

Committee Agenda



**Epping Forest
District Council**

Area Plans Subcommittee D Wednesday, 31st August, 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

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 (Page 5)

General advice to people attending the meeting is attached together with a plan showing the location of the meeting.

2. MINUTES (Pages 6 - 16)

To confirm the minutes of the last meeting of the Sub-Committee held on 3rd August 2005 as a 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 - 60)

(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:

Agenda Item No	Subject	Exempt Information Paragraph Number
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:

Agenda Item No	Subject
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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.eppingforestdc.gov.uk. Any information sent to Councillors should be copied to the Planning Officer dealing with your application.

How are the applications considered?

The 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'

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Plans Subcommittee D **Date:** 3 August 2005

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 9.35 pm
High Street, Epping

Members Present: 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, Mrs J Lea, L McKnight, P McMillan and D Spinks

Other Councillors: (none)

Apologies: Mrs M Sartin

Officers Present: A Hendry (Democratic Services Officer) and S Solon (Principal Planning Officer)

14. 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.

15. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 6 July 2005 be taken as read and signed by the Chairman as a correct record subject to the inclusion of a condition, raised at that meeting, relating to EPF/327/05 Crossways, 1 Middle Street, Nazeing, that the £6,000 contribution linked to the transport infrastructure be used specifically for the area of Nazeing.

16. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs Borton declared a personal interest in agenda item 7 (3) (EPF/640/04 Abbey Mills, Highbridge Street, Waltham Abbey). The Councillor declared that her interests were not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the items.

(b) Pursuant to the Council's Code of Member Conduct, Councillor Mrs Brooks declared a personal interest in agenda item 7 (3) (EPF/640/04 Abbey Mills, Highbridge Street, Waltham Abbey), by virtue of being a member of the LVRPA. The Councillor declared that her interests were prejudicial and indicated that she would leave the meeting during the consideration and voting on the item.

(c) Pursuant to the Council's Code of Members Conduct, Councillor Mrs Lea declared a personal interest in agenda items 7 (1) (EPF/146/04 Holyfield Farm,

Holyfield, Waltham Abbey) and 7(2) (LB/EPF/ 145/04 Holyfield Farm, Holyfield, Waltham Abbey). The Councillor declared that her interests were not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the items.

(d) Pursuant to the Council's Code of Members Conduct, Councillor D Spinks declared a personal interest in agenda items 7 (1) (EPF/146/04 Holyfield Farm, Holyfield, Waltham Abbey), 7(2) (LB/EPF/145/04 Holyfield Farm, Holyfield, Waltham Abbey) and 7 (4) (EPF/849/05 9 & 13 Arlingham Mews, Waltham Abbey). The Councillor declared that his interests were not prejudicial and indicated that he would remain in the meeting during the consideration and voting on the items.

(e) Pursuant to the Council's Code of Member Conduct, Councillor Mrs Stavrou declared a personal interest in agenda item 6 (Woodbine Close Caravan Park), by virtue of being the member for that ward. The Councillor declared that her interests were not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the item.

(f) Pursuant to the Council's Code of Member Conduct, Councillor Mrs Stavrou declared a personal interest in agenda item 7 (3) (EPF/640/04 Abbey Mills, Highbridge Street, Waltham Abbey), by virtue of being a member of the LVRPA. The Councillor declared that her interests were prejudicial and indicated that she would leave the meeting during the consideration and voting on the item.

17. ANY OTHER BUSINESS

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

18. WOODBINE CLOSE CARAVAN PARK

Woodbine Close Caravan Park is located on an extensive area of land to the north west of the junction of Honey Lane and Woodgreen Road. On 30/8/1962 planning permission was granted for an enlargement of the caravan site. This consent was subject to a legal agreement between the owner of the site and the Council, which

- a) reserved an area of the site to be retained as a recreational area, and
- b) restricted the total number of caravans that could be kept on the site to 205.

After a local authority property search, it has become apparent that in the last few years the recreational area, an area originally intended for children's play, has been used for the stationing of an additional 5 mobile homes i.e. plots 14-18 The Lindens. However, this children's play area is no longer required for this purpose because the whole of this site is now occupied by elderly people i.e. the site has in effect become a retirement park where children no longer reside. The Council's Environmental Health group, who manage the site through a site licence, agreed that this recreational area of land was no longer needed.

As a result of the 5 additional homes being placed on this former recreational area the number of mobile homes on the site has increased from 205 to 209, and consequently the limit of 205 homes specified in the 1962 legal agreement has also been breached. Again the Environmental Health group had no objection to 209 homes being accommodated on the site. Additionally the current site licence administered by them restricts the number of homes to 209, and to produce a new legal agreement under the Planning Acts imposing a restriction to 209 homes would be an unnecessary duplication.

In the light of the above factors there was no merit in retaining this legal agreement and it was recommended that it be removed from the local land charges register.

Recommendation:

The Committee agreed that the Section 25 agreement under the 1947 Town and Country Planning Act was no longer required, and that it be removed as an entry from the local land charges register.

19. DEVELOPMENT CONTROL

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

RESOLVED:

That, Planning applications numbered 1 – 6 be determined as set out in the annex to these minutes.

20. DELEGATED DECISIONS

The Sub-Committee noted that details of planning applications determined by the Head of Planning 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

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1. **APPLICATION NO:** EPF/146/04 **PARISH** Waltham Abbey

SITE ADDRESS:

Holyfield Farm, Holyfield, Waltham Abbey

DESCRIPTION OF PROPOSAL:

Conversion of existing barn to form two dwellings. Removal of existing farm sheds and extension of adjacent barn. Conversion of farm shop to garages for dwellings and alteration to roof.

GRANTED SUBJECT TO:

1. To be commenced within 5 years.
2. Submit programme of archaeological work.
3. The development shall be carried out in accordance with the amended plans received on 24 February 2005 unless otherwise agreed in writing with the Local Planning Authority.
4. Materials of construction to be agreed.
5. Erection of screen walls/fences.
6. 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 2, Classes A-E shall be undertaken without the prior written permission of the Local Planning Authority.
7. Submission of a landscape scheme.
8. 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.
9. Prior to the first occupation of the dwellings hereby approved, details of gates to be erected at the entrance to the site shall be submitted to the Local Planning Authority for approval. No gates other than those approved shall be erected unless otherwise agreed in writing by the Local Planning Authority.
10. Prior to the commencement of the works hereby approved all buildings to be demolished are to be agreed in writing by the Local Planning Authority and removed within three months of the commencement of works.

2. **APPLICATION NO:** LB/EPF/145/04 **PARISH** Waltham Abbey

SITE ADDRESS:

Holyfield Farm, Holyfield, Waltham Abbey

DESCRIPTION OF PROPOSAL:

Grade II listed building application for the conversion of barn to form 2 dwellings.

GRANTED SUBJECT TO:

1. The works hereby permitted must be begun not later than the expiration of five years, beginning with the date on which the consent was granted.
2. The works hereby approved shall not be commenced until details of the following have been submitted to and approved in writing by the Local Planning Authority:
 - a) Materials of construction and facing materials.
 - b) A frame survey of the barn.
 - c) The extent of original material to be removed from the barn.
 - d) The method of internal subdivision of the barn.
 - e) The connection of new internal walls and floors to the existing timber frame.
 - f) All external windows and doors, including details of the method of forming openings for such windows and doors.
3. The works hereby approved shall be carried out strictly in accordance with the details approved by the Local Planning Authority pursuant to Condition No. 2 of this consent unless otherwise agreed in writing by the Local Planning Authority.

3. **APPLICATION NO:** EPF/640/04

PARISH

Waltham Abbey

SITE ADDRESS:

Abbey Mills, Highbridge Street, Waltham Abbey

DESCRIPTION OF PROPOSAL

Demolition of existing building and erection of 1 three storey block containing fifteen flats and 192 sq metres of B1 floorspace and 1 two storey block containing six flats with associated access, parking and amenity space.

GRANTED SUBJECT TO:

1. To be commenced within 5 years.
2. Submit programme of archaeological work.
3. The development shall be carried out in accordance with the amended plans received on 24 December 2004 unless otherwise agreed in writing with the Local Planning Authority.
4. Materials of construction to be agreed.
5. The development, including site clearance, must not commence until a scheme of landscaping and a statement of the method of implementation have been submitted to the Local Planning Authority and are approved in writing.

The scheme must include details of the proposed planting including a plan, details of species, stock sizes and number/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 a 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.

The landscaping must be carried out in accordance with the agreed scheme and statement, unless the Local Planning Authority has given its prior written consent to any variation.

The landscaping scheme must incorporate an 8m buffer zone of locally native plant species, alongside the River Lee.

6. Contaminated land study and remediation.
7. The finished floor levels of the development hereby approved shall be set a minimum of 19.1 AOD. Details showing how this is to be achieved shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of development.
8. Details of means of fencing the site within 8 metres of the river shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of development.
9. Drainage details to be agreed.
10. Prior to the first occupation of any of the units hereby approved, full details of the access road, parking spaces, disabled parking, cycle and motorcycle parking shall be submitted to and agreed in writing by the Local Planning Authority and the works shall be completed in accordance with those agreed details.
11. No gates shall be erected on the access road without the prior written agreement of the Local Planning Authority.
12. Prior to the first occupation of any of the units hereby approved, a scheme providing for adequate storage of refuse from the development shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall be carried out and thereafter retained.
13. Construction of work (which includes deliveries and other commercial vehicles to and from the site) shall only take place on site between the hours of 07.30 and 18.30 Monday to Friday and 08.00 to 13.00 on Saturday and at no time during Sundays and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
14. Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The facilities

shall be installed prior to the commencement of any building works on site and shall be used to clean vehicles leaving the site.

15. Prior to commencement of development a full noise survey shall be carried out to establish which noise category the proposed plots fall into with regard to PPG24. Following the survey, a scheme for protecting the proposed new dwellings from noise shall be submitted to and agreed in writing by the Local Planning Authority for any dwellings, gardens and recreation areas that fall into NEC B and C or above, as detailed in PPG24. The approved works shall be completed before any of the proposed residential units are occupied.
16. Prior to the commencement of development details of external lighting of the site shall be submitted to and agreed in writing by the Local Planning Authority, the agreed scheme shall be carried out prior to the first occupation of any of the units hereby approved. No external lighting other than that approved shall be erected at the site without the prior written agreement of the Local Planning Authority.

And subject to the applicant first entering into a Legal Agreement under Section 106 of the Town and Country Planning Act (within 12 months) to:

1. Investigate the ability of the existing sewerage system to dispose of the foul and surface water for this development and in the event that these investigations show that there is insufficient capacity available to secure the provision of adequate foul and surface water drainage in consultation with the sewerage undertaker for the whole of the development prior to the commencement of development. Such drainage shall be secured where appropriate by means of a public sewer requisition pursuant to Section 98 to 101 of the Water Industry Act 1991.
2. Provide for, at no cost to the Highway Authority, (a) the removal of the existing access and layby/parking area to the front of the existing building and the formation of a new bell-mouth access to include 2 kerbed radii each with a dropped kerb/tactile paving crossing point and a 90m x 2.4m x 90m visibility splay; (b) the upgrading to current Essex County Council standards of the westbound bus stop located to the west of the proposal site immediately before the A121 Highbridge Street/Bypass/Beaulieu Drive traffic signal controlled junction; (c) a bus promotion and marketing campaign, which shall include among other issues free season ticket and timetable information, as well as publicity by, for example, poster and leaflet.
3. Provide an education contribution of £25, 809, index linked to April 2005 costs using the PUBSEC Index, towards the cost of 3 additional primary school places needed as a result of the development of 21 flats.
4. Carry out a safety audit and traffic impact assessment on the impact of traffic turning right out of the site. Should it be demonstrated to be necessary, submit for approval to the Local Planning Authority proposals for restricting vehicles from turning right out of the site onto Highbridge Street and provide for the implementation of the approved scheme at no cost to the Highway Authority prior to the first occupation of the flats.

4. **APPLICATION NO:** EPF/849/05

PARISH

Waltham Abbey

SITE ADDRESS:

9 and 13 Arlingham Mews, Waltham Abbey

DESCRIPTION OF PROPOSAL:

Change of use of Unit 9 (A1 retail) and Unit 13 (B1 office) to residential to form 5 x one bedroom flats. (Resubmitted application).

REFUSED:

1. The proposal would result in the loss of existing retail units that could harm the vitality and viability of Waltham Abbey Town Centre. As such the proposal is contrary to the provisions of Policy TCR3 of the Essex and Southend-on-Sea Replacement Structure Plan. It has not been demonstrated that the units are not capable of being re-let and therefore the proposed conversion of the units into residential units would be contrary to the provisions Policy H10 of the Epping Forest District Local Plan.
2. The proposed flats, by reason of their internal arrangement, would lead to excessive overlooking of neighbouring flats within the development and excessive transmission of noise to bedrooms from adjoining flats and communal areas. They would therefore result in poor living conditions for their occupants contrary to Policy DBE9 of the Epping Forest District Local Plan.

5. **APPLICATION NO:** A/EPF/453/05 **PARISH** Waltham Abbey

SITE ADDRESS:

Sainsburys Distribution Centre, Waltham Point, Sewardstone Road, Waltham Abbey

DESCRIPTION OF PROPOSAL:

Illuminated gable hoarding.

REFUSED:

1. The proposed display, by reason of its size, siting and illumination would appear as an over-dominant and inappropriate feature on the building. It would therefore be harmful to the visual amenities of the locality and as such would be contrary to Policy DBE13 of the Epping Forest District Local Plan.

6. **APPLICATION NO:** EPF/942/05 **PARISH** Waltham Abbey

SITE ADDRESS:

Land rear of 150A Honey Lane, Waltham Abbey

DESCRIPTION OF PROPOSAL:

Erection of 3 No. two bedroom bungalow. (Revised application).

REFUSED:

1. The proposal would represent a form of development out of character with the area and its setting detracting from the general appearance of the area, its open aspect

and the existing properties on Honey Lane in which respect it is contrary to Policy BE1 of the Replacement Structure Plan and Policy DBE1 of the adopted Local Plan (1998).

2. The access arrangements on to Honey Lane and the narrowness of the entrance road, the proximity to the adjoining school would give rise to conditions prejudicial to both highway and pedestrian safety contrary to Policy T3 of the Replacement Structure Plan and Policy T8 of the adopted Local Plan (1998).
3. The proposal would result in the unjustified loss of urban open space identified as a playing field in the Epping Forest District Local Plan. It is therefore contrary to Policies BE3 and BE4 of the Essex and Southend-on-Sea Replacement Structure Plan and Policies RST14, LL5 and LL6 of the Epping Forest District Local Plan.

AREA PLANS SUB-COMMITTEE 'D'

31 August 2005

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CASES

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APPLICATION No: TRE/EPF/964/05

Report Item No: 1

SITE ADDRESS:
CUTLANDS, ST LEONARD'S ROAD, NAZEING

PARISH: Nazeing

APPLICANT: Susan Byles

DESCRIPTION OF PROPOSAL:

TPO 17/87 : Fell one Cypress and reduce height of two Cypress, including replacement.

RECOMMENDED DECISION: Grant Permission

1. Replacement tree or trees.

Description of Proposal:

T1. Lawson cypress. Fell and replace.

Description of Site:

T1 is located close to the front boundary of the property, which comprises a Grade II listed house dating from the 16th century. It is a mature example. It stands approximately 16m in height and is prominent within the site and from the main road. The columnar crown has formed with two main leaders emerging at a fork 1m above ground level. The tree stands 4m from the main property.

Relevant History:

TPO/EPF/17/87 served, which includes G3, which, in turn, includes the tree known as T1, as a result of a threat posed to them from the owner of Little Cutlands.

Relevant Policies:

LL9: The Council will not give consent to fell a tree protected by a Tree Preservation Order unless it is satisfied that this is necessary and justified any such consent will be conditional upon appropriate replacement of the tree.

Issues and Considerations:

The main considerations in this case are:

1. Past history.
2. Current and potential amenity
3. Degree of loss to amenity caused by felling the tree.

The tree, a lawson cypress, was originally protected as part of a group but, following a storm, one of the group blew down and severely weakened those remaining. Permission was granted to remove all trees in this group on safety grounds but this particular tree was not felled. A replacement walnut had been suggested as a more suitable native tree, which would have provided greater amenity in the long term. Replacement hornbeam trees are now well established along the front boundary.

The tree is now an important landscape feature within the Street-scene. It continues to contribute visually to the appearance of this part of St. Leonard's Road.

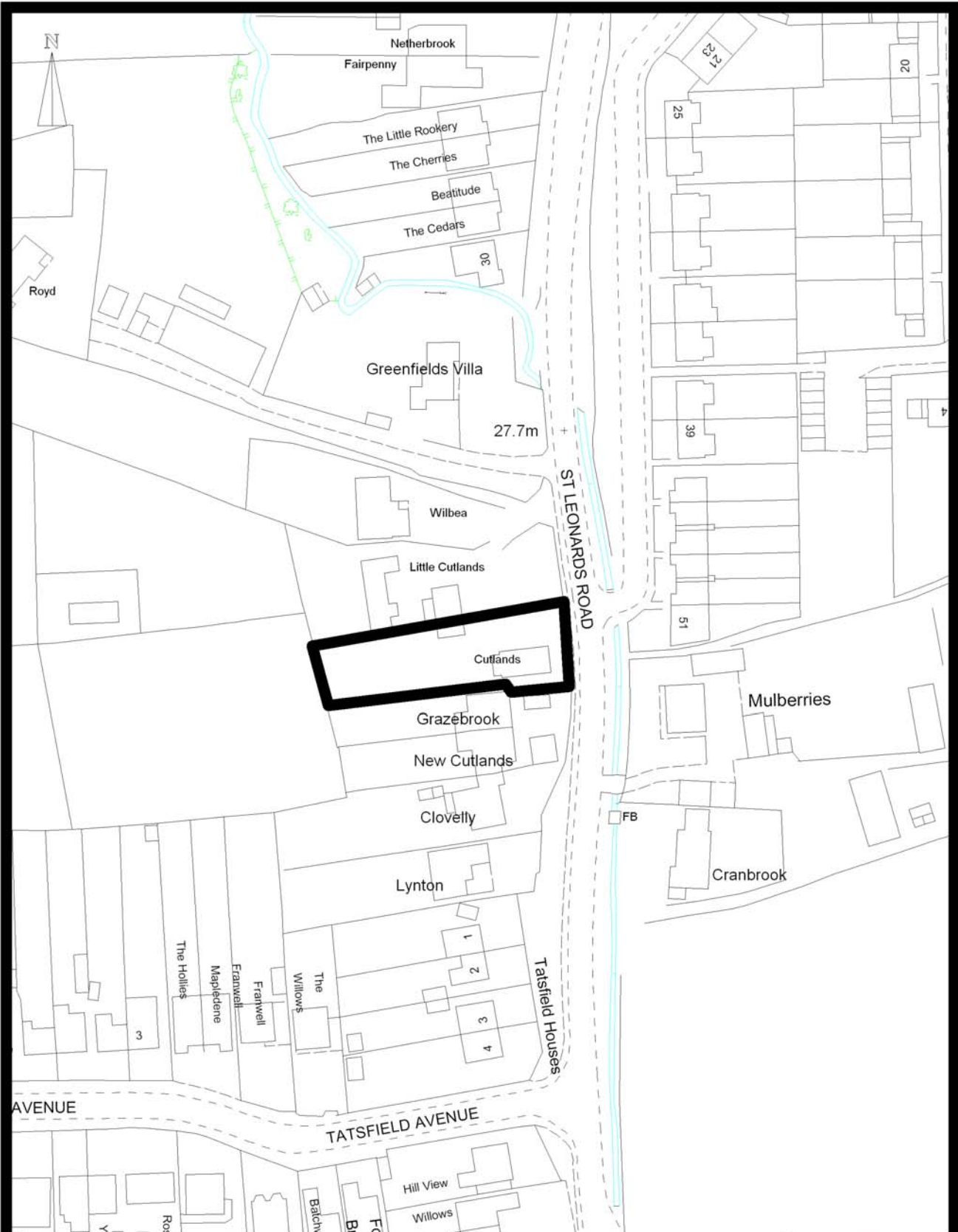
Since the tree is a visible landscape feature within the street-scene, the loss of amenity would be significant. However, it is now an isolated individual, incompatible with the style of a house of this age, which predates this introduced North American cypress by several centuries. T1 also stands out from the new native screen as a tall, dark evergreen specimen. A suitable native replacement such as a walnut would, in time, negate the loss to public amenity and would, in fact, improve it. The proposal as a whole, therefore, would be beneficial to the amenities of the locality.

Conclusion:

Having regard to the planning history in relation to the tree, its situation within the curtilage of a Grade II listed building that predates the introduction of lawson cypress to the UK and the proposal to plant a suitable replacement more appropriate to its setting, there is good justification on amenity grounds for permitting this proposal. Accordingly, it is recommended that permission be granted.

SUMMARY OF REPRESENTATIONS:

None received



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Item No: 01
Scale: 1:1250



APPLICATION No: EPF/977/05

Report Item No: 2

SITE ADDRESS: LAND OFF, (ADJACENT TO RIVER LEE), GREEN LANE, NAZEING
PARISH: Nazeing

APPLICANT: Broxbourne Cruising Club Ltd

DESCRIPTION OF PROPOSAL:

Use of agricultural land as a boat club; construction of access road to site from Snakey Lane and construction of moorings, slipway, clubhouse and carpark.

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.
2. This consent shall inure solely for the benefit of the applicant (Broxbourne Cruising Club) and for no other person or persons.
3. Contaminated land study and remediation.
4. The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of implementation have been submitted to the Local Planning Authority and are approved in writing. The approved scheme shall be carried out in the first landscaping scheme following the completion of the development.

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 a 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.

The landscaping must be carried out in accordance with the agreed scheme and statement, unless the Local Planning Authority has given its prior written consent to any variation.

5. Submission of Landscape Management Plan
6. The development hereby permitted shall be carried out in accordance with the recommendations of the report prepared by ESL(Ecological Services) submitted with the application.
7. The clubhouse hereby approved shall not be used between 23.00 and 07.00 the following day unless otherwise agreed in writing by the Local Planning Authority.
8. No use shall be made of open areas within the application site for erecting marquees or holding other social events without the prior written agreement of the Local Planning Authority.
9. No amplified music or other sound shall be played outside the clubhouse and such music or other sound shall not be played between 23.00 and 07.00 the following day.
10. No external lighting shall be provided on the site or erected to any building or fence on the land unless previously agreed in writing by the Local Planning Authority.
11. No open storage shall take place on the site without the prior written agreement of the Local Planning Authority.
12. The development shall not be commenced until details of the following matters have been submitted to and approved in writing by the Local Planning Authority:
 - (i) Decking for the clubhouse
 - (ii) Tool shedThe development shall be carried out in accordance with the details approved.
13. The finished floor level of the proposed building shall be a minimum of 24.78m above Ordnance Datum (Newlyn).
14. There shall be no raising of ground levels on those parts of the site below 24.38m AOD.
15. Any walls of fencing constructed within or around the site shall be designed to be permeable to flood water.
16. No soakaways shall be constructed in contaminated ground.

SUBJECT TO LEGAL AGREEMENT SECTION 106

Description of Proposal:

Change of use of agricultural land to use for boat club, construction of access road to site from Snakey Lane and construction of moorings, slipway, clubhouse and car park.

It is proposed to reinstate an overgrown part of Snakey Lane that passes across land to the east with a temporary access route being provided immediately to the south of its alignment while works to reinstate it take place. The clubhouse would be situated in the north-eastern corner of the site with the access road passing immediately to the north of it with a 25 space car park provided immediately to the west adjacent to the northern site boundary. The car park would lead to a slipway.

The reinstatement of the western 180m of Snakey Lane would comprise the laying out of a 3m wide gravel or scalping track on a geotextile membrane. It would not be lit. No details of the slipway have been provided.

The clubhouse would be a single storey building with a footprint of 10m by 8.5m. It would have a gabled roof with a ridge height of 5m above ground level and eaves 3.5m above ground level. The building would be set on concrete foundation blocks set into the ground thereby providing a low air space below the building. It would be finished in brown stained shiplap cladding and roofed in green mineral felt. Notes on the submitted drawing indicate decking would be constructed alongside the entire southwest elevation projecting 4m from the building. No drawing of the decking has been provided.

The moorings would comprise 1m wide timber walkways extending along the 200m length of the site boundary with the River Lee. They would be set approximately 500mm from the riverbank and 450mm above the level of the water. The moorings would be supported by timber posts set 3.5m apart and would be reached by occasional access ramps.

Approximately 90% of the site would not be developed and would be managed as meadow and nature reserve. The applicants have not prepared a landscape management plan at this point but they have submitted a landscaping scheme including some tree planting and the use of hedges to screen parts of the site including the car park from land beyond.

Description of Site:

Triangular piece of land, 1.2 hectares in area, which lies to the west of Green Lane and east of the River Lee Navigation. The land is currently open meadow. To the north is a dense

wooded area, beyond which are properties in Riverside Avenue. To the east is the remainder of the field, beyond which is a fishing lake. Open fields extend to the south and the site is within Metropolitan Green Belt and Lee Valley Regional Park. The land is prone to flooding.

Green Lane is a private road off the south side of Old Nazeing Road giving access to a number of houses and Nazeing Quarry and Landfill. Snakey Lane is a private road that provides access to the field from Green Lane. Its route passes between two fishing lakes.

Relevant History:

EPF/1286/02 - Change of use of agricultural land to use for boat club for a temporary period, erection of single storey clubhouse and tool shed, provision of moorings and provision of access way from Old Nazeing Road via former Chimes Garden Centre - Refused

The current proposal is a modification of a proposed development that was subject of a planning application originally submitted on 30th June 2002 and involved the site being accessed via Green Lane. During the course of considering that application the original proposal was amended so that access would be via the former Chimes Garden Centre. The District Development Committee of the Council considered that application on 7th December 2003 when it was resolved to grant planning permission subject to the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 in respect of the provision of a permanent means of access.

The applicants (Broxbourne Cruising Club) were unable to secure permanent access to the site so despite the resolution to grant planning permission that application remained undecided. However, the applicants were able to gain a licence to access the site off Old Nazeing Road through Chimes Garden Centre up until 5th April 2007 so on 18th June 2004 they modified their application once again so that it was for a temporary use of the land up until 1st January 2007. The District Development Committee of the Council considered the application as modified on 7th September 2004 when it was resolved to refuse planning permission for the following reasons:

"1. The lack of permanent access prevents full implementation of the previous proposal and the temporary nature of the development restricts landscaping and other mitigating measures which would need time to render the development acceptable in this open, Green Belt location."

"2. In view of reason 1 above the proposed change of use of this agricultural land to use for boat club and associated

development and level of activity would, by reason of the overall level of development, harm the open character of the Green Belt, contrary to the provisions of Policies GB2 and GB10 of the Adopted Local Plan."

"3. In view of reason 1 above the proposal would result in harm to the Lee Valley Regional Park in that the level of activity would result in a detrimental impact to the appearance and character of the park. As such the proposal would be contrary to the provisions of Policy RST24 of the adopted Local Plan."

The applicants lodged an appeal against the refusal of planning permission on 30th November 2004 and by letter dated 3rd December 2004 the Planning Inspectorate confirmed that the appeal is proceeding by way of a Public Inquiry. That inquiry is scheduled to be held on 17th and 18th January 2006.

Relevant Policies:

Structure plan:

C2 - Development within the Metropolitan Green Belt
NR12 - Protecting Water resources
LRT2 - Lee Valley Regional Park and Thames Chase Community Forest
LRT8 - Navigable waterways
T12 - Vehicle parking

Local Plan:

GB2 - Green Belt
GB7 - Development conspicuous from the Green Belt
GB10 - Development within Lee Valley Regional Park
NC4 - Nature conservation
RP4 - Development of contaminated land
RP5 - Development likely to cause a nuisance
U2 - Resist development in areas at risk from flooding
RST7 - Developments associated with Lee and Stort Navigations
RST23 - Outdoor leisure uses. Lee Valley Regional Park Authority
RST24 - Design and location of development in LVRP
DBE1 - Design of new buildings
DBE9 - Excessive loss of amenity for neighbouring properties
LL2 - Rural landscape: Resist inappropriate development
LL10 - Adequacy of provision for retention of trees
LL11 - Landscaping schemes
T14 - Car Parking
T17 - Traffic impact

Local Plan Alterations:

On 18th July 2005 the District Council published the Second Deposit draft of its proposed alterations to the Epping Forest District Local Plan adopted in January 1998. Government guidance states that the weight to be attached to emerging policy for new or altered Local Plans will depend on how far those policies have advanced towards adoption. The weight to

be given to proposed new or altered policies may also depend on the nature of objections received. The policies contained in the First Deposit draft of the proposed Alterations to the Local Plan are 'material considerations' when assessing proposals for development.

GB2A - Development in the Green Belt

GB7A - Development conspicuous from within and beyond the Green Belt

GB10 - Development in the Lee Valley Regional Park

RP5A - Adverse environmental impacts

The revised policies are not different to the adopted policies in any meaningful way that could affect the assessment of this development.

The Lee valley Regional Park Plan is also a material consideration in assessing the proposed development.

Issues and Considerations:

The current proposal is a variation on the original proposal where the site was also to be accessed from Green Lane. The main difference is that the original proposal did not include Snakey Lane and the site would have been accessed through its south east corner. The current proposal would result in the site being accessed through its north east corner on the boundary with the former Chimes Garden Centre.

The main issues are whether the land can be accessed for the purpose proposed, whether the proposed access is acceptable in terms of highway safety, whether the proposal is appropriate in the Green Belt, and if it is, whether the proposal would maintain the open character of the Green Belt. Also of relevance are the impact upon the Lee Valley Regional Park, nature conservation issues, whether the proposal would have an adverse effect for neighbouring land uses, land contamination and flooding.

The reasons for refusal of the previous temporary proposal depended entirely on the fact that the proposal for the temporary use arose solely because no permanent access to the site was available. A key issue in this case is therefore access.

AVAILABILITY OF PERMANENT ACCESS:

The availability of access to a proposed development is an important planning issue since it would not be appropriate to grant planning permission for a development requiring vehicular access where no such access possible. Occupants of Green Lane together with the Green lane Residents Association indicate that the residents control access along Green Lane and they would not give permission for such access. No evidence

demonstrating they have such control has been submitted.

In response the applicants have submitted documentation comprising extracts from the Nazeing Inclosure Act 1861, a clarifying letter dated 1947 from the then Marshwarden & Rating Officer and the results of Land Registry searches for 4 of the 7 houses off the west side of Green Lane. The opinion of the property solicitor of Lafarge Aggregates is also provided. That opinion is the Act states all owners of land on the Marsh are entitled to the use of Green Lane and Snakey Lane, that Lafarge are the current owners of the pit and land within the Marsh and has maintained Green Lane over the years. A reading of the extracts from the Act appears to confirm that all those with an interest in land on the Marsh have a right to use Green Lane and Snakey Lane as does a reading of the Marshwardens letter. A reading of the official copy entries provided for some of the properties in Green Lane does not reveal any indication of ownership of Green Lane or control of access along it.

Having regard to the balance of evidence provided it would appear that the occupants of the application site would have permanent access to the land as long as they have an interest in it whether as tenants or owners of the site. In any event, Lafarge Aggregates are an owner of the site and as such could give access to their land for any person they wished. Given the support Lafarge have given to the proposal it is clear that they would not unreasonably deny the applicants access. For the purposes of considering this application it has been demonstrated that permanent access to the site is available.

HIGHWAY SAFETY:

There is no record of any accident at the junction of Old Nazeing Road and Green Land but since sight lines at the junction do not meet current standards this is considered to be fortuitous. The level of additional usage of the junction is generally not expected to be significant although it is reasonable to assume the use would generate occasional peaks in vehicles using the junction such as at specific club events. Notwithstanding the lack of an accident record therefore, Highway Engineers recommend no development take place and the site not occupied until a STOP sign is installed at the junction. Engineers advise such a sign could only be erected after approval from the Secretary of State for Transport even though it would be erected on private land and it is understood that the application process to secure such consent may take considerable time. This amounts to off-site works. It is therefore necessary to secure the works through the completion of a Section 106 agreement. If Members were minded to grant consent on this basis they should be satisfied that the completion of the agreement is both necessary and reasonable. In the event of the Secretary of State refusing consent for a STOP sign this application would need to be reconsidered to assess whether such non-provision is sufficient

to justify refusal of planning permission on highway safety grounds.

GREEN BELT:

The proposed development would be situated within the Metropolitan Green Belt. The application site is a restored former landfill site that is now a grassed field within the open countryside. It was last used for grazing animals.

Planning Policy Guidance Note 2 (Green Belts) states that the use of land within the Green Belt has a positive role to play in fulfilling various land use objectives, one of which is to provide opportunities for outdoor sport and outdoor recreation near urban areas. As such the proposal is not an inappropriate use within the Green Belt but the extent to which the proposal fulfils the land use objectives for the Green Belt is not a material factor in its continued protection. It is therefore necessary to consider the implications of such use and any harm that could accrue both to the Green Belt and local amenities.

The most important characteristic of Green Belts is their openness. They serve a number of purposes including to assist in safeguarding the countryside from encroachment. The main impact on the openness of the land is through the physical works proposed. Views of the clubhouse and car park from the south would place them against the backdrop of trees on the northern site boundary whilst views from the north would be from within the site adjacent to those works. The main view of the works would be from the towpath on the opposite bank of the River Lee. From that position the slipway, car park and clubhouse in particular would appear prominent structures within the context of the site and its surroundings. It is proposed to use landscaping to mitigate the visual impact of the car park.

National policy guidance and adopted planning policy does allow for the provision of essential small-scale buildings associated with outdoor sport and recreation. It is considered that a club can reasonably be expected to have a clubhouse and in this case the building is considered to be no larger than necessary for the purposes of the Club and would not be a non-essential facility (e.g. additional function room or provision for indoor leisure). It would nevertheless be prominent in this context although robust landscaping immediately to the south could mitigate its visual impact. It is not proposed to provide significant landscaping to mitigate the visual impact of the clubhouse on views from the south and southwest (i.e. from the towpath) but this could be required through the imposition of a suitable condition on any consent granted.

The visual impact of the proposed moorings is largely confined

to the riverbank but would extend for 200m along the entire site boundary with the River Lee. They would be clearly visible from the towpath opposite. Since the purpose of the moorings is to moor boats the main visual impact of them will in fact be through the boats moored there. That impact will depend partly on the size of the boats themselves but riverboats on the Lee are restricted in height due to a 2.3m headroom restrictions on the River. It is considered that their scale would not appear inappropriate in this location on an individual basis. The total length of boats potentially moored there would, however, amount to up to 200m of riverbank and their cumulative visual impact would be much more significant. It would not be possible to screen this from view of the towpath but hedge planting on the eastern site boundary would obscure views of it from the east.

Given the generally low height of the boats and having regard to the role the Green Belt has in providing opportunities for outdoor recreation the visual impact of the moorings and boats is considered to be acceptable.

The proposal does leave approximately 90% of the site undeveloped where it is proposed to manage the land and riverbanks as meadow and nature reserve. Since a management plan has not yet been prepared it would be necessary to secure its provision and long-term implementation by way of condition.

Overall, subject to the submission of revised landscaping proposals for the development to ensure screening of the clubhouse and the implementation of a management plan for the land the proposal is considered acceptable in Green Belt terms. In coming to this view weight has been given to the previous decision of the Council to grant planning permission for the development on a permanent basis and the specific wording of the reasons for refusal of planning application EPF/1286/02 as set out above.

LEE VALLEY REGIONAL PARK:

Local Plan policy GB10 in relation to development within the Green Belt area of the Lee Valley Regional Park requires the developer to show to the satisfaction of the Council that the proposed site is the most appropriate one for that activity. Policy RST23 supports outdoor leisure uses within it but this is subject to compliance with other policies within the plan and causing no harm to the open character and appearance of the Green Belt.

The applicant's, Broxbourne Cruising Club (BCC), is currently based further to the north along Old Nazeing Road and shares a site with Broxbourne Rowing Club, their parent club. The applicant advises that BCC had lost 16 of 26 moorings originally held because their parent club has sold of a large proportion of its land in order to raise money to build a

clubhouse. They state that it is not possible to maintain the nucleus of the cruising club with only 10 moorings and require a riverside site within the vicinity of Broxbourne. They also advise that despite contacting riparian landowners the only one alternative site at Rye House, Speedway Stadium appeared to be offered by the Lee Valley Regional Park Authority. The applicants say that despite their indication that the Club would give the site serious consideration it was never formally offered. In any event, the Club say it was not appropriate due to its location remote from Broxbourne/Nazeing, its small size and poor security. The Park Authority has not advised if the sites remain available. It is therefore concluded that there are unlikely to be any alternative sites available that would meet the Club's requirements but this must be weighed against the sensitivity of the site and this is most appropriately assessed with reference to the proposed works.

With regard to the proposed works, The Park Authority have expressed objection on the basis it considers they would have an adverse visual impact, conflict with Green Belt policy and the aspirations of the Park Plan and be detrimental to the proposals in the Authority's Biodiversity Action Plan. It has, however, been concluded above that there is potential for landscaping to mitigate the visual impact of the development to a sufficient extent that its cumulative impact on the openness of the Green Belt would be acceptable. Accordingly, it is considered that through the appropriate use of conditions to secure revised landscaping proposals and the implementation of a management plan for the land, the proposal would not be harmful to the future development of the Lee Valley Regional Park.

Members are reminded that the Lee Valley Regional Park Authority enjoy a unique status in the planning system in that the Council cannot approve an application within the Park area while the Park Authority objects. If the District Council is minded to grant planning permission then the park Authority have to either withdraw their objection or ask the Secretary of State to consider calling in the application for his determination. When the Council previously resolved to grant planning permission for a very similar development of the land by the applicants the Secretary of State considered calling in the application but decided that in that case that the issues raised do not relate to matters of more than local importance, which would be more appropriately decided by the Local Planning Authority.

NATURE CONSERVATION:

With regard to the sensitivity of the site in nature conservation terms, the Environment Agency has previously advised that water voles have been shown to live in colonies along watercourses, can use an area of 2m from the bank top and, depending on population density, have a range of between 30m and 300m. Water voles have experienced a decline in their

UK population of approximately 90% over the past 40 years due to loss of habitat and predation by North American mink that has been released into the wild. The planning system cannot address the issue of predation but it is able to influence the loss of habitat and to that end the habitat of water voles, but not the animals themselves, has protection under Schedule 5 of the Wildlife and Countryside Act 1981.

The current proposals do include an ecological plan that indicates limited evidence of use of part of the riverbank by water voles but no evidence of them living on the site. In order to protect any habitats the plan states the proposal would not include any piling, no dredging would take place, boats would not be moored against the river bank, moorings would be provided just off shore, would not be continuous in order to facilitate access to the river by wildlife and would be approached from the shore by ramps. It is stated that the development would exclude grazing animals from the site and be likely to deter mink and therefore, together with the wildlife protection measures, this would make the site more suitable for wildlife, including water voles. It is not accepted that the development would clearly make the site more suitable for water voles but it is considered that the proposals to mitigate the impact of the development on potential for this part of the river to provide a habitat for water voles would safeguard its potential to be used by them. This view would now appear to be shared by the Environment Agency because they have granted a consent to the applicants under the Water Resources Act 1991 to construct mooring walkways and access ramps at the site. Moreover, English Nature has stated it is satisfied that the proposed development is not likely to have any impact on any SSSI or other identified area of high nature conservation interest or upon the local population of water voles subject to the development being carried out in accordance with the recommendations of the ecological report.

IMPACT ON NEIGHBOURING LAND USES:

A consultation exercise was carried out in respect of the proposals and in response some local residents have raised objection on a number of grounds including excessive noise and disturbance. Policy RP5 states the Council will not grant planning permission for development close to existing residential areas that could cause excessive noise or light pollution except where it is possible to mitigate the adverse effects by the imposition of appropriate conditions. The application site is just 60 metres from the garden of 'Frogscroak' and less than 100 metres from 'Sunnylea' and 'Magnolia House', in Riverside Avenue. It is considered that the use could involve parties and functions that could continue late into the night and that the erection of the proposed clubhouse despite its relatively small size, would facilitate such usage. This issue is typically raised by proposals to erect clubhouses and it is considered that

conditions limiting the hours of use of the clubhouse and restricting activity on the site could be imposed on any consent granted. It is nevertheless considered that such conditions could not completely overcome any adverse impact that might occur and that it would ultimately be the responsibility of the applicant to ensure people using the site did so in a manner that did not cause disturbance.

The additional traffic using Green Lane would cause some noise and disturbance to residents but this would not be so harmful to the amenities enjoyed by the occupants of houses on Green Lane or Old Nazeing Road. It is pointed out that much of the traffic generated by the Club already passes through the Keyzers Estate to their existing premises.

The Abbey Cross Angling Society have also raised objection to the proposals on the basis that any additional use of Snakey Lane would have a detrimental effect on the use of the adjacent lakes for fishing and be harmful to the character of the locality as well as potentially leading to fly tipping and poaching. It is not considered that existing security arrangements for the lakes would be any less effective than they currently are for the fishing lakes and having regard to the low numbers of vehicles that would generally require access to the application site it is not accepted that the character of the lakes would be harmed by the proposed use.

CONTAMINATION OF LAND:

Policy RP4 states the Council will ensure that any development of land that may be contaminated is dealt with appropriately. In this case, the site is listed as a contaminated land site due to previous use for the dispersal of demolition, industrial and domestic wastes. Advice from the Environmental Services section of the Council is that this matter can be dealt with by the imposition of a pre-commencement condition, with any remedial measures to be agreed.

FLOODING:

The site is, together with surrounding land, at risk from flooding and does form part of the flood plain. However, the scale of the use and the works proposed are not considered to cause any material increase in the propensity of the site or adjoining land to flood and the Environment Agency has not expressed any objection to the proposal on the basis of impact on the flood plain.

Conclusion:

The site does have permanent access and a substandard sight line at the junction of Old Nazeing Road and Green Lane can be addressed by the provision of a STOP sign. The

provision of outdoor recreational facilities is an appropriate Green Belt use and having regard to the scale of the proposals, proposed and potential mitigation measures the development would not cause harm to the open character and appearance of the Green Belt or prejudice the future development of the Lee Valley Regional Park. Moreover, its impact on existing habitats and wildlife is demonstrably acceptable and the impact on amenity is generally acceptable subject to the imposition of appropriate conditions. The proposal is therefore acceptable and it is recommended that planning permission be granted.

In coming to this view weight has been given to the previous decision of the Council to grant planning permission for the development on a permanent basis and the specific wording of the reasons for refusal of planning application EPF/1286/02 as set out above.

SUMMARY OF REPRESENTATIONS:

NAZEING PARISH COUNCIL: Objection raised on the following grounds:

The development cannot take place without the consent of Green Lane residents to the use of Green Lane and such consent is unlikely to be given.

Inappropriate development in the Green Belt contrary to Local Plan policies GB2 and GB10.

Harm to the Lee Valley Regional Park.

Adverse impact on amenity.

BILL RAMMELL MP: "Given that residents remain very concerned about the impact this development will have on the surrounding area, I would urge the Council to investigate thoroughly the possible impact this development could have on the surrounding environment. I would also request that residents concerns are fully taken into account when the Council is considering this application."

LEE VALLEY REGIONAL PARK: Objection on the grounds that the development would be detrimental to the visual appearance of the area, contrary to Green Belt Policy, contrary to the aspirations of the park Plan and detrimental to the proposals in the Authority's Biodiversity Action Plan.

ENVIRONMENT AGENCY: No objection subject to the imposition of conditions.

ENGLISH NATURE: No objection. The proposed development is not likely to have any impact on any SSSI or other identified area of high nature conservation interest or upon the local population of water voles subject to the development being carried out in accordance with the recommendations of the ecological report submitted with the application

BOROUGH OF BROXBOURNE: No comment.

BRITISH WATERWAYS: No response received

ABBEY CROSS ANGLING SOCIETY: Objection. Any additional use of Snakey Lane would have a detrimental effect on the use of the adjacent lakes for fishing and be harmful to the character of the locality as well as potentially leading to fly tipping and poaching.

NAZEING CONSERVATION SOCIETY: Objection. Visual impact harmful to views from the opposite bank of the river and the development would potentially harm wildlife.

THE INLAND WATERWAYS ASSOCIATION: Support. There is an urgent need for further pleasure boat moorings and a slipway on the River Lee.

GREEN LANE RESIDENTS ASSOCIATION: Objection. Harm to Green Belt and wildlife and excessive disturbance to local residents. No room for vehicles to pass along Snakey Lane. Residents control access along Green lane and this would not be given to the Club leaving the site inaccessible to them via Green Lane. Alternative sites are available.

RAMMEY MARSH CRUISING CLUB: Support.

ASSOCIATION OF WATERWAYS CRUISING CLUBS: Support. The Club is being systematically forced out of its current site and there is a growing need for moorings. The landscaping proposals will enhance the area.

ASSOCIATION OF LEA CRUISING CLUBS: Support.

NEIGHBOURS:

Letters raising objection to the proposal on the following grounds were received from the occupiers of 24 neighbouring properties.

The land should be used for agriculture.

Adequate facilities are available at present.

Noise and disturbance, particularly from discos/functions.

Inconvenience.

Loss of natural habitat, particularly on the riverbank and at the fishing lakes.

Inappropriate development in the Green Belt.

Loss of a rare area of unspoiled countryside.

Residents have been intimidated into signing letters for support.

Pollution from diesel engines and spillage of diesel.

Additional vehicle movements generated, especially on Old Nazeing Road.

Increased opportunity for accidents on Green Lane and Snakey Lane.

Noise and disturbance for residents of Green lane due to increased use of Green Lane.

Snakey Lane is unsuitable as an access since the surface is poor and cars cannot pass.

Ambulance and fire brigade access is not adequate.

Green Lane is a private road and residents control access.

They would not permit its use by the Club.

The site is not required for the use since alternatives have been offered to the applicants and they are not being evicted from their present site.

The cumulative impact of additional traffic using the River will cause a danger to other users of the River.

The use would encourage the unsocial vehicular use of Green Lane and the dumping of rubbish.

The use would disrupt a tranquil setting.

View of the site and land beyond from the opposite bank would be obstructed by 20 large boats.

The ecological report does not identify all the species that occupy the bank

Most members of the Club live outside the locality.

The Local MP, Bill Rammell, and Lord Norman Tebbit have written opposing the application.

The applicants have been given considerable support by LaFarge Aggregates since approval would serve their interests for pursuing development elsewhere in the locality.

The development would create pressure for more development at the site, particularly hard surfacing for parking of vehicles.

Club members may still try to access the site via the former Chimes Garden Centre, exacerbating the possibility of an accident at Chimes Corner

Letters expressing support for the proposal were received from the occupiers of 140 properties, of which 122 were from the occupants of properties in the locality of the application site. The grounds for supporting the proposal are as follows:

The proposal would be a local facility.

The Club provides a social benefit to the locality.

The Club provides a social benefit to its members.

The Club is well run having occupied its present site for over 40 years without incident.

The use is appropriate in the countryside.

The use would be an additional attraction to the Lee Valley Country Park.

Promotion of an appreciation of boats, water, wildlife and the open countryside.

Only 7% of the site would be developed for permanent works.

There is a commitment to preserving the openness of the remainder of the site.

Proposals would enhance the habitat for wildlife.

No harm would be caused to amenity.

The club provides a long established local facility and should be allowed to continue.

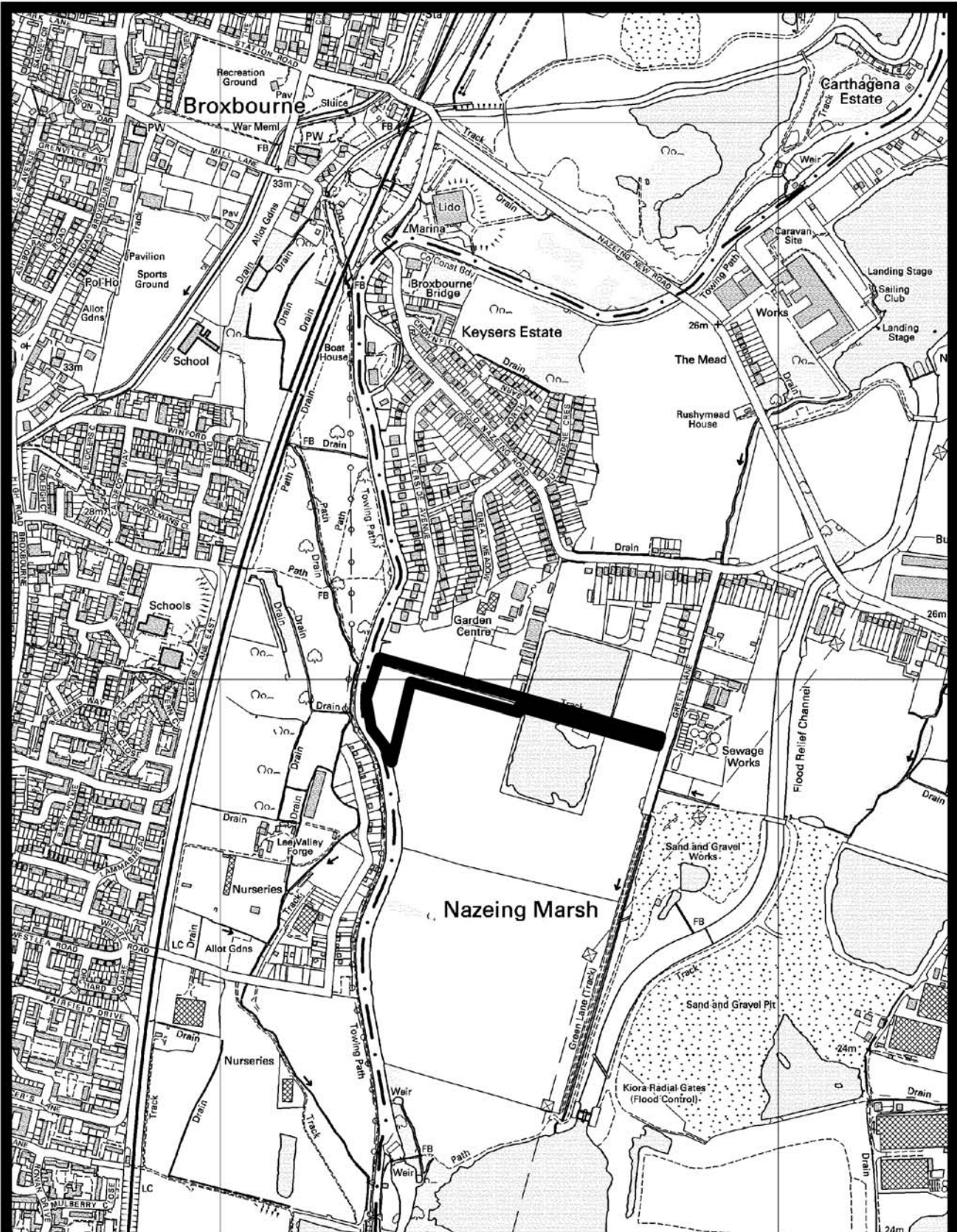
Proposals would preserve a tradition of boating on the River Lee.

Many members of the Club live in the locality and they may have to move if the application is refused causing personal disruption.

The Club is very small with only 20 boats and 40% of members live within walking distance of the site.

Small-scale facility.

There is a shortage of slipping facilities in the locality.



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Item No: 02
Scale: 1:10000



APPLICATION No: EPF/1100/05

Report Item No: 3

SITE ADDRESS: **PARISH:** Waltham Abbey
LAND BETWEEN 91 & 93, MONKSWOOD AVENUE, WALTHAM ABBEY

APPLICANT: St Ermins Property Co Ltd

DESCRIPTION OF PROPOSAL:

Erection of new dwelling with garden and parking, attached to No.91 with redefined boundary to No.93.

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.
2. Materials shall match existing.
3. No further side windows without approval
4. Submission of flood risk assessment
5. 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.
6. Prior to commencement of the works hereby approved pedestrian site lines for the access to the new dwelling and parking spaces shall be submitted and approved in writing by the Local Planning Authority and thereafter maintained.

Description of proposal:

Erection of a new two storey dwelling, with garden and parking, attached to the eastern flank of No 91 Monkswood Avenue, with a redefined boundary to No 93 Monkswood Avenue.

Description of Site:

The area is residential and consists largely of terraced and semi detached houses, with some detached houses. The new house would be built on the side elevation of No 91 Monkswood

Avenue. This is a semi detached dwelling with single storey flat roof extension on the eastern elevation. The two pairs of houses (No.89 & 91, and 93 & 95) are staggered with No 93 being some 8m forward of No 91. The site is on a gentle slope, which falls away to the south. Both properties have large front gardens, which are 8m deep. It should be noted that the applicant owns both properties.

Relevant History:

EPF/170/04 Erection of new two storey house with parking - Refused.
Appeal re above - dismissed.

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

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 whether it overcomes the previous reasons for refusal, which were the adverse effect on the street scene and amenities of No 91 and 93.

It should be noted that the Inspector who determined the Appeal stated that he did not find the effect on the street scene of the proposal inconsistent with local plan policy, but that the overshadowing and overbearing impact of the building would have harmed the amenities of the neighbouring properties. He also noted that he had not been presented with any convincing evidence to "demonstrate inadequate private garden space or living accommodation would remain available to the occupiers of the existing properties".

Building in Context:

The proposal will see the erection of a single end of terrace

two storey, three bedroom house on the site. The pitched roof will have a gable end, and the ridge line will continue that of No 91. There will be a gap of 1m to the new eastern boundary. To accommodate this dwelling the single storey side extension of No 91 will be demolished and part of the side & rear garden hived off to make a new rectangular plot. Part of the rear/side garden (a strip some 1.5m x 26m) of No 93 will be incorporated into this plot.

It is the case that a very similar design has been allowed in 2004 at 87 Monkswood Avenue, which turned a semi detached pair into a terrace as would be the case here. Therefore a precedent has already been set in this area. However each proposal must be judged on its own merits. It is considered that this proposal will have no adverse effect on the street scene due to its sympathetic and integrated design, and the staggered positioning of the pairs of houses, together with the gap to the new boundary.

This design is considered acceptable in this urban area, and is in keeping with Government advice and Essex Structure plan Policies on best utilisation of urban land.

Amenity & Impact on Neighbours:

The proposal has been designed to take into account the Appeal Inspectors comments with regard to the impact of the new house. The side elevation would have two windows, one at ground and one at first floor serving a bathroom and landing respectively, both of which will be obscure glazed. They will break up the expanse of brickwork when viewed from No 93 and avoid overlooking.

The applicant has also provided a detailed analysis of the effect of the proposal on loss of sunlight of the two existing gardens and it is accepted that this proposal would not result in any significant further loss of sunlight.

The neighbours to the north are over 30m distant, and there is a partial screening of the site by existing 4-5m high trees on the northern boundary. With this distance it is considered that there will be no adverse effect on their amenities. It should be noted that there is no 'right to a view', and whilst this proposal will infill a gap in the street it will not result in a continuous terraced effect. The neighbours to the south are 25m away, and as these are front elevations it is considered that there will be no major loss of light or overlooking caused to these properties.

The new dwelling has an acceptable amount of amenity space at both the front and rear, and both of the adjacent properties will also both retain an adequate area.

This is a slightly unusual case as one property will lose its side extension and both will lose part of their gardens under

this proposal. Both sites are in owned by the applicant with the occupiers being tenants. The alterations to the internal arrangement of No 91 caused by the loss of its extension and attachment to an additional house would be significant. This would amount to the loss of ground floor rooms, 1st floor windows on the eastern flank, part of the garden, and external access between the front and rear gardens. The loss of floorspace would result in a loss of amenity to the occupants of No 91 but even so it would not leave that house with an unacceptable standard of accommodation. Specifically, despite the reduction in floor area the house would continue to have an adequate amount of habitable floorspace (approximately 98 square metres) and would continue to enjoy very generous usable private garden space. The loss of amenity is therefore not considered to be excessive and so is not sufficient to justify refusal.

The comments of the occupants of 91 and 93 Monkswood Avenue do reveal there are issues between the landlord and tenants related to the proposal. Whilst officers have every sympathy with the concerns of the tenants, this proposal can only be assessed having regard to the planning merits. It is the case that the occupiers can also pursue their concerns by use of other avenues, including Landlord/Tenant legislation, which they have been advised to investigate.

Highways:

The proposal provides two off road parking spaces, one for No 93 and one for the proposed new property, which meets the current parking standards. The applicant will need to provide sight lines but this can be dealt with by condition.

Other Issues:

A number of objectors have referred to the strain this proposal would put on the sewerage system. Thames Water has stated that they have no objections to this proposal.

Conclusion:

Whilst it is acknowledged that there will be adverse effects on the occupiers of No 91, that house would continue to have an adequate standard of accommodation with generous amenity space. It is considered that this application has overcome the Councils and Inspectors concerns regarding the original scheme and it is therefore recommended for approval.

SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL - Object, over development of site and at odds with existing street scene.

89 MONKSWOOD AVENUE - Object, will create a terrace which will cause a deterioration in the value of my property.

91 MONKSWOOD AVENUE - Object, sketch is inaccurate re parking

space, what the Landlord is doing is immoral, will have to take lawn mowers through the house to get access to gardens.

This will make it a terraced house not a semi-detached house.

If this goes through we wont have a life. Our house and garden is everything to us, We have worked hard to keep it nice.

91 MONKSWOOD AVENUE (2ND LETTER) - Object, more shocked than last time, he still wants to knock down a major portion of my home of 34 years. We will lose our utility room, downstairs toilet and storage space. Total loss of the eastern house of the garden will hurt very much especially as no external access between the gardens. Will place a burden on the sewers. Landlord has no respect for us.

93 MONKSWOOD AVENUE - Object. Loss of amenity, loss of natural light up to 40%, inconvenience and upheaval, in conclusion we would like it placed on record that we consider this revised application could be construed as harassment and to this end we intend to seek advice as our Landlord appears absolutely intent on revising the plans until such time as the Council accepts one of their alternative proposals and in the process of so doing making our lives a misery.

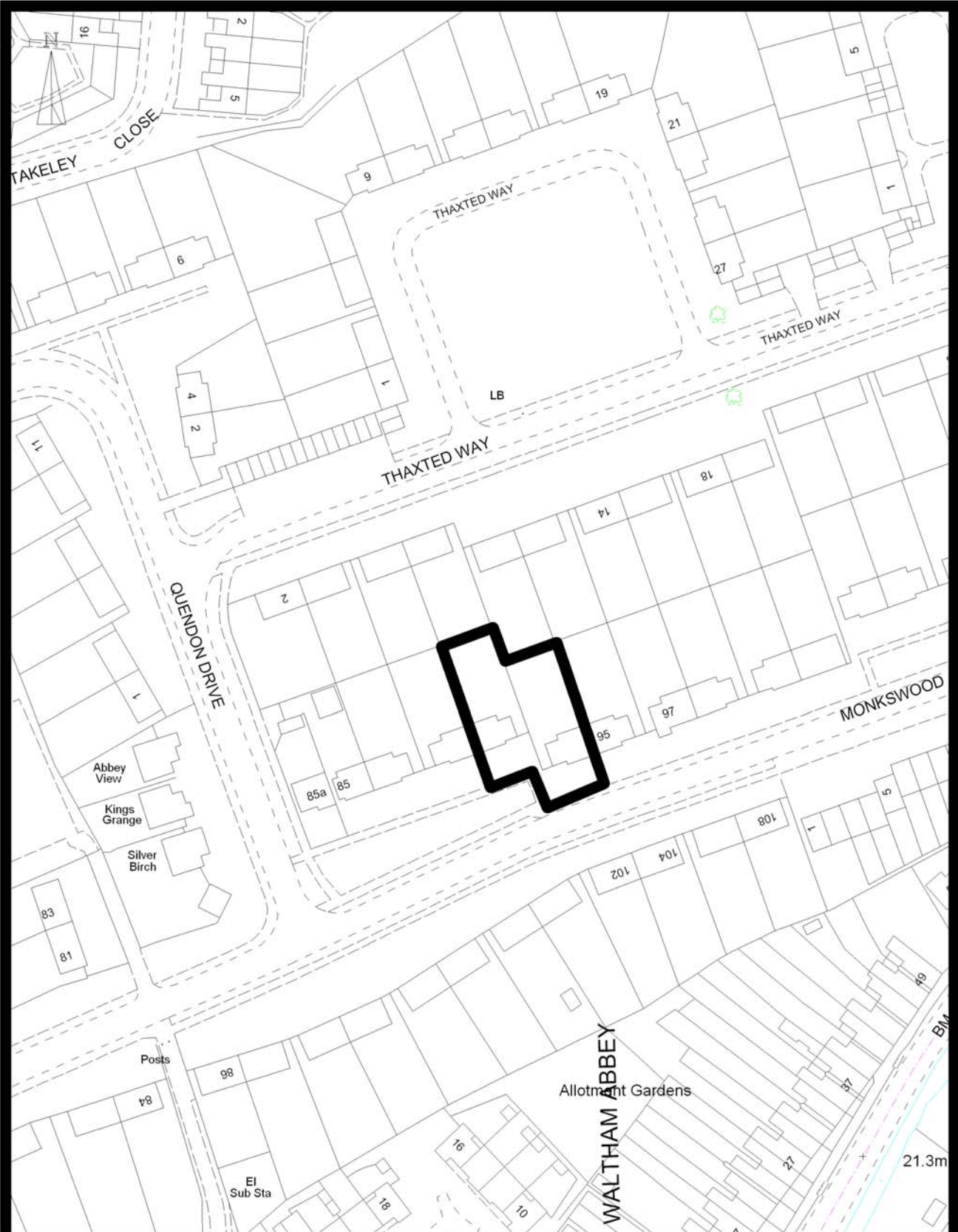
95 MONKSWOOD AVENUE - Object, estate is losing its charm and desirability. The proposal will affect natural light and privacy in my garden. Any building slotted in here will put the safety of my children and other children at risk as cars will drive blindly over the pavement. Sewers cannot cope with any more demand.

98 MONKSWOOD AVENUE - Object, the family at 91 will lose part of their garden and home including side windows, this will put strain on the sewerage system.

100 MONKSWOOD AVENUE - Object, will detract from the open space, and would alter the character of the estate.

102 MONKSWOOD AVENUE - Object, same objections as previous application.

106 MONKSWOOD AVENUE - Object, wrong that companies/people are trying to change the area from semi detached into the appearance of rows of terraced housing. Will put extra strain on the sewage system.



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Item No: 03
Scale: 1:1250



APPLICATION No: EPF/1950/03

Report Item No: 4

SITE ADDRESS:
SHOTTENTONS FARM, PECKS HILL, NAZEING

PARISH: Nazeing

APPLICANT: Kinglea Plants Ltd

DESCRIPTION OF PROPOSAL:

Outline application for the erection of glasshouses, facilities building and extension to the despatch area.

RECOMMENDED DECISION: Grant Permission

1. Submission of details within 3 years.
2. The development hereby permitted shall only be carried out in accordance with detailed plans and particulars which shall have previously been submitted to and approved by the Local Planning Authority. Such details shall show the siting, design and external appearance of the building(s).
3. Materials of construction to be agreed.
4. Surface water drainage works shall be carried out in accordance with details which shall have submitted to and approved in writing by the Local Planning Authority before development commences, including details of suitable storage of rainwater to achieve no net increase in runoff as a result of the development.
5. Submission of Landscape Proposals
6. Submission of Landscape Management Plan
7. The woodland, hedgerow infilling and new trees shall all be planted in the first planting season following commencement of the development, and all hard and soft landscape works shall be completed prior to the occupation or use of any part of the development.

Description of Proposal:

This outline application is for a single area of glasshouses, with a facilities building to link with the existing glasshouses. The total floorspace is 1,760 sq m and the

overall height stated as not exceeding that of the existing structure (about 5.2m), although design and elevations are reserved matters.

Description of Site:

This is a site of 4.3ha, comprising an extensive and level area of grassland to the north of the large glasshouses of Kinglea plants, erected under a 1998 permission. The site also adjoins older, lower glasshouses to the west, fronting Sedge Green up to the junction with Dobbs Weir Road. A further long-established area of glasshouses lies about 500m to the east, separated by rising, open fields.

Relevant History:

New glasshouses:

EPF/579/93 - new glasshouses (outline) - approved
RES/EPF/937/98 - reserved matters for siting & landscaping of seven acres of glasshouses - approved
EPF/1175/03 - erection of glasshouses - approved (minor extension to 1998-approved building)

Relevant Policies:

Structure Plan Policies:

CS4-Sustainable new development.
C2-Green Belt.

Local Plan Policies:

GB2-General restraint in the Green Belt.
E13-Glasshouses in the Lea Valley
DBE4-Development in the Green Belt.
T17-Traffic impact
LL11-Landscaping

Local Plan Alterations (Second Deposit July 2005):

The site is shown as lying in an extended policy area for glasshouses.

Issues and Considerations:

This is a large glasshouses development in the Metropolitan Green Belt. The main issues are whether the proposed development is appropriate, whether it accords with Local plan policy E13 on glasshouses in the Lea Valley, traffic implications, and design and landscaping (bearing in mind this is an outline application). Contributions to cumulative flood risk and any effect on amenity of neighbours are also considered.

Glasshouses are considered acceptable in the Green Belt as they are for horticultural purposes (Policy GB2(i)). The policy specifically dealing with glasshouses is E13, which states that permission will be granted in the various parts of Nazeing and Roydon parishes shown on the Proposals Map, including the area east of Sedge Green excluding the site. The Local Plan Alterations published at Second Deposit propose an eastward extension, including this and other adjacent land.

For glasshouses outside areas defined in the adopted Local Plan, policy E13 provides exceptions to refusal where they are:

- (i) immediately adjacent to existing glasshouses (within or outside the Local plan defined areas);
- (ii) are necessary for existing horticultural undertakings lacking space to expand, within the defined areas; and
- (iii) will not have a significantly adverse effect on the open character or appearance of the countryside.

In this case, criterion (i) is applicable. Although the existing Kinglea Plants glasshouses are outside the Sedge Green defined area, its location between that area and the other large area to either side of Hoe Lane (and other glasshouses west of Pecks Hill) means that the only views from open countryside to the east are in the context of the other glasshouses all around. The firm seeks to centralise the 'growing on' currently carried out at Tina Nursery in Paynes Lane (about 2km south in Lower Nazeing) of plants germinated and potted at Shottentons Farm, benefiting the business and greatly reducing traffic movements (see below). These circumstances are therefore comparable with those cases outside defined areas, as envisaged in the criteria in policy E13. The effect on the open character and appearance of the countryside (the third criterion) would depend on the design, density and species of landscape screening proposed, and this is now considered acceptable in principle - see further detailed consideration below.

Further information on journeys generated by the business shows that the bringing of young plants from Tina Nurseries for growing on comprises a substantial portion of traffic movements at Kinglea plants. Based on numbers of plant trays and trolleys, an estimated minimum of 385 lorry movements a year (more as some lorries are part loads) in each direction is involved. Allowing for movements both prior to and after the growing on 1,770 or more movements will cease on commencement of operations in the glasshouses now proposed.

A public footpath runs near the northern edge of the site, with an existing hedgerow screening the site. The site adjoins extensive established glasshouse areas to the west, but there are longer views from the rising ground to the east which mean that the new building proposed should be carefully and comprehensively landscaped to ensure that it is acceptable visually in the Green Belt. A Landscape Master Plan has now

been submitted, including a statement covering design, arboriculture and ecology, and a Method Statement, as sought by the Council's Landscape Officer. It proposes the planting of a series of 4 major new woodland blocks along the eastern boundary of the site, and also further tree belts to run alongside the existing glasshouses to the south. Also proposed are 4 new oak trees and infilling of gaps in the existing hedgerow, both to the south of the existing glasshouses. These screening measures relating to the existing buildings are brought forward from an application for an alternative landscaping scheme submitted in 2000 and subsequently withdrawn. Given the considerable delay in implementing landscaping around the existing glasshouses, a condition should be imposed to ensure it is commenced in the first available planting season after commencement, as well as ensuring its completion prior to occupation and use of the new glasshouses.

The extensive additional area of new buildings has led Land Drainage section to seek mitigation of the rainwater run off, to avoid adding to cumulative flood risk. An additional reservoir is therefore proposed along the northern edge of the development, intended to be sufficient to store water for progressive release into surface water drains. Further details of the capacity of this reservoir will be required as part of the reserved matters for siting, design and landscaping.

The location away from either the main Nazeing built-up area (over 100m to the south beyond the existing glasshouses) or any isolated dwellings means that there is no material impact on residential amenity or neighbours.

Conclusion:

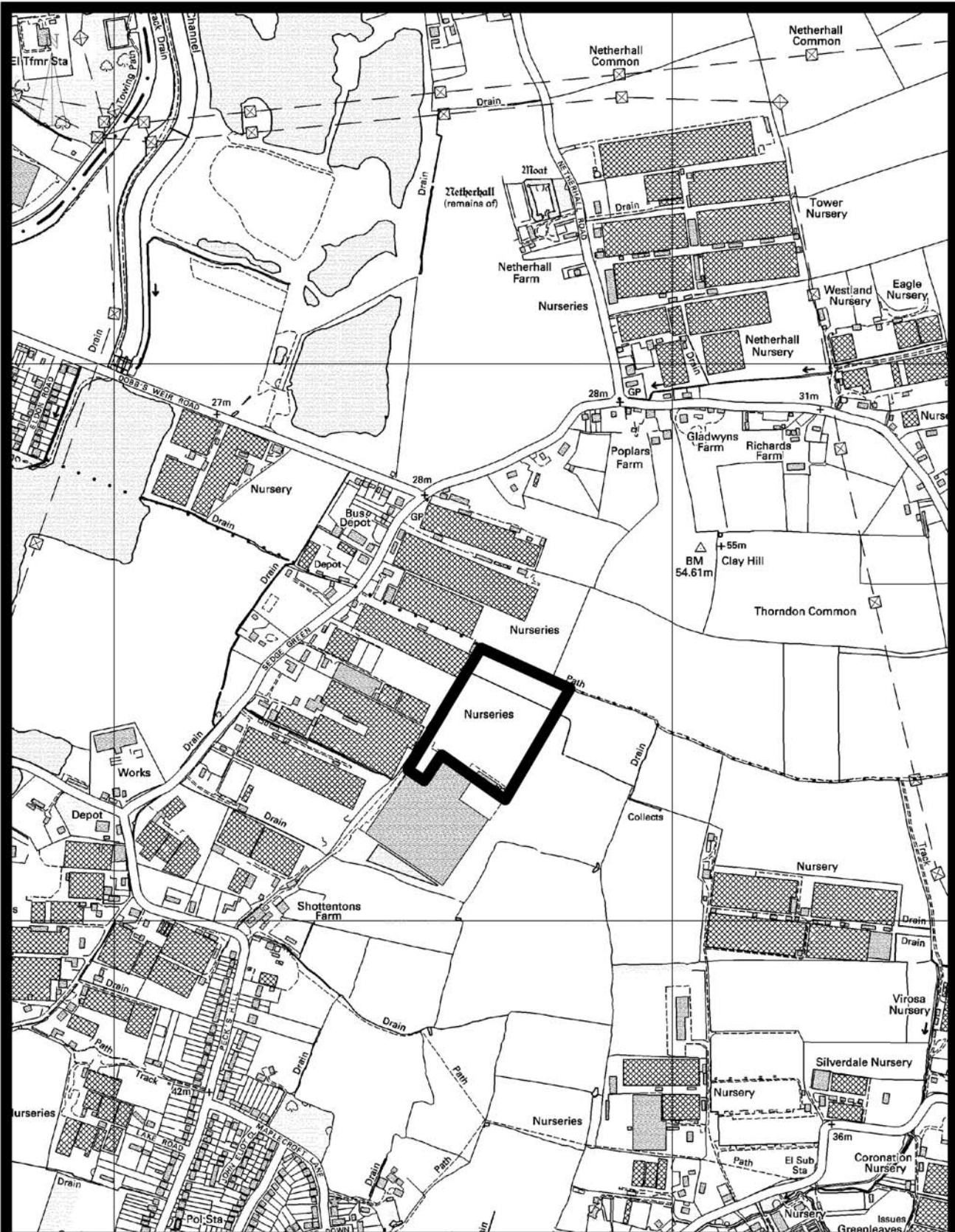
Subject to suitable conditions to secure submission of reserved matters and implementation of the landscaping for the whole Kinglea site on commencement of the development, it is recommended that outline approval be granted.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL - Objection. The combination of applications in the vicinity will generate greater volumes of traffic using Nazeing Road, with a dangerous bend near the site entrance. Tyndalls Garden Centre nearby applied for a licence for goods vehicles, with a new dwelling proposed opposite. As well as footpath 28, there are also footpaths 3 & 4. A two storey facilities building plus extra glasshouses would have visual impact on area. Parish Members are also adamant that the landscaping required in relation to the 1998 permission be pursued.

NAZEING CONSERVATION SOCIETY - oppose application outside designated glasshouses area. Environmental impacts should be taken into account; Pecks Hill/ North Street as main access route would increase heavy container traffic on busy rural

roads, with noise and pollution.
ENVIRONMENT AGENCY - no objection subject to details of
surface water drainage.



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Item No: 04
Scale: 1:10000



APPLICATION No: EPF/2299/04

Report Item No: 5

SITE ADDRESS:
THE MOAT HOUSE, NAZEING ROAD, NAZEING

PARISH: Nazeing

APPLICANT: Mr L Mooney

DESCRIPTION OF PROPOSAL:
Erection of two detached dwellings with two detached garages,
Creation of new vehicle access.

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. Drainage details to be agreed.
5. Garage to be retained.
6. Tree survey to be submitted
7. Tree protection measures required.
8. Submission of a landscape scheme.
9. Replacement tree or trees.
10. No part of development shall be occupied or used until the footpaths and street lighting columns shown on submitted drawing no.6897/P/002B have been laid out to the reasonable satisfaction of the Local Planning Authority.
11. Construction of road prior to dwellings.

12. Submission of flood risk assessment
13. Submit programme of archaeological work
14. Contaminated land study and remediation.

SUBJECT TO LEGAL AGREEMENT S106

Description of Proposal:

This is a full application for two detached, 3 bed houses, one with an attached garage and the other with a detached garage lying to the front and next to an existing garage court. Access would be from a private drive located at the southern edge of the site, adjoining No 2 Nazeingbury Close. Unlike previous schemes, the existing bungalow would be retained with only a side wing demolished to give access.

Description of Site:

The Moat House is a large 1960's detached bungalow on a site of 844 sq m in the Nazeing built-up area. It fronts an unmade access roadway running from the flank of the local shops at Nazeingbury Parade in Lower Nazeing. The roadway serves Nazeingbury Close, a recent development of 4 houses to the rear of the shopping parade, rear garages to other houses and ends at Fernbank Nursery, adjoining the site and in the Green Belt. To the east of the site lies Nazeingbury, a Grade II listed building currently used as a house with access direct to Nazeing Road.

Relevant History:

Extension and double garage - approved 1967
Porch - approved 1971
EPF/1989/01 - demolition of existing dwelling and erection of 5 detached houses - refused - appeal dismissed (12.5.03)
EPF/493/04 - demolition of existing dwelling and erection of 4 detached houses - refused

Relevant Policies:

Structure Plan Policies:
CS4-Sustainable new development.
BE1-Urban Intensification.
H3-Location of new residential developments
T7-Road hierarchy
T12-Vehicle parking

Local Plan Policies:

H3-Residential development
DBE1-Design of new buildings
BDE2-impact of new buildings on neighbouring property
DBE3-Development in urban areas
DBE6-Car parking
DBE8-Private amenity space
DBE9-Impact of development on amenity
LL3-Landscaping on settlement edges
LL10-Retention of landscape features
LL11-Landscaping of developments
T17-Traffic implications of developments

Issues and Considerations:

The history of refusals for 5 and 4 dwellings respectively (the former supported by a subsequent appeal decision) shows that there are particular constraints on the site. The main issues in this case are principle and density of housing development; effect on character and appearance of the built-up area (including Nazeingbury listed building) and adjacent countryside; amenity and impact on neighbours; traffic and servicing. Other issues include design and landscape; investigation of any contamination from past Nursery use; a flood risk assessment; and opportunities for full investigation of the archaeology of the site, with possible evidence of Nazeingbury's historic curtilage.

The site lies within the Nazeing built-up area, but borders the Green Belt. Redevelopment is acceptable in principle, subject to striking a balance between best use of urban land and the site issues set out above. Reduction to two houses now means a density of around 23.7 dwellings per hectare, a little below the 30-50 sought by PP3. The appeal Inspector in 2003 considered that the increased housing provision of the 5 houses would not 'outweigh the harm to the predominantly open character and appearance of this edge of Green Belt site'. The present scheme sets back the nearer of the new houses 11m from the countryside edge, compared with 1m for the two nearest houses on appeal (one replacing the existing bungalow in a similar position). This also leaves room for retention of the existing mature trees along the eastern boundary of the site.

Effects on the setting of the listed building at Nazeingbury would not be significant, in relation to its modern context of housing on three sides. The chalet bungalows now proposed would be closer but lower than previous rejected schemes, the narrow gable end of the nearer dwelling facing Nazeingbury. This would also minimise any discernible loss of daylight or later afternoon sunlight.

In terms of impacts on other neighbours, the revised scheme avoids the direct overlooking of No 3 Nazeingbury Close of

earlier proposals, of concern also to the appeal Inspector. The front elevations of one of the two houses would now face across towards the 1.8m flank fences of the Close, but at a distance of around 11m and separated by the new roadway and screen landscaping. This view would also be too oblique to give even potential overlooking of the existing houses themselves. The other new house faces the garage court, separated by its own new garage. The access road would run alongside Nos 2 and 3 Nazeingbury Close, but for 2 dwellings the usage would be low and is considered acceptable in the context of present policies on best use of urban land.

The relationship between access to the site and the existing unmade roadway has also been an issue hitherto. The absence of streetlights, footways or kerbs along the present roadway, and difficulty with achieving an acceptable sight line across land to the south not in the applicant's ownership, all contributed to the dismissal of the 2003 appeal. The proposal now incorporates a 1.8m wide footpath formed from part of the existing Moat House frontage and also from within the roadway alongside Nos 1 and 2 Nazeingbury Close, linking with the existing path at the side of 26 Nazeingbury Parade. Two new streetlights are also proposed, and the applicant is willing to enter into a Section 106 Agreement to ensure that no structures that could obstruct visibility of drivers leaving the site are formed in defined zones to either side of the new access. In combination with the new path and lighting, this is now considered to be an acceptable way forward. Details of suitable refuse storage and collection should be the subject of a condition.

The design of the new chalet bungalows is traditional and in keeping with the area, with small dormer windows. Materials are subject to later approval. A landscaping scheme has yet to be submitted, but a tree survey is being commissioned which should enable the existing trees to be retained. There is adequate space for new planting, to screen the dwellings from both Nazeingbury Close and the countryside.

Other issues to be addressed by conditions requiring further details are contamination, due to the past history of use as part of the site of Fernbank Nursery; archaeology, as the site adjoins Nazeingbury and records show a larger curtilage; and the need for a flood risk assessment, to relate the development to the context of Environment Agency records of any flooding of this part of Nazeing.

Conclusion:

The development for two chalet bungalows is now considered acceptable, subject to the conclusion within 12 months of a suitable Section 106 Agreement to ensure no obstructions to visibility in relation to the new access, and to suitable conditions to ensure: (i) no occupation of the development

until the new footpath and street lighting are in place; and
(ii) submission of details on materials, boundary treatment and landscaping, flood risk assessment, surface water drainage, contaminated land survey, refuse arrangements, and archaeological investigation.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL - Would like to see the access road and local sewerage system improved before consent is granted.

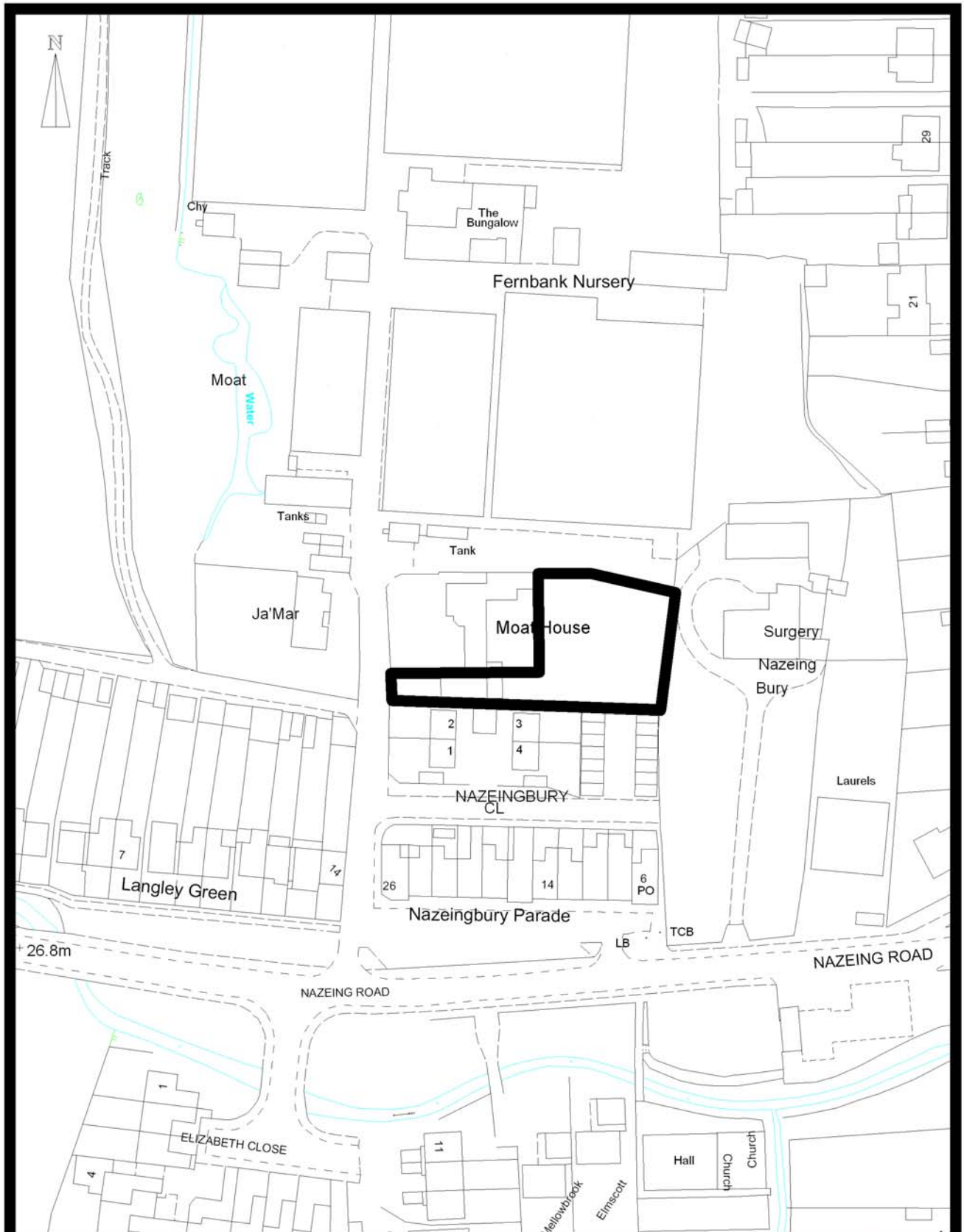
LEE VALLEY REGIONAL PARK - no objections

LAND DRAINAGE - seek Flood Risk Assessment

CAMPAIGN TO PROTECT RURAL ESSEX - objects as site adjoins listed building and is in Green Belt, adjacent to countryside

2 Nazeingbury Close - objects due to present condition of roadway for drivers and pedestrians; overlooking of garden by one of the houses; lack of clarity over responsibility for maintenance of landscaping along boundary, potential effects on house; and vulnerability when site opened up.

14 LANGLEY GREEN - As a resident immediately on the other side of the present unmade road, concerned about its present state; traffic would be further increased, adding to possible further damage to flank fence; sewerage has flooded in the past and further drainage would probably be needed under the road; and there is no lighting of the existing roadway.



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Item No: 05
Scale: 1:1250



APPLICATION No: EPF/1116/05

Report Item No: 6

SITE ADDRESS:
THE WILLOWS, NURSERY ROAD, NAZEING

PARISH: Nazeing

APPLICANT: Mr & Mrs A J Walsh

DESCRIPTION OF PROPOSAL:

Replacement of flat roof with pitched roof of garage and conversion of garage to ancillary living accommodation.

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.
2. Materials shall match existing.
3. The proposed conversion shall only be used as ancillary accommodation for the existing dwelling house and shall not be occupied as a unit separately for the dwelling know as 'The Willows', Nursery Road, Nazeing.

Description of Proposal:

Consent is being sought for the replacement of the garage flat roof with a pitched roof in connection with the conversion of the garage to ancillary living accommodation. The conversion does not require planning permission provided the building is used for purposes ancillary to the use of the house as a dwelling house therefore this application only relates to the replacement of the roof. The pitched roof would increase the height of the garage from 2.4m to just over 4m at its ridge.

Description of Site:

Two storey detached dwelling located within the Metropolitan Green Belt on the east side of Nursery Road, Nazeing. There are a number of detached outbuildings to the side and rear of the house namely two garages, a carport and small stables. The dwelling has been extended previously in the form of side and rear extensions. A number of large trees including two willows do much to screen the property from the road.

Relevant History:

EPO/438/68 - Details of double garage - Approved
EPO/609/69 - Details of extension - Approved
EPF/24/76 - Details of alterations and ground floor rear extension - Approved
EPF/262/77 - Conservatory - Approved
EPF/460/82 - Three horseboxes - Approved
EPF/395/87 - Two storey side extension - Approved
EPF/1409/98 - Conservatory to rear - Approved
EPF/912/04 - Two storey side extension - Refused

Policies Applied:

GB2 and GB14 - Metropolitan Green Belt Policies
DBE9 - Amenity
DBE10 - Design

Issues and Considerations:

The main issues here relate to the impact of the proposal on the Green Belt, the potential impact on the amenities of the neighbouring properties and its design.

Green Belt

In physical terms the impact on the green belt would come from the erection of the pitched roof. Given the location and that there are a number of outbuildings already on the site, it is not considered that the introduction of a pitched roof with ridge at a modest height would affect the open character of the green belt, unduly harm the buildings in their setting nor result in disproportionate additions above the original size of the original building.

Trees to the front would provide an element of screening when viewed from the road. The alterations including those to the front elevation (replacing garage doors with windows) would enhance the appearance of the building.

Although the parish council have objected on the grounds that the proposal is contrary to Policy GB2 of the adopted Local Plan regarding appropriate development in the Green Belt it is considered that the minor nature of the works would not be so detrimental as to justify a refusal.

Amenity

Given its siting on the plot and separation between neighbouring properties, the alterations would have no impact on the amenities of either neighbour.

Design

Acceptable in that the resulting building would be in keeping with both the existing house and the surrounding area.

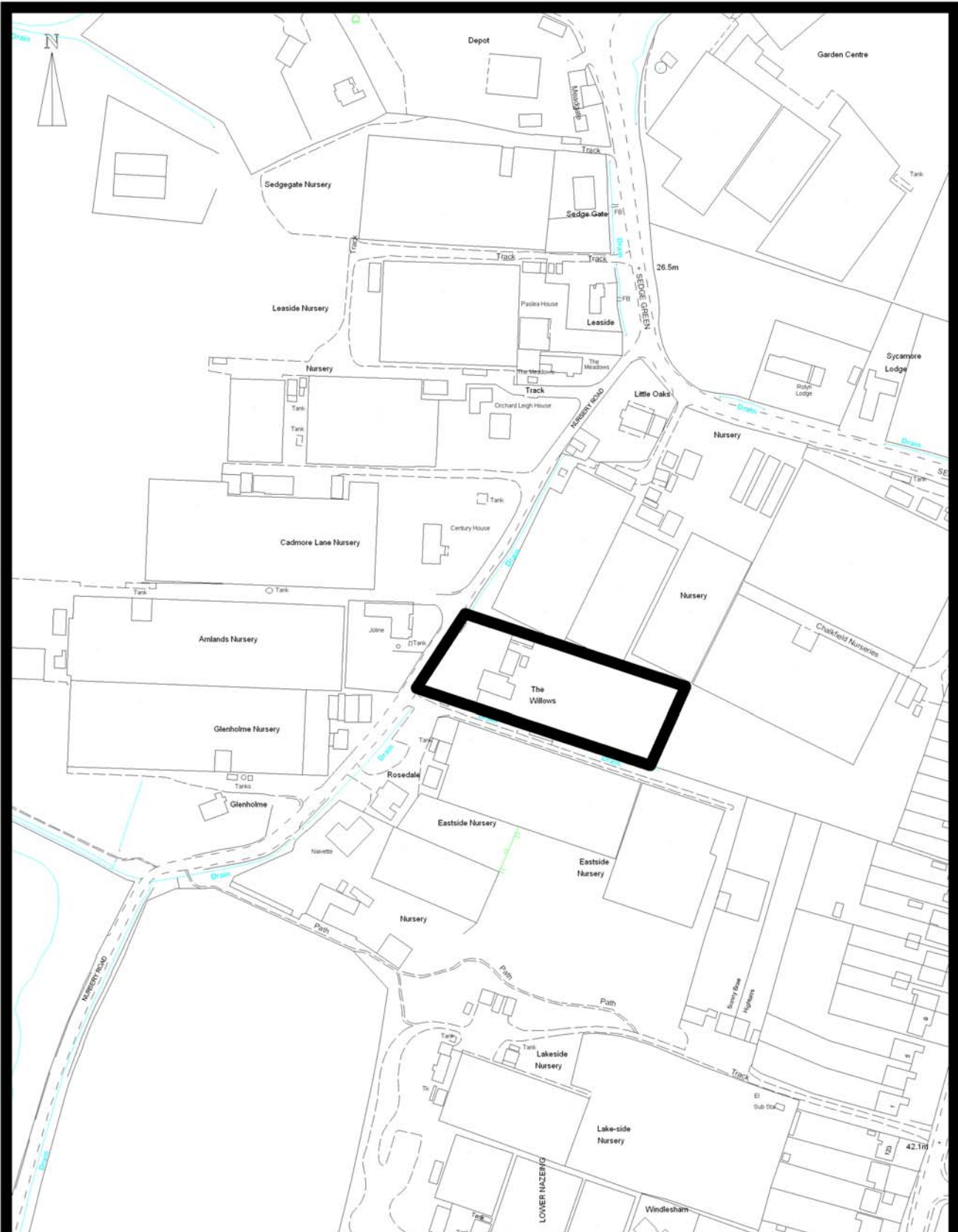
The conversion of the garage building is required for the occupation by a disabled dependent of the applicants and this use would be ancillary to the use of the house as a single dwelling house. It would be appropriate to impose a condition on any consent granted requiring the converted garage to be occupied in connection with the house. Although its use as a separate dwelling would in any event require a separate planning permission, the condition is considered necessary to ensure building remains ancillary since the conversion does not require permission.

Conclusion:

The application is recommended for approval.

SUMMARY OF REPRESENTATIONS:

Nazeing Parish Council - OBJECTION - Proposal are contrary to Policy GB2 of the Local Plan.



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