

Committee Agenda



Epping Forest District Council

AREA PLANNING SUB-COMMITTEE WEST **Wednesday, 11th April, 2018**

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

Council Chamber, Civic Offices, High Street, Epping
on **Wednesday, 11th April, 2018**
at **7.30 pm** .

Derek Macnab
Acting Chief Executive

Democratic Services
Officer

A. Hendry Tel: (01992) 564243
Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors E Webster (Vice-Chairman), R Bassett, R Butler, D Dorrell, R Gadsby, L Hughes, H Kane, S Kane, Y Knight, J Lea, A Mitchell, M Sartin and S Stavrou

WEBCASTING/FILMING NOTICE

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

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

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

If you have any queries regarding this, please contact the Public Relations 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

4. MINUTES

To confirm the minutes of the last meeting of the Sub-Committee held on 14 February 2018.

5. DECLARATIONS OF INTEREST

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

6. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

7. EPPING FOREST DISTRICT LOCAL PLAN SUBMISSION VERSION - PLANNING POLICY BRIEFING NOTE (Pages 9 - 18)

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

The Principal Planning Officer will introduce the requirements of the Planning Policy Briefing Note, the primary purpose of which is to inform the development management process and to assist Development Management officers, Councillors, applicants and planning agents.

8. DEVELOPMENT CONTROL (Pages 19 - 48)

(Director of Governance) To consider the planning applications set out in the attached schedule

Background Papers

(i) Applications for determination – applications listed on the schedule, letters of representation received regarding the applications which are summarised on the schedule.

(ii) Enforcement of Planning Control – the reports of officers inspecting the properties listed on the schedule in respect of which consideration is to be given to the enforcement of planning control.

9. 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.

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

Are the meetings open to the public?

Yes all our meetings are open for you to attend. Only in special circumstances are the public excluded.

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. 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 generally allowed: 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 three 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 West or Area Plans Sub-Committee South you will address the Committee from within the Council Chamber at the Civic Offices. If you simply wish to attend a meeting of any of these Committees to observe the proceedings, you will be seated in the public gallery of the Council Chamber.

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 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 or through our leaflet 'Your Choice, Your Voice'.

Area Planning Subcommittee West 2017-18

Members of the Committee and Wards Represented:



**Vice-Chairman
Cllr
Webster**
Waltham

Cllr Bassett
Lower Nazeing

Cllr Butler
Waltham
Abbey Honey
Lane

Cllr Dorrell
Waltham Abbey
Paternoster

Cllr Gadsby
Waltham Abbey
South West



Cllr Hughes
Broadley
Common,
Epping Upland
and Nazeing

Cllr H Kane
Waltham Abbey
South West

Cllr S Kane
Waltham
Abbey
Honey Lane

Cllr Knight
Lower
Nazeing

Cllr Lea
Waltham
Abbey North
East



Cllr Mitchell
Waltham
Abbey North
East

Cllr Sartin
Roydon

Cllr Stavrou
Waltham
Abbey High
Beach

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Epping Forest District Council Planning Policy Briefing Note (March 2018)

1. Introduction

- 1.1. This briefing note 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. 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).

2. National Planning Policy Framework, the Presumption in Favour of Sustainable Development and the Five Year Housing Land Supply

- 2.1. By section 70(2) of the Town and Country Planning Act 1990 (TCPA 1990), when dealing with an application for planning permission, the Council must have regard to the provisions of the adopted development plan, so far as material to the application; and any other material considerations. By section 38(6) of the Planning and Compulsory Purchase Act (PCPA 2004) the Council must determine planning application in accordance with the adopted Development Plan for the District, unless material considerations indicate otherwise.
- 2.2. The National Planning Policy Framework (NPPF) is a material consideration in planning decisions (paragraph 196) and states that, 'in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development' (paragraph 197).
- 2.3. Paragraph 14 of the NPPF sets out what the 'presumption in favour of sustainable development' means both in terms of plan-making and decision-taking.

"For decision-taking, this means:

- approving development proposals that accord with the Development Plan without delay; and
- where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework [e.g., those policies relating to sites designated as Sites of Special Scientific Interest; land designated as Green Belt, or Local Green Space; or designated heritage assets] indicate that development should be restricted."

- 2.4. The Council's Housing Implementation Strategy, published in December 2017 (<http://www.efdclocalplan.org/wp-content/uploads/2017/12/Housing-Implementation-Strategy-Epping-Forest-District-Council-December-2017-EB410.pdf>) explains that, in accordance with paragraph 47 of the NPPF, the Council has identified a supply of specific deliverable sites sufficient to provide five years' worth of housing against the housing requirements in the LPSV.

3. The Epping Forest District Local Plan (1998) and Alterations (2006)

- 3.1. At present, the statutory development plan for the District is comprised of:
- The saved policies in the adopted Local Plan (adopted 1998) and Alterations (adopted 2006), available at <http://www.efdclocalplan.org/planning-policy/existing-local-plan/> (please note that Policies GB14A, H1A and ST3 have now been deleted).
 - The Essex and Southend-on-Sea Waste Plan (adopted 2017) available at <https://www.essex.gov.uk/Environment%20Planning/Planning/Minerals-Waste-Planning-Team/Planning-Policy/Pages/Replacement-Waste-Local-Plan.aspx>
 - The Essex Minerals Local Plan (adopted 2014), available at <https://www.essex.gov.uk/Environment%20Planning/Planning/Minerals-Waste-Planning-Team/Planning-Policy/minerals-development-document/Pages/Default.aspx>
- 3.2. In accordance with paragraph 215 of the NPPF, "due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)" to saved policies in the adopted Local Plan (1998) and Alterations (2006).
- 3.3. The Council undertook an assessment of the consistency of adopted Local Plan policies against the policies within the NPPF (as published in 2012). This outcome of that assessment was reported to the Local Plan Cabinet Committee in March 2013. Further details can be found at:

<http://rds.eppingforestdc.gov.uk/ieListDocuments.aspx?CId=688&MId=7142>

4. The Epping Forest District Local Plan Submission Version (2017)

- 4.1. On 14 December 2017, at an Extraordinary Full Council meeting, Members approved the LPSV for publication under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) ("the 2012 Regulations") and for submission to the Secretary of State for independent examination under section 20 of the PCPA 2004.
- 4.2. The LPSV comprises a series of up-to-date strategic and development management policies for the District, together with site allocations. It sets out the strategy for

meeting the District's objectively assessed needs for housing, employment and infrastructure from 2011 up to 2033. The LPSV is based on up-to-date evidence and the results of the previous Local Plan consultations undertaken in 2010/11, 2012, and 2016. Once adopted, the Plan will form part of the statutory development plan for the District and will replace the saved policies of the adopted Local Plan (1998) and Alterations (2006).

- 4.3. In accordance with Members' decision, the LPSV was published for a six-week period between 18 December 2017 and 29 January 2018 to allow any person to make representations to the Council about the LPSV under Regulation 20 the 2012 Regulations ("Regulation 20 representations"). As Regulation 19 requires the Council to publish the version of the Local Plan it intends to submit to the Secretary of State for independent examination, the six-week representation period is not a public consultation exercise in the sense that representations are invited on the final form of the LPSV before it is submitted to the Secretary of State for independent examination.
- 4.4. The primary purpose of the Regulation 19 publication period is to allow interested persons to make Regulation 20 representations about the soundness, legal compliance of the LPSV, and whether the Council has complied with the duty to co-operate under section 33A of the PCPA 2004 in its preparation. This reflects the purpose of the independent examination which is to determine, in respect of the LPSV, whether it satisfied the requirements of legal compliance; whether it is sound; and whether the Council has complied with the Duty to Co-operate under section 33A of the of the PCPA 2004, in its preparation.
- 4.5. Copies of all duly made Regulation 20 representations will be sent to the Secretary of State when the LPSV is submitted for independent examination under section 20 of the PCPA 2004. Under section 20(6) of the 2004 Act, any person who makes representations seeking to change the LPSV must (if s/he so requests) be given the opportunity to appear before and be heard by the person carrying out the examination. Regulation 23 of 2012 Regulations, the Local Plan Inspector appointed to the examine the LPSV must consider all duly made Regulation 20 Representations before making a recommendation concerning the adoption of the LPSV.
- 4.6. At the Extraordinary meeting on 14 December 2017, the Council also resolved to approve the Plan as a material consideration in decision-making. This means that the LPSV, as supported and justified by the Local Plan evidence base, should be taken into account as material planning considerations when determining future planning applications and giving advice at the pre-application stage. The documents comprising the Local Plan evidence base can be found at: <http://www.efdclocalplan.org/technical-information/>.
- 4.7. It is very important to note that, until it is adopted by the Council under section 23 of the PCPA 2004, the LPSV does not form part of the statutory development plan for the District. However, as it will not be altered materially before submission to the Secretary of State before 31 March 2018, the LPSV represents the completion of the preparation stage of the Local Plan.

- 4.8. As such, in accordance with paragraph 216 of the NPPF, when taking planning decisions, the Council may give weight to relevant policies in the LPSV "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 this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."
- 4.9. When approving the LPSV for publication and submission to the Secretary of State for independent examination, at the Extraordinary Full Council meeting on 14 December 2017 Members resolved that:
- "(i) That the Local Plan Submission Version 2017 be endorsed as a material consideration to be used in the determination of planning applications and enforcement decisions to be given appropriate weight in accordance with paragraph 216 of the National Planning Policy Framework."
- 4.10. Accordingly, when dealing with applications for planning permission this means that Development Management officers and Councillors must continue to determine applications in accordance with the adopted Local Plan (1998) and Alterations (2006), unless material consideration indicate otherwise. **In all cases**, officers and Members must have regard to the LPSV, so far as material to the decision, and assess whether the proposal under consideration accords with the LPSV as a material consideration.
- 4.11. The Submission Version is the Local Plan which the Council intends to adopt, subject to the recommendations of the Local Plan Inspector appointed to examine the LPSV. It has been the subject of extensive consultation at each stage of the Local Plan's preparation. (Further details are provided in the Consultation Statement prepared by the Council at <http://www.efdclocalplan.org/submission-version-2017/>).
- 4.12. The policies and site allocations within the LPSV have been prepared having regard to and are consistent with national planning policy requirements and are supported by a comprehensive and up-to-date evidence base and Sustainability Appraisal. As the Council considers the LPSV to be sound and legally compliant, unless otherwise indicated in future specific advice from the Planning Policy team, Development Management officers and Councillors should accord relevant LPSV policies and allocations **significant weight** in the determination of applications.
- 4.13. The Council will submit the LPSV to the Secretary of State for independent examination in March 2018. The programming of the examination is a matter for the appointed Plan Inspector but the Council expects the examination hearings to be held in Autumn 2018. Adoption of the Epping Forest District Local Plan is expected in 2019.

5. Prematurity

- 5.1. Planning Policy Guidance (PPG) on 'Local Plans' (Reference ID: 12-019-2014030) states that the weight to be attributed to emerging plans increases during the plan-making process. The PPG on 'Determining a planning application' (Reference ID: 21b-014-20140306) stipulates that an application that is premature is unlikely to justify a refusal of planning permission in the context of the presumption in favour of sustainable development other than in exceptional circumstances where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account.
- 5.2. In accordance with the PPG (Reference ID: 21b-014-20140306) such circumstances are likely to be limited to situations where:
 - (a) The development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or neighbourhood plan; and
 - (b) The development would prejudice the delivery of the emerging allocations.
- 5.3. Before deciding to refuse planning permission on grounds of prematurity, the Council must identify clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process and prejudice the delivery of emerging allocations.
- 5.4. Given the substantial and extensive up-to-date evidence and site selection work which underpins the housing allocations in the LPSV, it is very unlikely that the Council will support any proposals for development outside of settlement boundaries which are not part of the LPSV allocations, or which are not in accordance with the Local Plan Rural Exceptions policy with respect to housing, or which do not comply with national and local policies concerning Green Belt and brownfield land. Larger scale developments within settlement boundaries which come forward on sites which are not allocated will be assessed against national, adopted Local Plan, and LPSV policies; consideration will be given as to whether the proposal would in any way prejudice the implementation of site allocations within the LPSV.

6. Local Plan Implementation

Strategic Masterplans, Design Codes and Concept Framework

- 6.1. The LPSV requires future developments in certain areas (as specified on the Policies Map) to be in general compliance with a Strategic Masterplan produced specifically for that area. These areas include:
- East of Harlow (part of the Harlow and Gilston Garden Communities);
 - Latton Priory (part of the Harlow and Gilston Garden Communities);
 - Water Lane Area (part of the Harlow and Gilston Garden Communities);
 - South Epping;
 - Jessel Green;
 - Waltham Abbey North;
 - North Weald Bassett;
 - North Weald Airfield; and
 - Limes Farm.
- 6.2. These Strategic Masterplans will provide a high-level overarching framework to ensure that planning and delivery of development and infrastructure is properly co-ordinated across the Masterplan Area. They will also ensure that development proposals are front-loaded and where possible accelerated.
- 6.3. The Council also requires more Design Codes to be produced for each of the areas in accordance with the principles set out in the respective Strategic Masterplan. These Design Codes will set out detailed design standards and should be used to inform planning applications to be submitted for individual sites. The Design Code also ensures co-ordination between different land parcels within a Masterplan Area and provides a level of certainty to developers of the quality and character of adjacent development.
- 6.4. The LPSV also requires the production of two Concept Frameworks, one for West Ongar and one for South Nazeing. These Concept Frameworks are more 'light-touch' in comparison with Strategic Masterplans but still set out high-level development principles which will ensure that a comprehensive and cohesive approach is taken to the planning and delivery of development and infrastructure in the locality.

Quality Review Panel

- 6.5. The production of Strategic Masterplans, Concept Frameworks, Design Codes, and where appropriate, other planning proposals should be considered and informed through review at key stages by the Council's Quality Review Panel. In general, the Council will expect schemes of more than 50 homes or 5,000 square metres of commercial/other floorspace to be informed by review. Other smaller schemes which are complex or contentious may also be appropriate for review.

7. Infrastructure Pooling

- 7.1. Since 6 April 2015, the requirements of Regulation 123(3) of the Community Infrastructure Levy Regulations 2010 have been in effect. This limits the funding or provision for any one specific infrastructure project or type of infrastructure to a maximum of five separate planning obligations.
- 7.2. The IDP provides guidance as to how and when infrastructure requirements associated with development identified within the LPSV should be delivered. The Council is required to work with landowners, promoters, infrastructure providers and other local authorities to determine how infrastructure contributions will be sought and section 106 contribution pooled to provide the necessary infrastructure. Careful consideration therefore needs to be given in relation to the identification and definition of infrastructure projects in relation to future section 106 agreements.

8. Neighbourhood Planning

- 8.1. Neighbourhood Plans were introduced by the Government through the Localism Act 2011. Once they have successfully completed the preparation process and have been made, Neighbourhood plans will form part of the statutory development plan for the District. Applications for development within the relevant neighbourhood plan area must be determined on accordance with the neighbourhood plan, so far as it is material to the application.
- 8.2. To be made, a neighbourhood plan must be in general compliance with the adopted Local Plan for the District and be used positively to encourage sustainable development. Within Epping Forest District, there are currently nine neighbourhood plan being prepared by the respective town or parish council for the area. For further detail on the progress of individual neighbourhood plans, please visit the Neighbourhood Planning on the Council's website:

<http://www.efdclocalplan.org/planning-policy/neighbourhood-planning/>
- 8.3. In certain circumstances, an emerging neighbourhood plan may be a material consideration in the determination of a planning application. in accordance with section 70(2)(aza) of the TCPA 1990 "a post-examination draft neighbourhood development plan, so far as material to the application", Where section 70(2)(aza) applies, the Council must decide the weight to be accorded to relevant policies within an emerging neighbourhood plan, in accordance with paragraph 216 of the NPPF (see above at paragraph 4.8).

- 8.4. In December 2016, the Minister of State for Housing and Planning, Mr Gavin Barwell MP, made a Written Ministerial Statement stating that relevant policies for the supply of housing in a neighbourhood plan that has been made and is part of the statutory development plan, should not be deemed to be 'out-of-date' under paragraph 49 of the NPPF, where all of the following circumstances arise at the time the decision is made:
- This written ministerial statement is less than 2 years old, or the neighbourhood plan has been part of the development plan for 2 years or less;
 - the neighbourhood plan allocates sites for housing; and
 - the local planning authority can demonstrate a three-year supply of deliverable housing sites.

The full Ministerial Statement can be found on the UK Parliament website at <https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2016-12-12/HCWS346/>

9. Housing White Paper and Starter Homes

- 9.1. The provision for starter homes to be defined as affordable housing was included in the Housing and Planning Act 2016. This includes a general duty to promote starter homes [Part 1 Chapter 1 (paragraph 4)] and through regulations place a requirement on local planning authorities to grant planning permission for a residential development of a specified description if the starter homes requirement is met [Part 1 Chapter 1 (paragraph 5) (1)]. However, the regulations are not yet in place and it is not clear when/ whether the current government intends to provide such regulations given the manner in which the matter has been covered in the recent Housing White Paper.
- 9.2. The Housing White Paper "Fixing Our Broken Housing Market" (February 2017) does not seek to introduce such a statutory requirement for starter homes at the present time (refer A124 p99). However it does expect local authorities to deliver starter homes as part of a mixed package of affordable housing of all tenures that can respond to local needs and local markets. The Government has expressed its intention to change the National Planning Policy Framework subject to the Housing White Paper consultation as follows:
- A change to the definition of affordable housing to include, among others, starter homes and affordable private rented housing (A120, p 99 and Box 4, p100)
 - To introduce a household earnings eligibility cap of £80,000 (£90,000 for London) on starter homes.
 - To make it clear that local authorities should seek to ensure that a minimum of 10% of all homes on individual sites are affordable home ownership products (A126, p101). This would include starter homes, shared ownership homes and

discounted market sales products. It would apply to sites of 10 units or more or 0.5+ hectares in size. This applies except for the following types of scheme:

- Build to rent
- Dedicated supported housing, such as residential care homes
- Custom build schemes
- Development on rural exception sites where it should remain a matter of discretion for the local authority. (A128, p101)

9.3. Until the Government responds to the consultation and makes the relevant changes to the NPPF these provisions will not be in place. Until these changes have been made to the NPPF affordable housing provision will be assessed against the policies of the current adopted Local Plan, the emerging Local Plan (Submission Version) and the NPPF as existing and at present Starter Homes will not be considered to meet the definition of affordable housing.

9.4. As part of the Housing White Paper, the DCLG has published a “Planning for the right homes in the right places: consultation proposals” on 14 September 2017. The document sets out a number of proposals to reform the planning system to increase the supply of new homes and increase local authority capacity to manage growth. One of the main proposals in the document was the introduction of a standard methodology for calculating local authorities’ housing need. For the District, the proposed new methodology suggests that the annual housing requirement for the District would be 923 dwellings per annum, which is significantly higher than the housing requirement proposed in the emerging Local Plan.

9.5. For emerging Plans, the consultation document proposed that if a Local Plan is submitted for examination on or before 31 March 2018 or before the revised Framework is published (whichever is later), Local Authorities should continue with the current plan preparation. Epping Forest District Council will submit the Local Plan for examination before 31 March 2018 and will therefore continue to use the current housing requirements and methodology set out in the Plan.

10. Housing Strategy 2017 – 2022

10.1. In 2017, the Council adopted its new Housing Strategy that includes a number of policies relating to the delivery of affordable housing. The main policies relating to the Local Plan are as follows:

- On developments which provide for 11 or more homes (or on land in excess of 1,000sqm gross floor space), the Council will generally seek up to 25% of the affordable homes as shared ownership homes (not as “starter homes”), to assist first time buyers to gain access to home ownership and to meet the National Planning Policy Framework’s requirement for the provision of affordable home ownership properties;

- In order for shared ownership homes to be affordable to as many people as possible, the Council will ensure that:
 - Initial equity sales to individual applicants for shared ownership properties are no less than 20% and no more than 75% of the open market value of the property;
 - For development appraisals undertaken by housing associations for the purchase or development of affordable housing, the assumption used for the average initial equity shares to be sold to applicants across all of the shared ownership properties on the development is no more than 35%, and is reflected in offers made to landowners and developers;
 - Shared owners are able to purchase additional equity shares (staircase) up to full 100% ownership, except for rural housing schemes for which a maximum of 80% equity can be purchased under current Homes and Communities Agency policy; and
 - The initial rent charged for the equity retained by the housing association is equivalent to no more than 2% of the value of the unsold equity per annum, with subsequent rent increases determined in accordance with the relevant housing association's rent setting policy;
- The Council will seek to ensure that housing associations and other providers charge affordable rents at no more than the level of the relevant Local Housing Allowance for the locality;
- The Council will ensure that developers comply with the Council's latest Guidance Note to Planning Applicants on the Submission of Viability and Financial Appraisals for Affordable Housing and will robustly assess and validate Viability Appraisals submitted for developments where developers assert that it is not possible to meet the Council's affordable housing requirements, in order to ensure that as much affordable housing is obtained as viably possible.

A copy of the Housing Strategy 2017 – 2022, which provides further background to these policies can be found here:

<http://www.eppingforestdc.gov.uk/home/file-store/category/436-business-plans?download=4700:housing-strategy-2017-22>

Contact

Planning Policy Team

Epping Forest District Council

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AREA PLANS SUB-COMMITTEE 'WEST'

11 April 2018

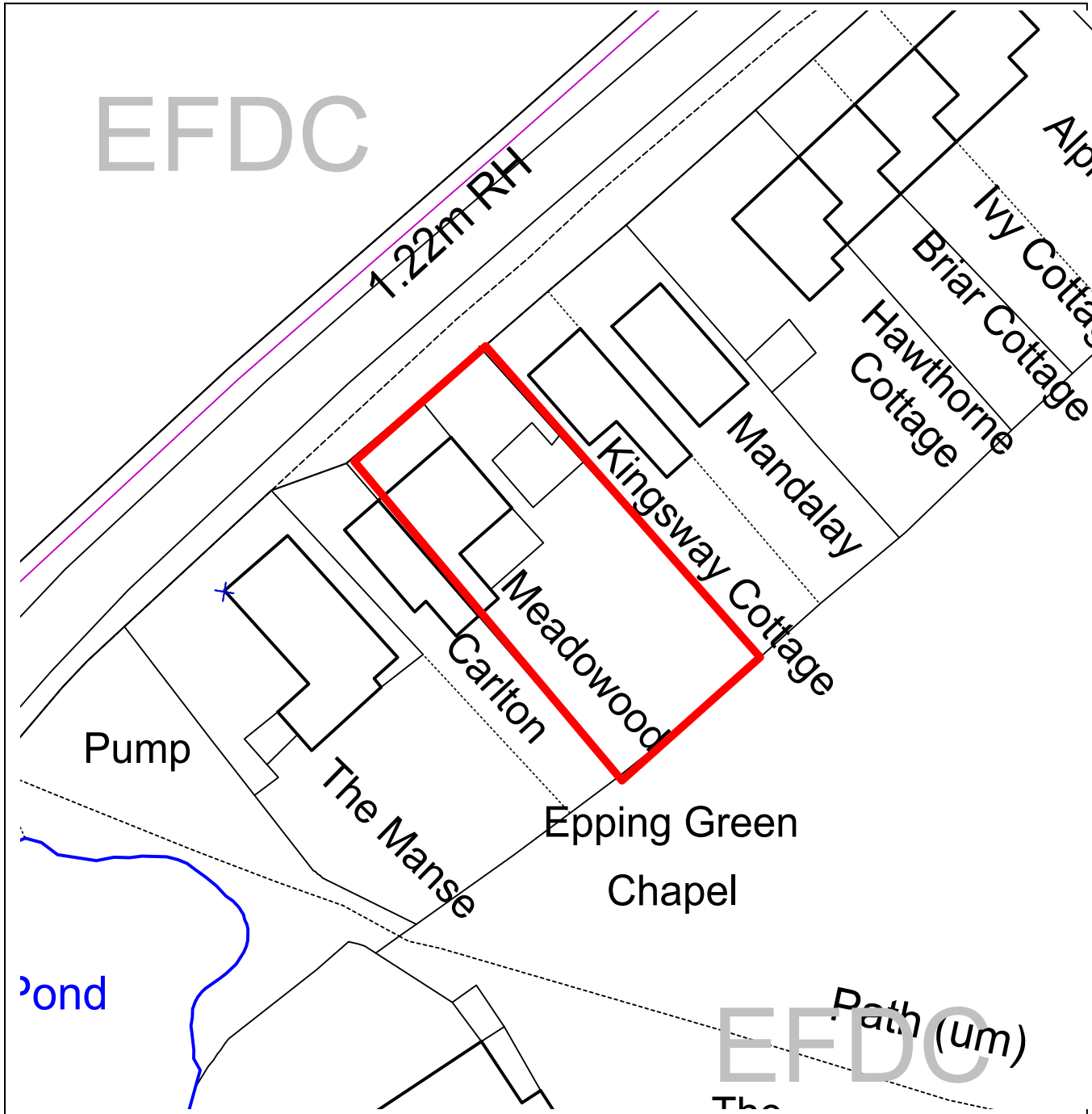
INDEX OF PLANNING APPLICATIONS

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/2824/17	Meadowood Epping Road Epping Upland Epping Essex CM16 6PX	Grant Permission (With Conditions)	20
2.	EPF/2950/17	Oaklands Clyde Road Roydon Essex EN11 0BE	Grant Permission (With Conditions)	26
3.	EPF/3368/17	Land at Greenview Holyfield Road Waltham Abbey Essex EN9 2EW	Grant Permission (With Conditions)	30
4.	EPF/3435/17	7 Tovey Close Nazeing Essex EN9 2LY	Grant Permission (With Conditions)	40
5.	EPF/3466/17	2 Rose Cottage Rye Hill Road Epping Upland Epping Essex CM18 7JQ	Grant Permission (With Conditions)	44



Epping Forest District Council

Agenda Item Number 1



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Application Number:	EPF/2824/17
Site Name:	Meadow View Epping Road Epping Upland Essex CM16 6PX
Scale of Plot:	1:500

Report Item No:1

APPLICATION No:	EPF/2824/17
SITE ADDRESS:	Meadowood Epping Road Epping Upland Epping Essex CM16 6PX
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
APPLICANT:	Mr N Hart-Smith & Ms Y Tyrell
DESCRIPTION OF PROPOSAL:	Demolition of existing double garage and store enclosure. Erection of double garage, and workshop with added pitched roof and rooms in loft space
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=601277

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 received 22/02/18: proposed front elevation, Elevations facing NW and SE, Ground level, facing north, east, south, west, proposed first floor and the submitted location and block plans.
- 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 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 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.

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 (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(g))

Description of site

The application site is located on Epping Road which is within the settlement of Epping Upland. The existing building on the site is a two storey dwelling which has a single storey flat roofed outbuilding to its immediate east. The neighbouring dwellings have a somewhat mixed character with a mixture of two storey and single storey dwellings. The application site is located within the boundaries of the Metropolitan Green Belt and it is not in a Conservation Area.

Description of proposal

The proposed development is to demolish the existing single storey outbuilding and to erect a replacement with space for a first floor.

Relevant History

EPF/0687/87 - Extension. – Approved

EPF/0895/95 - Construction of new pitched roof addition over existing flat roof at first floor. - Approved

EPF/1055/04 - Erection of rear conservatory. – Approved

Policies Applied

CP2 – Protecting the quality of the rural and built environment
DBE1 – Design of new buildings
DBE4 – Design in the Green Belt
GB2A – Development in the Green Belt
GB7A – Conspicuous development
DEB9 – Impact on Neighbours

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.

Epping Forest District Local Plan (Submission Version) 2017:

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the

Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

SP1 - Presumption in Favour of Sustainable Development
SP7 - The Natural Environment, Landscape Character and Green and Blue Infrastructure
DM21 - Local Environmental Impacts, Pollution and Land Contamination
DM4 - Green Belt
DM5 - Green and Blue Infrastructure

Consultation carried out and summary of representations received

EPPING GREEN PARISH COUNCIL – OBJECTION – Height of the roof is over dominant, support replacement of garage, note that is a dispute regarding land on the boundary with Kingsway Cottage.

2 Neighbours consulted –

KINGSWAY COTTAGE – OBJECTION - the ridge height is excessive and out of character with existing properties. The proposed ridge height blocks sunlight from our property.

Issues and considerations

The main issues to consider when assessing this application are the potential impacts on the Green Belt, the living conditions of the neighbours, the design of the proposal and any other planning considerations.

Green Belt

The National Planning Policy Framework (NPPF, CLG, 2012) indicates that the Government attaches great importance to Green Belts. The fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

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

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

However paragraphs 89 and 90 of the NPPF allow certain exceptions to inappropriate development one of which is the:

Limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan

Epping Upland would clearly constitute a ‘village’ for the purposes of planning policy; it has a rather substantial number of residential dwellings located within a relatively small proximity as well as a Public House and a school. Furthermore the majority of Epping Upland is located outside of the Green Belt and this site is directly adjacent to the main built up area. The site itself is located betwixt residential dwellings on either side of it and it is therefore considered to be infilling within the Green Belt.

The Council has previously allowed residential dwellings as 'limited infilling' in the Green Belt in various locations around the District. Within this context, the erection of an outbuilding adjacent to a residential dwelling is also considered to be limited infilling in the Green Belt.

Therefore it is concluded that the proposal would not be inappropriate development in the Green Belt and is compliant with GB2A and GB7A of the Adopted Local Plan.

Living conditions of neighbours

The new outbuilding will be built on the shared boundary with Kingsway Cottage and will have an eaves height of 3m and a ridge height of 5.4m. . Whilst the outbuilding will result in some loss of light to side facing windows in Kingsway Cottage and some impact on the patio area to the immediate rear of that property, it is not considered that the impact will be excessive

Design

The building has a conventional residential appearance with a roof feature which is common in Epping Upland and thus the detailed design will not appear incongruous in the street scene. In terms of its scale the building is relatively large for an outbuilding and has a high ridge level in order to facilitate its use at first floor level. However the ridge does not exceed the eaves height of Meadowood and is only marginally higher than the eaves of Kingsway. As a result the building will not appear overly prominent in the street scene and is considered to be respectful to its character and appearance.

The proposal is therefore compliant with policies DBE1 and CP2 of the Adopted Local Plan.

Land Drainage

The applicant has not submitted details of how surface water drainage will be disposed. Given that the geology of the area is predominantly clay, these details will be required and can be secured through condition.

Conclusion

The proposal is not inappropriate in the Green Belt, will not harm the living conditions of the neighbours and the design is appropriate. Therefore it is recommended that planning permission is granted.

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

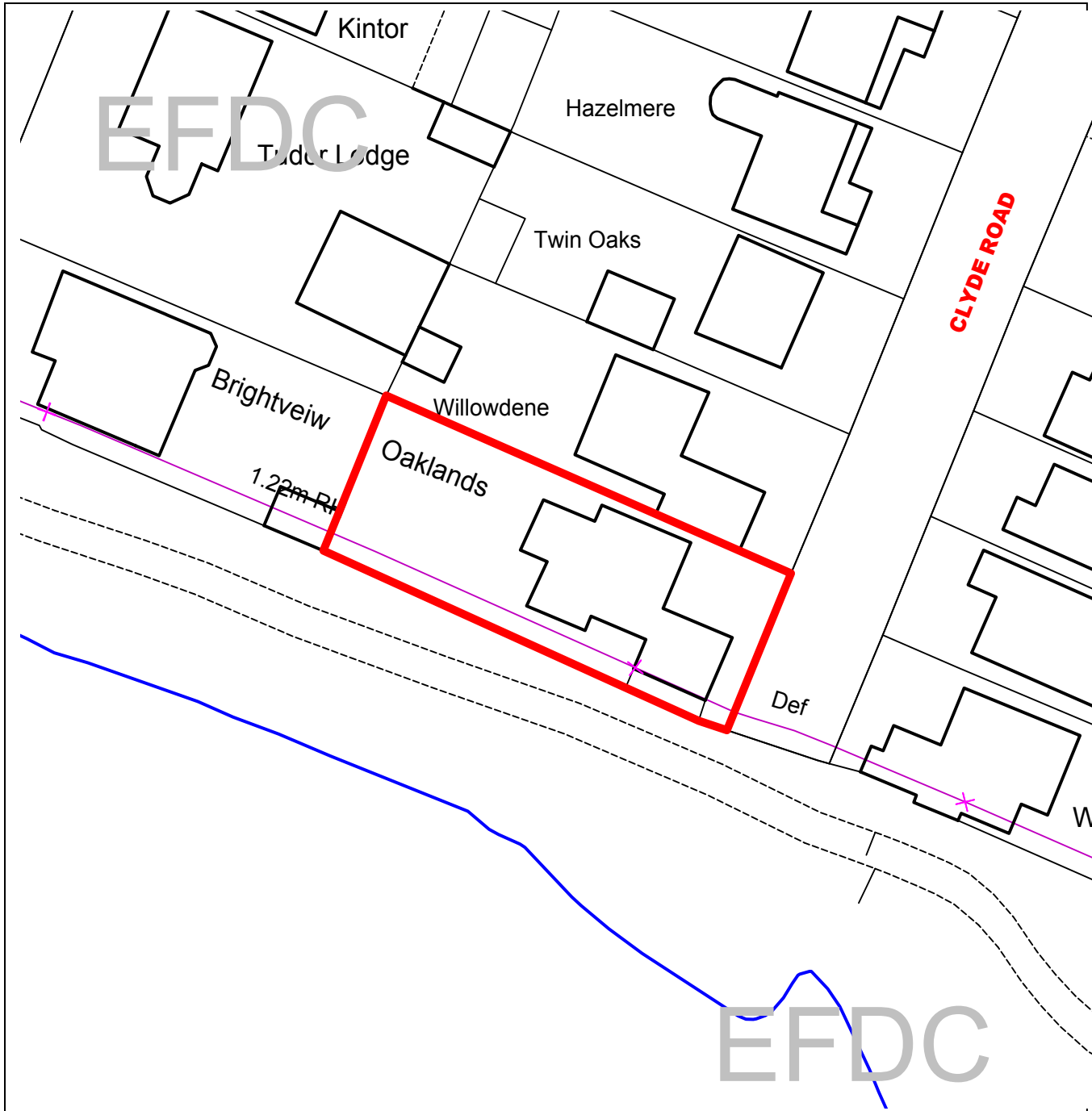
***Planning Application Case Officer: James Rogers
Direct Line Telephone Number: 01992 564371***

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

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Epping Forest District Council

Agenda Item Number 2



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Application Number:	EPF/2950/17
Site Name:	Oaklands Clyde Road Roydon Essex EN11 0BE
Scale of Plot:	1:500

Report Item No: 2

APPLICATION No:	EPF/2950/17
SITE ADDRESS:	Oaklands Clyde Road Roydon Essex EN11 0BE
PARISH:	Roydon
WARD:	Lower Nazeing Roydon
APPLICANT:	Mr Billy Wingrove
DESCRIPTION OF PROPOSAL:	First floor front extension and new loft extension including Juliet balcony.
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=601873

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 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

Oaklands is a 2 storey detached dwelling located on the Western side of Clyde Road in Roydon. There are no Listed Buildings attributed to the site and it is not within a Conservation Area. The site is not within the Metropolitan Green Belt, however it is within Flood Zones 2 and 3.

Description of Proposal:

First floor front extension and new loft extension including Juliet balcony.

Relevant Site History:

EPF/1776/80 – erection of one detached dwelling with linked garage (25/02/1981) – Grant Permission (With Conditions)

Policies Applied:

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

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

DM9 – Quality of Design

Summary of Representation:

No. of neighbours consulted: 2, no comments received

Roydon Parish Council: Object – Out of character and seems disproportionate.

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 proposal would include a first floor front extension which would raise the overall roof height, allowing for a Juliette Balcony to be inserted in the side elevation facing the adjacent boating lake. Three velux rooflights would be inserted into the front roof slope. A rear dormer is also proposed as well as a flat roof first floor rear extension.

Roydon Parish Council objected to the application suggesting that the proposal is out of character and disproportionate. There does not appear to be a particular design pattern along Clyde Road and, whilst three traditional front dormers would be lost, it is considered that the proposal would not be out of character with the rest of the street. Also, the proposed raising of the roof would be relatively minor (0.5 metres) and as such is not considered to be disproportionate or excessive.

Impact on Living Conditions:

It is considered that the proposal would not have excessive harm in regard to visual impact. The distance between the rear of the house and the rear boundary is 15.4 metres, which is considered a far enough distance to not cause excessive harm in relation to overlooking neighbouring properties. The proposed Juliette Balcony inserted into the side elevation will look out onto the adjacent boating lake and therefore would not overlook neighbours. As the raising of the roof

height would only be 0.5 metres, it is considered that there would not be excessive harm caused to neighbouring properties in regard to loss of light.

Conclusion:

As the design is acceptable and there would not be excessive harm to the living conditions of neighbours, 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:

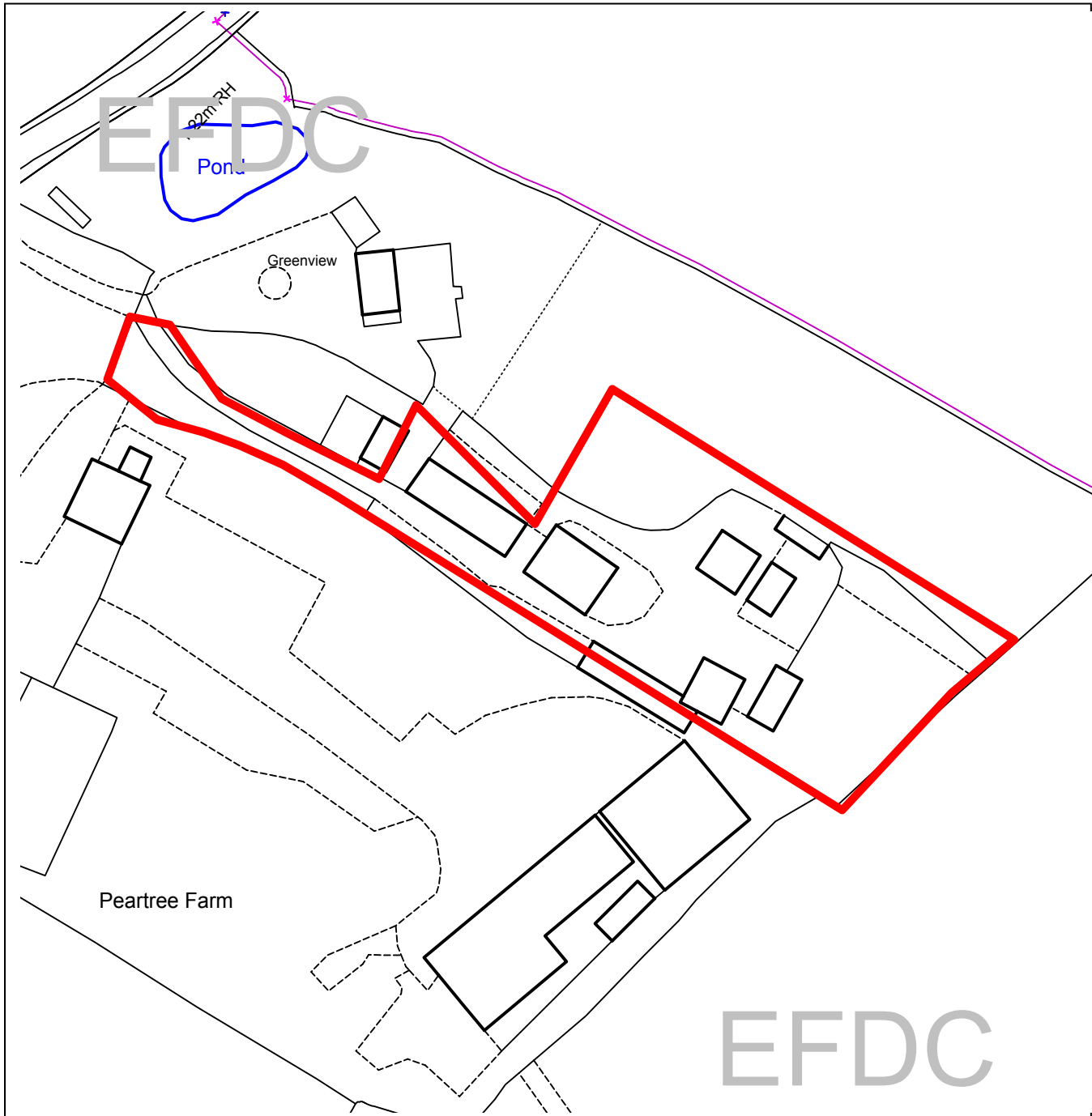
***Planning Application Case Officer: Alastair Prince
Direct Line Telephone Number: 01992 564462***

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



Epping Forest District Council

Agenda Item Number 3



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Application Number:	EPF/3368/17
Site Name:	Land at Greenview Holyfield Road Waltham Abbey Essex EN9 2EW
Scale of Plot:	1:1250

Report Item No: 3

APPLICATION No:	EPF/3368/17
SITE ADDRESS:	Land at Greenview Holyfield Road Waltham Abbey Essex EN9 2EW
PARISH:	Waltham Abbey
WARD:	Waltham Abbey North East
APPLICANT:	Founthill Ltd
DESCRIPTION OF PROPOSAL:	Demolition of existing commercial buildings and erection of nine detached dwellings
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=603346

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: GRV - P: 01, 02, 03, 05, 06, 07, 08 09, 10, 11
- 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, 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 and 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.

- 5 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.
- 6 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]
- 7 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]
- 8 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]

- 9 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.
- 10 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.
- 11 Prior to the commencement of any works a method statement for before, during and post construction should be submitted to and approved in writing by the Local Planning Authority. This should cover the avoidance of potential impacts on bats, birds, amphibians, reptiles and small mammals.
- 12 That a biodiversity enhancement statement be written and submitted to and approved in writing by the Local Planning Authority prior to commencement of works. This should include bird and bat boxes and native planting.
- 13 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 tools. 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.
- 14 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.
- 15 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.

- 16 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.
- 17 An electric vehicle charging point shall be provided for each of the approved dwellings prior to first occupation.
- 18 Prior to first occupation measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.
- 19 Prior to the commencement of works all buildings and structures located within the red lined site as shown on GRV-P01 and the site location plan shall be demolished and entirely removed from the site.

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 (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A. (g))

Description of site

The application site is located on the eastern side of Holyfield Road which is within the area of Waltham Abbey and is within a sparse area of development to the east of Bumbles Green and to the north of the main settlement of Waltham Abbey. To the north of the red lined site is a residential dwelling known as Greenview, which is within the control of the applicant. Currently on the site are a number of structures which include two wooden built sheds, a metal clad demountable structure and structures made from scaffold which contain stored items in connection with the use of the site as a storage area. The application site is located within the boundaries of the Metropolitan Green Belt and it is not within a Conservation Area.

Description of proposal

The proposed development is to demolish and remove all structures within the site and to erect nine new dwellings.

Relevant History

EPF/0380/80 - Erection of a replacement poultry slaughter house. - Refused

EPF/0250/89 - Use of buildings for storage of scaffolding, materials and offices. - Refused

EPF/2280/17 - Certificate of Lawful Development for existing use of land to the rear for the storage of scaffolding (Class B8) - Lawful

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
DBE1 – Design of new buildings

DBE2 – Effect on neighbouring properties
DBE3 – Design in urban areas
DBE8 – Private amenity space
DBE9 – Loss of amenity
LL11 – Landscaping schemes
ST1 – Location of development
ST4 – Road safety
ST6 – Vehicle parking
GB2A – Development in the Green Belt
GB7A – Conspicuous Development
U3B – Sustainable drainage systems

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.

Epping Forest District Local Plan (Submission Version) 2017:

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

SP1 - Presumption in Favour of Sustainable Development
SP6 – Green Belt and District Open Land
SP7 - The Natural Environment, Landscape Character and Green and Blue Infrastructure
DM1 – Habitat protection and improving Biodiversity
DM3 – Landscape character, ancient Landscapes and Geodiversity
DM4 – Green Belt
DM21 - Local Environmental Impacts, Pollution and Land Contamination
H1 – Housing Mix and accommodation types

Consultation carried out and summary of representations received

2 Neighbours consulted –

CONSERVATORS OF EPPING FOREST – OBJECTION – The proposal is inappropriate development in the Green Belt and would cause significant harm to the character and appearance of the area. The development is not suitable for this setting and would create substantial dwellings in the countryside.

WALTHAM ABBEY TOWN COUNCIL – OBJECTION - The committee objected as the proposed development would be building on the Greenbelt, and there are no special circumstances to persuade the Committee. Another concern the committee raised was regarding highway safety as the access road to the site comes off a bend on the Crooked Mile/Holyfield Road, which is already notorious as an accident blackspot, the entry and egress to and from this development could increase the risk of collisions.

Issues and Considerations

The main issues to consider are the five year housing land supply and the potential impacts on the Green Belt, the living conditions of the neighbours, the character and appearance of the area, highway issues, Trees and landscaping, land drainage, land contamination and any other material planning considerations.

Five year housing land supply

The Council cannot currently demonstrate a five year housing land supply as required by the Framework. The Submission Version of the Epping Forest Local Plan will address this issue; however the Local Plan has not yet been adopted. As such the Council submits that it can only demonstrate a 1.58 year supply of housing. In these circumstances paragraphs 14 and 49 of the Framework advise that planning permission should be granted unless any adverse impacts on doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole, thereby adding weight to an approval.

Green Belt

The National Planning Policy Framework (NPPF, CLG, 2012) indicates that the Government attaches great importance to Green Belts. The fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

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

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

The NPPF does however allow for some exceptions to inappropriate development and one of which is the:

limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

The first stage of this exception is to consider whether the site is indeed brownfield, which is defined in the NPPF as:

Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.(underline for officer emphasis)

A certificate of Lawfulness was issued in 2017 for this site which certified that its lawful use is for the storage of scaffold equipment (a B8 use). Such a use would fall within the Governments definition of previously developed land and thus the site is acknowledged to be brownfield land.

Whilst the site falls within the definition of previously developed land, this exception to inappropriate development explicitly excludes temporary buildings being considered as part of the redevelopment under this exception but requires a permanent structure to be present on the site.

The large wooden building located toward the entrance of the site labelled on drawing number GRV-P01 as 'shed one' and the smaller building labelled as 'shed two' are clearly permanent buildings. However the structures labelled as 'store one', 'store three', 'store four', 'store five', 'store six', 'store seven' and 'store eight' are constructed entirely of scaffold material and therefore have questionable permanence.

Section 336 of the Town and Country Planning Act 1990 defines a building as:

Any structure or erection

Within this context and having regard to the definition of previously developed land within the NPPF, the structures currently on the site can be considered to be buildings for the purposes of planning policy.

The key question to address then is whether these structures are permanent. The buildings as they currently stand have been in situ since at least 2010 based on the Councils satellite photographs and as a result would benefit from existing use rights since enforcement action is not possible after four years as defined in Paragraph 171B of the Town and Country Planning Act.

The buildings are therefore considered to be permanent and can be considered under this exception to inappropriate development in the Green Belt. The existing buildings currently on the site have a volume of approximately 3900 cubic metres, whereas the new dwellings will have a total volume of 3400 cubic metres. The redevelopment will therefore constitute a decrease in the volume of built form on the site.

It is acknowledged that the scaffold structures are of a construction which has less impact on the Green Belt than, for example a solid built structure such as a dwelling. Nonetheless the structures in question have existing use rights and are substantially higher than the dwellings proposed in this application. Within this context, and given that the overall volume of built form is lesser, it is concluded that this proposal falls under this exception to inappropriate development in the Green Belt.

The proposal is therefore compliant with policies GB2A and GB7A of the Adopted Local Plan and with DM4 of the Epping Forest Local Plan (Submission Version) 2017.

Living conditions of neighbours

The new dwellings relate well to each other and would offer a suitable level of habitable living space for new residents. The main dwelling at Greenview is orientated away from the proposed development whose residential curtilage angled away; as a consequence it is not considered that there would be any significant harm caused to the living conditions of occupiers.

There is an industrial site located directly to the south which is used as a haulage and transport yard. Whilst this will have some impact on the living conditions of future occupiers, it would not be excessively harmful. Indeed a planning condition can ensure that a suitable landscape scheme is implemented which will act as a meaningful screen to the adjacent site.

Character and appearance of the area

Local and National policy seeks new development to be of a high quality design and to be respectful to its surroundings. In this case the proposal would involve the removal of all existing buildings and structures on the site to be replaced with a small residential cul de sac. The existing buildings on the site lack architectural merit and are of a relative large scale which does not contribute positively to the area as a whole. The redevelopment will introduce a new feature into the street scene with the erection of a residential cul de sac, however it is concluded that this will have a positive impact on area over the existing situation and thus the proposal is compliant with DBE1 and CP2 of the Adopted Local Plan and with DM9 (D) of the Epping Forest Local Plan (Submission Version) 2017.

Highway issues

The new dwellings have a suitable level of parking and would utilise the existing access onto Holyfield Road which has been used by the storage business for in excess of 10 years. The use of this access for nine dwellings raises no concerns in terms of the potential impact on the safety or efficiency of the public carriageway.

Tree and Landscape issues

The Tree and Landscape Team have no objection to the application subject to a condition regarding hard and soft landscaping and the retention of existing trees and shrubs on the site. These are both reasonable and necessary conditions to impose to ensure a high quality development.

Land Drainage

The Land Drainage Team consider that the proposal is acceptable in principle, however there is a need to impose conditions regarding further details of the Flood Risk Assessment and details of foul and surface water drainage. These are both reasonable and necessary conditions to impose.

Land Contamination

There is the potential for contaminants to be present on the site as a result of its former uses. Remediation of risk is possible to deal with by way of conditions and this is a reasonable and necessary measure to take.

Ecology

The Ecology Team consider that the proposal is acceptable in principle however there is a need to ensure that any protected species that may be on the site are safeguarded prior to the development being implemented.

Conclusion

The proposal is not inappropriate in the Green Belt, will be an improvement to the appearance of the site, will not harm the living conditions of any neighbours and satisfies all other policies of the development plan. It is therefore recommended that planning permission is granted.

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

***Planning Application Case Officer: James Rogers
Direct Line Telephone Number: 01992 564371***

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

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Epping Forest District Council

Aaenda Item Number 4



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Application Number:	EPF/3435/17
Site Name:	7 Tovey Close Nazeing Essex EN9 2LY
Scale of Plot:	1:500

Report Item No: 4

APPLICATION No:	EPF/3435/17
SITE ADDRESS:	7 Tovey Close Nazeing Essex EN9 2LY
PARISH:	Nazeing
WARD:	Lower Nazeing
APPLICANT:	Mr S Woodcock
DESCRIPTION OF PROPOSAL:	Proposed two storey rear and side extension
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=603653

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 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 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.

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 (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

The site is a two storey end of terrace house located on the northern side of Tovey Close in Nazeing. There are no listed buildings on the site and it is not within a Conservation Area. the site is not within the Metropolitan Green Belt.

Description of Proposal:

Proposed two storey and side and rear extension including integral garage

Relevant Site History:

EPF/0916/90 – Two storey rear extension and front porch (14/09/1990) – Grant Permission (With Conditions)

Policies Applied:

CP2 – Protecting the Quality of the Rural and Built Environment
DBE10 – Design of Residential Extensions
DBE9 – Impact on Amenity
ST6 – Vehicle Parking

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

DM9 - Design

Summary of Representations:

No. of neighbours consulted: 3, 1 comment received

9 TOVEY CLOSE -: Concern regarding loss of light and hours of construction

PARISH COUNCIL– Objection overdevelopment of the site and inadequate car parking facilities.

Main Issues and Considerations:

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

Design
Impact on Living Conditions of Neighbours
Parking

Design:

The proposed rear extension would be two storeys high and the side extension would be a part single, part two storey addition. The materials would match the existing dwelling and eaves and the ridge height match the adjoining dwelling. The development has been designed to sit well within the street scene and be in keeping with the existing dwelling.

Impact on Living Conditions:

The proposed rear extension would be 3.6 metres in depth, 5.1 metres in width and 7.3 metres in height. The extension would be alongside the common boundary with 9 Tovey Close, but extends only as far as the existing original two storey rear building line of that property. The proposed part single part two storey side extension would be 7.2 metres in depth, 4.04 metres in width and 4.6 metres (single storey)/ 7.4 metres (double storey) in height. The side extension would be adjacent to 3 existing garages within a garage court..

The neighbours at 9 Tovey Close expressed concern regarding a potential loss of light caused by the two storey rear extension, but given the relationship between the two properties the impact from the development is minimal Whilst number 9 has a conservatory, this extends beyond the depth of the proposed rear extension so will not be excessively impacted.

The proposed extension to the rear will bring the house closer to the rear garden of number 54 Barnard Acres to the north and will have some limited impact on the light and outlook from the garden of that property and may increase the feeling of overlooking, but it is not considered that there will be significant harm to living conditions..

Nazeing Parish Council have objected to the application on the grounds that the proposal would result in an overdevelopment of the site. Whilst the extensions do significantly increase the size of the dwelling, this property has a much larger garden area than most of the adjacent properties and would still retain a suitable usable rear garden area The unusual layout of this terrace means that the larger extensions can be accommodated without the development appearing excessive or out of character within the street scene.

Parking:

Nazeing Parish Council objected to the application on the grounds that there would be inadequate parking facilities on the site. however there is no loss of parking as a result of the development. The existing garages at the site do not meet the size requirements to be classed as parking spaces under the adopted Essex Parking Standards.

Hours of Construction

A neighbour has raised concern over hours of construction; this can be addressed by condition.

Conclusion:

The design is appropriate to the dwelling and the street scene and adequate amenity space is retained. The proposal would not cause excessive harm to the living conditions of neighbours or result in the loss of existing parking. The application is therefore recommended for approval 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:

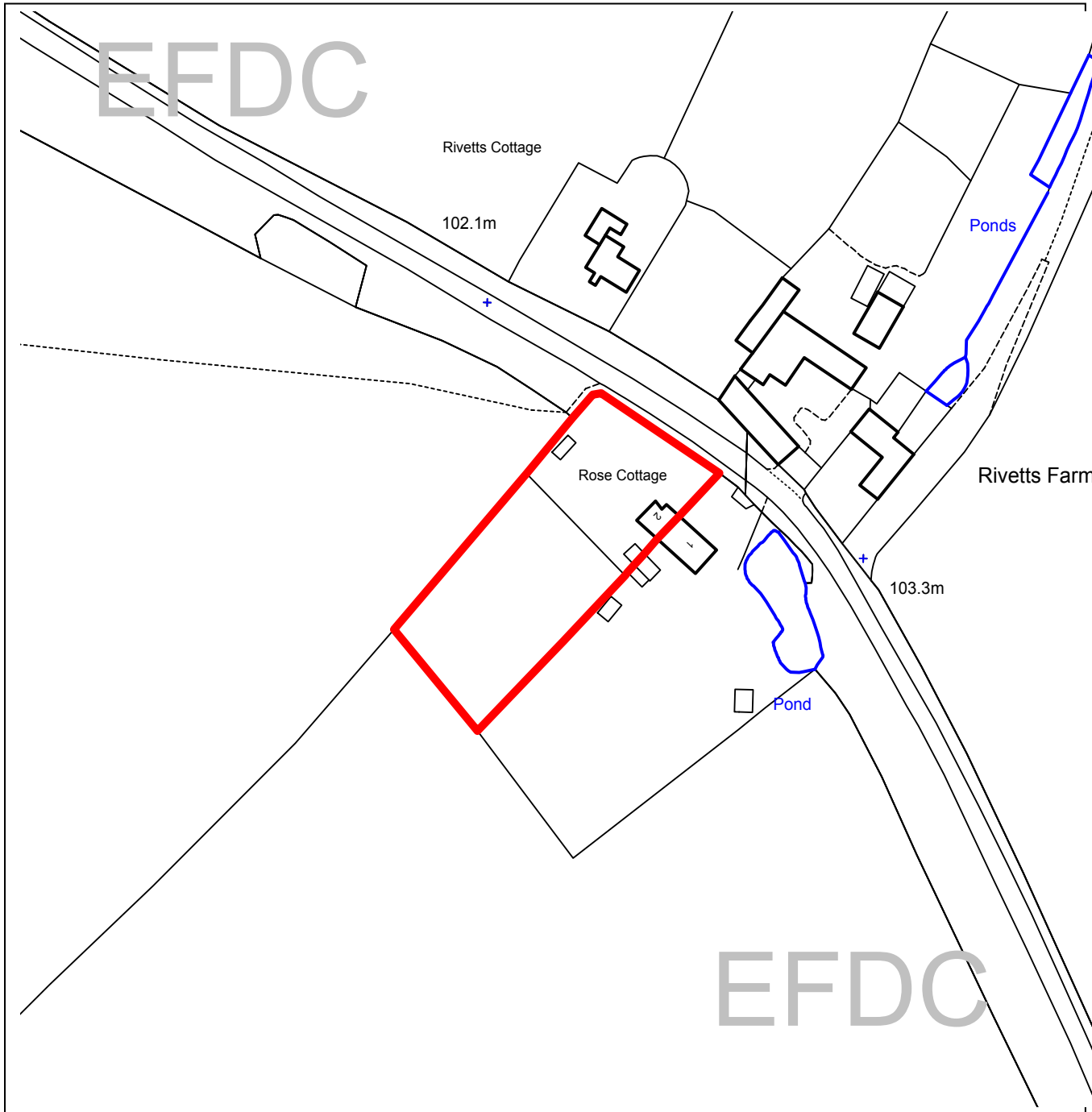
***Planning Application Case Officer: Alastair Prince
Direct Line Telephone Number: 01992 564462***

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



Epping Forest District Council

Agenda Item Number 5



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Application Number:	EPF/3466/17
Site Name:	2 Rose Cottage Rye Hill Road Epping Uplands CM18 7Jq
Scale of Plot:	1:1250

Report Item No: 5

APPLICATION No:	EPF/3466/17
SITE ADDRESS:	2 Rose Cottage Rye Hill Road Epping Upland Epping Essex CM18 7JQ
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
APPLICANT:	Mr & Mrs I Morison
DESCRIPTION OF PROPOSAL:	Two storey front and side extension. Single storey rear extension.
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=603781

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 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 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 Class A, B and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 4 No development shall take place until details of 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 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.

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 (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A. (g))

Description of site

The application site is located on Rye Hill Road which is within the rural area to the north west of Hastingwood within the Parish of Epping Upland. The existing building is one of two dwellings in a semi detached arrangement located opposite Rivetts Farm. The application site is located within the boundaries of the Metropolitan Green Belt and it is not in a Conservation Area.

Description of proposal

The proposed development is to erect a two storey side extension, a minor front projection and a single storey rear extension.

Relevant History

None

Policies Applied

CP2 – Protecting the quality of the rural and built environment
DBE10 – Residential extensions
DBE4 – Design in the Green Belt
GB2A – Development in the Green Belt
GB7A – Conspicuous development
DEB9 – Impact on Neighbours

Epping Forest District Local Plan (Submission Version) 2017:

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

SP1 - Presumption in Favour of Sustainable Development
SP7 - The Natural Environment, Landscape Character and Green and Blue Infrastructure
DM21 - Local Environmental Impacts, Pollution and Land Contamination
DM4 - Green Belt
DM5 - Green and Blue Infrastructure
DM9 – High quality design

Consultation carried out and summary of representations received

3 Neighbours consulted – NO COMMENTS RECEIVED

EPPING UPLAND PARISH COUNCIL – OBJECTION – Rear is out of keeping with its environment – would become a suburban property in a rural setting. The view is therefore diminished from the footpath and across the Green Belt.

Issues and considerations

The main issues to consider when assessing this application are the potential impacts on the Green Belt, the living conditions of the neighbours, the design and any other material planning considerations.

Green Belt

The National Planning Policy Framework (NPPF, CLG, 2012) indicates that the Government attaches great importance to Green Belts. The fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

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

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

However paragraphs 89 and 90 of the NPPF allow certain exceptions to inappropriate development one of which is the:

Extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building

The original building had an internal floor area of 91sqm and this application proposes an additional 92sqm or 101% over and above the original. Under normal circumstances the Council's Officers would conclude that this would amount to a disproportionate extension to a building in the Green Belt. However in this case, significant weight is attached to the previous planning permissions given to the attached neighbour, which this proposal would essentially replicate. Therefore based on the context of the site, on balance it is considered reasonable to conclude that the extensions would not amount to a disproportionate extension to a dwelling in the Green Belt and therefore it is not inappropriate development in the Green Belt.

Since this view is taken on balance, it is both reasonable and necessary to remove Class A, B and E Permitted Development Rights to ensure that the Council retains control of future development on the site.

Living conditions of the neighbour

The side extension is set away from any neighbour and therefore raises no concerns. The single storey rear extension is set adjacent to the neighbours own single storey extension and most of the neighbours amenity space is to the south and will not therefore the proposal will not impact on their living conditions.

Design

The side extension will be overtly visible in the street scene but will mirror the design of the adjacent house, forming a symmetrical pair of semi detached houses. Such a relationship will constitute an improvement to the existing unbalanced appearance and as such it will not appear overly prominent or out of character with the existing street scene.

Land Drainage

The Land Drainage Team consider that the proposal is acceptable in principle however further details of surface water drainage are required to ensure this is dealt with appropriately.

Conclusion

The proposal is not inappropriate development in the Green Belt, will not harm the living conditions of the neighbours or the character and appearance of the street scene. Therefore it is recommended that planning permission is granted.

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

**Planning Application Case Officer: James Rogers
Direct Line Telephone Number: 01992 564 371**

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