

Committee Agenda



**Webcast
Meeting**



**Epping Forest
District Council**

Area Planning Subcommittee West Wednesday, 24th October, 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 7 - 8)

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 9 - 20)

To confirm the minutes of the last meeting of the Sub-Committee held on 26 September 2007 as a correct record (attached).

5. DECLARATIONS OF INTEREST

(Assistant to the Chief Executive) 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. CONFIRMATION OF TREE PRESERVATION ORDER EPF/01/07 – LAND ADJACENT TO PARK FARM NURSERY, SEWARDSTONE ROAD, WALTHAM ABBEY (Pages 21 - 22)

Recommendation:

That Tree Preservation Order EPF/01/07 is confirmed.

Background:

1. Tree Preservation Order EPF/01/07 was made to protect all the trees within this site.
2. The Tree Preservation Order was made as a result of this site being marketed for sale. Whilst it has not been possible to fully access the site, from aerial photographs it is evident that the site is well treed. The purpose of this area order is to ensure that the trees are taken into account should any planning application be received.

Objection to the Tree Preservation Order:

3. An objection to the Order has been received from Strutt & Parker.

The grounds of the objection are as follows:-

i) The trees on the site are not worthy of protection

The order seeks to protect trees within the site outlined in the TPO. The condition of many of the trees is poor and many are dying and it is not considered that the trees are worthy of long term protection. The species of trees on the site such as Willow, Elm and Ash trees are not considered to be specimens. The trees at the site are scattered across the landscape and provide no particular pattern to make them worthy of preservation.

ii) The reasons for making the order are not explained relating to the trees

The Council has not stated why the trees on the site have been protected by TPO or how the Council have assessed the amenity value of the trees. No evidence has been provided of an assessment to support the making of the Order.

Head of Planning Services Comments:

4. The detailed response to the ground of objection is listed below:
 - i) A full tree survey of this site has not been carried out. Therefore it was necessary to make an area order. We wrote to Strutt & Parker on 5th July asking them for a copy of their tree survey that might justify their objection. To date, this has not been forthcoming. It is our intention that on receipt of a full tree survey, the area order will be replaced with a new order protecting specific areas, groups or individual trees in accordance with the guidelines laid down in the DETR's "Tree Preservation Orders – A Guide to the Law and Good Practice".
 - ii) This site is being marketed for sale. It was not possible to safely fully access the site in order to carry out a full tree survey. Therefore, in accordance with the DETR Guide, we have made the TPO without entering the land and before we have had an opportunity to fully assess the amenity value of the trees within the site. This is a valid and recognised way of dealing with this type of situation.

Conclusions:

5. From aerial photographs and views into the site, we believe that the trees on this site are worthy of protection. The only practical way of protecting them at the moment is with an area order. Without this protection the trees may be lost. When we receive a full tree survey for this site, we may be able to review the situation. Landscaping policy requires that adequate provision be made for the retention of trees in these situations. Confirmation of the Order is recommended.

8. DEVELOPMENT CONTROL (Pages 23 - 38)

(Director 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.

9. DELEGATED DECISIONS

(Director 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.

10. EXCLUSION OF PUBLIC AND PRESS

Exclusion: To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

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

Confidential Items Commencement: Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her

discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.

- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

Background Papers: Paragraph 8 of the Access to Information Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.

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Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

Yes all our meetings are open for you to attend. Only in special circumstances are the public excluded.

When and where is the meeting?

Details of the location, date and time of the meeting are shown at the top of the front page of the agenda along with the details of the contact officer and members of the Subcommittee. A map showing the venue will be attached to the agenda.

Can I speak?

If you wish to speak **you must register with Democratic Services by 4.00 p.m. on the day before the meeting**. Ring the number shown on the top of the front page of the agenda. Speaking to a Planning Officer will not register you to speak, you must register with Democratic Service. Speakers are not permitted on Planning Enforcement or legal issues.

Who can speak?

Three classes of speakers are allowed: One objector (maybe on behalf of a group), the local Parish or Town Council and the Applicant or his/her agent.

What can I say?

You will be allowed to have your say about the application but you must bear in mind that you are limited to three minutes and if you are not present by the time your item is considered, the Subcommittee will determine the application in your absence.

Can I give the Councillors more information about my application or my objection?

Yes you can but it must not be presented at the meeting. If you wish to send further information to Councillors, their contact details can be obtained through Democratic Services or our website www.eppingforestdc.gov.uk. Any information sent to Councillors should be copied to the Planning Officer dealing with your application.

How are the applications considered?

The Subcommittee will consider applications in the agenda order. On each case they will listen to an outline of the application by the Planning Officer. They will then hear any speakers presentations. The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the Subcommittee propose to follow a course of action different to officer recommendation, they are required to give their reasons for doing so.

The Subcommittee cannot grant any application, which is contrary to Local or Structure Plan Policy. In this case the application would stand referred to the next meeting of the District Development Control Committee.

Further Information?

Can be obtained through Democratic Services or our leaflet 'Your Choice, Your Voice'

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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee West **Date:** 26 September 2007

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 8.55 pm

Members Present: P McMillan (Chairman), J Wyatt (Vice-Chairman), Mrs P Brooks, R D'Souza, Mrs R Gadsby, Mrs M Sartin and Ms S Stavrou

Other Councillors:

Apologies: R Bassett, Mrs A Cooper, J Demetriou, Mrs J Lea, Mrs P Smith, A Watts and Mrs E Webster

Officers Present: S Solon (Principal Planning Officer), A Hendry (Democratic Services Officer) and G J Woodhall (Democratic Services Officer)

33. 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.

34. 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.

35. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 29 August 2007 be taken as read and signed by the Chairman as a correct record.

36. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs S Stavrou declared personal interest in agenda items 7 (4) (EPF/1280/07 Land at Manor Farm and Land adjoining to High Beech Primary School, Mott Street, High Beach). The Councillor declared that her interests were prejudicial and indicated that she would not remain in the meeting during the consideration and voting on the item.

(b) Pursuant to the Council's Code of Member Conduct, Councillor Mrs S Stavrou declared a personal interest in agenda items 7 (6) (EPF/1515/07 Pantiles, Wellington

Hill, Waltham Abbey) by virtue of being the ward member. The Councillor declared that her interests were not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the item.

37. ANY OTHER BUSINESS

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

38. DEVELOPMENT CONTROL

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

RESOLVED:

That, Planning applications numbered 1 – 6 be determined as set out in the annex to these minutes.

39. DELEGATED DECISIONS

The Sub-Committee noted that details of planning applications determined by the Head of Planning Economic Development under delegated authority since the last meeting had been circulated to all members and were available for inspection at the Civic Offices.

CHAIRMAN

Report Item No: 1

APPLICATION No:	EPF/1155/07
SITE ADDRESS:	The Moat House Nazeing Road Nazeing Essex EN9 2JN
PARISH:	Nazeing
WARD:	Lower Nazeing
DESCRIPTION OF PROPOSAL:	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.
DECISION:	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 The development, including site clearance, must not commence until a tree protection plan, to include all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing.

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

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

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

- 6 The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing. The 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.

- 7 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.

- 8 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.

- 9 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.

- 10 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.

- 11 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.

- 12 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.

- 13 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.

Report Item No: 2

APPLICATION No:	EPF/1458/07
SITE ADDRESS:	Field adj to, Friars Lodge Tylers Road Roydon Harlow Essex CM19 5LG
PARISH:	Roydon
WARD:	Broadley Common, Epping Upland and Nazeing
DESCRIPTION OF PROPOSAL:	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)
DECISION:	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.

- 6 The building hereby approved shall only be used for the private stabling of horses belonging to the occupants of Friars Lodge, Tylers Road, Roydon. The building shall not be used for livery purposes or the commercial stabling of horses.
- 7 The proposed hardstanding around the building hereby approved shall not extend more than 4 metres from the walls of the building.

Report Item No: 3

APPLICATION No:	EPF/1570/07
SITE ADDRESS:	Hillside Nurseries Hamlet Hill Roydon Harlow Essex CM19 5JU
PARISH:	Roydon
WARD:	Broadley Common, Epping Upland and Nazeing Roydon
DESCRIPTION OF PROPOSAL:	Retention of the change of use of land to domestic garden and retention of summerhouse building.
DECISION:	Grant Permission (with conditions)

The Committee considered that, when taken together, the cessation of the use of part of the residential curtilage of the dwellinghouse at Hillside Nurseries as residential curtilage, the prior existence of a building on the land, the small scale of the summerhouse and measures to mitigate its impact, amount to very special circumstances, sufficient to outweigh any harm caused by the development to the Green Belt.

CONDITIONS

- 1 The land shown on the approved block plan to be removed from the residential curtilage of the dwelling house at Hillside Nurseries shall not be used for any purpose in connection with the use of the dwelling house as such.
- 2 Within 3 months of the date of this permission written details of a landscaping scheme to screen the residential curtilage of the dwelling house at Hillside Nurseries, as modified by this planning permission, together with the summerhouse, shall be submitted for approval to the Local Planning Authority. The approved landscaping scheme shall be carried out in the first planting season following the approval of the scheme and thereafter shall be maintained for a period of 5 years unless otherwise agreed in writing by the Local Planning Authority.
- 3 The summerhouse hereby approved shall not be used separately from the dwelling house at Hillside Nurseries and it shall not be used as a dwelling house itself.
- 4 No lights shall be fixed to any part of the exterior of the summerhouse hereby approved.

Report Item No: 4

APPLICATION No:	EPF/1280/07
SITE ADDRESS:	Land at Manor Farm and Land adj to High Beech Primary School Mott Street High Beach Loughton Essex IG10 4AP
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
DESCRIPTION OF PROPOSAL:	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)
DECISION:	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.

Report Item No: 5

APPLICATION No:	EPF/1335/07
SITE ADDRESS:	Little Copped Hall Home Farm High Road Epping Essex CM16 5HS
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
DESCRIPTION OF PROPOSAL:	Proposed conservatory and enlargement of the existing basement to include a swimming pool.
DECISION:	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.

Report Item No: 6

APPLICATION No:	EPF/1515/07
SITE ADDRESS:	Pantiles Wellington Hill Waltham Abbey Essex IG10 4AH
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
DESCRIPTION OF PROPOSAL:	Demolition of existing extensions, roof extension to form first floor with front and rear dormer windows.
DECISION:	Grant Permission (with conditions)

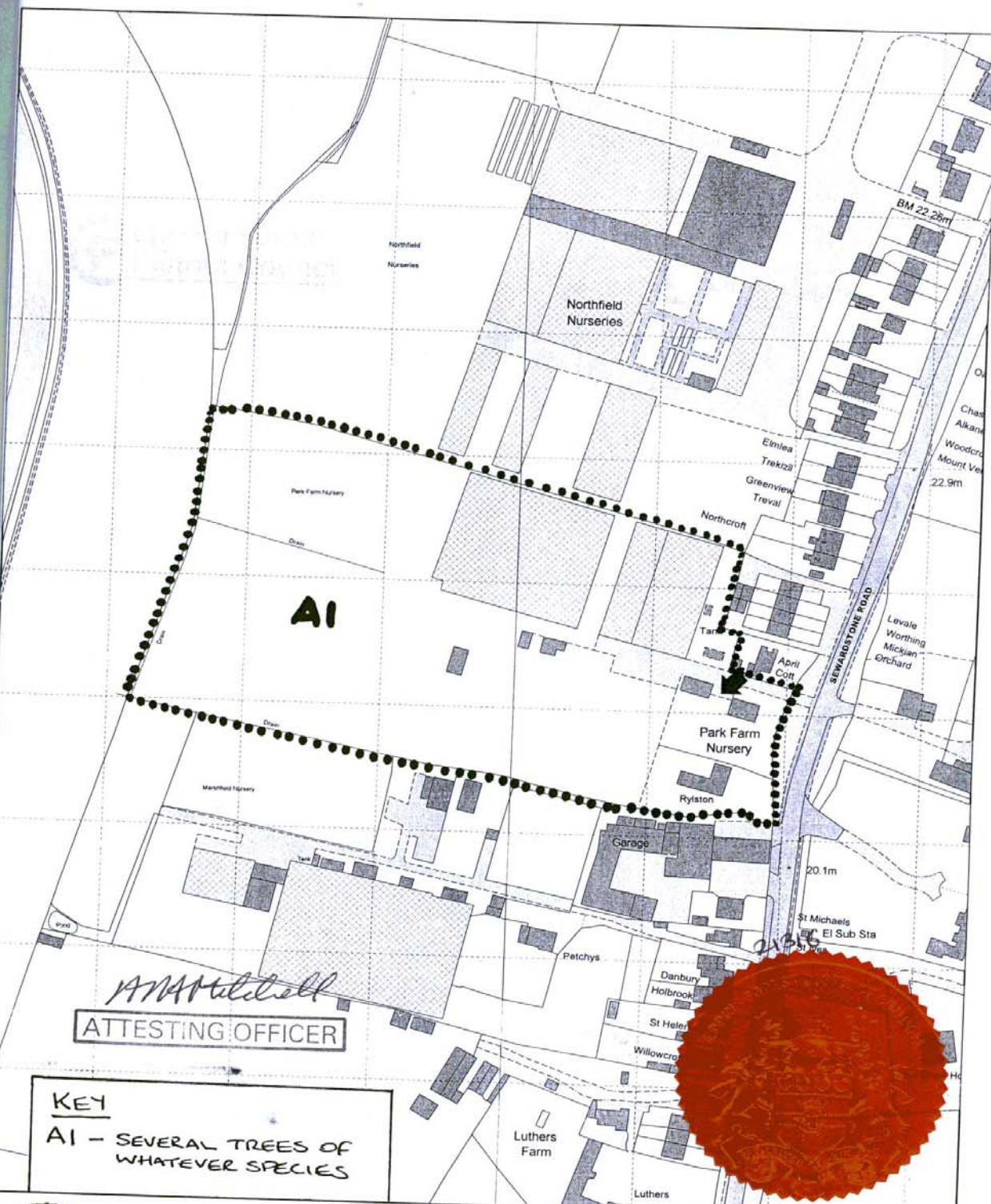
The Committee considered that, when taken together, the fact that the footprint of the building would not be increased in area by the proposal, the small increase in the height of the roof, the positive relationship of the proposal with adjacent properties and the context of the site within a built-up enclave, amount to very special circumstances sufficient to outweigh any harm caused by the development to the Green Belt.

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 first occupation of the extended house hereby approved the proposed window openings in the side elevation shall be fitted with obscured glass and have fixed frames, and shall be permanently retained in that condition.
- 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 windows other than any shown on the approved plan shall be formed at any time in the flank walls of the extended house hereby permitted without the prior written approval of the Local Planning Authority.

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ANM Mitchell
ATTESTING OFFICER

KEY
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 WHATEVER SPECIES



Epping Forest District Council
 Planning Services
 Civic Offices
 High Street
 Epping CM16 4BZ

Park Farm Nursery,
 Sewarstone Road, Waltham Abbey

Centre X: 537989.374
 Centre Y: 197452.529
 Width : 360.000
 Angle : .000
 Time : 09:50:30 AM

TPO/EPF/
 Scale : 1:2000 Date : 2 May 2007

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AREA PLANS SUB-COMMITTEE 'WEST'

Date: 24 OCTOBER 2007

INDEX OF PLANNING APPLICATIONS

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/0362/07	Villa Nursery, Reeves Lane, Roydon	GRANT	25
2.	EPF/0705/07	Villa Nursery, Reeves Lane, Roydon	GRANT	31
3.	EPF/1793/07	87a Monkswood Avenue, Waltham Abbey	GRANT	35

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Report Item No: 1

APPLICATION No:	EPF/0362/07
SITE ADDRESS:	Villa Nursery Reeves Lane Roydon Essex CM19 5LE
PARISH:	Roydon
WARD:	Broadley Common, Epping Upland and Nazeing
APPLICANT:	Messrs V,F & M Gibilaro
DESCRIPTION OF PROPOSAL:	Change of use of horticultural site to a mixed use of horticulture and packing and distribution use. (Revised application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The packing and distribution hereby approved shall only take place between the hours of 0700 and 1730 Monday to Friday and 0700 -1400 on Weekends and Public/Bank Holidays.
- 2 The packing and distribution hereby approved shall be limited to handling of fresh horticultural food produce and shall not include the handling of any other goods or foodstuffs.
- 3 Sufficient space shall be set aside and identified on the site for the access and parking of staff vehicles and all heavy goods vehicles in accordance with a plan submitted to and agreed in writing by the Local Planning Authority within 3 months of the date of this decision.
- 4 The percentage turnover at this site represented by fresh salad crops originating from outside the UK shall not exceed 35% per annum.
- 5 Heavy Goods Vehicle movements to and from the site shall only take place between the hours of 0730 and 2100 Monday to Friday and between 0730 and 1600 on weekends and public/bank holidays.
- 6 Within 3 months of the date of this permission a scheme for the routing of Heavy Goods Vehicles to and from the site shall be submitted to and agreed by the Local Planning Authority. The routing shall avoid use of Reeves Lane to the north of the application site. All HGV's using the site thereafter shall adhere to the agreed routing.

Description of Proposal:

Change of use of a horticultural site to a mixed use of horticulture and packing and distribution. This is a retrospective application and has been submitted following negotiation with the planning officer following the refusal of consent for this use in July 2005.

Description of Site:

The application site is an established nursery site on the east side of Reeves Lane bounded by glasshouses to the west and east, with open fields to the north. The site is identified as an E13A (Glasshouses) Area in the adopted Local Plan, and the whole site is within the Green Belt, with the northern section being in the Nazeing Conservation Area. The site also encompasses Merryweather Nursery, which is owned by the applicant, and the two nurseries have been merged.

Relevant History:

Numerous applications including:

Villa Nursery

EPF/962/94 - Erection of Glasshouses and new access - Refused

Merryweather Nursery

EPF/1633/98 - Packing Sheds - Approved

EPF/1849/01 - Raising of land with topsoil - Approved

EPF/1970/02 - Outline application for new glasshouses - Approved

EPF/612/03 - Extensions to packing sheds and a CHP Plant –Approved

Of most relevance is the application EPF/785/05 for change of use to a mixed use of horticulture and packing and distribution, which was recommended for approval by officers but was refused at committee by Members for the following reason:

“The traffic generated by the use would lead to conditions prejudicial to the safe and free flow of traffic on roads in the locality contrary to policy T1 of the Epping Forest District Local Plan, adopted January 1998.”

Following this refusal the possibility of issuing an enforcement notice against the use was considered and advice was sought from Essex County Highways with regard to the reason for refusal. The Highway Authority had not raised any objection to the application and now advised that “there is no evidence to support the reason given and would therefore not be able to provide evidence in any appeal which may result”.

On this basis officers suggested that the applicants submit a revised application with additional information and controls on traffic movements to try and overcome the committee’s concerns regarding impact on highway safety.

A revised application was submitted in May 2006 but was withdrawn before determination following a request for additional traffic movement and lorry routing information.

Officers however held off issuing an enforcement notice on the basis that a revised application would be forthcoming.

Policies Applied:

Local Plan and Local Plan Alterations:

GB2A Green Belt restraint
GB8A change of use and adaptation.
E13B protection of glasshouse areas
CP1, CP2, CP8 relating to sustainability
ST1, ST2, ST4 sustainable transport and Highway safety.

Issues and Consideration:

The main issues remain as before: whether the proposal is appropriate development within the Green Belt, traffic implications, effect on amenity of neighbouring properties, sustainability issues and effect on the conservation area.

1. Green Belt

The site has a large packing shed in the middle of the site, accessed by a rough track from Reeves Lane. This shed contains a cold store and packing facilities for use with the on-site growing activities. The applicant has stated that this use generated around 2 light goods vehicle (LGV) and 3 Heavy Goods Vehicle (HGV) movements per day. There is no restriction of the hours of work at the site at present.

The current changes have come about as a result of European Fruit and Vegetable Regime, where various growers have formed a Producers Organisation to plan and concentrate supply of produce in an environmentally-sound way. This use sees a HGV leaving Villa Nursery in the afternoon and visiting Four Acres Nursery and Broadley Nursery to pick up vegetables before returning to Villa Nursery for packing and storage. The produce is then distributed to Harlow and Kent by two HGV's at 7am and 9am the next morning. Some of the produce is also sent to the London Wholesale Market by HGV at 11pm each evening. This is a seven-day a week operation, although the packing is carried out between 0700-1730 Monday to Friday and 0700-1400 on weekends. The lorries are packed with the goods during the working hours laid out above. During the winter months the local produce is replaced by imported produce from Spain, although this amounts to no more than 30% of the annual produce. This seasonal change does not result in any increase in daily vehicle movements. Therefore the use of the site has changed as a result of the importing and distribution of produce from the other nurseries, although it should be noted that the previous use allowed storage and distribution of produce grown on the site.

Ten more staff have been employed on the site, and the year round use allows a level of staff stability absent from the old system of growing seasons. The reuse of existing buildings within the Green Belt can be appropriate where the new use does not result in a materially greater impact than the present use on the Green Belt and the use and associated traffic generation would not have a significant impact on the character or amenities of the countryside. (Policy GB8A of the Local Plan and Alterations)

2. Traffic Issues

The traffic impact of the proposal was the only reason for refusal of the last application and this was the view of Members and not supported by Essex County Highways. There has been no amendment to the application other than a suggestion by the applicant's agent that the conditions suggested previously by officers could be tightened slightly to further restrict HGV movements.

As before the development will be serviced by an existing access, and Highways have again raised no objection due to the minimal increased use. Whilst the track itself is dilapidated it only

serves the nurseries along the track, and the associated residences. Therefore it is unlikely that any disturbance will be caused to neighbours not connected with the nurseries from this track. It is acknowledged that the lorries will then join the local highway network, as highlighted by the Parish Council. However, since the access is very close to the junction of Reeves Lane and Hamlet Hill, lorries can avoid Reeves Lane to the north where it narrows and this can be restricted by a lorry routing condition. The markets are in Harlow, London and Kent and the majority of vehicles will use the M11 to gain access to the non local sites. This, combined with the lack of highway objections, means any refusal on Highway grounds could not be sustained.

The majority of the staff are transported to the site by minibus, as was the case with the previous use. There will be parking of lorries on the site, but this would have occurred with the previous nursery use in any event, and parking will largely be screened by the existing and proposed glasshouses.

Since the previous refusal by Members on highway grounds the issue of the impact on the highway network has been further considered and the applicant has suggested stronger conditions than previously put forward by officers that would prevent HGV movements between 21.00 and 07.30 hours and require a specific route for HGVs to be adhered to. This amounts to a reduction in hours as the current lorry movements includes a 7am and an 11pm movement.

3. Sustainability

In sustainability terms it is considered that it makes sense logically to make the best use of the existing packing facility at this site to serve the needs of other local nurseries, reducing the need for additional buildings and facilities in the Green Belt.

4. Employment

The site employs about 10 people and the use, including packing of products grown in Spain during the winter months, allows for continuity of employment throughout the year rather than on a seasonal basis. This is considered to provide a benefit to workers in the District. The Local Plan Alterations adopted last year emphasise the importance of the Glasshouse industry and suggests that although new packhouses are inappropriate in the Green Belt the need to secure the viability of a nursery or group of nurseries may amount to very special circumstances. In this instance no new buildings are proposed, just more efficient use of an existing building which meets the modern requirements set out by the supermarkets.

5. Amenity

There are no residential properties within 160m of the site that are not connected with the nurseries and it is considered that there is no appreciable increase in disturbance.

6. Conservation Area

The site is within the Conservation Area. The Council's Conservation Officer has raised no objections, as the development has no greater impact on its character and appearance than the lawful use.

Conclusion

As previously, the application is considered to be in accordance with the policies of the adopted Local Plan. The conditions now proposed will prevent an escalation of use of the site and provide restrictions on hours of use that will protect the amenity of residents in the local area. The provision of a lorry routing scheme to ensure that HGVs entering and leaving the site do not use

Reeves Lane north to Epping Road is seen as a way of further reducing the traffic impact of the use. The application is therefore recommended for approval subject to conditions.

SUMMARY OF REPRESENTATIONS:

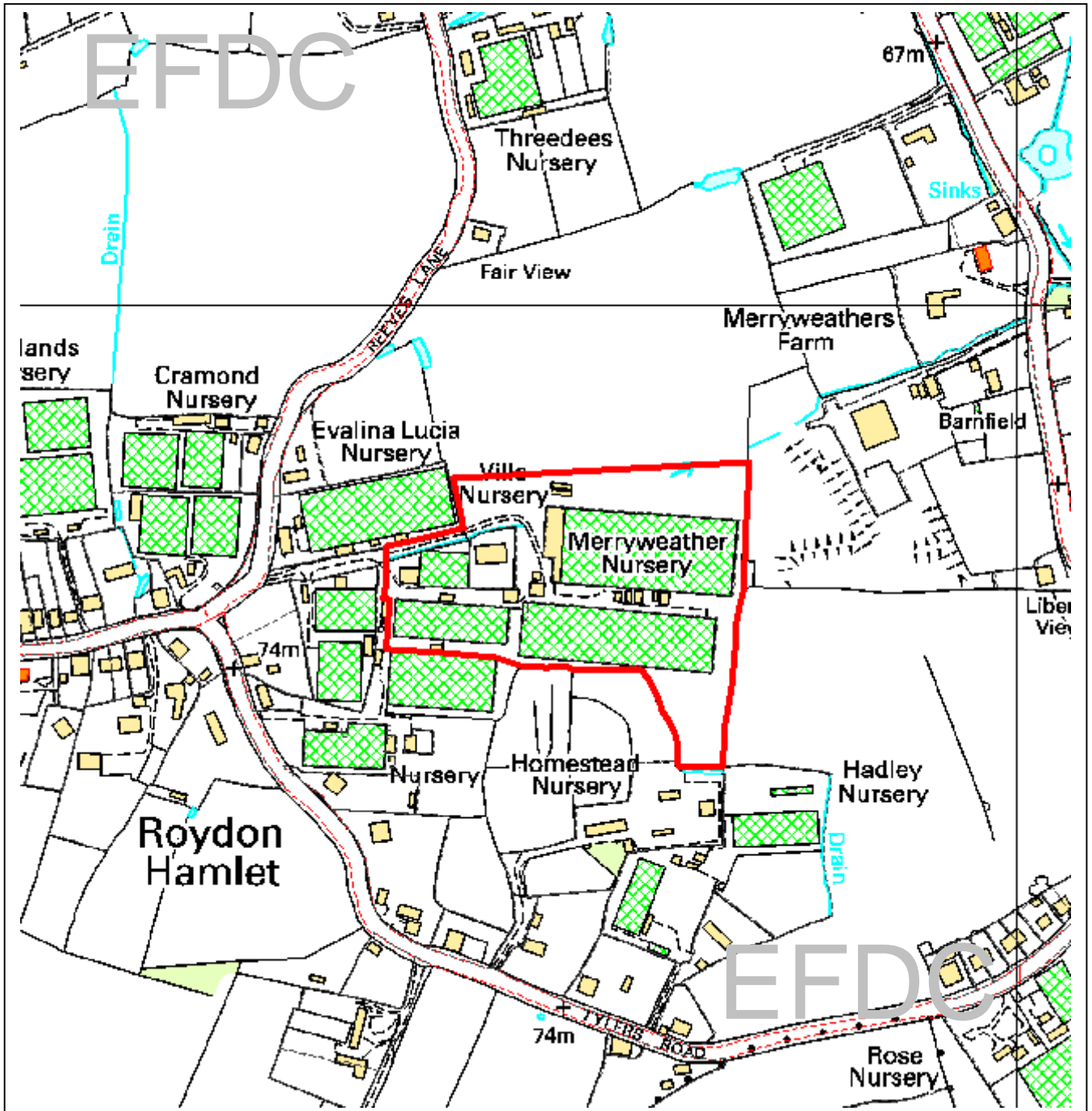
PARISH COUNCIL – Objection. Reeves Lane is a very narrow country lane and it is unsuitable for HGV's. Lorry routing needs to be agreed at the application stage - lorries are travelling to and from the nursery via Epping Road rather than Tylers Road.

DOBBS WEIR RESIDENTS ASSOCIATION – Concerned. The roads leading to Reeves Lane are narrow and are already experiencing far heavier traffic than they were designed for. There is poor access at both ends of Reeves Lane for large vehicles and of course we are concerned that this could add to the already unacceptable amount of heavy traffic on Dobbs Weir Road as this would no doubt be the chosen route of vehicles from the A10.



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	1
Application Number:	EPF/0362/07
Site Name:	Villa Nursery, Reeves Lane, Roydon, CM19 5LE
Scale of Plot:	1/5000

Report Item No: 2

APPLICATION No:	EPF/0705/07
SITE ADDRESS:	Villa Nursery Reeves Lane Roydon Harlow Essex CM19 5LE
PARISH:	Roydon
WARD:	Broadley Common, Epping Upland and Nazeing
APPLICANT:	Mr & Mrs V & G Gibilaro
DESCRIPTION OF PROPOSAL:	Change of use and conversion of domestic outbuilding to bungalow annexe including replacement of flat roof with pitched roof. For use of extended family of occupants of Villa Nursery.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The building the subject of this permission shall be used only as an annexe to the main dwelling known as The Villa, Villa Nursery and shall be occupied only by members of the extended family of the occupants of The Villa. The building shall not be sold or let as a separate dwelling unit.

Description of Proposal:

This application is for alterations and change of use of an existing outbuilding (originally an agricultural building) to a bungalow annexe for the use of the extended family of occupants of Villa Nursery. The proposals include alterations to the building that have been carried out, including the replacement of a flat roof with a tiled, pitched roof.

Description of Site:

The red lined site is tightly drawn around the building, which was originally an agricultural storage building. The building is located adjacent to the rear garden area of the existing dwelling at Villa Nursery, a working horticultural nursery with 2.5 hectares of glass. The building in question has already been altered and converted and now has the appearance of a small bungalow. Villa Nursery is accessed from Reeves Lane.

Relevant History:

None Relevant.

Policies Applied:

Local Plan and Local Plan Alterations.

GB2 Green Belt restraint.
GB8A, change of use
GB9A Residential conversions.
CP1, CP2, CP6 relating to sustainable development.
DBE8 Private amenity space,
ST1 location of development
ST2 Accessibility
ST4 Road safety
ST6 Vehicle parking.

Issues and Considerations:

The applicant claims that the building in question has been used as a domestic storage/garage building in connection with the house at the nursery for many years, however there is no independent evidence that this is the case, hence planning permission is required for the change of use to ancillary residential use. The main issues are therefore, Green Belt, sustainability, highway and parking issues and design and visual impact issues.

1. Green Belt.

The reuse of existing buildings in the Green Belt can be appropriate. The building appears on aerial photos and does appear to have been a substantial and permanent building before it was substantially altered. The building is surrounded by nursery development and in general form and bulk is not out of keeping with its surroundings. It relates well to the existing residential dwelling and is a logical location for an annexe. The use as an annexe should not result in significant additional traffic movements and the use will not have a detrimental impact on the character or amenity of the area. As such it is considered that the proposal is in accordance with policy GB8A of the adopted local plan.

We have no pictures of what the building was like before it was altered, but the pitched roof that the applicant says has been added is not excessively high and in this location has very little impact on openness.

2. Sustainability.

The site is not well located in relation to access to facilities such as shops, health facilities etc. Anyone living in the annexe will be heavily reliant on private motorised transport, however in this instance the application is specifically for the annexe to be occupied by elderly relatives of the occupants of the main dwelling, and is not intended as a new independent dwelling. The intention is to improve the living conditions of the residents, not to increase the number of residents. Additionally the reuse of an existing building is generally more sustainable than the erection of a new dwelling.

3. Highway and Parking Issues.

As has been explained the proposed use will not result in a significant increase in traffic movements and it is not therefore considered that there are highway issues. The County Council have raised no objection to the proposal. There is plenty of space within the nursery where cars can be parked.

4. Design and visual impact.

The alterations to the building are difficult to assess, as we have no record of what it was like previously. However the building that now exists is not out of place and is not visible from outside the nursery site. It is not therefore considered that it has an adverse impact on the character or amenity of the area.

Conclusion.

The building has no garden of its own and being surrounded by nursery activity would not be an appropriate location for a new dwelling independent of the nursery. However as an annexe to the existing agriculturally-tied dwelling that will enable the current nursery manager to live in the main house but still provide care for his elderly relatives, the use appears entirely appropriate. The application is therefore recommended for approval subject to conditions restricting the occupation and preventing its sale or let as a separate dwelling.

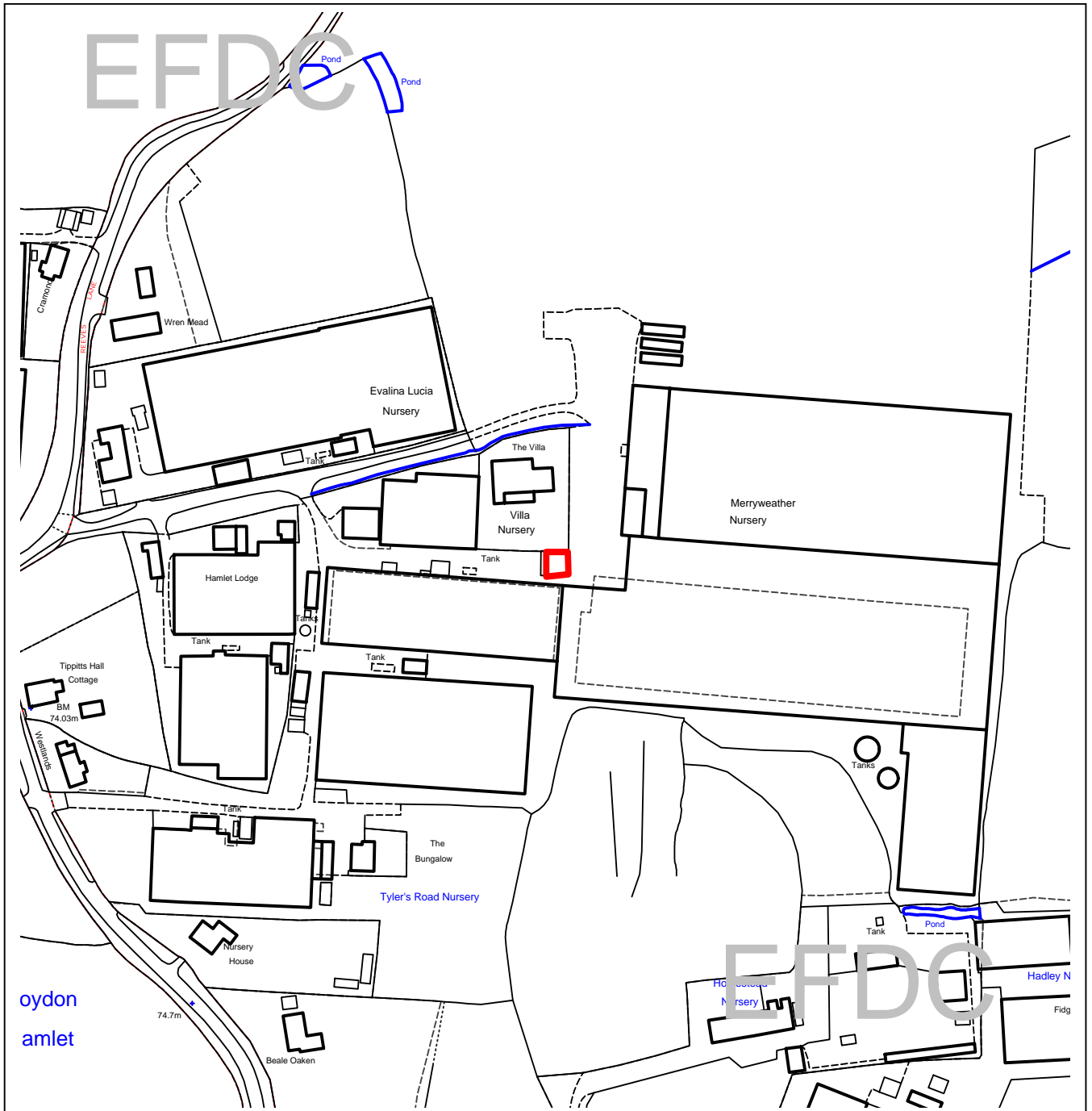
SUMMARY OF REPRESENTATIONS:

PARISH COUNCIL – Object MGB, also the Parish Council has concerns that, at a later date, the annexe could be sold off as a separate dwelling. If the District Council decides to grant this application could a condition to prevent this happening be added?



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	2
Application Number:	EPF/0705/07
Site Name:	Villa Nursery, Reeves Lane, Roydon, CM19 5LE
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/1793/07
SITE ADDRESS:	87a Monkswood Avenue Waltham Abbey Essex EN9 1 LJ
PARISH:	Waltham Abbey
WARD:	Waltham Abbey North East
APPLICANT:	Mr S Bradley
DESCRIPTION OF PROPOSAL:	Rear conservatory extension, shed and front velux windows.
RECOMMENDED DECISION:	Grant Permission

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:

Rear conservatory projecting 3m from rear main wall by 3.7m wide, garden shed 1.8m x 2.4m sited at the end of the rear garden and the retention of two Velux windows to front roofslope.

Description of Site:

End of terrace house built recently as an `extension' to No. 87 with open plan frontage and rear garden enclosed by 2m fencing.

Relevant History:

Consent for house March 2006 EPF/2245/05 (p.d. rights removed).

Policies Applied:

DBE9 - Residential Amenity and DBE10 - Design.

Issues and Considerations:

The issues in this case relate to the effect on the amenities of the adjoining houses and the design and appearance of the development.

1. Amenity

This is a narrow plot of 5.7m but the conservatory will be sited 1m from each of the side boundaries and there will be no adverse effect on either of the adjoining houses, particularly as No. 87 has an existing extension to the same depth of 3m, also sited 1m from the common boundary.

2. Design/Appearance

The proposed conservatory has a conventional lean-to roof which will blend easily into the existing rear elevation. The shed has already been erected but is of traditional timber in the rear garden, screened by the existing 2m boundary fencing. The front 'Velux' windows are small and barely noticeable. The proposals are acceptable in design terms.

3. The Objection

The conservatory is relatively small, being 3.7m wide by 3.0m deep and the shed is a small traditional boarded structure, 2.4m x 1.8m x 2.0m overall height. The rear garden will extend some 15m beyond the conservatory when built, giving about 85sqm of private amenity space and it cannot be said that the proposals constitute 'overdevelopment' of the site.

The scheme complies with relevant Local Plan policies and approval is recommended.

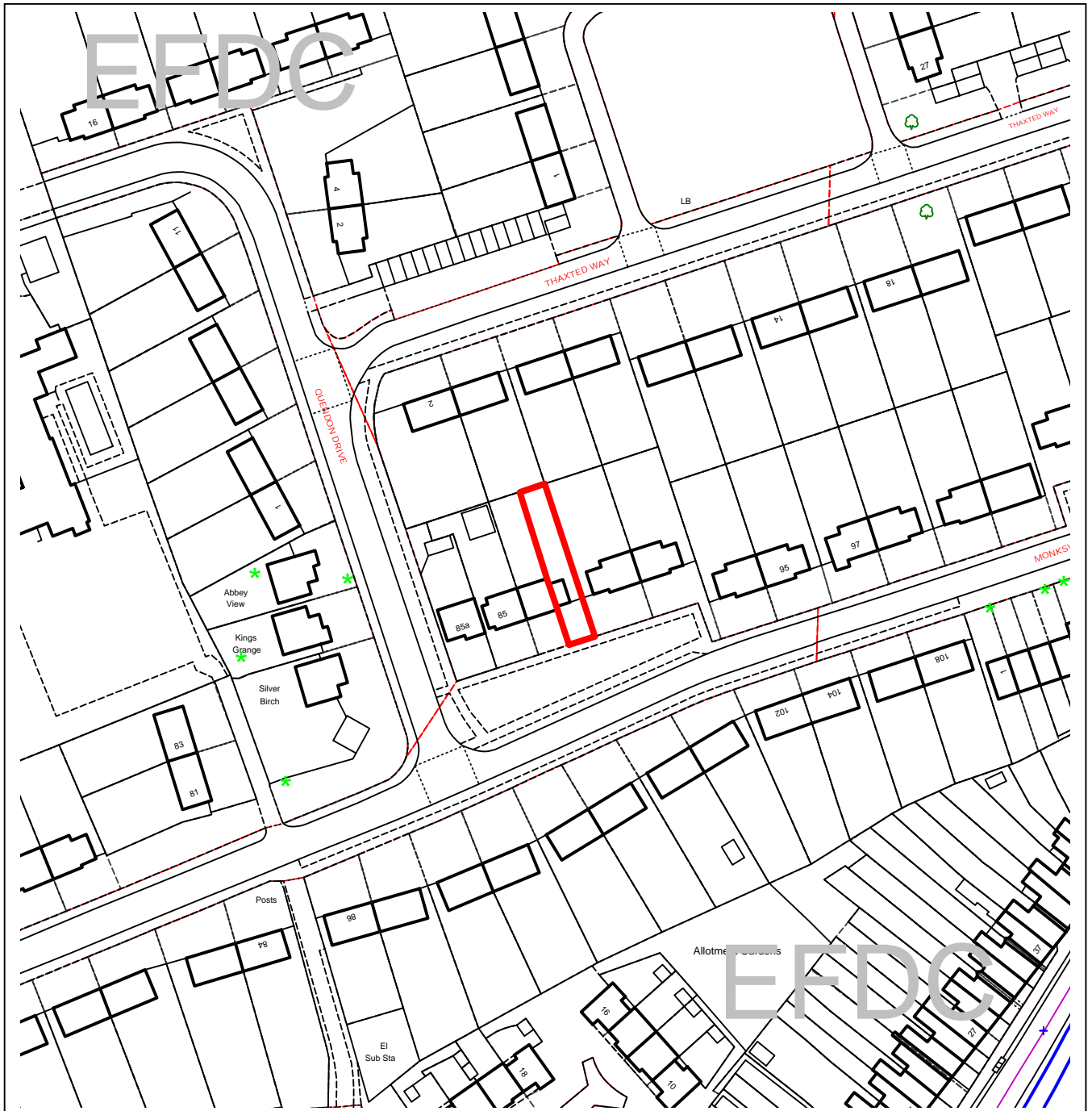
SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL - overdevelopment of site.



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	3
Application Number:	EPF/1793/07
Site Name:	87A Monkswood Avenue, Waltham Abbey, EN9 1LJ
Scale of Plot:	1/1250

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