

Committee Agenda



**Webcast
Meeting**



**Epping Forest
District Council**

Area Planning Sub-Committee East Wednesday, 7th November, 2018

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

**Council Chamber, Civic Offices, High Street, Epping
on Wednesday, 7th November, 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 P Keska (Chairman), B Rolfe (Vice-Chairman), N Avey, N Bedford, P Bolton, H Brady, L Burrows, A Grigg, I Hadley, S Jones, M McEwen, R Morgan, J Philip, P Stalker, B Vaz, C Whitbread, H Whitbread, J H Whitehouse and J M Whitehouse

WEBCASTING/FILMING NOTICE

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

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

Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for 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. MINUTES (Pages 9 - 24)

To confirm the minutes of the last meeting of the Sub-Committee held on 10 October 2018.

4. APOLOGIES FOR ABSENCE**5. DECLARATIONS OF INTEREST**

To declare interests in any item on this agenda.

6. ANY OTHER BUSINESS

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

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

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

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

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

[Note_Mar-2018.pdf](#)**8. DEVELOPMENT CONTROL (Pages 25 - 58)****(a) Site Visits**

To identify and agree requirements for formal site visits to be held with regard to any planning application listed in this agenda for consideration under Section (b) (Planning Applications) below, prior to consideration of the application.

This opportunity for members to identify and agree requirements for formal site visits to be held prior to consideration of a planning application is being operated on a trial basis from the commencement of the 2018/19 municipal year, until 30 November 2018. The success of this arrangement will be reviewed by the Constitution Working Group at the end of the trial period.

(b) Planning Applications

To consider planning applications as 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.

Agenda Item 2

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 East 2018-19
Members of the Committee and Wards Represented:



Cllr Keska
Chairman
Chipping Ongar,
Greensted and
Marden Ash



Cllr Rolfe
Vice-Chairman
Lambourne



Cllr Avey
Epping
Hemnall



Cllr Bedford
Shelley



Cllr Bolton
North Weald
Bassett



Cllr Brady
Passingford



Cllr Burrows
Epping
Lindsey and
Thornwood
Common



Cllr Grigg
North Weald
Bassett



Cllr Hadley
Moreton and
Fyfield



Cllr Jones
Theydon Bois



Cllr McEwen
High Ongar
Willingale and
the Rodings



Cllr Morgan
Hastingwood,
Matching and
Sheering
Village



Cllr Philip
Theydon Bois



Cllr Stalker
Lower Sheering



Cllr Vaz
Chipping Ongar,
Greensted and
Marden Ash



**Cllr C
Whitbread**
Epping
Lindsey and
Thornwood



**Cllr H
Whitbread**
Epping Lindsey
and Thornwood
Common



**Cllr J H
Whitehouse**
Epping Hemnall



**Cllr J M
Whitehouse**
Epping
Hemnall

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Agenda Item 3

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** 10 October 2018
East

Place: Council Chamber, Civic Offices, **Time:** 7.00 - 10.00 pm
High Street, Epping

Members Present: P Keska (Chairman), B Rolfe (Vice-Chairman), N Avey, N Bedford, P Bolton, H Brady, L Burrows, A Grigg, S Jones, R Morgan, J Philip, P Stalker, B Vaz, C Whitbread, H Whitbread, J H Whitehouse and J M Whitehouse

Other Councillors:

Apologies: I Hadley and M McEwen

Officers Present: J Shingler (Principal Planning Officer), P Seager (Chairman's Secretary) and R Perrin (Senior Democratic Services Officer)

23. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings. The Sub-Committee noted the Council's Protocol for Webcasting of Council and Other Meetings.

24. WELCOME AND INTRODUCTION

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

25. MINUTES

RESOLVED:

- (a) That the minutes of the meeting held on 8 August 2018 had been corrected to included a declaration of interest for Councillor C Whitbread in relation to planning application EPF/0712/18; and
- (b) That the minutes of the meeting held on 5 September 2018 be taken as read and signed by the Chairman as a correct record.

26. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor L Burrows declared a non-pecuniary interest in the following items of the agenda. The Councillor had determined that his interests were non-prejudicial and would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/0282/18 – 12 Station Road, Epping
- EPF/1406/18 – 1 Mount End, Mount End Road, Theydon Mount

(b) Pursuant to the Council's Code of Member Conduct, Councillor N Avey declared a non-pecuniary interest in the following items of the agenda by virtue of being Chairman of Epping Town Council's Planning Committee. The Councillor had determined that his interest was non-prejudicial and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0282/18 – 12 Station Road, Epping
- EPF/1583/18 – 1 Buttercross Lane, Epping
- EPF/1847/18 – 55 High Street, Epping

(c) Pursuant to the Council's Code of Member Conduct, Councillor B Rolfe declared a non-pecuniary interest in the following item of the agenda. The Councillor had determined that his interests were non-prejudicial and would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/1583/18 – 1 Buttercross Lane, Epping

(d) Pursuant to the Council's Code of Member Conduct, Councillor S Jones declared a non-pecuniary interest in the following item of the agenda by virtue of knowing the applicant. The Councillor had determined that her interest was non-prejudicial and would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/1583/18 – 1 Buttercross Lane, Epping

(e) Pursuant to the Council's Code of Member Conduct, Councillor A Grigg declared a non-pecuniary interest in the following item of the agenda by virtue knowing the objector in professional capacity. The Councillor had determined that her interest was non-prejudicial but would leave the meeting for the consideration of the application and voting thereon:

- EPF/1556/18 - Site at Bansons Lane, Ongar

(f) Pursuant to the Council's Code of Member Conduct, Councillor C Whitbread declared a non-pecuniary interest in the following item of the agenda by virtue of the applicant and objectors being known to him. The Councillor had determined that his interest was non-prejudicial but would leave the meeting for the consideration of the application and voting thereon:

- EPF/1583/18 – 1 Buttercross Lane, Epping
- EPF/1406/18 – 1 Mount End, Mount End Road, Theydon Mount

(g) Pursuant to the Council's Code of Member Conduct, Councillor S Jones declared a non-pecuniary interest in the following item of the agenda by virtue of knowing both the applicant and objector. The Councillor had determined that her interest was non-prejudicial but would leave the meeting for the consideration of the application and voting thereon:

- EPF/1406/18 – 1 Mount End, Mount End Road, Theydon Mount

(h) Pursuant to the Council's Code of Member Conduct, Councillor J Philip declared a non-pecuniary interest in the following item of the agenda by virtue of the objector being known to him. The Councillor had determined that his interest was

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

- EPF/1406/18 – 1 Mount End, Mount End Road, Theydon Mount

(i) Pursuant to the Council's Code of Member Conduct, Councillor N Avey declared a non-pecuniary interest in the following item of the agenda. The Councillor had determined that his interest was non-prejudicial and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/1406/18 – 1 Mount End, Mount End Road, Theydon Mount

(j) Pursuant to the Council's Code of Member Conduct, Councillor H Brady declared a non-pecuniary interest in the following item of the agenda by virtue of knowing the objector and Parish Council speaker. The Councillor had determined that her interest was non-prejudicial and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/1406/18 – 1 Mount End, Mount End Road, Theydon Mount

(k) Pursuant to the Council's Code of Member Conduct, Councillor C Whitbread declared a non-pecuniary interest in the following item of the agenda. The Councillor had determined that his interest was non-prejudicial and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2212/18 – 15 Vicarage Lane, North Weald

(l) Pursuant to the Council's Code of Member Conduct, Councillor N Bedford declared a non-pecuniary interest in the following item of the agenda by virtue of knowing one of the speakers. The Councillor had determined that his interest was non-prejudicial and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2212/18 – 15 Vicarage Lane, North Weald.

27. ANY OTHER BUSINESS

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

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

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

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

29. DEVELOPMENT CONTROL

RESOLVED:

That the planning applications numbered 1 – 8 be determined as set out in the schedule attached to these minutes.

CHAIRMAN

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Report Item No:1

| | |
|---------------------------------|---|
| APPLICATION No: | EPF/0282/18 |
| SITE ADDRESS: | 12 Station Road Epping Essex CM16 4HN |
| PARISH: | Epping |
| WARD: | Epping Hemnall |
| DESCRIPTION OF PROPOSAL: | Demolition of existing dwelling, erection of a detached building comprising 9 self contained apartments incorporating revisions to vehicular access, associated car parking and on-site amenities |
| DECISION: | Refuse |

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=605301

REASONS

1. Due to its excessive height and in particular the depth and bulk to the rear and the design facing on to Nicholl Road the proposed development would result in a prominent and incongruous feature in the street scene, entirely out of scale and keeping with the prevailing pattern of development in the locality and harmful to the character and visual amenity of the area. The proposal is therefore contrary to policies DBE1, CP2(iv) and CP7 of the Adopted Local Plan and Alterations and to paragraph 130 of the National Planning Policy Framework that seeks to secure high quality design.
2. The development due to its scale and massing would be overbearing and visually intrusive, to adjacent neighbouring properties, particularly number 14 Station Road and number 1 Nicholl Road, such that it would cause excessive harm to amenity, contrary to policy DBE9 of the Adopted Local Plan and Alterations.

Way Forward

Members considered that the way forward would be to reduce the height and scale of the development particularly to the rear in order to improve the relationship with neighbouring properties and to ensure that the design maintained the character of the area, by appearing as a single dwelling rather than so obviously as flats. A less intensive use of the site with fewer flats would be considered more appropriate.

Report Item No:2

| | |
|---------------------------------|---|
| APPLICATION No: | EPF/1583/18 |
| SITE ADDRESS: | 1 Buttercross Lane Epping Essex CM16 5AA |
| PARISH: | Epping |
| WARD: | Epping Lindsey and Thornwood Common |
| DESCRIPTION OF PROPOSAL: | Demolish existing house and replace with 9 apartments |
| DECISION: | Deferred |

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=610515

Deferred to District Development Management Committee with no recommendation

The Committee voted on the recommendation to grant permission and this was tied. 4 members then stood to exercise the right to defer the application to the District Development Management Committee for decision.

Report Item No:3

| | |
|---------------------------------|--|
| APPLICATION No: | EPF/1847/18 |
| SITE ADDRESS: | 55 High Street Epping Essex CM16 4BA |
| PARISH: | Epping |
| WARD: | Epping Lindsey and Thornwood Common |
| DESCRIPTION OF PROPOSAL: | Redevelopment of existing shop (including new shopfront) with flat above, involving alteration and refurbishment of existing building plus new two storey building to the rear containing two flats. |
| RECOMMENDED DECISION: | Refuse |

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=611717

REASONS

1. The proposed detached building to the rear incorporating two flats would result in a cramped form of development of unsuitable design and layout within this very restricted site, which would provide unsuitable living conditions for future residents and would be excessively overbearing in relation to the fronting and adjacent properties. The development would therefore be contrary to polices CP7, DBE2, DBE3 and DBE5 of the Adopted Local Plan and Alterations.

Report Item No:4

| | |
|---------------------------------|--|
| APPLICATION No: | EPF/1556/18 |
| SITE ADDRESS: | Site at Bansons Lane Ongar Essex CM5 9AR |
| PARISH: | Ongar |
| WARD: | Chipping Ongar, Greensted and Marden Ash |
| DESCRIPTION OF PROPOSAL: | Erection of 7 no. 2 bedroom units with associated car parking, cycle store, bin store and landscaping. |
| DECISION: | Grant Permission (Subject to Legal Agreement) |

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=610437

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: 8673/001, 002 rev A, 010, 020, 021, 022, 023, 024, 025, and 100 rev A
- 3 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted by the applicant and approved in writing by the planning authority.
- 4 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]

- 5 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]
- 6 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.
- 7 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.
- 8 Prior to the commencement of the development, an invasive species management plan, incorporating measures to manage the extent and future spread of Himalayan balsam within the site shall be submitted to and approved by the Local Planning Authority. All works required pursuant to the said management plan shall be completed in accordance with the agreed details, and on completion of report of the outcome prepared by the specialist contractor shall be submitted to the Local planning Authority.
- 9 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.
- 10 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition

and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.

- 11 No development shall have taken place until samples of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.
- 12 Additional drawings that show details of proposed new windows, doors, rooflights, eaves, verges, and cills, to be used by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of any works, other than groundworks. The works shall thereafter be completed only in accordance with the agreed details.
- 13 Prior to the commencement of development, other than groundworks, 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; fences gates and other 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.
- 14 Prior to the commencement of development other than groundworks, , a lighting design strategy for bats shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:
 - a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites or foraging routes,
 - b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) that demonstrates that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places, and
 - c) All external lighting shall be installed in accordance with the Bat Conservation Trust's 'Bats And Lighting in the UK'
- 15 Prior to the commencement of development, other than groundworks, an ecological enhancement plan incorporating details of the type and location of 2 bat bricks (incorporated into the new building), the type and location of 2 bat boxes and 2 bird boxes (installed on existing trees), and locations of hedgehog gaps in any new fencing shall be submitted to and approved by the Local Planning Authority. The

works as agreed shall be fully implemented prior to first occupation of any residential unit.

- 16 Prior to the commencement of the development other than groundworks, full details of the cycle store incorporating details of cycle stands or enclosures shall be submitted to and approved in writing by the Local Planning Authority. The works as agreed shall be fully implemented prior to first occupation of any residential unit, and shall thereafter be retained for use by residents of the development.
- 17 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.
- 18 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed at the site. The installed cleaning facilities shall be used to clean vehicles wheels immediately before leaving the site.
- 19 The development shall be carried out in accordance with the flood risk assessment (Waterman, Ref WIE12994-100-R-1-5-2-FRA Project No. WIE12994, August 2017) and drainage strategy submitted with the application unless otherwise agreed in writing with the Local Planning Authority.
- 20 No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority.
- 21 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.
- 22 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation, per dwelling, of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.
- 23 Any open trenches formed within the development construction phase shall be covered over with wooden sheeting and all construction compounds fenced securely at night.

- 24 All rainwater goods installed externally on the building shall be of black painted metal or aluminium, unless otherwise agreed by the Local Planning Authority. No vents, grilles or ducting shall be fixed to the external fabric of the building without the prior written approval of the Local Planning Authority.
- 25 All plant, pipes and other equipment installed on the flat roof area shall be installed so as not to project above the ridge line of the western part of the building is hereby permitted, unless otherwise agreed by the Local Planning Authority.
- 26 Prior to first occupation of the dwellings hereby permitted, charging points for electric vehicles shall be fitted for use in all parking bays and shall thereafter be retained in working order.

Report Item No:5

| | |
|---------------------------------|---|
| APPLICATION No: | EPF/0429/18 |
| SITE ADDRESS: | Hydes Riding School Abridge Road Theydon Bois Essex CM16 7NS |
| PARISH: | Theydon Bois |
| WARD: | Theydon Bois |
| DESCRIPTION OF PROPOSAL: | Removal of existing caravan and removal of stable building. Erection of security hut to be used as ancillary 24-hour security for the riding school. |
| DECISION: | Refuse |

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=605834

REASONS

1. The proposed development is inappropriate development within the Green Belt, by definition harmful. No very special circumstances exist sufficient to outweigh the harm to the Green Belt from the development and the proposal is therefore contrary to Policy GB2A of the Adopted Local Plan and Alterations.

Report Item No:6

| | |
|---------------------------------|---|
| APPLICATION No: | EPF/1121/18 |
| SITE ADDRESS: | 35 The Magpies Epping Green Epping Essex CM16 6QG |
| PARISH: | Epping Upland |
| WARD: | Broadley Common, Epping Upland and Nazeing |
| DESCRIPTION OF PROPOSAL: | Conversion of garage into living accommodation . |
| DECISION: | Withdrawn from Agenda |

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=608513

Withdrawn from Agenda

Report Item No:7

| | |
|---------------------------------|---|
| APPLICATION No: | EPF/1406/18 |
| SITE ADDRESS: | 1 Mount End Mount End Road Theydon Mount Epping Essex CM16 7PS |
| PARISH: | Theydon Mount |
| WARD: | Passingford |
| DESCRIPTION OF PROPOSAL: | Demolition of barn and erection of two detached houses (Revised application to EPF/2248/17) |
| DECISION: | Refuse |

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=609733

REASONS

1. The proposed built development would extend significantly beyond the footprint of the existing building and this together with the use of currently open land , agricultural in character, as garden, would have a significantly greater impact on the openness of the Green Belt than the existing building and use. As such the development would be inappropriate in the Green belt and contrary to policy GB2A of the Adopted Local Plan.
2. The proposed new dwellings due to their siting and design would result in an excessive visual impact and loss of amenity to the neighbouring properties contrary to policy DBE9 of the Adopted Local Plan and Alterations.

Way Forward. Members considered that a reduced scheme kept wholly within the footprint of the existing building with much more limited garden area and with a better relationship to the adjacent properties would be more suitable.

Report Item No:8

| | |
|---------------------------------|--|
| APPLICATION No: | EPF/2212/18 |
| SITE ADDRESS: | 15 Vicarage Lane North Weald Essex CM16 6ET |
| PARISH: | North Weald Bassett |
| WARD: | North Weald Bassett |
| DESCRIPTION OF PROPOSAL: | Single storey outbuilding. |
| 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=613334

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: Location Plan, Proposed Block Plan, H.8.A
- 3 Materials to be used for the external finishes of the proposed development shall match those as shown on the proposed plans and application form, unless otherwise agreed in writing by the Local Planning Authority.
- 4 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.

Agenda Item 8

AREA PLANS SUB-COMMITTEE 'EAST'

7 November 2018

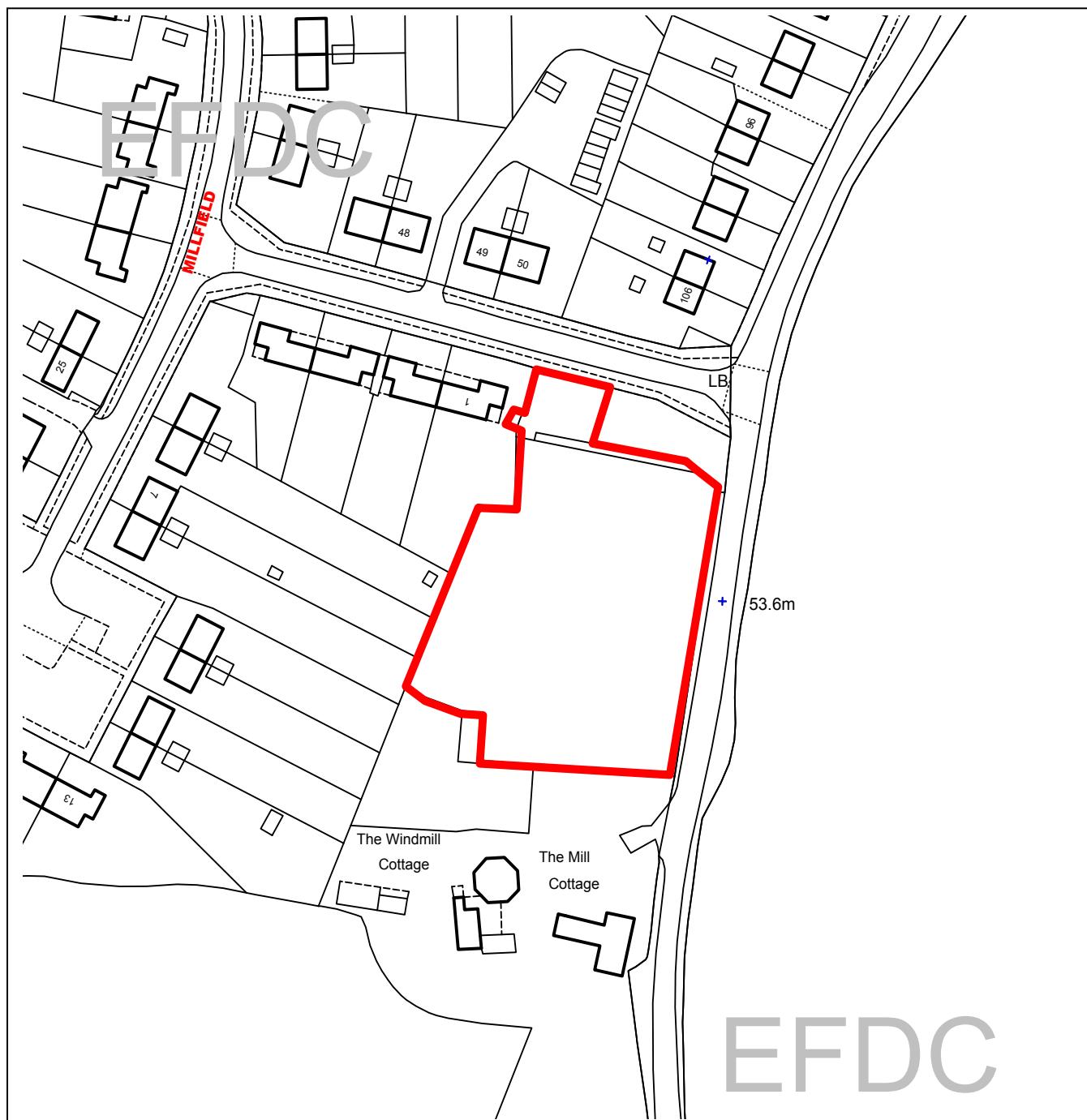
INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

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Epping Forest District Council

Agenda Item Number 1



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| | |
|---------------------|---|
| Application Number: | EPF/1718/18 |
| Site Name: | Land at corner of Mill Lane and Millfield, High Ongar, Essex |
| Scale of Plot: | 1/1250 |

Report Item No: 1

| | |
|---------------------------------|---|
| APPLICATION No: | EPF/1718/18 |
| SITE ADDRESS: | Land at corner of Mill Lane and Millfield High Ongar Essex |
| PARISH: | High Ongar |
| WARD: | High Ongar, Willingale and the Rodings |
| APPLICANT: | Mr D Sherrin |
| DESCRIPTION OF PROPOSAL: | Erection of 8 three bedroom houses including new access from Millfield, provision of parking spaces, amenity space and landscaping (revision to withdrawn application EPF/0403/17). |
| RECOMMENDED DECISION: | Grant Permission (Subject to Legal Agreement) |

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=611134

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: 1780/13 rev E, 1780.14, 1780.15, 1780.16, 1780.17 rev A, 1780.18 and SK01
- 3 No development shall commence until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), shall have been submitted to and approved in writing by the local planning authority. If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the local planning authority. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 21 days of the report being completed and approved in writing by the local planning authority.

- 4 No preliminary ground works shall take place until a flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice 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.
- 5 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 1. The parking of vehicles of site operatives and visitors
 2. Loading and unloading of plant and materials
 3. Storage of plant and materials used in constructing the development
 4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 5. A programme for phased clearance of the site to avoid disturbance of any badgers which may be present. Should evidence of badger setts be identified during clearance, setts will be left undisturbed until it can be determined if the sett is active.
- 6 No ground works shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 7 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - Recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 8 Prior to commencement of the development the existing disabled bay adjacent to the proposed new access shall be relocated on Millfield, in a position agreed with the highway authority and local planning authority Such works shall include, but shall not be limited to, siting within an appropriate distance of the users address and provision of any associated signing and lining as required.
- 9 No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority prior to such removal commencing.

- 10 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.
- 11 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.
- 12 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed and utilised to clean vehicles immediately before leaving the site. Any mud or other material deposited on nearby roads as a result of the development shall be removed.
- 13 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 14 No construction works above ground level shall have taken 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, prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
- 15 Prior to any above ground works, full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) shall be submitted to and approved in writing by the Local Planning Authority. 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.
- 16 Prior to first occupation of the development hereby approved, details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.

- 17 Prior to the installation of any equipment to facilitate the provision of external lighting within the development, details of all external lighting, demonstrating compliance with the Bats Conservation Trust guidance for external lighting shall be submitted to and approved by the Local Planning Authority. The works shall be implemented in accordance with the agreed details prior to first occupation of the dwellings hereby approved.
- 18 Prior to first occupation of the development, a scheme to enhance the ecological value of the site including, but not limited to provision of bird and bat boxes, infill planting to enhance hedgerows, planting of new hedgerows and some native wildflower planting shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved.
- 19 Prior to first occupation of the development, measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.
- 20 Prior to first occupation of the development hereby approved, 1 Electric Vehicle Charging Point for each dwelling that has a garage or allocated parking space and 1 Electric Vehicle Charging Point for every 10 properties that share unallocated parking shall be installed and retained thereafter for use by the occupants of the site.
- 21 Prior to the first occupation of the development the access arrangements, as shown in principle on drawing no.1780-13 Rev E, shall be fully implemented and shall include, but not limited to, the following:
 - Bellmouth access and appropriate radii;
 - Footway widened to 2m to the south of the site;
 - Provision of two dropped kerb crossing points and tactile paving;
 - Implement double yellow lines (parking restrictions), through a Traffic Regulation Order, approximately as shown on the plan with any associated signing and lining as required.
- 22 Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.
- 23 Following completion of the measures identified in the approved remediation scheme, and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 24 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.

- 25 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1 Classes A, B, E and F (other than in the case of Class F a single structure of not exceeding 10 square metres) shall be undertaken without the prior written permission of the Local Planning Authority.

And subject to the completion of a S106 Legal agreement to secure appropriate financial contributions for appropriate measures to mitigate potential impacts on air quality

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

Description of Site:

The application site lies on the south-western corner of the junction between Mill Lane and Millfield and comprises around 0.3ha site area. The site is vacant and generally overgrown, the application form refers to historic use as paddocks but no specific evidence of this has been identified. Similarly, no evidence of an existing point of access is visible.

The site lies on the edge of the Green Belt, the western site boundary and the road to the north currently forming the edge of the local plan designation. To the north and west, outside the Green Belt lies the established built area, comprising primarily two storey semi-detached houses. To the south, two dwellings lie immediately abutting the site boundary and there is a sparse ribbon of street front development beyond.

Two veteran trees the subject of Tree Preservation Orders lie on the western half of the site.

Description of Proposal:

Permission is sought for a residential development of 8 x 3 bed houses, comprising three pairs of semi-detached dwellings and two detached. The main ribbon of development lies in the centre of the site running north – south with one dwelling in the south west corner.

A new access to the site is proposed from Millfield, serving a total of 18 parking spaces, allocated two per dwelling and two for visitors. A turning head designed for service vehicles has been specified, the access road sited to ensure retention of the veteran trees on the site. There is no access from the site onto Mill Lane, and the hedgerow along this boundary is retained in full.

Submitted elevations indicate a mix of brick and render walls and tiled roofs. All dwellings have private gardens of a minimum of around 55 sq.m.

Relevant History:

EPF/0724/01 Outline application for six houses with access from Mill Lane. Refused – impact on Green Belt, affordable housing issues inadequate sight lines for vehicle access points and insufficient parking.

EPF/2475/10 Formation of vehicle access from Mill Lane (in south east corner of site). Refused – inadequate visibility splays on land within the applicants control.

EPF/0403/17 Erection of 8, three bedroom house. Application withdrawn.

Policies Applied:

Adopted Local Plan:

| | |
|------|---|
| CP1 | Achieving sustainable development objectives |
| CP2 | Protecting the quality of the rural and built environment |
| CP3 | New development |
| GB2A | Development in the Green Belt |
| GB7A | Conspicuous development |
| NC1 | SPA's, SAC's and SSSI's |
| NC4 | Protection of established habitat |
| RP4 | Contaminated land |
| U3B | Sustainable drainage systems |
| DBE1 | Design of new buildings |
| DBE2 | Effect on neighbouring properties |
| DBE4 | Design in the Green Belt |
| DBE5 | Design and layout of new development |
| DBE6 | Car parking in new development |
| DBE8 | Private amenity space |
| DBE9 | Loss of amenity |
| LL10 | Adequacy of provision for landscape retention |
| ST1 | Location of development |
| ST2 | Accessibility of development |
| ST4 | Road safety |
| ST6 | Vehicle parking |

The above policies form part of the Councils 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.

NPPF:

The Revised National Planning Policy Framework (NPPF) (July 2018) states at paragraph 213 that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

Epping Forest District Local Plan (Submission Version) 2017:

The Epping Forest Local Plan Submission Version 2017 was submitted for independent examination in September 2018. Accordingly, it can be endorsed as a material consideration to be used in the determination of planning applications and be given appropriate weight in accordance with paragraph 48 of the NPPF.

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

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

- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

In general terms it is considered that the Submission Version of the Plan is at an advanced stage of preparation and the policies are considered to be consistent with the NPPF. As regards unresolved objections, some policies within the Submission Version have more unresolved objections than others. All of these factors have been taken into consideration in arriving at the weight accorded to each of the relevant policies in the context of the proposed development listed below:

| | |
|-------|--|
| SP1 | Presumption in favour of sustainable development |
| SP2 | Spatial Development Strategy 2011-33 |
| SP6 | Green Belt and District Open Land |
| SP7 | The Natural Environment, Landscape Character, and Green and Blue Infrastructure |
| T1 | Sustainable transport choices |
| T2 | Safeguarding of routes and facilities |
| DM1 | Habitat protection and improving biodiversity |
| DM2 | Epping Forest SAC and the Lee Valley SPA |
| DM3 | Landscape Character, Ancient Landscapes and geodiversity |
| DM4 | Green Belt |
| DM9 | High Quality Design |
| DM10 | Housing design and quality |
| DM15 | Managing and reducing flood risk |
| DM16 | Sustainable drainage systems |
| DM19 | Sustainable water use |
| DM21 | Local environmental impacts, pollution and land contamination |
| DM22 | Air quality |
| P12 | Site selection Coopersale, Fyfield, High Ongar, Lower Sheering, Moreton, Sheering and Stapleford Abbotts |
| App 6 | Site Specific Requirements, site HONG.R1 – the site is identified in the Submission Version Local Plan for residential development |

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 77

Site Notice Posted

Responses received: Objections have been received from residents at seven local properties – 9, 11, 13 and 23 MILLFIELD, and MILL COTTAGE, WINDMILL COTTAGE and 76, MILL LANE.

Objectors raise the following issues:

- Parking and traffic matters – all objections refer to these issues. Residents in Millfield in particular raise issues around the existing parking stress in the area due to limited on-street parking. One resident has supplied correspondence with the area housing team in respect of a review of parking capacity in the area which has been ongoing. Objectors also comment on the suitability of the proposed site entrance for service vehicles and implications for the Millfield / Mill Lane junction from increased traffic. One resident suggests if development were to be acceptable, access should be taken from Mill Lane.
- Green Belt issues, and local plan allocation – a number of residents consider the application should be refused on Green Belt grounds. One resident highlights the site allocation and considers the application premature until the plan has been through its full process.
- Intensity of development – comments refer to the development being cramped and of a high density, and detracting from the general character of the area.
- Impact on residential amenity – specifically, concerns are raised at the more direct impact

of the development on the immediate surrounding occupiers. Issues raised include loss of outlook and open views, and impact from overlooking, loss of privacy and noise and disturbance.

- Impact on existing trees on the site – Concerns are raised at the preserved trees and whether the development can proceed without damage thereto.
- Site boundaries – one objector suggests the application misrepresents the extent of the developable area of the site, which may affect the deliverability of the scheme.
- Impact on local infrastructure – while not material to the application, residents comment on the impact on the local primary school, drainage and water infrastructure.

PARISH COUNCIL: High Ongar Parish Council have objected to the application as under:

Object on grounds of insufficient parking provision and difficulty of access and overdevelopment of the site. This will exacerbate the existing parking provision in the immediate area.

Main Issues and Considerations:

Development principles

In accordance with the existing Local Plan allocation, the site has to be considered as being located within the Green Belt. In this context, the issues are relatively clear – a proposal for new residential development would be inappropriate and would have an adverse impact on openness and character.

However, the site is identified in the Local Plan Submission Version as a residential development site with capacity for up to 10 dwellings. This recognises that in the local context, it is considered appropriate to remove the site from the Green Belt.

The context of an LPSV that is altering Green Belt boundaries and allocating land for a significant number of new homes to meet identified future housing requirements is critical to the circumstances with respect to five year housing land supply.

Based on the Council's Housing Implementation Strategy 2017 (EB410) and the Housing Trajectory (LPSV Appendix 5), the plan will deliver a five-year housing land supply throughout the period of operation and secure a 5.3 year supply for the five year period between 2017/18 and 2021/22. This takes into account sites which already have planning permission and the allocations included in the LPSV. The delivery rate is expected to further accelerate from 2022 onward. By the end of the Plan period at 2033, a minimum of 13,152 homes is anticipated to have been delivered through the Local Plan, exceeding the identified requirement of 11,400. Progress on developing masterplans for strategic sites demonstrates that the proposed allocations in the LPSV are indeed deliverable.

The broader allocation under Policy P12 in the LPSV has been subject to objection, but the policy should be given some weight as the Council's spatial strategy and site selection process is supported by its evidence base and in line with national policy.

The site allocation recognises the constraints imposed by the protected trees and recognises the need to retain these. The absence of a vehicle access on to the site is recognised, as is the need for such access to be provided from Millfield. Further, an emphasis is placed on the need for a new defensible Green Belt boundary to be identified to the southern site boundary.

Paragraph 48 of the NPPF makes clear that policies at an advanced stage in the adoption process, and consistent with the NPPF, can be given greater weight. The delivery of allocated sites in the LPSV are critical to the delivery of an ongoing five year supply of housing land. Thus, officers conclude more weight should be given in the specific circumstances of this proposal to the

emerging plan and the application should be determined on the site specific issues, not on its current setting within the Green Belt. In policy terms therefore the development of the site for residential purposes is acceptable.

Highways and traffic issues

The highway issues are relatively clear. Access to the site from Mill Lane would not be practical or desirable – to achieve necessary sight lines would involve the removal of a large section of the existing hedgerow which is undesirable in visual amenity terms, notwithstanding any safety issues around the faster general traffic speed on Mill Lane compared to Millfield and the lack of a pedestrian footway at this location.

The proposed access meets highway authority visibility and geometry requirements, being set sufficiently clear of the junction to allow safe access and egress. The Highway Authority are also satisfied that vehicle generation from the development will not be detrimental to highway safety, capacity or efficiency at this location.

Some highway works are required. A disabled parking space has been installed immediately opposite the proposed site entrance and will need to be relocated, this matter can however be adequately dealt with by the highway authority and supported by condition. Parking restrictions immediately outside the site entrance will need to be introduced to ensure the access is free from obstruction. New pedestrian crossing points are proposed with dropped kerbs and tactile paving to assist residents from the development and beyond where currently none exist.

In considering the issues raised in consultation in respect of local parking stress, weight must be given to the fact that the proposals provide the required level of parking on site, including the required number of visitor spaces. The developer cannot be expected to take responsibility for existing parking issues and the proposals meet their obligations fully.

Design considerations

There are a number of constraints which have materially affected the proposals, and have no doubt contributed to the proposal delivering only 8 dwellings compared to the 10 identified in the LPSV. Existing hedgerows along the southern and eastern site boundary perform a function in establishing a defensible edge to the Green Belt boundary, as well as performing an important visual and ecological function in the wider context. The retention of the existing trees on the west side of the site affects the route of any access. These factors combine to limit the developable area and create the linear form of the main parts of the development. The buildings lie off the Mill Lane frontage in a position that reflects the general siting of buildings to the north, and ensuring the appearance does not dominate the road frontages. The scale and intensity of development therefore recognises the site constraints and is considered appropriate to the location.

The buildings themselves raise few issues, in terms of their finish, form and bulk they can be considered conventional and consistent with the wider vernacular. Internally, the proposals are consistent with national housing standards. Frontages include adequate softening through landscaping to soften the overall appearance. The built form is therefore acceptable.

Impact on neighbours

The overall level of development proposed is in fact relatively low. Measured against density standards in the existing Local Plan, the proposal would achieve only 25 dwellings per hectare and would be considered under developed. In such a context, officers suggest that the impact on neighbouring occupiers from general noise and activity would be limited.

Properties to the south, Mill Cottage and Windmill Cottage sit in an visibly elevated position above the development site, and lie a minimum of 20 metres from the common boundary. Separation distances to the west and greater, no. 1 Millfield the adjacent dwelling to the entrance is comfortably beyond 20 metres and houses due west have long rear gardens. To the north side of Millfield, the flank wall of the adjacent property fronts the side road, and the site.

A low intensity development, well sited in relation to its surroundings could not therefore be considered unduly intrusive to the locality.

Other matters

Officers are satisfied that the application proposals have been developed with due regard to the trees and shrubs on the site that it is desirous to protect. The siting of the access road and the buildings also allows these features to be safeguarded during construction.

In view of the suggested historic use of the site for horse paddocks and in the local area suggest there is a risk of contamination that warrants further investigation, particularly as residential uses are considered vulnerable to the presence of contaminants. These matters can however be adequately dealt with by condition.

A preliminary ecology study accompanies the application and identifies the possibility of badger activity, nesting birds and the presence of bats. Such evidence does not preclude development but does require particular safeguards in the context of current and future wildlife activity through the use of appropriate conditions.

The proposal results in additional vehicle activity and in accordance with policy DM22, it is appropriate that the developer makes a contribution to a programme of air quality monitoring. The developer has indicated they will enter into a legal agreement to secure this.

The site has been considered in the context of the Epping Forest SAC and policy DM2 in that regard and lies outside the 6.2km zone where recreational use of the SAC may be impacted.

The development is of a size where it is necessary to avoid generating additional runoff and the opportunity of new development should be taken to improve existing surface water run-off. These matters can be dealt with through conditions, in respect of a flood risk assessment and appropriate drainage measures.

Conclusion:

The allocation of the site in the Local Plan Submission Version should carry significant weight in the determination of the application. This is fully supported by the evidence base for the plan. Notwithstanding the current stage in the examination and adoption process, officers consider there is sufficient certainty as a result that the application could not be viewed as premature. It therefore follows that comments in respect of the location of the site within the Green Belt in the current local plan should attract little or no weight.

The site specific considerations suggest this is a low intensity scheme that responds well to the identified site constraints. Veteran and preserved trees are retained along with hedgerows which perform an important screening and ecological function. The siting of the buildings within the site provides separation from the road frontages and from surrounding buildings such that the proposals could not be considered intrusive to the street scene or neighbour amenity. Habitable areas are designed to minimise direct overlooking.

It is evident from the representations that wider vehicle related issues are important to local residents. However, there is little to support the suggestion that the proposal could be considered

as causing further impact. Parking provision is policy compliant, the site access meets highway design criteria and is safely located. The minor alterations to parking controls for the access road are acceptable to the highway authority, and the introduction of a new crossing point is of benefit to pedestrians the wider context.

Therefore, taking account of all material considerations, the proposal complies with relevant planning policy and it is recommended that planning permission be granted

Should you wish to discuss the contents of this report item please use the following contact details by 3pm on the Monday preceding the meeting at the latest:

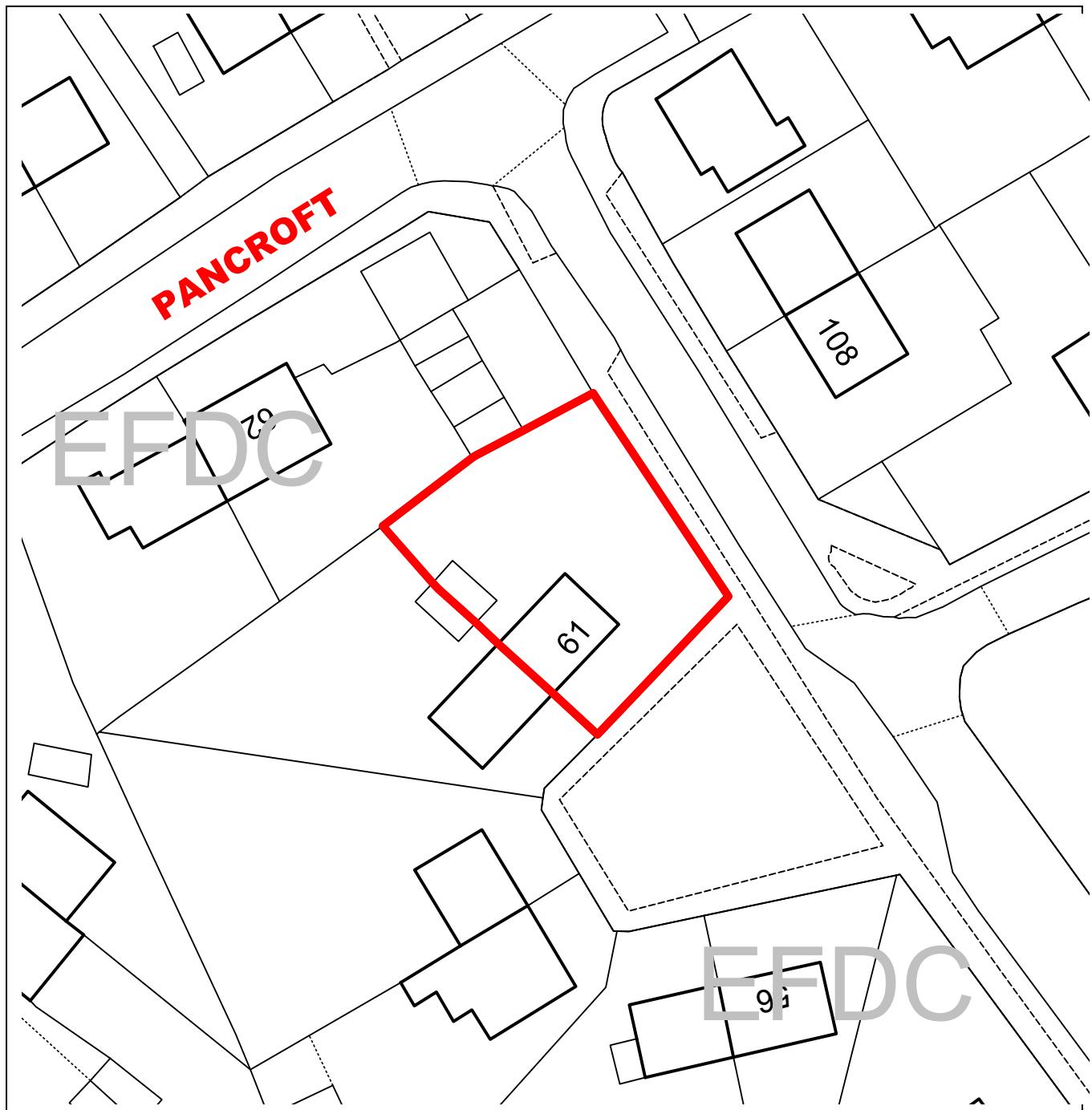
***Planning Application Case Officer: Ian Ansell
Direct Line Telephone Number: 01992 564481***

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



Epping Forest District Council

Agenda Item Number 2



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| | |
|---------------------|---|
| Application Number: | EPF/2060/18 |
| Site Name: | 61 Pancroft, Lambourne, Romford, RM4 1BX |
| Scale of Plot: | 1:500 |

Report Item No: 2

| | |
|---------------------------------|---|
| APPLICATION No: | EPF/2060/18 |
| SITE ADDRESS: | 61 Pancroft Lambourne Essex RM4 1BX |
| PARISH: | Lambourne |
| WARD: | Lambourne |
| APPLICANT: | Mr Martin Aarons |
| DESCRIPTION OF PROPOSAL: | Erection of one no. new two storey attached dwelling house. |
| RECOMMENDED DECISION: | Grant Permission (Subject to Legal Agreement) |

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=612655

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: 001, 002, 100, 101, 102, 103, 104, 105, 106
- 3 Prior to any above ground works, details of the proposed landscaping of the site, including retention of trees and other natural features and the proposed times of planting (linked to the development schedule), shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping shall be carried out in accordance with the approved details and at the agreed times.
- 4 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents (staff) and visitors vehicles.
- 5 Prior to first occupation of the development hereby approved, 1 Electric Vehicle Charging Point for each dwelling that has a garage or allocated parking space and 1 Electric Vehicle Charging Point for every 10 properties that share unallocated parking shall be installed and retained thereafter for use by the occupants of 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.

- 7 Prior to first occupation of the development, measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.
- 8 Prior to first occupation of the development, a scheme to enhance the ecological value of the site shall be submitted to and agreed in writing by the Local Planning Authority. The ecological value shall be quantified using the Biodiversity Impact Assessment Calculator (BIAC) where appropriate. The scheme shall be implemented in full prior to the occupation of the development hereby approved.

And subject to the applicant first entering into a legal agreement under section 106 to provide an appropriate contribution towards mitigation of any possible adverse impact on the Epping Forest Special Area of Conservation with regard to air quality.

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

Description of Site:

The application site consists of a two storey-semi-detached dwelling within a generous corner plot. The site makes up part of a crescent of three pairs of semi-detached houses located around a small green set back slightly from the road Pancroft. A block of garages used by surrounding dwellings is located to the rear of the garden, with a dropped kerb and access onto Pancroft.

Pancroft is characterised by rows of mid twentieth century terraced dwellings and is located within the village of Abridge and is not within a conservation area or the Metropolitan Green Belt.

Description of Proposal:

The proposal is to erect a two storey; three bedrooomed dwelling which would form a terrace with numbers 61 and 63 Pancroft. Two parking spaces would be provided to the rear of the site.

Relevant History:

EPF/0713/15 - Detached 2 bedroom house. With 1 parking space – Refused for the following reasons:

1. The proposed development fails to make adequate provision for parking for the proposed dwelling contrary to the aims and objectives of policy ST6 of the Adopted Local Plan and Alterations and the aims and objectives of the NPPF.
2. By reason of its incongruous siting, scale and design the proposed detached dwelling would result in an uncharacteristic development that would form a poor contrast with the prevailing pattern of development. It would not respect the character and appearance of the locality and consequently would be harmful to it, contrary to policies CP1, CP2(iv), CP7 and DBE1 of the Adopted Local Plan and Alterations and the aims and objectives of the NPPF.

At that time the Parish Council raised no objection to the proposal.

The possible way forward suggested in the officer's report stated:

“ An attached property may be more in keeping with the surrounding area, following the design of the host property. Additional parking should also be provided to meet Essex County Council’s Parking Standards.”

Policies Applied:

Adopted Local Plan:

| | |
|------|--|
| CP1 | Achieving sustainable development objectives |
| CP2 | Quality of Rural and Built Environment |
| CP3 | New development |
| CP7 | Urban Form and Quality |
| CP9 | Sustainable Transport |
| H3A | Housing Density |
| H4A | Dwelling Mix |
| DBE1 | Design of new buildings |
| DBE2 | Effect on neighbouring properties |
| DBE6 | Car parking in new development |
| DBE8 | Private Amenity Space |
| DBE9 | Loss of Amenity |
| ST1 | Location of development |
| ST2 | Accessibility of development |
| ST4 | Road safety |
| ST6 | Vehicle parking |
| NC1 | SPA's, SAC's and SSSI's |

The National Planning Policy Framework

The National Planning Policy Framework (NPPF) has been adopted as national policy since July 2018. Paragraph 213 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

Epping Forest District Local Plan (Submission Version) 2017:

On 14 December 2017, full Council resolved that the Epping Forest Local Plan Submission Version 2017 be endorsed as a material consideration to be used in the determination of planning applications and be given appropriate weight in accordance with paragraph 48 of the NPPF. The plan has now been submitted to the Planning Inspectorate.

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

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

In general terms it is considered that the Submission Version of the Plan is at an advanced stage of preparation and the policies are considered to be consistent with the NPPF. As regards unresolved objections, some policies within the Submission Version have more unresolved objections than others. These factors have been taken into consideration in arriving at the weight accorded to each of the relevant policies in the context of the proposed development listed below:

The following policies are relevant:

| | |
|------|---|
| SP1 | Presumption in favour of sustainable development |
| SP2 | Spatial Development Strategy |
| SP4 | Place Shaping |
| SP6 | Natural Environment, landscape character and green infrastructure |
| H1 | Housing mix and accommodation types |
| T1 | Sustainable Transport Choices |
| DM1 | Habitat protection and improving biodiversity |
| DM2 | Landscape character and ancient landscapes |
| DM9 | High Quality Design |
| DM10 | Housing design and quality |
| DM15 | Managing and reducing flood risk |
| DM16 | Sustainable drainage systems |
| DM21 | Local environmental impacts, pollution and land contamination |
| DM22 | Air quality |

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 10

Responses received: 10 OBJECTIONS RECEIVED

31, 32, 33, 34, 56, 57, 59, 60, 62 and 109 PANCROFT – Summarised as:

Concerns around impact on the character of Pancroft, design, neighbouring amenity, highway safety, loss of property value and issues surrounding potential disruption caused by the construction works.

PARISH COUNCIL: The Council OBJECTS to the planning application because the estate was built with open spaces and it is felt that this should be kept with the open spaces as first built. It will also ruin the symmetry of the close and damage the street scene. It is also felt that it may set a precedent for other developments on the estate

Main Issues and Considerations:

Principle of development

The application site is located within the built up area of Abridge. Abridge is a well established settlement with a number of services. It is considered to be a sustainable and appropriate location for additional residential development in principle.

Design and Character of the surrounding area.

The proposal has been carefully designed to match the host dwellings and the surrounding terraced houses. The spacing and location of the proposed fenestration and materials matches that of the existing pair of houses and would create an appearance identical to the that of the surrounding terraced properties along Pancroft and would prevent the development from unbalancing the existing street scene. The appearance of the proposal from the eastern elevation

would not appear dissimilar to that of a side extension to the host dwelling, with a canopy to match that of the existing property.

Whilst it is accepted that currently there are three pairs of semi detached properties around the green and that this proposal will change that symmetry, the green itself remains unchanged and given the careful design and siting the proposal would still maintain the overall distinctive character of the area. The proposal references local design features and the character of Pancroft which is made up of a majority of terraced housing

The previous application on the site which was for a detached dwelling was considered to be out of character as there are no detached properties in the locality and the design was inappropriate it is considered that these issues have been addressed.

Neighbouring Amenity and Amenity of Future Occupants

The proposed dwelling would not project past the principle or rear elevation of the host dwelling, no. 61 Pancroft and due to its limited scale and appropriate siting would not appear overbearing or cause any significant overlooking of the host dwelling. The proposed dwelling would be set in excess of 25 metres of the rear windows of the closest neighbouring property to the rear and is well separated from dwellings to the north by the existing garage block.

The host dwelling has a large garden of some 300 square metres at present. The proposal would reduce the host dwellings garden to approximately 100 square metres, however this is still considered ample in relation to the size of the dwelling. The proposed dwelling would be served by a garden with an area of some 130 square metres, providing a high standard of amenity space for future occupants.

In addition the proposed dwelling would have a floor area of approximately 94 square meetings, meeting the Nationally Prescribed Space Standards set out in policy DM 10 of the Submission Version Local Plan (2017), providing a good quality of accommodation for future occupants of the proposed dwelling.

Highways and traffic

At present the host dwelling has no designated off street parking. The proposal would create two 'tandem' style parking spaces to the rear of the proposed dwelling, for that new dwelling, in accordance with current parking standards. This would limit any strain on 'on-street' parking in Pancroft. Whilst the host dwelling has a licence to access the rear garden to store a caravan, the property has no formal off street parking and therefore no parking provision will be lost. Therefore it is considered that the proposal would not cause any significant harm such as to warrant refusal on highway grounds.

Whilst neighbouring properties have concerns about the impact of construction works on parking provision within Pancroft, this is not a material planning consideration, however hours of construction will be restricted by condition in order to minimise any disturbance to neighbouring amenity when works take place.

Epping Forest Special Area of Conservation

As set out in Policy DM 2 and DM 22 of the emerging Local Plan, issues have been identified with respect to the effect of development on the integrity of the Epping Forest Special Area of Conservation (SAC) from local air quality issues within and adjacent to the SAC. The Council is continuing to develop with partners a strategy to monitor air quality. This will include measures to be funded through the securing of financial contributions from new development in accordance with the relevant policies above. Notwithstanding the fact that this work is yet to be completed the

agent has confirmed willingness to enter into a S106 agreement to provide the appropriate contributions if required.

Other matters

Objections have raised concerns that the proposal may cause a loss of value to no. 60 Pancroft. Property value cannot be taken as a material consideration within planning applications and therefore cannot be considered.

Conclusion:

The development would be a sustainable form of residential development and the design and layout of the proposal overcomes the previous reasons for refusal and follows the advice of officers. It maintains the distinctive character of the area and will not adversely impact on neighbouring amenity. Adequate car parking space would be provided in accordance with adopted standards.

In light of the above appraisal, it is considered that subject to the imposition of the planning conditions suggested and subject to a Section 106 obligation in regard to the Epping Forest SAC contribution, the development would comply with the adopted Policies of the Local Plan and the Emerging Policies in the Submitted Local Plan 2017, as such the application is recommended for approval.

All other relevant policies and considerations, including equalities have been taken into account. Consequently, the proposed development is recommended for approval.

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: Corey Isolda
Direct Line Telephone Number: 01992 564 380**

or if no direct contact can be made please email:

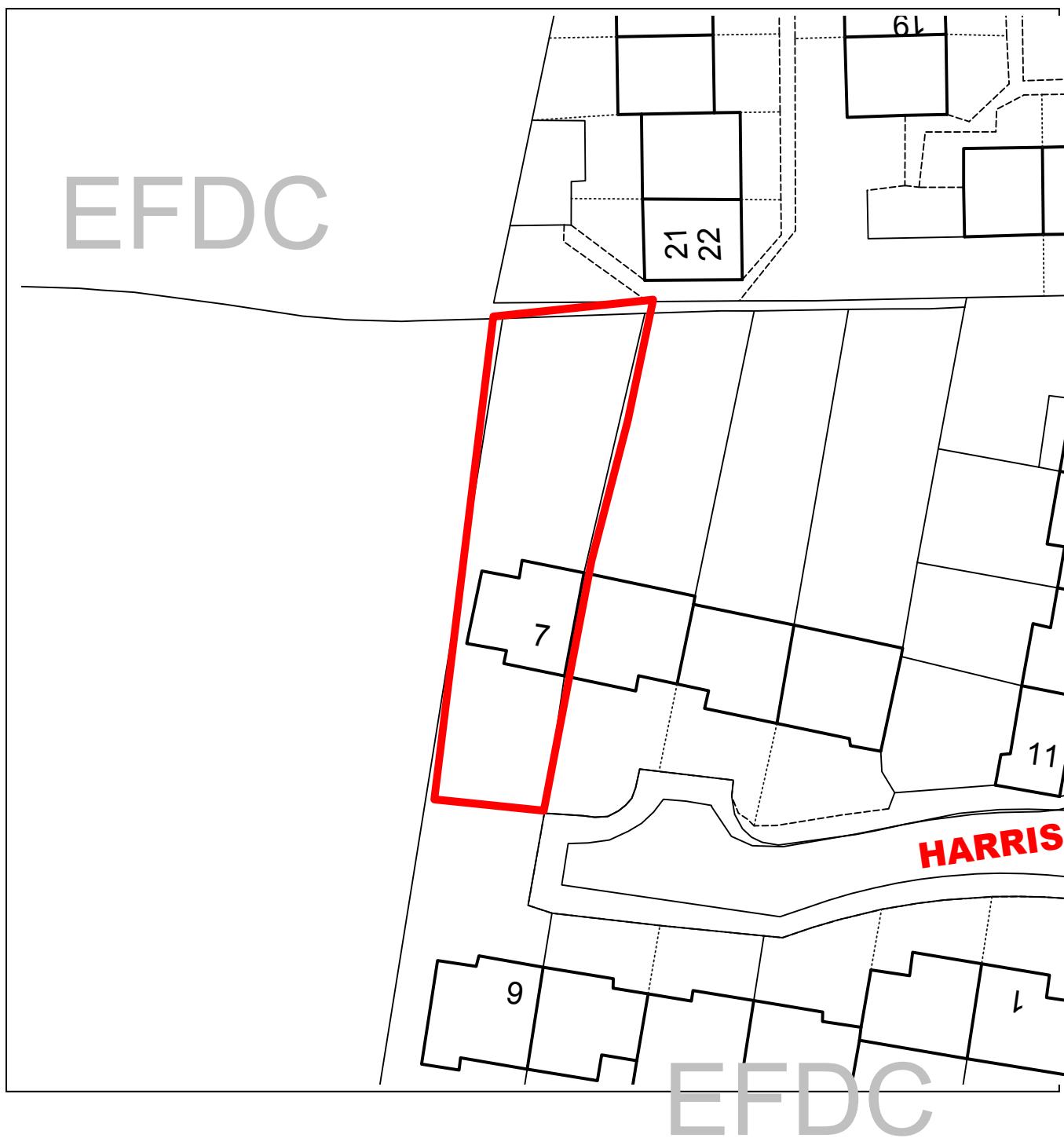
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Epping Forest District Council

Agenda Item Number 3



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| | |
|---------------------|---|
| Application Number: | EPF/2146/18 |
| Site Name: | 7 Harrison Drive, North Weald, Epping, Essex, CM16 6JD |
| Scale of Plot: | 1:500 |

Report Item No: 3

| | |
|---------------------------------|--|
| APPLICATION No: | EPF/2146/18 |
| SITE ADDRESS: | 7 Harrison Drive North Weald Epping Essex CM16 6JD |
| PARISH: | North Weald Bassett |
| WARD: | North Weald Bassett |
| APPLICANT: | Mr G Wilson |
| DESCRIPTION OF PROPOSAL: | Two storey side and 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=613038

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Site Location Plan; I 1673/P/15 Rev C; 1673/P/11 Rev A; 1673/P/12 Rev; 1673/P/13 Rev E; 1673/P/14 Rev C
- 2 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 3 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.
- 4 An assessment of flood risk, focussing on surface water drainage, shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS). The development shall be carried out and maintained in accordance with the approved details.

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, and the Local Council confirms it intends to attend and speak at the meeting where the application will be considered (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council)).

Description of Site:

No. 7 is a 2-storey 3-bed hip roof semi-detached dwellinghouse located to the north of Harrison Drive at the head of a residential cul de sac within the settlement of North Weald. The property has a detached side garage with two front car spaces.

Proposal:

This application seeks consent to remove the existing garage and erect a:

- 2 storey side extension sited 1.15m of the west boundary measuring a width of 4.4m, a depth of 8.0m on the ground floor with the first floor set back 0.5m from the front main building line of the property with a gable roof set down 0.2m from the main ridge.
- A single storey rear extension forming the width of the existing dwellinghouse and the proposed 2- storey side extension measuring a depth of 3.3m, built up to the east boundary at a height of 3.5m lowering to an eaves height of 2.3m. (the parapet wall on the shared boundary with no. 8 has a height of 3.6m lowering to a height of 3.0m).

The alterations from the previously refused application is the reduction in the width of the 2- storey side extension from 5.2m to 4.43m

The west elevation is set in 1.16m from the west boundary from the previous gap of 0.3m.

The windows to the front elevation of the side extension have been amended.

Policies Applied:

The National Planning Policy Framework

The National Planning Policy Framework (NPPF) has been adopted as national policy since July 2018. Paragraph 213 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

Epping Forest Local Plan and Alterations (1998/2006)

CP1- Achieving sustainable development objectives

CP3 - New Development

RP5a - Environment Impacts

DBE1 - Design of New Building

DBE2 - Impact on Neighbouring Properties

DBE3 - Design in Urban Areas

DBE9 - Loss of Amenity

DBE10 - Residential Extensions

LL10- Adequacy of provision for landscape retention

LL11 – Landscape Schemes

ST4 - Road Safety

ST6 - Vehicle Parking

Epping Forest District Local Plan (Submission Version) 2017

On 14 December 2017, full Council resolved that the Epping Forest Local Plan Submission Version 2017 be endorsed as a material consideration to be used in the determination of planning applications and be given appropriate weight in accordance with paragraph 48 of the NPPF.

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

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

In general terms it is considered that the Submission Version of the Plan is at its advanced stage of preparation and the policies are considered to be consistent with the NPPF. As regards unresolved objections, some policies within the Submission Version have more unresolved objections than others. All of these factors have been taken into consideration in arriving at the weight accorded to each of the relevant policies in the context of the proposed development listed below:

SP1 - Presumption in favour of sustainable development

DM3 - Landscape Character, Ancient Landscapes and Geodiversity

DM5 - Green and Blue Infrastructure

DM9 - High Quality Design

DM10 - Housing Design and Quality

Relevant History:

EPF/1383/18 - Two storey side and single storey rear extension - Refused 12/07/2018 for the following reasons;

1. The proposed 2 storey side extension by reason of its excessive width, design and form would not be subordinate to the existing dwellinghouse and constitute an unsympathetic and disproportionate addition that would fail to achieve a satisfactory standard of design contrary to policy DBE3 and DBE10 of the Epping Forest Local Plan and Alterations policies (1998-2006).

2. Inadequate information has been submitted in respect of the impact of the proposed works and developments on the green barrier hedgerow along the western side boundary and as such the local Planning Authority is therefore unable to properly assess its impact. In the absence of detailed information it is considered that the proposed development would result in a detrimental impact on the character of the locality contrary to policies LL10 of the adopted Local Plan and Alterations (1998-2006) and the Submission Version) 2017

EPF/1414/17 - Demolition of existing garage and erection of a 3- bed dwellinghouse - Refused 06/09/2017 by Plans Sub Committee East following a site visit, for the following reason:

'The proposed new dwellinghouse by reason of its position and cramped appearance would have a detrimental impact on the green barrier along its western side boundary and result in a terrace of houses out of keeping with the rest of this part of Harrison Drive, detrimental to the character of the locality, contrary to policies CP2 (iv), DBE1 and LL10 of the adopted Local Plan and Alterations.'

Representations:

PARISH COUNCIL - Object to the application on the grounds of over development, bulk and massing. Concern that the flat roof is detrimental to the amenities to the adjacent resident, concern at damage to the adjacent hedgerow. The Parish Council would wish to speak at the Area Committee, if this application is placed in front of Committee members.

5 neighbouring properties were consulted

One representation has been received .

8 HARRISON DRIVE - Harrison Drive consists of 14 dwellings arranged in seven pairs of semidetached houses in a cul de sac near the centre of North Weald.

One of the houses (No. 6) has been extended by building above the garage and the other by demolishing the garage and replacing it with a side extension (No.11). Both these extensions occupy the same footprint as the original buildings on the site.

This extension proposed at No. 7 is considerably larger than the others and seeks to almost touch the boundary hedge at the side and extend to the rear across the whole property and would clearly not provide any space for excavation or construction work or subsequent maintenance without damage to the foliage and the roots of the hedge.

Regrettably, although the applicant acknowledges the presence of trees and hedges on the site no arboriculture details are submitted and there is no detail as to how the boundary hedge will be protected.

Finally, the block plan shows the extent of the proposal coloured blue which exceeds the original footprint by a sizeable margin and if completed in its proposed form would dwarf the house next door and all others in Harrison Drive and is out of proportion and over development of the site.

Issues and Consideration:

The current application has been amended since the previous refusal in order to overcome the reasons for refusal. The alterations from the previously refused application include the reduction in the width of the 2- storey side extension from 5.2m to 4.43m which widens the gap to the side boundary from 0.3m to 1.16m. In addition the windows to the front elevation of the extension have been amended.

Design

There is no objection to the removal of the existing garage. Two car spaces can be provided on the front forecourt of the property which is sufficient to meet current standards..

Two storey side extensions should be designed to respect the character, form and size of the original dwellinghouse and garden. In this respect, the proposed side extension has been reduced in width from the previous refused application. The width of the extension at 4.4m set in 1.15m from the north boundary is considered of a scale and form that is subservient and proportionate with a subordinate roof design to the main dwellinghouse. Whilst therefore the width of the dwelling increases, the extension reads as an extension and does not adversely impact on the character of the property and the surrounding area. The reduction in width satisfactorily overcomes the first reason for refusal.

Impact on amenity

The adjoining semi-detached dwelling at no. 8 has an existing single storey 4.0m rear extension and the proposed rear extension at a depth of 3.3m and a maximum height of 3.3m is not considered to result in any significant amenity implications in the form of a loss of light or outlook, privacy or intrusive impact presently enjoyed by the occupiers of the adjoining properties. Furthermore, amenity did not form a reason for refusal on the previous application.

Impact on the hedgerow

The second reason for refusal on the previous application referred to the close proximity of the extension to the west boundary hedgerow. The hedgerow is on adjacent farmland separated from the site by a ditch and is not protected and not within the applicants control but is considered to provide a good boundary with the adjacent Green Belt land. As the gap to the side boundary has now increased from 0.3m to 1.15m, the development is considered of a distance that would prevent any detriment to the hedgerow complying with policy LL10 of the adopted Local Plan and

Alterations (1998-2006) and the Submission Version) 2017. Given the distance and the nature of the hedgerow the tree and Landscape Officer does not consider that there was a need for a detailed survey to be submitted and is satisfied that the hedgerow will not be adversely impacted. The second reason for refusal is therefore been overcome.

Other issues

The Council's engineering Drainage and Water Team has advised that the development is of a size that it is necessary to ensure that there is no increased runoff and have requested a suitable flood risk assessment condition be attached. In addition the development is within 8 metres of a watercourse, therefore land drainage consent will be required and an informative can be added to this effect.

Conclusion:

In summary, it is considered that the proposed development overcomes the previous reasons for refusal.

Adequate gap to the side boundary is maintained such that the hedgerow will not be impacted. The rear extension is less deep than that on the attached property number 8 and therefore there will be no harm to the living conditions of that neighbour. Adequate amenity space and parking space is maintained and the development would respect the character and appearance of the dwelling to be extended and the street scene. The proposal would therefore comply with the relevant policies set out above and is recommended for approval.

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: Corey Isolda
Direct Line Telephone Number: 01992 564 380**

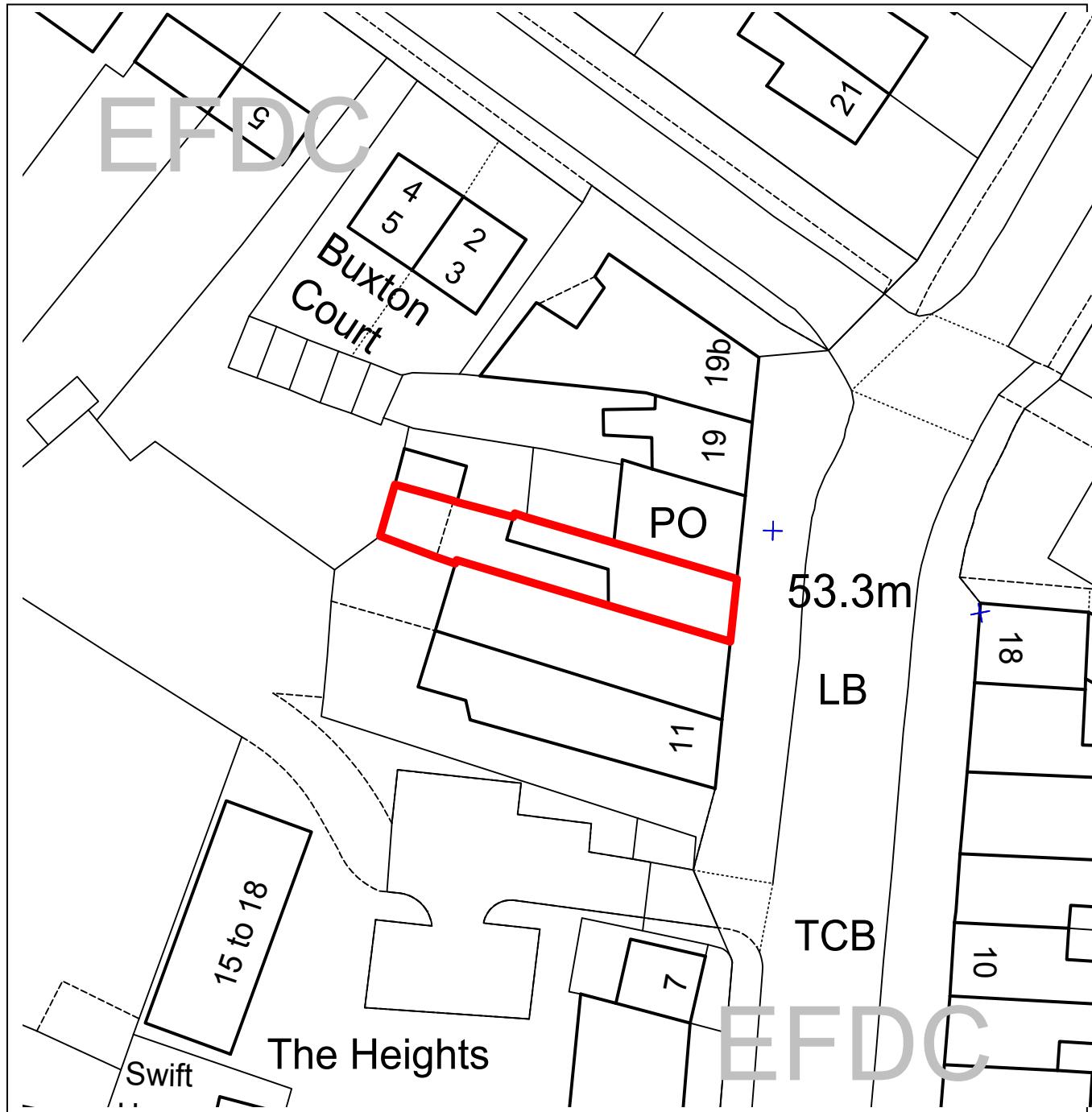
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Agenda Item Number 4



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| | |
|---------------------|--|
| Application Number: | EPF/2228/18 |
| Site Name: | 15 Forest Drive, Theydon Bois, Epping, CM16 7EX |
| Scale of Plot: | 1:500 |

Report Item No: 4

| | |
|---------------------------------|--|
| APPLICATION No: | EPF/2228/18 |
| SITE ADDRESS: | 15 Forest Drive Theydon Bois Epping Essex CM16 7EX |
| PARISH: | Theydon Bois |
| WARD: | Theydon Bois |
| APPLICANT: | Mr Mustafa Osman |
| DESCRIPTION OF PROPOSAL: | Retain raised enclosed platform on the shop forecourt. |
| 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=613474

CONDITIONS

- 1 The illumination level of the 4 low level lighting columns proposed shall not at any time exceed 25 watts or equivalent and no other lighting of any kind shall be installed on the raised platform or its balustrade or any other part of the property forward of the shopfront without the prior written approval of the local planning authority.
- 2 The raised platform enclosed by a balustrade shall only be used during the hours that the premises are open to the public. No table, chair, umbrella or other item associated with the raised platform shall remain in the area of the raised platform other than during opening hours.

This application is before this Committee since the recommendation is for approval contrary to an objection from a Local Council and at least one non-councillor resident, on planning grounds material to the application (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council)).

Description of Site:

The application property is a hot food takeaway, currently a fish and chip shop, within a commercial parade in Theydon Bois, on the western side of Forest Drive. There is a flat above the ground floor unit.

The site is designated as part of a Shopping Parade in the Local Plan 1998 Proposals Map (Inset Map 10).

The property is not listed or in a conservation area

Description of Proposal:

Retrospective application for a raised enclosed platform on the shop forecourt.

The platform is at a height of 0.4m where it adjoins the footway of Forest Drive. The platform is enclosed by a balustrade which is 1.0m in height relative to the surface of the platform. Along the front edge of the platform is a gap in the balustrade 1.5m wide where there is a ramp leading up from the level of the footway to the level of the surface of the platform.

The top surface of the platform and of the ramp and the vertical surfaces of the platform are all of a light-coloured stone. The balustrade is essentially of clear glazed panels set between a top rail and uprights of a polished stainless-steel appearance.

The plans also show an awning box from which a canopy over a depth of 2.0m could extend. The awning box would be set just below the fascia panel which bears the words Churchill's fish & chips; tradition, quality. The drawings also indicate 4 low level lighting posts at the outer corners of the platform and at the entrance to the ramp, 0.5m in height measured from the platform level.

Relevant History:

EPF/3030/16 - Certificate of lawful development for existing use as hot food takeaway. – Lawful
04/01/2017

Policies Applied:

Epping Forest Local Plan (1998) and Alterations (2006):

CP2 – Protecting the quality of the rural and built environment

DBE3 – Design in urban areas

DBE9 – Loss of amenity

The National Planning Policy Framework

The National Planning Policy Framework (NPPF) has been adopted as national policy since July 2018. Paragraph 213 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

Epping Forest District Local Plan (Submission Version) 2017:

On 14 December 2017, full Council resolved that the Epping Forest Local Plan Submission Version 2017 be endorsed as a material consideration to be used in the determination of planning applications and be given appropriate weight in accordance with paragraph 48 of the NPPF.

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

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

In general terms it is considered that the Submission Version of the Plan is at an advanced stage of preparation and the policies are considered to be consistent with the NPPF. As regards unresolved objections, some policies within the Submission Version have more unresolved objections than others. All of these factors have been taken into consideration in arriving at the weight accorded to each of the relevant policies in the context of the proposed development listed below:

SP 1 - Presumption in Favour of Sustainable Development

DM 9 - High Quality Design

DM 14 - Shopfronts and On Street Dining

DM 21 – Local Environmental Impacts, Pollution and Land Contamination

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 4

Responses received:

22 DUKES AVENUE – Object, very much out of keeping, adds to increasingly haphazard aesthetic of the shopping parade on Forest Drive, work undertaken messily, concrete marks in front and to the sides are extremely unsightly and should be cleaned away.

PARISH COUNCIL: OBJECTION, 15 Forest Drive (Churchill's) is situated in the centre of a small parade of shops within the village of Theydon Bois. It is a takeaway, selling fish and chips. The flats above, and on the opposite of the road, are in residential occupancy and the whole area has a quiet ambience, both during the day and particularly during the hours of dusk.

It is noted that the structure has been constructed without permission, and that Churchill's currently use the platform on the shop forecourt as a seating area for customers to either eat the food they purchase or wait while their order is being prepared. The Planning Committee would suggest that the platform generally lacks quality in design and build, and also has concerns that the continued use of the seating area will impact on the amenity of residents in the vicinity, especially in relation to noise. The number of tables and chairs is not specified, but the platform area is cramped, so becoming cluttered when more seating is provided and, therefore, noisier. The Planning Committee is mindful of the on-going enforcement issues relating to a nearby eatery on Forest Drive and would suggest that the seating arrangements brought about by this application could potentially exacerbate any late night disturbance issues in the area. It is therefore suggested that, should this application be considered for approval, conditions should be added to state that the tables and chairs on the platform are limited, and removed by 18.00 every day of the week.

The plan submitted as part of this application also shows 4 light posts around the platform on the shop forecourt. However, a site inspection revealed that there would appear to be several more lighting cables in place, which are not yet functional. It is of particular concern that no details have been submitted as to the look, design or scope of such lighting, which could materially affect the amenity of the residents living in close proximity. The signage above the shop is currently illuminated in white fluorescent light, which is felt to be too bright and inappropriate in this setting, particularly since the Parish Council has successfully argued in favour of more subdued, down-lit signage on other establishments in the near vicinity.

In combination with the current signage, any further proposed lighting on this premises is likely to be in direct conflict with the Theydon Bois "Dark Skies" policy, which is strongly supported by residents.

Further, the submitted plan would appear inaccurate in its depiction of the proximity of the platform to the existing pillar box. A site visit revealed that the access way in between the pillar box and the platform is narrower than is drawn on the plan and, together with the existence of other nearby street furniture, could restrict access along the pavement.

The Planning Committee noted the provisions of Policy DM14 of the new Submission Version Local Plan, 2017 (Shopfronts and On Street Dining) and, for the reasons set out above, is of the

view that the proposal, as currently submitted in this application, does not accord with the requirements outlined within the supporting text and policy wording.

Main Issues and Considerations:

The main issues with this development are, as with the raised platform at no 13, design and impact on amenity.

The overall appearance of the raised platform has similarities with the outside seating area shown on approved plans for no. 13, currently in use as a Turkish restaurant (planning permission EPF/0981/13 refers). There are six units in the parade. The unit the subject of this application would be the second unit with a raised platform; the treatment to the private forecourt would not be an incongruous feature. The commercial unit is set within a pleasant though somewhat non-descript commercial parade along a two-storey building appearing to be of nineteen-thirties origin. Shopfronts have a variety of appearances though all are modern and of unremarkable design..

The comment of a local resident that the development now existing adds to increasingly haphazard aesthetic of the shopping parade is supported but is considered an inadequate point with which to substantiate a reasonable reason for refusal. The slightly haphazard nature of shop unit presentations, the departure from a uniform appearance, is a component to the character of the parade as is often the case with commercial parades of this scale and date. Other remarks from a local resident are also supported; details to the raised platform have an un-finished look. It is considered that a formal approval, subject to conditions, is the best way to achieve improvements to the details of the appearance.

The appearance of the raised platform and its balustrade is considered acceptable in its setting.

The raised platform is considered to have no material impact to public amenity beyond that which was the case when the private forecourt was in its original state. The single exception is in that the submitted plans show four light posts. These are discussed below. The comment of the Parish Council regarding inaccuracy of the depiction of the proximity of the platform to the existing pillar post box is noted but there exists an ample space between an edge of the raised platform and the slot to the post box on the post box door.

For the avoidance of doubt, the raised platform is on a private forecourt. The width of a footway along Forest Drive has been retained. Essex County Council, the local highway authority, was consulted on the application and a written response has been received that all the works are sited clear of the highway consequently there are no highway issues associated with this proposal.

The Parish Council comment that the platform on the shop forecourt is currently used as a seating area for customers to either eat the food they purchase or wait while their order is being prepared. Paragraph 4.95 of the Submission Version of the Local Plan states that on street dining facilitates can add to the vibrancy of town centres. The NPPF, at section 7, seeks to promote long-term vitality and viability of town centres and whilst the site's locality is far from being a town centre, the facility for customers is considered to accord with the general thrust of policy.

Customers would be able to congregate on the forecourt of the fish and chip shop whether the raised platform were retained or whether the private forecourt were returned to an open hard surfaced area. The inference that the Parish Council consider that the raised platform creates more noise to local residents is not one that can be adequately supported.

However, the comment of the Parish Council regarding a need for conditions to secure removal of any tables and chairs from the platform at a specified time and the need to ensure that no additional lighting is created on the platform are fully supported. A condition that tables and chairs are removed from the outside area when the premises are closed is considered necessary and

reasonable to ensure people do not continue utilising the area after closing, when the premises would be expected to be quiet. Whilst the 4 low level lighting posts shown on the submitted plans are considered appropriate to minimise risk of accident, a condition to the effect that no additional means of artificial illumination be installed on the development would ensure that its appearance during hours of darkness would not be out of keeping with its setting.

Conclusion:

The retention of the raised platform would aid the vitality and viability of the commercial parade and have no material adverse consequence for the living conditions of neighbours since the overall use would remain that of a private forecourt. The development is considered to accord with both adopted policy and the policies of the Submitted Local Plan, and the application is 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: Jonathan Doe
Direct Line Telephone Number: 01992 564103***

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

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