

committee agenda



**Epping Forest
District Council**

District Development Control Committee Tuesday, 2nd February, 2010

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

Time: 7.30 pm

Democratic Services Officer: Simon Hill, The Office of the Chief Executive
Tel: 01992 564249 Email: shill@eppingforestdc.gov.uk

Members:

Councillors B Sandler (Chairman), M Colling (Vice-Chairman), K Chana, R Frankel, Mrs R Gadsby, A Green, Mrs A Haigh, J Hart, J Markham, G Mohindra, R Morgan, Mrs C Pond, P Turpin, J Wyatt and Mrs L Wagland

A BRIEFING WILL BE HELD FOR THE CHAIRMAN, VICE-CHAIRMAN AND GROUP SPOKESPERSONS OF THE-COMMITTEE, AT 6.30 P.M. IN COMMITTEE ROOM 1 PRIOR TO THE MEETING

1. WEBCASTING INTRODUCTION

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

2. The Chief Executive will read the following announcement:

“This meeting will be webcast live to the Internet and will be archived for later viewing. Copies of recordings may be made available on request.

By entering the chamber’s lower seating area you consenting to becoming part of the webcast.

If you wish to avoid being filmed you should move to the public gallery or speak to the webcasting officer”

2. ADVICE TO PUBLIC AND SPEAKERS AT COUNCIL PLANNING COMMITTEES (Pages 5 - 6)

General advice to people attending the meeting is attached.

3. MINUTES (Pages 7 - 14)

To confirm the minutes of the last meeting of the Committee held on 1 December 2009 (attached).

4. APOLOGIES FOR ABSENCE

5. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

(Assistant to the Chief Executive) To report the appointment of any substitute members for the meeting.

6. DECLARATIONS OF INTEREST

(Assistant to the Chief Executive) To declare interests in any item on this agenda.

7. 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.

8. ESSEX COUNTY COUNCIL - HIGHWAYS PRESENTATION

Members will receive a presentation from the Essex County Council (ECC) Development Management (Highways).

This will provide a highway overview and highlight some changes that are taking place which will centralise and bring their function together with the aim of improving their service to local planning authorities in Essex. Highway comments on many planning applications are provided by ECC highway engineers and Members have sometime been a little perplexed at some of the comments they make. As part of the presentation, the attending highway engineers of ECC Development Management will also try to put some explanation behind their reasons and the extent to which they provide a recommendation.

9. ESSEX COUNTY COUNCIL REVISED PARKING STANDARDS - ADOPTION AS SUPPLEMENTARY GUIDANCE (Pages 15 - 18)

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

The Parking Standards document is available from the Essex County Council website on the following link:

http://www.essexcc.gov.uk/vip8/ecc/ECCWebsite/content/binaries/documents/Parking_Standards_2009.pdf?channelOid=null

10. PLANNING CONSULTATION EPF/2388/09 LAND ADJ TO BLAKES GOLF CLUB, NORTH WEALD, ESSEX - CHANGE OF USE OF AGRICULTURAL LAND, NEW GOLF COURSE, CONTOURING, RESERVOIRS AND ANCILLARY ENGINEERING WORKS (Pages 19 - 32)

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

11. PARKING PROVISION AT MARKS & SPENCER SIMPLY FOOD STORE, 161 HIGH ROAD, LOUGHTON (Pages 33 - 36)

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

12. PLANNING APPLICATION EPF/2254/09 - GREENLEAVES MOBILE HOME PARK, HOE LANE, NAZEING, ESSEX - CHANGE OF USE TO INCLUDE THE STATIONING OF CARAVANS FOR 5 NO. FAMILY GYPSY PITCHES WITH UTILITY/DAY ROOM BUILDINGS AND ANCILLARY HARD-STANDING (Pages 37 - 44)

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

13. PLANNING APPLICATION EPF/1994/09 - PLOTS 3 TO 6 KINGS WOOD PARK, ST. MARGARET'S HOSPITAL, THE PLAIN, EPPING, ESSEX - ERECTION OF FOUR DETACHED HOUSES (RE-DESIGN OF THE APPROVED TYPE A HOUSE) (Pages 45 - 52)

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

14. PLANNING APPLICATION EPF/1995/09 - PLOTS 57 TO 61, 64 AND 65 KINGS WOOD PARK, ST. MARGARET'S HOSPITAL, THE PLAIN, EPPING, ESSEX - ERECTION OF SEVEN DETACHED HOUSES (RE-DESIGN OF THE APPROVED TYPE A HOUSE) (Pages 53 - 60)

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

15. PLANNING APPLICATION EPF/1622/09 - NAZEING GLASS WORKS LTD., NAZEING NEW ROAD, NAZEING, ESSEX - CHANGE OF USE OF PART OF MAIN FACTORY (B2) TO GYMNASIUM (D2). (Pages 61 - 70)

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

16. EXCLUSION OF PUBLIC AND PRESS

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

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

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

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

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

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

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

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

Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

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

When and where is the meeting?

Details of the location, date and time of the meeting are shown at the top of the front page of the agenda along with the details of the contact officer and members of the Subcommittee.

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. 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: District Development Control Committee **Date:** 1 December 2009

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.30 pm

Members Present: B Sandler (Chairman), M Colling (Vice-Chairman), A Clark, R Frankel, Mrs R Gadsby, A Green, Mrs A Haigh, J Markham, R Morgan, J Philip, Mrs C Pond, D Stallan, P Turpin and J Wyatt

Other Councillors: J Knapman, B Rolfe and Mrs M Sartin

Apologies: K Chana, J Hart, G Mohindra and Mrs L Wagland

Officers Present: N Richardson (Assistant Director (Development Control)) and S G Hill (Senior Democratic Services Officer)

32. WEBCASTING INTRODUCTION

The Assistant to the Chief Executive reminded everyone present that the meeting would be broadcast live to the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

33. MINUTES

Resolved:

That the minutes of the meeting held on 6 October 2009 be taken as read and signed by the Chairman as a correct record.

34. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

The following substitutes were noted:

Councillor D Stallan for Councillor J Wyatt
Councillor J Philip for Councillor J Hart
Councillor A Clark for Councillor G Mohindra

35. DECLARATIONS OF INTEREST

(1) Pursuant to the Councillors Code of Conduct, Councillor R Gadsby declared personal and prejudicial interests in item 7(a) (Variation of Section 106 Agreement regarding Grange Farm, Chigwell) The member indicated that she proposed to leave the meeting for the duration of the discussion and voting on that item.

(2) Pursuant to the Councillors Code of Conduct, Councillor J Knapman declared personal interests in items 7(a) (Variation of Section 106 Agreement regarding Grange Farm, Chigwell) and 9 (40a Hainault Road, Chigwell) by virtue of being a member of the local Parish Council and also on item 8 (Red Cottage, New farm

Drive, Abridge). The member remained in the meeting for the duration of the discussion and voting on those items.

(3) Pursuant to the Councillors Code of Conduct, Councillor B Sandler declared a personal interest in item 9 (40a Hainault Road, Chigwell) by virtue of being a member of the local Parish Council. The member remained in the meeting for the duration of the discussion and voting on that item.

(4) Pursuant to the Councillors Code of Conduct, Councillor B Rolfe declared a personal interest in items item 8 (Red Cottage, New farm Drive, Abridge). The member remained in the meeting for the duration of the discussion and voting on those items.

36. ANY OTHER BUSINESS - VARIATION OF SECTION 106 AGREEMENT - GRANGE FARM CHIGWELL

The Committee considered the following item of additional business that had been added to the agenda with the permission of the Chairman:

(a) Variation of S106 Agreement Relating To The Residential Development at Grange Farm High Road Chigwell

The Committee considered and agreed proposals for the minor alteration of the proposed section 106 Agreement for the development of Grange Farm, Chigwell relating the omission of proposals for the return of a Transport Contribution to Essex County Council on completion of the 20th dwelling on the site.

Resolved:

That the Transportation Contribution paid under the S106 Agreement dated 20 December 2006 be returned to the developer subject to the completion of a Deed of Variation requiring that the Transport Contribution Sum (index linked) is repaid to the County Council on the completion of the 20th dwelling.

37. PLANNING APPLICATION EPF/1631/09- RED COTTAGE, NEW FARM DRIVE, ABRIDGE - RETENTION OF REPLACEMENT DWELLING

The Committee considered an application for the retention of a dwelling at New Farm Drive, Abridge which had been constructed without planning permission in the Metropolitan Green Belt. The application had been submitted in response to a decision of the Committee to give a further period to the applicants to submit a planning application. The application sought the retention of the main dwelling but not the partially completed conservatory addition which, it was proposed, would be demolished.

The Committee considered that the replacement house was of acceptable design and did not harm the open character of the Metropolitan Green Belt.

They agreed to grant planning permission subject to conditions to restrict any further otherwise permitted development, the demolition of the Conservatory building and a requirement to undertake a contaminated land survey.

Resolved:

That planning application EPF/1631/09 for the retention of a replacement dwelling "Red Cottage", New Farm Drive, Abridge be granted subject to the following conditions

(1) Within four calendar months of the date of this decision the building shown to be removed on the approved plan SD/09/03A shall be demolished and all materials and waste removed from the site.

Reason: In the interest of preserving the open character of the Metropolitan Green Belt.

(2) Within six calendar months of the date of this permission (unless otherwise agreed by the local planning authority in writing), 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 its approval in writing.

Reason:- Since the site has been identified as being potentially contaminated and to protect human health, the environment, surface water, groundwater and the amenity of the area.

(3) 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 extensions generally permitted by virtue of Part 1, Classes A, B and E shall be undertaken without the prior written permission of the Local Planning Authority.

Reason: The Green Belt location of the site and the extent of the residential development warrant the Local Planning Authority having control over any further development to ensure the protection of the open character and appearance of the Metropolitan Green Belt.

38. PLANNING APPLICATION EPF/1767/09 - 40A HAINAULT ROAD, CHIGWELL - CHANGE OF USE FROM VACANT (FORMERLY AGRICULTURAL) TO CAR PARKING AND CREATION OF 17 SPACES

The Committee gave consideration to proposals for securing the creation of additional car parking for use associated to Victory Hall, Chigwell. The additional car

parking had been secured as a requirement of the planning permission for the erection of a dwelling on the adjacent site.

The Committee agreed with the officers conclusion that the appropriate exceptional circumstances for allowing the development given the requirement for additional parking and its community benefit.

Resolved:

That planning permission EPF1767/09 for the change of use of the land for car parking in association with Victory Hall together with the layout plan of 17 car parking spaces be granted subject to the following conditions:-

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

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

(2) Before the commencement of the development, or of any works on the site, and concurrently with the detailed design plans, a tree survey shall be submitted to the Local Planning Authority. The survey shall contain relevant details on all trees on or adjacent to the site, and with a stem diameter of 100mm or greater, to include the following:

(a) Reference number, species, location, girth or stem diameter, and accurately planned crown spread.

(b) An assessment of condition, and value.

(c) Existing ground levels, including contours where appropriate, adjacent to trees, where nearby changes in level, or excavations, are proposed.

(d) Trees to be removed in conjunction with the proposed development shall be clearly marked as such on a plan.

Reason:- To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, and to enable proper consideration to be given to the impact of the proposed development on existing trees, so as to safeguard and enhance the visual amenities of the area and to ensure a satisfactory appearance to the development.

(3) 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.

Reason:- To comply with the duties indicated in Section 197 of the Town & Country Planning Act 1990 so as to ensure that the amenity value of the existing tree is potentially maintained by the provision of an adequate replacement tree.

(4) The parking area shown on the approved plan shall be constructed as shown on the approved plan EPL_20 rev. C (unless otherwise agreed in writing) and shall be retained free of obstruction for parking in association with Victory Hall and other public buildings on the adjacent site thereafter

Reason:- In the interests of highway safety.

(5) All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to control any alteration to levels or spreading of material not indicated on the approved plans in the interests of amenity and the protection of natural features.

39. PLANNING APPLICATION EPF/1585/09 - 3A MOORES ESTATE, OFF CHURCH ROAD/HARLOW ROAD, ROYDON, ESSEX - RETROSPECTIVE CONSENT FOR THE STATIONING OF ONE MOBILE HOME AND ONE MOBILE CARAVAN

The Committee considered that retrospective planning application for the retention of a mobile home and caravan at the Moores Estate, Roydon. The Committee heard from an objector to the proposal.

On balance, the Committee agreed with the officers assessment that the application was acceptable on the basis that the application was for a family member on a site that had been occupied for nearly twenty years, no further people were being brought on to the site and that no additional traffic would be generated and that officers were suggesting a number of conditions.

Resolved:

That planning application EPF/1585/09 be granted subject to the following conditions:

(1) The development hereby approved shall be occupied only by Cheriann Moore and any dependants.

(2) No more than 1 mobile home and 1 touring caravan shall be stationed on the site at any one time.

(3) Within 3 months of the date of this notice, details of means of disposal of sewage from the site shall be submitted to and agreed in writing by the Local Planning Authority and the agreed scheme shall be implemented accordingly.

(4) Within 3 months of the date of this notice, details of a storage area for domestic refuse shall be submitted to and agreed in writing by the Local

Planning Authority and the agreed facility shall be installed and thereafter maintained accordingly.

(5) Within 3 months of the date of this notice, details of additional landscaping of the site shall be submitted in writing for the approval of the Local Planning Authority, and shall be carried out as approved.

(6) Within 3 months of the date of this notice, details of foul and surface water disposal shall be submitted to and approved by the Local planning Authority and shall be implemented in accordance with such agreed details.

40. PLANNING APPLICATION EPF/1448/09 - 5 MOORES ESTATE, OFF CHURCH ROAD/HARLOW ROAD, ROYDON, ESSEX, CM19 5HF - TWO FURTHER PITCHES WITH HARD STANDING (REVISED APPLICATION)

The Committee considered an item which had be brought before the committee on the basis that the proposal was of major importance and was affected by the current consultation process for the Gypsy and Traveller DPD.

The application sought use of land at 5 Moores estate for the stationing of two additional gypsy family pitches bringing the total on the site to three.

The Committee received representations from an objector to the development and the applicant.

Members were concerned at the sites location within the green belt and whether the proposal met the test of very special circumstances envisaged by the local plan. Members were of the view that no special circumstances had been put forward by the applicant that were sufficient to outweigh harm to the green belt. Additionally, members considered that the narrow one track access road was inadequate for the proposed development. The Committee considered and voted upon a proposal to refuse permission on the basis of their concerns.

Resolved:

That Planning Permission EPF/1448/09 at 5 Moores Estate, Roydon be refused for the following reasons:

(1) The site is within the Metropolitan Green Belt. The proposed works represent inappropriate development and are therefore at odds with Government advice, as expressed in PPG2, policies GB2A and H10A of the adopted Local Plan and Alterations and the East of England Plan 2008. They state that within the Green Belt permission will not be given, except in very special circumstances for the construction of new buildings or for the change of use or extension to existing buildings except for the purposes of agriculture, mineral extraction or forestry, small scale facilities for outdoor participatory sport and recreation, cemeteries, or similar uses which are open in character. In the view of the Local Planning Authority the application does not comply with these policies and there are no very special circumstances sufficient to justify the grant of permission.

(2) There is inadequate and sub-standard access to the site and the addition of 2 additional gypsy pitches therefore is unacceptable because the current access fails to provide safe and convenient access for pedestrians and vehicles, particularly emergency vehicles, and is therefore contrary to policy ST2 of the Adopted Local Plan and Alterations 2006.

41. ASSESSMENT OF PLANNING APPEALS ALLOWED BY THE PLANNING INSPECTORATE

The Committee received a report which gave details of the Council's performance against Key Performance Indicator LPI 45 – "Number of appeals allowed against the refusal of planning applications, as a percentage of the total number of appeals against the refusal of planning applications".

Members received a breakdown of appeal cases. The performance in terms of the percentage of appeals allowed on planning applications was disappointing at 40.3%, which was well above the target of 25%. It was also noted that 73% of those applications that members had refused following recommendation to approve had been allowed on appeal. It was also considered that there was national pressure to grant housing schemes and that members had valid reasons for refusing applications. It was agreed that in making contrary recommendations, members should give clear reasons that could be defended at appeal and that local members should attend appeal hearings.

Resolved:

That the assessment of the planning appeal decisions allowed for 2008/09 and the comparison and assessment of appeal performance from 2005/06 to 2008/09 be noted.

42. ESSEX COUNTY COUNCIL REVISED PARKING STANDARDS - ADOPTION AS SUPPLEMENTARY GUIDANCE

The Committee considered Supplementary Guidance published by Essex County Council on revised parking standards. The revisions to the guidance were welcomed by members. It was noted that the guidance would need adoption by Council.

Resolved:

That the new Parking Standards issued by Essex County Council, entitled "Parking Standards Design and Good Practice for Essex", as supplementary guidance be supported and referred to full Council for adoption.

CHAIRMAN

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Report to District Development Control Committee

Date of meeting: 2 February 2010

Subject: Essex County Council Revised Parking Standards – Adoption as Supplementary Guidance



Officer contact for further information: Kevin Wright (Ext 4095)
Committee Secretary: S Hill (Ext 4249)

Recommendation(s):

That, having considered the representations made by GO East, the Committee confirms its support of the new Parking Standards issued by Essex County Council, entitled “Parking Standards Design and Good Practice for Essex”, as supplementary guidance and requests that Council be asked to formally adopt the document.

Report Detail

1. At the last meeting, the committee received a version of this report which was to be passed for adoption by the Council. Subsequent to the meeting the Head of Planning Services received representations from GO East raising concern at elements of the document relating to minimum parking standards. The Committee are asked to give further consideration to the adoption of the Standards taking account of the representations made which are set out in paragraphs 11-14 of this report.
2. The first Parking Standards Document was produced in 1978 in consultation with the Essex Planning Officers Association (EPOA). The current version was prepared in 2001, and was a desk top exercise to bring the standards in line with PPG13: *Transport*. This sought to use parking restraint as a tool to reduce car usage. Changes in government policy from 2006 demonstrated that there was a need to review the standards to address a number of concerns being expressed about residential parking.
3. A working group of County and District officers via EPOA was set up to review standards. In considering new parking standards a wider view was taken of the role that parking has to play in place shaping as well as a tool for promoting travel choice. Case studies were used to assess the impact of current parking standards and their functional relationship to the development they serve. The outcome of these efforts was a draft revised parking standards document issued by Essex County Council (ECC) in conjunction with EPOA entitled “Parking Standards Design and Good Practice for Essex”. ECC carried out a public consultation on the draft document between 13th March and 24th April 2009.
4. This Council was consulted, with Members debating the draft document at District Development Control Committee (07 April 2009). One of the key changes made from the 2001 parking standards is the use of minimum parking

standards for trip origins (e.g. residential parking) rather than maximum standards as per the current policy. Members resolved:

- (i) That the revised car parking standards entitled, "Parking Standards and Good Practice for Essex" issued by Essex County Council be supported subject to provision being made for a minimum garage door width size; and
 - (ii) That the officers undertake further investigations into the possibility of the adopted standards becoming part of the Development Plan in advance of the core strategy.
5. Following the resolution of the DDCC a response was made to ECC stating that the Council supported the draft revised parking standards subject to further consideration of including a minimum garage door width size.
6. The consultation responses were considered by the Parking Standards Consultation Assessment board, consisting of members of the Strategic Development group within Essex County Council who are members of the Parking Standards Working Group. The review took place over 5 sessions throughout June 2009.
7. On 30 June 2009 ECC published their comments and actions taken on the responses received from the consultation. In relation to a minimum garage door width size, ECC commented that "off the shelf" garage doors are of a standard size and that provided the vehicle could pass through, the garage door did not need to be the width of a garage which allows for doors to open and walking around the vehicle. No further action was taken by ECC on this issue.
8. As a result of the consultation ECC did not significantly alter the overall intention and requirements of the draft revised parking standards. An amended parking standards document entitled "Parking Standards Design and Good Practice for Essex" was authorised for publication by Essex County Council as County Council Supplementary Guidance on 18 September 2009 (attached as a separate supplementary agenda item).
9. Officers have investigated how the new parking standards would be adopted as planning policy by this Council. The current Development Plan for Epping Forest District includes the "saved policies" of the Local Plan and Local Plan Alterations. Policy ST6 (Vehicle Parking) of the Local Plan Alterations states:
The Council will expect all development proposals to provide on-site parking in accordance with the adopted 2001 Standards or its successor documents.
The new parking standards of 2009 are "successor documents" and can be linked into the existing policy ST6.
10. Paragraph 6.3 of PPS12: *Local Spatial Planning* refers to supplementary guidance produced by a County Council (where the issue is not Minerals and Waste). PPS12 advises that such guidance would not be a Supplementary Planning Document (SPD). However where appropriate consultation and sustainability appraisal have been carried out, the supplementary guidance might be afforded a weight commensurate with a SPD in decision making. This is more likely to be the case where the supplementary guidance is endorsed by the District Council. Officers are satisfied that:

- (i) ECC carried out consultation on the draft parking standards in accordance with Regulation 18 of the Town and Country Planning (Local Development) (England) Regulations 2004 as amended; and
 - (ii) ECC conducted a process of Strategic Environmental Assessment / Sustainability Appraisal that has influenced the final version of the document.
11. Before concluding this report it is necessary to cover concerns raised by Government Office for the East of England (GO East) regarding the Revised Parking Standards.
12. The Head of Planning received an email from GO East on 10th December 2009 raising concern over the use of minimum parking standards across Essex for residential areas. GO East also referred to PPS3: Housing which allows local planning authorities some discretion in setting parking standards for their area provided the approach can be justified. GO East were of the opinion that minimum parking standards may be justified for specific areas. However they had reservations about whether this approach should be applied to the whole of the County.
13. Essex County Council carried out extensive survey work on current parking problems within residential developments in the County. Officers are satisfied that the evidence collected shows that the problem of under provision is common to all areas of the County including Epping Forest District. The survey work also highlighted other common problems for example changes to the minimum dimensions for garages required by increases in vehicle size.
14. Notwithstanding GO East's reservations, Officers remain satisfied with the approach taken by Essex County Council. Therefore it is recommended that the Council adopts the new parking standards as supplementary guidance. In terms of decision making on planning applications the weight of the new parking standards could be considered to be equivalent to a SPD. Subject to the agreement of this Committee, a further report will be presented to Council to this effect.

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Report to District Development Control Committee

Date of meeting: 2 February 2010

Subject: Planning consultation EPF/2388/09 Land adj to Blakes Golf Club, North Weald, Essex CM16 6RZ.



**Epping Forest
District Council**

Change of use of agricultural land and the importation of 65,095 cubic metres of inert waste to facilitate the construction of phase one of a second 18 hole golf course incorporating an academy, 9 hole training course and range, new water supply and storage reservoirs and associated landscaping and land recontouring plus ancillary engineering works including revised access from A414, temporary construction compound and haulage routes.

**Officer contact for further information: J Shingler Ext 4106
Committee Secretary: S Hill Ext 4249**

Recommendation(s):

That the District Planning Authority raises objections to the proposed development for the following reasons:

- (1) The proposal currently under consideration is restricted to Phase 1. This single phase does not form a logical or coherent form of development in its own right and approval would potentially enable the use of this area of land for waste importation and landraising, with no way of requiring the remaining golf course to be developed. Approval of this phase would imply that that the remaining phases of the development would be acceptable, but we are not being asked to consider this. It is considered therefore that Phase 1 can not be considered in isolation as it would result in a n incongruous and inappropriate area of golf course landscaping not related to any golf course and as such should be refused. A full application covering the whole site is required so that the development can be considered and controlled as a whole.**
- (2) The proposed works are far in excess of those required to enable to creation of a golf course and the landraising proposed is therefore contrary to Policy W9B of the County's Waste Local Plan.**
- (3) The proposed development of the site for waste disposal and subsequent golf facility will cause significant harm to the landscape and visual amenity of the area and be detrimental to the setting of the Essex Redoubt and Ongar Park Farm. Insufficient information has been provided to show that there will not be harm to other historic or archaeological aspects of the site. The proposal is therefore contrary to Policies LL1, LL2, LL7, LL10, HC1, HC3 and HC12 or the Epping Forest District Local Plan and Local Plan Alterations.**
- (4) Inadequate information has been submitted to ensure that the development will not lead to flooding and land drainage issues and /or contamination.**

(5) Inadequate and or contradictory information has been submitted with regard to traffic and HGV movements during the development phase, such that the full impact of the proposal on the surrounding road network can not be fully assessed.

(6) The proposal will result in unacceptable loss of residential amenity to the occupants of Kerr's Cottage in particular and has potential to cause harm from noise dust and disturbance to other properties in the locality throughout the waste disposal phase. As this amount of importation is not required to enable the construction of a golf course these construction impacts are clearly contrary to policies DBE9 and RP5A of the adopted Local Plan and Alterations.

Report Detail

1. The District Council has been consulted by Essex County Council on this application, which is a County matter as it relates to waste disposal. The consultation is brought to this committee at the request of members, as the proposal is of major importance and raises issues that potentially have District wide implications.

Planning Issues

Description of Development:

2. Change of use of agricultural land and the importation of 65,095 cubic metres of inert waste to facilitate the construction of phase one of a second 18 hole golf course incorporating an academy, 9 hole training course and range, new water supply and storage reservoirs and associated landscaping and land recontouring plus ancillary engineering works including revised access from A414, temporary construction compound and haulage routes. The intention is that the proposed new golf courses will utilise the existing clubhouse and there is no proposal for any additional buildings as part of the development. Although the description of development refers to 18 hole golf course and 9 hole training course and range and academy, the current application is actually only for phase 1 of a total development and the application site boundary is drawn tightly round an area of land to the east of the existing golf course, and within which there would be only a small part of the total golf course. The 65,095 cubic metres of waste referred to relates only to the development of this single phase of the development. The expected total waste for the overall development is 468,102 cubic metres of clean inert material from demolition, construction and excavation projects. The fill would be sourced from engineering projects and construction sites in the east London/Essex area routed to the site via the A414, M11 and M25.

Description of Site:

3. The red lined application site is a roughly rectangular area of land located to the east of the existing golf course together with the access road proposed compound and haulage road area. The wider scheme, which although not strictly part of the current application, needs to be taken into consideration is a much larger area of open farmland located to the south and east of the existing course and encircling the Redoubt which is a scheduled Ancient Monument and stretching as far as the Ongar Railway line to the south and Ongar Park Hall to the East.

Relevant History:

4. There is no relevant history specific to the red lined area, but Blakes Golf Course has the following planning history:

5. In 1998 planning permission was granted under reference EPF/836/96 for the change of use of 45 hectares of land to a pay and play golf course with associated clubhouse together with a pocket park, and residential development at station road North Weald. This was all tied up with a section 106 agreement and included the demolition of the then existing Ongar Radio Station Buildings and the replacement footprint as a residential development.

6. Since then there have been a number of applications for additional works in connection with the golf course.

EPF/1909/02 Golf Club house and parking. Approved

EPF/2238/03 materials store in connection with golf club. Granted

EPF/1103/03 Tractor shed and materials store. Granted

EPF/2239/03 Tractor Shed and Enclosure. Granted

EPF/2376/03 Tractor Shed and Enclosure revised application. Refused

EPF/0301/05 Secure Material and Golf Cart storage building. Refused

EPF/624/05 Outline application for health and fitness centre together with swimming pool and associated parking. Refused

EPF/1310/05 Surfaced maintenance tracks. Granted

EPF/1510/05 Health and leisure complex with parking for 250 cars. Refused

EPF/0095/07 Construction of 3 mitigation ponds within existing golf course rough. Refused

EPF/1050/07 Construction of irrigation pond below existing ground level. Approved.

Policies Applied:

7. East of England Plan.

SS1 Achieving sustainable development

T1 Regional Transport Strategy objectives and Outcomes

T6 Strategic and Regional road Networks

ENV3 Biodiversity and Earth Heritage

ENV6 The Historic Environment

WM1 Waste Management Objectives

8. Essex and Southend on Sea waste Local Plan

W3A

W3C

W4A

W4B

W4C

W6A

W9B

9. Epping Forest District Local Plan and Alterations

CP1 Sustainable development objectives

CP2 Protecting the quality of the Rural and Built Environment

GB2A Development in the Green Belt.

GB7A Conspicuous Development

GB18 The former radio station at North weald Bassett

HC1 Scheduled Ancient Monuments and other Archaeological Sites

HC3 Registered Parkland

HC12 Setting of listed buildings
NC5 Promotion of Nature Conservation Schemes
NC4 Protection of Established Habitat
RP3 Water Quality
RP4 Contaminated Land
RP5A Adverse Environmental Impacts.
RST1 Recreational, Sporting and Tourist Facilities
RST2 Enhance |Rights of Way Network
RST16 Golf Course Location
RST17 Golf Courses on Derelict or Despoiled Land
RST18 Pay and Play/Simple Golf Courses
RST19 Design, Layout and Landscaping of Golf Courses
DBE9 Amenity issues
U2B Flood Risk Assessment Zones
U3A Catchment Effects
U3B Sustainable Drainage Systems
LL1 Rural Landscape
LL2 Inappropriate Rural Development
LL7 Planting Protection and Care of Trees
LL10 Adequacy of Provision for Landscape Retention
LL11 Landscaping Schemes
ST1, ST2 Location and accessibility of development
ST4 Road safety.
ST6 Vehicle Parking
I1A Planning Obligations

Summary of Representations:

10. As the District Council is not the determining authority in this instance neighbours have been formally consulted by Essex County Council and responses to that consultation will have gone directly to County.

11. The comments that have been received directly by this Authority have been forwarded in full to the County.

13. The extensive comments from North Weald Parish Council are reproduced in full below:

THE PARISH COUNCIL -strongly objects to the above planning application. which proposes the construction of a further 27 holes in total at Blakes Golf Course by means of importation of inert waste.

This waste will be imported via vehicles through the parish of North Weald Bassett causing, concern to local residents. This council has as at todays date received 17 written objections from local residents and had 21 local residents attend the parish council meeting on Monday evening, also voicing their objection. We have also had numerous telephone calls to the parish council office and Council Members.

No Proven Need

Members of this Council believe that the applicant has not proved that there is a proved need for this facility within the area. The surrounding local area (a five milie locality) already has the following golf facilities:

1. Blakes – the original application
2. North Weald Golf Course – Rayley Lane

3. Merlin Way Driving Range on North Weald Airfield
4. Driving Range on North Weald Golf Course
5. Par 3 Golf Course at North Weald 9 holes
6. Toot Hill Golf Course
7. Epping Golf Course
8. Upper Clapton Driving Range, Thornwood
9. Hobbs Cross Golf Course, Theydon Garnon
10. Theydon Bois Golf Course
11. High Beech par 3 Golf Course
12. Cannonsbrook Golf Course, Harlow
13. Nazeing Golf Course
14. Loughton Par 3 Golf Course
15. Abridge Golf Course

If Blakes went ahead with this further expansion then where would that leave us, these already established golf courses would suffer.

The Golf Course at Merlin Way has already been looking at alternative ways of diversifying and has made enquiries regarding the possibility of using the land for go karting. A number of Golf Courses have been contacted and have advised that they would be affected if large scale expansion such as this was carried out.

Many golf courses do not have full membership.

You could argue that this could be looked at as competitive business and that other golf courses would just need to up their game and look at expanding also, but where would this end. It would simply not be sustainable.

Loss of Amenity.

Very Strong Concerns have been expressed at the loss of both visual and general amenity over the loss of footpaths and bridleways and also the changes to footpaths and bridleways. It can be clearly seen from the Objections made by Essex County Councils' own Footpaths Officers, the Ramblers Association and North Weald Preservation Society, that their concerns need to be addressed as a matter of urgency.

We are aware that Kerr's Cottage is adjacent to the development but this property has not been shown on any of the plans, yet if the proposal goes ahead this will mean there will be 150 lorries thundering past the property on a daily basis for a three year period. 75 loads bringing soil to the site, 75 lorries leaving the site, this is simply not acceptable to the residents who live in the property.

The Quality of Life for residents over a 3 year period during this proposal will lead to nuisance, noise and severe disruption to their daily life.

Residents throughout North Weald Parish; have been previously affected when wet, mud on roads by lorries carrying the waste through North Weald village High Road, local roads and the A414. These nuisances were all previously experienced when the original golf course at Blakes was constructed and as this proposed project is larger and projected to last over 3 years then will cause even more problems. Essex County Council Highways and EFDC Environmental Health have been contacted over the last two years with regard to the concerns at the works to the golf course at Rayley Lane, North Weald. Wheel Washing Facilities do not address the problem as there is no real way of monitoring the problems when they happen.

Flooding.

The area of North Weald is clearly identified as a flood risk, and has suffered severe flooding in the past it has only been possible with careful and thoughtful planning from the District Council and Environment Agency that the area now benefits from flood alleviation schemes which reduce the risk. The further development and importation of soil would risk these flood defences.

Importation of Waste

The importation of 65, 095 cubic metres of inert waste, we believe is purely a device to make money and not necessarily to simply fund a golf course. We're asking the District & County Council to make investigation into the price of 'importing loads' of soil, it is expected that if you look at the business case at the cost of the provision of the golf course and academy against the cost of the importation of the soil there will be a considerable 'surplus' of funding within this project.

Wildlife habitat and Agricultural Land.

The land is within the Metropolitan Green Belt and it is arable land. 60% of food in this country is grown on arable land, therefore the loss of 75 hectares of agricultural land as a change of use for this proposal is unacceptable.

The Parish Council asks that if the County allows a speaker to attend the planning committee where this is determined, then the District Council appoints a Member Councillor to attend and speak on this matter.

If the County is minded to grant this application then a Section 106 Agreement should be put in place for the benefit of the Community of North Weald Bassett Parish, the details of which should be discussed and agreed at a later date.

14. THEYDON BOIS ACTION GROUP- Strongly object. Unsustainable. Not appropriate to permanently pollute agricultural land that could be used in local sustainable food production for an unsustainable golf course. Excessive number of courses already in the locality that are struggling financially. This is another cynical application to make a great deal of money by importing demolition waste and avoiding landfill tax. Harm to residential amenity and highway safety.

Issues and Considerations:

15. This application raises a great many issues, as is illustrated by the Parish Councils comments above. These will be considered under the following headings Green Belt, golf course or waste disposal, landscape impact, Impact on historic environment, flood risk, land drainage and contamination, access and highways, residential amenity

Green Belt.

16. In planning policy terms, golf courses are generally considered appropriate development in the Green Belt as they enable outdoor recreation, and in this instance no additional buildings are at this time proposed, so in broad terms the development proposed is not inappropriate and would maintain the openness of the Green belt in accordance with national and Local Green belt policies.

Golf Course or waste disposal.

17. The application sets out that there is still a growing demand for golfing facilities in this area and that the creation of a pay and play facility of this nature in this location will help meet this demand. However, it is Officers view that there is little evidence to support this argument. As set out in the Parish Council's response there are 15 golf courses within a 5 mile radius. Little evidence has been submitted with regard to the use of the current facility at Blakes that would indicate that it is operating to capacity. North Weald is very well provided with both senior and junior golfing facilities and would be considered to be at saturation point. The council recently had an application for conversion of the golf club at Nazeing to a single dwelling which argued a significant lack of demand for that facility, and it is considered that if there were a wider demand then this facility would not have contemplated closure. It appears more likely that this application has been prompted not by the need for a golf facility but by the ability to make large amounts of money from the importation of waste. The amount of material that it is proposed to import in Officers view far outweighs the amount that would be necessary to create an interesting golf course and to subsidise the construction of such a course. Therefore whilst a golf course may be acceptable in Green belt terms the amount of work that is proposed here and the timescale for the development means that there will be a waste disposal facility at the site for several years that will have a significant and adverse impact on the visual amenity and character of the area throughout that period. Policy W9B of the County's Waste Local Plan states "Landfill or Landraising for its own sake without being necessary for restoration will not be permitted. Landfill outside the boundaries of the preferred sites will not be permitted unless it can be demonstrated cannot otherwise be achieved. Landfill will not be permitted when at a scale beyond that which is essential for restoration of the site." This proposal is clearly contrary to that policy.

Landscape impact

18.. The key landscape issue is the potential impact of the proposed importation of what would be a very considerable volume of material, augmented by excavation on-site, significantly changing the intrinsic landscape qualities of the site, but extending to the way the site would be viewed from the footpaths, adjacent land and from distance. The council has had experience of three other golf courses where applications have been approved involving importation of significant quantities of soil: the "parent "course, now known as Blakes, a course at Blunts Farm in Theydon Bois, involving at least the same designers, and also another course under other ownership in North Weald. The Landscape officer did have discussions (as stated in the application) with the developer, before it became clear that this was a County Matter. The advice given advice I gave was that the land form as proposed was still unacceptable and that the importation proposals were grossly excessive and unable to be accommodated successfully on the site. The assessment I made was that if permitted the proposal would be grossly harmful to visual amenity, both directly and indirectly. The report of the preliminary discussions is correct in that the proposals had been adjusted prior to that meeting, but only from a preliminary submission that was even more grossly unacceptable. It should be understood therefore there was no basis of support for the application from the District Council on Landscape grounds, indeed quite the reverse.

It is considered that the potential adverse landscape impacts include:

- A negative impact on views onto the site, from roads and other rights of way, from the open land adjacent which is informally open to the public, from houses and gardens and other vantage points;

- A negative impact on the enjoyment of the local landscape from the perspective of users of the footpath crossing it.

19. As a result of the proposed land form a negative impact on existing features on and surrounding the site, both 'natural' (e.g. trees, hedgerows, ponds etc) and those of historic/archaeological interest (in this case the roman road, The Redoubt, the radio mast bases and the remains of the boundaries of the Ongar Great Park. In relation to proposed benefits, including the proposed landscape, tree planting, woodlands, wildflower meadows and water areas, it should be noted that these are long term proposals. Experience on the parent course, and others, has shown that, possibly because of the degree of disturbance involved with the proposed soil importation methodology, the new landscape is very slow to establish. On Blakes, for example, even now, the wildflower meadows elements have still not been delivered. Trees have had to be replaced, in many cases several times over, and are still not thriving. Woodland is referred to, but in reality the plans do not show woodland planting on a meaningful scale. On the parent course a submission was made in relation to the detailed landscaping that woodland was in fact not appropriate to the more open nature of the course that was preferred and was omitted, subject to an increase in the individual tree planting, and an extension of the wildflower meadow, which is noted above, still awaits successful delivery.

20. Experience from other courses suggests a realistic carrying capacity for an 18 hole course of around 150,000 cubic metres of land raising. Of course this will vary according to the particular details including the relative size and visibility of the site, how much of it is on ridges or in valleys, and the extent of viewpoints within or over it. It will also depend on how many internal boundaries there are, where the levels need to be respected, and on the boundary features. The need to protect the rooting areas of trees where these are present for example should greatly restrict the areas to be filled. Averaged out, a realistic expectation of the raising of levels might be in the region of 0.2 metres. Our calculations indicate that the raise of levels in this instance would be 0.7 metres, allowing for the impact of the dredging of the water areas.

21. It is not considered that the raising of land for the formation of golf courses is unacceptable as a matter of principle; rather it is that it is a matter of degree and of an assessment of the harm that is caused. However in this case the amount of material proposed and the average ground raising gives rise for concern that these volumes cannot be accommodated on site without the harms referred to above.

22. Additionally it must be remembered that this application relates only to a small phase of the overall golf course. It is not clear from the application how this is intended to be controlled such that the end result is not simply the creation of this element, which would clearly not relate to the existing golf course or the surrounding land and would form an incongruous pocket of raised land, that in itself would be harmful.

23. Overall it is considered that the proposals, both phase 1 and in totality would be likely to cause severe harm. This harm would arise to the intrinsic land form of the course and to the general public amenity as the proposed landform is inappropriate and harmful both visually and to features of the site. The information submitted is not sufficient to allay concerns and indeed confirms that the adverse impact would be excessive. The proposal is therefore unacceptable in landscape terms and contrary to the landscape policies of the adopted Local Plan.

Impact on the Historic Environment

24. With the application is a statement on the impact of the development on archaeology and Cultural Heritage. This lists 3 areas that it considers may have highly significant impacts. Firstly the possible Roman Road from London to Great Dunmow which runs across the site. Secondly the listed buildings at Ongar Great Hall, which are not directly impacted being outside the site but their setting will be significantly changed and thirdly the Concrete mast bases, earthworks and other structures from the Radio station site. The report lists other areas of lesser impact and it is clear that there is a great deal of archaeological and historical significance in and around the site including the 19th century Essex Redoubt which is a scheduled Ancient Monument and will as a result of the development of the golf course be completely surrounded by the course,. The mitigation proposed appears to be minimal, simply recoding or retaining in situ. Officers therefore ask that Essex County Council take advice from English Heritage, listed buildings advisors and their in house Archaeologists on this matter, but that there is considerable concern that the development will cause harm to the historic environment and that the submitted details fail to demonstrate that this can be adequately mitigated. The proposals are therefore contrary to policies. There is no real demonstration that the development will not adversely impact on the setting of the listed buildings, the redoubt, the Ongar Park or the Roman Road and without strong evidence to this effect the scheme is contrary to policies HC1, HC3 and HC12 of the adopted Local Plan.

Flood Risk Land Drainage and Contamination

25. The Councils Engineering Drainage and Water Team have been consulted and have confirmed that the site lies within an Epping Forest District Council flood risk assessment zone. The development is of a size where it is necessary to avoid generating additional runoff and the opportunity of new development should be taken to improve existing surface water runoff. A detailed Flood Risk Assessment (FRA) would be required.

26. The applicant has provided a FRA with the application, and we agree with the findings in principle. The FRA indicates that the changes in contours have been considered and that the flood risk will not change for either the site or the surrounding areas.

27. Section 2.3.3 in the FRA mentions 'a flood defence that consists of a dry storage pond'. We believe this refers to the Council's Flood Alleviation Scheme (FAS) in North Weald which is located to the South West of the site and would seek further reassurance that the development will not have any impact on it e.g. increase flow. Given that the FAS are now a main river asset the Environment Agency should also be consulted with regard to the proposals. In any event given the total site area is greater than one hectare consultation with the Environment Agency is required.

28. There are concerns about the proposed changes in topography which may have an effect of channelling and increasing the run off velocity and hence change the dynamics of the catchment. We also have concerns with regard to the fact that huge amounts of material will be imported onto the site. Given the quantity and likely multiple sources of the infill material we would wish to see further consideration given to potential impact the nature and permeability of the fill may have on the surface and groundwater regime.

29. Overall it is considered that inadequate information has been provided with regard to the type of material that is to be imported and the controls over the whole

process to ensure that there will be no contamination of the land and groundwater, as a result of the importation. Very strict controls would need to be put in force and the application at present fails to demonstrate that the works can be achieved without environmental harm.

Access and Highway issues

30. The application specifies that the access to the site will remain from the A414 only via the existing access road to Blakes but with an improved access onto the A414. The highway improvements are already the subject of a legal agreement. County as the highway Authority are asked to look closely at the submitted details and traffic assessment. The proposal clearly involves the introduction of a significant number of lorry movements over a three year period and the impact of this on the road network needs to be fully assessed. It appears from the submitted details that the original assessment of construction traffic movements was based on a 5 year construction period with movements of 100 per day 50 in 50 out. This has now been increased to 150 a day 75 in and 75 out over a shorter period. It is unclear whether this change has been considered, and whether the 3 year figure relates to phase 1 which the subject of the application or to each of the remaining phases. In short it is considered that the information provided is inadequate and contradictory and that therefore the impact of the development on the road system can not be adequately assessed. If approval were to be granted traffic/lorry movements during the construction period would need to be tied up with a traffic management plan to include lorry routing and hours of operation to ensure that there would be no harm to the free flow of traffic and highway safety.

Residential Amenity

31. Whilst it is not considered that the use of the land as a golf course would result in significant loss of amenity to surrounding residents the impact during the construction period needs also to be considered. The phase 1 proposal includes the provision of a haul road that runs up from the existing golf course access road around the rear boundary of a residential property and to a site compound about 200m to the east of that property. The proposed haul road then turns back north east to provide access to the phase 1 area. It is considered that the movement of HGV around the boundary of Kerr's Cottage and the use of the compound area in connection with the development of the site for 3 years will inevitably have an unacceptably adverse impact on the residents of that property, and whilst noise and nuisance during construction is not normally a reason for refusal of planning permission in this instance as we are not convinced that the reason for the work is the construction of the golf course as opposed to the disposal waste, it is considered that the noise and disruption from the development would be valid reason for refusal. Although Phase 1 of the development is set away from any residential properties, other phases are relatively close to houses and the impacts of the construction work again in terms of noise dust and disruption are likely to be significant and unacceptable. Again if planning permission is granted very strong controls over the operation of the site will need to be imposed to minimise such problems but it is not considered that the application as submitted demonstrates that the harm can be properly mitigated. The proposal is therefore contrary to policies RP5A and DBE9 of the adopted local Plan.

Conclusion

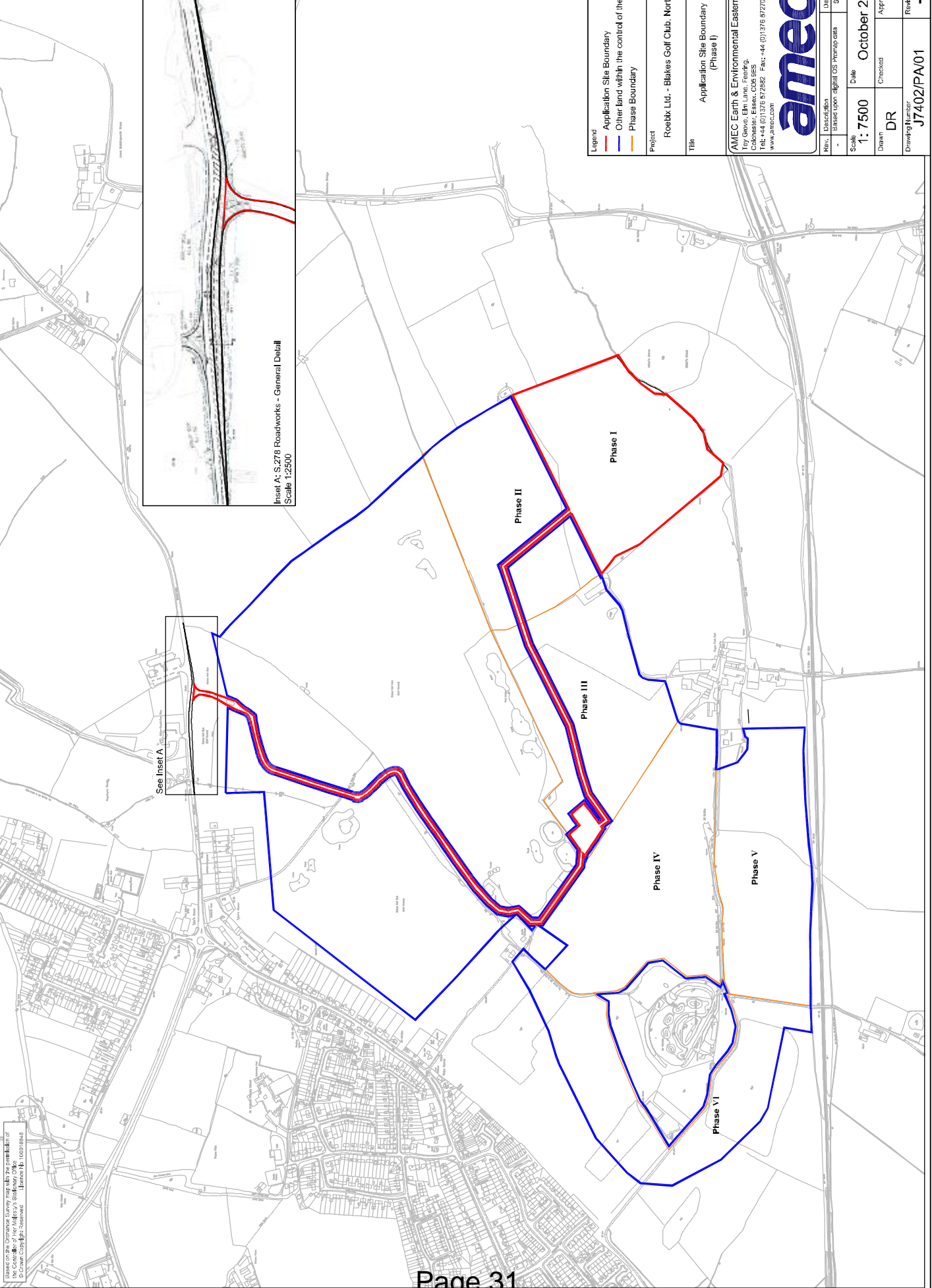
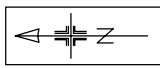
32 In conclusion it is considered that the development of this site for waste disposal and subsequent golf course facility will cause significant harm to the landscape and visual amenity of the area and be detrimental to the setting of the Redoubt and

Ongar Park Farm and that insufficient information has been provided to show that there will not be harm to other archaeological and historic aspects of the site. Additionally it is considered that the construction period of the golf course will result in unacceptable adverse impact on the residential amenity of the occupants of Kerr's cottage in particular but also potentially on other residential properties in the locality. It has not been demonstrated that there is a genuine need for this facility to serve the community and there is no obvious benefit from the development that would outweigh the very real harm from the scheme. The amount of landfill proposed is in addition clearly not necessary for restoration and is being proposed for its own sake. As such the proposal is contrary to the policies of the adopted Local Plan and the Essex waste local Plan.

33. Additionally it is considered that the current application does not stand up in its own right, as if it were to be approved it would potentially enable the construction of this one small element of the golf course with no guarantee that the remaining development would ever be progressed. It is Officers view that the site (phase 1) cannot be considered in isolation. Approval of the proposal would imply that the remaining phases of development would also be acceptable, yet we are not being asked to consider this. If the remaining phases prove not to be acceptable then this leaves us with the possibility of this small area of land being used for waste disposal with no prospect of a coherent golf facility being completed. Whilst it may be possible to tie the consent to a legal agreement preventing development of phase one until all phases have been approved, this has not been suggested by the applicant who for completeness should have included heads of agreement for any legal agreement with the application.

34. Members are therefore asked to support the Officers recommendation to raise objection to the planning application for the reasons set out above.

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See Inset A

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Legend	Application Site Boundary				
	Other Land within the control of the Applicant				
	Phase Boundary				
Project	Roebix Ltd. - Blakes Golf Club, North Weald				
Title	Application Site Boundary (Phase I)				
Rev.	Description	Date	Drawn	Checked	Approved
-	Based upon digital OS Primary data	28/10/09			
Scale	1: 7500	Date	October 2009		
Drawn	DR				
Drawing Number	J7402/PA/01	Revision	-		
					A3

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Report to District Development Control Committee

Date of meeting: 2 February 2010



**Epping Forest
District Council**

Subject: Parking provision at Marks & Spencer Simply Food Store, 161 High Road, Loughton

**Officer contact for further information: Nigel Richardson - Ext 4100
Committee Secretary: S Hill Ext 4249**

Recommendation(s):

That the revision to the Car Park Management Statement for the car park at 161 High Road, Loughton proposing a car park capacity of 89 spaces be agreed.

Background

1. (Head of Planning and Economic Development) On 2 March 2004 the District Development Control Committee agreed that planning permission be granted for the redevelopment of the former Lambs Garage site, 161 High Road, Loughton to provide a retail store with associated car parking and alterations to the existing access (application ref: EPF/1750/03). This was subject to a Section 106 legal agreement which was subsequently signed, resulting in a planning permission dated 25 May 2004. The application was submitted by Marks & Spencer and has been used by them as a food store.
2. A number of conditions were attached to the planning permission, one of which, condition 35, required that the approved car park not be used until a Car park Management Plan had been submitted and approved. As part of the condition, the car park was to be laid out, used and managed in accordance with the Management Plan unless otherwise agreed in writing by the council. A Management Plan was submitted, approved and a car park laid out for 94 spaces, 2 of which were agreed to be used as trolley parking.
3. M & S purchased the land on which the store has subsequently been built from the council on 9 September 2004. M & S entered into an agreement that they would grant the owners of 165 High Road a lease of 5 parking spaces in the M & S development and the parties would on completion of the lease enter into a mutual deed of easement granting rights of way over an access way which lies partly on M & S land (the access road) and on land partly on land belonging to 165 High Road.

Report Detail

4. A revised Car Park Management Plan has been submitted with capacity for 89 rather than 94 spaces. There is no change to the layout but 5 spaces are to be leased to the owners of 165 High Road. A copy of the layout is appended to this report and the 5 spaces are highlighted.

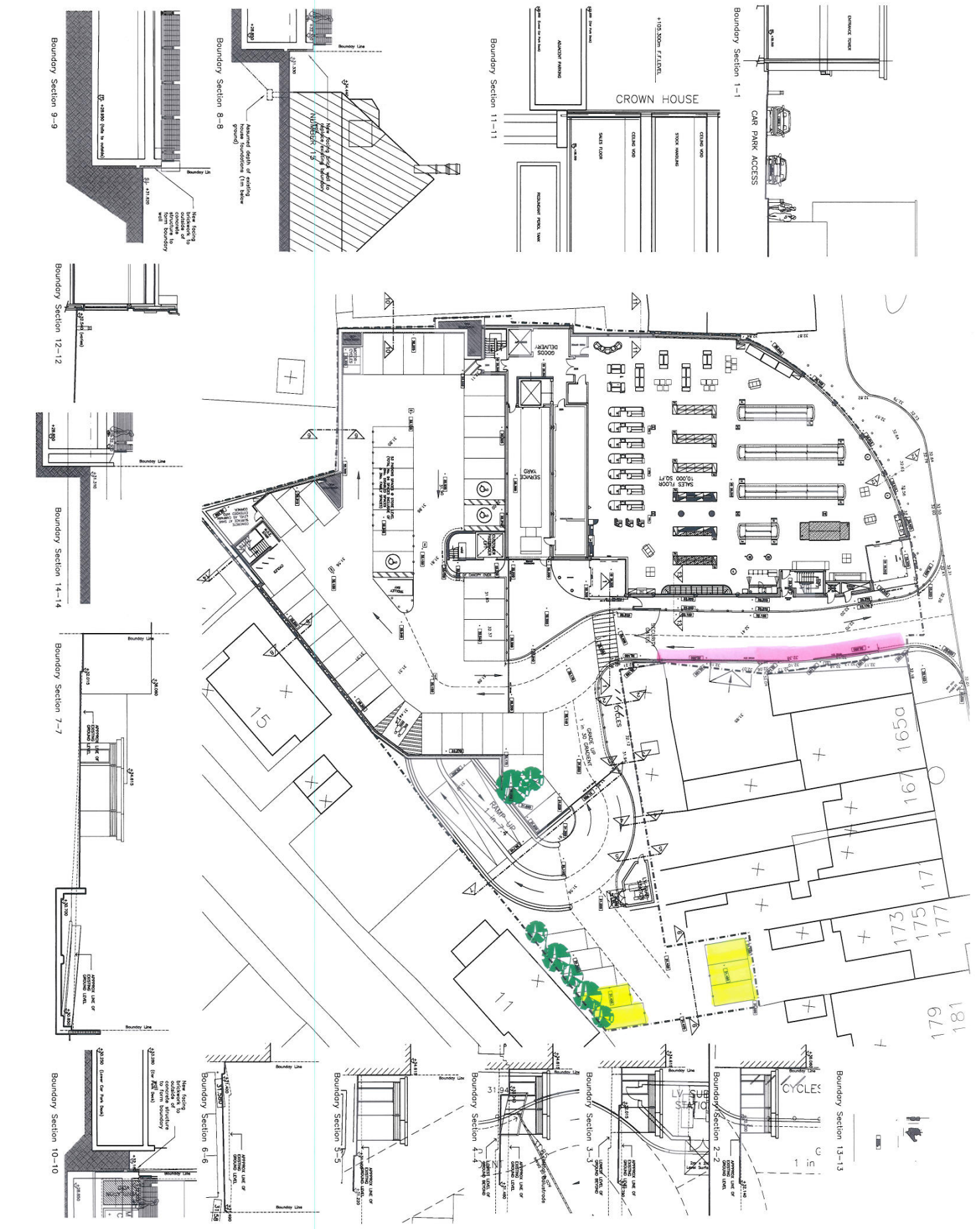
5. There is no objection on highway grounds. The parking provision is a maximum requirement to not be exceeded rather than a minimum provision. The site is well served by public transport and it has a local catchment residential area, so that it is in easy walking distance for some of the population users. The 5 spaces are located in the eastern most extremity of the site, beyond the ramp to the basement car park entrance, behind nos. 173-177 High Road. They are not in the main parking area used by customers and it is doubtful that they are used that often, if at all, by customers of Marks & Spencer as they are more isolated in relation to the rest of the car park and located furthest away from the store. Otherwise, there is generally parking spaces available for the car users of the store.

6. It is unlikely that there is a case for the loss of 5 spaces for the store to be detrimental to the vitality and viability of the town centre or that it will result in highway safety concerns in an area where there is parking restrictions in the High Road and other public car parks nearby. Lawlers do not currently have any off-road parking for their staff or visitors but did previously have provision before the store and car-park was built. Their staff could potentially park on the access road to the store's car park and therefore be a highway hazard for the frequent traffic movement into and out of the site.

7. The council's subsequent consent at Council and or Cabinet is required to allow the lease and deed of easement, but for this District Development Control Committee, the issue here is the acceptability of the revised Car Park Management Plan with capacity for 89 rather than the previously approved 94 spaces.

Conclusion

8. The issue is one of parking capacity and highway safety and after consulting Essex County Council Highway Engineers, there is no objections raised to the revised Car Park Management Statement.



NO	REVISION	DATE	BY	CHKD
1	Issue for information	27/09/04	LHM	
2	Issue for information	28/09/04	SMH	

SECTION 14
 A Section 14 added
 B Copyright symbol updated as
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INFORMATION

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LYONS+SLEEMAN+HOARE
 Architects
 New Brewery, Central Coast, Lismore, Victoria, 3562 RMA
 161 51153 51153 161 51153 51153

Marks & Spencer
 LOUGHTON

PROPOSED SITE LEVELS AND BOUNDARY SECTIONS

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Report to District Development Control Committee

Date of meeting: 2 February 2010



**Epping Forest
District Council**

Subject: Planning Application EPF/2254/09 – Greenleaves Mobile Home Park, Hoe Lane, Nazeing, Essex – Change of use to include the stationing of caravans for 5 no. family gypsy pitches with utility/day room buildings and hard-standing ancillary to that use.

Officer contact for further information: Graham Courtney – Ext 4228

Committee Secretary: S Hill Ext 4249

Recommendation:

That Planning Application EPF/2254/09 be granted subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of 3 years beginning with the date of this notice.**
- (2) The additional pitches hereby approved shall be occupied only by the following named occupants and their dependents, and by no other persons:**
 - 1. William Claydon, Jade Claydon**
 - 2. Mary Marshall**
 - 3. Robert Kennedy, Tawny Kennedy**
 - 4. Joseph Gaskin, Montanna Marshall**
 - 5. Charles Botten, Amber Marshall**
- (3) Prior to any additional caravans being brought on site, details of means of disposal of sewage from the site shall be submitted to and agreed in writing by the Local Planning Authority and the agreed scheme shall be implemented accordingly.**
- (4) The site shall be used for residential purposes only. No commercial, industrial or retail activity shall be carried out at the site, including the storage of goods, materials or other items (other than household/domestic effects relating to the specific pitch on which they are stored).**
- (5) There shall be no more than 1 static caravan and 1 touring caravan stationed on each pitch at any one time (a total of 5 static caravans and 5 tourers on the site as a whole). No more than 2 vehicles shall be parked on each pitch at any one time.**
- (6) Details of foul and surface water disposal shall be submitted to and approved by the Local Planning Authority before any work commences and the development shall be implemented in accordance with such agreed details.**

(7) A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using Windes or other similar programme. The approved measures shall be undertaken prior to the first occupation of the building hereby approved and shall be adequately maintained in accordance with a management plan to be submitted concurrently with the assessment.

(8) The roadway and turning area shown on the approved plans shall be completed prior to any caravans or mobile homes being stationed on the site.

(9) The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing. The approved scheme shall be implemented within the first planting season following the completion of the development hereby approved.

(10) There shall be no stationing, parking, or storage of vehicles over 1.5 tonnes or the maintenance or repair of vehicles on the entire site.

Report Detail

1. This application is brought before committee as the proposal is of major importance and is affected by the current consultation process for the Gypsy and Traveller DPD.

Planning Issues

Description of Development:

2. Change of use of land to form an extension to existing mobile home park to allow for 5 family gypsy pitches. Each pitch would site 1 mobile home and 1 touring caravan together with an ancillary utility/day room building and hardstanding. The proposal would bring the total number of pitches on the site up to 15. The new plots would be accessed and serviced from the existing access driveway off Hoe Lane and the proposal includes a turning head and additional tree planting.

Description of Site:

3. The red lined application site is a roughly rectangular area of land measuring approximately 86m x 37m and is currently used as a paddock. It is located immediately to the south east of the existing hard standing area of Greenleaver Mobile Home Park, which is located on the eastern side of Hoe Lane. The existing site has 10 plots and is accessed via a private access off Hoe Lane that crosses the Nazeing Brook. The site and the larger area of land within the applicants ownership is well screened from the road and from adjacent residential properties by substantial hedgerows and lies between an established business park and horticultural development.

Relevant History:

4. The Greenleaver site has the following planning history:

5. In 1991 an Enforcement Notice was issued regarding the stationing of a mobile home on the land. An appeal against the notice was upheld and planning permission for the stationing of 6 mobile homes for named persons was granted in September 1992.
6. An application for the erection of a stable block and refurbishment of a barn was refused in June 1994.
7. An application for use of the site as a transit caravan site for 15 pitches was refused in January 1999.
8. An application for the erection of a toilet block, including showers and a recreation room was refused in January 1999.
9. The site was extended without planning permission and Enforcement Notices were issued in October 2001 in respect of change of use of use of the land and breach of various conditions as imposed by the appeal inspector when allowing the 6 units on the land in 1992.
10. Planning permission was granted in October 2003 for the 6 pitches that now exist on the land, each with one mobile home, one touring caravan and ancillary sheds, parking and access. This permission was personal to named gypsies and their dependants (under the age of majority) and included Mr Tony Marshall the current applicant.
11. In February of 2008 permission was granted for 4 additional pitches at the site for use by named family members, all related to the owner of the site.
12. In August of 2009 permission was refused by District Development Control Committee for 5 additional pitches. The grounds of refusal were:

1. The site is within the Metropolitan Green Belt. The proposed works represent inappropriate development and are therefore at odds with Government advice, as expressed in PPG2, policies GB2A and H10A of the adopted Local Plan and Alterations and the East of England Plan 2008. They state that within the Green Belt permission will not be given, except in very special circumstances for the construction of new buildings or for the change of use or extension to existing buildings except for the purposes of agriculture, mineral extraction or forestry, small scale facilities for outdoor participatory sport and recreation, cemeteries, or similar uses which are open in character. In the view of the Local Planning Authority the application does not comply with these policies and there are no very special circumstances sufficient to justify the grant of permission.

2. There is inadequate and sub-standard access to the site and the addition of 5 additional gypsy pitches to the 10 already granted planning permission for the site would result in an over-intensification of the use of the site and this access, and is therefore contrary to policy ST2 of the Adopted Local Plan and Alterations 2006.

Policies Applied:

13. Epping Forest District Local Plan and Alterations

GB2A - Development in the Green Belt.

H10A - Gypsy caravan sites
RP5A - Adverse environmental impacts
DBE9 - Loss of amenity
ST1 - Location of development
ST2 - Accessibility of development
ST4 - Road safety.
CP2 - Protecting the quality of the rural and built environment
HC6 - Character, appearance and setting of conservation areas
LL1 - Rural landscape
LL2 - Inappropriate rural development

Summary of Representations:

14. 15 neighbouring properties were notified and a Site Notice was erected, the following representations were received;

PARISH COUNCIL – None received.

EVA END, HOE LANE – Object as there are no special circumstances to allow for this application. There would be additional noise and light pollution and traffic increase. There are insufficient local amenities to cater for additional residents and the development is out of keeping with and visible from the surrounding area.

JAYNESS, HOE LANE – Object as the development is inappropriate in the Green Belt, there is an inadequate and substandard access, and as there would be an increase in traffic.

GREENLEAVES, HOE LANE – Object. Attempt to pre-empt the consultation on options exercise. The occupiers of the site have changed and restrictions regarding named occupiers cannot be controlled and are ineffective. Concerned that the primary school will be even more disrupted, as already disproportionate number of gypsy children and there is a perception amongst some parents that the school will not devote sufficient resource to their children. So they may take them to Broxbourne for education.

Issues and Considerations:

15. Policy H10A of the Local Plan Alterations states: *“In determining applications for Gypsy Caravan sites within the Green Belt the Council will have regard to (i) whether there are any very special circumstances which would justify an exception to the Green Belt policies of restraint, and (ii) The impact on the openness of the Green Belt and the character and appearance of the Countryside”*. The previous application (EPF/0508/09) was refused planning permission as it constituted inappropriate development in the Green Belt and utilised an inadequate and sub-standard access, and it was considered that there were insufficient very special circumstances to outweigh this harm. Previously issues regarding the effect on residential amenity, visual amenity, sustainability and flood risk were assessed, however these were considered acceptable and did not form the grounds of refusal. Due to this the only matters considered in this report are regarding Green Belt and Highways matters.

Green Belt

16. The site lies within the Metropolitan Green Belt and the proposal constitutes inappropriate development which, by definition, is harmful to the Green Belt. As

such planning permission should only be given if there are considerations that outweigh this harm. Greenleaver is an already established and lawful Gypsy site and the previous application proposed the additional 5 pitches to be used by the applicant as family members, although no specific named occupants have been put forward.

17. The current application has named the proposed occupiers of these sites, and have given details regarding their personal circumstances. These potential occupiers are:

William Claydon and Jade Claydon: These occupiers have a 6 week old daughter (Shakira) and previously lived with a parent on an existing pitch on Greenleaves.

Mary Marshall: This is the applicants mother who has angina and a hip replacement and therefore requires regular treatment.

Robert Kennedy and Tawny Kennedy: These occupiers have two teenage children aged 17 (Robert Jnr. and Kazar). Robert Jnr. has asthma and Robert Snr. has a heart condition and sleep apnoea. The family have previously lived in Doncaster, Manchester and Essex.

Joseph Gaskin and Montanna Marshall: Montanna is related to the applicant and these occupiers used to live with a parent on an existing pitch on Greenleaves. They are registered with a local doctor.

Charles Botten and Amber Marshall: Amber is related to the applicant and these occupiers used to live with a parent on an existing pitch on Greenleaves. They are registered with a local doctor.

18. Whilst the above occupiers have now been named, and the specific circumstances may add weight to this application (particularly with regards to those registered with the local doctor and those that previously lived on existing pitches on Green Leaves), this in itself adds little weight to the previous application, as this specified that the pitches would be used by family members of the applicant.
19. Notwithstanding the above, there is a recognised need for additional Gypsy pitches in the District, as detailed in the Consultation and Options Document: Development Plan Provision for Gypsies and Travellers in Epping Forest District. Within that document the Greenleaves site is identified as an existing authorised site and proposes an expansion by 5 additional pitches. The responses received have not yet been fully analysed and clearly the site has not been allocated in a local development plan for such a use. At this stage therefore the application must be considered in the light of current adopted policies, but the fact that there is an identified need for additional sites to be found within the District and that at present the Council has not identified sites that could accommodate this need is an important material consideration that adds considerable weight to the application.
20. Whilst it is not considered that the additional personal information submitted is sufficient to overcome the previous reason for refusal, there have been several appeal decisions since the previous refusal whereby consent for Gypsy and Traveller pitches have been allowed almost solely on the above identified need. However several of these have only been granted temporary consent. The most recent of these was at Hallmead Nursery, Nazeing Road, which allowed for 4 pitches within the Green Belt despite identified flood risk. It was stated by the Planning Inspector in this instances that "*the flooding issue, in itself, is sufficient to justify the withholding of a general permanent planning permission for a gypsy*

caravan site in this location" however due to the need for pitches within the district, along with the personal circumstances of the applicants, a 5 year consent was given regardless of the flood risk and potential hazard to occupiers as a result of this. Due to this it is considered that the proven need for additional pitches, which has been upheld at appeal, is in itself sufficient to outweigh the harm to the Green Belt.

21. The site is of adequate size to accommodate the proposed 5 additional plots and their siting and spacing can be controlled under the Caravan Site Licence. The suggested layout as shown on the submitted plans appears appropriate and similar to the existing development.
22. Although the proposal will result in increased hard surfacing, small built day room facilities and an intensification of use, the site is well screened by existing hedgerows and will not be visually prominent in the Green Belt.

Highway Issues

23. The access to the site off Hoe Lane is close to a bend in the road and has limited sight lines. Hoe Lane is narrow and very bendy, with no footways along most of its length and has a significant amount of large vehicles negotiating it. The addition of 5 further plots to the established site will result in additional traffic movements and additional turning movements into and out of the site, including towed caravans on occasion. Whilst the previous application was refused due to the existing substandard access, the Highway Authority has raised no objections to the proposal. Although no attempt has been made to overcome the previous reason for refusal, the appeal at Hallmead Nursery, whereby temporary consent was granted for Gypsy and Traveller pitches despite an identified flood risk, has set a precedent in that the proven need for additional Gypsy and Traveller pitches is given sufficient weight. Due to this it is considered that the intensification of use of this existing access would not be detrimental enough to warrant refusal of this application.

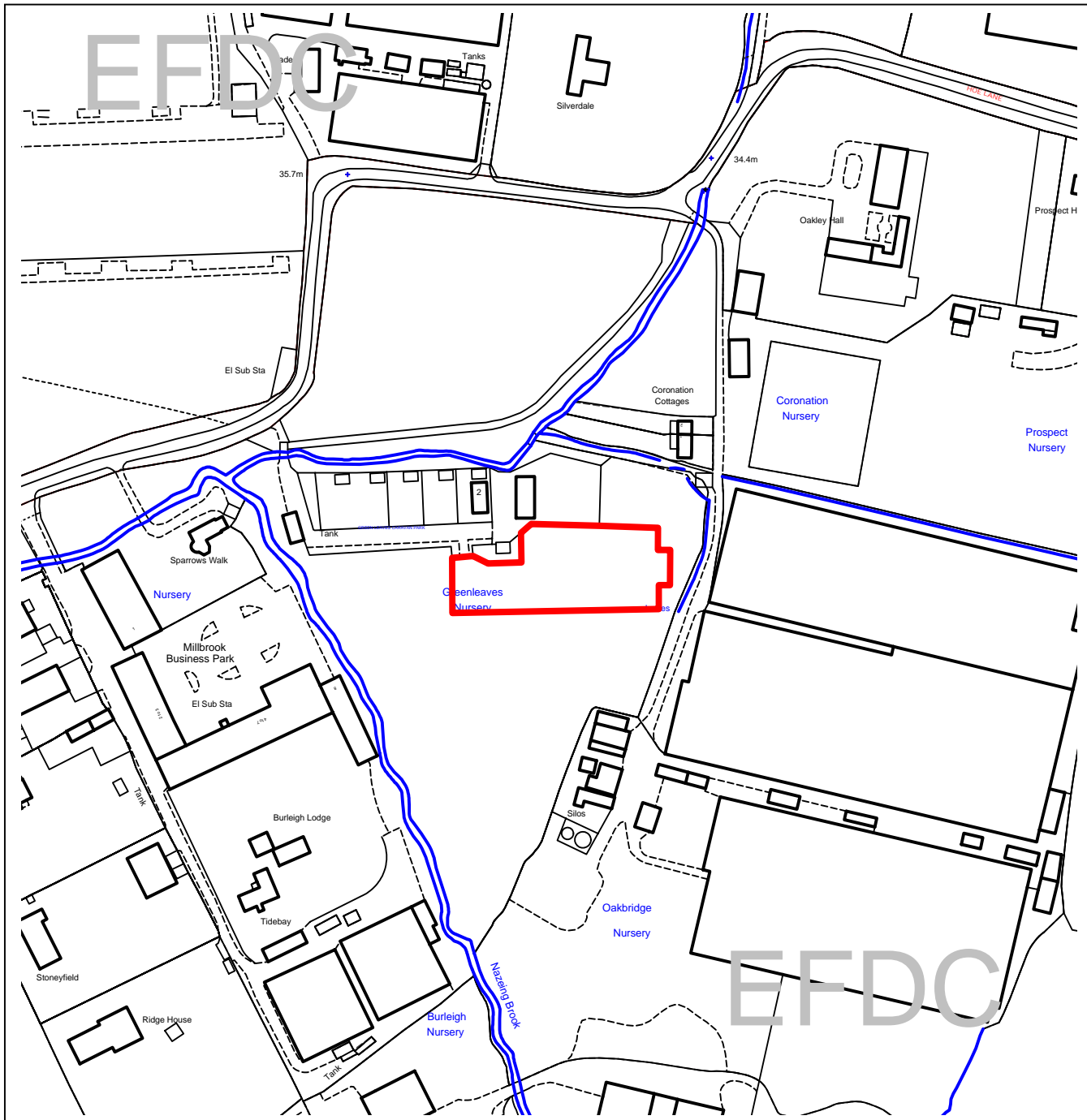
Conclusion:

24. In conclusion it is considered that whilst the previous reasons for refusal have not been sufficiently overcome, the proven need for additional Gypsy and Traveller pitches within the District outweigh the harm resulting from the development. Furthermore the site is well located, relatively close to shops and services, and has only minimal impact on the character and amenity of the countryside as it is located between an established industrial estate and horticultural site and well screened from public view. It is an already established Gypsy site that has operated well for several years. As such the application is recommended for approval.
25. Notwithstanding this recommendation, should permanent consent not be forthcoming a temporary 5 year consent may be appropriate to help meet the identified need for sites until such time as the Gypsy and Travellers Development Plan provision has been finalised.



Epping Forest District Council

District Development Control Committee



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Agenda Item Number:	
Application Number:	EPF/2254/09
Site Name:	Greenleaves Mobile Home Park Hoe Lane, Nazeing, EN9
Scale of Plot:	1/2500

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Report to District Development Control Committee

Date of meeting: 2 February 2010



**Epping Forest
District Council**

**Subject: Planning Application EPF/1994/09 – Plots 3 to 6 Kings Wood Park,
St. Margaret's Hospital, The Plain, Epping, Essex – Erection of four
detached houses (re-design of the approved Type A house)**

Officer contact for further information: Graham Courtney – Ext 4228
Committee Secretary: S Hill Ext 4249

Recommendation:

That the Committee considers a planning application on Plots 3 to 6 Kings Wood Park, which form part of the previously approved housing estate on the St. Margaret's Hospital site, for the redesign of these houses, which has been referred by Area Plans Subcommittee East without a recommendation.

Report

1. This application was submitted to Area Plans Subcommittee East on 16/12/09 with a recommendation for approval, however at that meeting four Members of the Committee exercised the right under Part 4 of the Constitution to require that no further action be taken on the matter until it had been considered by the District Development Committee.
2. The application is therefore brought before the Committee with no recommendation from Area Plans Subcommittee East. The Officers report is reproduced in full below.

Planning Issues

3. The application proposes a redesign of the Type A houses within plots 3 to 6 (inclusive) on the former St. Margaret's Hospital Site, which would result in a 10% increase in size to each of these houses and an alternative design to that previously approved as part of EPF/1350/08.

Conclusion

4. Should the Committee grant planning permission this should be subject to a condition ensuring the dwellings are built in accordance to the stated external materials.

ORIGINAL AREA PLANS SUBCOMMITTEE EAST REPORT

Conditions:

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

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

The materials used in the development shall be those set out in the application forms unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of visual amenity.

This application is before this Committee since it is an application for non-householder 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 erection of four detached houses to replace those originally approved on Plots 3 to 6 of the recently approved St. Margaret's hospital development (EPF/1350/08). The proposed new dwellings are larger than those on the original scheme and have altered the design of the properties.

Description of Site:

The site was formerly occupied by the single storey hospital wards of St Margaret's and a number of two and single storey associated hospital buildings. These formed part of the old facilities at the hospital before the new community hospital was built and opened. The entire site (marked blue on Plan Ref: BW032-01-04) is approximately 5.5 hectares in area. A reserved matters application was granted for 132 dwellings in 2008, which covered the entire site outlined in blue. This specific application only refers to four plots towards the front (east) of the site, known as Plot No's. 3 to 6.

Relevant History:

In 2000 outline planning permission was granted for redevelopment proposals to provide new hospital accommodation and housing (EPF/1586/97). This followed on from consideration by the District Development Control Committee of a long-term plan for the entire hospital site. The outline permission was renewed in 2002 (EPF/1949/02) and again in 2006 (EPF/2297/04). Details of the new hospital building were approved in 2004 (EPF/0600/04) with an application for 46 key worker units on an adjacent hospital site approved in February of this year. A reserved matters application was approved for 132 dwellings in 2008 (EPF/1350/08).

Since this date there has been an application to amend Plots 2, 13, 14 and 15 (EPF/1054/09), which was approved with conditions at Area Plans Sub-Committee East on 14/10/09.

Policies Applied:

East of England Plan (Regional Spatial Strategy)

SS1 - Achieving Sustainable Development
H1 - Regional Housing provision 2001 – 2021
H2 - Affordable housing
T1 - Regional Transport Strategy Objectives and Outcomes
T8 - Local Roads
ENV3 - Biodiversity and Earth Heritage
ENV7 - Quality in the Built Environment

Epping Forest District Local Plan and Alterations

CP1 - Achieving Sustainable Development Objectives
CP2 - Protecting the Quality of the rural and built environment
CP3 - New Development
CP7 - Urban Form and Quality
GB7 - Conspicuous Development
NC1 - Sites of Special Scientific Interest
NC4 - Protection of Established Habitat
RP4 - Contaminated Land
H2A - Previously Developed land
H3A - Housing Density
H4A - Dwelling Mix
H5A - Provision of Affordable Housing
H6A - Site Thresholds for Affordable Housing
H7A - Levels of Affordable Housing
H8A - Availability of Affordable Housing In Perpetuity
DBE1 - Design of New Buildings
DBE2 - Effect on Neighbouring Properties
DBE3 - Design in Urban Areas
DBE5 - Design and Layout of New development
DBE6 - Car Parking in New Development
DBE7 - Public Open Space
DBE8 - Private Amenity Space
DBE9 - Loss of Amenity
LL10 - Adequacy of Provision for Landscape Retention
LL11 - Landscaping Schemes
ST1 - Location of Development
ST4 - Road Safety
ST6 - Vehicle Parking
ST7 - New Roads and Extensions or improvements to Existing Roads
I1A - Planning Obligations.

Summary of Representations:

15 neighbours were consulted and a Site Notice displayed for this application.

TOWN COUNCIL – No objection.

PLAINLY SAY NO CAMPAIGN – Object as the total of all 15 type A houses would result in an additional build of 4890 sq. ft. and would result in these buildings increasing in height.

7 TIDYS LANE – Object as the total increase of all type A houses would result in an additional 4890 sq. ft. and as this is piecemeal development.

Issues and Considerations:

The main issues that arise with this application are with regards to the design of the four dwellings, the impact within the newly created street scene, and the impact on neighbouring properties.

Design

The proposed redesigned house type have enlarged the previously approved dwellings and altered the design. The proposed new dwellings would have a total floor area of 319 sq. m, which equate to a 10% increase on the previously approved houses (which had a total floor area of 289 sq. m.). The new house design would involve a 300mm increase in ridge height and a reduced roof pitch of 40 degrees (as opposed to the previous roof pitch of 45 degrees). The front elevation of the dwellings would remain unchanged (with the exception of the slight increase in ridge height), however the flank and rear elevations would be significantly altered.

The previously approved dwellings had shallower depth flank walls with a central two storey rear protrusion with hipped roof, and a single storey addition to the rear with a catslide roof. The previous scheme proposed two flat roofed rear dormers and velux windows in the rear hipped roof protrusion.

The redesigned dwellings under consideration here have enlarged the depth of the flank walls and propose a dual pitched roof stretching the entire span of these. This has been achieved by the altered roof pitch and raised ridge height. A considerably shallower two storey rear protrusion is proposed with a hipped roof, with two flat roofed rear dormers remaining. No velux windows have been indicated within the roof slopes. The number of bedrooms has not increased, both the approved and proposed house types have five bedrooms and a study within the upper 2 floors.

The redesign of these houses is identical to the amended design of Plots 2, 13, 14 and 15 (EPF/1054/09), which were previously approved at Plans Sub Committee East in October 2009. As with the previous application, although there has been an increase in size, bulk and height it is considered that the overall design of these dwellings is acceptable. The two storey appearance of the houses has been retained, with rooms in the roof being incorporated as before, and there are no incongruous additions or features to the building. Although relatively uninspired the houses are of a fairly standard and traditional design that would reflect the character of the larger housing estate.

Impact on street scene

As previously agreed in EPF/1054/09 it is considered that the proposed dwellings are acceptable in terms of their design. Although the height has increased by 300mm and the roof pitches have altered since the previous approval, it is considered that this would be a negligible alteration when viewed from the street. Furthermore there are a range of roof pitches approved on the larger scheme (under EPF/1350/08) and surrounding the site in The Plain.

Impact on neighbouring amenity

Concern has been raised with regards to impact of the proposed alterations on existing neighbouring dwellings in The Plain. Although the overall size and bulk of these dwellings have increased as a result of the redesign the distances from

adjoining neighbours still complies with the requirements laid out in the Essex Design Guide. Furthermore, the rear boundaries of these plots adjoin a public highway (The Plain), and do not therefore face any form of private amenity space. As such it is not considered that the redesigned houses would impact any further on neighbouring residents than the previously approved scheme.

Other matters

Objections have been raised with regards to the overall increase in floor area that results from the alterations to all type A houses, and with this being a 'piecemeal development' that could result in further amended applications during construction. The total increase of floor area that would result from the amendment to all type A houses would not alter the density of the development which is measured in number of units per hectare. Nor is it considered that this 450 sq. m. increase across the whole site would impact on such issues as flood risk, visual impact or further intensification of use of the site.

Conclusion:

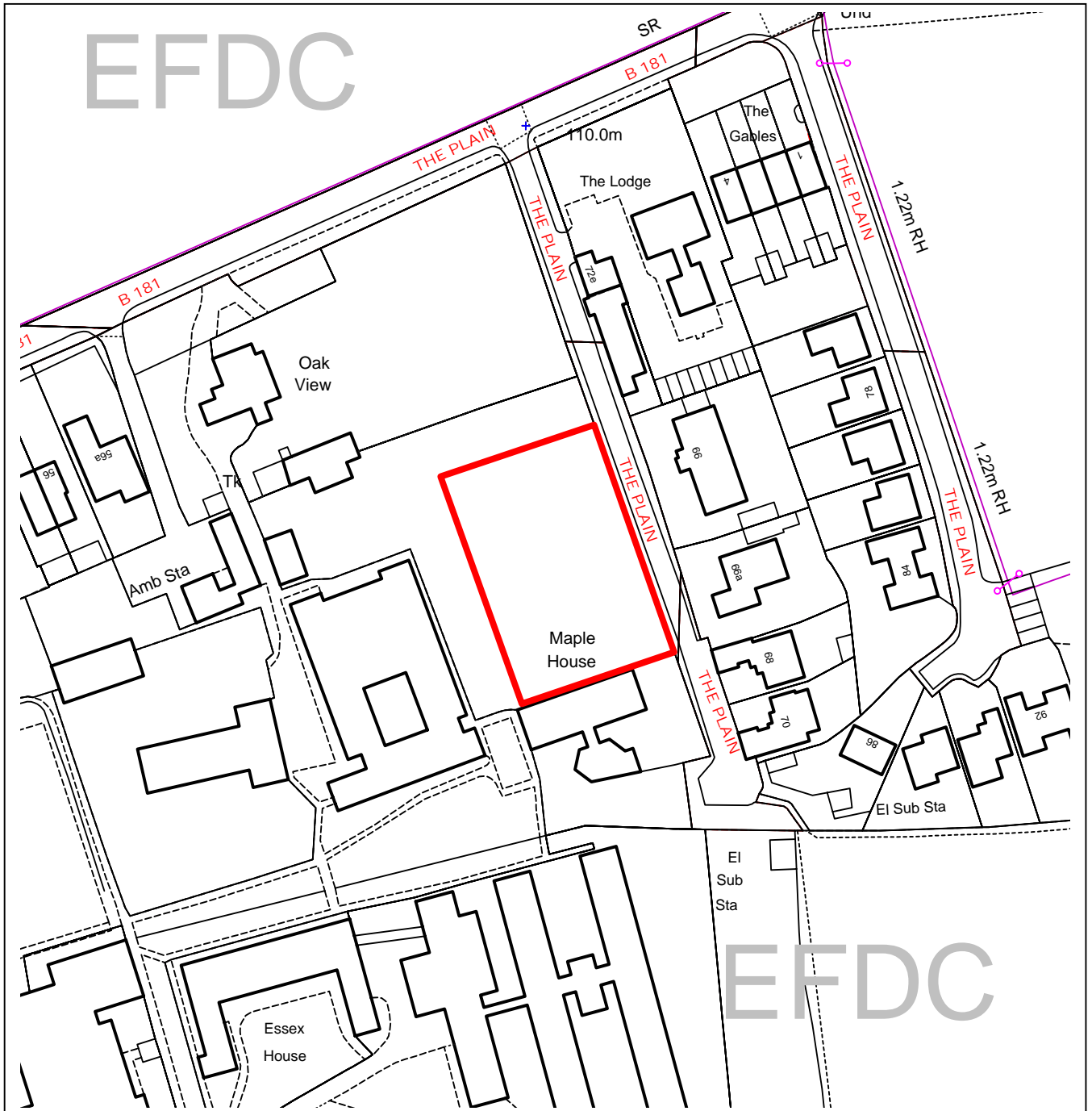
In conclusion it is considered that the proposed alterations to the four plots would not impact on the existing or future neighbouring residents or on the character and appearance of the street scene and surrounding area. Due to this the proposal complies with all relevant Local Plan policies and is therefore recommended for approval.

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Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	
Application Number:	EPF/1944/09
Site Name:	Plots 3 to 6 Kings Wood Park, St. Margarets Hospital, The Plain, Epping, CM16 6TL
Scale of Plot:	1/1250

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Report to District Development Control Committee

Date of meeting: 2 February 2010



**Epping Forest
District Council**

Subject: Planning Application EPF/1995/09 – Plots 57 to 61, 64 and 65 Kings Wood Park, St. Margaret's Hospital, The Plain, Epping, Essex – Erection of seven detached houses (re-design of the approved Type A house)

Officer contact for further information: Graham Courtney – Ext 4228

Committee Secretary: S Hill Ext 4249

Recommendation:

That the Committee considers a planning application on Plots 57 to 61, 64 and 65 Kings Wood Park, which form part of the previously approved housing estate on the St. Margarets Hospital site, for the redesign of these houses, which has been referred by Area Plans Subcommittee East without a recommendation.

Report

1. This application was submitted to Area Plans Subcommittee East on 16/12/09 with a recommendation for approval, however at that meeting four Members of the Committee exercised the right under Part 4 of the Constitution to require that no further action be taken on the matter until it had been considered by the District Development Committee.
2. The application is therefore brought before the Committee with no recommendation from Area Plans Subcommittee East. The Officers report is reproduced in full below.

Planning Issues

3. The application proposes a redesign of the Type A houses within plots 57 to 61 (inclusive), 64 and 65 on the former St. Margaret's Hospital Site, which would result in a 10% increase in size to each of these houses and an alternative design to that previously approved as part of EPF/1350/08.

Conclusion

4. Should the Committee grant planning permission this should be subject to a condition ensuring the dwellings are built in accordance to the stated external materials.

ORIGINAL AREA PLANS SUBCOMMITTEE EAST REPORT

Conditions:

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

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

The materials used in the development shall be those set out in the application forms unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of visual amenity.

This application is before this Committee since it is an application for residential development of 5 dwellings or more and is recommended for approval (Pursuant to Section P4, Schedule A (d) of the Council's Delegated Functions) and since it is an application for non-householder 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 erection of seven detached houses to replace those originally approved on Plots 57 to 61, 64 and 65 of the recently approved St. Margaret's hospital development (EPF/1350/08). The proposed new dwellings are larger than those on the original scheme and have altered the design of the properties.

Description of Site:

The site was formerly occupied by the single storey hospital wards of St Margaret's and a number of two and single storey associated hospital buildings. These formed part of the old facilities at the hospital before the new community hospital was built and opened. The entire site (marked blue on Plan Ref: BW032-01-05) is approximately 5.5 hectares in area. A reserved matters application was granted for 132 dwellings in 2008, which covered the entire site outlined in blue. This specific application only refers to seven plots within the centre of the site, which are split into two areas consisting of Plots 57 to 61 and Plots 64 and 65.

Relevant History:

In 2000 outline planning permission was granted for redevelopment proposals to provide new hospital accommodation and housing (EPF/1586/97). This followed on from consideration by the District Development Control Committee of a long-term plan for the entire hospital site. The outline permission was renewed in 2002 (EPF/1949/02) and again in 2006 (EPF/2297/04). Details of the new hospital building were approved in 2004 (EPF/0600/04) with an application for 46 key worker units on an adjacent hospital site approved in February of this year. A reserved matters application was approved for 132 dwellings in 2008 (EPF/1350/08).

Since this date there has been an application to amend Plots 2, 13, 14 and 15 (EPF/1054/09), which was approved with conditions at Area Plans Sub-Committee East on 14/10/09.

Policies Applied:

East of England Plan (Regional Spatial Strategy)

SS1 - Achieving Sustainable Development
H1 - Regional Housing provision 2001 – 2021
H2 - Affordable housing
T1 - Regional Transport Strategy Objectives and Outcomes
T8 - Local Roads
ENV3 - Biodiversity and Earth Heritage
ENV7 - Quality in the Built Environment

Epping Forest District Local Plan and Alterations

CP1 - Achieving Sustainable Development Objectives
CP2 - Protecting the Quality of the rural and built environment
CP3 - New Development
CP7 - Urban Form and Quality
GB7 - Conspicuous Development
NC1 - Sites of Special Scientific Interest
NC4 - Protection of Established Habitat
RP4 - Contaminated Land
H2A - Previously Developed land
H3A - Housing Density
H4A - Dwelling Mix
H5A - Provision of Affordable Housing
H6A - Site Thresholds for Affordable Housing
H7A - Levels of Affordable Housing
H8A - Availability of Affordable Housing In Perpetuity
DBE1 - Design of New Buildings
DBE2 - Effect on Neighbouring Properties
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DBE5 - Design and Layout of New development
DBE6 - Car Parking in New Development
DBE7 - Public Open Space
DBE8 - Private Amenity Space
DBE9 - Loss of Amenity
LL10 - Adequacy of Provision for Landscape Retention
LL11 - Landscaping Schemes
ST1 - Location of Development
ST4 - Road Safety
ST6 - Vehicle Parking
ST7 - New Roads and Extensions or improvements to Existing Roads
I1A - Planning Obligations.

Summary of Representations:

9 neighbours were consulted and a Site Notice displayed for this application.

TOWN COUNCIL – No objection.

PLAINLY SAY NO CAMPAIGN – Object as the total of all 15 type A houses would result in an additional build of 4890 sq. ft. and would result in these buildings increasing in height.

7 TIDYS LANE – Object as the total increase of all type A houses would result in an additional 4890 sq. ft. and as this is piecemeal development.

Issues and Considerations:

The main issues that arise with this application are with regards to the design of the four dwellings, the impact within the newly created street scene, and the impact on neighbouring properties.

Design

The proposed redesigned house type has enlarged the previously approved dwellings and altered the design. The proposed new dwellings would have a total floor area of 319 sq. m, which equate to a 10% increase on the previously approved houses (which had a total floor area of 289 sq. m.). The new house design would involve a 300mm increase in ridge height and a reduced roof pitch of 40 degrees (as opposed to the previous roof pitch of 45 degrees). The front elevation of the dwellings would remain unchanged (with the exception of the slight increase in ridge height), however the flank and rear elevations would be significantly altered.

The previously approved dwellings had shallower depth flank walls with a central two storey rear protrusion with hipped roof, and a single storey addition to the rear with a catslide roof. The previous scheme proposed two flat roofed rear dormers and velux windows in the rear hipped roof protrusion.

The redesigned dwellings under consideration here have enlarged the depth of the flank walls and propose a dual pitched roof stretching the entire span of these. This has been achieved by the altered roof pitch and raised ridge height. A considerably shallower two storey rear protrusion is proposed with a hipped roof, with two flat roofed rear dormers remaining. No velux windows have been indicated within the roof slopes. The number of bedrooms has not increased, both the approved and proposed dwellings have 5 bedrooms and a study within the upper 2 floors.

The redesign of these houses is identical to the amended design of Plots 2, 13, 14 and 15 (EPF/1054/09), which were previously approved at Plans Sub Committee East in October 2009. As with the previous application, although there has been an increase in size, bulk and height it is considered that the overall design of these dwellings is acceptable. The two storey appearance of the houses has been retained, with rooms in the roof being incorporated as before, and there are no incongruous additions or features to the building. Although relatively uninspired the houses are of a fairly standard and traditional design that would reflect the character of the larger housing estate.

Impact on street scene

As previously agreed in EPF/1054/09 it is considered that the proposed dwellings are acceptable in terms of their design. Although the height has increased by 300mm and the roof pitches have altered since previous it is considered that this would be a negligible alteration when viewed from the street. Furthermore there are a range of roof pitches approved on the larger scheme (under EPF/1350/08) and surrounding the site in The Plain.

Impact on neighbouring amenity

Plots 57 to 61, 64 and 65 do not adjoin any existing neighbouring residential properties. The distances between these dwellings and the remainder of the

proposed houses on the St. Margaret's Hospital Site would be largely unchanged and would comply with the requirements of the Essex Design Guide. Although there would be an increase in height to these altered houses the 300mm increase in height, and overall additional bulk, would have no further impact on the proposed neighbouring properties than the previously approved dwellings.

Other matters

Objections have been raised with regards to the overall increase in floor area that results from the alterations to all type A houses, and with this being a 'piecemeal development' that could result in further amended applications during construction. The total increase of floor area that would result from the amendment to all type A houses would not alter the density of the development which is measured in number of units per hectare. It is not considered that this 450 sq. m. increase across the whole site would impact on such issues as flood risk, visual impact or further intensification of use of the site.

Conclusion:

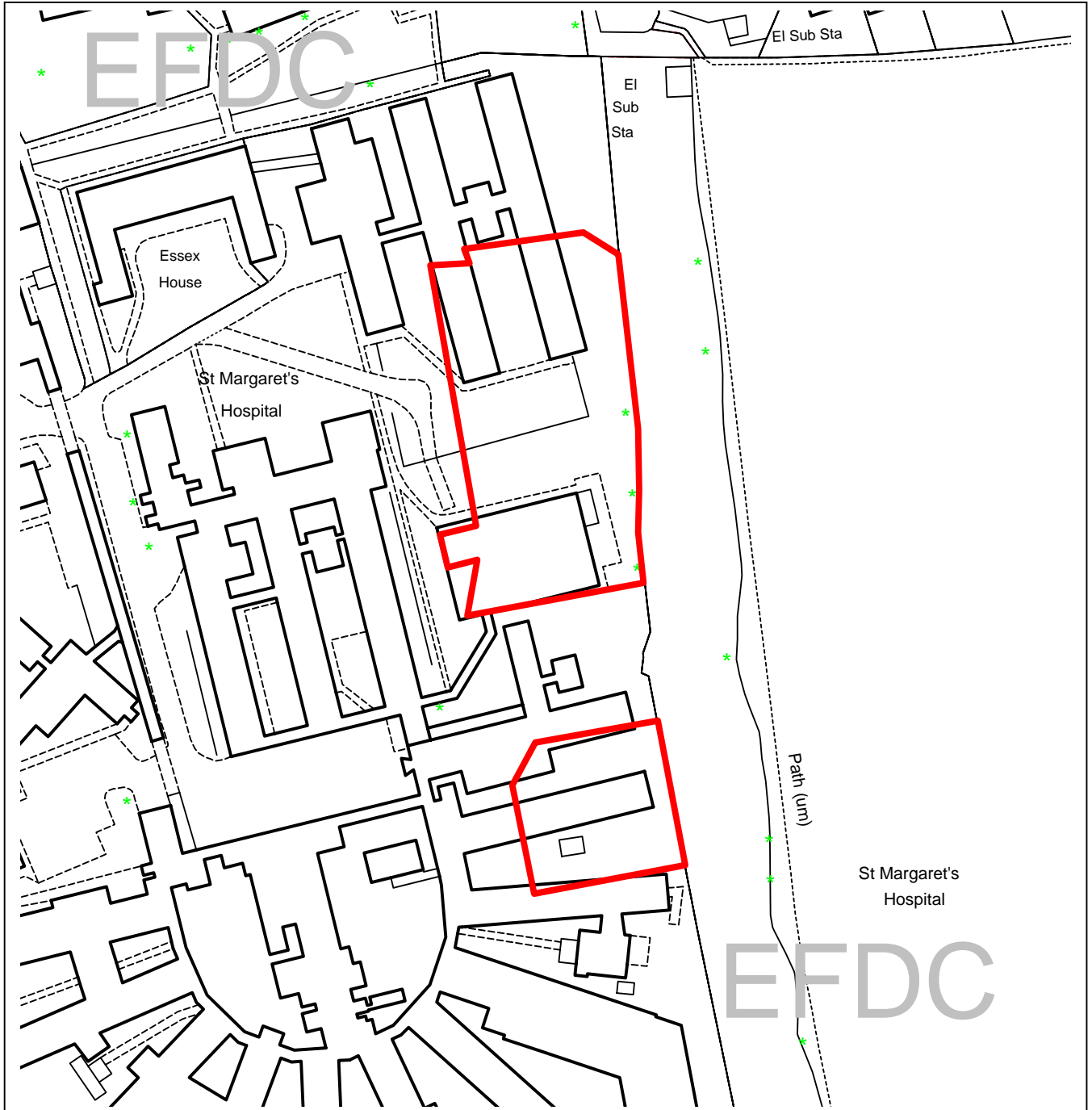
In conclusion it is considered that the proposed alterations to the seven plots would not impact on the existing or future neighbouring residents or on the character and appearance of the street scene and surrounding area. Due to this the proposal complies with all relevant Local Plan policies and is therefore recommended for approval.

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Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	
Application Number:	EPF/1995/09
Site Name:	Plots 57-61, 64 & 65 Kings Wood Park, St. Margarets Hospital, The Plain, Epping, CM16 6TL
Scale of Plot:	1/1250

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Report to District Development Control Committee

Date of meeting: 2 February 2010



**Epping Forest
District Council**

**Subject: Planning Application EPF/1622/09 – Nazeing Glass Works Ltd.,
Nazeing New Road, Nazeing, Essex – Change of use of part of main
factory (B2) to Gymnasium (D2).**

Officer contact for further information: Graham Courtney – Ext 4228
Committee Secretary: S Hill Ext 4249

Recommendation:

**That the committee considers the recommendation of the Area Plans
subcommittee West to grant planning permission subject to the following
suggested conditions:**

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

**Reason:- To comply with the requirements of Section 91 of the Town
and Country Planning Act 1990 (as amended).**

**2. The development hereby permitted shall not be open to customers/
members outside the hours of 06:00 to 22:00 on Monday to Friday, 08:00
to 17:00 on Saturday, and 09:00 to 15:00 on Sundays and public
holidays.**

Reason:- In order to minimise disturbance to local residents.

**3. Prior to occupation of the development hereby approved, details
regarding the layout and intended use of the parking area shall be
submitted to and agreed in writing by the Local Planning Authority.
Thereafter the parking area shall be retained free of obstruction for the
parking of staff and visitors vehicles.**

Reason:- In the interests of highway safety.

Report

1. This application has been referred by the Area Plans Sub Committee West on 2 December 2009 with a recommendation for approval. The report to the sub-committee carried a recommendation from officers to refuse planning permission and the officer's report is reproduced in full below.

Planning Issues

2. The debate at the sub-committee meeting centred on the recommended reasons for refusal and the potential community benefit of the intended D2 use.

3. The sub-committee considered that, given the proximity of the application site to Broxbourne Train Station and existing shops, the site was in a reasonably sustainable location and therefore disagreed with the second recommended grounds for refusal.
4. The sub-committee considered that, on balance, the merits of this case would outweigh any harm resulting from the proposal, despite that the approval would be contrary to Local Plan policy. Of particular merit would be the community benefit of the proposed gym to residents of Nazeing, and as the use of this unit as a gym would have less impact on neighbouring residents than the existing industrial use.
5. Reference was made by sub-committee Members to other employment sites throughout the district where alternative mixed-uses have been introduced. Of specific reference was the Brooker Road industrial estate in Waltham Abbey, where the introduction of alternative uses has been successful in increasing footfall and usage of the site.
6. Although sub-committee Members considered that the merits of the proposal outweigh any potential harm from the insufficient parking provision, it should be noted that since the date of the sub-committee meeting planning consent has been granted for a new car park to the front of the industrial estate (EPF/1760/09). Once laid this would provide 32 additional parking spaces, of which it is stated that 22 would be available for use by the proposed gym, however this development has not yet been implemented.

Conclusion

7. Whilst the proposal is recommended for approval by Area Plans Sub-committee West the planning officer's maintain there is justification to refuse. This is because the proposed development has failed to provide sufficient evidence that the unit has been marketed for employment use for at least one year and is therefore contrary to Local Plan policy E1. Furthermore, given the lack of public transport within the vicinity of the site it is considered an unsustainable location for the intended use, which would attract significantly larger numbers than its existing lawful use, and there is insufficient parking provision available during 09:00 and 17:30 in this Industrial Estates, where there are known parking problems at present.
8. Notwithstanding the above, should the Committee grant planning permission it should be subject to the suggested conditions, which were discussed and agreed by sub-committee.

ORIGINAL PLANS SUBCOMMITTEE WEST REPORT

Recommended reasons for refusal:

1. Insufficient evidence has been submitted to show that the unit has been marketed for a sufficient period to prove that there is no further need for employment uses on this site. Due to this the proposed change of use, that is located in an established industrial park, is contrary to policy E1 of the adopted Local Plan and Alterations.
2. Due to the lack of public transport serving the site and the distance from significant urban settlements the members of the proposed development are likely to be heavily reliant on the car for visiting the proposed gym. The intensification of use of this site for D2 purposes is therefore considered contrary to the approach of national planning guidance and policies CP1, CP3 and ST1 of the adopted Local Plan and Alterations.
3. The proposed development would fail to provide sufficient parking provision during 09:00 and 17:30 Monday to Friday, contrary to the Essex County Council Vehicle Parking Standards and policy ST6 of the adopted Local Plan and Alterations.

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

Description of Proposal:

Consent is being sought for the change of part of the main factory from B2 (general industry) to a D2 (assembly and leisure), with a specific requirement for use as a gym.

Description of Site:

The application site is part of a large industrial estate containing several separate businesses and units. The unit under assessment here is a section of the Meridian Building in the centre of the main bulk of the estate. The estate is served by multiple car parks that provide a total of 146 spaces and an access road from Nazeing New Road. To the southwest of the site is a ribbon development of residential properties.

Relevant History:

EPR/0028/53 - Store building – approved/conditions 26/03/53
EPR/0152/54 - Extension to factory building – approved/conditions 30/07/54
EPO/0154/55 - Store – approved/conditions 05/07/55
EPO/0119/56 - Glass cutting building – approved/conditions 05/06/56
EPO/0141/56 - Double-span workshop – approved/conditions 05/06/56
EPO/0410/57 - Stores building – approved/conditions 07/01/58
EPO/0062/62 - Extension to factory File C – approved 03/04/62
EPO/0017/64 - Details of storage building at No. 2 Factory File D – approved 02/03/65
EPO/0031/64 - Extension to offices – approved 03/03/64
EPO/0017/66 - Warehousing and industrial buildings – approved/conditions 28/03/67
EPO/0081/66 - Details of extension to No. 1 factory – approved/conditions 05/04/66

EPO/0147/67 - Details of extension to warehouse and storage – approved/conditions 02/05/67

EPO/0303/70 - Details of extension to main factory area – approved/conditions 14/07/70

EPO/0569/71 - Revised details of warehouse extension – approved/conditions 12/10/71

EPO/0677/71 - Convert storage accommodation to office accommodation – approved/conditions 14/12/71

EPO/0253/72 - Details of warehouse extension – approved/conditions 13/06/72

EPO/0866/73 - Details of office extension – approved/conditions 27/11/73

EPF/0885/75 - Details of canteen and locker room extension to existing factory – approved 04/08/75

EPF/0592/78 - Proposed erection of store building – approved/conditions 10/07/78

EPF/0896/78 - Industrial exhibition building and car parking facilities – refused 13/11/78

EPF/0926/79 - Change of use of existing warehouse to light industrial use – approved 09/08/79

EPF/1021/80 - Extension to Block D (toilets lobby and reception on ground floor with office space on first floor) and construction of car park – refused 06/10/80

EPF/1277/82 - Change of use from warehousing to light industrial – approved/conditions 26/11/82

EPF/0599/83 - Change of use of part block C from light industrial (Class III) to general industrial (Class IV) – approved/conditions 08/07/83

EPF/1255/87 - Outline application for the erection of 8 light industrial units – approved/conditions 08/08/88

EPF/0682/91 - Renewal of Outline Planning Application EPF/1255/87 (erection of 8 industrial units) – approved/conditions 09/09/91

EPF/0837/92 - Change of use from industrial to educational – approved/conditions 17/11/92

EPF/1025/92 - Change of use of industrial unit to kitchen/office for catering service and elevational alterations – approved/conditions 14/12/92

EPF/0738/93 - Continued use of industrial unit for educational purposes – approved/conditions 28/09/93

EPF/0717/94 - Renewal of outline permission EPF/682/91 for 8 light industrial units – approved/conditions 31/10/94

EPF/0783/95 - Revised application for a portakabin and two storage containers – approved 03/10/95

EPF/0881/95 - Revised application (EPF/1074/94) for plant shed, alteration of rear door, bricking up of vehicle door and inclusion of pedestrian escape door – approved 17/10/95

EPF/0700/98 - Portakabin for use as a staff rest room – approved/conditions 11/08/98

EPF/1307/99 - Outline application for 10 light industrial (class B1) units, improvements to site access, and details of phase 1 car park layout – withdrawn 21/06/01

EPF/1517/99 - Stationing of security portakabin at rear entrance – approved 12/11/99

EPF/1743/02 - Parts reception enclosure to rear – approved/conditions 07/10/02

EPF/2151/02 - Proposed provision of 3 no. vehicle inspection bays and plant housing – approved/conditions 26/02/03

Policies Applied:

CP1 – Achieving sustainable development objectives

CP2 – Protecting the quality of the rural and built environment

CP3 – New development

E1 – Employment areas
E4B – Alternative uses for employment sites
E5 – Effect on nearby developments
ST1 – Location of development
ST6 – Vehicle parking

Summary of Representations:

5 neighbours were consulted and a Site Notice was displayed.

PARISH COUNCIL – No objection.

Issues and Considerations:

The key issues in relation to this application are the impact on the existing employment area, the surrounding area, and with regards to highways and parking provision.

Employment uses:

The application site is within a designated employment area. Local Plan policy E1 states that *“the redevelopment of existing sites or premises or their change of use to uses other than business, general industry or warehousing [B1, B2 and B8] will not be permitted”*. However it is stated within the supporting information for policy E1 that *“the circumstances in which the Council may consider making an exception to this policy include where a site or building has been marketed for a considerable period, at a reasonable price for the uses concerned, and where no suitable development has come forward or is likely to in the foreseeable future”*. Paragraph 10.54a of the Local Plan (Alterations 2006) clarifies that *“a reasonable period for a site or building to be actively marketed in its lawful use is considered to be at least one year”*.

Information has been received from the applicant stating that they *“have been advertising regularly with The Herts Mercury Group for empty units to let”*, however the only evidence received regarding this is an invoice dated 20th August 2009, which relates to payment for advertisements in the July and August issues of the Harlow Star and the July and August issues of the Mercury. There has also been references within the submitted information to marketing of *“at least 18 months”*, however there is no evidence to support this claim. Details have been received showing that the unit has been advertised on Rightmove since February 2009, which is only 7 months prior to the submission of the planning application and therefore does not constitute a ‘considerable period’ under policy E1.

The applicant states within the submitted information that the Nazeing Glassworks Industrial Estate *“appears to be an immensely popular site with occupation over 98%, in spite of the recession”*. This clearly indicates that on this particular site there is no ‘lack of market demand’ for the units. It is claimed within the supporting information that during this marketing period interested parties (which fell within the category of B1, B2 and B8 use) failed to take over the unit due to ‘restrictive use’, which justifies why this unit remains empty despite the popular nature of the estate. An email from the applicant dated 06/11/09 states that *“limitations of access, only during working hours 8am to 6pm Monday to Friday, [are] because of site security via our main gates”* and the submitted information suggests that this is one of the major restrictions on the site (there is no indication as to where these restrictions come from, however it does not appear that they have been imposed by planning condition). Notwithstanding this, it is noted that that proposed D2 gymnasium would

use the unit between the hours of 6am and 10pm Monday to Friday, 8am and 5pm Saturdays, and 9am and 3pm on Sundays. Furthermore, it is indeed suggested that the peak times of the proposed gym would be outside of the 'restricted times' previously imposed on potential occupiers. As no explanation has been given as to why the restricted use of the unit is not relevant to the proposed use it is considered that the marketing that has been undertaken was flawed in that it unnecessarily restricted use of the site for B1, B2 and B8 purposes.

Whilst there would be some employment provision as a result of this change of use, as the gym proposes to employ 4 full-time and 4 part-time members of staff and it is argued that "*such a unit as a warehouse would not normally employ more than two or three people, and a fork lift, as a distribution centre/depot*", the unit could potentially offer greater employment opportunities. Furthermore, there is a requirement within the District to provide additional employment sites, and due to this a general presumption against losing existing employment sites as this puts even greater pressure on releasing Green Belt land for employment use.

Notwithstanding the above, should the applicant show that the unit has been marketed for a sufficient period then Local Plan policy E4B states that "*where it can be proven that there is no further need for employment uses on a particular site, the Council will permit alternative uses which fulfil other community needs*". The closest gymnasiums to Nazeing appear to be located within the town of Harlow, the closest of which is some 7.7km distance from the site, the John Warner Sports Centre is Hoddesdon, some 7.3km distance, and Grundy Park Leisure Centre is Cheshunt, which is some 7.2km distance from the site. This shows that there is a deficit of gyms within the locality of Nazeing and as such it is considered that the proposed use would constitute a required community use for the local area.

Sustainability:

The application site is not well served by public transport and is some distance from the built up areas of Nazeing and Broxbourne. It is therefore unlikely that members of the proposed gym would walk or cycle to the site and, whilst it is expected that the gym would draw some members from workers of the remainder of the Nazeing Glassworks Site and the immediate surrounding dwellings, it is felt that this change of use would significantly increase the number of vehicles travelling to and from the site.

The Essex Vehicle Parking Standards (adopted September 2009) requires the proposed gym provide 50 off-street parking spaces, whereby for B1 use it would only require 18 spaces as a B1 use, 11 spaces as a B2 use, and only 4 spaces as a B8 use. It can therefore be seen that the use of this unit as a Gymnasium would result in a considerable increase in transport movements to and from this unsustainable site, and would create traffic movements at evening and weekends that is not currently experienced at the application site.

Impact on surrounding properties:

With regards to the proposed use as D2 (with a specific end user of a gym), policy E5 protects against development that would be detrimental to existing employment uses. The proposed opening hours of the application site would be 06:00 to 22:00 Monday to Friday and 08:00 to 17:00 on Saturdays, and 09:00 to 15:00 on Sundays. Given the intensive use of the Industrial Estate it is not considered that the proposed opening hours would themselves detrimentally impact on neighbouring units (or the residential properties located to the front of the Industrial Estate), however there is

concern regarding vehicle parking provision and the effect this could have on neighbouring units.

Vehicle parking:

It is noted within the submitted application form that there are a total of 50 spaces existing, which is clarified in the Design and Access Statement where by it is stated that *“the gymnasium will be allocated 20 permanent parking spaces for cars on weekdays between 09:00 and 17:30 within the whole existing site parking provisions. Additional parking for a further 30 cars will be provided outside of the 09:00 to 17:30 weekday period on existing spaces which will be unoccupied”*. Furthermore the Proposed Heads of Terms for the lease of the unit states *“other spaces, excluding tenant owned car parks, may be used evenings and weekends”*.

There are currently 146 car parking spaces serving the area within the applicants ownership (the majority of the industrial estate), however the Council is aware that there are issues with car parking on site at present (which resulted in an unlawful parking area being created and currently under investigation by Planning Enforcement). As a result of these issues a planning application is to be submitted for a new car park providing an additional 32 spaces (currently awaiting validation), which if approved would allow for an additional 22 spaces being available for the proposed gym during 09:00 and 17:30.

Discounting the possibility of the aforementioned 22 spaces (as planning permission has not been at this stage been granted for the additional car park), there would be 50 allocated spaces available to the proposed gym between 06:00 to 09:00 and 17:30 to 22:00 Monday to Friday and throughout the opening hours at weekends, with informal (unallocated) overspill parking available beyond this. However between 09:00 and 17:30 there would only be 20 allocated spaces available. Whilst this is claimed to be the ‘off-peak’ times of the gym, the Essex Vehicle Parking Standards requires 50 parking spaces for this size of recreational use and makes no differentiation between ‘peak’ and ‘off-peak’ times. Whilst it is estimated by the applicant that there would be less parking required during 09:00 and 17:30 on weekdays this could not be guaranteed or controlled, and therefore there is a serious concern that 20 spaces would be insufficient to cater for the users of the gym at these times. As 9:00 to 17:30 are the peak times of many of the existing units on site, and given that there are known parking problems already with the Nazeing Glassworks Industrial Estate, it is considered that at present there is insufficient parking provision for this proposal. Should the planning application for the additional 32 space car park be approved and subsequently installed, and the 22 spaces previously mentioned were allocated to this unit, then this may provide sufficient parking provision for the proposed use. However as this new car park is purely speculative the additional parking spaces provided by this cannot at present be considered as a material consideration in this planning application.

Conclusion:

Although it is recognised that in the present economic climate it is preferable to have occupied units rather than vacant units, and the proposed gym would provide a community facility not currently available in the locality, the proposed development has failed to provide sufficient evidence that the unit has been marketed for employment use for at least one year and is therefore contrary to Local Plan policy E1. Furthermore, given the lack of public transport within the vicinity of the site it is considered an unsustainable location for the intended use, which would attract significantly larger numbers than its existing lawful use, and there is insufficient

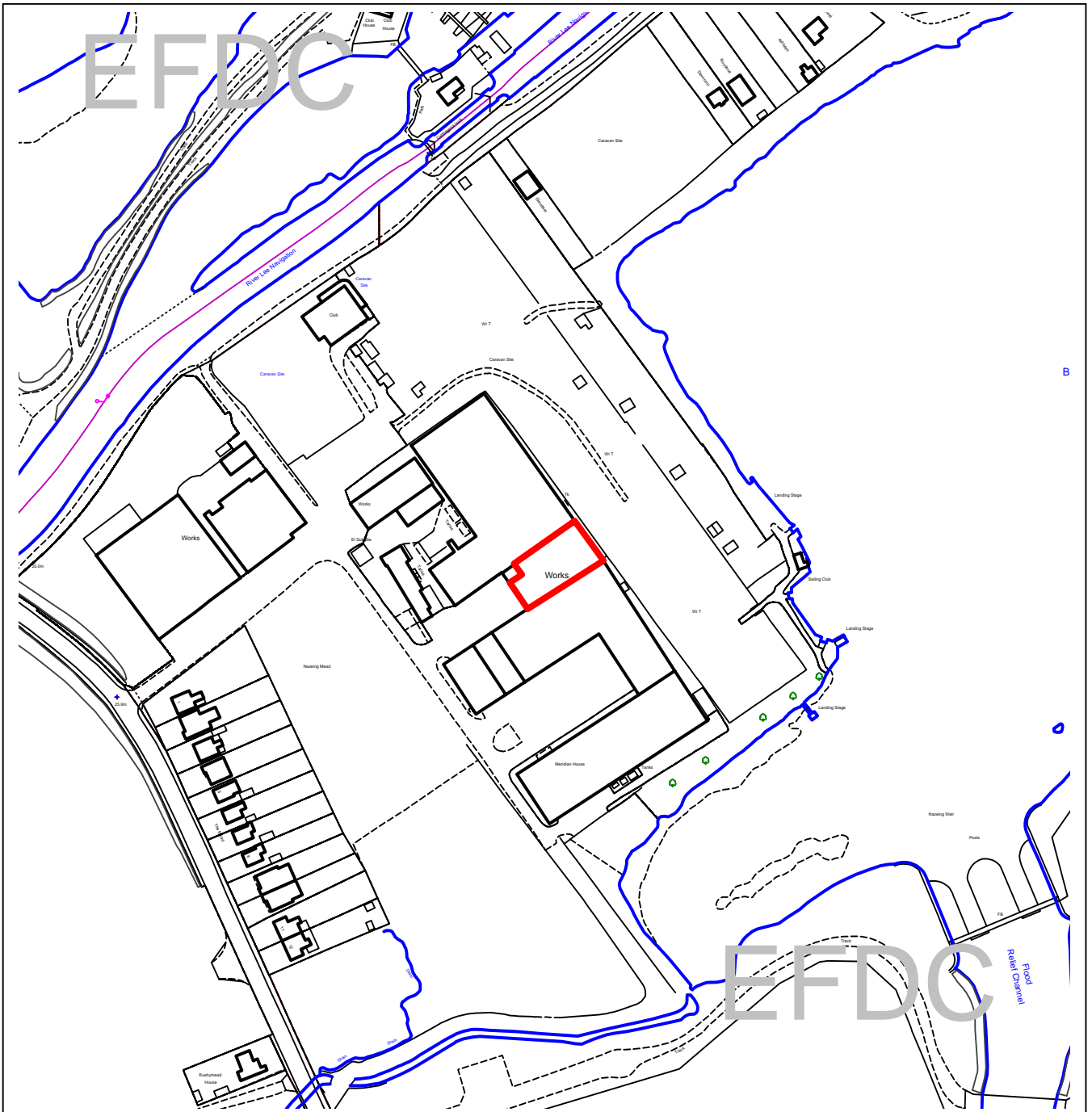
parking provision available during 09:00 and 17:30 in this Industrial Estates where there are known parking problems at present.

As such, the proposed change of use fails to comply with Local Plan policies CP1, CP3, E1, ST1 and ST6 and is therefore recommended for refusal.



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	
Application Number:	EPF/1622/09
Site Name:	Nazeing Glass Works Ltd, Nazeing New Road, Nazeing, EN10 6SU
Scale of Plot:	1/2500

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