



***District Development Management Committee
Wednesday, 30th November, 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, 30th November, 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

SUBSTITUTE NOMINATION DEADLINE:

18:30

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 COUNCIL PLANNING SUB-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

(Director of Governance) To report the appointment of any substitute members for the meeting in accordance with Council Rule S1 in the Constitution (Part 4 “The Rules” refers).

5. DECLARATIONS OF INTEREST

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

6. MINUTES (Pages 11 - 20)

To confirm the minutes of the last meeting of the Committee held on 28 September 2016.

7. EPF/2207/16 PLAYING FIELDS AND COMMUNITY CENTRE, HILLHOUSE, NINEFIELDS, WALTHAM ABBEY (Pages 21 - 42)

(Director of Governance) To consider the attached report for an outline application with all matters reserved except access for the erection of a Health Centre building; 60 Independent Living Older Persons Apartments Building (Use Class C2 - with a minimum of 6 hours care to be provided per week for each apartment) with a minimum of 40% affordable; Leisure Centre and Swimming Pool Building (to include Fitness Suite and Community Hall); Open Space including a mini soccer grass pitch for use by under 7/8 year olds and footpaths; and ancillary development including three vehicular accesses off Hillhouse, car parking, and SUDs Infrastructure and demolition of Ninefields Community Centre Building (DEV-014-2016/17).

8. EPF/1912/16 EPF/1924/16 WOODLAND CAMP, MANOR ROAD, LAMBOURNE (Pages 43 - 52)

(Director of Governance) To consider the attached report for the upgrade and renewal of the recreational facilities on the site to provide short stay all weather accommodation in order to ensure the site's continued use for recreational purposes, and advertisement consent for a proposed new camp site sign next to the site entrance (DEV-015-2016/17).

9. EPF/0035/16 - LAND ADJ TO THE BREWHOUSE, CHURCH LANE, ONGAR (Pages 53 - 68)

(Director of Governance) To consider the attached report for the proposed demolition

of existing outbuildings and erection of one new dwelling (DEV-016-2016/17).

10. ANY OTHER BUSINESS

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

11. 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 (Access to Information) of the Constitution 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.

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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."

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Advice to Public and Speakers at Council Planning Sub-Committees

Are the meetings open to the public?

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

When and where is the meeting?

Details of the location, date and time of the meeting are shown at the top of the front page of the agenda along with the details of the contact officer and Members of the Sub-Committee.

Can I speak?

If you wish to speak **you must register with Democratic Services by 4.00 p.m. on the day before the meeting**. 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. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Sub-Committee members.

If you are not present by the time your item is considered, the Sub-Committee 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.eppingforestdc.gov.uk. Any information sent to Councillors should be copied to the Planning Officer dealing with your application.

How are the applications considered?

The Sub-Committee will consider applications in the agenda order. On each case they will listen to an outline of the application by the Planning Officer. They will then hear any speakers' presentations.

The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Sub-Committee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Sub-Committee. Should the Sub-Committee propose to follow a course of action different to officer recommendation, they are required to give their reasons for doing so.

The Subcommittee are required to refer applications to the District Development Management Committee where:

- (a) the Sub-Committee's proposed decision is a substantial departure from:
 - (i) the Council's approved policy framework; or
 - (ii) the development or other approved plan for the area; or

- (iii) it would be required to be referred to the Secretary of State for approval as required by current government circular or directive;
- (b) the refusal of consent may involve the payment of compensation; or
- (c) the District Development Management Committee have previously considered the application or type of development and has so requested; or
- (d) the Sub-Committee wish, for any reason, to refer the application to the District Development Management Committee for decision by resolution.

Further Information?

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

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: District Development Management Committee **Date:** 28 September 2016

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.00 pm

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

Other Councillors: -

Apologies: B Rolfe and H Kauffman

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

25. 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.

26. 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 Committee meetings.

27. SUBSTITUTE MEMBERS

The Committee noted the following substitutions for this meeting:

- (a) Cllr Baldwin for Cllr Kauffman; and
- (b) Cllr Sartin for Cllr Rolfe.

28. APPOINTMENT OF VICE-CHAIRMAN

As Cllr Rolfe had tendered his apologies for the meeting, the Chairman invited nominations from the Committee for the appointment of a Vice-Chairman for the duration of the meeting.

Resolved:

(1) That Cllr Boyce be appointed as Vice-Chairman for the duration of the meeting.

29. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Member Code of Conduct, Cllr M Sartin declared a personal interest in the following item of the agenda, by virtue of having received a consultation letter on the application. The Councillor had determined that her interest was non-pecuniary and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0934/16 Roydon Marina, High Street, Roydon.

(b) Pursuant to the Council's Member Code of Conduct, Cllrs M Sartin and J M Whitehouse declared a personal interest in the following item of the agenda, by virtue of being a member of the Lee Valley Regional Park Authority. The Councillors had determined that their interest was non-pecuniary and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0934/16 Roydon Marina, High Street, Roydon.

30. MINUTES**Resolved:**

(1) That the minutes of the meeting held on 3 August 2016 be taken as read and signed by the Chairman as a correct record, subject to the following amendment:

(a) amending the reference to "*Essex Highways*" in condition (12) to "*Essex County Council*" for planning application EPF/1269/15 at the Golden Lion PH, Borders Lane in Loughton.

31. EPF/0934/16 - ROYDON MARINA, HIGH STREET, ROYDON

The Assistant Director of Governance (Development Management) presented a report for the extension of the existing Marina to provide an additional 240 berths, 120 parking spaces, additional associated facilities and a 28.88m² extension to the facilities building at the Roydon Marina, High Street in Roydon. This application was before the Committee as it was classed an application for major commercial and other developments.

The Assistant Director stated that the site was part of the existing Roydon Mill Leisure Park and the lake had been used for recreational purposes for many years. There were residential mobile homes to the east of the site and much of the Leisure Park had been redeveloped with new log cabin style mobile homes. Most of the lake was already in use as a Marina and access to the site was via the existing access track which was along the tow path from its junction with Roydon High Street. The application proposed to extend the existing 315 boat marina with mooring for an additional 240 boats, along with an additional 120 parking spaces. Some additional works were proposed to the access road to further deter speeding. The additional boats would be moored to floating jetties, and the floating walkways to access the jetties would be approached from the northern bank of the lake.

The Assistant Director reported that the main issues in the determination of this application were: the impact on the Green Belt; the landscape and the visual amenity of the area; the impact on wildlife, conservation and ecology; the impact on highways

and highway safety; the effect on residential amenity; hydrology; the loss of open water; residential use; the adequacy of facilities; and drainage and flood risk. In addition, the Committee were informed that policies RST1 (Development of additional Recreational, Sporting & Tourist Facilities) and RST22 (Potentially Intrusive Activities) were also applied to this application, and the Transport Policy within the National Planning Policy Framework was also highlighted.

Planning Officers had concluded that the development would not preserve the openness of the Green Belt due to the impact on the openness of the moored boats and cars that might be parked rather than the physical works proposed, and was therefore inappropriate development. However, the need for moorings to serve the recreational needs of London and the South-East, and the suitability of this site to provide for that need with minimal works, was considered sufficient to amount to very special circumstances that outweighed the relatively limited harm to the Green Belt and any other harm from the development. It was considered a development that supported open air, rural tourism and leisure activities in a logical and appropriate location within the Lee Valley Regional Park, and was therefore recommended for approval with conditions.

The Committee noted the summary of representations received in respect of this application. The Parish Council had objected on the grounds of access, traffic, parking, the existing planning conditions for the site not being complied with and in particular the boats not to be used for full time residential use, health and safety, the Green Belt, ecology, and the existing facilities within the village. The Roydon Society strongly opposed the application and the Roydon Boaters Association also objected. The Lee Valley Regional Park Authority commented that the number of berths should be reduced by 50% to preserve the openness of the water and Green Belt. In addition, 30 objections had been received from neighbours, relating to similar issues raised by the Parish Council. The Committee heard from an Objector, the Parish Council and the Applicant's Agent before proceeding to debate the application.

Cllr Sartin, the local Ward Member, reminded the Committee that the Tow Path was never meant for two-way traffic, as there was only one passing place and was also used for walking and cycling. It was also emphasised that Essex County Council Highways department had no authority over the access road as it was a private road owned by the Canal and Rivers Trust. The area of water sat within the Metropolitan Green Belt and was also a recreational area for anglers; Cllr Sartin queried that if the water was land within the Green Belt then would the Council consider the building of houses at this location? Cllr Sartin felt that the application should not be approved; however, if it was approved then condition 3 should be amended for full details of the Management Plan to be agreed in writing by the Council before any development of the site commenced, not prior to first use.

A number of Members who had attended the site visit emphasised the traffic congestion that had resulted whenever the barriers at the adjacent railway level crossing were lowered to allow trains to pass. This was potentially dangerous, and it was felt that the situation would only worsen if the application was approved, as the increased traffic movements from a 35% increase in the size of the site would also affect the village. The potential traffic congestion would concern Network Rail and nearby Stansted Abbots in East Hertfordshire. It was also pointed out that condition 4 was ultra vires as the developer did not have the authority to refresh the existing 'Keep Clear' markings, and that a sum of money should be paid to Essex County Council by the Developer for this. The significant number of objections to the application received by the Council was also highlighted.

The Assistant Director accepted that the Applicant did not have the right to renew the road markings, and that East Herts District Council had been consulted on the application but not Network Rail. No comments had been received from East Herts District Council. The Committee were reminded that it could refuse the application on the grounds of the impact on the Green Belt. The Chairman added that if the application was for houses then the Committee would have to consider it in a completely different light.

Members also highlighted that traffic from Stansted Abbots frequently sat on the Railway line at the level crossing waiting to turn right, which was potentially dangerous, and that there was also a small, blind humpback bridge on the site to add to the traffic concerns. Sewage and refuse from the site also had to be removed by service vehicles. The boats moored at the existing marina were larger than canal barges, and there was very little movement of boats witnessed at the site visit so maybe there was more residential use of the moored boats than the owners were aware of. It was suggested that if the non-residency condition could not be granted then the application should not be granted. It was also proposed that a condition could be included to outlaw any habitation of boats during January and February of each year, for example.

The Assistant Director stated that such a condition would be difficult to enforce as it would not cover the whole site, only the proposed extension. It was acknowledged that there would be conflict between the moored boats and cyclists on some parts of the tow path but Planning Enforcement Officers had investigated whether the existing boats were being used for residential purposes. The Assistant Director highlighted that the openness of the Green Belt would be affected by the proposal, although the Chairman commented that the visual impact would only likely affect other boat owners.

Cllr Sartin stated that the Committee had not been shown the special circumstances to justify the granting of the application in the Green Belt, and proposed that the application be refused by virtue of being inappropriate development in the Green Belt resulting in the loss of the existing open water area, and the increased parking and traffic movements would be detrimental to the use of the towpath and highway safety close to the nearby Railway level crossing. This proposal was seconded by Cllr Chambers.

Decision:

(1) That planning application EPF/0934/16 at Roydon Marina, High Street in Roydon be refused permission for the following reasons:

1. The proposed development, which would enable the intensive use of the whole of the lake for the mooring of boats, would result in the loss of the existing attractive open water area, and an increase in traffic movements along the narrow tow path access road, together with increased parking around the lake. These changes would adversely impact on the openness, character and visual amenity of the area and undermine the recreational value of the lake and surrounding area for existing boat owners, local residents and visitors to the Lee Valley Regional Park. It represented inappropriate development in the Metropolitan Green Belt and there were no very special circumstances to outweigh the resultant harm or any other of the identified harms. The proposal was therefore contrary to policies GB2a, RST1, RST7 and RST22 of the adopted Local Plan and Alterations and the National Planning Policy Framework.

2. The proposal would unduly exacerbate the traffic movements into and out of the tow path access road from the High Street access very close to a frequently used level crossing, which would be severely detrimental to highway and pedestrian safety, contrary to policies RST22(V) and ST4 of the Adopted Local Plan and Alterations and the National Planning Policy Framework.

32. EPF/1227/16 - MOSSFORD GREEN NURSERY, ABRIDGE ROAD, THEYDON BOIS

The Assistant Director of Governance (Development Management) presented a report for a Certificate of Lawful Development for the existing use of the site for storage of vehicles, caravans, motorhomes, trailers and machinery. This application had been considered by Area Planning Sub-Committee East at its meeting on 7 September 2016; the application was refused on the Chairman's casting vote, but four Members stood to refer the application to this Committee under the Minority Reference rules within the Constitution (Part 4, Rule M2 refers).

The Assistant Director reported that the site was located on the east side of Abridge Road, between the adjacent dwelling 'Highview' and Hillcroft Nursery, and had a single access with limited road frontage. The land closest to the road was used for recreational parking of motor homes, caravans and the such like; whilst at the southern end of the site were two buildings, the larger used for storage and the smaller for general vehicle repairs. The wider, surrounding area comprised open fields and the site was within the Metropolitan Green Belt.

The Assistant Director stated that such applications should be determined on a balance of probabilities, and informed the Committee of the legal advice received prior to the meeting in relation to Planning Policy Guidance 17c – Lawful Development Certificates. The evidence provided by aerial photographs, both those supplied by the Applicant and from the Council's own database, had supported the contention that the relevant areas had been hard surfaced and used for parking and storage at various times during the previous ten years. The Applicant had also granted access for Planning Officers to bookings diaries and bank paying-in books showing that vehicles had been stored at the site since at least 2007. A statement, in the form of a Statutory Declaration, had been submitted by the Applicant stating that he had owned the site since 1995 and had stored vehicles in various locations since.

Planning Officers had concluded that the evidence submitted was generally consistent with records held by the Council, and showed a clear pattern of storage of caravans and other vehicles over an extended period. There was little evidence to contradict that submitted by the Applicant, and it was considered that, on the balance of probabilities, the use was lawful.

The Committee noted the summary of representations, and that no responses had been received from the four neighbours consulted. The Theydon Bois & District Rural Preservation Society referred to previous applications for holiday pitches on the site and argued that the application would breach planning conditions in those applications. Theydon Bois Action Group questioned the evidence submitted to support the application. Theydon Bois Parish Council had objected to the application, arguing that the evidence was not sufficient to justify the grant of a Certificate on the balance of probability.

Some Members felt that the photographs from 2007 showed very few vehicles being stored at the site, and certainly no commercial storage of vehicles had been in

operation at that time. Therefore, the evidence did not support the view that the site had been used for ten years to store vehicles, and the application if granted could lead to an intensification of the use of the site. One Member even contended that, according to local information, the caravans marked as storage were actually being lived in.

The Assistant Director confirmed that the Planning Case Officer had visited the site, and the Applicant had provided written confirmation of commercial use of the site. Planning Officers were of the opinion that the photographs from 2007 were not too dissimilar to the current situation. It would be difficult to put a limit on the number of vehicles that could be stored on the site, although the storage of vehicles would be limited to the areas requested as part of the application. The Committee could amend the wording of the Certificate and add restrictions, for example no residential use of the stored caravans to be permitted.

Cllr C C Pond suggested that the Committee could decline to determine the application due to the confusing nature of the evidence, as a refusal would elicit an appeal from the Applicant. The Assistant Director advised the Committee that the Council could face a claim for costs at appeal if the application was not determined.

The Chairman suggested that the wording of the Certificate be amended to permit the site to be used for storage only, with no residential use of the stored caravans to be permitted, and the Committee concurred.

Decision:

(1) That the Development at Mossford Green Nursery, Abridge Road in Theydon Bois be considered Lawful, subject to the following conditions:

1. Having regard to the evidence submitted the Council was satisfied that the existing use of the land for parking and storage of vehicles, caravans, motor homes trailers and machinery had been extant for a period in excess of 10 years and the unit therefore benefited from existing use rights and was immune from any potential enforcement action.
2. The areas identified were not lawfully to be used for any other purpose than those stated in the application and therefore did not include any residential occupation or overnight stay.

33. EPF/1922/16 - 15 OAKWOOD HILL INDUSTRIAL ESTATE, OAKWOOD HILL, LOUGHTON

The Assistant Director of Governance (Development Management) presented a report for the variation of condition 2 – ‘Plan Numbers’ – on planning application EPF/2197/16 (Installation of two storey business units (Use Class B1a); part single and part two storey café (Use Class A3); forming a business incubator development of 34 units based on reconditioned shipping containers) to allow for a supporting base structure for the approved crates.

The Assistant Director reported that the site was located within the Oakwood Hill Industrial Estate, which was designated as an employment area, and comprised an open yard previously used for storage flanked by two x two-storey business units with a vehicle access in between. The site backed onto the London Underground railway line, was directly opposite the entrance road to the Estate and therefore visible from Oakwood Hill. The site was not within the Metropolitan Green Belt or a Conservation

Area. The proposal sought a minor material amendment to the plans approved by the Committee on 24 February 2016, for a supporting base structure to allow the reconditioned shipping containers to sit flat on the site, due to the slope to the rear of the site. The base structure would raise the front of the crates by a maximum of 0.8metres, and no other changes were proposed.

The Assistant Director stated that the application was before the Committee as it was considered a major planning application with the development of commercial floor space in excess of 1000m². The Council owned the freehold of the site. The main issues to be considered for this proposal were the impact on the overall design and amenity. Planning Officers had concluded that the amendment was relatively small and the addition of the base structure was considered acceptable; therefore approval of planning permission, with conditions, had been recommended.

The Committee noted the summary of representations, and that Loughton Town Council had no objection to the application. No responses had been received from neighbours during the consultation period.

Decision:

(1) That planning application EPF/1922/16 at 15 Oakwood Hill Industrial Estate, Oakwood Hill in Loughton 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: 1.01, 1.02, 1.03, 1.04, 1.05, 1.11, 1.12, 1.13, 1.14, and 1.22 all dated 11/12/2015 and e16041-001-A and e16041-002-A both dated 16/03/16
3. The development shall be implemented in accordance with the approved details submitted under EPF/1915/16 showing a photograph of the proposed crate.
4. The development shall be implemented in accordance with the Surface Water Drainage Design document and drainage plan 5202/501-A submitted under EPF/1915/16. These approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
5. No development shall take place 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.]

6. 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.]

7. 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.]

8. 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.

9. 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.
10. The development shall be implemented in accordance with the design and method statements (submitted plans and email communication with London Underground) submitted under reference EPF/1915/16.
11. 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.
12. The development shall be implemented in accordance with the submitted Construction Management Plan (dated March 2016) submitted under reference EPF/1915/16. This approved Statement shall be adhered to throughout the construction period.
13. 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.
14. There shall be no open storage.

34. ANY OTHER BUSINESS

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

35. 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

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Report to District Development Management Committee



**Epping Forest
District Council**

**Report Reference: DEV-014-2016/17
Date of meeting: 30 November 2016**

Subject: Planning Application EPF/2207/16 – Playing fields and Community Centre, Hillhouse, Ninefields, Waltham Abbey, EN9 3EH – Outline application with all matters reserved except access for the erection of a Health Centre building; 60 Independent Living Older Persons Apartments Building (Use Class C2 - with a minimum of 6 hours care to be provided per week for each apartment) with a minimum of 40% affordable; Leisure Centre and Swimming Pool Building (to include Fitness Suite and Community Hall); Open Space including a mini soccer grass pitch for use by under 7/8 year olds and footpaths; and ancillary development including three vehicular accesses off Hillhouse, car parking, and SUDs Infrastructure and demolition of Ninefields Community Centre Building.

Responsible Officer: Nigel Richardson (01992 564110)

Democratic Services: Gary Woodhall (01992 564470)

Recommendation:

(1) That consent is granted, subject to the following conditions and the completion by 1 March 2017 (unless otherwise agreed in writing by the Local Planning Authority) of a LEGAL AGREEMENT:

- (a) to secure 40% affordable housing as part of the independent living accommodation (Class C2);**
- (b) for this element of the scheme to be provided by a developer listed in Essex County Council's Developer/Provide Panel; and**
- (c) to provide £340,000 financial contribution to be used on projects identified through the Playing Pitch Strategy.**

(2) In the event that the developer/applicant fails to complete a Section 106 Agreement within the stated time period, Members delegate authority to Officers to refuse planning permission on the basis that the proposed development would not comply with Local Plan policies regarding the provision of affordable housing and the loss of playing fields.

(3) Proposed planning 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) layout;
 - (ii) scale;
 - (iii) appearance; and
 - (iv) 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. The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 01131_PP_04 Rev: P2, 01131_MP_03 Rev: P1, 02218-01 and the letter dated 27th October 2016 from Derek Macnab, Director of Neighbourhoods & Deputy Chief Executive, regarding a commitment to pay a financial contribution.
4. Construction of the leisure centre development hereby permitted shall not commence until the area shown in Drawing 01131 PP 04 Rev: P2 has been delineated as a mini football pitch with dimensions of 37 x 27 metres with goal posts so that it is available for use as a mini soccer pitch. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order amending, revoking or re-enacting that order) that area shall not thereafter be used for any purpose other than as a playing field unless otherwise approved in writing by the local planning authority.
5. The relocation scheme for existing formal users of the playing fields as outlined within the letter dated 15th November 2016 from James Warwick, Assistant Community Health and Wellbeing Manager for Epping Forest District Council, shall be agreed prior to commencement of the development, unless otherwise agreed in writing by the Local Planning Authority.
6. No development shall take place, including any ground works or demolition, until a Construction Management Plan (CMP) has been submitted to and approved in writing by the local planning authority. The approved CMP shall be adhered to throughout the construction period. The CMP shall provide for the following all clear of the highway:
 - Safe access into the site
 - The parking of vehicles of site operatives and visitors
 - Loading and unloading of plant and materials
 - Storage of plant and materials used in constructing the development
 - Wheel and underbody washing facilities
7. Prior to the first occupation of the development the access arrangements and visibility splays, as shown in principle on Phil Jones Associates drawing no.02218-01, shall be fully implemented and be retained as such in perpetuity (subject to appropriate detailed design and road safety audit).

8. Prior to first occupation of the development details shall be submitted to and agreed in writing by the Local Planning Authority for an upgrade to the existing surface of footpath no.54 Waltham Abbey, from the footbridge at Hillhouse west to its junction with Mason Way (approx. 245m), and/or possibly improving it to an adopted shared use ped/cycleway 3m wide, the approved scheme shall then be fully implemented.
9. The recommendations and enhancements in sections 8.4, 8.8 and 8.9 of the Preliminary Ecological Assessment dated 26/7/16 by place services shall be adhered to. These include the following:

 - Specialist nest boxes and three generalist bird boxes shall be incorporated into the development affixed to trees on or adjacent to the site.
 - Any removal of trees, scrub or hedgerows shall be undertaken outside of the bird breeding season (commonly between 1st March and 31st August). If this is not possible, habitat removal shall be supervised by an ecologist.
 - Suitable reptile habitat along Honey Lane Brook shall be retained and enhanced. Contractors should be made aware of the legislation protecting reptiles, and as a precautionary measure any habitat clearance shall be carried out when temperatures exceed 10 degrees.
 - Tree planting consisting of native species of local provenance should be incorporated into the development (such as oak, field maple, silver birch, alder and aspen). Fruit bearing trees including cherry, hawthorn, guelder rose and rowan should also be included. Planting should be linear and link to off-site habitats where possible.
 - Any hedgerow planting should link to existing, or proposed habitat to ensure habitat connectivity through the site.
 - Tree planting along Cripsey Brook would help to absorb run-off and any associated pollution.
 - As well as tree planting, additional shrub and marginal plants of local provenance should be introduced. This scheme should be dictated by the soil conditions and jointly designed by a landscape architect / ecologist.
 - Log piles should be introduced to benefit invertebrates and provide habitat for reptiles to shelter under.
 - Some scrub should be left to benefit nesting birds.
 - Litter on the banks and within the stream should be removed.
10. The Location of the proposed Independent Living Apartments, Health Centre and Leisure Centre/Swimming Pool shall be within those areas indicated on drawing ref: 01131_PP_06 Rev: P1.
11. The development hereby approved shall be carried out in accordance with the Flood Risk and Drainage Impact Assessment Issue 5 dated 15 August 2016, unless otherwise agreed in writing by the Local Planning Authority.
12. 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.

- 13. No development shall take place until details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.**

Report

This application is put to the District Development Management Committee since it is a major application for development on the Council's own land and since it is "large scale major" application as defined within guidance issued by the DCLG (Pursuant to The Constitution, Part Two, Article 10 (b)).

Planning Issues

1. The application has been made on behalf of Epping Forest District Council, Essex County Council and NHS Midland & East for the demolition of the existing Community Centre and erection of a Health Centre building; 60 Independent Living Older Persons Apartments Building; and a Leisure Centre and Swimming Pool Building. Open space, including a mini soccer grass pitch, would be provided along with ancillary works such as three vehicular access points off of Hillhouse, car parking, and SUDs Infrastructure.

Description of Site:

2. The application site is a 3.73 hectare area of land consisting of open space, a car park area and Ninefield Community Centre. The site is located to the southwest of Hillhouse within the Ninefields Estate and bordered to the south by a brook and a public footpath. To the immediate north, west and south of the site are residential dwellings. To the east of the site, on the opposite side of Hillhouse, are residential dwellings, Hillhouse Primary School, Hazelwood Childrens Nursery and Tallis House (nursing home). To the east of the community centre is a small shopping parade laid out within a pedestrianised square with residential flats on the first floor. Beyond these properties are further open spaces, including school playing fields.
3. In terms of delivery the site is formed from three areas:
 - Playing fields to the north owned by Essex County Council;
 - Playing fields to the south owned by Epping Forest District Council; and
 - Community centre and circular car park owned by Epping Forest District Council.
4. The site is not located within the Metropolitan Green Belt, a conservation area or any other designated land however there are two veteran trees situated in the southern part of the site along with a Public Footpath that runs close to the southern boundary and is within the site. The very southernmost part of the site (either side of the brook) is located within an Environment Agency Flood Zone 3 and the majority of the southern playing fields and existing community centre is located within an Environment Agency Flood Zone 2.

Description of Proposal:

5. Outline planning consent is being sought for the demolition of the existing Community Centre and erection of a Health Centre building; 60 Independent Living Older Persons Apartments Building; and a Leisure Centre and Swimming Pool Building. Open space, including a mini soccer grass pitch, would be provided along with ancillary works such as three vehicular access points off of Hillhouse, car parking, and SUDs Infrastructure.
6. With the exception of details of access all matters are reserved and therefore the only considerations in this application are the principle of the development and the access arrangements and its impact on highway safety and the free flow of traffic.
7. The application has been submitted with a Draft Heads of Terms that agrees the following factors:
 - A minimum of 40% of the Assisted Living Accommodation would be provided as affordable housing;
 - All housing units would be developed in line with Essex County Council's design guidance on Independent Living for Older People;
 - The Independent Living Accommodation will be Use Class C2 (Residential Institution) and will have no less than 6 hours care provided per week for each flat;
 - The Independent Living Accommodation will be provided by a developer listed on Essex County Council's Developer/Provider Panel for the provision of independent living accommodation (as applicable at the time tenders for undertaking the development are invited);
 - A financial contribution of £340,000 shall be provided for use on projects identified through the Playing Pitch Strategy and spent on suitable projects agreed with Sport England within Waltham Abbey;
 - The financial contributions would comprise: £137,000 for the leisure centre, £36,910 for the Health Centre and £166,090 for the Independent Living Accommodation; and
 - The contribution will be made within 3 months of the commencement of construction of the Leisure Centre, the Health Centre and the Independent Living Accommodation respectively.

Relevant History:

8. None relevant to this application.

Policies Applied:

9. CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
CP3 – New development
CP5 – Sustainable building
CP6 – Achieving sustainable urban development patterns
CP8 – Sustainable economic development
CP9 – Sustainable transport
NC4 – Protection of established habitat
RP3 – Water quality
RP4 – Contaminated land

RP5A – Adverse environmental impacts
 H2A – Previously developed land
 H3A – Housing density
 H5A – Provision for affordable housing
 H6A – Site thresholds for affordable housing
 H7A – Levels of affordable housing
 RST1 – Recreational, sporting and tourist facilities
 RST3 – Loss or diversion of rights of way
 RST14 – Playing fields
 RST22 – Potentially intrusive activities
 CF2 – Health care facilities
 CF12 – Retention of community facilities
 U2A – Development in flood risk areas
 U2B – Flood risk assessment zones
 U3A – Catchment effects
 DBE1 – Design of new buildings
 DBE2 – Effect on neighbouring properties
 DBE3 – Design in urban areas
 DBE6 – Car parking in new development
 DBE9 – Loss of amenity
 LL5 – Protection of urban open spaces
 LL6 – Partial development of urban open spaces
 LL10 – Provision for landscape retention
 LL11 – Landscaping schemes
 U2A – Development in flood risk areas
 U3B – Sustainable drainage systems
 ST1 – Location of development
 ST2 – Accessibility of development
 ST4 – Road safety
 ST6 – Vehicle parking
 I1A – Planning obligations

10. The above policies form part of the Council's 1998 Local Plan. Following the publication of the NPPF, policies from this plan (which was adopted pre-2004) are to be afforded due weight where they are consistent with the Framework. The above policies are broadly consistent with the NPPF and therefore are afforded full weight.
11. The site is listed in 'Draft Policy P 3 Waltham Abbey', which forms part of the Epping Forest District Draft Local Plan Consultation October 2016, as site SR-0385 for approximately 60 homes. At the current time only limited material weight can be applied to the Draft Local Plan, however the Draft Plan and evidence base should be considered as a material consideration in planning decisions. The site has been through the sifting process for suitable sustainable sites and has made the current Draft Local Plan that is currently out to consultation to which this proposal in principle is in accordance with.

Consultation Carried Out and Summary of Representations Received:

12. 370 neighbouring residents were consulted and multiple Site Notices were displayed within the surrounding area on 03/09/16.
13. TOWN COUNCIL – No objection.

14. PETITION OF 656 SIGNATURES – Object to the loss of the existing playing fields that are used for recreational purposes as this would impact on the quality of life and wellbeing of the surrounding residents.

15. NINEFIELDS CO-OPERATIVE ACTION GROUP – Object for the following reasons:

- Inadequate public consultation was undertaken prior to the submission of the planning application;
- The proposal would be an overdevelopment that would dominate and be out of keeping with the area;
- The potential height of the Independent Loving Apartments will dwarf the adjacent housing and block the light and views to these neighbouring residents;
- There would be an increase in noise and pollution as a result of the new access road and parking areas;
- Concern about insect nuisance resulting from the proposed attenuation basins;
- There is a concern about contamination impacts;
- Concerned about the disruption that would result from the building works of this scale of development;
- There are already a number of specialised elderly resident accommodation in Waltham Abbey and therefore no justification to provide more within this already densely populated area;
- Concerned about possible subsidence issues;
- The on-street parking within the area is already stretched at peak times and would be further exacerbated by the proposed development;
- The development (and construction of the development) would have a detrimental impact on the use of the surrounding roads, as previously concluded on other developments in 2001, 2007 and 2008;
- The proposal would result in the loss of existing playing fields that are currently used for recreational purposes, particularly since Town Mead is not fit for purpose;
- The open space retained is that closest to neighbours and would cause increased disturbance since at present most sports are undertaken in the centre of the fields;
- The community centre was a popular community hub and its replacement with a multi-use community space would be unacceptable. Feel that the money could be better spent on restoring the existing building;
- Whilst there is no objection to the construction of a new health centre there is an objection to the location of the proposal. If the community centre does need to be demolished then this could be replaced by a combined community centre/health centre in its place;
- The development does not respect local context and street patterns and would be entirely out of character with the area; and
- It would result in a loss of privacy and the right to enjoy a quiet and safe residential environment.

If the application is to be approved then it is requested that controlled hours of operation and other restrictions are imposed to make the duration of the works more bearable.

16. 46 CULLINGS COURT – Object due to the impact on traffic and parking and as there is no reason the existing pool at Roundhills cannot be refurbished.

17. 1 LUCAS COURT – Concerned because the fields are currently used for recreational purposes, due to the traffic implications, and because the proposed car park would be pay-and-display and therefore will result in increase on-street parking. Feel that the new sports complex/doctors/housing could be rebuilt on the Roundhills swimming pool site.
18. 37 CULLINGS COURT – Concerned about the loss of quality of life and impact that this would have on their, and others, health and standard of life.
19. 11 NEWHALL COURT – Object as this field is used for various recreational purposes, since there is already a swimming pool and leisure centre and as there are other places where housing for older people can be built. Feel that the money should be spent on the existing facilities.
20. 46 MAYNARD COURT – Concerned about increased traffic and parking problems. Whilst the development is a positive thing for the area footpaths, green areas and verges need to be protected.
21. BRICKENDON COURT – Object as they feel that the independent living houses should be across the field and $\frac{3}{4}$ of the field retained for recreational purposes.
22. A comment has been received, although no address provided, objecting to the loss of the open space that are used for recreational purposes, since the development would result in a loss of view/light, and since independent living houses could be built elsewhere.
23. A comment has been received, although no address provided, stating that whilst it is understood that there is a need for additional health care facilities other sites within the estate have been overlooked.
24. It is stated that a petition signed by over 800 residents has been submitted objecting to the proposed development however it is understood that this was submitted to the Chief Executive before the submission of the planning application and therefore is not in direct response to the planning application. This petition has not been forwarded on to the planning department.

Issues and Considerations:

25. This application is for outline consent with all matters reserved except for access. Therefore the only consideration is the principle of developing the site for the demolition of the existing Community Centre and erection of a Health Centre building; 60 Independent Living Older Persons Apartments Building; and a Leisure Centre and Swimming Pool Building along with the proposed access to the development.

Provision of new health centre and leisure centre/swimming pool:

26. The main purpose of the proposed development is to provide a new health centre and leisure centre.
27. The submitted planning statement highlights that there is an identified need for a new Health Centre within the immediate local area to accommodate the local GP's Practice, which are currently based at the Maynard Court Surgery. It is intended that the Local GP's Practice would relocate to this site and the

provision of a modern purpose built facility would be considered beneficial for this purpose.

28. Local Plan policy CF2 states that:

The Council will grant planning permission for proposals to develop or extend existing health care facilities to meet the needs of the residents of the district provided that:

- (i) The development will not result in any excessive environmental or amenity problems;*
- (ii) The site is readily accessible by car and public transport; and*
- (iii) The site is not in the Green Belt.*

29. The proposed new Leisure Centre and Swimming Pool is required in order to replace the existing Waltham Abbey Swimming Pool at Roundhills, which in its current condition is financially unviable to bring up to an acceptable standard in the long term. Whilst most of the matters are reserved for further consideration it is intended that the leisure centre would include a 25m pool with 6 lanes, a learner pool, a fitness studio, a movement/dance activities studio and a multi-use community space.

30. Local Plan policy RST1 states:

The Council will permit the development of additional recreational, sporting and tourist facilities where it is satisfied that these are:

- (i) In the best interests of the local community; and*
- (ii) Unlikely to result, either directly or indirectly, in the character of the surrounding area being affected adversely.*

31. The proposed Health Centre and Leisure Centre would provide purpose built community facilities that would benefit the population of Waltham Abbey (plus those beyond). As such this is a material consideration that weighs in favour of the proposed development.

Loss of existing playing fields:

32. The application site is a 3.73 hectare site consisting of a vacant community centre, a small car park and a large area of playing fields. It is stated within the submitted Design and Access Statement that the playing fields were formally used by Abbey Youth football club that has subsequently relocated to Town Mead football grounds however the comments received by local residents state that the football clubs still utilise this site as Town Mead 'is not fit for purpose'. They also highlight that there are various other informal recreational uses that take place on the site, including dog walking, jogging and children's games.

33. The majority of the existing site constitutes playing fields as defined in the Town and County Planning (Development Management Procedure) (England) Order 2015.

34. Local Plan policy RST14 states that:

The Council will not grant planning permission for development which involves the loss of any playing fields unless:

- (i) Adequate alternative provision of equivalent community benefit is made available in an appropriate location; or
- (ii) There is an excess of sports pitch provision and public open space in the locality; or
- (iii) Sport and recreational facilities can best be retained and enhanced through the redevelopment of a small part of the site;

And the open nature of the site does not contribute to its surroundings. Any development will also need to be in accordance with policy LL6

35. Local Plan policy LL6 reads:

In granting planning permission for partial development of any area of urban open space the Council will need to be satisfied that:

- (i) *The predominantly open nature of the remainder of the site is retained; and*
- (ii) *The scheme provides for the appropriate management of the remainder of the site to enhance its:*
 - (a) *Visual importance; and/or*
 - (b) *Nature conservation interest; and/or*
 - (c) *Recreational potential.*

36. It is accepted that the existing site is a large urban open space that is used for informal recreational purposes and the proposed development would result in the loss of parts of this open land. However some 1.58 hectares of the site would be retained as public open space, which would include a 33m x 43m mini football pitch. Furthermore the proposal would make a financial contribution totalling £340,000 to be used on projects identified through the Playing Pitch Strategy and agreed by Sport England. This would consist of:

- £137,000 from the leisure centre, payable by Epping Forest District Council;
- £36,910 from the Health Centre, payable by Essex County Council (or subsequent landowner/developer); and
- £166,090 from the Independent Living Older Peoples Apartments, payable by Essex County Council.

37. In addition the following actions have been agreed by Epping Forest District Council, Abbey FC and Essex FA by letter dated 15th November 2016:

- *Abbey Youth FC has been allocated the use of the 3G pitch from 10am - 1pm (whole pitch) on Saturdays from August 2017. This will enable Abbey Youth FC to play home matches at this site. Abbey Youth FC will be charged at the same rate as a match rate hire for a grass pitch.*
- *Testing on the 3G pitch at Town Mead is to be carried out on 17th November 2016. This is to ensure the pitch is FIFA 1 Star quality standard, any subsequent required improvements to the pitch in order to meet the FIFA 1 Star quality standard will be completed as soon as possible. The facility will then be registered on the FA 3G Football Turf Pitch Register, to enable competitive matches to be played at this venue.*

- *Epping Forest District Council and Waltham Abbey Town Council will review the current booking schedule of 3G pitch at Town Mead in December 2016. The purpose of this review is to reconfigure bookings to enable Abbey Youth FC and other local clubs to consolidate training into one night of the week. It is hoped that this will help the club to generate a club ethos, spirit and identity and aid their development towards becoming FA Charter Standard.*
- *Epping Forest District Council will arrange a meeting with Essex FA, Abbey Youth FC and Waltham Abbey Town Council to discuss maintenance of grass pitches at Town Mead, Waltham Abbey.*
- *Epping Forest District Council has sent out a Playing Pitch Strategy Brief for tender. Consultants to be appointed by 5th December 2016 with a view of the playing pitch strategy work to commence in Jan 2017 and be completed by Dec 2017.*

38. Sport England were consulted on this application and have responded as follows:

The applicants have positively engaged with Sport England at pre-application stage and during the determination of the planning application with a view to developing a playing field mitigation package that would accord with our policy. Following extensive discussions between Epping Forest District Council, Essex County Council, Sport England and the Essex County FA, a playing field mitigation package has now been progressed and incorporated into the development proposals.

Exception E4 of Sport England's playing fields policy permits the loss of playing fields if the playing field that would be lost as a result of the proposed development would be replaced by a playing field of equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development. When assessed against this exception E4 (which mirrors the second criterion in paragraph 74 of the NPPF), the package would not entirely accord with the policy. This is because the main element of the mitigation package, the proposal to make a financial contribution towards currently unidentified playing field projects, would not provide certainty at this stage that the quantity and quality of replacement playing field provision would be at least equivalent to the playing fields that are being lost at Ninefields. Furthermore, due to the time lag between development starting on the Ninefields playing fields and the mitigation projects (that would be funded by the financial contribution) being identified and delivered, the replacement playing fields would not be available prior to development commencing on the playing fields that would be lost.

While the mitigation package would not fully accord with exception E4, the following considerations which apply specifically to this case are significant to my assessment:

- *Epping Forest district currently does not have an up-to-date playing pitch strategy which would identify current and future playing pitch needs and prioritise strategic projects for addressing such needs. In the absence of such a strategy, it was considered by all parties to be premature to identify specific projects for mitigating the loss of Ninefields playing fields.*

Furthermore, based on the current understanding of football facility needs in Waltham Abbey, it is considered by all parties that mitigation in the form of enhancing existing playing fields (through the provision of artificial grass pitches and/or qualitative improvements to existing grass pitches for instance) would be more likely to be appropriate for addressing unmet needs than providing a new playing field to replace Ninefields on a like for like basis. If a replacement playing field project had been identified at this stage, there would have been the risk that it would not have been the most suitable proposal for addressing local needs and would not have accorded with priorities in a future playing pitch strategy;

- The proposed financial contribution that has been proposed is considered to be appropriate in terms of scale for providing a replacement playing field that would be equivalent or better in quantity and quality to the Ninefields Playing Fields that would be lost. The proposed contribution has been based on Sport England's costings for replacing a playing field equivalent in area to that which would be lost in accordance with our design guidance and also allows for an additional cost for providing modest replacement ancillary facilities such as changing rooms, toilets and parking. Consequently, the scale of the financial contribution proposed would be adequate for delivering a replacement playing field that would meet exception E4 of our policy;*
- Epping Forest District Council's commitment to imminently prepare a playing pitch strategy as part of the mitigation package will have wider benefits beyond informing the projects that the proposed financial contribution will be used towards delivering. The strategy is to be prepared in accordance with Sport England guidance and this should ensure that outdoor sports facility needs across Epping Forest district are robustly assessed. This would lead to the preparation of a strategy that would prioritise projects for addressing the identified needs. This would have the benefit of providing the evidence base for supporting emerging local plan policies that seek to ensure that new residential development within the district makes provision for addressing the additional outdoor sports facility needs that they will generate. It will also provide the evidence to help justify the protection of existing outdoor sports facilities that are required for meeting needs. The strategic approach would also help ensure that the limited funding that is available from public and sporting bodies for investing in new and enhanced facilities is co-ordinated and strategically invested in projects which offer the potential to deliver the best outcomes in terms of meeting needs. A playing pitch strategy would also provide the evidence base and strategic approach that is required for leveraging investment from funding bodies;*
- The provision of a mini football pitch (suitable for 5v5 matches) on the remaining area of the Ninefields playing field, while not mitigating the loss of the existing junior football pitches, would provide a suitable football pitch for informal use by local residents, especially children, which could also still be used for matches and/or training by local youth football clubs such as Abbey Youth FC. This would also provide continuity of pitch provision for existing informal users of the football pitches;*
- The suggested proposals for relocating Abbey Youth FC as set out in the Epping Forest District Council letter dated 15th November 2016 would, if*

delivered as proposed, provide continuity of pitch provision for the existing formal users of the football pitches at Ninefields and help address the short term impact of the development in the interim of projects being delivered (with the financial contribution) that would improve football facilities in the local area. This would help ensure that in accordance with exception E4 of our policy, continuity of provision is made for existing users of the playing field.

39. Due to the above Sport England conclude that the proposed playing field mitigation would broadly meet the intention of exception E4 of their policy despite not meeting all of the specific criteria.
40. In addition to the above, whilst the proposal would result in the loss of existing recreational grounds (albeit with some 1.58 hectares being retained) it also proposes to provide a new leisure centre and swimming pool to replace the existing Waltham Abbey Swimming Pool at Roundhills. Whilst currently at outline stage it is envisaged that this leisure centre would include a 25m pool with 6 lanes, a learner pool, a fitness studio, a movement/dance activities studio and a multi-use community space. Such a development would provide new/improved recreational services to the area and would therefore go some way to outweigh the loss of the existing playing fields and has been accepted by Sport England to meet exception E5 of their playing fields policy.
41. Due to the above Sport England conclude that *“while the proposed playing field mitigation package would not fully accord with exception E4 of our policy, the considerations related to the mitigation package that only apply to this planning application together with the benefits to sport associated with the proposed leisure centre would outweigh the impact associated with the replacement playing field proposals not fully according with the policy. While the proposed development would be considered as a departure from our policy because it would not fully accord with any of the exceptions, on this occasion based on the specific circumstances of this proposal, an exception to our policy is considered to be justified”*.
42. As such Sport England have raised **no objection** to the planning subject to the above mitigation measures.

Housing provision:

43. The northern most section of the site has been proposed for the erection of a 60 bed independent living scheme (sometimes referred to as Extra Care). This would provide a mix of 1 and 2-bed self-contained apartments for people over 55 years old and would include a range of communal open spaces.
44. The submitted Draft Heads of Terms confirms that there would be no less than 6 hours care provided per week to each flat and that the apartments would be provided by a developer listed on Essex County Council’s Developer/Provide Panel for the provision of independent living accommodation.
45. Paragraph 47 of the National Planning Policy Framework emphasises the importance of housing with provisions to *“boost significantly the supply of housing”*, including ensuring that a five year supply of land for housing purposes is demonstrable. The Council can currently only demonstrate a 1.35 year supply of land for housing purposes. It has been clearly shown in several recent appeal decisions that a lack of a demonstrable five year supply of housing weighs in

favour of granting planning permission for the supply of new houses. Therefore this matter would be given significant weight in favour of the development, particularly when considering the specialised nature of the proposal and the specific need that this would address as detailed below.

46. Essex County Council is one of the parties to the planning application and owns the northern section of the site and it has been submitted that within Epping Forest District there is currently an identified need for around 240 independent living homes, of all tenure types, for older people.
47. The September 2015 SHMA highlights that there is a need for more appropriate accommodation to meet the housing needs of older people. This report identifies that *“older people are living longer, healthier lives, and the specialist housing offered today [specifically C2 care home developments] may not be appropriate in future years and the Government’s reform of Health and Adult Social Care is underpinned by a principle of sustaining people at home for as long as possible”*.
48. This has fed into the Draft Local Plan whereby it is stated that:

4.5 It is important that a proportion of new homes can provide for the needs of those with, or who may develop, accessibility needs through the design of those homes. This reflects the evidence as set out in the revised SHMA that there is an existing need for accessible housing in the District and that will continue taking into account the aging profile of the District’s population over the period of the Local Plan. Improving housing standards to strengthen local communities and reduce the need for residential care by enabling vulnerable people to remain in their homes, or be able to have the choice to be able to move into a new home, is important as part of improving the overall housing mix within the District. Consequently, the Council’s preferred approach is that all new homes should be built to Category 2: Accessible and Adaptable Homes standards, subject to further viability testing.

49. In addition it should be noted that the northern part of the application site has been identified within the Draft Local Plan as a suitable allocation site for the provision of approximately 60 home. Whilst the Draft Local Plan is at an early stage and therefore can only be given limited weight Central Government has made it clear that LPA’s should seek to ensure that everyone is able to have the opportunity of a home which best suits their needs. Planning Minister Nick Boles formerly issued a statement which said *“we must build homes or suitable accommodation for older people if we are to avoid problems further down the track. We’re all living longer and there will be a big rise in the number of older people in future years. Making sure councils plan for this, and for enough suitable homes like bungalows in their area, will help ensure the ageing population can live in the places they want and enjoy their retirement”*.
50. The National Planning Practice Guidance states:

The need to provide housing for older people is critical given the projected increase in the number of households aged 65 and over accounts for over half of the new households (Department for Communities and Local Government Household Projections 2013). Plan makers will need to consider the size, location and quality of dwellings needed in the future for older people in order to allow them to move. This could free up houses that are under occupied.

51. Furthermore the National Planning Policy Framework makes it clear that a mix of housing types should be provided since paragraph 50 of the Framework states that local planning authorities should “*plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as but not limited to, families with children, older people, people with disabilities...)*”. This is reflected within policy H4A of the Epping Forest Local Plan which states that “*the Council will require that provision is made for a range of dwellings, including an appropriate proportion of smaller dwellings, to meet identified housing need, to meet identified housing need on a site-by-site basis*”.
52. As well as meeting the general need as identified above 40% of the proposed assisted living apartments would be affordable housing. On applications for assisted living accommodation it is common to receive financial contributions towards off-site affordable housing rather than meeting an on-site provision, primarily due to viability factors. Therefore on-site affordable housing on this assisted living accommodation is welcomed and would assist in allowing low income elderly persons to benefit from Extra Care accommodation. This also weighs in favour of the proposal.

Highways/Parking:

53. A number of objections have been raised with regards to the potential impact that the development would have on highway safety and parking provision within the surrounding area. This includes concerns that visitors to the proposed leisure centre would park in Shernbroke Road (and the surrounding roads) and walk through to this site.
54. The only aspect of the development that is not reserved for future assessment is access. The proposed development would be served by three vehicle access points directly off of Hillhouse that would serve each of the three parking areas. Whilst indicative at present it is envisaged that these access points would lead to a 46 space car park to serve the assisted living apartments; a 15 space car park to serve the proposed health centre and a 180 space car park to serve the leisure centre/swimming pool. Pedestrian links would be maintained through the site and to the surrounding road and pedestrian networks beyond.
55. The Essex County Council Vehicle Parking Standards would require the following parking provision for a development such as this:
- Leisure Centre – 1 space per 10m² of public area;
 - Health Centre – 1 space per full time equivalent staff + 3 spaces per consulting room; and
 - Independent Living – 1 space per 1-bed and 2 spaces per 2-bed dwellings + 0.25 visitor spaces per unit (it is highlighted within the document that “*parking standards for retirement developments that are warden assisted yet provide independent living should fall under Class C3*”)
56. Since the application is currently at outline stage with all matters (except access) reserved there is no way to accurately assess the required car parking provision. The submitted transport assessment has however undertaken the following estimations:

- *The detail of the public area of the leisure centre is not yet known however to estimate the demand for parking at the site for this use a comparison has been made with the existing facility in the town... an Automatic Traffic Survey (ATC) was undertaken at the entrance of the existing leisure centre which allows for an estimation of the likely parking accumulation in one hour periods. This accumulation has then been factored up based on the respective floor areas to reflect the likely increase in demand at the new facility... The maximum parking accumulation at the existing facility was 69 vehicles. Factoring this figure on the basis of the change in floor areas results in an estimated peak parking demand of 150 vehicles. The indicative proposals for 180 spaces on the site will therefore be sufficient to accommodate the estimated parking demand.*
- *The proposed independent living units do not easily fit within the land use criteria set out in the ECC parking standards as it is anticipated to provide an intermediate level of care between C3 class warden assisted retirement living and a full C2 class care home. The provision of one space per dwelling is therefore not seen as appropriate and would likely result in an over provision of parking. To provide an indication of the likely demand for parking at the development a comparison of the parking provisions at a number of similar developments has been undertaken... Across all the comparable sites the average parking provision is 0.55 spaces per apartment, therefore the provision illustrated on the concept masterplan (46 spaces) would be significantly above the average figure.*

57. In addition to the above estimates regarding parking needs of the proposed development the transport assessment also highlights that *"the likely peak parking demand for the proposed uses will occur at different times. For examples, the health centre is likely to generate a peak parking demand during weekday daytime hours whereas the leisure centre peak demand is likely to occur during weekday evenings and weekend periods. It is therefore anticipated that some of the parking proposed for the site could be shared between the uses. The development will also include disabled parking spaces and cycle parking in accordance with the relevant standards"*.

58. Essex County Council Highways have been consulted on the proposal and have responded as follows:

The applicant has submitted a robust Transport Assessment (TA) supporting the application and the Highway Authority is satisfied that the application is not contrary to current National/Local policy or safety criteria. The TA has thoroughly demonstrated that the development traffic will not have a major impact upon the existing highway network and the junction assessment shows that the Hillhouse/Ninefields junction will operate well within capacity in the future.

The proposed accesses will all have appropriate visibility and geometry onto Hillhouse and no safety issues are raised as a result. The parking provision appears to broadly comply with the Parking Standards and it should be recognised that the location is well situated to provide access to other modes of sustainable travel. Further to this it is noted that the existing footpaths will be maintained/improved and others provided within the site.

Consequently the proposal will not be detrimental to highway safety, capacity or efficiency at this location or on the wider highway network.

59. Due to the above Essex County Council have raised no objection to the proposed development, subject to various conditions.

Neighbouring Amenity:

60. Concern has been raised by neighbouring residents with regards to the potential impact on residential amenities due to factors such as loss of light, privacy and outlook, primarily as a result of the Assisted Living Accommodation.
61. Since the application is for outline consent with all matters (except access) reserved the scale, layout and appearance are not under consideration here. Indicative layouts have been provided and the parameter plans within the Design and Access Statement indicate that the building height of the proposals would consist of two storeys rising to three storeys (at the point furthest from dwellings to the north) for the Independent Living Accommodation, up to two storeys for the proposed health centre, and a 12m maximum height for the proposed leisure centre building.
62. The application site is surrounded by residential dwellings however the neighbours closest to the proposed built form are those located in Cullings Court (to the north), Neal Court (to the east), and Maynard Court (to the south) along with the residential flats above the courtyard shops adjacent to the existing community centre.
63. Drawing No. 01131_PP_03 shows the parameters of the site and indicates that the proposed building can be provided with significant separation from neighbouring properties. This includes that Assisted Living Accommodation being a minimum of 26m from Cullings Court properties and 33m from the closest properties in Neal Court; the Health Centre being a minimum of 45m from the dwellings in Neal Court; and the leisure centre being a minimum of 20m from the properties in Maynard Court. At its closest point the leisure centre could be as close to 6m from the closest residential flat above the courtyard shops however this property does not have any flank windows directly facing the proposed building and therefore it is likely that, subject to detailed design, scale and layout, this building could be provided to ensure that any resulting harm to these nearby residents would not be excess.
64. Given the size of the application site and distances that can be achieved between the new buildings and the neighbouring sites it is considered that the proposed development could be accomplished without causing any significant detrimental impact on the residential amenities of surrounding neighbours.
65. Whilst there would be some loss of the existing open recreation ground, which neighbours consider would impact on their quality of life, some 1.58 hectares of open land would be retained and other community facilities would be provided. As concluded above it is considered that the provision/retention of these facilities, along with financial contributions towards other recreational projects, would be sufficient enough to outweigh any harm caused by the loss of the informal recreation grounds.

Flooding:

66. The majority of the southern playing fields and existing community centre are located within an Environment Agency Flood Zone 2 with the very southernmost part of the site (either side of the brook) being located within an Environment Agency Flood Zone 3.
67. The indicative masterplan shows that the proposed leisure centre would be the only aspect of the proposed development located within Flood Zone 2 (with no building works located within Flood Zone 3). This development is classified as a 'less vulnerable use' and therefore requires a Sequential Test but not an Exceptions Test.
68. A Sequential Test has been undertaken and submitted with this proposal. In order to identify potential alternative sites the Epping Forest Strategic Land Availability Assessment (SLAA, May 2012) was examined to provide sites within the Waltham Abbey area. In addition the employment zone at Brooker Road was included from the Epping Forest District Council Employment Land Review, as was the existing Waltham Abbey Swimming Pool at Roundhills, and also any possible reconfiguration of the proposed site to locate solely within Flood Zone 1. Discussions with EFDC identified sites within public ownership from each of these sources to produce the final list of potential alternative sites.
69. A number of alternative sites were assessed, including:
- Playing fields at Roundhill
 - Land adjoin Mason Way
 - Recreational Fields at King Harold School
 - Recreational Fields at Holy Cross Junior School
70. All of the above sites are owned by either EFDC or ECC and, with the exception of the Roundhill playing fields site, are outside of the Green Belt. However all of these sites have some form of restriction that make them unsuitable for use.
71. The Brooker Road Employment Zone was assessed however since the current use of the site is as an employment zone this means that the site is unavailable in the short term and the need to replace the employment zone use in another location in Waltham Abbey results in this site being less suitable for the leisure centre development than the other sites identified from the EFDC SLAA and ELR. As such, the Brooker Road Employment Zone is not considered a 'reasonably available' alternative.
72. With regards to replacing the existing Roundhills Swimming Pool, the key reason why the Roundhills site would be unsuitable is that it would have to be demolished, and for the period of time while the new pool is being built Waltham Abbey would be without a swimming pool. As such this is not seen as a 'reasonable alternative' to the development proposal.
73. In terms of reconfiguring the existing application site, the supporting note to Planning Practice Guidance Flood Zone and Flood Risk states that "*some developments may contain different elements of vulnerability and the highest vulnerability category should be used, unless the development is considered in its component parts*". Since the proposed development includes a new health centre and an independent living scheme, both of which are categorised as a 'more vulnerable' use, it is correct to locate these within Flood Zone 1. Locating the leisure centre in the northern part of the wider site would therefore be to the detriment of delivering the more vulnerable uses of a new health centre and an

independent living scheme. As such, the reconfiguration of the proposed site cannot be considered a reasonable alternative, in regard to how it would impact on the availability, achievability and deliverability of the wider scheme.

Trees and Landscaping:

74. The application has been submitted with an arboricultural impact assessment that highlights a number of trees that may need to be removed along with several trees that could be retained; however this concludes that *“this matter can only be confirmed once a final site layout is available”*. Since this, and landscaping, is a reserved matter this aspect of the proposal is not under consideration here.

Ecology:

75. A preliminary ecological appraisal has also been submitted with the application. This has been assessed by the Councils ecological officer who is satisfied that the proposed development would not be unacceptable subject to the recommendations and enhancements within this appraisal. These include:

- **Starlings** – *Specialist nest boxes and three generalist bird boxes should be incorporated into the development affixed to trees on or adjacent to the site.*
- **Nesting birds** – *Any removal of trees, scrub or hedgerows should be undertaken outside of the bird breeding season (commonly understood as being between 1st March and 31st August). If this is not possible, habitat removal should be supervised by an ecologist.*
- **Reptiles** – *Suitable reptile habitat along Honey Lane Brook should be retained and enhanced. Contractors should be made aware of the legislation protecting reptiles, and as a precautionary measure any habitat clearance should be carried out when temperatures exceed 10 degrees.*
- **Tree planting** - *consisting of native species of local provenance should be incorporated into the development (consider oak, field maple, silver birch, alder and aspen). Fruit bearing trees including cherry, hawthorn, guelder rose and rowan should also be included. Planting should be linear and link to off-site habitats where possible.*
- **Native hedgerow planting** - *Any hedgerow planting should link to existing, or proposed habitat to ensure habitat connectivity through the site.*
- **Honey Lane Brook:**
 - *Tree planting along Cripsey Brook would help to absorb run-off and any associated pollution.*
 - *As well as tree planting, additional shrub and marginal plants of local provenance should be introduced. This scheme should be dictated by the soil conditions and jointly designed by a landscape architect / ecologist.*
 - *Log piles should be introduced to benefit invertebrates and provide habitat for reptiles to shelter under.*
 - *Some scrub should be left to benefit nesting birds.*
 - *Litter on the banks and within the stream should be removed.*

Contamination:

76. Due to the former use of the site as a Horticultural Nursery and Kennels there is the potential for contaminants to be present on site. Domestic dwellings with gardens are classified as a particularly sensitive proposed use.

77. A report has been submitted with the application that comprises a basic ground gas investigation which has identified risks from ground gases and an exploratory Phase 1 level investigation with very low density sampling & analysis, mainly of the upper made ground subsoil stratum, which has identified some white and brown asbestos (and some Lead, Zinc and PAH) in subsoils, which it is proposed to remediate.
78. The report recommends that ground gas mitigation measures suitable for Characteristic Situation 2 (Amber 1) are employed which will be acceptable in lieu of further gas investigation under Phase 2 and can be dealt with under a detailed remediation scheme. It is also recommended that a 300mm BRE465 type cover system of imported validated soil is employed to prevent contact with potentially asbestos impacted retained underlying soils, which is not acceptable as a remediation measure. Therefore either further investigation of these soils would be required under a Phase 2 investigation or more robust remediation measures would be required under a detailed remediation scheme.

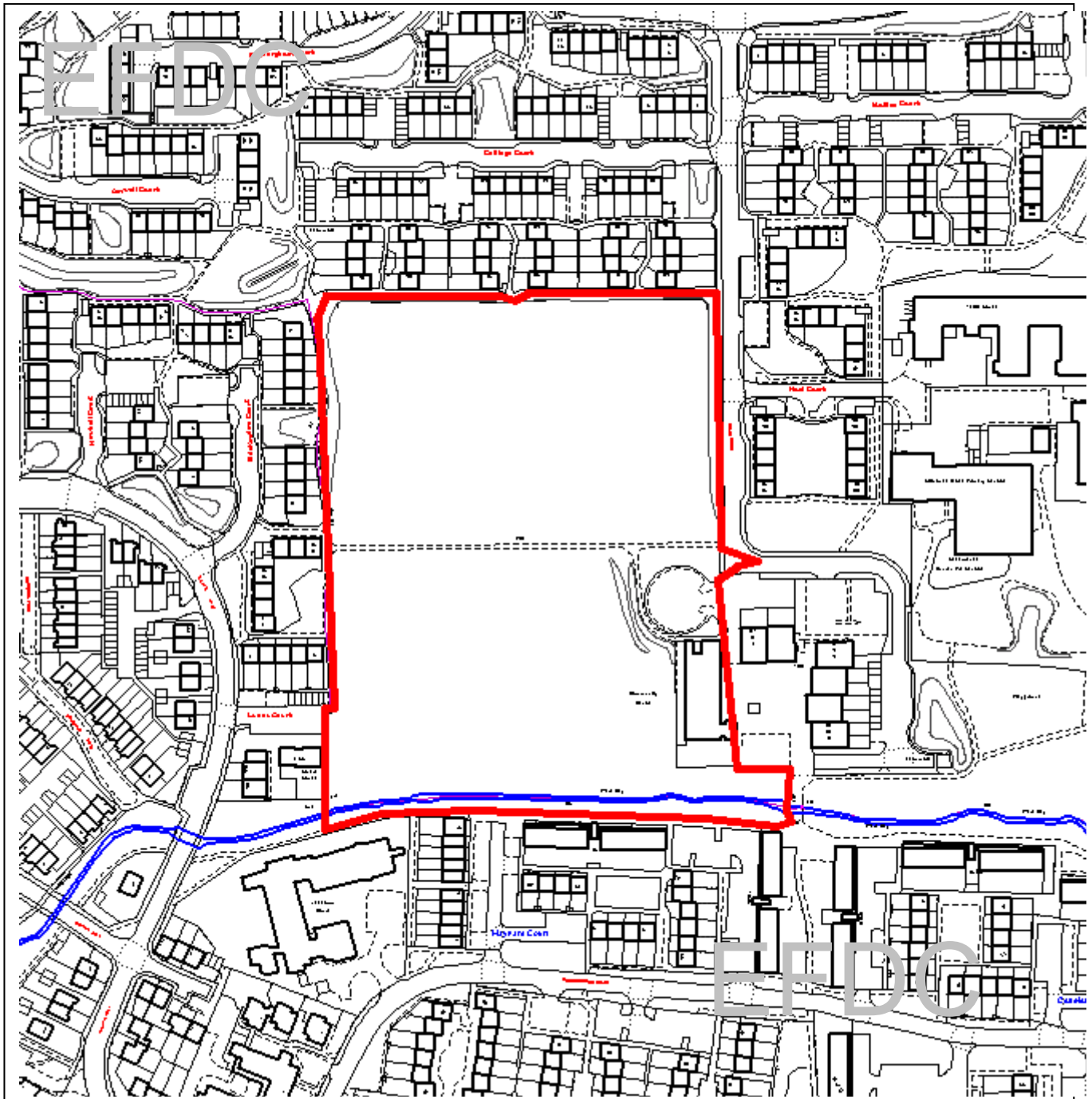
Conclusion:

79. The proposed development would provide a purpose built Health Centre and Leisure Centre/Swimming Pool to meet the needs of the local community. Furthermore it would provide specialised Extra Care housing (Class C2) to meet an identified need, with 40% of these being provided as affordable housing. All of these factors weigh in favour of the proposed development.
80. The key concern with the proposal is regarding the loss of part of the existing playing fields, however since some 1.58 hectares of recreational ground would be retained as playing fields; the development would provide a new leisure facility; and due to robust mitigation measures, it is considered that in this instance there are sufficient exceptional circumstances that outweigh the harm that would result from the loss of these playing fields.
81. The submitted Transport Assessment has demonstrated that the traffic generated by the proposal would not have a major impact upon the existing highway network and it is accepted that the proposal would be able to provide adequate off-street parking provision that would ensure that there would be no detrimental impact on highway safety or the free flow of traffic.
82. Matters such as scale, design and landscaping are reserved and therefore are not under consideration at this stage, however it is considered that it would be feasible to develop the site as proposed without undue detrimental impact on the amenities of surrounding residents or the character and appearance of the area.
83. Due to the above it is considered that the benefits of the development would outweigh any harm and therefore the application complies with the relevant Local Plan policies and government guidance and is therefore recommended for approval.



Epping Forest District Council

Agenda Item Number 7



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Application Number:	EPF/2207/16
Site Name:	Playing fields and Community Centre, Hillhouse, Ninefields, Waltham Abbey, EN9 3EH
Scale of Plot:	1/2500

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Report to District Development Management Committee

Report Reference: DEV-015-2016/17
Date of meeting: 30 November 2016



**Epping Forest
District Council**

Subject 1: Planning Application EPF/1912/16 - Woodland Camp, Manor Road, Lambourne RM4 1NB - Upgrade and renewal of the recreational facilities on the site to provide short stay all weather accommodation in order to ensure the site's continued use for recreational purposes. The proposal includes:

- (a) the demolition and replacement of the existing central pavilion building.
- (b) the refurbishment of 3 existing cabins, caretaker's lodging, and removal of mobile homes/pitches, and the provision of replacement with 42 new purpose-designed cabins including a new caretaker's lodging.
- (c) The removal of a number of outbuildings and their replacement with 2 purpose-designed storage sheds.
- (d) The construction of a new service and refuse compound.
- (e) General landscaping works, and
- (f) The upgrading of the existing entrance drive to improve safety and security including new signage.

Subject 2: Related Advert Application EPF/1924/16 - Woodland Camp, Manor Road, Lambourne RM4 1NB – Advertisement consent for proposed new camp site sign next to site entrance.

Responsible Officer: Nigel Richardson (01992 564110)

Democratic Services: Gary Woodhall (01992 564470)

Recommendation(s):

(1) That planning permission for EPF/1912/16 be granted subject to the conditions as set out below:

- 1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.**
- 2. With the exception of the caretakers lodge the cabin accommodation to be provided on the site shall only be used for short stay accommodation in connection with the recreational use of the site. This cabin accommodation shall not be used for residential purposes.**
- 3. Prior to the first occupation of the development the access arrangements, vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The access, parking and turning areas shall be retained in perpetuity for their intended purpose.**
- 4. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.**

5. There shall be no discharge of surface water onto the Highway.
6. The Recommendations (section 5) and the Conclusion (section 6) of SES's Phase 1 Habitat Survey submitted February 2016 shall be followed in full. Reports must be supplied to the Local Planning Authority where appropriate and as recommended in the report. This will include survey work to be submitted and approved before any building works commence on site in respect of the following:
 1. Bats (roosting surveys)
 2. Great Crested Newt
 3. Breeding Birds
 4. Hazel Dormouse (see details)
 5. Invertebrates (phase 1 only)
 6. Reptiles (phase 1 only)
 7. UK BAP / NERC Act mammals and amphibians
7. Any amplified music to be played on the site shall be confined to the inside of the central pavilion. No outside amplified music shall be played.
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 trenches or pipe runs for services and drains required to service the development hereby approved shall be cut or laid otherwise than in accordance with BS5837:2012 (Trees in relation to design, demolition and construction (Recommendations), except with the approval of the local planning authority. Any works within the calculated root protection areas shall be fully supervised by an Arboricultural Consultant and a report detailing the work undertaken / supervision shall be sent to the local planning authority within 28 days of the work being undertaken.
10. The development hereby permitted will be completed strictly in accordance with the approved drawings numbered A-0031, C-033, E-035, 038, 039, B-032, D-034, 024B, 051A, 006, 052A, 005, 3-053, 054, 021A, 003B, 061, 062A, 013A, 001a, 015a, 017A, 023B, 044A, 012a, 016A, 018B, 022A, 004, 055, AT.WC.02,1-041, 2-042, AT.WC01, AT.WC03, 002a, 011A.

(2) That Advertisement Consent be granted for the associated application EPF/1924/16.

REPORT

This application is before this Committee since it is “large scale major” application as defined within guidance issued by the DCLG (Pursuant to The Constitution, Part Two, Article 10 (b))

Description of Site:

A large 17 acre site located on the west side of Manor Road some 100m south of the junction with New Road. The south and east section of the site, about 40% of the total area, is currently in use as a caravan site with a number of timber buildings located near the end of the main access drive. The whole site contains many mature trees and the site is well screened from view along Manor Road.

Description of Proposals:

EPF/1912/16 - Upgrade and renewal of the recreational facilities on the site to provide short stay all weather accommodation in order to ensure the site's continued use for recreational purposes. The proposal includes a) the demolition and replacement of the existing central pavilion building, b) the refurbishment of 3 existing cabins, and provision of caretaker's lodging, c) the removal of mobile homes/pitches, and their replacement with 42 new purpose-designed cabins d) general landscaping works, and f) the upgrading of the existing entrance drive to improve safety and security including new signage.

EPF/1924/16 - 'Woodland Camp' directional sign is proposed on each side of the mouth of the widened entrance. These outdoor weather proof metal signs will be 1.5m wide and 0.7m in height and will be mounted just 0.5m above ground level. They will be externally lit by a low luminance trough light shining down on the face of the signs.

Relevant History:

The site has a long established use as a caravan, camping and recreation site. This use was confirmed as lawful by CLD/EPF/0011/94.

Policies Applied:

CP2 – Protecting the quality of the rural and built environment.
GB2A – Development in the Green Belt
DBE1 – Design of new buildings.
DBE9 – Loss of amenity.
NC4 – Protection of established habitat.
RST1 – Recreational, sporting and tourist facilities.
LL1 – Rural landscape.
LL10 – Adequacy of provision for landscape retention
ST4 – Road safety
ST6 – Vehicle car parking.

National Planning Policy Framework

Summary of Representations:

LAMBOURNE PARISH COUNCIL – The Council strongly objects to this proposal, supporting local residents of Lambourne End, and endorses the objection letter that

has been submitted by Smart Planning on behalf of the residents. The Parish Council also submits an objection letter from Lambourne Parish Councillor Pat Price and supports all her points of objection.

NEIGHBOURS – 54 properties notified and the following replies were received;-

SMART PLANNING – planning consultants, writing on behalf of 39 householders in the local area, object on the following grounds. The proposal is not a small scale recreational facility but a significant establishment. The new buildings increase building bulk – by 42% according to the application, and consequently the proposal will not preserve openness in the Green Belt. The proposed cabins will affect views from Manor Road, they are not discrete and there is inadequate screening. Light pollution will also be caused. The proposal will result in a disproportionate intensification of use on the site. In terms of highways and traffic there is no public transport in Lambourne End and therefore there will be a considerable increase in car/taxi/coach movements which would be unsustainable on local roads. 111 car spaces are referred to on the application forms compared to the current 25. There is inadequate visibility at the site entrance and the proposed illuminated sign will be a distraction. In terms of ecology the sprawl of buildings, particularly in the west portion of the site, will be likely to conflict with nature conservation interests, and disturb wildlife. Insufficient information is provided at this stage to understand the impact of the development on bio diversity, and to grant planning permission in lieu of this information being supplied would be likely to result in harm to protected species. With regard to impact on neighbours this large enclave of habitable accommodation would be out of character with the rural landscape and increased traffic will disturb peace and quiet in a tranquil setting. Local residents also suffer from some existing disturbance from the site. There will be an additional demand on the local sewage system which is already problematic, and water run off from many cabins will discharge into the local watercourse. With regard to sustainability the development would not contribute to local shops and the rural economy, and it would result in sprawl, dependency on private vehicles, and it is not a sustainable development as per the NPPF. For the above reasons the proposal would be contrary to Local Plan policies RST1, DBE2, DBE4, NC1, LL1 and LL2.

LOCAL PARISH COUNCILLOR PAT PRICE – Objection – on similar grounds to the above - and also that the development will not benefit the local community, but rather will be detrimental to its needs, character and well being by reason of additional traffic, noise pollution, and a further strain on already inadequate services. Lambourne End consists of 100 or so houses and a population of 200 residents - so the expected number of visitors to the site would double that. It is of concern that trees are to be felled since they act as a noise barrier as well as a visual screen, the proposed development makes a significant shift towards permanent buildings for residential accommodation. If the viability of the proposed use collapses then a holiday camp or residential accommodation would be applied for.

In addition to the above 17 letters of objection have been received from the following addresses, some of which are included in the 39 addresses referred to in the objection letter from the planning consultants Smart Planning;-

NEW ROAD – 1 and 2 Rachels Cottages, Prior Cottage, Moss Side, Poultry Farm, Priors, Lambourne House, Orchard Cottage, and 3, Priors Cottage

MANOR ROAD – 3, Isabella Cottages, 6, Tuttlebury Cottages, Millers Farm, Banks Barn Barn, Forest Cottage, Thirza House

And 2, Park Square, and Hook Lane House, Hook Lane.

These 17 neighbour letters raise very similar objections to those already set out above.

ESSEX CC HIGHWAYS AUTHORITY – No objections – the proposal will not significantly intensify the vehicle movements above the level that the lawful use could. The proposal will modernise and improve the existing access onto Manor Road which will benefit all highway users. The vehicle movements associated with the site are unlikely to coincide with peak hours so there will be no capacity issues either. Further to this the accident data has been interrogated for the last five years and there are no recorded accidents associated with the use of this or the site opposite. Consequently, the Highway Authority is satisfied that the proposal will not be detrimental to highway safety, efficiency or capacity. From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to conditions being attached.

EFDC TREES SECTION – No objections subject to the imposition of a tree protection condition, and a condition relating to trenches and pipe runs. An arboricultural report was submitted with the application and discussions have taken place with the agents. It is noted that the cabins will be mounted on micro piles which is welcomed.

EFDC COUNTRYCARE SECTION – No objections - subject to a condition requiring that the Recommendation (section 5) and conclusions (section 6) of the submitted SES's phase 1 habitat survey be followed, and that this will include survey work being submitted on the following:-

1. Bats (roosting surveys)
2. Great Crested Newt
3. Breeding Birds
4. Hazel Dormouse (see details)
5. Invertebrates (phase 1 only)
6. Reptiles (phase 1 only)
7. UK BAP / NERC Act mammals and amphibians

Issues and Considerations:

The main issues raised by this application are whether the proposed development is an appropriate one in the Green Belt, whether it would detract from the rural character of the locality, and whether it would give rise to noise and disturbance, and unacceptable highways and traffic problems.

Green Belt issues.

The applicants are the Amana Trust a Christian based charity based in the adjoining borough of Havering. The site was until recently owned by the Methodist Church and has been principally used for many years for young peoples' activities. Accommodation has been provided in caravans and 3 permanent log cabins with facilities being provided in a pavilion. The Amana Trust wish to continue this recreational use of the site, for both young people and adults, but they wish to provide better all weather short stay accommodation principally in the form of timber cabins. The Trust are attracted by the woodland setting of the site since they wish to provide a genuine rural retreat suitable for day seminars, weekend breaks, and week

long training sessions. They readily accept that a condition would be applied to any consent that restricts the use of the site for short stay recreational use only – in order to differentiate the approved use from a residential use which would not be acceptable. In conclusion officers are satisfied that the proposal amounts to a continuation of the site's recreational use, a use which is appropriate in the Green Belt. Consequently, the proposal is in accordance with Local Plan policy GB2A, and the NPPF.

The proposed development would be carried out in 3 phases. Phase one would be the provision of 20 cabins and replacement of the existing central pavilion with a more modern two storey but timber clad pavilion facility. Phase 2 would comprise of the refurbishment of 4 existing cabins for short stay accommodation, a replacement caretakers cabin, and 3 new purpose designed cabins. Phase 3 would introduce an additional 18 cabins. These phases would be implemented over a 5 to 10 year period, and at a pre application meeting the Trust were advised to apply for all 3 phases in one go to avoid the perception of development 'creep' ie applying for cabins in an incremental manner. Most of the cabins would contain 2 bedrooms with toilet and shower, and would measure 5.2m in width by 8.5m in width, and would be 3m to eaves. In order to provide a better 'fit' in this woodland setting the Trust were also advised that cabins should have sloping roofs rather than flat roofs. The application states that the new floor space provided would represent a 42% increase over the existing – although if the size of more modern and larger mobile homes were taken into account the additional floor space would be smaller than 42%. In this connection the site licence allows for 60 caravans/mobile homes to be placed on the site although this number has not often been reached. In any event the existing site is a very large one covered with trees and vegetation and many cabins will be placed under the canopies of trees. In addition the cabins will be placed on micro piles so they will stand proud of ground level, hence avoiding the need for concrete or hard surfaced bases to be provided. The additional volume of development will therefore be discreetly accommodated across the south and east parts of the site, and as mentioned above the site is effectively surrounded by a screen of trees. For these reasons the proposed additional buildings will not materially affect the openness of the Green Belt, and they are considered to be of an appropriate scale and appearance to complement the recreational use of the site.

Access and transport issues

At the junction with Manor Road the existing vehicular access to the site will be widened and re designed, and amended plans show the removal of a tree and part of hedgerow so as to provide for improved driver visibility sightlines. As suggested by residents at a pre application public meeting the first part of the access road will be widened to allow two way working, and signs will be erected at the mouth of the entrance to assist visitors in finding the site entrance. The Highways Authority raises no objections to the proposal and welcomes the proposed improvements to the Manor Road vehicular access to the site. The applicants contend that vehicular movements to the site will not be radically different from the previous usage of the site, and most vehicles would arrive out of peak hours, typically at the weekends or evenings. The Amana Trust encourages the use of public transport and will provide shuttle mini bus services for visitors, particularly for young people, to transport people to and from Grange Hill underground station (1 mile), and Romford Overground station (7.2miles).

Amenity issues and response to representations received.

Concern has been raised about possible noise problems from activities on the site.

The applicants point out that a recent complaint about loud music after midnight on 7/8/16 did in fact emanate from a dwelling nearby at not from this Woodland Camp site. The applicant seeks to continue the Christian focus of use of this camp site and the tranquillity of the countryside is a significant part of the appeal of the site. They already have camp regulations in place that state *'we have neighbours on all sides of the perimeter therefore the noise level for music played must be heard only in the vicinity of Woodland Hall (central pavilion) - there shall be no noise at all after 10.30 pm outside the camp buildings'*. The applicants have also stated that they do not allow amplified music and in this context it is unlikely that the proposal would lead to noise and disturbance. However, in any event the applicants are willing to accept a condition that no amplified music will be played on the site other than within the central pavilion.

In terms of possible loss of visual amenity most neighbouring dwellings do not in fact adjoin the site boundary. Most are located to the north along New Road and therefore lie close to the northern 60% of the site which will not contain any cabins or buildings. Views over the site are dominated by tree cover and any views of cabins/buildings will be over considerable distances and where buildings will appear small and heavily screened. The garden to one dwelling at Priors, at the junction of Manor Road and New Road, does however adjoin the 'development' part of the site. However whereas at present caravans are located 11m from this boundary the nearest proposed cabin will be sited 23m away. In addition this neighbour has a very large garden where the dwelling is over 60m from this rear boundary, and again there are many mature trees close to the boundary that provide effective screening. Bearing in mind the above factors the proposed development will have a small impact on the visual amenity of nearby residents. Finally, a concern has been raised that trees on the site are to be removed. However only 3 small trees are to be removed from the boundary owing to their poor condition, and given the dense nature of trees on the site their removal will not detract from the screening effect the trees on the site provide.

Concerns have been raised also about possible light pollution, increased water run off into local water courses caused by erection of buildings, and aggravation of local sewer problems. With regard to lighting a plan has been submitted and shows LED low level bollards with light shining downwards, recessed pedestrian lighting on decking areas, and security lighting on sensors as appropriate. This is a modest level of lighting and given the heavily wooded nature of the site any light pollution will be kept at an acceptable level. With regard to water run off all the 42 cabins are to be erected on micro piles so that they stand above ground level – hence existing water percolation through the ground will not be disturbed. In respect of the local sewer the applicants have had detailed discussions with the Environment Agency and Thames Water and based on these discussions they plan to provide a rising main link to the main sewer some distance along New Road.

Some objectors fear that the numbers that may attend the site, up to 200, will match the total numbers of residents in Lambourne End and lead to infrastructure problems. However, meals and services will be provided on site for visitors and hence people staying at the site will not leave it for food and provisions. In addition, visitors will only stay on site for short periods, mostly up to a week, and in reality it is likely that occupation levels on the site will be lower than the peak of 200 for a large part of the time.

Two directional signs

These signs will not unduly detract from the street scene. They are also an

appropriate form of directional sign which will assist visitors in locating the site and therefore help to reduce the possibility of cars stopping or turning round along Manor Road.

Conclusions:

In essence the proposal seeks to continue the use of the site for recreational use, an appropriate use of a Green Belt site which lies close to London. Timber clad cabins are proposed to replace mobile homes in order to provide a more weather resistant form of accommodation. The appearance and bulk of these cabins in a woodland setting is acceptable. The applicants propose a camp site that has a Christian focus making good use of the sites wooded and tranquil setting – and in this respect activities carried on are likely to be quieter than commonly found on a commercial camp site open to the general public. For these reasons, and those set out in the report above, it is recommended that conditional planning permission be granted – together with advert consent for the proposed directional signs.

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

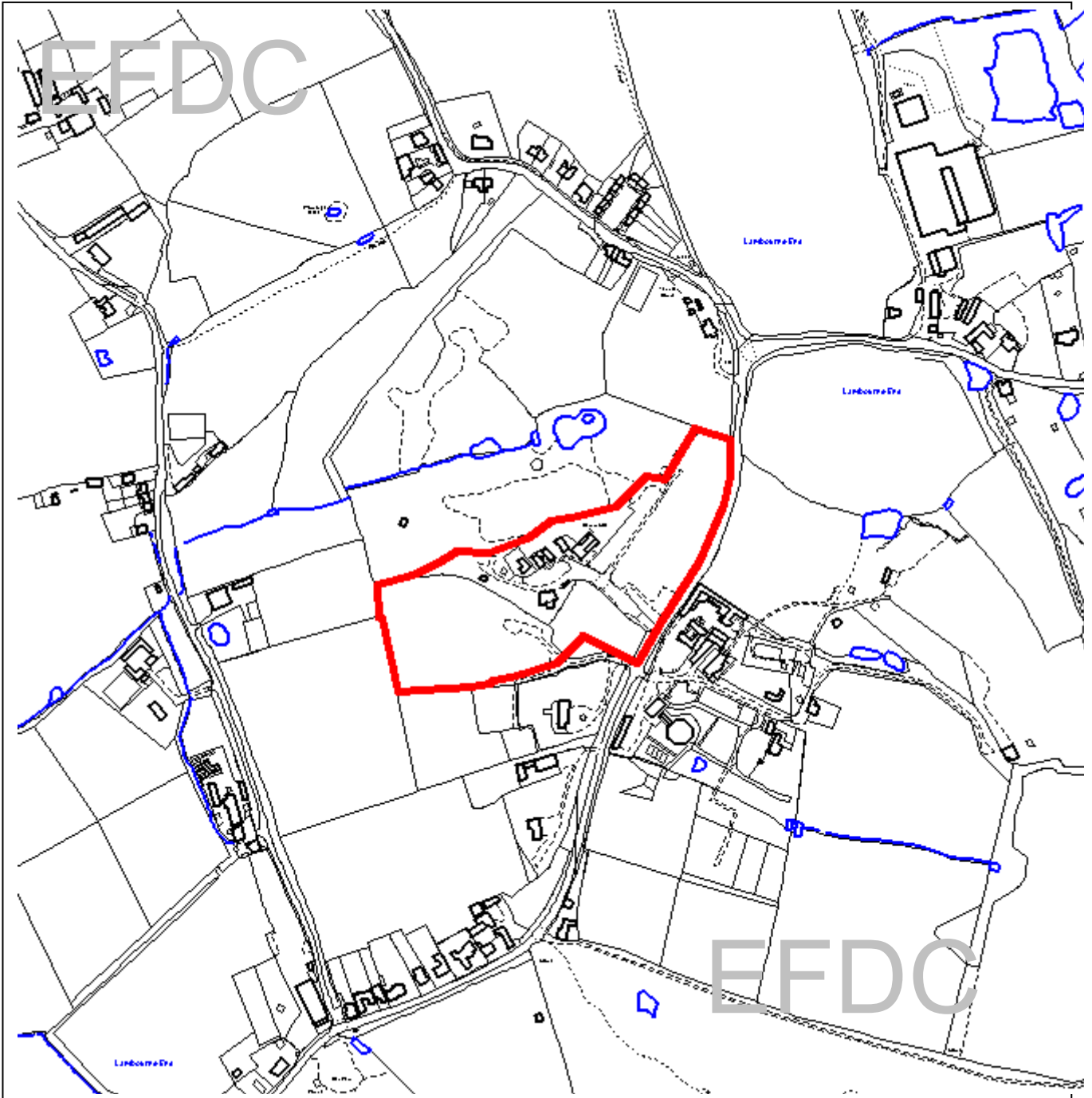
***Planning Application Case Officer: David Baker
Direct Line Telephone Number: 01992 564514***

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



Epping Forest District Council

Agenda Item Number 8



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Application Number:	EPF/1912/16
Site Name:	Woodland Camp, Manor Road, Limbourn, RM4 1NB
Scale of Plot:	1/5000

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Report to District Development Management Committee

Report Reference: DEV-016-2016/17
Date of meeting: 30 November 2016



Subject: Planning Application re: EPF/0035/16 – Land adjacent to The Brewhouse, Church Lane, Ongar, Essex, CM5 9LD – Proposed demolition of existing outbuildings and erection of one new dwelling.

Responsible Officer: Nigel Richardson (01992 564110)

Democratic Services: Gary Woodhall (01992 564470)

Recommendation(s):

- (1) That planning permission be 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:
1588.25 Location Plan at 1:2500
1588.25A Site Plan at 1:500
1588.24A
1588.23A
1588.20
1588.CC
1588.22A
1588.26
Heritage Statement
Design & Access/Planning Statement
Arboricultural Impact Assessment with drawing OS 1092-15.2 Revision A
 3. The existing built form on the site, as shown on the site plan and as referred to in the Design & Access/Planning Statement, shall be demolished concurrently with construction of any part of the house hereby approved. No part of the existing built form on the site as shown on the site plan and as referred to in the Design & Access/Planning Statement shall remain above ground level, prior to first occupation of the house hereby approved.
 4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A, B or E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written

permission of the Local Planning Authority.

5. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Planning Authority.
6. 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.
7. 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.
8. Before any preparatory demolition or construction works commence on site, full ecological surveys and a mitigation strategy for the site shall be submitted to the Local Planning Authority for agreement in writing with a working methodology for site clearance and construction work to minimise impact on any protected species and nesting birds. Development shall be undertaken only in accordance with the agreed strategy and methodology.
9. 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.
10. No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been

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

11. No development shall 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]

12. 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]

13. 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]

14. 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.
15. 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.
16. Additional drawings that show details of proposed new window, doors, structural alterations, eaves, verges, and cill, to be used by section and elevation at scales between 1:20 and 1:1 as appropriate shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of the works. The works shall be implemented in accordance with such approved details and permanently retained as such.
17. The public's rights and ease of passage over Public Footpath no.50 Ongar shall be maintained free and unobstructed at all times.

Report:

1. This application was originally presented to a meeting of the Area Plans Sub-Committee East on 7 September 2016. The application was deferred for a Member site visit, which took place on 1 October 2016 and to seek the view of Historic England. At its subsequent meeting of 5 October 2016, Members considered the proposal and voted to Grant Planning permission, subject to the conditions set out in the report. However, following the vote, 4 members of the

Committee exercised their right under the Constitution to require the right for the application to be considered by District Development Management Committee.

2. The minutes to the meeting of 5 October (forming part of the agenda of the 9 November 2016 meeting) records the following:

“The planning officer advised the committee that a strong objection from The Coach House had been missed off the agenda and apologised for this. Their objections are similar to those already set out in the agenda from other neighbours and had been reported to the last committee. In addition the officer reported that the Court House, and Church Meadow Barn, who had originally objected to the proposal have since removed their objections.

The Planning Officer also reported that the response received from Historic England stated that they did not wish to offer comments and they recommended that the application should be determined in accordance with national and local policy guidance, and on the basis of our specialist conservation advice.

Finally, the Planning Officer advised committee that following further investigation there was a possibility that parts of some or the buildings to be demolished are indeed curtilage listed, however further work is needed to establish this. If they are found to be, then listed building consent would be required for their demolition, and clearly if such consent were not granted then the current planning application could not be implemented. This is however a separate issue and does not prevent the determination of the planning application.”

3. In addition, since the report was heard at Area Plans East, the following letters have been received and which are brought to the committees attention:-

GREENSTED STABLES – object – contrary to Green Belt policy, previous owner never had a business at the premises, wrong to relate to a business use, site on edge of a very important Listed Building grouping, new house will be visible from Greensted Hall and footpaths, applicant’s planning permission for stables is enough benefit, stables and business as cinema office and warehouse will lead to vehicles using part of the Essex Way, proposed house is unsustainable, the Local Development Plan to expand Ongar has progressed with no residential development at Greensted.

HAWTHORN COTTAGE – object – none of the outbuildings were used commercially by the previous owner, these buildings were used to store his collection of vintage cars, there had never been any access from the Brew House onto the Essex Way until double gates were installed making the vehicular access to the proposed new dwelling, vehicular access is onto a single track farm access track forming part of the Essex Way and is too narrow for walkers and cars to share safely, new dwelling will set a precedent for further development in turn affecting Group Value of Greensted Church and Manorial Hall.

THE COACH HOUSE, GREENSTED HALL – Further communication: application should have been recommended for refusal because number of objectors who live close to Greensted Hall have provided statements to show presumptions in the applicant’s submission are untrue, never had commercial activity here, also previous owner never had any vehicular access from The Brew House on to the farm track/Essex Way, not all planning policies have been referred to, precedent this will set for other sites at Greensted Hall where some other new owners hoping to develop, description of site in the report does not state The Brew House is part of the important Manorial Hall and Church complex at Greensted; if previous use was agricultural then not

brownfield and proposed house is inappropriate development in the Green Belt, current outbuildings are dilapidated and an eyesore and should not be considered to offset against a new dwelling, why contaminated report required if you do not consider they are agricultural, never been business activity at The Brew House, 50% reduction in footprint and 15% reduction in volume is incorrect because it includes illegal structures which should be demolished as a separate issue, harm to group of these heritage asset buildings, unsustainable location, poor access onto Essex Way footpath and no mention of approved 3 stables and hay store in the officers report.

4. The report below sets out in full issues for consideration.

REPORT TO AREA PLANS EAST SUB-COMMITTEE ON 5 OCTOBER 2016

This application is before this Committee since it has been 'called in' by Councillor Keska (Pursuant to The Constitution, Part Three: Scheme of Delegation, Appendix 3)

This application is also before this Committee 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).

This application was deferred from the last Plans east Committee to enable members to visit the Site and for consultation with Historic England to be made. They were consulted in the 8th of September and at time of writing no response has yet been received. Any response will be reported orally at committee.

Description of Site:

The application site is part of a property known as The Brewhouse. The Brewhouse, Greensted Hall and a number of other dwellings are accessed by Church Lane. Church Lane has a junction on the northern side of Greensted Road.

The application site is formed by part of land within the ownership of the occupier of The Brewhouse. The house now known as The Brewhouse is to the east of the southerly end of the application site. Greensted Hall is to the east of The Brewhouse. At the northern end of the application site is a building with an open front facing south. This building is of breeze block and an almost flat metal surfaced roof and has three windows to the rear, facing north. The building faces into an enclosed yard with a breeze block wall, topped with engineering brick some 2.5m in height along the eastern side of the yard. The western edge of the yard is defined by a hedge. This hedge is on the eastern side of a track leading from Greensted Road to fields to the north. At the southern end of the application site three buildings effectively take up all the ground forming the southern half of the application site.

The site falls in level from south to north.

The site is within the Metropolitan Green Belt.

The Brewhouse is a Listed Building and Greensted Hall is a grade II* Listed Building. Immediately to the south of the application site is Church Meadow Barn, a Listed Building. Next

to Church Meadow Barn is a building, The Hall Barns, which has been divided into three dwellings. To the south is The Coach House, another Listed Building. To the west of the curtilage of The Brewhouse is a track that terminates at Lavender Farm set away to the north. Part of this track forms a public footpath that is part of the Essex Way.

Description of Proposal:

Proposed demolition of existing outbuildings and erection of one new dwelling.

The front elevation of the proposed dwelling would face north and have a chalet-bungalow character to its appearance. The front elevation would have one full storey, on which the entrance door would be set, and roof accommodation; two dormers and a gable end would face north. The proposed dwelling would have a footprint resembling an inverted "L" with the front elevation being set on an arm running east/west and a front bay running north/south. Due to the ground levels falling to the north the forward projecting bay, extending to the north, would appear above ground whereas accommodation set further back, to the south, would be at basement level, terraced into the slope of the ground. This arrangement would convincingly give the appearance of a one-and-a-half storey dwelling with a detached outbuilding set in front.

The proposed dwelling would have a basement level floor which would be a true basement at the southern end, beneath the floor containing the entrance door and bedrooms above that, then have a roof lantern above, and then project above a falling slope. The southern end of the basement plan would have a home cinema and ancillary accommodation whilst the northern end would have an office and a workshop. The office and workshop would read as a building 13.5m long by 4m deep, with a gable roof with a height to the ridge of 4.6m on the eastern elevation, 3m in height to the eaves. However, on the western elevation, adjacent a track along which part of a public footpath runs, what would appear as the rear elevation of this element of the proposed building would be terraced into a slope such that it would be 2.5m in height to the eaves at the northern most end but be 1.5m in height at a position 13m further south.

The main element of the proposed building, what would appear as a flank wall of the dwelling, would have two windows facing the footpath. This part of the development would have eaves at an average height of 4m, the eaves extending for 10m north/south. These eaves would be to a gabled roofed element of the proposed building. The ridge of this gable roof would have an average height of 6.5m as seen from the footpath.

The ground floor plan of the proposed development would measure 11.5m wide (i.e. west to east) by 9.5m deep. The ground floor plan would accommodate a hall inside the front door with a utility room, study and staircase off it and leading on to an open plan kitchen and living room area.

The first floor plan would accommodate two bedrooms, one with a bathroom en-suite, a box room measuring 4m wide by 1.7m deep and a bathroom.

Relevant History:

EPF/2985/14 - Application for Listed Building Consent to carry out the following works: Replace old render/feather edge with breathable insulation board x white lime render; reduce size of porch adding pitched roof; replace rotten windows with crittal style metal windows; and secondary glazing to existing windows; add hardwood door to kitchen for access to garden; raised engineered oak timber floor throughout ground floor with underflooring heating; add wc to

ground floor 'office' area; remove & rebuild 2x stud partitions on first floor; add 3x shower cubicles; add raised landing over exposed beam to protect against wear- Granted 16/02/2015

EF\2014\ENQ\01487 – Pre-application enquiry for provision of one dwelling

EPF/2515/14 - Erection of stable block (3 stables), associated open fronted hay store. –
Granted 22/12/2014

EPF/2173/15 - Grade II listed building application for installation of a wood burning stove. –
Granted 02/12/2015

Policies Applied:

CP1	Achieving Sustainability Objectives
CP2	Quality of Rural and Built Environment
CP3	New Development
GB2A	Development in the Green Belt
GB7A	Conspicuous Development
HC12	Development Affecting the Setting of Listed Buildings
H2A	Previously Developed Land
DBE1	Design of New Buildings
DBE2	Effect on Neighbouring Properties
DBE4	Design in the Green Belt
DBE6	Parking for New Residential Developments
DBE8	Private Amenity Space
DBE9	Loss of Amenity
LL1	Rural Landscape
LL2	Inappropriate Rural Development
LL11	Landscaping Schemes
ST1	Location of Development
ST6	Vehicle Parking

NPPF

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 3

Site notice posted: 22/01/2016

Responses received:

WEST ESSEX RAMBLERS – object – vehicular access would be along track that is a footpath and as such would be a danger to walkers, this is Green Belt land that should not be built on unless there are special circumstances and no such circumstances apply in this case, would spoil the historic setting of Greensted Hall.

GREENSTED HALL MANAGEMENT LTD – object – would infringe covenants, would compromise services such as drainage, proposal would be detrimental to its setting, detrimental to heritage assets, contrary to policy in NPPF and the Local Plan, inappropriate development in the Green Belt, site has no vehicular access, unsustainable location, no mains drainage, certificate with application is incorrect and therefore the application cannot be determined.

THE COACH HOUSE, GREENSTED HALL, CHURCH LANE – object – site address is incorrect as the site is within the curtilage of The Brew House, neglected state of the ground should not influence the Council's decision, would harm setting of Listed Buildings, would harm the Green Belt, unsustainable location, could harm the Essex Way, replacement outbuildings will be required for the existing house, there may be bats and barn owls in the buildings to be demolished, vehicular access is not possible, when stables are built there will be problems of flies and smells to occupants, insufficient parking, design too large, indications that the dwelling would involve a business use, some of the outbuildings are pre-1948 and so curtilage listed.

1 HALL FARM BARNS – object – loss of privacy, building work could compromise safety for my children, concerned about the aesthetic look of this property, could exacerbate a problem of insect infestation.

HALL FARM - Object . The site notice was not appropriately located, I have not had a notification letter. Traffic passing to attend the development will affect my enjoyment of my historic property. Green belt. Harm to the setting of the listed buildings, close to historic footpath, Access track is unsuitable there are health and safety issues. All traffic here has to pass Greensted Church and its foundations could be damaged. The access to the site is new (within the last 12 months) There are no extenuating circumstances to allow this. The development would harm the historic significance of the unspoilt area.

CHURCH LODGE, CHURCH LANE- Object, Notice not displayed on public ground, access is unsafe and part of the Essex way, the lane could be hazardous for large lorries. Green Belt. Access is past the historic church and there could be problems with site traffic. The overdevelopment would change his historic site.

THE COURT GREENSTED HALL - The proposal is contrary to national planning policies and would affect the environment of Greensted Hall. This is not brownfield land. Harmful to the Green Belt and to the setting of the listed buildings. No very Special Circumstances Use of the Essex Way by traffic would be dangerous to pedestrians. There is a covenant that prevents the building of any other buildings in the curtilage of the Brewhouse. There are no mains drains. The idea that all rural gardens are brownfield land is incorrect. Previous owner housed his collection of vintage cars in the cowsheds they are agricultural buildings not brownfield land.

No Address given - Concerned about increased volume of traffic on Church Lanes already failing road surface particularly during the building phase. Also this one house could set a precedent, turning our beautiful hamlet into a housing estate.

TOWN COUNCIL- Strongly objects. This is an inappropriate dwelling in the Green belt on part of the historic Greensted hall estate. It would be very evident from the Essex Way and other footpaths and would undeniably spoil the openness of the Green belt. The new building would have poor access down a single track which is indeed part of the Essex Way. It would seem there are no extenuating circumstances which would persuade us to agree to this application.

SIR ERIC PICKLES MP – Further to similar correspondence on a similar matter, I have received the attached email from his (sic) constituent, Mrs Mary Dadd, of the Coach House, Greensted Hall, outlining her objections to a planning application. As before I am mindful that planning matters are the responsibility of the local planning Authority, and would be grateful if you could ensure that Mrs Dadd's comments are seen by the appropriate officers.

Main Issues and Considerations:

The main issues are considered to be the principle of development in the Green Belt, affect to the character of the setting of listed buildings, impact to neighbours, residential amenity of future occupiers, tree and landscape considerations and whether or not the development proposed would constitute sustainable development, as defined in the NPPF.

Green Belt

The site is within the Green Belt where planning permission will not be granted for the construction of a new building unless it is appropriate in that it is development of a type itemised within Policy GB2A. The proposal would not be any included in any of the types of development itemised. The development would therefore be inappropriate development within the Green Belt. Paragraph 87 of the National Planning Policy Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

However, the NPPF refers, at paragraph 89, to exceptions to what is inappropriate development. One such exception is redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

If it is accepted that the site is brownfield land then the proposal could be acceptable in principle. The glossary to the NPPF defines previously developed land as "Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure." Land in built-up areas such as private residential gardens is specifically excluded from the definition of previously developed land and some have extended this to imply that residential gardens outside built-up areas is previously developed land. Indeed, a court decision (Dartford BC v. SSCLG. CO/4129/2015) indicates that a site within a rural area and part of the curtilage of developed land should be treated as previously-developed land.

Please note however that permission has been given to challenge this court decision.

The history of the site is of some length and involves the history of the estate to Greensted Hall as a whole. However, it is officers' opinion that the site now forms part of the curtilage of the residential property The Brewhouse. Given that the site is previously developed land, i.e. brownfield land, then the development is acceptable in principle subject to it having no greater impact to the openness of the Green Belt.

The volume of the buildings to be demolished is 1,194 cubic metres. The volume of the proposed dwelling would be 1,011 cubic metres. The footprint of the existing buildings is 456 sq m. The footprint of the proposed dwelling would be 202 sq m. Accordingly, the proposal would not have a greater impact on the openness of the Green Belt than the existing development.

The dwelling would be in an out of the way position, any close public view of the dwelling would effectively only be from the track, along which a public footpath runs, to the west. The western elevation would have a modest mass being only two-storey for a length on the western elevation of 9.5m, the remaining 20m of length reading as a single storey building much of which is to be set into a slope.

The front elevation, the north elevation, would read as an almost chalet-style dwelling and be

broken into single storey with front dormers and gable end elements.

It is considered that the proposed dwelling would have a good appearance.

Furthermore, the Council is currently in the process of preparing a new Local Plan where sites will be identified for residential development however the latest figures reveal that the Council can currently only demonstrate a 1.35 year supply of land for housing purposes. Given that the NPPF requires a demonstrable five year supply of housing, paragraph 49 of the NPPF is engaged whereby Local plan policies which address the supply of new housing are considered to be out of date. As a result these policies are to be afforded less weight in the decision making process in favour of a greater reliance on the NPPF.

The lack of a five year supply of housing weighs in favour of granting planning permission and is attributed substantial weight in this application.

Setting of Listed Buildings

The proposal site stands within the setting of several listed buildings; the 17th century Hall Farm Barn (grade II), The Brewhouse of 17th century origins which was converted to a dwelling in 1950 (grade II), and the grade II* listed Greensted Hall of medieval origins with extensive rebuilding c.1700. The wider site also includes Greensted Hall's former coach house listed at grade II, St Andrew's Church listed at grade I which is , therefore, of exceptional significance, and Hall Farmhouse and barn both of which are locally listed. The site is particularly sensitive in terms of its proximity to these heritage assets and the potential harm that could be caused through development.

The proposal sees the removal of three relatively modern outbuildings/agricultural buildings. These are unattractive, utilitarian buildings which detract from the setting of the surrounding buildings so their demolition is supported. The proposed replacement building is a modestly proportioned house with simple traditional detailing which occupies a smaller footprint than the existing buildings. It is a sympathetic addition to the site and an improvement on the existing arrangement.

The design of the house has been amended following discussions with the architect regarding the size, number and positioning of the dormer windows. There is now no objection to the proposal with regard to its setting with Listed Buildings though conditions to any approval have been recommended by the Design and Conservation Team.

Impact to neighbours

A building, Church Barn, to the south of the application site has been converted into three dwellings. A single storey bay of one of these dwellings runs along the southern boundary of the site but this bay has no window facing the site, only roof lights. The nearest dwelling in the former barn has a window and a door leading onto a yard off the kitchen/breakfast room (plans for EPF/1077/99 refer) and a first floor window facing the position of the proposed dwelling though these are some 25m from the rear elevation of the proposed dwelling. The rear elevation of the proposed dwelling would have at first floor level two small roof lights and a bedroom window set in a gable end. Given the separation distance and that the proposed dwelling would be on lower ground it is considered that adverse material impact would result to the dwelling to the south, 1 Hall Farm Barns.

The objection of this neighbour are noted though the comments regarding loss of privacy and aesthetics are not supported. Other matters raised are not planning considerations.

Greensted Hall has a side elevation some 40m to the east of the position of the proposed dwelling. The Coach House is some 30m to the south of Greensted Hall. The siting of the proposed dwelling is considered sufficiently distant from any other neighbour so as to have no material adverse impact.

Amenity of future occupiers

Two car parking spaces would be provided to the proposed dwelling.

To the rear of the proposed dwelling would be a rear garden of at least 320 sq m.

Whilst a significant portion of the accommodation would be that at basement level and whilst a third bedroom would be of only box room size, it is considered that the proposed dwelling would offer a high standard of accommodation.

Tree and landscaping matters

Existing trees and hedges would be retained. The Trees and Landscaping Team has no objection subject to conditions to any approval. A hedge between the track to the west and the site would screen the dwelling from a footpath. Existing buildings to the south would screen the dwelling. More distantly trees and hedges to the north and east would make the proposed house inconspicuous in the landscape.

Sustainability

The use of previously developed land would in some way compensate for the dwelling not being in a sustainable location. The site is a short drive from Chipping Ongar which has a reasonable range of services and facilities. Although not in a sustainable location, this proposal for one dwelling is of a nature very similar to many others throughout the district which have relatively recently been granted planning permission.

Conclusion:

This Green Belt site is previously developed land and the proposal would result in a 15% reduction in volume and a 50% reduction in built form footprint. The proposal is considered acceptable with relevant planning policy and it is recommended that planning permission be granted.

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

***Planning Application Case Officer: Jonathan Doe
Direct Line Telephone Number: 01992 564103***

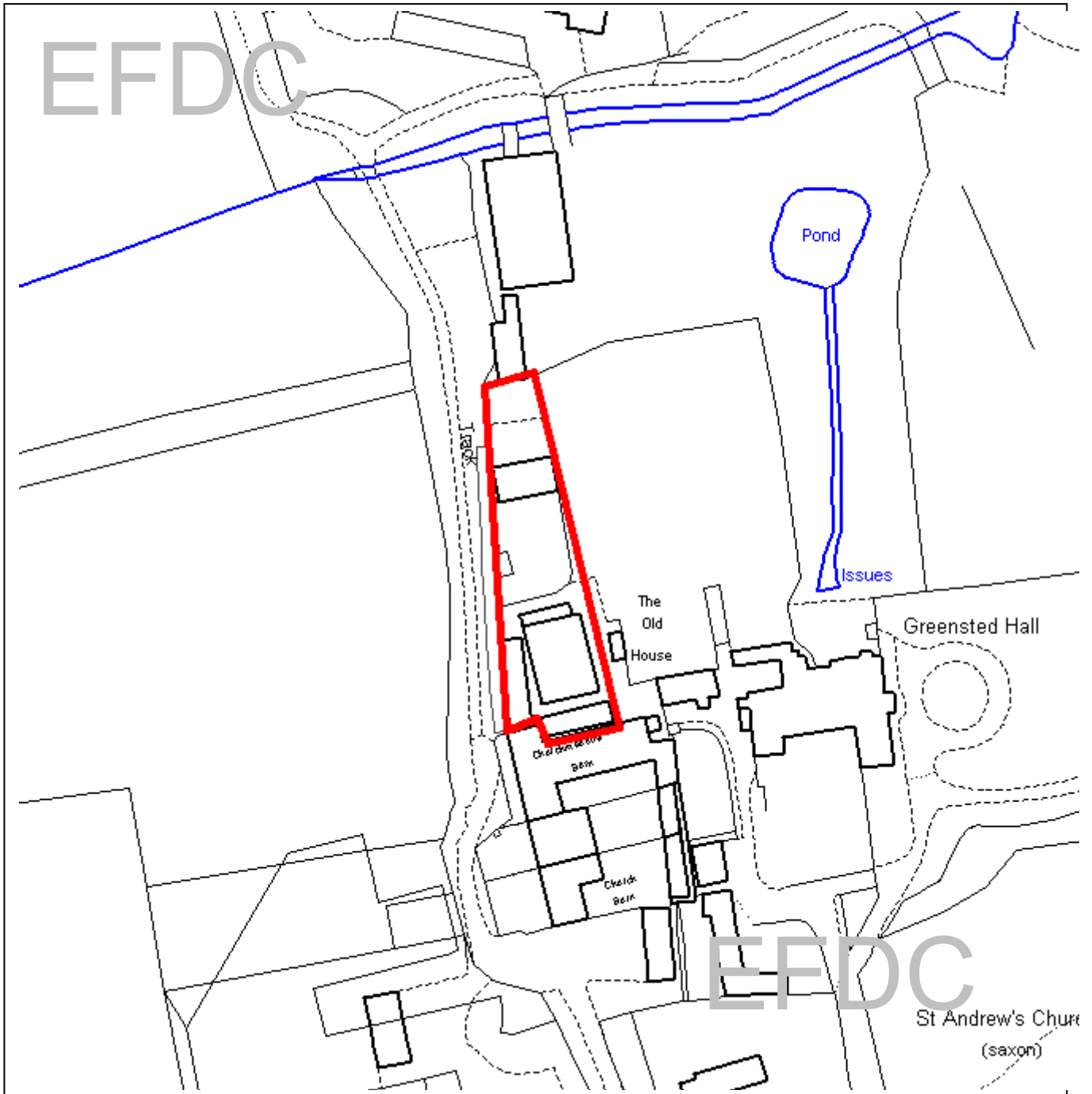
***or if no direct contact can be made please email:
contactplanning@eppingforestdc.gov.uk***

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Epping Forest District Council

Agenda Item Number 9



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Application Number:	EPF/0035/16
Site Name:	Land adjacent to The Brewhouse, Church Lane, Ongar, CM5 9LD
Scale of Plot:	1/1250

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