

Committee Agenda



**Epping Forest
District Council**

Area Plans Subcommittee D Wednesday, 25th January, 2006

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 - 16)

To confirm the minutes of the last meeting of the Sub-Committee held on 21 December 2005 as correct record (attached).

3. APOLOGIES FOR ABSENCE

4. DECLARATIONS OF INTEREST

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

5. ANY OTHER BUSINESS

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

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

6. DEVELOPMENT CONTROL (Pages 17 - 48)

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

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

7. DELEGATED DECISIONS

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

8. EXCLUSION OF PUBLIC AND PRESS

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

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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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Plans Subcommittee D **Date:** 21 December 2005

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 9.07 pm
High Street, Epping

Members Present: Ms S Stavrou (Chairman), Mrs P Smith (Vice-Chairman), Mrs D Borton, J Demetriou, Mrs R Gadsby, Mrs J Lea, P McMillan and Mrs M Sartin

Other Councillors: J Knapman

Apologies: Mrs P Brooks and R Chidley

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

47. 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.

48. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 23 November 2005 be taken as read and signed by the Chairman as a correct record.

49. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs D Borton declared personal interest in agenda item 7 (4) (EPF/1685/05 Winstone Farm, Hoe Lane, Nazeing). She declared that her interest was prejudicial as the application was a relatively close neighbour and indicated that she would leave the meeting during the consideration and voting on the items. She also indicated that she had a non-prejudicial interest in this application by virtue of being a member of Nazeing Parish Council.

(b) Pursuant to the Council's Code of Member Conduct, Councillor Mrs D Borton declared a personal interest in agenda item 7(8) (EPF/1882/05 1 Tatsfield Houses, St Leonards Road, Nazeing), by virtue of being a member of Nazeing Parish Council. The Councillor declared that her interests were not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the item.

(c) Pursuant to the Council's Code of Member Conduct, Councillor Ms S –A Stavrou declared a personal interest in agenda item 7(7) (EPF/1801/05 Land Adj. 21 Albion Terrace, Sewardstone Road, Waltham Abbey), by virtue of being a member of Waltham Abbey Town Council. The Councillor declared that her interests were not

prejudicial and indicated that she would remain in the meeting during the consideration and voting on the item.

50. ANY OTHER BUSINESS

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

51. PROBITY IN PLANNING - APPEAL DECISIONS, APRIL 2004 TO SEPTEMBER 2005

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

It was noted that over the six-month period between April and September 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.

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.

RESOLVED:

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

52. DEVELOPMENT CONTROL

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

RESOLVED:

That, Planning applications numbered 1 – 9 be determined as set out in the annex to these minutes.

53. 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

Minute Item 52

Item No: 1

APPLICATION No:	EPF/1792/05
SITE ADDRESS:	Rear of ground floor, 54 Sun Street, Waltham Abbey
PARISH:	Waltham Abbey
DESCRIPTION OF PROPOSAL:	Change of use from taxi company (sui generis) to a bookmakers (A2).
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	Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, or of any equivalent provisions of any Statutory Instrument revoking, or further amending or re-enacting that Order, no development generally permitted by virtue of Class B of Part 25, Schedule 2 shall be undertaken at 54 Sun Street, Waltham Abbey without the prior written permission of the Local Planning Authority.

Item No: 2

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

Item No: 3

APPLICATION No:	EPF/1886/05
SITE ADDRESS:	Galley Hill Yard, Galleyhill Road, Waltham Abbey
PARISH:	Waltham Abbey
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.
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 crosshatched 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.

Item No: 4

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

Item No: 5

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

CONDITIONS:

1	This consent shall inure for a limited period of 1 year 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.
2	The occupation of the dwelling hereby approved shall be limited to a person solely or mainly working, or last working in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

Item No: 6

APPLICATION No:	EPF/0629/04
SITE ADDRESS:	LAKE VIEW NURSERY, DOBBS WEIR ROAD, ROYDON
PARISH:	Roydon
DESCRIPTION OF PROPOSAL:	Replacement of and extension to existing aluminium glasshouse.
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.

Item No: 7

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

That the application be referred to the District Development Control Committee of the Council following clarification of the ownership of the land and modifications to improve visibility at the vehicular access off Sewardstone Road with a recommendation that planning permission be granted subject to the completion of a Section 106 Agreement in respect of the provision of 3 of the houses as social housing in perpetuity.

Item No: 8

APPLICATION No:	EPF/1882/05
SITE ADDRESS:	1 Tatsfield Houses, St Leonards Road, Nazeing, EN9 2HL

PARISH:	Nazeing
DESCRIPTION OF PROPOSAL:	Two storey side extension.
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.

Item No: 9

APPLICATION No:	EPF/1978/05
SITE ADDRESS:	17 Parkfields, Roydon, CM19 5JA
PARISH:	Roydon
DESCRIPTION OF PROPOSAL:	Two storey side and rear extension.
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.

AREA PLANS SUB-COMMITTEE 'D'

Date 25 January 2006

INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/2008/05	Montana, Parsloe Road, Epping Upland, Epping	REFUSE	19
2.	EPF/1918/05	Little Cutlands, St Leonards Road, Nazeing	GRANT	23
3.	EPF/2157/05	14 Shooters Drive, Nazeing, Essex	GRANT	27
4.	EPF/1780/05	Highview, Epping Road, Roydon	GRANT	31
5.	EPF/2000/05	Sines Park Lane, Breach Barnes, Galleyhill Road, Waltham Abbey	REFUSE	36
6.	EPF/2007/05	Land on the West Side of Mason Way (between 65 & 71), Waltham Abbey	GRANT	41

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Report Item No. 1

APPLICATION No:	EPF/2008/05
SITE ADDRESS:	Montana Parsloe Road Epping Upland Epping Essex CM16 6QB
PARISH:	Epping Upland
APPLICANT:	Mr & Mrs C A Selway
DESCRIPTION OF PROPOSAL:	First floor side extension to form annexe for dependent parents.
RECOMMENDED DECISION:	REFUSE

REASONS:

- 1 The site lies within the Metropolitan Green Belt wherein only limited extensions to dwellings are appropriate. The proposed additions taken together with the previous additions to the dwelling amounts to disproportionate additions over and above the size of the original dwelling. Additionally the works are not reasonably necessary to provide contemporary living standards, and by infilling at first floor level part of the gap between the dwelling and the adjacent dwelling the open appearance of this part of the green belt will be impaired. The character and appearance of the building in its setting will be harmed. As such the proposal is inappropriate in the Green Belt and contrary to policy C2 of the Essex and Southend on Sea Replacement Structure Plan and policies GB2, GB15 and DBE10 of the adopted Local Plan.

Description of Proposal:

Erection of a first floor over existing attached garage to create a granny annexe comprising a bedroom living room, kitchen, bathroom and WC. This amounts to approximately 46.75 sqm of additional habitable floorspace. The proposed addition has a pitched roof with a ridge level below the part of the existing roof.

Description of Site:

Montana is a detached dwelling within the Metropolitan Green Belt located at the boundary of this District with Harlow, on the southern side of Parsloe Road. Immediately to the north east is a dense residential estate. To the south west is a detached property. Montana is separated from the Harlow development by a substantial high hedge.

Relevant History:

EPO/170/63 - Erection of a dwelling - Approved 4/6/63

EPO/548/65 - Garage, conservatory and alterations - Approved 4/6/66

EPF/1846/88 - Alterations and extensions - Refused 13/1/89 but allowed on appeal. 24/10/89

EPF/340/89 - Alterations and extensions - Approved 31/3/89

EPF/740/89 - Demolition of single garage and car port and erection of double garage - Approved 16/6/89

Policies Applied:

Structure Plan;
C2 Green Belt

Local Plan;
GB2, GB14 Green Belt
DBE4 and DBE10 relating to design.

Issues and Considerations:

The main concerns in the determination of the application are the impact of the proposal on the green belt, the design in relation to the existing building and impact on neighbours.

Green Belt:

The site is within the Metropolitan Green Belt, in fact the northern boundary of the site is the edge of the Green Belt and the boundary with the urban development of Harlow. Montana was, in 1965, a small chalet bungalow with a ground floor footprint of about 80 square metres and upstairs accommodation of about 40 sqm. (Giving a total floorspace of about 120 sq metres) Since then the house has had several additions and with the extension now proposed the total floorspace including the integral garage would be about 280sqm. This amounts to an increase of over 130% over and above the size of the original dwelling. Additionally both the previous two storey extension and the extension now proposed have higher ridge heights than the original dwelling. The resulting additions are clearly disproportionate and out of keeping with the original dwelling. The proposals are contrary to national guidance and to Local Green Belt Policies and should be refused unless there are very special circumstances sufficient to outweigh the harm that will result.

No very special circumstances have been put forward. It is stated that the additional accommodation is required to allow dependant parents to have secure living accommodation and ensure their close surveillance. Although there is sympathy for the applicants in wishing to provide for elderly relatives in this way, this cannot be regarded as very special circumstances, and to approve a scheme of this size without such circumstances would set a very dangerous precedent for similar developments throughout the Green Belt.

The position of the dwelling close to the built up area of Harlow, with high density development just the other side of the hedge, means that refusal of consent may seem somewhat harsh, but the reality is that given this location even more care must be taken to ensure that openness is not compromised, as the Green Belt boundary may be undermined and become difficult to defend, leading to an outward spread of development from Harlow.

Design:

The addition of a first floor above the existing large garage at this property has the result of unbalancing the property such that the additions are considerably larger than the original dwelling. The development does not maintain or enhance the character of the building.

Impact on Neighbours:

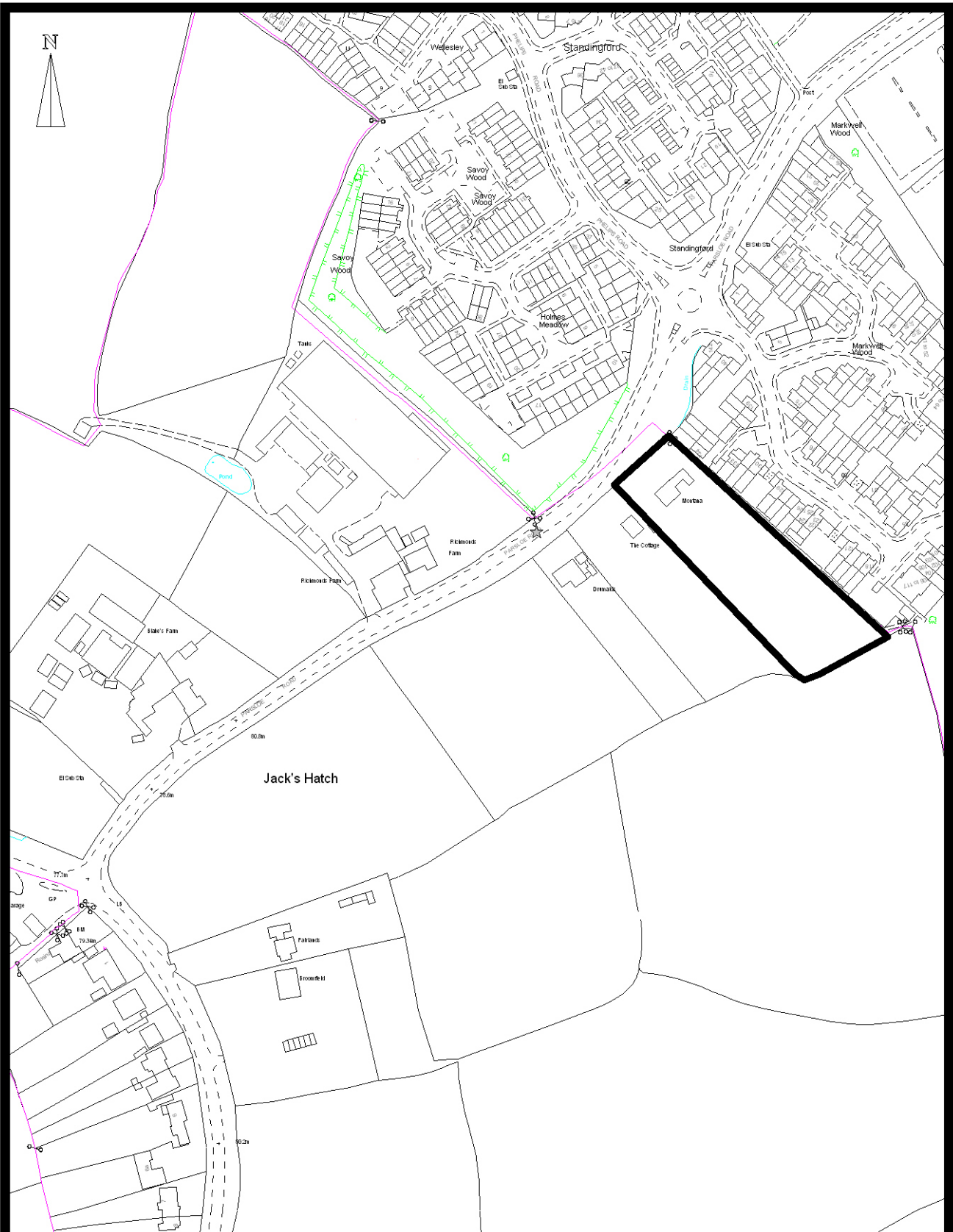
Although the proposal brings the two-storey element of the building closer to properties in Harlow, it is not considered that the proposal will result in any impact on the amenities of these neighbours, given the extensive screening that exists along the boundary of the site.

Conclusion

The proposal is harmful to the openness of the Green Belt and the appearance of the existing building and is contrary to the adopted policies of the Local Plan. The scheme is therefore recommended for refusal.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL – This Council SUPPORTS the above mentioned planning application.



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Item No: 01
Scale: 1:2500



Report Item No. 2

APPLICATION No:	EPF/1918/05
SITE ADDRESS:	Little Cutlands St Leonards Road Nazeing Essex EN9 2HJ
PARISH:	Nazeing
APPLICANT:	Stephen Coombs
DESCRIPTION OF PROPOSAL:	TPO/EPF/17/87 - Fell 7 Cypress Trees.
RECOMMENDED DECISION:	GRANT

CONDITIONS:

- 1 A replacement tree or trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted within one month of the implementation of the felling hereby agreed, unless varied with the written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Description of Proposal:

T1 - 7 Cypress x 7 Fell and replace.

Description of Site:

The trees form a line in the front garden of the property. The trees stand approximately 10m in height and a similar distance from the main road. Replacement planting in the form of native broadleaf species now forms an attractive screen between the cypresses and the front boundary fence.

Relevant History:

TPO/EPF/17/87 served, as a result of a potential threat posed to them from development on the site, following a change of ownership.

TPO/EPF18/90 application to fell trees numbered 10 - 49 inclusive was granted permission with the condition that an approved replanting scheme was undertaken with the aim of improving the landscape character.

Relevant Policies:

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

Issues and Considerations:

Introduction

The trees in question consist of the last seven individuals of G1, which originally formed a 47 number closely planted hedging screen. Previous tree removals have been granted due to destabilizing storm damage to the trees. The trees have not been managed as a hedge and now stand as a collection of individuals of generally poor structural form.

Reasons for the proposed felling:

1. The trees appear to become unstable and dangerous in strong winds.
2. Telephone cable passes amongst the crowns of the trees.
3. The trees block out light to the front garden.

Main considerations:

1. How serious are the problems being caused by the trees?

- a) If, as stated, they are unstable and dangerous, the problem is justifiably serious. They would be exempt from planning control and could be felled. T1 and T4 show clear signs of instability and therefore fall into this category. The five other trees do not display signs of root failure but are of poor form and it is claimed that the ground moves around them in storm conditions. Ivy has established in T6 and T7, which adds to wind resistance.
- b) The telephone cable problem carries little weight in the argument to fell all seven trees.
- c) Loss of light to the garden and to the replacement trees is insignificant and therefore carries little weight in support of tree removal.

2. How great would be the loss to amenity in the felling of the trees?

Since the trees are visible landscape features within the street scene, the loss of amenity would be noticeable. As poor and moderately sized specimens, however, their amenity value is lessened when viewed from the road. Native replacements such as hornbeam, field maple or beech would provide high long-term landscape value.

3. How great is the group's potential public amenity value?

The form of this species is naturally tall and conical. Since these trees have been grown so closely they have developed particularly narrow and drawn up forms, where each relies to a greater or lesser degree on its neighbours for support and protection. At this close range it is unlikely that these trees will attain their full potential in terms of size and life expectancy.

4. Past history.

There are records that show a number of incidents of trees within this group becoming unstable or suffering breakage in high winds and it has been noted that they do not have a

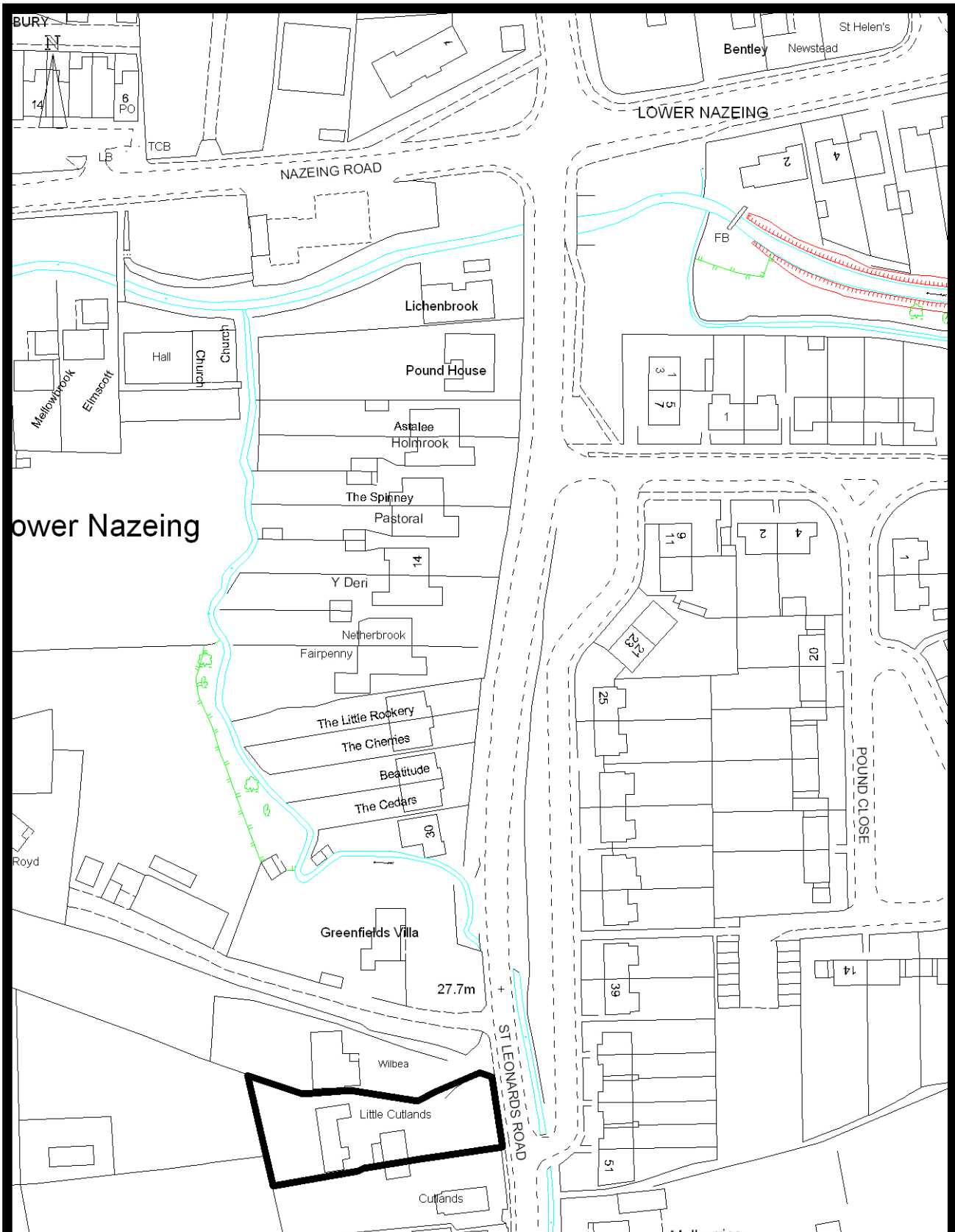
long life expectancy. A strategy has been adopted to replace the cypresses with native hedgerow species to better suit the local landscape character. This scheme has been successfully established and its performance has improved the landscape character of the site.

Summary

In relation to T1 & T4 there are strong grounds to allow felling based on the poor condition of the trees.

In relation to T2, 3, 5, 6 and 7 the issues are more balanced. After consideration of the past history surrounding these trees, there does appear to be some justification in the argument to fell, based on their shortened life expectancy and generally poor form. The success of the previous replacement plan boosts the argument to continue this long-term improvement landscape strategy.

Therefore it is recommended that permission be granted subject to a condition of replanting with an agreed number of native species in keeping with the established landscaping at the front of the property.



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Item No: 02
Scale: 1:1250



Report Item No. 3

APPLICATION No:	EPF/2157/05
SITE ADDRESS:	14 Shooters Drive Nazeing Essex EN9 2QD
PARISH:	Nazeing
APPLICANT:	Mr & Mrs Bernstone
DESCRIPTION OF PROPOSAL:	Side and rear extensions and loft conversion with front dormers. (Revised application).
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

This is a re-submission of the previous application no EPF/1661/2005. This application is therefore an amended proposal.

It is proposed to erect side and rear extensions and a loft conversion including 3 dormer windows to the front roof slope.

Description of Site

The property comprises a detached bungalow located on the south side of Shooters Drive within the built up area of Nazeing. Land levels drop to the southwest and rise to the northeast. Properties in this location have spacious and wide plots.

There is a detached garage located only 150mm from its boundary with the neighbouring property to the east, No.16 to the east has a garden access between the detached garage and its side flank wall.

Both neighbouring properties have been extended. There are number of other developments in the street which are larger than the proposal in volume and are of different in design and styles. The dormers differ considerably in style.

Relevant History

EPF/130/48 – Erection of bungalow. Approved 07.01.49

EPF/1661/05 – Side and rear extensions and front dormers. Refused 21.11.05 for the following reason:

“The proposed development would over-develop the frontage, create a cramped appearance and introduce a terracing effect which would harm the amenities of the street scene and therefore is contrary to policy DBE10 of the adopted Local Plan.”

A similar development to that proposed was approved at No. 8 Shooters Drive in 2004 under planning permission Ref. EPF/2428/2004.

Policies Applied

Local Plan:

DBE9 – Impact of extensions on amenity.

DBE10 – Design and appearance of extensions.

Issues and Considerations

The main issues raised by this proposal are its impact on the street scene and on the amenities enjoyed by the occupiers of neighbouring properties.

STREET SCENE:

The properties in Shooters Drive over a period of time have been extended in different forms and shapes and therefore it has a great variety of detached bungalows and semi-detached bungalows and other properties. There is no dominance of any particular design. The frontage of these dwellings is usually balanced and within the diversity of designs. There is consistency of architectural details and materials. Many dwellings' roof spaces have been altered to accommodate different types of dormers.

The proposal differs from that previously refused in that it has been amended to create a 1 metre gap from its boundaries with the immediately adjacent properties. This is a policy requirement to avoid extensions to detached and semi-detached houses having a terracing effect. The proposed ridge height has also been amended so that it would be no higher than that of the existing roof. The 3 dormers planned are small and are set well within the edges of its roof space. These are designed in accordance with the council's guidelines. The materials are to match the existing. Accordingly, the proposed dormers extensions would respect the character and appearance of the locality.

IMPACT ON ADJOINING PROPERTIES:

Given the relationship of the extended house to neighbouring houses, absence of clear glazed windows in the flank elevations, changes in levels together with boundary/fence/screening and

maintenance of an adequate gap to the boundaries, the proposal would cause no harm to amenity. In particular, there would be no overlooking or excessive overshadowing of neighbouring properties. No loss of light to habitable rooms would be caused.

CONCLUSION:

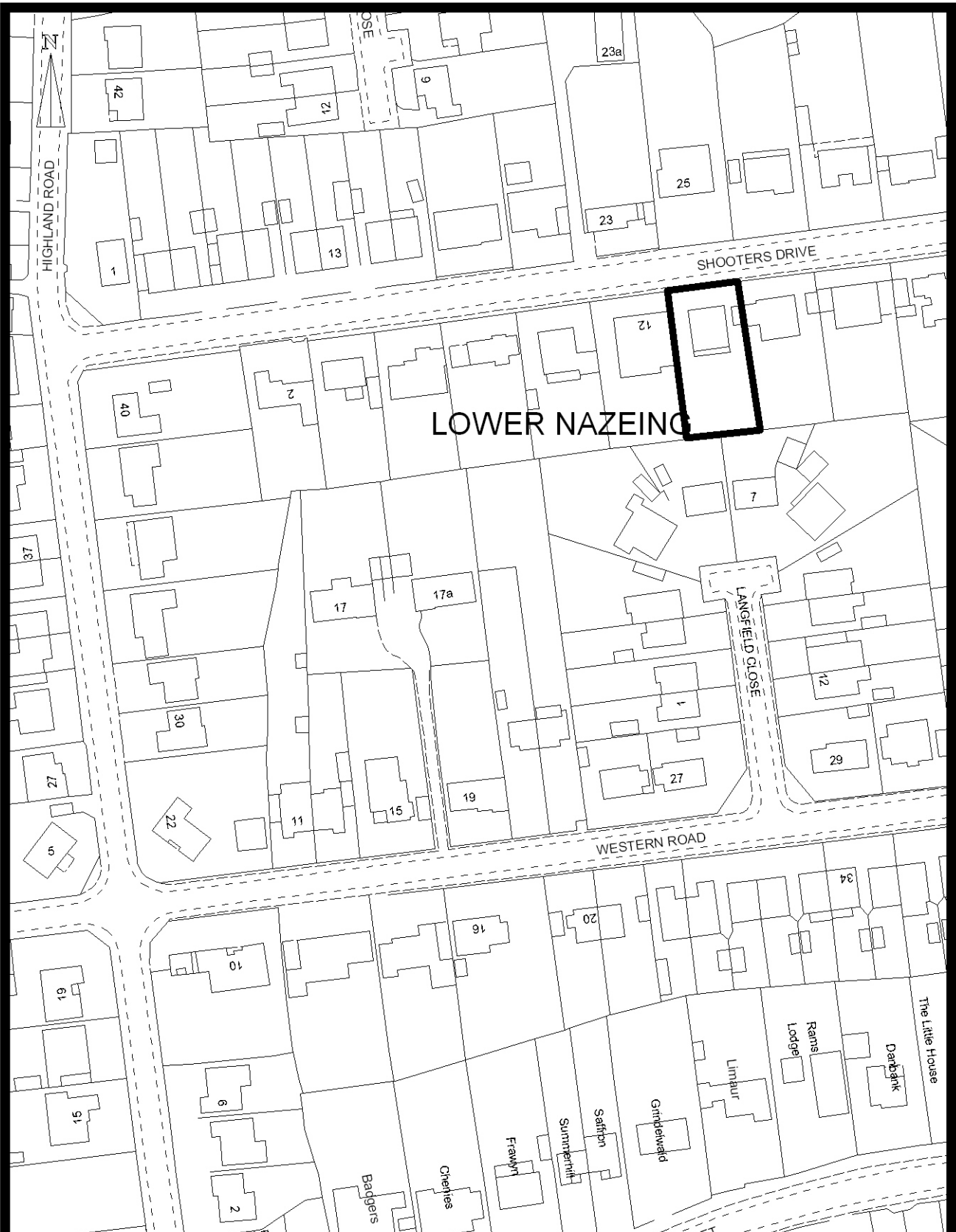
The proposal is an acceptable development that complies with policies DBE9 and DBE10 of the adopted local plan and thus it is recommended for approval.

SUMMARY OF REPRESENTATIONS:

NAZEING PARISH COUNCIL - The Parish Council objects to the proposal as it feels that the overall bulk is detrimental to the street scene and which would have overbearing impact on the privacy of adjoining properties

NEIGHBOURS: The occupiers of 12, 16 and 25 Shooters Drive and 6 Langfield Close have objected to the proposal on the following grounds:

1. The proposal would lead to a bulky, overbearing and out-of-scale development with the neighbouring properties.
2. The building would overlook the study area and reduce privacy.
3. The development of this kind would create overlooking to the properties on the opposite side and properties in Langfield Close.
4. To build 1 metre away from the adjoining property would create foundation problems.
5. The proposed development would drop the water pressures.
6. The proposed development would exacerbate traffic problems in the area
7. The proposed construction would cause unbearable noise and disturbance in the area.



LOWER NAZEING

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Item No: 03

Scale: 1:1250



Report Item No. 4

APPLICATION No:	EPF/1780/05
SITE ADDRESS:	Highview Epping Road Roydon Harlow Essex CM19 5DD
PARISH:	Roydon
APPLICANT:	Mr & Mrs J Ottley
DESCRIPTION OF PROPOSAL:	Construction of garage/store, stables and greenhouse.
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 The stable building hereby approved shall be used only for the stabling of animals within the ownership of the occupants of Highview and not for any other purpose including livery.
- 4 The development shall be carried out in accordance with the amended plans received on 18 November 2005 unless otherwise agreed in writing with the Local Planning Authority.

Description of Proposal:

Construction of a detached cart lodge style double garage with attached store, a detached two box stable with tack and feed store and a small greenhouse.

The garage and store building measures 9.9m long by 5.6m deep with a ridge height of 4.8m and is of timber construction with pitched tiled roof. The proposed stable building measures 3.66m wide and 9.76m long and is of timber construction with pitched roof. The proposed greenhouse is 7.1m long x 3.1m wide, and is of traditional design. The scheme also includes provision of hard surfacing in front of the garage and stables.

Description of Site:

Highview is a detached house located on the southern side of Epping Road, within a ribbon of residential development within the Metropolitan Green Belt and the Nazeing and South Roydon Conservation Area. The proposed buildings are located on land to the rear of the house and indeed immediately to the rear of the adjoining property, The Anchorage. The land was previously a nursery and the only authorised use is still agriculture. The dwelling has an agricultural occupancy condition, a fact that the applicant is well aware of and it is his stated intention to utilise the land for agricultural purposes once he has completed renovation of the house. At present there are no glasshouses on the site and it is simply a grassed field surrounded to the side and rear by hedgerows.

Relevant History:

None relevant

Policies Applied:

Structure Plan:
C2 Development within the Metropolitan Green Belt
HC2 Conservation Areas

Local Plan:
GB2 Green Belt
HC6 & HC7 development in Conservation Areas
RP5 nuisance
DBE4 design in the green Belt
RST4 and 5 stables and horse keeping.

Issues and Considerations:

The main concerns are the impact of the proposed development on the Green Belt, the character and appearance of the Nazeing and South Roydon Conservation Area and on the amenities of neighbours.

Green Belt:

The proposed garage is not considered excessive in size given that it is intended to serve not only the dwelling but also the agricultural land. It is logical that parking and storage for machinery in connection with the maintenance of the field will be required and the location also seems appropriate for this use, relating well to the agricultural land

The proposed stable building is small, providing space for only two horses and, as a small-scale facility for outdoor recreation it is considered appropriate in Green Belt terms. The applicant has stated that building will house only animals belonging to the occupants of the dwelling and that there will be no livery use. This can be controlled by condition.

The proposed greenhouse, the applicant has stated is needed as part of his intention to reintroduce some agricultural use of the land. It is clearly not of commercial glasshouse scale but again it is appropriate in green belt terms, if the use is agricultural. It is small and will have only limited impact on the openness of the area.

Use of Agricultural Land

As is stated above the proposed garage and store may be reasonably necessary to meet the maintenance needs of the area of agricultural land. The introduction of two stables on the land, whilst being an acceptable green belt use, will result in part of the land being used as paddock, rather than agriculture, which is a concern because the associated house has an agricultural occupancy condition. However, the occupancy condition does not require that the occupant is employed in agriculture actually at this site and the site is already smaller than the area normally accepted as sufficient for a viable agricultural holding, so this is not considered sufficient to justify a recommendation for refusal. The applicant must satisfy himself that he will be able to comply with the occupancy condition.

Character and appearance of the Conservation Area

The Nazeing and South Roydon Conservation Area is the largest conservation area in the District and covers a wide expanse of historic and attractive countryside. The area retains its quiet, intimate, small-scale rural qualities characterised by small, grassed fields that are dissected by narrow winding lanes and footpaths and bounded by tall hedgerows and mature trees. The well preserved medieval settlements and "closed field" patterns are important landscape features that form a fundamental part of the character and appearance of the area. This proposal is for buildings that are typical of rural areas, are appropriately small scale and well related to field boundaries and therefore it respects the character and appearance of the Conservation Area.

Impact on amenity

The neighbours at The Anchorage have raised concern about the positioning of the garage and stables that will be to the rear of their property. The garage will be about 34m from the rear of their dwelling, and 5m from their garden boundary, the stables will be a further 15 metres away and behind the garage building. This is not an unacceptable relationship and it is not considered that there will be significant loss of residential amenity as a result of the development. The access track and hard surfaced area will result in some activity within 5 metres of the rear boundary of The Anchorage, but it must be remembered that this area was previously a nursery and there would have been buildings and activity in connection with that use. The level of activity associated with the uses now proposed will not be excessive.

Other issues:

The Parish Council has suggested that a condition preventing change of use of the proposed buildings to dwellings may be needed. As such a change would require planning consent in any case a condition cannot be justified. However neither building would appear to have been designed with later conversion in mind. Concern has also been raised about the highway implications of keeping horses on the site. The applicant has indicated that the stables are likely only to be used for a donkey and possibly goats, but in any case the Highways Authority have raised no objection to the scheme and for private domestic stables it is not considered that there would be harm to highway safety.

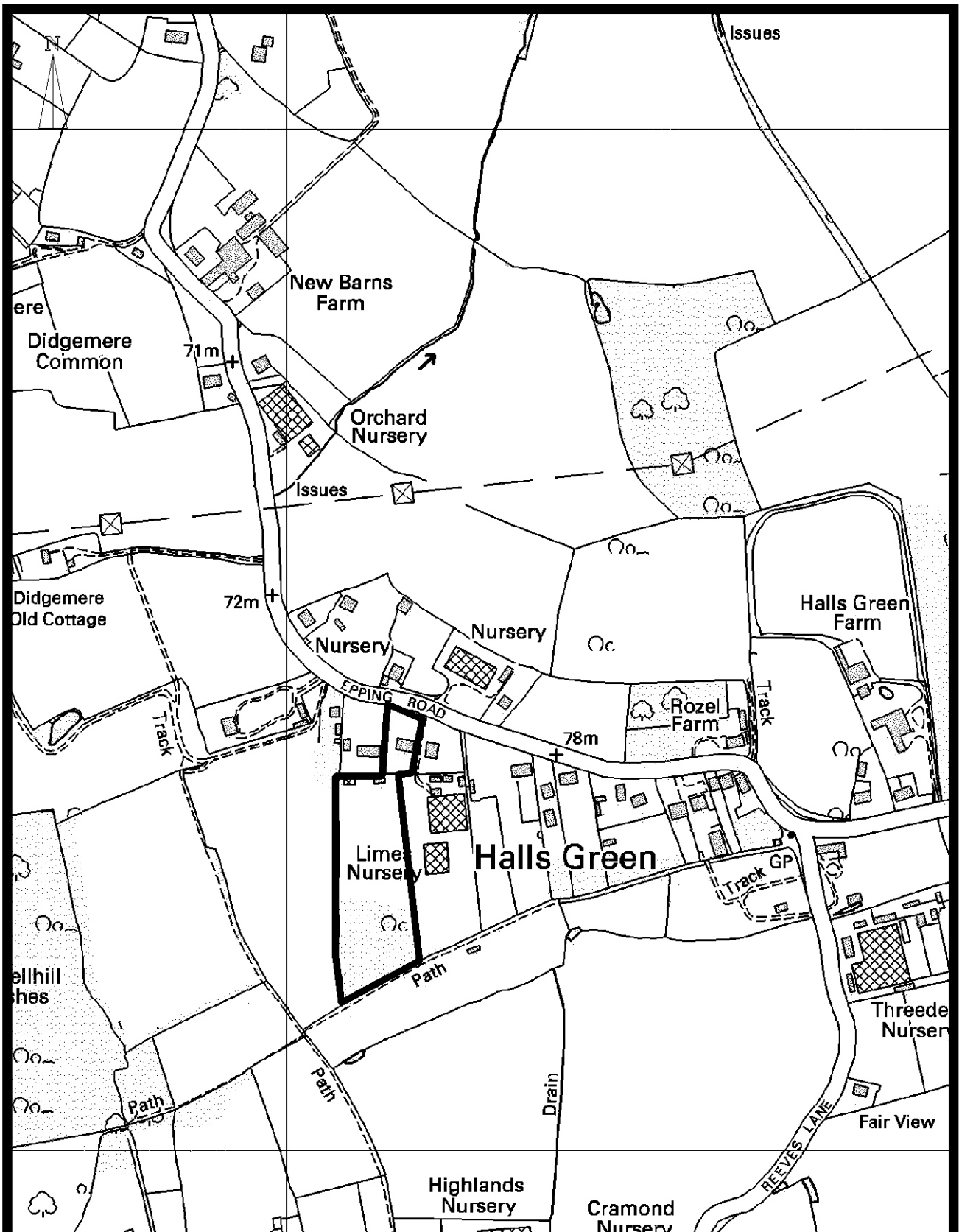
Conclusion:

In conclusion it is considered that the proposed development is appropriate in the Green Belt and will not have a significantly adverse impact on the amenity of the adjoining occupants. The application is therefore recommended for approval.

SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL – Object. We have concerns that the garage is too far away from the house to be practical and therefore question its usage and are also concerned about highway issues relating from the keeping of horses at the site. If approved the Parish Council would like to see a condition imposed that will not allow conversion of these outbuildings, at a later date to separate dwellings. We would like to point out that the glasshouses detailed on the plan are no longer in existence and that a footpath that runs along the back of the property is not fully shown.

THE ANCHORAGE – Happy for the buildings to be erected providing they are further away from our rear garden area, where I would like to enjoy peace and quiet and not be disturbed by vehicles, or the smell of horses and manure, together with associated flies. The stables should only be used to house horses only used by Mr and Mrs Ottley and not commercial ventures.



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Item No: 04

Scale: 1:5000



Report item No. 5

APPLICATION No:	EPF/2000/05
SITE ADDRESS:	Sines Parks Lane Breach Barns Galleyhill Road Waltham Abbey Essex EN9 2AJ
PARISH:	Waltham Abbey
APPLICANT:	Mr M Sines
DESCRIPTION OF PROPOSAL:	Change of use from wasteland to car park.
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 as laid out in PPG2, 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 of 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. This application for a car park fails to comply with Policy 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.

Councillor Brooks has requested this item be called to Committee

Description of Proposal:

Consent is sought for the change of use from an area described as wasteland to car park. The car park would hold spaces for 52 cars and would be accessed via a small lane immediately to the north of the entrance to the caravan park. The car park would be lit by 15 lighting bollards 865mm high.

Description of Site:

The site is situated on the east side of Galley Hill Road about 3kms north east of the centre of Waltham Abbey within the Metropolitan Green Belt. The area for the proposed car park is located approximately 75m to the north of the site entrance. The subject site is approximately 1300m² in area and is currently accessed via a small lane to the rear of Nos. 1-5 First Avenue. Public

footpath 38 runs along this lane running from north to south. The area of land where the car park would be situated is well screened along its north, east and western boundaries and is on raised ground approximately 1.5 – 2m higher than the adjacent fields. The piece of land appears to be being used as an area for dumping materials and is currently in a poor state. The surrounding land is open countryside primarily in agricultural and horticultural use including glasshouses.

Relevant History:

Various history including applications for garages, greenhouses, alterations to shower block, and erection of sheds dating back to the 1950's. Of most recent relevance are:-

EPF/730/83 – Extension to park home development to bring numbers up to site licence limit – Refused

EPF/1251/88 – Siting of 23 residential mobile homes, detached garages, new access road and ancillary works and formation of additional car parking area – Refused

EPF/719/89 – Demolition of storage building, siting of five residential mobile homes with storage sheds, erection of garages, Calor gas store and construction of car parking – Refused

EPF/362/90 – Demolition of existing garages and erection of 3 no. ranges of garages consisting of 7, 9 and 3 garages respectively, 1 no. double garage to be used as store, 7 no. storage sheds, access road and other ancillary works – Approved with conditions.

Enforcement action authorised regarding the unauthorised hardstanding and mobile home – Enforcement notice issued 17.08.04

Appeal against Enforcement notice – Appeal allowed subject to the enforcement notice being corrected and varied. A Certificate of Lawfulness issued – 29.07.05

Policies Applied:

Structure Plan Policies:

C2 – Development within the Metropolitan Green Belt

Local Plan Policies:

GB2 – General Restraint

LL1 – Character, appearance and use

LL2 – Resist inappropriate development

LL10 – Retention of Trees

T17 – Highway safety

Issues and Considerations:

The main issue in this case is the appropriateness of the development and its impact on the openness of the area.

Green Belt

The site lies within the Metropolitan Green Belt. The Local Planning Authority when considering development proposals in the Green Belt are required to pay specific regard to the following matters:-

- Whether the proposal is appropriate development within the Green Belt
- Whether the development is acceptable or whether it is likely to cause harm to the function and purposes of the Green Belt
- The effects of the development upon the specific local environment

- Whether there are any special circumstances which might justify setting aside the normal strong presumption against development

Central Government advice as set out in PPG2 states approval should not be given for inappropriate development within them. In setting out the 5 main purposes of including land within Green Belts it includes the aim to “assist in safeguarding the countryside from encroachment”. It is argued that any form of development that would involve the hardening of land for the purposes of parking vehicles creates encroachment and does little to safeguard the appearance of a rural landscape.

To assist further in the maintenance of the District’s rural landscape, much of which is within the designated Green Belt, the Council have adopted various landscape policies within its Local Plan.

Policy LL1 states inter alia that

“The Council will continue to act to;

- (i) Conserve and enhance the character and appearance of the countryside”.

Policy LL2 states that

“The Council will not grant planning permission for development on the countryside unless it is satisfied that the proposal will:-

- (a) Respect the character of landscape; and/or
- (b) enhance the appearance of the landscape”.

Whilst the piece of land is well screened on three sides and can only be glimpsed through the row of trees on the way from the surrounding area, the car park and associated lighting would introduce an alien feature that is unrelated to its immediate surroundings and would appear incongruous in the otherwise open landscape.

Although to the east of the site lies the mobile home park, the character of the landscape on and to the north, west and south of the site is that of open fields. It is considered that to remove any area of open field and replace it with a hard surface would fail to maintain or enhance this character. Whilst it could be argued that the hardstanding alone is not sufficiently obtrusive to make anything other than a marginal impact on the openness of this area, its use for the parking of vehicles however would materially change this conclusion. When occupied by vehicles, the incongruity of the use would be emphasised and ensure that the impact of the existing activity of the mobile home park itself be increased and extended in a way that would be harmful to green belt objectives.

The proposed car park area is an existing area of wasteland. Whilst this area currently lies in a poor state, Government advice as contained within PPG2 makes it clear that the condition of the land is not material consideration, stating “the quality of the landscape is not relevant to the inclusion of land in Green belts or to its continued protection”. The fact that the land is in poor condition, therefore, is no justification for a change in its use.

Green Belt policies require that in the consideration of proposals found to be harmful to the purposes of such designation, very special circumstances are needed to overcome those objections. The onus is on the applicant to demonstrate very special circumstances and in this case no special circumstances have been put forward other than to state the development is required for residents and visitor car parking.

The applicant argues that the existing car park within the site is not big enough. The site currently has a licence to house 250 homes. According to the site licence signed and dated 06 January 2003, under point 35 headed Car Parking it states that,

“Suitably surfaced parking places shall be provided with space for at least one car per mobile home standing with additional space set aside for visitors as required”.

With this provision and the existing 30+ spaces in the existing car park it has not been reasonably demonstrated that the extra spaces are urgently required. No letters of support have been received by occupiers of any of the mobile homes on the site supporting the need for additional car parking; in fact two letters of objection have indicated that the existing car park is acceptable.

Trees

The drawings submitted indicate that the existing trees around the site would remain. The Council's Landscape Officer has asked for a suitably worded condition to be attached to ensure their retention.

Highways

In terms of highway safety the Council's highways officer although concerned that it would result in an increase in traffic movements along the access lane to the car park and an increase in the use of the junction of Breach Barns Lane with Galley Hill Road did not object to the scheme. It is considered that the increase in traffic movements in either location is not enough to justify refusal. If the application was deemed appropriate, low-level lighting is proposed along the lane and the turning into Breach Barns Lane is currently used frequently as it is.

Conclusion:

In light of the above, the proposed car park is not considered an appropriate form of development within the green belt and would undermine the underlying objectives of green belt policies and is therefore recommended for refusal.

SUMMARY OF REPRESENTATIONS:

THE COUNCIL FOR THE PROTECTION OF RURAL ESSEX - No justification for the change of use of Green Belt and landscaped grounds to a car park. There is already a visitor's car park and the mobile home occupants already have individual hardstanding sites for car parking.

THE RAMBLERS ASSOCIATION – Public footpath runs along the track to the proposed car park. The track is narrow and would not leave much room for pedestrians and vehicles to pass. Application does not mention that the proposed development would affect a public right of way. Also concerned with any development on green belt land. Permanent loss of green belt.

4, FIRST AVENUE – Area now called wasteland was a delightful unspoiled field where deer used to graze. Past few months the management have dumped rubbish and debris there, making it a wasteland. Used to be field and charming lane. Seems criminal to tarmac over unspoilt countryside.

2, NORTHSIDE – Already a car park which is perfectly adequate; cant see a footpath for people to walk down; area very dark and unsafe; question the safety of two cars passing when people are walking due to it being a public right of way to Claverhambury. Concern over trees; concern on impact of bus service;

48 SECOND AVENUE – waste land has been made through dumping of site rubble; entrance to car park is steep and impracticable in bad weather; public footpath passes through, no provision made for this; ample car parking before the club house was demolished and 4 new homes were put on there.



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Item No: 05
Scale: 1:10,000



Report Item No. 6

APPLICATION No:	EPF/2007/05
SITE ADDRESS:	Land on the West Side of Mason Way (between 65 & 71) Waltham Abbey Essex
PARISH:	Waltham Abbey
APPLICANT:	Ability Housing Association
DESCRIPTION OF PROPOSAL:	Erection of five bungalows suitable for wheelchair use and associated parking (revised application for EPF/1194/00).
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 foul and surface water disposal shall be submitted to and approved by the Local Planning Authority before any work commences and the development shall be implemented in accordance with such agreed details.
- 3 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
- 4 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Classes A and B shall be undertaken without the prior written permission of the Local Planning Authority.
- 5 No development shall take place on site, including site clearance, tree works, demolition, storage of materials or other preparatory work, until all details relevant to the retention and protection of trees, hereafter called the Arboricultural Method Statement, have been submitted to the Local Planning Authority and approved in writing. Thereafter the development shall be undertaken only in accordance with the approved details, unless the Local Planning Authority has given its prior written consent to any variation.

The Arboricultural Method Statement shall include a tree protection plan to show the areas designated for the protection of trees, shrubs and hedges, hereafter referred to as Protection Zones. Unless otherwise agreed, the Protection Zones will be fenced, in accordance with the British Standard Trees in Relation to Construction-Recommendations (BS.5837:2005) and no access will be permitted for any development operation.

The Arboricultural Method Statement shall include all other relevant details, such as changes of level, methods of demolition and construction, the materials, design and levels of roads, footpaths, parking areas and of foundations, walls and fences. It shall also include the control of potentially harmful operations, such as burning, the storage, handling and mixing of materials, and the movement of people or machinery across the site, where these are within 10m of any designated Protection Zone.

The Arboricultural Method Statement shall also indicate the specification and timetable of any tree works, which shall be in accordance with the British Standard Recommendations for Tree Works (BS.3998: 1989).

The Arboricultural Method Statement shall include provision for supervision and inspection of the tree protection measures. The fencing, or other protection which is part of the approved statement shall not be moved or removed, temporarily or otherwise, until all works, including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval of the Local Planning Authority has been given in writing.

6 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) have been submitted to an approved in writing by the Local Planning Authority, and these works shall be carried out as approved. These details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle artefacts and structures, including signs and lighting and functional services above and below ground. Details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers / densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

7 No development shall take place, including site clearance or other preparatory work, until all details relevant to the implementation of hard and soft landscape works and tree planting, hereafter called the Landscape Method Statement, have been submitted to the Local Planning Authority, and the development shall not commence until the Landscape Method Statement has been approved by the Local Planning Authority in writing. All landscape works shall be undertaken in accordance with the approved details, unless the Local Planning Authority has given its prior written consent to any variation.

The Landscape Method Statement shall include as appropriate, protection of the planting area, where appropriate by fencing, during construction; preparation of the whole planting environment, particularly to provide adequate drainage; and the provision which is to be made for weed control, plant handling and protection, watering, mulching, and the staking, tying and protection of trees. The Landscape Method Statement shall also normally include provision for maintenance for the period of establishment, including weeding, watering and formative pruning, and the removal of stakes and ties. Provision shall be made for replacement of any plant,

including replacements, that are removed, are uprooted, or which die or fail to thrive, for a period of five years from their planting, in the first available season and at the same place, with an equivalent plant, unless the Local Planning Authority has given its prior written consent to any variation.

All hard and soft landscape works shall be completed prior to the occupation or use of any part of the development, unless the LPA has given its prior written consent to a programme of implementation. The hard and soft landscape works, including tree planting, shall be carried out strictly in accordance with any approved timetable.

The Landscape Method Statement shall state the provision, which is to be made for supervision of the full programme of works, including site preparation, planting, subsequent management and replacement of failed plants.

- 8 No development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.
- 9 Prior to the commencement of the development details of the proposed surface materials for the access way and parking area, shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
- 10 Before the building is occupied, a suitably surfaced area shall be provided, and thereafter maintained to the satisfaction of the Local Planning Authority, within the curtilage of the site to enable a vehicle to turn and leave the property in forward gear. Details of this should be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development.
- 11 Details of any proposed external lighting shall be submitted to and approved in writing by the Local Planning Authority before the use hereby permitted commences. Development shall be carried out in accordance with the approved details.
- 12 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.
- 13 Except with the prior agreement of the Local Planning Authority in writing, no construction work or demolition shall be carried out or plant operated other than between the following hours 07.00 hours to 18.00 hours, Monday to Friday, 08.00 hours to 13.00 hours on Saturday and at no time on Sundays, Bank of Public Holidays.
- 14 Before the development hereby permitted is commenced, details of the following matters shall be submitted to and approved by the Local Planning Authority in writing:
 - i) contractors' access arrangements for vehicles, plant and personnel.
 - ii) contractors' site storage area/compound.
 - iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site.

iv) The arrangements for parking of contractors' vehicles and contractors' personnel vehicles.
Thereafter the development shall be undertaken in accordance with the approved details.

- 15 No development shall take place until full details of the construction of the vehicular access roadway and pedestrian footway have been submitted to and approved by the Local Planning Authority in writing. Thereafter the development shall be carried out in accordance with the approved details.
- 16 The development authorised by this permission shall not commence until the Local Planning Authority has approved in writing a full scheme of works for upgrading the adjacent public footpath no. 54 by resurfacing and lighting. No occupation of any part of the site shall take place until those works have been completed in accordance with the Local Planning Authority's approval otherwise agreed by the Local Planning Authority.

Description of Proposal:

Permission is sought for the erection of five bungalows suitable for wheelchair use and associated parking (revised application for EPF/1194/00).

Description of Site:

The irregular site is 0.18 ha in extent and covered in overgrown vegetation and trees including a mature Oak, which is protected by a Tree Preservation Order. A small part of the site to the east fronts on Mason Way and the remainder with the side boundary of no. 71 Mason Way and will serve as the access point from the public road. The remainder of the site is bounded to the south by the gardens of residential properties, to the north by a narrow public footpath and to the west by vacant land. The site lies in a residential area of Waltham Abbey, north of Honey Lane. The site is identified as within an area liable to flooding.

Relevant History:

EPF/1813/87 – Outline application for residential development – Approved.

EPF/15/92 – Outline application for residential development – Approved

EPF/1194/00 – Proposed erection of 8 bungalows with ancillary office and parking suitable for wheelchair use - Approved

Policies Applied:

Structure Plan:

- CS1 Achieving sustainable urban regeneration
- CS2 Protecting the natural and built environment
- CS4 Sustainable new development
- BE1 Urban intensification
- H2 Housing development – The sequential approach
- H3 Location of residential development

T3 Promoting accessibility

Local Plan:

H3 Residential development on sites outside the Green Belt

DBE1 Design of new buildings

DBE2 Impact of new development

DBE8 Private amenity space

DBE9 Impact of development on amenity

LL10 Provision and retention of landscaping/trees

T14 Adequate/appropriate facilities

T17 Highways: Criteria for assessing proposals

Issues and Considerations:

Principle

The principle of residential development of this site has been established through previous planning approvals. It is therefore considered that the development can be supported as the development complies with the policy preference for providing new dwellings within existing urban areas with good access to community facilities and public transportation. The main issues to be considered are whether the proposal would preserve or enhance the character or appearance of the surrounding area, the impact of the development on amenity and highway safety.

Details of Proposal

The application has been the subject of discussion between the Housing Committee and Ability Housing Association. In June 1999 it was agreed to develop the former site (now reduced in size) for a self contained supported housing scheme for wheelchair users and that the Council's land should be leased to the Association for 125 years on a peppercorn rent to enable the development to go ahead. The Association has received a Social Housing Grant from the Housing Corporation to fund the development.

It is intended that the bungalows will be let to single people or couples where one of the occupants is confined to a wheelchair. The properties have been designed to meet the needs of people in wheelchairs. This includes wide corridors and doors, open plan kitchen/lounges with especially designed kitchens.

The development comprises two rows of terraced cottages facing each other. The building forms, style and use of materials are designed to be compatible with the houses in the immediate vicinity and are appropriate in scale and design relative to the character and appearance of the area as a whole. It is therefore considered that the proposal would not be out of keeping or appear unduly intrusive in the context of the surrounding area.

The concern expressed about the loss of wildlife has been addressed by an ecological survey which was commissioned for the previous application. The overall conclusion of the report was that although the site is obviously used by wildlife it has no intrinsic wildlife value over and above that offered by tree lined urban gardens. The retention of mature trees and hedges, with the additional retention of a number of coppiced hazels and additional planting should mean that the wildlife interest would not be adversely affected.

Impact on Neighbouring Properties

The proposal must also be assessed in terms of its siting and relationship to neighbouring properties. The design of the proposal is intended to minimise the effect of the proposals on surrounding houses in terms of overlooking and overbearing impact, in particular nos. 65 and 71 Masons Way. The relationship of the proposal to other neighbouring properties is acceptable. It is therefore considered that the proposal could be carried out without giving rise to excessive overlooking and the reasonable privacy of both neighbouring and proposed houses would be maintained.

Amenity Space

Amenity space provision should be easily accessible and be of a size, shape and nature which enables reasonable use. It is considered that sufficient private space has been provided for the mobility impaired where the space will be a visual amenity rather than an area required for active recreation. The mature Oak Tree is protected by a Tree Preservation Order and will be retained as well as new planting and ground cover provided for the communal areas.

Parking and Access

Car parking provision is based on one space per unit plus one visitors space which is in accordance with standards of PPG13, which advises that parking standards should be based on a maximum requirement and no impact on highway safety is envisaged. The proposed vehicular access will be to adoptable standard and is acceptable. It has been specifically designed to minimise the impact upon the mature Oak tree and root system which is protected by a Tree Preservation Order. There is no loss of footpath to the site apart from the forming of a vehicular crossover.

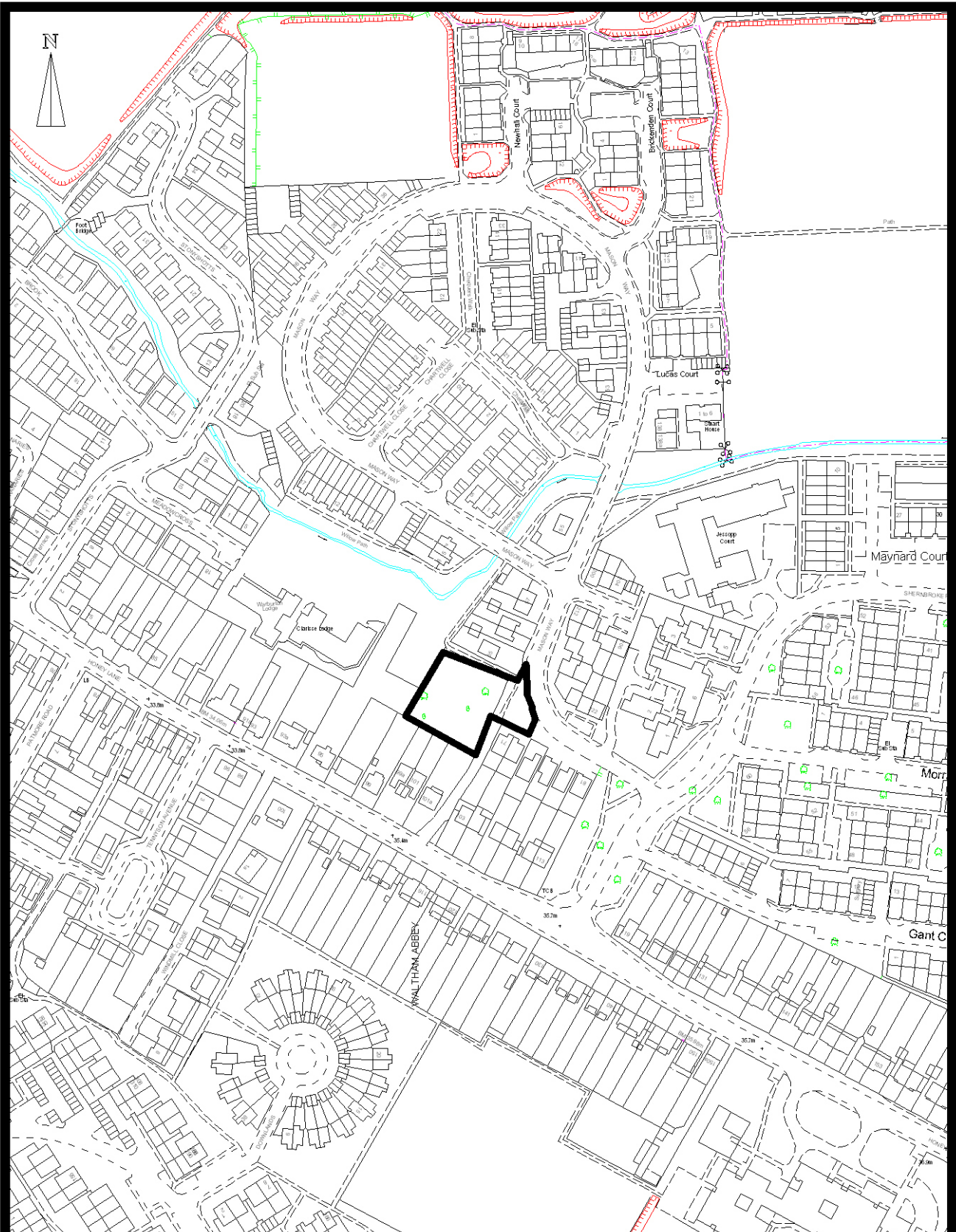
Conclusion

In conclusion the report has sought to establish that the proposal to provide 5 bungalows suitable for wheelchair use and associated parking in a manner that would preserve and enhance the character and appearance of the surrounding area and provide good living conditions without adversely affecting amenity or highway safety is consistent with relevant policy and Central Government advice. It is therefore considered that the matters raised in objection are not sufficiently robust to impede the granting of approval, subject to conditions. It is therefore recommended that planning permission be granted for this application.

SUMMARY OF REPRESENTATIONS

TOWN COUNCIL - Object to this proposal based on overdevelopment of site and loss of footpath.

NEIGHBOURS - The occupiers of 1 neighbouring property raised objection to the proposal as it is considered that a wildlife haven will be sacrificed.



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