

Supplementary Committee Agenda



**Epping Forest
District Council**

District Development Control Committee Tuesday, 6th February, 2007

Place: Civic Offices, High Street, Epping
Room: Council Chamber
Time: 7.30 pm
Committee Secretary: Simon Hill, Research and Democratic Services
Tel: 01992 564249 Email: shill@eppingforestdc.gov.uk

8. EPF/1680/06 - WHITE LODGE/THE LIMES, SEWARDSTONE ROAD, WALTHAM ABBEY (Pages 3 - 20)

(Head of Planning and Economic Development) To consider the attached report.

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Report to the District Development Control Committee



**Epping Forest
District Council**

Date of meeting: 6 February 2007

Subject: Planning Application EPF/1680/06 – The Limes/White House, Sewardstone Road, Waltham Abbey – Outline application for the erection of 119 dwellings, car parking, community building, shop, means of access and other ancillary works.

Recommendation

That the committee considers the recommendation of Area Plans subcommittee D to grant permission subject to conditions and a s106 legal agreement.

Report:

Background

1. This application has been referred by the Area Plans Sub Committee D with a recommendation for approval. Given that such a decision would be contrary to the Council's adopted policies the matter is referred to this for consideration.
2. The report to the subcommittee carried a recommendation from officers for refusal based upon Green Belt policy, traffic issues and sustainability arguments. That earlier report is attached.

Planning Issues

3. The main issue to be considered in this application is whether such very special circumstances exist in this case to allow an exception to be made to Green Belt policies. The subcommittee considered that there was sufficient merit to the proposal to justify further consideration by this committee.

Green Belt Status

4. Clarification was sought over the status of this land. There is no doubt that the site is within the Green Belt and is constrained by all the normal Green Belt policies of restraint. Development for residential purposes would be inappropriate and by definition, inappropriate development is harmful to the Green Belt.
5. The applicant argues that, however, this is 'previously-developed land' and therefore suitable for redevelopment. However, Government guidance in Planning Policy Statement 3 states that "land that was previously developed but where remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time (to the extent which it can reasonable be considered part of the natural surroundings)" is not included within the definition of previously developed land (Annex B of PPS 3). The development site, which has been cleared, as a requirement of a previous

planning consent, does fall within this description as any examination of aerial photographs indicates.

6. Notwithstanding the above, PSS 3 makes it quite clear that there is no presumption that land previously developed in a rural area is suitable for housing development. Members must be clear therefore that there is no special status that makes this land suitable for development in policy terms.

Section 106 Package

7. However, the applicants have set out a package of proposals seeking to persuade that there are very special circumstances to justify setting aside Green Belt policies in this case. This package is largely matters which are offered in a s106 legal agreement, which is set out within the subcommittee report. Discussions have taken place between the two committee dates however which enables more detail and certainty to be considered. It is hoped to table an agreed set of Heads of Terms of the Agreement at the committee meeting, but it will contain:
 - (a) that 80% of the number of dwellings will be affordable housing, 60% of which will be for rent and 40% for shared equity home-buy. They are all to be constructed prior to any occupation of the market dwellings and transferred to an RSL prior to occupation of the market housing; *At the time of writing there are some details that remain to be agreed but the Council's standard terms are considered to be sufficiently robust to ensure that this is delivered.*
 - (b) a commitment to sustainable housing design, to achieve the new 6 star rating from the Code to Sustainable Homes; *this rating is an improvement on that reported to the Area subcommittee.*
 - (c) compliance with an approved Landscape Management Plan;
 - (d) transfer of an area of woodland to the Conservators of Epping Forest, which has been accepted in principle by the Conservators should permission be granted (though they remain against the development in principle); *however members should be aware that this matter is in the hand of the Conservators and may fall away if the Conservators are not party to the agreement.*
 - (e) the widening and improvement of the nearby bridleway; *again subject to the Conservators accepting transfer of land:*
 - (f) a commitment to laying out the site to ensure a socially inclusive housing mix;
 - (g) the provision of a community facility and shop with details of the intended management of the facility, etc.; *this is an aspiration rather than a long-term provision.*
 - (h) some off-site highway improvements (access provision and bus stop replacement); *these works will need a separate agreement under the Highways Act to bring to fruition.*

- (i) measures to promote alternatives to the car, such as bus passes for each dwelling, money to enable the purchase of a bicycle for each dwelling; and
 - (j) education contribution to Essex County Council in accordance with their standard formula. *There is an issue of whether this contribution should be split with Waltham Forest, but this is a matter that can be left outside of the s106.*
8. However, the committee will be aware that these offers cannot amount to very special circumstances on their own for any owner of Green Belt land could offer similar benefits. If the committee is minded to grant permission it must be on the basis that this site and the content of the application is sufficiently distinguished from other sites so that an undesirable precedent is not set. The Area subcommittee had regard to the fact that development had taken place on this site before (albeit not changing its status to 'previously developed land'), that it was adjoining a built up area with services and that it was served by 4 bus routes, as well as the package of benefits.

Other Matters

9. To clarify issues raised at the Area Sub Committee:
- (a) The indicative block plan supplied by the applicant should not be viewed as an accurate representation of the built development on site. Matters of design and layout are reserved for subsequent approval as is the exact dwelling mix, (as detailed in the proposed Heads of Terms). The final dwelling mix and built form maybe therefore departure from this indicative plan.
 - (b) Previously, this application included objections from the Environment Agency regarding flood risk. As reported verbally to members at the Sub Committee, these issues have now been resolved following the submission of a full Flood Risk Assessment and the Environment Agency has now withdraw its representations, (subject to conditions).
 - (c) Whilst the Highway Authority continue to object to the development in principle, it has set out a list of works and conditions that it would require to enable the development to go ahead.
10. Since the subcommittee meeting a further representation has been received from the London Borough of Waltham Forest repeating its objection to development within the Green Belt and expressing concern at the increased pressure the development would cause to schools and health facilities within the borough.
11. Further, the committee needs to be aware that if it is minded to approve the scheme then a further referral will be necessary to the Secretary of State through the Regional Office, Go-East. If the application is 'called-in' it will then be the subject of a public inquiry.

Conclusion

12. Should the committee be minded to grant permission for this development it will be subject to the legally binding Section 106 Agreement and to planning conditions which will cover the following general areas:
 - (a) Time limits for commencement and submission of details
 - (b) Reserved matters of siting, design, external appearance and landscaping to be approved.
 - (c) Details of infrastructure including site access, internal roads and vehicle parking
 - (d) Drainage and ground level details
 - (e) Conditions related to requirements of the Environment Agency and the watercourse which bisects the site.
 - (f) Materials of construction to be agreed
 - (g) Landscaping issues – tree survey, protection of preserved trees, landscaping plans and landscape management plan
 - (h) Access arrangements for persons with a disability
 - (i) Construction management plan (eg wheel washing, lorry routing) to be submitted and remedial measures.
 - (j) Decontamination strategy
 - (k) Garages to be retained
 - (l) Archaeological investigation works to be undertaken
 - (m) Restriction of use of shop and community facility

13. However, the officer's recommendation, in line with the adopted policies of the Council, has to be one for refusal.

**Appendix
Extract from Original Subcommittee Agenda**

APPLICATION No:	EPF/1680/06
SITE ADDRESS:	The Limes/White Lodge Sewardstone Road Waltham Abbey Essex E4 7SA
PARISH:	Waltham Abbey
APPLICANT:	Silver Property Development Company
DESCRIPTION OF PROPOSAL:	Outline planning application for redevelopment of site to provide 119 dwellings, car parking, community use, shop, means of access and other works ancillary to the development.
RECOMMENDED DECISION:	REFUSE

REASONS FOR REFUSAL

- 1 The site is within the Metropolitan Green Belt. The proposed works represent inappropriate development and are therefore at odds with Government advice, as expressed in PPG2, the policies of the adopted Local Plan and the Approved Essex Structure Plan. The latter state that within the Green Belt permission will not be given, except in very special circumstances for the construction of new buildings or for the change of use or extension to existing buildings except for the purposes of agriculture, mineral extraction or forestry, small scale facilities for outdoor participatory sport and recreation, cemeteries, or similar uses which are open in character. In the view of the Local Planning Authority the application does not comply with these policies because the exceptional circumstance proposed are not considered to outweigh the harm to the openness of the Green Belt as a result of this development.
- 2 The development involves a new access onto Sewardstone Road, which is a main distributor road, the principle function of which is to carry traffic freely between major centres. As such this scheme compromises this function and is therefore contrary to policy T7 of Southend on Sea and Essex Structure Plan and policy ST4A of the Adopted Local Plan.
- 3 The location of the development relates poorly to existing service centres within the Epping Forest District and represents further ribbon development along Sewardstone Road. As such this application is contrary to Local Plan Policy GB16A.
- 4 This site is divided by the White Lodge ordinary watercourse and some of the western area of the site is also at risk from flooding. From the initial flood risk assessment supplied, the Local Authority is not convinced that the development will not increase the risk of flooding either on site or elsewhere. As such this is contrary

to Local Plan policy U2A of the Adopted Local Plan.

Description of Proposal:

This application seeks outline approval for the development of the site to provide 119 homes, car parking, community shop, means of access and other works ancillary to the development.

The housing type is intended to be a mix of semi detached houses and flats of 2 or 3 storeys in height with an indicative amount being 52 flats and 67 houses and maisonettes.

The development proposes the provision of 80% affordable accommodation and 20% for private ownership.

Matters of siting, design, landscaping and external appearance are all reserved for subsequent approval, the means of access however is not a reserved matter.

Description of Site:

The site is situated on the eastern side of Sewardstone Road (A112) and covers an area of approximately 4.1 ha. To the southwest of the site stands a single dwelling known as 'White Lodge' and immediately to the north of this property is the remains of 'The Limes', another dwelling which has subsequently been demolished due to fire damage.

There is a watercourse which runs through the development site (known as the White Lodge Brook ordinary Watercourse), which runs approximately east to west. Preliminary sketches submitted with the application indicate that there are to be 2 road bridges crossing this channel.

To the south of the site is a corridor of land owned by the conservators of Epping Forest, which runs adjacent to the site from east to west, beginning from the Sewardstone Road. Within this strip of land is a public bridleway, (reference number 77).

The site is located wholly within the Metropolitan Green Belt.

Need for Environmental Impact Assessment (EIA):

The development proposed falls within the description at paragraph 10(b) of Schedule 2 to the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999, and exceeds the threshold in column 2 of the table in that Schedule. However, in officers opinion, having taken into account the criteria in Schedule 3 of the 1999 Regulations and having regard to the information included with the application, the development would not be likely to have a significant effect on the environment by virtue of factors such as its nature, size or location. Accordingly, the development for which planning permission is sought is not EIA development.

Relevant History:

EPF/139/93- Outline application for demolition of 2 existing houses and erection of 4 new houses of 2500sq feet each- Refused.

EPF/1111/95- Demolition of 2 houses and outline application for block of 14 flats- Refused.

EPF/533/96- Outline application for demolition of 2 houses and erection of 2 no. 2 storey blocks of 4 flats with car parking areas; plus clearance of all redundant kennel buildings and hard standing areas rear of site- Refused.

EPF/823/97- Outline application for the removal of kennels, hard standing and 2 houses and replacement with 2 new houses- Approved.

EPF/456/98- Reserved matters application for 2 replacement dwellings- Approved.

EPF/1607/99- Conversion of 2 no. detached houses into 8 self contained flats- Approved.

EPF/1775/01- Revised application for a replacement dwelling- Approved.

EPF/218/05- Change of use of land and erection of replacement building for restaurant with ancillary use (revised application)- Withdrawn.

EPF/1205/06- Renewal of planning permission EPF/1775/01 for a replacement dwelling- Approved.

Policies Applied:

National Government Guidance

PPS1 – Delivering sustainable development

PPG2 – Green Belts

PPG3 – Housing

PPS3- Consultation paper on a new Planning Policy Statement 3

PPG Note 3- Housing update: planning for sustainable communities in rural areas

PPS7 – Sustainable development in rural areas

Supplementary planning guidance

The Essex Design Guide

Southend on Sea and Essex Structure Plan

CS2 – Protecting the Natural and Built Environment

CS4 – Sustainable New Development

C2 – Development within Green Belt

H2 – Housing Development – The sequential approach

H3 – Location of residential development

H5 – Affordable Housing

T1 – Sustainable Transport Strategy

T3 – Promoting Accessibility

T7 – Road Hierarchy

Adopted Local Plan (July 2006)

CP1- Achieving sustainable development objectives

CP2A- Protecting the quality of the rural and built environment

CP3A- New Development

CP4A- Energy Conservation

CP5A- Sustainable building

CP6- Achieving sustainable urban development patterns
CP7A- Urban form and quality
CP9A- Sustainable transport
GB2A – General Restraint
GB16A – Affordable Housing
DBE1 – New Buildings
DBE2 – Impact of buildings on neighbouring property
DBE4 – Design and location of new buildings within Green Belt
DBE8 – Private Amenity space
DBE9 – Amenity
H3A- Housing Density
H5A- Affordable Housing
H6A- Site thresholds for affordable housing
H7A- Levels of affordable housing
LL2 – Resist inappropriate development
LL10 – Retention of trees
LL11 – Landscaping schemes
U2A- Development in flood risk areas
ST1A- Location of development
ST2A- Accessibility of development
ST6A – Vehicle Parking
ST7A– Criteria for assessing proposals (new development)

Issues and Considerations:

The key issue for consideration relevant to this outline application, is the appropriateness of the proposal in light of Green Belt policy constraint. This includes a consideration of the special circumstances proposed to justify the scheme in light of this policy. This analysis and other matters related to the proposal are discussed below as follows:

- 1) Green Belt Constraint and sustainability
- 2) Affordable Housing provision
- 3) Renewable energy provision
- 4) Highways issues
- 5) Trees and landscaping
- 6) Proposed design and Layout
- 7) Flood risk issues

In support of this application, the applicant has provided a draft Heads of Terms for a Section 106 agreement to the Planning Authority, some of which forms the basis of the special circumstances proposed in support of the application. These terms are briefly summarised below:

- *Affordable Housing:* Prohibition in perpetuity against the occupation of Affordable Dwellings for any purpose other than as Affordable Housing by a qualifying person. Prohibition of the occupation of any of the market dwellings until all of the affordable dwellings have been constructed and the prohibition of the occupation of more than 50% of the market dwellings until all of the affordable dwellings have been transferred to a Registered Social Landlord (RSL). It would be furthermore required that the RSL provide a lettings plan to the Council prior to any occupation of any of the affordable dwellings.
- *Sustainable housing design:* A commitment to retaining trees on site, construction methods to ensure a reduction in carbon emissions, rainwater harvesting technology, solar panels, ground source heat pumps, water saving devices, timber products from sustainable

sources and dwelling to achieve an 'excellent' Ecohomes standard in accordance with Lifetime Homes Standards.

- *Landscaping:* Access for occupiers to the surrounding woodland and removal of 'permitted development rights' for the occupants of the new dwellings.
- *Donation of woodland and widening of Bridleway:* Transfer of an area of woodland to the Corporation of London and bridleway improvement, should the Corporation of London be willing to enter into this agreement.
- *Socially inclusive housing mix:* Affordable dwellings will not be readily identifiable from the market dwellings. The dwellings will conform to the Essential Requirements of Housing Corporation Development Standards as issues by the Housing Corporation.
- *Community facility and shop:* Prohibition against more than 50% of the dwellings before completion of works to construct the community facility and shop on site. A Community Use Management Plan would also be submitted to the Council with details of management body, hours of access and those groups to benefit from the facility.
- *Off-site Highways Improvements:* The agreement to prohibit against occupation of the development before the completion of off-site highway works. This includes commitments to restrict access to the development view the northernmost access, take appropriate measures to close off the middle access entirely and take appropriate measures to ensure that the southernmost access is used by pedestrians and cyclists only.
- *Measures to promote alternatives to the car:* To prohibit the occupation of the development until the submission of a travel plan to be approved by the Council. This plan to include at the developers cost a bus pass for each dwelling for a period of 12 months commencing with the dwellings' first occupation enabling free travel along Bus Routes 215, 505, 379 and 853 between the site/Chingford, the site/Walthamstow and the site/Waltham Abbey or alternatively an allowance for each dwelling for the purchase of a bicycle.
- *Education Contribution:* Developer to pay to the Council an education contribution to be agreed with the Local Authority prior to development and prohibition against the commencement of development until this contribution has been paid.

Applications on this scale within the Green belt are rare, and there will no doubt be mixed opinions as to the merits of the scheme. Many of the details of the development may be familiar, as members have already received a presentation from the applicants. This report focuses on the key planning arguments.

1) Green Belt Constraint

This scheme, despite the provisions contained within the suggested legal agreement, amounts to inappropriate development within the Green Belt. Government Guidance in PPG2 makes it very clear that inappropriate development is by definition harmful to the Green Belt. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations. The core of this proposal turns, therefore, on whether the overall scheme provides those very special circumstances.

Those special circumstances (which are detailed along with other provisions within the Draft Heads of Terms), are contained in the following provisions:

- Provision of 80% affordable accommodation
- Sustainable building design in a sustainable location
- Provision of community facilities
- Promotion of public transport
- Use of renewable energy and water conservation technologies
- Improvements to the ecological value of the site and donation of land to the Conservators of Epping Forest.

The above special circumstances are examined in the ensuing subsections of this report. However, notwithstanding the above provisions associated with this scheme, due consideration must be paid to the impact of this development on the character and appearance of the area and specifically on the openness of the Green Belt. In addition, the principle policy conflict of allowing development on land which serves several crucial purposes and underlines why this land in particular is included within the Green Belt.

The applicant contends that this section of land is 'more a part of the built up area than the open Green Belt area to the north' and that furthermore that the site is in fact 'Brownfield land' and in accordance with the government objective for 60% of housing to be sited on Brownfield land. In addition, a strong emphasis is placed on the apparent contaminated state of the site from previous uses and that a distinction should be made from the 'strong Green Belt which surrounds it'. However, government guidance within PPG2: Green Belts, makes no distinction between the 'quality' of the landscape and this should not be a material consideration or a factor in its' continued protection.

In light of the above, whilst there is agreement that the site is in a state of neglect from previous uses, it remains predominantly open, with previous buildings on the land having been removed as a condition of the planning permission for dramatically less intensive form of development, (EPF/823/97). National policy does not support a scheme for housing development on the proposed scale simply because of the condition of the land. It would furthermore be an inaccurate description to label this application as 'urban regeneration' given the land is not within an urban area.

The land, despite its condition, fulfils several of the five main purposes of including land within the Green Belt. It clearly serves to check the unrestricted sprawl of a built up area (in this case Chingford) and as such it assists in safeguarding the countryside from encroachment. To this end, the land in its current state is fulfilling this designation. Whilst previous approval has been granted on site for a replacement dwelling, this relatively small scale approval is incomparable and cannot be compared to complete redevelopment of the site for 119 homes.

At a wider level, the site of the development is a fundamentally a poor one for a large residential development. The core policy objectives as detailed in PPS7, are to focus development in or next to existing towns and villages and to discourage the development of Greenfield land. This is reflected in the key principles of the guidance that development should be carefully sited and that accessibility should be a key decision. Further reflection of PPG3 housing, gives a similar analysis that development should be focused on existing towns and crucially, identified service areas.

In light of the above, this site is a currently undeveloped part of Sewardstone Road and is neither within an established recognised settlement (with strong existing services provisions), or a site which has been identified within the local plan as a desirable site for small scale affordable homes. (Local Plan policy GB16A).

On this basis, the site of this development does not integrate well with the core policies of the current Local Plan. Notably sustainability objectives and appropriate locations for new development set out in policies CP1A, CP3A, CP6A, CP9A, ST1A and ST2A.

In terms of Local Plan Green Belt policy, GB16A states that consent may be granted for the small scale housing schemes within existing smaller settlements. Suitable sites are identified within the Local Plan Alterations, which specifically states Sewardstone is not a location that would be appropriate for such a scheme. The general site would represent urban sprawl rather than an extension to an existing Epping Forest settlement. Green Belt status washes over much of the Epping Forest District and other sites that are in poor physical condition could be found to have no apparent 'use' and in need of 'improvement'. However, ad hoc development, which in this case would contribute to ribbon development along the Sewardstone Road, does not meet with the spirit and principles of this Local Plan policy exception detailed in GB16A.

2) Affordable housing provision

This aspect of the proposed development provides the most compelling 'exceptional circumstance' within the application for the Epping Forest District. The proposed 80% affordable accommodation would provide a healthy contribution to the housing targets for the District, of which there has been an identified need. (Epping Forest District Housing Needs Survey, 2003).

The Local Authority's Housing Services, together with the applicant and Moat Housing (the Council's selected Preferred RSL Partner for this proposed development) have led to an agreement in principle that the 80% affordable housing would be provided by Moat Housing as follows:

- 60% (of the 80%) would be social rented accommodation, with affordable rents set at levels in accordance with Housing Corporation guidance.
- 40% (of the 80%) would be shared ownership - a form of 'low cost home ownership', whereby applicants purchase, and get a mortgage for, usually between 40% and 80% of the equity (depending on their means), and then pay a pro-rata affordable rent to the housing association for the remaining equity.

The above provision is noted as a generous proposal towards affordable housing need, although crucially the deficiencies of the scheme again relate to the greenfield nature of this site and Green Belt policy. This scheme is not the only application offering such a high percentage of affordable accommodation in the District, and as such this special circumstance is not unique.

In addition to the above, the evidence suggests (Epping Forest District Council Housing Needs Survey 2003) that the projected need for affordable housing in the District of 642 units per year over the 8 year period until 2011, is unlikely to be met from new delivery or conversions. On this basis, schemes such as this which erode the vulnerable areas of Green Belt on the urban fringe, are not long term solutions to tackling affordable housing need within the District.

As a separate issue, this application does not demonstrate how the Local plan commitment for 10% of large schemes to be constructed in accordance with the 'Lifetime Homes' Standard, will be incorporated into this development. This policy is intended to ensure that ease of access and movement for those with limited mobility is built into the design stage, in accordance with standards set by the Joseph Rowntree Foundation, as detailed in policy H9A.

3) Renewable Energy Provision

As part of the very special circumstances to support this scheme, the development proposes to use where practicable, renewable energy sources. In addition, the initial intention for dwellings to achieve at least a 'very good' Ecohomes rating has been raised to 'excellent' within the draft Heads of Terms recently submitted by the applicant.

In terms of renewable energy, the following systems are proposed:

- Solar panels
- Geothermal ground source heat pumps
- Rainwater harvesting

The above provisions within the development are welcome and in accordance with the core policies of the recently adopted Local Plan. However, the design and access statement, Planning Statement and draft Heads of Terms do not detail specifically which houses will benefit from these initiatives. Furthermore, whilst the accompanying design and access statement claims the renewable activities will reduce CO² emissions, there is no breakdown and quantifiable figures for this claim.

If the scheme aspires to provide exceptional circumstances beyond Local Plan policy CP5 (sustainable building), then a more detailed breakdown should be provided.

In light of the above, the provision of renewables within this development is unlikely to amount to exceptional circumstances to justify development within the Green Belt. The mere inclusion of renewable energy 'off set' should not be considered 'exceptional', but a necessary element of any large scheme. This is in light of emerging policy, particularly that of the Local Plan Alterations core policy CP5A. A more detailed breakdown of how the renewable provision would work on site would be required, if consent was granted for this scheme.

4) Highways Issues

The Highways Authority object to this proposal on a single, although fundamental issue. This is the increased use and intensification of the A112, Sewardstone Road. Sewardstone Road, is a main distributor route, of which the primary function is to carry traffic freely and safely between major centres within the region. On this basis, a new or intensification of an access is contrary to this function and should be refused.

The applicant has argued that the policy provides an opportunity for development to proceed if there is an 'overriding public need'. The overall scheme, it is argued, together with the Traffic Assessment, sustainable location and Section 106 contributions, is a strong case for overriding this policy. In addition, the enforcement of this policy would 'sterilise development of the site' which is contrary to government guidance to support the use of 'brownfield' land.

However contrary to the above assertions, as previously discussed within the Green Belt sub section, this is not an urban brownfield site and should not be assessed under this criteria. The development relates poorly to the existing highway hierarchy (structure plan policy T7 and Local Plan Policy ST4A) and the above circumstances are not considered to outweigh the objections of the highways Authority.

In terms public transport provision, the site would benefit from a regular bus service into Chingford, although public transport provision to serve the Epping Forest District is somewhat poorer at this site. Essentially the development could benefit from the current bus services around Chingford,

although in terms of local shops and services, (notwithstanding the proposed shop on site) the residents are likely to be largely car dependant.

5) Trees and Landscaping

The preserved trees are (along with others) are a constraining factor for the final layout of built development on site. Whilst landscape consultation has concluded that preserved trees on site would grow better if the site were to remain as open Green Belt, the imposition of the relevant planning conditions can ensure that the 95% of the existing trees on site which are intended to be retained, are protected.

To the schemes' merit, the development proposes to encourage nature education and information throughout the site, with barrier planting reinforcing strong boundaries and bat and bird boxes to encouraged natural diversity and nesting.

6) Proposed Design and Layout

Although matters of design and layout are reserved for subsequent approval, the applicant has provided an indicative layout to explain the appropriateness of the site for the scale and nature of new development. In this instance it is relevant to reiterate that the site will be fundamentally constrained in terms of design and layout, by the existence of the watercourse (and subsequent engineering requirements discussed in the subsection below) and the protected trees.

The density, in terms of emerging Planning Policy Statement 3 guidance, is within an acceptable range at 38 dwellings per hectare. This is not ideal in terms of the most efficient use of land, although the very location of this site within the countryside, means that a high density is not appropriate.

The proposed layout contains several flaws which are contrary to *The Essex Design Guide* principles. Namely, there are too many spaces between and around the houses and the numerous parking areas break up the street scene, hindering the enclosure of spaces through new buildings in the development. Furthermore, there are too many detached and semi detached house types, which results in a lack of variety of different buildings, in which to form specific functions within the overall design.

For example, the design is particularly weak in enclosing space through buildings rather than landscaping. This is particularly evident with reference to the central open space feature of the plan. The buildings which front this space are fragmented and provide poor definition in terms of street scene.

To conclude, the layout is neither that of a rural low dense form, or a higher density suburban layout. This again is related to the poor location of this development. Given that a higher density is not appropriate in this location, (in accordance with Local Plan policy CP7), the development might at least seek to minimise the built form on site and conform to urban design principles, by concentrating the buildings to the lower western side of the site. The thin spread of new buildings over the entire hill side, (adding to the existing residential suburban sprawl along Sewardstone Road) is neither an efficient use of land or a particularly sustainable form of development, which is in turn illustrated by the indicative site plan.

7) Flood Risk

In terms of flood risk, the Environment Agency has raised 4 specific concerns with regard to this development scheme. Firstly, the application may present a significant flood risk from the

generation of surface runoff and that furthermore the application is not accompanied by a Flood Risk Assessment. Secondly, the White Brook Ordinary Watercourse runs directly underneath the site location. The location of this development will therefore restrict access for future maintenance, thus prejudicing flood defence interests. Thirdly, There is insufficient information provided to fully assess the proximity of the proposed development to the White Lodge Brook. Lastly, there is insufficient information provided to determine the acceptability of bridge design.

The Environment Agency have supplemented the above on concerns with a number of mitigating measures to overcome these issues. Namely, the submission of a full flood risk assessment, the opening up of the culvert watercourse, the provision of a buffer strip at least 5m wide from the watercourse and the provision of full plans and cross sections of the bridges.

In light of the above, the site layout is fundamentally constrained by the Ordinary Watercourse which runs through the development site. The applicant has responded to the Environment Agency concerns and whilst it is not believed to be possible to totally open the culvert because of the roads which will cross the site, partial opening is hoped to be negotiated with the Environment Agency, through the relevant detailing in the Section 106 Agreement.

With regard to the other concerns, the applicant has also committed to the 5m buffer strip being imposed from the nearest edge of the culvert, in order to ensure that future flood defence is not prejudiced. This commitment, combined with the future submission of bridge designs can overcome these objections from the Environment Agency.

To date, only a 'Level 1 Flood Risk Assessment' has been submitted to the Local Authority in support of this development scheme. This reports essentially advises on the extent of the work required to produce a full Flood Risk Assessment, which will include evidence that the runoff rate can be balanced to the Greenfield runoff rates and evidence of the use Sustainable Drainage Systems (SUDs). In consequence, the applicant has recently submitted a 'level 2 full flood risk assessment' for the consideration of the Environment Agency.

To conclude this subsection, the reservations and concerns of the Environment Agency have in part been addressed by the applicant, although clearly there are outstanding issues regarding the watercourse and its impact upon design and site layout. However, at this juncture a full flood risk assessment has not been considered and approved by the Environment Agency. On this basis this uncertainty is reason in itself for refusal in accordance with Local Plan policy U2A.

Conclusion:

This application on the face of it has, with the provision of 119 homes 80% of which would be affordable, clear advantages and benefits to Epping Forest District. In addition, the provision of a range of renewable energy features within the development is both a bold and welcome feature of this proposal. The site will also be visually improved and the developer offers attractive short term incentives to encourage sustainable uses of transport in the locality.

The scheme however possesses fundamental deficiencies insomuch as the location is poor in sustainability terms. The site has no relationship with an existing community or recognised settlement or to existing service nodes, a principle factor for exceptional development in the countryside, as detailed in PPG7 and Local Plan Policy GB16A.

Whilst the site benefits from a regular bus service to Chingford, other public transport in particular that which serves the Epping Forest District is lacking. The development is therefore likely to result in a high car dependency for new residents. In addition, Sewardstone Road serves an

important function as a distributor of vehicles between service centres and this development jeopardises this function.

The incorporation of energy saving principles with the submission does not demonstrate in quantifiable terms the extent of such provision, nor does it provide convincing information to satisfy the Authority on flooding grounds.

However, of crucial concern, the harm created to the Green Belt both in principle and in visual terms is not outweighed by the special circumstances argued in this case. The proposal, however worthy in itself, involves substantial inappropriate development on a vulnerable edge of the Council's boundary. Such development if approved would undoubtedly set a powerful precedent for other similar proposals elsewhere in the District which the Council could find it increasingly difficult to resist.

For all the above reasons this application is recommended for refusal in line with adopted policies of the Development Plan.

However, should the committee be persuaded that there are very special circumstances in this case to justify the development, there would need to be clarity over what distinguishes this proposal from other proposals to build houses in the Green Belt so as to avoid setting an undesirable precedent. The application would then have to be referred to District Development Control Committee for further consideration and would also need to be referred to the Government Office as a major departure from the development plan and a significant proposal to build in the Green Belt.

SUMMARY OF REPRESENTATIONS RECEIVED

WALTHAM ABBEY TOWN COUNCIL- Object. The proposal is contrary to Green Belt policy and would create a traffic hazard on what is a busy road.

CITY OF LONDON: CONSERVATORS OF EPPING FOREST: Object. The site is within the Green Belt and would encourage further urbanisation along the eastern side of Sewardstone Road to the north.

Access to the site over the roadside verge could be discussed with the applicant should planning permission be granted.

No agreement has currently taken place to incorporate the area at the eastern end of the site and this would require a section 106 agreement.

FRIENDS OF EPPING FOREST- Object. Concerned about ribbon development along Sewardstone Road and erosion of the Green Belt.

LONDON BOROUGH OF WALTHAM FOREST- Object. The proposal is contrary to PPG2 and the Council contests the description of previously developed land. The site is predominantly open and the scale of development will significantly change the character of the open countryside.

The site acts as a boundary between the built up area of Chingford and is therefore contrary to the main aim of Green Belt policy. Furthermore maximum use should be considered of brown field sites.

The application would also be a worrying precedent for the northern part of Waltham Forest.

CAMPAIGN TO PROTECT RURAL ESSEX- Object. The site is within the Green Belt and in reasonable condition.

5 ALBION TERRACE- Object. The site is within the Green Belt and there will be increased pressure in existing road networks. Also the nearest school in Waltham Forest is very full and nearest school in the Epping Forest District is some distance away. In addition, issues of the provision of recreational facilities, flood risk and property depreciation are raised.

20 ANTLERS HILL- Strongly object. The site is within the Green Belt and the development will impact upon the rural nature of the area to the detriment of wildlife in the area.

134 ANTLERS HILL- Oppose the application because the site is within the Green Belt. The owners property is situated on an elevated position which overlooks the site.

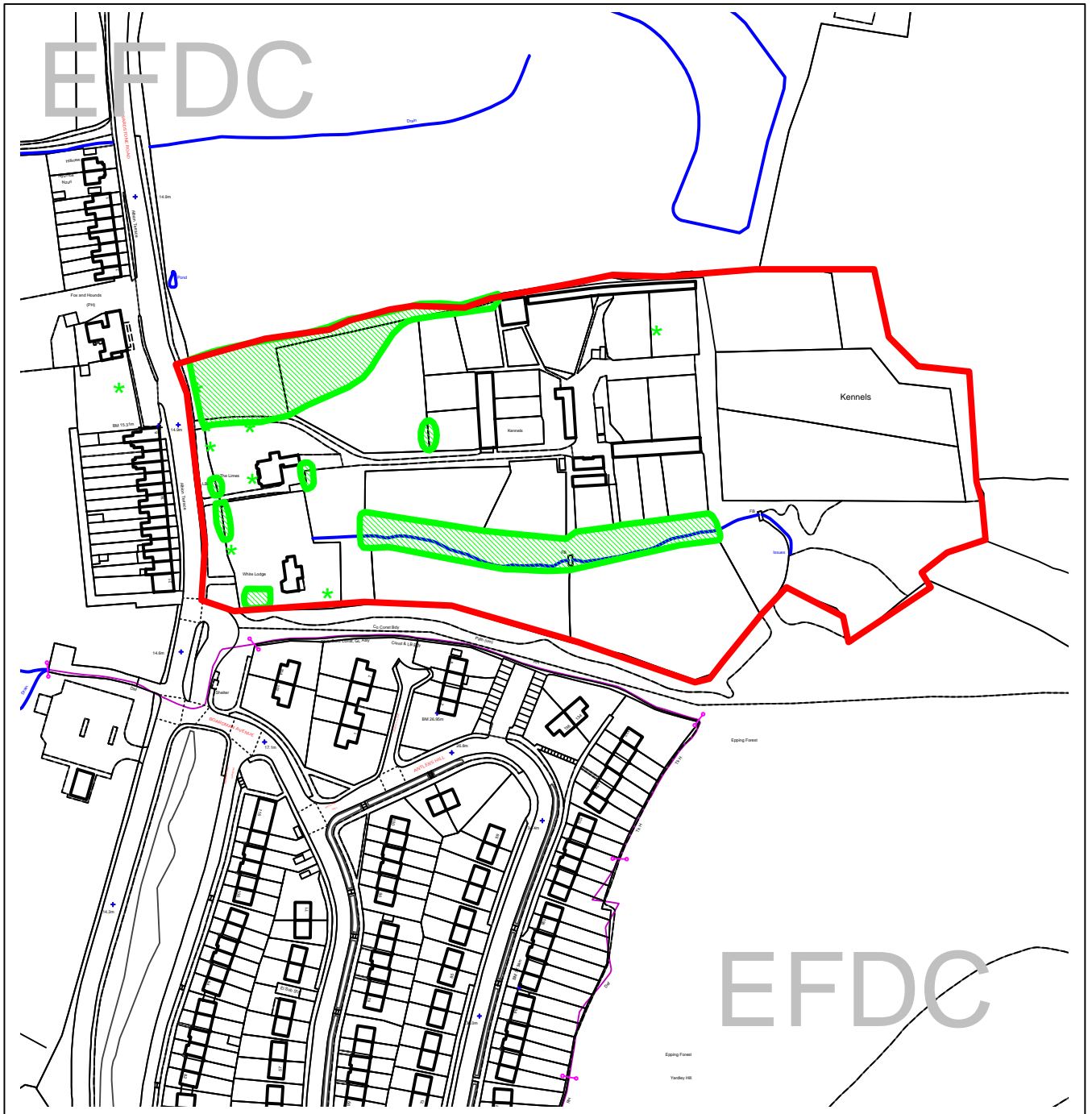
20 PICK HILL- Strongly apposes the application. The proposal shows no special circumstances and would be detrimental to the openness of the Green Belt. The site is not allocated for such on the Local Plan and as such would create a precedent for further development. Also the infrastructure is cannot sustain the increase in households and the Sewardstone Road in particular cannot cope with the increase in traffic.

'OLIVERS', DAWS HILL- Support application. The proposal will be a large improvement to the current state of the site. Also the facilities will benefit those properties in Albion Terrace.



Epping Forest District Council

Area Planning Sub-Committee



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Agenda Item Number:	4
Application Number:	EPF/1680/06
Site Name:	The Limes & White Lodge, Sewardstone Road, Waltham Abbey
Scale of Plot:	1/2500

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