

# Committee Agenda



**Webcast  
Meeting**



**Epping Forest  
District Council**

## ***Area Planning Subcommittee West Wednesday, 26th September, 2007***

**Place:** Council Chamber, Civic Offices, High Street, Epping

**Room:** Council Chamber

**Time:** 7.30 pm

**Democratic Services Officer** Adrian Hendry - Research and Democratic Services  
Email: ahendry@eppingforestdc.gov.uk Tel: 01992 564246

### **WEBCASTING NOTICE**

**Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.**

**You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy and copies made available to those that request it.**

**Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area**

**If you have any queries regarding this, please contact the Senior Democratic Services Officer on 01992 564249.**

Members:

Councillors P McMillan (Chairman), J Wyatt (Vice-Chairman), R Bassett, Mrs P Brooks, Mrs A Cooper, R D'Souza, J Demetriou, Mrs R Gadsby, Mrs J Lea, Mrs M Sartin, Mrs P Smith, Ms S Stavrou, A Watts and Mrs E Webster

**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. WEBCASTING INTRODUCTION**

1. This meeting is to be webcast. Members are reminded of the need to activate their microphones before speaking.

2. The Chairman will read the following announcement:

“I would like to remind everyone present that this meeting will be broadcast live to the Internet and will be capable of repeated viewing and copies of the recording could be made available for those that request it.

If you are seated in the lower public seating area it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

This may infringe your human and data protection rights and if you wish to avoid this you should move to the upper public gallery”

**2. 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.

**3. APOLOGIES FOR ABSENCE**

**4. MINUTES (Pages 7 - 16)**

To confirm the minutes of the last meeting of the Sub-Committee held on 29 August 2007 as correct record (attached).

**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. DEVELOPMENT CONTROL (Pages 17 - 58)**

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

**Background Papers:** (i) Applications for determination – applications listed on the

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

## 8. DELEGATED DECISIONS

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

## 9. EXCLUSION OF PUBLIC AND PRESS

**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.

## **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](http://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 Planning Subcommittee West   **Date:** 29 August 2007

**Place:** Council Chamber, Civic Offices,   **Time:** 7.30 - 8.45 pm  
High Street, Epping

**Members Present:** P McMillan (Chairman), J Wyatt (Vice-Chairman), R Bassett, Mrs P Brooks, J Demetriou, Mrs R Gadsby, Mrs J Lea, Mrs M Sartin, Mrs P Smith and A Watts

**Other Councillors:**

**Apologies:** Mrs A Cooper, R D'Souza, Ms S Stavrou and Mrs E Webster

**Officers Present:** A Sebbinger (Principal Planning Officer), Z Folley (Democratic Services Assistant), S Dobson (Information Assistant (Public Relations)) and S G Hill (Senior Democratic Services Officer)

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### 26. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings. The Sub-Committee noted the Council's Protocol for Webcasting of Council and Other Meetings.

### 27. 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.

### 28. MINUTES

**RESOLVED:**

That the minutes of the meeting of the Sub-Committee held on 1 August 2007 be taken as read and signed by the Chairman as a correct record.

### 29. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor P McMillan declared a personal interest in agenda items 7 (1/2) (EPF/0500/07/ EPF/0501/07 - Part of Area A6, Royal Gunpowder Mills, Powdermill Lane, Waltham Abbey) by virtue of being a former members of the Waltham Abbey Gunpowder Mills Steering Group. The Councillor declared that his interests were not prejudicial and indicated that he would remain in the meeting during the consideration and voting on the items.

(b) Pursuant to the Council's Code of Member Conduct, Councillor J Demetriou declared a personal interest in agenda items 7(1/2) (EPF/0500/07/ EPF/0501/07 - Part of Area A6, Royal Gunpowder Mills, Powdermill Lane, Waltham Abbey). The Councillor declared that his interests was not prejudicial and indicated that he would remain in the meeting during the consideration and voting on the items.

(c) Pursuant to the Council's Code of Member Conduct, Councillor Mrs R Gadsby declared a personal interest in agenda items 7 (1/2) (EPF/0500/07/ EPF/0501/07 - Part of Area A6, Royal Gunpowder Mills, Powdermill Lane, Waltham Abbey) by virtue of being a member of Waltham Abbey Town Council. The Councillor declared that her interests was not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the items.

**30. ANY OTHER BUSINESS**

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

**31. DEVELOPMENT CONTROL**

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

**RESOLVED:**

That, Planning applications numbered 1 – 2 be determined as set out in the annex to these minutes.

**32. 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**

<b>APPLICATION No:</b>	EPF/0500/07
<b>SITE ADDRESS:</b>	Part of Area A6. Royal Gunpowder Mills Powdermill Lane Waltham Abbey Essex
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey South West
<b>DESCRIPTION OF PROPOSAL:</b>	Reserved matters application for the development of supporting commercial uses (B1 office accommodation) approved under EPF/21/04. (relating to original outline permission, reference EPF/625/93).
<b>DECISION:</b>	Grant Permission (Subject to S106)

The Committee resolved to grant permission subject to the completion of an agreement under Section 106 of the Town and Country Planning Act 1990 (As Amended) in respect of ensuring that the northernmost dwelling granted consent under EPF/647/02 (relating to the erection of two dwellings in the grounds of The Lodge) is not constructed.

## CONDITIONS

- 1 The development shall be carried out in accordance with the amended plans received on 18th May 2007 unless otherwise agreed in writing with the Local Planning Authority.
- 2 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 3 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
- 4 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.

5 Prior to the commencement of the development details of the proposed surface materials for the internal road and parking area shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.

6 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 Local Planning Authority and the completed phase 1 investigation shall be submitted to the Local Planning Authority 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 Local Planning Authority before commencing the study and the completed phase 2 investigation with remediation proposals shall be submitted to and approved by the Local Planning Authority prior to any remediation works being carried out.

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

7 If contamination not previously identified is found during development then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out unless written approval has been obtained from the LPA for an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

8 No conversion/demolition or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which shall have been previously submitted to and approved in writing by the Local Planning Authority.

9 Prior to the premises being brought into use for the purpose hereby permitted, a scheme providing for the adequate storage of refuse from this use shall be submitted to and approved in writing by the Local Planning Authority (LPA). The

scheme shall be carried out and thereafter retained at all times unless the LPA gives its written consent to any variation.

- 10 Details of any external lighting of the site shall be submitted to and approved in writing by, the Local Planning Authority prior to the commencement of the development. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation and shall be of a focussed and directional nature to ensure that there is no light spill into the river corridor.
- 11 The rating level of noise (as defined by BS4142:1997) emitted from any mechanical plant shall not exceed 5dB(A) above the prevailing background noise level. The measurement position and assessment shall be made according to BS4142:1997.
- 12 No development approved by this permission shall be commenced until details of the proposed finished floor levels have been submitted to and approved in writing by the Local Planning Authority (the finished floor levels shall be a minimum of 19.5m AOD). The scheme shall be completed in accordance with these approved plans.
- 13 Compensatory flood storage works shall be carried out in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development.
- 14 There shall be no raising of existing ground levels on the site, apart from in those areas identified for development in the Flood Risk Assessment and its Addendum.
- 15 Any walls or fencing constructed within or around the site shall be designed to be permeable to flood water.
- 16 During construction no solid matter shall be stored within 10 metres of the banks of the River Lee and thereafter no storage of materials shall be permitted in this area.
- 17 The construction of the foul and surface water drainage system shall be carried out in accordance with details submitted to and approved in writing by the Local Planning Authority before development commences.
- 18 A minimum buffer zone of 8 metres shall be provided alongside all watercourses on the site.
- 19 A landscape management plan, including long term design objectives, management responsibilities, maintenance schedules and different regimes for the buffer zone areas shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The landscape management plan shall be carried out as approved.
- 20 A survey for bats shall be undertaken before the commencement of the development. If bats are present, provision for bats shall be incorporated in the development by creating suitable artificial roosting sites within buildings, for example by using bat boxes or bricks, and sympathetic landscaping to encourage good insect populations.

- 21 Development approved by this permission shall not be commenced unless the method for piling foundations has been submitted to and approved in writing by the Local Planning Authority. The piling shall thereafter be undertaken only in accordance with the approved details.
- 22 No drainage shall be made into the Old River Lee within the area designated as a SSSI.
- 23 Any fuels or chemicals used on site shall be contained in such a way as to minimise the risk of accidental leakage or spillage.
- 24 The office building hereby approved shall not be used for purposes other than for the maintenance of the building or equipment between the hours of 23:00 and 06:00 without the prior written approval of the Local Planning Authority.

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/0501/07
<b>SITE ADDRESS:</b>	Part of Area A6. Royal Gunpowder Mills Powdermill Lane Waltham Abbey Essex
<b>PARISH:</b>	Waltham Abbey
<b>APPLICANT:</b>	Hill Partnerships & WARGM Trust
<b>DESCRIPTION OF PROPOSAL:</b>	Conversion and change of use of the Power House and Water Tower into office accommodation (Class B1)
<b>DECISION:</b>	Grant Permission (Subject to S106)

The Committee resolved to grant permission subject to the completion of agreements under Section 106 of the Town and Country Planning Act, 1990 (as amended in respect of:

- A contribution of £25,000 in respect of works to Powdermill Lane, the completion of works to the highway and the submission and implementation of a Travel Plan.
- That the number of employees working within the building does not exceed 200 people.

**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 The development shall be carried out in accordance with the amended plans received on 18th May 2007 unless otherwise agreed in writing with the Local Planning Authority.
- 3 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 4 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.

- 5 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
- 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 and 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 Prior to the commencement of the development details of the proposed surface materials for the internal road and parking area shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
- 8 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 Local Planning Authority and the completed phase 1 investigation shall be submitted to the Local Planning Authority 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 Local Planning Authority before commencing the study and the completed phase 2 investigation with remediation proposals shall be submitted to and approved by the Local Planning Authority prior to any remediation works being carried out.

Following remediation, a completion report and any necessary maintenance programme shall be submitted to the Local Planning Authority for approval prior to first occupation of the completed development.
- 9 If contamination not previously identified is found during development then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out unless written approval has been obtained from the LPA for an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

- 10 No conversion/demolition or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which shall have been previously submitted to and approved in writing by the Local Planning Authority.
- 11 Prior to the premises being brought into use for the purpose hereby permitted, a scheme providing for the adequate storage of refuse from this use shall be submitted to and approved in writing by the Local Planning Authority (LPA). The scheme shall be carried out and thereafter retained at all times unless the LPA gives its written consent to any variation.
- 12 Details of any external lighting of the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation and shall be of a focussed and directional nature to ensure that there is no light spill into the river corridor.
- 13 The rating level of noise (as defined by BS4142:1997) emitted from any mechanical plant shall not exceed 5dB(A) above the prevailing background noise level. The measurement position and assessment shall be made according to BS4142:1997.
- 14 Compensatory flood storage works shall be carried out in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development.
- 15 There shall be no raising of existing ground levels on the site, apart from in those areas identified for development in the Flood Risk Assessment and its Addendum.
- 16 Any walls or fencing constructed within or around the site shall be designed to be permeable to flood water.
- 17 During construction no solid matter shall be stored within 10 metres of the banks of the River Lee and thereafter no storage of materials shall be permitted in this area.
- 18 The construction of the foul and surface water drainage system shall be carried out in accordance with details submitted to and approved in writing by the Local Planning Authority before development commences.
- 19 A minimum buffer zone of 8 metres shall be provided alongside all watercourses on the site.
- 20 A landscape management plan, including long term design objectives, management responsibilities, maintenance schedules and different regimes for the buffer zone areas shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The landscape management plan shall be carried out as approved.
- 21 A survey for bats shall be undertaken before the commencement of the development. If bats are present, provision for bats shall be incorporated in the development by creating suitable artificial roosting sites within buildings, for example by using bat boxes or bricks, and sympathetic landscaping to encourage good insect populations.

- 22 Development approved by this permission shall not be commenced unless the method for piling foundations has been submitted to and approved in writing by the Local Planning Authority. The piling shall thereafter be undertaken only in accordance with the approved details.
- 23 No drainage shall be made into the Old River Lee within the area designated as a SSSI.
- 24 Any fuels or chemicals used on site shall be contained in such a way as to minimise the risk of accidental leakage or spillage.
- 25 The office building hereby approved shall not be used for purposes other than for the maintenance of the building or equipment between the hours of 23:00 and 06:00 without the prior written approval of the Local Planning Authority.



## AREA PLANS SUB-COMMITTEE 'WEST'

Date 26 September 2007

### INDEX OF PLANNING APPLICATIONS

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/1155/07	The Moat House, Nazeing Road, Nazeing	GRANT	19
2.	EPF/1458/07	Field adj. to Friars Lodge, Tylers Road, Roydon	GRANT	27
3.	EPF/1570/07	Hillside Nurseries, Hamlet Hill, Roydon	REFUSE	32
4.	EPF/1280/07	Land at Manor Farm & Land adj. to High Beech Primary School, Mott Street, High Beach	REFUSE	37
5.	EPF/1335/07	Little Copped Hall, Home Farm, High Road, Epping	GRANT	49
6.	EPF/1515/07	Pantiles, Wellington Hill, Waltham Abbey	REFUSE	53

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**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/1155/07
<b>SITE ADDRESS:</b>	The Moat House Nazeing Road Nazeing Essex EN9 2JN
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Lower Nazeing
<b>APPLICANT:</b>	Mr L Mooney
<b>DESCRIPTION OF PROPOSAL:</b>	Partial demolition of the existing dwelling and erection of 2 no. 3 bed chalet bungalows with new access drive with a single garage provided for plot 1.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**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 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 4 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 first floor windows other than any shown on the approved plan shall be formed at any time in the southern elevation of the building hereby permitted without the prior written approval of the Local Planning Authority.
- 5 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 6 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.

- 7 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 approved scheme shall be implemented within the first planting season following the completion of the development hereby approved.

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.

- 8 Prior to the commencement of the development details of the proposed surface materials for the proposed access, parking and pavement. shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.

- 9 Prior to the commencement of development full details of the proposed street lighting columns shall be submitted to and agreed in writing by the Local Planning Authority. The details shall include proposed levels of illumination, shielding to prevent light pollution and means of operation to ensure that they are illuminated only when needed. The lighting shall then be installed in compliance with the agreed details prior to the first occupation of any part of the development and thereafter maintained and operated in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

- 10 The area within the sight splays indicated on the submitted plan shall be formed to give a clear and continuous view of traffic and shall not contain obstructions above the crown of the adjacent road.

- 11 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.
- 12 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 that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the first occupation of the building hereby approved and shall be adequately maintained in accordance with a management plan to be submitted concurrently with the assessment.
- 13 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 Local Planning Authority and the completed phase 1 investigation shall be submitted to the Local Planning Authority 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 Local Planning Authority before commencing the study and the completed phase 2 investigation with remediation proposals shall be submitted to and approved by the Local Planning Authority prior to any remediation works being carried out.
- Following remediation, a completion report and any necessary maintenance programme shall be submitted to the Local Planning Authority for approval prior to first occupation of the completed development.
- 14 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

### **Description of Proposal:**

This is a full planning application for the erection of two detached three-bedroom dwellings, one with an attached garage and the other with a detached garage to be located on garden land to the rear of The Moat House. Access is to be taken on to the site via a private drive along the southern boundary.

This scheme is essentially the same as that agreed by Plans Sub Committee D back in August 2005 subject to a legal agreement, which was necessary because the applicant did not own all the land that would be affected by the proposal. The agreement was not entered into within 12 months and that application has therefore lapsed. The application site has now been revised to include additional land to prevent the need for a legal agreement.

### **Description of Site:**

The Moat House is a large 1960's detached bungalow on a site of 844 sqm in the Nazeing built up area. It fronts an unmade access roadway off Nazeing Road to the west of Nazeingbury Parade. The roadway serves the parade of local shops, the rear of Langley Green as well as Nazeingbury Close (4 relatively new properties) and ends at Fernbank Nursery to the north of the site. To the east of the site lies Nazeingbury; a Grade II listed building which has its own access direct to Nazeing Road. The northern boundary of the site forms the Green Belt boundary beyond which there is nursery development.

### **Relevant History:**

EPF/1989/01 – demolition of existing dwelling and erection of 5 detached houses. Refused and appeal dismissed (12/5/03)

EPF/493/04 – demolition of existing dwelling and erection of 4 detached houses – Refused.

EPF/2299/04 – Erection of two detached dwellings with garages and creation of new vehicular access. Agreed subject to applicant entering into 106 agreement to ensure sight lines and lighting can be provided. 31/08/05. Now lapsed.

### **Policies Applied:**

#### Structure Plan Policies.

CS4 Sustainable new development.

BE1 Urban intensification

H3 Location of residential development.

T7 Road hierarchy

T12 Vehicle parking

#### Local Plan Policies

CP1 Sustainable development,

CP2 Quality of environment,

CP3 New development,

CP6 Sustainable urban development patterns.

GB7A Conspicuous development

H2A Previously developed land

DBE1 Design of new buildings

DBE2 Impact of new buildings on neighbouring property.

DBE3 Development in urban areas

DBE8 Private amenity space

DBE9 Impact on amenity

LL10 Retention of landscape features

LL11 Landscaping

ST4 Road Safety.

ST6 Vehicle Parking

### **Issues and Considerations:**

A very similar scheme was considered acceptable back in 2005 subject to a legal agreement to ensure that sight lines, provision of a pavement and lighting, which were on land outside the applicant's ownership, could be achieved. Since then the applicant has purchased the area of

land to the front of 1 and 2 Nazeingbury Close, over which the sight lines, pavement and lighting need to be provided, so a legal agreement is no longer required.

The main issues therefore remain as in 2005; the principle and density of residential development; the impact on the character and appearance of the built up area, including the adjacent listed building and adjacent countryside; amenity and impact on neighbours; traffic and servicing.

1. *The principle of residential development.*

The site lies within the built up area of Nazeing but borders the Green Belt. Redevelopment for residential purposes is acceptable in principle. The proposed density is around 23.7 dwellings per hectare a little below the 30 - 50 sought by PPG3 and policy H3A of the adopted Local Plan, but this lesser density is considered appropriate to this location bordering the Green Belt.

2. *Visual impact.*

The proposed development is set away from the Green Belt Boundary to retain a softer edge to the urban area in accordance with policy GB7A and to overcome the objection to the 4 and 5 dwelling proposals which were set only 1m away from the Green Belt Boundary. The siting allows for retention of the existing mature trees along the eastern boundary of the site. The scheme is set behind the fronting dwelling and will not be visually intrusive.

The design of the chalet bungalows is traditional and in keeping with the area, with small dormer windows, the scale and massing of the buildings is considered appropriate

3. *Impact on Nazeingbury.*

It is not considered that the impact on the Grade II listed house to the east would be significant, given the modern context of the building which is already surrounded by housing on three sides.

4. *Impact on neighbours*

The proposal will not result in any direct overlooking of the neighbouring properties. The front elevation of the western dwelling faces towards the rear of the rear garden of no 3 Nazeingbury Close, but at a distance of around 12m and separated by the new roadway and the 1.8m flank fencing of the close. It is considered that the view will be too oblique to cause significant loss of privacy.

The access road would run about 2m from the flank boundaries of Nos 2 and 3 Nazeingbury Close, but it is considered that the level of usage for just 2 dwellings would be low and it is not considered that it would result in a significant loss of amenity to the residents of those properties, given the context of current policies on the best use of urban land.

5. *Traffic and Highway Considerations.*

The existing unmade private road that this development would be accessed from is in a very poor state of repair and has no pavement or street lighting and this was an issue when the earlier application for 5 houses was dismissed on appeal. This application includes the provision of a 1.8m wide footpath in front of 1 and 2 Nazeingbury Close and in front of the Moat House and 2 streetlights as were required previously by legal agreement. The fact that the applicant has now purchased the land in question means that the legal agreement is no longer required and the sight lines, footway and street lighting can be required by condition. There is concern from neighbours regarding the current poor state of the roadway, but this is private road, which is not the responsibility of the Council. Normally those who have a right of access over the road are responsible for its upkeep so it would be up to the owner of the road to negotiate with the

developer with regard to allowing additional access over the road and to ensure its maintenance. Whilst it is accepted that the roadway serves many properties and may at times be congested it is not considered that the addition of two further dwellings will have a significantly adverse impact. The two dwellings each have adequate off street parking and the inclusion of pavement and street lighting can be seen as a benefit in terms of highway safety.

#### 6. Sustainability.

The site is well located with regard to access to shops and services in Nazeing and generally accords with the sustainability policies of the Local Plan and Structure Plan.

#### 7. Other issues.

The site has been identified as possibly of archaeological significance and therefore an archaeological condition is proposed to ensure that it is investigated prior to development.

The site is within a Flood Risk Assessment Zone and as such on site water storage will be required to prevent increased risk of flooding, this will be subject to condition.

A contaminated land survey will also be required prior to development because of the previous use of the land.

The suggestion that the developer be asked to make a financial contribution for community benefits is not precise and is not for the purpose of dealing with adverse consequences of the development beyond the site. Moreover, it was not a matter that was previously considered relevant when it was resolved to grant planning permission for the same development in 2005. Consequently the suggestion does not meet the tests for the use of S106 agreements and is not supported.

#### Conclusion

It is considered that there has been no material change in circumstances or policies since the previous decision to grant consent for a very similar development. The proposals accord with the adopted policies of the Structure and Local Plan and the principles of making the best use of urban land. The application is therefore recommended for approval subject to conditions.

#### **SUMMARY OF REPRESENTATIONS:**

PARISH COUNCIL- Do not object to the application, however members did raise concern regarding sewage problems experienced in the locality and problems with access from Nazeing Road. The road is very narrow and is used by an increasing number of customers to the local shopping precinct including deliveries to shops and the industry behind. If the officer is inclined to grant permission, Members have asked that the developer may consider in a form of a 106 Agreement contributing some of the profit for the benefit of the community.

8 LANGLEY GREEN – Strongly oppose. Parking in front of shops is not sufficient for the amount of vehicles using them. Traffic backs up onto the busy main road causing hazard and making it difficult to exit our right of way behind our properties. The road surface is in very poor condition, any extra volume of traffic will make matters much worse. Concerned that there are existing sewage pipe problems. See previous objection to last application.

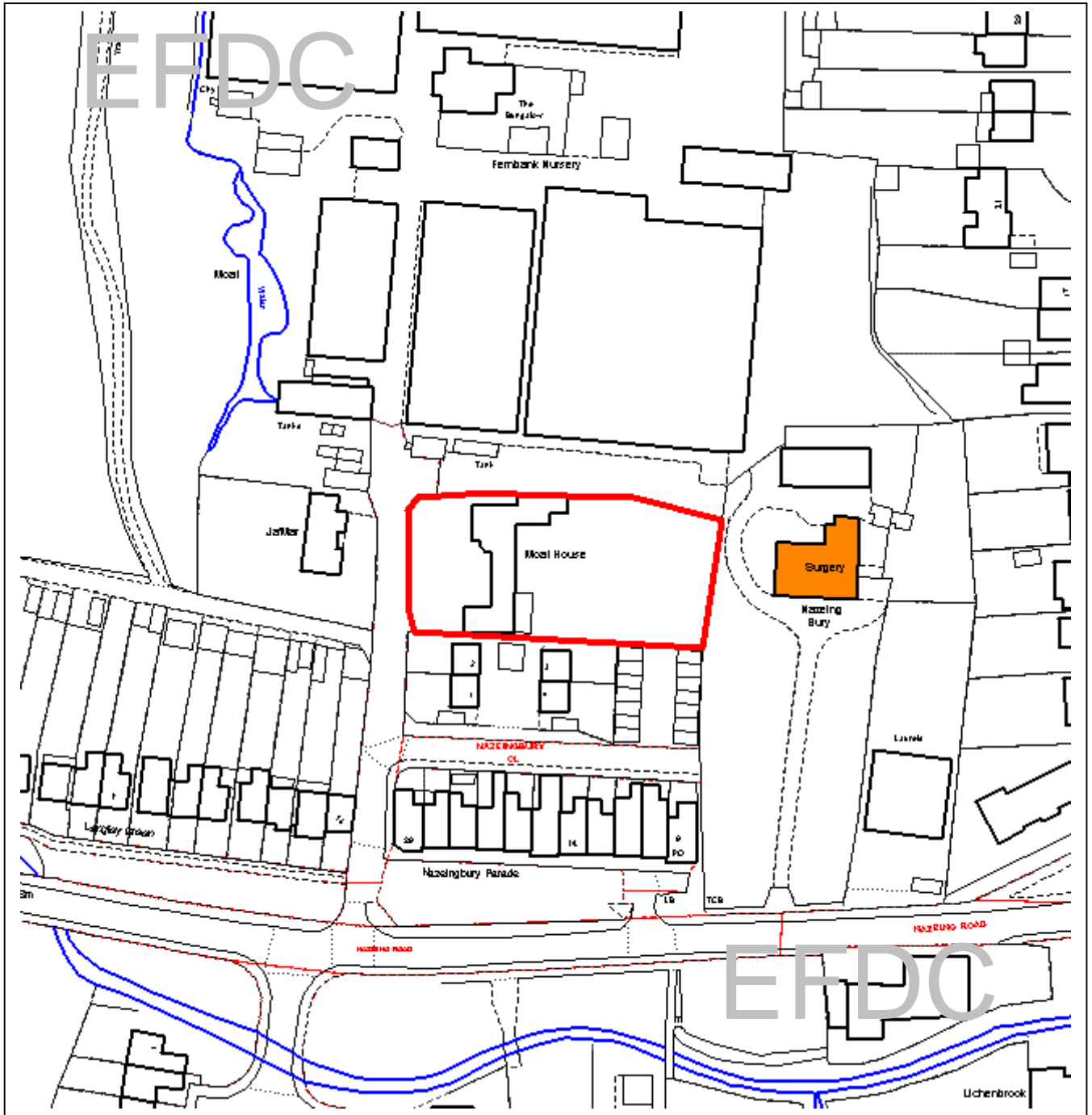


4 LANGLEY GREEN – Opposed. New buildings will increase traffic in already congested location. The private road has not been maintained for many years, there are burst pipes. Traffic to the nursery is getting heavier and delivery vans etc often block the access to our garages.



# Epping Forest District Council

## Area Planning Sub-Committee West



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**Agenda Item Number:**

1

Application Number:

EPF/1155/07

Site Name:

The Moat House, Nazeing Road, Nazeing, EN9 2JN

Scale of Plot:

1/1250

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/1458/07
<b>SITE ADDRESS:</b>	Field adj to, Friars Lodge Tylers Road Roydon Harlow Essex CM19 5LG
<b>PARISH:</b>	Roydon
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>APPLICANT:</b>	Mr Geoffrey Makepeace
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of 4 x loose boxes with tack room and hay storage, wooden construction fixed to concrete base inside field adjacent to Friars Lodge. (Resubmitted application)
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of 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 in accordance with a management plan to be submitted concurrently with the assessment..
- 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.
- 4 No development shall take place until details of earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of the proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.

- 5 The proposed development hereby approved must be constructed of traditional black-stained feather edge weatherboarding, the roof must be pan-tiled of slate and the doors and windows must be timber.

**Description of Proposal:**

The applicant is seeking planning permission for the erection of a stable within the open field adjacent to Friars Lodge.

The stable will comprise of 4 loose boxes with tack room and hay storage. It will have a length of 17.78 metres by a width of 8.4 metres and will have an overall height of 2.87 to the pitch of the roof.

Materials for the stable will include a timber frame with external cladding (softwood shiplap boarding) and roofing sheets either Farmscape range of anthracite grey or serpentine green sheets.

Hard surfacing area is also proposed in the form of a driveway to provide vehicle access to and from the stable block from the existing entrance gate. The hard surfacing area will also surround the stable block for vehicles to park during deliveries of hay and other items associated with the use.

The applicant has stated that the stable block is to be used for private use only and not for livery purposes. There are to be no more than 4 horses on the site at any one time.

**Description of Site:**

The subject site is a large open field approximately 4 acres in size which is located within the Metropolitan Green Belt and a Conservation area. The site is located east of Friars Lodge and is on the southern side of Tylers Road. Tinkers Lane runs parallel to the western boundary of the site for approximately 65 metres before it turns into a bridle path.

The site is currently vacant with only mature vegetation scattered throughout the site and on the boundaries. There is a steep slope that falls away from the north of the site to the south.

Located within the surrounding area there are a number of detached buildings and outbuilding which are mainly for residential uses however there is also a public house known as the Green Man north of the subject site.

**Relevant History:**

EPF/0866/07 – Erection of 4 x loose boxes with tack room and hay storage (withdrawn)

**Policies Applied:**

Structure Plan;

C2 Development within the Metropolitan Green Belt  
HC2 Conservation Areas

Local Plan Polices:

DBE1, DBE2, DBE4 and DBE9 relating to design, impact on neighbours and locality.  
HC7 Development within Conservation Areas  
RST4 Horse Keeping  
RST5 Stables  
GB2A Development in Green Belt

**Issues and Considerations:**

The site is within the Green Belt and a Conservation Area and therefore the main concerns to be addressed are whether there are any impacts on the openness of the Green Belt, the visual amenity of the area and on the amenities of neighbours.

1. Green Belt:

Policy GB2A of the Local Plan sets out the forms of development that are appropriate in the Green Belt. These include, for the purpose of agriculture, horticulture or forestry and for uses that preserve the openness of the green belt.

The keeping of horses for recreational purposes is a growing activity in the urban fringe of London. There is considerable demand for agricultural land to be given over to horses in the district. Factors to be taken into account include surplus agricultural land, the need for diversification, and the proximity to Epping Forest.

The proposed development would not have an adverse impact upon the character and the appearance of the landscape due to its small scale and size. The amount of land is adequate for the welfare requirements of the number of horses intended to use it and the amount of horse riding that is likely would not lead to excessive highway danger. It is also considered that the keeping of horses in this location would not have an impact on the increased pressure on the bridleway network within the surrounding area and within Epping Forest.

Due to the existing screening on the boundaries and the steep slope of the land the majority of the proposed development will not be seen from Tylers Road and adjoining properties. A condition can be imposed on any grant permission requiring additional planting along the boundaries of the site to fill in any gaps where the development might be seen.

In this case it is considered that the proposed development is not excessive and that its use would still preserve the open character and appearance of this part of the Green Belt and would not conflict with the purposes of land included within it.

2. Visual Amenity:

Policies DBE1, DBE2 and DBE4 of the Epping Forest District Local Plan seeks to ensure that a new development is satisfactorily located and is of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and would not prejudice the environment of occupiers of adjoining properties.

As the site is located within a Conservation Area the application was referred to Council's Heritage Officer who advised that there was no objection to the development.

The proposal would have a traditional appearance that would preserve and enhance the character of the Conservation Area. Conditions can be imposed to safeguard the appearance of the building in terms of the materials used.

The proposed development will be set back a significant distance from the highway and will be screened by existing vegetation on the site. Therefore it will not be widely visible to passing vehicles or to adjoining property owners.

It is considered that the size, scale and form of the development has been designed in a way so that it does not appear bulky or oversized.

### 3. Highway/Parking Issues:

Vehicle access to the site is via Tinkers Lane which runs off Tylers Road. Hard surfacing is proposed in the form of a driveway to provide vehicle access to and from the stable block from the existing entrance gate. Due to the hard surfacing within the site it is considered that there would not be an impact on traffic movement along Tinkers Lane as vehicles can park within the site when deliveries are made. It is considered that vehicle movement along Tinkers Lane will still be efficient and effective without causing an impact to highway safety.

### 4. Impact on Neighbours:

Given the relatively small scale of the proposed development and its position in relation to the boundaries, it is considered that there would be no significant material detriment or an impact to the amenities to adjoining property owners and the level of the intensity of the use is not considered to be excessive.

### Conclusion:

In conclusion it is considered that the proposed development would not have an impact on the open character of this part of the Green Belt or to the Conservation Area. There is no significant harm to the amenities of neighbouring properties or to the visual amenity of the area and the application is therefore recommended for approval subject to conditions.

## **SUMMARY OF REPRESENTATIONS:**

PARISH COUNCIL: The committee had no objections to the application

SUNSETS, TINKERS LANE Concerned about possible obstruction by parked vehicles in Tinkers Lane which needs to be kept clear as a right of way at all times in order traffic can be unrestricted in and out of our premises. No doubt this is going to be another 'riding school'. I fear that visitors will completely block the access to our premises at the end of Tinkers Lane.

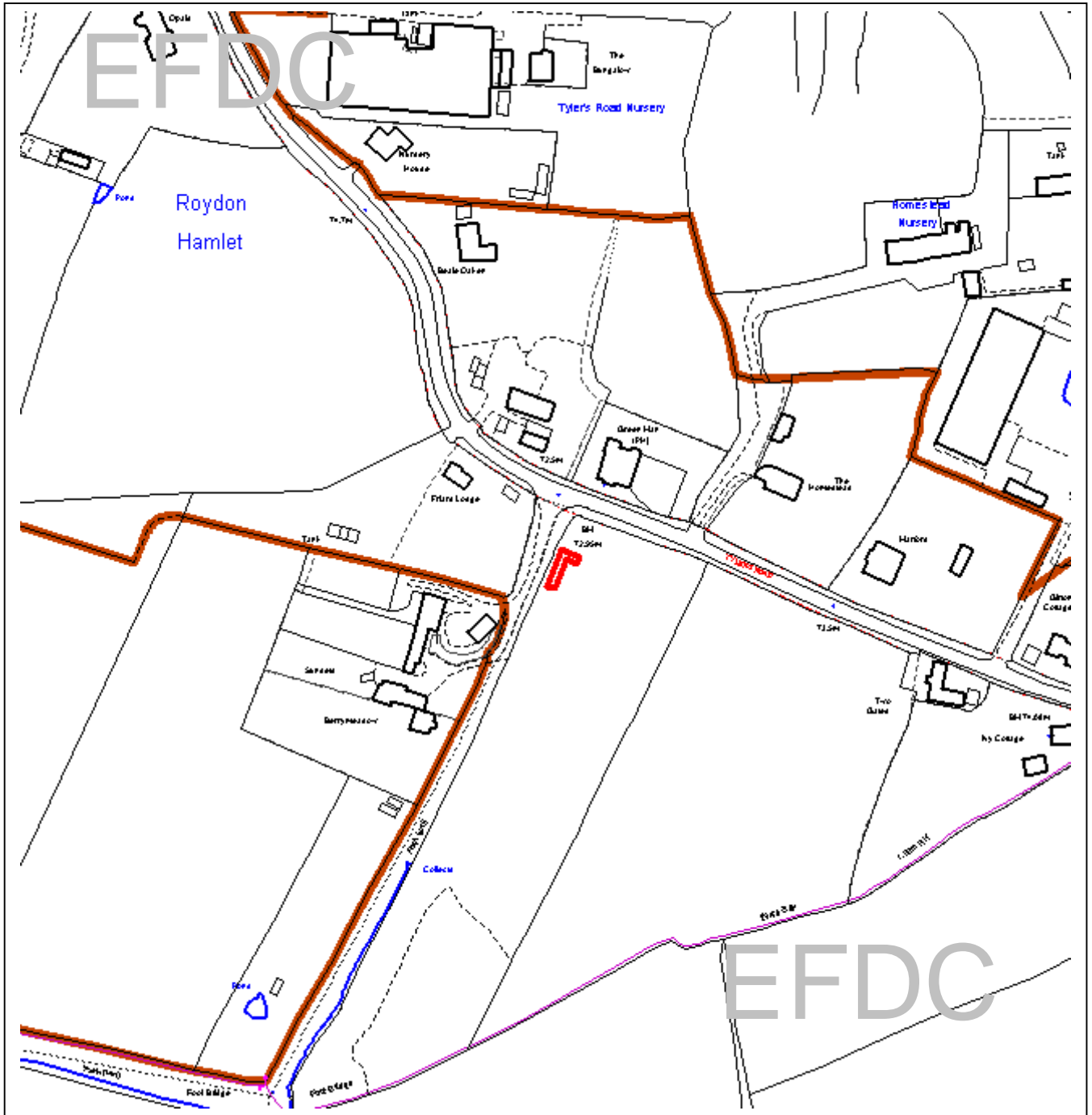
GREEN MAN, TYLERS ROAD Object – will block view of countryside from all windows. Increased number of horses will increase amount of manure which will lead to increased vermin. Query re parking as Tinkers Lane is a narrow lane and not possible to park cars and leave room for passing. Public footpath runs inside field parallel with Tinkers Lane and bridle path, though access is via locked gate at top and stile at bottom.

BERRY MEADOWS FARM No objection to stables but concerned about parking blocking access unless other arrangements made.



# Epping Forest District Council

## Area Planning Sub-Committee West



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**Agenda Item Number:**

2

Application Number:

EPF/1458/07

Site Name:

Field adj. To Friars Lodge, Tylers Road, Roydon, CM19 5LG

Scale of Plot:

1/2500

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/1570/07
<b>SITE ADDRESS:</b>	Hillside Nurseries Hamlet Hill Roydon Harlow Essex CM19 5JU
<b>PARISH:</b>	Roydon
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing  Roydon
<b>APPLICANT:</b>	Ms Julie Irons
<b>DESCRIPTION OF PROPOSAL:</b>	Retention of the change of use of land to domestic garden and retention of summerhouse building.
<b>RECOMMENDED DECISION:</b>	Refuse Permission

**REASONS FOR REFUSAL**

- 1 The suggested curtilage extension is poorly related to the existing residential curtilages of the dwelling and the adjacent dwelling and intrudes illogically into agricultural land at the rear, contrary to policy GB4 of the adopted Local Plan and Alterations.
- 2 The summerhouse building is inappropriate development in the Green Belt, by definition harmful, and it is not considered that there are very special circumstances sufficient to overcome the harm to openness that results from the development. The proposal is therefore contrary to policy GB2A of the adopted Local Plan and Alterations and policy C2 of the Essex and Southend on Sea Replacement Structure Plan.

*This application is brought to committee at the request of Cllr Penny Smith.*

**Description of Proposal:**

Retention of change of use of a narrow strip of agricultural land to domestic garden and retention of summerhouse building within that piece of land. The summerhouse is a building measuring 10m in length and 4m in width with a ridge height of 4m. It has a brick plinth and is black weatherboarded with a pitched tiled roof. The application also proposes relinquishing a small part of the existing authorised residential curtilage for agricultural use and the introduction of planting to help obscure the footpath to the summerhouse.



### **Description of Site:**

The site lies to the rear of a recently constructed replacement dwelling on land that has only agricultural use, having previously been a nursery, located on the southern side of Hamlet Hill. There are residential properties opposite the site and to the east. The summerhouse is located close to the eastern boundary of the site behind the property known as Havana. There are substantial trees forming a hedgerow along this eastern boundary. The land rises to the south and east and apart from the summerhouse is free from buildings and is essentially open grassland. The summerhouse is over 65m away from the house. There is no boundary delineation between the authorised residential curtilage of the dwelling and the land to the rear.

### **Relevant History:**

The site was originally a nursery and there is a long enforcement history from the 1970's relating to unauthorised uses of the site.

There was a small wooden building at the front of the site, originally a "farm shop" which in 2002 gained a certificate of lawfulness for use as a dwelling as it was proved that it had been lived in as a residential unit for more than 4 years. The certificate of lawfulness related only to the building and a very small area of land and states that the remaining area of land is agricultural.

In 2004 planning permission was granted for replacement of the lawful dwelling with a new single storey dwelling of similar footprint (although a higher ridge) and detached double garage. Planning permission was granted subject to the removal of permitted development rights and subject to a condition restricting the size of the residential curtilage to an L shaped area of land of 0.18 hectares. This was considerably larger than the Lawful area but was considered to relate well to the garden of the adjacent property and to provide adequate amenity space. The 0.4-hectare field to the rear of the bungalow was therefore to retain agricultural status.

### **Policies Applied:**

#### Structure Plan

C2 Green Belt

#### Local Plan and Local Plan Alterations

GB2A Green Belt

GB4 Extensions to residential curtilages.

DBE4 Design in the Green Belt

DBE1 Design of new buildings

DBE2 Effect on surrounding buildings

### **Issues and Considerations:**

The main issues in the consideration of this application are Green Belt, impact on residential amenity, and design

#### 1. Green Belt.

In green belt terms there are two aspects to this application, firstly the extension of the residential curtilage and secondly the retention of the building.

## 2. Residential curtilage:

The change of use of land to residential curtilage is likely to alter the character and appearance of land and is therefore generally resisted. Policy GB4 of the Local Plan and Alterations sets out that such extension will only be permitted where the Council is satisfied that; (i) it would not have an adverse effect on the character of the landscape and (ii) it would relate well to the curtilages of any adjoining residential properties; and (iii) it would not be excessive in size. The policy goes on to state that in granting permission for any such development the Council may: (a) withdraw permitted development rights for the area concerned in respect of buildings and hard surfaces and (b) impose appropriate planning conditions.

In this instance it is not considered that the proposed narrow strip of land along the rear boundary of the neighbouring property and some 47m into the agricultural land to the rear would relate well to either the dwelling itself or to the curtilages of adjacent properties. It is an illogical intrusion, which, as it is designed to retain views over the agricultural land to the west is also likely to result in the remainder of the field being used as garden also. To change the whole field to garden, which may appear more logical and defensible, would clearly result in a garden of excessive size for the dwelling.

## 3. Retention of the summerhouse:

Where permission is granted for changes to residential curtilage, strict control is then exercised to prevent hardstanding or buildings being constructed as permitted development. In this instance the summerhouse has already been constructed but the application must be considered as if it had not been.

The summerhouse is not a small building. It is similar in length to the recently constructed dwelling and clearly has an impact on openness. There is no policy relating to domestic outbuildings in the Local Plan and they are generally considered on their merits but in the context that they are inappropriate development and their size should therefore be kept to a minimum. Given that the replacement dwelling approved in 2004 was larger than the lawful dwelling it replaced and that a large detached garage to meet the reasonable storage and garaging demands of the dwelling was also approved at that time and has been constructed, it is not considered that there is any justification for this additional outbuilding which is nearly half the size of the dwelling and is very poorly located, intruding deeply into the open area at the rear of the dwelling.

The proposal is therefore clearly contrary to policies GB2A and GB4 of the adopted Local Plan and Local Plan Alterations.

## 4. Are there Very Special Circumstances sufficient to override the harm caused by inappropriateness and other harm?:

The applicant argues that she was unaware of the restrictive curtilage of the new dwelling and that the building was constructed under the misapprehension that it was permitted development (being less than 4m high). Additionally, the building is built on the site of an earlier agricultural building, which was removed when she developed the site. It is not considered that this can amount to very special circumstances sufficient to outweigh the harm that will result from inappropriate development because these circumstances are readily capable of being reproduced on any other Green Belt land that has a small redundant agricultural building.

Furthermore, although the building is not readily visible from the road and additional landscaping is proposed, national planning guidance makes it clear that the fact that a building may not be prominent from outside the site does not make it acceptable. In this case although the building is not visible from Hamlet Hill, it is clearly visible from adjacent land.

The offer to give up part of the existing curtilage to offset the additional area proposed is not accepted as the new area is so much more intrusive and illogical in relation to the dwelling. Moreover, it would be difficult to restrict the use of this small area.

5. Design

The summerhouse is well designed and of suitable materials for its location.

6. Impact on residential amenity

The summerhouse is located to the rear to the dwelling known as Havana, but it is well screened and it is not considered that either the building or the residential use of the land will result in any harm to residential amenity.

Conclusion.

The development is inappropriate in the Green Belt, relates poorly to the existing authorised residential curtilage and is harmful to openness. The application is therefore recommended for refusal.

**SUMMARY OF REPRESENTATIONS:**

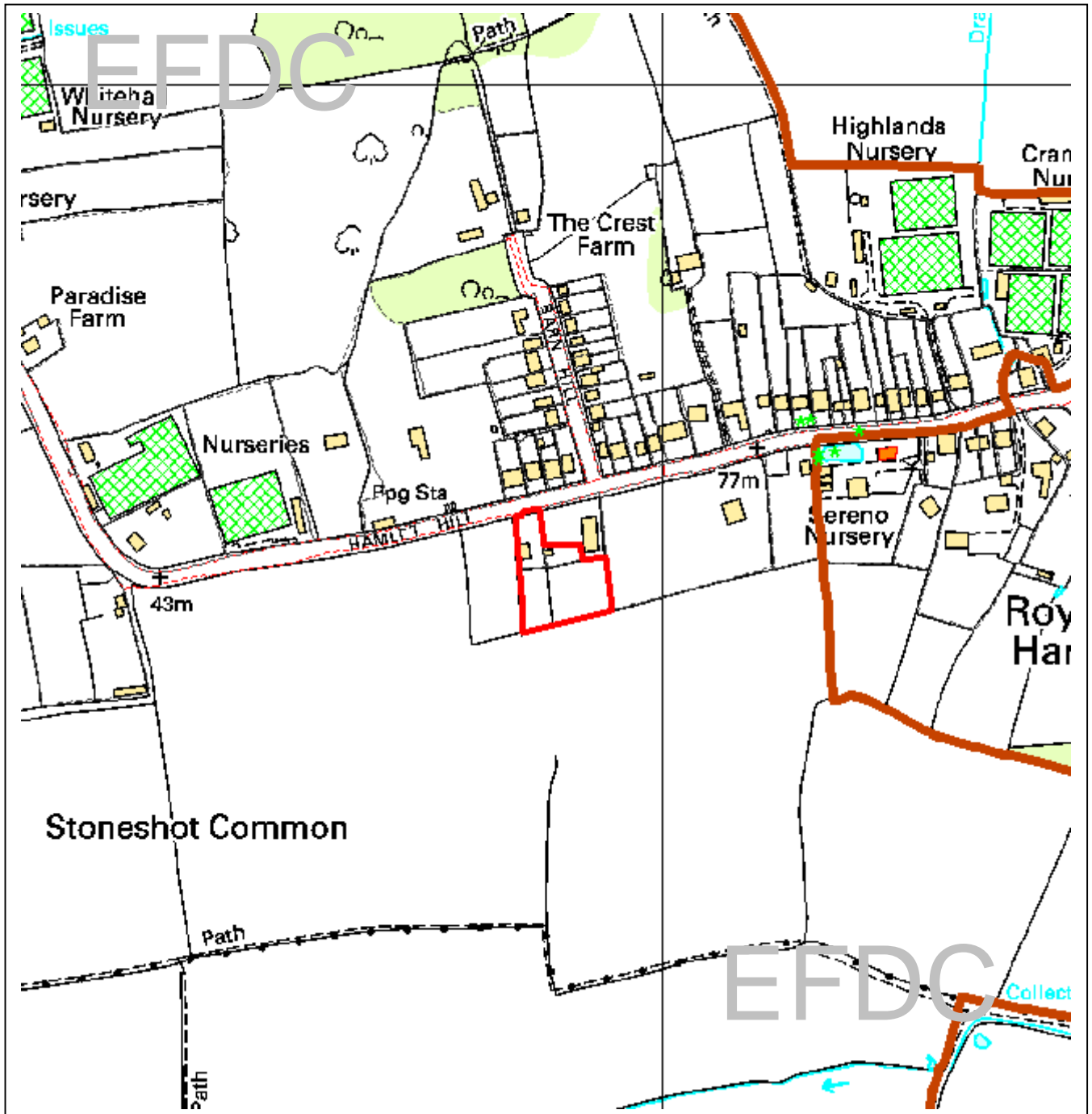
PARISH COUNCIL – Object. Inappropriate development in the Metropolitan Green Belt.

HAVANA, HAMLET HILL – No objection to change of use of land to domestic garden. No objection to summerhouse subject to conditions (subject to small pathway being constructed adjacent to the boundary fences of the south and east fencing if deemed necessary and this not being screened as this may restrict my views, noise levels to be kept to a minimum, if access is to be adjacent to my boundary then I should be consulted on any planting scheme as this will impact on my views, any planting should be restricted to no more than 1.5m. For information I have lived here since 1983 and have always enjoyed uninterrupted views across the field behind my property (where the summerhouse now is) there was a brick structure on the north east corner of the land which has not interrupted my views though the summerhouse situated some 50m away from my decking does to a small degree, it blends with the environment and is more pleasing to the eye.



# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	3
Application Number:	EPF/1570/07
Site Name:	Hillside Nurseries, Hamlet Hill, Roydon, CM19 5JU
Scale of Plot:	1/5000

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/1280/07
<b>SITE ADDRESS:</b>	Land at Manor Farm and Land adj to High Beech Primary School Mott Street High Beach Loughton Essex IG10 4AP
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey High Beach
<b>APPLICANT:</b>	Mr & Mrs D Evans
<b>DESCRIPTION OF PROPOSAL:</b>	Outline application for 12 no. affordable houses and 12 no. private houses on land at Manor Farm, new vehicle access to school and car park. (Revised application)
<b>RECOMMENDED DECISION:</b>	Refuse Permission

**REASONS FOR REFUSAL**

- 1 The Manor Farm site is within the Green Belt where the development of housing is inappropriate. It has not been demonstrated that there are very special circumstances sufficient to overcome the very real harm to openness that would result from the development. The proposal is therefore contrary to policies C2 , CS2 and H5 of the Essex and Southend on Sea Replacement Structure Plan and policies GB2A and GB16 of the adopted Local Plan and Alterations.
- 2 The location, lack of footways and limited access to public transport would mean that virtually all journeys generated by the proposed development would be by private vehicles. The proposal is not therefore considered sustainable development and is therefore contrary to policies CS1, CS2, CS4 and H2 of the Structure Plan and policies CP1, CP3, CP6, ST1 and ST2 of the adopted Local Plan and Alterations.
- 3 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. The proposal is therefore contrary to policy T7 of the Structure Plan and policies ST2 and ST4 of the adopted Local Plan.
- 4 The proposed housing development introduces an alien and uncharacteristic pattern of development to this rural location, which does not relate well to the established and traditional form of residential development in the area, is intrusive in the landscape and is harmful to the character and visual amenity of the rural area contrary to policies DBE1 and DBE4 of the adopted Local Plan and Alterations.

## **Description of Proposal**

Outline application for the erection of 12 affordable houses and 12 private houses on land at Manor Farm, Mott Street, new vehicle access for High Beech Primary School, including construction of car park 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 taking up approximately 2 acres of land and the 12 private detached dwellings utilising a greater area of land (6.5 acres) to the north and east of the affordable homes. A further 2 acres of land between the eastern boundary of the site and Manor Farm is to be laid out as landscaped parkland. The indicative plan shows the proposed car park to the east of the school again using an existing access off Mott Street, set back from the road and with areas of parkland on either side of the access.

The information provided with the application sets out that the affordable houses will be a mix of terraced and semi detached properties measuring between 6 metres and 9.5m wide and 6m and 9m deep, with ridge heights of 7.5m.

The proposed private housing is to be 12 detached properties between 20 and 26m wide, 12m deep and approx 8m high, each on a half acre plot. The proposals also include provision of garaging.

The supporting statement explains that it is intended to offer the proposed 12 affordable units for key workers, (in perpetuity at an affordable rent, in line with Epping Forest District Council rental charges) both local and from outside the district, and that a trust fund would be set up to enable the maintenance of the houses and enable the High Beech School improvements.

The applicant has made it clear that he would like to make the affordable units available to help meet the housing needs of workers at Whipps Cross Hospital.

## **Description of Site**

The application site is split into two areas. The first site would be on land at Manor Farm, to the west of the main dwelling house 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 is east of Highfield Cottage, currently accommodating a field for grazing. Ground levels fall away to the north. Both 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 and Local Plan Alterations:-**

CP1 Sustainable development objectives  
CP2 Quality of environment  
CP3 new development  
CP4 energy conservation  
CP5 sustainable building  
CP6 Sustainable urban development patterns  
CP7 urban form and quality  
CP9 Sustainable transport.  
GB2A – General Restraint  
GB7A conspicuous development  
GB16 – Affordable Housing  
H1A Housing provision  
H2A Previously developed land  
H3A Housing Density  
H4A Dwelling Mix  
H6A, H7A, H8A Form of provision of affordable housing  
H9A lifetime homes  
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  
ST1 Location of development  
ST2 Accessibility of development  
ST4 Road safety  
ST6 Vehicle parking.  
I1A Planning obligations.

### **Relevant National Planning Policy Guidance:**

PPS1 – Delivering sustainable development  
PPG2 – Green Belt  
PPS3 – 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 two proposals and addressing the issues on each 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**

#### **1. 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

EPF/0635/06 Outline application for 12 affordable and 12 private houses on land at manor Farm, two replacement houses on land at 15 and 16 Mott street, new vehicular access to school, car park and new school playing field on land adjacent to High Beech Primary School. Recommended for refusal but withdrawn before committee.

#### **2. 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 is inappropriate development by definition harmful.

It is therefore 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.

The issue here is whether any very special circumstances exist in this case that are of sufficient weight to justify allowing development that is clearly harmful to the openness of the Green Belt.

The applicant suggests that the provision of 12 “affordable” houses for key workers amounts to very special circumstances. The applicant argues the affordable element of the scheme would allow key workers to live in the District who would otherwise need to live outside of it is beneficial



and this benefit would be maintained in perpetuity. The applicant offers a trust fund to maintain the “affordable” houses and to facilitate the local High Beech school improvements and argues this would preserve the village environment. A letter from the Head of Medicine at Whipps Cross hospital has been submitted indicating that he would be interested in as many of the affordable houses as possible.

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 stables with tack rooms and hardstanding. The applicant therefore considers the existing condition of the land and the replacement of the small stable buildings with 24 houses as amounting to a very special circumstance.

The applicant’s contention that very special circumstances exist is not accepted for the reasons set out below:

Since only 50% of the proposed housing would be for open market housing, the proposal extends the built up area of High Beech into the open countryside and having regard to the objection raised by the Town Council, this proposal does not meet the requirements of the adopted rural exceptions policy (Policy GB16). No weight can therefore be attached to the affordable housing element of the scheme as justification for allowing inappropriate development within the Green Belt.

Paragraphs 5.72a of Policy GB16 explains 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.

The Council’s Head of Housing has been consulted regarding this application and has raised considerable concern. He states, *inter alia* “ *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. 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.*

*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, 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."*

Were this site not on designated Green Belt land the Local Authority would still be seeking 50% affordable housing for a development of this size, therefore the 50% proposed (on only a fraction of the site), can in no way be used to justify an exception to the strong green belt policy of restraint.

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. The designation as Green Belt land overrides the brown field issue. Inappropriate development in the Green Belt does not become appropriate by virtue of the land having been previously developed.

### 3. Sustainability and Highways Issues

Both the Structure Plan and the Local Plan have core policies which in line with government guidance seek to direct new development to urban areas with good access to jobs, shops and facilities to reduce the need for motorised private transport.

This site is clearly not well located for pedestrian or cycle access to facilities. There are no footways along Mott Street and the road is narrow and uninviting to walkers and cyclists. The site is not within easy walking distance of shops or workplaces and there is only limited public transport. It is clear that anyone living in the new development will be heavily reliant on the car for nearly all journeys.

This proposal would result in a further 24 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%.

The Highway Authority have raised objection to the proposal and state, "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 the Highways Authority considers that Mott Street is 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. This is further grounds for conflict with Policy GB16 as well as Policy ST4 of the Local Plan Alterations. The applicant disagrees, contending that the proposals would not result in a significant increase in traffic over the existing livery use of the site, but he has not produced substantial evidence of this. Given the need for occupants to rely on the car and the size of the proposed dwellings it is considered that there would be an increase in traffic which would be harmful to highway safety.

### 4. 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.

#### 5. 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.

#### 6. Design

Although the application is in outline only with all matters reserved, recent changes in planning require that the approximate location and size of buildings together with access points must be submitted together with details of the design concepts and principles behind the proposal.

In broad terms it is considered that the proposed housing layout with two very distinct and different forms of development (small affordable units to one side with large private dwellings (each one up to 6 times the floor area of the smallest affordable unit) on the other, is inappropriate.

The position and layout of the development which extends some 160m back from Mott Street and introduces a suburban cul de sac style development is totally alien to the traditional development patterns of this part of the District and is at odds with the design policies of the Local Plan and the principles set out in the Essex Design Guide.

No real design principle has been put forward to explain the proposed layout.

#### 7. Other Issues

The applicant submitted a later statement to form part of the application, which was not received until 24th August, so has not been open to public consultation. This statement argues that historically there were about 20 dwellings in the area that were agricultural tied cottages which meant they were affordable and available to key local workers, these have been sold off with the decline of agriculture. The applicant states that this application is an attempt to redress this situation by re-introducing affordable homes to meet current key worker needs. He argues that the original mix of both tenanted and privately owned houses produced a balanced community and that the proposal to replace the "lost" rented cottages with modern affordable homes will have a beneficial effect on the local community at large.

The policies of the Local Plan do seek to achieve a mix of housing for all members of the community, but it is not considered that this is the overriding issue in this instance where the predominant issue is protection of the Green belt from inappropriate development.

### **Proposal B – New vehicle access to school, car park and creation of parkland gardens.**

#### 1. Relevant History

EPF/0635. Outline application for 12 affordable and 12 private houses, two replacement houses, new vehicular access to school, car park and new playing field. Recommended for refusal but withdrawn before committee.

## 2. Issues and considerations.

The main concerns are again impact on the Green Belt, whether there are very special circumstances and highway and sustainability issues.

## 3. Green Belt

The provision of this access and parking area for the primary school has been promoted by the applicant as a “community gain” or “public good” order to counter the harm of residential development within the Green Belt. The applicant says 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. He further argues that 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. He contends that 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 drop off and pick up their children at the beginning and the end of the day off the highway. Small parkland areas are to be provided on either side of the access.

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. The car park proposal in itself is contrary to Green Belt policy, being inappropriate development clearly harmful to openness. 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.

## 4. Very special circumstances.

Whilst the need to improve highway safety for children attending the school and for surrounding road users may (if proven) amount to very special circumstances sufficient to outweigh the harm caused by the access and parking area alone, it is not considered that it can in any way outweigh the harm from the 24 new houses proposed.

Furthermore the overwhelming majority of the neighbouring residents, many of whom 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.

## 5. Highway and sustainability issues

The provision of additional car parking in connection with the school is contrary to the sustainability policies of the Structure and Local Plan which seeks to discourage the use of private motorised transport. It is likely that increased parking facilities would encourage more parents to bring their

children to the school by car, potentially increasing traffic movements. Additionally the applicant has indicated no right turn into Mott Street from the new school car park, and this would not be self enforcing and being illogical for parents who need to turn right would be likely to be ignored, or if not ignored would result in parents seeking an alternative place to turn round further down Mott Street which could result in additional highway danger.

It is to be noted that the School has not formally backed the application and indeed the Governors of the school, whilst acknowledging that increased parking would be useful, have formally objected to the application.

### **Conclusion (in respect of both proposals)**

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. The existing use of the site for livery purposes is an appropriate low key Green Belt use that is predominantly open in character and retains the rural and attractive character of this part of Mott Street. The proposed addition of 24 houses, 12 of which are of considerable size, and the change of the land to garden land with the consequent introduction of domestic paraphernalia, driveways, garaging etc, is clearly not just by definition harmful but physically detrimental to the open character of this attractive Green Belt location..

Furthermore, the site is considered an unsuitable location for affordable housing and an unsustainable location for this form of development and there is concern regarding highway safety.

It is not considered that there are very special circumstances sufficient to outweigh the harm to the Green belt and the application 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 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. Not a sustainable approach to affordable housing for somewhere like Whipps Cross.

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.

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.

LOUGHTON RESIDENTS ASSOCIATION – Object to any development here, unsuitable use of the site which conflicts with relevant provisions of the Local plan.

HIGH BEECH C of E PRIMARY SCHOOL GOVERNORS – Object to the proposed development of housing at Manor Farm. The land is Green Belt close to Epping Forest which is a SSSI and a site of exceptional natural beauty. The development is inappropriate. It would introduce additional traffic on a very busy narrow road. The affordable housing is best sited near to public transport and public services. The board of governors recognise that off street parking would be of considerable value to the school and would be reluctant to refuse any offer that was acceptable and improved parking, however it is important to note that this application has no connection with the school and that the governors disassociate themselves from the application completely.

ESSEX COUNTY COUNCIL SCHOOLS CHILDREN FAMILIES DIRECTORATE – It should be noted that it is not Essex County Council's policy to encourage drop off facilities for parents as they commonly undermine school travel plans and increase traffic danger in the vicinity of schools. I understand that there may be exceptional circumstances here and provided the facility is supported by the school and can pass a highway safety audit, I believe that the scheme should be accepted in lieu of the normal educational contribution.

Neighbours objections:

9, THE OWL, LIPPITTS HILL – objection Increased traffic danger, harm to green belt, precedent for similar developments which would destroy rural character, the school is uninvolved with these plans and has not been consulted on the car park.

GREEN BANKS, MOTT STREET – Strongly object. Adverse impact on character of the Green Belt, The road is too narrow for additional traffic. Approval would open floodgates to similar developments in the Green Belt

VINE COTTAGE, MOTT STREET – Objection Green belt, increased noise and pollution, hazardous road, increase in traffic, not suitable location for affordable housing, no public transport, local school can not accommodate any more children, set precedent, adverse change to rural aspect we enjoy.

LIPPITTS END, MOTT STREET – Objection. Environmentally unfriendly, traffic danger, harm to the rural area and the forest, would open floodgates to development, green belt issues.

REGINA, MOTT STREET – Objection. Out of proportion with the number of existing dwellings and would form a mini estate. Increased traffic, highway danger, pollution and noise, no easy way to heat properties as no gas, green belt should be protected. Approval would open floodgates.

10 PRIMROSE COTTAGE, MOTT STREET – Objection. Impact on Green Belt, increased traffic, disruption during construction period, inadequate services (no gas supply), any school access road should be open to debate and undertaken by the relevant local authorities, no eco construction, increased air pollution during construction, Manor Farm has already had large development.

OAK FARM, MOTT STREET – Objection. Out of keeping with the rural Green Belt aspect of high Beech, traffic problems. New access to school is however welcome.

NORTH VILLA, MOTT STREET – objection. 80% increase in number of properties in this part of Mott Street, increased traffic and highway danger, parking for the school would be welcomed. The horses that move from the livery use will need to be housed elsewhere, they will not disappear. Set precedent for Green Belt development.

ROUNDHILLS, MOTT STREET – objection. Green Belt, highway safety concerns, precedent would be set.

ELMWOOD, MOTT STREET – objection. Urban estate in the heart of the Green Belt, contrary to policy, highway safety concerns, inadequate services for the proposed houses, harm to ecology and environment.

STONECROFT, MOTT STREET – objection. Set a precedent which will ruin the rural location, highway and traffic safety issues, how will the houses be heated, there is no mains gas, bringing in oil or gas cannot be good for the environment.

CINDERS COTTAGE, MOTT STREET – objection. Area of natural beauty should be protected, harm to wildlife, harm to highway safety, no public transport, additional pollution, the proposals will not alleviate school parking problems, parents will still park on street, parking does not currently cause a significant problem to me. Children at the new houses will need transport to school elsewhere, inappropriate location. Green Belt should remain unspoilt.

LANTERNS, MOTT STREET – Objection. Green Belt. Would open floodgates, harm to tourist area, loss of habitats, road cannot cope with additional traffic, dangerous, pollution increase, the car park proposal is a sweetener, will not help as new children in development will need transport to other schools, global warming issues.

CHASE HOUSE, MOTT STREET – objection. Contrary to Green Belt Policy, should remain open farmland, increased traffic movements will cause problems.

HIGHFIELD COTTAGE, 15/16 MOTT STREET – objection. No real justification for the development, proposal is based around greed.

MOTT COTTAGE, MOTT STREET – Objection. Road safety issues, loss of character of the area village environment in rural setting.

ALDERGROVE, MOTT STREET – Not brownfield land, it is Green Belt and should be protected to prevent urban sprawl, not well sited for workers at Whipps Cross. Increase in traffic danger, may be other ways of solving the school parking problems.

55 MEADOW ROAD, LOUGHTON – Objection. Development is disproportionate to the problem they will solve, Green Belt contrary to policy, no information about contamination, fails to respect landscape, not related well to the road network and public transport.

17 MOTT STREET – Strongly support. Need for affordable housing in the area, proposal will create a community that is needed in High Beach, the proposal will solve the school parking problem that causes us considerable problems.

The following letter and petition in support of the application were forwarded by the applicant.

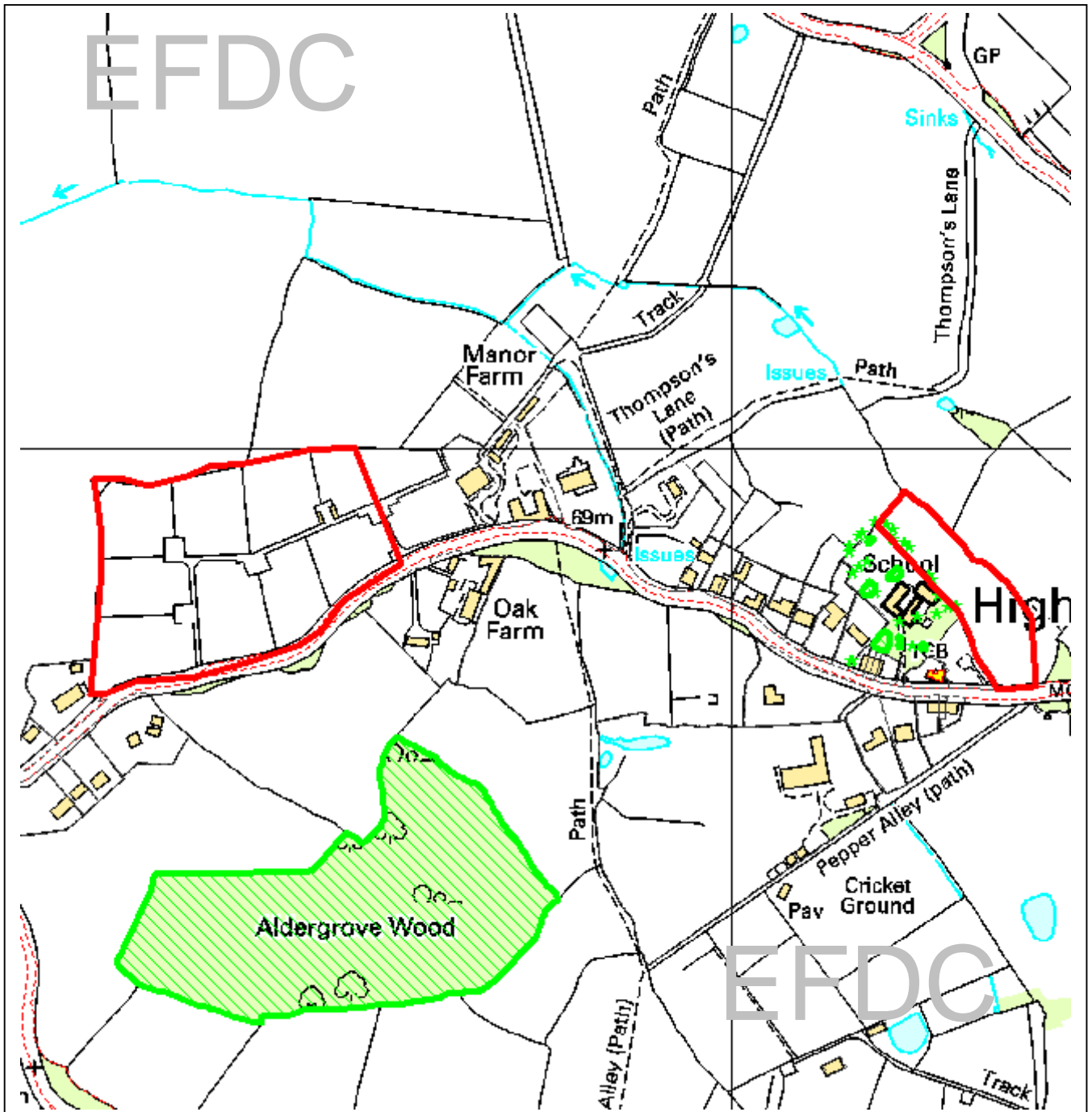
THE GRANGE, MOTT STREET – Support. Whilst not liking to see Green Belt land made available for any development, our local area does need affordable housing and highway improvements made by this application will be of benefit to the area. The existing livery use does generate traffic and this should not make it worse.

PETITION SIGNED BY 9 SCHOOL PARENTS STATING; “I confirm that I have no objection to the above development – especially to the new access and car park to the school which is long overdue”



# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	<b>4</b>
Application Number:	EPF/1280/07
Site Name:	Land at Manor Farm and land adj. to High Beech Primary School, Mott Street, High Beach, IG10 4AP
Scale of Plot:	1/5000



**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/1335/07
<b>SITE ADDRESS:</b>	Little Copped Hall Home Farm High Road Epping Essex CM16 5HS
<b>PARISH:</b>	Epping Upland
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>APPLICANT:</b>	Mrs Jo Hosler
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed conservatory and enlargement of the existing basement to include a swimming pool.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

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

**Description of Proposal:**

This application seeks consent for a proposed rear conservatory and the enlargement of an existing basement to include a swimming pool.

The conservatory is to project by 6.2m into the rear garden, with a width of 4.2m. There will be roof lights in the rear garden to serve the basement, although these are flush with ground level and do not create any volume. The basement is to be excavated to create an underground space measuring some 150m<sup>2</sup> to accommodate the swimming pool.

**Description of Site:**

Detached early 20<sup>th</sup> century property which previously formed part of a farm unit (Home Farm) within the Copped Hall estate. The unit is formed of a collection of farm buildings, some of which are to be removed as part of a recently approved planning application, (EPF/1084/06).

The site is within the Metropolitan Green Belt, the Copped Hall Conservation Area and is a Registered Park and Garden. Little Copped Hall is also a building which is included within the Council's Local List of historic buildings of interest.

### **Relevant History:**

EPF/2210/05- Change of use of one building to residential and erection of three new dwellings and associated garaging- Refused

CAC/EPF/0256/06- Conservation Area Consent for the demolition of the farm buildings in connection with planning application EPF/2210/05- Approved.

EPF/1084/06- Part conversion and part replacement of redundant farm buildings to form four dwellings together with preservation and enhancement of Grade II\* registered parkland (Revised application)- Approved and awaiting Section 106 Agreement.

### **Policies Applied:**

#### **Adopted Local Plan**

GB2A- General Constraint  
GB14A- Residential extensions within the Green Belt  
DBE 9- Amenity  
DBE10- Design of residential extensions  
HC7- Development within Conservation Areas

### **Issues and Considerations:**

The key issues relevant to this application are the appropriateness of the additions in light of Green Belt policy and the detailed design and appearance. The dwelling is isolated and well screened, so there is no impact upon neighbouring properties.

#### **1. Green Belt Policy**

The Local Plan Alterations detail that residential extensions might be acceptable, provided they do not result in disproportionate additions above 40% of the original dwelling, up to a maximum of 50m<sup>2</sup>. This scheme proposes a conservatory of some 26m<sup>2</sup>, which equates to approximately an 8% increase in floor area. The size of the extension from these figures, is well within the criteria for a limited extension in the Green Belt.

Whilst the new basement area will result in a large area of floor space increase to the property, this is all contained underground. The space will not increase the accommodation of the property as it is to be used as a swimming pool. It would be unreasonable for the Council to include this extra floor space in the extensions calculations and the character of the surrounding area would not benefit from such an approach. The basement addition does not conflict with the purposes for including land within the Green Belt.

#### **2. Design and Appearance**

In terms of the design and appearance, the conservatory meets the approval of the Council's conservation officers. Objections have been raised from the Parish Council that the glass conservatory is not in keeping with the building. Whilst these concerns are noted, the simple glass conservatory is not considered to detract from the character and appearance of the Locally Listed building. The conservatory is well balanced in terms of scale and proportions and it would complement the square plan of this early 20<sup>th</sup> century property.

Conclusion

The conservatory is well within acceptable parameters for limited extensions in the countryside and the design is considered to complement the Locally Listed building. Approval is recommended.

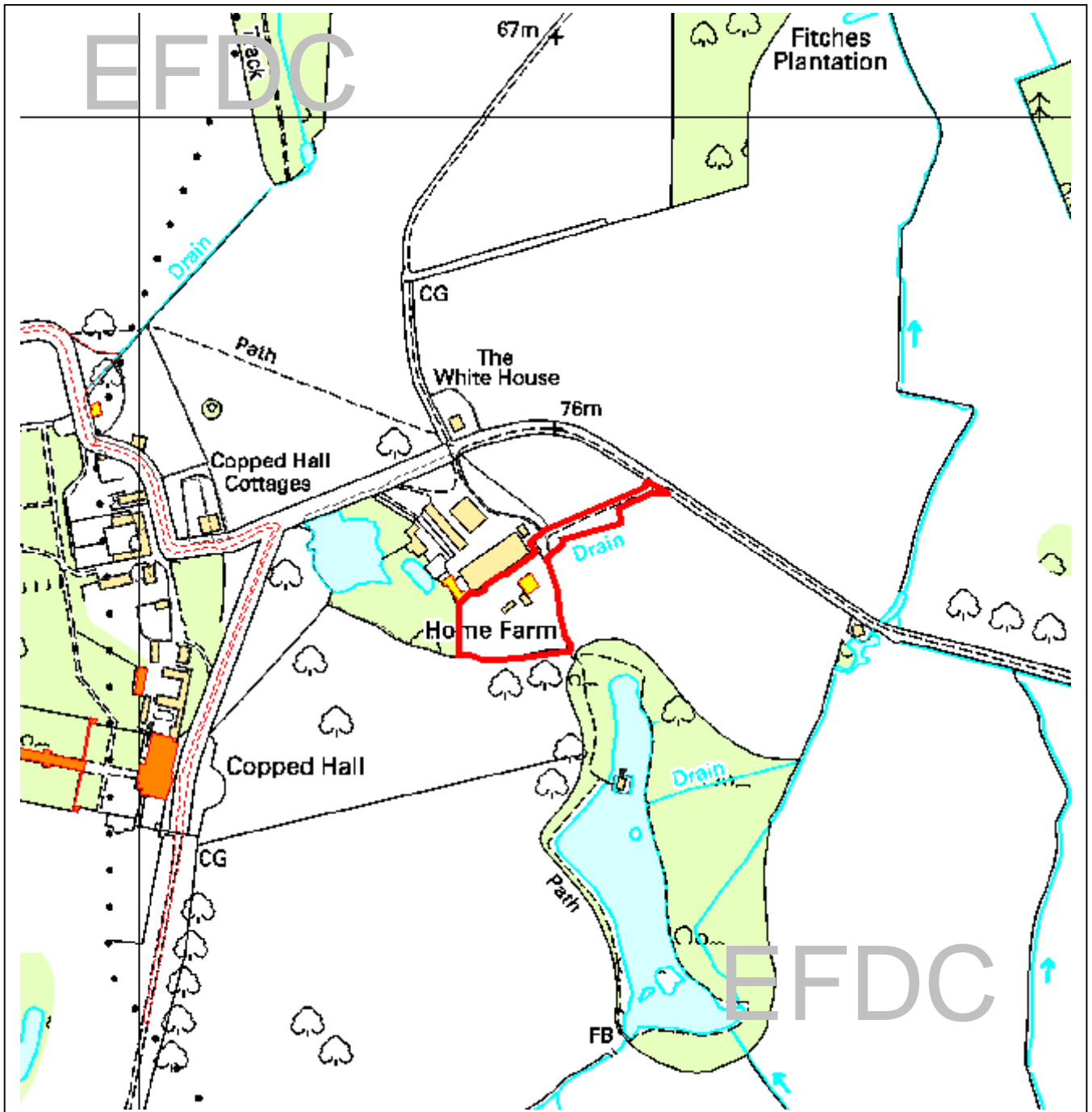
**SUMMARY OF REPRESENTATIONS:**

PARISH COUNCIL- The Council objects because the glass conservatory is not in keeping with the character of the original dwelling.



# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	<b>5</b>
Application Number:	EPF/1335/07
Site Name:	Little Copped Hall, Home Farm, High Road, Epping, CM16 5HS
Scale of Plot:	1/5000

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/1515/07
<b>SITE ADDRESS:</b>	Pantiles Wellington Hill Waltham Abbey Essex IG10 4AH
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey High Beach
<b>APPLICANT:</b>	Mr & Mrs B Cooper
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing extensions, roof extension to form first floor with front and rear dormer windows.
<b>RECOMMENDED DECISION:</b>	Refuse Permission

**REASON FOR REFUSAL**

- 1 The site is within the area identified in the Epping Forest District Local Plan as Metropolitan Green Belt. The Local Plan and Government Guidance as set out in Planning Guidance Note 2 (Green Belt) is that in order to achieve the purposes of the Metropolitan Green Belt it is essential to retain and protect the existing rural character of the area. The proposal introduces a large extension in the Metropolitan Green Belt. It is an inappropriate development harmful to the purposes of including land in the Green Belt and contrary to the Government advice contained in PPG2, Policy C2 of the Essex and Southend-on-Sea Replacement Structure Plan and Policy GB2A and GB14A of the adopted Local Plan and Alterations. There are no very special circumstances to outweigh the harm of the proposal to the Metropolitan Green Belt.

*This application is brought to committee at the request of Cllr John Knapman*

**Description of Proposal:**

The applicant is seeking planning permission for the demolition of the existing single storey side extensions, the construction of a double storey side extension, the raising of the roof height to form a first floor and front and rear dormer windows to the existing bungalow.

The double storey extension will be constructed on the eastern elevation of the building and will replace the existing garage. The extension will have a width of 2.9 metres by a depth of 8.9 metres at both ground and first floor.

The overall height of the bungalow ridgeline will be raised from 6.1 metres to 7.8 metres to provide additional living accommodation on the first floor.

Three front dormer windows are proposed with each of them having a width of 1.5 metres by a height of 2 metres. These dormers will project 2.1 metres from the roof slope. Four rear dormers are proposed with varying sizes.

The alterations to the building would result in it being set back 1 metre from the eastern side boundary and 2.1 metres to the western side boundary.

Materials are to match those of the existing dwelling.

### **Description of Site:**

The subject site is located within the small village of High Beech on the southern side of Wellington Hill. The site is approximately 500 square metres in size and is relatively level with just a slight slope falling from west to east. A medium size timber paling fence is located on the side and rear boundaries along with mature vegetation. Located to the front of the site there is a small detached bungalow with an attached garage. As the garage is too small for a modern day vehicle, off street parking is located on the hard surface in front of the bungalow. Private open space is located to the rear of the bungalow.

The surrounding area is situated within a developed enclave with a range of building forms and architectural styles. Building form mainly comprises single and double storey detached dwellings ranging from bungalows to more contemporary styles. Materials include brick, render and weatherboard with hipped and gable roof forms. The dwellings in the area are generally set off both side boundaries with spaces between buildings being a dominant feature in the street scene. Adjacent to the subject site is a public house known as the Duke of Wellington and the High Beech Golf Course.

It should be noted that the subject site and the surrounding area are located within the Metropolitan Green Belt.

### **Relevant History:**

There is no relevant recorded planning history for the site although the bungalow has had two single storey side extensions constructed which were most likely done under permitted development.

### **Policies Applied:**

#### Structure Plan;

C2 Development within the Metropolitan Green Belt

#### Local Plan Policies;

DBE1, DBE2, DBE4 DBE9 and DBE10 relating to design, impact on neighbours and locality.

#### Revised Local Plan Policy;

GB2A Development in Green Belt

GB14A Residential Extensions

ST6 Vehicle Parking

### **Issues and Considerations:**

The site is within the Green Belt and the main concerns to be addressed are whether there would be any impact on the openness of the Green Belt, the visual amenity of the area and on the amenities of neighbours.

### 1. Green Belt:

Policy GB2A of the Local Plan sets out the forms of development that are appropriate in the Green Belt. These include, for the purpose of agriculture, horticulture or forestry and for uses that preserve the openness of the green belt.

In considering the impact and reasonableness of an extension, the Local Plan states that the impact is likely to be proportionately less when the dwelling is located within a built up enclave or when additional floor space is largely contained within the existing roof space of the dwelling. The subject site is located within an enclave of approximately 40 to 50 houses, comprising of a mixture of forms, scale and materials. Therefore there is some scope of a residential extension being permitted for the site as long as the extension is not an overdevelopment of the site, large in scale or too bulky that it would have an impact to the amenity of the Green Belt or to adjoining property owners.

The Local Plan also states that residential extension may be permitted where they do not result in disproportionate additions of more than 40% of the total floor space of the original building up to a maximum of 50 square metres.

The proposed double storey side extension and the raising of the roof pitch to provide living accommodation on the first floor would result in a total floor space increase of approximately 150% which is an additional 130 square metres. This is considered to be excessive in relation to the scale of the existing dwelling. Although the site is located within an established enclave, the proposed development is contrary to Policies GB2A and GB14A due to the excessive additional bulk and floor space created and the consequent harm caused to the openness of this part of the Green Belt.

### 2. Visual Amenity:

Policies DBE1, DBE2 and DBE4 of the Epping Forest District Local Plan seeks to ensure that a new development is satisfactorily located and is of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and would not prejudice the environment of occupiers of adjoining properties.

As mentioned above there is a range of building forms and architectural styles within the surrounding area. Building form mainly comprises single and double storey detached dwellings ranging from bungalows to more contemporary styles. In this case the proposed development would not be out of keeping with the surrounding street scene which has a suburban character but due to its excessive size the proposal fails to respect its Green Belt context and alternative design solutions should be explored.

### 3. Highway/Parking Issues:

Policies DBE6 and ST6 of the Epping Forest District Local Plan seeks to preserve the amenity of residents located close to the application site. The policy states that the Council will ensure that all new developments make adequate provisions for car parking normally in accordance with the adopted standards. The standard states that in rural areas where public transport services are poor, three off street car parking spaces should be provided for a four or more bedroom dwelling. It is considered that there would be enough off street parking within the proposed garage and on the hard surface to meet the needs of the residents.

#### 4. Impact on Neighbours:

Consideration has been given to the impact of the proposal to the adjoining and adjacent properties, primary in respect to privacy and overshadowing.

It should be noted that there are two flank windows on the adjoining bungalow to the east of the subject site. The proposed development, due to the orientation and position of the dwellings would clearly overshadow these windows in the late afternoon. However these windows on the flank elevation are secondary windows to a lounge and a kitchen and therefore an adequate amount of sunlight and daylight will still be provided to these rooms via the main windows on the front and rear elevations. It is also considered that there would not be a significant impact in relation to a loss of light to adjoining properties private open space.

In relation to the concerns regarding a loss of privacy due to first floor windows, it is noted that there would be some minor overlooking from the rear dormer windows into private open space of adjoining properties, however this is common within the surrounding area due to small to medium plot sizes. In saying this, there would not be any direct overlooking into adjoining habitable room windows. The proposed flank window on the first floor is to service a bathroom and this window would be obscured glazed to prevent any direct overlooking of adjoining habitable room windows.

It is considered that there would not be a significant impact to the amenities enjoyed by adjoining property owners.

#### Conclusion:

In conclusion it is considered that the proposal cannot be supported due to its failure to meet the provisions of the Epping Forest District Plan, specifically relating to the impact the development would have on the openness of the Green Belt and a design response which is considered inappropriate and inadequate for this site and area.

It is therefore recommended that application be refused for the reasons outlined above.

#### **SUMMARY OF REPRESENTATIONS:**

TOWN COUNCIL: The committee does not object to the application subject to the proposal meeting Policy GB14A.

BANTHAM COTTAGE, WELLINGTON HILL Objects due to incorrect description of development, details of submitted plans make it hard to establish what the proposed development is. The proposal will appear cramped and contrived. Unacceptable on grounds of overlooking and overbearing. Car parking. Poor Design. Impact in Green Belt

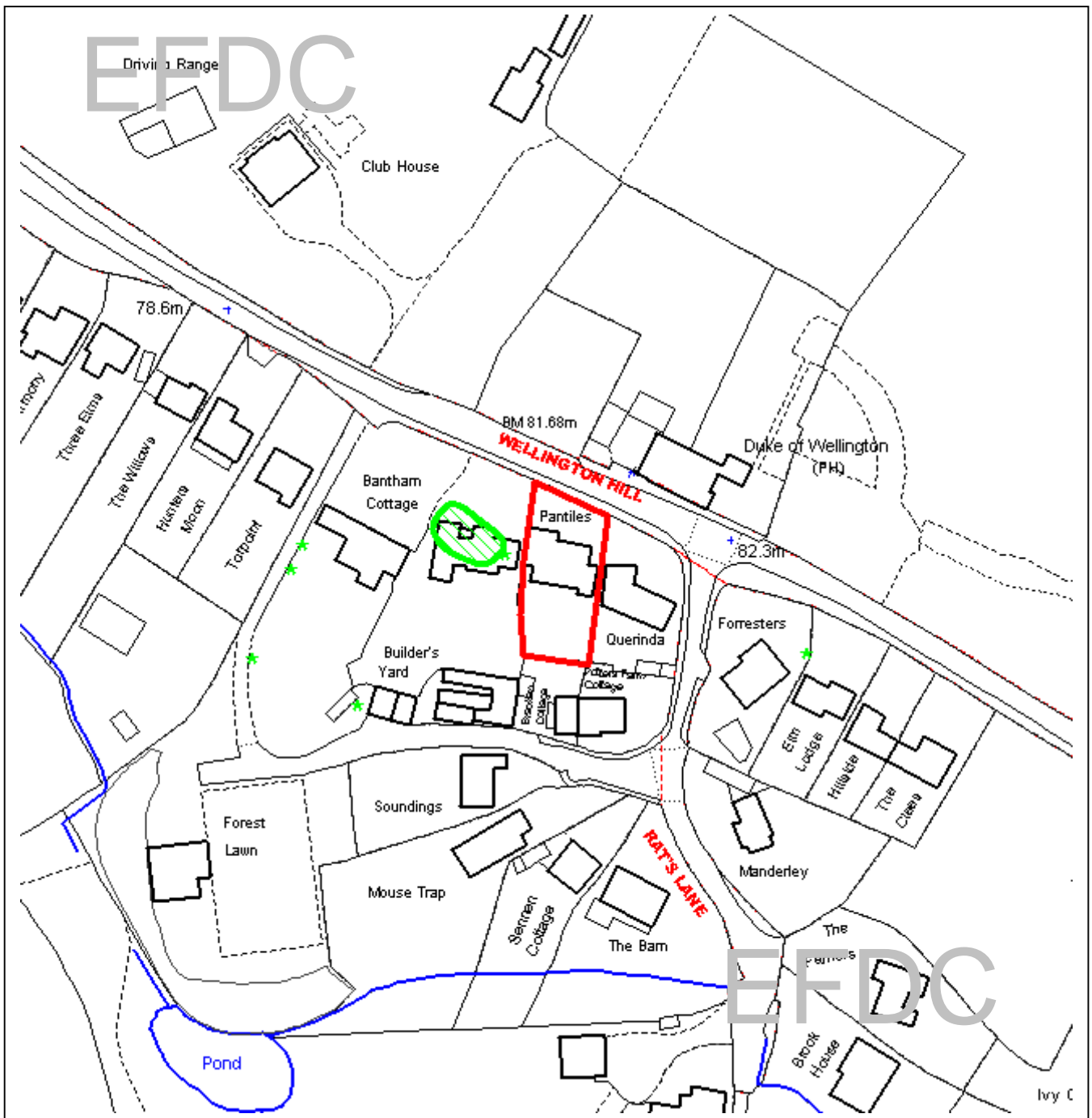
QUERINDA, WELLINGTON HILL Object due to loss of privacy. Wishes to clarify boundary hedge is property of Querinda.





# Epping Forest District Council

## Area Planning Sub-Committee West



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Agenda Item Number:	6
Application Number:	EPF/1515/07
Site Name:	Pantiles, Wellington Hill, Waltham Abbey, IG10 4AH
Scale of Plot:	1/1250

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