

AREA PLANS SUB-COMMITTEE 'EAST'

10 July 2019

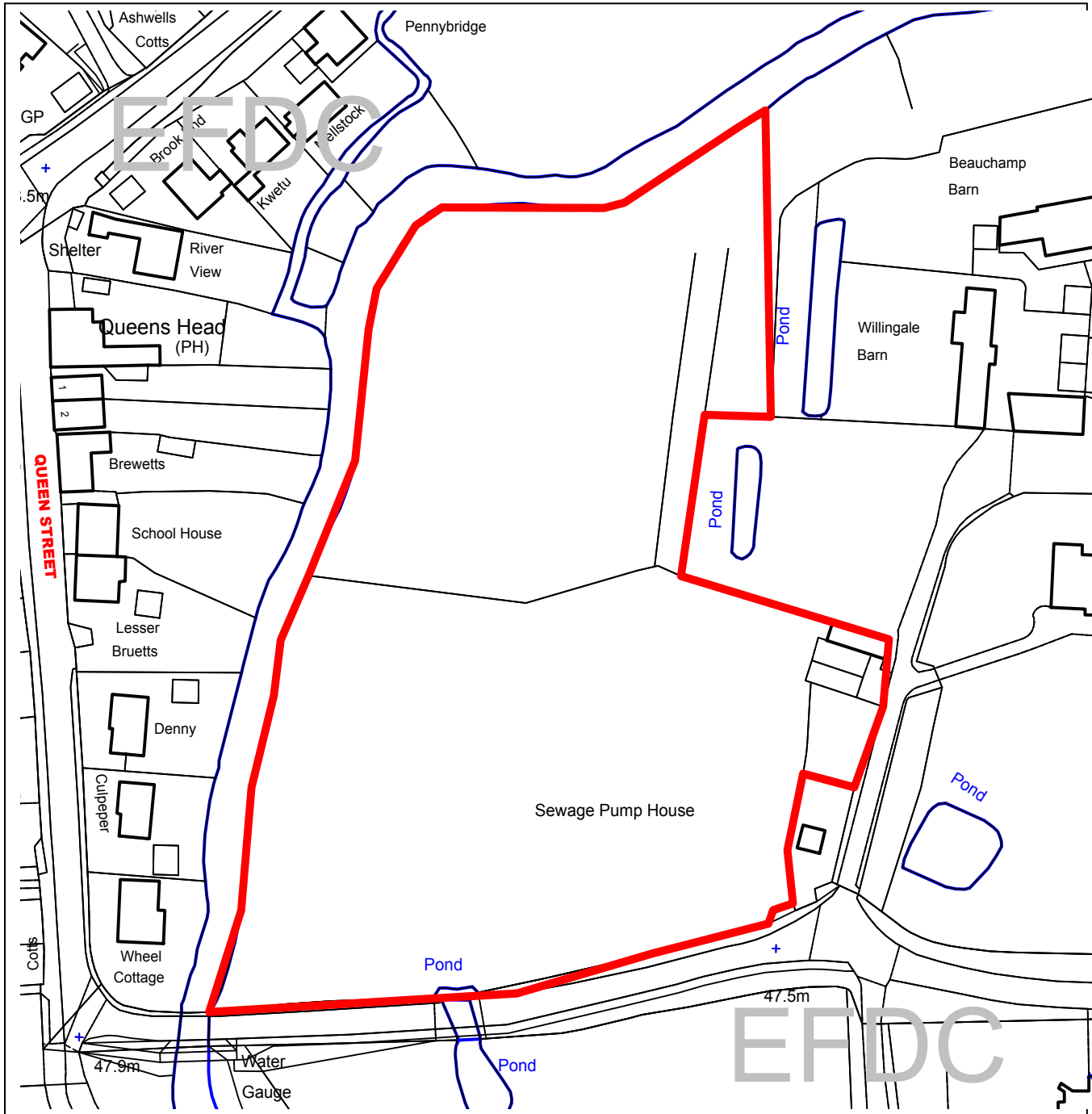
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Epping Forest District Council

Agenda Item Number 1



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Application Number:	EPF/2964/18
Site Name:	Land Adjacent Fyfield Hall, Willingale Road, Fyfield, Ongar, Essex, CM5 0SA
Scale of Plot:	1:1250

Report Item No:1

APPLICATION No:	EPF/2964/18
SITE ADDRESS:	Land Adjacent Fyfield Hall Willingale Road Fyfield Ongar Essex CM5 0SA
PARISH:	Fyfield
WARD:	Moreton and Fyfield
APPLICANT:	Mr W White
DESCRIPTION OF PROPOSAL:	Replacement stables.
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=616793

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 no's: 18.5128/E101, 18.5128/E103, 8.5128/E104, 18.5128/M001, 18.5128/M002, 18.5128/P201/A, 18.5128/P202/A, 18.5128/P203/A
- 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 The stables shall be used for the stabling of horses for private recreational purposes only and not for any commercial purposes including livery.

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

The site is a piece of land adjacent to the Grade I Listed Fyfield Hall, off Willingale Road and approximately 100 metres East of the River Roding. The site is not within a Conservation Area, but

is within the Metropolitan Green Belt. The red line site is within flood zone 2 and is approximately 8 metres away from a flood zone 3 designated area.

Description of Proposal

The application seeks to demolish the existing stables and to construct a new stable building in its place.

Relevant Site History

EPF/2320/18 – Conversion of existing stables into a residential dwelling. (Still being considered)

Policies Applied

Epping Forest Local Plan and Alterations (1998/2006)

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.

CP1 – Achievable 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
ST1 – Location of Development
RST4 – Horse Keeping
RST5 - Stables

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:

SP1 – Presumption in Favour of Sustainable Development

SP7 – The Natural Environment, Landscape Character and Green and Blue Infrastructure

DM3 – Landscape Character, Ancient Landscape, and Geodiversity

DM4 – Green Belt

DM9- High Quality Design

Summary of Representation:

No. of neighbours consulted: 15, 2 Objections Received

MEADOWVIEW: STRONG OBJECTION - The proposed development is significantly larger than the current two stables.

This alternative planning application to EPF/2320/18 both state there are 3 vehicle (car) spaces currently available on this site; this is not the case. All the vehicles currently parking on this site (a 4x4, 3 mobile homes and other vehicles from time to time) are parking illegally and there is an enforcement order outstanding.

If planning permission is granted there should be vehicle parking restrictions applied as this is green belt, and these restrictions should be applied to what type of vehicle, where the vehicles should be parked and should clearly state no mobile homes or caravans. This is a flood field in the centre of our rural village and is overlooked by many homes and at present the view is like a Mobile Home car park. The photos provided with this application do not reflect the current Autumn/Winter view which is very different to the photos which were taken during the Summer months.

One of the owners of the land advised the FPC at their meeting on 3 December that they have asked the applicant to move off the land and also advised there is no consent for horses to be kept on this site.

Comments:

The neighbour list on this application only contains 3 current and correct addresses out of the 14 listed and is missing at least 12 current & correct addresses. The previous and still to be considered application (EPF/2320/18) contains 3 none current addresses (Capital Hire Services/Fyfield Farms/White Contracting Ltd and is missing Fyfield Hall.

In light of the outstanding enforcement order and lack of consent to keep horses on this site I do not think it appropriate to consider this application further.

WIT'S END, WILLINGALE ROAD: STRONG OBJECTION – landowners have not given consent to the application.

PARISH COUNCIL: OBJECTION – This is due to the scale of the proposals which represent a significant increase in the size of the buildings. This appears to be disproportionate to the area of land on which the proposals cover. We also note the advice of the landowner to suggest that there is no consent for the applicant to keep horse on site and as such the element of proven need to develop in the Green Belt would appear to be absent.

If the Planning Authority is minded to grant consent, we believe that there is a strong case to apply conditions to ensure that the future use is respected. To this end we believe that severe restrictions on the parking of vehicles on the site is appropriate as is the need to cease the use of the site for residential purposes. This should apply both during any construction and thereafter to ensure that this sensitive location in the Green Belt is protected.

The Council appreciates that the site is currently being used for residential purposes that are not subject to a valid consent and that enforcement action is underway. We would support the conclusion of this process as soon as possible. We remain concerned that the recent planning applications for the use of this site are undeliverable due to the absence of consent from the landowner and that these may represent efforts to bring about delay or obstruction to the process to complete ongoing enforcement work. As such the waste of time and money by planning authority and Parish Council alike is disappointing.

Main Issues and Considerations:

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

Green Belt

Use of Stables

Design

Impact on living conditions

Green Belt:

The National Planning Policy Framework (2018) indicates that the Government attaches great importance to Green Belts. The fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

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

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development;
 - or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

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

The proposal is for the replacement of existing stables, which would not be considered as inappropriate development as specified within the Revised NPPF, however the primary aspect of the proposal to consider is whether the proposed building is materially larger than the existing structures.

The existing stable structures measure at 11.2/12.5 metres in width, 4.5/4.2 metres in depth and 3.5/2.5 metres in height. The proposed stables would measure 12.5 metres in depth (including the link), 12.5 metres in width and 4 metres in overall height.

The replacement stable building in terms of floor space and volume would not be materially different than the existing buildings and is therefore acceptable in terms of Green Belt Policy.

Whilst the Parish Council and neighbours have objected to the proposed development in the Green Belt, it is considered that the scheme would be acceptable development within the Green Belt due to its intended use. The proposal has been revised to make it more acceptable development within the Green Belt and a condition can be added to ensure the development would stay in its proposed use, with planning permission needed to change the use if the Council are minded to grant permission.

Use of Stables:

Policy RST5 of the Adopted Local Plan and Alterations (2008) states that the provision of stables would be permitted provided that:

- (i) They do not have a significantly adverse impact on the character and appearance of the landscape and are appropriate in scale, location, design, materials and landscaping
- (ii) The amount of horse riding that is likely to result would not lead to excessive highway danger on and across roads
- (iii) The amount of horse riding that is likely to result would not have a significantly adverse impact on the management, ecology or public use of open spaces and rights of way
- (iv) They are of a size adequate to meet the welfare requirements of the number of horses intended to use them
- (v) Adequate car parking is provided

As discussed in the above section, the proposal would not have an adverse impact on the character and appearance of the area, as well as any amount of horse riding resulting in a danger to highway safety or an adverse impact to the management of open space and rights of way.

Design:

The proposed scheme would be U – shaped in design with two gable ends and a connecting link. The proposed external materials would be timber weatherboarding with slate roof tiles and timber doors. The materials would not be out of character with those traditionally found in rural areas and as such would not be out of keeping with the surrounding area.

Impact on Living Conditions:

Due to the distance, the stables would be considered to not cause significant harm to the living conditions of neighbours

Conclusion:

It is recommended that planning permission is granted subject to conditions.

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

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

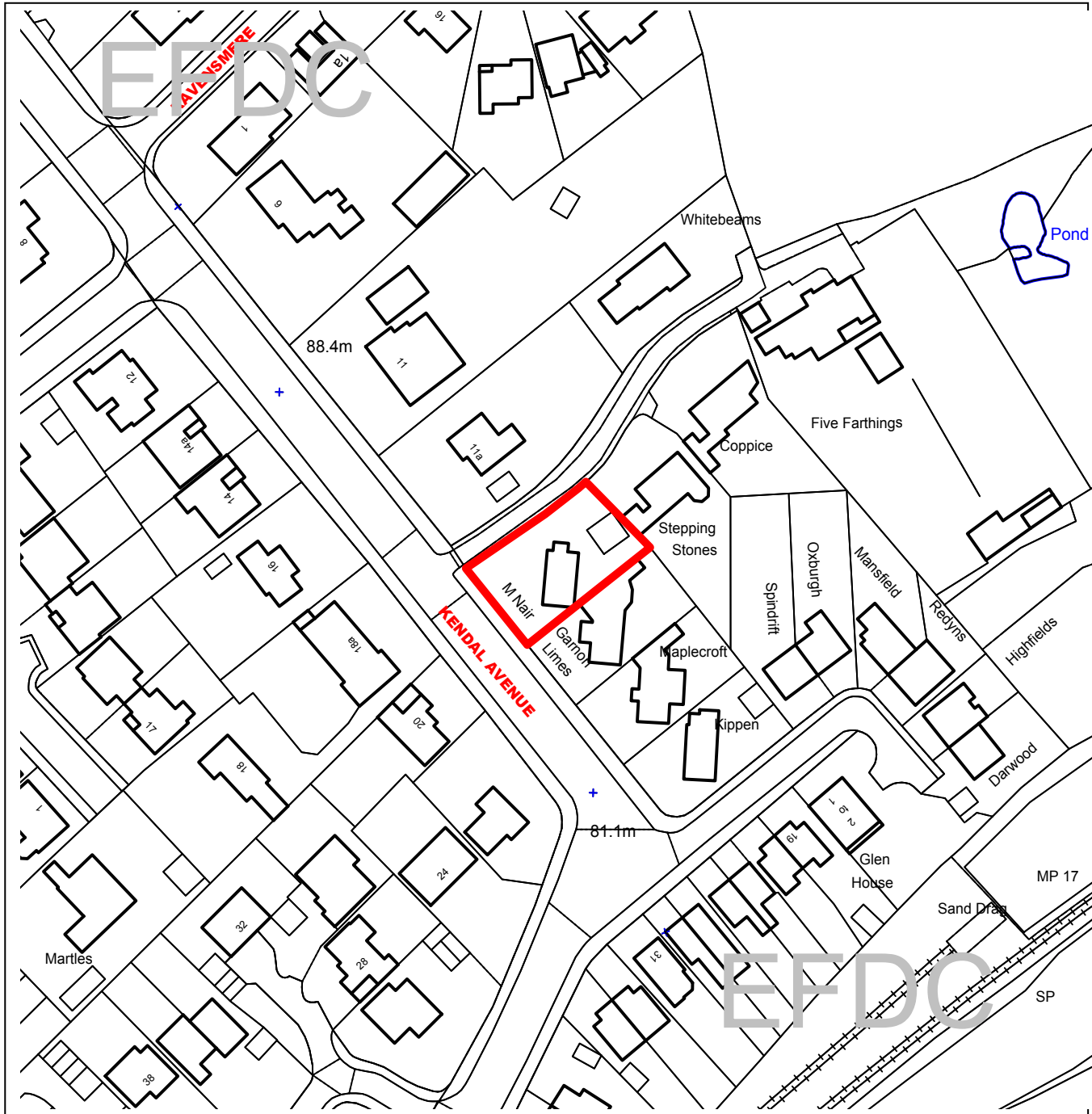
or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

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Epping Forest District Council

Agenda Item Number 2



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Application Number:	EPF/3146/18
Site Name:	Mcnair Kendal Avenue Epping CM16 4PW
Scale of Plot:	1:1250

Report Item No:2

APPLICATION No:	EPF/3146/18
SITE ADDRESS:	McNair Kendal Avenue Epping Essex CM16 4PW
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mrs S Fisher
DESCRIPTION OF PROPOSAL:	Demolition of existing conservatory and side/rear garages involving the erection of a two-storey front, side and rear extension and the erection of an annex building ancillary to the main use of the dwellinghouse. (Revision to EPF/2028/18)
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=617615

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 no's: Existing Elevations. Existing Floorplans; Location Plan; Streetscene; 01; 1- Rev C; 2 Rev C; Tree Survey; Aborticultural Report; Site Plan; Ordnance Survey
- 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 The proposed development shall only be used as ancillary accommodation for the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling known as 'McNair Kendal Avenue'
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, (or any other order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A-E of Part 1, of Schedule 2 to the Order, shall be undertaken without the prior written permission of the Local Planning Authority.

- 6 The rooflights in the northeast roofslope shall be entirely fitted with obscured glass with a minimum Level 3 obscurity and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 7 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural report is removed, uprooted or destroyed, dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.
- 8 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.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate - Delegation of Council function, Schedule 1, Appendix A(g)).

Description of Site:

'McNair' is a 2-storey detached dwellinghouse located to the northeast of Kendal Avenue which is residential in character.

The properties in Kendal vary in size and design. Mc Nair forms one of 4- detached dwellings of the same design, sited at an angle to Kendal Avenue in wide plots with limited depths. The rear garden slopes down towards the rear boundary.

The property has an existing side conservatory with a detached rear garage accessed by a private lane sited in between numbers.

The property has front parking for 2-3 cars.

Description of Proposal:

This application is a resubmission following the refusal of the previous application Ref: *EPF/2028/18*.

The proposal is seeking consent for the:

- Removal of the existing flat roof double garage and the erection of a hip roof 1- bed annex ancillary accommodation to the main dwelling to allow for independent living for a family member. The building would measure a width of 6.3m, a height of 5.2m. Rooflight to the northeast and a dormer window to the southwest roof slopes.

The floor level of the new building will be set at approximately 400mm lower than the existing garage floor.

The existing drive area to the garages is to become private garden amenity space. The opening to the lane will be closed with yew hedging (extending the existing planting along the roadway boundary).

- Removal of the existing front porch and the erection of a 2-storey front extension measuring a width of 3.8m, a depth of 1.4m, at a height of 6.5m.
- Replacing the existing side conservatory with a 2-storey side and rear extension with the ground floor side set back 0.5m from the front main building line, a width of 3.1m. The first floor is set back 1.5m from the front main building line with a gable roof set down 0.3m from the main ridge.
- The two-storey rear extension forms a width of 6.5m a depth of 1.0m with a gable roof set down from the main ridge with the north roof slope with eaves aligning with those of the main dwelling and the south roof slope with an eaves height lower to give a cat slide roof appearance.
- Proposed replacement windows to existing dwellinghouse.
- A rear patio area

The alterations from the previous refused application is the: -

- Removal of the single storey link between the main dwellinghouse.
- A reduction in the width of the annex from 7.0m to 6.3m and the overall depth from 9.5m to 7.7m. The height of the building has been reduced 5.2m.
- A reduction in the height of the annex with the eaves reduced to 2.45m from the existing ground floor level.
- All original side and rear extensions have been removed to the original garage footprint involving only a 2.0m deep front extension.

Relevant History:

EPF/2028/18 - Demolition of existing conservatory and detached garages and erection of 2- storey front, side and rear extension and a chalet unit of accommodation ancillary to the main dwellinghouse which is linked to the main dwellinghouse by a single storey side extension - Refused - 18/10/2018.

'The proposed ancillary unit of accommodation by reason of its design, scale. Form and limited plot size would represent a visually incongruous, disproportionate and cramped form of development which is unsympathetic and detrimental to the character and appearance and setting of the existing dwellinghouse and the visual amenity of the surrounding area. The proposal would be contrary to the aims of policies DBE1, DBE3 and DBE10 of the adopted Local Plan and Alterations and the National Planning Policy Framework, 2018'.

Polices Applied:

DEVELOPMENT PLAN

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

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

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
ST4 - Road Safety
ST6 - Vehicle Parking

NATIONAL PLANNING POLICY FRAMEWORK (FEBRUARY 2019)

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

- (a) approving development proposals that accord with an up-to-date development plan without delay; or
- (b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

In addition to paragraph 11, the following paragraphs of the NPPF are considered to be of relevance to this application:

102 -107 - Promoting sustainable Transport
108 -111 - Considering Development Proposals
122 -123 - Achieving Appropriate Densities
124 - 132 - Achieving Well Designed Places

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

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

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

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

The LPSV has been submitted for Independent Examination and hearing sessions were held on various dates from February 2019 to June 2019. The appointed Inspector has indicated an intention to provide advice to the Council by 12 July 2019; this advice will be given without prejudice to the Inspector's final conclusions.

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

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

Consultations:

Trees and Landscape.

The Limes are protected by a Tree Preservation Order and there is no objection subject to the attachment of conditions.

Representations:

EPPING FOREST TOWN COUNCIL: Object.

- Whilst the Committee note the revised scheme, the revisions have not addressed Committee previous concerns. The proposal constitutes over development of the site in terms of its size and bulk. The volume of development would have a detrimental effect on the street scene and the character of this urban area potentially resulting in a loss of amenity for neighbouring properties.
- The Committee would request that if permission is granted, a condition should be placed on that permission which requires any building to always be ancillary to the main dwellinghouse and not sold as a separate dwellinghouse.

6 adjoining neighbours were notified on the 05/12/2018 and one objection has been received.

EPPING SOCIETY raise the following concerns: -

- The first floor of the proposed annexe has no declared use. All the facilities for the elderly relative are on the ground floor. The extra height is unnecessary and increases the impact of the building.
- If planning permission is granted, it must always be ancillary to the main house. It must not become a separate dwelling with permitted Development rights. No objection to the main house.

Main Issues and Considerations:

The main issues for considerations are:

- has the previous reason for refusal been addressed,
- the proposal in relation to the property and surrounding area and
- the amenities of the adjoining properties.

The proposed extensions to the main dwellinghouse are considered of a satisfactory design and form that are sympathetic to the character and appearance of the property and surrounding area. Whilst the subject property is one of 4 similar designs arranged in a 45-degree angular pattern to the public highway, there is nothing outstanding of these properties, their arrangement or location within the street that would highlight them as a defining feature either in their own right or as a contribution to the street character. The wider street setting is of a mixed and varied character such that alterations to McNair would not detract from the general setting. Furthermore, the gable end of these properties, which dominates views of them up street, would not be altered therefore retaining a consistency of form and proportion to this element.

The loss of the garage is acceptable given that the property can accommodate 2-3 car spaces in the front forecourt of the main house. In addition, the area to the frontage of the garage (accessed off the private road section of Kendal Avenue) itself could accommodate more cars if required.

The proposed ancillary unit of accommodation is of a larger footprint than the existing garage with an increased depth of 2m and an increase in height to 5.2m as a result of the apex roof proposed. The previous application was considered of a scale and form that failed to give an adequate or spacious setting around the main dwellinghouse resulting in a disproportionate, bulky and cramped form of development contrary to Policy DBE1 and DBE3 of the Local Plan.

The proposed alterations from the previous application, involving the removal of the single storey link extension, the reduction in the width to the rear aspect and the overall height and depth has significantly reduced the bulk of the development and created more space around the plot than the previous scheme.

Notwithstanding the above, the proposed development to the main dwellinghouse would take up a large area of the site and as such to prevent the development from being substantially further extended to the detriment of the property and to the amenity of the adjoining dwellings it would be reasonable to impose a condition on any approval of the scheme ensuring that permitted developments rights are removed so that an assessment can be made on any further or future additions to the property.

Any approval of the development would also be appropriately conditioned so as to ensure that the building remains ancillary to the main dwellinghouse preventing the building being used as a separate unit of accommodation.

Impact on the Amenity of adjoining properties

In terms of amenity, the main dwellinghouse is set at an angle to the rectangular shaped plot with the majority of the amenity space sited to the front of the property. The rear garden depth to the property is limited and given the drop-in level of the rear garden towards the rear boundary overlooking from the first-floor bedroom windows already exists to some extent to the side of adjoining property at 'Stepping Stones', which itself sits at a higher level than the application site. The 2-storey rear extension to the main dwellinghouse, at a depth of 1.0m is not considered to any result in any additional increased overlooking to what presently exists and would be broken up in part with the siting of the roof to the proposed annexe.

The proposed annex as amended, by reason of its design and siting would ensure that the development would not result in any harmful amenity implications. Rooflights are proposed to the northeast roofslope which are conditioned to be obscure glazed and non-openable to prevent any overlooking or loss of privacy to the neighbouring dwelling at 'Stepping Stones' in accordance with the requirements of policy DBE9 of the Local Plan.

The objectors comments are noted but the applicant has worked with the council to reduce the overall height and scale of the building so that it is now more subordinate in size which respects the building hierarchy of the plot and is in context with the surrounding buildings.

Conclusion:

Having taken all material considerations into account, it is concluded that on balance the proposed development has satisfactorily addressed the previous reason for refusal and is considered of a design and form that is acceptable in terms of the Epping Forest Local Plan and Alterations (1998 and 2006), the Local Plan Submission Version, 2017 policies and, the National Planning Policy Framework, 2018.

Recommendation

In the light of the above considerations it is recommended that planning permission is Approved subject to the attachment of appropriate 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:

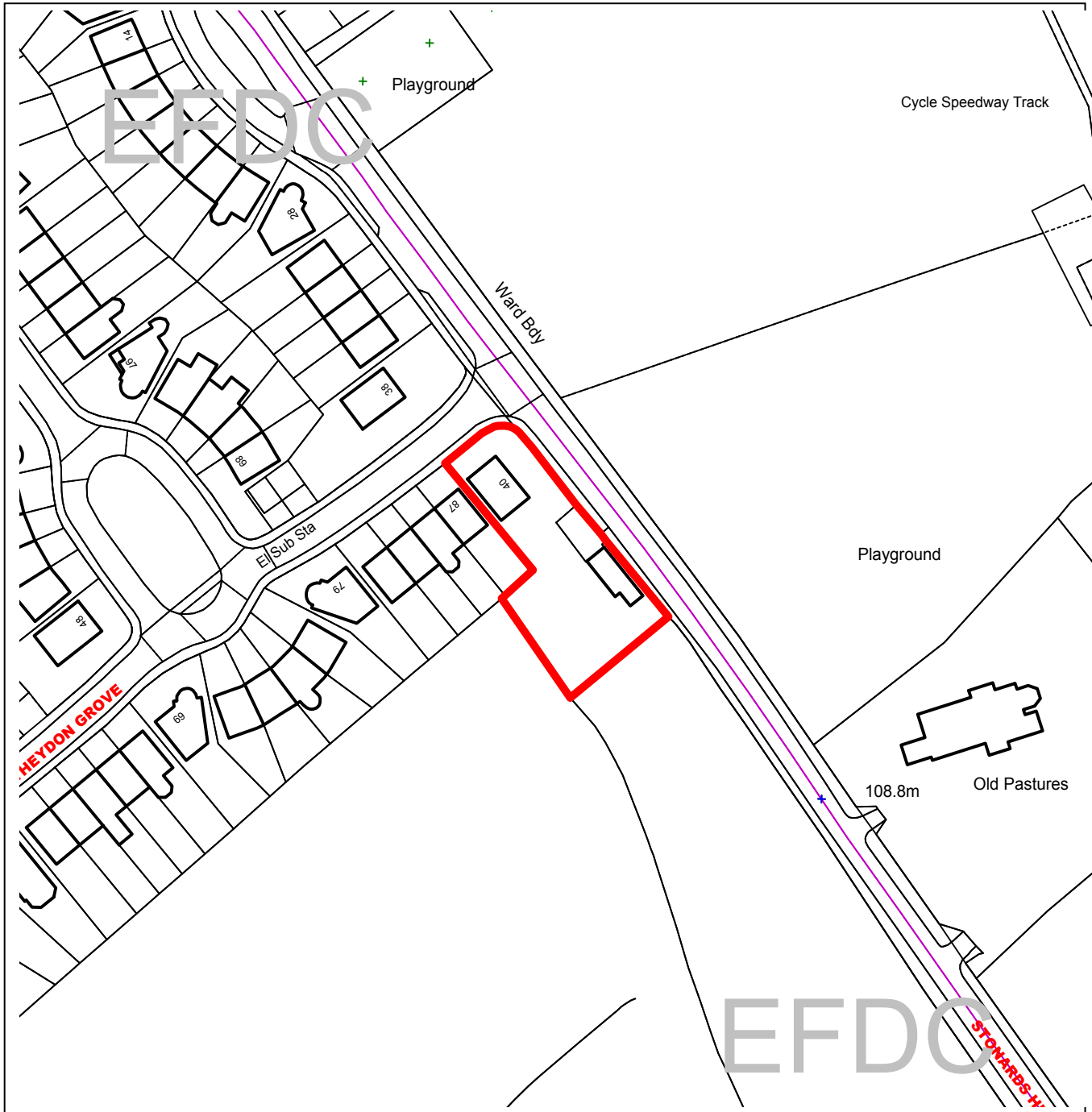
***Planning Application Case Officer: Caroline Brown
Direct Line Telephone Number: 01992 564182***

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



Epping Forest District Council

Agenda Item Number 3



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Application Number:	EPF/0500/19
Site Name:	40 Stonards Hill Epping Essex CM16 4QH
Scale of Plot:	1/1500

Report Item No:3

APPLICATION No:	EPF/0500/19
SITE ADDRESS:	40 Stonards Hill Epping Essex CM16 4QH
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr Fergus Jamieson
DESCRIPTION OF PROPOSAL:	Proposed demolition of existing garage/annexe, removal of swimming pool, hardstanding, numerous outbuildings and the erection of a detached two-and-a-half storey dwelling.
RECOMMENDED DECISION:	Refuse Permission

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=620938

REASON FOR REFUSAL

- 1 The proposal constitutes inappropriate development in the Green Belt, for which there are no very special circumstances. Inappropriate development is, by definition, harmful to the Green Belt and therefore the proposal is contrary to policies GB2A and GB7A of the Adopted Local Plan and Alterations, DM4 of the Submission Version Local Plan and with the objectives of the National Planning Policy Framework.
- 2 The application does not provide sufficient information to satisfy the Council, as competent authority, that the proposed development will not adversely affect the integrity of the Epping Forest Special Area for Conservation and there are no alternative solutions or imperative reasons of overriding public interest why the proposed development should be permitted. In the absence of such information, and in the absence of an appropriate legal agreement to mitigate such adverse impact, the proposed development is contrary to policy NC1 of the Epping Forest Local Plan (1998) and Alterations (2006), policies DM2 and DM22 of the Epping Forest Local Plan Submission Version 2017 and the requirements of the Habitats Regulations 2017.

This application is before this Committee since it has been 'called in' by Councillor Avey Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council).

Description of Site:

The application site is a large detached dwelling of a mock-Georgian vernacular, at the south eastern end of Stonards Hill. The dwelling forms the end of a row of houses, constructed in the late 1960's which comprise the Theydon Grove estate. At present the main house forms a closure to the end of the development along Stonards Hill and Theydon Grove, with the Metropolitan

Green Belt spreading into its garden, but not surrounding the house and its immediate curtilage. To the east of the dwelling is an associated large detached garage, with access directly from Stonards Hill.

Description of Proposal:

The proposal is to demolish the existing garage, remove the swimming pool and hardstanding, and in its place construct a two-storey dwelling of a design matching the gable ended type of dwellings, with prominent parapets, that are characterised throughout Theydon Grove. The existing garden would be subdivided to provide private amenity space for both dwellings.

Relevant History:

EPF/0452/88- Erection of Garage - Approved

EPF/0935/96 - Change of use and conversion of existing garage and outbuilding to granny annexe. - Approved

Policies Applied:

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

CP2 – Protecting the quality of the rural and built environment
GB2A – Development in the Green Belt
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE4 – Design in the Green Belt
DBE8 – Private amenity space
DBE9 – Loss of amenity
RP3 – Water quality
U3A – Catchment effects
ST4 – Road safety
ST6 – Vehicle parking
LL10 – Adequacy of provision for landscape retention
LL11 – Landscaping schemes

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

Epping Forest District Local Plan (Submission Version) 2017:

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

SP1 - Presumption in Favour of Sustainable Development
SP6 - Green Belt and District Open Land
T1 - Sustainable Transport Choices

DM3 - Landscape character, ancient landscapes and geodiversity
DM4 - Green Belt
DM5 - Green and Blue Infrastructure
DM9 - High quality design
DM10 - Housing Design and Quality
DM11 - Waste Recycling Facilities on New Development
DM18 - On Site Management of Waste Water and Water Supply
DM21 - Local Environmental Impacts, Pollution and Land Contamination

Consultation Carried Out and Summary of Representations Received:

7 neighbouring residents were consulted and 6 responses were received.

EPPING TOWN COUNCIL – OBJECT - This proposal would have a detrimental effect on the openness of the Green Belt, as it is far greater in height and bulk than the existing buildings on the site. The size of the building would have a negative effect on the street scene, as it would be far more visually intrusive than the current dwelling's outbuildings.

81, 85, 87 Stonards Hill; 14 Woodberry Down, 24 Stonards Hill, The Epping Society –
OBJECTION – Summarised as – Loss of views, impact on the Green Belt, out of character with the surrounding area, overlooking, loss of amenity, harm to the design of the Theydon Grove Estate

Main Issues and Considerations:

The key considerations are the impact on the Green Belt, the character and appearance of the surrounding area, regarding neighbour's amenities, highway safety considerations, and any impact on the landscaping.

Green Belt:

The application site forms the end of the linear development that makes Stonards Hill and forms the edge of the Theydon Grove estate. The National Planning Policy Framework states that the erection of new buildings within the Green Belt constitutes inappropriate development, however provides a number of exceptions to this. The list of exceptions includes "*limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan*".

The definition of infill development as laid out within Appendix 1 of the Submission Version of the Local Plan reads:

"Infill development refers to the development of a small gap in an otherwise continuous built up frontage, or the small-scale redevelopment of existing properties within such a frontage".

It is not disputed that application site forms part of the urban area of Epping. However, it is considered that whilst the application site forms the end of the ribbon of development, the location of the proposed dwelling would not fill in a gap in built up frontage and would instead continue the built-up frontage of Stonards Hill extending up to the strong green barrier formed by the group of trees to the eastern boundary. Whilst the dwelling would fill the gap between the existing house and the green boundary which reads as the end of Stonards Hill, it would not be considered to infill a small gap within an otherwise continuous frontage. Therefore, it is not considered that the proposed dwellings would comply with the exception of "*limited infilling in villages*" as laid out in the National Planning Policy Framework and therefore would constitute inappropriate development harmful to the openness of purposes of the Green Belt.

Whilst it is appreciated that a garden and outbuildings within the Green Belt can be considered as previously developed land, the proposed dwelling would be materially larger, at more than double the volume, than that of the existing garage on site and would be considered as inappropriate development within the Green Belt. In this respect, inappropriate development should not be approved except in very special circumstances. It is for the decision maker to ensure that substantial weight is given to any harm to the Green Belt. 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. No very special circumstances have been put forward by the applicant.

Whilst the proposal would be located in a similar position in the site to the existing garage and hardstanding to the rear and side of the garage, the addition of a first floor and roof level would be considered to have a significant impact on the openness of the Green Belt from Stonards Hill and the rear of Theydon Grove. Strong screening would be provided by the group of trees to the eastern boundary when approaching Epping from the South of Stonards Hill, but wider impacts on openness would be caused to north-south views on the road.

Design:

The proposed dwelling would make strong references to the design features of the Theydon Grove estate, with gable ends, parapets and dormer windows, reflecting those at the beginning of Stonards Hill. The materials would match the existing nearby dwellings, with the design giving a sense of closing the development along this side of the road and complementing its character and appearance. The proposed dwelling would benefit from an excess of the required private amenity space.

Amenity concerns:

The proposed dwelling would be sited well away from neighbouring properties and would be well screened, limiting any overlooking or overbearing impact to the adjacent properties. Whilst it is appreciated that the proposed dwelling would be visible from the rear windows of some properties on Theydon Grove, altering their existing angled view from first floor windows across the garage to the field beyond, views are not protected in planning regulations. In addition, the proposed dwelling would be set in excess of 25 metres from the rear elevations of these properties and would not be directly visible from patio or ground floor windows, removing any sense of overbearing. There would be no direct views from the proposed dwellings into the rear gardens of Theydon Grove, as the house would face towards the field area, this would prohibit any significant overlooking of neighbouring gardens.

The proposal would provide ample amenity space for the existing residents of 40 Stonards Hill and the future occupiers of the proposed dwelling.

Access and Parking:

The proposed dwelling would be served by extending the existing vehicle crossover, with ample parking spaces to the front elevations of both dwellings, meeting the parking standards for dwellings of this scale, along with additional garaging for each property. The County Council Highways Department have no objections to the proposal.

Trees and Landscaping:

The proposed landscape scheme would see the removal of one existing silver birch tree on site, Tree Officers have no objections to the proposal subject to conditions which ensure the replacement of this tree and further landscaping and protection of existing planting.

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) as a result of increased visitor pressure arising from new residential development, and from local air quality issues within and adjacent to the SAC. The site lies outside of the 6.2km zone identified by Natural England within which new development is likely to particularly impact on the SAC. The Council is continuing to develop with partners a strategy for the management and monitoring of visitor pressures on the SAC, and 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, however at present this would warrant a reason for refusal.

Conclusion

The proposed development would not constitute a limited infill within a village and therefore would be inappropriate development harmful to the Green Belt. Therefore, the application is recommended for refusal.

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 564380***

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



Epping Forest District Council

Agenda Item Number 4



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Application Number:	EPF/0670/19
Site Name:	63 Cloverley Road Ongar CM5 9BX
Scale of Plot:	1:500

Report Item No:4

APPLICATION No:	EPF/0670/19
SITE ADDRESS:	63 Cloverly Road Ongar Essex CM5 9BX
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
APPLICANT:	Mr & Mrs Pomfreet
DESCRIPTION OF PROPOSAL:	Two storey side extension, single storey rear extension, first floor 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=621716

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 no's: 11, 10 A
- 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 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.
- 5 Prior to preliminary ground works taking place, details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 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 The proposed development shall only be used as ancillary accommodation for the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling known as 63 Cloverly Road, Ongar, CM5 9BX

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, (or any other order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A, B and E of Part 1 of Schedule 2 to the Order, shall be undertaken without the prior written permission of the Local Planning Authority.
- 9 The proposed first floor window opening in the flank elevation adjacent to no. 61 Cloverly Road shall be entirely fitted with obscured glass with a minimum Level 3 obscurity and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.

This application is before this Committee since the recommendation is for approval and 5 or more objections material to the planning merits of the proposal have been received (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix 1. (3c)

Description of Site:

The application dwelling is a detached house on a relatively wide plot. The street predominantly consists of two storey detached and semi-detached dwellings some of which have been significantly altered and extended. There is no uniform character or architectural style/design of dwellings along this street, with different roof forms and external finishes witnessed along this street. The property is bounded by 2m high boundary fencing to its neighbours. It is not within a Conservation area nor is it a Listed Building. It is outside the confines of the Metropolitan Green Belt.

Description of Proposal:

Proposed two storey side extension, single storey rear extension, first floor rear extension.

Relevant History:

EPF/1556/17 Detached house on land adjacent to no. 63. WITHDRAWN 14-06-2017
Withdrawn Decision

Policies Applied:

Adopted Local Plan:

CP1 Achieving Sustainable Development Objectives
CP2 Protecting the Quality of the Rural and Built Environment
CP3 New Development
CP6 Achieving Sustainable Urban Development Patterns
CP7 Urban Form and Quality
DBE1 Design
DBE2 Effect on Neighbouring Properties
DBE4 Design in the Green Belt
DBE6 Car parking in new development
RP4 Contaminated Land
U3B Sustainable Drainage Systems

H6A Site Thresholds for Affordable Housing
H7A Levels of Affordable Housing
LL1 Rural Landscape
LL2 Inappropriate Rural Development
LL10 Adequacy of provision for landscape retention
LL11 Landscaping Schemes
ST1 Location of Development
ST2 Accessibility of development
ST4 Road Safety
ST6 vehicle parking

NPPF:

The Revised National Planning Policy Framework (NPPF) has been published as of February 2019. Paragraph 213 states that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

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:

DM3	Landscape Character, Ancient Landscapes and Geodiversity
DM9	High Quality Design
DM10	Housing Design and Quality
DM11	Waste recycling facilities on new development and light wells
DM16	Sustainable Drainage Systems
DM19	Sustainable Water use
DM21	Local Environmental Impacts, Pollution and Land Contamination
SP7	The Natural Environment, Landscape Character and Green Infrastructure

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 8

Responses received:

54 CLOVERLY ROAD OBJECT – The road is over run with people parking cars half on the pavement. We cannot take any more cars. When they refurbished the house, we had up to 6 vans and lorry's parked in the road. They worked weekends and early in the morning. It will not be within keeping of the rest of the houses in the rd. also why did I have to find out of this shouldn't you have informed neighbors by post

52 CLOVERLY ROAD OBJECT - would like to object to this planning application.

Cloverley road congestion is extremely cramped, the application would remove more ground space for off road parking, I think it will have significant affect on lighting on nearby properties.

the current owner already has 3 cars.

I am also concerned about noise pollution during the build.

The proposal also looks like a secondary dwelling.

off road parking and access is a real problem in the road and this will make it worse, the dwelling has lots of space behind property for future extensions that would be more suitable.

53 CLOVERLY ROAD – OBJECTION

29 COOPERS HILL – OBJECT This house is one of the few detached houses in Ongar in the classic style of the thirties. The period window frames have already been replaced by plastic and the proposed development would further this departure from the architectural style. The three extensions proposed to this distinctive property would suggest that this would constitute over-development and should be modified and designed to be more harmonious with the original. The owner's building work appears to be of good quality.

48 CLOVERLY ROAD OBJECTION We object. The two-storey side extension is obviously planned as a separate dwelling, it has a separate kitchen, stairs & only 1 door downstairs to access the current building. The plans show 2 cars parked outside the side extension, this is misleading, they would have to be very small cars. The side extension will use the parking spaces currently available for the existing property. If the side extension was sold where is the parking provision for the existing property? The proposed plans would result in there being 5 bedrooms. It is conceivable that parking will be needed for 5 cars, what about visitors? The building of an additional residence would make the street unacceptably densely populated & over develop the area. This is highlighted by most cars on the street parked on both sides of the road, partly on the curb leaving a narrow corridor to drive down & a narrow pavement for pedestrians. The many terrace houses in the street were built when it was not foreseen that most families would have at least 2 cars. Now it is not possible for a wheelchair to go all the way up the street on either pavement, nor to push a pram. It would be extremely difficult for a fire engine to get down the middle of the street due to the narrow corridor created by the parked cars. This development, in addition to affecting the residence of Cloverley Road, also affects all those who want to access Longfields (it is becoming increasingly difficult to navigate cars in Longfields from Coopers Hill). Some homes in Cloverley Road do have parking but where there are these odd gaps these are used as passing points on this 340m road. Note it is not possible to use these passing points in the top 175m of the street, making it extremely difficult to reverse back if you meet an oncoming car. Many who live on Brentwood Rd & Longfields park on this street as they cannot park elsewhere. Over-development of this site will have an adverse impact on amenity of parking on the other residents.

61 CLOVERLY ROAD- OBJECT due to impact on light, outlook, privacy, noise from construction, parking from the proposal.

PARISH COUNCIL: NO OBJECTION at time of writing report.

Main Issues and Considerations:

Design

In design terms, the building has been built using matching materials and would appear subordinate to the host dwelling by reason of its scale and siting. There will be a maximum of 3m spacing between the common boundary with number 61, which in itself is still a substantial gap following any proposed development, to ensure the proposal does not create a 'terracing effect'. Due to the width of the proposal, there are no issues with respect to the development appearing cramped within its setting nor detracting from the street scene. The development would therefore preserve the character and appearance of the locality, contrary to policy DBE1 of the adopted Local Plan (1998/2006) and policy DM10 of the Submission Version of the Local Plan (2017).

Neighbour amenity

On issues of neighbour amenity, the proposal would not result in any loss of outlook, light or privacy when viewed from the habitable room windows and garden areas of adjoining occupiers as well as dwellings situated opposite and to the rear of the proposed development. This is due to the overall height, width and depth of the development and as well as due to its siting within the road itself.

Is the proposal a separate unit?

The proposed extension will not be a self-contained entity as there will be access into the host dwellinghouse at ground floor. It must be assessed purely as a domestic extension and not as a separate planning unit. A planning condition will be imposed requiring the proposal to be used ancillary to the host dwelling and not as a separate planning unit.

Parking

The development would retain sufficient space for 2 to 3 parking spaces off street with a maximum frontage area of 5.5m perpendicular to the public highway.

Land Drainage

No objections subject to conditions relating to treatment of surface water disposal.

Conclusion

The proposal would appear as a subordinate addition to the existing house by reason of its overall size, scale and design and would be of a height, width and depth that would safeguard the living conditions of neighbours. Planning conditions to restrict permitted development rights under Classes A, B and E of Schedule 2, Part 1 of the GPDO 2015 as amended will be imposed as well as a condition restricting the use of the extension as a separate planning unit.

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:

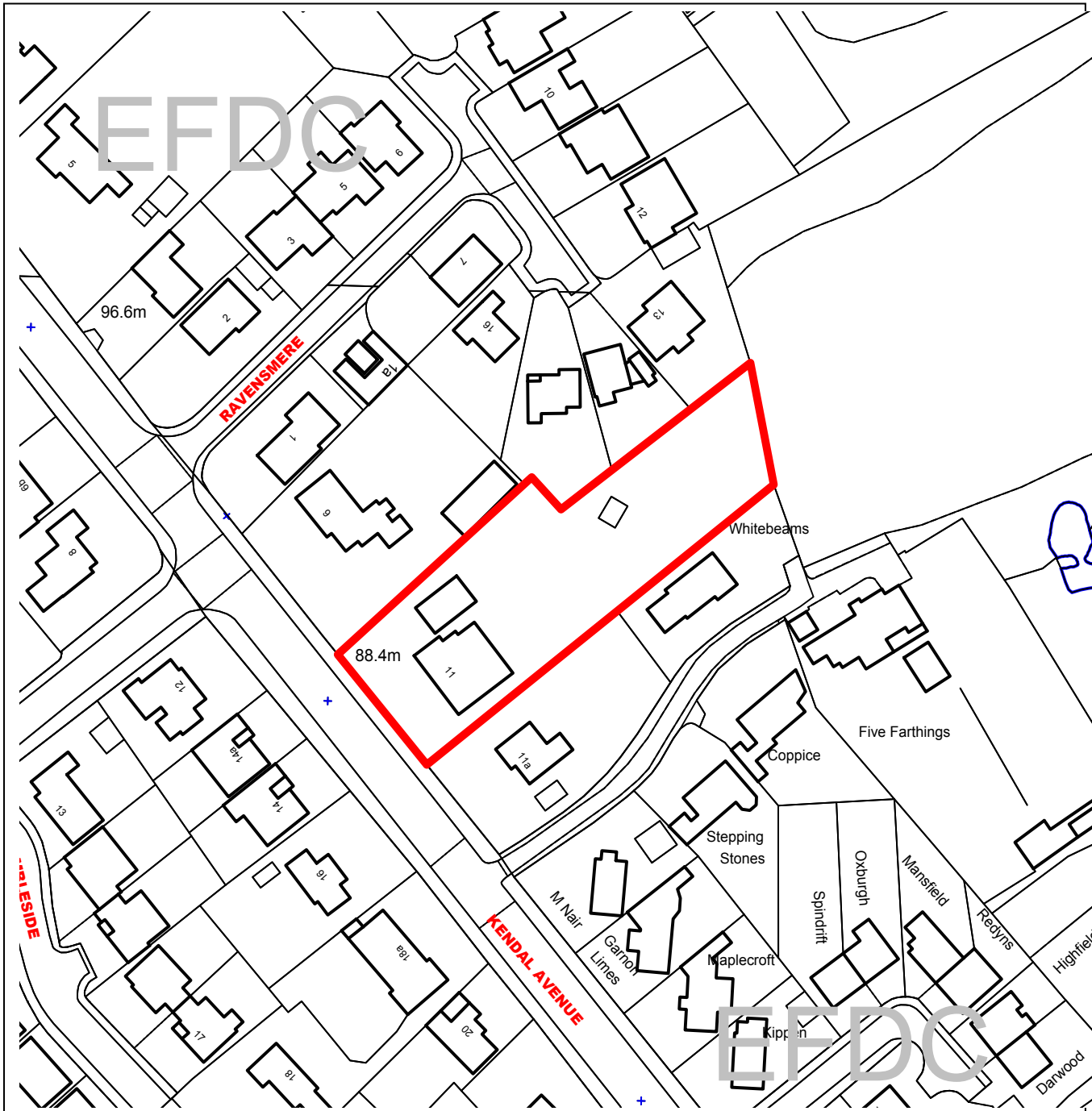
***Planning Application Case Officer: Sukhdeep Jhooti
Direct Line Telephone Number: 01992 564 298***

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



Epping Forest District Council

Agenda Item Number 5



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Application Number:	EPF/155/19
Site Name:	11 Kendal Avenue, Epping, Essex, CM16 4PW
Scale of Plot:	1:1250

Report Item No:5

APPLICATION No:	EPF/1055/19
SITE ADDRESS:	11 Kendal Avenue Epping Essex CM16 4PW
PARISH:	Epping
WARD:	Epping Hemnall
APPLICANT:	Mr Martin Shipp
DESCRIPTION OF PROPOSAL:	A new detached four-bedroom house to the rear of the site, including a raised driveway with a detached garage (Revised application to EPF/3165/18)
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=623304

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 no's: 1846/03, 1846/08, 1846/11 A, 1846/100 B, 1846/101 E, 1846/102 B, 17118/P001 F
- 3 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.
- 4 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.
- 5 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.
- 6 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garage(s) hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be

converted into a room or used for any other purpose.

- 7 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.
- 8 No preliminary ground works shall take place until driveway details have been submitted to the Local Planning Authority and approved in writing. These shall consist of an above ground, no dig construction with a porous finish and included an Arboricultural supervision timetable. 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.
- 9 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.
- 10 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 visitor's vehicles.
- 11 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.
- 12 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.

- 13 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.
- 14 No services shall be installed within the root protection area of any retained trees on or adjacent to the site unless the Local Planning Authority gives its prior written approval.
- 15 Prior to preliminary ground works taking place, details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 16 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.
- 17 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site. Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the local planning authority contacted and a scheme to investigate the risks and/or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the local planning authority prior to the recommencement of development works. In such instances, following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.

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 there is an objection from a Local Council, material to the planning merits of the proposal is received and confirming in writing their intention to attend and speak at the meeting where the proposal will be considered.

Description of Site:

The application site consists of the rear garden to No. 3 Kendal Avenue, which has recently been granted planning permission for the erection of a single detached dwelling.

The wider site contains a large detached dwelling located on the north-eastern side of Kendal Avenue. The site is a larger than average plot within the urban area of Epping and contains a well-

established boundary hedge and several trees. However, the only preserved trees are towards the front of the property outside of the red line application site.

Description of Proposal:

The proposed development seeks to erect a detached four bed dwellings
The proposed dwelling would be one-and-a-half storeys measuring a total of 16m in width and 17m in depth in a 'T' shape, with a ridge height of 7.1m. The dwelling would be served by off-street parking and private amenity space to the side/rear.

Relevant History:

EPF/3165/18 - A new detached four-bedroom house to the rear of the site, including a raised driveway and a detached garage. – Refused based on potential impact to protected trees.

Policies Applied:

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

CP2 – Protecting the Quality of the Rural and Built Environment
CP3 – New Development
CP5 – Sustainable Building
CP6 – Achieving sustainable urban development patterns
CP7 – Urban Form and Quality
DBE1 – Design of New Buildings
DBE2 – Effect on Neighbouring Properties
DBE3 – Design in Urban Areas
DBE8 – Private Amenity Space
ST1 – Location of Development
ST4 – Road Safety
ST6 – Vehicle Parking
H2A – Previously Developed Land
H4A – Dwelling Mix
LL10 – Adequacy of provision for landscape retention
LL11 – Landscaping schemes

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.

Epping Forest District Local Plan (Submission Version) 2017:

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

SP1 - Presumption in Favour of Sustainable Development
SP7 - The Natural Environment, Landscape Character and Green and Blue Infrastructure
H1 - Housing Mix and Accommodation Types
T1 - Sustainable Transport Choices

T2 - Safeguarding of Routes and Facilities
DM3 - Landscape Character, Ancient Landscapes and Geodiversity
DM9 - High Quality Design
DM10 - Housing Design and Quality
DM11 - Waste Recycling Facilities on New Development
DM18 - On Site Management of Waste Water and Water Supply
DM21 - Local Environmental Impacts, Pollution and Land Contamination

Consultation Carried Out and Summary of Representations Received:

16 neighbouring properties were consulted and a Site Notice was displayed.

TOWN COUNCIL – STRONG OBJECTION - While Committee note the extra proposed driveway plans, the revisions do not address their previous concerns. These new proposed driveway plans to access the site to apparently minimise damage to tree roots. This looks awkward and is of poor design. Committee feel the materials proposed are unsuitable (such as screw piles) for a conservation area and this which would have a dramatic effect on the streetscene and cause extra noise in the local area. There have been no changes made to the rest of the plans as the EFDC objection was only addressed regarding lack of information about protection of trees on the site. Committee also noted that on the tree protection plan resubmitted that a tree was proposed to be felled at the front of the site. The other previous concerns that Committee had have not been addressed. It is an over development and over intensification of the site, which does not respect its setting. Kendal Avenue is characterised by large, detached family dwellings and this proposal seeks to alter that character by cramming another dwelling in an area designed for one. The dwelling on this site would be overly dominant for neighbouring properties and cause more traffic on that road. The property backs onto Green Belt land and this development would have a detrimental effect on the surrounding area. Committee do not support the loss of established trees in this leafy location to facilitate development.

3 Objections Received - EPPING SOCIETY, 12 & Whitebeams, Kendal Avenue – Summarised as - Overdevelopment, impact on neighbouring amenity, loss of trees, safety and potential ground movement.

Main Issues and Considerations:

The key considerations in this application are the principle of the development in this location, the impact on neighbour amenities, the overall design of the scheme, landscaping considerations and regarding highways and parking.

Principle of development:

The site is located within the urban town of Epping approximately 300m walk from the designated Epping Town Centre. The site is also less than 500m from Epping train station, which is an average 6-minute walk. This provides trains into London by way of the Central Line. Several residents in Epping commute into London for work purposes. Epping is considered to be a self-sustained town that is served by a full complement of local amenities and facilities (such as schools, shops, doctor's surgeries and a hospital) and local transport links (such as Epping Station and several bus routes). There are also a number of open spaces in and around the town and easy access to Epping Forest.

The precedent of backland development has already been set within the locality through the development at No.3, No. 18 and Whitebeams, Kendal Avenue. Slightly further afield other examples can be seen such as in No's 43a and 43b Charles Street and the rear of No. 9 Sunnyside Road.

Neighbouring Amenity:

Whilst the provision of a dwellings in this location would result in some additional increase in movements/activity it is not considered that there would be any additional noise or due to the siting of the dwelling, the lower ground level of the application site, and since this proposal is for just 1 no. four bed dwelling. A condition requiring a soft and hard landscaping scheme could also help to mitigate against any impact of adjacent properties with the aid of planting and surfacing.

Design:

The proposed dwelling would be a one-and-a-half storey property, similar to that approved in other backland developments along Kendall Avenue. Due to the location of the new dwelling this would not appear within any specific street scene, however the surrounding roads (primarily Kendal Avenue and Ravensmere) contain a varied mix of style and size dwellings. Due to this it is not considered that the design of the proposal would be detrimental to the overall character and appearance of the area.

It is noted there are several objections to the design of the driveway. This side of Kendal Avenue is characterised by driveways which slope upwards from the road, in a wide variety of finishes including blockwork, tarmac and resin. The proposed sloping access would not appear dissimilar to that of many sloping driveways along the Avenue, in particular the access to no. 3. The material of the driveway has not been confirmed. This can be secured by condition to ensure a satisfactory finish. Whilst the town council have concerns about screw piling, these would not be visible, due to being underneath the surface for the majority of the driveway, with the taller piles being hidden by landscaping features.

The proposed new dwelling would be served by some 300m² of private amenity space. These levels of amenity space would exceed the recommended standards as laid out within policy DBE8 and DM9 of the Local Plan Submission Version 2017.

Protected Trees and Landscaping:

The proposal has been carefully revised after the 2018 refusal to minimise any impact of protect trees and enhance landscaping where possible. Tree and Landscape Officers now have no objection to the scheme subject to further conditions.

Highways/parking:

The proposed new dwelling would be served by a double garage and additional parking space along with a large turning area, which would also offer informal visitor parking. This complies with the recommended guidance contained within the Essex County Council vehicle parking standards.

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) as a result of increased visitor pressure arising from new residential development, and from local air quality issues within and adjacent to the SAC. The site lies outside of the 6.2km zone identified by Natural England within which new development is likely to particularly impact on the SAC. The Council is continuing to develop with partners a strategy for the management and monitoring of visitor pressures on the SAC, and 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 considerations:

The potential for movement of the ground would be controlled by the building regulations act. Land contamination can be controlled via condition. It is noted that the town council state concerns about harm to the Green Belt, the proposal is not within the Green Belt and would not have any significant impact from wider views within the Green Belt beyond that of the edge of the urban area of Epping.

Conclusion:

Consent has already been granted for similar schemes within the street, and the proposal would complement the character and appearance of the area and would not have any significant impact on landscape quality or neighbouring amenity. As such the proposal complies with the guidance contained within the National Planning Policy Framework and the relevant Local Plan policies and the application is therefore 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 564380***

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