



Epping Forest District Council

DISTRICT DEVELOPMENT MANAGEMENT COMMITTEE **Wednesday, 3rd August, 2016**

You are invited to attend the next meeting of **District Development Management Committee**, which will be held at:

Council Chamber, Civic Offices, High Street, Epping
on **Wednesday, 3rd August, 2016**
at **7.30 pm** .

Glen Chipp
Chief Executive

**Democratic Services
Officer**

Gary Woodhall (Governance Directorate)
Tel: 01992 564470 Email:
democraticservices@eppingforestdc.gov.uk

Members:

Councillors B Sandler (Chairman), B Rolfe (Vice-Chairman), A Boyce, H Brady, R Butler, R Jennings, G Chambers, S Heap, S Jones, H Kauffman, J Knapman, S Kane, A Mitchell, C C Pond and J M Whitehouse

1. WEBCASTING INTRODUCTION (Pages 5 - 8)

1. This meeting is to be webcast. Members are reminded of the need to activate their microphones before speaking.

2. The Democratic Services Officer will read the following announcement:

"I would like to remind everyone present that this meeting will be broadcast live to the internet (or filmed) and will be capable of repeated viewing (or another use by third parties).

If you are seated in the lower public seating area then it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

This may infringe your human and data protection rights and if you wish to avoid this then you should move to the upper public gallery.

Could I please also remind Members to activate their microphones before speaking."

2. ADVICE TO PUBLIC AND SPEAKERS AT THE COUNCIL'S PLANNING COMMITTEES (Pages 9 - 10)

(Director of Governance) General advice to people attending the meeting is attached.

3. APOLOGIES FOR ABSENCE

(Director of Governance) To be announced at the meeting.

4. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23 JULY 2002)

(Director of Governance) To report the appointment of any substitute members for the meeting.

5. DECLARATIONS OF INTEREST

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

6. MINUTES (Pages 11 - 46)

To confirm the minutes of the meetings of the Committee held on:

(a) 20 April 2016; and

(b) 8 June 2016.

7. PLANNING APPLICATION EPF/0213/16 - LAND AND GARAGES TO THE REAR OF 54-60 HORNBEAM ROAD, BUCKHURST HILL (Pages 47 - 56)

(Director of Governance) To consider the attached report for the demolition of garages and replacement with 2 x 3 bedroom two storey affordable homes with 5 parking spaces and associated landscaping (DEV-006-2016/17).

8. PLANNING APPLICATION EPF/0215/16 - LAND AND GARAGES TO THE REAR OF 2-12 HORNBEAM ROAD, BUCKHURST HILL (Pages 57 - 66)

(Director of Governance) To the attached report for the demolition of garages and replacement with 3 x 3 bed two storey affordable homes with 7 parking spaces and associated landscaping (DEV-007-2016/17).

9. PLANNING APPLICATION EPF/0234/16 - LAND AND GARAGES TO THE REAR OF 30-34A HORNBEAM ROAD, BUCKHURST HILL (Pages 67 - 76)

(Director of Governance) To consider the attached report for the demolition of garages and replacement with 2 x 2 bed two storey affordable homes with 10 parking spaces and associated landscaping (DEV-008-2016/17).

10. PLANNING APPLICATION EPF/1179/16 - HIGHLANDS FARM, OLD RECTORY ROAD, STANFORD RIVERS (Pages 77 - 86)

(Director of Governance) To consider the attached report for change of use of an agricultural barn to a 2 bed dwelling (DEV-009-2016/17).

11. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and 24 of the Council Procedure Rules contained in the Constitution requires that the

permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

12. EXCLUSION OF PUBLIC AND PRESS

Exclusion

To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

<u>Agenda Item</u>	<u>Subject</u>	<u>Paragraph Number</u>
Nil	None	Nil

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Background Papers

Article 17 of the Constitution (Access to Information) defines background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information and in respect of executive reports, the advice of any political advisor.

The Council will make available for public inspection one copy of each of the documents on the list of background papers for four years after the date of the meeting. Inspection of background papers can be arranged by contacting either the Responsible Officer or the Democratic Services Officer for the particular item.

This page is intentionally left blank

EPPING FOREST DISTRICT COUNCIL

**PROTOCOL FOR WEBCASTING OF
COUNCIL AND OTHER MEETINGS**



Introduction

The Council has agreed that certain meetings should be the subject of live web transmission ('web casting'), or recorded for subsequent transmission. Fixed cameras are located within the Council Chamber for this purpose and there is a mobile unit for use in other locations

This protocol has been produced to assist the conduct of web cast meetings and to ensure that in doing so the Council is compliant with its obligations under the Data Protection Act 1998 and the Human Rights Act 1998. Accordingly the following will apply to all meetings to be web cast by the Council:-

Main provisions:

1. The Chairman of the meeting has the discretion to request the termination or suspension of the webcast if in the opinion of the Chairman continuing to webcast would prejudice the proceedings of the meeting.

This would include:

- (i) Public disturbance or other suspension of the meeting;
- (ii) Exclusion of public and press being moved and supported;
- (iii) Any other reason moved and seconded and supported by the Council/Committee or Subcommittee.

2. No exempt or confidential agenda items shall be webcast.

3. Subject to paragraph 4 below all archived webcasts will be available to view on the Council's website for a period of six months. Council meetings are recorded onto DVD, which will be stored in accordance with records management procedures.

4. Archived webcasts or parts of webcasts shall only be removed from the Council's website if the Monitoring Officer considers that it is necessary because all or part of the content of the webcast is or is likely to be in breach of any statutory provision or common law doctrine, for example Data Protection and Human Rights legislation or provisions relating to confidential or exempt information.

If the Monitoring Officer has decided to take such action she must notify all elected Members in writing as soon as possible of her decision and the reasons for it via the Bulletin

Council expects the Chair of the Council and the Monitoring Officer to ensure that Council meetings are conducted lawfully. Therefore, Council anticipates that the need to exercise the power set out above will occur only on an exceptional basis.

5. Any elected Member who is concerned about any webcast should raise their concerns with the Head of Research and Democratic Services

Agenda Front Sheets and Signage at Meetings

On the front of each agenda and on signs to be displayed inside and outside the meeting room there will be the following notice:-

WEBCASTING NOTICE

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

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

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

If you have any queries regarding this, please contact the Senior Democratic Services Officer on 01992 564249.

Meetings of the Area Plans Subcommittees, District Development Control Committee, Licensing Committee and other 'Quasi Judicial' Hearings

In any correspondence notifying applicants, supporters or objectors of the meeting date on which an application will be heard, the following advice will be included if the particular meeting has been chosen to be web cast:-

"Please note that Council meetings may be filmed for live or subsequent broadcast via the Authority's Internet site. If you do not wish the hearing of your application to be filmed, please contact the Senior Democratic Services Officer to discuss their concerns. The Council will not film speakers if they do not wish to appear in the webcast"

Conduct of Meetings

At the start of each meeting to be filmed, an announcement will be made to the effect that the meeting is being or may be web cast, and that the Chairman may also terminate or suspend the web casting of the meeting, in accordance with this protocol. This will be confirmed by the Chairman making the following statement:-

"I would like to remind everyone present that this meeting will be broadcast live to the internet and will be capable of repeated viewing.

If you are seated in the lower public seating area it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

This may infringe your human and data protection rights and if you wish to avoid this you should move to the upper public gallery."

This page is intentionally left blank

Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

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

When and where is the meeting?

Details of the location, date and time of the meeting are shown at the top of the front page of the agenda along with the details of the contact officer and members of the Subcommittee. A map showing the venue will be attached to the agenda.

Can I speak?

If you wish to speak **you must register with Democratic Services by 4.00 p.m. on the day before the meeting**. Ring the number shown on the top of the front page of the agenda. Speaking to a Planning Officer will not register you to speak, you must register with Democratic Service. Speakers are not permitted on Planning Enforcement or legal issues.

Who can speak?

Three classes of speakers are allowed: One objector (maybe on behalf of a group), the local Parish or Town Council and the Applicant or his/her agent.

What can I say?

You will be allowed to have your say about the application but you must bear in mind that you are limited to three minutes and if you are not present by the time your item is considered, the Subcommittee will determine the application in your absence.

Can I give the Councillors more information about my application or my objection?

Yes you can but it must not be presented at the meeting. If you wish to send further information to Councillors, their contact details can be obtained through Democratic Services or our website www.eppingforesdc.gov.uk. Any information sent to Councillors should be copied to the Planning Officer dealing with your application.

How are the applications considered?

The Subcommittee will consider applications in the agenda order. On each case they will listen to an outline of the application by the Planning Officer. They will then hear any speakers presentations. The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the Subcommittee propose to follow a course of action different to officer recommendation, they are required to give their reasons for doing so.

The Subcommittee cannot grant any application, which is contrary to Local or Structure Plan Policy. In this case the application would stand referred to the next meeting of the District Development Control Committee.

Further Information?

Can be obtained through Democratic Services or our leaflet 'Your Choice, Your Voice'

This page is intentionally left blank

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: District Development Management Committee **Date:** 20 April 2016

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.35 - 9.40 pm

Members Present: B Sandler (Chairman), B Rolfe (Vice-Chairman), A Boyce, H Brady, R Butler, R Jennings, S Jones, H Kauffman, J Knapman, A Mitchell, G Mohindra, C C Pond and J M Whitehouse

Other

Councillors: N Bedford, H Kane, S Kane, P Keska and G Shiell

Apologies: J Hart and Y Knight

Officers Present: N Richardson (Assistant Director (Development Management)), G J Woodhall (Senior Democratic Services Officer), S Kits (Social Media and Customer Services Officer) and J Leither (Democratic Services Officer)

62. WEBCASTING INTRODUCTION

The Senior Democratic Services Officer reminded everyone present that the meeting would be broadcast live to the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

63. WELCOME AND INTRODUCTION

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

64. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23 JULY 2002)

The Committee noted that there had been no substitute Members appointed for this meeting.

65. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Member Code of Conduct, Cllr A Boyce declared a personal interest in the following items on the agenda, by virtue of being the Council's Tourist Champion. The Councillor had determined that his interest was not pecuniary and would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/3028/15 Gunpowder Mill, Powdermill Lane / Beaulieu Drive, Waltham Abbey; and
- EPF/0018/16 Gunpowder Mill, Powdermill Lane / Beaulieu Drive, Waltham Abbey.

(b) Pursuant to the Council's Member Code of Conduct, Cllr G Mohindra declared a personal interest in the following items on the agenda, by virtue of being the independent Chairman of a Residents' meeting concerning the application in February 2016. The Councillor had determined that his interest was not pecuniary and would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/3028/15 Gunpowder Mill, Powdermill Lane / Beaulieu Drive, Waltham Abbey; and
- EPF/0018/16 Gunpowder Mill, Powdermill Lane / Beaulieu Drive, Waltham Abbey.

(c) Pursuant to the Council's Member Code of Conduct, Cllrs H Kauffman, R Jennings and C Pond declared a personal interest in the following item on the agenda, by virtue of being acquainted with the Applicant, who was considered a personal friend. The Councillors had determined that their interest was not pecuniary but would leave the meeting for the consideration of the application and voting thereon:

- EPF/0241/16 58 York Hill, Loughton.

(d) Pursuant to the Council's Member Code of Conduct, Cllr H Kauffman declared a personal interest in the following item of the agenda, by virtue of being the Applicant. The Councillor had determined that this interest was pecuniary and would leave the meeting for the consideration of the application and voting thereon:

- EPF/3142/15 Briar House, 42 Church Lane, Loughton.

(e) Pursuant to the Council's Member Code of Conduct, Cllrs R Jennings and C Pond declared a personal interest in the following item on the agenda, by virtue of being acquainted with the Applicant, who was considered a personal friend. The Councillors had determined that their interest was not pecuniary but would leave the meeting for the consideration of the application and voting thereon:

- EPF/3142/15 Briar House, 42 Church Lane, Loughton.

(f) Pursuant to the Council's Member Code of Conduct, Cllr G Mohindra declared a personal interest in the following item on the agenda, by virtue of being the Chairman of the local Conservative Party for which the Anderson Group, who would be undertaking the construction, was a donor of funds.. The Councillor had determined that his interest was not pecuniary and would remain in the meeting for the consideration of the application and voting thereon:

- Variation to Section 106 Agreement – Former Tottenham Hotspur Training Ground, Luxborough Lane, Chigwell.

66. MINUTES

Resolved:

(1) That the minutes of the meeting held on 24 February 2016 be taken as read and signed by the Chairman as a correct record.

67. EPF/3028/15 GUNPOWDER MILL, POWDERMILL LANE/BEAULIEU DRIVE, WALTHAM ABBEY

The Assistant Director of Governance (Development Management) presented a report for a planning application at the Royal Gunpowder Mills in Powdermill Lane, Waltham Abbey.

The Assistant Director stated that the Royal Gunpowder Mills was considered to be one of the most extensive and significant heritage sites in the District, which could trace the history and manufacture of explosives from the 16th Century. The entire site was in excess of 63 hectares, most of which was designated as a Site of Special Scientific Interest and a Scheduled Ancient Monument. The site contained 20 Listed Buildings, many of which were Grade II with one being Grade I. The site was located to the north west of Waltham Abbey and close to the boundary of Broxbourne. To the west of the site, there was 800 metres of undeveloped open land before the urban town of Waltham Cross. The entire site was within the Lee Valley Regional park, as well as the Metropolitan Green Belt, and to the north there were a series of reservoirs, marshland and streams associated with the River Lee.

The Assistant Director informed the Committee that the proposal was a joint application between PGL Travel Limited and the Waltham Abbey Royal Gunpowder Mills Charitable Foundation Limited (WARGM Trust). The current visitor attraction received approximately 20,000 visitors, and 9,000 schoolchildren, per annum. Despite this, it had been claimed that the site could only generate 60% of its running costs, and since 2002 had required an average grant subsidiary of £400,000 per year. The strategy for the Gunpowder Mills was that it should become self-supporting, but there had always been a need for a separate income to cover the cost of maintaining the rest of the site, particularly the woodland area. There was also a legal obligation to maintain and retain the listed buildings. The application sought permission to use parts of the site as an outdoor recreation and activity centre for children, together with the erection of new buildings to provide guest accommodation, dining hall and kitchen, pavilion (changing rooms), and the conversion of several listed buildings to provide further guest accommodation and classrooms, together with a new lake for water based activities and the erection of free-standing activity structures.

The Assistant Director reported that Planning Officers had concluded the scheme was well designed, would bring employment and tourism benefits to Waltham Abbey, and would secure the long term maintenance of this important, historic site. It was felt that this could be achieved without significant harm to the openness of the Metropolitan Green Belt, or harm to the character and amenity of the area. Whilst there were concerns over contamination, drainage, sewerage and traffic issues, these were all matters which could be controlled by planning conditions. The proposal accorded with the National Planning Policy Framework, satisfied the presumption in favour of sustainable development, and complied with the adopted policies of the Local Plan. Therefore, the application was recommended for approval.

The Committee noted the summary of representations received in respect of the application. A total of 59 letters of objection had been received, of which 30 were from residents of Waltham Abbey. The Lee Valley Regional Park Authority had expressed reservations about the proposed development and its likely impact on the ecology and landscape of the wider site, including the Abbey itself and the Cornmill Meadow Site of Special Scientific Interest (SSSI). Waltham Abbey Town Council had objected to the proposal, whilst Broxbourne Borough Council had raised no objections. The Committee heard from an Objector and the Applicant before proceeding to debate the application.

A number of the Members of the Committee expressed concerns about the application. A local Member for Waltham Abbey Honey Lane was concerned about the possible loss of the tourist attraction as the proposal for an outdoor recreation and activity centre appeared to be taking over the site. The site was a very valuable asset to the District, providing educational activities for children to enjoy. The site needed to be promoted properly, and the Member supported an alternative for PGL

Travel Limited to use only the eastern flank of the site. A local Member for Loughton Broadway added that this was a unique site, which the Member had visited many times. The current lack of visitor numbers was acknowledged, but the application would devalue the international importance of the site. The Member also felt that the design of the accommodation was banal and unattractive. The whole site was a conservation area, and the application would detract from and not enhance the Heritage site. A local Member for Loughton St Mary's stated that the District was blessed with historical assets, and the Council had a responsibility to preserve and enhance the Gunpowder Mills. The Member felt that the proposal was overdevelopment and was not sympathetic to the current site layout.

A local Member for Waltham Abbey North East opined that the Royal Gunpowder Mills was only one of three sites remaining, and had an international reputation. The Member was minded to not support the application. A local Member for Theydon Bois could not see how both activities would be compatible at this site. The Member thought that the design was utilitarian and the development was inappropriate. A local Member for Loughton St John's appreciated the challenges facing the Trust, and the attraction of the application by PGL Travel Limited. However, this was an historical site, and the application was to the detriment of the site. The Council had a duty of care to the site, and a better solution should be found. A local Member for Epping Hemnall emphasised the reference to the site in the adopted Local Plan, and expressed concerns about the impact of the development on the Green Belt, and that the proposed wording of the Unilateral Undertaking was weak in relation to the aims for the site within the adopted Local Plan.

The Assistant Director added that there was deer management operated elsewhere in the SSSI, but Officers felt that the development would not unduly harm the deer. Historical enactments would not necessarily continue after the development, but this was not a planning issue, although PGL Travel Limited had agreed to allow four public events on site each year. It was still proposed to retain the current visitor attraction, and the report made clear that the site, although within the Metropolitan Green Belt, was considered as "previously developed land".

However, there were other Members of the Committee who supported the scheme. A local Member for Grange Hill reminded the Committee that the site was not profitable, and that a solution needed to be found or the site would be lost to the District. A local Member for Chigwell Village stated that the site contained a unique set of buildings and it was a disgrace that the site had been allowed to degenerate to its current state. The Trust did not have sufficient funding, the buildings would continue to degrade and they needed to be preserved. This application could allow the site to be saved and continue to be accessible to the public. A local Member for Passingford agreed that the condition of the buildings not open to the public had got worse as the Trust had not had the resources. The site was not currently open very often, with limited opening hours. The Member felt that the design of the buildings were sympathetic to the existing site and the proposed outdoor recreation and activity centre would be a good synthesis.

It was highlighted that there was nothing in the proposed legal agreement (Unilateral Undertaking) to save the current buildings on the site, but it was pointed out that the Trustees were looking to bring these buildings back into use. A local Member for Loughton Broadway accepted that the Trust currently did not have sufficient funding, but the application would subordinate the Heritage Site to the outdoor recreation and activity centre, which would then have a negative effect on the Heritage site. The site would need a rescue package – housing was suggested – and other options should be explored.

The Chairman closed the debate by saying that he was upset to see the current condition of the buildings, and it was very important to bring those buildings back into public use. The Royal Gunpowder Mills was an integral part of Waltham Abbey's history, and there was a very real threat that they might disappear. Therefore, the Chairman had resolved to support the application.

Following the vote by the Committee to grant planning permission for the development, subject to the addition of an extra condition concerning the erection of a screening fence, four Members of the Committee stood up and requested that the application be referred to the Council for a final decision under the Minority Reference rules within the Constitution (Part 4, "Council Procedure Rules", Rule M2 "Minority References" refers).

Decision:

(1) That a report be submitted to the Council recommending approval for planning application EPF/3028/15 at The Royal Gunpowder Mills in Powdermill Lane, Waltham Abbey, subject to:

(a) the completion of a legal agreement (Unilateral Undertaking) to ensure:

(i) the income from the PGL lease be used for the preservation and enhancement of the whole site, including the Scheduled Ancient Monument (SAM) and Site of Special Scientific Interest (SSSI) outside of the application site area, in accordance with the charitable objectives of the Trust;

(ii) the preparation of a Landscape & Ecological Management Plan (LEMP) and Access Management Plan (AMP) prior to the first occupation of the development; and

(iii) the implementation of the LEMP and AMP from the first occupation of the development; and

(b) the following planning 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 these being those set out in the Drawing Register (Sheets 1 to 4) submitted with the application.
3. No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
4. No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in

writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]

5. Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]

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. 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.
10. No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented prior to occupation. The scheme shall include:
 - Run-off rates restricted to a minimum of 50% betterment on any areas where new developments are proposed on site.
 - Storage on site for the 1 in 100 inclusive of climate change storm event for any new developments on site.
 - An appropriate amount of treatment in line with the CIRIA SuDS Manual C753 for any areas where new developments are proposed.
 - A drainage plan highlighting final exceedance and conveyance routes, discharge rates and outfalls for the whole site.
11. No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.
12. No works shall take place until a Maintenance Plan detailing the maintenance arrangements, including who is responsible for different elements of the surface water drainage system and the maintenance

activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

13. The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.
14. Development shall not commence until a Drainage Strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the Local Planning Authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the Strategy have been completed.
15. Development shall not be commenced until:
 - (a) full details, including anticipated flow rates, and detailed site plans have been submitted to, and approved in writing by, the Local Planning Authority (in consultation with Thames Water); and
 - (b) where this development forms part of a larger development, arrangements have been made to the satisfaction of the Local Planning Authority (in consultation with Thames Water) for the provision of adequate water supplies for the whole of the development.
16. No burning of materials or operation of machinery shall take place on the former burning ground between 1 February and 31 July in any year, unless the heronry area has first been assessed by a competent ornithologist not more than 3 days before the carrying out of the activity in question and this assessment has confirmed that no breeding herons are present.
17. The burning ground shall be subject to an appropriate level of remediation and restored to appropriate semi-natural grassland and/or scrub habitat(s) within 6 months of the completion of the programme of treatment of the arisings from the demolition of the east flank buildings.
18. No structures are to be erected within 100 metres of the SSSI; with the exception of structures the height of which is less than that of the adjacent SSSI trees.
19. No conversion/demolition or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.
20. No development shall have taken place until samples of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.

21. No development, including works of demolition, site clearance, or investigations / remediation in connection with contaminated land, shall take place until a Tree Protection Plan, and Arboricultural Method Statement 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.
22. Should any health and safety risks associated with the residential occupation of buildings, from either toxic or explosive substances be identified a report detailing the steps taken to remove such risks together with verification from an appropriate expert that these works have satisfactorily been completed and that no appreciable risks remain shall be submitted to the Local Planning Authority, prior to the first occupation of the site.
23. Should any possible risk of explosives within the soils at the site be identified during works at the site then full details of the remediation steps required to prevent risk, together with verification from an appropriate expert that the remediation required has been carried out in full shall be submitted to the Local Planning Authority prior to the first use of the site.
24. All ground works, deliveries and/or demolition shall be in accordance with the submitted Construction Management Plan (CMP). The CMP shall be adhered to throughout the construction period.
25. The submitted Traffic Management Plan for the site shall be implemented and adhered to throughout the operating life of the development with any changes being agreed in writing with the Local Planning Authority.
26. Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.
27. No infiltration of surface water drainage into the ground at this site is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.
28. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
29. No development shall take place until a scheme for the provision and management of an 8 metre wide buffer zone alongside all

watercourses shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority. The buffer zone scheme shall be free from built development including lighting and formal landscaping, and could form a vital part of green infrastructure provision. The schemes shall include:

- Plans showing the extent and layout of the buffer zone.
- Details of any proposed planting scheme (native species only).
- Details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan.
- Details of any proposed footpaths, fencing, lighting etc.

30. Prior to first occupation of the development, details of a screening fence adjacent to the rear garden boundary to Hoppit Road of residential properties at 2, 3 and 4 Gregory Mews shall be submitted to and agreed in writing by the Local Planning Authority. The details as approved shall be provided before first occupation of the development and retained thereafter.

68. EPF/0018/16 GUNPOWDER MILL, POWDERMILL LANE/BEAULIEU DRIVE, WALTHAM ABBEY

Following the referral of the previous planning application at the Royal Gunpowder Mills to the Council for a final decision, it was proposed that the Listed Building planning application for the same site also be deferred to the same Council meeting for a decision.

Resolved:

(1) That planning application EPF/0018/16 at the Royal Gunpowder Mill in Powdermill Lane, Waltham Abbey be deferred to the same Council meeting for a decision as planning application EPF/3028/15 for the same site.

69. EPF/0144/16 LAND TO SOUTH-EAST OF FYFIELD ROAD AND NORTH OF ONGAR LEISURE CENTRE, FYFIELD ROAD, ONGAR

The Assistant Director of Governance (Development Management) presented a report for the erection of a new school on land to the south-east of Fyfield Road, Ongar and north of Ongar Leisure Centre. The application was before the Committee as it was considered a "*large scale major application*" as defined within the guidance issued by the Department of Communities & Local Government.

The Assistant Director stated that the majority of the site consisted of playing fields that lied to the north and east of Ongar Leisure Centre, as well as a car park used as an overspill for the Leisure Centre and Medical Centre. The site was within the Metropolitan Green Belt and adjoined the north east boundary of Ongar. The school buildings would be mainly three storeys, with some one and two storey buildings, and would be erected on the smaller, existing playing field, to the north of the Leisure Centre. A Sports Hall was proposed close to the visitor entrance. The existing playing fields to the east and south would be retained in open use but adapted in part to provide a floodlit all weather sports pitch. A new vehicular access would be provided

from Fyfield Road into what was currently the overspill car park. A total of 26 parking spaces would be reserved for the Medical Centre, a drop-off and visitor parking area would be provided, as well as a 54 space car park for staff.

Planning Officers had concluded that the proposal would provide a much needed secondary school for the Ongar area, and also improve the range of leisure and sports facilities available to local people. Although the site was in the Green Belt, it was adjacent to the urban area of Ongar, and important agricultural land would not be lost. Therefore, it was felt that very special circumstances did exist and that planning permission should be granted.

The Committee noted the summary of representations that had been received in respect of this application. There had been five letters of objection received from neighbouring properties, along with 65 letters of support. In addition, the Town Council, Highways Agency, Sustainable Drainage Team, Trees and Landscape Team, CountyCare and Land Drainage Section had no objections. The Historic Environment Officer had recommended archaeological work on the site, and the Land Contamination Officer had recommended the imposition of the standard land contamination conditions. Sport England had objected to the application, as it involved the loss of existing playing fields; however, the Assistant Director tabled seven additional conditions for the proposal to deal with the objections raised by Sport England. The Committee heard from an Objector and the Applicant's Agent before proceeding to debate the application.

In response to questions from the Committee, the Assistant Director stated that a considerable amount of the existing hedge would be removed to provide the necessary sight lines outlined in condition 4. A mini roundabout at the entrance to the proposed new School had not been considered as this would push the road closer to the nearby residents. The imposition of a 20mph speed limit for Fyfield Road and flashing/lit School signs could not be performed by planning condition, but requests could be made to Essex Highways. It was reiterated that parking spaces allocated for the Medical Centre had been already been agreed.

The Committee felt that it was a well thought out project and the proposed School was much needed in the area. It was accepted that very special circumstances existed in this case to permit development in the Green Belt, and the Committee was entreated by local Ward Members to grant permission and allow the development of the new School to proceed.

Decision:

(1) That, subject to a referral to the National Planning Casework Unit, planning application EPF/0144/16 at land to the south-east of Fyfield Road and North of Ongar Leisure in Ongar be granted planning permission subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
2. The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 01001revP1, 01004revP3, 01005revP6, 01006revP5, 01008revP3, 02001revP6-Ground floor plan, 02001revP6-First floor plan, 02001revP6-Roof plan, 02001revP6-Second floor plan, 03001revP6, 03002revP6, 04001revP2, 04001revP6, 07501revP3, 100revP05, SK-001revP01, 09101-09107 inclusive and specified external brickwork materials: Ibstock Surrey Cream and Edenhall Sapphire Blue.

3. All ground works, deliveries and/or demolition shall be in accordance with the submitted Construction Management Plan (CMP). The CMP shall be adhered to throughout the construction period.
4. Prior to the first occupation of the development, the access at its centre line shall be provided with clear to ground visibility splays with dimensions of 2.4 metres by 50 metres to the north and south, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction in perpetuity.
5. Prior to first occupation of the development the access and highway works, as shown in principle on Robert West drawing no.100 Rev P05, shall be fully implemented and maintained as such in perpetuity.
6. Prior to the first occupation of the development details of the Cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained as such in perpetuity.
7. The submitted and revised School Travel Plan shall be adhered to and should be continued to be updated as necessary throughout the life of the school.
8. There shall be no discharge of surface water onto the Highway.
9. If the gas sub-station will be affected by the development the features with potential for roosting bats should be removed by hand under supervision of a suitably licensed ecologist. The ecologist shall provide written confirmation to the Local Planning Authority that no bats will be harmed and/or that there are appropriate measures in place to protect bat interest on site.
10. Prior to the commencement of any works to moderate or high bat roost potential trees, dusk and dawn surveys for bats should be undertaken in accordance with guidelines from Natural England (or other relevant body). These should be submitted to the Local Planning Authority for approval.

Should the surveys reveal the presence of bats, or their breeding sites or resting places then an appropriate and proportionate detailed mitigation and compensation strategy must be written in accordance with any guidelines available from Natural England (or other relevant body) and submitted to the Local Planning Authority for approval.

Should a Natural England European Protected Species licence (EPS) be required then this should also be submitted to the Local Planning Authority. All works shall then proceed in accordance with the approved strategy with any amendments agreed in writing.

11. Any trees with low bat roost potential, which are scheduled to be impacted by the development, should be soft-felled after inspection of potential roost features under supervision of a suitably licensed ecologist during the active bat season (May to September). If any bats or evidence of bats are found during soft-felling, works should cease until a Natural England (NE) European Protected Species (EPS) Mitigation License can be obtained and submitted to the Local Planning Authority. If no evidence of bats is found the ecologist will provide written confirmation to the Local Planning Authority that no bats will be harmed and/or that there are appropriate measures in place to protect bat interest on site.
12. A lighting design strategy for bats shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development.

It is recommended that to minimise risk of disturbance to foraging and commuting bats on site, that the development should follow lighting minimisation precautions, including the following:

- no works on site should be conducted after sunset and if security lighting is required then this should be kept to a minimal level (as necessary for safety and security);
 - post development lighting should be directed away from site boundary vegetation, and in particular, away from the on-site trees with bat roost potential;
 - installation of lighting columns at the lowest practical height level with box shield fittings will minimise glare and light spillage;
 - lux level of lamps should be as low as possible and be high pressure sodium (rather than metal halide, or other) with covers made from glass rather than plastic as this minimises the amount of UV light, reducing the attraction effects of lights on insects; and
 - security lights should be set on short timers, and be sensitive to large moving objects only.
13. The removal of limited amounts of hedgerows, scrub or trees or limited groundworks within the wooded area shall be undertaken under supervision of a suitably qualified ecologist, during the active season (April to September). This precautionary method will minimise the risk of harm to any reptiles using these areas for commuting or sheltering. The ecologist will provide written confirmation that no reptiles will be harmed and/or that there are appropriate measures in place to protect reptile interest on site.
 14. No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation to the Local Planning Authority that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.
 15. A great crested newt (GCN) survey shall be undertaken to determine the presence or likely absence of this species in the surrounding area following guidelines from Natural England. If

GCNs are found to be present in the surveys pond, a NE EPS Mitigation License will be required prior to any groundwork at the site. The report, and the licence, must be submitted to the Local Planning Authority for approval prior to works commencing.

16. A landscaping enhancement plan should be submitted and approved by the Local Planning Authority prior to commencement of works. This should include enhancement for wildlife, corridors, foraging areas, native planting, wildflower areas, hibernacula, bat boxes, bird and house martin boxes as detailed in the Phase 1 Habitat survey submitted by James Blake Associates in November 2015.
17. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment 150455/AW/TG Rev 2, the surface water drainage strategy 150455/TG/JB Rev 2, the drainage construction details C163 the and the following mitigation measures detailed within the FRA:
 - limiting the discharge from the school development to 12.1l/s and the discharge from the external car pack to 5l/s;
 - provide attenuation storage for all storm events up to and including the 1:100 year storm event inclusive of climate change;
 - provide treatment in line with the approved FRA; and
 - the mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.
18. No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.
19. No works shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.
20. The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.
21. No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of

enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

22. The development shall be carried out only in accordance with the James Blake Associates Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule unless the Local Planning Authority gives its written consent to any variation.
23. No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]

24. Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any

subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]

25. 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]

26. 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.
27. 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.
28. No preliminary groundwork's of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.
29. Prior to the occupation of the development, a scheme for lighting the MUGA pitch shall be submitted to and approved in writing by the Local Planning Authority and carried out as approved thereafter.

30. All car parks proposed as part of the development shall be completed and made available for the uses stated on drawing no. 01006 Rev. P5, prior to the first occupation of the school.
31. No development shall commence until a detailed playing field construction specification, including an implementation programme prepared in accordance with the Ongar Academy Sports Pitch Feasibility Study (Agrostis, 7 April 2016) recommendations and in consultation with Sport England, has been submitted to and approved in writing by the Local Planning Authority. The approved specification and implementation programme shall be complied with in full prior to the completion of the development unless otherwise agreed with the Local Planning Authority.
32. Following first occupation of the development hereby permitted, the annual playing field maintenance programme set out in Ongar Academy Sports Pitch Feasibility Study (Agrostis, 7 April 2016) shall be complied with in full.
33. Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to, and approved in writing, by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the Sports Hall, Activity Studio, Changing Rooms, Multi-Use Games Area and natural turf playing fields and include details of pricing policy, hours of use, access by community users, management responsibilities, details of management arrangements with Ongar Leisure Centre and a mechanism for review, and anything else which the Local Planning Authority considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.
34. Details and specification of the proposed replacement artificial Cricket wicket, including a programme of implementation, shall be submitted to and approved by the Local Planning Authority before occupation of the development hereby permitted. Once approved, these details shall be implemented in full.
35. A detailed design of the proposed Sports Hall, including details of the flooring and court markings, shall be submitted to and approved by the Local Planning Authority before occupation of the development hereby permitted. Once approved, these details shall be implemented in full.
36. Details of the boundary enclosures to the Academy, including associated lands and car parking areas, shall be submitted to and approved by the Local Planning Authority before any work commences on the construction or provision of these enclosures.
37. Development shall not commence until a Drainage Strategy detailing any on and/or off site drainage works has been submitted to, and approved by, the Local Planning Authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the

site shall be accepted into the public system until the drainage works referred to in the Strategy have been completed.

70. EPF/0241/16 58 YORK HILL, LOUGHTON

The Assistant Director of Governance (Development Management) presented a report for the formation of a street parking area in the front garden of 58 York Hill in Loughton with perimeter retaining walls, additional landscaping and the provision of a 3 metre wide opening on to York Hill.

The Assistant Director informed the Committee that the application was before the Committee as it had been submitted by a serving District Councillor.

The Assistant Director reported that the application site was a two storey semi-detached house, situated in a raised position on the north side of York Hill. The importance of hedgerows within the York Hill Conservation Area Character Appraisal and Management Plan was highlighted, along with the fact that Permitted Development Rights had been previously removed for the site. The possibility of placing a mirror on the opposite side of the road had been considered, but this was not recommended by the Highways Agency and was not encouraged by the Department of Transport either. The large number of objections received for this application was also emphasised. As a consequence, Planning Officers had concluded that permission should be refused, and that a compromise proposal could not be suggested as a 'way forward'.

The Committee acknowledged that parking was a problem in this area and understood the reason for the application, but the site was not conducive and the proposed development was not a solution. It was noted that the sightlines were dangerous and the highways concerns were a real issue. Members also noted the large number of objections that had been received for this application. It was agreed that there were fundamental issues to warrant a refusal and that there was limited flexibility for a way forward.

Decision:

(1) That planning application EPF/0241/16 at 58 York Hill in Loughton be refused permission for the following reasons:

1. The formation of a hard surfaced drive way with retaining walls, and the associated removal of a section of hedgerow and embankment, would be an unsightly development that would detract from the character and appearance of this Conservation Area to which hedgerows make a significant contribution. In addition, if approved, it would be difficult to resist other similar proposals in the locality, which would further erode the special character of this part of the conservation area. The proposal is therefore contrary to policies HC6 and LL10 of the adopted Local Plan and Alterations, and contrary to the National Planning Policy Framework.
2. The visibility sightlines for drivers exiting the proposed drive way parking would be inadequate, and the proposal would therefore cause a safety hazard to other road users. The proposal is therefore contrary to policy ST4 of the adopted Local Plan and Alterations, and contrary to the National Planning Policy Framework.

71. EPF/3142/15 BRIAR HOUSE, 42 CHURCH LANE, LOUGHTON

The Assistant Director of Governance (Development Management) presented a report for the erection of a detached single storey outbuilding to the west side of the house, close to the side shared boundary with 40 Church Hill, at Briar House, 42 Church Lane in Loughton.

The Assistant Director informed the Committee that the application was before the Committee as the Applicant was a serving District Councillor.

The Assistant Director stated that the application site contained a large two storey house with integral garage and rear outbuildings, and was an extensive, well landscaped plot with established roadside hedges. There was a row of protected trees along the south-eastern boundary of the site. It was intended to use the new outbuilding as a garage and the external materials of the proposed outbuilding would be predominantly glassed with a front bi-folder door.

The Assistant Director reported that Planning Officers had concluded the proposed detached outbuilding was acceptable in design terms as it would be appropriate to its setting, and therefore complied with the relevant policies of the adopted Local Plan and the National Planning Policy Framework. Consequently, the application had been recommended for approval.

The Assistant Director added that the protected trees were set far enough back to not be affected by the proposed new building.

Decision:

(1) That planning application EPF/3142/15 at Briar House, 42 Church Lane in Loughton be granted permission, subject to the following condition:

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.

72. VARIATION TO SECTION 106 AGREEMENT - TOTTENHAM HOTSPUR TRAINING GROUND, LUXBOROUGH LANE, CHIGWELL

The Assistant Director of Governance (Development Management) presented a report on a variation to a Section 106 Agreement at the former Tottenham Hotspur Training Ground in Luxborough Lane, Chigwell, to permit occupation of part of the enabling development prior to the completion of the school.

The Assistant Director reminded the Committee that it had approved the redevelopment of the former training ground in March 2015 to provide an Autistic Spectrum Disorder (ASD) School for up to 128 pupils aged 4 – 19, and 60 dwellings on land to the west of the site to act as an enabling development. The Section 106 Agreement for the site prohibited the occupation of any of the houses until the school was completed. However, the Developer had advised the Council that this obligation was having a detrimental effect on the cash flow for the scheme, and had requested that the Agreement be varied to allow phased occupation of the housing. It was proposed to vary the agreement to restrict occupation of 40 houses until specific phases of the school construction had been completed and prevent occupation of the final 20 houses until the school was completed.

The Committee heard from the Applicant before proceeding to debate the application.

The Committee was reminded that it had also been agreed to raise the bridleway parapets over the M11 motorway, which had not yet been progressed; the development was preventing horse riders from using this route. The Committee was advised by Cllr Knapman that Essex Highways were not against this proposal and was confident that it would happen.

Decision:

(1) That the Section 106 Agreement at the former Tottenham Hotspur Training Ground at Luxborough Lane in Chigwell relating to planning permissions EPF/0853/14 and EPF1326/15 be varied to permit occupation of:

1. Up to 20 houses of the enabling development following: Completion of phases 1 and 2 to the point that they are watertight and the construction of phases 3 and 4 to ground floor slab level.
2. Up to 40 houses of the enabling development following: Completion of either phases 1 and 2 to the point that they are ready for occupation for the purposes of a school and the completion of phases 3 and 4 to the point that they are watertight.
3. The entire enabling development of 60 houses after all four phases are ready for occupation for the purposes of a school.

73. ANY OTHER BUSINESS

The Committee noted that there was no other urgent business for consideration at the meeting.

74. EXCLUSION OF PUBLIC AND PRESS

The Committee noted that there was no business which necessitated the exclusion of the public and press.

CHAIRMAN

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: District Development Management Committee **Date:** 8 June 2016

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.57 pm

Members Present: B Sandler (Chairman), B Rolfe (Vice-Chairman), H Brady, R Butler, G Chambers, S Heap, R Jennings, S Jones, S Kane, H Kauffman, J Knapman, A Mitchell, C C Pond and J M Whitehouse

Other Councillors: L Hughes

Apologies: A Boyce

Officers Present: N Richardson (Assistant Director (Development Management)), J Doe (Senior Planning Officer), G J Woodhall (Senior Democratic Services Officer) and R Perrin (Democratic Services Officer)

1. WEBCASTING INTRODUCTION

The Senior Democratic Services Officer reminded everyone present that the meeting would be broadcast live to the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

2. WELCOME AND INTRODUCTION

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

3. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23 JULY 2002)

The Committee noted that no substitute Members had been appointed for this meeting.

4. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Member Code of Conduct, Cllr J Knapman declared a personal interest in the following item on the agenda, by virtue of being a Member of Chigwell Parish Council and Essex County Council. The Councillor had determined that his interest was not pecuniary and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2899/15 Chigwell Primary School, High Road, Chigwell.

(b) Pursuant to the Council's Member Code of Conduct, Cllr J M Whitehouse declared a personal interest in the following item on the agenda, by virtue of being a

Member of Essex County Council. The Councillor had determined that his interest was not pecuniary and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2899/15 Chigwell Primary School, High Road, Chigwell.

5. MINUTES

The Committee noted that the minutes of the last meeting, held on 20 April 2016, would be available for agreement at the next meeting of the Committee.

6. EPF/0152/16 SHOTTENTONS FARM, PECK LANE, NAZEING

The Assistant Director of Governance (Development Management) presented a report for an outline application for the erection of 12 x 1-bedroom accommodation units in two blocks for occupation by horticultural workers. The application was before the Committee as it was contrary to the Development Plan and was recommended for approval by Area Planning Sub-Committee West at its meeting on 13 April 2016.

The Assistant Director stated that the application site was located just off Pecks Hill, to the south east of Shottentons Farm, and within the relatively rural area of Nazeing. There was a large number of glasshouses to the north and a farm complex to the south; the site itself was an open field which had not been previously been developed. The proposal was to provide accommodation units for occupation by horticultural workers on the nearby nursery.

The Assistant Director reported that, although the recommendation of Officers had been to refuse the application, Members of Area Planning Sub-Committee West had considered that the need for such accommodation in Nazeing for horticultural workers constituted very special circumstances to outweigh the planning harm to the Green Belt that might result from the development. Members also felt that the land drainage issue identified as a reason for refusal by Officers could be overcome by planning conditions. However, Officers still considered that the Applicant had failed to demonstrate an essential need for new horticultural units to be located on a previously undeveloped site within the Green Belt.

The Committee noted that Nazeing Parish Council had offered no objection to the proposal, provided there was a condition imposed that the accommodation was reserved for nursery workers only. The Committee heard from the Applicant's Agent before proceeding to debate the application.

Members of the Committee had sympathy for the provision of housing for key workers, and felt that only annual tenancies should be offered for the accommodation. There was some concern that this land would now become a brownfield site. In response to questions from the Committee, the Applicant's Agent confirmed that no children would be permitted to live in the units. The Assistant Director added that condition 3 – limiting the accommodation to persons working in the locality in agriculture or forestry - was not uncommon for farm workers' accommodation units in the Metropolitan Green Belt. It was accepted that the condition could be difficult to enforce, although it was very unlikely that these units would become private housing in the future. It was suggested that condition 3 should be linked specifically to workers on Shottentons Farm, and this was agreed.

Decision:

- (1) That planning application EPF/0152/16 at Shottentons Farm in Pecks Lane, Nazeing be granted permission, subject to the following conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters as defined in condition 2 below, whichever is the later.
2. (a) Details of the reserved matters set out below ("the reserved matters") shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:
 - (i) Landscaping;
 - (b) The reserved matters shall be carried out as approved.
 - (c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.
3. Each occupation of the accommodation units hereby approved shall be limited to one person solely or mainly working at Shottentons Farm in agriculture or in forestry.
4. 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.
5. 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.
6. No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
7. No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting, and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years

from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

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.
9. No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
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.

7. EPF/0119/16 16 TOWER ROAD, EPPING

The Assistant Director of Governance (Development Management) presented a report for the conversion of a 2-bedroom bungalow into a 5-bedroom house incorporating a single storey rear extension.

The Assistant Director explained that the application was before the Committee as it had been referred by Area Planning Sub-Committee East under the Minority Reference rules, with a recommendation to grant permission.

The Assistant Director reported that the application site was located within the urban area of Epping and contained a bungalow set in a relatively narrow plot with a deep rear garden. The surrounding dwellings were largely two storey in nature, and there was one off street parking space located to the front with a dropped kerb access. The application sought the conversion of the existing 2-bedroom bungalow into a 5-bedroom house. The proposed development would increase the height of the building from 5.7 metres to 8.6 metres, although the existing width of 8.05 metres would remain unaltered. A single storey ground floor rear extension would extend the depth of the building by 3 metres. The gabled roof design and the footprint of the proposal would match that of its neighbours and other dwellings in the immediate vicinity. The existing brick wall and garden area at the front would be removed to create an additional off street parking space.

Planning Officers had concluded that the proposal was coherent, reflected the established pattern of development in the area, and could not be considered as an overdevelopment of the site. The design was harmonious to the surrounding area

and would not adversely affect the amenity of neighbours. The application complied with the National Planning Policy Framework and Local Plan policies, and was recommended for approval.

The Committee noted the summary of representations, including objections received from the Epping Society and Epping Town Council.

Decision:

(1) That planning application EPF/0119/16 at 16 Tower Road in Epping be granted permission, subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
2. The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1883-1A, 2A, 3A, 4, 5, 6, 7, 8, 9 Block Plan, Site Location Plan.
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.

8. EPF/2899/15 CHIGWELL PRIMARY SCHOOL, HIGH ROAD, CHIGWELL

The Assistant Director of Governance (Development Management) presented a report on an application for the major refurbishment of Chigwell Primary Academy and enabling residential development. The application was before the Committee as it was defined as a "*large scale major application*" in guidance issued by the Department of Communities & Local Government.

The Assistant Director reported that the site comprised an area of 4.76 hectares, which included the Chigwell County Primary School and the former BI Sports Ground. The School had a mixture of single storey buildings dating from the 1930's through to the 1960's, as well as a number of subsequent temporary classrooms. There were three principal School buildings. All of the land within the site was within the Metropolitan Green Belt, but just outside the Chigwell Conservation Area.

The Assistant Director stated that the application sought full planning permission for works to the School, and outline permission for the enabling residential development. The works to the School included limited additional space with small extensions to the main block, alongside extensive refurbishment to all three principal School buildings to improve the facilities available to pupils. Underused grassed areas would also be removed to provide four additional on-site parking spaces. The enabling residential development comprised 32 detached five or six bedroom residential properties together with associated off street parking, a dedicated parking court for existing residents, garden space, new vehicular accesses from the High Road and Vicarage Lane, plus external landscaping and associated development.

The Assistant Director advised the Committee that Planning Officers had concluded the wider benefits of securing the improvements to the School constituted very special circumstances to support the residential development, which was contrary to Green Belt policy and was not outweighed by any harm to the openness and character of the wider Green Belt. The residential proposals represented a low density development which recognised that the site was constrained by the need to protect much of the historic landscape around its boundaries. The Highway authority

was satisfied that the position and design of the access was safe and that the development would not increase vehicular activity on the local road network to an unacceptable level. Arguments for the provision of affordable housing on site were finely balanced, and Officers felt that an off site contribution was justified given the particular circumstances of this application. The Developer had offered £1.65million towards affordable housing, plus a further £600,000 towards a new connecting bus service. Consequently, the application was recommended for approval, subject to the successful completion of a Section 106 agreement detailing the appropriate level of financial contribution for affordable housing. Although, it should be noted that the application would have to be referred to the National Planning Casework Unit before the final decision could be issued.

The Committee noted the summary of representations and that objections had been received from 101 properties, of which 41 were within a 400 metre radius of the site and a further 44 were within a further 400 metres. The School had organised a small petition in support of the scheme, which contained 35 signatories. There was a further letter of support, and the Parish Council supported the scheme. The Committee heard from an Objector, the Applicant, and the Applicant's Agent before proceeding to debate the application.

A number of Members of the Committee emphasised the current state of the School's buildings, which were in desperate need of refurbishment, and that numerous attempts had been made in the past to secure the necessary improvements. The Council would be receiving £1.65million for affordable housing within the District, plus a further £600,000 for a new bus service, and it was felt that this would represent a very good deal for Chigwell with a Primary School that would now be fit for purpose. Although some Members highlighted the fact that the residential development would be constructed on prime Green Belt land that had previously been a Sports Ground, that each house was likely to sell for at least £1million, that a contribution of £1.65million for affordable housing was too low and should be a minimum of £2million.

Some Members recognised the need to refurbish the School but were concerned about the use of Green Belt land for the enabling development. There were concerns that there was no land being provided by the Developer for affordable housing, and that there was too much money being made by the Developer and not enough for the School. It was also highlighted that over a hundred letters of objection had been received in relation to the scheme. The issue of the, as yet uncompleted, Green Belt Review was raised; this was a fundamentally important site within Chigwell and some Members would have preferred some guidance from the Green Belt Review as to whether this particular site could afford to be developed.

The Assistant Director reiterated that the Committee needed to determine this planning application now, with or without a completed Green Belt Review. Planning Officers had been disappointed with the Developer's offer of £1.65million for affordable housing, and the Committee would need to agree figures for the affordable housing and community public transport elements of the Section 106 Legal Agreement.

The Chairman stated that the School should have been rebuilt many years ago, and there had to be a profit from the enabling development to pay for the refurbishment. The Chairman also highlighted the local benefits for the community from the proposed development through improvements to local infrastructure and community transport.

Decision:

(1) That, subject to a referral to the National Planning Casework Unit, planning application EPF/2899/15 at Chigwell Primary School in the High Road, Chigwell be granted permission, subject to the following conditions and by 31 August 2016 the completed legal agreement (Section 106 of the Town and Country Planning Act 1990) in line with the draft submitted Section 106 Heads of Terms received on 26 May 2016 which ensured:

- (a) a satisfactory financial contribution in respect of:
 - (i) £2million for off-site affordable housing and/or local infrastructure; and
 - (ii) £800,000 for community public transport; and
- (b) planning conditions as follows:
 - 1. The school development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
 - 2. Details of reserved matters in respect of the residential development as set out below shall be submitted to and approved by the Local Planning Authority within three years from the date of this permission concerning:
 - (i) appearance;
 - (ii) landscaping; and
 - (iii) layout.

The development shall be commenced within two years of the date of the final approval of the said reserved matters.

- 3. The school development hereby permitted will be completed strictly in accordance with the approved drawings nos: r2i-050-001 - 012 inclusive.
- 4. No construction works above ground level shall take place until samples and documentary and photographic details of the types and colours of the external finishes to the residential development have been submitted to and approved by the Local Planning Authority in writing. The development shall be implemented in accordance with such approved details.
- 5. No development shall take place on the residential scheme until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and access ways and landscaped areas. The development shall be carried out in accordance with those approved details.

6. No development, including works of demolition or site clearance, shall take place on the residential development site 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.
7. 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) for the residential development site have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting; and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
8. A Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The Landscape Management Plan shall be carried out as approved.
9. Details of all walls, fences, gates and other means of enclosure to the residential development, including details of measures to separate the car park serving the surrounding area from being accessed from within the development shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development above ground level, and the development shall be implemented in accordance with such approved details.
10. Prior to the commencement of development, surveys recommended in the Phase 1 Habitat Survey accompanying the application shall be undertaken to determine:
 - (i) bat activity, including bat roosts in existing buildings and inspection / emergence survey of trees to be removed;
 - (ii) breeding bird activity;

- (iii) invertebrate survey;
- (iv) great crested newt survey of pond 2;
- (v) reptile presence / absence survey; and
- (vi) hedgerow surveys.

Surveys shall be undertaken in accordance with guidelines issued by Natural England or other relevant body and the results submitted and approved by the Local Planning Authority.

11. Notwithstanding conditions 7 - 9 above, in accordance with the Phase 1 Habitat Survey submitted with the application, details of habitat enhancement / restoration measures including (but not limited to) stag beetle piles, insect hotels, aquatic habitats, retaining and planting native species and provision of wildlife movement corridors through gardens shall be submitted to and approved by the Local Planning Authority prior to the commencement of the residential development above ground level. The works shall be fully implemented in strict accordance with the agreed details and an agreed timetable submitted as part of the details.
12. No development on the residential site shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted by the applicant and approved in writing by the Local Planning Authority.
13. No construction works above ground level shall take place until details of external lighting throughout the development have been submitted to and approved by the Local Planning Authority in writing. The development shall be implemented in accordance with such approved details.
14. No residential development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows.]

15. 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.]

16. 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.
17. 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.
18. 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.
19. No works shall take place on the residential development site until a detailed surface water drainage scheme based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development has been submitted to and approved by the Local Planning Authority. The scheme shall include (but not be limited to):

- (i) surface water run-off restricted to the 1 in 1 greenfield rate calculated from the area served by the drainage network;
- (ii) attenuation storage for the 1 in 100 inclusive of climate change storm event;
- (iii) treatment in line with CIRIA SuDS Manual C753;
- (iv) details in regard to drainage proposed at the school;
- (v) a drainage plan detailing final exceedance and conveyance routes, location and sizing of storage features, discharge rates and outfalls from the site; and
- (vi) phasing details of the said works.

The agreed works shall be fully implemented in accordance with the agreed details.

- 20. No works shall take place until a scheme to minimise off site flooding caused by surface water run-off and groundwater during construction has been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in full accordance with the agreed details.
- 21. No works above ground shall take place until a Maintenance Plan detailing the maintenance arrangements of the surface water system have been submitted to and approved by the Local Planning Authority. The applicant and any successor in title shall thereafter maintain yearly logs of maintenance made available to the Local Planning Authority on request.
- 22. The vehicle access to the residential development hereby approved shall be constructed so as to be used as the construction access for the said residential development. Other than during initial site investigation and set up, the existing Vicarage Lane entrance shall not be used for construction traffic or access for staff and shall be closed off for the duration of development by a suitable hoarding or fence to prevent access, and retained in that form for the duration of the work.
- 23. No development shall take place until the alignment of public rights of way crossing the site, and any variations thereto have been submitted to and approved by the Local Planning Authority. In the event any diversion is approved, no dwelling shall be occupied until an Order securing the diversion of the existing right of way has been confirmed and construction thereof has been completed in accordance with details that have been previously approved by the Local Planning Authority.
- 24. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - (i) the parking of vehicles of site operatives and visitors;

- (ii) loading and unloading of plant and materials;
 - (iii) storage of plant and materials used in constructing the development;
 - (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - (v) measures to control the emission of dust and dirt during construction, including wheel washing; and
 - (vi) a scheme for recycling/disposing of waste resulting from demolition and construction works.
25. 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.
26. All material excavated from below ground level shall be removed from the site unless otherwise agreed by the Local Planning Authority.
27. Prior to first occupation of the residential development, visibility splays for each access and footway improvement works shall be fully implemented in accordance with the agreed details and thereafter maintained in perpetuity.
28. Prior to the first occupation of the residential development, the developer shall submit details for the provision and implementation of a Residential Travel Information Pack, for approval by the Highway Authority. The plan shall be fully implemented for all occupiers of the development.
29. Any gate, or barrier installed to the Vicarage Lane car park within the residential scheme shall be so installed a minimum of 6 metres from the back edge of the carriageway.
30. Existing public rights of way across the site, on public footpaths 80, 82 and 83 shall be retained at all times during development. In the event a route requires temporary closure, details of an alternative route shall be submitted to and approved by the Local Planning Authority and the alternative route made available before closure takes place.
31. 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 Classes A, B, E and F of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.

9. EPF/0232/16 ABRIDGE GOLF AND COUNTRY CLUB, EPPING LANE, STAPLEFORD TAWNEY

The Senior Planning Officer presented a report for an environmental enhancement scheme embracing hydrology, conservation and access allied to an enabling development to ensure delivery at Abridge Golf & Country Club in Epping Lane, Stapleford Tawney. The application was before the Committee as it constituted a “*large scale major development*” as defined within guidance published by the Department of Communities and Local Government.

The Senior Planning Officer reported that the site was a Golf & Country Club with an area of 100 hectares. The site was bounded on the north by the M25 motorway, and adjoined the curtilage of Skinners Farmhouse – a listed building. The site was within the Metropolitan Green Belt, and sloped down from north to south. Beyond the southern boundary of the site, the slope was shallower towards the River Roding, and Brookhouse Brook (a tributary of the River Roding) adjoined the western boundary.

The Senior Planning Officer stated that there were two elements to the proposal: engineering operations to improve drainage; and the erection of fourteen houses. The engineering operations would create 16 lakes and ponds which would act as reservoirs. The water collected would then be used for irrigation purposes on the site during the summer months. No spoil would be taken off site, and the excavations would be accompanied by ground re-modelling works elsewhere on the site. An all-weather buggy track would also be created, as well as two new toilets for use by people with disabilities. Fourteen four-bedroom two-storey houses of three different design types would be constructed near the existing vehicular access to the clubhouse. The construction of these houses would be necessary to fund the engineering works.

The Senior Planning Officer advised the Committee that Planning Officers had concluded the erection of fourteen houses in the Metropolitan Green Belt was fundamentally contrary to policy. The benefits of the engineering operations were not sufficient to overcome the inappropriateness of new housing in the Green Belt, which would cause obvious harm to the openness, rural character and appearance of the locality. Therefore, refusal of planning permission had been recommended.

The Committee noted the summary of representations and that 135 letters of support had been received, albeit of a pro forma nature. Both Theydon Mount Parish Council and Theydon Bois Action Group had strongly objected to the proposals. The Committee heard from the Applicant’s Agent, who offered the Council a Section 106 Legal Agreement in connection with the proposal, before proceeding to debate the application.

In response to questions from the Committee, the Senior Planning Officer stated that the Council’s Drainage Team did see potential benefits from the scheme, although the Committee queried the lack of evidence to support this view. A Viability Appraisal, to demonstrate that the scheme would be unviable if any affordable housing had to be provided, had been requested from the Applicant but nothing had been forthcoming. The Assistant Director of Governance (Development Management) highlighted that the area around Abridge was a flood plain for the River Roding, and that a Flood Alleviation Scheme costing £1.3million had resolved previous problems at Hillmans Cottages in Abridge. The Senior Planning Officer reiterated that the Buggy Track and new Toilets were the facilities being provided for people with disabilities.

The Committee felt that there were no special circumstances to justify the proposed enabling development in the Green Belt, and no wider public benefit from the application as a whole. It was contrary to all Green Belt policies, and was an unsustainable location for 14 new houses which would represent an approximate increase of 26% in the population of Theydon Mount. There was scepticism expressed about the M25 motorway being a cause of flooding on the Golf Course, and it was highlighted that Abridge had flooded both before and after the M25 had been built. The catchment area for the River Roding was extensive, and the River had always flooded. The Committee was content for the Golf Club to improve the drainage on the course, but was against the building of 14 new houses at the proposed location. There were also concerns about the lack of evidence produced to validate the various claims being made.

Resolved:

(1) That planning application EPF/0232/16 at Abridge Golf & Country Club in Epping Lane, Stapleford Tawney be refused permission for the following reasons:

1. The site lies within the Metropolitan Green Belt. The proposed development, more specifically its associated enabling development, is inappropriate in the Green Belt and, by definition, harmful. It fails to protect the openness of the Green Belt and encroaches into the countryside to a significantly greater degree than existing structures on site. The details accompanying the application do not amount to very special circumstances sufficient to outweigh the harm to the Green Belt that would result from the development. The proposal is therefore contrary to policies GB2A and GB7A of the Adopted Local Plan and Alterations and the aims and objectives of the National Planning Policy Framework.
2. The proposal would fail to provide any Affordable Housing and as such would be detrimental to public amenity and contrary to Policies H5A, H6A, H7A and H8A of the adopted Local Plan and Alterations and the provisions of the National Planning Policy Framework.
3. By reason of the scale and position of the proposed housing development and nature of the junction alterations, the development would be detrimental to the visual amenities of the surrounding area and harmful to the character and appearance of this rural location, contrary to policies DBE4, LL1, LL2 and LL10 of the Adopted Local Plan and Alterations and the aims and objectives of the National Planning Policy Framework
4. By reason of their siting in a location that is poorly served by public transport and remote from goods, services and employment opportunities, the occupants of the proposed dwellings would be over dependent on private motor vehicles. Consequently, the enabling component of the proposed development is unsustainable, contrary to Local Plan and Alterations policies CP3 and ST1, which are consistent with the policies of the National Planning Policy Framework.

10. EPF/0883/16 13 CHURCHFIELDS, EPPING

The Senior Planning Officer presented a report for the erection of front and rear dormer windows as part of a loft conversion at 13 Churchfields in Epping. The

application was before the Committee as it had been submitted by a serving District Councillor.

The Senior Planning Officer reported that the application site was located on the Churchfields residential estate, east of Epping High Street, and the existing building was a two storey dwelling situated within a relatively small plot. Homefield Close was located to the south of the site, and there was a gap of 20 metres between the dwelling at 13 Churchfields and the closest neighbour in Homefield Close. The proposed development was for the erection of front and rear dormer windows to the existing roof slope.

The Senior Planning Officer stated that the development would not harm the living conditions of the neighbours and the design was not harmful to the character or appearance of the existing building or its setting. It complied with relevant local and national planning policy and had been recommended for approval.

The Committee noted the summary of representations, including the objection from 3 Homefield Close and that Epping Town Council had no objections to the scheme.

Resolved:

(1) That planning application EPF/0883/16 at 13 Churchfields in Epping be granted permission, subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
2. Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.

11. ANY OTHER BUSINESS

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

12. EXCLUSION OF PUBLIC AND PRESS

The Committee noted that there was no business for consideration which necessitated the exclusion of the public and press.

CHAIRMAN

This page is intentionally left blank

Report to the District Development Management Committee

Report Reference: DEV-006-2016/17
Date of meeting: 3 August 2016



**Epping Forest
District Council**

Subject: Planning Application EPF/0213/16 Land and Garages rear of 54-60 Hornbeam Road (Bourne House), Buckhurst Hill, Essex, IG9 6JY - Demolition of garages and replacement with 2 x 3 bed two storey affordable homes with 5 parking spaces and associated landscaping.

Responsible Officer: Nigel Richardson (01992 564110)

Democratic Services: Gary Woodhall (01992 564470)

Recommendation:

- (1) That planning permission be refused for the following reason:
1. By reason of the loss of 7 let garages and the failure of the proposal to make appropriate alternative provision for off-street car parking within the locality, the proposal is likely to exacerbate parking stress in the locality to the detriment of its character and residential amenities. Accordingly, the proposal is an unsustainable form of development, contrary to policies CP3(v) and DBE2 of the Local Plan and Alterations, which are consistent with the National Planning Policy Framework.

Report:

1. This application was considered by Area Plans Sub-Committee South on 29 June 2016 where Members voted to refuse the application (for the reason outlined above) contrary to the Officer recommendation for approval. After this vote, 4 Members of the Sub-Committee stood to exercise their right to require that no action be taken on the matter until it has been considered by the District Development Management Committee, with the revised recommendation to refuse.
2. As noted within the original report below this is one of three applications for sites in close proximity which are all before the committee this evening. A fourth application (EPF/0634/16) also in close proximity was withdrawn prior to the Sub-Committee meeting.
3. The original report is attached in full below for consideration.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(g)) and since it is for a type of development that cannot be determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

The application site is a roughly rectangular site accessed by a narrow access way adjacent to maisonettes and Bourne House which leads onto Hornbeam Road. The site slopes down to the east with the rectangular part of the site at a lower level than the road. To the east of the site is a sport pavilion/changing facilities with open playing fields beyond, to the north a washing drying/storage area for Bourne House and to the south the rear garden for 62 Hornbeam Road. The site is a Council owned garage site with 25 garages located in two linear facing blocks, one backing onto the playing fields and one backing onto the rear gardens of 54 – 60 Hornbeam Road. Of the 25 garages 18 are currently vacant. The site is not within the Metropolitan Green Belt (although it is adjacent to it) or a Conservation Area.

Description of Proposal:

The application seeks consent for the demolition of the existing garages and construction of 2 x 3 bed two storey affordable homes with 5 parking spaces. The proposed dwellings will have rear gardens backing on to the rear garden of 62 Hornbeam Road with parking to the front (north) of the site.

Relevant History:

No relevant history at this site. However this is one of four applications submitted on Council owned garage sites along Hornbeam Road/Close all within 300m of each other. (EPF/0213/16, EPF/0234/16, EPF/0215/16 and EPF/0634/16). This site is the most southerly of the garage site. Due to the close proximity of the application sites, one letter was sent to all neighbours to ensure all neighbours were aware of all 4 of these applications.

Several similar schemes in other areas are under consideration or have already been to Committee for a decision for similar housing schemes on Council owned garage sites.

Policies Applied:

Epping Forest District Local Plan and Alterations

- 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 National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

Summary of Representations:

BUCKHURST HILL PARISH COUNCIL: OBJECTION

1. Concerns regarding car parking particularly displacement of existing parking arrangements, lack of car parking in general plus new build. Would request that the Transport Statement is redone
2. Impact on infrastructure e.g. schools, doctors
3. Collective overdevelopment of the whole area i.e. all proposed developments [4 in Hornbeam Road/Close] including the large development at Luxborough Lane
4. Concern regarding overlooking and lack of privacy for existing residents
5. Concern regarding drainage and proximity to flood plain.

189 Neighbours surrounding all four sites were consulted on all four applications and several Site Notices were erected which included a plan showing a location of each of the four sites:

28 OBJECTIONS were received from the following addresses:

1 CASCADE CLOSE, 6 CASCADE CLOSE, 8 CASCADE CLOSE, 10 CASCADE CLOSE, 11 CASCADE CLOSE, 12 CASCADE CLOSE, 20 CASCAGE CLOSE, 83 CHESTNUT AVENUE, 12 HORNBEAM CLOSE, 18 HORNBEAM CLOSE, 22 HORNBEAM CLOSE, 26 HORNBEAM CLOSE, 30 HORNBEAM CLOSE, 32 HORNBEAM CLOSE, 34 HORNBEAM CLOSE, 40 HORNBEAM CLOSE, 2 HORNBEAM ROAD, 8 HORNBEAM ROAD, 13A HORNBEAM ROAD, 14 HORNBEAM ROAD, 16 BOURNE HOUSE, HORNBEAM ROAD, 28 HORNBEAM ROAD, 32 HORNBEAM ROAD, 34 HORNBEAM ROAD, 78 HORNBEAM ROAD, BUCKHURST HILL LEISURE GARDENS ASSOCIATION (ALLOTMENTS), BUCKHURST HILL RESIDENT'S ASSOCIATION AND ONE ADDRESSEE UNKNOWN.

The responses can be summarised as follows:

PARKING was raised as an important issue in all of the letters due to the already restricted parking, overlooking, loss of privacy, loss of light, loss of view, noise during construction, harm to trees, concern with regards to flawed parking survey, out of scale, overbearing, loss of privacy, greater strain on existing facilities (schools/medical etc.), footpath compromised, increased traffic, increase in pollution, road safety, concern over flooding, garages provided safe secure storage for cars, parking restriction in Station Way has pushed commuter parking into streets, concern regarding impact on allotment (access, light, security), blocking existing accesses, proximity to existing development at Luxborough Lane.

Issues and Considerations:

The main issues with this proposal relate to suitability of site, design, impact on amenity and highway/parking issues.

Suitability of Site

Hornbeam Road is within the built up area of Buckhurst Hill and the site is classed as a brownfield site. The site is within 500m of Roding Valley Underground Station and the shops, services and facilities of Station Way and approximately 1,200m from Buckhurst Hill Underground Station and the shops, services and facilities of Queens Road and Lower Queens Road. The site is considered a sustainable location.

The proposal is for 2 x 3 bed properties and therefore a minimum of 80m² of private amenity space should be provided for each dwelling. The garden sizes for both properties exceeds this suggested minimum and in addition are useable in size and shape and south facing.

Design

The proposed design is a traditional pitched roof pair of semi-detached properties but with contemporary window detailing and angled overhanging jettys at first floor to the rear. The design of the proposal is considered acceptable and although different to the more traditional dwellings in the surrounding area are at a much lower level and will be viewed in relative isolation to other properties.

The proposal will only be partially visible from the streetscene if viewing the site from Hornbeam Road to the north but it is not considered to disrupt the appearance of the streetscene and is a suitable addition.

Amenity

The proposal will side onto the rear gardens of 54-60 Hornbeam Road, with a set in from the boundary of 5m and a total distance from the main rear wall (existing) to main side wall (proposed) of 16m. This is considered a sufficient distance to avoid the proposal appearing overbearing or reducing light to these properties. Additionally the proposal will be at a lower level than these properties and this is considered to further mitigate against any significant loss of amenity.

The rear gardens will back onto the side of the rear garden of 62 Hornbeam Road with the proposed rear gardens having a depth of 11m. Although views may be possible across the rear of No. 62 and beyond the proposal has been designed with angled and obscured glazed windows at first floor which will prevent any overlooking issues arising.

Highways

A key issue with this application is with regards to the loss of the garages and the impact this may have on parking in the area, this has been amplified within all the neighbour responses.

As the four applications on Hornbeam Road/Close are so close together one Transport statement was submitted for all four sites.

Information with regards to the letting of the garages on this site was submitted with the application that states that 7 of the 25 garages are currently rented with the others vacant, although it is not known what the rented garages are used for. Of those 7 garages, 2 are rented to people outside of a 200m and the others are all rented to people within 50m of the site.

At the time of the site visit it was clear that parking within the area could be difficult but not impossible.

One parking survey was conducted for all four sites across two week days nights in accordance with the Lambeth Survey Methodology. Parking stress for the combined area (around all four sites) was found to be 61%. Given the large amount of vacant garages on this site (and the other three) this was taken into account as part of the formula to predict the proposed parking stress. Additionally the proposed number of parking spaces above that suggested by the Essex Parking Standards at 12 unallocated spaces (across all 4 schemes) has also been included in the proposed parking stress formula resulting in a parking stress increase to 63%. Accordingly there would be spare capacity to accommodate any potential displacement.

Residents and the Parish Council have raised concerns with regards to the Transport Assessment and Officer's have considered these concerns justified.

The method of parking stress calculation for the four Hornbeam Road/Close sites is slightly different to other garage sites that the Council has assessed and not necessarily providing a 'worst case' result i.e. if all garage were rented out. The Transport Consultants were made aware of this by Officer's and asked to provide a 'worst case' figure and the following response was provided:

To assess this 'worst case scenario' I would think it suitable to offset the figure of 85 [existing garages across all four sites] partly with the provision of the 12 additional parking spaces provided by the development[s], as there can be no dispute that the 12 spaces will be provided and made available for use. Therefore the worst possible case would be 85 garages being utilised and these all parking on the local highway network as a result of the development[s], minus the additional 12 parking spaces provided by the development. This equates to 73 vehicles added to the local highway network which would provide a total unrestricted stress of 88%.

This 'worst case' scenario still shows spares capacity to accommodate any potential displacement and this is considered acceptable.

In addition to the above concern, concern was also raised by Officer's regarding the extent of the parking survey which stops immediately to the north of the most northerly garage site (EPF/0634/16) and does not include Cascade Close (which is located to the north and accessed from this garage site by a public footpath. The following response was received from the Transport Consultants:

With regards to Cascade Close, although this area could potentially increase the available parking capacity, we thought it unrealistic for residents to park the other side of a narrow footpath and therefore did not include this area within the survey. It would be our suggestion that residents would first attempt to look for a space as close to their property as possible with preference for those providing a view over and therefore surveillance of their vehicle from their property. If none of these spaces are available then residents would then look for the nearest possible space, at this point it would take a 1km journey along Oak Rise, waiting for a gap in traffic to turn onto Buckhurst Way and again onto Lower Queen's Road to reach Cascade Close,

travelling past available parking spaces. This would be inconvenient and it is most likely that residents would not want to park their vehicle completely out of sight.

Although this is considered a reasonable explanation it does not take into account that some resident's in Cascade Close rent garages on the most northerly site EPF/0634/16.

Notwithstanding the above points, the Essex County Council Highways Officer has no objection to the scheme subject to conditions.

The Highway Authority is satisfied that any displaced parking will not be detrimental to highway safety or efficiency as a result of the development. The submitted Transport Statement (TS) has demonstrated that at the very worst case the on-street parking levels will not reach an unacceptable amount. Although the Highway Authority does not necessarily endorse on-street parking, the reality is, there will be fewer vehicles actually displaced from the garages than the worst case scenario, as a reasonable proportion of the garages will not be used for parking in or have been demonstrated as being vacant. Further to this the applicant is providing some additional parking spaces throughout the 4 sites being redeveloped in this locality.

Further to this the proposal will not increase vehicle movements above the level of the previous use, operating at full capacity, so the use of the existing accessway will not be intensified by the development. It is also noted that the proposed layout does offer a reasonable turning area for delivery vehicles.

Consequently the proposal will not adversely affect highway safety or efficiency.

The proposal provides 5 spaces for 2 new dwellings which complies with the Essex Parking standards and the proposal is not considered contrary to policies ST4 and ST6 of the Local Plan.

Other issues

Affordable Housing

Local Plan policy H6A would not require any affordable housing to be provided on a scheme of this density on this size of site. However since the proposed development has been put forward on behalf of East Thames Housing Group and is located on Council owned land the development would provide 100% affordable housing. This would be of benefit to the overall housing provision within the district.

Since there is no requirement under Local Plan policy H6A to provide affordable housing on this site, and as this is a Council led development, it is not considered necessary in this instance to secure this by way of a legal agreement.

Landscaping

The Tree and Landscape Officer has no objection to the proposal subject to a hard and soft landscaping scheme being submitted and a tree protection plan submitted to ensure the protection of the adjacent trees.

Contaminated Land

Due to the use as domestic garages and the presence of the made ground there is the potential for contaminants to be present on site. Therefore the Contaminated Land Officer has requested the standard contaminated land conditions which are considered reasonable.

Conclusion:

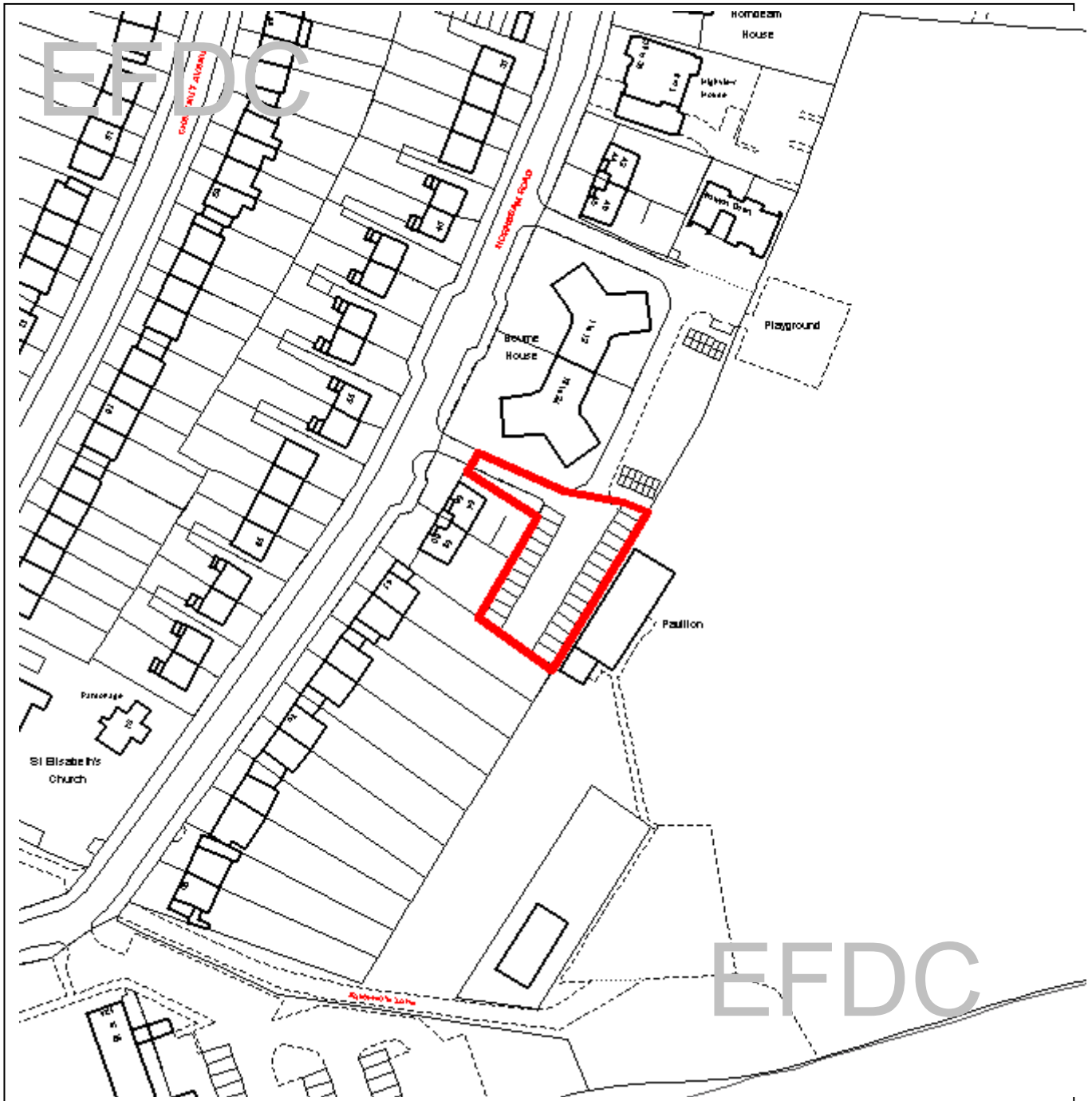
The proposal is considered acceptable with limited impact on amenity and an acceptable design. Although concerns have been raised regarding the existing parking situation and the methodology of the Transport Assessment and parking survey, the existing parking surrounding the area has been shown to be able to accommodate any displaced parking. On balance, given that the proposal will provide affordable housing within the District on a previously developed site approval is recommended.

This page is intentionally left blank



Epping Forest District Council

Agenda Item Number



Unauthorised reproduction infringes
Crown Copyright and may lead to
prosecution or civil proceedings.

Contains Ordnance Survey Data. ©
Crown Copyright 2013 EFDC License No:
100018534

Contains Royal Mail Data. © Royal Mail
Copyright & Database Right 2013

Application Number:	EPF/0213/16
Site Name:	Land and Garages rear of 54-60 Hornbeam Road (Bourne House), Buckhurst Hill, IG9 6JY
Scale of Plot:	1/1250

This page is intentionally left blank

Report to the District Development Management Committee

Report Reference: DEV-007-2016/17
Date of meeting: 3 August 2016



**Epping Forest
District Council**

Subject: Planning Application re: EPF/0215/16 – Land and Garages to rear of 2 - 12 Hornbeam Road (Hornbeam Close Site B), Buckhurst Hill, Essex, IG9 6JS - Demolition of garages and replacement with 3 x 3 bed two storey affordable homes with 7 parking spaces and associated landscaping.

Responsible Officer: Nigel Richardson (01992 564110)

Democratic Services: Gary Woodhall (01992 564470)

Recommendation:

(1) That planning permission be refused for the following reason:

- 1. By reason of the loss of 11 let garages and the failure of the proposal to make appropriate alternative provision for off-street car parking within the locality, the proposal is likely to exacerbate parking stress in the locality to the detriment of its character and residential amenities. Accordingly, the proposal is an unsustainable form of development, contrary to policies CP3(v) and DBE2 of the Local Plan and Alterations, which are consistent with the National Planning Policy Framework.**

Report:

1. This application was considered by Area Plans Sub-Committee South on 29 June 2016 where Members voted to refuse the application (for the reason outlined above) contrary to the Officer recommendation for approval. After this vote, 4 Members of the Sub-Committee stood to exercise their right to require that no action be taken on the matter until it has been considered by the District Development Management Committee, with the revised recommendation to refuse.

2. As noted within the original report below this is one of three applications for sites in close proximity which are all before the committee this evening. A fourth application (EPF/0634/16) also in close proximity was withdrawn prior to the Sub-Committee meeting.

3. The original report is attached in full below for consideration.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(g)) and since it is for a type of development that cannot be determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

The application site is a broadly rectangular site to the rear of 2 -10 Hornbeam Road and accessed by a vehicle accessway between No. 2 and a block of flats to the north. The site slopes down to the east so is a lower level than the main road and to the south of the site are further properties which are set back from Hornbeam Road. The site sides onto allotment gardens to the east which is also land within the Metropolitan Green Belt, although this site is not. The site is a Council owned garage site with 14 garages located in one block (backing onto the allotments). Of the 14 garages 3 are currently vacant. The site is not within a Conservation Area.

Description of Proposal:

The application seeks consent for the demolition of the existing garages and construction of 3 x 3 bed two storey affordable homes with 7 parking spaces. (The parking spaces were reduced from 8 to 7 during the application process to allow for a turning area). The proposed dwellings will have rear gardens backing on to the rear garden of 14 Hornbeam Road with parking laid out to the front (north) of the site.

Relevant History:

No relevant history at this site. However this is one of four applications submitted on Council owned garage sites along Hornbeam Road/Close all within 300m of each other. (EPF/0213/16, EPF/0234/16, EPF/0215/16 and EPF/0634/16). This site is the northern middle site of the garage sites. Due to the close proximity of the application sites, one letter was sent to all neighbours to ensure all neighbours were aware of all 4 of these applications.

Several similar schemes in other areas are under consideration or have already been to Committee for a decision for similar housing schemes on Council owned garage sites.

Policies Applied:

Epping Forest District Local Plan and Alterations

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 National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

Summary of Representations:

BUCKHURST HILL PARISH COUNCIL: OBJECTION

1. Concerns regarding car parking particularly displacement of existing parking arrangements, lack of car parking in general plus new build. Would request that the Transport Statement is redone
2. Impact on infrastructure e.g. schools, doctors
3. Collective overdevelopment of the whole area i.e. all proposed developments [4 in Hornbeam Road/Close] including the large development at Luxborough Lane
4. Concern regarding overlooking and lack of privacy for existing residents
5. Concern regarding drainage and proximity to flood plain.
6. Concern regarding impact on mature trees surrounding the site

189 Neighbours surrounding all four sites were consulted on all four applications and several Site Notices were erected which included a plan showing a location of each of the four sites:

28 OBJECTIONS were received from the following addresses:

1 CASCADE CLOSE, 6 CASCADE CLOSE, 8 CASCADE CLOSE, 10 CASCADE CLOSE, 11 CASCADE CLOSE, 12 CASCADE CLOSE, 20 CASCAGE CLOSE, 83 CHESTNUT AVENUE, 12 HORNBEAM CLOSE, 18 HORNBEAM CLOSE, 22 HORNBEAM CLOSE, 26 HORNBEAM CLOSE, 30 HORNBEAM CLOSE, 32 HORNBEAM CLOSE, 34 HORNBEAM CLOSE, 40 HORNBEAM CLOSE, 2 HORNBEAM ROAD, 8 HORNBEAM ROAD, 13A HORNBEAM ROAD, 14 HORNBEAM ROAD, 16 BOURNE HOUSE, HORNBEAM ROAD, 28 HORNBEAM ROAD, 32 HORNBEAM ROAD, 34 HORNBEAM ROAD, 78 HORNBEAM ROAD, BUCKHURST HILL LEISURE GARDENS ASSOCIATION (ALLOTMENTS), BUCKHURST HILL RESIDENT'S ASSOCIATION AND ONE ADDRESSEE UNKNOWN.

The responses can be summarised as follows:

PARKING was raised as an important issue in all of the letters due to the already restricted parking, overlooking, loss of privacy, loss of light, loss of view, noise during construction, harm to trees, concern with regards to flawed parking survey, out of scale, overbearing, loss of privacy, greater strain on existing facilities (schools/medical etc.), footpath compromised, increased traffic, increase in pollution, road safety, concern over flooding, garages provided safe secure storage for cars, parking restriction in Station Way has pushed commuter parking into streets, concern regarding impact on allotment (access, light, security), blocking existing accesses, proximity to existing development at Luxborough Lane.

Issues and Considerations:

The main issues with this proposal relate to suitability of site, design, impact on amenity and highway/parking issues.

Suitability of Site

Hornbeam Road is within the built up area of Buckhurst Hill and the site is classed as a brownfield site. The site is within 500m of Roding Valley Underground Station and the shops, services and facilities of Station Way and approximately 1,200m from Buckhurst Hill Underground Station and the shops, services and facilities of Queens Road and Lower Queens Road. The site is considered a sustainable location.

The proposal is for 3 x 3 bed properties and therefore a minimum of 80m² of private amenity space should be provided for each dwelling. The proposals fall slightly short of this in the region of 70m² for all three properties, however the gardens are useable in size and shape, are south facing and there is public open space some 100m from the site so therefore acceptable.

Design

The proposed design is for a terrace of three properties in a traditional style with a hipped roof. The design has contemporary features particularly to the rear with the solar panels and angled jettys at first floor.

The proposal will not be overly visible from Hornbeam Road, given that it is at a lower level and will in the main be screened by existing buildings and therefore it is considered an acceptable design.

Amenity

The proposal is located to the rear of Nos. 2 – 10 Hornbeam Road at a distance of 23m from the main rear wall of these properties to the side wall of the proposal. This is considered a sufficient distance to avoid the proposal appearing overbearing or restricting light to these properties and the lower level of the proposal mitigates further against any possible impact. A side facing window is proposed at first floor – but this is to serve a landing and is clearly marked as obscure so will prevent any possibility of overlooking.

As with the other schemes this proposal may partially block existing views across the open land to the rear, a right to a view is not a planning consideration.

The proposal will back on to the side of No. 14 Hornbeam Road with a separation distance of 13.5m. The proposal has been designed so that the two most easterly properties have angled first floor windows with part obscure glazing which will avoid any excessive overlooking over the private areas of No. 14. A perception of overlooking from the obscure glazed windows could arise, however, given the separation distance between them and the site boundary with 14 Hornbeam road that is very unlikely.

Highways

A key issue with this application and the three other associated applications is with regards to the loss of the garages and the impact this may have on parking in the area, this has been amplified within all the neighbour responses.

As the four applications on Hornbeam Road/Close are so close together one Transport statement was submitted for all four sites.

Information with regards to the letting of the garages on this site was submitted with the application that states that 11 of the 14 garages are currently rented with the other 3 vacant, although it is not known what the rented garages are used for. Of those 11 garages, 10 are rented to people who live within 80m of the site.

At the time of the site visit it was clear that parking within the area could be difficult but not impossible.

One parking survey was conducted for all four sites across two week days nights in accordance with the Lambeth Survey Methodology. Parking stress for the combined area (around all four sites) was found to be 61%. Given the large amount of vacant garages on this site (and the other three) this was taken into account as part of the formula to predict the proposed parking stress. Additionally the proposed number of parking spaces above that suggested by the Essex Parking Standards at 12 unallocated spaces (across all 4 schemes) has also been included in the proposed parking stress formula resulting in a parking stress increase to 63%. Accordingly there would be spare capacity to accommodate any potential displacement.

Residents and the Parish Council have raised concerns with regards to the Transport Assessment and Officer's have considered these concerns justified.

The method of parking stress calculation for the four Hornbeam Road/Close sites is slightly different to other garage sites that the Council has assessed and not necessarily providing a 'worst case' result i.e. if all garage were rented out. The Transport Consultants were made aware of this by Officer's and asked to provide a 'worst case' figure and the following response was provided:

To assess this 'worst case scenario' I would think it suitable to offset the figure of 85 [existing garages across all four sites] partly with the provision of the 12 additional parking spaces provided by the development[s], as there can be no dispute that the 12 spaces will be provided and made available for use. Therefore the worst possible case would be 85 garages being utilised and these all parking on the local highway network as a result of the development[s], minus the additional 12 parking spaces provided by the development. This equates to 73 vehicles added to the local highway network which would provide a total unrestricted stress of 88%.

This 'worst case' scenario still shows spares capacity to accommodate any potential displacement and this is considered acceptable.

In addition to the above concern, concern was also raised by Officer's regarding the extent of the parking survey which stops immediately to the north of the most northerly garage site (EPF/0634/16) and does not include Cascade Close (which is located to the north and accessed from this garage site by a public footpath. The following response was received from the Transport Consultants:

With regards to Cascade Close, although this area could potentially increase the available parking capacity, we thought it unrealistic for residents to park the other side of a narrow footpath and therefore did not include this area within the survey. It

would be our suggestion that residents would first attempt to look for a space as close to their property as possible with preference for those providing a view over and therefore surveillance of their vehicle from their property. If none of these spaces are available then residents would then look for the nearest possible space, at this point it would take a 1km journey along Oak Rise, waiting for a gap in traffic to turn onto Buckhurst Way and again onto Lower Queen's Road to reach Cascade Close, travelling past available parking spaces. This would be inconvenient and it is most likely that residents would not want to park their vehicle completely out of sight.

Although this is considered a reasonable explanation it does not take into account that some resident's in Cascade Close rent garages on the most northerly site (EPF/0634/16).

Notwithstanding the above points, the Essex County Council Highways Officer has no objection to the scheme subject to conditions.

The Highway Authority is satisfied that any displaced parking will not be detrimental to highway safety or efficiency as a result of the development. The submitted Transport Statement (TS) has demonstrated that at the very worst case the on-street parking levels will not reach an unacceptable amount. Although the Highway Authority does not necessarily endorse on-street parking, the reality is, there will be fewer vehicles actually displaced from the garages than the worst case scenario, as a reasonable proportion of the garages will not be used for parking in or have been demonstrated as being vacant. Further to this the applicant is providing some additional parking spaces throughout the 4 sites being redeveloped in this locality.

Further to this the proposal will not increase vehicle movements above the level of the previous use, operating at full capacity, so the use of the existing accessway will not be intensified by the development. It is also noted that the proposed layout does offer a turning area for delivery vehicles.

Consequently the proposal will not adversely affect highway safety or efficiency.

The proposal provides 7 spaces for 3 new dwellings which exceeds the Essex Parking standards and therefore provides the possibility of parking spaces for existing residents.

Other issues

Affordable Housing:

Local Plan policy H6A would not require any affordable housing to be provided on a scheme of this density on this size of site. However since the proposed development has been put forward on behalf of East Thames Housing Group and is located on Council owned land the development would provide 100% affordable housing. This would be of benefit to the overall housing provision within the district.

Since there is no requirement under Local Plan policy H6A to provide affordable housing on this site, and as this is a Council led development, it is not considered necessary in this instance to secure this by way of a legal agreement.

Landscaping:

The Tree and Landscape Officer has no objection to the proposal subject to a condition ensuring the protection of existing trees and a hard and soft landscaping scheme being submitted.

Contaminated Land:

Due to the use as domestic garages and the presence of the made ground there is the potential for contaminants to be present on site. Therefore the Contaminated Land Officer has requested the standard contaminated land conditions which are considered reasonable.

Conclusion:

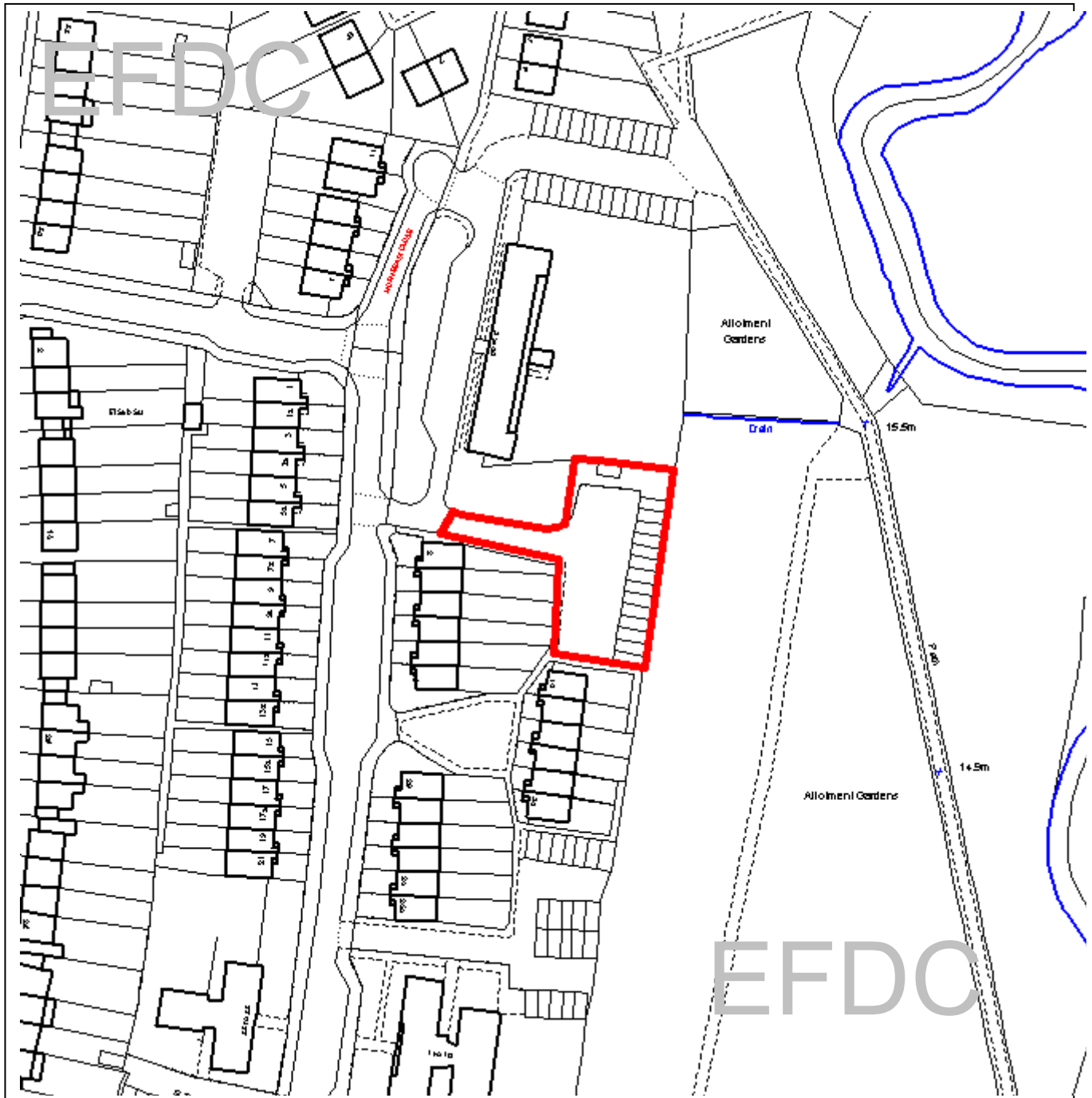
The proposal is considered acceptable with limited impact on amenity and an acceptable design. Although concerns have been raised regarding the existing parking situation and the methodology of the Transport Assessment and parking survey, the existing parking surrounding the area has been shown to be able to accommodate any displaced parking. Given the above and that the proposal will provide affordable housing within the District on a previously developed site approval is recommended.

This page is intentionally left blank



Epping Forest District Council

Agenda Item Number



Unauthorised reproduction infringes
Crown Copyright and may lead to
prosecution or civil proceedings.

Contains Ordnance Survey Data. ©
Crown Copyright 2013 EFDC License No:
100018534

Contains Royal Mail Data. © Royal Mail
Copyright & Database Right 2013

Application Number:	EPF/0215/16
Site Name:	Land and garages to rear of 2-12 Hornbeam Road (Hornbeam Close Site B), Buckhurst Hill, IG9 6JS
Scale of Plot:	1/1250

This page is intentionally left blank

Report to the District Development Management Committee

Report Reference: DEV-008-2016/17
Date of meeting: 3 August 2016



**Epping Forest
District Council**

Subject: Planning Application EPF/0234/16 Land and Garages to the rear of 30-34A Hornbeam Road (adj Hornbeam House), Hornbeam Road, Buckhurst Hill, Essex, IG9 6JT- Demolition of garages and replacement with 2 x 2 bed two storey affordable homes with 10 parking spaces and associated landscaping.

Responsible Officer: Nigel Richardson (01992 564110)

Democratic Services: Gary Woodhall (01992 564470)

Recommendation:

- (1) That planning permission be refused for the following reason:
1. By reason of the loss of 8 let garages and the failure of the proposal to make appropriate alternative provision for off-street car parking within the locality, the proposal is likely to exacerbate parking stress in the locality to the detriment of its character and residential amenities. Accordingly, the proposal is an unsustainable form of development, contrary to policies CP3(v) and DBE2 of the Local Plan and Alterations, which are consistent with the National Planning Policy Framework.

Report:

1. This application was considered by Area Plans Sub-Committee South on 29 June 2016 where Members voted to refuse the application (for the reason outlined above) contrary to the Officer recommendation for approval. After this vote, 4 Members of the Sub-Committee stood to exercise their right to require that no action be taken on the matter until it has been considered by the District Development Management Committee, with the revised recommendation to refuse.
2. As noted within the original report below this is one of three applications for sites in close proximity which are all before the committee this evening. A fourth application (EPF/0634/16) also in close proximity was withdrawn prior to the Sub-Committee meeting.
3. The original report is attached in full below for consideration.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(g)) and since it is for a type of development that cannot be determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

Description of Site:

The application site is a rectangular site accessed by a narrow vehicle accessway adjacent to Hornbeam House and properties to the north. The site slopes down to the east and is at a lower level than the street. To the north of the site are further residential properties set back from Hornbeam Road and to the east allotment gardens. The site is a Council owned garage site with 22 garages located within 4 blocks. Of the 22 garages 14 are currently vacant. The site is not within the Metropolitan Green Belt (although it is adjacent to it) or in a Conservation Area.

Description of Proposal:

The application seeks consent for the demolition of the existing garages and construction of 2 x 2 bed two storey affordable homes with 10 parking spaces. (The parking spaces were reduced from 11 to 10 during the application process to allow for a turning area). The proposed dwellings will have rear gardens backing on to the rear garden of 24 Hornbeam Road with parking to the front (south) of the site.

Relevant History:

No relevant history at this site. However this is one of four applications submitted on Council owned garage sites along Hornbeam Road/Close all within 300m of each other. (EPF/0213/16, EPF/0234/16, EPF/0215/16 and EPF/0634/16). This site is the southern middle site of the garage sites. Due to the close proximity of the application sites, one letter was sent to all neighbours to ensure all neighbours were aware of all 4 of these applications.

Several similar schemes in other areas are under consideration or have already been to Committee for a decision for similar housing schemes on Council owned garage sites.

Policies Applied:

Epping Forest District Local Plan and Alterations

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 National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

Summary of Representations:

BUCKHURST HILL PARISH COUNCIL: OBJECTION

1. Concerns regarding car parking particularly displacement of existing parking arrangements, lack of car parking in general plus new build. Would request that the Transport Statement is redone
2. Impact on infrastructure e.g. schools, doctors
3. Collective overdevelopment of the whole area i.e. all proposed developments [4 in Hornbeam Road/Close] including the large development at Luxborough Lane
4. Concern regarding overlooking and lack of privacy for existing residents
5. Concern regarding drainage and proximity to flood plain.
6. Concern regarding impact on mature trees surrounding the site
7. Large concerns over access to allotments and footpath and building over a Public Right of Way
8. Concerns regarding bordering onto an allotment site: impact on drainage and security

189 Neighbours surrounding all four sites were consulted on all four applications and several Site Notices were erected which included a plan showing a location of each of the four sites:

28 OBJECTIONS were received from the following addresses:

1 CASCADE CLOSE, 6 CASCADE CLOSE, 8 CASCADE CLOSE, 10 CASCADE CLOSE, 11 CASCADE CLOSE, 12 CASCADE CLOSE, 20 CASCAGE CLOSE, 83 CHESTNUT AVENUE, 12 HORNBEAM CLOSE, 18 HORNBEAM CLOSE, 22 HORNBEAM CLOSE, 26 HORNBEAM CLOSE, 30 HORNBEAM CLOSE, 32 HORNBEAM CLOSE, 34 HORNBEAM CLOSE, 40 HORNBEAM CLOSE, 2 HORNBEAM ROAD, 8 HORNBEAM ROAD, 13A HORNBEAM ROAD, 14 HORNBEAM ROAD, 16 BOURNE HOUSE, HORNBEAM ROAD, 28 HORNBEAM ROAD, 32 HORNBEAM ROAD, 34 HORNBEAM ROAD, 78 HORNBEAM ROAD, BUCKHURST HILL LEISURE GARDENS ASSOCIATION (ALLOTMENTS), BUCKHURST HILL RESIDENT'S ASSOCIATION AND ONE ADDRESSEE UNKNOWN.

The responses can be summarised as follows:

PARKING was raised as an important issue in all of the letters due to the already restricted parking, overlooking, loss of privacy, loss of light, loss of view, noise during construction, harm to trees, concern with regards to flawed parking survey, out of scale, overbearing, loss of privacy, greater strain on existing facilities (schools/medical etc.), footpath compromised, increased traffic, increase in pollution, road safety, concern over flooding, garages provided safe secure storage for cars,

parking restriction in Station Way has pushed commuter parking into streets, concern regarding impact on allotment (access, light, security), blocking existing accesses, proximity to existing development at Luxborough Lane.

Issues and Considerations:

The main issues with this proposal relate to suitability of site, design, impact on amenity and highway/parking issues.

Suitability of Site

Hornbeam Road is within the built up area of Buckhurst Hill and the site is classed as a brownfield site. The site is within 500m of Roding Valley Underground Station and the shops, services and facilities of Station Way and approximately 1,200m from Buckhurst Hill Underground Station and the shops, services and facilities of Queens Road and Lower Queens Road. The site is considered a sustainable location.

The proposal is for 2 x 2 bed properties and therefore a minimum of 60m² of private amenity space should be provided for each dwelling. The garden sizes for both properties exceeds this suggested minimum and in addition are useable in size and shape.

Design

The proposed design is for a pair of hipped roof semi-detached properties which are quite traditional in form. Contemporary details have been added including solar panels and the overall design is considered acceptable.

The proposal will not be overly visible from Hornbeam Road, given that it is at a lower level and will be partially screened by existing buildings and therefore it is considered an acceptable design.

Amenity

The proposal will side on to the rear of Nos. 34A and 34 Hornbeam Road with the development site at a much lower level. The proposal is set in from the boundary by 4.5m and there is a total distance main rear wall (existing) to main side wall (proposed) of 19m. This is considered more than a sufficient distance, particularly given the changes in levels to avoid the proposal appearing overbearing or reducing any light to these properties. Although the proposal will block the view from these properties across the open fields beyond, a right to a view is not a planning consideration.

The proposal will back onto the side of No. 24 Hornbeam Road, with the rear gardens of the proposal some 11m in depth. The existing brick wall is to be retained which will provide a good level of screening to the more private areas and in any event, the proposal has been designed so that the property to the east of the site does not have a habitable window facing to the rear to avoid any overlooking or loss of privacy.

The existing brick wall adjacent to the allotments is to be retained and this will minimise disruption to the allotment holders. The proposed dwellings are also set in from the allotment boundary by a minimum of 1m.

Highways

A key issue with this application and the three other associated applications is with regards to the loss of the garages and the impact this may have on parking in the area, this has been amplified within all the neighbour responses.

As the four applications on Hornbeam Road/Close are so close together one Transport statement was submitted for all four sites.

Information with regards to the letting of the garages on this site was submitted with the application that states that 8 of the 22 garages are currently rented with the others vacant, although it is not known what the rented garages are used for. Of those 8 garages, 5 are rented to people outside of a 220m and the other 3 are all rented to people within a 220m radius of the site.

At the time of the site visit it was clear that parking within the area could be difficult but not impossible.

One parking survey was conducted for all four sites across two week days nights in accordance with the Lambeth Survey Methodology. Parking stress for the combined area (around all four sites) was found to be 61%. Given the large amount of vacant garages on this site (and the other three) this was taken into account as part of the formula to predict the proposed parking stress. Additionally the proposed number of parking spaces above that suggested by the Essex Parking Standards at 12 unallocated spaces (across all 4 schemes) has also been included in the proposed parking stress formula resulting in a parking stress increase to 63%. Accordingly there would be spare capacity to accommodate any potential displacement.

Residents and the Parish Council have raised concerns with regards to the Transport Assessment and Officer's have considered these concerns justified.

The method of parking stress calculation for the four Hornbeam Road/Close sites is slightly different to other garage sites that the Council has assessed and not necessarily providing a 'worst case' result i.e. if all garage were rented out. The Transport Consultants were made aware of this by Officer's and asked to provide a 'worst case' figure and the following response was provided:

To assess this 'worst case scenario' I would think it suitable to offset the figure of 85 [existing garages across all four sites] partly with the provision of the 12 additional parking spaces provided by the development[s], as there can be no dispute that the 12 spaces will be provided and made available for use. Therefore the worst possible case would be 85 garages being utilised and these all parking on the local highway network as a result of the development[s], minus the additional 12 parking spaces provided by the development. This equates to 73 vehicles added to the local highway network which would provide a total unrestricted stress of 88%.

This 'worst case' scenario still shows spares capacity to accommodate any potential displacement and this is considered acceptable.

In addition to the above concern, concern was also raised by Officer's regarding the extent of the parking survey which stops immediately to the north of the most northerly garage site (EPF/0634/16) and does not include Cascade Close (which is located to the north and accessed from this garage site by a public footpath. The following response was received from the Transport Consultants:

With regards to Cascade Close, although this area could potentially increase the available parking capacity, we thought it unrealistic for residents to park the other side of a narrow footpath and therefore did not include this area within the survey. It would be our suggestion that residents would first attempt to look for a space as close to their property as possible with preference for those providing a view over and therefore surveillance of their vehicle from their property. If none of these spaces are available then residents would then look for the nearest possible space, at this point it would take a 1km journey along Oak Rise, waiting for a gap in traffic to turn onto Buckhurst Way and again onto Lower Queen's Road to reach Cascade Close, travelling past available parking spaces. This would be inconvenient and it is most likely that residents would not want to park their vehicle completely out of sight.

Although this is considered a reasonable explanation it does not take into account that some resident's in Cascade Close rent garages on the most northerly site (EPF/0634/16).

Notwithstanding the above points, the Essex County Council Highways Officer has no objection to the scheme subject to conditions.

The Highway Authority is satisfied that any displaced parking will not be detrimental to highway safety or efficiency as a result of the development. The submitted Transport Statement (TS) has demonstrated that at the very worst case the on-street parking levels will not reach an unacceptable amount. Although the Highway Authority does not necessarily endorse on-street parking, the reality is, there will be fewer vehicles actually displaced from the garages than the worst case scenario, as a reasonable proportion of the garages will not be used for parking in or have been demonstrated as being vacant. Further to this the applicant is providing some additional parking spaces throughout the 4 sites being redeveloped in this locality.

Further to this the proposal will not increase vehicle movements above the level of the previous use, operating at full capacity, so the use of the existing accessway will not be intensified by the development. It is also noted that the proposed layout does offer a reasonable turning area for delivery vehicles.

Consequently the proposal will not adversely affect highway safety or efficiency.

The proposal provides 10 spaces for 2 new dwellings which greatly exceeds the Essex Parking standards and therefore provides the possibility of parking spaces for existing residents.

Other issues

Affordable Housing:

Local Plan policy H6A would not require any affordable housing to be provided on a scheme of this density on this size of site. However since the proposed development has been put forward on behalf of East Thames Housing Group and is located on Council owned land the development would provide 100% affordable housing. This would be of benefit to the overall housing provision within the district.

Since there is no requirement under Local Plan policy H6A to provide affordable housing on this site, and as this is a Council led development, it is not considered necessary in this instance to secure this by way of a legal agreement.

Landscaping:

The Tree and Landscape Officer has no objection to the proposal subject to the existing trees being retained and hard and soft landscaping scheme and tree protection plan being submitted.

Contaminated Land:

Due to the use as domestic garages and the presence of the made ground there is the potential for contaminants to be present on site. Therefore the Contaminated Land Officer has requested the standard contaminated land conditions which are considered reasonable.

Access Issues:

Several neighbours have raised access issues due to the proposed closure of vehicle gates to the rear of their properties (32 and 34 Hornbeam Road). This is a private civil matter between the landowner and the occupiers of these properties. However, as this is an application on Council owned land the Council's Housing Officer has been made aware of this issue.

Conclusion:

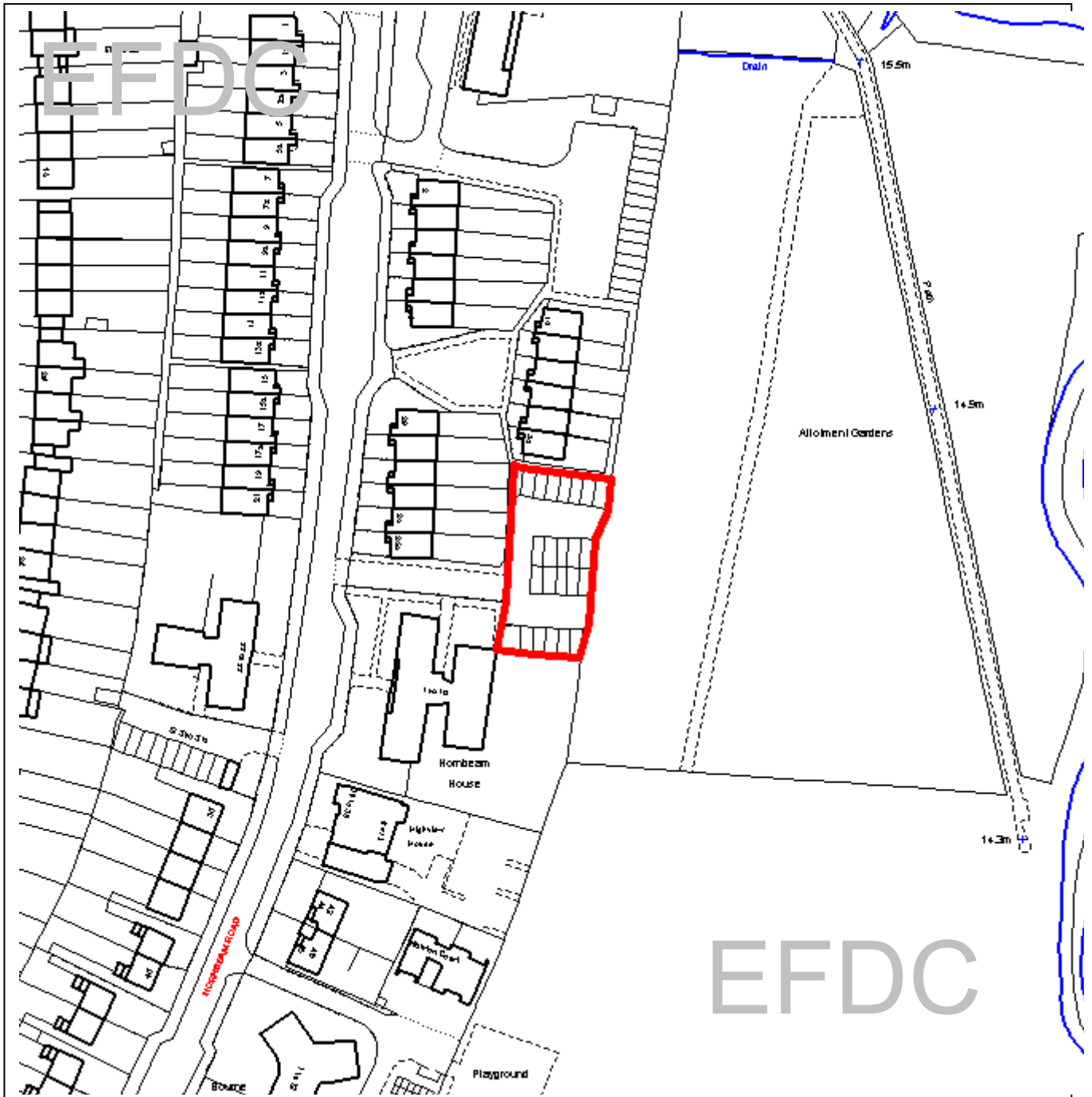
The proposal is considered acceptable with limited impact on amenity and an acceptable design. Although concerns have been raised regarding the existing parking situation and the methodology of the Transport Assessment and parking survey, the existing parking surrounding the area has been shown to be able to accommodate any displaced parking. Given the above and that the proposal will provide affordable housing within the District on a previously developed site approval is recommended.

This page is intentionally left blank



Epping Forest District Council

Agenda Item Number



Unauthorised reproduction infringes
Crown Copyright and may lead to
prosecution or civil proceedings.

Contains Ordnance Survey Data. ©
Crown Copyright 2013 EFDC License No:
100018534

Contains Royal Mail Data. © Royal Mail
Copyright & Database Right 2013

Application Number:	EPF/0234/16
Site Name:	Land and garages to the rear of 30-34a Hornbeam Road (adj Hornbeam House), Hornbeam Road, Buckhurst Hill, IG9 6JT
Scale of Plot:	1/1250

This page is intentionally left blank

Report to the District Development Management Committee

Report Reference: DEV-009-2016/17
Date of meeting: 3 August 2016



**Epping Forest
District Council**

**Subject: Planning Application EPF/1179/16 Highlands Farm, Old Rectory Road,
Stanford Rivers, Ongar, Essex, CM5 9PR - Change of use of an agricultural
barn to a 2 bed dwelling.**

Responsible Officer: Nigel Richardson (01992 564110)

Democratic Services: Gary Woodhall (01992 564470)

Recommendation:

- (1) That planning permission is granted subject to the following conditions:
1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
 2. The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 9881-01, 9881-02, 9881-03, 9881-04, 9881-06 and 9881-07
 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. No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
 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 inclusive of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
 6. No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets,

woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows.]

7. Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows.]

8. Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows.]

9. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
10. In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
11. Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.

(2) That authority be given to authorise a deed of release from the requirements of the Section 106 agreement attached to EPF/1721/07 concerning the above application site.

Report:

1. This application was considered by Area Plans Sub-Committee East on 13 July 2016 where Members voted to approve the application inline with the Officer recommendation. Following this vote, a second vote was taken on the second recommendation to authorise a deed of release from the requirements of the Section 106 agreement attached to EPF/1721/07 (preventing the building being used for residential purposes) but this recommendation was not agreed. After this second vote, 4 Members of the Sub-Committee stood to exercise their right to require that no action be taken on the matter until it has been considered by the District Development Management Committee, with the above Officer recommendations.

2. The original report is attached in full below for consideration.

In addition it is recommended that the Committee agree to a Deed of Release from the existing Legal Agreement under section 106 which currently prevents residential use of the building.

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

Description of Site:

The application site is a roughly rectangular plot of land with associated access road situated on the east side of Old Rectory Road within the rural area of Stanford Rivers. The application site contains a two storey timber framed and boarded barn with office area at first floor in the north east corner of the site and a yard area. To the west is an area where poultry is currently kept within a well treed area and to the south east open fields. The site is well screened at the boundaries by existing mature trees. The site is within the Metropolitan Green Belt but not a Conservation Area.

Description of Proposal:

The application seeks consent for the change of use and conversion of the existing agricultural barn to a 2 bedroom dwelling. The proposal also includes a parking area and garden within the existing yard area. Externally, new full height glazing will be installed at ground floor and an additional roof light within the roof slope.

Relevant History:

EPF/1721/07 - Retention of agricultural barn incorporating a farm office and the creation of an associated access road and hardstanding – App/Con with Section 106
EPF/0764/05 - Retention of building, hardstanding and access for agricultural use – Refused

Policies Applied:

Epping Forest District Local Plan and Alterations

CP2 – Protecting the Quality of the Rural and Built Environment
CP3 – New Development
CP5 – Sustainable Building
DBE1 – Design of New Buildings
DBE2 – Effect on Neighbouring Properties
DBE4 – Design in the Green Belt
DBE8 – Private Amenity Space
ST1 – Location of Development
ST4 – Road Safety

ST6 – Vehicle Parking
LL10 – Adequacy of provision for landscape retention
GB2A – Development within the Green Belt
GB8A – Change of use or Adaptation of Buildings
GB7A – Development conspicuous within or from the Green Belt

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 215 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

Summary of Representations:

STANFORD RIVERS PARISH COUNCIL – The Parish Council OBJECTS to this application on the basis of inappropriate development in the Green Belt.

No neighbour comments received

Issues and Considerations:

The main issues with this proposal are considered to be impact on Green Belt, design and impact on neighbours.

Green Belt:

Policy GB8A states that Council may grant planning permission for the change of use of a building in the Green Belt provided the building is permanent and of substantial construction, capable of conversion without major changes and that the use would not have a greater impact than the present use. In addition the “conversion for residential use must not require such changes to buildings that their surroundings, external appearance, character and fabric could be unsympathetically or adversely affected. This includes features such as new curtilages, boundary treatment (including walls and fences), windows, door openings and chimneys.”

A structural inspection report has been submitted as part of this application which concludes that the building is capable of being converted into domestic accommodation and from the Officer site visit there is no reason to doubt this recommendation. The installation of the windows is considered to be well planned, utilising existing openings and can be considered sympathetic to the existing design of the building.

The proposal is not considered to adversely affect the external appearance of the building or the setting of this building within the wider countryside due to the relatively minimal changes and good level of screening at the boundaries.

Although domestic features (such a washing line or children’s play equipment) may be introduced into the yard area which is to be used as a garden and parking area it is not considered that these features will harm the character or openness of the Green Belt in this location given the relative seclusion of the site and the existing yard type use of this area which is enclosed currently.

It is therefore not considered that the conversion of the barn would result in a harmful impact to the openness of the Green Belt or conflict with the purposes of including land within the Green Belt.

Notwithstanding the above assessment, the 2007 application for the retention of the building for agricultural purposes with office area above was approved by the Area Committee despite an Officer recommendation for refusal. This approval included a condition restricting the use of the building to agricultural purposes only and that it shall at no time be used as habitable residential accommodation. In addition to this condition, the planning permission was also granted subject to a Section 106 agreement being entered into to ensure the following:

1. not to use or permit any other person to use the Agricultural Barn for residential or domestic purposes;
2. not to occupy or permit any other person to occupy the Agricultural Barn overnight.

At the time of the previous decision it appears that there was a concern that the building could be used for residential purposes – however regardless of the condition and the Section 106 agreement planning permission has always been required for such a change of use.

Since the 2007 approval the National Planning Policy Framework has been published which allows for the 're-use of buildings provided that the buildings are of permanent and substantial construction', which is consistent with (but less detailed than) Local Plan policy GB8A. As outlined above, given the proposal has demonstrated that the building is capable of conversion and that the change of use is not considered to result in a materially greater harm than the present use, the proposal, despite the past history of the site is considered acceptable in Green Belt terms.

For the application to be approved and implementable a deed of release would have to be authorised by Members to remove the stipulations of the Section 106 as the grant of planning permission alone will not override the legal agreement.

Design:

The proposed design is considered acceptable, retaining the appearance of a traditional agricultural building. Existing openings have been used where possible and existing detailing retained.

Neighbouring Amenity:

The nearest residential neighbours are some 350m+ from the site and therefore no amenity concerns are raised.

Other Issues

Landscaping:

The Tree and Landscape Officer has no objection to the proposal subject to a condition requiring landscaping details.

Conclusion:

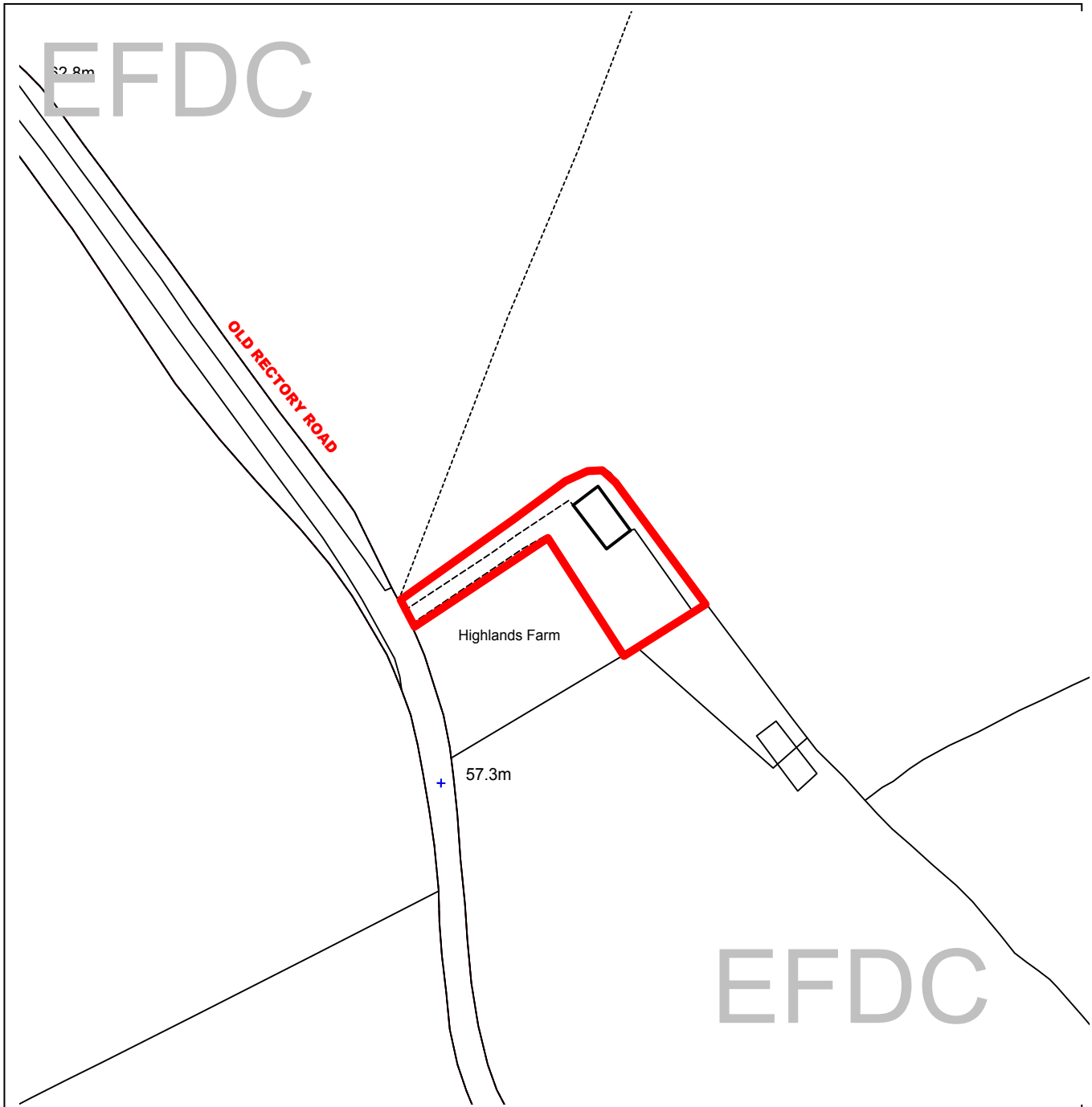
The proposal following the consideration above is acceptable and approval with conditions is therefore recommended. It is also recommended that authority is given to authorise a deed of release from the requirements of the Section 106 agreement attached to EPF/1721/07 concerning the same area of land.

This page is intentionally left blank



Epping Forest District Council

Agenda Item Number



Unauthorised reproduction infringes
 Crown Copyright and may lead to
 prosecution or civil proceedings.

Contains Ordnance Survey Data. ©
 Crown Copyright 2013 EFDC License No:
 100018534

Contains Royal Mail Data. © Royal Mail
 Copyright & Database Right 2013

Application Number:	EPF/1179/16
Site Name:	Highlands Farm Old Rectory Road Stanford Rivers Essex CM5 9PR
Scale of Plot:	1:1250

This page is intentionally left blank