

Supplementary Committee Agenda



**Epping Forest
District Council**

District Development Control Committee Wednesday, 13th August, 2014

Place: Council Chamber, Civic Offices, High Street, Epping

Time: 7.30 pm

Democratic Services: Adrian Hendry, The Directorate of Governance
Tel: 01992 564470 Email:
democraticservices@eppingforestdc.gov.uk

**7. EPF/0439/14 - LAND ADJACENT TO 22 AND 28 OAKWOOD HILL INDUSTRIAL
ESTATE, OAKWOOD HILL, LOUGHTON (Pages 3 - 12)**

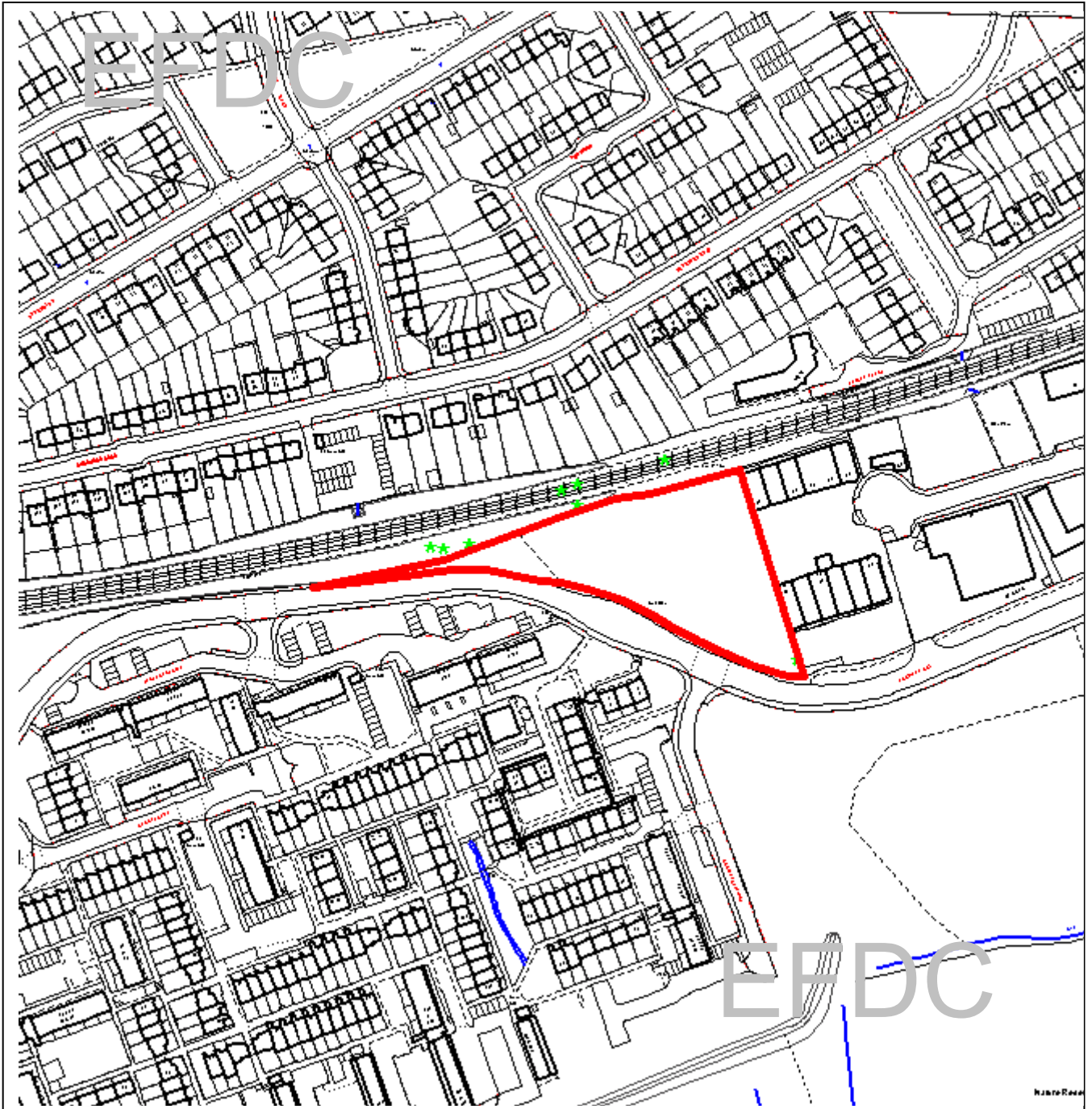
(Director of Governance) Appendix to the report is attached.

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Epping Forest District Council

AGENDA ITEM NUMBER 2



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Application Number:	EPF/0439/14
Site Name:	Land adj to 22 and 28 Oakwood Hill Industrial Estate, Loughton
Scale of Plot:	1/2500

Report Item No: 2

APPLICATION No:	EPF/0439/14
SITE ADDRESS:	Land adj to 22 and 28 Oakwood Hill Industrial Estate Loughton Essex
PARISH:	Loughton
WARD:	Loughton Alderton
APPLICANT:	Mr Chris Pasterfield
DESCRIPTION OF PROPOSAL:	Erection of a new MOT workshop, grounds maintenance workshop with office facilities, glasshouses and associated parking, storage areas and fencing. (Revised application to EPF/0063/13)
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/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=560434

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 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 3 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 13/0319/P01; 10332/P/001; 10356/P/001 rev.A; 100 rev. P3; 13/0319/P02; 13/0319/P03; 13/0319/P04; 13/0319/P05; 13/0319/P06; 13/0319/P07; 13/0319/P08; 13/0319/P09; SP9216-LD3863-01 issue C; 101 rev. P1; 700 rev. A; and 701 rev. B.
- 4 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size

as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 5 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.
- 6 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]
- 7 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.
- 8 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.
- 9 No development shall take place until details of a satisfactory ground gas investigation and risk assessment has been carried out and submitted to the Local Planning Authority for approval in order to determine what if any ground gas remediation measures may be required or shall specify appropriate ground gas mitigation measures to be installed in the building(s) in lieu of any ground gas investigation.

The investigations, risk assessment and remediation methods, including remedial mitigation measures to be installed in lieu of investigation, shall be carried out or assessed in accordance with the guidance contained in BS 9485:2007 "Code of

practice for the Characterisation and Remediation from Ground Gas in Affected Developments." Should the ground gas mitigation measures be installed, it is the responsibility of the developer to ensure that any mitigation measures are suitably maintained or to pass on this responsibility should ownership or responsibility for the buildings be transferred.

- 10 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.
- 11 Prior to first occupation of the development the access arrangements, as shown in principle on drawing no.10332/P/001, dated Jan 2014, shall be agreed with the Highway Authority and shall include the following:
- The removal of the existing bus layby and shelter and the realignment of the footway to the edge of the carriageway across the site frontage.
 - The provision of a new bus layby.
 - The continuation of the existing footway to the new bus layby.
- Continued.
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- Provision of a new shelter, flag, timetable and raised kerbs at the new stop.
 - Provision of a new pedestrian refuge island sited to the west of the new access to include appropriate dropped kerb crossings on the footways and tactile paving.
 - A minimum of 8m radii kerbing for the new bellmouth access.
 - The provision of two pedestrian dropped kerb crossing points with tactile paving across the new bellmouth access.
- The approved scheme of works shall be implemented prior to first occupation of the development.
- 12 No development shall take place, including any ground works or 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:
- the provision of suitable access arrangements to the application site in connection with the demolition/construction operations
 - the parking of vehicles of site operatives and visitors
 - loading and unloading of plant and materials
 - storage of plant and materials used in constructing the development
 - wheel and underbody washing facilities
- 13 Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
- 14 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.
- 15 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 tool. 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.

- 16 Prior to the commencement of the development hereby approved, details showing the location and maximum height of open storage (excluding trees and shrubs) within the site shall be submitted to the local planning authority for approval in writing. Thereafter open storage shall only occur in accordance with the approved detail/

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

Description of Site:

The application site comprises a triangular area of land (approximately 90m x 110m x 140m) situated next to the Oakwood Hill Industrial Estate and opposite the Roding Valley Nature Reserve and the Oakwood Hill residential development. To the North of the site lies the London Underground Central Line.

The site was previously a small woodland area. Whilst a considerable number of trees have been removed from the site prior to the submission of the application, several mature protected trees remain around its boundaries.

The site is identified within the Local Plan under policy E8 as being suitable for small business/general industrial uses.

There is a 15m high telecommunications mast and a bus shelter adjacent to the site.

Description of Proposal:

This application seeks planning permission for a Council depot to include an MOT testing workshop, a grounds maintenance workshop and office facilities and glasshouses along with associated parking storage and fencing. The site would accommodate services to be displaced from Langston Road if the outline planning permission for a retail park is implemented and will also accommodate the relocation of Council services from Pyrles Lane Nursery.

The development would comprise a large (51m x 24.8m) building housing the Grounds Maintenance Workshop and Offices and the MOT workshop, a Grounds Maintenance glass house (20m x 13m) red and white diesel fuelling pumps, 40 vehicle parking spaces (including 4 x van spaces and 2 x disabled user bays) and hard surfaced areas for open storage.

The workshop would have a maximum height of 9.65m and the glasshouse a maximum height of 9.2m.

Relevant History:

EPF/1540/00. Renewal of outline permission DC/EPF/7/90 for car parking and workshop units. Approved 08/11/2000.

EPF/2322/06. Erection of a 2 metre high fence to boundary adjoining footpath and with access gates.

EPF/0063/13. Erection of a new MOT workshop, grounds maintenance workshop with office facilities, glasshouses and associated parking, storage areas and fencing. Withdrawn.

Policies Applied:

Adopted Local Plan and Alterations

CP1 – Achieving Sustainable Development Objectives
CP2 – Protecting the Quality of the Rural and Built Environment
CP3 – New Development
CP4 – Energy Conservation
CP5 – Sustainable Building
CP6 – Achieving Sustainable Urban Development Patterns
CP7 – Urban Form and Quality
E8 – Sites for Small Business/Industry Workshops
DBE1 – Design of New Buildings
DBE2 – Effect on Neighbouring Properties
DBE3 - Design in Urban Areas
DBE6 – Car Parking in New Development
DBE8 – Private Amenity Space
DBE9 – Excessive Loss of Amenity to Neighbouring Properties
ST1 – Location of Development
ST2 – Accessibility of Development
ST4 – Road Safety
ST6 – Vehicle Parking
LL10 – Landscaping Retention
LL11 – Landscaping Schemes

Also relevant are the policies and planning principles contained within the National Planning Policy Framework ('The Framework').

Summary of Representations:

Notification of this application was sent to Loughton Town Council and to 24 neighbouring properties.

The application has attracted the following responses:

LOUGHTON TOWN COUNCIL. Objection. The Committee considered the alterations made to the previous application were not sufficient to overcome its previous objections, which included the wholesale removal of trees from the site (which it considered to have been an act of vandalism) and the loss of amenity to residents on the neighbouring Oakwood Hill Estate, especially those living opposite in the flats on Longcroft Rise and Marlescroft Way from the ugly design of the proposed structures. The Committee pointed out that the last established use of the site was residential.

If, however, the District Council was minded to grant permission, the Committee asked for the following conditions:

1. The net loss of approximately 100 trees to be replaced elsewhere in Loughton.

2. The wall of the MOT workshop to be painted green and for the roof to be environmentally friendly, such as a sedum roof, to reduce its visual impact on street scene and loss of amenity to the flat occupants opposite who would look down on the development.
3. The wall should be clad with climbing plants.

Members were, however, pleased to see the preserved trees on the site would be protected from root damage and that these trees would support the blending in of the proposed buildings at the rear by the railway line.

LOUGHTON RESIDENTS ASSOCIATION (PLANS GROUP). Objection. We are concerned

- that the proposed workshops are extremely ugly and would have a detrimental visual impact and cause loss of amenity to residents on the neighbouring Oakwood Hill Estate, especially those living opposite in the flats in Longcroft Rise and Marlescroft Way.
- that, given the height of the flats opposite, the screening proposed is wholly inadequate, particularly in relation to the flats on the upper floors
- that the planting proposed along the boundary may help hide the glasshouse and the lower part of the workshops from the ground-floor flats opposite (but not from the upper floor flats), but will be *behind* the proposed 2m high chainlink fencing along pavement boundary, so this ugly chainlink fencing would have a detrimental visual impact and cause loss of amenity to residents on the neighbouring Oakwood Hill Estate, especially those living opposite in the flats in Longcroft Rise and Marlescroft Way
- that the plans show the entrance to the site to be offset across Oakwood Hill from Marlescroft Way (coming from Debden), and on a bend – the sight-line for traffic to the left for vehicles exiting the site (turning to the right) seems to us to be inadequate
- about the loss of trees
- that the proposed tree & shrub glass storage houses are right next to the pavement on Oakwood Hill, making them (despite the use of toughened safety glass) a prime target for vandals! They will use toughened safety glass.
- about the asbestos residue which we understand may exist on the site and which, if so, is better left undisturbed
- about whether there will be any effect on the new telecoms mast which has been installed on the edge of the site, near to the bus stop.

If nevertheless the District Council is minded to approve the application, we ask the council to include the usual conditions on wheel-washing and on limiting working hours during any demolition and building work, to prevent disturbance to residents on the estate, and a condition requiring a full survey of the site for asbestos contamination and, if such contamination exists, requiring its removal under safe conditions.

2 LONGCROFT RISE. Objection. Due to the noise nuisance, traffic and road safety regarding the entrance. And the possibility of the quality of life disruption with living directly opposite the proposed site.

Issues and Considerations:

The main issues to be considered are:

- The principle of the proposed development;
- The impact of the proposed development on the appearance of the site and wider street scene;
- The impact on the amenities of nearby residents;
- Trees and Landscaping; and
- Highways.
- Flood Risk

The Principle of the Development

The site is identified within the local plan as being suitable for workshop units for business and general industrial uses. It is considered that the development proposed generally complies with this designation. The use would employ 42 full time members of staff and 2 part time employees.

Much concern has been raised regarding the felling of trees within the site prior to the submission of the application. The loss of trees, particularly within an urban area, is always undesirable. However, it must be acknowledged that the site is a designated development site within the local plan and that the removal of some trees from the site was reasonably necessary to facilitate a development.

Loughton Town Council refers to the previous use of the site being residential. This relates to the use of the site following the Second World War for the erection of temporary prefabricated houses. In planning terms, it is the more recent land use designation within the 1998 Local Plan that is considered more relevant.

Visual Appearance

The main building within the site would be a significant structure and a prominent addition to the street scene. However, it would also be industrial in its character, in keeping with both the adjacent industrial site and the designation of the site.

The glasshouse building located to the front of the site would also (despite being slightly lower in height at 9.2m to its ridge) be a prominent addition, but by reason of its materials, this structure would have a softer impact on appearance.

The buildings would be taller than those within the industrial estate and would clearly have a considerable impact on the character and appearance of the street scene, both in terms of the buildings to be erected and the hard landscaping including the chain-link fence along the site frontage. However this would be both in keeping with the character of the adjacent industrial estate and also, presumably, with the reasonably anticipated appearance of a development brought forward under the Local Plan designation.

The appearance of the development would be softened by the planting of new trees in regular intervals along the site frontage.

In addition, part of the open storage taking place within the site would be trees and shrubs associated with the Council's Grounds Maintenance service. The open storage of other materials can be restricted by imposition of a planning condition to acceptable heights and locations within the site.

Residential Amenity

The nearest residential properties to the site are on the opposite side of Oakwood Hill within the flatted developments of 1-6 Marlescroft Way (two storey development approximately 24m from the site) and 1-15 Longcroft Rise (four storey and situated approximately 25m from the site).

It is considered that the residential properties, despite being situated at lower ground level, would retain adequate levels of outlook due to their separation from the site. The use of the site would be such that there would be some generation of noise – although this would not be considerably greater than that which could be generated by occupiers of the existing industrial estate. Having regard to the separation distance and also that the road exists between the residential and

proposed uses, it is not considered that the noise level would amount to a material loss of amenity that would justify withholding planning permission.

Trees and Landscaping

The mature trees which remain on the site will be important in terms of the screening impact that they will provide of the buildings within the site and also retaining the green character which is distinct along Oakwood Hill, despite the scale and intensity of existing development. The Council's Arboriculturalist has therefore been consulted on the planning application to ensure that the development would not be detrimental to the health of retained trees. The main area of concern related to the large oak tree situated on London Underground Land approximately 8.5m to the rear of the main building, as the structure and the adjacent ground levelling works will take place within its root protection area. In order to investigate this matter further a trench has been dug in the proximity of the proposed building using an air spade technique. This trench has been inspected by the Council's Arboriculturalist, which has confirmed *'that the impact of the development on trees on railway land can effectively be discounted... ..the excavation revealed no significant roots from the large oak- or indeed any other of the railway trees on the land by the main building. Other trees can be protected by condition under the existing layout. There is therefore no tree related reason to object to the layout as revised, subject to tree and landscape conditions.'*

Accordingly, conditions requiring tree protection and also the planting of additional trees are necessary.

Highways and Parking

Officer at Essex County Council have been consulted on the application and do not raise any objection subject to the imposition of a number of planning conditions including requirements for the following works:

- The removal of the existing bus layby and shelter and the realignment of the footway to the edge of the carriageway across the site frontage.
- The provision of a new bus layby.
- The continuation of the existing footway to the new bus layby.
- Provision of a new shelter, flag, timetable and raised kerbs at the new stop.
- Provision of a new pedestrian refuge island sited to the west of the new access to include appropriate dropped kerb crossings on the footways and tactile paving.
- A minimum of 8m radii kerbing for the new bellmouth access.
- The provision of two pedestrian dropped kerb crossing points with tactile paving across the new bellmouth access.

The application proposes 40 parking spaces. The proposed use does not easily fit within any of the planning use classes and accordingly consideration will need to be given to the merit of the number of parking spaces in relation to the intended use, rather than in relation to the Council's adopted standards. On the basis that the development would employ 42 full time employees, the provision of 40 spaces is considered sufficient, particularly as provision is made for cycle storage in addition. Furthermore, the use proposed involves the relocation of Council services from existing sites and the scheme has been prepared in association with the relevant senior officers who have identified the parking requirements for those services.

Flood Risk

The site lies within an Epping Forest District Council flood risk assessment zone. Accordingly Officers within the Council's Land Drainage section have been consulted on the proposal. They advise that the development is of a size where it is necessary to avoid generating additional runoff

and the opportunity of new development should be taken to improve existing surface water runoff. This can be required by the imposition of a planning condition securing a Flood Risk Assessment (FRA). It is noted that the application includes glasshouses; in our experience glasshouses provide significantly high discharge rates. The FRA should include calculations of increased run-off and associated volume of storm retention as it is necessary to avoid generating any additional flood risk

Other Matters

Loughton Town Council and Loughton Residents Association have recommended conditions for inclusion, if planning permission is granted.

It is proposed that the building should be finished in green material, with a green (possible sedum) roof and climbing plants on the walls. The building is proposed to be built of brick with a composite profile panel above. It is possible that this could be coloured green, but it is recommended that a condition is proposed to require details of materials and consideration may be given to the appropriate colouring at that time. With regard to the roof, a sedum roof is an integral part of the building and as such is required to be designed into the fabric building. It is not appropriate to require this as condition where it is not proposed as part of the building design. Furthermore, given the tree screen proposed along the frontage of the site, the sedum roof and indeed climbing plants, are not considered necessary for the purposes of softening the appearance of the building. It is also noted that the Council's Grounds Maintenance Service will be an occupier of the site and much of the open storage will be plants and trees.

It is also proposed that conditions are imposed requiring wheel-washing facilities, limiting working hours during any demolition and building work, a full survey of the site for asbestos contamination and, if such contamination exists, requiring its removal under safe conditions.

These conditions are considered necessary. Wheel washing will ensure the cleanliness and safety of the adjacent highway and limitations on hours of construction will safeguard residential amenity. A survey submitted with the application has identified the presence of contaminants including asbestos within the site following the removal of the pre-fabricated buildings and subsequent incidences of fly-tipping occurring on the land.

Conclusion:

In light of the above appraisal, it is considered that the proposed development would constitute an appropriate use of the land and would not give rise to serious impacts in terms of residential amenity, the appearance of the locality, tree protection or highway safety. Accordingly, subject to the imposition of planning conditions discussed, it is recommended that 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: Mrs Katie Smith
Direct Line Telephone Number: (01992) 564103***

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