

Committee Agenda



**Epping Forest
District Council**

Area Plans Subcommittee D Wednesday, 23rd November, 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 1 ON THE DAY OF THE SUB-COMMITTEE.

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

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

2. MINUTES (Pages 7 - 12)

To confirm the minutes of the last meeting of the Sub-Committee held on 26 October 2005 as correct record (attached).

3. APOLOGIES FOR ABSENCE

4. DECLARATIONS OF INTEREST

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

5. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and 25 of the Council Procedure Rules contained in the Constitution requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

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

6. DEVELOPMENT CONTROL (Pages 13 - 32)

(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'

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EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Plans Subcommittee D **Date:** 26 October 2005

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 8.30 pm
High Street, Epping

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

Other Councillors: (none)

Apologies: J Demetriou

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

35. 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.

36. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 28 September 2005 be taken as read and signed by the Chairman as a correct record.

37. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs D Borton declared a personal interests in agenda items 6 (1) (EPF/1248/05 - Transport Yard Rear of Shingles, Nazeing Road, Nazeing) and 6 (2) (EPF/1340/05 – Holmsfield Nursery, Meadgate Road, Nazeing), by virtue of being a Nazeing Parish Councillor. 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 P McMillan declared a personal interest in agenda items 6 (2) (EPF/1340/05 – Holmsfield Nursery, Meadgate Road, Nazeing) by virtue of being the Chairman of the Travellers Issues Task and Finish Panel. 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 item.

38. ANY OTHER BUSINESS

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

39. DEVELOPMENT CONTROL

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

The Committee noted that Item 2, Holmsfield Nursery, Meadgate Road had been wrongly attributed to being in Roydon, when it should be in Nazeing.

RESOLVED:

That, Planning applications numbered 1 – 3 be determined as set out in the annex to these minutes.

40. 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

1. **APPLICATION No:** EPF/1248/05

PARISH: Nazeing

SITE ADDRESS:

TRANSPORT YARD REAR OF SHINGLES, NAZEING ROAD, NAZEING

DESCRIPTION OF PROPOSAL:

Erection of enlarged workshop and transport office.

GRANTED SUBJECT TO:

1. To be commenced within 3 years.
2. Materials of construction to be agreed.
3. Drainage details to be agreed.
4. Submission of a landscape scheme.
5. The development shall be carried out in accordance with the amended plans received on 10 October 2005 unless otherwise agreed in writing with the Local Planning Authority.

2. **APPLICATION No:** EPF/1340/05

PARISH: Nazeing

SITE ADDRESS:

HOLMSFIELD NURSERY, MEADGATE ROAD, ROYDON

DESCRIPTION OF PROPOSAL:

Change of use of land to a private gypsy site.

REFUSED:

1. The site is within the Metropolitan Green Belt and the use of the land to provide a private gypsy caravan site in isolation is inappropriate development that is by definition harmful to the Green Belt. The scale of the proposal, its retention of made ground over the land, the stationing of caravans and vehicles, erection of ancillary structures and means of enclosure together with the normal everyday activities of people living on the land the proposal would cause significant harm to the openness of the Green Belt and only serve to perpetuate the acknowledged harm caused by the existing unlawful use and undermine the purposes of including the land in the Green Belt. It has not been demonstrated that very special circumstances sufficient to overcome this harm exist in this particular case. Accordingly the proposal is contrary to policies CS2, CS4, C2 and H3 of the Essex and Southend on Sea Replacement Structure Plan, adopted April 2001 and to policies GB2 and H11 of the Epping Forest District Local Plan, adopted January 1998.
2. Due to the scale of the proposal, its retention of made ground over the land, the stationing of caravans and vehicles, erection of ancillary structures and means of enclosure it would fail to respect the landscape and tranquil rural setting of this part of the Lee Valley Regional Park,

containing well-used recreational facilities and cause permanent damage to the character of the countryside. Accordingly, the proposal is contrary to policy NR1 of the Essex and Southend on Sea Replacement Structure Plan, adopted April 2001 and policy LL2 of the Epping Forest District Local Plan, adopted January 1998.

3. Insufficient information has been provided to demonstrate whether the risk to the development by flooding is acceptable and whether the impact of the development on the risk of flooding of adjacent land is acceptable. Accordingly, the proposal is contrary to policy NR12 of the Essex and Southend on Sea Replacement Structure Plan, adopted April 2001 and policy U2 of the Epping Forest District Local Plan, adopted January 1998.
4. Insufficient information has been provided to demonstrate whether the risk of off-site contamination to the development is acceptable. Accordingly, the proposal is contrary to policy NR12 of the Essex and Southend on Sea Replacement Structure Plan, adopted April 2001 and policy U2 of the Epping Forest District Local Plan, adopted January 1998.
5. The existing means of disposal of sewage effluent is unsatisfactory and in the absence of any acceptable alternative proposals for the disposal of sewage effluent the proposal is likely to result in an unacceptable risk of pollution to the water environment. Accordingly, the proposal is contrary to policy NR12 of the Essex and Southend on Sea Replacement Structure Plan, adopted April 2001 and policy RP3 of the Epping Forest District Local Plan, adopted January 1998.
6. In view of reasons 1 and 2 above the proposal fails to comply with criteria (c) and (e) referred to in the supporting text for policy H11 of the Epping Forest District Local Plan, adopted January 1998. Moreover, there are no special circumstances that would justify making an exception to Green Belt policies of restraint and the proposal would cause harm to the openness of the Green Belt and the character and the countryside. The proposal therefore conflicts with policy H11.

3. APPLICATION No: EPF/1203/05

PARISH: Waltham Abbey

SITE ADDRESS:

32 EDWARDS COURT, WALTHAM ABBEY

DESCRIPTION OF PROPOSAL:

Revised outline application for the redevelopment of the site to provide 3 no. two storey terraced houses with associated parking and amenity space. (All matters reserved).

GRANTED SUBJECT TO:

1. Submission of details within 3 years.

2. Submission of detailed drawings
3. Materials of construction to be agreed.
4. Submission of landscape details
5. Submission of flood risk assessment
6. Contaminated land study and remediation.
7. Concurrent with the submission of details of siting design and external appearance, and prior to the commencement of development, details of the existing ground and floor levels and proposed finished ground and floor levels together with proposed cross sections through the site and a street scene drawing indicating the relationship between the proposed dwellings and the existing dwellings either side, shall be submitted to and agreed by the Local Planning Authority. The development shall then be completed in accordance with the agreed details.
8. Prior to the submission of details of siting, design and external appearance a bat survey shall be carried out by a suitably qualified person, the result of which must be submitted concurrently with the details of siting, design and external appearance. Should evidence of bats be found at the site no work of clearance, or demolition shall be undertaken until such measures as have been agreed by the Local Planning Authority in consultation with English Nature to ensure the protection/relocation of any bats have been undertaken. Additionally, the proposed new properties shall incorporate features designed to encourage bat roosting to be agreed by the Local Planning Authority.
9. Prior to the commencement of the development, details of the proposed surface materials for the drives 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.
10. The gradient of any access to the site shall not exceed 1/10.
11. No gates shall be erected across any vehicular access to the site without the prior written consent of the Local Planning Authority.

The committee requested that the subsequent detailed planning application is considered at committee.

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AREA PLANS SUB-COMMITTEE 'D'

Date: 23 November 2005

INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/2347/04	Nazeing Golf Club, Middle Street, Nazeing.	GRANT	15
2.	EPF/1642/05	12 Langley Green, Nazeing Road, Nazeing.	GRANT	19
3.	EPF/1734/05	125 Old Nazeing Road, Nazeing	GRANT	22
4.	EPF/2162/04	Oakleigh Nursery, Hamlet Hill, Roydon	GRANT	25
5.	EPF/1649/05	48 and 49 Jubilee Court, Waltham Abbey.	GRANT	29

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Report Item No: 1

APPLICATION No:	EPF/2347/04
SITE ADDRESS:	NAZEING GOLF CLUB, MIDDLE STREET, NAZEING
PARISH:	Nazeing
APPLICANT:	Nazeing Golf Club
DESCRIPTION OF PROPOSAL:	Erection of ancillary storage and maintenance building for golf course.
RECOMMENDED DECISION:	GRANT

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using Windes or other similar programme. The approved measures shall be undertaken prior to the first occupation of the building hereby approved and shall be adequately maintained.
- 4 There shall be no external storage at the site at any time.
- 5 The building hereby approved shall be used only in connection with the maintenance of the adjacent Nazeing Golf Course, for storage of materials and machinery and for the maintenance of machinery used on the golf course and for no other purpose.
- 6 The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing.

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, and in writing.

The statement must include details of all the 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.

Details of Development:

Erection of a storage building for storage of materials and machinery required in connection with the use of adjacent golf course. The proposed building measures 33m x 15m and is a simple metal clad shed with a ridge height of 6.5m. The proposal also includes the provision of an area of hard standing in front of the building for the manoeuvring of machinery. Access to the site is proposed to be via an existing track from the golf course, over a narrow bridge over the Nazeing Brook.

Description of Site:

The site comprises a roughly rectangular area of land to the east of existing business units which are accessed off Hoe Lane. There is a belt of leylandii trees to the west. The golf course lies immediately to the south on the other side of the Nazeing Brook within the Nazeing and South Roydon Conservation Area.

Relevant History:

The Golf course was allowed on appeal in 1989 and 2 buildings, (a clubhouse including restaurant and bar, and building for pro shop and changing rooms) were approved in 1992. In the event only the main clubhouse building has been built and the changing rooms etc have been constructed within the one building.

The application site actually falls outside the golf course area but on land within the ownership of the golf course. There is no relevant planning history for this site.

Policies Applied:

Local Plan.
GB2 Green belt.
DBE4 Design in the Green Belt.
LL10 Landscape.
HC6 Development affecting conservation areas.
U2 and U3 relating to flood risk.
T14 and T17 relating to traffic and parking issues.

Issues and Considerations:

The applicant states that up until now the golf course has utilised an existing building adjacent to the golf course, but not in their ownership, for the storage of their equipment and materials used in connection with the maintenance of the greens. This building is now no longer available to them and they need to build an alternative.

The site is within the Metropolitan Green Belt. Small scale facilities for outdoor recreation are among those developments that are considered appropriate in the Green Belt. The barn proposed is quite sizeable, but bearing in mind the size of the area to be maintained and the type of equipment and materials that are required for the maintenance of the course, it does not appear excessive. It is similar in proportions to that which they have so far been utilising. It could therefore be argued that the building is not inappropriate.

The visual impact of the building needs to be considered. The suggested location is on low lying land adjacent to a larger building of similar design. The design is similar to modern agricultural buildings and it is not considered that it will appear inappropriate or incongruous in this location. The site abuts the Nazeing and South Roydon Conservation Area, but it is not considered that it will have a significantly adverse impact on the conservation area, which has been designated largely for its historic field patterns.

Day to day access to the buildings will be through the golf course, not via the access off Hoe Lane, as is currently the case, so there will be no increase in traffic in Hoe Lane as a result of the proposal. A condition restricting the use to storage only in connection with the golf course should ensure that traffic problems do not arise.

An area of hard standing is proposed to the front of the building, which is required for manoeuvring of vehicles and machinery, but it is not intended that there would be any open storage or any significant parking in connection with the use. Open storage can be controlled by condition.

The site is within a flood risk assessment zone and a full flood risk assessment will be needed prior to any work being carried out on site to ensure that the development will not flood or increase the risk of flooding elsewhere.

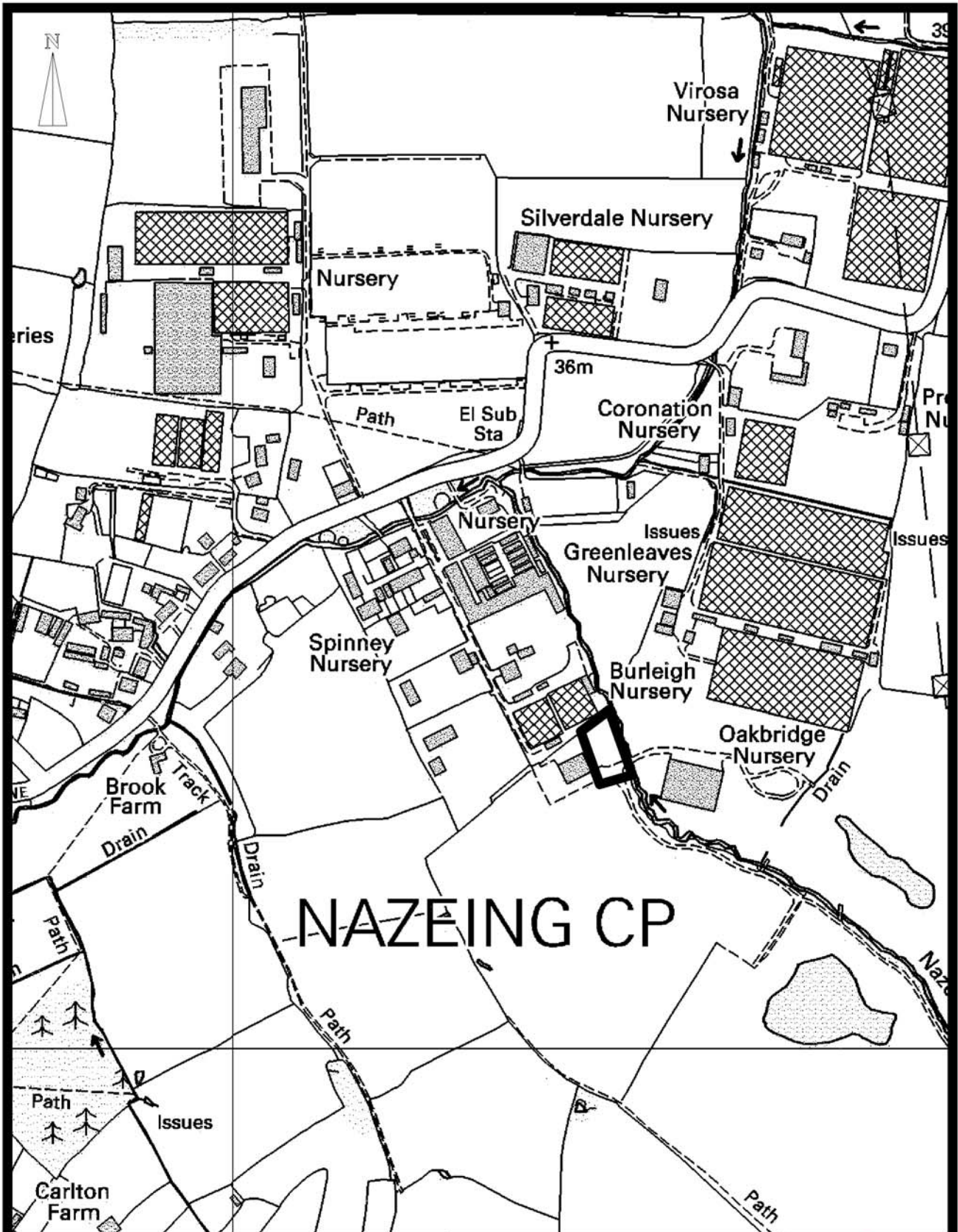
Concern has been raised by the Parish Council that the buildings originally approved for the golf club have not all been erected and that this use could be accommodated within one of the already approved buildings. Having checked the file neither of the originally approved buildings were of suitable design for the use now proposed. The applicant has also stressed that they may wish to complete the second building for its originally intended purpose at some point in the future, and would not be willing to enter an agreement not to complete that scheme. The Parish Council has also raised concern that the building currently used by the golf course will be used for an alternative purpose. This may be true but does not form part of the consideration of the current application, which must be considered on its own merits.

On balance, although it is to be regretted that a further building is required, it is logical that a storage building is required in connection with the legitimate use of the golf course. The suggested location is logical and less visually intrusive than for instance adjacent to the existing clubhouse. It is therefore considered that the proposal is acceptable subject to conditions.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL: "Members noted that this proposed new building is close to the industrial buildings off Hoe lane and that at present the storage of equipment is in a building adjoining the golf course. Concerns were raised that once this building is empty it will be utilised for further development. It was also noted that the golf club already has planning permission for two other buildings closer to the golf club. This permission has not been used and could perhaps be used for storage as per the application. Members agreed to object to a further building within the green belt GB2, when the previous application is still relevant."

NEIGHBOURS: No representations received.



NAZEING CP

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Item No: 01
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Report Item No.2

APPLICATION No:	EPF/1642/05
SITE ADDRESS:	12 Langley Green Nazeing Road Nazeing Essex EN9 2JJ
PARISH:	Nazeing
APPLICANT:	Mrs V. Allen
DESCRIPTION OF PROPOSAL:	Loft conversion with rear dormer window.
RECOMMENDED DECISION:	GRANT

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.

Description of Proposal:

Loft conversion with rear dormer window.

Description of Site:

Mid-terraced house built 1958/9 in ribbon of 14, fronting landscaped area to Nazeing Road and nursery land to rear, and served by rear access at north end of garden.

Relevant History:

Front extension February 2004 (EPF/91/04).

Policies Applied:

DBE9 and 10.

Issues and Considerations:

1. Amenity

There are no other rear dormers on this group of 14 terraced houses but this proposal will not have any adverse effect on the properties on either side.

2. Design/Appearance

The proposed dormer is 4.5m wide but it is aligned with the fenestration below, at first floor level. The flat roof is well below ridge level and the dormer face is 1.3m up the roofslope above the eaves. As such the proposal is visually acceptable, particularly as, apart from a bungalow to the north 'Jo-Mar' (55m away), the rear outlook is across a medley of garages at the bottom of the gardens with nurseries beyond.

3. The Objection

The dormer is at the rear so the street scene is unaffected and the proposal complies with the criteria of Policy DBE10.

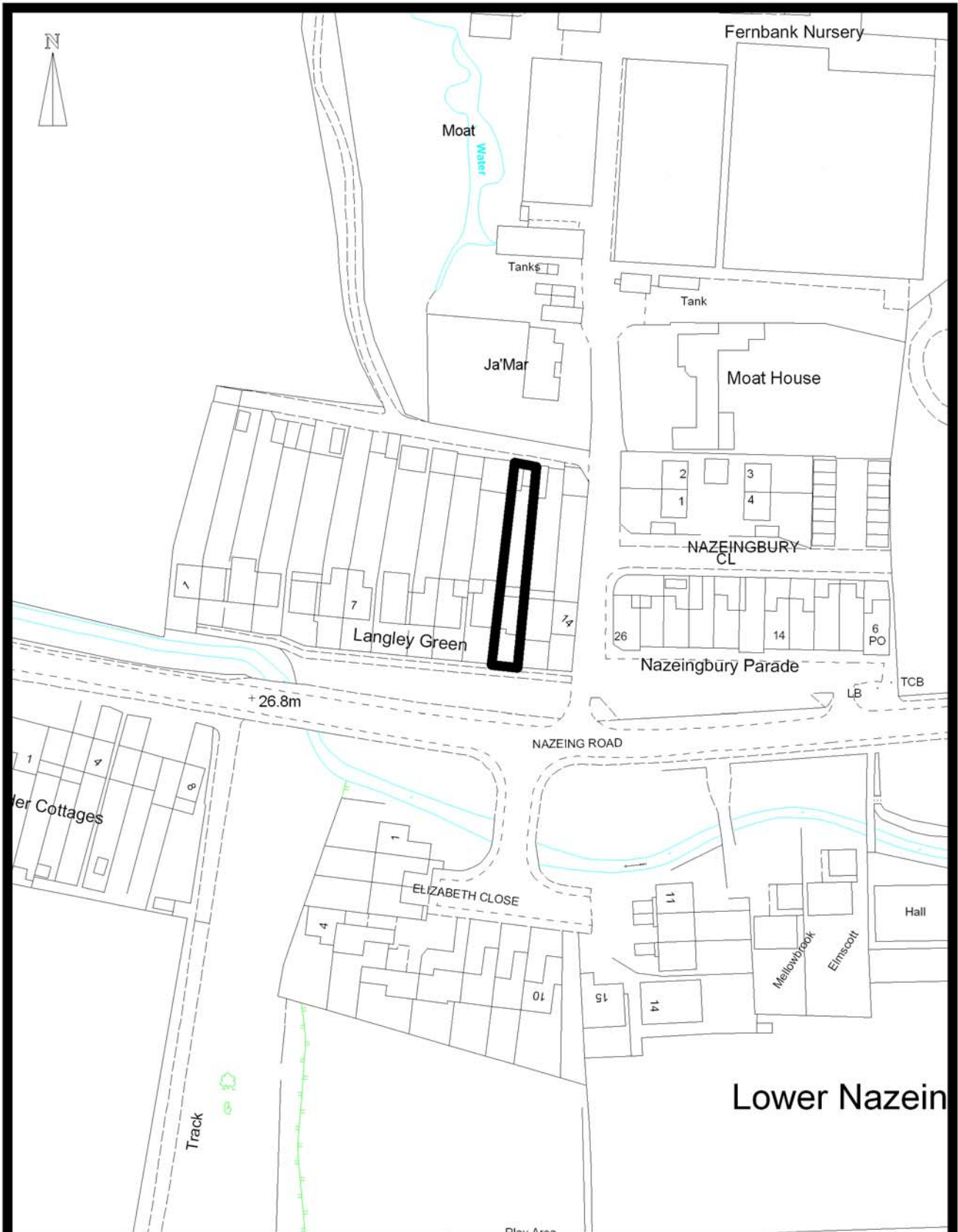
Conclusion:

This is a satisfactory proposal and approval recommended.

Representations Received:

NAZEING PARISH COUNCIL: "Councillors object to this application on the grounds of street scene and policy DBE10".

NEIGHBOURS: No representations received



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Item No: 02
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Report Item No.3

APPLICATION No:	EPF/1734/05
SITE ADDRESS:	125 Old Nazeing Road Nazeing Essex EN10 6RF
PARISH:	Nazeing
APPLICANT:	Thomas Construction
DESCRIPTION OF PROPOSAL:	Reserved matters application for the demolition of existing dwelling and construction of 2 no. 4 bedroom detached dwellings.
RECOMMENDED DECISION:	GRANT

Members may recall that when they agreed the outline application for this development they requested that the details be brought back to Committee for consideration rather than be considered under delegated powers.

Description of Proposal:

This is a reserved matters application for consideration of the design, and external appearance of two, 4 bedroomed detached dwellings that were granted in outline last December. Siting and access have already been agreed.

The proposed houses are two storey and are of red brick with tiled roofs. They would each have an integral garage and a small front gable with a taller hipped roof behind. The proposed ridge height is 8.8m. From the front the dwellings will look the same but unit 2 is 1.5m deeper in floor plan. A 2 metre gap is maintained between the dwellings and at least a metre is maintained to the side boundaries with the neighbouring properties. The plans indicate that 4 trees will be removed, none of which are preserved.

Description of Site:

The site is a large detached two storey dwelling with an extensive garden. The site is over 20m wide at the frontage on to Old Nazeing Road, narrowing to 16m at the rear and is some 62 metres deep. The area is of mixed residential character. There is a bungalow to the south east and a two storey house to the north west. More modern two storey dwellings on smaller plots are directly opposite the site.

Relevant History:

EPF/1689/04 Outline application for demolition of existing dwelling and redevelopment of site to provide two, 4 bedroom detached dwellings. (Siting and access to be determined) Approved 22/12/04

Policies Applied:

Local Plan

DBE1 design of new buildings.

DBE2 Effect on existing surrounding properties.

DBE8 Private amenity space.

Issues and Considerations:

As the principle of the size and position of the development has already been agreed, the main considerations now are the details of the design and the impact on the street scene and on adjacent properties.

As there are a wide variety of different house styles in the street, and no conformity in roof heights or materials, it is not considered that the proposed scheme will be out of place or incongruous. The proposed houses would have only slightly higher ridge heights than the existing dwelling (about 0.3m higher) and it is considered that the dwellings will fit well within the existing street scene.

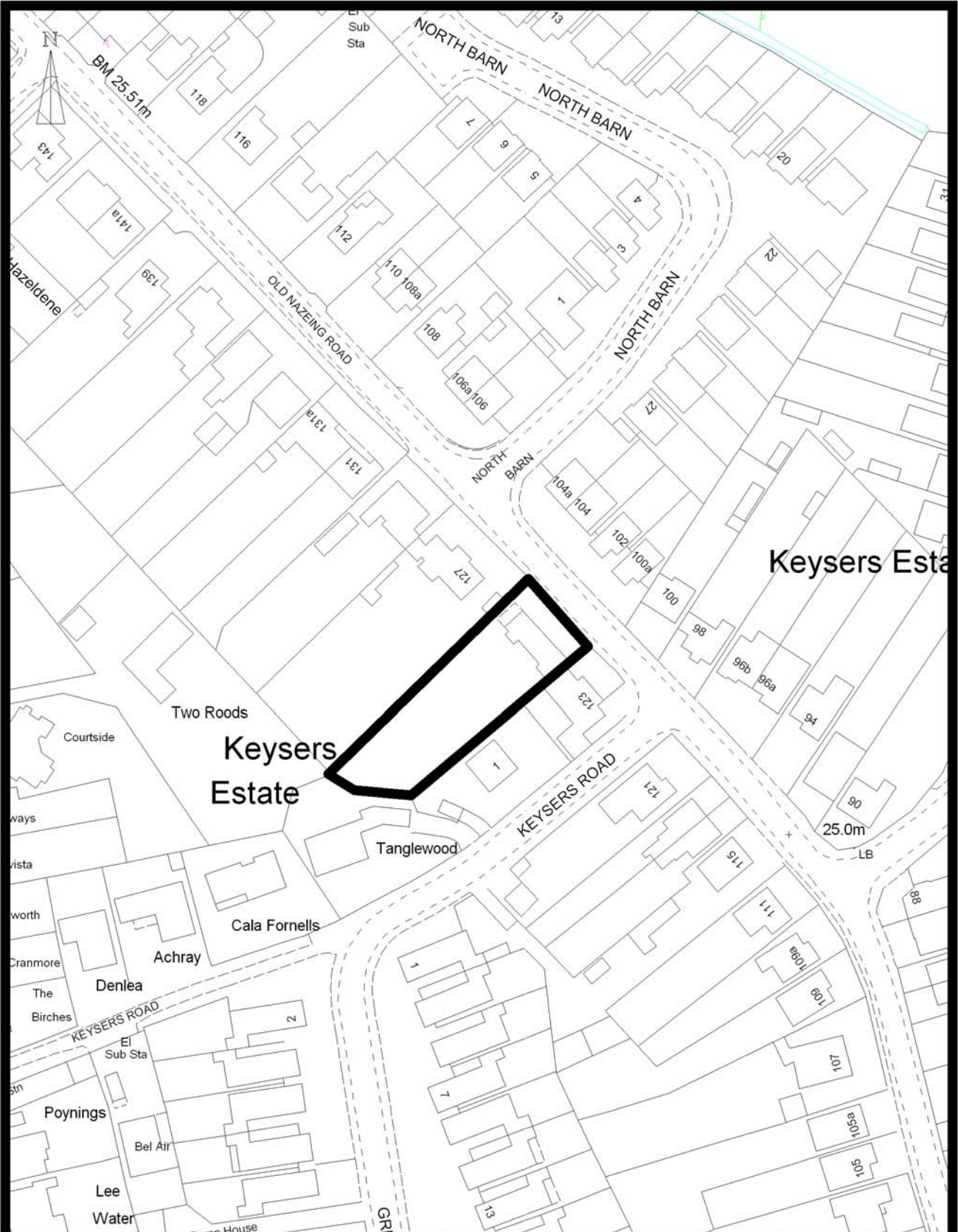
With regard to impact on neighbouring properties, the proposed houses have only bathroom windows facing the neighbouring properties, which will be obscure glazed to prevent overlooking. Number 127 has some side facing windows but these are about 8m from the proposed flank of the new properties and it is not considered that there will be any significant loss of amenity. Although the dwellings extend to the rear beyond the rear building line of both adjoining properties this is well within normal tolerances and will not result in undue loss of light or amenity.

A tree survey has been submitted with the application and this indicates the need to remove a flowering cherry from the front of the site, which is too close to the agreed position of one of the dwellings and the removal of a laurel at the rear for similar reasons. Additionally a cherry and an elder in the rear garden are shown to be removed because they are in poor condition. The remainder of the trees around the perimeter of the site (19 in total) are shown to be retained. It is considered that the proposed removals are logical and justified. None of the trees on the site are preserved.

In conclusion it is considered that the design and external appearance of the dwellings proposed are appropriate to the location and will not have any adverse impact on the amenity of neighbours and the application is recommended accordingly.

SUMMARY OF REPRESENTATIONS:

This report was completed before the expiry of the consultation period in order to ensure that there is a decision within the statutory 8-week period. Any consultation responses received will be reported to Committee orally.



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Item No: 03
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Report Item No.4

APPLICATION No:	EPF/2162/04
SITE ADDRESS:	OAKLEIGH NURSERY, HAMLET HILL, ROYDON
PARISH:	Roydon
APPLICANT:	Mr and Mrs A, D'Onofrio
DESCRIPTION OF PROPOSAL:	Removal of agricultural occupancy condition. (Condition no. 4 of planning permission EPF/775/74).
RECOMMENDED DECISION:	GRANT

Description of Proposal:

The application is for the removal of an agricultural occupancy condition, imposed originally in 1974 in respect of the erection of the house (Condition 4 of permission Ref: EPF/775/74). The application follows a dismissed appeal of 2003 against refusal to remove the condition, and relies on further consideration of a number of factors informing the Inspector's decision.

Description of Site:

The site lies just around ½km east of Roydon Hamlet, and is occupied by a four bedroom house erected in 1975 to support the running of the adjacent horticultural nursery unit in the same ownership. This area of glasshouses has been unused since March 2000, and although structurally sound, they lack modern automated heating and ventilation, with low roof heights reducing flexibility for sub-division for activities such as storage or staff rooms. The house faces open land adjoins other rural dwellings and holdings, and is at the southern end of a designated glasshouses area in the Local Plan (E13), running west and south around to Sedge Green.

Relevant History:

EPF/775/74 – new dwelling for agricultural worker – approved with occupancy condition
EPF/2278/02 – removal of agricultural occupancy condition – refused and appeal dismissed

Policies Applied:

Structure Plan Policies:

CS4 Sustainable new development.
C2 Green Belt.

Local Plan Policies:

GB2 Development in the Green Belt.
GB17 Agricultural workers' dwellings
E13 Glasshouses in the Lea Valley

Issues and Considerations:

The applicant is the occupier of the house. He advises that he grew lettuces in the adjacent glasshouses up to 1997 when the nursery business closed for economic reasons. The nursery was then let for 3 years until 2000 after which it has not been possible to find any economic use for it. The glasshouses have since been empty and have fallen into disrepair. The applicant states he now does casual work on a part time basis and that work is not in agriculture.

The sole issue raised by the application is whether there is a continuing need for agricultural workers' dwellings in the area, so as to call for retention of the limitation only to such occupation.

Policy GB17 of the adopted Local Plan states that permission will only be granted for removal of agricultural occupancy conditions if it can be shown that the long term needs of agricultural workers (both on the farm and in the locality) no longer warrant its reservation for that purpose. In order to assess whether that is now the case, it is necessary to have clear-cut evidence of:

- (i) details of the adequacy of marketing of the dwelling to establish local demand
- (ii) the asking price, and whether this lies in the 30-40% discount from market
- (iii) price expected to enable affordability by agricultural staff
- (iv) results of the marketing in terms of any firm interest received.

The number of vacant agricultural dwellings in the neighbourhood and any recent applications for new agricultural dwellings are also relevant, and local housing need for farm workers.

There were a number of reasons for the Inspector concluding that removal of the condition was not justified. He was not satisfied with the basis for the marketing campaign at the time of the appeal application. Although not persuaded of the Council's position that the sale price should be discounted from open market valuation by up to 45 – 50%, he considered that the 18% discount represented by the actual asking price was insufficient to properly assess the need for agricultural dwellings in the locality. The Inspector was also of the view that offering the glasshouses as an optional lot with the house might well attract existing local horticultural businesses, with a For Sale board to enhance local awareness. Evidence of local housing need was given only limited weight.

As part of the present application, agents for the owners conducted a further marketing campaign, consisting of:

- (i) reconsideration of asking price – left at £295,000 but allowing for inflation this now equates to a discount of about 35%, in a band reflecting Land Registry information on sale prices achieved for the Epping area;
- (ii) inclusion of the glasshouses as an optional lot;
- (iii) individual surveys in September 2004 and May 2005 of 125 local farm and horticultural holdings by Acorus Rural Property specialists, eliciting 8 requests for viewing particulars;
- (iv) details sent to the 8 businesses, no viewings subsequently requested, and
- (v) advertisements both in national and local specialist publications over a 6 month period – the latter including the Lea Valley Growers Newsletter sent to glasshouse proprietors in the area

The applicants have also extracted current local employment levels in agriculture, showing a clear trend to reductions in land farmed, although the area under glass or plastic structures (and for potato growing) has increased.

Taking the further evidence submitted of the marketing of the house at Oakleigh Nursery, it is considered that the price appears realistic in relation to current valuations, and that serious

attempts have been made to identify relevant local businesses, as well as advertise in a range of established journals and publications. The results directly address the Inspector's main reservations, and show no specific purchasing interest for the house, either with or without the nursery as a combined holding. A subsequent appeal decision to grant removal of an agricultural occupancy condition in respect of The Elms, Pick Hill, Waltham Abbey was based partly on similar marketing results.

Revised government advice in PPS7, issued in 2004 since the appeal, supports policies restricting rural dwellings to farm workers in appropriate cases, but re-iterates the need not to keep dwellings with agricultural occupancy conditions vacant (or with present occupants obliged to remain in occupation, as in this case) where such conditions have outlived their usefulness. In this case, the clear lack of interest in the house and perceived shortcomings of the glasshouses (vacant since March 2000) show that there would be little likelihood of renewed occupation by farm workers.

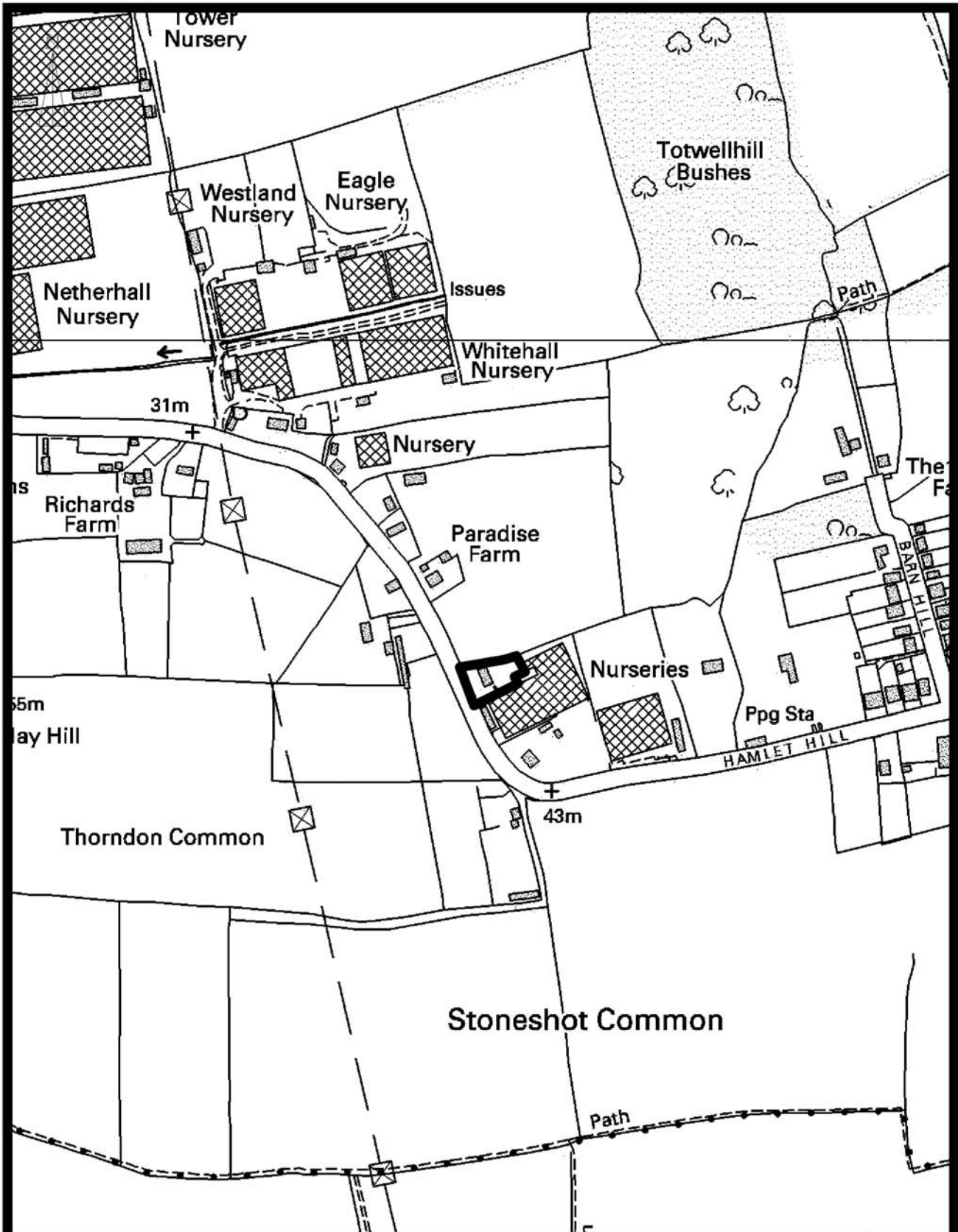
Conclusion:

It is recommended that permission be granted for removal of the agricultural occupancy condition (4) of permission Ref EPF/775/74.

SUMMARY OF REPRESENTATIONS:

NAZEING PARISH COUNCIL – Objection – concerned that approval would set a precedent that could open the floodgates for all nurseries. Appeal already rejected by government Inspector.

NEIGHBOURS – Oakeigh House, Paradise Farm, Hamlet Hill – site is within the Green Belt; inappropriate to remove this restriction on a modern perfectly functional glasshouse nursery. Recently acres of land have been covered in glasshouses and concrete. If allowed family will sell property and move into packing shed.



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Item No: 04
Scale: 1:5000



Report Item no.5

APPLICATION No:	EPF/1649/05
SITE ADDRESS:	48 and 49 Jubilee Court Waltham Abbey Essex EN9 3JB
PARISH:	Waltham Abbey
APPLICANT:	Epping Forest D. C. – Housing Services
DESCRIPTION OF PROPOSAL:	Conversion of 2 warden houses to 4 no. one bedroomed flats in sheltered housing unit.
RECOMMENDED DECISION:	GRANT

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.

Description of Proposal:

Conversion of 2 warden houses into four 1-bedroomed flats.

Description of Site:

Pair of linked houses attached to main sheltered housing complex.

Relevant History:

None.

Policies Applied:

DBE9 and 10.

Issues and Considerations:

1. Amenity

The 2 houses were built for the wardens to be resident on site to manage the adjoining sheltered housing complex of some 47 units. Scheme managers are now housed elsewhere and the proposal comprises a straight internal conversion of the 2 houses into 4 x 1-bedroom flats. The warden's office is to be retained on the ground floor and the 2 first floor flats will be accessed from

the existing main corridor. The units will thus be linked to the existing flatted units in the main eastern block and there will be no adverse effects on any of the adjacent flats.

2. Design/Appearance

There are no external additions or alterations to the buildings apart from the removal of the doors to the 2 warden's stores on the west elevation and their replacement by a new wall. All other conversion works are internal.

Conclusion:

This is a simple straightforward conversion scheme and approval is recommended.

Representations Received

WALTHAM ABBEY TOWN COUNCIL: No objection.

NEIGHBOURS: No representations received.



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Item No: 05
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