

Committee Agenda



**Epping Forest
District Council**

Area Plans Subcommittee D Wednesday, 21st December, 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 9 - 10)

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

2. MINUTES (Pages 11 - 16)

To confirm the minutes of the last meeting of the Sub-Committee held on 23 November 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. PROBITY IN PLANNING - APPEAL DECISIONS, APRIL 2004 TO SEPTEMBER 2005**Recommendation:**

That the committee notes the outcomes of the appeals.

Background

6.1 (Head of Planning Services) In compliance with the recommendation of the District Auditor, this report advises the decision-making committee of the results of all successful appeals, particularly those refused by committee contrary to officer recommendation. The purpose is to inform the committee of the consequences of their decisions in this respect and, in cases where the refusal is found to be unsupportable on planning grounds, an award of costs may be made against the Council.

6.2 To set the context, a Best Value Performance Indicator was for district councils to aim to have less than 40% of their decisions overturned on appeal with the national average of about 33%. (That BVPI was scrapped but recently replaced by one where the Council sets its own target – set this year at 25%.) In fact in recent years the Council has been more successful than the national average with only 31% overturned in 1999/00, 25% in 2000/01, 24% in 2001/02, 27% in 2002/03, 18% in 2003/04 and 29% in 2004/05.

PERFORMANCE

6.3 Over the six-month period between April and Sept 2005, the Council received 61 decisions on appeals – 54 planning appeals and 7 enforcement appeals. Of the 54 planning appeals, 10 were allowed (19%) and of the 7 enforcement appeals, 2.5 were allowed – a combined total of 20% of the Council's decisions overturned.

PLANNING APPEALS

- 6.4 Of those 10 planning appeals allowed, 2 were allowed following decisions by committee to refuse contrary to officer's recommendation. Those 2 were:

EPF/2041/04 – Two storey extensions at 67, Tycehurst Hill, Loughton (Area Committee A 02/02/05)

EPF/2398/04 – Erection of 3 cottages at 109, Lindsey Street, Epping (Area Committee B 09/03/05)

- 6.5 To complete the picture, officers were successful in sustaining a committee decision to refuse, when officers had recommended granting permission, in two cases – nos.16 and 52 on the attached list.

Costs

- 6.6 Costs were awarded in just 1 appeal. The enforcement appeal regarding the siting of a mobile home at Breach Barns Caravan Park introduced a number of issues that the Inspector considered were not entirely relevant to the case and which took up Inquiry time unnecessarily. He made an award of costs against the Council amounting to 2 hours of inquiry attendance and preparation time in favour of the appellants. However, he also ordered the appellants to pay to the Council the costs of 2 hours inquiry time, together with the cost of preparing evidence on affordable housing; and to pay to the Corporation of London their costs for 2 hours of their attendance time.

CONCLUSIONS

- 6.7 The Council's performance for this 6-month period was an improvement on last year and consistent with the previous year's exceptional performance and has once again exceeded the BVPI and the national average.
- 6.8 The decisions are listed in the Members Bulletin from time to time but a full list of decisions over this six-month period appears below.

Appeal Decisions April to October 2005

Planning Appeals Allowed:

1. EPF/1183/04 – Installation of 12 telecommunications antennae at St Winifred's Church, Manor Road, Chigwell
2. EPF/1387/03 – Two storey side extension at 1, Lyndhurst Rise, Chigwell
3. EPF/2398/04 – Erection of 3 cottages at 109, Lindsey Street, Epping
4. EPF/1319/04 – New vehicular access at 206, Nine Ashes Road, High Ongar
5. EPF/2041/04 – Two storey rear extension and other alterations at 67, Tycehurst Hill, Loughton
6. TRE/EPF/753/04 – Lopping of overhanging branches at 1, Brancaster Place, Church Hill, Loughton
7. A/EPF/2125/04 – Illuminated sign at 1, Valley Hill, Loughton
8. EPF/484/04 – Temporary living accommodation for maintenance and security of fishing lakes at Moor Hall Fish Farm, Moor Hall Lane, Matching
9. EPF/2427/04 – Use of agricultural buildings for B8 storage and distribution at Oakleigh Nursery, Paynes Lane, Nazeing
10. EPF/1307/04 – Erection of detached annexe at 43, Fyfield Road, Ongar

Planning Appeals Dismissed

11. EPF/383/04 – Extensions at 20A Rous Road, Buckhurst Hill
12. EPF/1203/04 – erection of 6 flats and parking at Garage Block, corner of Westbury Road and Westbury Lane, Buckhurst Hill
13. EPF/1540/04 – Two storey side extension at 20 Ormonde Rise, Buckhurst Hill
14. EPF/2093/04 – Erection of dwelling house at land r/o 16, Forest Edge, Buckhurst Hill
15. EPF/1167/04 – New roof with games room and attic at 44/46, Forest Lane, Chigwell
16. EPF/1260/03 – Use as memorial garden with chapel, etc. on land at Former Beaver Site, Manor Road, Chigwell
17. EPF/1423/04 – Front boundary wall and gates at 175, Lambourne Road, Chigwell
18. EPF/1520/04 – Increase max no. of dwellings to 60 at Grange Farm, High Road, Chigwell
19. EPF/1615/04 – Redevelopment of core area for 180 houses at Grange Farm High Road, Chigwell
20. EPF/1547/04 – Erection of 4 detached dwellings at land adj. The Paddock, Grove Lane, Chigwell
21. EPF/1848/04 – Erection of 4 dwellings at 80, Hainault Road, Chigwell
22. EPF/1960/04 – New roof for games room and dressing room at 44/46, Forest Lane, Chigwell
23. EPF/2019/04 – Use as licensed betting office at 17 Brook Parade, High Road, Chigwell
24. EPF/417/04 – Erection of two dwellings at 64A, Bower Hill, Epping
25. EPF/1444/04 – Single storey rear extension at Bell Cottage, Bell Common, Epping
26. EPF/1477/04 – Boundary wall and gates at 12, Lower Bury Lane, Epping
27. EPF/2361/04 – Use for sale of hot food at 26, Lindsey Street, Epping
28. EPF/1010/04 – Extension of residential cartilage for dog run and shed at Buzzards View, Parvills Farm, Epping Upland
29. EPF/1435/04 – First floor rear balcony at 38, Hoe Lane, Abridge
30. EPF/605/04 – Two storey side extension and creation of 5 flats at 3, Upper Park, Loughton
31. EPF/1033/03 – Two storey rear extension and other alterations at 67 Tycehurst Hill, Loughton
32. EPF/1166/04 – Rear extension and detached garage at 27, Grosvenor Drive, Loughton (Objection was made only to the rear extension)
33. EPF/1761/04 – Rear conservatory at 65, Stonards Hill, Loughton
34. EPF/2086/04 – Use of first floor as clinic at 251A, High Road, Loughton
35. EPF/2133/04 – First floor rear extension and loft conversion at 5, Summerfield Road, Loughton
36. TRE/EPF/1648/04 – Felling of a yew tree at 38, Upper Park, Loughton
37. EPF/950/04 – New church, hall and 26 flats at Trinity Church, Mannock Drive, Loughton
38. EPF/1300/03 – Use of building as 2 dwellings at The Redoubt, Ongar Park, North Weald
39. EPF/1995/04 – Use for keeping horses and erection of stables at 1 Gainsthorpe Cottages, Gainsthorpe Road, Bobbingworth
40. EPF/352/04 – Animal shelter at Stoneshot, Farm, Hoe Lane, Nazeing
41. EPF/864/04 – Erection of 2 stables and hay store at Langridge Barn, Paynes Lane, Nazeing
42. EPF/1699/04 – Detached hay barn and extension of tack room building at Five

- Acre Lodge, Hoe Lane, Nazeing
43. EPF/1756/04 – New vehicle access at Little Dormers, Middle Street, Nazeing
 44. EPF1694/03 – Use of buildings as B1 offices at The Redoubt, Ongar Park, North Weald
 45. EPF/1870/04 – Erection of 21 houses and 1 flat at Blacksmiths Arms PH, Woodside, Thornwood
 46. EPF/1246/04 – Use as a single dwelling at Old Mission Hall, Willingale Road, Norton Heath
 47. EPF/518/04 – Replacement garage with first floor at St Vincents Farm, Epping Road, Broadley Common
 48. EPF/2170/04 – Single story Rear extension at Holne Chase, Hamlet Hill, Roydon
 49. EPF/1620/04 – Erection of detached dwelling at 1 Ash Groves, Sheering
 50. EPF/623/04 – Conversion of sewage treatment block to a dwelling at Moletrap PH, Tawney Common, Stapleford Tawney
 51. EPF/655/04 – Two storey building for residential care home at Suttons Manor, London Road, Stapleford Tawney
 52. EPF/769/04 – Low level lighting and extension of hours of clubhouse at Theydon Bois Tennis Club, Sidney Road, Theydon Bois
 53. EPF/1292/04 – Green burial ground with chapel etc at land at Theydon Mount End, Theydon Mount
 54. EPF/146/05 – Erection of 3 storey block of 16 flats at 40a, 44 & 46, Highbridge Street, Waltham Abbey

ENFORCEMENT APPEALS ALLOWED

55. Erection of wall, railings and gates at 140, Manor Road, Chigwell
56. Laying hardstanding and use for siting a mobile home at Breach Barns Caravan Park, Galley Hill

ENFORCEMENT APPEAL PART-ALLOWED AND PART-DISMISSED

57. Laying an access road (allowed) and laying hardstanding (dismissed) at Alderwood Pasture, New Farm Drive, Abridge

ENFORCEMENT APPEALS DISMISSED

58. Stationing of a mobile home at Alderwood Pasture, New Farm Drive, Abridge
59. Use for processing trees, the siting of four containers and portakabin, formation of hardstanding and depositing of earth and waste materials at land at Hill Hall, Theydon Mount
60. Erection of stables and laying base and hardstanding at North Lodge Farm, Holyfield, Waltham Abbey
61. Use for car vehicle washing including siting of store building and container on land at Old Orleans P.H., Epping Road, Waltham Abbey

7. DEVELOPMENT CONTROL (Pages 17 - 54)

(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.

8. 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.

9. 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 Paragraph Number	Information
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
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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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Plans Subcommittee D **Date:** 23 November 2005

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 8.27 pm
High Street, Epping

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

Other Councillors: (none)

Apologies: Mrs R Gadsby and D Spinks

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

41. 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.

42. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 26 October 2005 be taken as read and signed by the Chairman as a correct record.

43. DECLARATION OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs D Borton declared personal interests in agenda items 6 (1) (EPF/2347/05 - Nazeing Golf Club, Middle Street, Nazeing), 6 (2) (EPF/1642/05 - 12 Langley Green, Nazeing Road, Nazeing) and 6 (3) (EPF/1734/05 – 125 Old Nazeing 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 R Haines declared a personal interest in agenda items 6 (5) (EPF/1649/05 – 48 and 49 Jubilee Court, Waltham Abbey). The Councillor declared that his interests were prejudicial and indicated that he would leave the meeting during the consideration and voting on the item.

44. ANY OTHER BUSINESS

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

45. DEVELOPMENT CONTROL

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

RESOLVED:

That, Planning applications numbered 1 – 5 be determined as set out in the annex to these minutes.

46. 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

Item No: 1

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

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.

- 7 The development shall be carried out in accordance with the amended plans received on 9 November 2005 unless otherwise agreed in writing with the Local Planning Authority.

Item No.2

APPLICATION No:	EPF/1642/05
SITE ADDRESS:	12 Langley Green, Nazeing Road, Nazeing
PARISH:	Nazeing
DESCRIPTION OF PROPOSAL:	Loft conversion with rear dormer window.
DECISION:	GRANTED

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.

Item No.3

APPLICATION No:	EPF/1734/05
SITE ADDRESS:	125 Old Nazeing Road, Nazeing
PARISH:	Nazeing
DESCRIPTION OF PROPOSAL:	Reserved matters application for the demolition of existing dwelling and construction of 2 no. 4 bedroom detached dwellings.
DECISION:	GRANTED

Item No.4

APPLICATION No:	EPF/2162/04
SITE ADDRESS:	OAKLEIGH NURSERY, HAMLET HILL, ROYDON
PARISH:	Roydon
DESCRIPTION OF PROPOSAL:	Removal of agricultural occupancy condition. (Condition no. 4 of planning permission EPF/775/74).
DECISION:	GRANTED

Item No.5

APPLICATION No:	EPF/1649/05
SITE ADDRESS:	48 and 49 Jubilee Court, Waltham Abbey
PARISH:	Waltham Abbey
DESCRIPTION OF PROPOSAL:	Conversion of 2 warden houses to 4 no. one bedroomed flats in sheltered housing unit.
DECISION:	GRANTED

CONDITIONS:

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

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AREA PLANS SUB-COMMITTEE 'D'

Date: 21 December 2005

INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/1792/05	Rear of Ground Floor, 54 Sun Street, Waltham Abbey	Grant	19
2.	A/EPF/1714/05	Rear of Ground Floor, 54 Sun Street, Waltham Abbey	Grant	22
3.	EPF/1886/05	Galley Hill Yard, Galleyhill Road, Waltham Abbey	Grant	24
4.	EPF/1685/05	Winston Farm, Hoe Lane, Nazeing, EN9 2RJ	Grant	31
5.	EPF/0281/02	Tylers Cross Nursery, Epping Road, Broadley Common	Grant	34
6.	EPF/0629/04	Lake View Nursery, Dobbs Weir Road, Roydon	Grant	38
7.	EPF/1801/05	Land Adj. 21 Albion Terrace, Sewardstone Road, Waltham Abbey	Refuse	43
8.	EPF/1882/05	1 Tatsfield Houses, St Leonards Road, Nazeing, EN9 2HL	Grant	48
9	EPF/1978/05	17 Parkfields, Roydon, CM19 5JA	Grant	51

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Report Item No: 1

APPLICATION No:	EPF/1792/05
SITE ADDRESS:	Rear of ground floor, 54 Sun Street, Waltham Abbey
PARISH:	Waltham Abbey
APPLICANT:	Abbey Bookmakers Ltd
DESCRIPTION OF PROPOSAL:	Change of use from taxi company (sue generis) to a bookmakers (A2).
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:

Change of use from mini cab office to a bookmakers.

Description of Site:

A relatively modern two storey building office building located on the east side of the junction of Sun Street and Darby Drive. The ground floor front of the property is in use as an estate agents office, and this application concerns the vacant rear ground floor unit, which was last used as a mini cab office (Apollo taxis). The premises lie within a secondary shopping frontage in the Waltham Abbey town centre.

Relevant History:

EPF/647/99 - Planning permission granted on 29/9/99 for continued use of part of ground floor as a car hire centre.

Policies Applied:

Local Plan:
STC7 - Controls in primary and secondary shopping frontages.

Issues and Considerations:

The entrance to the proposed bookmakers is via a doorway on the side elevation facing Darby Drive, and no alterations to the building are proposed other than the erection of an illuminated sign, and report on this sign follows next in this agenda.

A bookmakers or betting shop is an appropriate use to be found in a shopping area. In this case it would be located in the secondary frontage, which is preferable to a primary frontage location. Moreover, the proposal will not result in the loss of a shop since the previous use of the premises was a mini cab office. In planning policy terms the proposed use is therefore an acceptable one in this secondary shopping frontage, and complies with the requirements of local plan policy STC7. In terms of amenity the proposed use is likely to be an improvement on the previous mini cab use, which gave rise to concerns about on street cab parking. Off street parking space is available for 2 cars, and highways officers have no objection to this betting shop use.

The Town Council object to the application on grounds that there are already 2 betting shops in the town centre, and they feel that there is not a demand for a further establishment. They add that there is an existing betting shop no more than 100 yards away. However, planning powers cannot be used to control competition between similar uses, and as pointed out above the proposed use is acceptable in land use policy terms. Other legislation does require the grant of a licence from the Magistrates Court before a new betting shop opens, and one issue the court takes into account is the number of betting shops already in the locality. The applicant has advised officers that, on 1/12/05, the Magistrates did in fact grant a licence to this proposed betting shop use.

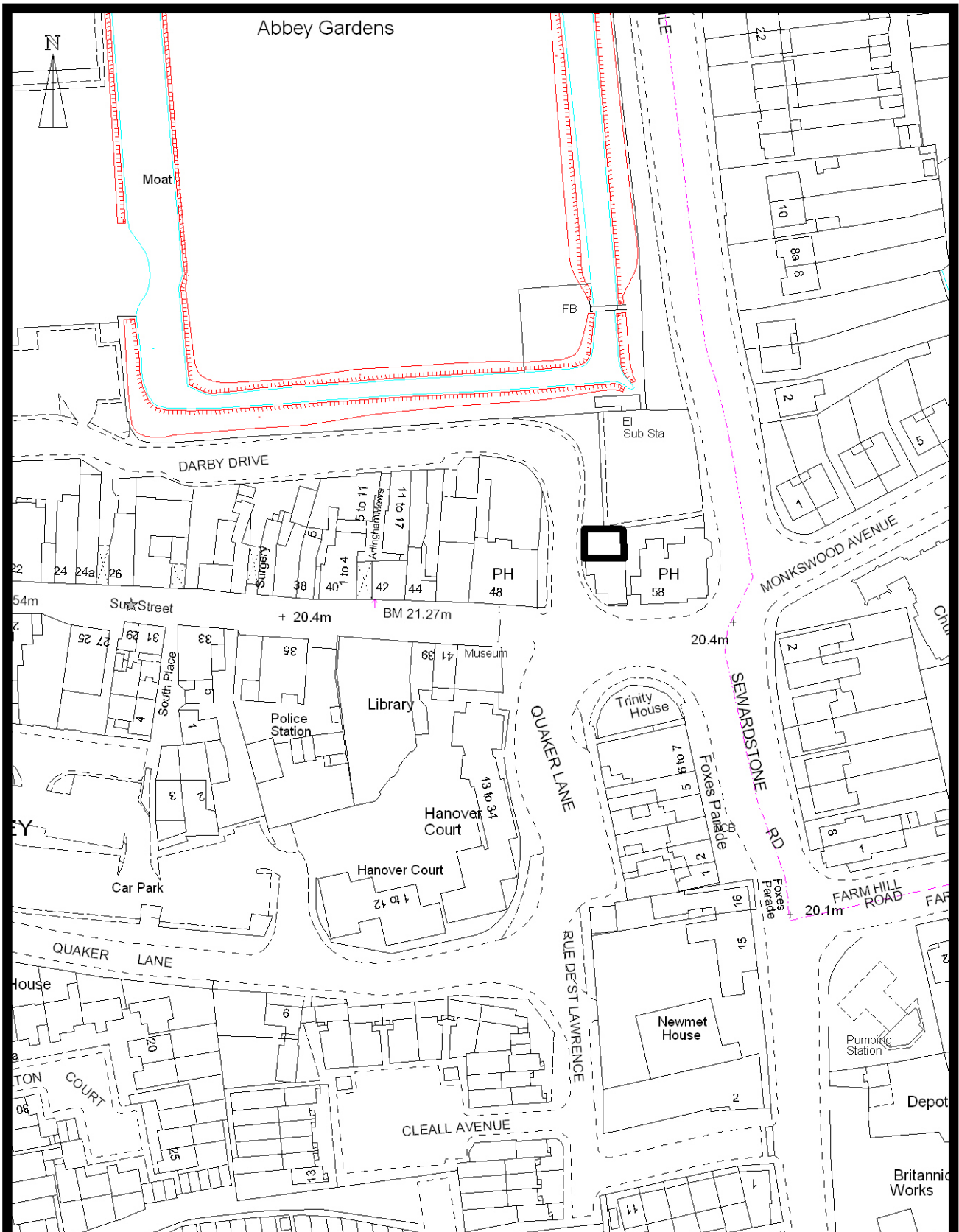
Conclusion

The proposal accords with adopted Council Policy and since it would result in a use likely to attract more people to the parade during the day than the lawful use as a mini-cab office it would facilitate an improvement in the vitality and viability of this part of the town centre. It is therefore recommended that planning permission be granted.

SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL – There are two betting shops in the town centre and we believe there is not a demand for a further establishment. The proposed site is no more than 100 yards from an existing establishment.

NEIGHBOURS:- No response received.



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Item No: 1&2
Scale: 1:1250



Report Item No: 2

APPLICATION No:	A/EPF/1714/05
SITE ADDRESS:	Rear of Ground Floor, 54 Sun Street, Waltham Abbey
PARISH:	Waltham Abbey
APPLICANT:	Abbey Bookmakers Ltd
DESCRIPTION OF PROPOSAL:	Illuminated shop sign.
RECOMMENDED DECISION:	GRANT

CONDITIONS:

- 1 The sign shall be illuminated externally by trough lighting in accordance with details that shall be submitted to and approved by the Local Planning Authority before the sign is displayed.

Description of Proposal:

Display of externally illuminated fascia sign.

Description of Site:

A relatively modern two storey office building located on the east side of the junction of Sun Street and Darby Drive in the Waltham Abbey Conservation Area. The ground floor front of the property is in use as an estate agents, and this application relates to the vacant rear ground floor unit, which was last used as a mini cab office (Apollo taxis). The premises lie within a secondary shopping frontage in the Waltham Abbey town centre.

Relevant History:

None.

Policies Applied:

Structure Plan
HC2 – Conservation Areas

Local Plan
DBE13 - Advertisements.

HC7 – Development within Conservation Areas

Issues and Considerations:

The proposed sign is to be displayed on the side elevation facing Darby Drive above an existing door entrance. The sign is of a modest size (3.4m in width by 0.46m in height) and is acceptable in terms of its size and position. Originally the application proposed external illumination in the form of 4 'swan neck' lights affixed to the wall above the sign. These lights would have projected 0.530m from the wall, and given the site's location in a Conservation Area, it was considered that they would be too conspicuous. The applicants have agreed instead to install external illumination in the form of a 'troughed uplighter', and have agreed to provide details subject to a condition attached to any consent. Such trough lighting is less prominent and is considered to be acceptable.

The Town Council have objected to the application on grounds that the proposed signage is inappropriate in a Conservation Area. However the alternative method of illumination agreed with the applicant will improve the appearance of the sign, and as revised it is recommended for approval.

Conclusion:

The display of the proposed signage is considered acceptable in terms of its impact on the appearance of the building and the character and appearance of the Conservation area. It therefore complies with adopted planning policy and accordingly it is recommended that express consent to display the advertisement is granted.

SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL – Inappropriate signage in a Conservation Area.

Report item No: 3

APPLICATION No:	EPF/1886/05
SITE ADDRESS:	Galley Hill Yard, Galleyhill Road, Waltham Abbey
PARISH:	Waltham Abbey
APPLICANT:	Mr A Sanders
DESCRIPTION OF PROPOSAL:	Demolition of generator and weighbridge buildings, part removal of existing uses and provision of replacement landscaping, part retention of existing industrial/commercial uses, retention of caretaker's caravan and erection of replacement building - with variation of conditions 6,13,18,19 and 20 attached to existing full planning consent reference EPF/1910/00 to update time periods for submission of details.
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 No machinery shall be operated, no process shall be carried out and no vehicles shall enter or leave the site outside the hours of 0700 and 1830 Monday to Friday, 0800 and 1300 on Saturdays and at no times on Sundays or Public Holidays.
- 3 Notwithstanding the provisions of Part 8 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking, further amending or re-enacting that Order with or without modification) no extensions shall be made to the buildings or land without the prior permission in writing of the Local Planning Authority.
- 4 No materials of any kind are to be burnt on the site.
- 5 All industrial processes (including vehicle maintenance and repair) shall be carried out within the confines of the buildings on the site.
- 6 Within two months of the date of this decision, a scheme for external lighting shall be submitted for the written approval of the Local Planning Authority and shall be implemented within six months of the approval thereof; thereafter any external lighting on the site shall comply with the approved scheme.
- 7 There shall be no external storage of vehicles, goods, materials, plant or equipment on the site, except within those areas shown on Plan No 99.245/10b.
- 8 There shall be no open storage within the site above a height of two metres.

- 9 No siting or caravans/portacabin or other portable buildings (other than as set out in the planning application) shall take place within the site without the prior written permission of the Local Planning Authority.
- 10 The stationing of the caretaker's caravan hereby permitted shall be for a limited period only and that use shall be discontinued on or before 31 December 2006 or the completion of the adjoining replacement building, whichever is the sooner. Thereafter, the caravan shall be permanently removed from the site.
- 11 Any caravan permitted on the site, under the terms of conditions 9 and 10 above, shall be used solely for occupation by a site caretaker and should not be used as residential accommodation.
- 12 A boundary fence shall be erected along the boundaries of the site. Details of this fencing shall be submitted to the Local Planning Authority for written approval within one month of the date of this permission. The fencing shall be erected within two months of the approval of the details (unless otherwise agreed in writing by the Local Planning Authority) and such a fence as approved and erected shall be permanently maintained in that position.
- 13 Within two months of the date of this decision, a scheme for hard and soft landscaping working (including tree planting) shall be submitted for the written approval of the Local Planning Authority. The submitted scheme shall include:-
- (a) details of unbuilt areas, including hard landscaping, boundary walls and fences or other means of enclosure;
 - (b) details of the planting of native marginal and aquatic species including plans for planting and establishment by any other means (including bunding) and full written specifications and schedules for plants, including species, plants sizes and proposed numbers/densities where appropriate and the timing for their provision;
 - (c) details of remediation of contaminated land identified as necessary to carry out the approved landscaping scheme.
- All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development; and any trees or plants, which, within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. The details submitted in relation to (b) and (c) above shall be based upon a detailed investigation and assessment of the contamination present in the area of proposed planting to determine the potential to the environment to arise.
- 14 The unbuilt upon areas in the eastern half of the site shall not be used for any purpose without the prior written approval of the Local Planning Authority. All operational development (other than hardstanding) associated with the unauthorised uses of this part of the site should be demolished within six months of the completion of the development and the resultant debris and other materials shall be removed from the site within three months of the date of this demolition.
- 15 The proposed demolition must not be carried out except in accordance with the approved drawings. These are 99.245/10b (27 November 2001), 99.245/11a (22 August 2001), 99.245/12b (22 August 2001) and 99.245/13A (22 August 2001). Any alterations to these approved details shall require the prior permission in writing of

the Local Planning Authority before any work affected thereby is commenced.

- 16 Details of the types, finishes and colours of all the external materials shall be submitted for approval by the Local Planning Authority in writing prior to the respective materials being used on site; no external materials shall be used without their first being approved in writing by the Local Planning Authority and the development shall be implemented in accordance with such approved details.
- 17 There shall be no external loud speakers or other similar public address systems used outside any of the existing or approved buildings on the site.
- 18 Within two months of the date of this decision, detailed drawings of the service road and communal parking areas shall be submitted for written approval by the Local Planning Authority and within six months of the approval thereof those areas shall be laid out and not thereafter used for any purpose other than for manoeuvring, loading, offloading and parking of vehicles.
- 19 Within two months of the date of this decision, a scheme for the environmental protection of the site shall be submitted for the written approval of the Local Planning Authority. The submitted matters include:-
- (a) details of the storage facilities for oils, fuels and chemicals;
 - (b) details of the surface water drainage system and methods to be used to minimise the risk of contamination of the environment from the disposal of surface water;
 - (c) details of the means of foul drainage.
- The approved scheme shall be implemented within six months of the approval by the Local Planning Authority and a copy of the approved scheme shall be supplied to every current and future occupier of the site.
- 20 A vegetated buffer zone on land shown cross-hatched on plan no. 99.245/10c shall be provided of locally native plant species alongside Cobbins Brook, in accordance with a scheme to be submitted to the Local Planning Authority for written approval within two months of the date of this decision. All planting, seeding or turfing comprised in these approved details shall be carried out in the first planting and seeding seasons following the completion of the development; and any plants which within a period of 5 years from the completion of the development die, or are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

This application is brought before committee at the request of Councillor Spinks.

Description of Proposal:

This application relates to the authorised and unauthorised industrial and storage uses that have been taking place on this site for some years. The Council were successful at appeal in

November 2003 restricting the uses to half of the overall site only and various conditions were imposed by the Inspector that required works and their details to be submitted, approved and carried out within certain timescales and it is these conditions that this application seeks to vary.

Condition 6 required a scheme for external lighting to be submitted for approval within 6 months of the decision and implemented within a further 6 months;

Condition 13 required a landscaping scheme to be submitted for approval within 6 months of the decision and carried out within the next planting season;

Condition 18 required details of the service road and parking areas to be submitted for approval within 3 months of the decision and implemented within a further 6 months;

Condition 19 required a scheme for environmental protection to be submitted for approval within 6 months of the decision and implemented within a further 6 months; and

Condition 20 required details of a vegetated buffer zone alongside Cobbins Brook to be submitted for approval within 6 months of the date of the permission and implemented within the next planting season.

Description of Site:

A yard on the east side of Galley Hill Road north of the Cobbins Brook containing a number of open commercial uses and some workshops and storage buildings.

Relevant History:

For relevant details, see under Background below.

Policies Applied:

Various policies of the adopted Local Plan and the Structure Plan relating to Green Belt, employment issues, landscaping, nature conservation, impact upon amenity and transport issues.

Issues and Considerations:

Background

Formerly a horticultural nursery, this site lay derelict for some considerable time before, during the late 1980s, a mix of business, industrial and storage uses began to take place. These were particularly low-key during 1993 to 1996 but then intensified to a level that began causing significant damage to local amenity and to the Green Belt.

An application, EPF/1910/00, was submitted in 2000 and, in a spirit of compromise, the Council resolved to grant permission for the western part of the site so long as the eastern half was cleared. A section 106 legal agreement was required but the applicant declined to sign. This prompted the service of Enforcement Notices seeking to clear all unauthorised activity. An appeal was held into both the enforcement action and the refusal of the 2000 application and in 2003 the Inspector issued his decision allowing the reuse of buildings on the west side of the site along with activities around these buildings, but concluding that the open uses on the eastern half of the site were inappropriate in the Green Belt, generated levels of vehicles movements that could not be accepted on Galley Hill Road, and were detrimental to the amenities of the housing area to the south by their visual impact, noisy and dusty activities and burning of materials. The enforcement notice was upheld, then, but permission was granted for activities on the western half (but not on the eastern part), subject to some 20 conditions, in line with the Council's earlier intentions.

The enforcement notice had to be complied with within 9 months and, in the Inspector's mind, this would run parallel with time periods for the submission and approval of details required by conditions of the planning permission.

However, the appellants appealed to the High Court over the enforcement notice appeal decision on a point of law and this was not finally resolved until July 2004 when the Court of Appeal found against the appellants. By this time, however, the various time periods of the conditions had expired. Meetings were held with the applicants and a way forward to achieve the Council's objectives was advised.

Current Position

The site continues to be unauthorised and is operating in breach of the enforcement notice. The time for compliance is long past. There continues to be justification for securing the cessation of activities on the eastern part of the site.

However, the Council has always been aware that this site provides accommodation for a range of small businesses. Hence the desire to compromise over the 2000 planning application and reflected in the Inspector's decision. This has also meant that the Council has not been over-eager to enforce the notice to clear the site when half the site would prove acceptable if the works required by the conditions were carried out.

In order to encourage the applicants to carry out these works and retain on site the businesses that could reasonably be accommodated, officers agreed to consider a formal application to revise the time periods in these conditions to give a further opportunity for compliance and to make the time periods more realistic so that should it prove necessary to enforce these conditions through the courts, there would be no argument about their validity, commencement date or reasonableness.

The application seeks to set periods of only 2 months for submission of details rather than the 6 months in the original conditions (with further wording changes to condition 20 to align it with that agreed by the Environment Agency). The views reported below from the local Residents Association recognise the sense of these alterations and officers concur with the further views that no longer should be permitted.

Conclusion

The applicants confirm that they will commence discharging the relevant conditions upon receipt of a fresh decision notice with the conditions amended. The committee is recommended to agree these variations in a final attempt to work together with the applicants to resolve this matter. Should the conditions still not be complied with, enforcement action through the Magistrates Court may have to be taken as a last resort.

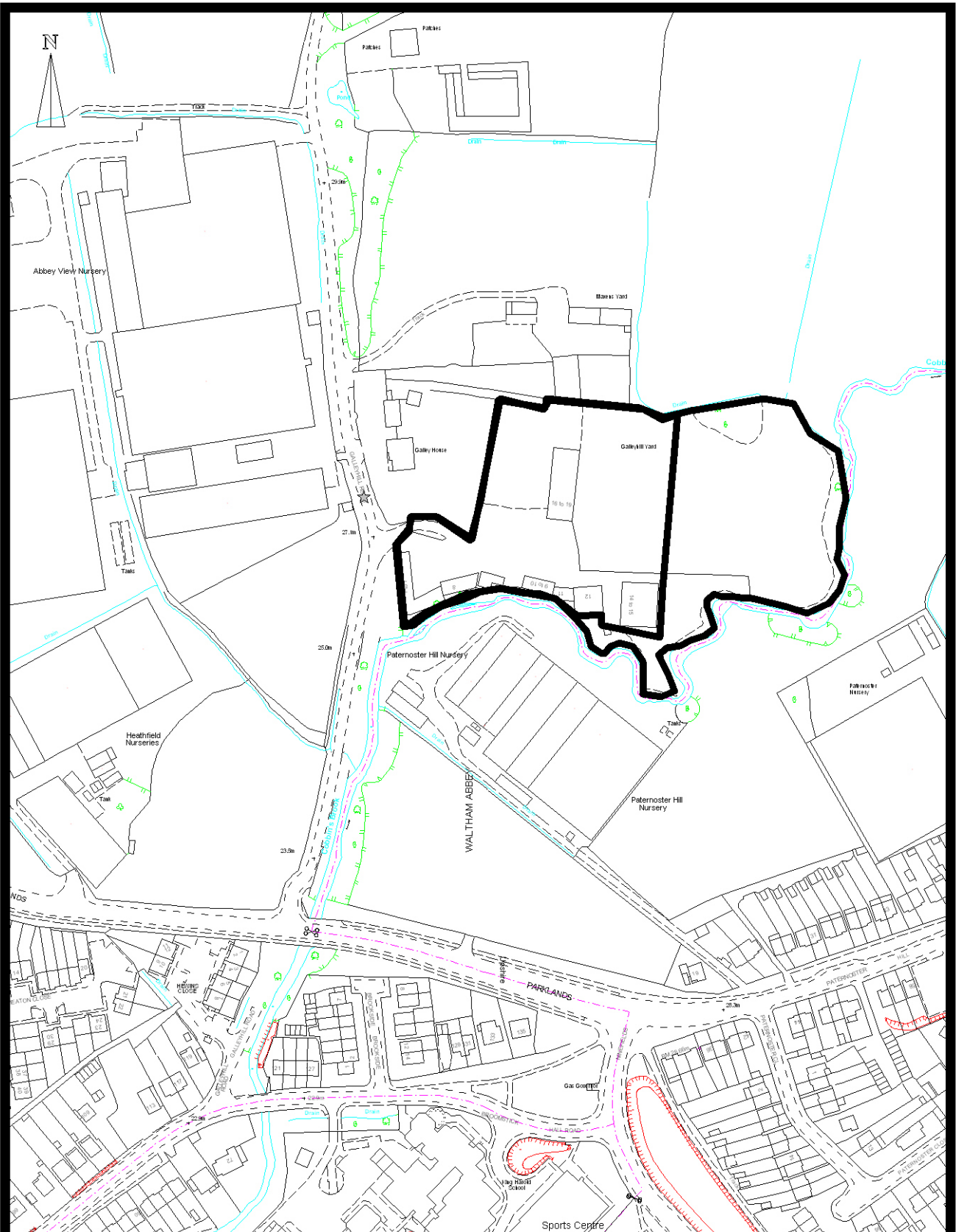
SUMMARY OF REPRESENTATIONS

WALTHAM ABBEY TOWN COUNCIL – No response received.

ENVIRONMENT AGENCY – We are satisfied condition 20 can be varied...We have no comment on conditions 6, 13, 18 and 19.

CHAIRMAN OF PATERNOSTER HILL RESIDENTS ASSOCIATION – As the problem has been going on for sometime, a two month extension is a small time to wait. The neighbours have been looking to the Council to resolve this problem and hope it can now be resolved once and for all.

ON BEHALF OF PATERNOSTER HILL RESIDENTS ASSOCIATION - We agree it may be prudent to agree a short extension to the time periods for submission of details but are reluctant to let it drag on much longer.



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Item No:3
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Report Item No: 4

APPLICATION No:	EPF/1685/05
SITE ADDRESS:	Winston Farm, Hoe Lane, Nazeing, EN9 2RJ
PARISH:	Nazeing
APPLICANT:	E Gaskin
DESCRIPTION OF PROPOSAL:	Change of use from derelict land to car park and retention of hardstanding.
RECOMMENDED DECISION:	GRANT

CONDITIONS:

- 1 The area of hardstanding hereby approved shall only be used for the parking of vehicles of visitors and staff in connection with the adjacent B1 business units of Winston Farm and for no other purpose.

Description of Proposal:

Use land, approximately 32m x 16m, for parking in connection with existing adjacent B1 business units and retention of hardstanding.

The application is retrospective.

Description of Site:

The site lies to the east of Hoe Lane, immediately to the south of existing business units to the south of Winston Farm and adjoins the side boundary of Spinney Lodge. Directly opposite is Millbrook Business Park. The access to this site serves other businesses and dwellings.

The site forms part of a built up enclave within the Metropolitan Green Belt.

Relevant History:

CLD/992/04 Certificate of Lawful use for use of buildings as workshops. Approved 30/7/04

Policies Applied:

Structure Plan
C2 – Green Belt.
T12 – Vehicle parking

Local Plan
GB2 – Green Belt
T14 – Car parking

Issues and Considerations:

The site comprises a hardstanding within a built up enclave within the Metropolitan Green Belt lying between two premises in business use. Aerial photographs taken in July 2000 indicated the land was a grassed area at that time. The applicant states that the existing hardstanding was laid over an earlier hardstanding. There is no evidence of the previous use of the land in Council records and no evidence of when the hardstanding was laid. The land is used to provide access to and parking provision for business units adjacent to the north of the land. A certificate of lawfulness in relation to the use of these units for B1 business was issued in 2004 but it does not also relate to the area of land the subject of this application. The business units can also be accessed from both the application site and land to the north.

The main issue in this case is whether the proposal is appropriate in the Green Belt and if not whether there are very special circumstances sufficient to overcome the harm to the Green Belt that will result from the development.

The use of land for parking is not an appropriate Green Belt use since such a use introduces vehicles and has an impact on both openness and visual amenity. However in this instance the parking area is required to serve existing business premises that have only limited existing parking, and the site is situated between buildings in an area characterised by business units and large areas of hardstanding. The land does not appear to have any other logical function and the use for parking will not harm the amenities of the area. The loss of openness is only very limited due to the position of the site and given that the business use of the adjacent site is lawful it is clear that it will generate traffic that will need to be accommodated. If it cannot park in this area it is likely to be more prominently located along the main access road. These circumstances are considered very special and specific to this site. As such they outweigh any harm caused to the open character and appearance of the Green Belt in this location.

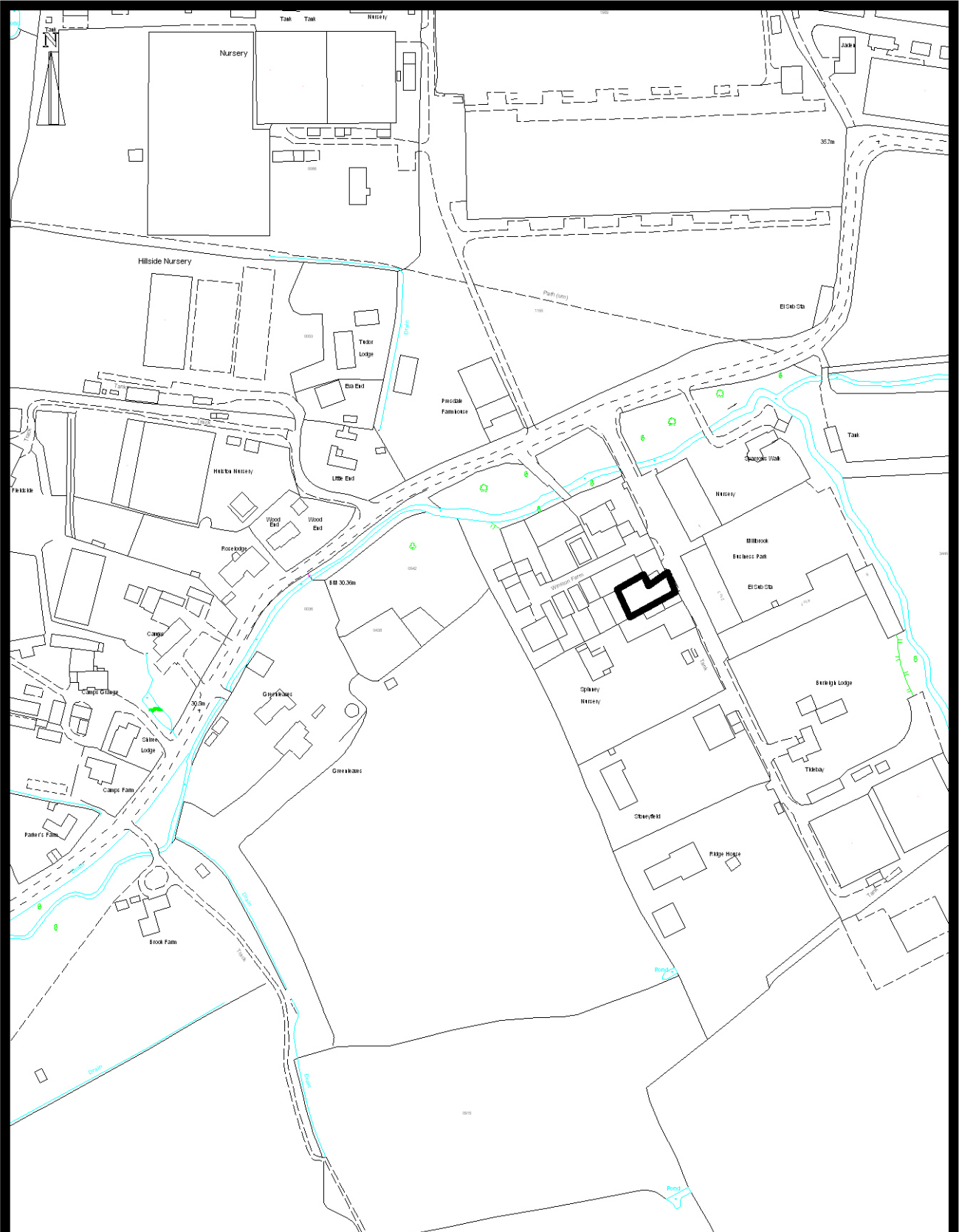
In raising objection to the application the Parish Council has made reference to Local Plan policy GB7. It is pointed out that policy GB7 relates to development outside the Green Belt that can be seen from it. Since this site is in the Green Belt policy GB7 is not applicable to this application.

Conclusion

On balance it is considered that in this instance the specifics of the site amount to very special circumstances sufficient to outweigh the harm to openness that results from the development. Accordingly it is recommended that planning permission be granted.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL – Object contrary to GB2 and GB7



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Item No: 4
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Report Item No: 5

APPLICATION No:	EPF/0281/02
SITE ADDRESS:	Tylers Cross Nursery, Epping Road, Broadley Common
PARISH:	Roydon
APPLICANT:	Mr B Salvo
DESCRIPTION OF PROPOSAL:	Use of land for stationing of a mobile home and a caravan for occupation by nursery workers.
RECOMMENDED DECISION:	GRANT

CONDITIONS:

- 1 This consent shall inure for a limited period of 3 years from the date of this Notice, at which time the use of the land for stationing of the caravan and mobile home shall be discontinued and all units and related fixtures and fittings shall be removed from the site.

Description of Proposal:

The application is for the continuation of the use of land alongside the western boundary of Tylers Cross Nursery for the stationing a caravan and a mobile home for a period of three years to provide temporary accommodation for horticultural workers.

Description of Site:

Tylers Cross Nursery lies around 1km south-west of the built-up area of Harlow, with access off Epping Road. The application site comprises most of the western end of the larger Nursery site, occupied by two glasshouses which are separated from the boundary with open fields to the west by the outbuilding and two units of accommodation. The nursery is around 1.2ha and grows cucumbers, with the outbuilding used for packing, storage, workers' canteen and a computer room. The remainder of the Tylers Cross site contains a salad packing and distribution depot, haulage and car repair businesses and a settlement of gypsy travellers.

The whole Tylers Cross site is within the Green Belt and is shown designated for glasshouses under adopted Local Plan policy E13. The site adjoins the Nazeing and South Roydon conservation area.

Relevant History:

None relevant

Planning Policy:

Structure Plan Policies:

CS4 Sustainable new development.

C2 Green Belt.

Local Plan Policies:

GB2 Development in the Green Belt.

GB5 Residential moorings and non-permanent dwellings

GB17 Agricultural workers' dwellings

HC6 Development within or adjacent to conservation areas

E13 Glasshouses in the Lea Valley

RP3 Pollution prevention

LL2 Landscaping of rural developments

Issues and Considerations:

The main issues raised by the application are the appropriateness of the development in the Green Belt, and whether there is a need for the residential accommodation for agricultural workers at the site as a legitimate exception to Green Belt policy. Other issues relate to landscape impact, visibility from the Nazeing conservation area and site drainage.

The use of land for residential purposes, even on a temporary basis is inappropriate development in terms of national and local Green Belt policy, by definition harmful to the Green Belt. The onus is therefore on the applicant to demonstrate very special circumstances, which could include agricultural need. Policy GB5(ii) does not assist the case for the mobile home and caravan, as it states that the Council will refuse permission for '*non-permanent dwellings, including mobile homes and caravans, except as replacements within the existing caravan sites shown on the Proposals Maps*'. This is not the case at Tylers Cross.

Government policy as set out in 'Planning Policy Statement 7: Sustainable Development in Rural Areas' (PPS7), and Policy GB17 of the adopted Local Plan indicate that permission will only be granted for agricultural workers' accommodation if essential. The applicant states that there is such a need for two full-time staff at all times (the proprietor lives away from the site), and that the units are both occupied by permanent workers. One had already been employed by the business for 6 years at the time of submission of this application and has been living in the mobile home. The caravan has been occupied by another employee since just before the application was submitted. In each case wives and dependent children also live in the accommodation. The applicant cites difficulties in recruiting experienced and reliable labour for seasonal work in support of retaining the accommodation as an essential element of the employment package of the two men. Wages are at the Agricultural Wages Board minimum, placing permanent housing out of reach even though Harlow and Roydon are nearby. Regular monitoring of glasshouse temperatures and automatic heating, watering and irrigation systems is stated to be needed, as well as potential power failures, alarm systems and checking site security.

Permission was granted on appeal in 1990 (Ref. EPF1997/88) for an agricultural worker's dwelling at Tylers Cross, on an adjoining nursery site, also growing cucumbers. The Inspector in that case concluded that monitoring of systems, essentially the same as that in this case, called for rapid response to failures to avoid serious crop loss or damage. He also accepted the security case, due to a right of way running through the site to other mobile homes at Tylers Cross.

The horticultural holding is profitable on the basis of the figures supplied, with enough income for the applicant and his son as well as the employment of the two resident workers.

Annexe 1 to PPS7 gives guidance on agricultural dwellings. On temporary accommodation such as proposed here, it advises that:

“If a new dwelling is essential to support a new farming activity, whether on a newly-created agricultural unit or an established one, it should normally, for the first three years, be provided by a caravan, a wooden structure which can be easily dismantled, or other temporary accommodation. It should satisfy the following criteria:

- (i) clear evidence of a firm intention and ability to develop the enterprise concerned (significant investment in new farm buildings is often a good indication of intentions);*
- (ii) functional need (see paragraph 4 of this Annex);*
- (iii) clear evidence that the proposed enterprise has been planned on a sound financial basis;*
- (iv) the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and*
- (v) other normal planning requirements, e.g. on siting and access, are satisfied.”*

It is considered that the continued operation of the nursery for some years and the need for constant on-site monitoring and supervision shows that criteria (i) to (iv) are met. A temporary approval would enable review of these factors to see if they still applied in the future. In relation to other planning issues, there is minimal effect on traffic movement, and no land drainage implications.

Landscaping along the western boundary consists of an incomplete hedgerow, which acts to reduce the impact of the two structures. There is insufficient room to add further planting along this immediate stretch of the boundary within the applicant's ownership.

The site adjoins the boundary of the Nazeing and South Roydon conservation area. The most important characteristic of the Conservation Area is its open appearance based on ancient field system boundaries identified by hedgerows. Views of the mobile home and caravan from the Conservation Area are partially screened by an existing hedge on the boundary of the site. Moreover, such views place them within the context of adjacent larger nursery buildings and against the backdrop of extensive glasshouses. It is therefore considered that the character and setting of the Conservation Area are not materially affected by the structures. The visual impact on open countryside and the Nazeing conservation area is acceptable, given that the height of the units in relation to the hedge.

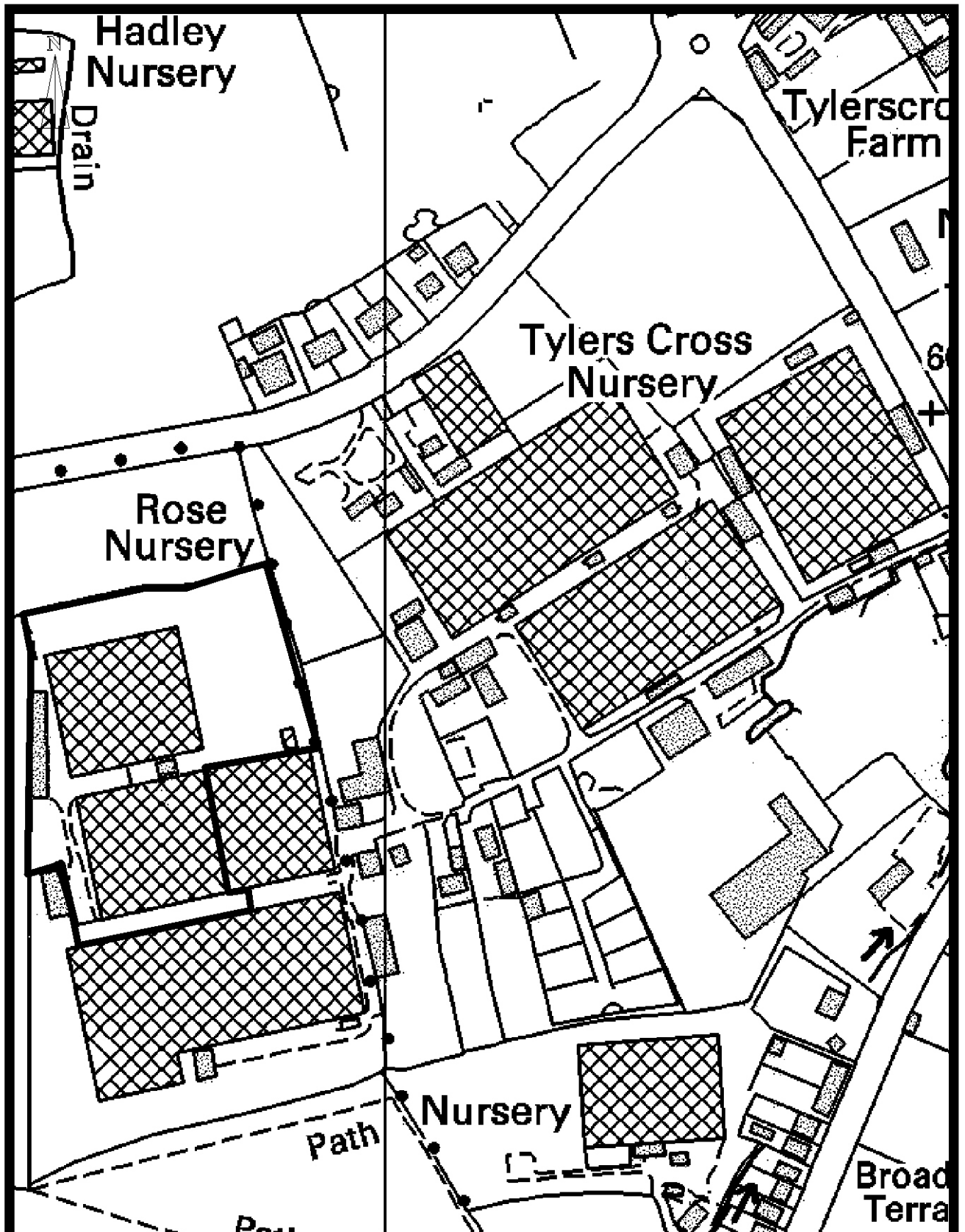
Conclusion

It is recommended that temporary permission be granted for the caravan and mobile home at the nursery, for a limited period of 3 years subject to their occupation solely by persons employed in agriculture.

SUMMARY OF REPRESENTATIONS:

ROYDON PARISH COUNCIL – Objection. There is no reason to permit these two ‘homes’ in the Green Belt.

NEIGHBOURS – Girton Cottage, Tylers Road – Objection. Sewage empties into ditch; residential use not in conformity with any structure plans; no case for nursery workers to live on site, which is within walking distance of Harlow and Roydon; accommodation likely to be used for people not entitled to reside in UK.



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Item No:5
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Report Item No: 6

APPLICATION No:	EPF/0629/04
SITE ADDRESS:	LAKE VIEW NURSERY, DOBBS WEIR ROAD, ROYDON
PARISH:	Roydon
APPLICANT:	C & P Cappalonga
DESCRIPTION OF PROPOSAL:	Replacement of and extension to existing aluminium glasshouse.
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 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.
- 3 At least 48 hours prior notice shall be given to the Archaeological Advisory Group of Essex County Council of the date works will be commenced on this site or any part thereof, and persons authorised shall be afforded access for inspection of the site, and for carrying out works of excavation for the purpose of recording any features thereon of historical or archaeological significance.
- 4 The development shall not commence until details of existing and approved ground levels are submitted to and approved in writing by the Local Planning Authority, the development shall be carried out in accordance with such details.

Description of Proposal:

This is a full application is for the erection of replacement glasshouses, which would cover the 'footprint' of the more southerly of the two present structures, linking it partly with the remaining building and slightly extend it towards both the west and south site boundaries. The total additional floorspace proposed is 1700 sq. m representing an increase of about 19% on the total existing area of glasshouses on the land. The replacement glasshouses would have an overall height of 5.4m, compares with 4m for the existing glasshouses.

Description of Site:

This is a site of 1.2ha, occupied by a nursery immediately to the east of Nazeing Meads North Lagoon, a recreational lake mid-way along the south side of Dobbs Weir Road. The site is largely

occupied by two roughly square glasshouses with a combined floorspace of 8819 sq. m, together with two small outbuildings in between. Access is along the eastern boundary from Dobbs Weir Road. There is a separate large area of glasshouses immediately east of the site, but otherwise it borders open recreational areas and an additional lake slightly to the east on the opposite side of Dobbs Weir Road.

The site is within the Metropolitan Green Belt and area of the Lee Valley Regional Park on land identified in the Local Plan as at risk from flooding.

Relevant History:

(Formerly Ardleigh nursery)

EPR/68/50 – Erection of 2 glasshouses – approved

EPO/325/70 – O/A for glasshouses – approved

EPO/544/72 – O/A for 2 nurseryman's dwellings – refused

EPO/974/72 – O/A and layout for nurseryman's dwelling – approved

EPO/936/73 – Details of new packing shed, boiler house & extension with 45ft high chimney – approved

EPF/104/74 – Erection of bungalow for residential use in connection with nursery – approved

EPF/194/78 – Glasshouses (4941 sq m) – approved

EPF/53/83 – O/A detached agricultural worker's dwelling – refused

Planning Policy:

Structure Plan Policies:

CS4 Sustainable new development.

C2 Green Belt.

Local Plan Policies:

GB2 General restraint in the Green Belt.

RST24 development within the Lee Valley Regional Park

E13 Glasshouses in the Lee Valley

DBE4 Development in the Green Belt.

T17 Traffic impact

LL11 Landscaping

U2 Development in areas at risk from flooding

Issues and Considerations:

This is an application for replacement and extension of glasshouses. The main issues are whether the proposed development is appropriate in the Metropolitan Green Belt, whether it accords with Local plan policy E13 on glasshouses and policy GB10 on the recreational functions and landscape character of the Lee Valley regional Park, traffic implications, and design and landscaping. 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 adjoining the site. For sites outside these defined areas, 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.

The existing Lake View Nursery is outside the defined glasshouse areas in the Local Plan, but In this case, all three criteria are considered applicable.

There are views from open countryside to the south and west, reduced by landscape screening afforded along the boundary with the adjoining lake. This family business seeks to renew ageing glasshouses which do not have the greater height needed for flexible plant species, ventilation and creation of ancillary storage, or formation of staff welfare and other areas. These circumstances accord with the first two criteria in policy E13 for permitting replacement glasshouses on land outside the areas identified for glasshouses on the proposals map of the Local Plan. The increase in floorspace of around 19% represents a reasonably modest extension in terms of the policy and having regard to the visual impact of the proposal as discussed below.

The effect on the open character and appearance of the countryside (the third criterion) is not considered unduly significant. Although the tree belt alongside the lagoon to the west is somewhat incomplete, it acts to reduce views of the present glasshouses along what is the longer boundary of the site. The small additional length, width and overall height of the replacement glasshouses would not appear unduly dominant in this part of the Lee Valley Regional Park. This view is not shared by the Regional Park Authority, which objects that the proposal would affect landscape, amenity and nature conservation. However, the development is clearly within the boundaries of a constrained site that is already nearly entirely covered with glasshouses therefore it is considered the Park Authority's assessment of impact must be somewhat subjective.

Although longer working hours would be enabled by the development, only one more member of staff and no additional vehicle movements are proposed.

The additional area of new buildings generates a need to seek mitigation of the impact of the limited additional rainwater runoff that would be generated by the replacement glasshouse. A condition is therefore recommended for a full Flood Risk Assessment, to enable detailed capacity calculations to be made to inform the design of additional surface water storage capacity on the site.

The County Archaeology section has records of significant pre-historic activity through finds in the immediate vicinity, leading to recommendation of a 'watching brief' condition.

The site is located about 200m away from the nearest residential enclave in Dobbs Weir Road from which it is separated by the lake. It is well away from Roydon and Nazeing settlements. Accordingly, it is considered that there would be no material impact on residential amenity or neighbours.

Conclusion

Subject to suitable conditions to secure a full Flood Risk Assessment for the development, and also for an archaeological watching brief during construction, it is recommended that outline approval be granted.

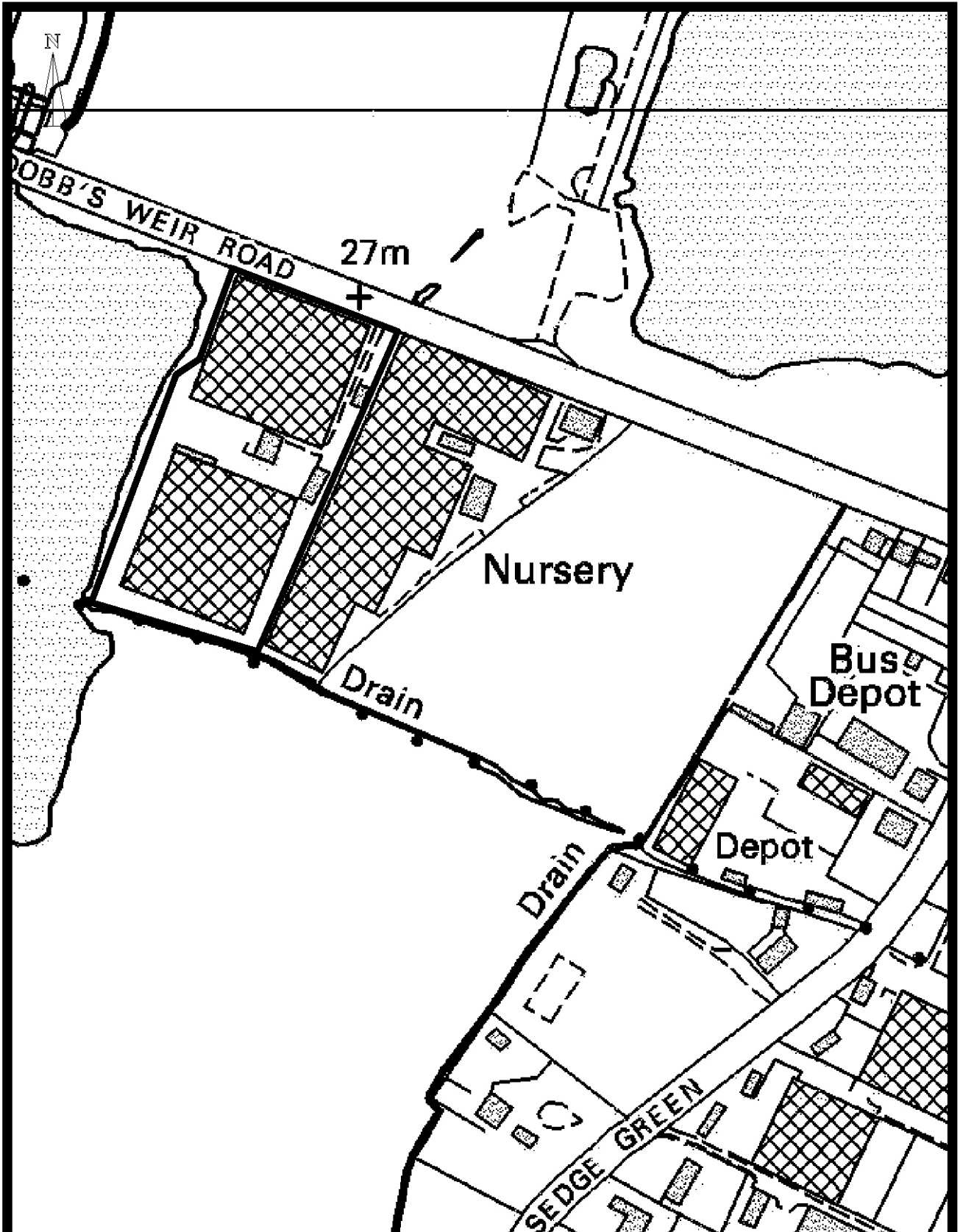
SUMMARY OF REPRESENTATIONS:

ROYDON PARISH COUNCIL – No objections.

LEE VALLEY REGIONAL PARK AUTHORITY – Objects as over-development, having adverse effect on existing vegetation, visual amenity and nature conservation interests.

ESSEX COUNTY COUNCIL (ARCHAEOLOGY) – Due to extensive records of finds demonstrating pre-historic activity, recommends archaeological watching brief condition as per PPG16.

NEIGHBOURS – No replies received



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Item No:6
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Report Item No: 7

APPLICATION No:	EPF/1801/05
SITE ADDRESS:	Land Adj 21 Albion Terrace, Sewardstone Road, Waltham Abbey
PARISH:	Waltham Abbey
APPLICANT:	Homestyle Properties
DESCRIPTION OF PROPOSAL:	Erection of 6 no. terraced houses with 3 no. affordable housing. (Resubmitted application)
RECOMMENDED DECISION:	REFUSE

REASONS:

- 1 The site is within the Metropolitan Green Belt. The proposal represents inappropriate development and is therefore at odds with Government advice, Policy GB2 of the adopted Local Plan and Policy C2 of the adopted replacement structure plan for Essex and Southend on Sea. The latter state that within the Green Belt permission will not be given, except in very special circumstances for the construction of new buildings or for the change of use or extension to existing buildings except for the purposes of agriculture, mineral extraction or forestry, small scale facilities for outdoor participatory sport and recreation, cemeteries, or similar uses which are open in character. The application for dwelling houses fails to comply with Policies GB2, resulting in a considerable harm to the Green Belt. No very special circumstances have been put forward to outweigh the harm to the Green Belt.
- 2 The site is within the Lee Valley Regional Park. The proposed development is at odds with Policy GB10 of the adopted Local Plan, in that the use of the site for dwelling houses would have an adverse affect on the character and appearance of the Regional Park.
- 3 The site is adjacent to the A112, a classified highway. The proposal will intensify vehicle traffic, which would cause deterioration in the efficiency of the through road and also cause a danger to highway safety. In addition the vision splay would be inadequate causing a highway hazard. Both are contrary to policy T17 of the adopted Local Plan, and policies T7 and T8 of the replacement Structure Plan.

Councillor Knapman has called this application to committee.

Description of proposal:

Erection of six 3 bedroom terraced houses. The terrace would be 29m long, 14m deep and 7.5m high with 7 parking spaces to the rear of the site. Three of the dwellings are proposed to be affordable housing.

The proposal is very similar to one refused in May 2005 under delegated powers. The only difference between the two proposals is that the previous proposal did not include any social housing.

Description of Site:

An 'L' shaped area of land to the south and rear of a residential terrace at Albion Terrace. The King George Reservoir is to the immediate west. The land is flat and has been partially hard surfaced at some time in the last few years. The site is within the Metropolitan Green Belt, Lee Valley Regional Park, and adjacent to the District boundary with the London Borough of Waltham Forest.

Relevant History:

WHX/140/57 Residential development - refused
EPF/1799/03 Use of land for car washing - refused and dismissed on appeal
EPF/805/05 – Erection of six 3 bedroom terraced houses - refused

Policies Applied:

Structure Plan

C2 Green Belt
H5 Affordable Housing
T7 Road Hierarchy
T8 Safety

Local Plan

GB2 Green Belt
GB10 Lee Valley Regional Park
H5 Affordable Housing
H6 Securing affordable housing
DBE 1 Design of new buildings
DBE 2 Amenity of new buildings
DBE 4 Design in Green belt
DBE 8 Amenity Space
DBE 9 Amenity
T17 Traffic Criteria
U2 Flooding

National Planning Policy Guidance

PPG2 – Green Belts

Issues and Considerations:

The main issue in this application is whether this proposal is appropriate development within the Green Belt, and if not, whether there are any very special circumstances that would outweigh the harm to the Green Belt. Any impact on the Lee Valley Regional Park, traffic implications and impact for flood risk are also relevant.

Green Belt

Structure plan Policy C2 states that within the Green Belt permission will not be given, except in very special circumstances, for the construction of new buildings for purposes other than agriculture, mineral extraction or forestry or other specified purposes. Local Plan Policy GB2 states that planning permission will not be granted for the use of land or the construction of new buildings unless it accords with the laid down criteria, which are similar to those identified in the Structure Plan.

The site is wholly within the Green Belt, and the proposed dwellings are not intended to serve the purposes of agriculture or forestry. Therefore this proposal would be inappropriate development in the Green Belt, which is by definition harmful. Moreover, it is considered that the loss of this plot to a new ribbon development would be seriously detrimental to the amenity of the Green Belt by reason of reducing the openness of the area, which is its fundamental characteristic.

It is therefore necessary to consider whether any very special circumstances exist in this case that are of sufficient weight to override the harm that would be caused by the proposal and justify allowing inappropriate development.

The applicant argues that as three of the six houses would be affordable such very special circumstances exist.

No information has been provided to say in what form the affordable housing shall take, however. The applicants argue in a supporting statement that as the site over the last few years has seen many different occupants of an undesired nature, for many reasons they are sure that a development of houses would be welcomed by other local residents and with the need for more affordable homes locally they would like to think that members would agree with this proposal.

Previous undesirable uses of the site include that of a car wash. The car wash was unlawful and planning permission to continue that use was refused by the Council and a subsequent appeal dismissed with the Inspector citing its impact on the openness of the Green Belt as the reason for his decision. Previous uses of the site such as the above cannot be taken into consideration when dealing with this application and although this particular site is in a poor condition PPG2 makes it clear that the condition of the land is not material to the continued protection of Green Belt land.

Suggestions were made to the applicant previously that 100% affordable housing may represent very special circumstances and that such a proposal might be looked at more favourably, however the applicants state that this would not be financially beneficial and are unable to propose this.

A proposal for 50% affordable housing is not considered to be very special circumstances of sufficient weight to override the harm that would be caused by the proposal and justify allowing inappropriate development. The proposal for the erection of 6 houses in the Green Belt remains unacceptable and there is no justification in planning terms to allow housing on this site.

Design & Building in Context

The terrace has a very similar appearance to the long terrace to the immediate north, and would be not dissimilar to the properties to the southeast within Waltham Forest. It is considered that the detailed design is acceptable. However, it would infill a gap between existing buildings that forms part of the Green Belt. The loss of that part of the Green Belt to housing would be harmful to the character of the locality and therefore it would be harmful to the street scene.

Lee Valley Regional Park

The site is within the boundaries of the Park. The Park Authority has requested that this application be refused, as the proposed dwellings would represent an undesirable ribbon development in the Metropolitan Green Belt and Lee Valley Regional Park, which would adversely affect the amenity of the area.

Flooding

The site lies within a flood plain. The applicant submitted a Flood Risk Assessment in conjunction with the previously submitted identical application, which has met the concerns of the Environment Agency.

Highways

Essex County Council as highway authority has commented that the applicant does not appear to own sufficient land to provide adequate vision splays. The sub-standard vision splay that is proposed would result in a hazardous lack of vision along the adjacent highway. In addition, the proposal would intensify use of a substandard access onto a classified highway, which would be detrimental to road safety.

Conclusion

This proposal is contrary to Green Belt policy, Regional Park policy and would have an adverse effect on highway safety. Special circumstances of sufficient weight have not been demonstrated to override the harm this proposal would cause. Therefore it is recommended that this application is refused.

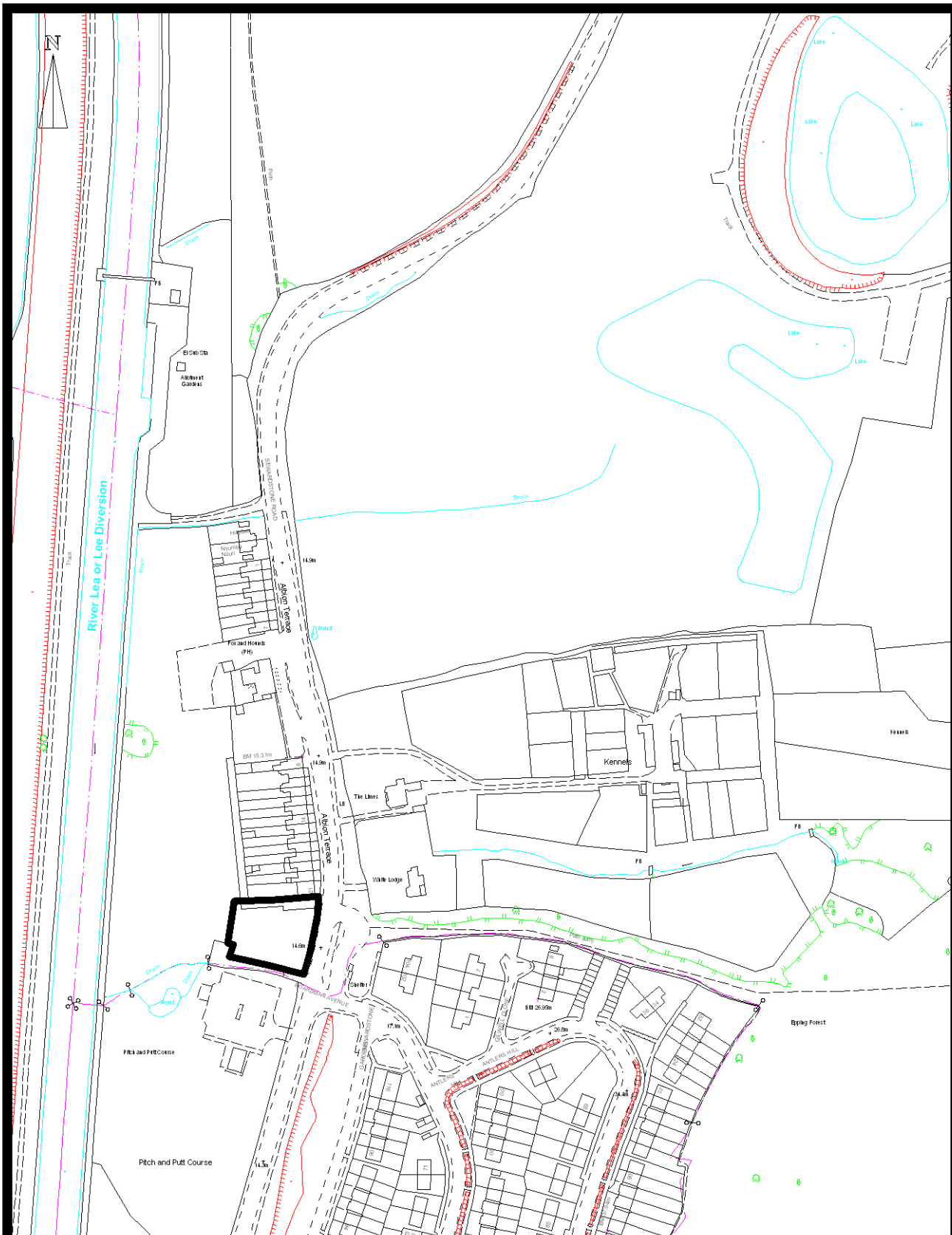
SUMMARY OF REPRESENTATIONS

WALTHAM ABBEY TOWN COUNCIL – object on the grounds of overdevelopment.

LEE VALLEY REGIONAL PARK – The development represents an undesirable ribbon development in the Metropolitan Green Belt and Lee Valley Regional Park, which would adversely affect the amenity of the area.

ESSEX COUNTY COUNCIL – The development would result in an unacceptable degree of danger to all road users.

NEIGHBOURS – No response received



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Item No:7
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Report item No: 8

APPLICATION No:	EPF/1882/05
SITE ADDRESS:	1 Tatsfield Houses, St Leonards Road, Nazeing, EN9 2HL
PARISH:	Waltham Abbey
APPLICANT:	Mr & Mrs V F Jenkins
DESCRIPTION OF PROPOSAL:	Two storey side extension.
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.
- 3 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the building hereby permitted without the prior written approval of the Local Planning Authority.
- 4 Prior to first occupation of the building hereby approved the proposed window openings in the first floor flank wall shall be fitted with obscured glass and have fixed frames, and shall be permanently retained in that condition.
- 5 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS). The approved measures shall be carried out prior to the first occupation of the building hereby approved and shall be adequately maintained.

Description of Proposal:

Erection of a two storey side extension 4.3m wide and projecting forward of the main house by 1.525m and back for the full depth of the house. The extension will provide a garage and kitchen at ground floor with two bedrooms above. The proposal retains a 1m gap from the side elevation to the boundary with the adjacent property.

Description of Site:

Semi detached property located on the western side of St Leonards Road to the north of Tatsfield Avenue within the urban area of Nazeing. Residential properties to the north, south and west. The houses are set back from the road and are on higher land than the road. There is an existing single garage to the side of the dwelling, that is to be removed.

The house is of an unusual design, with full two storeys to the front but a cottage appearance to the rear.

Relevant History:

An application for the same extension was approved back in 1988 but not implemented.

Policies Applied:

Local Plan:
DBE9 Loss of amenity to neighbouring properties
DBE 10 design of residential extensions.

Issues and Considerations:

This site is within the urban area of Nazeing and the main concerns are the impact on the street scene, the pair of dwellings, and on the amenities of neighbours.

Although this is a large extension it is well designed to fit with the existing dwelling. A hipped roof is retained and the extension to the front helps to break up the bulk of the frontage. With regard to the street scene it is not considered that the proposal will be overly prominent. The adjacent dwelling to the north is set further forward than the front extension and there is not a definite building line in this part of the road.

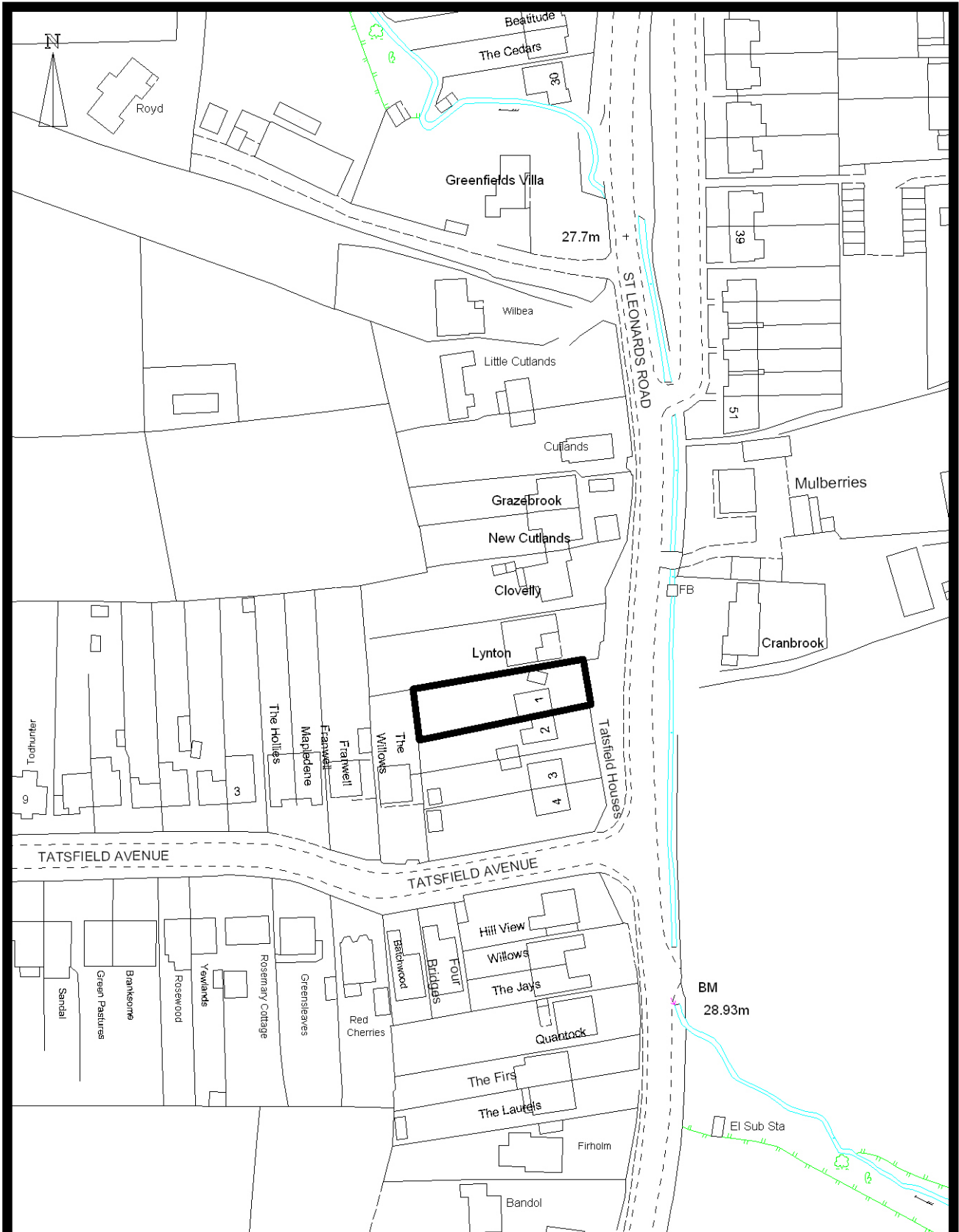
The scheme will not have any significant impact on the residential amenity of neighbouring residents. There is one high level side facing ground floor window in the flank of the house to the north, but this appears to be a recent addition and is not the main light source to a living room. There will be no significant increase in overlooking as a result of the proposal.

Conclusion

It is considered that the proposal is in accordance with the policies of the Local Plan and the application is recommended for approval accordingly.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL – Object. The proposals are contrary to policies DBE9 and 10.
NEIGHBOURS – No response received



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Item No:8
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Report Item No: 9

APPLICATION No:	EPF/1978/05
SITE ADDRESS:	17 Parkfields, Roydon, CM19 5JA
PARISH:	Roydon
APPLICANT:	Mr & Mrs Foot
DESCRIPTION OF PROPOSAL:	Two storey side and rear extension.
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.
- 3 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the building hereby permitted without the prior written approval of the Local Planning Authority.

Description of Proposal:

Two storey side and rear extension.

Description of Site:

End of terrace of 4 ex Local Authority house built 1951 on spaciouly laid out estate with communal garage block on west side. Forms part of urban area of Roydon.

Relevant History:

None.

Policies Applied:

DBE9 – Impact of extensions on amenity.
DBE10 – Design of extensions.

Issues and Considerations:

1. Amenity

The rear extension projects 3.7m and the single storey section is marginally away from the common boundary with No. 19 to the east. The 2 storey section at the rear will be 3.2m away from this boundary and is well clear of a 45 degree line from the first floor windows of No. 19. The side extension affects no other property and there will be no adverse effect on neighbours.

2. Design/appearance

The wide sideway of 4.5m and the proximity of the adjoining garage block to the west enables an extension of this scale to be created in a satisfactory manner. The side extension, particularly, is set well back from the existing front wall by 3.6m and the roof finishes below main ridge level, whilst the rear section, although 5.6m wide will maintain the same roof pitch and read as a hipped roof projection central to the rear elevation. Adequate private amenity space is retained as garden and the proposal cannot be described as 'overdevelopment'.

Conclusion

This is an acceptable scheme that accords with adopted planning policy and approval is recommended.

SUMMARY OF REPRESENTATIONS

PARISH COUNCIL – Object; over-development.

NEIGHBOURS – No response received



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