

# Committee Agenda



**Epping Forest  
District Council**

## **Area Plans Subcommittee D Wednesday, 6th July, 2005**

**Place:** Council Chamber, Civic Offices, High Street, Epping  
**Room:** Council Chamber  
**Time:** 7.30 pm  
**Democratic Services Officer** Adrian Hendry, Research and Democratic Services  
Tel: 01992 564246 email: ahendry@eppingforestdc.gov.uk

Members:

Councillors Ms S Stavrou (Chairman), Mrs P Smith (Vice-Chairman), Mrs D Borton, Mrs P Brooks, R Chidley, J Demetriou, R D'Souza, Mrs R Gadsby, R Haines, Mrs J Lea, L McKnight, P McMillan, Mrs M Sartin and D Spinks

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**A BRIEFING FOR THE CHAIRMAN, VICE-CHAIRMAN AND APPOINTED SPOKESPERSONS WILL BE HELD AT 6.30 P.M. IN COMMITTEE ROOM ON THE DAY OF THE SUB-COMMITTEE.**

**1. ADVICE TO PUBLIC AND SPEAKERS AT COUNCIL PLANNING SUBCOMMITTEES (Pages 5 - 6)**

General advice to people attending the meeting is attached.

**2. MINUTES (Pages 7 - 16)**

To confirm the minutes of the last meeting of the Sub-Committee held on 8 June 2005 as correct record (attached).

**3. APOLOGIES FOR ABSENCE**

**4. DECLARATIONS OF INTEREST**

(Head of Research and Democratic Services) To declare interests in any item on this agenda.

**5. ANY OTHER BUSINESS**

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and

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

In accordance with Operational Standing Order 6 (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks' notice of non-urgent items is required.

## **6. DEVELOPMENT CONTROL (Pages 17 - 48)**

(Head of Planning and Economic Development) To consider planning applications as set out in the attached schedule

**Background Papers:** (i) Applications for determination – applications listed on the schedule, letters of representation received regarding the applications which are summarised on the schedule. (ii) Enforcement of Planning Control – the reports of officers inspecting the properties listed on the schedule in respect of which consideration is to be given to the enforcement of planning control.

## **7. DELEGATED DECISIONS**

(Head of Planning and Economic Development) Schedules of planning applications determined by the Head of Planning and Economic Development under delegated powers since the last meeting of a Plans Subcommittee may be inspected in the Members Room or at the Planning and Economic Development Information Desk at the Civic Offices, Epping.

**8. EXCLUSION OF PUBLIC AND PRESS**

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

<b>Agenda Item No</b>	<b>Subject</b>	<b>Exempt Information Paragraph Number</b>
Nil	Nil	Nil

To resolve that the press and public be excluded from the meeting during the consideration of the following items which are confidential under Section 100(A)(2) of the Local Government Act 1972:

<b>Agenda Item No</b>	<b>Subject</b>
Nil	Nil

Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

**Background Papers:** Paragraph 8 of the Access to Information Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report does not include published works or those which disclose exempt or confidential information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.

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## **Advice to Public and Speakers at Council Planning Subcommittees**

### **Are the meetings open to the public?**

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

### **When and where is the meeting?**

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

### **Can I speak?**

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

### **Who can speak?**

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

### **What can I say?**

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

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

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

### **How are the applications considered?**

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

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

### **Further Information?**

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

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## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Area Plans Subcommittee D                      **Date:** 8 June 2005

**Place:** Council Chamber, Civic Offices,                      **Time:** 7.30 - 10.15 pm  
High Street, Epping

**Members Present:** Ms S Stavrou (Chairman), Mrs P Smith (Vice-Chairman), Mrs D Borton, R Chidley, J Demetriou, R D'Souza, R Haines, Mrs J Lea, L McKnight, P McMillan, Mrs M Sartin and D Spinks

**Other Councillors:** R Morgan

**Apologies:** Mrs P Brooks and Mrs R Gadsby

**Officers Present:** B Land (Assistant Head of Planning and Economic Development), S Solon (Principal Planning Officer) and A Hendry (Democratic Services Officer)

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### 1. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements agreed by the Council, to enable persons to address the Sub-Committee in relation to the determination of applications for planning permission.

### 2. MINUTES

#### RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 20 April 2005 be taken as read and signed by the Chairman as a correct record.

### 3. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Ms Stavrou declared personal interests in agenda items 6 (8) (EPF/1826/04 Sewardstone Hall, Sewardstone Road, Waltham Abbey) by being a regular user of a business in the site area and 6(10) (EPF/267/05 – Land Adj. Rosemead, Pynest Green Lane, High Beach, Waltham Abbey). The Councillor declared that her interests were prejudicial and indicated that she would leave the meeting during the consideration and voting on the items.

(b) Pursuant to the Council's Code of Member Conduct, Councillor D Spinks declared a personal interest in agenda item 6 (10) (EPF/267/05 Land Adj. Rosemead, Pynest Green Lane, High Beach, Waltham Abbey). The Councillor declared that his interests were prejudicial and indicated that he would leave the meeting during the consideration and voting on the item.

(c) Pursuant to the Council's Code of Member Conduct, Councillor Mrs D Borton declared a personal interest in agenda items 6 (2) (EPF/1437/05 Vine Cottage, Betts Lane, Nazeing), 6(3) (EPF1509/04 Maplecroft, Maplecroft Lane, Nazeing) and 6(4) (EPF/437/05 Netherkidders Farm, Laundry Lane, Nazeing), by being the ward member. The Councillor declared that her interests were not prejudicial and indicated that she would not leave the meeting during the consideration and voting on the item.

(d) Pursuant to the Council's Code of Member Conduct, Councillor Mrs P Smith declared a personal interest in agenda item 6 (1) (EPF/2400/04 High House, Epping Upland), by being a parish council member. The Councillor declared that her interests were not prejudicial and indicated that she would not leave the meeting during the consideration and voting on the item.

#### **4. ANY OTHER BUSINESS**

It was reported that there was no urgent business for consideration at the meeting.

#### **5. DEVELOPMENT CONTROL**

The Sub-Committee considered a schedule of applications for planning permission.

##### **RESOLVED:**

That, Planning applications numbered 1 – 10 be determined as set out in the annex to these minutes.

#### **6. PROBITY IN PLANNING - APPEAL DECISIONS, OCTOBER 2004 - MARCH 2005.**

The Sub-Committee, in compliance with the recommendation of the District Auditor of November 2000, received a report detailing all successful appeal decisions, particularly those refused by Committee contrary to officers recommendations. The purpose was to inform the Committee of the consequences of their decisions in this respect and, in cases where the refusal has found to be unsupportable on planning grounds, an award of costs may be made against the Council.

It was noted that over the six-month period between October 2004 and March 2005, the Council received 47 decisions on appeals – 44 planning appeals and 3 enforcement appeals. Of the 44 planning appeals 14 were allowed (32%) and of the 3 enforcement appeals none were allowed – a combined total of 29% of the Council's decisions overturned. And, that the Council's performance for this 6 month period was somewhat below last year's exceptional performance but consistent with previous periods and has exceeded the BVPI and the national average. The Committee wished to convey their congratulations to the officers for their part in achieving this.

##### **RESOLVED:**



That the outcomes of the planning appeals, particularly those with cost awards, be noted.

**7. DELEGATED DECISIONS**

The Sub-Committee noted that details of planning applications determined by the Head of Planning and Economic Development under delegated authority since the last meeting had been circulated to all members and were available for inspection at the Civic Offices.

**CHAIRMAN**

1. **APPLICATION NO:** EPF/2400/04 **PARISH** Epping Upland

**SITE ADDRESS:**

High House, Epping Upland

**DESCRIPTION OF PROPOSAL:**

Change of use of adjacent outbuilding to a single dwelling house.

**GRANTED SUBJECT TO:**

1. To be commenced within 5 years.
2. 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 development generally permitted by virtue of Part 1, Classes A, B and E shall be undertaken without the prior written permission of the Local Planning Authority.
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or of any equivalent provisions of any statutory instrument revoking or re-enacting that Order) no windows other than any shown on the approved plan shall be formed at any time in any exterior wall of the building without the prior written approval of the Local Planning Authority.
4. The approved alterations to the appearance to the north and east facing elevations of the building as indicated on Drawing No. 200/9 shall be carried out prior to the occupation of the building as a dwelling house and thereafter shall be permanently retained unless the Local Planning Authority give prior written agreement to any alteration.

2. **APPLICATION NO:** EPF/1437/04 **PARISH** NAZEING

**SITE ADDRESS:**

Vine Cottage, Betts Lane, Nazeing

**DESCRIPTION OF PROPOSAL:**

Erection of detached garage (revised application).

**GRANTED SUBJECT TO:**

1. To be commenced within 5 years.
2. Materials of construction to be agreed.
3. Garage to be retained.
4. Retention of existing trees and shrubs.
5. The footings of the building hereby approved shall be a minimum of 600mm below the bed level of the adjacent watercourse.

6. The development shall be carried out in accordance with the amended plans received on 21 April 2005 unless otherwise agreed in writing with the Local Planning Authority.

3. **APPLICATION NO:** EPF/1509/04 **PARISH** Nazeing

**SITE ADDRESS:**

Maplecroft, Maplecroft Lane, Nazeing

**DESCRIPTION OF PROPOSAL**

Erection of stable block. (Re-submission).

**GRANTED SUBJECT TO:**

1. To be commenced within 5 years.
2. Materials of construction to be agreed.
3. The stabled hereby approved shall be used only for the stabling of horses owned by the occupiers of Maplecroft outlined in blue on the plans and shall not be used for any commercial purposes.
4. A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the first occupation of the building hereby approved and shall be adequately maintained.

4. **APPLICATION NO:** EPF/437/05 **PARISH** Nazeing

**SITE ADDRESS:**

Netherkidders Farm, Laundry Lane, Nazeing

**DESCRIPTION OF PROPOSAL:**

Change of use from agriculture to equestrian use; including adaption of buildings to provide stabling, provision of an outdoor manege, lighting and associated facilities. (Retrospective application).

**GRANTED SUBJECT TO:**

1. To be commenced within 5 years.
2. This consent shall inure solely for the benefit of the Horse Rangers Association and for no other persons, company or charity.

3. There shall be no conversion of building D to house loose boxes/stables or provide accommodation for horses.
4. No more than 22 working horses shall be present on site at any time.
5. Within 3 months of the date of this permission details of a car sharing scheme shall be submitted to the Local Planning Authority for approval. The scheme shall be operated in accordance with the approved details.
6. The use of outdoor riding school shall only be used by members of the Horse Rangers Association and horses kept at this site and shall at no times be used for events or competitions.
7. No public address system or sound amplification system shall be used.
8. Details of the area used for car parking shall be submitted to the Local Planning Authority for approval within three months of the date of this permission. No further areas of the site shall be used for car parking without the approval of the Local Planning Authority.
9. Details of storage and disposal of manure shall be submitted to and approved in writing within three months of the date of this permission.
10. The hours of use of the manege shall be 07.30 – 20.00 Monday to Saturday and 08.00 – 18.00 on Sundays and Public Holidays and the use of any external lighting at the manege shall be restricted to those hours.
11. Within three months of the date of this permission the permissive path shown on Drawing No. 8.7051/a dated 16 March 2005 shall be brought into use and thereafter maintained for this use.

5. **APPLICATION NO:** EPF/436/05 **PARISH** Roydon

**SITE ADDRESS:**

Cranalyn, Barn Hill, Roydon

**DESCRIPTION OF PROPOSAL:**

Single storey side extension forming a granny annexe and loft conversion with front and rear dormer window including raising the roof height.

**GRANTED SUBJECT TO:**

1. To be commenced within 5 years.
2. Materials of construction to be agreed.
3. The proposed extension shall only be used as ancillary accommodation for the existing dwelling house and shall not be occupied as a unit separately from the dwelling known as "Cranalyn, Barn Hill".

6. **APPLICATION NO:** EPF/491/05 **PARISH** Roydon

**SITE ADDRESS:**

Harkendown, Epping Road, Roydon

**DESCRIPTION OF PROPOSAL:**

Conversion of groom's quarters/stable to cottage.

**GRANTED SUBJECT TO:**

1. To be commenced within 5 years.
2. Materials of construction to be agreed.
3. The proposed cottage shall be used solely as ancillary residential accommodation for the existing dwelling house and shall not be occupied as a unit separately from the dwelling known as Harkendown.
4. Details of hedges to be retained.

7. **APPLICATION NO:** EPF/577/05 **PARISH** Roydon

**SITE ADDRESS:**

Low Hill Cottage, Low Hill Road, Roydon

**DESCRIPTION OF PROPOSAL:**

Demolition of existing detached dwelling and erection of new detached house.

**GRANTED SUBJECT TO:**

1. To be commenced within 5 years.
2. Material of construction to be agreed.
3. The development, including site clearance, must not commence until a statement of all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing.

The statement must include any necessary fencing, in accordance with the relevant British Standard (Guide for Trees in Relation to Construction BS5837: 1990). It must also include any other means needed to ensure that all of the trees to be retained will not be harmed during the development, including by damage to their root system. Such fencing and other means shall, in addition, give protection to all bushes within 5 metres of the boundary of the site with Low Hill Road.

The trees must be protected in accordance with the agreed statement throughout the period of development, unless the Local Planning Authority has given its prior written consent to any variation.

4. Prior to the commencement of the development, details of the proposed surface materials for the access and driveway shall be submitted to and approved by the

Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.

5. Prior to first occupation of the building hereby approved the proposed window openings in the first floor south facing elevation shall be fitted with obscured glass and have fixed frames and shall be permanently retained in that condition.
6. Prior to commencement of development details of proposed level of development above the level of the adjacent road shall be submitted to and agreed by the Local Planning Authority.
7. No further side windows without approval.

8. **APPLICATION NO:** EPF/1826/04 **PARISH** Waltham Abbey

**SITE ADDRESS:**

Sewardstone Hall, Sewardstone Road, Sewardstone, Waltham Abbey

**DESCRIPTION OF PROPOSAL:**

Change of use of site to a mixed use for B1(c), B2 and B8 use and storage and parking in connection with haulage contractors business. (Retrospective application).

**GRANTED SUBJECT TO:**

1. To be commenced within 5 years.
2. The use of the premises hereby permitted shall not involve operation of machinery that is audible outside the buildings on the land during the following times:
  - a) Before 7.00am and after 6.00pm Monday to Friday.
  - b) Before 8.00am and after 1.00pm on Saturdays.
  - c) At any time on Sundays or Public Holidays.
3. There shall be no goods vehicle movements on the land or running of engines of goods vehicles or buses on the land during the following times:
  - a) Before 7.00am and after 6.00pm Monday to Friday
  - b) Before 8.00am and after 1.00pm on Saturdays
  - c) At any time on Sundays or public holidays.
4. No open storage shall take place above a height of 3 metres above ground level on any part of the site and no open storage at all shall take place on land to be landscaped in accordance with a scheme of landscaping for the site to be submitted to and approved by the Local Planning Authority pursuant to Condition 5 of this planning permission. No open storage shall take place within 5 metres of any site boundary until a scheme of landscaping approved by the Local Planning Authority has been fully implemented.
5. Notwithstanding the details indicated on Landscaping Plan, (Plan DP1), submitted with the application, within four months of the date of this planning permission a scheme of landscaping and a statement of the methods of its implementation shall be submitted to the Local Planning Authority for approval. The landscaping of the

site must be carried out in accordance with the approved scheme and written statement by the end of the first planting season following their approval, unless the Local Planning Authority has given its prior written consent to any variation.

The scheme must include details of the proposed planting including a plan, details of species, stock sizes and numbers/densities where appropriate and include a timetable for its implementation. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place unless the Local Planning Authority agrees to variation beforehand in writing.

The statement must include details of all means by which successful establishment of the scheme will be ensured, including preparation of the planting area, planting methods, watering, weeding, mulching, use of stakes and ties, plant protection and aftercare. It must also include details of the supervision of the planting and liaison with the Local Planning Authority.

6. Notwithstanding the details indicated on Landscaping Plan (Plan DP1) submitted with the application, within four months of the date of this planning permission a scheme of surface treatment for the site shall be submitted to the Local Planning Authority for approval. The ground surface of the site shall be surfaced in accordance with the approved scheme of surface treatment within 6 months of its approval. If no scheme of surface treatment for the site is submitted within 4 months of the date of this planning permission or the Local Planning Authority is unable to approve a scheme within 8 months of the date of this planning permission the entire ground surface of the site not within five metres of any boundary shall be resurfaced in tarmac within a period of 1 year of the date of this planning permission.
7. Notwithstanding the details indicated on Landscaping Plan (Plan DP1) submitted with the application, within 4 months of the date of this planning permission a scheme of boundary treatment for the site shall be submitted to the Local Planning Authority for approval. The boundaries of the site shall be enclosed in accordance with the approved scheme of boundary treatment within 6 months of its approval. If no scheme of boundary treatment for the site is submitted within 4 months of the date of this planning permission or the Local Planning Authority is unable to approve a scheme within 8 months of the date of this planning permission, the entire site boundary shall be enclosed by 1.5m high timber post and rail fencing and all existing site boundary treatment removed within 1 year of the date of this planning permission.

9. **APPLICATION NO:** EPF/216/05 **PARISH** Waltham Abbey

**SITE ADDRESS:**

Former PBI Site, Sewardstone Road, Waltham Abbey

**DESCRIPTION OF PROPOSAL:**

Approval of details regarding opening hours of

- (a) Tesco Retail Store;
- (b) petrol filling station;
- (c) service yard; and

(d) recycling area.

The Sub Committee were advised of a petition of 35 signatures against the proposals.

Deferred for renegotiation.

10. **APPLICATION NO:** EPF/267/05 **PARISH** Waltham Abbey

**SITE ADDRESS:**

Land adjacent Rosemead, Pynest Green Lane, High Beach, Waltham Abbey

**DESCRIPTION OF PROPOSAL:**

Conversion of two barns into one single storey dwelling with associated parking and landscaping and erection of link addition.

**REFUSED:**

1. The site is within the Metropolitan Green Belt. The proposed development is inappropriate in the Green Belt and, by definition, harmful. It is at odds with Government advice, Policies GB2 and GB8 of the adopted Local Plan and Policies C2 and RE2 of the adopted replacement structure plan for Essex and Southend on Sea.



## AREA PLANS SUB-COMMITTEE 'D'

6 July 2005

### INDEX OF PLANNING APPLICATIONS/ENFORCEMENT

#### CASES

ITEM	REFERENCE	SITE LOCATION	PAGE
1.	EPF/327/05	Crossways, 1 Middle Street, Nazeing	19
2.	EPF/725/05	Bucks Farm, Hoe Lane, Nazeing	25
3.	EPF/785/05	Villa Nursery, Reeves Lane, Roydon	28
4.	EPF/216/05	Former PBI Site, Sewardstone Road, Waltham Abbey	35
5.	EPF/397/05	Land Adj, 49 Ruskin Avenue, Waltham Abbey	43

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**APPLICATION No:** EPF/327/05

Report Item No: 1

**SITE ADDRESS:**  
CROSSWAYS, 1 MIDDLE STREET, NAZEING

**PARISH:** Nazeing

**APPLICANT:** Mr M O'Connor

**DESCRIPTION OF PROPOSAL:**

Outline application for demolition of existing dwelling, and erection of 2 two storey houses and 1 bungalow.

**RECOMMENDED DECISION: Grant Permission**

1. Submission of details within 3 years.
2. Submission of detailed drawings
3. The two storey houses shall not include any windows to rooms other than bathrooms/toilets and landings in the east facing elevation at first floor.
4. Submission of a landscape scheme.
5. Prior to the commencement of the development, details of the proposed surface materials for the driveways shall be submitted to and approved by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
6. Gates shall not be erected on the vehicular accesses to the site without the prior written approval of the Local Planning Authority.
7. Submission of flood risk assessment

Also Subject to the completion of an Agreement under Section 106 of the Town and Country Planning Act in respect of a contribution of £6000 towards transport infrastructure.

**Description of Proposal:**

It is proposed to demolish the existing bungalow and erect 2

two storey houses and one bungalow.

This application is in outline form. The only matters of detail to be considered are the siting of the proposed houses and their means of access. All other matters of detail including design, external appearance and landscaping are reserved for subsequent consideration in the event of outline planning permission being granted.

The two storey houses would be semi-detached fronting North Street. They would be set 6m rear of a wide grass verge between the public footway and site boundary. The rear wall of the houses would align with the rear wall of an electricity substation between the site and No. 4 North Street. The bungalow would be sited towards the junction of North street and Middle Street.

Each dwelling would have an attached garage to the side accessed by existing vehicular crossovers. The existing crossover nearest the junction of North street and Middle Street would serve the proposed bungalow and one of the houses and to facilitate this it would be realigned and widened by 1m.

At the request of the Highway Authority the applicant has agreed to make a contribution of œ6000 towards transport infrastructure in the locality.

#### Description of Site:

The property is a detached three bedroom bungalow located at the junction of Middle Street and North Street. The front elevation faces North Street and panel fencing and trees at its boundary with the adjoining roads enclose a large side garden of approximately 450 square metres. An electricity sub-station is located between the site and 4 North Street. To the east is Bentley, a bungalow set 1.2m from the boundary. The boundary is enclosed by 1.8m high timber panel fencing.

The site is within an established residential area characterised by a mix of two storey housing and bungalows in varying plot sizes. They take the form of detached and semi-detached housing, all of which can be found within a short distance of the site. It is not in a Conservation Area.

#### Relevant History:

EW/EPR/63/49 - Extensions to bungalow - Approved 29.06.49  
EPF/906/84 - Double garage - Approved 31.08.84  
EPF/1135/90 - Double garage - Approved 05.10.90  
EPF/285/99 - 1.8m high boundary railings and gates - Approved 25.06.99  
EPF/881/04 - Front and side extension and conversion of attached garage to living room - Approved 07.07.04

#### Policies Applied:

##### Structure Plan:

CS1- Achieving sustainable urban regeneration  
CS2 - Protecting the natural and built environment  
CS4 - Sustainable new development  
BE1 - Urban intensification  
H2 - Housing development - The sequential approach  
H3 - Location of residential development  
H4 - Development form of new residential developments  
T3 - Promoting accessibility  
T7 - Road hierarchy  
T8 - Improvements to the primary route network  
T12 - Vehicle parking

##### Local Plan:

H3 - Residential development  
DBE1 - Design of new buildings  
DBE2 - Impact of buildings on neighbouring property  
DBE3 - Development in urban areas  
DBE6 - Car parking  
DBE8 - Private amenity space  
DBE9 - Impact of development on amenity  
DBE10 - residential extensions  
LL11 - Landscaping schemes  
T17 - Highways: Criteria for assessing proposals

Adopted Supplementary Planning Guidance (SPG)

Vehicle Parking Standards (2001 edition)

#### Issues and Considerations:

The development complies with the policy preference for providing new dwellings within existing urban areas with good access to community facilities as set out in national planning guidance and adopted planning policy for the locality. Accordingly, the principal of the erection of the dwellings is considered acceptable and the main issues to be considered in this case are the acceptability of the form of the development, its impact on amenity and impact on highway safety.

Although design is a reserved matter the layout drawing submitted with the application clearly indicates the scale of the buildings would be similar to or slightly smaller than that of other buildings in the locality. Given the context of the site within an established residential area characterised by a mix of two storey housing and bungalows, and since the proposed houses would respect the building line of houses on North Street, it is considered that the development would respect the character of the area. In terms of private amenity space provision, this would exceed that required by Council

standards whilst off-street parking provision would be in accordance with the adopted standards. The form of the development is therefore considered acceptable.

Since the site is separated from No. 4 North Street by the width of the site of the electricity substation (8m) it is not considered that a development of this scale would have any adverse impact on the amenities enjoyed by the occupants of that property.

The flank wall of Bentley only contains a secondary window to a habitable room and this is within 1.2m of a 1.8m high panel fence. Only the two storey houses have the potential to cause overlooking and they would be set 12m from the boundary while the applicant has demonstrated it would be possible to design the houses so they only contain windows serving bathrooms in the first floor rear elevation. The proposal is therefore capable of being designed to safeguard the privacy of neighbouring occupiers.

Due to the distance between the houses and boundary with 'Bentley' they would not cause any excessive overshadowing of the rear garden and nor would they appear overbearing.

With regard to highway safety, the Highway Authority consider the proposals acceptable subject to conditions prohibiting the erection of gates at the vehicular accesses and agreeing the surface materials of the driveways. The vehicular accesses to the site are those existing with minor adjustment. The nearest access to the junction of North Street and Middle Street would be set 18m from the junction and well rear of the stop line. Given that the traffic generated by the development would be low and having regard to the relationship between the vehicular accesses and the junction it is considered that the development would not cause any harm to the safe and free flow of traffic on the adjacent roads.

The Highway Authority has requested a contribution towards transport infrastructure to be used for public transport, pedestrian or cycle facilities. It is considered that the contribution is not necessary to mitigate any impact of the development. Nevertheless, it is considered desirable in planning terms to secure improvements sought by the Highway Authority and on that basis the applicant was requested to make the contribution and that request has been agreed.

Other matters raised include impact of the development on a sewer serving 'Bentley' that crosses the site. This is not strictly a planning matter and it would be dealt with under the building regulations but it can nevertheless be addressed by the inclusion of an appropriate informative on any permission granted.

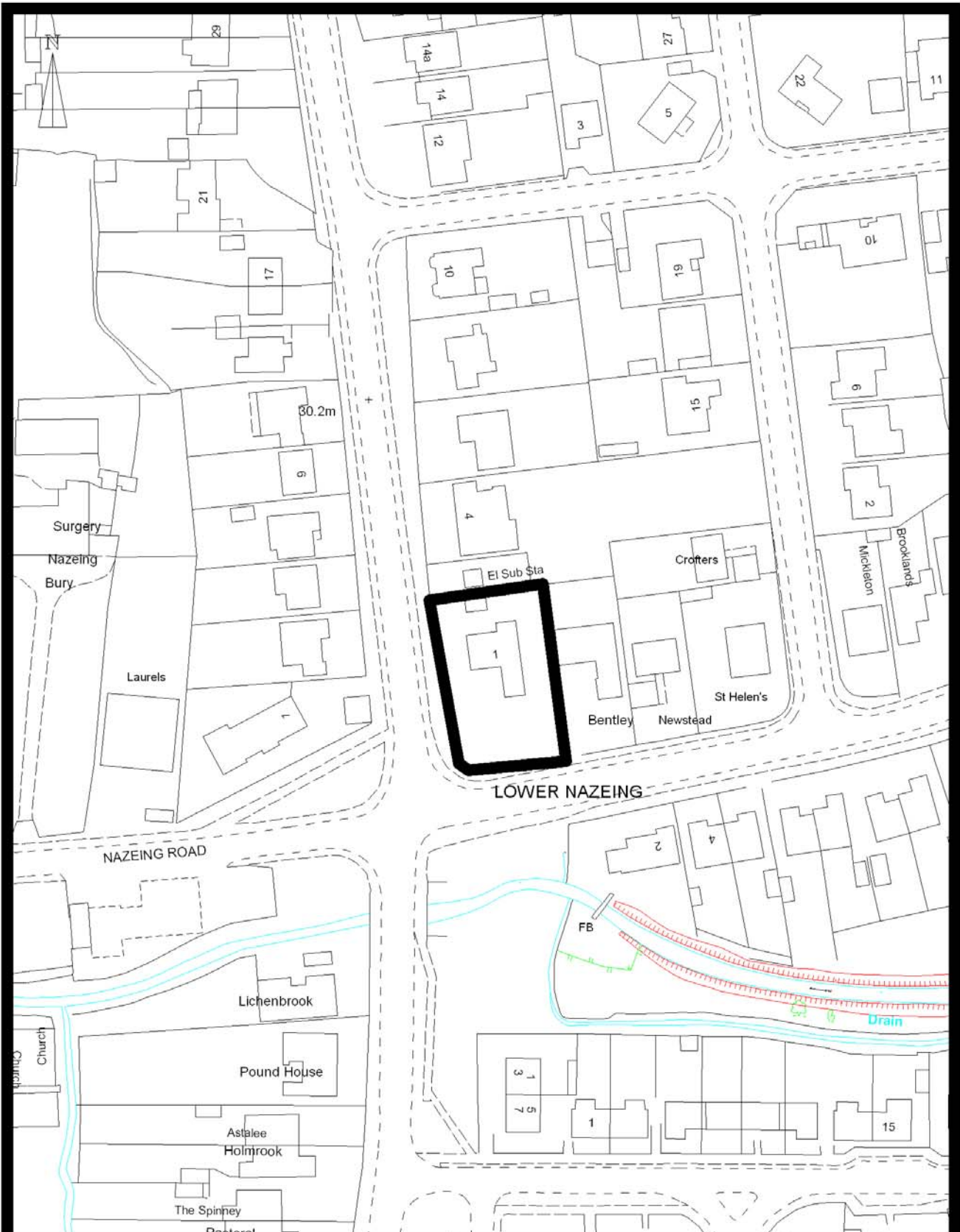
## Conclusion

The principal of the development is considered acceptable while it has been demonstrated that the scale and siting of the development would respect the character of the locality and not cause harm to amenity. Furthermore, the proposal would have no adverse impact on the safe and free flow of traffic on the adjacent roads. The proposed development therefore complies with national planning guidance and adopted planning policy for the locality and accordingly conditional planning permission should be granted.

### **SUMMARY OF REPRESENTATIONS:**

PARISH COUNCIL - Objection. The proposal is an over development of the site and does not comply with policy DBE1.  
4 NORTH STREET - The development would pose a danger to highway safety at the junction of North Street and Middle Street.

BENTLEY, MIDDLE STREET - Concern expressed that the proposal could be an overdevelopment of the site and in respect of its impact on highway safety. Great concern expressed about the impact of the development on a sewer serving Bentley that crosses the site.



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Item No: 01  
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**APPLICATION No:** EPF/725/05

Report Item No: 2

**SITE ADDRESS:**  
BUCKS FARM, HOE LANE, NAZEING

**PARISH:** Nazeing

**APPLICANT:** Mr & Mrs Gorman

**DESCRIPTION OF PROPOSAL:**  
Change of use from livery stables to dog grooming facilities.

**RECOMMENDED DECISION: Grant Permission**

1. To be commenced within 5 years.
2. Details of foul water disposal shall be submitted to and approved by the Local Planning Authority and the agreed scheme shall be installed prior to the first use of the building for the use hereby approved.
3. The use hereby approved shall operate only between the hours of 08.30 and 18.00 hours Monday to Friday and no dogs shall be kept at the premises overnight.

**Description of Proposal:**

Change of use of existing traditional wooden stable block from livery use to dog grooming business.

**Description of Site:**

Established livery yard located on the Southern side of Hoe Lane. The building to which the application relates is an existing building comprising 3 stables. There are other stable buildings and a barn within the same ownership together with a parking area and paddocks. The site is within the Green Belt and within the Nazeing and South Roydon Conservation Area.

**Relevant History:**

Although there has never been an application for livery use at the site, the site has been investigated over the years by planning enforcement and it has been agreed that the livery use has continued for more than 10 years and is therefore established. Concern has been raised that the barn building is being lived in. This has previously been investigated and found to be untrue, however this is again being looked into by

Planning enforcement. This is not relevant to the current application.

Policies Applied:

Structure Plan Policies:  
C2 development in the Green Belt

Local Plan Policies:  
GB2, GB8 relating to change of use of buildings in the Green Belt.  
RP5 Development likely to cause a nuisance.  
T14 and T17 relating to car parking and highway issues.  
HC6 Development affecting a Conservation Area.

Issues and considerations:

The main concern is whether the change of use of this small building from livery to dog grooming will have any adverse impact on the amenity of the area.

The applicant states that the building is currently rented out to 3 liveries, who each visit the farm twice a day, seven days a week. The proposed small scale dog grooming facility is expected to cater for about 4 dogs a day, 5 days a week, many of which will be collected and delivered by the operator. There would not be any HGV movements in connection with the use, and there will be no external changes to the building.

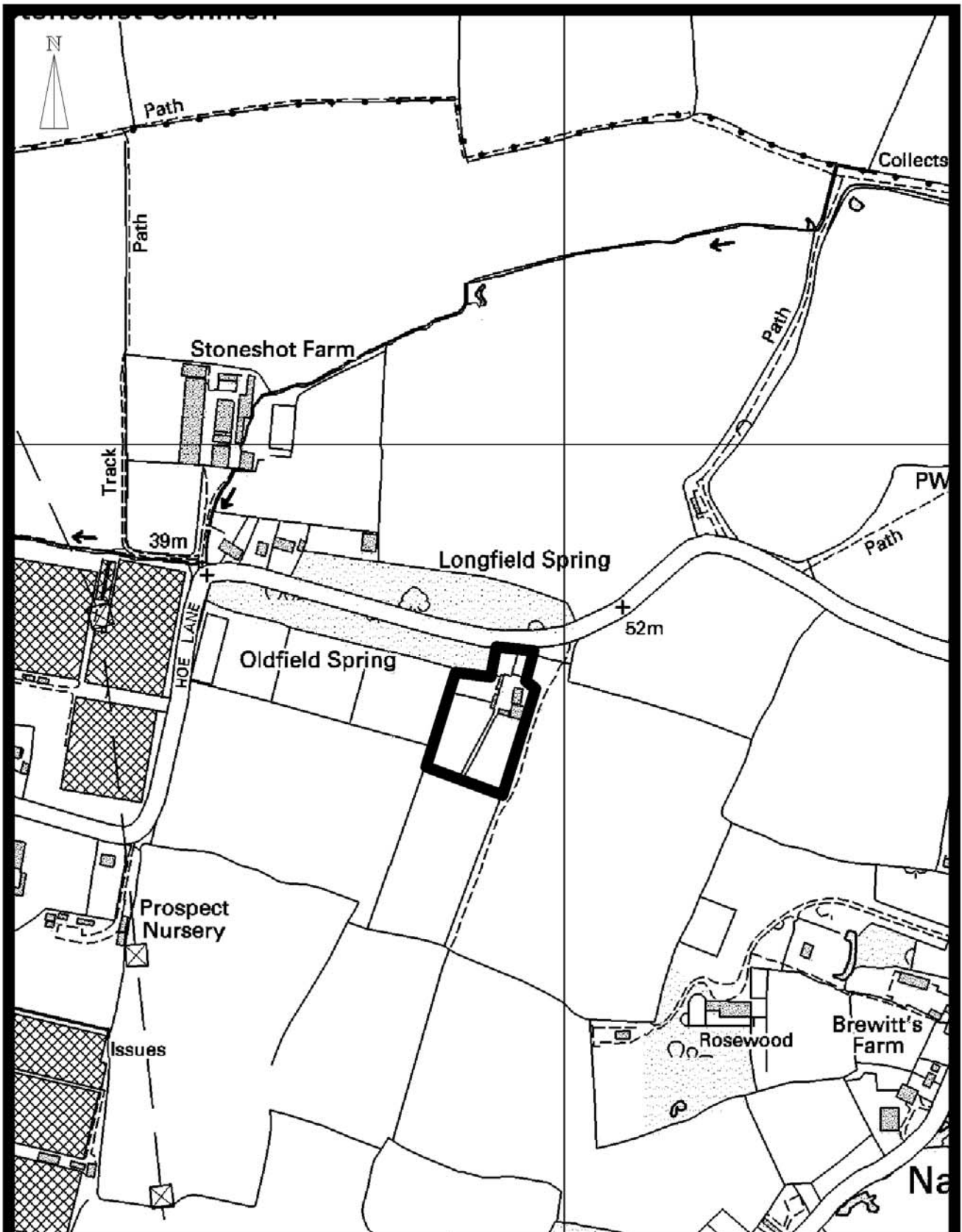
On this basis it is considered that the proposed use is unlikely to result in increased activity at the site, or additional parking that would be visually intrusive.

The site is not close to residential properties, the nearest is about 200 metres away, and it is considered that any noise from barking during the day will not cause an unacceptable nuisance in this location.

The applicant has stated that any waste water from the grooming parlour will be drained to a septic tank, and details of this can be required by condition to ensure that there is no pollution. It is considered that although this is perhaps not the most sustainable location for such a use, this is not in itself sufficient to warrant refusal of the scheme. The application is therefore recommended for approval, subject to conditions.

**SUMMARY OF REPRESENTATIONS:**

PARISH COUNCIL - Members agreed to object to the change of use as it is considered commercialisation within the green Belt and Conservation Area, causing increase in traffic.



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Item No: 02  
Scale: 1:5000



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**APPLICATION No:** EPF/785/05

Report Item No: 3

**SITE ADDRESS:**  
VILLA NURSERY, REEVES LANE, ROYDON

**PARISH:** Roydon

**APPLICANT:** Messrs V,F & M Gibilaro

**DESCRIPTION OF PROPOSAL:**

Change of use of horticultural site to a mixed use of horticulture and packing and distribution use.

**RECOMMENDED DECISION: Grant Permission**

1. The use of the packing shed hereby approved shall not be used other than

Monday to Friday 7.30 - 17.30  
Weekends and Bank Holidays 07.00 - 14.00

2. The packing, processing and distribution use hereby approved shall be limited to the handling of fresh horticultural food produce, and shall not include the handling of any other goods or foodstuffs.
3. Sufficient space shall be set aside and identified on the site for the access and parking of staff vehicles and all heavy goods vehicles in accordance with a plan submitted and approved in writing by the Local Planning Authority within three months of the date of this decision.
4. The percentage turnover at this site represented by fresh salad crops originating from outside the UK shall not exceed 35% per annum.
5. There shall be no heavy vehicle movements to and from the site between the hours of 23.00 - 07.00.

**Description of Proposal:**

Change of use of a horticultural site to a mixed use of horticulture and packing/distribution use. This is a retrospective application as the change of use has already occurred.

#### Description of Site:

An established nursery site on the east side of Reeves Lane bounded by glasshouses to the west and east, with open fields to the north. The southern section of the site is identified as an E13 (Glasshouses) Area in the adopted local plan, and the whole site is within the Green Belt, with the northern section being in the Nazeing Conservation Area. The site also encompasses Merryweather Nursery which is owned by the applicant, and the two nurseries have been merged.

#### Relevant History:

Numerous applications including:  
Villa Nursery

EPF/962/94 - Erection of Glasshouses and new access - Refused

#### Merryweather Nursery

EPF/1633/98 - Packing Sheds - Approved

EPF/1849/01 - Raising of land with topsoil - Approved

EPF/1970/02 - Outline application for new glasshouses -  
Approved

EPF/612/03 - Extensions to packing sheds and a CHP Plant  
-Approved

#### Policies Applied: Structure Plan

#### C2 Development in the Green Belt

#### Local Plan

GB2 Green Belt Policy

GB8 Change of use in Green Belt

E13 Areas in which glasshouses are acceptable

T17 Traffic Implications

HC6 Developments in conservation areas

#### Issues and Considerations:

The main issues are whether the proposal is appropriate development within the Green Belt, and if not, if there are any very special circumstances which would outweigh this, traffic implications, effect on amenity of neighbouring properties and effect on the conservation area.

#### Green Belt

The new use of the site:

The site has a large packing shed in the middle of the site,

accessed by a rough track from Reeves Lane. This shed contains a cold store, and packing facilities for use with the on-site growing activities. The applicant has stated that this use generated around 2 light goods vehicle (LGV) and 3 Heavy Goods Vehicle (HGV) movements per day. There is no restriction of the hours of work at the site at present.

The current changes have come about as a result of European Fruit and Vegetable Regime, where various growers have formed a Producers Organisation to plan and concentrate supply of produce in an environmentally sound way. This use sees a HGV leaving Villa Nursery in the afternoon and visiting Four Acres Nursery and Broadley Nursery to pick up vegetables before returning to Villa Nursery for packing and storage. The produce is then distributed to Harlow and Kent by two HGV's at 7am and 9am the next morning. Some of the produce is also sent to the London Wholesale Market by HGV at 11pm each evening.

This is a seven day a week operation, although the packing is carried out between 0700 - 1730 Monday to Friday and 0700 - 1400 on weekends. The lorries are packed with the goods during the working hours laid out above. During the winter months the local produce is replaced by imported produce from Spain, although this amounts to no more than 30% of the annual produce. This seasonal change does not result in any increase in vehicle movements.

Therefore the use of the site has changed as a result of the importing and distribution of produce from the other nurseries, although it should be noted that the previous use allowed storage and distribution of produce grown on the site. 10 more staff have been employed on the site, and the year round use allows a level of staff stability absent from the old system of growing seasons.

This proposal falls under policy GB2 that states distribution developments are inappropriate within the Green Belt. The applicant has recognised that this is the case and argued that there are very special circumstances in this case which would overcome this presumption.

#### National Policy

The recently issued Government guidance on Sustainable Development in Rural Areas, Policy Planning Statement 7 (PPS7), states that Local Planning Authorities should support development proposals which enable farmers to become more competitive, sustainable and environmentally friendly, adapting to new and changing markets. It also states that "Where farm diversification proposals in the Green Belt would result in inappropriate development in terms of PPG2, any wider benefits of the diversification may contribute to the 'very special circumstances' required by PPG2 for a development to be granted planning permission".

## Very Special Circumstances

The applicant has argued that this proposal is in line with PPS7. There are no new buildings on the site, only a change of use of an existing one; the parking area to the north of the existing area has already been approved under permissions to extend the glasshouses, and there has been a very small increase in lorry movements. With the exception of the vehicle issue this is indeed the case (traffic issues will be considered below).

He also argues that there is limited pack house capacity in the area, and that this is recognised in the emerging local plan, as is the case. He also argues that the Producers Organisation has enabled the local growers to compete to supply National Supermarkets which was not so likely to be successful as individual growers. This has provided economic growth and employment. The new status as a Producer Organisation has also meant that the nurseries can gain EU funding that would otherwise not be available to, for example promote environmentally friendly growing techniques such as CHP systems, thereby allowing the nurseries to enhance their competitiveness.

It is further argued that there are a number of similar sites in the District that have been granted permission over the last decade, some of which were decided at Public Inquiry (Stubbins Nursery and Valley Grown Salads, Sedge Green). Here the Secretary of State decided that there were very special circumstances that overcame the inappropriate development in the Green Belt. The importation of produce during the winter, at a level of around 30%, was held to be important in maintaining the supplies of produce to national Supermarkets who otherwise would have gone straight to foreign importers for their produce, and acceptable in the context of the use of the sites.

It is the case that although inappropriate development in this Green Belt area, there is no new operational development on the site, and the arguments laid out above are in line with the latest government policy on rural development. It is regretted that the change has been carried out prior to the application being made, but this alone would not justify any refusal of permission. The use does have some localised impact on the character of the Green Belt but this is solely in respect of the concentration of activity at the site that would otherwise have been dispersed among the nurseries part of the Producer Organisation. It is considered that the corresponding reduction in activity at those nurseries mitigates this impact.

It is considered that, in this case, very special circumstances that override the limited harm caused to the Green Belt by the use have clearly been demonstrated.

## Traffic Issues

The development will be serviced by an existing access, and the Highways Department have raised no objection due to the minimal increased use. Whilst the track itself is dilapidated it only serves the nurseries along the track, and the associated residencies. Therefore it is unlikely that any disturbance will be caused to neighbours, not connected with the nurseries, from this track.

It is acknowledged that the lorries will then join the local highway network, as highlighted by the Parish Council. However, since the access is very close to the junction of Reeves Lane and Hamlet Hill, lorries can avoid Reeves Lane to the north where it narrows. The markets are in Harlow, London and Kent and the majority of vehicles will use the M11 to gain access to the non local sites. This, combined with the lack of highway objections, means any refusal on Highway grounds could not be sustained.

The majority of the staff are transported to the site by minibus, as was the case with the previous use. There will be parking of lorries on the site, but as has been explained above this would have occurred with the previous nursery use in any event, and parking will largely be screened by the existing and proposed glasshouses.

## Amenity

There are no residential properties with 160m of the site that are not connected with the nurseries and it is considered that there is no appreciable increase in disturbance to residents above that caused by the lawful use of the site as a horticultural nursery.

## Conservation Area

Although part of the site is within the Conservation Area the Councils Conservation Officer has raised no objections, as the development has no greater impact on its character and appearance than the lawful use.

## Conclusion

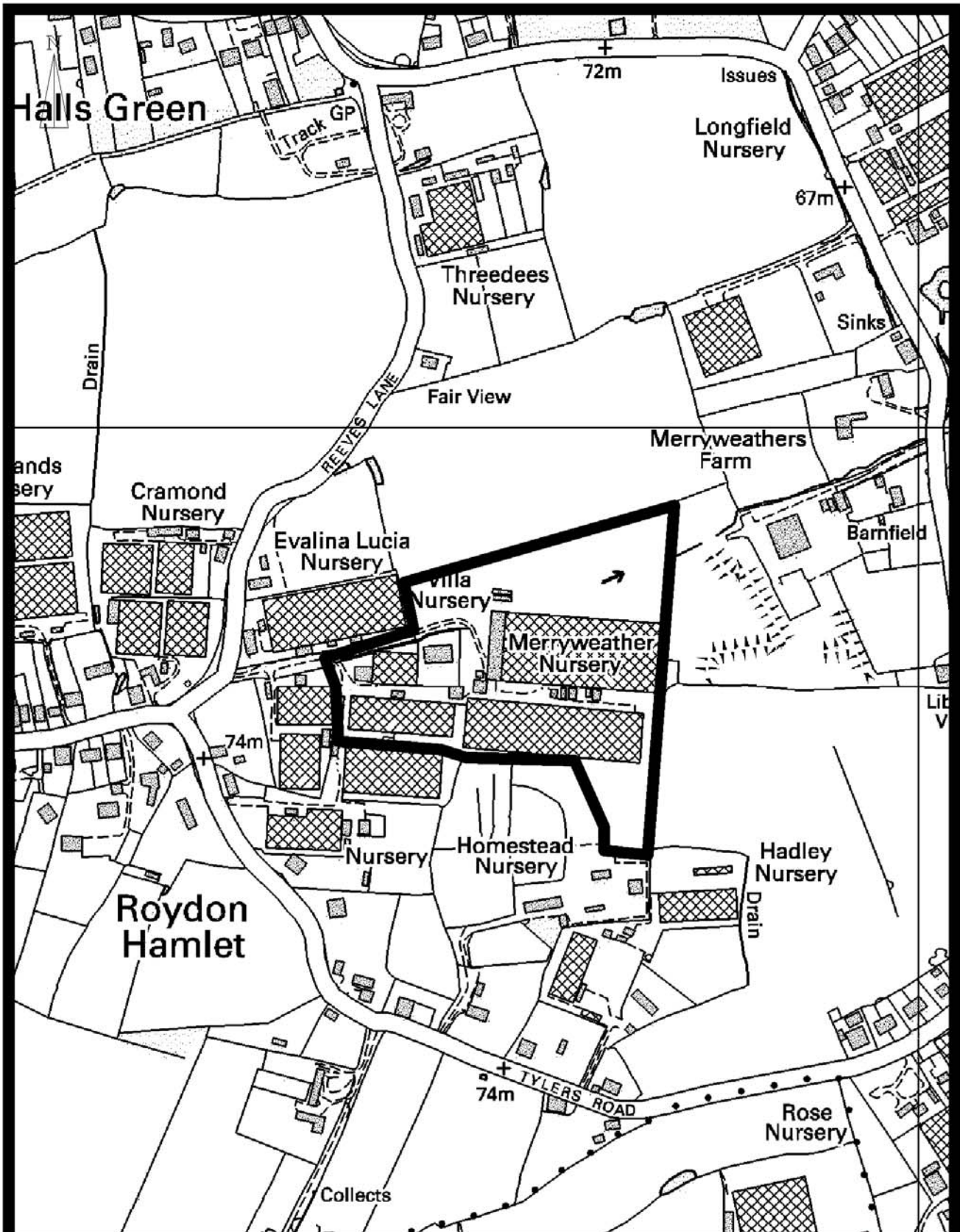
In light of the above this application is recommended for approval.

### **SUMMARY OF REPRESENTATIONS:**

PARISH COUNCIL - Object, we have major concerns over traffic issues. The Parish already has a number of packing and distribution sites, all of which produce heavy traffic in the form of articulated lorries. These lorries cause congestion



along some very narrow roads and ruin the road surface.  
CPRE - Object, Reeves Lane is very narrow with bad accesses.  
The development of the three main distribution sites in the  
area was intended to eliminate change of use of other  
horticultural sites.



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Item No: 03  
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**APPLICATION No:** EPF/216/05

Report Item No: 4

**SITE ADDRESS:**

FORMER PBI SITE, SEWARDSTONE ROAD, WALTHAM ABBEY

**PARISH:** Waltham Abbey

**APPLICANT:** Tesco Stores Ltd

**DESCRIPTION OF PROPOSAL:**

Approval of details regarding opening hours of a) Tesco retail store;  
b) petrol filling station, c) service yard and d) recycling area.

**RECOMMENDED DECISION:** That Tescos be informed that the proposed hours of opening of the retail store, petrol filling station, recycling centre, and service yard, and times of associated operations, are acceptable to the Council on the basis of a trial period. Immediately after 3 months Tescos will carry out a review of the store on residents' amenity, and submit a report of the review to the Council. Following consideration of this and further consultation with local residents a report by officers will be placed before Committee recommending appropriate hours of opening on a permanent basis.

Description of Proposal:

Following the grant of outline planning permission on 17/4/02, and detailed planning permission on 7/1/04, approval is sought to details of opening hours of the new Tescos store, and its associated petrol filling station, service yard and recycling area.

Following the debate at the last meeting of this committee, Tescos are now proposing opening hours for the different elements of the approved development as follows:

Store (Opening to customers):

Monday to Friday - 8am to 11pm

Saturday - 8am to 10pm

Sunday - 11am to 5pm

Store Servicing:

Monday to Saturday - 7am to 9pm, plus one delivery between 6am and 7am, and one delivery between 9pm and 10:30pm.

Sunday - 9am to 6pm

Petrol Filling Station (Opening to customers):

Monday to Friday - 8am to 11pm

Saturday - 8am to 10pm

Sunday - 11am to 5pm

Petrol Filling Station (Servicing):  
Monday to Saturday - 7.30 am to 9pm  
Sunday - 11am to 5pm

Recycling Area (customer use):  
Monday to Saturday - 8am - 9pm  
Sunday - 11am - 5pm

Recycling Area (Emptying):  
Monday to Friday - 8am to 6.30pm  
Saturday - 8am to 1pm  
Sunday - No emptying to take place.

Tesco are proposing that a review of the hours will take place 3 months after the date of opening. The review will, in particular, have regard to the actual impact of the store on the amenities enjoyed by the occupants of neighbouring residential properties.

#### Background:

At the last meeting on 8/6/05 the Committee expressed concerns at the proposed opening hours of the new Tesco's store and related facilities, which for the store itself included 24 hour opening for 5 days of the week. Councillors undertook to consult nearby residents to ascertain their views regarding opening hours, and these views are discussed below. Prior to these views being received officers also met with Tesco's representatives, and the latter's revised proposals for shorter opening hours are also referred to below.

#### Description of Site:

A large site on which the former Pan Britannica chemical factory once stood, together with the former health clinic. A new Primary Health Care Centre opened earlier this year, and the Tesco's store, nearing completion, is due to open this summer on the 7th July. The store is being built alongside Sewardstone Road, with a 458 space car park to the rear. This car park, to be free for use for up to 2 hours, will also be used by visitors to the Health Centre. Access to the site will be via a new and larger traffic light controlled junction where Denny Avenue meets Sewardstone Road. The petrol filling station is located next to this junction, with the service yard for the store lying to the immediate east. Flats and houses in Joyce Court to the north, Howard Close to the east, and Denny Avenue to the south, border on to the site.

#### Relevant History:

Condition No. 27 of the 17/4/02 outline permission required

opening times of the retail store, petrol filling station, service yard, and recycling area to be agreed by the Council before works commenced on site. On 31/3/04 a variation of this condition was approved and, as a result, opening times were required to be agreed before the retail store commenced trading.

#### Policies Applied:

STC3 Retail stores acceptable subject to criteria.

#### Issues and Considerations:

The main issues raised by the proposed opening hours relate to noise from late night shoppers, anti-social behaviour, noise and nuisance from late night HGV deliveries, petrol filling station operations and use of the recycling centre.

#### The Retail Store:

Tescos now propose to open the store, for a 3 month period subject to review, between the hours of 8 am to 11pm Mondays to Fridays, 8am to 10pm on Saturdays, and 11am to 5pm on Sundays. The residents views, obtained via Councillors on the Committee, are that the store be open for a 16 hour period e.g. 6am to 10pm, or 7am to 11pm, or 8am to 12 midnight. Tescos interim and revised proposals to open for a 15 hour period between 8am and 11pm lie therefore within the desired opening hours requested of residents.

However, in addition, Tescos wish to monitor the effects of the store on local amenities within an initial 3 month period, and to deal with problems and issues that arise in this period. This will also allow them to review their trading hours, and they may wish to apply for longer or shorter hours if their assessment of trading patterns warrants this. Clearly if such an application were submitted it would be subject of further consultations and a report to Committee.

With regard to security of surrounding houses Tescos have for some months now built a 2m fence along the north boundary of the site with Joyce Court. This close boarded fence also reduces any noise. However, it was not their original intention to erect a similar fence on the southern boundary with Denny Avenue houses, partly because these houses lie on higher ground. However, in the light of comments referred to them, they have reviewed this issue, and they are currently erecting a 1.8m close boarded fence along the entire southern boundary. The erection of this fence is a welcome measure since it increases the sense of enclosure and security of residents. It will also act as a noise muffler, and it improves the visual appearance of this boundary.

Lighting proposed in the car park has been considered by the

Councils Engineering Services Group and is satisfactory in relation to any impact on surrounding residents.

With regard to the position of the ATM the 7/1/04 detailed planning permission showed its location to be just to the west of the entrance to the store in its north elevation opposite the Primary Health Care Centre. Recently, Tesco's agreed to relocate this ATM but in fact have been unable to do so because there was insufficient space on the pavement on the east side of the store to accommodate the ATM and customers. Consequently, the ATM has now been constructed in its approved position on the north elevation. Residents have now repeated their concerns via Councillors about this position because it could lead to cars stopping on Sewardstone Road so as to use the ATM facility. However, because it is in its approved location Tesco's cannot be forced to relocate this ATM. In any event it is not clear whether users of the ATM will stop on Sewardstone Road, particularly since it lies 50m away from the road.

#### The Petrol Filling Station (PFS):

Some of the residents are of the view that the PFS should be open over the same 16 hour opening period as the retail store. Tesco's propose for it to be open, in the interim 3 month period, for the same 15 hour period as the store (8am to 11pm) but with the petrol filling station being open on Sundays from 11am to 9pm and not closing at 5pm. Again, therefore, the views of residents on PFS opening times is accommodated by Tesco's amended proposed opening times. Deliveries to the PFS are as before ie 7.30am to 9pm Mondays to Saturdays and 11am to 5pm on Sundays. Residents' views accord with these delivery times.

#### Recycling Area:

This is sited on the southern edge of the car park. Initially Tesco's proposed that it was open to 11pm but this was regarded as excessive e.g. noise of glass breaking late at night. Hours of opening have now been agreed and are 7.30 am to 9pm, with emptying of the facility being carried out between 7.30am and 6.30 pm Monday to Friday, and 8am to 1pm on Saturdays. A sign will be erected indicating opening times, and CCTV cameras over the car park will be able to detect out of hours misuse of the facility. Since the last Committee residents have not commented on this aspect, and these opening times, and emptying times, are considered acceptable.

#### Retail Store Service Yard:

The service yard will be enclosed by a 4m high acoustic fence, and loading docks with inflatable dock seals will also reduce noise. However officers have made it clear for some months that late night/overnight deliveries to the yard would not be acceptable. This is because houses at 1 and 2 Denny Avenue lie

just 25 m from the service yard, and it is the movement and turning of vehicles in the access road outside the service yard that is of particular concern. Following negotiations the agreement has been reached on unrestricted deliveries between 7am and 9pm Mondays to Saturdays, and 9am to 6pm on Sundays, plus (for a three month review period) one delivery between 6am and 7am, and one between 9pm and 10.30 pm Mondays to Saturdays. These times are within the 16 hour time period requested by residents, and do not go beyond the proposed store opening times, with the exception of a half an hour extra being possibly needed for a delivery. The three month review period for the early and late deliveries is proposed by officers in order to assess whether these hours are suitable on a permanent basis.

In respect of hours for movement of cages in the service yard there is also a small discrepancy between those requested by the residents (between 7am and 8pm) and Tesco's (between 7am and 9pm) The latter hours are considered acceptable to planning and highways officers given that the service yard is enclosed by a 4m high acoustic fence.

#### Other Issues Raised by Residents

a) Of particular concern to residents is that of light pollution from the store affecting houses on the opposite side of Sewardstone Road. Tesco's have agreed to attach a white vinyl to the glazed area in the north section of the Sewardstone Road elevation. A late night meeting, to be attended by Tesco's, officers and residents, has been arranged for 27/6/05 to further review problems of lighting and privacy raised by residents once the store, and associated tree planting, has been completed. However, residents suggest that thicker vinyl be used, or blinds that can be drawn during the evenings.

b) Gap in boundary fence in south west corner of the site. Residents request this gap, which they feel may be an oversight, be closed in order that visitors to Tesco's cannot access private rear gardens. This request has been passed to Tesco's, and it is expected that they will agree to close off this gap.

c) Residents feel that vehicles from Denny Avenue should have right of way, or priority, over vehicles leaving the Tesco's site. This issue lies outside the scope of this report but officers will consult highway officers and keep members informed. However this junction design, including traffic lights with Sewardstone Road has long been agreed and specified, and a new priority for Denny Avenue vehicles, which approach the access road at right angles, is unlikely to be acceptable on safety grounds.

**SUMMARY OF REPRESENTATIONS:**

Since being reported to the last Committee on 8/6/05 Councillors have consulted nearby residents to gauge their views on what are appropriate opening times for the new store. These views are referred to in the main body of the report. The following comments are those received as a result of consultations on the initial opening times proposed by Tesco's.

WALTHAM ABBEY TOWN COUNCIL - Object - the proposals are unacceptable in a residential area.

WALTHAM ABBEY TOWN PARTNERSHIP - There would be benefits arising from the store staying open 24 hours. These are: 1) staff and security would be on site and hopefully patrolling the car park thereby deterring boy racers, youths gathering, and other criminal elements, 2) encouraging the emergency services to use this as a food shop again deterring criminal elements, 3) members of the community who shop late would keep the area active but not so popular as to be an inconvenience, 4) in general it was felt that if the store closed the area would be open for anti-social behaviour to creep in.

ESSEX POLICE - No objection in principle subject to Tesco's applying for and receiving a Safer Car Park award. (This scheme is run by the Association of Chief Police Officers but is administered by the British Parking Association). It is better to review car park security in the context of the safer car park scheme once the store is open. 24 hour use of the store helps to provide for better security and safety. Support the cordoning off of part of the car park close to Joyce Court.

69 HOWARD CLOSE - Object strongly because 1) I have suffered for a year from noise dust and pollution, 2) cars pulling up and doors slamming all night would again affect my property, 3) I do not want to hear lorries roaring up at all hours.

2 and 3 NOBEL VILLAS - Concerned about 1) increase of vehicular noise, 2) whether there will be late night deliveries, 3) such a busy and large store would be detrimental to the value of our homes.

17 DENNY AVENUE - Concerned about being exposed and insecure at the rear, and about 24 hour opening.

26 DENNY AVENUE - and a letter signed by some 36 households in Denny Avenue - There is no need for a 24 hour store because they already exist at Brookfield and Harlow. Concerned about noise from HGV movements, affect on amenity in our gardens.

74 HOWARD CLOSE - Movement of cars and slamming doors 24 hours a day will affect our sleep, and aggravate existing noise nuisance from M25.

1-6 THE GREEN and 11 and 12 SEWARDSTONE ROAD - A letter signed by 10 residents objecting to 24 hour opening because the store is far too close to a residential area, and would result in traffic and noise. The recycling area should not be left open as late as 11pm, because of noise of bottles breaking.

2 DENNY AVENUE - Concerned about possible noise nuisance and lighting from 24 hour use. When previously used as a chemicals factory there was noise from unloading of lorries.

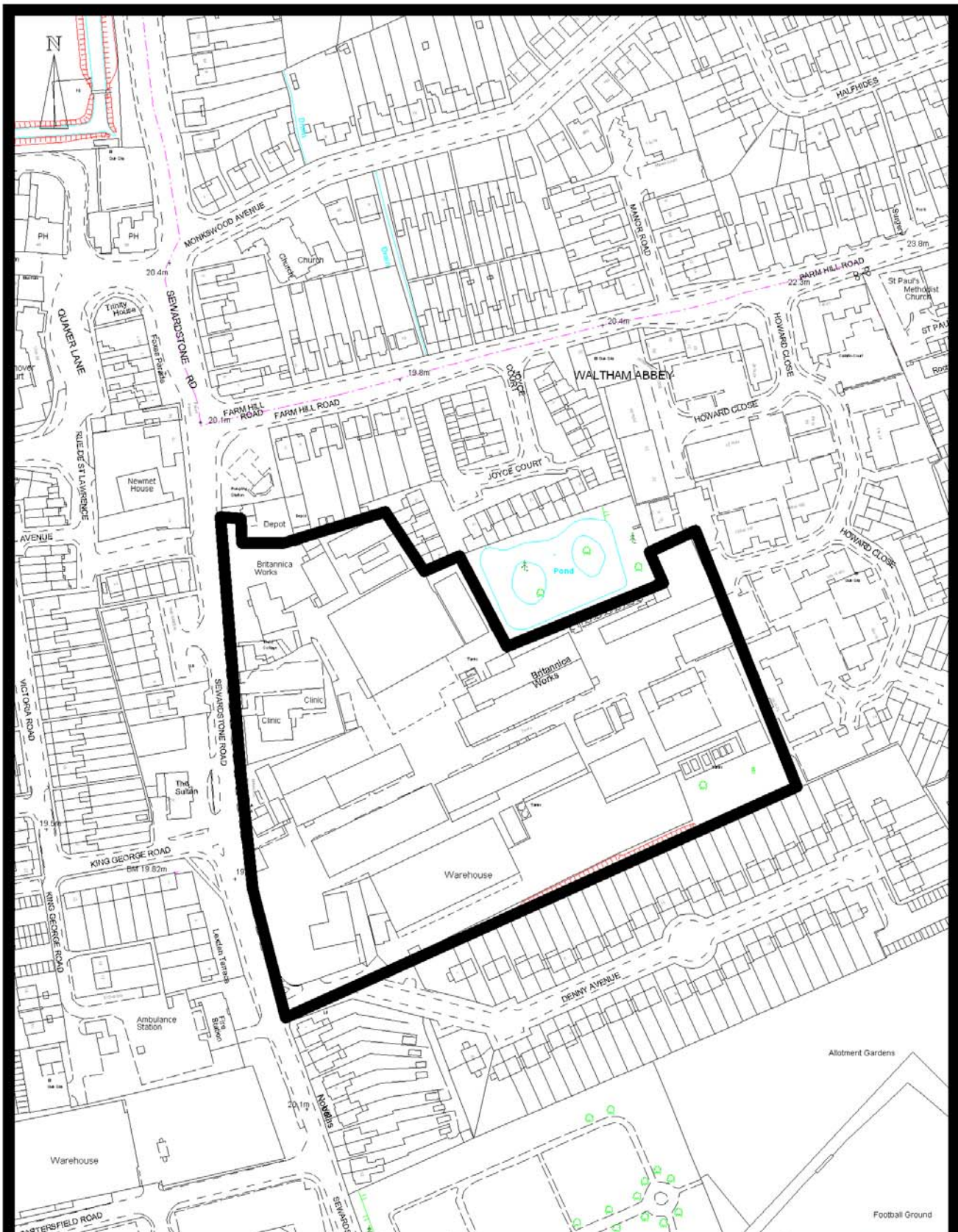
137 HOWARD CLOSE - Concerned about noise and possible light



pollution from 24 hour use.

C/O 11 SEWARDSTONE ROAD - Although Sewardstone Road is a busy road traffic flow decreases substantially by early evening. 24 hour use is likely to change this.

112 HOWARD CLOSE - 24 hour use could cause noise and disrupt sleep. A 24 hour store is provided at nearby Cheshunt.



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Item No: 04

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**APPLICATION No:** EPF/397/05

Report Item No: 5

**SITE ADDRESS:**

LAND ADJ, 49 RUSKIN AVENUE, WALTHAM ABBEY

**PARISH:** Waltham Abbey

**APPLICANT:** Sean Cannon

**DESCRIPTION OF PROPOSAL:**

Demolition of existing garage and construction of a new detached dwelling. Two storey extension to No 49, Ruskin Avenue. (Revised application)

**RECOMMENDED DECISION: Grant Permission**

1. To be commenced within 5 years.
2. Materials of construction to be agreed.
3. Erection of screen walls/fences.
4. Retention of existing trees and shrubs
5. Submission of details of earthworks
6. Parking area to be provided/maintained.
7. Prior to the commencement of the development, details of the proposed surface materials for the driveway shall be submitted to and approved by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
8. Submission of flood risk assessment.

Also subject to the signing of a Section 106 Agreement in respect of a financial contribution to meet the full cost of off-site highway works to be carried out by the Council to facilitate the development.

#### Description of Proposal:

Demolition of existing garage and erection of a new detached dwelling, and a two storey extension to the existing dwelling.

#### Description of Site:

The area is residential and consists largely of terraced and semi-detached houses, with some detached houses. The area to the west and south is part of the Roundhills Estate. The current building on site is a two storey semi-detached dwelling with a side conservatory, and a detached single garage on the western boundary of the site. The site is rectangular and measures approximately 33m x 12m. There is a line of mature conifer trees on the west and southern boundaries. The road is a dead end, opening onto a grassed area sloping down towards Roundhills, and is delineated by a line of bollards to the west of No 49. Some of these are demountable, which allows the occupant of No. 49 vehicular access to the garage.

#### Relevant History:

EPF/1746/98 - Erection of a detached dwelling - Withdrawn  
EPF/458/04 - Demolition of garage and erection of detached dwelling - Withdrawn

#### Policies Applied:

##### Structure Plan

CS1 Sustainable Urban Regeneration  
BE1 Urban Intensification

##### Local Plan

DBE1 Design of new buildings  
DBE2 Amenity of new buildings  
DBE8 Amenity Space  
DBE9 Amenity  
T17 Traffic Criteria  
LL11 Landscaping  
U2 Flooding

#### Issues and Considerations:

The main issues in this application are whether the design of the proposed building is acceptable, whether there is any adverse effect on the amenities of the area and neighbours, and impact on traffic safety and demand for on-street parking.

#### Building in Context

The proposal will see the erection of a two storey, 3 bedroom

detached house, some 2.5m to the west of the flank wall of No. 49. The pitched roof will have gable ends on each flank, with a rear projection having a monopitch roof. The ridgeline of the main house will be 7.3m high. The dwelling will be some 0.6m lower than No. 49 due to a change in ground levels. It will be no wider or deeper than the existing dwelling at No. 49, and would maintain the existing building line. The rear garden of No. 49 will be divided in half, with 1/3rd of the row of conifer trees to the rear of the property remaining.

No. 49 will have the existing side conservatory removed and a two storey extension erected on its position, 2m x 4m by 6m high with a monopitch roof continuing the existing roofline. This extension will not be as deep as the conservatory and will not project beyond the existing building lines.

Off-street parking spaces will be provided to the rear of the dwellings, accessed through the gap between No. 49 and the new dwelling. This will involve moving a telegraph pole and bollards from Highways land, which will be discussed below.

The Town Council have objected to this proposal as they considered it to be overdevelopment of the site, as do other objectors. However, the site can easily accommodate a dwelling of this design and size without any adverse affect on the street scene or the amenities of the existing or proposed dwelling. It is considered that this building will be in keeping with the street scene, which is of a fairly mixed appearance along its length, and is also in keeping with Government advice on maximising the re-use of previously developed urban land. Therefore this is an acceptable proposal, a refusal of which would be difficult to sustain at any appeal.

## Design

The dwelling has been designed to reflect the semi-detached properties at this end of Ruskin Avenue, and is considered acceptable in this location. The materials can be conditioned to be similar to the local style. The existing garage is of no visual merit and the development will enable a better appearance to be achieved at the end of this street by providing a proper hard surface for vehicle access. The extension on the west flank of the existing building would be in keeping with the building and will have no adverse effect on the street scene.

## Amenity and Impact on Neighbours

The proposal for the extensions to No. 49 will only impact on the new dwelling, but due to the positioning of windows there will be no overlooking caused. With regard to the new dwelling this will cause some loss of sunlight to the side elevation of No. 49 in the afternoon, but it is considered that this will not have any adverse impact on the property. There will be no

adverse overlooking of any other property in the immediate vicinity, with Roundhills being some 27m to the west, and Springfields some 60m to the south. To the north No. 1 Bray Springs is some 17m from the front elevation of the new dwelling, (at a right angle) and the rear garden is screened by a 2m wooden fence and some trees. The new dwelling would have private amenity space to the rear which is in line with the local plan.

### Highways

The proposal provides one off-road parking space per dwelling and meets the current parking standards. The Highways Section have raised no objection to this proposal on highway safety grounds. The issue of parking on the street has been raised by objectors, but it is the case that this is an urban site where this level of parking provision is in line with the current policy. It is the case that land outside the applicants ownership, at the front of the property, is owned by the Councils Housing Department, and that the applicant has negotiated a right of way over the land. This agreement is currently with the Councils Legal Department, and the Housing Department have no objections to this scheme, subject to a Section 106 Agreement regarding the highway issues as detailed below. It should be noted that the Council has retained the ownership of the land.

The proposal will also see the repositioning of bollards and a telegraph pole to allow vehicular access to the rear of the properties, and proper surfacing materials to be installed. However, as the Council owns the area to the front of the properties a Section 106 Agreement will be required in respect of a financial contribution to meet the full cost of off-site works to be carried out by the Council to facilitate the development. The applicant has stated he is willing to enter into such an agreement.

### Flooding

The site is within a Flood Risk Zone, and therefore a Flood Risk Assessment will need to be submitted for approval by the Councils Land Drainage section, although this can be conditioned.

### Other Issues

No observations have been received from the Electricity Board re the adjacent Sub Station building, or BT over the repositioning of the telegraph pole.

### Conclusion

For the reasons laid out above this application is therefore recommended for approval, subject to satisfactory completion

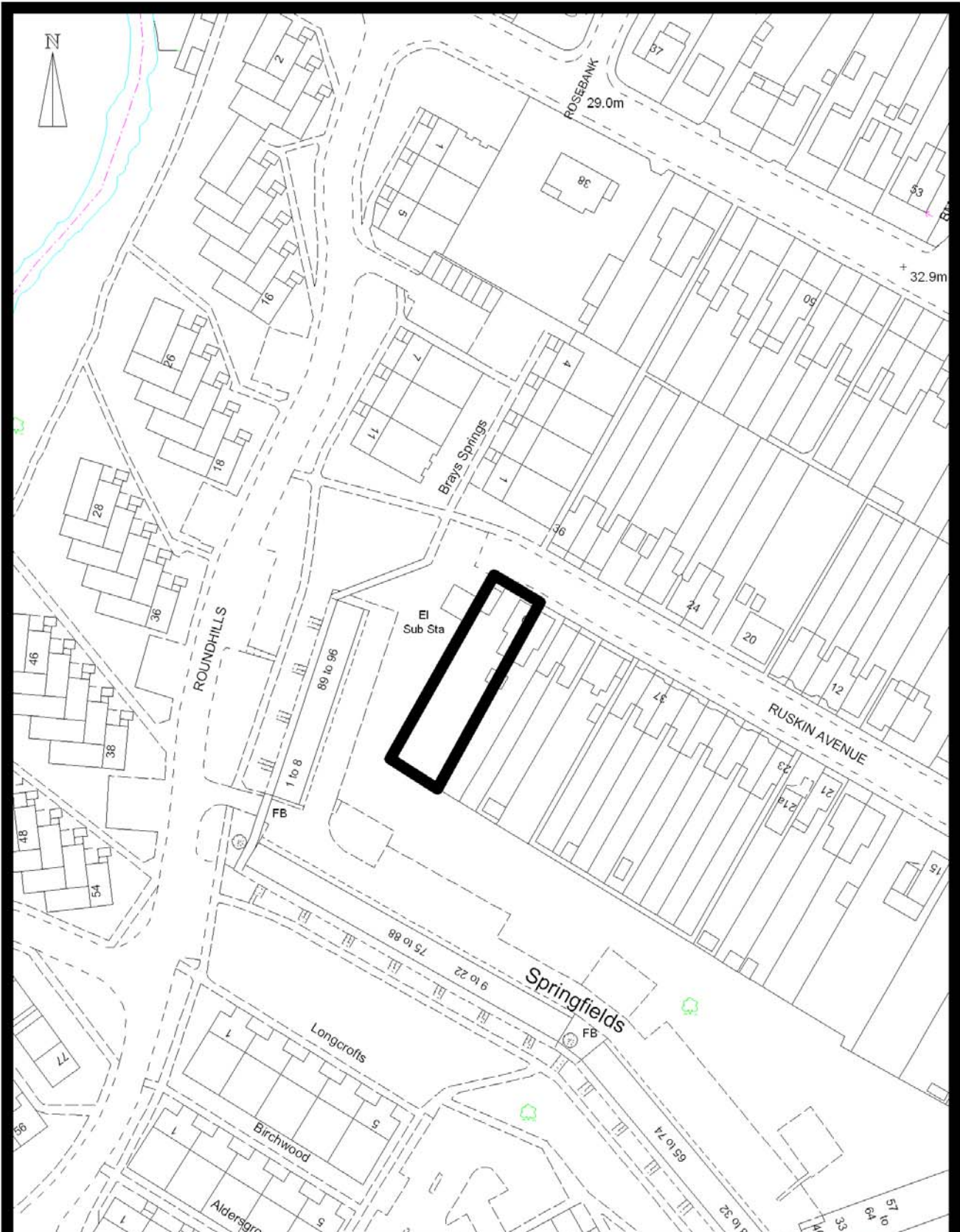
of a Section 106 Agreement in respect of the repositioning of bollards and a telegraph pole and the hardsurfacing of land north of 49 Ruskin Avenue.

**SUMMARY OF REPRESENTATIONS:**

TOWN COUNCIL - Object, Overdevelopment of site.

37 RUSKIN AVENUE - Object, Parking in Ruskin Avenue has already exceeded capacity, even one extra house will exasperate the parking problem. Previous planning decisions in Ruskin Avenue have been short sighted. The Council should not allow this application. An acceptable solution would be to incorporate a private/shared alley through the wide No. 49 plot for vehicular access by Nos. 35, 37, 39, 41, 43, 45, and 47. I am informed the applicant has paid a significant sum to the Council to vary a right of way. The Council could use this money to provide rear access for all residents. The existing posts - which I believe may be illegal - at the west end of Ruskin Avenue should be moved to the far end of the hardstand area, reinstating a turning area.

37 RUSKIN AVENUE (2nd Letter) - Object, this is a road with major parking problems. We have already lost access to land outside the proposed area, which was used as a turnaround for many years, meaning we have to reverse up the road which is dangerous, I would ask that some more thought is given to this application before it is just rubber stamped through.



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