

Committee Agenda



**Epping Forest
District Council**

Area Plans Subcommittee D Wednesday, 14th June, 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 P McMillan (Chairman), Mrs D Borton (Vice-Chairman), Mrs P Brooks, Mrs A Cooper, J Demetriou, R D'Souza, Mrs R Gadsby, R Haines, Mrs J Lea, Mrs M Sartin, Mrs P Smith, D Spinks, Ms S Stavrou and J Wyatt

A BRIEFING FOR THE CHAIRMAN, VICE-CHAIRMAN AND APPOINTED SPOKESPERSONS WILL BE HELD AT 6.30 P.M. IN COMMITTEE ROOM 1 ON THE DAY OF THE SUB-COMMITTEE.

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

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

2. MINUTES (Pages 7 - 12)

To confirm the minutes of the last meeting of the Sub-Committee held on 19 April 2006 as correct record (attached).

3. APOLOGIES FOR ABSENCE

4. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

(Head of Research and Democratic Services) To report the appointment of any substitute members for the meeting.

5. DECLARATIONS OF INTEREST

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

6. 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.

7. PROBITY IN PLANNING - APPEAL DECISIONS, OCTOBER 2005 TO MARCH 2006 (Pages 13 - 16)

(Head of Planning and Economic Development) To consider the attached report.

8. SAINSBURY'S DISTRIBUTION DEPOT, WALTHAM POINT AND HOMESDALE TUNNEL ROADWORKS (Pages 17 - 18)

(Head of Planning and Economic Development) To consider the attached report.

9. BUSINESS STARTER UNIT, FLEMING ROAD, WALTHAM POINT (Pages 19 - 20)

(Head of Planning and Economic Development) To consider the attached report.

10. DEVELOPMENT CONTROL (Pages 21 - 66)

(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.

11. 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.

12. EXCLUSION OF PUBLIC AND PRESS

Exclusion: 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 following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Confidential Items Commencement: 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 and 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:** 19 April 2006

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

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

Other Councillors: (none)

Apologies: J Demetriou, R D'Souza, Mrs R Gadsby and D Spinks

Officers Present: S Solon (Principal Planning Officer) and Z Folley (Democratic Services
Assistant)

74. 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.

75. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 22 March 2006 be taken as read and signed by the Chairman as a correct record.

76. DECLARATIONS OF INTEREST

Pursuant to the Council's Code of Member Conduct, Councillor Mrs P Smith declared a personal interest in agenda items 6 (2) (EPF/2210/05) and 6 (3)(EPF/0256/06) both Land at Little Copped Hall, Copped Hall Estate, High Road, Epping) by virtue of being a member of Epping Upland Parish Council who had commented on the proposals. The Councillor declared that her interests were not prejudicial and indicated she would remain in the meeting during the consideration and voting on the items.

77. ANY OTHER BUSINESS

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

78. (EPF/0265/06) - LEVERTON JUNIOR, INFANTS AND NURSERY SCHOOL, WALTHAM ABBEY, AND (EPF/0265/06) STABLES, LIPPITTS HILL, LOUGHTON

The Chairman reported that the above applications listed for consideration as part of the Development Control schedule had been withdrawn prior to the meeting.

79. DEVELOPMENT CONTROL

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

RESOLVED:

That, Planning applications numbered 1 – 3 be determined as set out in the annex to these minutes. This annex also includes supplementary item 5a (TRE/EPF/0181/06) result.

80. 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

Report Item No: 1

APPLICATION No:	EPF/2008/05
SITE ADDRESS:	Montana Parsloe Road Epping Upland Epping Essex CM16 6QB
PARISH:	Epping Upland
DESCRIPTION OF PROPOSAL:	First floor side extension to form annexe for dependent parents.
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 and GB15 and DBE10 of the adopted Local Plan.

Report Item No: 2

APPLICATION No:	EPF/2210/05
SITE ADDRESS:	Land at Little Copped Hall Copped Hall Estate High Road Epping Essex CM16 5HS
PARISH:	Epping Upland
DESCRIPTION OF PROPOSAL:	Change of use of one building to residential and erection of three new dwellings and associated garaging.
DECISION:	REFUSE

REASON:

- 1 The site is in the Metropolitan Green Belt. Residential development is inappropriate in the Green Belt and by definition is harmful to it. No very special circumstances sufficient to outweigh the harm caused by inappropriateness exist in this case. Accordingly the proposed development is contrary to policy C2 of the Essex and Southend on Sea Replacement Structure Plan (2001) and policy GB2 of the Epping Forest District Local Plan (1998).

Report Item No: 3

APPLICATION No:	EPF/0256/06
SITE ADDRESS:	Land at Little Copped Hall Copped Hall Estate High Road Epping Essex CM16 5HS
PARISH:	Epping Upland
DESCRIPTION OF PROPOSAL:	Conservation Area Consent for the demolition of the farm buildings in connection with planning application EPF/2210/05.
DECISION:	GRANT

CONDITIONS:

- 1 The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.
- 2 Within 3 months of demolition, all resulting materials shall be removed from the site and the land restored to a natural condition, unless work is undertaken commencing an authorised redevelopment of the site.

Report Item No: 4

APPLICATION No:	EPF/0444/05
SITE ADDRESS:	Leverton Junior, Infants and Nursery School Honey Lane Waltham Abbey
PARISH:	Waltham Abbey
APPLICANT:	The Governors
DESCRIPTION OF PROPOSAL:	Outline application for the demolition of the existing school buildings and the erection of new school buildings with residential development (all matters reserved).
RECOMMENDED DECISION:	

That the committee considers the proposal and in particular the issue of affordable housing, with a view to either:

- a) Refusing permission because of the lack of affordable housing (and for any other reason determined by the committee); or**
- b) Accepting the nil provision of affordable housing and granting permission, subject to the following conditions:**

This item was withdrawn from the agenda.

Report Item No: 5

APPLICATION No:	EPF/0265/06
SITE ADDRESS:	Stables Lippitts Hill High Beach Loughton Essex IG10 4AL
PARISH:	Waltham Abbey
DESCRIPTION OF PROPOSAL:	Outline application for the erection of one dwelling on site of hardened manege area of livery yard.
RECOMMENDED DECISION:	REFUSE

Application withdrawn by applicant.

Supplementary Item.

APPLICATION No:	TRE/EPF/0181/06
SITE ADDRESS:	Plough Green Epping Road Roydon
PARISH:	Roydon
DESCRIPTION OF PROPOSAL:	Outline application for the erection of one dwelling on site of hardened manege area of livery yard.
DECISION:	

The committee agreed to the felling and replacement of T1, 2 and 3 (fir x 3).

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.
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Report to Area Plans Sub-Committee D



**Epping Forest
District Council**

Date of meeting: 14 June 2006.

Subject: Probity in Planning – Appeal Decisions, October 2005 to March 2006.

Officer contact for further information: Barry Land (01992 – 56 4110).

Democratic Services Officer: Adrian Hendry (01992 – 56 4246).

Recommendation:

That the Planning Appeal Decisions for the period October 2005 to March 2006 be noted.

Background:

1. In compliance with the recommendation of the District Auditor, this report advises the decision-making committees 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.

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:

3. Over the six-month period between October 2005 and March 2006, the Council received 53 decisions on appeals – 49 planning appeals and 4 enforcement appeals. Of the 49 planning appeals, 12 were allowed (24%) and of the 4 enforcement appeals, 1 was allowed (25%) – a combined total of 24% of the Council's decisions overturned.

4. This means that for the year April 2005 to March 2006 as a whole, the number of planning appeals allowed was 22 from 103 decisions – 21%, and the number of enforcement appeals allowed was 3.5 from 11 decisions - 31%, a combined total of decisions overturned being 22%, exceeding both the national average and our local target.

Planning Appeals:

5. Of those 12 planning appeals allowed, 4 were allowed following decisions by committee to refuse contrary to officer's recommendation. Those 4 were:

(i) EPF/1588/05 – Two storey side extension and first floor extensions to convert bungalow to a house at Whipsiderry, Bournebridge Lane, Stapleford Abbots (Area Committee C 16/11/05);

(ii) EPF/174/05 – Erection of one detached and one pair of semi-detached houses at 57, Morgan Crescent, Theydon Bois (Area Committee B 06/04/05);

(iii) EPF/0001/04 – Outline application for residential development at Theydon Bois Youth Centre, Loughton Lane, Theydon Bois (Area Committee B 21/07/04); and

(iv) EPF/942/05 – Erection of 3 bungalows at Land rear of 150A, Honey lane, Waltham Abbey (Area Committee D 03/08/05).

6. To complete the picture, officers were successful in sustaining a committee decision to refuse, when officers had recommended granting permission, in seven cases – nos. 17, 26, 27, 28, 29, 32 & 44 on the attached list.

Costs:

7. No awards of costs were made in this six-month period, either for or against the Council.

Conclusions:

8. The Council's performance for this six-month period and the year as a whole continues to be a reflection of the quality of decision-making by both officers and members at committee, once again exceeding the performance indicator target and the national average.

9. The decisions are listed in the Members Bulletin from time to time but a full list of decisions over this six-month period appears at Appendix 1.

Appeal Decisions October 2005 to March 2006**Planning Appeals Allowed:**

1. EPF/274/04 – Change of use from retail shop to tanning parlour at 14 Brook Parade, High Road, Chigwell
2. EPF/2333/04 – Erection of detached dwelling at land adj to 17, Forest Avenue, Chigwell
3. EPF/1935/04 – Erection of 13 flats at land adj to Treetops, Station Road, Epping
4. EPF/1017/05 – Two storey rear extension and garage at 1, Envilles Chase Cottages, Little Laver
5. EPF/625/05 – Extension and conversion of house to 4 flats at 15, Thornhill, North Weald
6. EPF/1385/05 – Single storey rear extension at 13, Acres Avenue, Ongar
7. EPF/1588/05 – Two storey side extension and first floor extensions to convert bungalow to house at Whipsiderry, Bournebridge Lane, Stapleford Abbots
8. EPF/174/05 – Erection of one detached house and one pair of semi-detached houses at 57, Morgan Crescent, Theydon Bois
9. EPF/0001/04 – Outline application for residential development at Theydon Bois Youth Centre, Loughton Lane, Theydon Bois
10. EPF/942/05 – Erection of 3 bungalows on land rear of 150A, Honey Lane, Waltham Abbey
11. EPF/966/04 – Siting of 3 hen houses at Michelen Farm, Mott Street, High Beach
12. A/EPF/1021/05 – Vinyl signs to left of store entrance at Tesco Sewardstone Road, Waltham Abbey

Planning Appeals Dismissed:

13. EPF/748/05 – Side extension and side dormers at 18, Stradbroke Grove, Buckhurst Hill
14. EPF/972/05 – First floor rear extension at 104, Palmerston Road, Buckhurst Hill
15. EPF/65/05 – Formation of new vehicular access at Tourners Hall, Gravel Lane, Chigwell
16. EPF/389/05 – First floor side extension at Haylands, Green Lane, Chigwell
17. EPF/519/05 – Ten flats plus storage for the Forge at Land rear of The Forge, Lambourne Road, Chigwell
18. EPF/643/05 – Use as skin care centre at 155, Manor Road, Chigwell
19. EPF/828/05 – Erection of replacement dwelling at 2 Parklands, Chigwell
20. EPF/1172/05 – Rear extension with roof terrace and conservatory at 48, Chigwell Rise, Chigwell
21. EPF/1192/05 – Single and two storey side extensions at Marchings Farm, Gravel Lane, Chigwell
22. EPF/1764/04 – First floor extension at 54, Grange Crescent, Chigwell
23. TEL/EPF/ 1027/05 – Installation of 14.7m high telecommunication mast on Grass Verge south west of Chigwell Rise/Chester Road, Chigwell
24. EPF/116/05 – Single storey pool room extension at The Old Rectory, Coopersale Common, Epping
25. LB/EPF/117/05 – Listed building application for pool room extension at The Old Rectory, Coopersale Common, Epping
26. EPF/482/05 – Erection of 2m high close boarded fence at The Old Rectory, Coopersale Common, Epping

27. EPF/1351/05 – Single storey pool room extension (revised application) at The Old Rectory, Coopersale Common, Epping
28. EPF/2061/04 – Three storey side extension at 40 Stonards Hill, Epping
29. EPF/2250/04 – Outline application for two dwellings at Land adj Broadbents, Buttercross Lane, Epping
30. EPF/1144/05 – Conversion of piggeries to dwelling and garage at Takeleys Manor, Upland Road, Epping Upland
31. EPF/0001/05 – Outline application for erection of two dwellings at Land adj to White Lodge, Norwood End, Fyfield
32. EPF/381/04 – Erection of 24 apartments and 4 retail units at 12-30, Church Hill, Loughton
33. EPF/533/05 – Two storey side extension at 7, Albion Hill, Loughton
34. EPF/672/05 – Side extensions and two storey garage building at 42, Baldwins Hill, Loughton
35. EPF/1289/05 – Erection of 8 flats at 180-182, Roding Road, Loughton
36. EPF/1496/05 – First floor rear extension at 25, Forest Road, Loughton
37. EPF/1020/04 – Outline application for erection of 8 dwellings and estate road at 66 Wellfields and land rear of 60-66 Wellfields, Loughton
38. EPF/562/05 – Erection of detached bungalow at Argosons, Kents Lane, Magdalen Laver
39. EPF/1815/05 – Use of agricultural land as residential garden at Bluebells Barn, Pensons Lane, Greensted Green
40. EPF/2164/04 – Application to amend operating hours at Dorrington Farm, Rye Hill Road, Thornwood
41. EPF/856/05 – Conditions attached to permission for two detached houses at Trevelyan, Eldon Road, Dobbs Weir, Roydon
42. EPF/1243/05 – Change of use of stables to forge with living accommodation on land at Barn Hill, Roydon
43. EPF/2206/04 – Loft conversion at 28, Woodland Way, Theydon Bois
44. EPF/1224/05 – Two storey side extension at High Warren, Mount End, Theydon Mount
45. EPF/1314/05 – New barn for hay and straw at Barkers Farm, Theydon Mount
46. EPF/629/05 – Erection of replacement residential annexe at 2, Holyfield Cottages, Holyfield, Waltham Abbey
47. EPF/849/05 – Use of retail and office units to form 5 flats at 9 & 13, Arlingham Mews, Waltham Abbey
48. EPF/2303/04 – Erection of replacement dwelling at land adj St Aubyns, Daws Hill, Sewardstone, Waltham Abbey
49. EPF/965/04 – Outline application for erection of detached dwelling at Michelen Farm, Mott Street, High Beach, Waltham Abbey

Enforcement Appeals Allowed:

50. Change of use of a retail shop to a tanning parlour at 14, Brook Parade, High Road, Chigwell

Enforcement Appeals Dismissed:

51. Erection of a building for use as a separate dwelling at Paddock Lodge, Sedge Green, Roydon
52. Storing of caravans/mobile homes, construction of hardstanding, erection of gates, fencing and outbuildings at Sons Nursery, Hamlet Hill, Roydon
53. Erection of entrance gates and front brick wall at 174, Crooked Mile, Waltham Abbey.



**Epping Forest
District Council**

Report to Area Plans Sub-Committee D

Date of meeting: 14 June 2006.

Subject: Sainsbury's Distribution Depot, Waltham Point and Holmesdale Tunnel Roadworks

Officer contact for further information: Barry Land (01992 – 56 4110).

Democratic Services Officer: Adrian Hendry (01992 – 56 4246).

RECOMMENDATION

That the officers' action regarding the current, temporary arrangement be noted and that a further report be required for the meeting on 6 September 2006 with consultation responses.

Background

1. Planning permission was granted in 2001 to the Sainsbury's Distribution Depot at Waltham Point subject to a section 106 agreement that included lorry routeing arrangements. A designated route for all lorries was agreed using the A121 from the depot to junction 26 of the M25 from where the vehicles travelled to all their delivery points. The A112 (Sewardstone Road) and the A121 west of the depot (Highbridge Street, Station Road, Eleanor Cross Road) were 'excluded' routes.
2. The Agreement included circumstances, such as periods when traffic was averaging only 15 mph on the M25, when the routeing arrangements could be suspended.
3. The arrangements have been working well. Sainsbury's have been fastidious in informing the Council whenever temporary exemptions have been necessary and there is a good working relationship developed between their Transport Manager and officers of the Council.

Holmesdale Tunnel Roadworks

4. Early in May work started on the M25 Holmesdale Tunnel to increase the width of each carriageway to 3 full lanes. The works are estimated to last until December 2007. The working arrangements include the closing of the east facing sliproads at junction 25 for the A10. That means that vehicles travelling from the east – from junction 26 – cannot leave the motorway to join the A10, and vehicles cannot join the M25 from the A10 to travel to the east.
5. The Highway Agency's recommended diversion is to continue to junction 24 and return to junction 25 on the opposite carriageway and join the A10 from the west.

Implications for Sainsbury's Distribution Depot

6. Sainsbury's wrote to the Council at the end of April explaining that these arrangements would have serious consequences for deliveries that they make to 27 stores in north and

central London and Hertfordshire. To follow the Highways Agency's suggestion would add an additional 9,702 miles per week for these 27 destinations alone.

7. The company therefore requested that for destinations for which they have always used the A10 to access, they be permitted to suspend the routing agreement and to use the A121 through Waltham Cross to join the A10 at either of the junctions on the A10 north or south of the M25 junction.

Officers' Response

8. Since the roadworks were to start in early May, an immediate decision was needed on Sainsbury's request. Having regard to:

- (i) the consequences upon journey distances, travel times and fuel use,
- (ii) the alternative suggested not impacting upon Epping Forest residents to any significant degree, and
- (iii) the provisions of the section 106 Agreement allowing for the suspension of the routing agreement in any event when the M25 was effectively 'closed',

officers agreed that for a temporary 3 month trial period, Sainsbury's vehicles could use the A121 through Waltham Cross to access the A10, but only for those vehicle destinations that would have exited the motorway at junction 25 to access the A10. All other lorry deliveries would have to continue to use the M25 if travelling further west than junction 25.

9. This was seen to be a pragmatic solution for a temporary period rather than seeking to enforce the routing agreement to the letter, which might prove difficult bearing in mind the holds-up being experienced on the M25.

10. The 3 month period would allow the Council to monitor the arrangements, to consult with interested parties – Waltham Abbey Town Council, Broxbourne Borough Council and the Highways Authorities: Essex and Herts. County Councils, and to report back to members after the 3 month trial is completed. In addition, Sainsbury's have also been asked to assess whether using junctions 24 or even 23 on the M25 would be more efficient bearing in mind any congestion around Waltham Cross town centre.

11. Sainsbury's also suggested that 3 stores in North London be serviced by using A112 Sewardstone Road south from the depot. However, officers stated that this was unacceptable and the company have dropped that suggestion.

Conclusion

12. The committee is asked to note the officers' actions and to agree to a further report being submitted in September 2006 following the 3 month trial and period for assessment of the trial results. The alternative would be to inform Sainsbury's immediately that following the 3 month trial the routing agreement must be complied with to the letter. This approach is not, however, favoured by officers. The extraordinary works to the Holmesdale Tunnel justifies a considered decision following consultation with interested parties.

Report to Area Plans Sub-Committee D

Date of meeting: 14 June 2006.



**Epping Forest
District Council**

Subject: Business Starter Units, Fleming Road, Waltham Point

Officer contact for further information: Barry Land (01992 – 56 4110).

Democratic Services Officer: Adrian Hendry (01992 – 56 4246).

RECOMMENDATION:

That consent be given to vary the definition of Business Starter Unit Space to permit a maximum size not exceeding 5,000 sq.ft (or in the case of Units 1 & 2 – 7,300 sq.ft.); and a minimum of 2 units of 2,400sq.ft. or less.

Background

1. In February 2001 planning permission was granted for the commercial development at Waltham Point which included the provision of Business Starter Units. The permission was accompanied by a section 106 Agreement that included the definition of Business Starter Unit Space as follows:

“..the provision of a building or buildings.....with the following criteria:

- a) providing a minimum of 30,000 sq ft gross external floorspace;
- b) no single unit shall have a maximum size of more than 5,000 sq ft; and
- c) a minimum of 7 units shall be of 2,400 sq ft or less.”

2. The Agreement included provision for changing these criteria if necessary.

3. Detailed permission was granted in June 2004 for a development that met the above criteria and this was constructed and completed in March 2005, providing 11 units in total: two at 4,915 sq ft, two at 3,550 sq ft and the remaining seven at 2,360 sq ft.

Current Position

4. To date only 4 of the units have been sold and the developers are seeking agreement to changing the size and mix of the units to allow flexibility in marketing the site.

5. Details have been submitted of a very extensive marketing campaign over the period April 2004 to February 2006. A good degree of interest has been shown but mostly for the larger units. This has led to the sale of the two units of 3,550 sq ft and one of the units of 4,915 sq ft but of only one of the smaller units.

6. This comes as some surprise to the developers and their agents. The market in North London and this part of Essex has been good for the smaller units and some analysis has been carried out to determine reasons for the lack of interest experienced here. It has been concluded that the smallest of the units are generally only attractive when sited within or very close to built-up areas where the staff of small businesses live, whereas Waltham Point is seen as being a little remote compared to Enfield, Waltham Cross or Harlow.

7. The Council's position in suggesting the criteria was, to some extent, based upon the experience of the small businesses located in the former buildings on the Royal Ordnance Site before redevelopment. However, those businesses have been relocated for many years, and it must be borne in mind that the accommodation in the old buildings was for let on short leases at relatively cheap rates. The current units are for sale at market values.

8. The developers are requesting that flexibility is allowed in marketing the site so that it would be possible to combine two of the small units to create units of 4,800 sq ft; to allow Unit 1 at 4,915 sq ft to combine with the unit adjacent to create one of 7,300 sq ft; and to require a minimum of only 2 units to be retained at 2,360 sq ft.

Conclusion

9. The extensive marketing campaign has indicated that there is limited demand for the smallest of the units on this site. Units of under 5,000 sq ft are still regarded as 'small' and would not attract large distribution companies, so the intention of providing accommodation for small businesses would still be fulfilled. Furthermore, it would be preferable to have a thriving commercial estate of medium-sized units than a half-occupied estate of small units awaiting the possibility of a changing market some time ahead.

10. It is therefore concluded that no objection be raised to varying the original definition to state:

- a) no single unit shall have a maximum size greater than 5000 sq ft (except in the case of a combined Unit 1 & 2 that can extend to 7,300 sq ft.); and
- b) a minimum of 2 units shall be of 2,400 sq ft or less.

AREA PLANS SUB-COMMITTEE 'D'

Date: 14 June 2006

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Report Item No: 1

APPLICATION No:	EPF/0444/05
SITE ADDRESS:	Leverton Junior, Infants and Nursery School Honey Lane Waltham Abbey
PARISH:	Waltham Abbey
APPLICANT:	The Governors
DESCRIPTION OF PROPOSAL:	Outline application for the demolition of the existing school buildings and the erection of new school buildings with residential development (all matters reserved).
RECOMMENDED DECISION:	

That the committee considers the proposal and in particular the Green Belt and affordable housing issues with a view to either:

- A) Refusing the application on Green Belt grounds and any other reasons determined by the committee: or**
- B) Refusing the application because of the lack of affordable housing and for any other reasons determined by the committee: or**
- C) Accepting nil provision of affordable housing and granting permission subject to the conditions listed below: or**
- D) Accepting 10% provision of affordable housing and agreeing to grant planning permission subject to a legal agreement to secure such provision and subject to the conditions listed below.**

CONDITIONS:

- 1 Application for the approval of details reserved by this permission must be made not later than the expiration of three years from the date of this notice. The development hereby permitted must be begun not later than the expiration of two years from the date of the final approval of the details reserved by this permission or, in the case of approval on different dates, the final approval of the last matter approved.
- 2 The development hereby permitted shall be carried out in accordance with detailed plans and particulars which shall have previously been submitted to and approved by the Local Planning Authority, showing the layout of proposed development including the provision of garaging/visitors' car parking spaces/vehicles loading or unloading, and turning areas, and the siting, design and external appearance of each of the buildings and the means of access thereto.
- 3 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.

- 4 Before the commencement of the development, or of any works on the site and concurrently with the detailed design plans, a full tree and site survey shall be submitted to the Local Planning Authority. The submitted details shall include, as appropriate, the following information at a legible scale:
- (a) Reference number, species, location, girth or stem diameter and accurately planned crown spread, of all trees with a stem diameter with 100mm or greater on or adjacent to the site; and
 - (b) An assessment of their condition and value;
 - (c) Details of existing levels, including contours where appropriate, and any proposed changes of level across the site;
 - (d) Location, spread and other relevant details of relevant hedgerows, hedges and other significant areas of vegetation;
 - (e) Location and dimensions of existing watercourses, drainage channels and other aquatic features with water, invert and bank levels as appropriate;
 - (f) Trees, or other features to be removed which shall be clearly and separately identified on the plans.
 - (g) Existing boundary treatments and forms of enclosure;
 - (h) Existing structures, services and other artefacts, including hard surfaces;
 - (i) Indication of land use, roads or other means of access, structures and natural features on land adjoining the development site; and
 - (j) Route of existing footpaths and public rights of way on and adjoining the site.

- 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.537:2005) 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 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.

The Arboricultural Method Statement shall 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 a scheme for the inspection and supervision of the tree protection measures. The scheme shall be appropriate to the scale and duration of the works and may include details of personnel induction and awareness of arboricultural matters; identification of individual responsibilities and key personnel; a statement of delegated powers; frequency, dates and times of inspections and reporting, and procedures for dealing with variations and incidents. The scheme of inspection and supervision shall be administered by a suitable person, approved by the local planning authority but instructed by the applicant.

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 LPA, and the development shall not commence until the Landscape Method Statement has been approved by the LPA in writing. All landscape works shall be undertaken in accordance with the approved details, unless the LPA has given its prior written consent to any variation.

The Landscape Method Statement shall include as appropriate, protection of the planting areas, 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 LPA 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 Before the occupation or use of any phase or part of the development, whichever is the soonest, a Landscape Management Plan (LMP) shall be submitted to and approved by the LPA.

The LMP shall contain a statement of the long-term aims and objectives covering all elements of the implementation of the agreed landscape scheme and full details of all management and establishment operations over a five-year period, unless otherwise agreed in writing by the LPA. It shall also include details of the relevant management, and supervisory responsibilities.

The LMP shall also include provision for a review to be undertaken before the end of the five year period. A revised LMP shall be submitted for the agreement of the LPA before five years has expired. The revised details shall make similar provisions for the long term maintenance and management of the landscape scheme. The revised scheme shall also make provision for revision and updating.

The provisions of the LMP, and subsequent revisions shall be adhered to and any variation shall have been agreed beforehand in writing by the LPA. No trees, shrubs, hedges or other plants shall be removed for the duration of the Landscape Management Scheme or its revisions, without the prior written approval of the LPA. Any trees, shrubs, hedges or other plants being so removed shall be replaced in the first available planting season by an equivalent replacement or replacements to the satisfaction of the LPA. Management of the landscape scheme in accordance with the LMP or their agreed revisions shall not cease before the duration of the use of the development unless agreed in writing by the LPA.

- 9 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.

- 10 Prior to the commencement of the development details of the management arrangements for the use of any sports pitches that may form part of the detailed scheme shall be submitted to and agreed in writing by the Local Planning Authority. Such details to include hours of use and means of control over access to the site. The use shall then be operated only in accordance with the agreed details.

- 11 Prior to the commencement of the development a full noise survey shall be carried out to establish which noise category the proposed plots fall into with regard to PPG24. Following the survey a scheme for protecting the proposed new dwellings from noise, shall be submitted to and agreed by the Local Planning Authority for any dwelling falling into NEC B and C or above, as detailed in PPG24. All works, which form part of the scheme, shall be completed before any of the proposed residential development is occupied.

- 12 Prior to commencement of development details of the provision of foul drainage shall be submitted to and agreed by the Local Planning Authority. The approved drainage shall be completed prior to occupation of any of the development.

- 13 Wheel washers or other cleaning facilities for vehicles leaving the site during demolition and construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The facilities shall be installed prior to commencement of any works on the site and shall be used to clean vehicles leaving the site.
- 14 The parking facilities for the school shall be submitted to and approved by the Local Planning Authority and shall include parking for the disabled and secure cycle and motorcycle parking and shall be provided in accordance with the approved details prior to the first use of the school.
- 15 No commencement of the residential development shall take place until such time as foot and cycle paths to the new school, in accordance with details to be submitted to and agreed by the Local Planning Authority have been provided.
- 16 Prior to the commencement of development a school travel plan shall be submitted to and agreed in writing by the Local Planning Authority, and the approved plan shall be implemented once the school is in use. Any changes to the school travel plan must be agreed in writing by the Local Planning Authority prior to changes being implemented.
- 17 Prior to commencement of the development details of a public transport promotion and marketing campaign for the occupiers of the new residential development shall be submitted to and agreed in writing by the Local Planning Authority. The promotion shall be carried out in accordance with the agreed details.
- 18 Prior to commencement of the development surveys to establish whether the site is utilised by great crested newts and reptiles shall be carried out. If it is found that the site is used by such species, details of the means of avoiding harm to them during development to provide for their continued use of the site following development, shall be submitted to and agreed in writing by the Local Planning Authority and at the development shall be carried out in accordance with the agreed details.
- 19 The residential area of development shall be confirmed to the area of the site that is not within the Metropolitan Green Belt.

This application is brought to Committee with no officer recommendation. In this instance, as will be explained in the report below; the merits of the case are finely balanced. Firstly, is the current state of the school and the costs of maintaining it, together with the community benefit that would be gained from having a new school enough to amount to very special circumstances sufficient to outweigh the harm to the green belt that will result from the development? And secondly, if so, do they also outweigh the need to insist on affordable housing provision of 30%? In this case it is considered that the planning merits are so finely balanced there is no simple answer based on the adopted policies of the Development Plan. The proposal, however, raises issues of political priority and it is considered appropriate that these should be left to Members to determine.

Further this application was withdrawn from an earlier agenda because all parties had not been informed of the date of the committee consideration, but this has been remedied on this occasion.

Description of Proposal:

Demolition of the existing school buildings and the erection of new school buildings and residential enabling development. The application is in outline only with all matters (siting, design, access, external materials and landscaping) reserved for future consideration. However an indicative plan has been provided that indicates the residential development would be on 1.09 hectares to the front of the site on the current site of the school buildings and that the school would be on land to the rear that is currently predominantly open land. The illustrative scheme also shows provision of two sports pitches on the playing field land to the north west of the proposed new school buildings.

Description of Site:

Roughly "L" shaped site of about 3.4 hectares, located on the southern side of Honey Lane which is currently occupied by the Leverton Infant and Junior School and Nursery Unit. The school buildings are set back from the Honey lane frontage by about 20m and have a footprint of about 2.500m². The land immediately to the rear of the school buildings, within the application site, comprises recreational land associated with the schools. The north western part of the site has not been developed for recreational use in connection with the school and is essentially scrubby grassland that is used informally by local residents. The front part of the site, which contains the school buildings is located within the residential area of Waltham Abbey. The land to the rear of the buildings is Green Belt land and the land to the north west is designated as urban open space within the adopted Local Plan. There are residential properties adjacent to the site, fronting Honey lane and to the west of the site.

Relevant History:

The original county junior and infants school was given planning permission back in 1969, since then there have been several permissions for relocatable classrooms and in 1996 permission was granted for the nursery unit.

Policies Applied:

Structure Plan Policies:

CS1, CS2 and CS4. Core strategy policies relating to sustainable development and protecting the natural and built environment.

C1 General extent of the green Belt.

C2 Green Belt.

BE1 Urban intensification

BE2 Mixed use developments

BE3 Retention of Open Space.

BE4 Sports grounds and playing fields

BE5 planning obligations

H1 Housing provisions

H2 sequential approach to housing development

H3 location of residential development

H4 Development form of new residential developments

H5 affordable housing.

T3 promoting accessibility

T6 Walking and Cycling

T12 Vehicle parking

Local Plan Policies:

GB2, GB7 development in or conspicuous from the Green Belt.
RP5 development likely to cause nuisance
H1, H3 and H4 relating to housing sites and affordable housing
RST14 protection of playing fields
CF6 Replacement or new school facilities
LL5 protection of urban open spaces
LL10, LL11 landscaping provision
T14 and T17 relating to parking and highway issues.

Issues and Considerations:

The main issues raised by the application are:

- a) The development of a new school on Green Belt land.
 - b) The development of housing to replace the existing school buildings.
 - c) The provision of affordable housing.
 - d) Traffic implications
 - e) Impact on surrounding residents.

a) New school in the Green Belt

This proposal seeks to use Green Belt land for the provision of a new school building which it is envisaged will be single and two storey construction, thermally efficient, relatively maintenance free and designed to allow flexibility for the future so that the space provided can be altered as curriculum and education changes. The school currently has 2 form entry with an annual intake of about 52 nursery places and 60 Key stage 1 places, the proposal is to provide for a two form entry school in a way that will allow the school to be easily increased to 3 form entry in the future should this be required. The scheme will also include car parking and hard play areas within the green Belt. Such a proposal does not fall within any of the categories of appropriate development in the green Belt set out in either Government policy guidance or in development plan policies. It has to be regarded as inappropriate development and, by definition this is harmful to the Green Belt.

In such cases it is necessary to consider whether there are any very special circumstances sufficient to outweigh the harm to the Green Belt that would result, and the onus is on the applicants to advance these circumstances. The applicants in this case have set out in detail why the current school facilities are below standard and why a refurbishment of the school is not appropriate and why logistically the new school cannot be developed on the existing school site. They consider that the only logical option open to them is to build a new school on the green Belt site and finance this through the development of housing on the existing school site.

An asset management plan produced in January 2006 indicates that to maintain and improve the school over the next 5 years will cost in the region of £1 million, this would not improve the basic problem that the buildings are not thermally efficient, do not provide facilities for those with disabilities and are not suited to delivering education in the 21st century, it would simply maintain the buildings in a safe and watertight state. The school is not in a priority area for funding and there is a danger that the existing buildings will be left to further deteriorate. The LEA cannot afford to fund all works that would be desirable and is prioritised on the basis of relative needs across all schools. Funding is not available for replacement schools here.

The only option therefore to fund the school is to sell the existing school site for housing development which then means that the new school must be located on Green Belt land. Additionally logistically it makes much more sense to build the new school while keeping the existing rather than decant the children, disrupting their education for the period of construction..

Given the increasing costs involved in ensuring that the existing school remains safe and weather tight now that it is reaching the end of its design life of 40 years it is accepted that it makes economic sense in the long term to build a new school that will meet the educational needs of children in the locality well into the future and that the only way to do this in the absence of LEA funding is for the school to sell its current site which is not Green Belt for residential development.

The question therefore is whether this amounts to very special circumstances sufficient to outweigh the harm to the Green Belt that will result from the development.

Almost any school could no doubt argue that new state of the art facilities would be desirable and it would seem that the Leverton schools have not reached such a level of disrepair or overcrowding that their need is desperate, however it is apparent that given a few more years the school will fall well short of ideal standards and that a large amount of money will be required just to keep it going in its current state. It does not seem appropriate to insist that it degenerate to that level before we can classify the circumstances as "very special". Given the proposed location of the new school the incursion into the Green Belt will still provide a logical and defensible boundary to the Green Belt at the edge of Waltham Abbey and on balance it is considered that the information put forward could be argued to amount to very special circumstances sufficient to outweigh the harm to the green Belt that would result from the development.

b) Residential development to replace School Buildings.

The Green Belt boundary is drawn tightly around the extent of the school buildings so that the area covered by the buildings and parking areas at present lie within the built up area. The Local Plan does not allocate this land for any other purpose and so, if surplus to educational needs, the land is available in principle for residential development. Although the housing supply figure within the development plan for the period up to 2011 has already been achieved, the council accepts that there is a continuing demand for dwellings throughout the district and has chosen not to impose a halt to permissions for new housing as a result.

There is then no objection in principle of using this land for housing, subject to other matters, such as impact on neighbours and traffic considerations being satisfied. Although an indicative layout has been submitted this does not form part of the consideration at this stage, so the type of development, (flats or houses, number of floors, density and position in relation to the road etc is not to be determined at this stage, only the principal of residential development is to be agreed.

c) Provision of affordable housing.

There is an identified need for affordable housing in the District and the adopted policy is to seek 30% affordable housing on suitable sites to try and address this need. However the amount of land available for development is strictly limited as it would not be appropriate to allow housing as well as a replacement school on the Green Belt land to the rear of the school, The 1.09 hectares of land that it is proposed to develop for housing, the applicants have estimated will return a capital receipt of about £3 million. The current estimated cost of the construction of the new schools is about £4 million, leaving a shortfall of £1 million, which would have to be funded by Essex County Council. The loss of income associated with low cost housing would increase this shortfall further and make the possibility of the development coming to fruition less likely. Government advice is that where there are particular costs associated with the development that make affordable housing unviable Local planning Authorities should take a relaxed approach. The applicants have now acknowledged that affordable housing is a priority for the council and although they would clearly prefer members to make an exception, given the financial constraints in this case, they request that if Members feel affordable housing is necessity then the requirement, that they relax the requirement to 10%.

Members may take the view that the benefit of achieving a new school is the priority, and that the benefit to the community of the provision of new schools is sufficient, such that either no affordable housing, or a reduced percentage only should be provided. This however is seen as a political balancing act and officers can only advise that the current adopted policies of the Local Plan state that 30% affordable housing should be provided.

d) Highways Issues

There is a lot of local concern about the proposal in terms of the potential impact on traffic and particular on street parking in connection with the drop off and collection from school. This is an outline application, and the access to the site is not to be determined at this stage, but County highways have considered that proposal and raise no objection in principle to the development. Although at the time of writing no formal consultation response has been received. Placing the school behind the residential development will if anything improve the situation as currently vehicles tend to park and double park and indeed park in pavements along Honey Lane at school start and finish times, causing obstruction to traffic flow and harm to highway safety. The scheme is likely to take some parking off the main road, reducing this congestion. It must however be stated that the highways officers have expressed concern at the suggestion of provision of a drop off area within the school as shown on the illustrative drawing as this would be contrary to their current standards and may encourage more people to utilise car transport to the school rather than walk, which would undermine sustainability. The details of parking and access are however not for consideration at this time and the main issue is that the development need not make the current parking situation any worse and subject to the details may considerably improve the situation.

f) Impact on Surrounding Residents.

The new school will be located further away from properties in Honey Lane than the existing school. The building will be closer to Honeylands and Honeylands Cottages, which lie to the southeast of the site, but the building is intended to be a maximum of two storeys high and, dependant on the design and the siting should not have a significantly adverse impact on the residential amenity of neighbours. The design and appearance can take into account its setting and context.

The design and layout of the residential development will need to take account of the dwellings in Honey Lane but again development should be possible without adverse impact on neighbouring properties.

Considerable concern has been raised from neighbours has been in response to the suggestion of provision of 2 sports pitches on the urban open space to the northwest. The intention is that these pitches would be available for community use as well as school use. There will be no floodlighting of these pitches and use would be limited. The applicants are currently suggesting a condition restricting use to 4.30 pm to 9.0pm Monday to Friday and 10.am to 4pm on Saturday and Sunday. The scheme has the support of Sport England and is reliant for some funding from them, which will only be available if there is community use. Without the sports pitches the proposal would not be acceptable as there would be a reduction in playing field land with no compensatory improvement of facilities for sport and wider community access.

A revised illustrative plan shows that shelter belt planting could be provided around the site of the sports pitches to reduce noise nuisance to neighbours. It is considered that given that the site was always intended to be playing fields for the school, a use that proved impractical only because of the poor drainage of the site, it is appropriate that as part of the redevelopment the drainage issue is resolved so that the field can be properly utilised for recreational purposes as a community facility. It is considered that such use if well managed and controlled by condition, will not cause undue harm to residential amenity, and will be a community asset.

Other matters

Ecology:

A phase 1 habitat survey and a bat survey were submitted with the application, There is no evidence of any bats on the site and no obvious bat roosting places, although there may be bats in the locality it is not considered that the redevelopment would have a detrimental effect on the local bat population.

There is a possibility that great-crested newts and reptiles may utilise that grassland and further survey work is therefore required. The site as an unmanaged scrubland does provide a habitat for a variety of wildlife but is not considered that it is of such importance as to warrant refusal of the scheme. Areas of open space will remain and care can be taken in designing the landscaping in connection with the development to ensure that biodiversity is maintained.

Loss of property value:

This matter has been raised by a number of objectors to the scheme but is not a matter of significance in the determination of the planning application.

Drainage:

Concern has been raised about the drainage of the site. A condition requiring a flood risk assessment and sustainable drainage provision will be necessary if the application is to be approved.

Conclusion

Very special circumstances need to be demonstrated in order to use Green Belt land for building of the new school. The Committee may consider that the arguments put forward amount to very special circumstances sufficient to outweigh the harm to the Green Belt that will result from the development.

The site of the existing school is within the residential area of Waltham Abbey and can be developed for residential development, provided other considerations such as design and highway concerns are satisfied.

There is a recognised and unmet need for affordable housing in the District. The proposals do not however include any provision of affordable housing. The applicants have argued that the amount of money they will get for the housing site will already leave a considerable shortfall in their budget for the redevelopment of the school and to insist on provision of affordable housing would be likely to make the scheme unworkable. It is for members to consider whether the community benefit of a modern school facility is sufficient to outweigh the requirement for affordable housing. The applicants are nevertheless willing to offer up to 10% affordable housing if Members consider that some provision is absolutely necessary.

The proposed development of 2 sports pitches on the urban open space will enable better recreational use of the space, by the community, without significant harm to residential amenity.

Should the committee be minded to grant permission to the proposals, as submitted, any permission will need to be subject to conditions which will include provision of a school travel plan and a public transport promotion and marketing campaign for the occupants of the new residential development.

If Members are minded to grant consent the matter will need to be referred to the Secretary of State for consideration as a departure from the Development plan

SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL – Objection. Development extends beyond existing building line. Out of keeping with the surrounding area. Overdevelopment of the site. Further loss of Green Belt. Increased Traffic Hazard. Increased surface water drainage will increase risk of flooding at junction of Broomstickhall Road and Honey Lane.

ROUNDHILLS RESIDENTS ASSOCIATION – Concerned. Welcome the opportunity for the schools to be rebuilt and realise that they need to find ways of financing the work. However concerned about: loss of Green Belt (but as the housing will not be in the green belt and the school will provide better infrastructure this is a concern rather than a reason for complete rejection). Suggested number of units out of keeping with density of the area, could lead to serious parking problems and poor quality housing. Particular concern about the proposed sports pitches, their use outside school hours and plans for community use. Suggest use should be limited to school, no floodlighting, no public access to the land, no through footpath apart from when the school is open, no evening or weekend use of the pitches, no hiring of the pitches.

16 DOWNLANDS - Disappointed and angry that another piece of important land filled with wildlife is to be destroyed. Loss of property value, loss of view, loss of quality of life, loss of variety of wildlife (foxes, sparrows , shrews, mice, collard doves, kestrels and butterflies.

10 HOLECROFT – Concerned that the scheme will cause noise and loss of privacy. Loss of property value. Parking difficulties will increase.

18 DOWNLANDS – Object. Extra traffic on Honey lane will be dangerous. Do we need a bigger school here? 50 houses will cause additional noise, traffic, pollution, children in the area. The football pitches will cause noise, possible damage to our property, more traffic and parking problems especially at weekends. May lead to floodlighting. Can the school sell land that belongs to the people of Waltham Abbey? Does Essex County Council know these plans? Can the school stop access to the field, do we not have right of way? There should be a public meeting. Concerned about possible subsidence problems.

14 DOWNLANDS – No objection to the school buildings and residential development but do object to the proposed sports pitches that would be opposite my property, possible noise problems and light late into the evening and early on weekends and school holiday mornings. Increase parking and traffic in already very congested area.

PATERNOSTER NORTH RESIDENTS ASSOCIATION – Part of site performs important Green Belt function, it is extremely important that the integrity of the Green Belt is maintained. There are no very special circumstances the development is therefore inappropriate. Would set a dangerous precedent. Insufficient infrastructure in Waltham Abbey to sustain further residential development.

280 ROUNDHILLS – Oppose the scheme. Lack of parking for the pitches, already congestion and lack of parking. Loss of residential amenity. Noise and damage may occur. Overdevelopment.

8 HOLECROFT – Object. Detrimental. More congestion, traffic, overcrowding, noise from the playing fields.

186 ROUNDHILLS – The school has not yet reached the end of its design life. Sports pitches are close to residential properties, will lead to noise, disturbance, damage, loss of privacy, rubbish, dog mess, loss of property value, The school will result in traffic congestion, lack of parking. If school becomes 3 form entry this will be even worse. Concerned about impact on the Green Belt, Health and Safety issues during construction.

19 DOWNLANDS – Object. Sports fields for community use are inappropriate, harm to residential amenity, loss of privacy, increased noise, disturbance vandalism etc. Unfair that this Green Belt land is to be utilised. The County Council should finance refurbishment.

167 HONEY LANE – Concerned about building flats on Honey Lane, forward of the building line. Also cars will park all along the entrance roads making it dangerous for pedestrians. Insufficient parking provision for the houses, residents will also park on the roads. No apparent cycle lanes along route to the school.

22 DOWNLANDS – By making the school bigger and introducing playing fields it will make the area much noisier and attract vandals and drug users. Increased parking and congestion problems. Concerned about floodlighting of the pitches.

7 DOWNLANDS – Loss of view and light, insufficient parking, noise and disturbance, inadequate sewage system. New school should be built where it is needed, not here.

162 HONEY LANE – Concerned about road safety, increased traffic volumes from additional houses will cause problems, need proper traffic survey. Concerned about safety of children during the development. Dropping off point will cause problems. Loss of green \Belt, space is needed for exercise and play. Proposed development out of keeping with the area. The nursery school was only recently purpose built it should not be lost.

282 ROUNDHILLS – Object in the strongest possible terms. School should be rebuilt on its existing site. The addition of further residential property will put strain on infrastructure of Waltham Abbey. Already suffer from parents and children using our footpath as a shortcut to school, problems of noise and litter and inconvenient parking will be exacerbated. the proposed playing pitches just yards from our home, for community use will be intolerable. Noise, traffic, parking problems and light pollution will result.

15 HOLECROFT – Object. Communal playing fields were not mentioned in the description of development. Will cause noise, loss of privacy, light pollution. there should be a public meeting.

169 HONEY LANE - Concerned about flats being built opposite my property, not in keeping with the area. Sports pitches will result in more traffic. There will be a need for a large car park to prevent problems.

159 HONEY LANE – Object. Concerned that the plans will move school closer to the pollution from the M25. Congestion problems will increase. Proposed housing has insufficient parking, which will cause problems. Drop off area will probably not work. Proposed residential development is in front of building line, out of character. Inadequate facilities in the area for more housing.

165 HONEY LANE – Object, loss of view. Development will spoil the landscape, increase road traffic making it more difficult to cross the road, endanger wildlife, devalue my property.

161 HONEY LANE – Concerned that school site is moving nearer the M25 with its pollution and noise problems which may cause health problems. the drop off road will not work as people will have to park to take younger children in. loss of state of the art new nursery. The flats and houses

do not follow the building line and are out of character. Services can't cope. Loss of open space and countryside feeling.

171 HONEY LANE – The school is not old, the nursery is new, this redevelopment would be a waste of that money. the proposed housing will not fit with the surrounding area and will spoil the landscape and greenery around us and de value or property. this will be an eyesore and a blot on the landscape.

124 HONEY LANE – Object. Increased traffic problems. Housing development high density out of keeping with the area. Football pitches are not needed, lots already in the area. Public use of the landlocked area will cause problems, noise, vandalism, antisocial behaviour. This is County Council Land. Project is ill thought out. Letters were delayed; site notice was late, why?

165a HONEY LANE – Object. Development is beyond the building line and will be out of keeping. The development will overlook our property, loss of privacy, light pollution, noise pollution, increased congestion, loss of green belt land.

149 HONEY LANE – Parking already a problem, no objection to the school being further back, but there will still be problems. Facilities already inadequate, drop off point will not work. increased traffic hazard.

141 HONEY LANE – Object, flats would not be within the appearance of the street scene., adequate parking is not provided , which will increase parking problems, noise and inconvenience, the chaos that happens at school times will increase. The drop off point will not work, more parking is needed. There is already inadequate water pressure.

11 HOLECROFT – Not happy, insufficient time to view the plans, loss of green belt. Noise and disturbance from users of the sports pitches at unsocial hours, loss of privacy and loss of property value.

153 HONEY LANE –Opposed. Parking problem will worsen, noise and nuisance will increase, there will be increased traffic. The development will adversely change the environment making it ugly and hostile.

155 HONEY LANE – Object. Loss of playing space, parking problems, loss of light, increased noise, traffic pollution, harm to visual amenity, loss of property value.

177 HONEY LANE – Object. Loss of playing space, loss of light, increased noise and traffic pollution, harm to visual amenity, loss of property value.

152 HONEY LANE – Objections. Incursion into Green Belt with no very special circumstances. Building in front of the established building line. Out of character with the 1930s houses in Honey Lane. Insufficient infrastructure for 50 residential units, traffic hazard, air pollution, loss of quality of life, light pollution from headlights. The school is not that old. Community use of pitches is inappropriate. No current need for 3 form entry. Public meeting in 2001 was 100% against the development. As there is a need for 30% affordable housing will the development be financially viable.

143 HONEY LANE – Inadequate parking provision, increased traffic generation, loss of property values, noise pollution, light pollution, inappropriate to the area and detrimental to quality of life.

160 HONEY LANE – Concerned about adverse effects on the area and traffic, loss of open aspect, insufficient parking, congestion problems will result, access will be dangerous. No need for the enhancement of the current school to be used as an excuse to cram in as many residential properties at the expense of the aesthetic look of the area and the safety of road users.

173 HONEY LANE – Opposed. The proposed housing is totally inappropriate, out of keeping. Loss of green belt, increased traffic congestion, insufficient parking, drop off point will not work, loss of school land and play area and wildlife areas, demolition of nursery is a waste of money, loss of privacy, loss of property values, the school is only about 30 years old other schools are in greater need of repair. Insufficient local resources for 50 additional dwellings, lights from cars leaving the site will be disturbing, noise will be disturbing.

154 HONEY LANE – Strongly against. Loss of privacy from my back garden. If housing association properties this could devalue our property. Traffic congestion will increase. New school could be rebuilt in the same position.

154 HONEY LANE – Strongly opposed. Overshadowing and loss of privacy. Out of keeping with the surrounding properties and most would be housing association type. Traffic congestion would worsen. Loss of property value. Rebuilding in the same place would be acceptable.

162 HONEY LANE – The school has not reached the end of its life, it is not 50 years old. The nursery was only completed in 1997.

14 HOLECROFT – Concerned, will the pitches be used only in school hours and will the site be securely locked at evenings and weekends? General public use will result in increased litter with masses of people using the footpath in front of our houses to gain access to the field. Want to keep this quiet area quiet.

18 HOLECROFT - Loss of open space, green belt, wildlife. New school not needed, wasteful. New pitches will cause noise, disturbance etc, we need more information about how they will be managed.

136 HONEY LANE – Object to the housing as we have enough traffic and turning into Honey Lane and parking on road, this will make matters worse, so will a bigger school. Already have low water pressure here.

20 HOLECROFT – Object. Noise pollution from the proposed sports pitches. Why not extend the current school building it is only 35 – 40 years old. At the public meeting everyone voted against the scheme. Why should use of Green Belt land be allowed?

55 ABBOTTS DRIVE - As parent of 2 children currently attending the junior school I support the current proposals. The buildings are in desperate need of repair, children have had to suffer extremely cold conditions in winter due to bad heating. Absenteeism is high in winter due to pupils getting sick because of poor heating. The school closed last year due to burst gas pipes. Lighting is poor and needs replacing. The children are in unacceptable “third world” conditions. Biggest problem, lack of space, classes have been made out of corridors. Kitchen facilities are really old and potentially dangerous to the kitchen staff and could cause a fire hazard. The playgrounds are not fully utilised as a result of being waterlogged in the winter. The school would be better located away from the main road, safer. Need more parking facilities. New school would solve these problems.

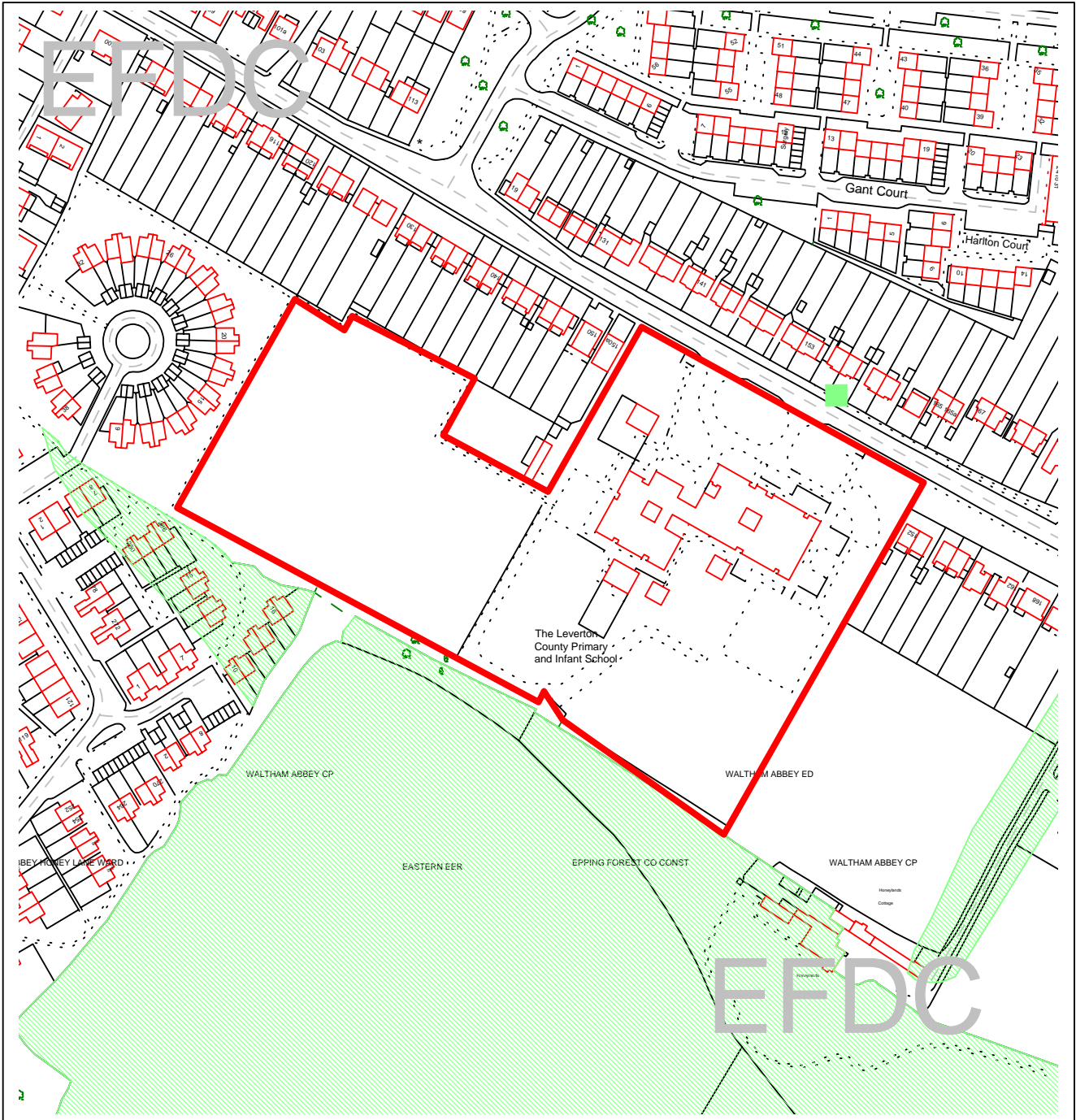
8 OSPREY ROAD - As a parent of 2 children who attend the school I give my support to this application. Current school very dilapidated, continually being patched up, but it needs pulling down and starting again. Children have lost days due to boiler inefficiencies. Efforts of teaching staff are limited by the poor standard of facilities at the school. The benefits to the children of working in a new pleasant modern learning environment will be tremendous, as will the benefits to the local community.

PLUS PETITION SIGNED BY 56 LOCAL RESIDENTS OBJECTING TO THE APPLICATION.



Epping Forest District Council

Area Planning Sub-Committee D



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Agenda Item Number:	1
Application Number:	EPF/444/05
Site Name:	Leverton Couty Primary & Infants School, Honey Lane, Waltham Abbey
Scale of Plot:	1:2500

Report Item No: 2

APPLICATION No:	EPF/0464/06
SITE ADDRESS:	Waltham Abbey Swimming Pool Roundhills Waltham Abbey Essex EN9 1UP
PARISH:	Waltham Abbey
APPLICANT:	Sports and Leisure Management Limited
DESCRIPTION OF PROPOSAL:	Single storey link extension link to rear of leisure facility.
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 No development shall take place until details of tree planting, including positions or density, species and planting size have been submitted to and approved in writing by the Local Planning Authority, and shall be carried out prior to the occupation of the development for its permitted use, or in accordance with a timetable agreed in writing with the Local Planning Authority. If within a period of five years from the date of planting any tree, or replacement, is removed, uprooted or destroyed or 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 it's written consent to any variation.

Description of Proposal:

Permission is sought for a single storey link extension to rear of leisure facility. It would have a flat roof and finished in brick to match the existing building.

Description of Site:

The site consists of an existing swimming pool leisure facility and car park. The Council owns the land. The building dates from the 1960's and is part single/part two storey in scale with a flat roof and finished in red brick. It is situated within the urban area of Waltham Abbey off the southwest side of Roundhills, adjacent to its junction with Caldback. The M25 is situated to the south of the site.

Relevant History:

WHX/188A/67 – Construction of swimming pool with ancillary works and car park for 50 vehicles – Approved.

Policies Applied:

Local Plan:

RST1 Overall approach to recreational, sporting and tourist facilities.

DBE1 Design of new buildings.

DBE2 Impact on existing surrounding properties.

Issues and Considerations:

The main issues to be considered are the impact of the proposed development on the amenities of the neighbouring properties and the character of the area.

The extension is for a studio hence the lack of fenestration. It is in keeping with the architecture of the existing building in terms of design and use of materials. The visual impact in terms of scale, proportion, siting, massing, height, orientation and roofline is considered acceptable.

The proposed development would not have an adverse impact on neighbouring properties due to the location of the extension facing Council land and the M25 reserve.

The proposal would involve the loss of an unprotected Birch tree but this could be compensated for by a landscape scheme including details of additional tree planting required by condition.

Conclusion:

Overall it is considered that the development is consistent with policies RST1, DBE1, and DBE2 of the adopted Local Plan. In reaching the recommendation to grant permission specific consideration was given to the impact of the proposed development on the amenities of neighbouring properties and the character of the area as a whole. The proposal is considered acceptable on these grounds and it is not considered that there are any other material considerations that would warrant a refusal.

The proposal is therefore recommended for approval.

SUMMARY OF REPRESENTATIONS:

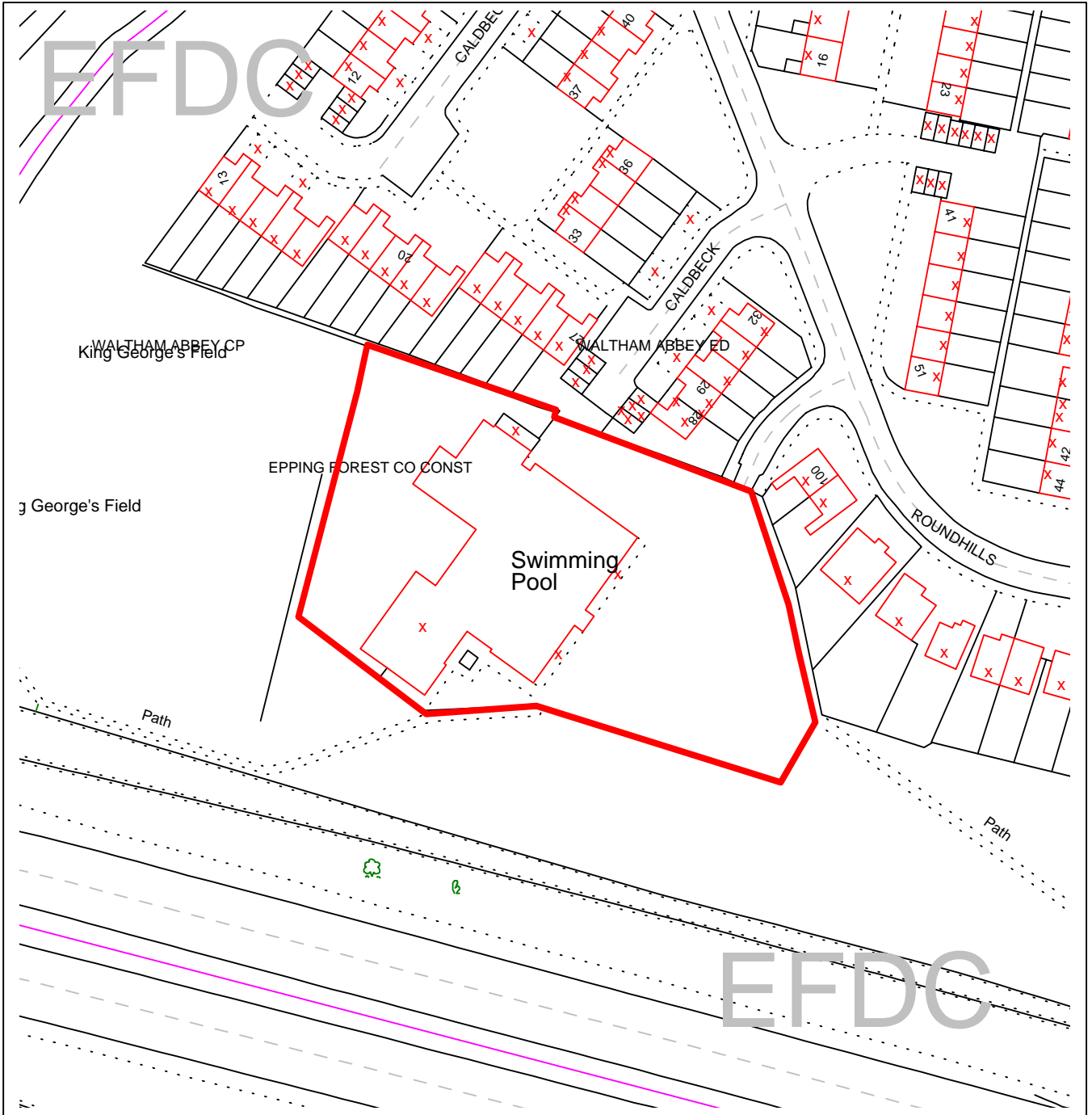
WALTHAM ABBEY TOWN COUNCIL – No objection.

NEIGHBOURS – No response received.



Epping Forest District Council

Area Planning Sub-Committee D



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Agenda Item Number:	2
Application Number:	EPF/464/06
Site Name:	Waltham Abbey Swimming Pool, Roundhills, Waltham Abbey.
Scale of Plot:	1:1250

Report Item No: 3

APPLICATION No:	EPF/0635/06
SITE ADDRESS:	Land at Manor Farm, 15 & 16 Mott Street and Land adj to High Beech Primary School Mott Street High Beach Loughton Essex IG10 4AP
PARISH:	Waltham Abbey
APPLICANT:	Mr & Mrs D Evans
DESCRIPTION OF PROPOSAL:	Outline application for 12 no. affordable houses and 12 no. private houses on land at Manor Farm, two replacement houses at 15 and 16 Mott Street, new vehicle access to school, car park and new school playing field on land adj to High Beech Primary School.
RECOMMENDED DECISION:	REFUSE

REASONS:

- 1 The Manor Farm site is within the Metropolitan Green Belt where the development of housing is deemed inappropriate that is by definition harmful to the Green Belt. It has not been demonstrated that very special circumstances sufficient to overcome the harm caused by the proposed development to the Green Belt by reason of its inappropriateness exist in this particular case. Accordingly the proposal is contrary to Policies C2, CS2 and H5 of the Essex and Southend on Sea Replacement Structure Plan 2001 and to Policies GB2 and GB16 of the Epping Forest District Local Plan 1998.
- 2 The site at 15/16 Mott Street, now know as Highfiled Cottage is within the Metropolitan Green Belt. The proposed development is now at odds with Government advice, Policies GB2 and GB15 of the adopted Local Plan and Policy C2 of the Essex and Southend on Sea Replacement Structure Plan. The proposal entails the demolition of one dwelling to be replaced with two detached dwellings, which would introduce further inappropriate development detracting from the open character and appearance of the Green Belt.
- 3 The location, lack of footways and limited access to public transport would mean that virtually all journeys generated by the proposal at the Manor Farm site would be by private vehicles. The proposal therefore is not considered sustainable due to the reliance on the use of the private car, which is contrary to the aims and objectives of Policies T1 and T3 of the Essex and Southend on Sea Replacement Structure Plan.
- 4 Having regard to the existing traffic use and the additional traffic which this proposal is likely to generate or attract, the roads that connect the proposed accesses to the sites to the nearest traffic distributors are considered to be inadequate to cater for

the proposal whilst providing reasonable safety and efficiency for all road users owing to the unsatisfactory width and alignment, contrary to Policy T7 of the Essex and Southend on Sea Replacement Structure Plan and Policy T17 of the adopted Local Plan.

- 5 The proposed car park and playing field proposed forms an intrusive and inappropriate feature within the rural landscape encroaching further within the Metropolitan Green Belt, harmful to the visual amenity of the area and contrary to policies GB2 and LL2 of the adopted Local Plan.

Description of Proposal:

Outline application for the erection of 12 affordable houses and 12 private houses on land at Manor Farm, two replacement houses at 15 and 16 Mott Street, new vehicle access for High Beech Primary School, including construction of car park and new school playing field on land adjacent to High Beech Primary School. All matters of detail are reserved for subsequent approval.

An indicative layout plan shows the site at Manor Farm being served by an existing access with the 12 affordable homes laid out on the west side of the site and the 12 private detached dwellings utilising a greater area of land to the north and east of the affordable homes. An indicative plan shows the proposed car park to the east of the school again using an existing access off Mott Street.

Description of Site:

The application site is split into three areas. The first site would be on land at Manor Farm, to the west of the main dwellinghouse approximately 2.8 hectares in size, on the north side of Mott Street. This area of land currently accommodates a number of single storey stable buildings and fields used for grazing. The land is level with surrounding levels falling to the north and west and rising to the south and east. The second site again is located on the north side of Mott Street. Some 600m east of the main dwellinghouse at Manor Farm and currently accommodates a detached dwelling named Highfield Cottage, which has been converted from 2 dwellings to 1. The levels here rise away from Mott Street from north to west. The third site is east of Highfield Cottage, currently accommodating a field for grazing. Ground levels fall away to the north. All of the three sites lie within High Beech and are within the Metropolitan Green Belt.

Policies Applied:

Structure Plan Policies:-

CS2 – Protecting the Natural and Built Environment

CS4 – Sustainable New Development

C2 – Development within Green Belt

H2 – Housing Development – The sequential approach

H3 – Location of residential development

H5 – Affordable Housing

T1 – Sustainable Transport Strategy

T3 – Promoting Accessibility

T7 – Road Hierarchy

Local Plan Policies:-

GB2 – General Restraint
GB15 – Replacement Dwellings
GB16 – Affordable Housing
H5 & H6 – Form of provision of affordable housing
DBE1 – New Buildings
DBE2 – Impact of buildings on neighbouring property
DBE4 – Design and location of new buildings within Green Belt
DBE8 – Private Amenity space
DBE9 – Amenity
LL2 – Resist inappropriate development
LL10 – Retention of trees
LL11 – Landscaping schemes
T5 – Criteria for assessing proposals
T14 – Car Parking
T17 – Criteria for assessing proposals (new development)

Relevant National Planning Policy Guidance:

PPS1 – Delivering sustainable development
PPG2 – Green Belt
PPG3 – Housing
PPS7 – Sustainable development in rural areas

Issues and Considerations:

The main issues and considerations of this application are the appropriateness of the development within the Green Belt and whether special circumstances exist to overcome Green Belt concerns, whether it is a sustainable form of development, its impact on highway safety and any amenity issues. The report is split, separating the three proposals and addressing the issues on each one with a section after assessing the application as a whole.

Proposal A – Outline application for 12 affordable houses and 12 private houses on land at Manor Farm

Relevant History:

EPF/111/98 – Conversion of stables to provide 3 dwellings and enlargement of roof – Approved with conditions 13/5/98
EPF/699/00 – Outline application for the erection of one residential dwelling and removal of B1, B2, B8 uses, livery stable, ménage, storage barns, retail sale area and commercial storage and restoration of land to open parkland and domestic garden – Approved with conditions 15/05/01
EPF/700/00 – Outline application for the erection of one residential dwelling – Approved with conditions 9/8/00
RES/EPF/2087/00 – Reserved matters pursuant to planning permission ref. EPF/700/00 – Approved with conditions 28/03/01
RES/EPF/1051/01 – Reserved matters pursuant to planning permission ref. EPF/699/00 – Approved with conditions 12/10/01
EPF/174/02 – Amendment to existing consent for new dwelling to install front and rear dormers and triple garage – Approved with conditions 3/4/02
EPF/864/02 – Alterations and change of use of existing outbuildings to 3 self contained residential units (Amendment to planning consent EPF/111/98) – Approved with conditions 10/7/02

EPF/132/04 – Change of use of former barn from office and ancillary use with flat over, to two dwellings with garage/store – Withdrawn 4/06/04

EPF/1098/04 – Outline application for the removal of former farm buildings and stables complex and replacement with single dwelling house – Approved with conditions 2/11/04

Green Belt Considerations

The site lies within High Beach, within the Metropolitan Green Belt. The fundamental aim of Green Belt policy is to keep land permanently open by preventing the unrestricted sprawl and to safeguard the countryside from encroachment. The erection of residential dwellings in the Green Belt would normally be expected to cause harm to the openness of the area thereby prejudicing the purpose for including the land in the Green Belt and because of this is deemed inappropriate development

Government Planning Policy Guidance Notes 2: Green Belt paragraph 3.1 argues that

“Inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt when considering any planning application or appeal concerning such development”.

The issue here is whether any very special circumstances exist in this case that are of sufficient weight to justify allowing inappropriate development that would, by definition, be harmful to this Green Belt site.

In order to overcome the issue of development in the Green Belt, the applicant, whilst proposing 12 private detached dwellings, includes 12 houses to be run by a village trust to house key workers who would otherwise need to live outside the district. The tenancies would be short (approximately 5 years) and give workers the opportunity to live near their work saving on transport costs and at the end of the tenancy be in a financial position to remain in the area. Additionally a substantial Trust Fund will be established to maintain the houses and enable the local High Beech school improvements, thus preserving the village environment. Although tenancies would be short term the 12 properties would only be available to key workers, in perpetuity, at an affordable rent in line with EFDC rental charges. All houses would be built to a very high standard...with the main emphasis on a green open aspect. The applicant argues further that the site should be considered a brown field site as it has accommodated a commercial livery business for over 36 years. The development would see the removal of the old stable blocks, consisting of 20 stables in 10 blocks of two with tack rooms and hardstanding. A letter from the Head of Medicine at Whipps Cross hospital has been submitted indicating that he would be interested in as many of these affordable houses as possible.

Policy guidance on the provision of affordable housing is set out in PPG3 - Housing (as amended in 2005). Paragraph 18 of PPG3 states, inter alia, "Affordable housing provision in rural areas should be supported by a rural exception site policy (see Annex B). Rural exception sites should be small, solely for affordable housing and on land within or adjoining existing small rural communities which would not otherwise be released for general market housing." Annex B of PPG3 states that a rural exception policy should only be considered where there is a lack of affordable

housing to meet local needs as demonstrated by up-to-date assessments of local housing need. Paragraph 2 of Annex B states, inter alia, "General market housing, or mixed developments consisting of high-value housing used to cross-subsidise affordable housing on the same site, are inappropriate on exception sites." Furthermore, paragraph 5 of the annex makes it clear that "The

policy is not intended to apply in most Green Belt areas, which are by their nature close to the main conurbations where conditions are not typical of the generality of rural areas."

This advice is reinforced by PPS7 - Sustainable Development in Rural Areas, which at paragraph 9(i), states in planning for housing in their rural areas, local planning authorities should "have particular regard to PPG3 guidance on the provision of housing in villages." Adopted Structure Plan policies C2 and H5 accord with the above guidance whilst similarly adopted Local Plan policy GB16 deals with the provision of small scale 'affordable' housing schemes in smaller settlements.

Since 50% of the proposed housing would be for open market housing the proposal would not meet the requirements of the rural exceptions policy. No weight can therefore be attached to the affordable housing element of the scheme as justification for allowing inappropriate development within the Green Belt. Part of the site (where the stables and hardstanding are located) is indeed previously developed, but the greater part of it is not. The applicant's contention that the land is 'brownfield' land is not considered to be a true reflection of the condition of the land but in any case this is not a matter to which any weight can be attached.

Paragraphs 5.81 and 5.82 of Policy GB16 explain further what settlements could be appropriate for an affordable housing scheme. High Beech is not mentioned, and further discussion with the Council's forward planning department results in the view that High Beech cannot be described as an appropriate settlement given the relative wide spread of local community facilities.

Even if the proposed scheme, were to be treated as within an appropriate settlement it would still fail to comply with the requirements of GB16 in that no support from the Parish Council has been received (in fact they have objected), no proper appraisal of need has been submitted, there would clearly be harm to Green Belt objectives prejudicing the purposes of including land in the Green Belt and the fact that the housing does not provide a local need for local people. This report contests though that High Beech is not deemed a settlement and therefore GB16 would not apply in this case as the land cannot be seen as a rural exception site.

The Council's Head of Housing has been consulted regarding this application and asks that his comments be incorporated in full within the report. His response is as follows,

"The Head of Planning and Economic Development and the District Development Control Committee will need to gauge whether or not the proposed new vehicular access, car park and playing field for the school provides sufficient community benefit to justify allowing residential development in the Green Belt. However, I have to advise that the proposed affordable housing provision for the development is totally insufficient and should not be used in itself as a justifiable reason for moving away from the Council's normally strict policy of restraint. There are a number of reasons for my concern over the inadequacy of the affordable housing provision:

It can be seen from the plan that the total area land proposed for the provision of 12 affordable homes is equivalent to the area of the adjacent plot that would accommodate just one large detached house. Where developers seek planning permission for residential accommodation on sites already designated within the Local Plan for residential use, the Council requires 30% of the units as affordable housing and that the mix of affordable housing generally reflects the mix of the market housing, which necessitates a land requirement for the affordable housing equivalent to 30% of the total. This is clearly not the case with this proposal.

For a site like the one proposed, which is not currently allocated for housing within the Local Plan, far greater planning gain would be sought than on allocated sites (to justify development in the

Green Belt). *If the only planning gain was the provision of affordable housing, it is suggested that at least 70% of the properties and associated land should be provided as affordable housing. Where other community gains are proposed (like in this case), the beneficial value of the affordable housing needs to be reduced by the value of the other community gain(s).*

If outline planning permission was granted for the proposed development, it would set a precedent for other proposed developments in the Green Belt where affordable housing is proposed. Not only would this compromise the Council's normal policy of restraint, but it would also indicate to developers that low levels of affordable housing provision are acceptable.

Members' attention is drawn to the fact that planning permission has recently been granted for six houses in the Green Belt in Waltham Abbey, on the basis that they all provide affordable housing for rent.

*The applicant proposes that the 12 affordable homes would be provided by a new Village Trust that would be established. I would strongly advise against allowing such an approach. Members will be aware that the Council has very good partnership arrangements with its Preferred Registered Social Landlord (RSL) Partners and expects developers to work with them to provide the affordable housing. There are two main reasons for this approach. Firstly, RSLs (housing associations) are strongly regulated by the Housing Corporation to ensure high levels of management and maintenance and that rent levels remain affordable. Secondly, all of the Council's Preferred RSL Partners are eligible for funding from the Housing Corporation, which brings inward investment to the District to subsidise the cost of affordable housing provision. A Village Trust would not be subject to such regulation or be able to access funding. The Council also has nomination agreements with each of its Preferred RSL Partners, which requires the Council to have nomination rights to **all** of the affordable properties at handover, and 75% thereafter, to ensure that those applicants on the Council's Housing Register in the most need are given priority.*

Finally, I would draw members' attention to the recent deliberations of the Housing Scrutiny Panel, which considered various ways of increasing the amount of affordable housing within the District. The Housing Scrutiny Panel concluded that there was no merit at the present time in exploring further the possibility of allowing affordable housing in the Green Belt, on the basis that it would constitute very special circumstances and an exceptional reason to the Council normal policy. The Panel felt that the importance of protecting the Green Belt outweigh the benefits of affordable housing. This was particularly in light of the Council's stance and the proposals within the draft Essex of England Plan, which advocates a reduction in the number of new homes proposed for the District."

The applicant has asked that the recently published Affordable Rural Housing Commission's final report into the shortage of affordable housing in rural areas be taken into consideration. This report has been looked at and whilst urging the Government to review the current situation regarding this shortage it re-iterates advice as laid out in PPG3 regarding exception sites. Under the heading, "Supply of affordable housing" under section 3.5, the report argues, "...the Commission does not recommend that cross subsidy from market housing to affordable housing be permitted on them". Again the report refers to "settlements" and "local need", both of which have been argued here not to apply to this application.

Sustainability and Highways Issues

The relevant policies here are Structure Plan policies T1, T3, T7 and Local Plan policies T5, T14 and T17.

Policy T1 and T3 relate to sustainable development which requires that there is an overall reduction in the length and number of motorised journeys; more reliance on the use of alternative means of travel which have less environmental impact and consequently less reliance on the private car. This is aided by focusing development primarily within urban areas and strengthening existing town centres. This proposal would result in a further 25 dwellings being located along this stretch of Mott Street where there are currently 31 existing properties. This would result in an increase in the number of dwellings by over 80%.

Points (ii) and (v) of Policy T17 of the adopted Local Plan argues further that,

“The Council will grant planning permission for development only when the proposal:- is readily accessible by existing or potential public transport facilities and is not likely to result in traffic generated being severely detrimental to the character or environment of any part of the area which it can be expected to travel”.

The Highways Authority argue further that,

“the location, lack of footways and limited access to public transport would mean that virtually all journeys generated by the proposal would be by private vehicles. The proposal is not considered to be sustainable due to the reliance on the use of private car which is contrary to the aims and objectives of Policy T1 (sustainable transport) and Policy T3 (accessibility) in the Essex and Southend on Sea replacement Structure Plan 2001”

Furthermore,

“Having regard to the existing traffic use and additional traffic which this proposal is likely to generate or attract, the roads which connect the proposed accesses to the nearest traffic distributors are considered to be inadequate to cater for the proposal while providing reasonable safety and efficiency for all road users owing to the unsatisfactory width and alignment contrary to Essex and Southend on Sea replacement structure plan policy T7”.

In other words it is contested by the Highways Authority that Mott Street is considered inadequate to cope with the additional vehicular traffic that would be generated by this aspect of the proposal. The lane is narrow, unable to cope with two-way traffic in parts and Highways consider that the generation of additional traffic would have a detrimental effect on highway safety.

Contamination

The applicant argues that the site is contaminated, although there is no information to the size of the problem. Although no test results have been submitted along with the application, a condition regarding a phased contaminated land investigation can be attached to any permission given as should any contaminants be found appropriate remediation works can be carried out to address the issue. A suitably worded condition can be attached to any permission given.

Amenity

Although only indicative, as all matters have been reserved for subsequent approval, it is considered that the layout of the dwellings as shown on the submitted drawing would not result in a material loss of amenity to the existing neighbouring dwellings.

Proposal B – Outline application for 2 replacement houses at 15/16 Mott Street (Highfield Cottage)

Relevant History:

EPF/60/90 – Demolition of existing dwellings and erection of 2 detached dwellings – Refused
EPF/832/91 – Stationing of caravan – Approved with conditions
EPF/1145/92 – Renewal of permission for stationing of residential caravan for further one year period – Approved with conditions

Green Belt

With regards to the demolition of the existing property formerly known as 15/16 Mott Street to be replaced by two detached dwellings, although no details have been submitted regarding the size of the two new dwellings, Policy GB15 states that

“The replacement of existing permanent dwellings in the Green Belt, on a one for one basis, may be permitted, where the new dwelling will enhance the appearance of the countryside”.

Two replacement dwellings for one are not permitted under this policy. Although the property used to be two smaller dwellings now converted to one, an application was received in 1990 to demolish this (whilst it was two dwellings) and replace it with two detached properties. It was refused on Green Belt terms. Whilst the application was determined in accordance with an earlier Local Plan, Green Belt policy in place then applies now.

The proposal would result in a spread of development within the site, resulting in an increase of built form within the Green Belt detrimental to open character and appearance of the area. It is therefore considered that this element of the proposal is contrary to Policy GB15 of the adopted Local Plan.

Amenity

No layout of the dwellings has been shown so no consideration to amenity can be given here.

Proposal C – New vehicle access to school, car park and new school playing fields on land adjacent to High Beech Primary School

Relevant History:

None

Green Belt

A second “community gain” or “public good” has been proposed in order to counter the harm of residential development within the Green Belt. The applicant puts forward the case that the current

situation regarding the dropping off and picking up of schoolchildren attending High Beech Primary School is unacceptable. The road is extremely narrow at its access and lack of parking facilities exacerbates the situation twice during the day. Despite the fact that the school has a bus service in order to reduce the number of vehicles to and from the site, approximately 30 cars pick up and drop off children near the gates for around half an hour each morning and afternoon. Due to the narrowness of the road at this point not only does this cause some level of disturbance to the nearby residents but is also a danger to highway safety. A car park is proposed to the east of the school in order for parents to safely drop off and pick up their children at the beginning and the end of the day with a new playing field to the rear for the use of the school children.

The land where the car park and playing field would be located would require a significant amount of earthworks in order to result in levelling the site. There are a number of preserved trees on the boundary with High Beech School. As this site is relatively steep with ground levels falling to the north west, the Council's Landscape Officer argues that any levelling could seriously impact upon the trees. However, a recommendation for refusal has not been put forward arguing that details of the methods of construction and a tree impact study could be submitted for subsequent approval under a reserved matters application.

The car park however would result in the loss of the existing green field currently used for grazing. Whilst the surrounding frontage along Mott Street to the west is relatively built up, introducing further development encroaching into the open countryside should be resisted. Associated development such as lighting and footpaths would increase the built form on the site. Policy LL2 argues that development in the countryside must *"respect the character of the landscape; and/or enhance the appearance of the landscape"*

The siting of a car park here would fail to do either of these and would therefore be contrary to this policy.

With regards to the playing field, whilst benefiting the school it has been shown that it is not essential to its needs and again would fail to enhance the appearance of the landscape through further encroachment.

Very Special Circumstances

The affordable housing provision does not constitute special circumstances in allowing 12 private dwellings. In fact, as contested in this report, the affordable housing aspect itself is unacceptable in that High Beech is not considered a rural settlement where affordable housing is suitable and even if it were, Government policy states sites that mix market and affordable housing are not acceptable in rural locations.

Whilst it is appreciated that the proposed car park would result in alleviating some of the traffic problems associated with setting down and picking up of children attending High Beech School, it is not considered that this is a very special circumstance to overcome the harm to the Green Belt that would result from the proposed dwellings. The car park in itself is considered to be contrary to Local Plan policy in that it would introduce more built form within the open countryside.

Furthermore the overwhelming majority of the neighbouring residents, who many have to cope with the additional traffic in the mornings and afternoons during school times do not feel that the benefit of this car park outweighs the irrevocable harm to the green belt that would result from the erection of 24 dwellings at the Manor farm site.

Conclusion

The proposal as a whole could result in alleviating some of the problems associated with cars being parked along Mott Street in the mornings and afternoons during school term time. However, the harm associated from the erection of dwellings is clearly disproportionate to the benefits gained. Whilst the applicant argues that the site should be treated as 'brownfield' in that it has previously been developed, the fact that it is within the Green Belt and has a lawful agricultural use shows that the site cannot be described as such and the proposal would therefore be intrusive, detrimental to the open character of the Green Belt. This is a most attractive part of the Green Belt, too.

The replacement of one dwelling with two is also considered to be inappropriate contrary to Policy GB16 of the local plan.

Furthermore, issues surrounding the unsuitability of affordable housing in this location remain along with concern regarding sustainability and highways safety. The application therefore is recommended for refusal.

SUMMARY OF REPRESENTATIONS

WALTHAM ABBEY TOWN COUNCIL – objection – Overdevelopment of Green Belt site, no special circumstances.

CONSERVATORS OF EPPING FOREST – overdevelopment of the site; substantial incursion into the Metropolitan Green Belt creating ribbon development visible from surrounding area; concerns regarding sight lines into site; residential use likely to generate greater number of vehicle movements than existing; object to replacement of dwellings as are attractive and could represent overdevelopment of the site; object to car park as would mar the view across Waltham Abbey and access would impact users of Pepper Alley and important link to Lee Valley and High Beach would be impinged; would also be incursion into Green Belt. Concerns regarding sight lines here too.

CAMPAIGN TO PROTECT RURAL ESSEX – objection – Green Belt so cannot be used for affordable or private houses in accordance with RPG2 and GB2; trade off involving affordable housing would leave Council vulnerable to many landowners in District; more traffic generated unsuitable for Mott Street and land close to Epping Forest; existing footprint of houses at Mott Street would not be exceeded.

RAMBLERS ASSOCIATION – objection – Green Belt cannot be used for affordable or private housing; ambience presently enjoyed by walkers would be destroyed; increase in traffic would make rambling here more hazardous.

FRIENDS OF EPPING FOREST – objection – Would set perilous precedent; increase in traffic through 26 houses with multiple vehicle ownership; not change of use more of a new development on rural site; not brown field; acknowledge the benefits High Beach school but concerned over offering 'lollipops' clouds the underlying issues. Development not in spirit of the Green Belt; proximity to Epping Forest a concern.

THEYDON BOIS AND DISTRICT RURAL PRESERVATION SOCIETY – objection – would have untold consequences for almost any part of the Green Belt in the Epping Forest District; 24 houses is contrary to government policy RPG2 and Local Plan policy GB2; development on this scale adjacent to Epping Forest is against the spirit as well as the tenets of the Local Plan; Mott Street narrow and extra traffic generated is unacceptable and there is no public transport; demolition of

two houses is problematical and footprint and limited volume would constrain reconstruction; granting permission for building in Green Belt by constructing affordable housing would set precedent.

CHIGWELL RESIDENTS ASSOCIATION – object – designated Green Belt; feel that approval would open the floodgates on local farms in the area;

NORTH WEALD BASSETT AND DISTRICT RURAL PRESERVATION SOCIETY - objection – unsuitable development on Green Belt land; could set dangerous precedent.

REPRESENTATIONS ON BEHALF OF A SMALL GROUP OF PEOPLE WHO LIVE OR WORK IN THE LOCALITY – objection – loss of openness of Green Belt contrary to C2 of Structure Plan; involve construction of 24 houses on site next to Manor Farm contrary to GB2 of local plan; would provide substantial extension to cartilage of Manor farm contrary to GB4; replacement of one house with two contrary to GB15; no clear justification for affordable housing contrary to GB16 and no provision is made for their retention as affordable housing in perpetuity as required in para 16 of DoE circular 06/98; no information regarding contamination contrary to RP4; fail to respect character of the landscape contrary to LL2; location of development would not be well related to existing and proposed public transport contrary to T17.

Neighbours objections:

1. Overdevelopment of site
2. Set a precedent for others to follow
3. Increase in level of traffic
4. Inappropriate in Green Belt
5. Out of character with rural area
6. Not a brownfield site
7. No footpaths, lack of street lighting
8. Increase in population detrimental to area
9. Impact on the environment
10. No public transport
11. High Beach not a community or village
12. Whipps Cross not in area, other areas nearer
13. Concern over loss of dwelling (15/16 Mott Street)
14. Increase potential for accidents
15. Impact on horses
16. Car Park would not alleviate traffic problems
17. Affordable housing not in keeping
18. Impact on amenities and services
19. Car Park offers little realistic benefit due to gradient of land
20. Concern over possible expansion of school
21. Houses would create different use of land
22. Would increase the amount of dwellings

23. What school would potential number of added children attend, would take time for High Beach school children to make way for local children
24. Application for financial gain
25. Loss of countryside
26. car park should not be tied in with building on Green Belt
27. If traffic problem so severe then action should be taken by appropriate authority

9, THE OWL, LIPPITTS HILL – objection on 2, 3, 5,9

GREEN BANKS, MOTT STREET – objection on 2, 9

22, CREALOCK GROVE, WOODFORD GREEN – objection on 13, 20

VINE COTTAGE, MOTT STREET – objection on 2, 5, 9, 20, 21

LIPPITTS END, MOTT STREET – objection on 2, 3, 4, 9, 13

REGINA, MOTT STREET – objection on 3, 4, 5, 8, 9, 22

BALI HI, MOTT STREET – objection on 1, 3, 4, 7, 13

ALDERGROVE, MOTT STREET – objection on 3, 4, 6, 7, 11, 12, 14, 20

LANTERNS, MOTT STREET – objection on 2, 3, 9, 14, 15

10 PRIMROSE COTTAGE, MOTT STREET – objection on 3, 13, 16

NORTH VILLA, MOTT STREET – objection on 3, 6, 7, 22

ROUNDHILLS, MOTT STREET – objection on 4

ELMWOOD, MOTT STREET – objection on 3, 4, 5, 9, 17, 18

STONECROFT, MOTT STREET – objection on 2, 3, 5

CINDERS COTTAGE, MOTT STREET – objection on 3, 4, 5, 7, 10, 11, 14, 16, 23, 24

PEPPER ALLEY, MOTT STREET – objection on 3, 16

THE VICARAGE, CHURCH ROAD – objection on 2, 4, 6, 9, 17, 25, 26, 27

CLOCK HOUSE, DAWS HILL – objection on 1, 3, 7, 13, 16, 17, 19

OAK FARM, MOTT STREET – objection on 3, 4, 5

13 MOTT STREET – objection on 3, 5, 14

HIGHFIELD COTTAGE, 15/16 MOTT STREET – object as no formal offer to sell the property has been made; planning committee should meet with us first before things go any further; we have more modest proposal that would benefit the school; do not intend the develop the land and may be sold to another person who will also not want to develop the land

Neighbours support

1. Car park would alleviate traffic problems
2. Offering car park offsets issue of Green Belt
3. As long as development is well thought out and designed then there will be no damage to area

ALDERGROVE, MOTT STREET support on 1

OAK FARM, MOTT STREET support on 1

13 MOTT STREET supports on 1 and 2 and concludes that on balance these points would outweigh impact on Green Belt from housing.

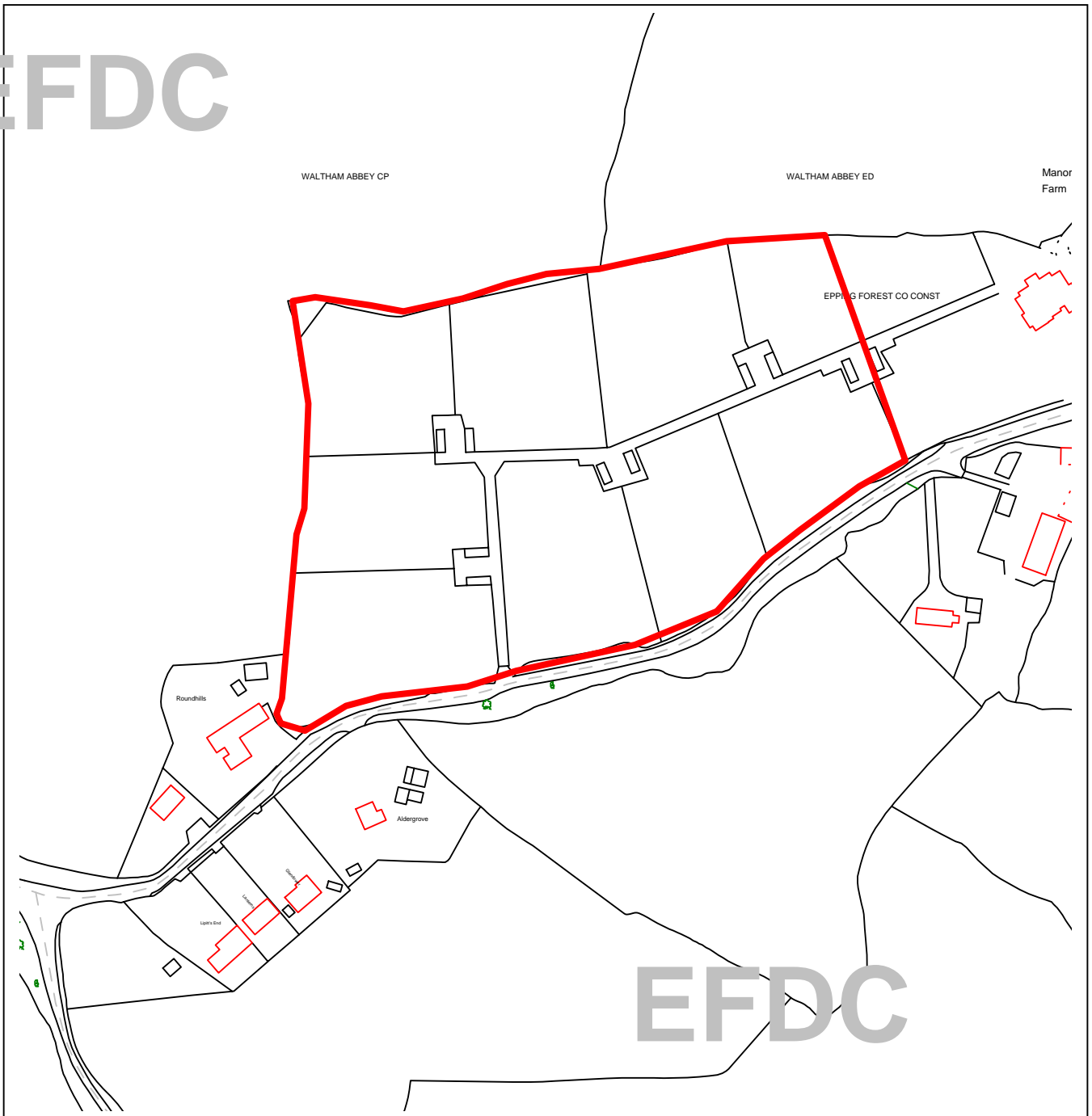
MANOR HOUSE, MOTT STREET – support on 1, 2 and 3.



Epping Forest District Council

Area Planning Sub-Committee D

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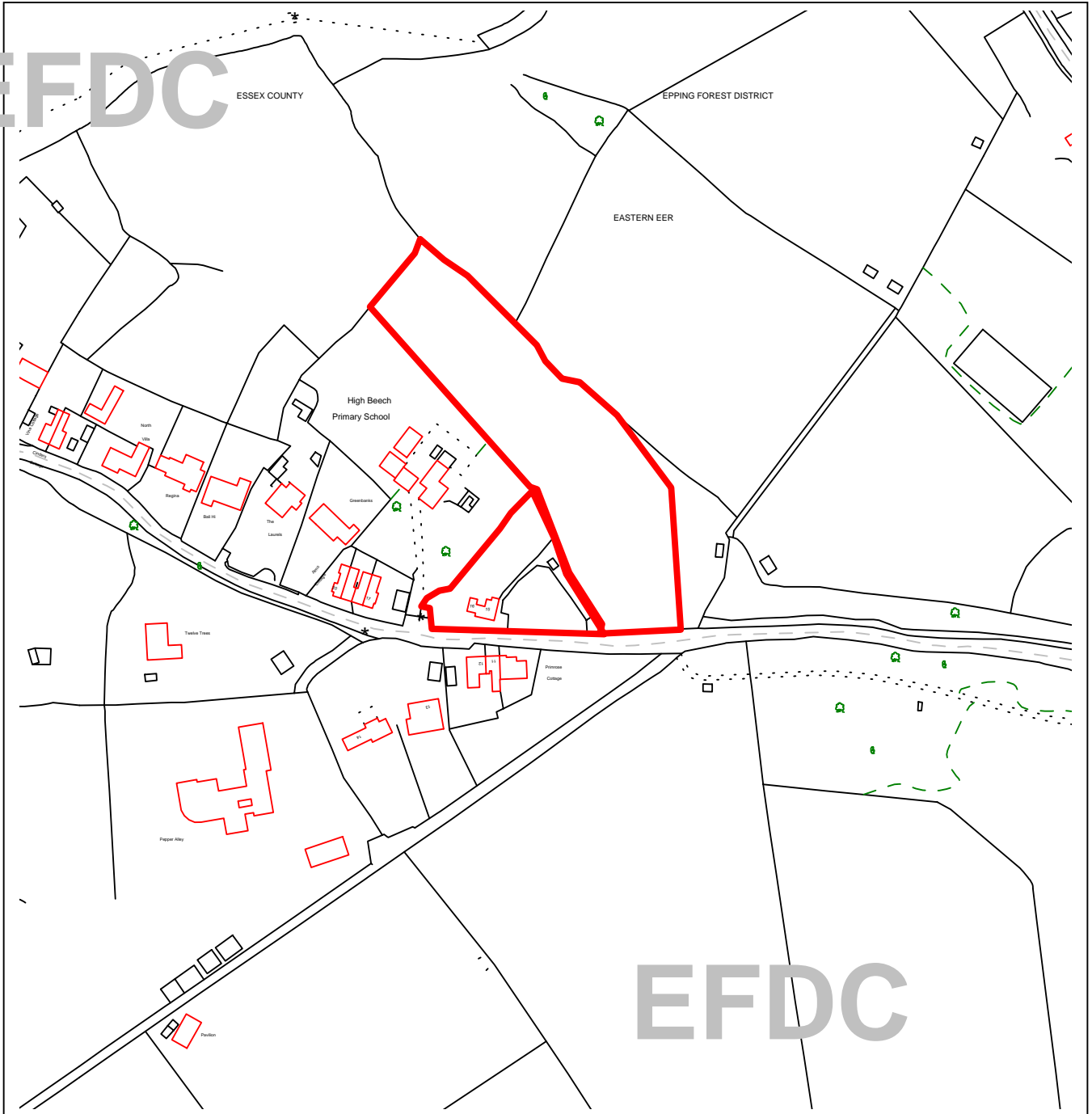
Agenda Item Number:	3 (Map 1 of 2)
Application Number:	EPF/0635/06
Site Name:	Land at Manor Farm
Scale of Plot:	1:2,500



Epping Forest District Council

Area Planning Sub-Committee D

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Agenda Item Number:	3 (Map 2 of 2)
Application Number:	EPF/0635/06
Site Name:	15 & 16 Mott Street and Land adj to High Beech Primary School
Scale of Plot:	1:2,500

Report Item No: 4

APPLICATION No:	EPF/0648/06
SITE ADDRESS:	Warlies Park Farm Woodgreen Road Waltham Abbey Essex EN9 3SD
PARISH:	Waltham Abbey
APPLICANT:	Art Property Developments
DESCRIPTION OF PROPOSAL:	Two storey side extension to house and change of use of barn and dairy into two residential dwellings with associated outbuildings, garaging etc.
RECOMMENDED DECISION:	GRANT

CONDITIONS:

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of 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.
- 4 Prior to commencement of development, including demolition or site clearance works, a phased contaminated land investigation shall be undertaken to assess the presence of contaminants at the site in accordance with an agreed protocol as below. Should any contaminants be found in unacceptable concentrations, appropriate remediation works shall be carried out and a scheme for any necessary maintenance works adopted.

Prior to carrying out a phase 1 preliminary investigation, a protocol for the investigation shall be agreed in writing with the LPA and the completed phase 1 investigation shall be submitted to the LPA upon completion for approval.

Should a phase 2 main site investigation and risk assessment be necessary, a protocol for this investigation shall be submitted to and approved by the LPA before commencing the study and the completed phase 2 investigation with remediation proposals shall be submitted to and approved by the LPA prior to any remediation works being carried out.

Following remediation, a completion report and any necessary maintenance programme shall be submitted to the LPA for approval prior to first occupation of the completed development.

- 5 The development, including site clearance, must not commence until a tree protection plan, to include all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing.

The statement must include a plan showing the area to be protected and fencing in accordance with the relevant British Standard (Trees in Relation to Construction-Recommendations; BS.5837:2005). It must also specify any other means needed to ensure that all of the trees to be retained will not be harmed during the development, including by damage to their root system, directly or indirectly.

The statement must explain how the protection will be implemented, including responsibility for site supervision, control and liaison with the LPA.

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

- 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 refurbishment and extension to the existing dwelling shall be completed prior to the first occupation of either the barn conversion or the dairy conversion hereby approved.

- 8 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garage(s) hereby approved shall be retained so that it is capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.

- 9 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Classes A, B, or D shall be undertaken without the prior written permission of the Local Planning Authority.

Description of Proposal:

The proposal comprises 3 main elements:

1. Repair and refurbishment of existing dwelling including demolition of existing flat roofed two storey side extension and erection of new side extension and erection of detached double garage.
2. Conversion of existing barn to 5 bed dwelling and rebuilding of outbuildings to provide double garage and two stables.
3. Conversion and extension of old dairy building to create 4 bed single storey dwelling and erection of replacement outbuilding for use as annexe/games room and garaging.

The proposal is to utilise the existing access off Woodgreen Road for the three dwellings

Description of Site:

Run down and overgrown site located on the eastern side of Woodgreen Road within the Upshire Conservation Area. Warlies Park Farm consists of the farm House set well back from the road with a range of agricultural buildings and a farmyard to the front of the site. Fronting Woodgreen Road is an impressive but unlisted Essex barn and in the centre of the site is an old dairy building in a poor state of repair. There are a range of smaller stable type buildings in varying states of collapse. The main house is not visible from beyond the site due to the large number of trees that have grown unchecked around it. The House is in a very poor state of repair and is indeed near collapse.

The site also includes the wider grounds of the house that are largely free from development and have been left to become overgrown.

Relevant History:

The site has a long running consent for use for storage of caravans for winter quarters for travelling showmen, and has been used on a regular basis for car boot sales, up to 14 days a year.

In 1990 permission was refused for use of farm buildings as offices and provision of car park and an appeal against this decision was dismissed.

In 2002 an application was submitted for change of use of the farm buildings to 7 dwellings, but was withdrawn before determination.

Policies Applied:

Structure Plan:

CS2 protecting the environment
CS4 Sustainable new development.
C2 Green Belt
HC2 Conservation Areas.

Local Plan:

GB2 Green Belt
GB8 Change of use of buildings
GB14 Residential extensions
HC7 Development in Conservation Areas
DBE4 development in the Green Belt
LL10, LL11 landscaping
T17 Highway issues.

Issues and Considerations:

This site is within the Green Belt and the Upshire Conservation Area.

The main concerns are therefore the impact of the proposals on the openness of the Green Belt and on the character of the Conservation Area. Additionally the access to the site and sustainability issues need to be addressed.

Green Belt.

Refurbishment and extension of the existing dwelling.

Policy GB14 allows for limited extensions to dwellings in the Green Belt. The scheme now proposed results in only a 14% increase in floor area over the size of the original dwelling. The impact on the openness of the Green Belt will be minimal and development is in line with policy GB14.

Conversion of barn to 5 bed dwelling.

Policy GB8 allows for the change of use of buildings within the Green Belt. Although residential conversion is normally the least acceptable option, in this instance the access to the site is very poor with inadequate sight lines and it would not be appropriate for business, storage or tourist use that would result in significant traffic increase. The barn is an important feature in the Conservation Area and it would be beneficial for it to be maintained and brought into use therefore residential use can be considered. A structural survey has been submitted that indicates that although significant work is needed the basic structure is sound and can be retained. The proposal does include the rebuilding of a section that has virtually collapsed, but this is predominantly for the garaging and two stables that are proposed and these are not considered excessive, particularly as they are replacing buildings of the same footprint and basic design.

Refurbishment and extension of the old dairy to create 4 bed dwelling.

This is the most controversial aspect of the application it entails largely rebuilding a brick built dairy building in the centre of the site and joining it via a very large extension to an existing timber building. The parts of the original buildings that will remain amount to only about 25% of the building now proposed. This is clearly contrary to the guidance in GB8 for change of use and would not normally be acceptable. The question therefore arises whether there are very special

circumstances sufficient to outweigh the harm to the Green Belt that will result from the scheme. This will be examined under the section below.

Conservation Area.

Warlies Park Farm is considered to be an important feature of the Upshire Conservation Area, it is the historic park farm to Warlies the nearby estate. The house is considered worthy of retention despite its current state and attempts have been made in the past to secure its repair. The barn due to its prominence on the road frontage adds interest and quality to the visual amenity of the Conservation Area. The Dairy building, which has a prominent end elevation facing the access is of interest as part of the farmyard setting.

The site was sold as a single lot to the current applicants following many years of neglect of the site by the previous owner. The application follows considerable discussion and negotiation and is seen as a way of ensuring that the site is dealt with as a whole rather than sold as separate lots. This is considered important as it enables cross financing to pay for the retention and refurbishment of the main house, which would otherwise be likely to be left until it degenerated to such an extent that demolition would be the only option. The proposals result in the complete restoration and reuse of the site albeit as residential rather than as farmyard, but will be a considerable improvement visually over the current situation. The design of the conversions and rebuilds are considered appropriate, maintaining the character of the buildings and the Conservation Area. It is considered that this is sufficient in this instance to outweigh the harm to the Green Belt that results from the large extensions to the Dairy building.

Access

The vehicular access to the site is close to a bend in the road and visibility is very poor. The access has in the past been used for the farm and more recently in connection with Car Boot Sales on adjoining land. The proposed use will result in the cessation of use of this access for car boot sales and relatively few traffic movements compared with other possible use. As such there is no objection to the proposals on Highway safety grounds. Adequate parking will be provided within the site for the three dwellings.

Sustainability

This is not an isolated rural site, but is on the edge of Waltham Abbey, relatively close to facilities and bus routes, such that not all trips will need to be by car. The proposals reuse and refurbish existing buildings utilising many of the existing materials. It is considered therefore that the scheme is relatively sustainable.

Trees and Landscaping

There are significant trees and hedging around the road frontage of the site and this is to be retained. Details of landscaping within the site can be the subject of a condition.

Conclusion:

This is an opportunity to deal with this important conservation area site as a whole and to secure the retention of Warlies Park Farm House, which is of local historic interest although not listed. The scheme is well designed and maintains the character of the buildings and their farmyard setting and although there will be considerable extension to the dairy to create the third dwelling it is considered in this instance that the particular circumstances are very special and sufficient to outweigh the harm to the Green Belt that would result from the development. The application is therefore recommended for approval subject to conditions.

SUMMARY OF REPRESENTATIONS:

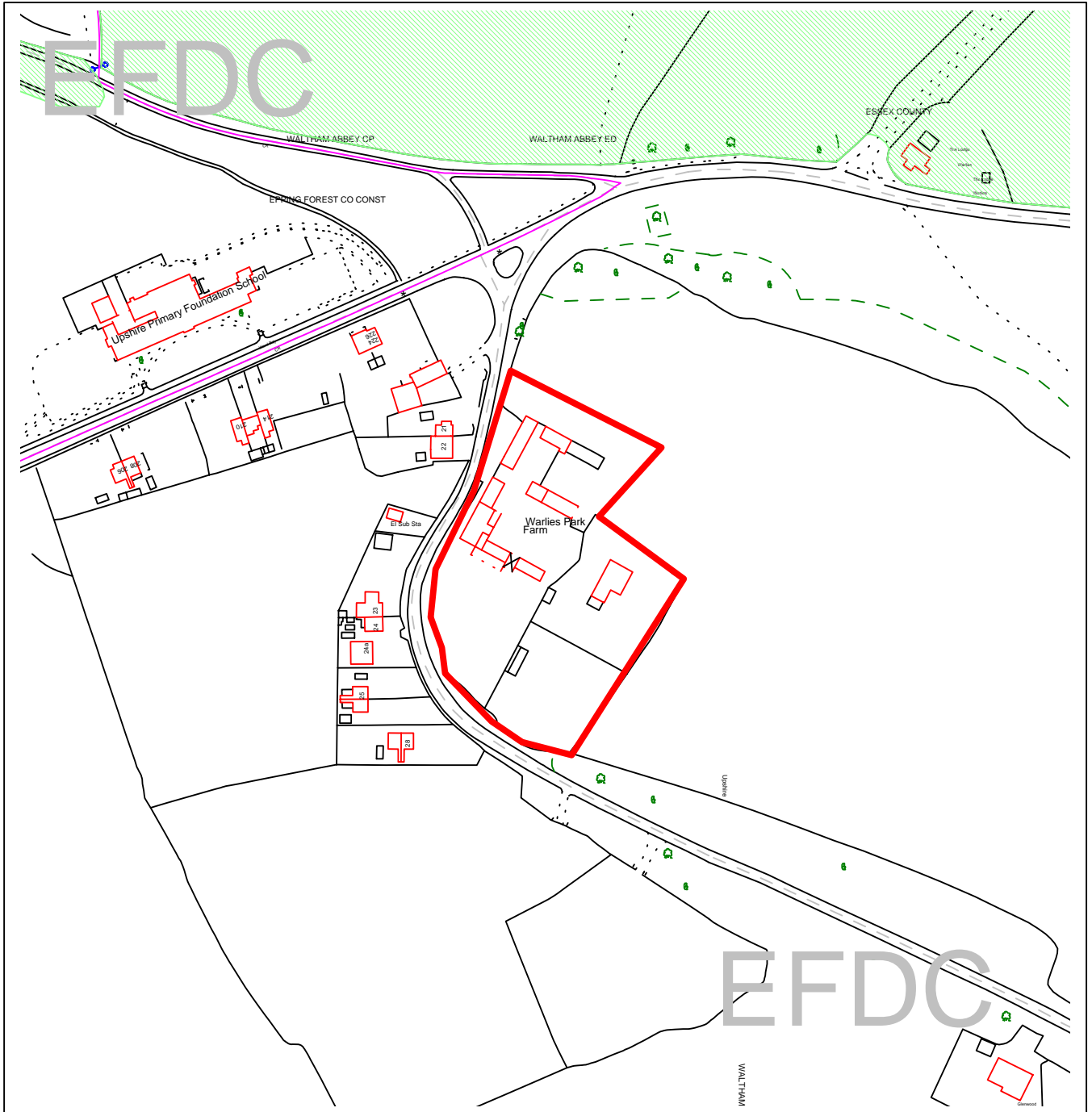
WALTHAM ABBEY TOWN COUNCIL – Objection. Inappropriate development in the Green Belt, no special circumstances.

NEIGHBOURS - No replies received



Epping Forest District Council

Area Planning Sub-Committee D



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Agenda Item Number:	4
Application Number:	EPF/648/06
Site Name:	Warlies Park Farm, Woodgreen Road, Waltham Abbey.
Scale of Plot:	1:2500

Report Item No: 5

APPLICATION No:	EPF/0792/06
SITE ADDRESS:	17 Thaxted Way Waltham Abbey Essex EN9 1LQ
PARISH:	Waltham Abbey
APPLICANT:	T Lane
DESCRIPTION OF PROPOSAL:	Single storey front and rear extension and two storey side extension, and rear dormer window.
RECOMMENDED DECISION:	GRANT

CONDITIONS:

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 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 The development shall be carried out in accordance with the amended plans received on 30 May 2006 unless otherwise agreed in writing with the Local Planning Authority.

Description of Proposal:

Single storey front and rear extensions, two storey side extension and rear dormer window.

Description of Site:

Semi-detached ex MOD house built c.1948 with well-screened rear garden and facing open public green to the front (south).

Relevant History:

None.

Policies Applied:

DBE 9 – Impact of extensions on amenity
DBE9 10 – Design of extensions

Issues and Considerations:

The key issues in this proposal are the possible effect of the extensions on the adjoining properties and their overall integration with the design and appearance of the main dwelling.

1. Amenity

A common feature of many of the house types on this post-war estate is the provision of a 'standard' 3m wide flat-roofed store building at the side of each property, with a further 2-3m open sideway to the plot boundary. The proposed side extension involves the rebuilding of the original store, still leaving a 1.7m distance to the common boundary with No.15 to the west, thereby maintaining the semi-detached character of the street scene. The attached house on the east side, No.19, already has a 3.8m deep rear addition abutting the common boundary and the proposal for No.17 will be less than this, at 3m depth. The rear dormer will look directly down the garden and no part of these proposals will have any adverse effect on either of the adjoining houses.

2. Design/appearance

The two-storey extension replicates the design features of the main house with the rear projection finishing below the main ridgeline. The dormer is small and well-proportioned set into the existing rear roofslope and the front canopy will link the garage and porch to the front elevation in a conventional manner.

3. The objections

Many of the houses on this estate have been extended in a similar manner (in a variety of different styles) and the overall effect visually is generally quite pleasing. Although the proposals are extensive, the scheme meets all basic criteria satisfactorily. In response to the objections received the proposal has been amended to reduce the height of the wall of the single storey rear extension adjacent to No.19 and the roof has been lowered to below the cill level of the first floor windows. The conservatory has also been re-sited to the other side of the property, away from the boundary with No.19.

Conclusion:

The scheme as a whole is now considered acceptable and approval is recommended.

SUMMARY OF REPRESENTATIONS:

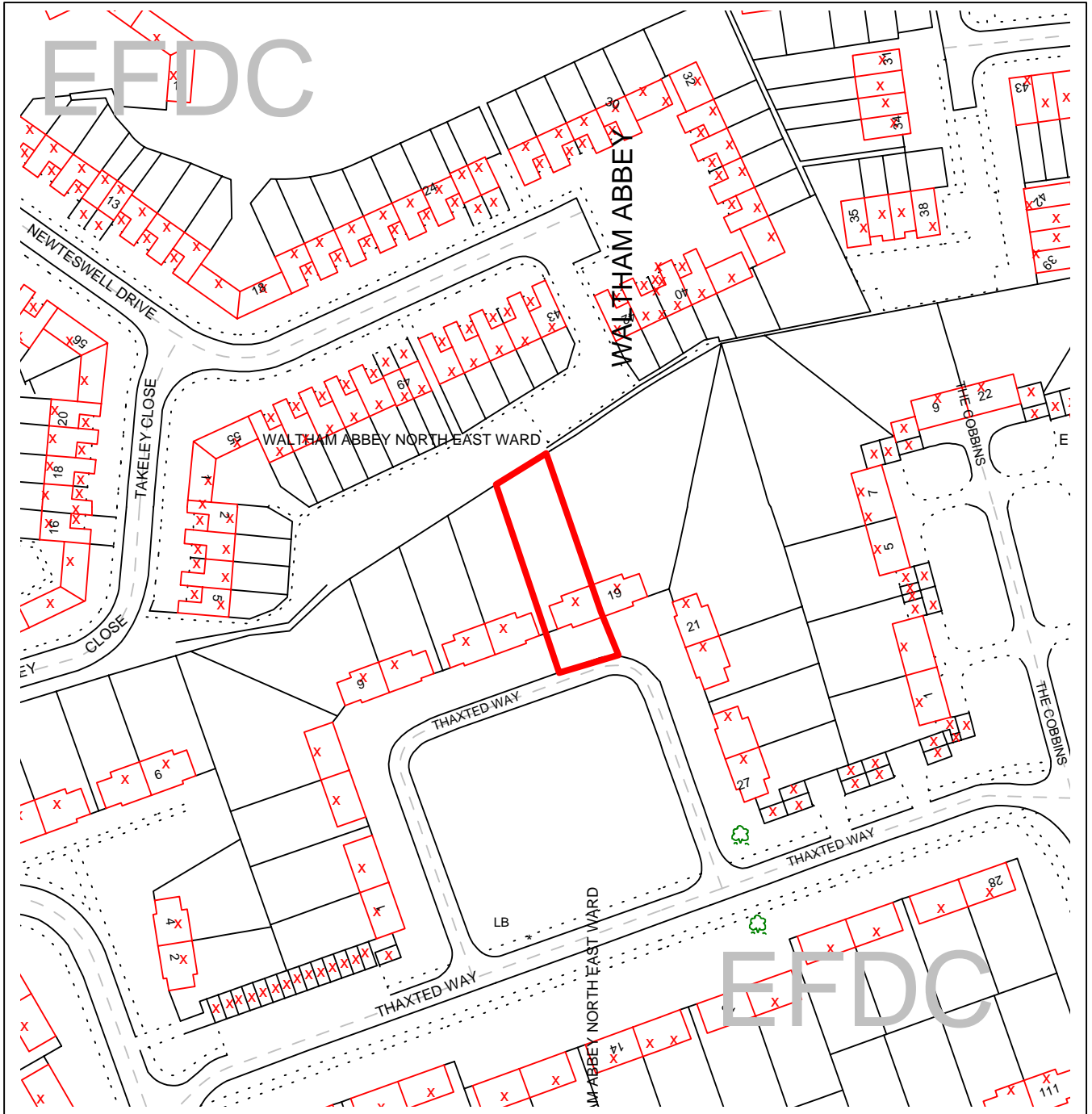
WALTHAM ABBEY TOWN COUNCIL - overdevelopment.
19 THAXTED WAY - disagree with single storey extension being attached to our property; size of extension overwhelming and out of place; wall and roof are too high blocking out light; disagree

with conservatory which will be out of place causing loss of privacy; wall is unduly high; overlooking of our property and garden.



Epping Forest District Council

Area Planning Sub-Committee D



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Agenda Item Number:	5
Application Number:	EPF/792/06
Site Name:	17, Thaxted Way, Waltham Abbey.
Scale of Plot:	1:1250