

# Committee Agenda



**Webcast  
Meeting**



**Epping Forest  
District Council**

## ***Area Planning Subcommittee West Wednesday, 14th January, 2009***

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

**Room:** Council Chamber

**Time:** 7.30 pm

**Democratic Services Officer** Adrian Hendry - The Office of the Chief Executive  
Email: ahendry@eppingforestdc.gov.uk Tel: 01992 564246

Members:

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

### **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.**

**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 10 December 2008 as 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. DEVELOPMENT CONTROL (Pages 17 - 52)**

(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.

## 8. 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.

## 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 Paragraph Number	Information
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.

### **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.

Sometimes members of the Council who have a prejudicial interest and would normally withdraw from the meeting might opt to exercise their right to address the meeting on an item and then withdraw.

Such members are required to speak from the public seating area and address the Sub-Committee before leaving.

### **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. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Sub-Committee members.

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'

## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Area Planning Subcommittee West   **Date:** 10 December 2008

**Place:** Council Chamber, Civic Offices, High Street, Epping   **Time:** 7.35 - 9.10 pm

**Members Present:** J Wyatt (Chairman), Mrs P Brooks (Vice-Chairman), R Bassett, Mrs A Cooper, Mrs R Gadsby, Mrs M Sartin, Mrs P Smith and Ms S Stavrou

**Other Councillors:**

**Apologies:** Mrs J Lea, W Pryor and Mrs E Webster

**Officers Present:** J Shingler (Senior Planning Officer), R Perrin (Democratic Services Assistant) and M Jenkins (Democratic Services Assistant)

### 1. **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.

### 2. **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.

### 3. **MINUTES**

#### **RESOLVED:**

That the minutes of the meeting of the Sub-Committee held on 29 October 2008 be taken as read and signed by the Chairman as a correct record.

### 4. **DECLARATIONS OF INTEREST**

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs P Brooks and Councillor Ms S Stavrou declared a personal interest in agenda item 7 (3) (EPF/2036/08 Clayton Hill Country Park, Old Nazeing Road, Nazeing) by virtue of being members of the Lea Valley Regional Park Association. The Councillors declared that their interest were prejudicial and indicated that they would leave the meeting during the consideration and voting.

(b) Pursuant to the Council's Code of Member Conduct, Councillor Mrs P Brooks, Councillor Mrs R Gadsby and Councillor Ms S Stavrou declared a personal interest in

agenda item 7 (5) (EPF/1828/08 32 Edward Court, Waltham Abbey) by virtue of being members of Waltham Abbey Town Council Planning Committee. The Councillors declared that their interest was not prejudicial and indicated that they would remain in the meeting during the consideration and voting on the item.

(c) Pursuant to the Council's Code of Member Conduct, Councillor R Bassett declared a personal interest in agenda item 7 (2) (EPF/1955/08 Land at Birchwood Industrial Estate, Hoe Lane, Nazeing, Waltham Abbey) by virtue of living near the site. The Councillor declared that his interest was not prejudicial and indicated that he would remain in the meeting during the consideration and voting on the item.

(d) Pursuant to the Council's Code of Member Conduct, Councillor Ms A Cooper declared a personal interest in agenda item 7 (2) (EPF/1955/08 Land at Birchwood Industrial Estate, Hoe Lane, Nazeing, Waltham Abbey) by being a member of Nazeing Town Council. The Councillor declared that her interest was not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the item.

(e) Pursuant to the Council's Code of Member Conduct, Councillor Ms A Cooper declared a personal interest in agenda item 7 (3) (EPF/2036/08 Clayton Hill Country Park, Old Nazeing Road, Nazeing) by virtue of being a member of the Town Council. The Councillor declared that her interest was not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the item.

(f) Pursuant to the Council's Code of Member Conduct, Councillor Mrs M Sartin declared a personal interest in agenda item 7 (4) (EPF/1994/08 Fesden Bungalow, Harlow Road, Roydon) by virtue of bringing it before the committee. The Councillor declared that her interest was not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the item.

(g) Pursuant to the Council's Code of Member Conduct, Councillor J Wyatt declared a personal interest in agenda item 7 (3) (EPF/2036/08 Clayton Hill Country Park, Old Nazeing Road, Nazeing) by virtue of being a substitute member of the Lea Valley Regional Park Association. The Councillor declared that his interest was not prejudicial and indicated that he would remain in the meeting during the consideration and voting on the item.

## 5. ANY OTHER BUSINESS

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

## 6. DEVELOPMENT CONTROL

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

### **RESOLVED:**

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

### Note:

(Recorded in accordance with Council procedure Rule 15.5 'Right to Require Individual Vote to be Recorded' and 24 'Application to the Executive, Committees and Sub-Committee, that Councillor Mrs A Cooper voted against application EPF/1955/08 Land at Birchwood Industrial Estate, Hoe Lane, Nazeing, Waltham Abbey).



**7. PROBITY IN PLANNING – APPEAL DECISIONS, APRIL 2008 TO SEPTEMBER 2008**

The Senior Planning Officer presented a report regarding the planning appeal decisions for the period April to September 2008. The Sub-Committee were informed that during the six-month period in question, the Council had received 78 decisions on appeal, of which 75 were planning and related appeals and 3 were enforcement appeals. Of these appeals, 24 of the planning appeals were upheld (32%) and 2 of the 3 enforcement appeals were allowed, to give a combined total of 33.33% of the Council's decisions overturned.

In the previous year, 2007/08, a total of 132 decisions were received – 120 planning appeals and 12 enforcement appeals. Of the 120 planning appeals 36 were allowed but none of the enforcement appeals - a total of 27.3% of the Council's decisions being overturned.

The Principal Planning Officer reported that the proportion of appeals that arose from decisions of the committees to refuse contrary to the recommendation of officers during the 6 month period was 24% and of the 18 decisions that this percentage represented the Council was successful in sustaining its objection in 7 occasions of them.

**RESOLVED:**

That, as part of the probity in planning, the appeal decisions for the period April to September 2008 be noted.

**8. 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**

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# Minute Item 6

## Report Item No: 1

<b>APPLICATION No:</b>	EPF/1737/08
<b>SITE ADDRESS:</b>	Nazeing Golf Club Middle Street Nazeing Essex EN9 2LW
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>DESCRIPTION OF PROPOSAL:</b>	Alterations and change of existing club house to a single dwelling and erection of garage, use of part of existing golf course as parkland with the remainder reverting to agricultural use.
<b>DECISION:</b>	Application withdrawn by applicant

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/1955/08
<b>SITE ADDRESS:</b>	Land at Birchwood Industrial Estate Hoe Lane Nazeing Waltham Abbey Essex EN9 2RW
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Lower Nazeing
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use, for a temporary 3 year period, from B2 chipping and composting to a mixed use of B2 chipping and composting and B8 storage in association with lawful B2 use, including retention of weighbridge and installation of portacabin and water tank.
<b>DECISION:</b>	Grant Permission (With Conditions)

The Committee's attention was drawn to an additional letter of objection received from 'Tayness', Hoe Lane

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three months beginning with the date of this notice unless otherwise agreed in writing by the Local Planning Authority.
- 2 This consent shall inure for a limited period expiring 3 years from the date the development commences after which there shall be no more than 5000 tonnes or 18,000 cubic metres of unprocessed wood on the site, whichever is the lesser. For the purposes of this condition the date the development commences shall be construed as described in condition 6 of this planning permission.
- 3 The development hereby approved shall not commence until a scheme for controlling dust generated by the use, and for air quality monitoring, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the means of dust suppression to be used on machinery on site, site roads, chipped wood and unprocessed wood and air quality monitoring. The approved means of dust suppression and air quality monitoring shall be installed prior to the commencement of the use. Thereafter the development shall be carried out in accordance with the approved scheme for controlling dust and air quality monitoring unless otherwise agreed in writing by the Local Planning Authority.
- 4 No work in connection with the use hereby permitted shall be undertaken on the site on Saturdays, Sundays, Bank or Public Holidays or at any other time except between the hours of 0700 and 1700 on Mondays to Fridays.

- 5 Notwithstanding the requirements of condition 4 of this planning permission, no Heavy Goods Vehicles shall enter or leave the site on Saturdays, Sundays, Bank or Public Holidays or at any other time except between the hours 0730 and 1700 Mondays to Fridays. For the purposes of this condition Heavy Goods Vehicle means a vehicle over 3,500 kg gross weight.
- 6 There shall be a net reduction in wood on the site of at least 3000 tonnes every 4 calendar months throughout the life of this planning permission until there is no more than 5000 tonnes or 18,000 cubic metres of unprocessed wood on site, whichever is the lesser.

Within 7 days of the commencement of the development written confirmation of the date the development commenced shall be submitted to the Local Planning Authority. Thereafter documentary evidence of the total amount of wood imported to and exported from the site shall be submitted to the Local Planning Authority every 4 calendar months after the date the development is commenced. If the net reduction over any 4 month period is less than 3000 tonnes no further wood shall be imported to the site until the Local Planning Authority gives written notice that it has received documentary evidence demonstrating a net reduction in wood on site has been achieved amounting to at least 3000 tonnes plus an additional amount in proportion to the additional time that has passed before the required evidence is submitted.

Once the amount of unprocessed wood on site is 5000 tonnes or less, thereafter the amount of unprocessed material on site shall not exceed 5000 tonnes or 18,000 cubic metres, whichever is the lesser.

For the purposes of this condition the date the development commenced means the first day after the date of this planning permission when either wood is brought onto the site or wood is chipped on the site.

- 7 There shall be no burning of material at the site at any time.
- 8 Within 2 months of the wood on site being reduced to 5000 tonnes, details of a programme of remedial tree works to remove dead trees, treat trees for compaction and plant replacement trees shall be submitted to and agreed in writing by the Local Planning Authority. The works shall then be completed in accordance with the agreed programme.

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/2036/08
<b>SITE ADDRESS:</b>	Clayton Hill Country Park Old Nazeing Road Nazeing Essex EN9
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Lower Nazeing
<b>DESCRIPTION OF PROPOSAL:</b>	Access and habitat improvement including viewing jetty, fencing, new seating and 2 no. pathways.
<b>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 Materials to be used for the development shall match those stated in the application forms and approved plans.

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/1994/08
<b>SITE ADDRESS:</b>	Fesden Bungalow Harlow Road Roydon Harlow Essex CM19 5HE
<b>PARISH:</b>	Roydon
<b>WARD:</b>	Roydon
<b>DESCRIPTION OF PROPOSAL:</b>	Demolish existing detached single storey garage and erection of double garage with single storey extension behind, alterations/extensions to roof. Additional vehicle crossover and new brick front boundary wall with piers and half railings.
<b>DECISION:</b>	Grant Permission (with conditions)

The Committee were persuaded to Grant Permission as they took the view that there were very special circumstances sufficient to outweigh the harm 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.

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/1828/08
<b>SITE ADDRESS:</b>	32 Edward Court Waltham Abbey Essex EN9 3HZ
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey Paternoster
<b>DESCRIPTION OF PROPOSAL:</b>	Retention of flank bathroom windows and raising of ridge line on the two semi-detached houses as an amendment to EPF/2673/07.
<b>DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 Prior to first occupation of the building hereby approved the proposed window openings in first floor flank elevation windows shall be fitted with obscured glass and have fixed frames to a height of 2.7 metres above the floor of the room in which the window is installed, and shall be permanently retained in that condition.
- 2 The gradient of any access ways to the site shall not exceed 1/10.
- 3 Within 3 months of the date of this approval, details of the proposed finished ground levels within the front gardens of the properties, together with details of any retaining walls and of surfacing materials shall be submitted to and agreed in writing by the Local Planning Authority. The dwellings shall not be occupied until the works have been completed in accordance with the approved plans.
- 4 No gates shall be erected across any vehicular access to the site without prior written consent of the Local Planning Authority.
- 5 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Class A shall be undertaken without the prior written permission of the Local Planning Authority.



## AREA PLANS SUB-COMMITTEE 'WEST'

Date 14 January 2008

### INDEX OF PLANNING APPLICATIONS

<b>ITEM</b>	<b>REFERENCE</b>	<b>SITE LOCATION</b>	<b>OFFICER RECOMMENDATION</b>	<b>PAGE</b>
1.	EPF/2078/08	Mamelons Farm, Waltham Road, Nazeing	GRANT	19
2.	EPF/2110/08	Netherlouse Farm, Sewardstone Road, Waltham Abbey	REFUSE	24
3.	EPF/2111/08	Netherlouse Farm, Sewardstone Road, Waltham Abbey	REFUSE	37
4.	EPF/2159/08	Land Rear of Lea Valley Nursery, Crooked Mile, Waltham Abbey	GRANT	40
5.	EPF/2254/08	Metropolitan Police Training Centre, Lippitts Hill, Loughton	GRANT	46

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**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/2078/08
<b>SITE ADDRESS:</b>	Mamelons Farm Waltham Road Nazeing Essex EN9
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>APPLICANT:</b>	Mr G Moore
<b>DESCRIPTION OF PROPOSAL:</b>	Variation of condition 7 on planning approval EPF/1548/98 to allow increase of maximum number of gypsy pitches allowed from 20 to 24.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 Occupation of the caravans at the site shall be limited to members of the applicant's family.
- 2 The pitches hereby approved shall be occupied by no more than one caravan for each pitch.
- 3 The total number of caravans on the overall site shall not exceed 24.
- 4 The site shall not be used for any commercial, industrial or retail purposes.

*This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).*

**Description of Proposal:**

This application is for the use of the existing gypsy caravan site for the stationing of up to 24 caravans, contrary to condition 7 of planning permission EPF/1548/98 which restricted the number of caravans allowed on the site to 20.

### **Description of Site:**

The site is a long established Gypsy site located on the northern side of Waltham Road to the west of Bumbles Green. The site is located to the rear of residential properties and is accessed via a narrow private access road. The site is hard surfaced and well screened by hedgerows and is occupied by predominantly touring caravans, well spaced out around the site. It is surrounded by agricultural land. There are a number of existing buildings associated with the residential use and used for storage and garaging. At the time of the case officer's site visit the site was tidy and well maintained and some of the approved plots were vacant as the occupants were away travelling.

### **Relevant History:**

The site has a long history with consent being granted for the stationing of caravans at the site for occupation by members of the owner's family.

In 1979 permission was granted on appeal for 4 family units with a maximum of 6 caravans all to be members of the applicant's family

In 1983 an application for additional caravans for family use was refused.

In 1992 an application for an additional 6 caravans for family use was refused but allowed on appeal on 18.07.94.

In 2001 permission was granted for an additional 8 units on the site and for the avoidance of doubt the condition restricting the number of caravans on the site to 20 was imposed, no reason other than "for the avoidance of doubt" was given for the imposition of the limit on the number of caravans. It is this condition, which it is now proposed to vary.

The occupation of the site is also restricted by condition to members of the applicant's extended family and there are existing conditions preventing use of the site for any business use.

### **Policies Applied:**

#### **Epping Forest District Local Plan and Alterations**

CP1 Sustainable Development Objectives  
CP2 Protecting the quality of the environment  
CP3 New development  
GB2A Development in the Green Belt  
GB5 Residential Moorings and Non Permanent Dwellings  
H10A Gypsy Caravan Sites  
DBE9 Loss of amenity  
LL1 Rural landscape  
LL2 Inappropriate Rural Development  
ST1 location of Development  
ST4 Road Safety

## **Issues and Considerations:**

The main issues that arise with this application are considered to be the following:

- Whether the development is appropriate in the Green Belt and if not whether there are very special circumstances sufficient to outweigh the harm.
- Impact on neighbouring amenity
- Highways and transportation matters
- Sustainability

### **Green Belt Issues**

National and Local Green Belt policies state that Gypsy sites are not among the land uses that are appropriate in the Green Belt, however consideration must be given to whether there are very special circumstances sufficient to outweigh the harm from the development.

This application comes at a time when the council is seeking, in accordance with Government directive, to identify sites that may be suitable for accommodating Gypsies, as there is an identified need for additional sites. The Council is currently carrying out a consultation on options for development plan provision for Gypsies and Travellers.

The fact that a need has been identified and that at present the Council does not have identified sites that could accommodate this need does add weight to the application.

The site is an existing established site and there is no intention to enlarge the area of the site or the amount of hardstanding, there is sufficient space within the existing boundary to site the 4 additional units. Their spacing within the site is a matter for the Caravan Site Licence. The introduction of the 4 additional units has very little visual impact on the Green Belt or on the character of the area.

The intention is that only members of the applicant's extended family will occupy the new caravans and there is an existing condition that restricts this and can be applied again. No specific details of the proposed occupants have been put forward, but it is accepted that this is a family site and that as the family grows and expands there is a need for new caravans to accommodate them. Generally the community wish to have a settled base so that their children can attend school and it is traditional for Gypsy family members to live close to each other.

### **Impact on Neighbouring Amenity**

The site is long established and in determining the impact of the proposal it is necessary to establish whether the proposed addition of 4 caravans will have a significant impact on neighbouring amenity. Concern has been raised by the owner of an adjacent property that the proposal will result in a decrease in privacy, reduce the amenity of the area and increase noise. Whilst there will inevitably be an increase in the number of vehicle movements to and from the site, it is not considered that the increased residential density proposed will have a significantly adverse impact on neighbouring residents. The proposed positions for the 4 additional units are no closer to any residential property than the existing approved units.

### **Highway and transport issues**

The addition of 4 further units on this established site will result in additional traffic movements on Waltham Road and additional turning movements into and out of the site. Essex County Highways have raised an "in Principle " objection to the proposal on the basis that anything that increases traffic movements onto a distributor road should be resisted. However they have made it clear that the access meets standards and that there is no other objection to the proposal. Given that the increase in traffic movements will be relatively small in comparison with current levels of vehicular traffic on Waltham Road, it is not considered that this objection is sufficient to warrant refusal of

the application, as it is unlikely that it would be harmful to the free flow of traffic or to highway safety.

### Sustainability

The core policies of the adopted Local Plan Alterations seek to ensure that new development is directed to urban areas with good access to facilities and public transport, to reduce reliance on the private car. This site is not ideally located, in that access is from a busy road with no pedestrian footpath. However it is not an isolated rural location and there are facilities in Nazeing, including a primary school within about 2.5km along classified roads, which are not single track rural roads as are found in many parts of the District.

It is however likely that anyone using the site will use the car for most trips.

### Conclusion.

In conclusion it is accepted that the intention is that members of the applicant's family will occupy the 4 additional units and that they are Gypsies within the definition set out in current legislation. The proposal will not result in any incursion into open countryside and will have minimal visual impact on the locality. The site is large enough to accommodate the additional units within the requirements of site licensing. There is an unmet requirement to provide for Gypsies and Travellers in the District that needs to be addressed and this site offers an opportunity to potentially reduce the number of new sites that will need to be found in the future. Therefore although the site is not ideally situated with regard to sustainability issues and there is an in principle highway objection, it is considered that there are very special circumstances in this instance which are sufficient to outweigh the harm to the Green Belt and the highway and sustainability issues raised. The application for the variation of the condition to allow an additional 4 units on the site, to a maximum of 24 caravans in total is therefore recommended for approval. Should, however, Members be minded to refuse the application due to the sustainability and highway concerns, it is further recommended that consideration be given to granting a temporary consent for 2 years which would enable the matter to be readdressed at that time, at which point the Council should have in place a Gypsy and Traveller Development Plan identifying suitable sites in the District.

### SUMMARY OF REPRESENTATIONS:

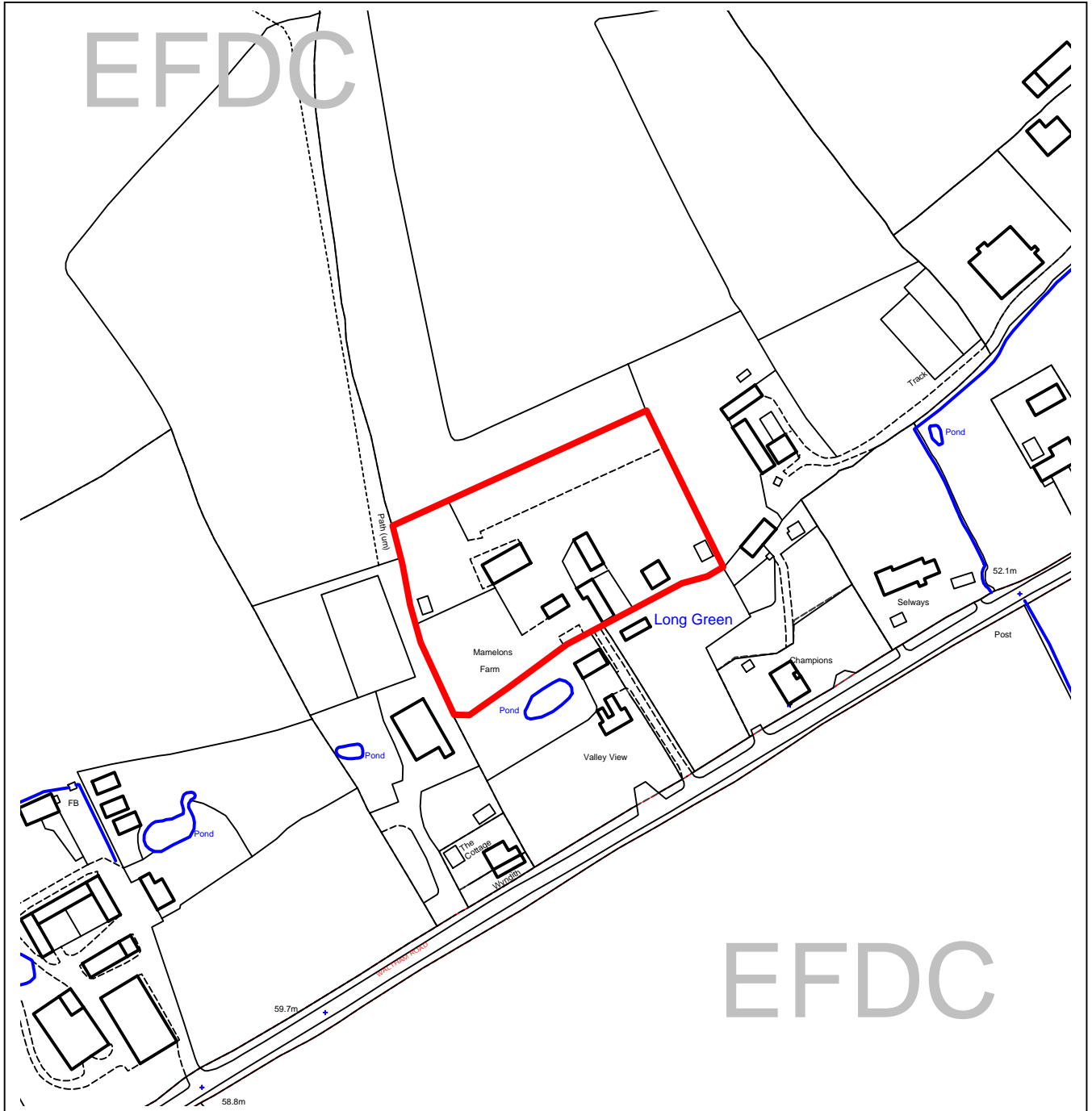
TOWN COUNCIL: Objection. There is permission for 20 but there are 4 unauthorised pitches at present. Enforcement Notice does not appear to have been pursued. The site has a full complement.

CAMPIONS, WALTHAM ROAD. Objection. Additional traffic on already busy road, noise pollution from additional traffic, I have already had to double glaze my property, this is a small farming community, My property lacks privacy and more gypsy families will greatly decrease my privacy, impact on wildlife from noise pollution, loss of property value, harm to amenity, I came here to be away from hustle and bustle and crime of the city to retreat to natural beauty of the area.



# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	<b>1</b>
Application Number:	EPF/2078/08
Site Name:	Mamelons Farm, Waltham Road Nazeing, EN92LU
Scale of Plot:	1/2500

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/2110/08
<b>SITE ADDRESS:</b>	Netherhouse Farm Sewardstone Road Waltham Abbey Essex E4 7RJ
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey High Beach
<b>APPLICANT:</b>	Messers Richard W West & Trevor M Newman
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of buildings and structures, construction of 40 residential units with 205 sqm industrial use. Restoration of listed barn and conversion to commercial use and landscape improvements.
<b>RECOMMENDED DECISION:</b>	Refuse Permission

**REASONS FOR REFUSAL**

- 1 The proposal represents inappropriate development in the Metropolitan Green Belt, harmful to openness and to the objectives of including land in the Green Belt, and is at odds with Government advice in PPG2 and policies GB2A, GB8A and GB16 of the adopted Local Plan and Alterations. There are no very special circumstances that outweigh this harm in Green Belt terms.
- 2 The proposed development is in an unsustainable location not well served by public transport, primary schools, or local services, and as such would result in an increase in vehicle commuting, contrary to policies CP1, CP3, CP6 and ST1 of the adopted Local Plan and Alterations.
- 3 The proposed flats would be of a design out of character with the surrounding area and the remainder of the proposed development. These would therefore result in an incongruous development out of character with the surrounding context, contrary to policies DBE1 and DBE4 of the adopted Local Plan and Alterations.
- 4 The proposed parking provision would be insufficient in this unsustainable location to allow for adequate off-street parking for all users of the development. Therefore the proposal is contrary to policy ST6 of the adopted Local Plan and Alterations.
- 5 The intensification of the use of the site and existing access would detrimentally impact on the free flow of traffic using Sewardstone Road, and the proposed internal road layout would not comply with the standards of the Essex Design Guide. As such the proposed development is contrary to PPG13 and policy ST4 of the adopted Local Plan and Alterations.



- 6 The proposed development would detrimentally impact on the historic setting of the adjacent Grade II listed building and has provided inadequate information to justify the conversion of the curtilage listed barn and removal of the remaining curtilage listed buildings, contrary to PPG15 and policies HC10, HC12 and HC13 of the adopted Local Plan and Alterations.

*This application is before this Committee since it has been 'called in' by Councillor Stavrou (Pursuant to Section P4, Schedule A (h) of the Council's Delegated Functions).*

### **Description of Proposal:**

Demolition of various buildings and structures and erection of 40 residential units with 205 sq. m. of industrial use. The scheme also proposes the restoration of the listed barn and conversion to commercial use (160 sq. m.), and landscaping to the site.

The residential units would consist of 8 no. four-bed detached houses; 10 no. two-bed detached, semi-detached and terrace houses, 6 no. three-bed detached and terrace houses, 9 no. two-bed flats and 7 no. one-bed flats. The scheme has proposed 80% affordable housing.

The 205 sq. m. of new industrial use is marked on the plan as 'offices' and is located on the ground floor of Block A, with residential units above.

The restoration and conversion of the listed barn would involve the part demolition of the attached addition and of the adjacent silo and the refurbishment and conversion for use as office space.

The proposed landscaping would involve hard and soft landscaping, additional tree planting, provision of a public green area and the installation of a pond.

### **Description of Site:**

The application site comprises a roughly rectangular plot 1.4 hectares in size. The site is an existing farm complex located on the eastern side of Sewardstone Road that has previously been used as a farm shop and an agricultural tyre storage and fitting depot. To the north, east and south of the site is agricultural and horticultural land consisting of open fields and farm buildings. To the immediate north of the site is a residential property known as May Cottage, and to the immediate south is Netherhouse farmhouse, a Grade II listed building. Opposite the site to the west are residential properties that form the ribbon development that is Sewardstone. The entire site is located within the Metropolitan Green Belt.

### **Relevant History:**

EPF/0105/88 - Erection of two (500sq.m) portal framed agricultural buildings to replace fire-damaged and obsolete buildings – approved 1902/88

EPF/0198/95 - Use of existing farm shop for sale of other products – refused 11/04/95 (allowed on appeal 14/06/96)

EPF/1470/96 - Agricultural store/barn – approved/conditions 10/03/97

EPF/0789/00 - Change of use of existing farm shop and stores to agricultural tyre sales, stores and fitting – approved/conditions 06/09/00

CLD/EPF/2067/04 - Certificate of lawfulness for existing use of 2 no. barns and 2 no. containers – lawful 23/12/04

EPF/2066/05 - Change of use of farm buildings and buildings in mixed commercial/storage use to tyre fitting depot – refused 24/01/06

### **Policies Applied:**

- CP1 - Achieving Sustainable Development Objectives
- CP2 - Protecting the Quality of the Rural and Built Environment
- CP3 - New Development
- CP4 - Energy Conservation
- CP5 - Sustainable Building
- CP6 - Achieving Sustainable Urban Development Patterns
- CP7 - Urban Form and Quality
- CP8 - Sustainable Economic Development
- GB2A - Development in the Green Belt
- GB8A - Change of Use of Adaptation of Buildings
- GB16 - Affordable Housing
- HC10 - Works to Listed Buildings
- HC12 - Development Affecting the Setting of Listed Buildings
- HC13 - Change of Use of Listed Buildings
- H2A - Previously Developed Land
- H3A - Housing Density
- H4A - Dwelling Mix
- H5A - Provision for Affordable Housing
- H7A - Levels of Affordable Housing
- H8A - Availability of Affordable Housing in Perpetuity
- H9A - Lifetime Homes
- E11 - Employment Uses Elsewhere
- DBE1 - Design of New Buildings
- DBE2 - Effect on Neighbouring Properties
- DBE4 - Design in the Green Belt
- DBE6 - Car Parking in New Development
- DBE7 - Public Open Space
- DBE8 - Private Amenity Space
- DBE9 - Loss of Amenity
- LL1 - Rural Landscape
- LL2 - Inappropriate Rural Development
- LL10 - Adequacy of Provision for Landscape Retention
- LL11 - Landscape Schemes
- ST1 - Location of Development
- ST4 - Road Safety
- ST6 - Vehicle Parking

### **Issues and Considerations:**

The application site is situated within the Metropolitan Green Belt. Local Plan policy GB2A states that the construction of new buildings in the Green Belt will not be granted unless it is:

- (i) for the purposes of agriculture, horticulture, or forestry;
- (ii) for the purposes of outdoor participatory sport and recreation or associated essential small-scale buildings;
- (iii) for the purposes of a cemetery;
- (iv) for other uses which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in the Green Belt;
- (v) a dwelling for an agricultural, horticultural or forestry worker;
- (vi) a replacement for an existing dwelling;
- (vii) a limited extension to an existing dwelling;
- (viii) in accordance with another Green Belt policy.

The proposed development is not for any of the purposes stated in (i) to (vii) above. However the applicant does refer to Green Belt policy GB16 – Affordable Housing. This policy reflects PPG3, which enables Local Authorities to grant planning permission for small affordable housing sites within or adjoining existing villages, even if the sites are in areas subject to policies of restraint (such as the Green Belt). This requires that certain criteria are met when considering small scale affordable housing. These are that:

- (i) There is a demonstrable social or economic need for the accommodation in the locality which cannot be met in any other way.
- (ii) The development is well related to the existing settlement and there is no detriment to the character of the village or the countryside, or to Green Belt objectives.
- (iii) Suitably secure arrangements will be made to ensure the availability of the accommodation for local needs households.

As well as the requirements set out within the policy, paragraph 5.71a states that not all settlements are suitable for affordable housing schemes, and paragraph 5.72a lists Sewardstone as one of the settlements that would not be appropriate for affordable housing. Also a key factor of a planning exceptions scheme is that 100% of the properties are provided as affordable housing in perpetuity and follows a rural housing needs survey. Due to this it is not considered that an affordable housing scheme is suitable in Sewardstone, unless otherwise demonstrated. The submitted documentation makes reference to the District wide need for affordable housing, however gives no indication towards a specific need within the locality and has not submitted a rural housing needs survey. It does however refer to the Limes/White Lodge development recently granted outline consent (EPF/1680/06), which is located further south on Sewardstone Road, which would provide 95 affordable dwellings (80% of the total 119). Whilst this site is some distance from the application site, and is well related to the adjoining town of Chingford, if there was a demonstrable need for affordable housing in the Sewardstone area the Limes/White Lodge approval would have accounted for that.

Due to the above, the proposed development of dwellings and commercial/industrial buildings would be an inappropriate development which, by definition, is harmful to the Green Belt, additionally the size and scale of the development is such that it will have a substantially physical and visual impact on the openness of the Green Belt. Due to this, it has to be assessed as to whether there are very special circumstances that are sufficient to outweigh this harm. The applicant puts forward the following circumstances:

- 80% affordable housing
- A commitment to sustainable housing
- Re-use of the listed barn
- Provision of community facilities in the form of a village green and pond
- Landscape management of the site
- Improvement to the highway
- Encouraging means of transport other than the car
- Educational contributions

These are assessed below.

### *Affordable Housing*

Whilst it has previously been stated that Sewardstone is not identified in the Local Plan as an area suitable for affordable housing schemes, the level of affordable housing proposed should be assessed as a potential very special circumstance. It is proposed that 32 dwellings, which equates to 80% of the total number of properties, would be affordable housing. This is considerably higher than the 50% sought in policy H7A, however this policy relates to all schemes and is not specific to

those in the Green Belt, and a considerably higher level would be expected on Green Belt sites (particularly if relied on as a 'very special circumstance').

Reference has been made to the planning permission granted at The Limes/White Lodge, Waltham Abbey, which proposed a level of affordable housing of 80%. This was one of many very special circumstances demonstrated with that proposed application, and does not set a precedent or maximum benchmark for similar developments. Almost all applications being submitted now by developers in Green Belt are proposing 80% affordable housing as a minimum, and in a number of cases comprise of 100% affordable housing. A planning application was refused at Grange Farm, Chigwell on the 20<sup>th</sup> February 2008 that proposed a significant development comprising 100% affordable housing. This was refused partly on the following grounds:

*The proposal represents inappropriate development in the Metropolitan Green Belt which by definition is harmful to the objectives of including land in the Green Belt and is therefore at odds with Government advice in PPG2 and policy GB2A of the adopted Local Plan and Alterations. There are no very special circumstances that outweigh this harm in Green Belt terms.*

This refusal was later upheld on appeal and the Inspector concluded that "although there is evidence of a need in the District as a whole for affordable housing, there is no evidence of a local community need for affordable housing. Furthermore, I have established that the proposal does not satisfy the requirement of policy GB16. I therefore reach the view that the proposal is not for limited affordable housing for local community needs under development plan policies according with PPG3. The proposed development is therefore not appropriate development in the Green Belt and so harmful to it". Whilst the specifics of the development sites do differ, the lack of compliance with GB16 and therefore appropriateness of the development in the Green Belt are clearly paralleled.

There appears to be no reference in the submitted documentation with regards to the form of affordable housing which is proposed for the development. The Council would usually seek at least 70% of the affordable homes as general needs rented housing and no more than 30% as shared ownership (New Build Homebuy). However, on a development that provides a far higher amount of affordable housing (i.e. 80% or above), the Council would seek a slightly higher amount of shared ownership to ensure a more sustainable mix across the whole development. Therefore, for this proposed development, no less than 60% of the properties should be provided as general needs rented accommodation and no more than 40% as shared ownership. However, it should be noted that, should permission be granted for this scheme, a Section 106 Agreement would be necessary as part of any planning permission requiring the Registered Social Landlord to enter into a Deed of Nomination, setting out the nomination arrangements for the affordable housing.

Local Plan policy H4A requires a mix of dwelling types and also that the mix of the affordable housing on a development should reflect the mix of the market housing, in terms of ratios of flats to houses and ratios of bedroom numbers. The overall development would provide a mix of one, two, three and four-bed units of houses and flats, which in principle is a sufficient dwelling mix. However, whilst the affordable housing will provide 80% of the development, and as such most of the properties will be provided as affordable housing, it is proposed that the 20% market housing is provided by the eight four bedroom detached houses, which are located in the south eastern corner clearly separated from the affordable houses. This would therefore not provide a sufficient mix of both affordable and market housing and would not integrate the types of housing, and as such would be unacceptable under Local Plan policy H4A.

### Built Form

Another argument put across by the applicant is that the proposal would result in less built area within the site. This in itself does not generally constitute a very special circumstance to allow for inappropriate development in the Green Belt. The existing buildings are located towards the sites northern and eastern boundaries, with a large area of tarmaced hardstanding between the buildings and Sewardstone Road. Although the overall footprint of the proposed development would be less than existing, the overall built form would be spread throughout the entire site. Additionally whilst the footprint is similar, the floorspace proposed is substantially more than existing as the buildings proposed are 2 and 3 storey in height replacing predominantly single storey buildings. Most of the existing buildings are between 6 and 7 metres high whereas the proposed houses and flats range from about 9m to 10.2m in height. The bulk of the development is therefore substantially greater than the existing built form and significantly more urban in character. Also, whilst the applicant refers to the site as 'commercial', the previous use of the buildings and surrounding yard were for agricultural related employment. The main use of the site prior to this proposal was for a farm shop and a tyre storage and fitting depot specifically for agricultural vehicles and agricultural related purposes. Therefore, whilst not a traditional agricultural use, the change of use of the buildings was considered an appropriate development in the Green Belt. To replace this appropriate use with an inappropriate residential and commercial development would not be any benefit to the Green Belt and the purposes for including land in it.

Although part of the very special circumstances on the Limes/White Lodge planning application was the release of land back into open 'Green Belt' use, these included large areas of woodland and meadow land to the rear of the site, as well as public green areas. The only open area proposed as part of this development is the communal green space to the front of the site, which includes a large pond and landscaping. A development of this scale in a semi-rural location such as this would be expected to provide areas of open green space, and as such it is not considered that the community benefit from this 'village green' would constitute a very special circumstance.

### Sustainability

The development proposes a sustainable code requirement of 20% in excess of Code Level 4 under the "Code for Sustainable Homes Pre-Assessment Appraisal". Whilst this is commendable it should be noted that the Housing Corporation's minimum requirement for receipt of social housing grant for affordable homes is Code Level 3. Although any higher level than required is welcomed, it is not considered that, in itself, a 20% increase from Code Level 4 would constitute a very special circumstance to counteract the overall impact of the scheme.

Although the above Code level status has been proposed, this is somewhat counteracted by the location of the development. Local Plan policies promote sustainable modes of transport and expect developments to discourage commuting. Policy ST1 states that "housing will principally be located in existing urban areas, and make best use of land which is, or could be, highly accessible to public transport or close to services and employment opportunities". It goes on to state that "in rural areas, for development which has transport implications, preference will be given to locations with access to regular public transport services and containing basic shops and other facilities".

The site is in a fairly isolated location within the Green Belt and is not well served by public transport. The application site falls within the priority admissions area of High Beech Church of England primary school. This school has a permanent capacity of 90 places, and according to the latest Essex School Organisation Plan, published in January 2008, there were 97 pupils on roll. By April 2012 the School is forecast to have a deficit of 60 places against its net capacity. There are no other primary schools within 2 miles of the proposed development. Due to this lack of primary school spaces, Essex County Council has requested a financial contribution of £111,240. Whilst it is stated in the submitted documentation that the applicants are willing to make an educational

contribution, no indication has been made as to the amount and a Unilateral Undertaking or S106 would be required for this.

Due to this unsustainable location, a large development such as this is against several Local Plan policies, the East of England Plan, Policy 1 of the Essex County Council Local Transport Plan (Appendix G), and Central Government Guidance. Again comparisons have been made with the development at The Limes/White Lodge, however that proposal was located at the very edge of the town of Chingford, and as such was considered a more sustainable location better related to the adjoining large urban area. By its nature the application site would require residents at the site to travel away from the area to access shops and services. A low frequency bus service passes the site and the applicants propose cycle parking for the housing. Despite these proposed measures it is likely that most of the trips to and from the site will be by vehicle. Therefore, whilst the environmental standards proposed for the buildings are recognised, the generation of further vehicle trips has a negative bearing on any gains made through delivering low energy development and on site energy generation.

Although it is proposed to make financial contributions towards the existing bus stops in the locality and an educational contribution, this does not overcome the fundamental lack of public transport or education facilities in the area, and therefore would at best counteract the negative impact this development would have in this unsustainable location. Due to this the contributions offered would not constitute a very special circumstance to counter the harm resulting from this inappropriate development, and often form part of a development regardless of its location.

Therefore, this proposal would lead to a more dispersed pattern of residence and travel, contrary to Local Plan policies, and notwithstanding the applicants proposed efforts to improve accessibility it is considered that his proposal would not represent a sustainable form of development.

### Community Facilities

The development proposes to create a landscaped open space to the front of the site, available to the public, and to create a link through the site and through the fields adjoining the site (which are also under the ownership of the applicant) to join the existing public footpath to the east of the site. Local Plan policies require that public open space is provided on a development of this scale (with at least 10% of the site making provision for this), and that these areas should be open and permeable to the public. Due to this the creation of open space, such as that proposed at the front of the site, would be necessary for any housing scheme of this size, and therefore would not be deemed as a very special circumstance to allow for this development.

### Highways

The scheme proposes relocating the existing bus stop in front of the application site and to widen the highway to help the through flow of traffic on Sewardstone Road, and to provide an LED timetable information screen to the bus stop. This would not be the most desirable public transport improvement, but instead it would be preferred to see improvement to the existing bus stop in the form of real time information, a shelter for the stop north of Godwin Close, raised kerbs where possible and pedestrian crossing points. This would require a financial contribution which, as previously assessed, would not in itself constitute a very special circumstance.

Despite the intention of encouraging public transport, the proposed development would intensify the use of this site and would therefore result in a significant increase in the number of vehicles accessing Sewardstone Road. This road is classed as a Radial Feeder on Essex County Councils functional route hierarchy and, outside of or between areas of defined settlements, direct access from these roads is prohibited. As such, any development which seeks to increase the use of an existing access would significantly add to and interfere with the, already large amounts of, through traffic that use Sewardstone Road, and as such would be contrary to Local Plan policy ST4, the

relevant policies in the Essex County Council Highways and Transportation Development Control Policies, the Essex Design Guide and PPG13.

The development would create a new road serving the new properties. The proposed internal layout does not conform to the Essex Design Guide and would be required to be designed to an adoptable standard. The Transport Statement and submitted plans appear to have conflicting road dimensions and there is no explanation as to how the proposed offices would be served off this development.

It is proposed that there would be a total of 83 bicycle parking spaces within the development, to serve both the houses and flats. The provision of cycle parking facilities are a requirement in developments such as this, and are normally covered by a planning condition. Whilst it is appreciated that the cycle parking has been designed in at the planning application stage, this does not in itself constitute a special circumstance.

### Employment

It is stated in the submitted documentation that the site has previously been used for 'commercial purposes', however the only lawful use to the site was for agricultural. Whilst planning permission was granted on the site for the use for tyre storage and fitting, this was for agricultural vehicles and as such was related to agriculture. As such, whilst there would have been an element of commercial use to the site, it is not officially classed as an 'employment area'. Notwithstanding this, the proposed development would provide 365 sq. m. of commercial/industrial floorspace. There is a requirement within the District to provide additional employment land, and given the previous use of the site this area could be acceptable for low key employment use, however Local Plan policies only consider the change of use of existing buildings as appropriate development in the Green Belt. Although it is proposed to reuse the existing curtilage listed barn for commercial use, which in principle would be acceptable, the remaining 205 sq. m. (and proposed housing) would consist of new buildings in the Green Belt, which constitutes inappropriate development. Due to this, the benefit of securing some employment land would not outweigh the harm that would result from the new buildings in the Green Belt, and would certainly not counterbalance the significant harm resulting from the proposed 40 new houses. As such this would not constitute a very special circumstance.

A previous planning application was refused, and appeal dismissed, in 2006 for the reuse of the site for a commercial tyre fitting depot (as opposed to the lawful agricultural tyre storage and fitting depot), on the grounds that the "present use of the buildings is low key" and "the proposed development would result in a significant increase in activity on the site... The proposal would thus change the character of the site from a low key activity to a prominent commercial activity which would have an urbanising effect". Whilst this proposal is quite different from the previous refused application, it is considered that the proposed development would similarly have an urbanising effect on this semi-rural area and as such would be equally unacceptable.

### Summary

In light of the above it is considered that the package of very special circumstances put forward by the applicant is not sufficient to outweigh the harm caused by such a large, inappropriate development in the Green Belt. As such the proposed development fails to comply with Government Guidance PPG2 and Local Plan policies GB2A, GB8A and GB16.

## **Other Considerations**

### **Listed Building Implications**

The historic outbuildings of Netherhouse Farm are curtilage listed due to the association with the listed farmhouse. The list description of the house highlights the significance of the barn in particular, however the other buildings still form part of the farm setting of the listed farmhouse. Due to this there are two key issues to address in terms of the listed buildings. Firstly is the impact on the setting of the Grade II listed farmhouse adjacent to the application site, and secondly is the demolition and conversion of the curtilage listed buildings.

In terms of its impact on the setting of the neighbouring Grade II listed building, the setting of which includes the farm buildings, the farm yard, and the agricultural land around the site, this setting survives relatively well on three sides, although it has been eroded to the west by new development on the opposite side of Sewardstone Road. The proposed development would replace the area to the north and east of the farmhouse with new development and would replace the farmyard between the buildings with a village pond and entrance road to the new development. These alterations would radically alter the setting of the farmhouse, eroding its agricultural, rural and utilitarian character, and would introduce an urbanised character at variance with it. This development would invest the site with a domestic character, and introduce paraphernalia such as gardens, bins, and subdivision of the land, which would significantly erode the historic setting of the listed farmhouse. Furthermore, elements of the design exacerbate the ill-effect, particularly the large expanses of plate glass on the west elevation of block A, which would face toward the farmyard and farmhouse.

The proposal is also to be considered in terms of its treatment of buildings within the curtilage, which have architectural or historic interest. The application provides no real account of the reasoning behind the proposal to keep the barn to the north while demolishing all other buildings. It may be possible to convert all the buildings within the curtilage, which would also better comply with Green Belt policy. The proposal to convert the barn to the west of the site to a commercial function may well be acceptable in principle; however the application provides inadequate detail to allow its impact to be fully understood and evaluated. For example, it seeks to line the timber walls internally, but does not specify the nature of the proposed lining or the means of attaching it; it gives no information about the installation of services; it proposes to replace all the existing windows and doors, without giving details of the new models; it suggests several new openings on the north elevation without providing justification, analysis of impact on existing structure, or detailed designs. Whilst planning conditions can be imposed to ensure further detail is submitted prior to commencement, this would give a premature decision that the proposed conversion would not significantly harm the historic character and appearance of the barn.

Due to the above the application provides seriously inadequate information and argument for the proposals affecting the curtilage listed buildings. To fully assess this proposal the applicant would need to submit an historic building appraisal and site analysis to allow the structures to be understood; a demolition plan to show exactly what is to be removed; and a justification for demolition which overcomes the presumption against demolishing a listed building. Notwithstanding this, even in the absence of this information, it can be seen from early Ordnance Survey maps that the existing site layout is very similar to that of the 1870s, and that most of the existing buildings are on the same footprint. This suggests that they may well be of historic interest, and underlines the need for a careful study before an informed decision can be made. The application refers to the conclusions of a report by CGMS; however, the whole report should be submitted with the application, in order that its evidence can be evaluated in the consultation process, and its conclusions may be challenged. The proposal therefore conflicts with government guidance PPG15 and with Local Plan policies HC10, HC12 and HC13.



### Landscaping

There are no trees on the application site worthy of protection by a Tree Preservation Order. The three horse chestnuts at the front of the site shown to be retained are in very poor structural condition and as such it may be more beneficial to replace these, however should they be retained then tree protection measures would be required to ensure they are not damaged during the construction phase. The hedgerow along the northern boundary of the site should be retained and enhanced to provide boundary screening to the site and a substantial landscape scheme would be required to ensure that the development is softened and retains a 'green' outlook. The landscape issues can be secured via condition.

### Car Parking

The development proposes a total of 72 vehicle parking spaces, for use by both the dwellings and the commercial/industrial units. This has been broken down in the Transport Statement to 2 spaces for each four-bed dwelling, 1.75 spaces for the 32 one, two and three-bed units, 4 spaces for the commercial use and 3 visitor spaces. The figures in the Transport Statement do not match the amount of spaces shown on the site plan, however further detail regarding parking layout can be requested via condition.

Notwithstanding the above, as previously stated the application site is in an unsustainable location not well served by public transport or local schools/services. Due to this the majority of journeys would be made by car, even with the provision of bicycle spaces and contributions to public transport improvements. Whilst the Essex County Council Parking Standards are a maximum, and Government Guidance promotes the use of more sustainable transport, in a semi-rural location such as this adequate parking provision is required. Two spaces for the four bed houses is considered sufficient, however the 56 spaces for 32 one, two and three-bed dwellings is felt to be inadequate, and four spaces for the entire commercial units would be completely unacceptable. Whilst some areas of parking are located in 'squares' and larger parking areas, and as such could be unallocated and shared by the commercial units (during the day) and the residential units (evenings and weekends), most of the parking spaces relate to specific dwellings and as such would be unusable by multiple users. As such the proposed level of car parking contrary to Local Plan policy ST6.

With regards to the location of the parking spaces, most of the spaces serving the dwellings are located to the side or behind properties in line with the guidance in the Essex Design Guide and Local Plan policy DBE6. Whilst some of the parking spaces are located in 'squares' and larger parking areas, these can be softened through the use of suitable materials and planting. As such it is not considered that, in principle, the overall layout of the proposed parking spaces is contrary to Local Plan policies.

### Amenity Space

All the proposed houses have their own private amenity space and there is a communal amenity area proposed to serve the flats. Whilst some of the proposed dwellings have slightly less than the required level of amenity space, given the public open spaces on the site and in the surrounding area this would not justify a reason for refusal.

### Overall Design

Whilst in general the entire development is considered out of character with this semi-rural setting and would be detrimental to the openness and character of the Green Belt, in isolation the proposed dwellings are felt to be of a sufficient design. The detached, semi-detached and terraced properties follow the general guidance laid out in the Essex Design Guide, although they provide a modern take on the traditional Essex design. The proposed flats however do not create the same

balance between modern and traditional, and appear incongruous and messy. They do not hit the correct balance between traditional form and modern feature that is seen on the houses, and as such would be out of character with the remainder of the development and contrary to Local Plan policies DBE1 and DBE4.

### Flood Risk

The applicants submitted a flood risk assessment with the application and Land Drainage has indicated that subject to conditions the development should not result in increased flood risk.

### **Conclusion:**

As outlined above the principle of this development within the Metropolitan Green Belt would be inappropriate and it is not considered that there are very special circumstances to outweigh this. As such the development would be harmful to the character, openness and appearance of the Green Belt contrary to Government Guidance and Local Plan policies GB2A, GB8A and GB16. Approval of such a development without very special circumstances would set a very dangerous precedent for development of other similar sites in the District which cumulatively would cause very significant harm to the objectives of the Green Belt in the locality. Furthermore, there are issues regarding the location of the development, the design of the proposed flats, the level of parking provision, the road layout and effect on the free flow of traffic and highway safety on Sewardstone Road, and the impact on the adjacent Grade II listed building and on the existing curtilage listed building. Due to these the proposed development is recommended for refusal.

### **SUMMARY OF REPRESENTATIONS:**

TOWN COUNCIL – No objection.

GLEN IRIS, SEWARDSTONE ROAD – Object as this is an inappropriate development in the Green Belt, there is no transport infrastructure, and the local services could not cope.

ESSEX AREA RAMBLERS – Object as it is inappropriate development in the Green Belt.

LANTERNS, MOTT STREET – Object to the additional traffic, as there is insufficient public transport, and as this would set an unacceptable precedent.

42 GODWIN CLOSE – Object as it's an inappropriate development in the semi-rural location, due to the impact on congestion and highway safety, and as it is an unsustainable location.

41 GODWIN CLOSE – Object as it would be out of character with the semi-rural location, there would be highway implications, and it is in an unsustainable location.

GODWIN CLOSE – Object as it would further erode Green Belt land, there are no schools in the locality, it would result in increased congestion and highway safety issues, and due to the impact on local wildlife.

MULBERRY HOUSE SEWARDSTONE ROAD – Object as it's inappropriate development, due to the increase in traffic, and as there is inadequate schools and public transport.

GODWIN CLOSE – Object as it would further erode Green Belt land, there are no schools in the locality, it would result in increased congestion and highway safety issues, and due to the impact on local wildlife.

MILL HOUSE, MILL LANE – Object as it's inappropriate development in the Green Belt, it's not well served by public transport or schools, and due to traffic implications.

22 GODWIN CLOSE – Object as it is inappropriate development that would set a precedent, and due to traffic implications and highway safety.

29 GODWIN CLOSE – Object as it is inappropriate development, an unsustainable location, and due to highway safety issues.

47 GODWIN CLOSE – Object as it is inappropriate development, out of character with the semi-rural area, would result in increased traffic movements, and due to a lack of schools in the area.

FRANDOR, SEWARDSTONE ROAD – Object as this is inappropriate in the Green Belt.

56 GODWIN CLOSE – Object as there is no infrastructure to cope with the development, there would be highway safety and congestion issues, and there are potential flood risk issues.

CAMPAIGN FOR THE PROTECTION OF RURAL ESSEX – Object as it is inappropriate development in the Green Belt.

GLENVILLE, SEWARDSTONE ROAD – Object as it is inappropriate in the Green Belt and due to traffic and highway safety issues.

2 WILMOTT COTTAGES, COPTHALL GREEN – Object as it is inappropriate in the Green Belt, the impact on wildlife, and as this would set a precedent for similar development in the surrounding area.

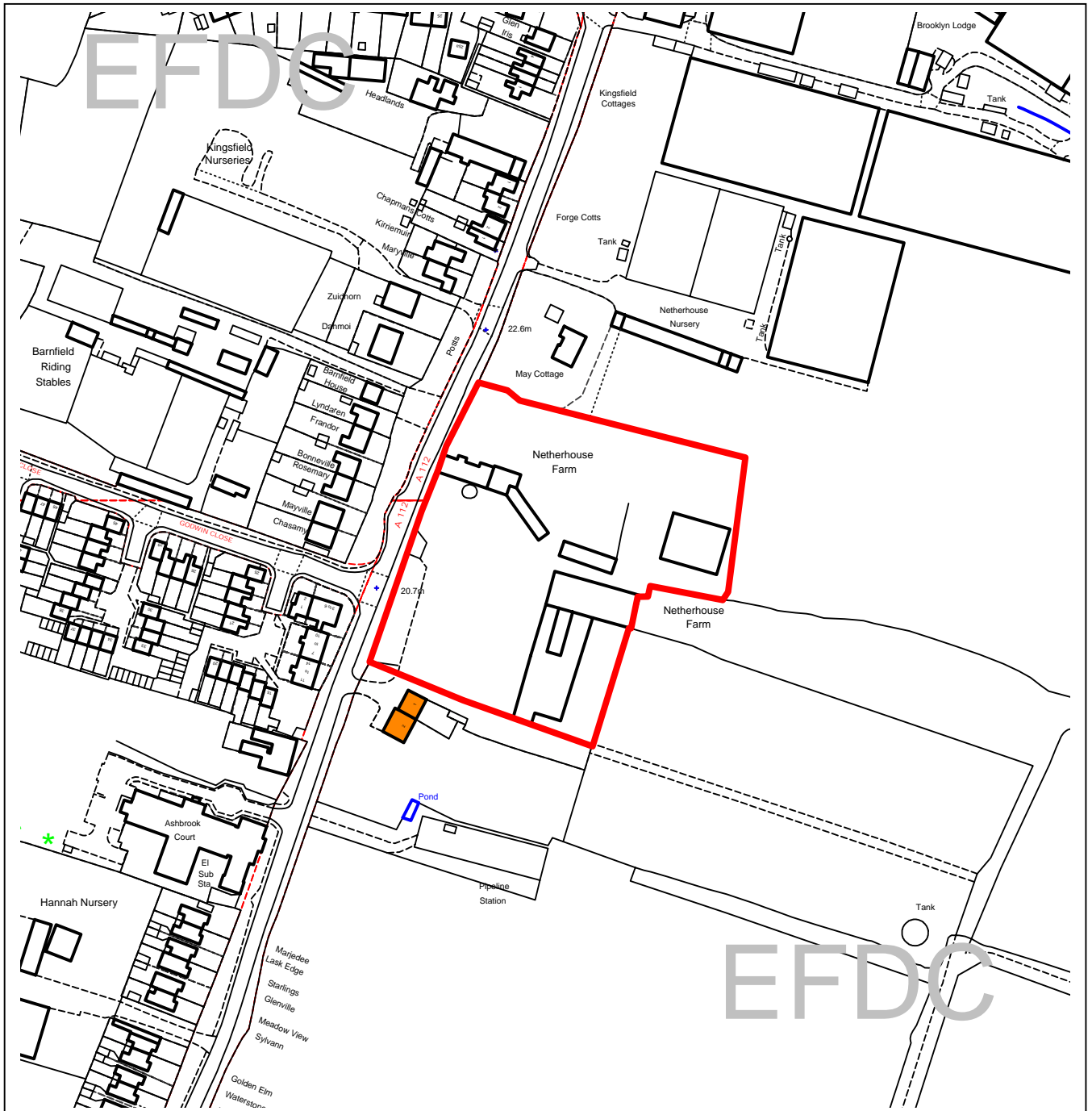
ST. AUBYN, DAWS HILL – Object as it's inappropriate development in the Green Belt, it would harm the character of the area, there would be flooding and traffic implications, and would impact on the biodiversity of the area.

CITY OF LONDON – Object as this is inappropriate development in the Green Belt, would set a precedent for further inappropriate development, and would result in an increase in traffic.



# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	<b>2 &amp; 3</b>
Application Number:	EPF/2110/08 & EPF/2111/08
Site Name:	Netherhouse Farm, Sewardstone Road, Waltham Abbey, E4 7RJ
Scale of Plot:	1/2500

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/2111/08
<b>SITE ADDRESS:</b>	Netherhouse Farm Sewardstone Road Waltham Abbey Essex E4 7RJ
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey High Beach
<b>APPLICANT:</b>	Messers Richard W West & Trevor M Newman
<b>DESCRIPTION OF PROPOSAL:</b>	Grade II listed building application for the demolition of buildings and structures and the restoration of listed barn and conversion to commercial use and landscape improvements.
<b>RECOMMENDED DECISION:</b>	Refuse Permission

**REASON FOR REFUSAL**

- 1 The proposed development would detrimentally impact on the historic setting of the adjacent Grade II listed building and has provided inadequate information to justify the conversion of the curtilage listed barn and removal of the remaining curtilage listed buildings, contrary to PPG15 and policies HC10, HC12 and HC13 of the adopted Local Plan and Alterations.

*This application is before this Committee since it has been 'called in' by Councillor Stavrou (Pursuant to Section P4, Schedule A (h) of the Council's Delegated Functions).*

**Description of Proposal:**

Listed building consent is being sought for the demolition of various buildings and structures and the restoration and conversion of the listed barn to commercial use.

The demolition would involve the removal of all the existing structures on the site with exception of the listed barn to the west of the application site. The restoration and conversion of the listed barn would involve the part demolition of the attached addition and of the adjacent silo and the refurbishment and conversion for use as office space.

The demolition of the buildings would be to clear the site for the erection of 40 residential dwellings and commercial units.

### **Description of Site:**

The application site comprises a roughly rectangular plot 1.4 hectares in size. The site is an existing farm complex located on the eastern side of Sewardstone Road that has previously been used as a farm shop and an agricultural tyre storage and fitting depot. To the north, east and south of the site is agricultural and horticultural land consisting of open fields and farm buildings. To the immediate north of the site is a residential property known as May Cottage, and to the immediate south is Netherhouse farmhouse, a Grade II listed building. Opposite the site to the west are residential properties that form the ribbon development that is Sewardstone. The entire site is located within the Metropolitan Green Belt and the majority of the structures on the application site are curtilage listed in relation to the adjacent listed farmhouse.

### **Relevant History:**

None

### **Policies Applied:**

HC10 - Works to Listed Buildings  
HC12 - Development Affecting the Setting of Listed Buildings  
HC13 - Change of Use of Listed Buildings

### **Issues and Considerations:**

The historic outbuildings of Netherhouse Farm are curtilage listed due to the association with the listed farmhouse. The list description of the house highlights the significance of the barn in particular, however the other buildings still form part of the farm setting of the listed farmhouse. Due to this there are two key issues to address in terms of the listed buildings. Firstly is the impact on the setting of the Grade II listed farmhouse adjacent to the application site, and secondly is the demolition and conversion of the curtilage listed buildings.

In terms of its impact on the setting of the neighbouring Grade II listed building, the setting of which includes the farm buildings, the farmyard, and the agricultural land around the site, this setting survives relatively well on three sides, although it has been eroded to the west by new development on the opposite side of Sewardstone Road. The proposed development would replace the area to the north and east of the farmhouse with new development and would replace the farmyard between the buildings with a village pond and entrance road to the new development. These alterations would radically alter the setting of the farmhouse, eroding its agricultural, rural and utilitarian character, and would introduce an urbanised character at variance with it. This development would invest the site with a domestic character, and introduce paraphernalia such as gardens, bins, and subdivision of the land, which would significantly erode the historic setting of the listed farmhouse. Furthermore, elements of the design exacerbate the ill-effect, particularly the large expanses of plate glass on the west elevation of block A, which would face toward the farmyard and farmhouse.

The proposal is also to be considered in terms of its treatment of buildings within the curtilage, which have architectural or historic interest. The application provides no real account of the reasoning behind the proposal to keep the barn to the north while demolishing all other buildings. It may be possible to convert all the buildings within the curtilage, which would also better comply with Green Belt policy. The proposal to convert the barn to the west of the site to a commercial function may well be acceptable in principle; however the application provides inadequate detail to allow its impact to be fully understood and evaluated. For example, it seeks to line the timber walls internally, but does not specify the nature of the proposed lining or the means of attaching it; it gives no information about the installation of services; it proposes to replace all the existing

windows and doors, without giving details of the new models; it suggests several new openings on the north elevation without providing justification, analysis of impact on existing structure, or detailed designs. Whilst planning conditions can be imposed to ensure further detail is submitted prior to commencement, this would give a premature decision that the proposed conversion would not significantly harm the historic character and appearance of the barn.

Due to the above the application provides seriously inadequate information and argument for the proposals affecting the curtilage listed buildings. To fully assess this proposal the applicant would need to submit an historic building appraisal and site analysis to allow the structures to be understood; a demolition plan to show exactly what is to be removed; and a justification for demolition which overcomes the presumption against demolishing a listed building. Notwithstanding this, even in the absence of this information, it can be seen from early Ordnance Survey maps that the existing site layout is very similar to that of the 1870s, and that most of the existing buildings are on the same footprint. This suggests that they may well be of historic interest, and underlines the need for a careful study before an informed decision can be made. The application refers to the conclusions of a report by CGMS; however, the whole report should be submitted with the application, in order that its evidence can be evaluated in the consultation process, and its conclusions may be challenged. The proposal therefore conflicts with government guidance PPG15 and with Local Plan policies HC10, HC12 and HC13.

**Conclusion:**

In light of the above the proposed development would impact on the historic setting of the adjacent Grade II listed building and on the existing curtilage listed building, contrary to national guidance and Local Plan policies. As such the proposed development is recommended for refusal.

**SUMMARY OF REPRESENTATIONS:**

TOWN COUNCIL – No objection.

ST. AUBYNS, DAWS HILL – Object as it's inappropriate development in the Green Belt, it would harm the character of the area, there would be flooding and traffic implications, and would impact on the biodiversity of the area.

BRIGADOON, SEWARDSTONE ROAD – Object as it would be out of character with the surrounding area, would interrupt views and the character of the undisturbed countryside, and would result in increased traffic.

CITY OF LONDON – Object as this is inappropriate development in the Green Belt, would set a precedent for further inappropriate development, and would result in an increase in traffic.

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/2159/08
<b>SITE ADDRESS:</b>	Land Rear of Lea Valley Nursery Crooked Mile Waltham Abbey Essex
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey North East
<b>APPLICANT:</b>	Mr Albert Sanders
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use of existing sheds to warehousing and industrial use (classes B1c, B2, and B8 with associated parking.
<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 The development hereby permitted shall not be open to customers/users, and no deliveries shall be taken at or despatched from the site, outside the hours of 08:00 to 19:00 on Mondays to Fridays, 09:00 to 14:00 on Saturdays and not at all on Sundays or public holidays.
- 3 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 staff and visitors vehicles.
- 4 Vehicles entering and leaving the site in connection with the use hereby approved shall use only the central access indicated within the site area on drawing no. 830/2.
- 5 There shall be no external storage of goods or materials in connection with the use hereby approved.
- 6 Details of any additional 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 otherwise agreed in writing by the Local Planning Authority.
- 7 Notwithstanding the submitted drawing, the radius of the improved bellmouth shown on drawing no. 8053/2 shall be increased from 8 metres to 9 metres.



*This application is before this Committee since it is an application for commercial development and the recommendation differs from more than one expression of objection (Pursuant to Section P4, Schedule A (f) of the Council's Delegated Functions).*

### **Description of Proposal:**

Consent is being sought for the change of use of the existing sheds to warehousing and industrial use (classes B1c, B2, and B8) with associated parking. Units 1 and 2 have a floor area of 475 sq. m., with Unit 3 being 465 sq. m. The application would involve the installation of a new access road within the site serving all three units, and would create 16 parking spaces and bicycle parking for each unit.

### **Description of Site:**

Approximate 2 hectare area of land located within the considerably larger horticultural nursery site. The application site is located on the eastern side of Crooked Mile, within the Metropolitan Green Belt. The site is located on the edge of the settlement of Waltham Abbey with residential dwellings located to the south and west, and a public house to the north.

### **Relevant History:**

EPF/0499/86 - Continued use of nursery office building as temporary residential accommodation – refused 10/07/86  
EPF/1468/88 - Use of land for a Sunday market – refused 23/01/89 (appeal dismissed 17/01/90)  
EPF/1667/88 - Use of buildings as museum cultural and interpretation centre for Romany people – refused 23/01/89 (appeal dismissed 03/08/89)  
EPF/1803/88 - Use of part of nursery as garden centre – refused 20/04/89 (appeal withdrawn 01/01/97)  
EPF/0233/90 - A) Use of land and buildings as a garden centre B) use of land as a golf driving range and open recreational uses – refused 25/09/90 (appeal dismissed 14/05/93)  
EPF/0131/94 - Operation of a market on one day each week for 14 weeks each year – refused 20/12/94  
EPF/0356/94 - Change of use of land to form golf course and nature conservation area and use of existing storage building as golf training facility – refused 26/10/94 (appeal dismissed 29/06/98)  
EPF/0536/94 - Retention of use of part of nursery building for sale of fruit and vegetables not grown on the holding – refused 26/10/94 (appeal withdrawn 29/06/98)  
EPF/0398/97 - Change of use of 3 buildings to B8 – approved/conditions 17/11/97  
EPF/1424/97 - Operation of a market each Sunday for 14 weeks on land to north-east of holding – refused 03/08/98  
EPF/1425/97 - Operation of a market each Sunday for 14 weeks on land to north-west of holding – refused 03/08/98  
EPF/1426/97 - Operation of a market each Sunday for 14 weeks on land to south-east of holding – refused 03/08/98  
EPF/1427/97 - Operation of a market each Sunday for 14 weeks on land to south-west of holding – refused 03/08/98  
EPF/1930/01 - Outline application for residential development (all matters reserved) – withdrawn 09/07/02  
EPF/0540/04 - Outline application for residential use including affordable housing – refused 29/09/04  
EPF/2111/04 - Outline application for residential development of 109 dwellings (including 49 affordable units). (Revised application) – refused 22/12/04

EPF/1932/07 - Application for outline permission to carry out development involving housing, light industrial uses and aggregate re-processing facilities – withdrawn 11/02/08

**Policies Applied:**

CP2 – Protecting the quality of the rural and built environment  
CP5 – Sustainable building  
GB2A – Development in the Green Belt  
GB8A – Change of use or adaptation of buildings  
ST1 – Location of development  
ST2 – Accessibility of development  
ST4 – Road Safety  
ST6 – Vehicle parking

**Issues and Considerations:**

The main issues here relate to whether the proposal constitutes appropriate development within the Green Belt, its impact on the surrounding area, and with regards to parking and highway safety.

**Green Belt**

Local Plan policy GB2A states that the change of use of existing buildings is acceptable in the Green Belt provided the development complies with policy GB8A. This policy has five criteria to comply with:

- (i) The building is structurally capable of being converted without the need for major or complete reconstruction.
- (ii) The proposed use would not have a materially greater impact than the existing use.
- (iii) There would not be a significantly detrimental impact resulting from traffic generation.
- (iv) No works have been undertaken within the last 10 years with a view to securing the change of use.
- (v) The proposed use would not significantly impact on the vitality and viability of the town centre.

The policy goes on to state that preference will be given to employment uses, provided this does not involve a significant amount of vehicle parking, commuting or open storage.

The proposed development is for a change of use of the existing sheds (originally used in conjunction with the horticultural nursery) to warehousing and industrial use. The sheds are currently vacant, although have previously been used for employment purposes, and as such the proposed change of use would provide additional employment and is the preferred use of existing sites in the Green Belt. The level of parking would be minimal, and would be located on existing hardstanding, and there would be no open storage. With regards to the criteria of GB8A the following apply:

- (i) Aside from some minor repairs required to the roof sheeting the existing sheds are structurally sound and would not require major reconstruction.
- (ii) The original use of the site was for horticultural use, and as such would have provided large amounts of traffic. Much of the site will retain this use, however the three sheds were previously granted temporary permission for a change of use to warehousing. The proposed development is reusing existing buildings, and making use of the existing areas of hardstanding for car parking and the access road. Due to this it is not felt that the proposed use would have a materially greater impact than the previous use of the site.
- (iii) At present the existing sheds are vacant, however they have previously been used in connection with the horticultural nursery and for various other uses. Although this development would result in an increase of traffic movements, this would be on a

- heavily used main road and would not be unduly detrimental to road safety, traffic generation, or neighbouring amenities.
- (iv) No significant works have been undertaken on the existing sheds within the last 10 years.
  - (v) The proposed use would not detrimentally impact on Waltham Abbey town centre.

Due to the above the proposed change of use would be an appropriate development within the Green Belt and therefore complies with policies GB2A and GB8A.

### Impact

The proposed use of the existing sheds would be light industrial (B1c), general industrial (B2) and/or storage (B8). Whilst some of these uses can result in loss of amenities to neighbouring properties through noise and other forms of disturbance, the closest residential neighbour is some 53m distant. Also, given the location of the application site within the larger Lea Valley Nursery site, there are large areas of empty 'buffer land' or existing greenhouses and other structures between the existing sheds and the neighbouring properties. Due to this the proposed change of use would not detrimentally impact on neighbouring residential properties.

Objections have been received regarding increased traffic movements, which can cause a nuisance to neighbouring dwellings, however given the previous use of the site and its varied history, coupled with the existing high levels of traffic using Crooked Mile, it is not considered that the increase in vehicle movements resulting from this development would unduly increase the existing loss of amenity to neighbours.

### Parking and highways

The proposed development would provide 16 parking spaces per unit, with bicycle parking included on site. Given the proposal's location on the very edge of Waltham Abbey the application site is considered a sustainable location and is reasonably well served by public transport. As such the proposed number of parking spaces is considered acceptable. Notwithstanding this, the parking areas are located on areas of existing hardstanding and, if required, there would be scope to increase the level of car parking.

The application site is accessed from Crooked Mile, via an existing vehicle crossover. Crooked Mile is a main distributor road and due to this Essex County Council has objected to the principle of increasing the vehicle movements using the existing access. Notwithstanding this, as outlined above, the increased vehicle movements are considered acceptable in relation to the previous use of the site. Also ECC Highways Officers are satisfied with the level of parking proposed, the safety of the existing access, and with the site's sustainable location reasonably well served by sustainable means of transport. Due to this they do not believe that the 'in principle' objection would be sufficient to justify refusal and it is therefore felt that the proposal complies with Local Plan policies CP1, CP2 and ST1.

### Other considerations

Planning permission was previously approved in 1997 for the change of use of these three buildings to warehousing, for a temporary 3 year basis, which expired in November 2000. Although this planning permission pre-dates the 1998 Local Plan and the current Green Belt policies (adopted 2006), the essence of the appropriateness of this development on the Green Belt has little altered in principle since the previous approval. Whilst the applicant has stated that they would be happy to have a temporary consent for the change of use, it is not considered that this would be necessary as the proposal complies with the relevant Local Plan policies. The previous application was subject to conditions restricting the access used (relating to the proposed central access), and that no open storage could be placed on the site. It also required a detailed parking

layout to be submitted and provided. Similar conditions would be required on this proposal to ensure that the impact on the Green Belt and neighbouring properties was sufficiently controlled. Also restrictions regarding times of use should also be imposed.

**Conclusion:**

In light of the above the proposed change of use of the existing sheds would be an appropriate development in the Green Belt and would not detrimentally impact on neighbouring residential properties. Despite the increased vehicle movements using the existing access, the proposed development would not be unduly detrimental to highway safety. The site is located in a sustainable location well served by public transport, and would provide a sufficient number of off-street parking spaces. As such this proposal complies with all relevant Local Plan policies and is therefore recommended for approval.

**SUMMARY OF REPRESENTATIONS:**

117 CROOKED MILE – Support the application as it will provide jobs and will help regenerate the area.

96 CROOKED MILE – Would ask that time restrictions are imposed controlling the lorry movements, that only the middle gate is used, and to ensure a tree lined buffer is created between the site and the neighbouring dwellings.

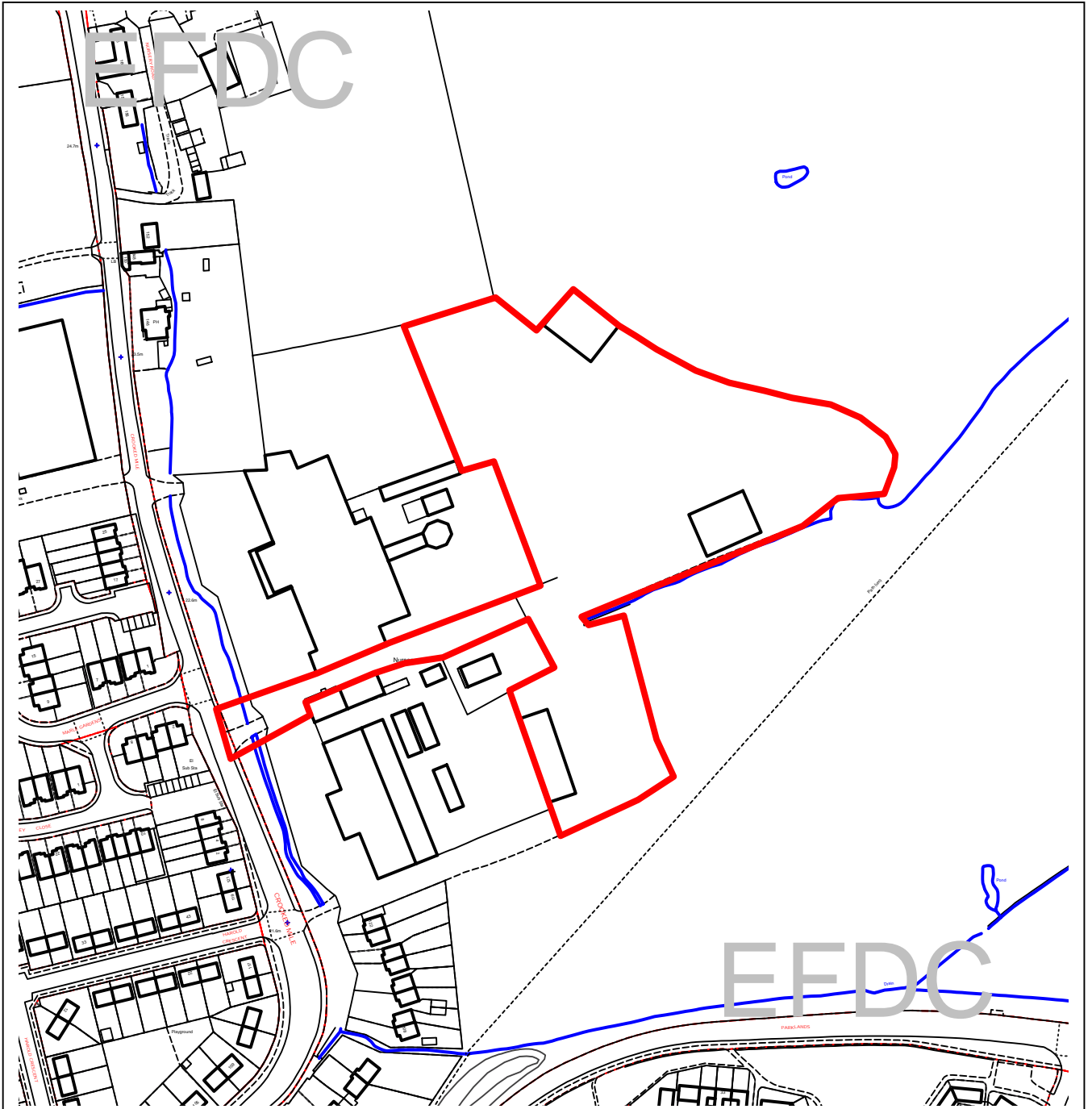
9 MARLE GARDENS – Object due to the increase in vehicle movements.

16 VALLEY CLOSE – Object as the development would be an eyesore and due to traffic problems.



# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	<b>4</b>
Application Number:	EPF/2159/08
Site Name:	Land Rear of Lea Valley Nursery, Crooked Mile, Waltham Abbey,
Scale of Plot:	1/2500

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/2254/08
<b>SITE ADDRESS:</b>	Metropolitan Police Training Centre Lippitts Hill Loughton Essex IG10 4AL
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey High Beach
<b>APPLICANT:</b>	Mr Mark Watts
<b>DESCRIPTION OF PROPOSAL:</b>	Replacement fuel storage tank
<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 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.

- 3 The tanks hereby approved shall be finished in Green (RAL6002) as detailed in the application, unless otherwise agreed in writing by the Local Planning Authority.
- 4 Prior to commencement of development, including demolition or site clearance works, a phased contaminated land investigation shall be undertaken to assess the presence of contaminants at the site in accordance with an agreed protocol as below. Should any contaminants be found in unacceptable concentrations, appropriate remediation works shall be carried out and a scheme for any necessary maintenance works adopted.

Prior to carrying out a phase 1 preliminary investigation, a protocol for the investigation shall be agreed in writing with the 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.

- 5 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.
- 6 No development shall commence until details of a method of protection during construction for the anti-tank barriers (Scheduled Monuments) at the site entrance has been submitted to and approved in writing by the Local Planning Authority. Any construction and demolition shall be carried out in accordance with the approved methodology.

*This application is before this Committee since it is an application contrary to the provisions of the approved Development Plan, and is recommended for approval (Pursuant to Section P4, Schedule A (a) of the Council's Delegated Functions).*

#### **Description of Proposal:**

The application seeks consent to upgrade the existing aviation fuel storage facilities at the Metropolitan Police Training Centre. The two proposed 50,000 Litre fuel storage tanks and associated works would replace the existing two 25,000 Litre tanks. The associated works include a revised access gantry, ground bund to prevent potential contamination and security fencing.

The tanks proposed are 10.1m in length, with an additional 2m length for the cabinet pumping system. The tanks are 2.77m wide and 4.61m high including the access gantry and cabinet for the pumping system. The proposed tanks would be finished in green.

#### **Description of Site:**

The site is located on Lippitts Hill, to the northwest of the existing aircraft hangers and helipad. The existing fuel storage tanks are situated in this location. The site is owned and operated by the Metropolitan Police Association (MPA) as a Training Centre and Air Support Unit (ASU).

The site is a secure access area due to the nature of the activities taking place on the site. The area proposed for development is not visible from outside of the site due to screening and boundary treatments. The site has been in use for police purposes since 1960, with associated aircraft defence activities dating back to 1940.

The site is situated within the Metropolitan Green Belt. Essex Golf Club borders the southern and western boundaries of the wider site, with Lippitts Hill residential area to the north and The Owl public house to the east with Epping Forest beyond.

The area for development contains some amenity planting, described in more detail in the Tree Survey Report. The four most relevant specimens have been identified on the amended plans.

The wider site contains designated Scheduled Ancient Monuments. The only monuments that may potentially be affected by the proposals and associated construction are the anti-tank barriers at the site entrance.

### **Relevant History:**

The site benefits from an extensive history relating to various activities associated with the use as a Police Training Centre and Air Support Unit. The most relevant applications are as follows:

GD/WHX/0001/60 – Use as a Police Training School – Approved

GD/EFP/0002/78 – Metropolitan Police District helicopter pad – Approved

GD/EPF/0002/79 – Helicopter Hangar – Approved

GD/EPF/0001/84 – Helicopter Hangar – Approved

GD/EPF/0002/91 – Police Training Building – Approved

EPF/0983/07 – Engineering operation to construct a 'clear area' for helicopters and provision of lights and wind direction indicator - Approved

### **Policies Applied:**

Epping Forest District Local Plan and Alterations policies:

GB2A – Green Belt

GB7A – Conspicuous Development

HC1 – Scheduled Ancient Monuments

### **Issues and Considerations:**

The main issues that arise with this application for consideration by Members are as follows:

- Scale, massing and form of development
- Impact on the green belt and justification for development
- Highways and transportation matters
- Impact on trees and scheduled monuments

#### **Scale, massing and form of development**

The site is already occupied by fuel storage tanks, this application only seeks to increase the storage capacity and replace the existing tanks with those which are double skinned to meet present day standards.

The proposed storage tanks are of greater scale than those which currently exist due to the increased storage capacity. The existing tanks store only 25,000L each whereas the proposed tanks store 50,000L.



The area of the site where the tanks are proposed would only be visible against the outline of the existing development onsite, therefore visual impacts are considered minimal and neighbouring properties are well separated, resulting in no adverse impact.

#### Impact on the Green Belt and justification for the development

The site is within the Metropolitan Green Belt where development is usually resisted by Government Guidance and Local Planning Policies in order to retain the open character. The storage tanks are inappropriate development and by definition are harmful to the open character of the Green Belt. The proposed development is situated over the footprint of the existing storage tanks, and as a result has only a minimal additional impact on the Green Belt; however the need remains for special circumstances applicable to the site and development to overcome this harm.

The applicant's agent has set out the following benefits and justification for the proposed scheme which are summarised as follows;

- The proposed new tanks would be double skinned and as a result meet present day contamination safety standards.
- Increased fuel reserves for the ASU which would increase resilience to fuel supply disputes and shortages.
- Reduced deliveries as detailed further below.

The applicant has specifically detailed that the proposals will not result in an increase in flights. The current operation functions are restricted by Licence controls from Aviation Authorities and conditions attached to consent EPF/0983/07 prevent more than 3 helicopters being based at the site.

#### Highways and transportation matters

As outlined above, the proposals result in a reduced number of deliveries being made to the site. At present the supplier's smallest vehicle is used for fuel deliveries, however it cannot be filled to its maximum capacity. Increased onsite storage would allow the same tanker to deliver full, and as a result, allow less frequent journeys. In terms of operational benefits, this would enable 126 flying hours per delivery load as opposed to 66 hours at present.

#### Impact on trees and scheduled monuments

The proposals are situated in close proximity to four trees which form part of the amenity planting in the area. The Arboricultural Report accompanying this application suggests the removal of the poor quality or dead specimens with replacement planting suggested for three specimens closest to the development. As a result replacement planting should be required by condition or alternately a method of tree protection during construction.

The proposals are well separated from the Scheduled Monuments onsite, notwithstanding this, construction traffic would need to pass the anti-tank barriers at the site entrance. As a result these should be protected by condition during construction.

#### **Conclusion:**

The effective operational function of the Air Support Unit is inextricably linked to the availability of resources. The applicant's agent has detailed the requirement for double skinned storage and operational resilience of the site irrespective of wider fuel disputes. It is not uncommon for emergency service providers to install measures to allow ongoing provision of services irrespective of wider national fuel circumstance.

Whilst the replacement tanks are larger than those which currently exist, they will not have a significantly adverse impact on the openness in this location within the built up area of the site. Given the strategic importance of the operation of the site it is considered that there are very special circumstances sufficient to outweigh the relatively minor harm to the openness that results from the development. This application is therefore recommended to Members for approval.

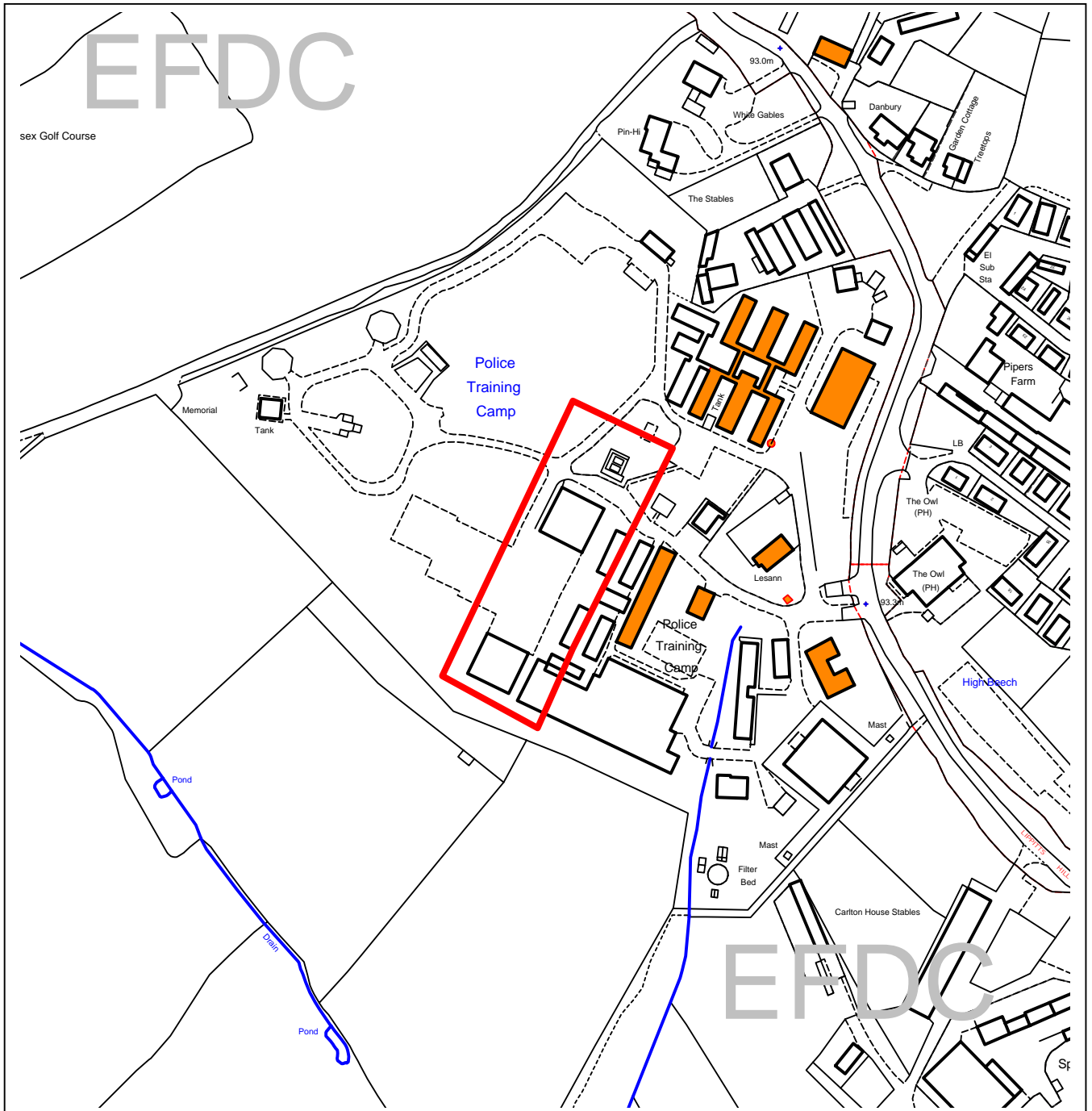
**SUMMARY OF REPRESENTATIONS:**

Neighbouring representations: The location of the proposals result in no immediate neighbours. Notwithstanding this, two site notices have been posted on the site boundaries and no responses have been received.



# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	<b>5</b>
Application Number:	EPF/2254/08
Site Name:	Metropolitan Police Training Centre Lippitts Hill, Loughton, IG10 4AL
Scale of Plot:	1/2500

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