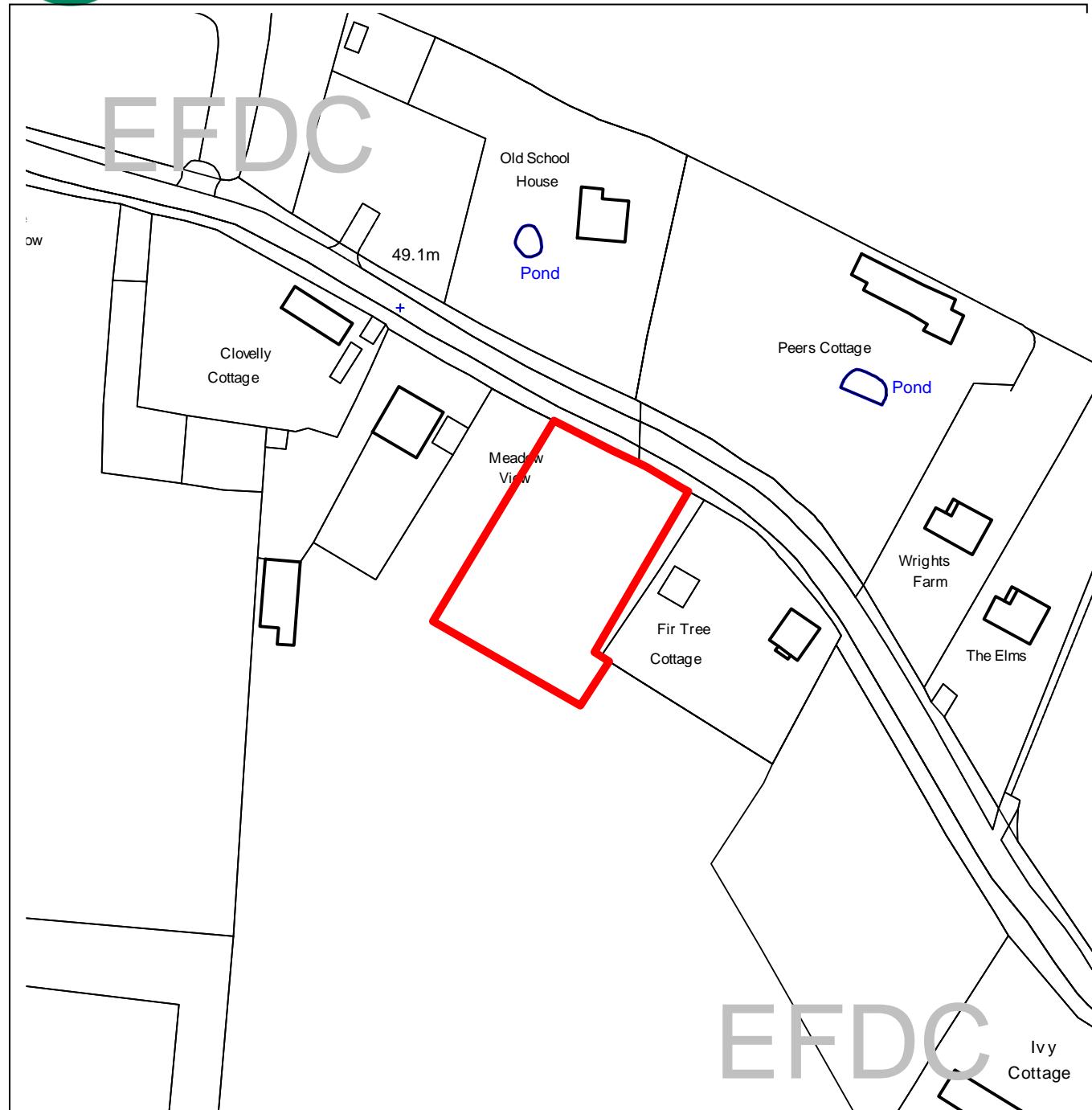




Epping Forest District Council



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Application Number:	EPF/1834/20
Site Name:	Meadow View, Land Adjacent To Bournebridge Lane Stapleford Abbotts RM4 1LU
Scale of Plot:	1:1250

Report Item No: 10

APPLICATION No:	EPF/1834/20
SITE ADDRESS:	Meadow View, Land Adjacent To Bournebridge Lane Stapleford Abbotts RM4 1LU
PARISH:	Stapleford Abbotts
WARD:	Passingford
APPLICANT:	Mr Lui Prendi
DESCRIPTION OF PROPOSAL:	Proposed crossover.
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=640861

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 and retained strictly in accordance with the approved drawings numbers: JND/1050/10 and JND/1050/11.
- 3 Prior to first use of the proposed access by vehicular traffic, a 2m wide parallel band visibility splay, as measured from and along the nearside edge of the carriageway, across the entire site frontage shall be provided, and shall remain clear to ground level in perpetuity.
- 4 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 5 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.

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

Site and Surroundings

The site comprises a rectangular parcel of grassed land that sits between properties known as Meadow View and Fir Tree Cottage on the southern side of Bournebridge Lane, and forms part of a ribbon development of interspersed dwellings that are surrounded by areas of countryside. It is not listed nor in a conservation area, although it is within the Green Belt.

Proposal

The proposal is for a new vehicular crossover. The application form states that it will be used for agricultural vehicles to enter and park on the land without damaging the footpath.

Relevant Planning History

EPF/0273/17 – New Dwelling – Dismissed on Appeal

EPF/3372/17 - Erection of a single storey detached dwelling – Refused

EPF/1295/19 - Proposed 3-bedroom bungalow with a double garage – Dismissed on Appeal

Development Plan Context

Local Plan and Alterations 1998 & 2006 (LP)

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

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

- | | |
|-----|-----------------------------------------------------------|
| CP2 | Protecting the Quality of The Rural and Built Environment |
| ST4 | Road safety |

National Planning Policy Framework 2019 (Framework)

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

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

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

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

Paragraphs 108 & 109

Epping Forest District Local Plan Submission Version 2017 (LPSV)

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

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

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

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

As the preparation of the emerging Local Plan has reached a very advanced stage, subject to the Inspector's Advice regarding the need for additional MMs, significant weight should be accorded to LPSV policies in accordance with paragraph 48 of Framework. The following table lists the LPSV policies relevant to the determination of this application and officers' recommendation regarding the weight to be accorded to each policy.

Policy	Weight afforded
SP1 Presumption in Favour of Sustainable Development	Significant
T1 Sustainable Transport Choices	Significant

Summary of Representations

Number of neighbours consulted: 5. 5 response(s) received

Peers Cottage, Clovelly Cottage, Spindrift, Fir Tree Cottage, Bungalow - Objections – Summarised as: Highway safety.

STAPLEFORD ABBOTTS PARISH COUNCIL – No comment

Planning Considerations

The main issue for consideration in this case is the impact on the safety operation of the highway network.

Highway Safety

Members attention is drawn to the fact that the proposed crossover is sited at the same location as the 3 previous applications for a new dwelling. All 3 previous applications were refused on harm to the Green Belt from the proposed dwelling only, and there were no issues regarding the crossover, nor was it raised as an issue in both the appeal decisions EPF/0273/17 & EPF/1295/19.

Furthermore, the Highways Officer has raised no objection to this scheme, nor to the previous applications, although it is subject to the imposition of conditions as part of the consent if permission is granted.

The proposed crossover will not result in an intensification of the site, as it is an open parcel of grassland (agricultural use), and it is clear from the three previous applications that a residential dwelling on this site will not be accepted due to the harm to the Green Belt. This gives clarity that the character of the site will not change in the near future and would not result in an intensification of the site as normally found with residential uses.

Accordingly, the proposed development will not result in an excessive degree of traffic congestion nor will it have a detrimental impact to the safety operation of the highway network and is therefore in accordance with policies ST4 & ST6 of the LP, policy T1 of the LPSV and paragraphs 108 & 109 of the Framework.

Other Considerations

The Councils Tree Officer has raised no objection to the scheme as it is considered that the roadside vegetation is not worthy of retention.

Engineering operations can be considered as not inappropriate development within the Green Belt. The proposed crossover will have no material impact to the openness of the Green Belt.

Conclusion

For the reasons set out above having regard to all matters raised, it is recommended that conditional planning permission be granted.

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

**Planning Application Case Officer: Muhammad Rahman
Direct Line Telephone Number: 01992 564415**

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