

## AREA PLANS SUB-COMMITTEE 'WEST'

### 25 Plans West

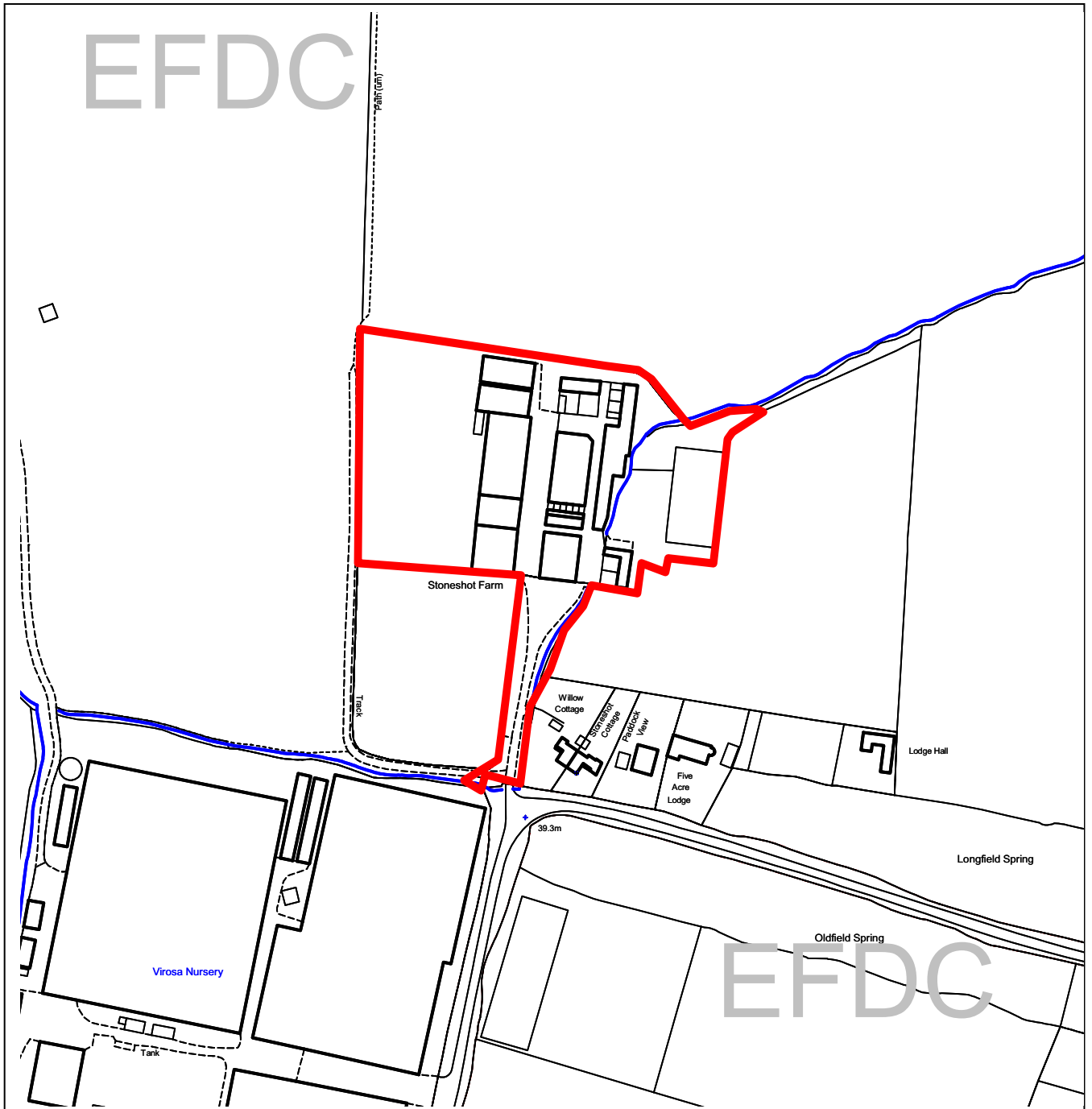
#### INDEX OF PLANNING APPLICATIONS

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/0207/14	Stoneshot Farm Hoe Lane Nazeing Essex EN9 2RW	Refuse Permission	24
2.	EPF/2369/14	Netherhouse Farm Sewardstone Road Waltham Abbey Essex E4 7RJ	Refuse Permission	36
3.	EPF/2370/14	Netherhouse Farm Sewardstone Road Waltham Abbey Essex E4 7RJ	Grant Permission (Subject to Legal Agreement)	50
4.	EPF/2804/14	Danbury Lippitts Hill Waltham Abbey Essex IG10 4AL	Grant Permission (With Conditions)	68
5.	EPF/2886/14	3 Ash Groves Sheering Essex CM21 9LN	Grant Permission (With Conditions)	76
6.	EPF/0030/15	7 Thaxted Way Waltham Abbey Essex EN9 1LQ	Grant Permission (With Conditions)	82



# Epping Forest District Council

## AGENDA ITEM NUMBER 1



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

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

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

Application Number:	EPF/0207/14
Site Name:	Stoneshot Farm, Hoe Lane Nazeing EN9 2RW
Scale of Plot:	1/2500

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/0207/14
<b>SITE ADDRESS:</b>	Stoneshot Farm Hoe Lane Nazeing Essex EN9 2RW
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Lower Nazeing
<b>APPLICANT:</b>	Haycross Ltd
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing light industrial buildings and construction of 25 no. 2-bed, 6 no. 3-bed and 5 no. 4-bed houses (36 dwellings in total), with associated off street parking, private gardens, communal amenity space, children's play area and landscaping.
<b>RECOMMENDED DECISION:</b>	Refuse Permission

**Click on the link below to view related plans and documents for this case:**

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=559340](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=559340)

**REASON FOR REFUSAL**

- 1 The site is considered to be unsustainable in respect of proximity to shops, services and facilities. The new dwelling houses are not readily accessible by sustainable means of transport or provide safe and convenient access to pedestrian and cyclists. Future residents of the dwellings would therefore be heavily dependent on the use of private cars which is contrary to local policies CP1, CP3, ST1, ST2 and ST3 of the Adopted Local Plan and Alterations and the National Planning Policy Framework.
- 2 The proposal constitutes inappropriate development in the Metropolitan Green Belt for which planning permission should not be granted, save in very special circumstances. In addition to the harm by reason of its inappropriateness, the proposed development would also be detrimental to the open character of the Green Belt in this location and would cause harm to the visual amenity of the area. The applicant has failed to demonstrate that other considerations clearly outweigh that identified harm to the Green Belt and, as such, the proposed development is therefore contrary to Government guidance contained within the National Planning Policy Framework and saved policies GB2A and GB7A of the adopted Local Plan and Alterations.
- 3 The site is within the area identified in the Epping Forest District Local Plan as Metropolitan Green Belt. The proposed dwelling houses are materially greater in size and scale than that of the buildings that they are proposed to replace particularly in relation to their bulk, massing and height and the developed area extends on to currently undeveloped open land. The proposal would therefore result in undue intensification of built development at the site that would unduly diminish the rural character and the openness of the green belt and thus not accord with the

aims and objectives of including land within the green belt. No adequate very special circumstances have been demonstrated by the applicant to outweigh the significant harm of the development to the Green Belt. The proposal is contrary to policies CP2, GB2A and GB7A of the Adopted Local Plan and Alterations and the National Planning Policy Framework.

- 4 The proposal fails to provide on site affordable housing despite such provision being financially viable and the site being suitable for such development, as such the development is contrary to policies H5A, H6A, and H7A of the Adopted Local Plan and Alterations and Para 50 of the NPPF.
- 5 The proposed development is of a design, scale, layout and form that is out of character with the local area and detracts from local distinctiveness contrary to policies CP2, CP3, DBe1, DBE4 and DBE5 of the Adopted Local Plan and Alterations and the National Planning Policy Framework.
- 6 The proposed development has failed to adequately demonstrate sufficient retention of landscaping particularly protected trees along the site access due to conflicting supporting documentation supplied. The development is therefore contrary to policy LL10 of the Adopted Local Plan and Alterations and the National Planning Policy Framework.
- 7 The proposed development would result in significant adverse impact when viewed from the surrounding countryside to the detriment of the character of the rural landscape and contrary to the aims and objectives of policy LL2 of the Adopted Local Plan and Alterations and the National Planning Policy Framework.
- 8 The proposal does not accord with the adopted Parking Standards as it does not provide any on-site provision for visitor parking or secured cycle storage. This would lead to inappropriate kerbside parking detrimental to highway safety, contrary to policies ST4, ST6 and DBE6 of the Adopted Local Plan and Alterations and the National Planning Policy Framework.
- 9 The proposal does not accord with the adopted Parking Standards in terms of the layout and positioning of the parking bays. In particular parking bays nos.1, 2, 12, 13, 41 and 41 along with other parking bays within the site that don't have a 6 metre clearance behind them do not lend themselves well for a vehicle to manoeuvre in and out of the space safely and efficiently. This would result in obstruction and dangerous manoeuvring to the detriment of highway safety contrary to policies ST4 and ST6 of the Adopted Local Plan and Alterations and the National Planning Policy Framework.
- 10 The hard standing area to the front of parking spaces nos.57-76 will encourage vehicles to park over the footway to the detriment of pedestrian safety contrary to policy ST2 and ST4 of the Adopted Local Plan and Alterations and the National Planning Policy Framework.
- 11 The internal footways are all only 1m wide; at least 1 footway should be 2m wide and the others a minimum of 1.5m wide, to avoid pedestrian conflict and pedestrians having to step off the footway to pass each other or a pushchair or wheelchair. The current footways would be detrimental to pedestrian safety contrary to policy ST2, ST4 and DBE5 of the Adopted Local Plan and Alterations and the National Planning Policy Framework.

- 12 The proposed turning heads within the site should be part of the adoptable carriageway of at least 5m in width, and not incorporated into the shared private access width. Currently the turning head does not comply with a Size 3 T-turn as per the Essex Design Guide and would cause problems with refuse and fire tender access contrary to policy ST4 of the Adopted Local Plan and Alterations and the National Planning Policy Framework.

*This application is before this Committee since it is an application that is considered by the Director of Planning and Economic Development as appropriate to be presented for a Committee decision (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(k))*

### **Description of Site:**

Stoneshot Farm is accessed off Hoe Lane, along a Willow lined drive, bounded by a drainage ditch. The Site is a former rabbit/poultry farm complex that has now diversified into a stables and livery facility and a number of B1 light industrial uses in single storey buildings erected in a linear fashion near to the site entrance. The wider site contains open paddocks, many of which are used for grazing in association with the livery use.

The site is located to the rear of Virosa Nursery and a small ribbon of detached properties adjacent the access. The site is otherwise surrounded by agricultural fields and is in the designated Green Belt. Individual Preservation Orders have been placed upon trees that line the access into the site and a Public Right of Way passes through the application site, following the drainage ditch, which runs along the access then across the site in a north-east direction.

Hoe Lane begins in the settlement of Nazeing and extends into the countryside, quickly developing the character of a winding country lane, without footpath, serving various agricultural and nursery sites, some of which have changed use over a number of years. This character is interspersed with small clusters of housing, often set back from the highway, in a linear ribbon form following the highway.

### **Description of Proposal:**

The proposed development seeks to clear the existing buildings and uses on site and erect 25x 2-bedroom dwellings, 3x 3-bedroom dwellings and 5x 4-bedroom dwellings. All the proposed new properties would be for sale on the open market with no affordable housing contribution.

The proposed new dwellings would provide 76 parking spaces, associated gardens and there is an indicated play area. The proposals would resurface the access. Open paddock land to the west of the site would be retained.

This application has been pending for some time while the applicants have sought to resolve conflicting plans, have incorporated the access road into the application site, have sought further information regarding viability issues relating to affordable housing and undertaken tree surveys.

### **Relevant History:**

The site has an extensive planning history relating to agricultural applications and associated later diversification, but there is no associated history for proposed residential development.

### **Policies Applied:**

CP1- Achieving Sustainable Development Objectives

CP2 - Protecting the Quality of the Rural and Built Environment  
 CP3 - New Development  
 CP4 - Energy Conservation  
 CP5 - Sustainable Building  
 CP6 - Achieving Sustainable Urban Development Patterns  
 CP7 - Urban Form and Quality  
 CP8 – Sustainable Economic Development  
 CP9 - Sustainable Transport  
 GB2A – General Restraint  
 GB7A – Conspicuous Development  
 RP4 – Contaminated Land  
 U2B – Flood Risk Assessment Zones  
 U3B – Sustainable Drainage Systems  
 DBE1 – New Buildings  
 DBE2 – Impact of Buildings on Neighbouring Property  
 DBE4 – Design and Location of New Buildings within Green Belt  
 DBE5 – Design and Layout of New Development  
 DBE6 – Car Parking in New Development  
 DBE7 – Public Open Space  
 DBE8 – Private Amenity space  
 DBE9 – Amenity  
 H3A - Housing Density  
 H4A – Dwelling Mix  
 H5A - Affordable Housing  
 H6A - Site Thresholds for Affordable Housing  
 H7A - Levels of Affordable Housing  
 H8A – Availability of Affordable Housing in Perpetuity  
 H9A – Lifetime Homes  
 NC4 – Protection of Established Habitat  
 LL1 – Rural Landscape  
 LL2 – Resist Inappropriate Development  
 LL3 – Edge of Settlement  
 LL10 – Retention of Trees  
 LL11 – Landscaping Schemes  
 ST1 - Location of Development  
 ST2 - Accessibility of Development  
 ST4 – Road Safety  
 ST6 – Vehicle Parking  
 ST7– Criteria for Assessing Proposals (new development)  
 I1A – Planning Obligations

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 214 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

### **SUMMARY OF REPRESENTATIONS:**

106 neighbouring consultations have been sent and site notices erected at the entrance to the site. The following representations have been received.

OAKLEY HALL, VIROSA, STONESHOT COTTAGE, PROSPECT HOUSE, PADDOCK VIEW, LODGE HALL, STONESHOTT VIEW, BURLIEGH LODGE, FIVE ACRE LODGE, UNIT 12, MIDDLEBROOK FARM ALL HOE LANE- Support application (provided there is no social housing) – application would prevent industrial expansion, reduce HGV movements.

POND HOUSE, BACK LANE; CLARADOR & BUTTFIELD, BETTS LANE; LITTLE END, WILLOW COTTAGE & EVA END, HOE LANE; 4 STONARDS HILL (EPPING) – Objections which include: Dangerous access, no public transport, reliance on private vehicles, increase in traffic, insufficient school places, out of character, insufficient parking, unsustainable location, outside of settlement area, no affordable housing provision, overdevelopment, detrimental to surrounding amenity, noise issues, flooding issues, impact on Green Belt, loss of employment, loss of trees, not sufficient services.

CHURCH FARM HOUSE, BACK LANE; FIELD SIDE, HOE LANE; NAZEING PRIMARY SCHOOL – Comments

Some inconsistency on plans, concern over traffic increase, no clarity on affordable housing provision, school is close to capacity.

NAZEING PARISH COUNCIL: Mr Wright spoke in support of this application. Sarah Billington, residing next door to the proposed development, strongly objected. She stated there would be an adverse effect on the neighbouring properties, loss of views, pressure on school places, perceived increased flooding risk, insufficient parking spaces and development outside of the Nazeing settlement area. Councillor Arnold questioned the mix and number of houses and thought that this application represented over development of the site in its current form, Councillor Ballard agreed. Councillor E Borton challenged the vehicle movement figure (390) would only be correct if the industrial site was fully occupied and the units lost to fire in recent times were rebuilt and at full occupancy. Therefore the actual figure at present would be considerably less. Councillor E Borton also stated that this proposal would result in the loss of 12 jobs. Councillor Skipper stated that housing was desperately needed and she was in support of this application. Councillor D Borton added there was the consideration of sustainability and the effect on schools, services and transport wasn't to be underestimated. Councillor E Borton proposed that the council should object to the application as inappropriate development for the area. Councillor Castle seconded. Vote was recorded as:- in favour of resolution to objection – Councillors E Borton, D Borton and G Castle. Against Councillors Skipper, Shorter, Ballard, Evans and Arnold. It was accordingly resolved to object to the application. Councillor Arnold put forward that a proposal for a scheme with no more than 10 larger dwellings that would be less intrusive and more in character with surrounding properties. Vote was recorded as: in favour of the suggestion Councillors Skipper, Shorter, Ballard and Evans. Against Councillors E Borton, D Borton and G Castle.

### **Issues and Considerations:**

The main issues to be considered are the principle of residential development on the site in the Green Belt, housing need and affordable housing, design and layout matters, impacts to neighbouring properties, landscape and ecology issues and highway and parking. Associated necessary contributions should also be considered.

#### **Principle of development in the Green Belt and Sustainability**

Development within the Green Belt is defined as inappropriate in principle as it inevitably impacts on openness and the purposes of including land in the Green Belt. The proposals are therefore inappropriate unless falling under one of a number of identified exceptions from the NPPF and local policy. The proposals do not result in a reuse of existing structures and do not result in a gain in respect of openness as the proposals are of a significantly greater scale and floor space than currently exists. The proposed development would also cover the entirety of the site including the existing open paddock areas. This would result in encroachment into the open Green Belt.

The site partially comprises a number of former agricultural buildings, in a linear form on opposing sides close to an associated access and hardstanding. These areas of the site could be considered previously developed, however the reuse of the buildings is not proposed.

The remaining site is in equestrian use, this area of the site is not considered brownfield or previously developed land as this is a rural enterprise akin to agriculture. The site has a number of low built structures of agricultural form in use for equestrian purposes. Such purposes are known as rural enterprises, but fall beyond the definition of agriculture as set out in the Town and Country Planning Act. Similarly stud farms, koi carp farms and alpaca farms are all uses that are not strictly within the definition of agriculture, but are akin in nature and thus are categorised as rural enterprises. This does not result in the sites being previously developed or brownfield sites. Mindful of the above there is no reason to consider this application as an exception to usual Green Belt policies.

The applicant suggests there to be very special circumstance as follows:

- a policy vacuum,
- absence of a 5-year supply for housing, and
- loss of existing buildings on site that are highly prominent and visually harmful.

Assessing each of these matters in turn, the Council does not consider there to be a policy vacuum. The NPPF failed to make any significant change to the presumption against development in the Green Belt, in addition the Council considers its existing saved Green Belt policies to accord with the aims and objectives of the NPPF. The result being the Local Plan is neither silent nor out of date in this regard.

Turning to the Council's 5-year land supply. The Council is currently considering the future housing need for the District. The absence of an agreed housing target for the next Local Plan period does not in itself result in a failure to provide sufficient housing for future generations. In addition the Council is able to consistently demonstrate a meaningful provision of new homes in the District and associated approvals.

Notwithstanding the issues above, the NPPF sets out in paragraph 14 the presumption in favour of sustainable development and in paragraph 49 the requirement for a 5-year land supply. The Green Belt policies currently provided by the Council are not over-ruled by the absence of current housing allocations, indeed, it is a requirement of paragraph 14 of the NPPF and indeed Local Plan policies CP1 and CP2 that proposed development is sustainable. By definition this would mean balanced in respect of environmental, economic and social impacts. The proposals would result in the provision of housing in an unsustainable location, well separated from services and facilities and on a site not benefitting from links to public transport. In addition the nature of the development proposed and the existing site is such that the proposals result in the loss of open grasslands in the Green Belt and the replacement instead with an urban developed built form. This is therefore not sustainable development by definition and therefore no presumption in favour should be applied.

Also in relation to sustainability, the economic impacts arising from the proposals would be the loss of existing employment uses and associated jobs on site. Whilst the NPPF no longer requires that consideration be given as a preference to uses resulting in employment, locally employment loss is a concern and no information is supplied regarding the relocation of the existing businesses. It is regrettable that policy no longer steers development towards that which is employment generating, however in the context of sustainability, there is no information submitted to demonstrate whether this would have a localised impact on existing businesses. Also in relation to this point, a number of letters of support have been received as the proposed residential use of the site would be preferable to industrial uses. Mindful of the paragraphs above, Officers would remind Members that Green Belt policy presumes against any new development in the Green Belt be it residential in nature or commercial. Thus it may be considered that some residents have been misinformed or poorly advised.



Finally, in respect to suggestions that the loss of the existing functional buildings and replacement instead with a greater floor space and scale of development over a wider site area, Officers do not agree. The proposed development is clearly more harmful to openness being a significant amount greater in floor space, covering a greater area of the site and being of a greater scale. In addition functional utilitarian buildings in the Green Belt are acceptable as commonplace and often, a requirement for agriculture. The residential, urban form proposed and associated paraphernalia is neither rural in design or form and in turn is not commonplace or characteristic of the Green Belt and countryside.

#### Housing need and affordable housing

Issues relating to housing need and the 5-year supply of housing area considered above. In respect of affordable housing, the application is accompanied by an Affordable Housing Viability Report. This has been revised during the course of this application. The report concludes that provision of affordable housing is not possible after costs of developing the site. This report has been independently assessed by Kift Consulting at the developer's expense. Kift have concluded that the development would be deliverable with the policy required contribution of 40% on site affordable housing and still reap a 20% profit for the developers, plus a surplus. As a result the proposals are contrary to affordable housing policies H5A, H6A and H7A and there is no sound justification available for failure to provide affordable housing.

#### Design

The proposals seek to provide a variety of house types mostly set over two storeys, but some with development in the loft providing a third floor. The proposed units would be provided as a mixture of detached, semi-detached and terraced properties.

The proposed layout would extend across the majority of the site, including behind the existing linear row of cottages adjacent to the access fronting onto Hoe Lane, albeit separated by a paddock to be retained. The properties fronting Hoe Lane are two storey semi-detached and detached dwellings with wide frontages and set within generous plots. The height of the proposed new dwellings would be similar to those fronting Hoe Lane, however the proposed layout has a denser, more urban form and is set back from the typical ribbon of development along Hoe Lane. The scale and form of development would appear cramped and unusually urban in character in this location. Built up enclaves along Hoe Lane are not common in an area where nurseries and diversified farm enterprises, alongside linear, sporadic clusters of residential development comprise the general character. The proposed development is considered out of character and in addition to Green Belt concerns, Officers consider the proposals would be visually harmful to local character and appearance contrary to policies CP1, CP2 and CP3 and design policies DBE1, DBE4 and DBE5.

In addition the proposals would extend significantly into areas of currently open land, resulting in a sprawl of conspicuous development. This would have significant impacts on the local landscape, where views from the surrounding countryside would be dominated by the proposed enclave of properties.

Officers note that a large portion of the site to the western side would be left undeveloped, suggested as an amenity area, however this relates poorly to the overall site design and would appear linked by vehicle access for no apparent reason. As such this space appears to serve little usable function for the amenities of future occupiers.

In considering the layout, garden provision overall is reasonable for future occupiers, albeit to the lesser size and relative scale than is usually characteristic. Plot 1 providing the smallest garden. Units 2-7 would back onto the access, likely resulting in a street bounded by 2m fencing on the one side, this is not visually desirable. Plot 36 would also relate poorly to plot 35, at the very least dominating outlook from unit 35. Unit 24 similarly would look into the garden area of unit 23. In respect of layout within the site there is much room for improvement.

### Neighbouring Amenity

The proposed new dwellings would be separated by a significant distance from neighbouring properties, at the closest point, proposed plot 36 would be more than 40m from the rear boundary of Willow Cottage. This degree of separation results in sufficient distance to offset policy requirements in respect of overlooking, overshadowing or loss of privacy. Plot 36 is designed to achieve a side to rear orientation with Willow Cottage and the same is true of development further within the site.

Whilst direct impacts are mitigated to neighbouring properties by the degree of separation, the proposals would undeniably alter the view from the existing properties. Planning policy offers no protection of a view.

In addition to issues of overlooking, overshadowing and loss of privacy, noise and disturbance must also be considered. The proposals would utilise the existing access along the boundary with Willow Cottage. The proposed residential development would result in a significant number of vehicle movements alongside the neighbouring boundary. Documents accompanying the application demonstrate that this vehicular usage is no greater use than would be permitted if the lawful enterprises were fully operational, however it is easy to understand how the nature of access activities would differ. Agricultural movements could take place at any hour, on a seasonal basis as needs arise, as could movements associated with the businesses onsite, however residential access is likely to increase vehicular traffic in the evening and night time hours. This would lead to a frequency of noise and disturbance in the evening and night time hours that Officers consider would be harmful to the amenities of those at Willow Cottage. This harm would be exacerbated by the narrow width of access and potential for conflicting users attempting to access and leave the site, likely resulting in vehicles waiting at the entry to the site, again generating an unsuitable level of noise and disturbance.

### Landscaping and garden provision

The applicant has now provided tree information relating to the application. Whilst this has demonstrated that trees subject to a preservation order can be retained, the Council's landscaping Officer is concerned that the tree and landscaping commitments cannot be met whilst drainage and highway commitments are honoured. As a result it is unclear there is adequate provision made for the retention of protected trees.

The landscaping Officer is also concerned regarding the impact of the proposals on local landscape character. This has been explored above under Design.

### Ecology

The application is accompanied by an Ecology Assessment. The Council's Country Care team suggest the recommendations in the Ecology Report (November 2013) by Applied Ecology Ltd is adhered to. These recommendations have regard to timings of work, grassland management and bird and bat boxes. Therefore there are no objections in respect of ecology.

### Land Drainage

A number of interested parties have expressed concern regarding flooding. Council records indicate any flooding on site would arise as a result of surface water drainage issues as opposed to being in a designated fluvial flood zone.

The Council's land drainage team have no objection to the proposals subject to conditions requiring a Flood Risk Assessment for Surface Water and a condition for details of Foul water disposal.

The Environment Agency has been consulted due to the size of the site, irrespective of the fact the site is not in a designated flood plain. They have recommended conditions regarding contamination, foul water drainage, surface water infiltration and surface water drainage systems.

The Sustainable Urban Drainage Scheme team have been consulted on the application. At this time they only offered standing advice.

#### Highways (access and parking)

The Highway Authority have been contacted regarding the proposed development and have raised no objections to the proposed development subject to conditions requiring the diversion of the Public Right of Way and the retention of the remaining Public Right of Way in an unencumbered manner, subject to the provision of the layout as per the Transport Statement, parking and turning areas to be provided prior to occupation and the provision of Residential Travel Packs. Whilst local concerns regarding the access are noted, the proposals would not result in a greater use of the access than is already lawful, similarly, the applicant has demonstrated that the number of vehicle movements using Hoe Lane should not exceed that which is already lawful.

The County's Public Right of Way team have also reviewed the proposals and object as they have no details regarding how the Public Rights of Way would be maintained during development and beyond. This team have also assessed the internal layout of the development and have concerns regarding inadequate visitor parking, poor positioning of some parking bays making manoeuvring difficult, absence of 6m clearance to the rear of some bays making manoeuvring difficult, potential for vehicles to overhang bays and obstruct the footpath in some areas, inadequate width of the footpath in some areas and poor location of some turning areas.

Mindful of the above, whilst there would appear no concerns regarding the number of vehicle movements and the site access, the proposed internal site layout appears cramped, resulting in inadequate parking and turning areas to the detriment of highway safety within the site.

#### Other Matters

The Fire Service has been consulted for this application. They have confirmed that as far as can be determined (they had difficulty viewing documents electronically) subject to meeting Building Regulations, adequate provision would be made for fire access. However in this location additional water supplies may be required for fire fighting purposes. For more information the applicant is invited to contact the Water Technical Team at Fire and Rescue for more information.

National Grid has been consulted for this application and have raised no objections.

The Council's Contamination Officer has also reviewed the scheme and has suggested that full contamination conditions be applied, irrespective of the Phase 1 Assessment submitted with the scheme as further works were recommended as part of this study but not supplied.

#### Planning Obligations:

The applicants have suggested the following contributions as part of Heads of Terms:

Primary Education	£122,698.80
Secondary Education	£123,962.40
Post 16 Education	£26,547.84
Early Years & Childcare	£44,381.52
Libraries	£10,133.28
Adult Learning	£3,507.12
Archives	£1,900.80
Waste Management	£10,980.00
Green Infrastructure	£18,468.00
Adult Social Care	£8,676.00

Essex County Council have requested £262,864.00 as opposed to the amounts outlined above, however this likely relates to the current index linked inflation, thus resolution is likely possible regarding the differences in amounts.

**Conclusion:**

In light of the above appraisal, it is considered the proposed development is unacceptable for the following reasons:

- Unsustainable Location
- In principle unacceptable in the Green Belt
- Harm to openness of the Green Belt
- Failure to provide affordable housing
- Design and scale of development that is out of character with the locality.
- Inadequate provision for landscape retention
- Significant adverse impact to the surrounding landscape character
- Inadequate visitor parking and parking layout as per highway recommendations above

***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: Ms Jenny Cordell  
Direct Line Telephone Number: (01992) 564481***

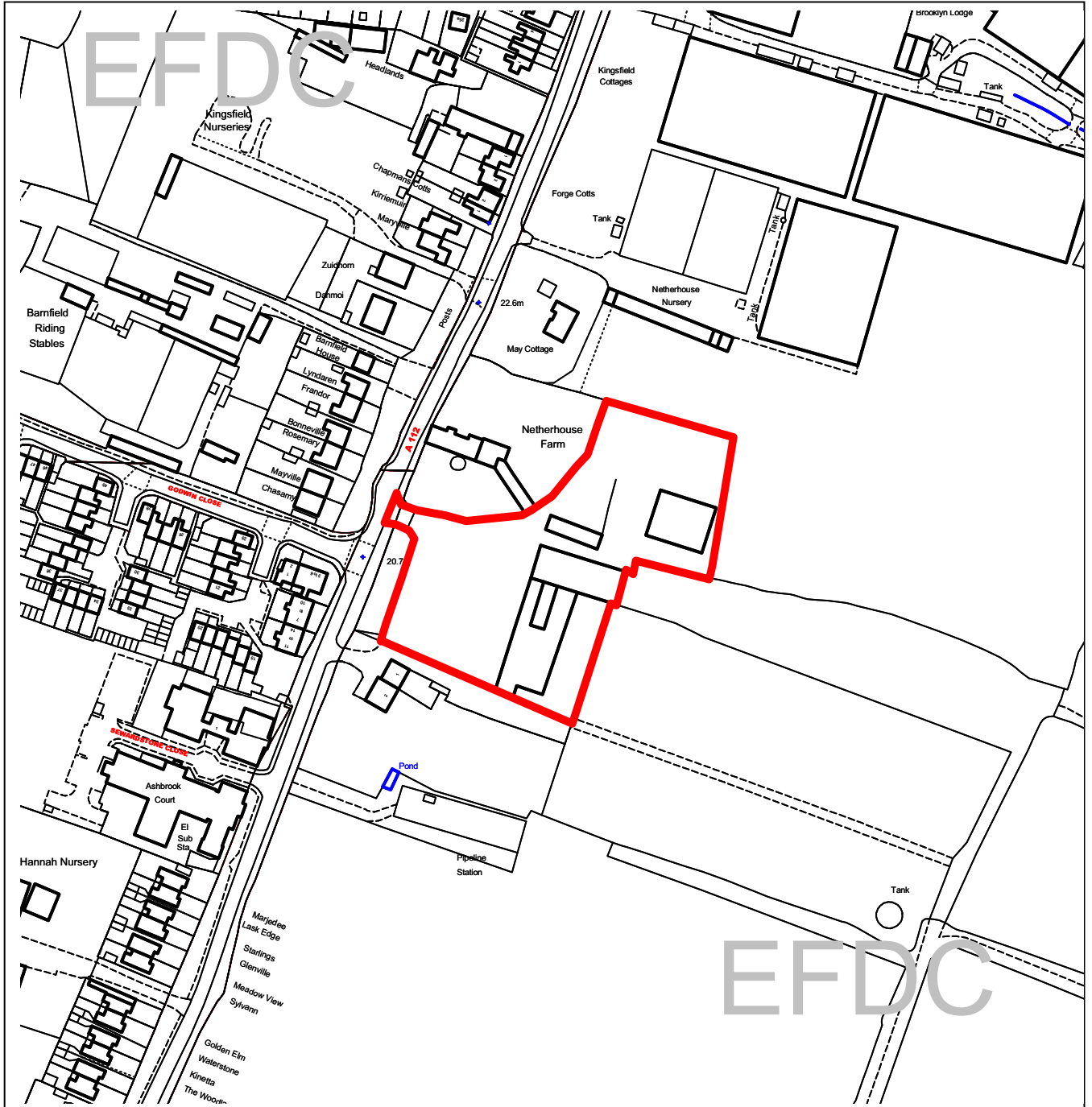
***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***

THIS PAGE IS INTENTIONALLY BLANK



# Epping Forest District Council

## AGENDA ITEM NUMBER 2



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

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

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

Application Number:	EPF/2369/14
Site Name:	Netherhouse Farm, Sewardstone Road Waltham Abbey E4 7RJ
Scale of Plot:	1/2500

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/2369/14
<b>SITE ADDRESS:</b>	Netherhouse Farm Sewardstone Road Waltham Abbey Essex E4 7RJ
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey High Beach
<b>APPLICANT:</b>	Waltham Forest Friendly Society
<b>DESCRIPTION OF PROPOSAL:</b>	The conversion and redevelopment of existing redundant commercial buildings to provide 21 new residential dwellings, 10 of which to be affordable units.
<b>RECOMMENDED DECISION:</b>	Refuse Permission

**Click on the link below to view related plans and documents for this case:**

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=569210](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=569210)

**REASON FOR REFUSAL**

- 1 The proposal would result in an unsustainable form of development outside the existing urban area and is not well served by public transport or local services, and would therefore result in an increase in vehicle commuting contrary to the guidance contained within the National Planning Policy Framework and policies CP1, CP3, CP6 and CP9 of the adopted Local Plan and Alterations.
- 2 The proposed development, due to the erection Block D (as referred to on drawing no. 4239/PA/13a), would introduce additional residential development that would result in the loss of important wider views and would visually detract from the 'farm yard' setting of both the adjacent Grade II listed farmhouse and the curtilage listed barn, contrary to the guidance contained within the National Planning Policy Framework and policy HC12 of the adopted Local Plan and Alterations

*This application is before this Committee since it is an application that is considered by the Director of Governance as appropriate to be presented for a Committee decision (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(k))*

**Description of Site:**

The application site comprises a plot 0.96 hectare in size and is a former farm complex located on the eastern side of Sewardstone Road that was previously associated with the adjacent listed farmhouse. The application site excludes the historic barn and stables immediately adjacent to Sewardstone Road, which are curtilage listed and have an extant consent for their conversion into three separate dwellings. The buildings subject to this application are not curtilage listed but Building 4 does contain some elements of historic fabric.

To the north, east and south of the site is agricultural and horticultural land consisting of open fields and farm buildings. To the north of the site is a residential property known as May Cottage, and to the immediate south is Netherhouse farmhouse, a Grade II listed building. Opposite the site to the west are residential properties that form the ribbon development that is Sewardstone. The entire site is located within the Metropolitan Green Belt.

The buildings on site were previously used as a training centre (Building 4) and for commercial storage (Buildings 3, 6 and the open structure), along with associated yards and hardstanding area to the front. Consent was previously granted for the conversion of the larger barn (the former training centre) to a restaurant; however this has not been implemented.

The site is served by an existing vehicle access point directly off of Sewardstone Road.

### **Description of Proposal:**

Consent is being sought for the conversion and partial redevelopment of the existing large barn (Building 4) to create seven dwellings, the demolition of Building 3 and its replacement with four terrace houses, and the demolition of Building 6 and its replacement with five terrace properties. The development also proposes the erection of a further five dwellings to the north west of Building 6, the demolition of the 'open structure', the removal of a large proportion of the existing hardstanding to the front and rear of the site, and the creation of associated parking, roadway and play area.

The terrace of dwellings formed from the converted Building 4 would measure 50m in width and 20.8m in depth and would retain the existing front pitched roof that has a ridge height of 6m. This would consist of six no. 3 bed properties and one no. 4 bed property, however due to the internal layout of the proposed dwellings (which include internal 'courtyards') it is likely that the room layouts would be altered and the dwellings may not be utilised to their full capacity as a result of this. These dwellings are all proposed as open market properties.

The terrace of dwellings that replace Building 3 would measure 37.2m in width and 8m in depth and would have a pitched roof reaching a ridge height of 6m. These dwellings would all be 2 bed properties, however all would benefit from a ground floor study that could be utilised as a third bedroom (which would meet lifetime home standards as these, along with the ground floor bathrooms, would cater for elderly or disabled residents). These dwellings are all proposed as open market housing.

The terrace of dwellings that replace Building 6 would measure 25.5m in width and 10.6m in depth with a dual pitched roof with a ridge height of 8m. These would consist of three no. 3 bed properties, one no. 2 bed property, and one no. 4 bed property. These dwellings would all be affordable housing.

The proposed new terrace of dwellings (shown as Block D on the submitted plans) would measure 25.5m in width and 10.6m in depth with a dual pitched roof with a ridge height of 8m. These would consist of three no. 3 bed properties, one no. 2 bed property, and one no. 4 bed property. These dwellings would all be affordable housing.

The proposed dwellings would be served by 47 dedicated off-street parking spaces, most of which would be located within front gardens, however informal 'on-street' parking would also be available within the site.

This application is one of two schemes submitted simultaneously for this site with the other application (EPF/2370/14) excluding the additional five dwellings at Block D.



### **Relevant History:**

EPF/0789/00 - Change of use of existing farm shop and stores to agricultural tyre sales, stores and fitting – approved/conditions 06/09/00  
CLD/EPF/2067/04 - Certificate of lawfulness for existing use of 2 no. barns and 2 no. containers – lawful 23/12/04  
EPF/2066/05 - Change of use of farm buildings and buildings in mixed commercial/storage use to tyre fitting depot – refused 24/01/06 (dismissed on appeal 13/03/07)  
EPF/2110/08 - Demolition of buildings and structures, construction of 40 residential units with 205 sq. m. industrial use. Restoration of listed barn and conversion to commercial use and landscape improvements – withdrawn 12/01/09  
EPF/0583/09 - Demolition of ancillary farm buildings and construction of 41 residential units with parking and associated landscaping. Restoration of listed barn to provide 160sqm (G.E.A) shop/community use (revised application) – refused 09/07/09  
EPF/1364/09 - Change of use of existing farm building into a proposed training centre – approved/conditions 22/10/09  
EPF/1255/11 - Change of use from redundant barn to biodiversity research and training centre – refused 02/12/11  
EPF/0394/13 - Change of use of existing training centre building to a restaurant (Use Class A3) – approved/conditions 09/05/13  
EPF/2533/13 - Conversion of curtilage listed barn and ancillary buildings into three residential units and removal of existing grain store – approved/conditions 27/01/14  
EPF/2370/14 - The conversion and redevelopment of existing commercial buildings to provide 16 new residential dwellings, 8 of which to be affordable units – currently under consideration (elsewhere on this Agenda)

### **Policies Applied:**

CP1 – Achieving sustainable development objectives  
CP2 – Protecting the quality of the rural and built environment  
CP3 – New development  
CP6 – Achieving sustainable urban development objectives  
CP9 – Sustainable transport  
GB2A – Development in the Green Belt  
GB8A – Change of use or adaptation of buildings  
H2A – Previously developed land  
H3A – Housing density  
H4A – Dwelling mix  
H5A – Provision for affordable housing  
H6A – Site thresholds for affordable housing  
H7A – Levels of affordable housing  
NC4 – Protection of established habitat  
DBE2 – Effect on neighbouring properties  
DBE7 – Public open space  
DBE4 – Design in the Green Belt  
DBE8 – Private amenity space  
DBE9 – Loss of amenity  
HC12 – Development affecting the setting of Listed Buildings  
LL3 – Edge of settlement  
LL10 – Adequacy of provision of landscape retention  
ST1 – Location of development  
ST4 – Road safety  
ST6 – Vehicle parking  
RP3 – Water quality  
RP4 – Contaminated land

RP5A – Adverse environmental impacts  
U3A – Catchment effects

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.

### **Consultation Carried Out and Summary of Representations Received:**

101 neighbouring residents were consulted and a Site Notice was displayed on 24/10/14.

TOWN COUNCIL – Objection. Committee considered this to be an overdevelopment within the Green Belt.

CITY OF LONDON – Object since the application site is within the Green Belt, there was a previous application refused for 41 dwellings on this site, the development is at odds with the established pattern of development on this side of Sewardstone Road, the site is in an unsustainable location, and there would be an adverse impact on the openness of the area.

ESSEX POLICE – Do not object to the development and support the submitted Design and Access Statement and their intent to design and build Secured by Design specifications and standards. We would ask that Secured by Design certification is achieved on all units as a condition of planning. Secured by Design is a proven crime prevention initiative.

LEE VALLEY REGIONAL PARK AUTHORITY – No objection subject to a planning condition regarding means of boundary treatments.

25 GODWIN CLOSE – Object due to traffic and highway safety concerns, the increase in vehicles and pedestrians, due to concern about litter and maintenance in and around the site, and because the site is in the Green Belt.

30 GODWIN CLOSE – Object since Sewardstone Road is already severely congested and the proposed development would exacerbate the current traffic problems.

FRANDOS, SEWARDSTONE ROAD – Object since this would have an urbanising effect on the Green Belt, since there are very few local services or amenities, and since planning consent has previously been refused for 40 dwellings on this site.

GLENVILLE, SEWARDSTONE ROAD – Object due to the increased traffic and impact on highway safety and the lack of local facilities.

2 GODWIN CLOSE – Object due to the impact on disturbance and nuisance and since it would affect the natural aesthetics of the area.

4 KINGSFIELD COTTAGE, SEWARDSTONE ROAD – Object due to increased traffic and highway safety concerns and since the application site is within the Green Belt.

### **Main Issues and Considerations:**

The key considerations in this application are the impact on the Green Belt, sustainability, impact on amenities, in terms of highway safety and parking, and with regards to the overall impact on the surrounding area and the setting of the listed building.

### Green Belt:

The application site consists of Building 4, which was previously used as a training centre (and has an extant consent for change of use to a restaurant), Buildings 3 and 6 (along with the open structure), which have lawful use for storage purposes, and the associated yards, outdoor storage and parking areas. Therefore the entire application site constitutes previously developed land. The definition of previously developed land is provided within Annex 2 of the Framework and reads:

***Previously developed land:*** 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. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreational grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.

The National Planning Policy Framework states that “the re-use of buildings provided that the buildings are of permanent and substantial construction” is not inappropriate as long as they “preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt”. However it identifies that the erection of new buildings within the Green Belt constitutes inappropriate development with a number of exceptions, which includes:

- *The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- *The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- *Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), 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.*

The proposed development consists of two aspects; these being the conversion of Building 4 and the replacement/redevelopment of the remainder of the site.

### Conversion of Building 4:

The change of use of this building to residential use would not have any further detrimental impact on the openness of the Green Belt since the only additions to the existing built form would be the continuation of the low pitched roof on the rear section and the infilling of the currently open fronted section. These additions would comply with the above quoted exception as they would constitute limited ‘extensions and alterations’ and would not be disproportionate over and above the size of the original building.

Since consent has previously been granted (and implemented) to change the use of this building to a training centre and a restaurant (which has not been implemented but is extant), and planning permission has been given to convert the historically significant barns (located to the northwest of Building 4 - outside of the application site) into three residential properties (EPF/2533/13), it is considered that the principle of the proposed conversion of Building 4 into seven residential dwellings would not be inappropriate development within the Green Belt.

### Redevelopment of the remainder of the site:

The proposed fourteen additional dwellings on this site would replace two large warehouse buildings (Building 3 and Building 6) and an open structure and would be no higher than the buildings which they replace. Dwellings 8-11 would be located within the former footprint of Building 3 and dwellings 12-16 would be located within the former footprint of Building 6, however dwellings 17-21 would be erected on a relatively undeveloped and open section of the site.

Notwithstanding the above the combined footprint of the proposed dwellings would result in a 12% overall reduction to the existing footprint of buildings on site. Furthermore there would be a significant reduction in the amount of hardstanding and overall volume on site, the removal of all open storage and commercial activity, and an opportunity for extensive additional landscaping. These factors would ensure that the proposed development would have no greater impact on the openness of the Green Belt and would actually be beneficial to the overall openness of the site. Therefore the proposed redevelopment of the site would not constitute inappropriate development harmful to the Green Belt.

### Sustainability:

There have been longstanding concerns about the sustainability of Sewardstone, which can be seen by the refusal for the erection of 41 dwellings with a shop/community centre on this site in 2009 (EPF/0583/09). Amongst other reasons this application was refused on the following grounds:

**The proposed development is in an unsustainable location not well served by public transport or local services. As such the development would result in an increase in vehicle commuting contrary to policies CP1, CP3, CP6 and ST1 of the adopted Local Plan and Alterations.**

The refusal was subsequently appealed and dismissed by the Planning Inspectorate. Within the Inspector's appeal decision it was stated that *"the development would be outside the existing urban area and would be very unlikely to avoid further commuting or reduce the need to travel. It would not be easily accessible by existing sustainable means of transport. I conclude that it would not conform to the sustainability objectives of national policy in Planning Policy Guidance Note 13: Transport, the advice in Planning Policy Statement 1: Delivering Sustainable Development or the relevant policies in CP1, CP3, CP6 and ST1 of the LP"*.

More recently planning permission has been refused for outline consent for the erection of 72 dwellings at the Former Haulage Yard, Sewardstone Road (EPF/1556/14), which is within close proximity to the application site. Amongst other reasons this application was refused on the following grounds:

**The proposal would result in an unsustainable form of development outside the existing urban area and is not well served by public transport or local services, and would therefore result in an increase in vehicle commuting contrary to the guidance contained within the National Planning Policy Framework and policies CP1, CP3, CP6 and CP9 of the adopted Local Plan and Alterations.**

In response to the above concerns regarding the unsustainable location of the site the applicant submitted a letter (for both this application and EPF/2370/14) stating that *"ECC is the competent authority to comment on accessibility and sustainable travel in this location"* and highlights that, subject to various conditions, *"ECC confirm that the proposed developments would comply with their adopted Development Management Policies and ST4 and ST6 of the Local Plan"*. They therefore conclude that *"it is clear that the issue of sustainable travel has been assessed in*

sufficient detail and considered at length by the Highways Authority, and there is no reason why either of these proposed developments should be refused on grounds of accessibility or transport sustainability”.

Further to this letter the applicant has also submitted the following table (slightly amended by the Planning Officer) comparing the application(s) on this site with the above Former Haulage Site proposal and a recent application for 19 dwellings at Forest Lodge, High Road, Epping (EPF/1156/14), which was also refused on sustainability grounds.

**COMPARISONS WITH RECENTLY REFUSED APPLICATIONS:**

	<b>NETHERHOUSE</b>	<b>HAULAGE YARD</b>	<b>FOREST LODGE</b>
Previously developed land	YES	YES	YES
Distance to nearest main town <b>(as calculated by the applicant)</b>	1.6 miles (Waltham Abbey)	1.4 miles (Waltham Abbey)	2.0 miles (Loughton)
Close to existing settlement	YES	YES	NO
On bus route	YES	YES	YES
Sustainable transport improvements	YES	YES	YES
Sustainable transport initiatives	YES	YES	NO
Community facilities included	NO	Village play area Sports fields Community resource building	NO
Re-use of existing buildings	PARTLY	NO	NO
Previous residential consent on site	YES	NO	NO
Enhanced openness to GB <b>(as calculated by the applicant)</b>	Footprint reduction of 18-30% Hard surface reduction of 50-60% Removal of frontage car park No increase in building height Large open areas remain Rural design and Layout	Footprint increase of 40% Increased building height Full site coverage Urban layout	Footprint reduction of 23% Hard surface reduction of 80% Increased building height of up to 3m Full site coverage Urban Layout
CSH	Level 4	Level 4	Not specified
Energy saving above B. Regs	35%	Not specified	Not specified
Heritage benefits	YES	NO	NO
Percentage affordable housing	47.6%	50%	84%

Whilst it is recognised that ECC has raised no objection to the proposed development and the differences between this proposal and the other two examples stated within the above table are noted, the sustainability of Sewardstone has been assessed historically (with relation to this site) and more recently (regarding the Former Haulage Yard) and it has been concluded by the Council that any large scale residential development within this area is unsustainable due to the lack of local facilities and sustainable transport options. This matter was also confirmed by the Planning Inspector in 2009 and whilst PPS1 and PPG13 have since been replaced by the NPPF the principles of sustainability remain and there do not appear to have been any significant improvements to the sustainability of this location since the date of the previous appeal.

As a result of the above the proposed development would therefore constitute an unsustainable form of development that would result in an increase in vehicle commuting, contrary to the guidance contained within the National Planning Policy Framework and Local Plan policies CP1, CP3, CP6 and CP9.

Amenity considerations:

Given the location of the application site the only adjacent neighbours would be the original Farmhouse to the south and May Cottage to the north. Consent has been granted for the conversion of the historic barns within Netherhouse Farmyard into three dwellings, however this has not yet been implemented.

The neighbouring farmhouse sits further forward than Building 4 and, since this building would be largely converted or replaced 'like for like', there would be no physical impact on the amenities of these residents. Whilst the front part of the existing building is two storeys in height there would be no upper storey windows that directly overlook the neighbouring property. Furthermore, the use of this building for residential purposes would result in less noise nuisance and other forms of disturbance than the existing training centre or the consented restaurant.

The proposed dwellings 12-21 would back onto the shared boundary with May Cottage, however the rear windows of these properties would be 19m (Block D) and 35m (those replacing Building 6) from the neighbours boundary and therefore would be sufficient distance to ensure that there would be no direct loss of light or visual amenity nor any unacceptable overlooking or loss of privacy. Whilst the introduction of residential use directly adjoining the shared boundary would introduce residential activity close to this neighbour it is not considered that this would result in any greater level of disturbance or disruption than the lawful commercial use of the site. Concern has been raised by this neighbour (in response to EPF/2370/14) about any proposed fencing along the northern boundary and subsequent privacy and security. Details of such fencing can be dealt with by way of a condition to ensure that adequate boundary treatment is erected.

Whilst EPF/2533/13 (conversion of the historic barn into three dwellings) has not yet been implemented this is an extant permission and therefore could still be carried out. The closest proposed dwelling to these potential properties (dwelling 17) proposes two first floor windows to serve a bedroom and a bathroom. Although the proposed bedroom window would allow for views into the garden of one of the consented adjacent dwellings this would be approximately 5m from the shared boundary and would only overlook a small section of a very large garden and therefore would not be unduly detrimental to any future occupants of this neighbouring property.

The proposed dwellings would be set a considerable distance into the site and would predominantly replace existing structures. As such the proposal would not detrimentally impact on the amenities of residents on the opposite side of Sewardstone Road. Furthermore the proposed residential development would result in less nuisance and disturbance than the existing lawful use of the site (including the permitted restaurant).

There is some concern that, due to the narrow gardens serving dwellings 8-11 (measuring some 6m in depth), the proposed first floor rear windows of dwellings 10 and 11 would overlook the rear garden of dwelling 7 (and to a lesser degree dwelling 6). Although this situation is not ideal the proposal is retaining the footprint of the existing building so as to minimise the impact of the development and, given the nature of the scheme, it is considered that this matter would be a case of 'buyer beware'.

With the exception of dwellings 8-11, all of the proposed properties would have private amenity space of a size that complies with the recommendations within Local Plan policy DBE8 and the Essex Design Guide. Dwellings 8-11 would have rear gardens of approximately 54m<sup>2</sup>, which is less than the 60-80m<sup>2</sup> required (depending on whether the ground floor room is counted as a 'study' or a third bedroom). However given the public amenity space proposed within the site, along with the vast amount of public recreational space directly accessible from the site (including Epping Forest and the Lee Valley parks) it is considered that this slightly lower level of private amenity space would be acceptable in this instance.

Of additional concern is the internal layout of the proposed converted dwelling (no's. 1-7), which is somewhat unusual and is likely to change depending on future residents desire. Whilst the proposed layout is not ideal the use of the rooms could be altered to suit prospective purchasers and are a matter of taste, plus the Council does not have any Local Plan policies directly relating to internal space standards or layout.

#### Highways:

The LPA and ECC are aware of longstanding traffic issues along Sewardstone Road, which is exacerbated by matters such as the car boot sale at Netherhouse Lane and the prevalence of horse riders utilising this road. However these are existing, longstanding problems and, whilst it is appreciated that the provision of 21 additional dwellings would result in an increase in road users within the area, the specific impact that would result from the proposed development has been assessed by Essex County Council Highways and is considered relatively minor in comparison to the heavy usage that currently occurs on Sewardstone Road and the potential usage from the lawful use of the site.

The existing access serving this site has sufficient sight lines and it was previously concluded by the Planning Inspector in 2009 that the intensification of use of the access would not result in any highway safety concerns. Therefore the impact of the development on highway safety and traffic congestion is considered acceptable.

The proposed level of designated off-street parking would comply with the requirements of the ECC vehicle parking standards in that it would provide two spaces per dwelling and six visitor parking spaces (0.25 per dwelling rounded up). Furthermore the proposed internal road would allow for additional informal parking within the site. The development would therefore provide more than sufficient parking to ensure that there would be no overspill or detrimental impact on on-street parking within the surrounding area. Bicycle parking has also been shown on the submitted plans, although further details of this would be required.

#### Impact on surrounding area:

The site stands adjacent to the Grade II listed Netherhouse Farmhouse to the south and a curtilage listed 18<sup>th</sup> century barn to the north. The buildings to which this application relates are not curtilage listed however Building 4 does contain some elements of historic fabric; namely a stock brick spine wall and gable end.

The proposed demolition of the buildings (excluding the historic brick wall of Building 4 which is to be retained) and their replacement with residential units raises no concern since the existing buildings are of little merit and do not make a positive contribution to the setting of the listed farmhouse or curtilage listed barn. The partial conversion/replacement of Building 4 and the new dwellings in place of Buildings 3 and 6 would all occupy the same footprint and a similar visual bulk as the existing buildings, and their overall appearance has been improved through good design. The untraditional and bulky wide spans of Building 3 and Building 6 have been replaced with buildings with shorter spans and the more traditional double-pile roof form. Traditional materials have been utilised throughout the development which improves on the stark modern materials of the existing buildings.

The proposed replacement for Building 4, which has the most impact within the setting of the listed farmhouse, has retained an agricultural character within its design to maintain the hierarchy of the site, i.e. the farmhouse visually remains the highest status building within the wider site. The other replacement buildings display simple, modern detailing which does not detract from the simple, functional detailing of the curtilage listed barn, or the more polite architectural features of the listed farmhouse. In addition the extension and improvement of the area of green space at the front of the site, in place of a large expanse of hardstanding, will enhance the settings of the listed buildings and soften the appearance of the proposed development.

However the addition of the new five dwellings in Block D would detrimentally add to the visual impact of the development and, as well as increasing the number of buildings on the site, it accentuates its residential character by introducing five additional units, detracting from the 'farm yard' setting of the curtilage listed barn and listed farmhouse. The settings of these buildings should be retained and enhanced by retaining the existing wider views of the landscape. As such, whilst certain elements of the proposed development would improve the setting of the listed building the introduction of Block D would adversely affect the setting of the adjacent Grade II listed building and therefore would be contrary to the guidance contained within the NPPF and Local Plan policy HC12.

#### Other matters:

##### Housing considerations:

Since the application site is located within a settlement with a population of less than 3,000 Local Plan policy H7A requires at least 50% of the total number of dwellings to be affordable. The application proposes 10 of the total 21 dwellings to be affordable, which equates to 47.6%. Whilst one further dwelling being made affordable would increase this level to 52.3% and make the development policy compliant it is not considered that this slight reduction would be sufficient enough in itself to refuse planning consent for the scheme.

The Council currently has in excess of 1,500 applicants on its Housing Register and, as evidenced by the National Housing Federation in their annual 'Home Truths' studies, the ration of average property prices (and lower quartile property prices) to average earnings in Epping Forest District is consistently the highest in Essex – and is within the highest three local authority districts in the East of England. As such the provision of up 10 affordable houses would assist in providing much-needed affordable housing within the District.

The proposed tenure for all of the affordable housing is shown to be 'intermediate housing', the most common form of which is shared ownership. However the Council would expect a mix of affordable rented housing and shared ownership. Therefore the tenure would need to be brought in line with in the Council's agreed Shared Ownership Policy which requires that no less than 70% of the affordable housing should be provided as affordable rented housing and that no more than 30% of the affordable housing should be provided in the form of shared ownership.



The mix of the affordable housing is generally considered acceptable and it would be expected that the two proposed four bedroom houses be provided as affordable rented housing, since shared ownership would not be required for four bedroom properties since the values would be too high and unaffordable to most households.

The Council would also want to see the affordable housing provided by (i.e. sold by the developer to) one of the Council's Preferred Housing Association Partners. These matters can all be dealt with by way of a S106 Legal Agreement.

#### Landscaping:

There is no significant existing vegetation within the application site worthy of retention, however it is important that this proposal sits congruously within its landscape setting when viewed from both the frontage and rear of the site. In the appeal decision on EPF/0583/09 the inspector made the following comment – *"....the countryside behind the farm buildings rises gradually towards rolling low hills which are traversed by public footpaths. The proposed development would be easily visible looking down from the hills.....and would substantially change the character of the area....."*. Whilst this application reduces the number of units from 41 to 21 and proposes the majority of dwellings to occupy the same, or lesser, footprint and bulk of the existing buildings there would still be a visual impact when viewed from the public right of way to the rear of the site. In order to mitigate the impact a robust landscape scheme will need to be drawn up in particular along the rear boundaries of units 1 – 7, 11 and the side elevation of 16.

The development proposes a large area of landscaping towards the frontage of the site adjacent to Sewardstone Road. This would offer some screening and softening of the proposed development and would be a visual improvement over the existing vast and barren area of hardstanding currently on site.

#### Education:

Essex County Council Educational Services have assessed the application and consider that there will be sufficient secondary school places to serve the needs of the development however insufficient pre-school and primary school places for the children likely to be generated by the development. On the basis of 21 qualifying houses the required early years and childcare contribution would be £23,345 and the primary school contribution would be £68,248, giving a total of £91,593 index linked to April 2014 costs.

#### Waste:

Bin stores have been indicated on the submitted plans to serve each of the proposed dwellings, however further details of these should be sought by condition. Should the proposed new internal road remain private then written permission would be required from the land owner to enable refuse collection vehicles to enter it (however this is a separate matter to the planning consent). The proposed internal roadway is large enough to accommodate a refuse collection vehicle (4.5m in width), however the applicant/developer would need to ensure that the roadway is of a suitable standard to withstand regular use by a refuse collection vehicle which, when fully loaded, can weigh up to 32 tonnes. Should the roadway not be of a suitable standard then there is a possibility of it being damaged during refuse collections, in which case the authority would not accept liability for any damage.

#### Ecological impacts:

The application has been submitted with an ecological report. Subject to all the recommendations in section 5 of this report being followed, including bat and reptile surveys being undertaken and biological enhancements being carried out, then the proposed development would not be unduly

detrimental to the existing ecology of the site and surrounding area.

Contamination:

Due to the former uses of the site as a farmyard and the presence of builders/agricultural training workshops and infilled and made ground, there is the potential for contaminants to be present on site. As this application is for residential dwellings and gardens, which is a particularly sensitive proposed user, contaminated land investigations and (where necessary) remediation will need to be undertaken.

Anti-social behaviour:

Concern has been received by surrounding residents with regards to the development adding to the existing 'anti-social behaviour' problems already suffered in the area, however this is clearly an existing issue and is a wider problem than anything that would result purely from this site. The applicant proposes to comply with Secured by Design and Essex Police have raised no objection to the scheme subject to Secured by Design certification being achieved on all units. Essex Police states that this is a "*proven crime prevention initiative*" and therefore this would overcome any concerns regarding criminal or anti-social behaviour resulting from this development.

Conclusion:

The balance of the issues regarding the proposed development are summarised as follows:

Matters weighing in favour of the scheme:

- 12% reduction in built footprint and significant reduction in levels of hardstanding and volume of buildings (which would have a positive impact on the openness of the Green Belt);
- Landscape improvements that would go beyond simply mitigating the development but would visually improve the site and surrounding area;
- Some visual improvements through the removal of the existing unsightly buildings within the curtilage of the Grade II listed building;
- Provision of ten affordable houses.

Matters weighing against the scheme:

- Unsustainable location of the site that would result in 21 additional households relying on private car use and commuting;
- Harm to the setting of the listed building as a result of Block D;
- Less than policy compliant with regards to affordable housing provision (47.6% rather than the required 50%);

Whilst it is clear from the above that there would be some benefits resulting from the proposed scheme it is not considered that these outweigh the harm from the unsustainable location of the site (particularly given the number of dwellings proposed) or the harm to the setting of the adjacent Grade II listed building. Furthermore, whilst in itself not a reason to refuse consent, the affordable housing provision put forward is slightly under the 50% requirement and therefore the development is not strictly policy compliant. Whilst limited this nonetheless weighs against the proposed scheme.

Due to the above it is considered that, on balance, the proposed development is considered unacceptable since it would result in an unsustainable form and level of development that is not well served by public transport or local services and would result in an increase in vehicle commuting. Furthermore it would introduce additional residential development that would result in the loss of important wider views and would visually detract from the 'farm yard' setting of the

curtilage listed barn and adjacent Grade II listed farmhouse. Therefore the proposed development would be contrary to the guidance contained within the National Planning Policy Framework and Local Plan policies CP1, CP3, CP6, CP9 and HC12 and is recommended for refusal.

**Is there a way forward?**

The simultaneously submitted application (EPF/2370/14) that does not propose Block D is considered to, on balance, be a more favourable and acceptable development and a suitable way forward for the development.

***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:***

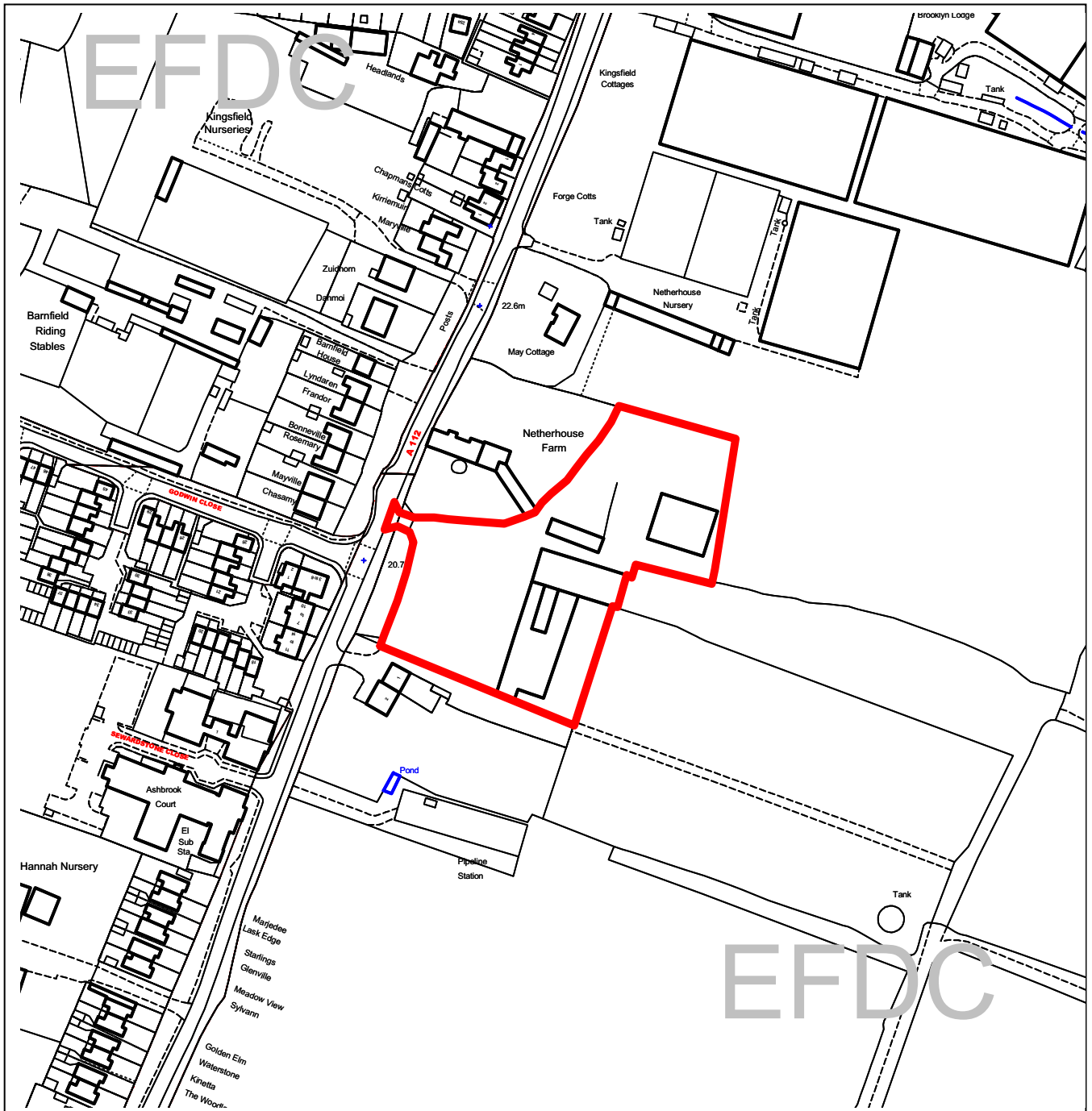
***Planning Application Case Officer: Graham Courtney  
Direct Line Telephone Number: 01992 564228***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## AGENDA ITEM NUMBER 3



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

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

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

Application Number:	EPF/2370/14
Site Name:	Netherhouse Farm, Sewardstone Road Waltham Abbey E4 7RJ
Scale of Plot:	1/2500

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/2370/14
<b>SITE ADDRESS:</b>	Netherhouse Farm Sewardstone Road Waltham Abbey Essex E4 7RJ
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey High Beach
<b>APPLICANT:</b>	Waltham Forest Friendly Society
<b>DESCRIPTION OF PROPOSAL:</b>	The conversion and redevelopment of existing redundant commercial buildings to provide 16 new residential dwellings, 8 of which to be affordable units.
<b>RECOMMENDED DECISION:</b>	Grant Permission (Subject to Legal Agreement)

**Click on the link below to view related plans and documents for this case:**

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=569211](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=569211)

**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: 4093/PA/01, 4093/PA/02, 4093/PA/03, 4093/PA/04, 4093/PA/05, 4093/PA/06, 4093/PA/07, 4093/PA/08, 4093/PA/09, 4093/PA/10, 4093/PA/11, 4093/PA/12a, 4093/PA/13c, 4093/PA/14a, 4093/PA/15a, 4093/PA/16b, 4093/PA/17a, 4093/PA/18, 4093/PA/19, 4093/PA/20, 4093/PA/21, 4093/PA/22, 4093/PA/23, 4093/PA/24, 4093/PA/25, 4093/PA/26, 4093/PA/27, 4093/PA/28
- 3 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.
- 4 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other Order revoking, further amending or re-enacting that Order) no extensions or outbuildings generally permitted by virtue of Class A, B, E and D 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 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.

- 6 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 7 The parking and turning areas shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.
- 8 Prior to first occupation of the development the bellmouth access, as shown in principle on drawing no. 4239/PA/13a, shall be implemented with all details being agreed with the Highway Authority.
- 9 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.
- 10 Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
- 11 All recommendations in section 5 of the ecological report submitted by EECOS shall be followed, including any required survey works and any subsequent mitigations or biological enhancements recommended within this submitted report or any further surveys or reports.
- 12 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]

- 13 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]
- 14 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]
- 15 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.
- 16 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.

- 17 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.
- 18 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 19 Prior to occupation of the dwellings hereby approved details of the proposed bin stores, cycle parking and any proposed play equipment located within the 'play area' shall be submitted to and approved in writing by the Local Planning Authority. The approved structures shall be erected in accordance with the approved details prior to occupation of the dwellings and retained thereafter for their specific purposes.
- 20 Prior to occupation of the dwellings hereby approved Secured by Design certification shall be achieved on all units.

**And the completion by the 8<sup>th</sup> April 2015 (unless otherwise agreed by Planning Performance Agreement) of a legal agreement under section 106 of the Town and Country Planning Act to secure a financial contribution of £69,785 towards the provision of early years, childcare and the primary school provision (index linked to April 2014 costs) along with securing 50% affordable housing and the provision of highways works. 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 that it would cause harm to local education services and to the capacity of existing transport services by generating additional demand that cannot be accommodated within existing capacity.**

*This application is before this Committee since it is an application for residential development consisting of 5 dwellings or more (unless approval of reserved matters only) and is recommended for approval (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(d)), since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(g)), and since it is for a type of development that cannot be determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(f).)*

### **Description of Site:**

The application site comprises a plot, 0.96 hectares in size and is a former farm complex located on the eastern side of Sewardstone Road that was previously associated with the adjacent listed farmhouse. The application site excludes the historic barn and stables immediately adjacent to Sewardstone Road, which are curtilage listed and have an extant consent for their conversion into three separate dwellings. The buildings subject to this application are not curtilage listed but Building 4 does contain some elements of historic fabric.



To the north, east and south of the site is agricultural and horticultural land consisting of open fields and farm buildings. To the north of the site is a residential property known as May Cottage, and to the immediate south is Netherhouse farmhouse, a Grade II listed building. Opposite the site to the west are residential properties that form the ribbon development that is Sewardstone. The entire site is located within the Metropolitan Green Belt.

The buildings on site were previously used as a training centre (Building 4) and for commercial storage (Buildings 3, 6 and the open structure), along with associated yards and hardstanding area to the front. Consent was previously granted for the conversion of the larger barn (the former training centre) to a restaurant; however this has not been implemented.

The site is served by an existing vehicle access point directly off of Sewardstone Road.

### **Description of Proposal:**

Consent is being sought for the conversion and partial redevelopment of the existing large barn (Building 4) to create seven dwellings, the demolition of Building 3 and its replacement with four terrace houses, and the demolition of Building 6 and its replacement with five terrace properties. The development also proposes the demolition of the 'open structure', the removal of a large proportion of the existing hardstanding to the front and rear of the site, and the creation of associated parking, roadway, play area and wildflower meadow.

The terrace of dwellings formed from the converted Building 4 would measure 50m in width and 20.8m in depth and would retain the existing front pitched roof that has a ridge height of 6m. This would consist of six no. 3 bed properties and one no. 4 bed property, however due to the internal layout of the proposed dwellings (which include internal 'courtyards') it is likely that the room layouts would be altered and the dwellings may not be utilised to their full capacity as a result of this. These dwellings are all proposed as open market properties.

The terrace of dwellings that replace Building 3 would measure 37.2m in width and 8m in depth and would have a pitched roof reaching a ridge height of 6m. These dwellings would all be 3 bed properties and would be affordable housing. Each dwelling would include one of its three bedrooms on the ground floor, along with a ground floor bathroom, which would meet lifetime home standards as these would cater for elderly or disabled residents.

The terrace of dwellings that replace Building 6 would measure 25.5m in width and 10.6m in depth with a dual pitched roof with a ridge height of 8m. These would consist of three no. 3 bed properties, one no. 2 bed property, and one no. 4 bed property. The 3 and 2 bed units would be affordable housing with the 4 bed unit being proposed as an open market property.

The proposed dwellings would be served by 38 dedicated off-street parking spaces, most of which would be located within front gardens, however informal 'on-street' parking would also be available within the site.

This application is one of two schemes submitted simultaneously for this site, the other (EPF/2369/14) proposing an additional block of five terrace houses.

### **Relevant History:**

EPF/0789/00 - Change of use of existing farm shop and stores to agricultural tyre sales, stores and fitting – approved/conditions 06/09/00

CLD/EPF/2067/04 - Certificate of lawfulness for existing use of 2 no. barns and 2 no. containers – lawful 23/12/04

EPF/2066/05 - Change of use of farm buildings and buildings in mixed commercial/storage use to tyre fitting depot – refused 24/01/06 (dismissed on appeal 13/03/07)

EPF/2110/08 - Demolition of buildings and structures, construction of 40 residential units with 205 sq. m. industrial use. Restoration of listed barn and conversion to commercial use and landscape improvements – withdrawn 12/01/09  
EPF/0583/09 - Demolition of ancillary farm buildings and construction of 41 residential units with parking and associated landscaping. Restoration of listed barn to provide 160sqm (G.E.A) shop/community use (revised application) – refused 09/07/09  
EPF/1364/09 - Change of use of existing farm building into a proposed training centre – approved/conditions 22/10/09  
EPF/1255/11 - Change of use from redundant barn to biodiversity research and training centre – refused 02/12/11  
EPF/0394/13 - Change of use of existing training centre building to a restaurant (Use Class A3) – approved/conditions 09/05/13  
EPF/2533/13 - Conversion of curtilage listed barn and ancillary buildings into three residential units and removal of existing grain store – approved/conditions 27/01/14  
EPF/2369/14 - The conversion and redevelopment of existing commercial buildings to provide 21 new residential dwellings, 10 of which to be affordable units – currently under consideration (elsewhere on this Agenda)

**Policies Applied:**

CP1 – Achieving sustainable development objectives  
CP2 – Protecting the quality of the rural and built environment  
CP3 – New development  
CP6 – Achieving sustainable urban development objectives  
CP9 – Sustainable transport  
GB2A – Development in the Green Belt  
GB8A – Change of use or adaptation of buildings  
H2A – Previously developed land  
H3A – Housing density  
H4A – Dwelling mix  
H5A – Provision for affordable housing  
H6A – Site thresholds for affordable housing  
H7A – Levels of affordable housing  
NC4 – Protection of established habitat  
DBE2 – Effect on neighbouring properties  
DBE7 – Public open space  
DBE4 – Design in the Green Belt  
DBE8 – Private amenity space  
DBE9 – Loss of amenity  
HC12 – Development affecting the setting of Listed Buildings  
LL3 – Edge of settlement  
LL10 – Adequacy of provision of landscape retention  
ST1 – Location of development  
ST4 – Road safety  
ST6 – Vehicle parking  
RP3 – Water quality  
RP4 – Contaminated land  
RP5A – Adverse environmental impacts  
U3A – Catchment effects

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.

### **Consultation Carried Out and Summary of Representations Received:**

101 neighbouring residents were consulted and a Site Notice was displayed on 24/10/14.

TOWN COUNCIL – Objection. Committee considered this to be an overdevelopment within the Green Belt.

CITY OF LONDON – Object since the application site is within the Green Belt, there was a previous application refused for 41 dwellings on this site, the development is at odds with the established pattern of development on this side of Sewardstone Road, the site is in an unsustainable location, and there would be an adverse impact on the openness of the area.

LEE VALLEY REGIONAL PARK AUTHORITY – No objection subject to a planning condition regarding means of boundary treatments.

30 GODWIN CLOSE – Object since Sewardstone Road is already severely congested and the proposed development would exacerbate the current traffic problems.

TREKIZEL, SEWARDSTONE ROAD – Object since the application is in the Green Belt, the area is at risk of flooding, since the local health centres, hospitals, schools, etc. are already oversubscribed; the public sewers may not be adequate to cope, since parking is limited in the area, Sewardstone Road is an extremely busy road and the existing problems would be exacerbated by this proposal, there could be an impact on protected species of flora and fauna on the site, there is a public right of way in the vicinity of the site that could be affected, the development will increase noise nuisance to nearby residents and since the buildings have conservation merit.

FRANDOS, SEWARDSTONE ROAD – Object since this would have an urbanising effect on the Green Belt, since there are very few local services or amenities, and since planning consent has previously been refused for 40 dwellings on this site.

CHASAMY, SEWARDSTONE ROAD – Object since this is Green Belt and due to highway safety concerns.

25 GODWIN CLOSE – Object due to traffic and highway safety concerns, the increase in vehicles and pedestrians, due to concern about litter and maintenance in and around the site, and because the site is in the Green Belt.

GODWIN CLOSE RESIDENT (no house number provided) – Object since the proposal would result in more traffic, rubbish and crime.

GLEN IRIS, SEWARDSTONE ROAD – Object since the site is located within the Green Belt and represents inappropriate development, the replacement buildings would be out of character and an eyesore within the rural landscape, the proposal would result in noise nuisance and increased anti-social behaviour, due to highway safety concerns, and since there are no schools, doctors or dentists within the area.

MAY COTTAGE, SEWARDSTONE ROAD – Object since it is likely that outbuildings would be erected within the rear gardens to the detriment of adjoining neighbours and raise concerns regarding the boundary fencing along the shared boundary of the site and their property.

2 GODWIN CLOSE – Object due to the impact on disturbance and nuisance and since it would affect the natural aesthetics of the area.

GLENVILLE, SEWARDSTONE ROAD – Object due to the increased traffic and impact on highway safety and the lack of local facilities.

### **Issues and Considerations:**

The key considerations in this application are the impact on the Green Belt, sustainability, impact on amenities, in terms of highway safety and parking, and with regards to the overall impact on the surrounding area and the setting of the listed building.

#### **Green Belt:**

The application site consists of Building 4, which was previously used as a training centre (and has an extant consent for change of use to a restaurant), Buildings 3 and 6 (along with the open structure), which have lawful use for storage purposes, and the associated yards, outdoor storage and parking areas. Therefore the entire application site constitutes previously developed land. The definition of previously developed land is provided within Annex 2 of the Framework and reads:

***Previously developed land:*** 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. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreational grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.

The National Planning Policy Framework states that “the re-use of buildings provided that the buildings are of permanent and substantial construction” is not inappropriate as long as they “preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt”. However it identifies that the erection of new buildings within the Green Belt constitutes inappropriate development with a number of exceptions, which includes:

- *The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- *The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- *Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), 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.*

The proposed development consists of two aspects; these being the conversion of Building 4 and the replacement/redevelopment of the remainder of the site.

#### **Conversion of Building 4:**

The change of use of this building to residential use would not have any further detrimental impact on the openness of the Green Belt since the only additions to the existing built form would be the continuation of the low pitched roof on the rear section and the infilling of the currently open fronted section. These additions would comply with the above quoted exception as they would

constitute limited 'extensions and alterations' and would not be disproportionate over and above the size of the original building.

Since consent has previously been granted (and implemented) to change the use of this building to a training centre and a restaurant (which has not been implemented but is extant), and planning permission has been given to convert the historically significant barns (located to the northwest of Building 4 - outside of the application site) into three residential properties (EPF/2533/13), it is considered that the principle of the proposed conversion of Building 4 into seven residential dwellings would not be inappropriate development within the Green Belt.

#### Redevelopment of the remainder of the site:

The proposed nine additional dwellings on this site would replace two large warehouse buildings (Building 3 and Building 6) and an open structure and would be no higher than the buildings which they replace. Dwellings 8-11 would be located within the former footprint of Building 3 and dwellings 12-16 would be located within the former footprint of Building 6.

Notwithstanding the above the combined footprint of the proposed dwellings would result in a 24% overall reduction to the existing footprint of buildings on site. Furthermore there would be a significant reduction in the amount of hardstanding and overall volume on site, the removal of all open storage and commercial activity, and an opportunity for extensive additional landscaping. These factors would ensure that the proposed development would have no greater impact on the openness of the Green Belt and would actually be beneficial to the overall openness of the site. Therefore the proposed redevelopment of the site would not constitute inappropriate development harmful to the Green Belt.

#### Sustainability:

There have been longstanding concerns about the sustainability of Sewardstone, which can be seen by the refusal for the erection of 41 dwellings with a shop/community centre on this site in 2009 (EPF/0583/09). Amongst other reasons this application was refused on the following grounds:

**The proposed development is in an unsustainable location not well served by public transport or local services. As such the development would result in an increase in vehicle commuting contrary to policies CP1, CP3, CP6 and ST1 of the adopted Local Plan and Alterations.**

The refusal was subsequently appealed and dismissed by the Planning Inspectorate. Within the Inspectors appeal decision it was stated that "*the development would be outside the existing urban area and would be very unlikely to avoid further commuting or reduce the need to travel. It would not be easily accessible by existing sustainable means of transport. I conclude that it would not conform to the sustainability objectives of national policy in Planning Policy Guidance Note 13: Transport, the advice in Planning Policy Statement 1: Delivering Sustainable Development or the relevant policies in CP1, CP3, CP6 and ST1 of the LP*".

More recently planning permission has been refused for outline consent for the erection of 72 dwellings at the Former Haulage Yard, Sewardstone Road (EPF/1556/14), which is within close proximity to the application site. Amongst other reasons this application was refused on the following grounds:

**The proposal would result in an unsustainable form of development outside the existing urban area and is not well served by public transport or local services, and would therefore result in an increase in vehicle commuting contrary to the guidance**

**contained within the National Planning Policy Framework and policies CP1, CP3, CP6 and CP9 of the adopted Local Plan and Alterations.**

In response to the above concerns regarding the unsustainable location of the site the applicant submitted a letter (for both this application and EPF/2369/14) stating that “*ECC is the competent authority to comment on accessibility and sustainable travel in this location*” and highlights that, subject to various conditions, “*ECC confirm that the proposed developments would comply with their adopted Development Management Policies and ST4 and ST6 of the Local Plan*”. They therefore conclude that “*it is clear that the issue of sustainable travel has been assessed in sufficient detail and considered at length by the Highways Authority, and there is no reason why either of these proposed developments should be refused on grounds of accessibility or transport sustainability*”.

Further to this letter the applicant has also submitted the following table (slightly amended by the Planning Officer) comparing the application(s) on this site with the above Former Haulage Site proposal and a recent application for 19 dwellings at Forest Lodge, High Road, Epping (EPF/1156/14), which was also refused on sustainability grounds.

**COMPARISONS WITH RECENTLY REFUSED APPLICATIONS:**

	<b>NETHERHOUSE</b>	<b>HAULAGE YARD</b>	<b>FOREST LODGE</b>
Previously developed land	YES	YES	YES
Distance to nearest main town ( <b>as calculated by the applicant</b> )	1.6 miles (Waltham Abbey)	1.4 miles (Waltham Abbey)	2.0 miles (Loughton)
Close to existing settlement	YES	YES	NO
On bus route	YES	YES	YES
Sustainable transport improvements	YES	YES	YES
Sustainable transport initiatives	YES	YES	NO
Community facilities included	NO	Village play area Sports fields Community resource building	NO
Re-use of existing buildings	PARTLY	NO	NO
Previous residential consent on site	YES	NO	NO
Enhanced openness to GB ( <b>as calculated by the applicant</b> )	Footprint reduction of 18-30% Hard surface reduction of 50-60% Removal of frontage car park No increase in building height Large open areas remain	Footprint increase of 40% Increased building height Full site coverage Urban layout	Footprint reduction of 23% Hard surface reduction of 80% Increased building height of up to 3m Full site coverage Urban Layout

	Rural design and Layout		
CSH	Level 4	Level 4	Not specified
Energy saving above B. Regs	35%	Not specified	Not specified
Heritage benefits	YES	NO	NO
Percentage affordable housing	50%	50%	84%

Whilst it is recognised that ECC has raised no objection to the proposed development and the differences between this proposal and the other two examples stated within the above table are noted, the sustainability of Sewardstone has been assessed historically (with relation to this site) and more recently (regarding the Former Haulage Yard) and it has been concluded by the Council that any large scale residential development within this area is unsustainable due to the lack of local facilities and sustainable transport options. This matter was also confirmed by the Planning Inspector in 2009 and whilst PPS1 and PPG13 have since been replaced by the NPPF the principles of sustainability remain and there do not appear to have been any significant improvements to the sustainability of this location since the date of the previous appeal.

As a result of the above the proposed development would therefore constitute an unsustainable form of development that would result in an increase in vehicle commuting, contrary to the guidance contained within the National Planning Policy Framework and Local Plan policies CP1, CP3, CP6 and CP9.

Amenity considerations:

Given the location of the application site the only adjacent neighbours would be the original Farmhouse to the south and May Cottage to the north. Consent has been granted for the conversion of the historic barns within Netherhouse Farmyard into three dwellings, however this has not yet been implemented.

The neighbouring farmhouse sits further forward than Building 4 and, since this building would be largely converted or replaced 'like for like', there would be no physical impact on the amenities of these residents. Whilst the front part of the existing building is two storeys in height there would be no upper storey windows that directly overlook the neighbouring property. Furthermore, the use of this building for residential purposes would result in less noise nuisance and other forms of disturbance than the existing training centre or the consented restaurant.

The proposed dwellings 12-16 would back onto the shared boundary with May Cottage, however the rear windows of these properties would be 35m from the neighbours boundary and therefore would be sufficient distance to ensure that there would be no direct loss of light or visual amenity nor any unacceptable overlooking or loss of privacy. Whilst the introduction of residential use directly adjoining the shared boundary would introduce residential activity close to this neighbour it is not considered that this would result in any greater level of disturbance or disruption than the lawful commercial use of the site. Concern has been raised by this neighbour about any proposed fencing along the northern boundary and subsequent privacy and security. Details of such fencing can be dealt with by way of a condition to ensure that adequate boundary treatment is erected.

The proposed dwellings would be set a considerable distance into the site and would predominantly replace existing structures. As such the proposal would not detrimentally impact on the amenities of residents on the opposite side of Sewardstone Road. Furthermore the proposed residential development would result in less nuisance and disturbance than the existing lawful use of the site (including the permitted restaurant).

There is some concern that, due to the narrow gardens serving dwellings 8-11 (measuring some 6m in depth), the proposed first floor rear windows of dwellings 10 and 11 would overlook the rear garden of dwelling 7 (and to a lesser degree dwelling 6). Although this situation is not ideal the proposal is retaining the footprint of the existing building so as to minimise the impact of the development and, given the nature of the scheme, it is considered that this matter would be a case of 'buyer beware'.

With the exception of dwellings 8-11, all of the proposed properties would have private amenity space of a size that complies with the recommendations within Local Plan policy DBE8 and the Essex Design Guide. Dwellings 8-11 would have rear gardens of approximately 54m<sup>2</sup>, which is less than the 60-80m<sup>2</sup> required (depending on whether the ground floor room is counted as a 'study' or a third bedroom). However given the public amenity space proposed within the site, along with the vast amount of public recreational space directly accessible from the site (including Epping Forest and the Lee Valley parks) it is considered that this slightly lower level of private amenity space would be acceptable in this instance.

Of additional concern is the internal layout of the proposed converted dwelling (no's. 1-7), which is somewhat unusual and is likely to change depending on future residents desire. Whilst the proposed layout is not ideal the use of the rooms could be altered to suit prospective purchasers and are a matter of taste, plus the Council does not have any Local Plan policies directly relating to internal space standards or layout.

#### Highways:

The LPA and ECC are aware of longstanding traffic issues along Sewardstone Road, which is exacerbated by matters such as the car boot sale at Netherhouse Lane and the prevalence of horse riders utilising this road. However these are existing, longstanding problems and, whilst it is appreciated that the provision of 16 additional dwellings would result in an increase in road users within the area, the specific impact that would result from the proposed development has been assessed by Essex County Council Highways and is considered relatively minor in comparison to the heavy usage that currently occurs on Sewardstone Road and the potential usage from the lawful use of the site.

The existing access serving this site has sufficient sight lines and it was previously concluded by the Planning Inspector in 2009 that the intensification of use of the access would not result in any highway safety concerns. Therefore the impact of the development on highway safety and traffic congestion is considered acceptable.

The proposed level of designated off-street parking would comply with the requirements of the ECC vehicle parking standards in that it would provide two spaces per dwelling and six visitor parking spaces (0.25 per dwelling rounded up). Furthermore the proposed internal road would allow for additional informal parking within the site. The development would therefore provide more than sufficient parking to ensure that there would be no overspill or detrimental impact on on-street parking within the surrounding area. Bicycle parking has also been shown on the submitted plans, although further details of this would be required.

#### Impact on surrounding area:

The site stands adjacent to the Grade II listed Netherhouse Farmhouse to the south and a curtilage listed 18<sup>th</sup> century barn to the north. The buildings to which this application relates are not curtilage listed however Building 4 does contain some elements of historic fabric; namely a stock brick spine wall and gable end.



The proposed demolition of the buildings (excluding the historic brick wall of Building 4 which is to be retained) and their replacement with residential units raises no concern since the existing buildings are of little merit and do not make a positive contribution to the setting of the listed farmhouse or curtilage listed barn. The partial conversion/replacement of Building 4 and the new dwellings in place of Buildings 3 and 6 would all occupy the same footprint and a similar visual bulk as the existing buildings, and their overall appearance has been improved through good design. The untraditional and bulky wide spans of Building 3 and Building 6 have been replaced with buildings with shorter spans and the more traditional double-pile roof form. Traditional materials have been utilised throughout the development which improves on the stark modern materials of the existing buildings.

The proposed replacement for Building 4, which has the most impact within the setting of the listed farmhouse, has retained an agricultural character within its design to maintain the hierarchy of the site, i.e. the farmhouse visually remains the highest status building within the wider site. The other replacement buildings display simple, modern detailing which does not detract from the simple, functional detailing of the curtilage listed barn, or the more polite architectural features of the listed farmhouse. In addition the extension and improvement of the area of green space at the front of the site, in place of a large expanse of hardstanding, will enhance the settings of the listed buildings and soften the appearance of the proposed development.

#### Other matters:

##### Housing considerations:

Since the application site is located within a settlement with a population of less than 3,000 Local Plan policy H7A requires at least 50% of the total number of dwellings to be affordable. The application proposes 8 of the total 16 dwellings to be affordable, which results in policy compliance of 50%.

The Council currently has in excess of 1,500 applicants on its Housing Register and, as evidenced by the National Housing Federation in their annual 'Home Truths' studies, the ratio of average property prices (and lower quartile property prices) to average earnings in Epping Forest District is consistently the highest in Essex – and is within the highest three local authority districts in the East of England. As such the provision of up to 10 affordable houses would assist in providing much-needed affordable housing within the District.

The Council would expect a mix of affordable rented housing and shared ownership and as such the tenure should be in line with the Council's agreed Shared Ownership Policy which requires that no less than 70% of the affordable housing should be provided as affordable rented housing and that no more than 30% of the affordable housing should be provided in the form of shared ownership.

The mix of the affordable housing is generally considered acceptable and the Council would want to see the affordable housing provided by (i.e. sold by the developer to) one of the Council's Preferred Housing Association Partners. These matters can all be dealt with by way of a S106 Legal Agreement.

##### Landscaping:

There is no significant existing vegetation within the application site worthy of retention, however it is important that this proposal sits congruously within its landscape setting when viewed from both the frontage and rear of the site. In the appeal decision on EPF/0583/09 the inspector made the following comment – *"...the countryside behind the farm buildings rises gradually towards rolling low hills which are traversed by public footpaths. The proposed development would be easily visible looking down from the hills.....and would substantially change the character of the*

area.....". Whilst this application reduces the number of units from 41 to 21 and proposes the majority of dwellings to occupy the same, or lesser, footprint and bulk of the existing buildings there would still be a visual impact when viewed from the public right of way to the rear of the site. In order to mitigate the impact a robust landscape scheme will need to be drawn up in particular along the rear boundaries of units 1 – 7, 11 and the side elevation of 16. This can be dealt with by way of a condition.

The development proposes a large area of landscaping towards the frontage of the site adjacent to Sewardstone Road. This would offer some screening and softening of the proposed development and would be a visual improvement over the existing vast and barren area of hardstanding currently on site.

#### Education:

Essex County Council Educational Services have assessed the application and consider that there will be sufficient secondary school places to serve the needs of the development however insufficient pre-school and primary school places for the children likely to be generated by the development. On the basis of 16 qualifying houses the required early years and childcare contribution would be £17,787 and the primary school contribution would be £51,998, giving a total of £69,785 index linked to April 2014 costs.

#### Waste:

Bin stores have been indicated on the submitted plans to serve each of the proposed dwellings, however further details of these should be sought by condition. Should the proposed new internal road remain private then written permission would be required from the land owner to enable refuse collection vehicles to enter it (however this is a separate matter to the planning consent). The proposed internal roadway is large enough to accommodate a refuse collection vehicle (4.5m in width), however the applicant/developer would need to ensure that the roadway is of a suitable standard to withstand regular use by a refuse collection vehicle which, when fully loaded, can weigh up to 32 tonnes. Should the roadway not be of a suitable standard then there is a possibility of it being damaged during refuse collections, in which case the authority would not accept liability for any damage.

#### Ecological impacts:

The application has been submitted with an ecological report. Subject to all the recommendations in section 5 of this report being followed, including bat and reptile surveys being undertaken and biological enhancements being carried out, then the proposed development would not be unduly detrimental to the existing ecology of the site and surrounding area.

#### Contamination:

Due to the former uses of the site as a farmyard and the presence of builders/agricultural training workshops and infilled and made ground, there is the potential for contaminants to be present on site. As this application is for residential dwellings and gardens, which is a particularly sensitive proposed user, contaminated land investigations and (where necessary) remediation will need to be undertaken.

#### Anti-social behaviour:

Concern has been received by surrounding residents with regards to the development adding to the existing 'anti-social behaviour' problems already suffered in the area, however this is clearly an existing issue and is a wider problem than anything that would result purely from this site. The applicant proposes to comply with Secured by Design and Essex Police raised no objection to

EPF/2369/14 (and therefore it is assumed they equally have no objection to this smaller scheme) subject to Secured by Design certification being achieved on all units. Essex Police states that this is a “*proven crime prevention initiative*” and therefore this would overcome any concerns regarding criminal or anti-social behaviour resulting from this development.

### **Conclusion:**

The balance of the issues regarding the proposed development are summarised as follows:

#### Matters weighing in favour of the scheme:

- 24% reduction in built footprint and significant reduction in levels of hardstanding and volume of buildings (which would have a positive impact on the openness of the Green Belt);
- Landscape improvements that would go beyond simply mitigating the development but would visually improve the site and surrounding area;
- Visual improvements through the removal of the existing unsightly buildings within the curtilage of the Grade II listed building;
- Provision of eight affordable houses.

#### Matters weighing against the scheme:

- Unsustainable location of the site that would result in 16 additional households relying on private car use and commuting.

It is clear from the above that in this application the key concern weighing against the scheme is its unsustainable location. Whilst the simultaneous application submitted for 21 dwellings on this site (EPF/2369/14) is recommended for refusal this is because the benefits of that proposal do not outweigh the harm regarding sustainability or the harm to the setting of the Listed and Curtilage Listed Buildings.

Unlike that scheme, the balance of issues for this proposal for a lower number of houses tips in favour of approval of the development. Whilst there are still concerns regarding the sustainability of the site the impact from this application would be less than on EPF/2369/14 (since there would be a lower number of additional dwellings and therefore less impact from the subsequent private car use and commuting) and the exclusion of the additional five dwellings known (in EPF/2369/14) as ‘Block D’ would remove the harm to the setting of the listed buildings. Furthermore, unlike EPF/2369/14, the level of affordable housing proposed on this application would be policy compliant.

In addition to this proposal having less harmful impact there would also be greater benefits as a result of this scheme over EPF/2369/14. The lower number of proposed dwellings would result in a greater reduction in built footprint (24% rather than 12%) and volume, which would be more beneficial to the openness of the Green Belt, and the provision of a ‘wildflower meadow’ in place of ‘Block D’ would have a greater positive impact on the wider landscape and on the ecology of the site.

Due to the above it is considered that the balance of issues on this lower scheme, unlike that of EPF/2369/14, is sufficient to outweigh the harm from this unsustainable development and as such this proposed development would, on balance, comply with the guidance contained within the National Planning Policy Framework and the relevant Local Plan policies and is therefore recommended for approval.

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

**Planning Application Case Officer: Graham Courtney  
Direct Line Telephone Number: 01992 564228**

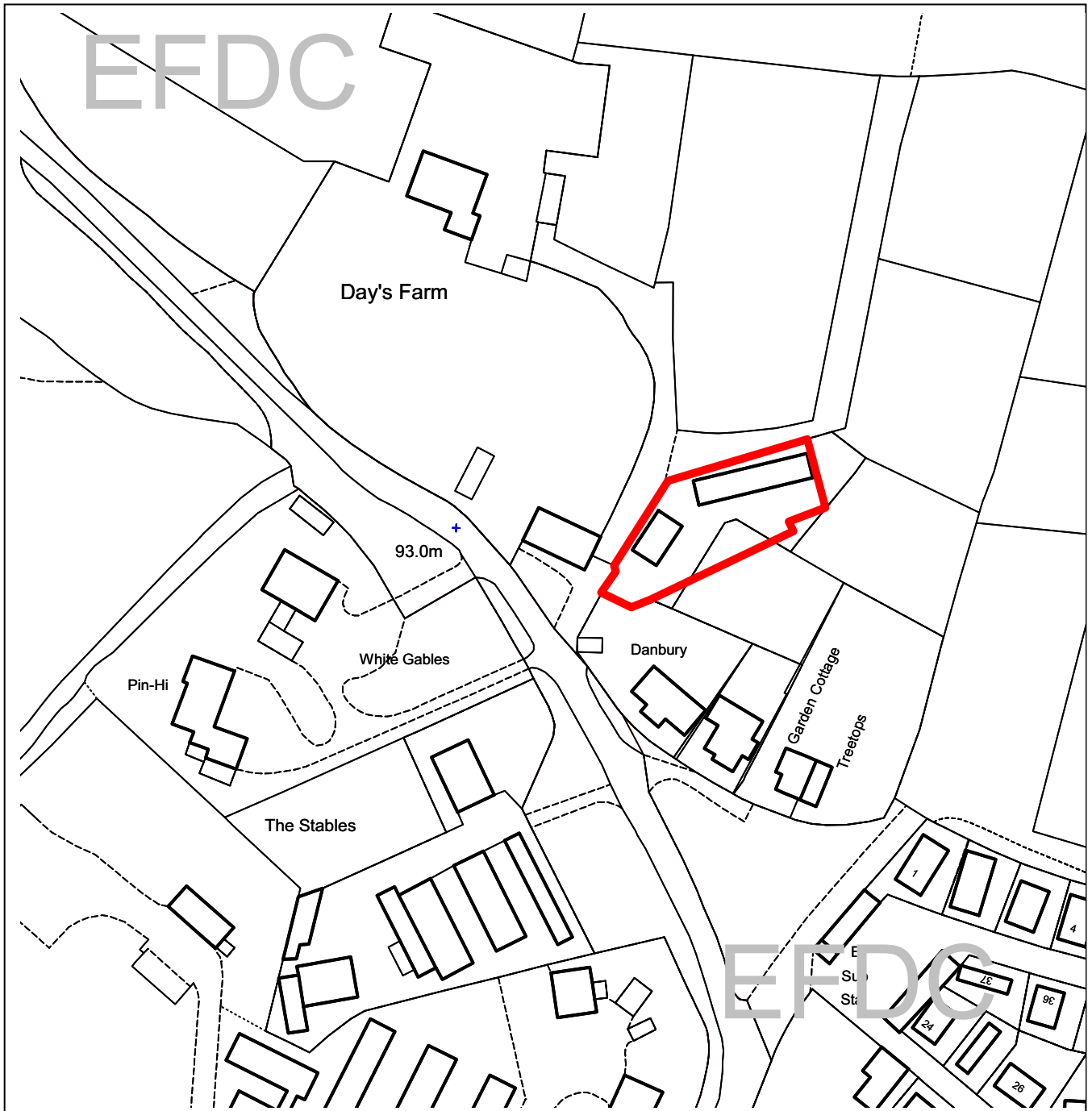
**or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)**

THIS PAGE IS INTENTIONALLY BLANK



# Epping Forest District Council

## AGENDA ITEM NUMBER 4



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

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

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

Application Number:	EPF/2804/14
Site Name:	Danbury Lippitts Hill Waltham Abbey IG10 4AL
Scale of Plot:	1/1250

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/2804/14
<b>SITE ADDRESS:</b>	Danbury Lippitts Hill Waltham Abbey Essex IG10 4AL
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey High Beach
<b>APPLICANT:</b>	Mrs R Parkyn
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use and conversion of outbuildings to form three residential units; alterations to vehicular access; and associated parking and landscaping.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**Click on the link below to view related plans and documents for this case:**

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=571655](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=571655)

**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: 3447/1, 1, 2, 3, 4 Rev: A, 5 Rev:A, 6 Rev: B
- 3 Materials to be used for the external finishes of the proposed development shall match those specified within the submitted application, unless otherwise agreed in writing by the Local Planning Authority.
- 4 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.
- 5 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other Order revoking, further amending or re-enacting that Order) no extension or outbuildings generally permitted by virtue of Class A, B, D and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 6 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor

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

- 7 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]
- 8 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]
- 9 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]

- 10 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.
- 11 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.
- 12 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.

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

#### **Description of Site:**

The application site comprises a 0.2 acre site to the north of Danbury on the north eastern side of Lippitts Hill within the small built up enclave. The site is part of the larger 0.43 hectare site owned by the applicant and currently contains a long stable building and smaller barn that is used for the stabling of horses owned by the applicant. There are adjacent paddocks also used for this purpose (although these do not form part of the application site). There is existing access to the application site by way of the private track serving Days Farm, to which the applicant has a right of access. The site is located within the Metropolitan Green Belt.

#### **Description of Proposal:**

Consent is being sought for the change of use of the existing stables and barn to form three self-contained residential units with associated access, parking and amenity space.

The proposed residential units would each be one bed properties with a bathroom and a combined kitchen/living area. The only external changes to the buildings would be the insertion/replacement

of doors and windows, however the overall development would require the construction of an access road and parking areas and would involve the erection of various post and rail fences in order to subdivide the site into three plots.

Each of the three properties would be served by one parking space and would benefit from its own garden area.

It is stated by the applicant that the three units are proposed in order to provide residential accommodation to each of his three children.

**Relevant History:**

EPF/0703/95 – Demolition of existing stable and store buildings and erection of new stable building – approved/conditions 13/12/95

**Policies Applied:**

CP1 – Achieving sustainable development objectives  
CP2 – Protecting the quality of the rural and built environment  
GB2A – Development in the Green Belt  
GB8A – Change of use or adaptation of buildings  
DBE8 – Private amenity space  
DBE9 – Loss of amenity  
ST1 – Location of development  
ST4 – Road safety  
ST6 – Vehicle parking

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.

**Consultation Carried Out and Summary of Representations Received:**

7 neighbours were consulted and a Site Notice was displayed on 18/12/14.

TOWN COUNCIL – Object. Members considered this to be an inappropriate increase in residential units within the Green Belt. They considered the design not to be in keeping with other properties in the area and concerns were raised with regard to their energy efficiency, particular reference being made to the window frames. However if Council is minded to grant permission they would ask that a condition be applied that these properties cannot be used for holiday lets.

DAYS FARM, LIPPITTS HILL – Object since Danbury has already been heavily extended and could accommodate the accommodation within the existing house, since the existing stables are not 'permanent buildings' and therefore it would be difficult to convert these in a way that would conform to building regulations, since it is unlikely that the applicant's children would live in such small accommodation for long and what would be left would be substandard dwellings.

WHITE GABLES, LIPPITTS HILL – Object since this is Green Belt land and three additional dwellings would not be in keeping with the hamlet, particularly if these are used for holiday lets. Furthermore the access has poor visibility that would be detrimental to highway safety and there is a lack of parking proposed.

FOREST SIDE, CHINGFORD – Comment that, since the application is to provide houses for the applicant's children then a condition should be imposed restricting occupancy of the properties.

CONCERNED RESIDENTS OF ELMS PARK HOMES – Concerned that the application suggests that the proposed dwellings would be occupied by the applicant's three children however these could be sold on once developed unless a condition is imposed restricting the occupation of the units to members of the applicant's family.

### **Issues and Considerations:**

The main considerations are the impact on the Green Belt, regarding amenity considerations, and the design and the impact on the surrounding area.

#### **Green Belt:**

The National Planning Policy Framework states that "*the re-use of buildings provided that the buildings are of permanent and substantial construction*" is not inappropriate as long as they "*preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt*".

Whilst concern has been raised with regards to the temporary nature and materials of the existing stables the buildings appear to be structurally sound and, although insulation, etc. would be required in order to comply with Building Regulations, it is considered that the proposed change of use could be accomplished on site without the buildings being removed.

Since the buildings currently exist and there would be no additional extensions or enlargements as a result of the development there would be no additional impact on the openness or character of the Green Belt.

Although there would be some additional subdivision of the site through the creation of the three gardens these would be located within a site currently divided into paddocks, stable yards and residential gardens. The boundary treatment of these gardens would be low level and open post and rail fencing and, as such, this subdivision would not be unduly detrimental to the overall openness of the Green Belt.

#### **Amenity:**

Given the location of the application site, and since the proposal is to convert the existing buildings, there would be no physical impact on any surrounding neighbours. It is stated that the proposed residential units would be occupied by the applicant's three children, in which case this development would lead to no additional increase in vehicle or pedestrian movements.

Despite this stated intention it is not considered necessary by Planning Officers that the proposed residential units be restricted to the applicant's family in terms of occupation. The change of use to residential purposes would not result in any significant increase in vehicle or pedestrian movements given the small scale nature of the dwellings, the current use of the site, and the use of the existing access.

Concern has been raised by the Town Council and surrounding residents that the proposed units could be utilised as holiday lets once developed. Whilst such a change could occur without planning consent it is not considered that such a change would be unduly harmful to surrounding residents. The location of the site is at least 20m from any surrounding neighbour (with the exception of the applicant's dwelling) and any subsequent traffic movements that would result from three small holiday chalets would be fairly insignificant, particularly since there are existing recreational sites within the surrounding area. Nonetheless, should it be considered that the use of the buildings as holiday let properties would cause a detrimental impact to the surrounding area

then a suitable condition could be imposed to ensure that the units are not used for holiday accommodation.

Each of the three proposed properties would be served by individual gardens measuring 79m<sup>2</sup>, 90m<sup>2</sup> and 108m<sup>2</sup>. This would be above the recommended size of amenity space for this size properties as quoted within policy DBE8 and the Essex Design Guide. Whilst privacy to these areas would be limited, since each garden would be visible from the access road and enclosed by a low level post and rail fence they would be provided privacy from the public highway.

#### Design:

The proposed conversion would not extend or significantly alter the existing building with the main external alterations consisting of the insertion/replacement of doors and windows. The proposed development would therefore retain the existing character of the site and the overall equestrian appearance of the buildings.

Concern has been raised that, without a condition restricting the use of the dwellings to the applicant's family the proposed dwellings would be substandard and out of character with the surrounding area. Whilst the proposed units would be small one bed properties it is not considered that these would be harmful to the overall character of the area, particularly given the proximity of The Elms and The Owl Park Homes, which contain several small mobile homes that offer cheap accommodation primarily occupied by elderly residents.

The proposed internal boundary treatment would consist of post and rail fencing, which is common to rural location such as this, and additional planting/landscaping. The main boundary treatments around the applicant's entire site would be unchanged and would effectively screen the majority of the development from public view.

#### Other Considerations:

##### Sustainability:

The application site is not located within a sustainable location since it is not well served by sustainable transport or local facilities, however it is located within an existing hamlet and, given the limited number and size of the proposed dwellings, it is not considered that the development would have any significant detrimental impact in terms of sustainability.

##### Parking/highways:

Each of the proposed dwellings would benefit from a single off street parking space, which is required by the Essex County Council Vehicle Parking Standards. Whilst the parking standards would also require a single visitor parking space to serve these three units the internal road system would allow for limited informal visitor parking if required. The proposal would be served by an existing vehicle access that currently serves both the existing stables and Day's Farm and as such it is not considered that the proposed development would result in any excessive additional impact on highway safety, traffic, or on-street parking concerns.

##### Drainage:

The applicant is proposing to dispose of surface water by soakaway, however the geology of the area is predominantly clay and infiltration drainage may not be suitable for the site. Therefore further details regarding surface water drainage would be required by way of a condition.

### Contamination:

Due to the site's former use as a horticultural nursery and stables there is the potential for contaminants to be present on site. Since domestic dwellings with gardens are classified as a particularly sensitive proposed use investigations and, where necessary, remediation works would need to be undertaken, which can be dealt with by condition.

### Waste:

There has been no objection to the scheme received from waste services, however should the proposed new internal road remain private then written permission would be required from the land owner to enable refuse collection vehicles to enter it (however this is a separate matter to the planning consent). The applicant/developer would also need to ensure that the roadway is of a suitable standard to withstand regular use by a refuse collection vehicle which, when fully loaded, can weigh up to 32 tonnes. Should the roadway not be of a suitable standard then there is a possibility of it being damaged during refuse collections, in which case the authority would not accept liability for any damage. Also if gates are retained at the access then all collection crews will need to be provided with either keys or access codes.

### Conclusion:

The proposed change of use of the existing stables into three one bed dwellings would not constitute inappropriate development within the Green Belt, would not be unduly detrimental to neighbouring residents, and the design and location of these properties would be acceptable. Whilst it has been recommended that the occupancy of the units is restricted to protect against the use of the units as holiday lets and/or to members of the applicant's family it is not considered that such restrictions are required. However suitable conditions could be imposed if deemed necessary.

As a result of the above it is considered that the proposal would comply with the guidance contained within the NPPF and the relevant Local Plan policies and is therefore recommended for approval.

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

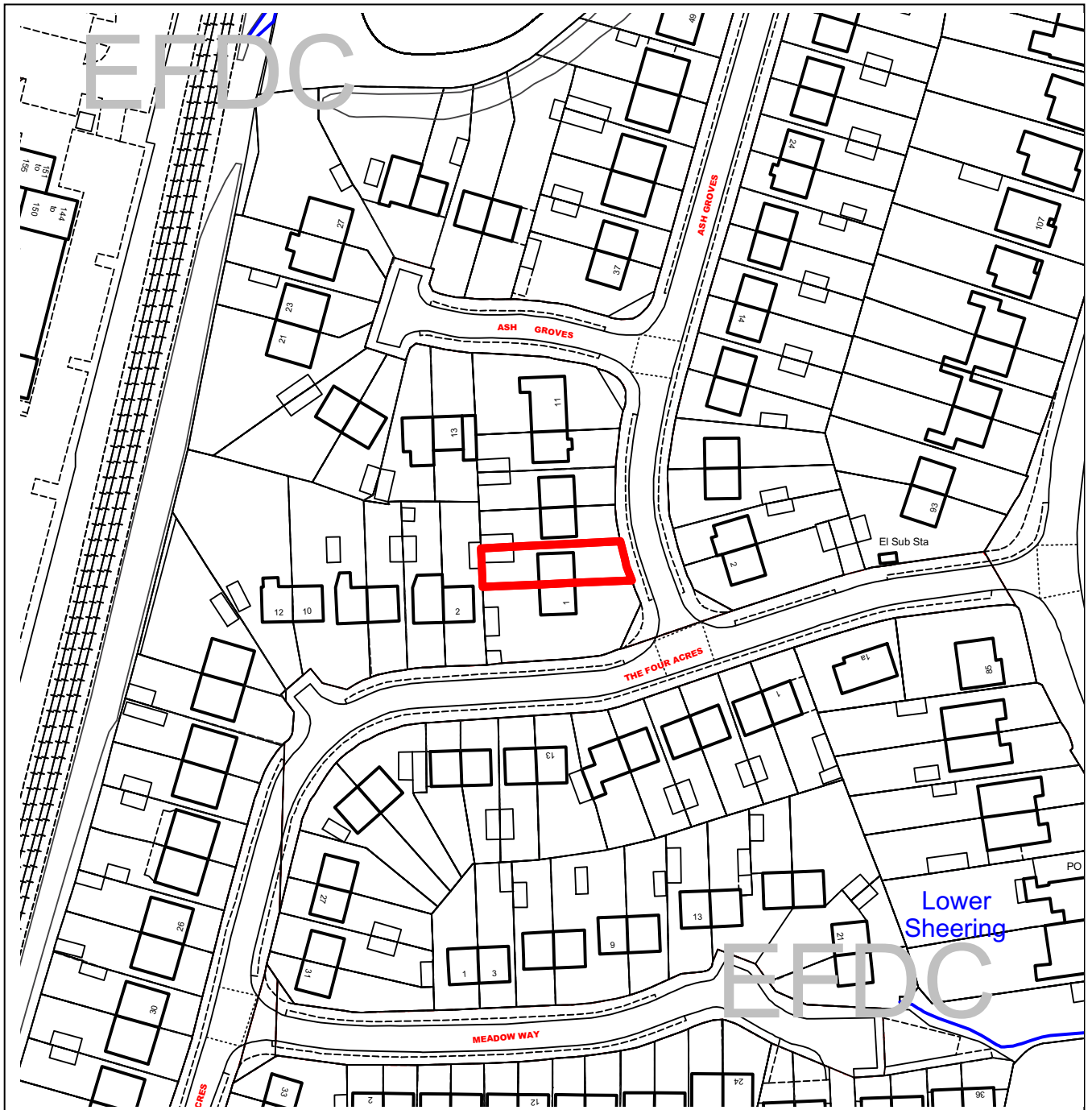
***Planning Application Case Officer: Graham Courtney  
Direct Line Telephone Number: 01992 564228***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## AGENDA ITEM NUMBER 5



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

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

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

Application Number:	EPF/2886/14
Site Name:	3 Ash Groves Sheering CM21 9LN
Scale of Plot:	1/1250

**Report Item No:5**

<b>APPLICATION No:</b>	EPF/2886/14
<b>SITE ADDRESS:</b>	3 Ash Groves Sheering Essex CM21 9LN
<b>PARISH:</b>	Sheering
<b>WARD:</b>	Lower Sheering
<b>APPLICANT:</b>	Mr Alex Groom
<b>DESCRIPTION OF PROPOSAL:</b>	Single storey front extension.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**Click on the link below to view related plans and documents for this case:**

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=572033](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=572033)

**CONDITIONS**

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

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

**Description of Site:**

The application site consists of a two-storey semi-detached dwelling located on the western side of Ash Groves. The dwelling has been extended previously in the form of a loft conversion with front and rear dormer windows

The attached neighbour already benefits from a 2.5m deep single storey front extension. The site is not within a conservation area nor is the building listed.

**Description of Proposal:**

Planning permission is sought for the erection of a single storey front extension, 2.5m deep by 6.49m wide and between 3.5m and 2.4m high as it is finished with a mono-pitch roof. The plans indicate that the extension would project no deeper than the neighbouring front addition.

Materials would match the existing dwelling.

### **Relevant History:**

EPF/1256/87 - Loft conversion (above ridge level) - Refused

### **Policies Applied:**

Local policies:

- CP2 – Protecting the Quality of the Rural and Built Environment
- DBE9 – Loss of Amenity
- DBE10 – Residential Extensions

National Planning Policy Framework

### **Summary of Representations**

#### **External:**

SHEERING PARISH COUNCIL - Objection – The proposed extension would be detrimental to the appearance of the existing dwelling and to the streetscene. The roof treatment of the proposed extension in particular is out of keeping with the existing property and the rest of the street. The previous proposals at this property were of a design that is in keeping with the area and would enhance the appearance of the existing dwelling; however this scheme would result in a property that looks out of place in its surroundings.

#### **Neighbours:**

Three neighbours notified by letter. One representation was received by the occupiers residing at the following address:

1, ASH GROVES – roof tile should match No1 extension roof tile not main roof; no front elevation showing how extensions meet; confirmation of junction of front wall; prior consultation required regarding fixing exterior wall.

### **Issues and Considerations:**

The main issues to be addressed are as follows:

- Character and Appearance
- Effect on Living Conditions

#### **Character and Appearance**

Policies CP2 and DBE10 seek to ensure that a new development is satisfactorily located and is of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and not prejudice the environment of occupiers of adjoining properties.

There are no Officer objections to the design and appearance of the proposed development. given that there is already a single storey front extension at the neighbouring property. Whilst the Parish Council consider that the proposal would lead to an overdevelopment of the site, this may well be



due to the fact that the dwelling has already been extended at roof level and benefits from a front dormer window erected a number of years ago.

It is not considered that the additional bulk here at ground floor level would materially detract from the character of the host dwelling and is compatible with the character of the surrounding area.

The neighbour has concerns relating to the materials proposed for the roof of the extension. The tiles proposed would match the main roof which differs to the neighbour's extension. It is not considered that if the tiles did not match this would result in significant harm to the visual amenities of the area and it not felt reasonable to impose a condition requiring the tiles to match the neighbours.

The neighbour has also enquired as to how the extension would join his extension at roof level and front wall. Officers are unable to fully confirm the junctions but this is not considered necessary to grant planning permission. From looking at the submitted drawings and from the photographs taken on site it would appear that the roof would be in line with the neighbours, just below the lead flashing under the first floor window cill. Even if it was slightly above or below, the proposed extension would not detract from the character of the pair of semis or the surrounding area.

The submitted drawing shows that the proposal would be in line with the neighbour's extension and this again is considered to be enough detail in order to assess at planning application stage.

Therefore, the proposal would comply with policies CP2 and DBE10 of the adopted Local Plan (1998) and Alterations (2006)

#### Effect on Living Conditions

Due consideration has been given in respect to the potential harm that the proposed development might have upon the amenities enjoyed by adjoining property occupiers.

The extension would, according to the drawings, project no further forward than the neighbouring extension at No. 1 Ash Groves. There would be no material impact on the living conditions of this neighbour.

The issue raised by the neighbour regarding building regulations is not a material planning consideration.

With regards to the detached neighbour at No. 5 Ash Groves due to the extension's size and siting there would be no material impact on the living conditions of this neighbouring occupier.

Therefore in conclusion, the proposal is considered acceptable in neighbouring amenity terms and is considered to comply with policy DBE9 of the Local Plan (1998) and Alterations (2006)

#### Response to Objections received

The objection received from the Parish Council and concerns from the neighbour have been addressed in the sections above.

#### **Conclusion:**

In conclusion, the development is in accordance with the policies contained within the Adopted Local Plan and Alterations and the NPPF. It is therefore recommended that permission be granted subject to conditions.

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

**Planning Application Case Officer: Steve Andrews  
Direct Line Telephone Number: 01992 564337**

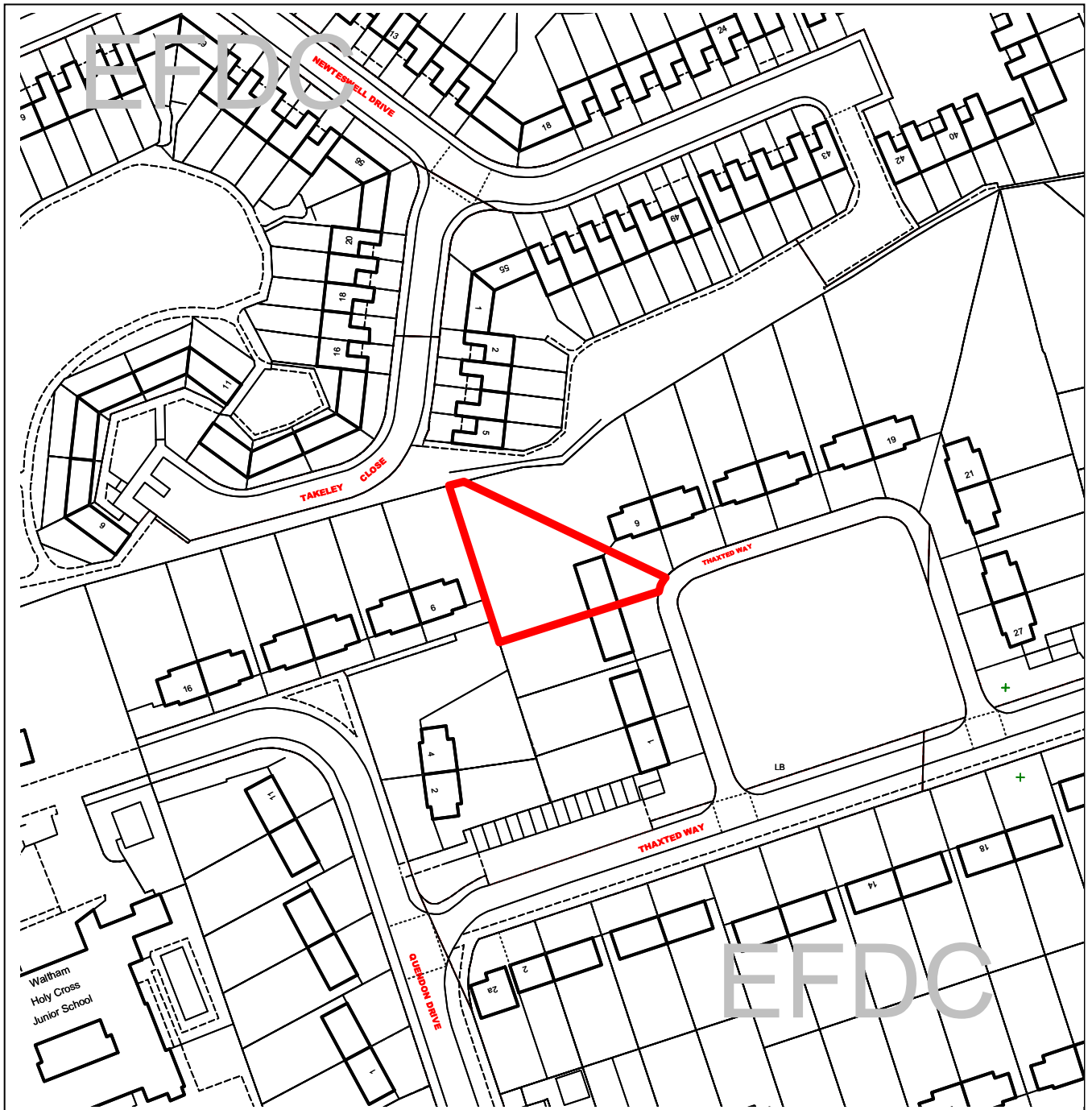
**or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)**

THIS PAGE IS INTENTIONALLY BLANK



# Epping Forest District Council

## AGENDA ITEM NUMBER 6



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

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

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

Application Number:	EPF/0030/15
Site Name:	7 Thaxted Way Waltham Abbey EN9 1LQ
Scale of Plot:	1/1250

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/0030/15
<b>SITE ADDRESS:</b>	7 Thaxted Way Waltham Abbey Essex EN9 1LQ
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey North East
<b>APPLICANT:</b>	Mr Gary Fairhead
<b>DESCRIPTION OF PROPOSAL:</b>	Front and rear single storey extension, two storey side/rear extension and loft extension with dormer window to rear. Resubmission of EPF/2683/14
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**Click on the link below to view related plans and documents for this case:**

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=572893](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=572893)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 Prior to first occupation of the development hereby approved, the proposed first floor window openings in the northern flank elevation shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 4 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.

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

**Description of Site:**

A two storey semi-detached dwelling on the northern side of Thaxted Way, located within the north western corner of the grassed 'courtyard'. The dwelling sits in a large plot that, due to the layout and orientation of the properties, has an angled northern boundary. The property benefits from a single storey flat roofed side projection.

### **Description of Proposal:**

Consent is being sought for a front and rear single storey extension, two storey side/rear extension and loft extension with rear dormer window. The single storey front extension would be 940mm in depth and 10.5m in width with a pitched roof reaching a height of 3.5m. The single storey rear extension would be 3m in depth and 6.4m in width with a 2.9m high flat roof. The two storey side/rear extension would be 9.4m in depth and 2.9m in width along the side, wrapping around to 4m in width at the rear. This would continue the 7.8m ridge of the main roof along the side aspect and would introduce a gable ended projection to the rear with a ridge height of 6.2m. The proposed rear dormer would be flat roofed and would stretch across 6m of the rear roof slope.

### **Relevant History:**

EPF/2683/14 - Front and rear single storey extension, two storey side/rear extension and loft extension with dormer window to rear – Refused on the following grounds:

- 1. The rear dormer window, due to its excessive size and overall design, would result in an incongruous and over-dominant roof addition that fails to complement or enhance the character and appearance of the existing dwelling or surrounding area, contrary to the guidance contained within the National Planning Policy Framework and policies CP2 and DBE10 of the adopted Local Plan and Alterations.*

### **Policies Applied:**

CP2 – Protecting the quality of the rural and built environment

DBE9 – Loss of amenity

DBE10 – Residential extensions

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.

### **Consultation Carried Out and Summary of Representations received:**

TOWN COUNCIL – OBJECT. Committee considered this to be an overdevelopment of site which could have an adverse impact on neighbouring properties.

6 neighbouring properties were consulted. No Site Notice was required – No responses received.

LAND DRAINAGE - No objection subject to adding condition relating to surface water run off.

THAMES WATER – NO OBJECTIONS but recommend informatives to be added relating to sewers and surface water

### **Issues and Considerations:**

The main issues to be considered are the overall design of the development and the impact on neighbours.

#### **Design:**

The proposed two storey side/rear extension would increase the width of the property however, given the location of the dwelling and since the attached neighbour benefits from a two storey side

extension; the proposal would not result in an unbalanced appearance to the pair of semi-detached houses. The proposed development would retain a minimum gap of 1m between the closest part of the flank wall and the shared boundary with No. 9 Thaxted Way, which would protect against any possible terracing effect.

The proposed single storey rear extension would be flat roofed however would not be particularly visible from outside of the site and is considered acceptable in its design.

The proposed single storey front extension would add some visual interest to the existing, relatively bland, frontage and would not be detrimental to the appearance of the street scene.

The proposed rear dormer window has now been reduced to a size that could be erected under permitted development and whilst large in relation to the original roofslope, given the proposed two storey side extension it would be set well away from the outer edge of the extended dwelling and is considered acceptable especially with this fall back position.

Therefore the proposed development is considered to comply with the requirements of the NPPF and Local Plan policies CP2 and DBE10.

#### Amenities:

Given the location and orientation of the dwelling the proposed two storey side extension would not be unduly detrimental to the amenities of the residents at No. 9 Thaxted Way. The proposed single storey front and rear extensions would be adjacent to existing single storey additions at No. 5 Thaxted Way and therefore would not have any detrimental impact on the amenities of these residents.

The proposed first and second floor flank windows would serve an end-suite bathroom and a secondary bedroom window and as such could be conditioned to be obscure glazed with fixed frames. Therefore these would not result in any loss of privacy or undue overlooking to the neighbouring property.

The dormer would not result in any material levels of overlooking into neighbouring gardens to the northwest and southwest over and above the existing situation given the distances involved and that first floor windows already face towards these properties.

Therefore the proposed development is considered to comply with the requirements of the NPPF and Local Plan policy DBE9.

#### Response to the Town Council's objection

As discussed above the reason for refusal last time has been overcome by reducing the size of the dormer so that it now sits purely within the original rear roofslope. Whilst there are a number of elements to the application, holistically they would not appear as overdeveloping the site as gaps would be maintained to the side and the rear garden would still remain larger than those adjacent. Given the large plot it is considered that the proposal could be accommodated on the site without materially harming the character and appearance of the host dwelling or surrounding area.

With regards to potential impact on neighbouring occupiers this is discussed above and is not considered to be materially harmful to their living conditions.

**Conclusions:**

In conclusion, the development is in accordance with the policies contained within the Adopted Local Plan and Alterations and the NPPF. It is therefore recommended that permission be granted subject to conditions.

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

***Planning Application Case Officer: Steve Andrews  
Direct Line Telephone Number: 01992 564337***

***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***