reduced parking standards can be accepted. The proposed development would be well served by parking. The proposed development would provide much needed housing, developed by a provider of affordable housing, at a sustainable location, on a brownfield site in the built up area of the town. Such schemes are in compliance with national planning policy aims to increase the supply of new homes and in this case this can be achieved in a sustainable manner which does not involve the release of Green Belt land. On balance it is recommended to Members that some amount of parking displacement is outweighed by a sustainable means to help meet housing need within the district.

Amenity

18. The plans indicate that the proposed residential units will provide sufficient amenity space and there would be no issues of concern with regards to the living conditions of existing residents.

Trees and Landscaping

19. There are no objections to the scheme from a trees and landscaping viewpoint subject to conditions agreeing tree protection and a suitable landscaping scheme.

Land Drainage

20. The applicant is proposing to dispose of surface water by soakaway. The geology of the area is predominantly clay and infiltration drainage may not be suitable for the site. Further details are required. The development is of a size where it is necessary to avoid generating additional runoff and the opportunity of new development should be taken to improve existing surface water runoff. A Flood Risk Assessment is therefore required. Works are proposed to or within eight metres of an open or piped watercourse therefore Land Drainage consent is required.

21. Any works within three metres of a Public Sewer requires build over consent from Thames Water Developer Services. The applicant should therefore consult with Thames Water on the exact location of the Public Sewer which runs near the boundary/through the site.

Waste Comments

22. It should be noted that the Council carries out a front boundary refuse collection service from the point within the property closest to the public highway. Each property will require space to store and space at the boundary, to present for collection 1 x 180 litre refuse container, 1 x 180 litre food and garden container, 1 x 55 litre glass box and space for storage of recycling sacks. The development meets these requirements.

Neighbour Comments

23. Whilst some concerns have been raised about highway safety and the state of the existing road it is not considered that such issues relate directly to what is proposed here. Other suggestions as to how the site could be developed could not justify the refusal of this scheme.

Conclusion:

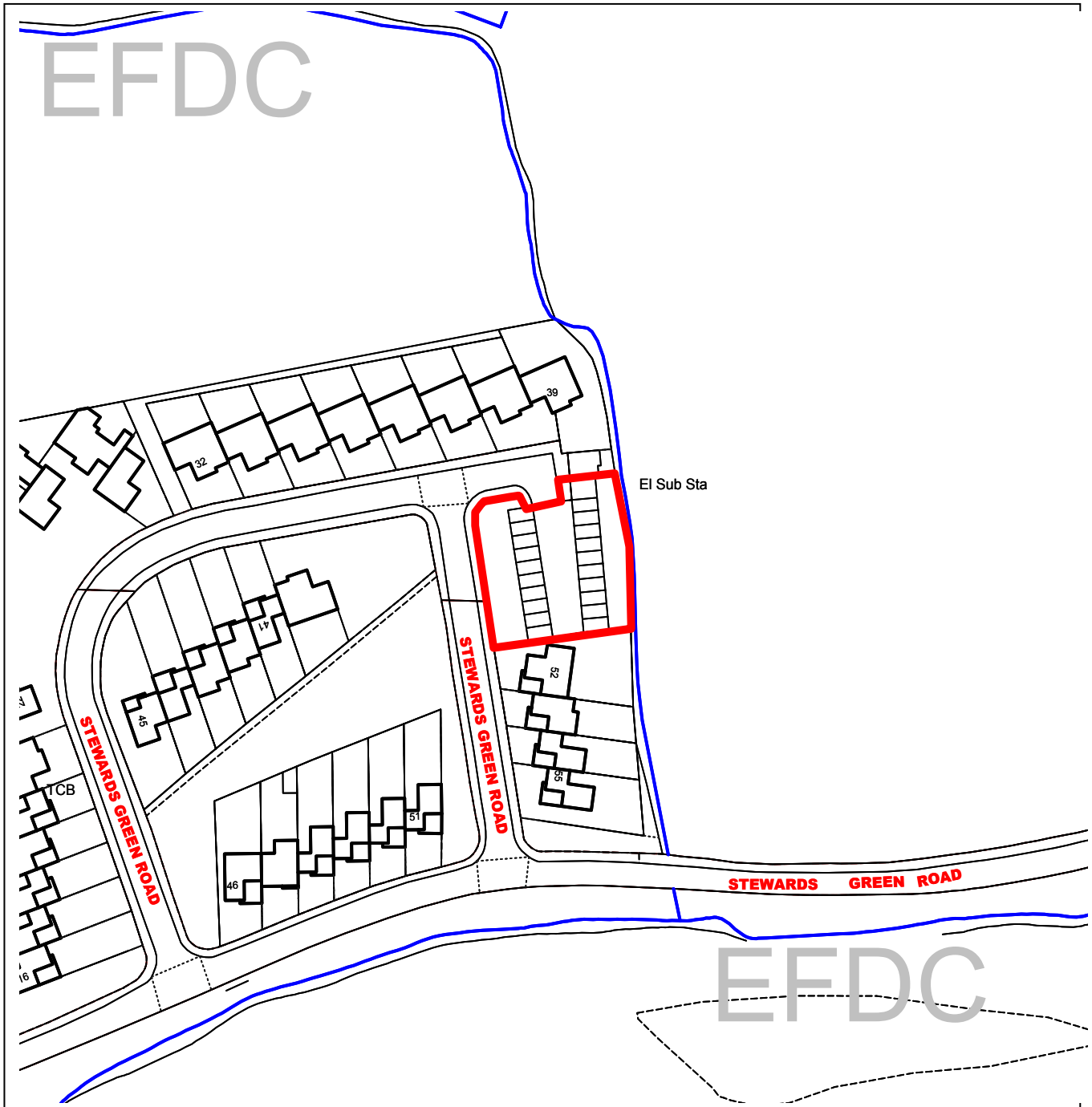
24. The proposed scheme represents a small brownfield development at a sustainable location which would have no serious impact on the amenity of neighbours. Whilst the loss of the garages and some parking displacement is recognised as an issue it is considered that this will not lead to serious parking issues in the immediate vicinity. Furthermore this concern is outweighed by other positive attributes of the development including the provision of much needed affordable rented housing. It is therefore recommended that consent is granted subject to conditions.

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Epping Forest District Council

Agenda Item Number



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Application Number:	EPF/1531/15
Site Name:	Garage Court North of 52 Stewards Green Road, Epping, CM16 7DA
Scale of Plot:	1/1250

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Report to District Development Management Committee



**Epping Forest
District Council**

**Report Reference: DEV-015-2015/16.
Date of meeting: 2 December 2015**

Subject: Planning Application EPF/1771/15 – Garages behind 17 Queens Road, North Weald Bassett, Epping, CM16 6JE – Demolition of 54 existing garages and erection of 12 affordable homes with 28 parking spaces

Responsible Officer: Graham Courtney (01992 564228).

Democratic Services: Gary Woodhall (01992 564470).

Recommendation:

(1) That planning permission be granted subject to the following conditions:

- 1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.**
- 2. The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 612040 PL01, 612040 PL02E, 612040 PL03, 612040 PL04, 612040 PL05B, 612040 PL06, 612040 PL07**
- 3. No construction works above ground level 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. No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.**
- 5. No development shall take place until a Drainage Strategy has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed strategy.**
- 6. No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.**

- 7. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:**

 - 1. The parking of vehicles of site operatives and visitors;**
 - 2. Loading and unloading of plant and materials;**
 - 3. Storage of plant and materials used in constructing the development;**
 - 4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;**
 - 5. Measures to control the emission of dust and dirt during construction, including wheel washing; and**
 - 6. A scheme for recycling/disposing of waste resulting from demolition and construction works.**
- 8. 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.**
- 9. No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers/densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.**
- 10. No 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 unless the Local Planning Authority gives its written consent to any variation.**

11. **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 extensions generally permitted by virtue of Class A and B of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.**
12. **No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.**

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]

13. **Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.**

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]

14. **Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation**

objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]

- 15. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.**
- 16. In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.**
- 17. Prior to the first occupation of the development the access arrangements, vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The access and parking areas shall be retained in perpetuity for their intended purpose.**
- 18. Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.**
- 19. There shall be no discharge of surface water onto the Highway.**
- 20. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.**
- 21. All recommendations as set out in Section 5 of the Phase 1 Habitat Survey (undertaken by LaDellWood – June 2015) shall be followed, including the submission of and approval in writing by the Local Planning Authority of details regarding a bat sensitive lighting scheme (if necessary), position and design of bat boxes and bird boxes, and a planting scheme to improve the habitat for foraging bats. The development shall be implemented in accordance with such agreed details.**

Report:

1. This application is put to the District Development Management Committee since it is a major application for development on the Council's own land that is for disposal.

Planning Issues:

2. The application has been made by Pellings LLP on behalf of East Thames Housing Group for the demolition of the existing garages and erection of 12 no. affordable dwellings with associated parking, access and amenity space.

Description of Site:

3. The application site is currently occupied by 54 garages, entrance court and a large grassed area to the south of the site. The garages are located to the western side and behind existing dwellings on Queens Road within the urban area of North Weald. The site slopes downwards towards the west. To the immediate north and west of the site are allotments.

4. The site is not located within the Metropolitan Green Belt, a conservation area or any other designated land. Concern has been raised with regards to whether the southern parcel of the site has been taken out of allotmentisation.

5. Whilst the application site was previously used as allotments this was purchased under Housing Acts powers in 1953 by a predecessor Council. The northern part of the site was developed for garages and the southern section left vacant. Replacement allotments were provided to the north and west of the site and the southern parcel of land within the site has not been cultivated since 1976.

Description of Proposal:

6. Consent is being sought for the demolition of the existing 54 single storey garages and the erection of 12 no. two storey dwellings laid out as three terraces of four properties. Each terrace of four dwellings would measure a total of 22.5m (either end) and 21.5m (central) to a maximum depth of 10m. The proposed properties would have dual pitched roofs to a maximum height of 8.5m, with the two end properties (the two bed houses) dropping down to a height of 7.6m.

7. The development would provide 2 no. two bed and 10 no. 3 bed affordable dwellings with 34 off-street parking spaces and an improved access.

8. The existing access to the site would be increased in width by 2.5m through the reduction in the garden of No. 17 Queens Road.

Relevant History:

9. None relevant to this application.

Policies Applied:

- CP1 – Achieving sustainable development objectives
- CP2 – Protecting the quality of the rural and built environment
- CP3 – New development
- CP6 – Achieving sustainable urban development patterns

H2A – Previously developed land
H3A – Housing density
H5A – Provision for affordable housing
H6A – Site thresholds for affordable housing
H7A – Levels of affordable housing
HC6 – Character, appearance and setting of conservation areas
HC7 – Development within conservation areas
NC4 – Protection of established habitat
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE3 – Design in urban areas
DBE8 – Private amenity space
DBE9 – Loss of amenity
LL10 – Provision for landscape retention
LL11 – Landscaping schemes
U2A – Development in flood risk areas
U3B – Sustainable drainage systems
ST1 – Location of development
ST4 – Road safety
ST6 – Vehicle parking

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

Consultation Carried Out and Summary of Representations Received:

41 neighbouring residents were consulted and a Site Notice was displayed on 07/08/15.

PARISH COUNCIL – Objects to this application on the grounds that the proposal is too dense, there is not enough parking for the proposed number of properties, lack of visitor parking, properties are out of keeping, and visually detrimental to the area, the proposal represents overdevelopment of the site, over shadowing and overlooking of the properties and gardens adjacent to the site. Concern at the lack of amenity space. Concern as to additional strain on service such as school, doctors, hospitals, impact on wildlife who live on adjacent allotments. Concern at access road and the lack of a footway, also how would a Refuse Lorry access the site – if this was not possible then rubbish bags would be left in Queens Road to be picked up which would be a hazard and an eyesore. Concern at the sewerage capacity as there are known problems in the area of Queens Road and on that Estate. Concern as to whether or not the old area of allotment land has been taken out of allotmentisation, and whether or not it is legal for the District Council to utilise this land if it has not been through this process. The Parish Council is also concerned regarding the comments made by Cllr Stallan in relation to the Access Gate to the Queens Road allotments, in that the arrangement that the Parish Council has is only an informal one. Cllr Stallan did suggest that a more formal agreement would be made if the development did go ahead.

NORTH WEALD & DISTRICT PRESERVATION SOCIETY – Object as Queens Road has already been developed enough and this will add to existing congestion to the detriment of neighbours.

3 QUEENS ROAD – Object due to additional congestion, parking concerns and loss of views.

5 QUEENS ROAD – Concerned as the site is partially allotment land, since the style of the dwellings are out of character with the area and the development would be cramped, there is no access to the existing allotments, there would be an adverse effect on the wildlife on adjacent land, there is insufficient infrastructure to support the development and the due to issues regarding access and parking.

6 QUEENS ROAD – Object due to overdevelopment and loss of the open green space.

9 QUEENS ROAD – Object as this would over-urbanise the area, results in the loss of trees and grassland, will cause overlooking and a loss of privacy, there is poor access to the site, there would be inadequate and displaced parking, and since there is not the infrastructure to cope with the proposal.

11 QUEENS ROAD – Object due to overlooking, parking concerns, and impact on infrastructure.

21 QUEENS ROAD – Object due to the impact on existing parking problems.

29 & 39 QUEENS ROAD – Object due to the loss of parking, loss of vehicle access to the allotments, inadequate access and due to the impact on infrastructure.

83 HIGH ROAD – Object as it would disrupt access to their site and the allotments, no parking is provided for users of the allotments, this will cause major parking problems, and as there is no pedestrian access to the site.

RESIDENT OF QUEENS ROAD – Object since the proposed new dwellings would overlook their property and since this would impact on the living environment of the village.

NO ADDRESS GIVEN – Object due to the access and parking problems, due to a loss of privacy, and as this would be a cramped development.

Issues and Considerations:

11. The key issues within this application are the suitability of the site for such a development, highway/parking concerns, design/layout, amenity considerations, and the impact on existing landscaping & ecology in and around the site.

Principle of the Development/Design/Layout

12. The application site is located in the built up area of North Weald and is largely a brownfield site since it contains 54 garages. However the southern section of the site is currently a green, undeveloped parcel of land that was formerly used as allotments and therefore does not constitute previously developed land.

13. Local Plan policy RST13 states that “*the Council will: (i) not permit the development, or change of use, of existing allotment sites unless adequate*

replacement facilities are provided in close proximity; and (ii) seek to provide conveniently located allotments should there be a satisfactory demand”.

14. Whilst the site was formerly allotment gardens these have been confirmed as being non-statutory and were purchased under Housing Acts powers in 1953 by a predecessor Council. The northern part of the site was developed for garages and the southern section left vacant. During this time further allotments have been provided to the immediate north and west of the site. Since the allotments on this site were non-statutory there was no requirement to obtain consent from the Secretary of State to remove the allotment designation of this land. As such the previous acquisition of the land by the Council and subsequent development removed the former allotment designation. As such the site no longer constitutes allotment land.

15. Notwithstanding the above there have already been adequate replacement facilities provided to replace the former facilities on this site and, given the amount of time that the site has been vacant, it is considered that there is clearly no demand for allotments to be re-provided here. As such the proposed development complies with Local Plan policy RST13.

16. Notwithstanding consideration regarding the loss of the garages and assessment of the design/layout of the proposal, the principle of developing this site would be acceptable since it would make more efficient use of an urban, predominantly previously developed, site.

Affordable Housing

17. Local Plan policy H6A would not require any affordable housing to be provided on a scheme of this density on this size of site. However since the proposed development has been put forward on behalf of East Thames Housing Group and is located on Council owned land the development would provide 100% affordable rented properties. This would be of significant benefit to the overall housing provision within the district.

18. Since there is no requirement under Local Plan policy H6A to provide affordable housing on this site, and as this is a Council led development, it is not necessary to secure this by way of a legal agreement.

Highways/Vehicle Parking

19. A number of objections have been raised with regards to the loss of the garages and letting information shows that 29 of the 54 garages are currently rented out, with the remaining 25 not being in use. 12 of the 29 occupied garages are rented out to people living within a 200m area.

20. The proposed development would provide 34 off-street parking spaces (an additional 6 provided by way of a recently revised plan). The Essex County Council vehicle parking standards require 24 parking spaces for the proposed dwellings with 3 visitor parking bays.

21. As a result of the revised plans there would be 10 parking spaces provided over and above that required to serve residents of the site. This would cater for both visitors to the development and the wider area and would counter some of the space lost through the demolition of the garages.

22. A parking survey has been undertaken of the local area with regards to the potential overspill onto the highway. Essex County Council Highways have assessed all of the submitted information and, despite initial objections to the scheme, have concluded as a result of the submitted Transport Statement and additional on-site parking provision that *“any displaced parking has been mitigated and that there will not be any detriment to highway safety or efficiency as a result of the development”*.

23. Whilst the existing access is currently insufficient the proposed development would widen this by incorporating part of the garden of No. 17 Queens Road. This would provide a suitable access for the proposed development and therefore, subject to conditions, the proposed development would not be contrary to Local Plan policies ST4 and ST6 or the Highway Authority’s Development Management Policies.

24. The existing access to the adjacent allotments located within the northeast corner of the site would be retained.

Design

25. The proposed new dwellings would be located within a linear row of three terrace properties and would have dual pitched roofs. The dwellings would be relatively traditional in terms of appearance and layout with the two smaller properties located on either end of the outer-most terraces. The external materials of the proposed dwellings would consist of a mix of red brick, off-white render and feature metal curtain walls and grey tile roofs.

26. Since the dwellings would be located behind No’s 5-21 Queens Road and would not be particularly visible within this street scene there is no requirement for the proposed new dwellings to mirror the existing properties within Queens Road.

27. The proposed scale and overall appearance of the proposed dwellings would be considered acceptable and would not be unduly detrimental to the overall character or appearance of the wider area.

28. The level of private amenity space for the proposed dwellings would range from approximately 40m² to over 90m². The recommended levels of amenity space for the dwellings would be 60m² (two bed properties) and 80m² (three bed properties). As such some of the proposed dwellings would have undersized rear gardens. Nonetheless the supporting text of Local Plan policy DBE8 states that *“the Council may be prepared to relax these standards in certain circumstances, These may include where: (i) the housing is ‘affordable’ and the amount of land available is likely to be at a premium”*. Since the proposal is for a 100% affordable housing scheme the level of amenity space is considered to be acceptable in this instance.

Neighbouring Amenity

29. The proposed dwellings would be located between 14.6m and 17.4m from the existing rear boundaries of the neighbouring properties and over 48m from the rear walls of the dwellings on Queens Road.

30. The Essex Design Guide states that new dwellings should be located a minimum of 25m from the backs of existing houses that they face and *“where new development backs on to the rear of existing housing, existing residents are entitled to a greater degree of privacy to their rear garden boundary, and therefore where the new houses are approximately parallel to the existing, the new houses may not encroach any closer than 15 metres to an existing rear boundary, even though with a*

closer encroachment 25 metres between the backs of houses would still be achieved". Since the proposed dwellings would be located approximately 15m or greater from the rear boundaries of the neighbours, and well in excess of 25m from the rear walls of these neighbouring dwellings, there would not be any undue overlooking or loss of privacy as a result of the proposed development.

31. Similarly, given the distances from the neighbours boundaries there would not be any undue loss of light or visual amenities to the surrounding residents.

32. Whilst objections have been received from neighbours with regards to the loss of views to the rear of their properties there is no right to a view and therefore this issue is not a material planning consideration.

33. Whilst the provision of 12 dwellings in place of 54 garages would decrease the level of possible vehicle movements to and from the site it would nonetheless result in an increase in activity within this backland location. Notwithstanding this, due to the level of development proposed, length of existing neighbours gardens, and general urban location of the site it is not considered that there would be any excessive loss of amenity as a result of noise or disturbance from the proposal development.

34. Whilst there would be some inevitable disturbance during the construction period of the development, this would be short term harm and is not a material planning consideration. Nonetheless conditions can be imposed in order to reduce and control any impact from the construction of the properties.

35. Whilst part of the existing garden of No. 17 Queens Road would be incorporated into the site in order for a wider access road to be provided a sufficient level of garden land would be left in order to ensure that adequate amenity space is retained for the residents of this property.

Trees and Landscaping

36. The application has been submitted with a Tree Survey report. Whilst the proposed development would involve the removal of several existing trees on the site there is no objection from the Council's Tree & Landscape Section with regards to the loss of these. However tree protection would be required in order to protect the trees shown to be retained on the site and details of hard and soft landscaping would need to be agreed. These matters can be dealt with by way of conditions.

Ecology

37. The application has been submitted with a Phase 1 Habitat Survey, which is considered to be acceptable. However recommendations as set out within section 5 of the survey would need to be followed. These are as follows:

- **Bats:** prior to any outdoor lighting being installed a bat sensitive lighting scheme must be adopted following guidelines from The Bat Conservation Trust ('Bats and Lighting in the UK'). This scheme should be submitted and approved by the LPA.
- **Bats:** Three bat boxes shall be installed, their position and design to be submitted and approved by the LPA.
- **Bats:** A planting scheme to improve the habitat for foraging bats shall be submitted and approved by the LPA.

- **Badgers:** Any site excavations must be covered at night time or a board placed within them as a badger escape route.
- **Birds:** Shrub removal must take place outside the bird breeding season or shall follow a nesting bird check by an ecologist. Bird boxes shall be installed on the retained trees on the site, their design and position to be submitted and approved by the LPA.
- **Hedgehogs:** Clearance work of log piles, leaf litter or scrub shall be undertaken by hand and a refugia shall be built according to the recommendations in the Phase 1 survey (para 5.7).
- **Reptiles:** Scrub clearance work shall be undertaken under the supervision of a suitably qualified ecologist between late March and September to avoid hibernation time and a refugia shall be built according to the recommendations in the Phase 1 survey (para 5.8).

Land Drainage

38. The application site is almost completely located within EA Floodzone 1, however the south western corner of the site does fall within a modelled EA Floodzone 2. Although two southernmost dwellings would be located within the modelled Floodzone 2 the submitted FRA has calculated that this part of the site is at low risk of flooding.

39. No objection has been raised to the proposal from the Environment Agency, subject to compliance with the Flood Risk Standing Advice. This requires specific floor levels, compliance with Building Regulations, and compliance with a surface water management plan (where available) or the Strategic Flood Risk Assessment.

40. The submitted application includes a Sustainable Urban Drainage (SUDs) Statement, which was forwarded to Essex County Council for comment (since these are now the Lead Local Flood Authority). They have objected to the proposal due to the submitted Drainage Strategy being inadequate for various reasons.

41. Whilst the submitted Drainage Strategy falls short of the ECC requirements it is considered by EFDC Land Drainage that this matter can be adequately dealt with by condition, particularly given that EFDC is the land owner leading the proposed development. However a Land Drainage site visit is to take place prior to the Committee meeting and any additional comments following this will be verbally reported to Members.

42. There has been no objection received from Thames Water with regards to sewerage infrastructure capacity.

Waste Comments

43. It should be noted that the Council carries out a front boundary refuse collection service from the point within the property closest to the public highway. Each property will require space to store and space at the boundary, to present for collection 1 x 180 litre refuse container, 1 x 180 litre food and garden container, 1 x 55 litre glass box and space for storage of recycling sacks. The development meets these requirements.

44. The width of the proposed access, internal roadway and turning head would be sufficient in size to allow for the manoeuvring of refuse lorries.

Contamination

45. Due to the use of the site as domestic garages and the presence of made ground there is the potential for contaminants to be present on site. Since domestic dwellings with gardens are classified as a particularly sensitive proposed use an appropriate contamination assessment is required. As remediating worst case should be feasible it should be possible to deal with land contamination risks by way of condition.

Conclusion:

46. The proposed development would provide much needed affordable housing and predominantly represents the redevelopment of a brownfield site within an existing urban location. The design and location of the proposal is considered to be acceptable and whilst the level of proposed private amenity space would be below the recommended standards it is considered that the proposed gardens would be sufficient in this instance since the proposal would be for 100% affordable housing.

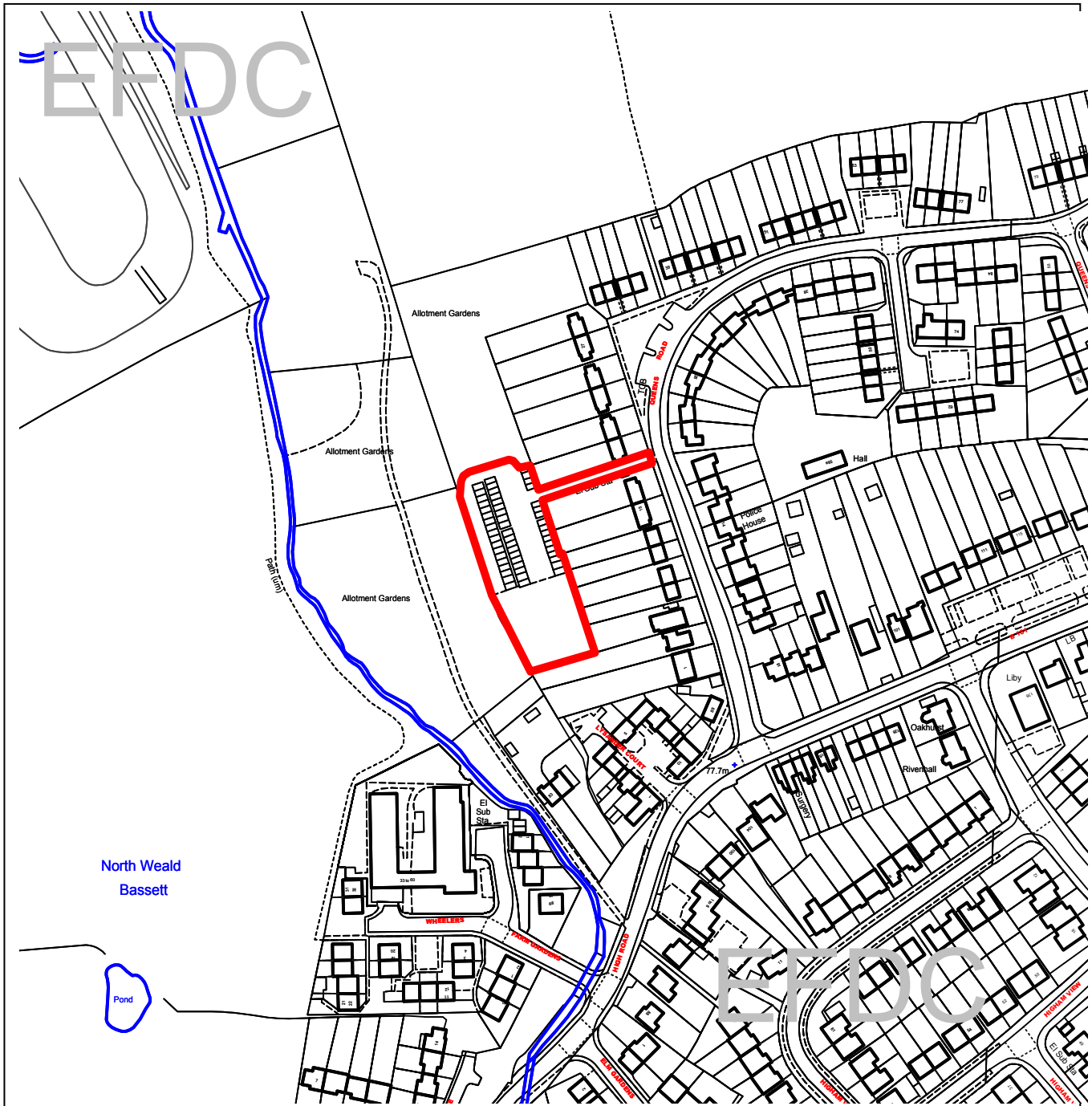
47. Although the proposed development would result in the loss of occupied garages the displaced parking would be adequately mitigated and whilst the submitted Drainage Strategy is considered to be insufficient this can be adequately addressed by way of a condition.

48. Given the above the proposal development is somewhat balanced in terms of its acceptability, however it is considered in this instance that the benefits of the development, in particular the affordable housing provision, would outweigh any harm and therefore the application is recommended for approval, subject to conditions.



Epping Forest District Council

Agenda Item Number



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Application Number:	EPF/1771/15
Site Name:	Garages behind 17 Queens Road, North Weald, CM16 6JE
Scale of Plot:	1/2500

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