

Committee Agenda



**Webcast
Meeting**



**Epping Forest
District Council**

Area Planning Subcommittee West Wednesday, 17th June, 2009

Place: Civic Offices, High Street, Epping

Room: Combined Committee Rooms 1 & 2 - Civic Offices

Time: 7.30 pm

Democratic Services Officer Rebecca Perrin - The Office of the Chief Executive
Email: rperrin@eppingforestdc.gov.uk Tel: 01992 564532

Members:

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

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

WEBCASTING NOTICE

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

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

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

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

1. WEBCASTING INTRODUCTION

1. This meeting is to be webcast;
2. Members are reminded of the need to activate their microphones before speaking; and
3. The Chairman will read the following announcement:

“I would like to remind everyone present that this meeting will be filmed live for subsequent uploading to the Internet and will be capable of repeated viewing.

If you are seated in the public seating area it is possible that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast although Officers will try and avoid this.

This may infringe your human and data protection rights and if you have any concerns about this you should speak to the Webcasting Officer.”

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

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

3. APOLOGIES FOR ABSENCE

4. MINUTES

To confirm the minutes of the last meeting of the Sub-Committee held on 20 May 2009 as correct record (to follow).

5. DECLARATIONS OF INTEREST

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

6. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and 25 of the Council Procedure Rules contained in the Constitution requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

In accordance with Operational Standing Order 6 (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks' notice of non-urgent items is required.

7. DEVELOPMENT CONTROL (Pages 7 - 66)

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

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

8. EPF/1305/08 1 CARTERSFIELD ROAD, WALTHAM ABBEY, ESSEX, EN9 - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF NEW 'LIDL' FOODSTORE AND CONSTRUCTION OF FIVE START-UP INDUSTRIAL UNITS (REVISED APPLICATION) (Pages 67 - 68)

To consider the attached report.

9. DELEGATED DECISIONS

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

10. EXCLUSION OF PUBLIC AND PRESS

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

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

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

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

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

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

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

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

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

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'

AREA PLANS SUB-COMMITTEE 'WEST'

Date 17 June 2009

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Report Item No: 1

APPLICATION No:	EPF/0606/09
SITE ADDRESS:	Three Gates Epping Road Epping Upland Epping Essex CM16 6PR
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
APPLICANT:	Mr Paul Leverick
DESCRIPTION OF PROPOSAL:	Ground floor single storey rear extension with terrace above, loft conversion with dormers to front and rear, enlargement of existing vehicle crossover and additional vehicle crossover. (Revised application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 No tree, shrub, or hedge which are shown as being retained on the approved plan (No. 605/106 B) shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (B.S.3998: 1989).

If any tree shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub, or hedge shall be planted at the same place, and that tree, shrub, or hedge shall be of such size, specification, and species, and should be planted at such time as may be specified in writing by the Local Planning Authority.

If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

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

Description of Proposal:

The proposal consists of a single storey rear extension, conversion of loft with dormers to front and rear, and new vehicle crossover. The single storey rear extension measures 2.95m deep and 4.35m wide with a roof terrace above. The roof has been altered to accommodate living accommodation with gable ends replacing the hipped ends. Two pitched roof dormers are proposed to the front elevation and three flat roof linked dormers to the rear elevation have also been included. An additional crossover to the south of the site is also proposed to create an in and out drive.

Description of Site:

The property is a detached dwelling situated in a large plot on the east side of Epping Road. The dwelling is situated to the north of the site with a double attached garage extending to the north boundary with Rose Bungalow. Epping Road, in this location is characterised by a mixture of detached and semi-detached properties of varying sizes and heights including bungalows. The site is not within a Conservation Area or the Metropolitan Green Belt.

Relevant History:

EPF/0168/09 – Single storey rear extension, conversion of loft with dormers to front and rear, first and second floor extension over existing garage/store to create new self contained annexe with room in loft space. New vehicle crossover – Withdrawn by applicant

Policies Applied:

Epping Forest District Local Plan and Alterations

DBE9 – Impact on amenity

DBE10 – Extensions to dwellings

ST4 – Road Safety

LL10 – Adequacy of Provision for Landscape Retention

SUMMARY OF REPRESENTATIONS:

EPPING UPLAND PARISH COUNCIL: Objection. A) This is an overdevelopment of an existing dwelling which will overlook neighbouring properties including those opposite by virtue of the roof extension and roof terrace. B) There would be a minor impact on the character and appearance of the Village. C) The additional crossover would intrude into an already limited footpath, would result in partial loss of a grass verge and increase the traffic on a risky bend, for both traffic and pedestrians, onto/from the B181 (there is no objection to the double crossover). D) Traffic access through the site and additional parking would mean the removal of established trees. E) Design Statement changes were noted and there was concern as to the precise development, its future and potential particularly in view of Design Principle 3 – 'The garage is to be demolished...' even though this has not been carried through into the Design Solution.

NEIGHBOURS

7 properties were consulted and Site Notice erected and the following responses were received:

EDEN, EPPING ROAD – Objection, the terrace on the first floor will invade privacy and cause overlooking.

Issues and Considerations:

This proposal follows withdrawal of an earlier scheme. The difference between this and the previously withdrawn application is that a first floor side extension above the existing garage including a separate annexe has been deleted and there have been slight alterations to the design of the roof.

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

- Amenity of Neighbouring Properties
- Appropriateness of Design
- Impact on Highway Safety
- Other Matters

Amenity

The proposals are not considered to impact excessively on neighbouring amenity due to the distances between the proposals and the neighbouring properties. The deletion of the first floor side extension above the existing garage has removed any potential impact to the occupiers of Rose Bungalow. The occupier of Eden has objected to the proposal due to loss of privacy from the proposed roof terrace, however an existing medium sized maple tree in the rear garden is to be retained and it is considered that this provides adequate screening for both the occupiers of Eden and in return Threegates, protecting a sufficient level of privacy between the two properties. There is also some 8m between the rear roof terrace and the boundary with Eden.

The Parish Council have also objected to the proposal on the grounds that the roof extension will lead to overlooking to the properties opposite. Although there may be some additional overlooking, it is not considered sufficient to justify refusal for this reason due to the distances between this property and that opposite of more than 30m and they are facing the public fronts of those properties, not private areas.

Appropriateness of the Design

The proposal has been vastly reduced in bulk since the previously withdrawn application with the deletion of the first floor side extension and it is considered that this revised proposal now complements the existing building in terms of scale and design and the materials are proposed to match the existing tiles and brickwork. The Parish Council has also objected on the grounds that this proposal is an overdevelopment of the site, however it is considered that this is a large detached property within a relatively large plot and the level of proposals are considered appropriate to both the house and plot size.

Although in a prominent position within the village, the revised proposals are not considered to be detrimental to the character of the streetscene.

Highway Safety

The Parish Council have also objected to the additional crossover, due to the loss of trees, loss of footpath, and increase of traffic on a bend. Essex County Council have no objection to the

proposal and it is this Council's opinion that the crossover will enhance the safety of the users of this crossover and other road users as it will enable cars to enter and exit in forward gear.

Although this aspect of the proposal will result in the removal of an evergreen hedge/ trees to the front boundary these are not protected by a Tree Preservation Order and it is considered that these trees do not provide a significant amenity value.

Other Matters

The discrepancy with the Design Statement as referred to by the Parish Council, referring to the first floor side extension proposed under the withdrawn application has now been rectified with an amended Design Statement which clarifies the work proposed with this application.

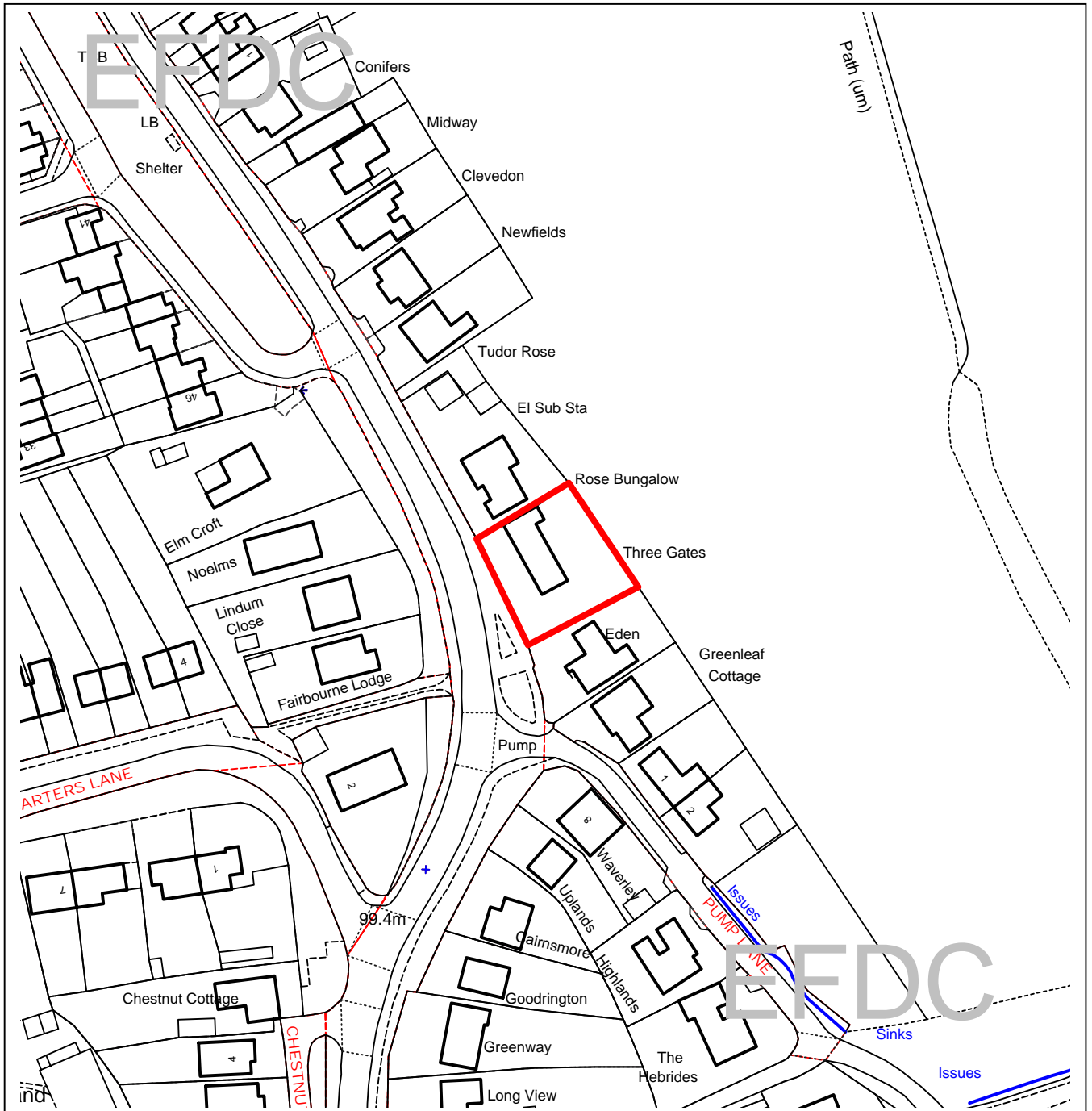
Conclusion:

On the particular merits of this proposal the balance of issues as outlined above were considered such to justify recommending that conditional planning permission be granted.



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	1
Application Number:	EPF/0606/09
Site Name:	Three Gates, Epping Road, Epping Upland, CM16 6PR
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/0308/09
SITE ADDRESS:	8 Buttodene Crescent Old Nazeing Road Broxbourne Hertfordshire EN10 6RH
PARISH:	Nazeing
WARD:	Lower Nazeing
APPLICANT:	Mr Roger Harris
DESCRIPTION OF PROPOSAL:	Demolition of existing chalet bungalow; erection of three detached chalet bungalows, parking spaces, access drive and all ancillary works.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 The screen walls, fences or such similar structures shown on the approved site layout plan shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 4 Prior to first occupation of the building hereby approved the proposed window openings in the first floor front gables and flank walls (with the exception of the southern flank wall of the dwelling referred to as plot 3 on the approved site layout plan) shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 5 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part A Class A, B and E shall be undertaken without the prior written permission of the Local Planning Authority.
- 6 The development, including site clearance, must not commence until a tree protection plan, to include all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing.

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

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

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

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

The scheme must include details of the proposed planting including a plan, details of species, stock sizes and numbers/densities where appropriate, and include a timetable for its implementation. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand, and in writing.

The statement must include details of all the means by which successful establishment of the scheme will be ensured, including preparation of the planting area, planting methods, watering, weeding, mulching, use of stakes and ties, plant protection and aftercare. It must also include details of the supervision of the planting and liaison with the Local Planning Authority.

The landscaping must be carried out in accordance with the agreed scheme and statement, unless the Local Planning Authority has given its prior written consent to any variation.

- 8 Prior to commencement of development, including demolition or site clearance works, a phased contaminated land investigation shall be undertaken to assess the presence of contaminants at the site in accordance with an agreed protocol as below. Should any contaminants be found in unacceptable concentrations, appropriate remediation works shall be carried out and a scheme for any necessary maintenance works adopted.

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

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

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

- 9 The parking areas shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.
- 10 No development approved by this permission shall be commenced until details of the existing and proposed finished floor levels have been submitted to and approved in writing by the Local Planning Authority. Finished floor levels shall be sited no lower than 24.72mAOD and the scheme shall be completed in accordance with the approved plans.
- 11 The development hereby approved shall not commence until further details regarding mitigation of groundwater flooding is submitted to and agreed in writing by the Local Planning Authority, and the development shall be carried out in line with the agreed flood mitigation scheme.
- 12 Prior to commencement of development, details of levels shall be submitted to and approved by the Local Planning Authority showing the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions) 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 demolition of the existing chalet bungalow and erection of three detached chalet bungalows to the rear of the site. This development includes the creation of an access road, parking areas and private amenity space.

The dwellings would all be 8.6m wide and 11m deep with pitched roofs to a maximum height of 6m. There would be two pitched roof rear dormers to each house and front and rear gable windows, along with rooflights and solar panels on the roof slopes. The properties would have entrance doors on the northern flank walls with a gap of 2m between each dwelling. The northern most dwelling (plot 1) would be set off the side boundary with No. 10 Buttodene Crescent by 1m.

Each property would have 2 off-street parking spaces, and the dwellings would be served by an access road proposed adjacent to No. 10 Buttodene Crescent. The existing chalet bungalow would be demolished to make way for this.

Description of Site:

The application site is part of the Keyzers estate in Nazeing and is a large L shaped plot that dog-legs behind No's. 78 to 88 Old Nazeing Road (inclusive). The road frontage of the application site is 4.6m wide, however the rear of the plot is 19.4m at its widest point. To the east of the site is Lee Valley Regional Park land and the Metropolitan Green Belt, although the application site itself is outside of these. There are some existing trees on site, none of which are covered by Tree Preservation Orders. The site lies within a Flood Risk Assessment zone and Environment Agency Floodzones 2 and 3.

Relevant History:

EPF/1592/79 - Erection of a first floor rear extension – approved/conditions 09/11/79
EPF/0292/80 - Erection of first floor rear and side extension – approved/conditions 25/04/80
EPF/0375/80 - Erection of porch – approved 28/03/80
EPF/0543/82 - Single storey rear extension – approved/conditions 11/06/82
EPF/1347/90 - First floor rear extension with dormer window – approved/conditions 04/01/91

Policies Applied:

CP2 – Achieving Sustainable Development Objectives
CP7 – Urban Form and Quality
GB7A – Conspicuous Development
H2A – Previously Developed Land
DBE1 – Design of New Buildings
DBE2 – Effect on Neighbouring Properties
DBE8 – Private Amenity Space
DBE9 – Loss of Amenity
ST1 – Location of Development
ST4 – Road Safety
ST6 – Vehicle parking
RST24 – Design and Location of Development in the LVRP
LL10 – Adequacy of Provision for Landscape Retention
LL11 – Landscaping Schemes
U2A – Development in Flood Risk Areas
U2B – Flood Risk Assessment Zones

Summary of Representations:

PARISH COUNCIL – Object as it is backland development and over development which would affect neighbouring properties. There would be loss of amenity with noise and traffic pollution. The level of properties would be raised above average properties in vicinity which could set a precedent. There would be narrow and limited access to the properties.

10 BUTTONDENE CRESCENT – Object as the proposed development would be intrusive and would impact on the amenity and privacy of neighbours, and be overlooked themselves; there would be a potential increase in flood risk; and due to potential parking issues that would result from a lack of visitor parking spaces.

12 BUTTONDENE CRESCENT – Object to increased traffic and parking, loss of privacy, increased flood risk, and long-term landscape issues.

80 OLD NAZEING ROAD – Object due to loss of privacy, noise and light pollution, potential security issues, and increased flood risk.

82 OLD NAZEING ROAD – Object due to potential security issues, noise and pollution issues, loss of privacy, and potential flooding issues.

Issues and Considerations:

The main considerations in relation to this application are the suitability of the development in this location, amenities considerations, the impact on the adjoining Green Belt and LVRP, overall design considerations, flood risk, and with regards to parking and highway safety.

Location

The proposed bungalows would be located behind the rear gardens of No's. 78 to 88 Old Nazeing Road and would be accessed from a newly created access road adjacent to No. 10 Buttodene Crescent. Whilst this proposal constitutes a form of backland development there is a general precedent set within the Keyser Estate to this form of development. For example, Two Roods, Keyser Road and No's. 8 and 9 North Barn are located behind other dwellings, and outline consent was approved in 2008 for the rear of 110 Old Nazeing Road. Furthermore, a recent appeal decision (decided 5th February 2009) was allowed for a backland development to the rear of 63-65 North Street, Nazeing. Whilst this is some distance from the application site there were similar issues with regards to the location behind the existing building line and adjacent to the Green Belt. It was concluded in this instance that "*the proposal is not overdevelopment*" and that "*from the street scene its presence would be barely apparent*". Due to this it is considered that the proposed backland development, in principal, would not constitute overdevelopment nor be detrimental to the overall character of the surrounding area. The proposed development would be making better use of Previously Developed Land (as defined in PPS3) and is in a reasonably sustainable location (in that there is limited public transport and local amenities within a reasonable distance). Due to this, whilst considered backland development, this proposal would generally accord with the relevant Local Plan policies.

Amenity considerations

The northern most dwelling (plot 1) would be located 1m from the shared boundary with No. 10 Buttodene Crescent. Whilst this is relatively close to the neighbouring property the dwelling would be just one-and-a-half storeys high (6m at ridge height) and would be located some 13.6m from the neighbouring dwelling. No. 10 Buttodene Crescent has a large L shaped rear garden that dog-legs behind the garden of No. 12 Buttodene Crescent, and as such the impact from the dwelling would only impact on the small area immediately adjacent to the building. Although there is a first floor gable window proposed in the northern flank wall of this dwelling, this could be conditioned to be obscure glazed and fixed shut to overcome any potential overlooking.

The proposed first floor windows in the front (western) walls would be obscure glazed to protect against loss of privacy. Furthermore, the majority of the dwellings that back on to the application site (No's. 80, 82 and 84) have large single storey outbuildings built on the rear boundaries, which would successfully screen the majority of the development along with existing and new tree planting (secured via tree protection and landscaping plans). Each dwelling proposes gable windows in both the northern and southern flank walls, which serve as secondary windows to bedrooms. Given the relatively small distance between the proposed dwellings these windows would result in overlooking of the new dwellings and therefore all require obscure glazing, with the exception of the southern flank window on plot 3.

The new access road would be located between No. 88 Old Nazeing Road and No. 10 Buttodene Crescent, in the place of the existing chalet bungalow. Whilst this new access would have some impact on the neighbouring properties due to an increase in noise nuisance, as a result of the increased vehicle and pedestrian movements, it is not considered that the level of movements

created by two additional properties (three in total) would be sufficient enough to be unduly harmful or to warrant a refusal.

The proposed dwellings would have private amenity space to the rear (and side in terms of plot 3) of a size between 119 sq. m. and 135 sq. m., which exceed the requirement of 100 sq. m. in line with Local Plan policy DBE8 and the Essex Design Guide. Should the downstairs study be utilised as an additional bedroom then the requirement would increase to 120 sq. m., which two of the three properties exceed, and the third is only slightly under. Further to this, the site sits adjacent to Lee Valley Regional Park which offers more than adequate public amenity space to future residents.

Impact on Green Belt and LVRP

As previously mentioned, there has been a recent planning appeal allowed to the rear of No. 63 and 65 North Street, Nazeing, which was a proposed backland development adjacent to the Green Belt. It was stated by the Planning Inspector that *"I have taken account of the fact that the Green Belt boundary runs at the rear of the site, so that the existing dwelling at number 61 is within it, but the appeal site is not"* and was concluded that the development *"has no material impact on the openness of the Green Belt"*. It is therefore considered that this proposal would similarly have no impact on the Green Belt.

An objection has been received from the Lee Valley Regional Park Authority (LVRPA) on the grounds that the rear gardens of the proposed dwellings are of an insufficient depth to include effective landscaping to properly mitigate the visual impact of the proposals on the Regional Park. The rear gardens depths range from 12m to 9.2m and back directly onto a fairly heavily wooded part of Lee Valley Regional Park. The large existing trees on the application site side of this boundary will be retained, and the trees on the LVRP side would not be affected, and as such it is not considered that this proposal would have a detrimental visual impact on the LVRP.

Design

The proposed dwellings would have a modern take on the traditional chalet bungalow style design. They would include standard pitched roofs, front gables and rear pitched roofs dormer windows, which are fairly traditional, however they would incorporate a black weather-boarded strip on the front of a red brick and rendered block façade, have contemporary styled first floor windows, and would include solar panels on the southern roof slopes. The design of the houses in Buttodene Crescent and Old Nazeing Road are varied and, given the location of the properties, these dwellings would form their own street scene. Due to this the proposed design of the dwellings is considered acceptable.

The dwellings would each be located 1m from the side boundaries, creating 2m gaps between the houses, which would be sufficient to overcome any potential terracing effect.

Flood risk

A further flood risk assessment was submitted to the Environment Agency (EA) dealing with the points previous raised. Most of this new information is now considered satisfactory, subject to conditions, however there is still issue with regards to the applicant failing to demonstrate that the risk of groundwater flooding on the site can be adequately mitigated. It is considered however that this issue can be adequately controlled by imposing a condition, as can the finished floor levels of the dwellings.

Highways and parking

In terms of the level of off-street parking, this proposal complies with the requirements of the Essex Parking Standards. From a highway safety stance, the proposed access has sufficient sight lines and is located on a small cul-de-sac serving 22 dwellings. There has been no objection raised by ECC Highways, and it is not considered that the additional traffic movements resulting from two additional dwellings would detrimentally impact on the surrounding area. Therefore this proposal complies with Local Plan policies ST4 and ST6.

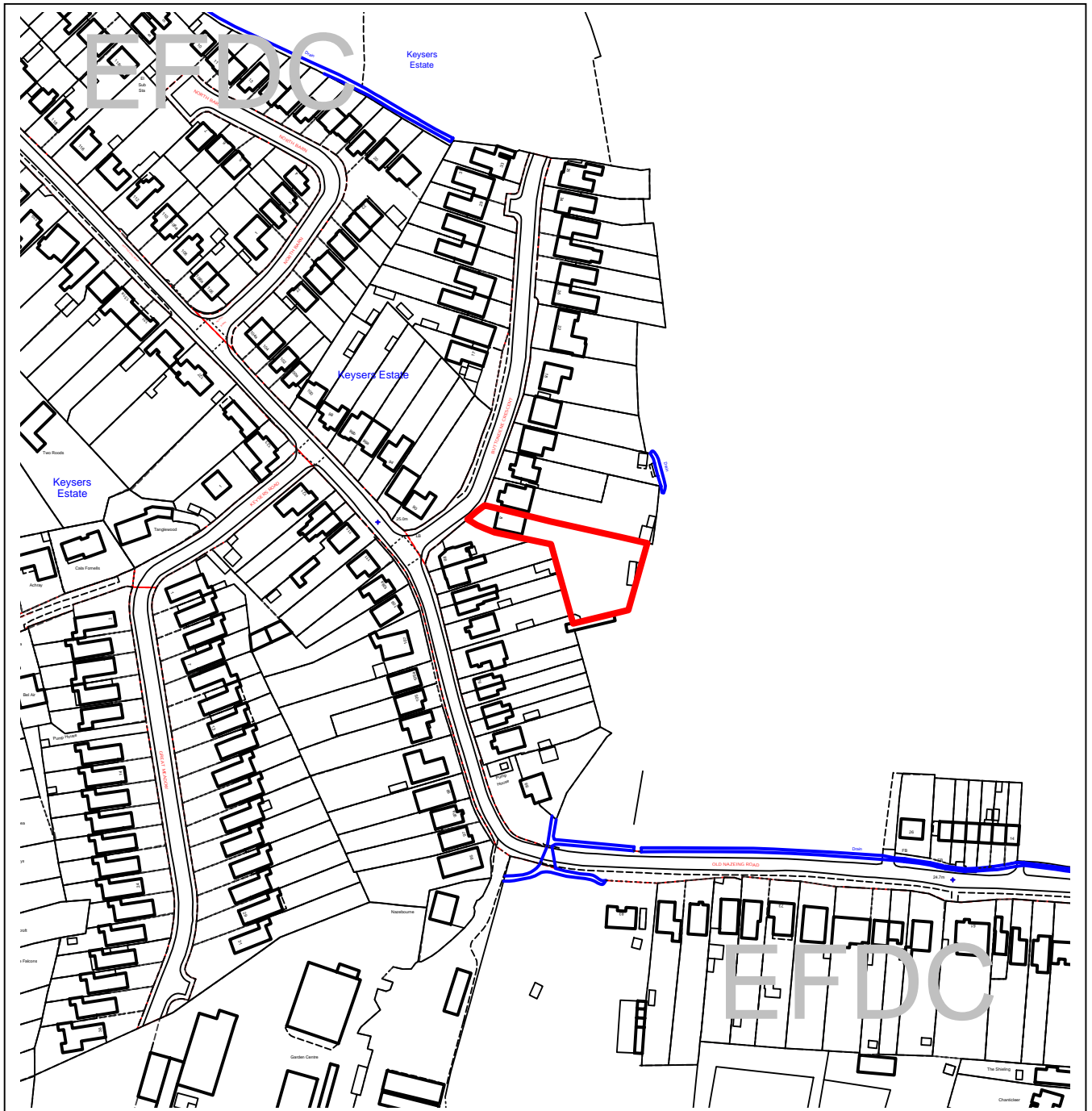
Conclusion

The proposed development would make better use of previously developed land in a reasonably sustainable location. Issues regarding potential loss of privacy and flood risk can be addressed via conditions, as can landscaping and tree retention to provide screening of the development. Whilst this proposal constitutes backland development it is considered that, on the back of recent Planning Inspector and District Council decisions, this does not in itself constitute overdevelopment or detrimentally impact on the openness or appearance of the adjacent Green Belt. As such this application generally complies with relevant Local Plan policies and Government Guidance and is therefore recommended for approval.



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	2
Application Number:	EPF/0308/09
Site Name:	8 Buttodene Crescent, Old Nazeing Road, Broxbourne, EN10 6RH
Scale of Plot:	1/2500

Report Item No: 3

APPLICATION No:	EPF/0364/09
SITE ADDRESS:	Land to rear of 114 Old Nazeing Road Nazeing Essex EN10 6QY
PARISH:	Nazeing
WARD:	Lower Nazeing
APPLICANT:	Mr Lorenzo Minichiello
DESCRIPTION OF PROPOSAL:	Erection of a four bedroom detached house with associated parking to the rear of No. 114 Old Nazeing Road.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development shall be carried out in accordance with the amended plans received on 14/04/09 unless otherwise agreed in writing with the Local Planning Authority.
- 3 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 4 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
- 5 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Class A shall be undertaken without the prior written permission of the Local Planning Authority.
- 6 The development, including site clearance, must not commence until a tree protection plan, to include all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing.

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

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

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

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

The scheme must include details of the proposed planting including a plan, details of species, stock sizes and numbers/densities where appropriate, and include a timetable for its implementation. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand, and in writing.

The statement must include details of all the means by which successful establishment of the scheme will be ensured, including preparation of the planting area, planting methods, watering, weeding, mulching, use of stakes and ties, plant protection and aftercare. It must also include details of the supervision of the planting and liaison with the Local Planning Authority.

The landscaping must be carried out in accordance with the agreed scheme and statement, unless the Local Planning Authority has given its prior written consent to any variation.

- 8 Prior to the commencement of the development details of the proposed surface materials for the driveway shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
- 9 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.
- 10 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS). The approved measures shall be carried out prior to the first occupation of the building hereby approved and shall be adequately maintained in accordance with a management plan to be submitted concurrently with the assessment..

- 11 All construction/demolition works and ancillary operations which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 08.00 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 12 During the period between the commencement and the completion of the development hereby approved there shall be no deliveries to the site and no movement of commercial vehicles to or from the site outside the hours of 08.00 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, There shall be no such deliveries or movements of commercial vehicles during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 13 No development approved by this permission shall be commenced until details of the existing and proposed finished floor levels have been submitted to and approved by the Local Planning Authority. Finished floor levels shall be sited no lower than 25.02m AOD. The scheme shall be completed in accordance with the approved plans.
- 14 Prior to commencement of development, details of levels shall be submitted to and approved by the Local Planning Authority showing the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.

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 a four bed detached house with associated parking to the rear of No. 114 Old Nazeing Road. The property would be predominantly two storey, however it would have a single storey attached garage and rear projection. The main two storey element would be 11m wide and 7m deep with a pitched roof to a maximum height of 7.5m. The single storey side and rear elements would wrap around the western corner and would have a width beyond the side wall of 2.8m and depth beyond the rear wall of 2m. This would have a pitched roof to a maximum height of 4.1m.

Access to the application site would be from North Barn, and would involve the instatement of a new dropped kerb vehicle access. Several trees have been removed from the site, however some of the existing trees will remain. The dwelling would have one garage and one off street parking space.

Description of Site:

The site is located on the southern side and at the end of a cul-de-sac known as North Barn. The site itself is relatively level and has an area of 297 square metres. Recently the rear of the site has been enclosed by hoarding, and the proposed rear boundary has been marked by metal fencing.

The site is located within a well established residential area where the majority of buildings comprise of double storey detached and semi-detached dwellings, all of which are similar in building form, scale, bulk and size. Front setbacks from the highway are consistent and spaces/gaps between building blocks form an important part to the character of the streetscene.

Relevant History:

EPF/0240/64 - Double storey rear extension – approved 19/08/64

EPF/0793/06 - Outline permission for residential development – withdrawn 18/09/06

EPF/0187/08 - Outline permission for the erection of a detached dwelling – approved/conditions 26/06/08

EPF/2193/08 - Development of site to provide two, three bedroom semi-detached houses with associated parking – withdrawn 06/01/09

Policies Applied:

CP2 - Protecting the quality of the rural and built environment

CP3 - New development

DBE1 - Design of new buildings

DBE2 - Effect on adjoining properties

DBE3 - Design in urban areas

DBE8 - Private amenity space

DBE9 - Loss of amenity

LL10 - Adequacy of provision for landscape retention

LL11 - Landscaping schemes

ST1 - Location of development

ST2 - Accessibility of development

ST4 - Road safety

ST6 - Vehicle parking

H2A – Previously Developed Land

U2A – Development in Flood Risk Areas

U2B – Flood Risk Assessment zones

Summary of Representations:

PARISH COUNCIL –.The objections are the same as previous application. DBE2 – The scale of the new application is much larger than original approved application (approximately 35% increase in footprint and 47% floor space. There would be large windows overlooking other residences. The proposed property would not be in standing with surrounding properties. T14 – there would be inadequate parking on site and it would take away communal parking area in North Barn. Two large trees that are incorrectly represented on plan would have to be severely cut back at root level. The previous application had piling to protect trees. The property is in the flood plain which could be affected by damage to trees. Trees on site have already been cut down.

26 properties were consulted, a Site Notice was erected and the following responses were received:

1 NORTH BARN – Object due to drainage/flooding implications, as the property would be out of keeping with the rest of North Barn, and as the access should be from Old Nazeing Road.

2 NORTH BARN – Object to the size of the dwelling, potential sewerage and flooding issues, and due to traffic issues.

6 NORTH BARN – Object due to the size of the property, the impact on neighbouring trees, and the burden this would have on the infrastructure of North Barn.

7 NORTH BARN – Concerned about the size of the dwelling and potential flood risk.

9 NORTH BARN – Object to the loss of the parking area through the creation of a vehicle access.

10 NORTH BARN – Object due to the size of the dwelling, potential flood risk, and the impact on the neighbouring trees.

11 NORTH BARN – Object due to loss of privacy and parking issues.

12 NORTH BARN – Object due to a loss of privacy, as it would be out of character with the street scene, would overshadow No. 7 North Barn, would impact on existing trees and vegetation, would be more imposing than the outline consent, would be overdevelopment, and would have highway safety implications.

16 NORTH BARN – Comment. Concerned about trees already cut down, site already being prepared. Site health and safety boards already erected. Work already appears to have commenced.

20 NORTH BARN – Object due to parking and transport issues, the loss of the parking area at the end of the road, and potential disturbance/loss of privacy.

21 NORTH BARN – Object due to parking issues and overdevelopment.

23 NORTH BARN – Object due to potential sewerage and flooding problems and traffic congestion.

112 OLD NAZEING ROAD – Object due to loss of privacy, impact on the neighbouring trees, the enlargement when compared to the outline consent, and as it is overdevelopment.

114 OLD NAZEING ROAD – Object due to the size of the dwelling, potential loss of privacy, and the impact on existing trees and landscape.

116 OLD NAZEING ROAD – Object due to the increase since the outline consent, the impact on amenity, and due to potential impact on the existing trees.

Issues and Considerations:

The application site obtained outline planning permission for a detached house in 2008, which reserved design, landscaping, external appearance and means of access. Whilst this application is a full planning permission rather than a reserved matters application, due to the outline consent the principle of residential development has already been considered acceptable in land use terms and the provision of additional housing is consistent with Policy H2A as the application site is classed as Previously Developed Land.

Design and appearance:

Indicative siting, layout and flank elevation plans were submitted and approved as part of the outline application. Whilst this application is not for reserved matters in principle the siting and layout of the dwelling complies with the approved indicative plans, however the overall size of the dwelling has increased from a footprint of 79 sq. m. on the outline consent to 107 sq. m. on this application. The height of the building has however dropped by approximately 500mm from the indicative height shown on the outline consent, with the side/rear protrusion being some 1m lower than previously allowed. Whilst the width of the proposed dwelling would be greater than the majority of dwellings in North Barn there are properties in the cul-de-sac that have been

considerably extended and, as a result, are of similar footprint to the proposal. These include No's. 9 and 21 North Barn.

In relation to the siting of the development, this has not changed from the indicative outline consent, whereby it was considered that the proposed dwelling would integrate well into the street scene and maintain the existing pattern of spaces between buildings. Although the front façade of the proposed dwelling is not setback as far from the highway as that of other dwellings within the street, this was previously considered to successfully respect the character of the locality while providing sufficient room for landscaping and vehicle parking.

The new dwelling is stated to have approximately 140 sq. m. of private open space located to the rear of the site. Measurements taken from the site plan (including the side access) equate to 147.8 sq. m., which is sufficient to meet the recreational needs of future residents and complies with Local Plan policy DBE8.

Highway and parking considerations:

Policy ST6 of the Local Plan states that the Council will ensure that all new developments make adequate provisions for car parking in accordance with the adopted ECC Parking Standards. Two off street car parking spaces are provided, which are considered to be sufficient to meet the needs of future residents and the requirements of the Parking Standards and Local Plan policy. Although the level of parking provision has been raised by neighbouring properties this is the same level as indicated on the outline consent and as such has in principle been agreed. An amended plan has been received enlarging the internal garage space to 3m width and 5.5m depth, which is more in line with the updated Vehicle Parking Standards and that requested by ECC Highways.

The application was referred to Essex County Council Highways, who advised that they had no objections to the application subject to conditions. The design and layout of access and vehicle parking arrangement would not cause traffic congestion nor have an impact to the highway and pedestrian safety. Whilst there have been several objections regarding the loss of general parking at the turning area at North Barn the dropped kerb does not require planning permission and as such could be implemented (to give rear access to No. 114 Old Nazeing Road) simply through the submission of Highways Consent. As the crossover would not adversely affect the intended use of this area, which is for the turning of vehicles, it is unlikely that ECC Highways would withhold consent, and in fact by keeping the turning head clear of parked cars this would be an advantage from a highways point of view to the use of this turning area.

Lee Valley Park

This site is within the Lee Valley Regional Park Authority however they have raised no objection to the proposed development.

Landscaping:

There is a mature ash and mature weeping willow in the garden of the adjacent property and the proposed building is felt to be within the Root Protection Area of these. Whilst this proposal would be achievable without causing the demise of either of these trees, consideration will need to be given to the construction of the foundations to provide physical protection during the construction process. Furthermore a landscaping scheme will be required to soften this currently vegetated and semi-rural area. As such conditions will be required to ensure this protection and that additional landscaping is undertaken.

Impact on adjoining properties:

There would be a distance of 21 metres between the rear façade of the proposed dwelling and the rear façade of number 114 Old Nazeing Road, which is (and was previously) considered to be sufficient to avoid any excessive overlooking to either the existing property or the future occupiers of the new dwelling.

Consideration was previously undertaken with regards to the impact of the proposal on adjacent properties as part of the outline consent, despite the submitted drawings being purely indicative. The distance between the flank wall and the south eastern boundary and the rear wall and rear boundary are identical to the previously approved outline consent. The closest neighbour would be No. 7 North Barn, which contains no flank windows and is set in at first floor level from the shared boundary with the application site. Given the 2m gap between the side boundary and the proposed dwelling and lack of flank windows, it is considered that there would be no undue loss of light or privacy to this neighbour. Also the orientation of the site and the siting of the dwelling means there would be no excessive overshadowing to the adjoining property.

The proposed dwelling has extended further northwest than originally shown on the outline consent. Notwithstanding this, the first floor element would be set back 3m from the shared boundary and would contain no flank windows. The ground floor attached garage would be built to the shared boundary with No. 116 Old Nazeing Road, however given its single storey scale and as the area of garden which it adjoins is the very rear section of a large garden, it is not considered that this would have any undue impact on this neighbour.

Flood Risk:

The application site lies within the Environment Agency flood zones 2 and 3, and due to this a Flood Risk Assessment has been submitted with this application. Subject to conditions regarding finished floor levels, there is no objection from the Environment Agency.

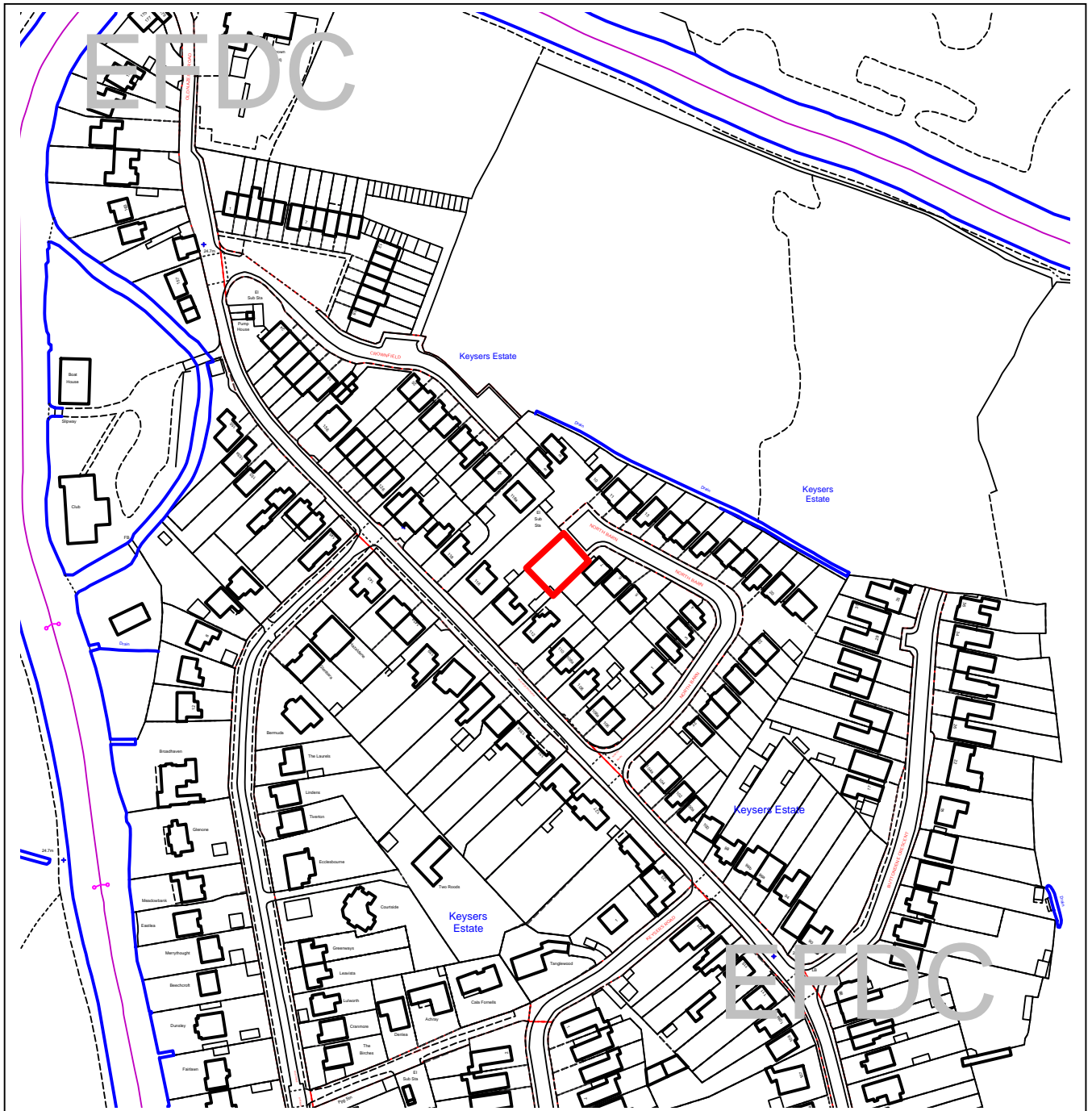
Conclusion:

The principle of the development has been previously agreed under outline planning consent Ref: EPF/0187/08, and previously submitted indicative plans resulted in several specific issues being addressed and agreed. As such, and in light of the above, the proposed dwelling under consideration here complies with all relevant Local Plan policies and is therefore recommended for approval.



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	3
Application Number:	EPF/0364/09
Site Name:	Land to rear of 114 Old Nazeing Road, Nazeing, EN10 6QY
Scale of Plot:	1/2500

Report Item No: 4

APPLICATION No:	EPF/2233/08
SITE ADDRESS:	100 High Street Roydon Harlow Essex CM19 5EE
PARISH:	Roydon
WARD:	Roydon
APPLICANT:	Mr D Vasani
DESCRIPTION OF PROPOSAL:	Demolition in part of existing Chemist Shop and construction of Health Centre, comprising Chemist Shop, Dentist and Doctors surgery.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 No demolition or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

A brief outlining the level of investigation will be issued by Essex County Council on request.

- 4 Prior to commencement of development, including demolition or site clearance works, a phased contaminated land investigation shall be undertaken to assess the presence of contaminants at the site in accordance with an agreed protocol as below. Should any contaminants be found in unacceptable concentrations, appropriate remediation works shall be carried out and a scheme for any necessary maintenance works adopted.

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

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

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

- 5 Prior to commencement of development additional drawings that show details of proposed new windows, doors and shopfronts, by section and elevation at scales between 1:20 and 1:1 as appropriate shall be submitted to and approved by the local planning authority. Work shall be carried out in accordance with such plans.
- 6 The premises shall be used solely for a chemist and combined doctor/dentist surgery and for no other purpose (including any other purpose in Class D1 of the Town & Country Planning (Use Classes) Order 2005 or shall be reverted to A1 retail use at ground floor with ancillary storage/floorspace above.

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

Description of Proposal:

The applicant seeks consent to partially demolish the existing chemist and for construction of a Health Centre comprising a chemist, Dentist and Doctors Surgery.

The proposed new building would be two-storey with the footprint occupying the entirety of the northern side of the site plot, with the existing access retained on the southern side.

The proposed new structure would accommodate a dispensing pharmacy on the ground floor and dentist consultancy with a single reception and treatment room. At first floor the applicants propose a separate Doctors reception with two consulting and two treatment rooms. The proposals include provision for a lift.

The application provides no parking within the curtilage of the property and a secure cycle storage area in the alley to the western side of the building.

Description of Site:

Roydon High Street is a designated Conservation Area and the application site is situated amongst a number of Listed Buildings. The site is currently occupied by a low rise two storey property of minimal design merit which currently functions as a chemist/pharmacy.

There is existing parking within garages to the rear of the site, however the applicant indicates these are disused.

The application site is immediately adjacent to and shares the access to the south of the existing building between the plot and the New Inn public house. This access serves the rear of the

application site and the public house car park. This car park is privately owned, the applicant has demonstrated no agreement to use this car park.

Relevant History:

The most relevant history is outlined below:

EPF/0575/93 – Outline application for shop with residential above – Refused

EPF/1380/98 – Replace roof, proposed first floor storage accommodation and garage conversion to extend dispensary - Approved

Policies Applied:

Epping Forest District Local Plan and Alterations policies:

HC6 – Character, appearance and setting of Conservation Areas

HC7 – Development within Conservation Areas

HC12 – Development affecting the setting of Listed Buildings

CF2 – Health Care Facilities

DBE1 – Design of new buildings

DBE12 – Shopfronts

ST1 – Location of development

ST2 – Accessibility of development

ST4 – Road Safety

ST6 – Vehicle Parking

TC6 – Local Centres and corner and village shops

EPOA Parking Standards

REPRESENTATIONS RECEIVED

ROYDON PARISH COUNCIL: No objection – The Parish Council is supportive of the proposal to improve health and associated facilities in the village.

Prospective MP Robert Halfon – Strong support for the proposals which would be an asset to Roydon village.

5 properties were consulted and a site notice erected and the following responses received:

8 letters of support have been received as follows:

153 HIGH STREET – Support the proposals subsequent to the loss of separate dentist and doctor facilities in the village.

1 CHURCH MEAD – Support the proposals due to improvements to appearance of the High Street and provision of needed facilities.

57 HIGH STREET – Support the improvement of the existing building and provision of healthcare facilities subject to support from healthcare professionals and parking issues being considered.

193 HIGH STREET – Support the proposals for local services for Roydon and surrounding areas.

4 TEMPLE MEAD – Support the proposals as an asset to the rural community.

6 BEAUMONT PARK DRIVE – Support the proposals and associated community benefits with two reinstated services (doctors and dentists) subject to being architecturally in keeping.

MEAD VIEW – Support the investment in local facilities particularly in areas with high numbers of elderly residents and the visual improvement of the existing property.

THE COURTYARD, HARLOW ROAD – Support the reinstatement of facilities within easy access for residents.

4 Letters of objection have been received as follows:

THE DOWER HOUSE, 108 HIGH STREET – Object on grounds of land ownership issues relating to the cycle store area adjacent the property and the depth of the development plot proposed. Queries have also been raised to the NHS regarding support of this location, no support has been confirmed to the objector. Concerns are raised that the existing building requires renovation, but that this should not be at a greater scale than the Tudor Dower House Barn adjacent. The proposals are bulky and out of scale, loss of light to the Dower Barn property and maintenance issues relating to thatching. Concerns are also raised structurally with the objectors property being oak framed without foundation. Highways issues are also a concern with the existing chemist having an informal arrangement with the public house for parking, the proposals benefit from no such arrangement, this would result in increased on-street parking, particularly problematic with additional deliveries. The objectors provide a copy of a title deed in respect of land ownership issues.

THE NEW INN – Object due to land ownership issues and raise issues relating to the procedure followed to serve notice on the leaseholder. Objections are raised as staff would have no parking onsite, parking issues already exist with commuters parking in this area, additional sewer/drainage problems are highlighted and the proposals appear overbearing to the immediately adjacent building (Dower House Barn).

3 CHURCH MEAD – Object on grounds of insufficient parking and road safety. Surrounding streets are used by local residents and visitors, commuters using the railway station, delivery vehicles, tradesmen and customers from the High Street. This leads to inconvenience and difficulties for parking and has a potential to cause traffic incidents. The lack of parking facilities would further increase these issues.

Issues and Considerations:

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

- Principle of development
- Scale, mass, design, layout and form of development
- Impact to the Conservation Area and Listed Buildings
- Impact on neighbouring amenity
- Highways and transportation matters
- Any other matters

Principle of development

The site is situated within Roydon High Street local centre, where the existing retail floorspace would be retained and the proposed community facility would likely increase footfall through the High Street. In terms of location and proposed uses, the proposed development is acceptable. Notwithstanding this there is no evidence of support provided by any NHS or private body which may potentially wish to occupy the proposed facility.

Policy TC6 seeks to ensure retail uses are retained within local centres, the proposals retain the existing chemist floorspace and provide a community facility which appears well supported by residents, therefore there is no direct departure from this policy.

Policy CF2 encourages the development of healthcare facilities to meet local needs subject to the development not resulting in excessive environmental or amenity issues, being readily accessible by public transport and car and the site being outside of the Green Belt. Meeting all of these objectives the proposals are supported in principle.

Scale, massing, design, layout and form of development

The proposed new building would front the High Street with a partial hip similar to that of the immediately adjacent Dower House Barn. The frontage is proposed to be rendered in a similar finish to that maintained on the New Inn.

The depth of the proposed facilities would be similar to that which currently exists, however the existing structures are of a lesser height with a single storey rear projection, the proposals would be 2-storey throughout.

The proposals would maximise the use of the footprint with openings focussed on the front, rear and access sides (on the southern side) with only a single high level opening proposed on the northern side at first floor. The design enables access to the pharmacy/chemist to the front and a second access primarily for the dentist/doctor facility to the rear.

The proposed frontage would mimic the style and appearance of the immediately adjacent properties with the shop front retained and additional window space provided. These features are considered desirable traits and to improve the appearance of the High Street.

In respect of the southern flank of the property fronting onto the shared access, the scale of development has been increased towards the rear and this would be visible from further along the High Street. Whilst the additional structures present an increased visual impact, the proposed flank elevation would maintain a number of window and door openings and at least two differing finishes. This variety serves to break up the façade which would be of comparable depth to the existing adjacent cottage which would as a result be obscured from view.

Impact on the adjacent locally listed building and Conservation Area

A number of comments have been received in respect of the proposed design and potential impacts to the Conservation Area and adjacent Listed Buildings. The proposed design presents an improvement and enhancement on the existing structure.

The Conservation Officer considers the proposals of too great a scale, being dominant to the adjacent Listed Building and detrimental to the Conservation Area. However, the proposals result in the loss of an undisputed poorly designed structure and as a result presents a significant improvement in appearance in the High Street, therefore on balance in design terms the proposals are not considered unacceptable subject to stringent conditions on materials and the detail relating to the frontage of the property in accordance with policy HC7.

Impact on neighbouring amenity

The proposals would increase the scale of the existing structures which would increase the dominance of the property when viewed from Dower House Barn; this increase in scale would however include a roof which pitches away from the adjacent plots. The proposals are as a result not considered to significantly increase any existing adverse impact to neighbouring amenity with the depth of the proposed structures existing and the proposals increasing the height of the development only.

In respect of noise and disturbance, the presence of a doctor and dentist surgery would likely result in the opening of the facility on Saturdays and evenings. Members may wish to consider restricting opening times on Sundays and bank/public holidays in the interests of neighbouring amenity. This would be unlikely to adversely impact on the functionality of the surgeries; however care should be taken to enable the chemist to operate as required by any relevant local chemist rotas.

Highways and transportation matters

Highways have returned no objection in relation to the scheme. Notwithstanding this there is no parking provision within the scheme. For a healthcare facility parking would usually be expected at a single space per member of full time staff plus two spaces for each consulting room. This would result in a requirement for 13 spaces. However, in this instance the local highways have no restrictions and a free public car park is available a short distance away in Beaumont Park Drive. Furthermore the site is in close proximity to the rail station and close to Harlow Road which is served by 4 bus routes at peak hours, with the 381 service at regular intervals throughout the day.

For these reasons irrespective of the parking concerns raised, Officers consider it appropriate to relax the usual parking requirements set out by the Essex Planning Officers Association due to these local circumstances as permitted within the introductory paragraphs of the guidance. The local transport links in the area, public car park and unrestricted parking is considered sufficient for patients and staff alike, with Doctors likely to be able to find parking in a suitably close location.

Other matters

- Contamination

The historic use of the site results in the land potentially being contaminated. For this reason a condition regarding a phased contamination assessment is requested by the Council's Contamination Officer.

- Archaeology

The Essex County Council Archaeology team have requested that a condition be attached requiring a programme of archaeology work with a written scheme of investigation to ensure the in-situ preservation or excavation of medieval or post-medieval remains.

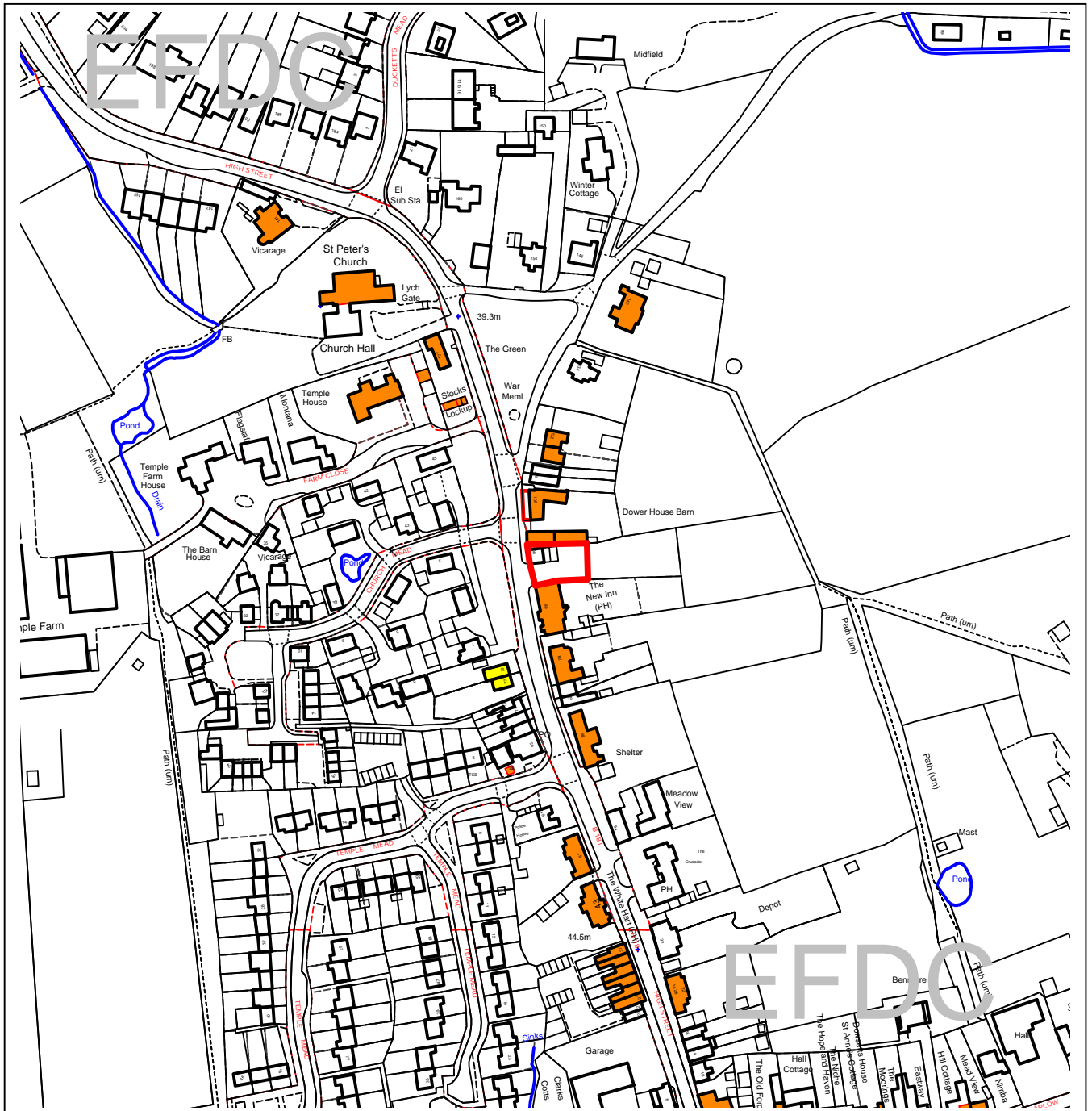
Conclusion:

The proposed development results in the improvement to the appearance of existing structures in the setting of Listed Buildings and the Conservation Area, the proposals provide a clearly supported community use and in an area with a public car park in close proximity and good transport links, without parking restrictions in place, the proposals are considered on balance to be acceptable and Officers recommend approval with conditions.



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	4
Application Number:	EPF/2233/08
Site Name:	100 High Street, Roydon, CM19 5EE
Scale of Plot:	1/2500

Report Item No: 5

APPLICATION No:	EPF/0383/09
SITE ADDRESS:	The Limes/White Lodge Sewardstone Road Waltham Abbey Essex E4 7SA
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
APPLICANT:	Silver Property Developments
DESCRIPTION OF PROPOSAL:	Reserved matters application for residential development comprising 119 dwellings (2,3,and 4 bed) and community building and shop.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 2 Before the development is commenced, details of the estate roads and footpaths (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and approved in writing by the Local Planning Authority.
- 3 Any trees proposed within the highway must be agreed with the Highway Authority and sited clear of all underground services and visibility sight splays and must be laid out to complement the street lighting scheme. All proposed tree planting must be supported by a commuted sum set at a realistic level, to be agreed with the Highway Authority, to cover the cost of future maintenance.
- 4 The carriageways of the proposed estate roads shall be constructed up to and including at least road base level, prior to the commencement of the erection of any dwelling intended to take access. The carriageways and footways shall be constructed up to and including base course surfacing to ensure that each dwelling prior to occupation has a properly consolidated and surfaced carriageway and footway, between the dwelling and the existing highway. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or bordering the footway. The carriageways, footways and footpaths in front of each dwelling shall be completed with final surfacing within twelve months (or three months in the case of a shared surface road or a mews) from the occupation of such dwelling.

- 5 The principal access to serve the development shall be constructed as shown on the approved plan prior to the commencement of any work upon any dwelling.
- 6 Before any works commence on site, and concurrently with the detailed design plans, an Ecological Survey of the site, or any part thereof identified by the Local Planning Authority, shall be carried out and submitted to the Local Planning Authority with an assessment of the impact of the proposed development and any appropriate measures of alleviation. Development shall be undertaken only in accordance with the agreed measures.
- 7 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 8 Details of external lighting of the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation and shall be of a focussed and directional nature to ensure that there is no light spill into the river corridor.
- 9 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garage and carports hereby approved shall be retained so that they are capable of allowing the parking of cars together with any ancillary storage in connection with the residential use of the site, and shall at no time be converted into a room or used for any other purpose.
- 10 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Class A, B, D and E shall be undertaken without the prior written permission of the Local Planning Authority.
- 11 Prior to commencement of development details of the size, design, location and specification of the solar panels to be installed shall be submitted to and approved in writing by the Local Planning Authority.

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).

Description of Proposal:

Reserved matters application for a residential development comprising 119 dwellings (2, 3 and 4 bed) and a community building and shop. Of these 119 dwellings, 95 are to be affordable homes (with a split tenure of rented and shared ownership) with 24 private dwellings. 10% of the properties are to be in accordance with Lifetime Homes standards. The reserved matters to be

considered are layout, scale and appearance of the buildings, access details for the development and landscaping.

Description of Site:

The site is located on the east side of Sewardstone Road (A112) and covers an area of approximately 4.1 ha. To the southwest of the site stands a single dwelling known as 'White Lodge' (now empty) and immediately to the north of this property is the remains of 'The Limes', another dwelling which had associated dog kennelling to the rear which has subsequently been demolished.

The site rises quite steeply to the east, up from Sewardstone Road to the forest at the rear of the site. There is a watercourse which runs through the development site (known as the White Lodge Brook ordinary Watercourse), which runs approximately east to west.

To the south of the site is a corridor of land owned by the conservators of Epping Forest, which runs adjacent to the site from east to west, beginning from Sewardstone Road. Within this strip of land is a public bridleway, (reference number 77).

The site is located within the Metropolitan Green Belt.

Relevant History:

EPF/139/93 - Outline application for demolition of 2 existing houses and erection of 4 new houses of 2500sq feet each- Refused.

EPF/1111/95 - Demolition of 2 houses and outline application for block of 14 flats- Refused.

EPF/533/96 - Outline application for demolition of 2 houses and erection of 2 no. 2 storey blocks of 4 flats with car parking areas; plus clearance of all redundant kennel buildings and hard standing areas rear of site- Refused.

EPF/823/97- Outline application for the removal of kennels, hard standing and 2 houses and replacement with 2 new houses- Approved.

EPF/456/98 - Reserved matters application for 2 replacement dwellings- Approved.

EPF/1607/99 - Conversion of 2 no. detached houses into 8 self contained flats- Approved.

EPF/1775/01 - Revised application for a replacement dwelling- Approved.

EPF/218/05 - Change of use of land and erection of replacement building for restaurant with ancillary use (revised application) - Withdrawn.

EPF/1205/06 - Renewal of planning permission EPF/1775/01 for a replacement dwelling- Approved.

EPF/1680/06 - Outline planning application for redevelopment of site to provide 119 dwellings, car parking, community use, shop, means of access and other works ancillary to the development - Approved

Policies Applied:

East of England Plan

ENG1 – Carbon Dioxide Emissions and Energy Performance
H1 – Housing Provision 2001 – 2021
H2 – Affordable Housing
ENV3 – Biodiversity and Earth Heritage

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
CP4 - Energy Conservation
CP5 - Sustainable building
CP6 - Achieving sustainable urban development patterns
CP7 - Urban form and quality
CP9 - Sustainable transport
GB2A – General Restraint
GB16 – Affordable Housing
DBE1 – New Buildings
DBE2 – Impact of buildings on neighbouring property
DBE4 – Design and location of new buildings within Green Belt
DBE6 – Car Parking in New Development
DBE7 – Public Open Space
DBE8 – Private Amenity space
DBE9 – Amenity
H3A - Housing Density
H4A – Dwelling Mix
H5A - Affordable Housing
H6A - Site thresholds for affordable housing
H7A - Levels of affordable housing
H8A – Availability of Affordable Housing in Perpetuity
H9A – Lifetime Homes
NC4 – Protection of Established Habitat
LL2 – Resist inappropriate development
LL10 – Retention of trees
LL11 – Landscaping schemes
RP4 – Contaminated Land
U2A- Development in flood risk areas
ST1 - Location of development
ST2 - Accessibility of development
ST4 – Road Safety
ST6 – Vehicle Parking
ST7– Criteria for assessing proposals (new development)

SUMMARY OF REPRESENTATIONS:

WALTHAM ABBEY TOWN COUNCIL: No response received.

LONDON BOROUGH OF WALTHAM FOREST: Objection, given this site is to be developed, notwithstanding its location within the Metropolitan Green Belt, more extensive planting should take place along the site boundaries.

LEE VALLEY REGIONAL PARK AUTHORITY: The Authority regrets Epping Forest District Council's decision to allow this development and considers that the current scheme does not respond positively to the site's importance. Consideration should be given to a revised design and layout which responds to the constraints of this prominent site on the edge of the Green Belt.

NEIGHBOURS

25 properties were consulted and two Site Notices erected and the following response was received:

15 ALBION TERRACE – Objection does not fit into character of area; not enough existing public services; impact on light, levels of noise and traffic congestion.

Issues and Considerations:

The principle of residential development on this site including access from Sewardstone Road was established when outline planning permission was granted in October 2007 subject to a Section 106 agreement. Consequently matters of fundamental principle cannot be raised at this reserved matters stage. The main issues that arise with this application are considered to be the following:

- Impact on the Green Belt
- Scale, massing, design, layout and form of development
- Impact on neighbouring amenity
- Highways and transportation matters
- Landscaping and Ecology
- Renewable Energy Provision
- Compliance with Section 106 agreement
- Other matters

Impact on the Green Belt

The principle of this development within the Green Belt has already been agreed by Committee under the outline planning permission due to the special circumstances of the development which included 80% affordable homes, provision of community facilities, promotion of public transport, improvements to the ecological value of the area and use of renewable technologies. With regards to this reserved matters application and the impact on the Green Belt it is therefore just the proposed design and layout of the site that is under assessment.

The properties are predominantly two-storey with the occasional two-and-a-half storey property interspersed in the development. This choice of standard height dwellings reduces the conspicuous impact of the proposal when viewed from outside of the site. The outline consent was non-specific about the types of dwellings required, however the submitted information for this mentioned a mix of houses and flats to a maximum of three storeys in height. As such it is considered that a maximum height of two-and-a-half storey buildings would have less impact and be more appropriate in this location. Furthermore, the landscaping proposals and retention of trees on the site creates a sylvan environment appropriate to this location on the edge of Epping Forest which aids the blending and transition of this development into the wider Forest area.

It is also acknowledged that one of the purposes of including land in the Green Belt is to check unrestricted urban sprawl. Whilst this proposal would result in an extension to the urban area of Chingford, the principle of which has been agreed, it is considered that the sylvan nature of the proposal acts as a transitional zone between the open character of the Green Belt to the north and the urban area of Chingford to the south.

The number of dwellings proposed matches that approved at outline stage and equates to a density of approximately 37dph which sits comfortably within the Council's suggested range of 30-50 dph as outlined in Policy H3A, and although within the lower section of the range it is considered appropriate for this edge of settlement location.

Scale, massing, design, layout and form of development

The development follows a style of two and two-and-a-half storey houses which are in keeping with the local vernacular of the area. From the front of the site the proposal is set back from the road behind a proposed pond and extensive planting area. The community centre/shop would be sited in a prominent location at the front of this development. Behind the front section of the site there is a north/south split caused by the existing stream with three quarters of the dwellings proposed to the north and the remainder to the south of the stream.

The layout does not form a structured pattern partly due to the topographical constraints of the site, instead there are groups of semi-detached and terraced properties with occasional detached properties all with off-street parking in the form of either a garage, carport or driveway. The proposal reflects the guidance contained within the Essex Design Guide, adopted by the Council as Supplementary Planning Guidance, which seeks to enclose space and locate parking to the rear of built development. The use of courtyard parking in this development is also a feature promoted by the Essex Design Guide and this proposal has several courtyard features with vehicle and pedestrian links with shared surfaces and a large dished play area.

The design of the properties follows a similar cohesive theme, but with varying changes to roof slopes, window layout and elevations to add interest and diversity to the streetscene and create individual properties. Again features of the Essex Design Guide are evident with steeply pitched roofs alongside dominant gable features. Projecting feature windows are also a feature applied to several properties within the site, which again adds variety to the streetscene.

The development ranges in height from approximately 6.5m to 10.4m with the taller properties on the area that is considered to have the steepest incline. The heights of the properties would be mixed to add visual interest to the site, with the addition of chimneys on some properties to enhance the roofscape.

Flat roof dormers are proposed on several properties, which along with providing valuable headroom again add visual variation to the site. Solar panels are also to be added to all properties which will have a visual impact and have to be thoughtfully incorporated into the roof design and the application site as a whole.

The proposal provides 10% of the dwellings designed to Lifetime Homes Standards as required under Policy H9A. These properties are located to the front of the site, closest to Sewardstone Road and the proposed shop/community centre, on the most level section of the site where accessibility for all will be more easily obtained.

It is the intention that the properties will be finished in a combination of brick and render with some tile hanging finishes, with the roof finishes in either plain concrete tiles or artificial slate. This mix further enhances the visual interest of the estate and complies with the Essex Design Guide.

Overall it is considered that the scale, massing, design, layout and form of the development is in accordance with the adopted design policies of the Local Plan and Alterations.

Affordable housing provision

The outline planning permission was granted subject to a Section 106 legal agreement that stipulated that 80% of the dwellings should be affordable housing. This level of affordable housing has been met by this development, which will result in 95 new affordable homes within the District.

The Housing Directorate are satisfied with these proposals and are pleased that no variation to the number of affordable dwellings have been made. The tenure split of social rented housing (60%) and shared ownership housing (40%) is also a required mix for the District.

On this basis it is considered that the development would enable affordable housing provision and complies with the relevant policies in this respect.

Impact on neighbouring amenity

The property has no immediate neighbours to the north or east where it opens on to fields and the forest and is separated from the properties to the south by the approximately 14m wide Bridle path. The proposed properties closest to the Bridle path have the back gardens backing onto this area, which adds further distance between the proposed and existing properties. It is therefore not considered that the proposal will impact significantly on the amenity of the existing properties in Boardman Avenue, to the south, particularly given the level of screening existing and proposed on either side of the Bridle path.

To the east of the site across Sewardstone Road are a row of houses known as Albion Terrace. The occupier of No. 15 Albion Terrace has objected to the proposal for various reasons including loss of light and impact of noise from the development on this property. However it is considered that, as the proposals are set back from the road by 25 to 30m behind some extensive tree planting, this will reduce any potential impact to the properties on the opposite side of the road. Given the scale of this proposed development it is considered that there may be some loss of amenity to these properties in terms of increased vehicle and pedestrian movements. This is however not considered unduly detrimental given the distances involved and the existing nature of the road. With regards to the general outlook to the site, the proposal includes the retention and planting of a large number of trees which will help to blend the development into its wider surroundings and reduce its overall visual impact.

Highways and transportation matters

The outline planning permission was granted subject to a condition to provide a priority junction off Sewardstone Road, however the internal road layout had not been finalised at outline stage. The internal layout has evolved since the outline permission from a grid like pattern to a more flowing vehicle and pedestrian route layout reflecting advice in the Essex Design Guide. Amended plans have been received that have overcome earlier issues raised by Essex County Council Highways, and the Council is now satisfied with the internal layout including turning heads and the shared surface chosen to create an inclusive public realm for both vehicles and pedestrians. The use of pinch points and raised table junctions have also been incorporated into the design as additional safety features.

Parking around the site has been provided in a variety of forms, driveways, communal parking courts, carports and integral garaging. A total of 210 parking spaces have been provided across the whole site including 7 public parking spaces at the community centre/shop building. This results in a site average of 1.7 spaces per dwelling, which complies with the Council's requirements for vehicle parking as set out by the Essex Vehicle Parking Standards. The dwellings have been positioned and located so that the car parking areas, along with public open spaces, are overlooked to maintain a degree of security and safety.

In terms of access to public transport, the site benefits from access to a regular bus service into Chingford with a footpath being created to the closest bus stop on Sewardstone Road. To encourage use of public transport and as part of the Section 106 agreement each eligible member of a household will receive a voucher redeemable for a 12 month season ticket. Furthermore, each property would also be built with a shed suitable for cycle storage.

Landscaping and Ecology

The application site is covered by a group Tree Preservation Order and as part of the outline permission there was a requirement to retain as many of the protected trees as possible. The Council's Tree and Landscape Officer is content with the level of trees to be retained and to be planted across the site. However, due to several issues including the potential for contamination of the site and the need for levelling across the site it is considered that, although the information submitted regarding the trees to be retained is sufficient, the landscape scheme may need to be changed depending on the level of de-contamination/levelling and associated soil movements on the site. These changes can however be controlled by the outline conditions which have not yet been discharged.

The submitted ecological report highlights the presence of reptiles on the site and suggests relocating reptiles to the meadow land area. This option has now been discounted due to the contamination on the site and the applicant's agent is currently in discussions with EFDC Countrycare and the City of London to discuss possible suitable relocation sites in the District and/or on Forest land, which can be further controlled by condition.

The proposal also includes the provision of both bird and bat boxes on the site to ensure wildlife remains.

Renewable Energy Provision

As part of the special circumstances to support this scheme the development proposes to use renewable energy sources where possible. In addition Policy ENV1 of the East of England Plan requires new development of more than 10 dwellings to secure at least 10% of their energy from decentralised and renewable sources. From the information submitted highlighting the provision of solar panels to all properties, including the Community Centre, this appears achievable.

As well as the requirement under Policy ENV1, the development is required by the S106 agreement to achieve Code Level 3. Along with the aforementioned solar panels the proposal would include water butts, outside drying areas, low flow taps, dual flush toilets and a high level of insulation. From the information provided in the Pre-Assessment Report it appears compliance with Code Level 3 is achievable and this can be controlled through the Section 106 agreement. Furthermore, in order for a Registered Social Landlord (RSL) to achieve grant funding for affordable homes it is a requirement that the properties reach Code Level 3.

Compliance with Section 106 agreement

The section 106 agreement attached to the outline planning permission requires the following 10 points:

- 1) 80% of the number of dwellings would be affordable housing, 60% of which would be for rent and 40% for shared equity
- 2) Commitment to sustainable housing design to achieve the Code Level 3 rating from the Code to Sustainable Homes
- 3) Compliance with an approved Landscape Management Plan.
- 4) The transfer of an area of woodland to the Conservators of Epping Forest
- 5) The widening and improvement of the nearby bridleway

- 6) Commitment to a socially inclusive housing mix and layout
- 7) Provision of a community facility and shop with details of management
- 8) Off-site highway improvements
- 9) Measures to promote alternatives to the car
- 10) An education contribution to Essex County Council in accordance with their standard formula

All of the above 10 points of the Section 106 have been addressed in some way through this application with the exception of the education contribution. However as this simply relates to a financial contribution it is not relevant to the design and layout of the estate. It is considered that the developers are working towards the commitments as set out within the Section 106 agreement, and several of the points have also been addressed by condition in the outline permission.

Other Matters

Contamination:

As a derelict site, with a former use as a greyhound kennels, the site is known to be contaminated. There is a contaminated land condition attached to the outline permission that is still extant and the developers are working with the Council's Contaminated Land technical Officer to remediate the land and discharge this condition.

Open Space:

Public open space has been reserved for a dished play area that will also be utilised for flood attenuation to control surface water run off in the case of a 1:100 year flood. There will also be direct pedestrian access to the meadow land at the rear. Access to the Forest will remain as existing with access along the Bridle path from Sewardstone Road. The land transferred to the Corporation of London will be fenced off from the housing area and meadowland to prevent forest stock entering the development, however pedestrian access will be provided. The area around the stream and pond to the front of the site will also be publicly accessible, however it would have some boundary treatment for health and safety reasons.

Outstanding Conditions:

At present none of the prior commencement conditions attached to the outline planning permission can be discharged, although the developers are working with the Council and other relevant agencies to discharge these. The outline conditions therefore continue to remain extant if this reserved matters application is approved. This reserved matters application does satisfy the compliance conditions of the outline consent, specifically Condition 3 (maximum of 119 dwellings) and Condition 14 (a buffer strip of at least 5m in width to be provided between the proposed development and the brink of the watercourse).

Conclusion:

In conclusion, it is considered that the proposal will result in a development in line with that approved at outline stage and which would fit well within the character of the area. The buildings have been designed to reflect the local vernacular whilst incorporating individual features. The principle of development within the Green Belt has been agreed and the proposal will create a successful transition between the open countryside/forest land to the north and east and the urban area to the south, therefore minimising the impact of the Green Belt.

The scheme will provide 95 additional affordable houses, helping to achieve the Council's housing needs target. The access, internal road layout and parking provision have been designed in negotiation with Essex County Highways and are considered suitable for this location, and the

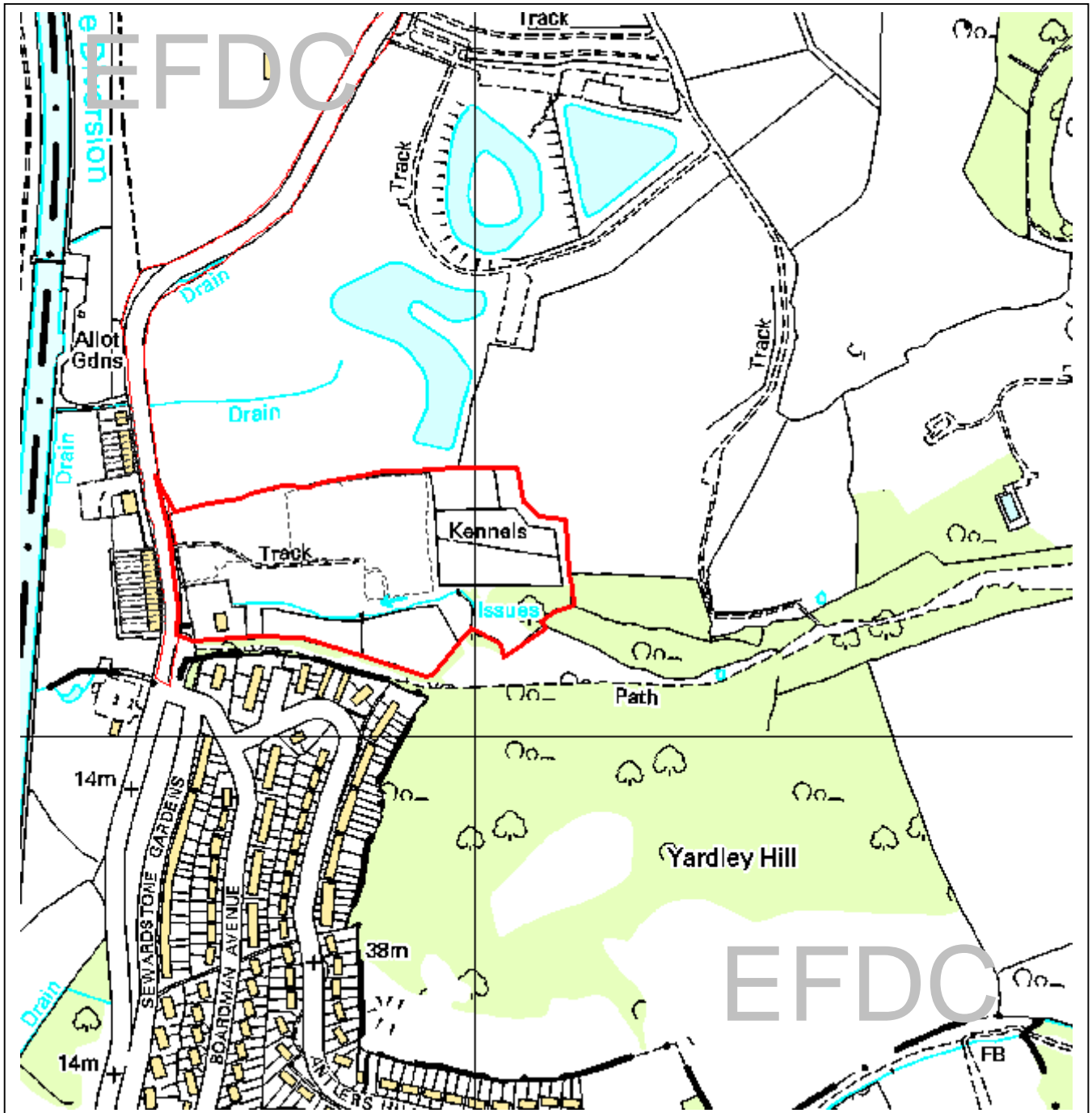
scheme is considered acceptable in terms of landscaping, ecology and impact on neighbouring properties.

The proposal is in accordance with national Guidance and the relevant policies in the Local Development Plan and the application is therefore recommended for approval.



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	5
Application Number:	EPF/0383/09
Site Name:	The Limes/White Lodge, Sewardstone Road, Waltham Abbey, E4 7SA
Scale of Plot:	1/5000

Report Item No: 6

APPLICATION No:	EPF/0560/09
SITE ADDRESS:	Tesco Stores Limited Sewardstone Road Waltham Abbey Essex EN9 1NP
PARISH:	Waltham Abbey
WARD:	Waltham Abbey South West
APPLICANT:	Tesco Stores Ltd
DESCRIPTION OF PROPOSAL:	Renewal of temporary planning permission and continued use of land on south east corner of the site for three more years as an additional car park (69 spaces) for Tesco store.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 This consent shall inure for a limited period expiring three years from the date of this Notice, at which time the development permitted by this Notice shall be discontinued.
- 2 The site shall be used solely for the parking of cars belonging to customers and employees of Tesco's, and visitors to the Primary Health Care Centre, and for no other purpose.

This application is before this Committee since it is an application for commercial development and the recommendation differs from more than one expression of objection (pursuant to section P4, schedule A (f) of the Council's delegated functions)

Description of Proposal:

Renewal of temporary planning permission and continued use of land in the south east corner of the site for 3 more years as an additional car park (69 spaces) for the Tesco's store.

Description of Site:

The site is laid out for 69 car spaces, being part of the 496 space car park used by customers and employees of Tesco, plus visitors to the Waltham Abbey Health Care Centre. Houses in Denny Avenue and flats in Howard Close lie close to this south east corner of the site.

Relevant History:

The Tesco's store opened in July 2005 following outline and detailed approvals in 2002 and 2004. At the outline planning stage this southwest corner of the site was to be developed as 3 blocks of flats (24 in total). However, Tesco's did not proceed with plans for these flats, and on 19/10/05 they obtained a temporary 3 years planning permission to use this south east part of the site to provide an extra 69 car spaces for the store.

Policies Applied:

ST6 – Vehicle parking; DBE9 – Loss of amenity.

Summary of Representations:

WALTHAM ABBEY TOWN COUNCIL – No objections

NEIGHBOURS

43 properties in Howard Close and Denny Avenue were consulted and the following responses were received:

27 DENNY AVENUE – there should be more control over the use of this car park, since loud music, and cars racing round, cause noise nuisance at night

26 DENNY AVENUE – strongly object because Tesco's lack of control of the car park has led to anti social behaviour throughout the night, e.g. cars parking with radios on loud, playing of football, and parking of commercial vehicles with chiller units on.

69 HOWARD CLOSE – object because 'boy racers' cause noise in summer, and also play football, and noise from car radios. Tesco's staff seem to largely ignore the problems.

COUNTY COUNCIL HIGHWAYS – no objections

EFDC Environment and Street Scene – no objections

EFDC Safer Communities Team – no response

Issues and Considerations:

In terms of parking standards the additional spaces provided are acceptable and the County Council Highways department have no objections. The main issue raised is one of amenity to neighbours, and more particularly problems of noise from anti-social behaviour which can occur once the store is closed for trading.

43 neighbouring properties were consulted on this application and 3 letters of concern and/or objection have been received. These cite noise from boy racers, noise from radios of parked cars, playing of football, and parking of vans/commercial vehicles, to be the sources of nuisance. However, it should be pointed out that these problems are not caused solely on the 69 spaces subject of this application. It also appears that these problems are largely experienced after the store is closed for trading.

It is not necessarily within the scope of planning to deal with issues such as anti-social behaviour, and regrettably, large car parks often attract young people to congregate, particularly in cars. Nevertheless the agents for Tesco's have submitted additional information to respond to some of the issues raised. These are firstly, that a new store manager is keen to improve the situation, and to this end he attends most of the Waltham Abbey Neighbourhood Action Panel meetings, some of

which have been held in the Tesco's store building. These meetings deal with environmental and nuisance issues in the wider locality. Secondly, a dedicated phone line is now available for residents to phone regarding environmental problems, and the manager has also made his own direct number available to those attending panel meetings. Thirdly, it is proposed to rebuild the barrier on the entrance way into the store car park, the previous one having been recently 'rammed'. Fourthly, an additional caretaker has been employed to deal with litter in the car park and provide a staff presence when the store is closed.

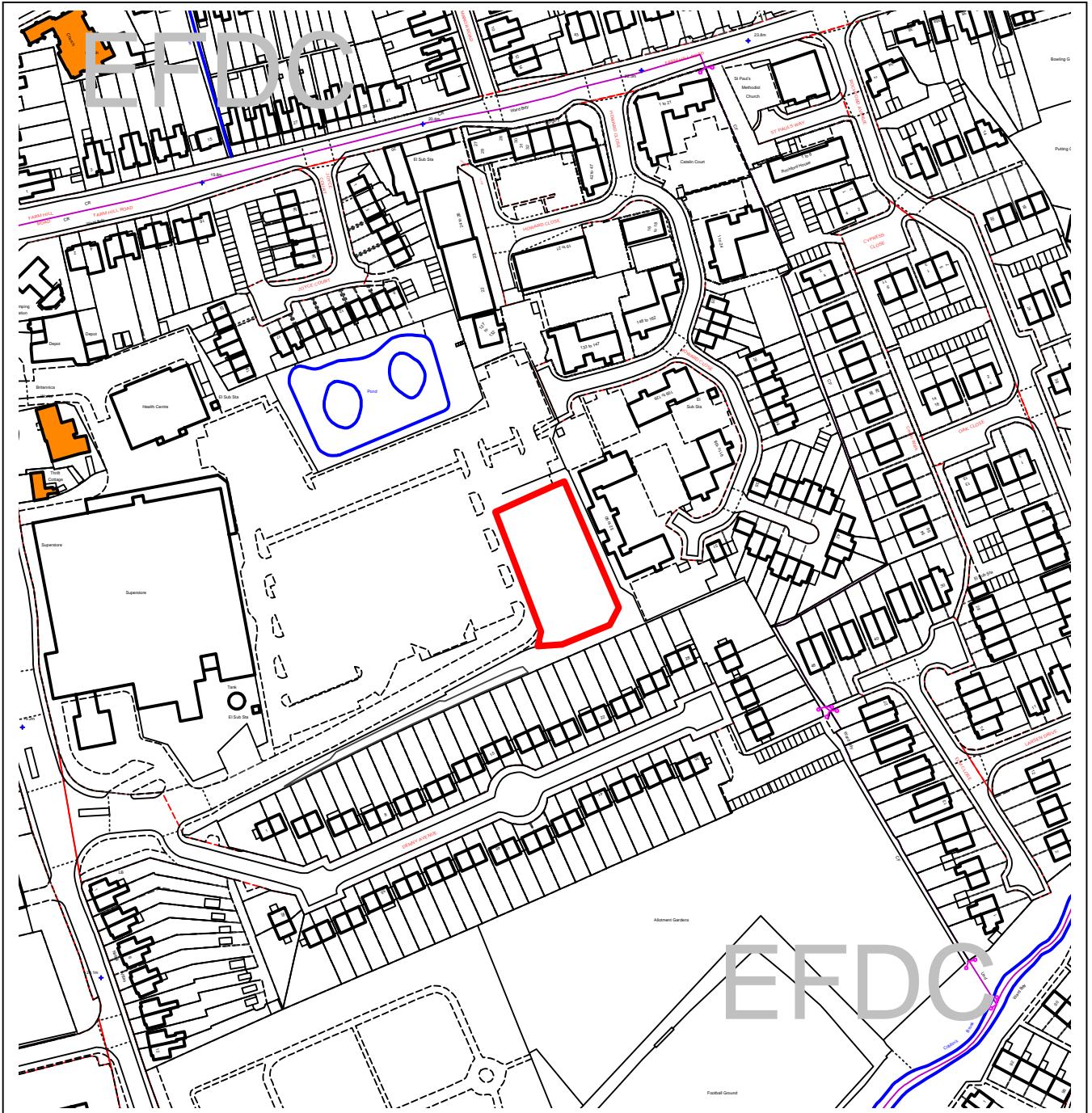
Conclusions:

The continued use of this land for parking accords with parking policies. Residents in 3 of 43 neighbouring properties who were notified have raised problems of noise and anti social behaviour – a relatively modest proportion of the number consulted. In any event, Tesco's have recently been more active in attempting to deal with anti-social behaviour. In planning terms there is no objection to this site being used for parking for another 3 years, and temporary consent is recommended.



Epping Forest District Council

Area Planning Sub-Committee South



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Agenda Item Number:	6
Application Number:	EPF/0560/09
Site Name:	Tesco Stores Limited, Sewardstone Road, Waltham Abbey, EN9 1NP
Scale of Plot:	1/2500

Report Item No: 7

APPLICATION No:	EPF/0622/09
SITE ADDRESS:	The Stables Lippitts Hill Waltham Abbey Essex IG10 4AL
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
APPLICANT:	Mr Paul Jobling
DESCRIPTION OF PROPOSAL:	Erection of a two storey dwelling house with basement in the grounds of an existing house on land previously used as a riding school. Demolition of all existing outbuildings previously used by the riding school.
RECOMMENDED DECISION:	Refuse Permission

REASONS FOR REFUSAL

- 1 The proposed development would, by reason of its height, bulk, scale and mass appear as an unacceptably dominant and visually intrusive feature within the existing streetscene harmful to the surrounding area and would result in an overdevelopment of the site contrary to Policies DBE1, DBE2, DBE4 and DBE10 of the Epping Forest District Local Plan and Alterations.
- 2 The site is within the area identified in the Epping Forest District Local Plan as Metropolitan Green Belt. The Local Plan and Government Guidance as set out in Planning Guidance Note 2 (Green Belt) is that in order to achieve the purposes of the Metropolitan Green Belt it is essential to retain and protect the existing rural character of the area. The proposal introduces a new building of an excessive size which results in an inappropriate development harmful to the purposes of including land in the Green Belt and contrary to the Government advice contained in PPG2, and Policies GB2A, of the Adopted Local Plan Alterations. There are no adequate very special circumstances to outweigh the harm of the proposal to the Metropolitan Green Belt.
- 3 The proposed development would, by reason of its position and close proximity to neighbouring properties cause a loss of privacy due to overlooking and would be visually intrusive which would have a serious and adverse effect on the living conditions of adjacent occupiers contrary to Policy DBE9 of the Epping Forest District Local Plan and Alterations.

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

Description of Proposal:

The applicant seeks planning permission to construct a two storey dwelling incorporating a basement and integral garages in the grounds of an existing dwelling known as 'The Stables'.

All remaining outbuildings which were once used as stables on the site are to be removed to make way for the proposed development leaving only the existing three bedroom dwelling and an associated shed.

The proposed dwelling will have a building footprint of approximately 354 square metres and an overall floor area of approximately 889 square metres which spans over the two floors and the basement. The basement will comprise two separate double car space garages (one on each side of the dwelling), a cinema, gym, cellar and general storage, the ground floor will comprise the main living areas such as the kitchen, family and dining rooms and the first floor will comprise 6 bedrooms, all with en-suites.

The dwelling will be set back behind the existing dwelling and will face the highway. Materials are to comprise of red brick, with a terracotta tiled roof. The main roof is hipped with gable ends and has a 45 degree pitch.

The existing driveway will become a shared driveway providing vehicle access to both the existing and the proposed dwellings. Vehicle parking is to be either within the integral garages or on the hard surfacing towards the front of the proposed dwelling. To the rear and the side of the dwelling a large private open space area is to be provided for the recreational needs of future residents.

It should be noted that the garden of the existing house will be extended to allow for a larger private open space area.

Description of Site:

The subject site is located on the edge of Epping Forest within the small village of Lippitts Hill north-west of Loughton. The site itself was used as a small riding school before becoming redundant. The site currently consists of a three bedroom house, five stable blocks and associated barns and sheds as well as an outdoor training area.

The site slopes from the front north-east boundary up towards the rear south-west boundary. The total fall over the site is approximately 2.3 metres. A mixture of native and non-native vegetation is scattered throughout the site and along the boundaries. The site has an overall area of 0.79 acres.

Located to the south and west of the site is the Metropolitan Police Air Support Unit that comprises a number of buildings in which some are Grade II Listed and helicopter pads. A mixture of dwellings that comprise a variety of building forms and styles are located to the north and east of the site. It should be noted that the subject site and the surrounding area are located in the Metropolitan Green Belt.

Relevant History:

There have been a number of planning applications submitted to Council since the 1950's however the most recent applications that are relevant to the proposed scheme are as follows:

EPF/0422/05 - Outline application for the demolition of stables and associated areas; erection of two detached dwellings. (approved with conditions) – but now lapsed

EPF/0002/08 - Redevelopment of site as two houses. (withdrawn)

EPF/0265/06 - Outline application for the erection of one dwelling on site of hardened menage area of livery yard. (withdrawn)

Policies Applied:

DBE1 Design of New Buildings
DBE2 Detrimental Effect on Existing Surrounding Properties
DBE4 Development in the Green Belt
DBE6 Car Parking
DBE8 Private Amenity Space
DBE9 Loss of Amenity for Neighbouring Properties
LL10 Adequacy of Provision for Retention of Landscaping
LL11 Landscaping Schemes
CP1 Sustainable Development
CP2 Protecting the Quality of the Rural and Built Environment
CP3 New Development
H1A Housing Land Availability
GB2A Development in Green Belt
GB7A Conspicuous Development
HC12 Development Affecting the Setting of a Listed Building

Summary of Representations

WALTHAM ABBEY TOWN COUNCIL: no objections to the proposed development.

69 properties were consulted and a site notice was erected and the following responses were received

WHITE GABLES, LIPPITS HILL – The proposed development is excessive, out of scale and an overdevelopment of the site that would be out of character with the surrounding area and would be un-neighbourly.

1 OWL PARK, LIPPITS HILL – due to the current climate there is not a need for new dwellings in the area as existing properties are not selling.

Issues and Considerations:

The main issues to be addressed in this case are whether the design and appearance of the proposed development is acceptable, whether it would be detrimental to the openness of the Green Belt or to the amenities of adjoining property occupiers.

Design and appearance:

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

Dwellings in the area range from single to double fronted facades, with many dwellings incorporating a porch, decorative details and a mixture of materials to provide articulation. Each façade of the proposed dwelling is appropriately articulated to reflect the general patterns found within the surrounding area and creates visual interest.

New buildings should be consistent with the overall shape and form of those dwellings which are predominant in the surrounding area.

In this case, the Council has a concern regarding the overall bulk and scale of the proposed development, in particular the roof form. It is noted that the applicant has tried to blend the development into the surrounding area by using the slope of the land to facilitate a basement and to try and reduce as much bulk as possible. However the Council feels that due to the excessive building footprint, it results in a development with a roof height and form that appears visually dominant and out of character to the surrounding area.

Instead of the proposed development appearing as a two storey dwelling, it will appear more like a 4 or 5 storey building. The overall height of the building from the front is nearly 13.3 metres which is well in excess of a standard 2 storey dwelling.

There are other large buildings within the area however in this case the Council feels that a development of this size would dwarf nearby properties including the existing property. Also the Council considers that the proposed dwelling would be an overdevelopment of the site. Normally a development of this size would have a much larger site area. A site area of approximately 0.79 acres is considered to be too small for this particular development. Other large dwellings in the area would normally have a site area double or even three times the size of subject site.

In terms of access and off street parking, the Council considers that the development would not result in traffic congestion or be detrimental to highway safety when entering and exiting the site. There is also sufficient off street car parking on the site. It should be noted that the application was referred to Essex County Council's Highways officer who advised that they had no objections to the proposed development subject to conditions being placed on approved permission.

Overall the Council feels that the development is contrary to Council design policies as the development is large in terms of bulk, scale, form and massing which will appear disproportionate to the existing site and would bring in urban architecture that would not reflect the character of the surrounding environment.

Green Belt:

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

The proposed development is contrary to the above policy and therefore very special circumstances need to be demonstrated in order for the development to outweigh the harm it would have on the Green Belt.

Although Members previously gave outline consent for 2 dwellings on the site, this consent has now lapsed and the current application must be treated on its merits.

The applicant has suggested that one special circumstance is that the floor area of the proposed development would be similar to the floor area of the outline permission that was granted for two detached dwellings.

The outline consent did not specify any floor areas. However in this case, it is considered that the bulk, massing and scale of the proposed development would be far more detrimental to the Green Belt than two smaller dwellings which would have lower roof heights and space between them.

Although there is existing and proposed screening on the boundaries in the form of mature vegetation, the Council still feels that the proposed development would have a detrimental impact to the openness, character and the appearance of the Metropolitan Green Belt or the purposes of including land within the Green Belt. The Council feels that in this case, there are no very special circumstances sufficient to overcome the harm the development would have on the Green Belt.

Impact on adjoining neighbouring amenities:

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

Given the close proximity the proposed dwelling would be situated from the existing dwelling (10 metres), the Council considers that a development of this size would have a detrimental impact to the amenities of this property. In particular the development would be visually intrusive to the occupiers of the existing dwelling and would also result in significant overlooking into private open areas and habitable rooms.

Other issues:

The application was also referred to Council's Drainage Engineer, Council's Environmental Health Officer and Council's Contaminated Land Officer. All had no objections with the proposed development subject to conditions being placed on any approved permission.

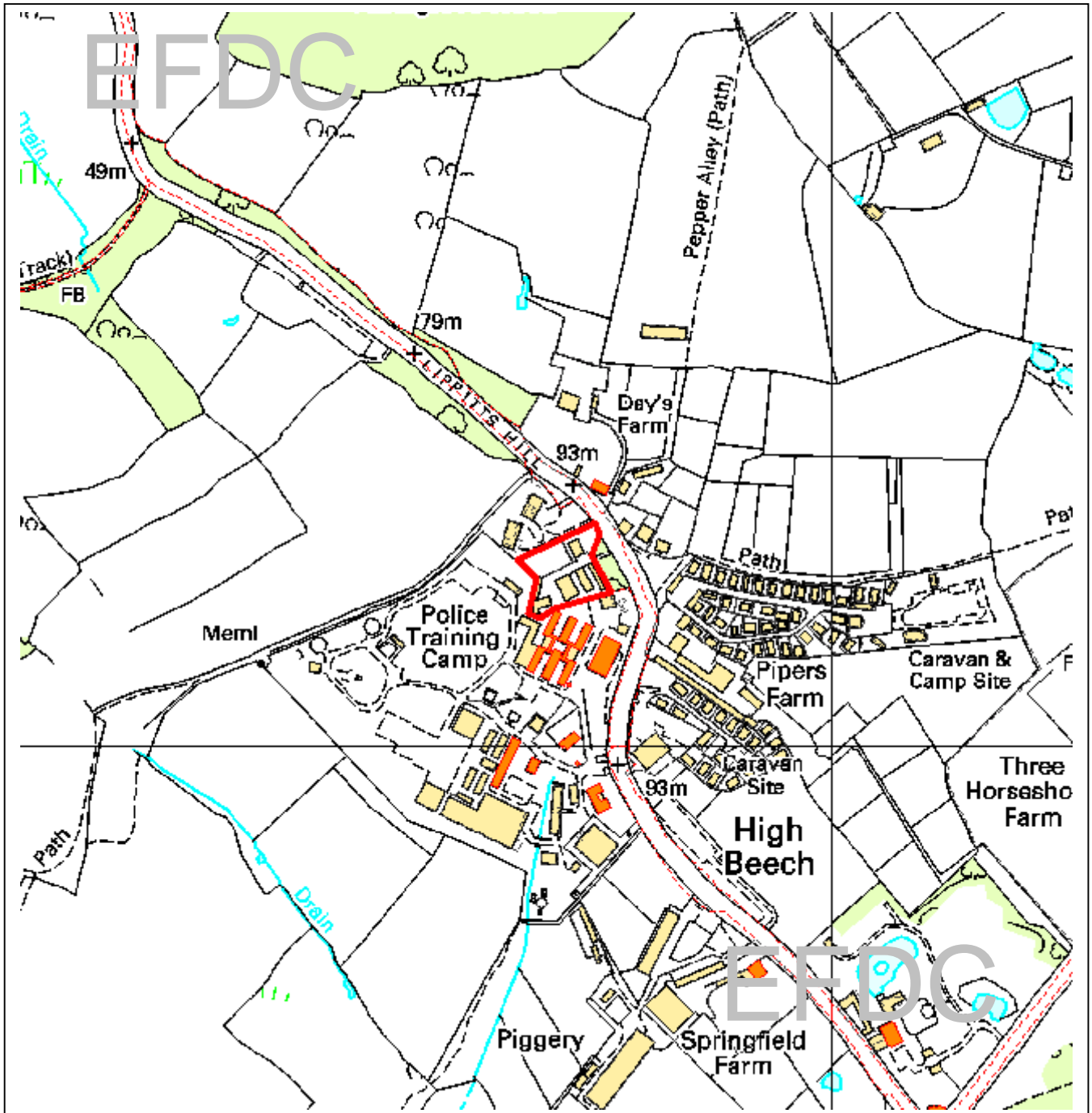
Conclusion:

In conclusion the Council considers that the design and appearance of the proposed development is unacceptable and that the development would have a significant impact to the openness of the Green Belt and to the amenities of adjoining property occupiers. Therefore it is recommended that the application be refused for the reasons discussed throughout this report.



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	7
Application Number:	EPF/0622/09
Site Name:	The Stables, Lippitts Hill, Waltham Abbey, IG10 4AL
Scale of Plot:	1/5000

Report Item No: 8

APPLICATION No:	EPF/0765/09
SITE ADDRESS:	23A Highbridge Street Waltham Abbey Essex EN9 1BZ
PARISH:	Waltham Abbey
WARD:	Waltham Abbey South West
APPLICANT:	Mr Salvatore Capotosto
DESCRIPTION OF PROPOSAL:	Proposed new build for a 10 bedroom (C2 Use Class) residential care home /healthcare home. (Revised application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes, windows and doors shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 The premises shall be used solely for Care home accommodation and for no other purpose (including Nursing care or any other purpose in Class C2 of the Schedule to the Town & Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.
- 4 Prior to commencement of development, including demolition or site clearance works, a phased contaminated land investigation shall be undertaken to assess the presence of contaminants at the site in accordance with an agreed protocol as below. Should any contaminants be found in unacceptable concentrations, appropriate remediation works shall be carried out and a scheme for any necessary maintenance works adopted.

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

Should a phase 2 main site investigation and risk assessment be necessary, a protocol for this investigation shall be submitted to and approved by the Local Planning Authority before commencing the study and the completed phase 2 investigation with remediation proposals shall be submitted to and approved by the

Local Planning Authority prior to any remediation works being carried out.

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

- 5 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 6 A flood risk assessment (relating to drainage) 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.
- 7 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.

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

The scheme must include details of the proposed planting including a plan, details of species, stock sizes and numbers/densities where appropriate, and include a timetable for its implementation. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand, and in writing.

The statement must include details of all the means by which successful establishment of the scheme will be ensured, including preparation of the planting area, planting methods, watering, weeding, mulching, use of stakes and ties, plant

protection and aftercare. It must also include details of the supervision of the planting and liaison with the Local Planning Authority.

The landscaping must be carried out in accordance with the agreed scheme and statement, unless the Local Planning Authority has given its prior written consent to any variation.

- 9 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (Ambiental, April 2009) and the following mitigation measures detailed within the FRA:
 1. Identification and provision of safe route(s) into and out of the site to an appropriate safe haven.
 2. Finished floor levels are set no lower than 19.39m above Ordnance Datum (AOD).

- 10 The development hereby permitted shall not be commenced until such time as a scheme has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include:
 1. A flood emergency plan for the site
 2. Incorporate flood-proofing measures into the proposed development
 3. Agree the design of the fencing scheme.The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

- 11 Prior to commencement of development details of piling or any other foundation designs using penetrative methods shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

- 12 Prior to commencement of development, details of levels shall be submitted to and approved by the Local Planning Authority showing the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.

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).

Description of Proposal:

The application seeks consent to construct a new 10 bed care home on the former works site at the land to the rear of 23A Highbridge Street. The proposals would accommodate users in individual rooms with en-suites.

The proposals would also provide two lounge areas, a dining hall, kitchen, assisted communal bathroom, two office areas, WC on each floor, lobby and entrance lobby areas, reception and a choice of both stairs and lift for occupants.

The proposals have been revised during the application process to minimise occupied ground floor areas, as a result of these revisions the ground floor would provide 2 bedrooms with

accommodation which is more self contained with a kitchenette area. Occupants of the ground floor would as a result be more able and independent. The remaining 8 rooms would be at first and second floor.

Description of Site:

The site is a backland plot situated immediately behind the shopping parade in Highbridge Street, within Waltham Abbey Town Centre. A former industrial works/warehouse occupied the site which has now been demolished in full.

The site backs onto Cornmill Stream which feeds into the River Lee, the site is situated within the Designated Flood Zone and the Waltham Abbey Conservation Area.

The site is surrounded by a variety of residential and mixed town centre uses. Access to the site is achieved by a private access between retail units.

Relevant History:

The site has a varied history with the most relevant application being for a nearly identical flatted residential block under:

EPF/1018/06 - Redevelopment of existing site to provide a three storey block of flats incorporating 6 x 1 bedroom units and 2 x 2 bedroom units together with parking and amenity space.
(Resubmitted application) – Approved on 13th July 2006

EPF/0019/09 – Proposed 10 bedroom (C2 Use Class) residential home/healthcare home -
Withdrawn

Policies Applied:

Government Policy

PPS3 – Housing – Published November 2006

PPS6 – Planning for Town Centres – published 1996

PPS25 – Development and flood risk – Published December 2006

Epping Forest District Local Plan and Alterations

CP6 – Achieving Sustainable Urban Development Patterns

HC6 – Character, Appearance and setting of Conservation Areas

HC7 – Development within Conservation Areas

H1A – Housing provision

H2A – Previously developed land

H9A – Lifetime homes

TC3 - Town Centre function

U2A – Development in Flood Risk Areas

DBE1 – Design of new buildings

DBE2 – Effect on neighbouring properties

DBE5 – Design and Layout of new development

DBE6 – Car parking in new development

DBE9 – Loss of amenity

ST2 – Accessibility of development

ST6 – Vehicle Parking

Representations Received

At the time of writing this report no Town Council comments have been returned.

36 properties were consulted and a site notice was erected and the following response was received:

3 CORNMILL MEWS objects to the use of the site for care facilities due to additional car movements in the narrow access and associated noise and disturbance.

Issues and Considerations:

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

- The potential need for care accommodation
- The principle of Care accommodation within the Town Centre
- The development of a care facility within the Designated Flood Plain
- Design and neighbour issues
- The impact to the Conservation Area
- Highways, access and Parking Issues

Principle of provision of care accommodation

Policy H1A recognises that the need for market housing has been met through the Council's land allocations, however applications will continue to be considered for windfall sites or areas of previously developed land, policy H2A reaffirms this view.

Policy H9A and supporting text acknowledges the increasing need for mobility housing as a result of an increasing elderly population who typically suffer with greater levels of disability or dependency as people live longer and develop these disabilities. The ageing population is a national trend demonstrated by the national census data and identified in the Council's last Housing Need Survey in 2003. Therefore, in principle additional accommodation that would assist in meeting the need for care facilities in the District is accepted.

Principle of care accommodation within the Town Centre

Land use within the Town Centre is predominantly aimed toward encouraging business and retail units to ensure the retention of a busy Town Centre. However, residential uses within the Town Centre area are encouraged by Core policy 6 in order to achieve a better balance between housing and employment and encourage more sustainable lifestyles around good transport links. Therefore with no loss of retail frontage or floorspace and with the loss of employment previously considered acceptable for a residential development in 2006 the proposed care accommodation is considered acceptable within the Town Centre. Furthermore the proposals are considered to accord with the objectives of the draft Housing Strategy 2009-2012 supporting older people and other vulnerable groups in accommodation suitable for their needs with appropriate levels of support.

Flood Plain Issues

The applicant has submitted a Flood Risk Assessment (FRA) and a Sequential Test Analysis within which the Exceptions Test is conducted. Additional information was supplied on 18th May 2009 for background purposes relating to the Sequential Test Analysis. The FRA is required due to the proximity to the Cornmill Stream and the site position within the Flood Plain. The FRA sets out the risks associated with flooding on and around the site and how the development will minimise any increased risk. The Sequential Test seeks to demonstrate that there are no reasonably available alternative sites which would be appropriate for the proposed development. The Exceptions Test follows on from the sequential test where there are no alternative sites available and this test should demonstrate why exception should be made and the proposed development allowed in the Flood Area.

The applicant has demonstrated that care provision is required in the District and a letter of support has been provided from a Curo Care, a care provider in this area. On balance, supported by national census information it is considered reasonable that Care facilities are required in the Waltham Abbey area.

In respect of the sequential test analysis carried out by the applicant, the current status of the Council's LDF has been limiting for what the applicant can provide, and without suggestion of alternate sites from the Council, the applicant has deemed that there are no other sites available. Whilst this is unlikely on the basis of the argument offered for a development of this scale, analysis of the existing Local Plan has demonstrated that for the Waltham Abbey wards there is no land available as an alternative that is not either within a Flood Plain or the Green Belt. Therefore there is not an area more suitable for development which can be put forward on this basis, however there is a possibility that an area at a lesser risk of flooding may be available but cannot be identified.

Having accepted the conclusion of the sequential test that there are no alternate suitable sites on the basis of the information above, the Exceptions test must then be considered, and the wider sustainability benefits of the proposal considered. The applicant has demonstrated that the application meets the objectives of the Exceptions Test by highlighting the broader sustainability benefits of providing a community care facility within the Town Centre with good access to transport, local and community facilities. This meets the broader objectives of PPS3. The land is previously developed as encouraged by both Local Plan policies and PPS3 and the requirement of the exception test. Furthermore, the applicant has demonstrated that in terms of run off, attenuation and Flood risk on site and in the surrounding area, the proposals improve on the existing drainage and attenuation, reducing the existing offsite flood impacts. It has been demonstrated that the proposals can provide numerous flood mitigation measures to reduce the likelihood of a flood emergency onsite, and should this occur a raised path exit from the site is to be provided to allow the effective evacuation of occupants should it be necessary.

Mindful of the above matters and advice received from the Environment Agency and Council's own Emergency Planners, with no objection raised subject to conditions, the issues relating to Flood Risk are overcome.

Members should also be mindful that an identical sized block has been approved for general residential use prior to the emergence of PPS25 and the full awareness of Flood Risk. This consent could still be implemented and the structure potentially used to house vulnerable occupants with a lesser degree of support.

Design and neighbour issues

The proposed development does not differ significantly from the design and appearance of the already approved flatted block. The scale and form of the overall block remains unchanged and the positioning of openings is not significantly different. Therefore the appearance of the development when viewed from neighbouring properties remains unchanged and potential loss of privacy/amenity as a result of the proposals is not dissimilar to that already considered under the previous application.

Impact to the Conservation Area

As outlined above the proposed accommodation maintains a largely similar built form as that which was previously approved. The proposed replacement of the former works buildings does improve the appearance of the area and the proposed design most importantly does not detract from the character and appearance of the Conservation Area. For these reasons the Council's Conservation Officer is largely satisfied subject to a condition requiring that the development is not allowed UPVC windows as this could potentially detract from character and appearance whilst setting a poor precedent for future surrounding development. The applicant has subsequently provided details to demonstrate windows which could be used to overcome these concerns.

Highways and Access issues

In respect of the function of the property as a Care facility as opposed to residential units, the proposals will result in staffed premises for general care purposes as opposed to nursing requirements. The proposals are likely to result in journeys generated from visitors and staff with very few vehicle movements relating directly to the occupants. These movements are considered relatively minor compared to movements which could potentially have been associated with up to 8 working occupants or working couples.

In respect of parking, the proposals provide 7 spaces to be shared between essential staff requiring parking and visitors, including a disabled space for the benefit of users or visitors. In a town centre location with good alternative transport links and public parking close by this is considered acceptable.

Conclusion:

The proposed 10 bed residential care facility is considered acceptable on balance, meeting a need identified within the District and providing care accommodation in a sustainable location which is able to satisfy the requirements of the Environment Agency and the Council's Emergency Planners.

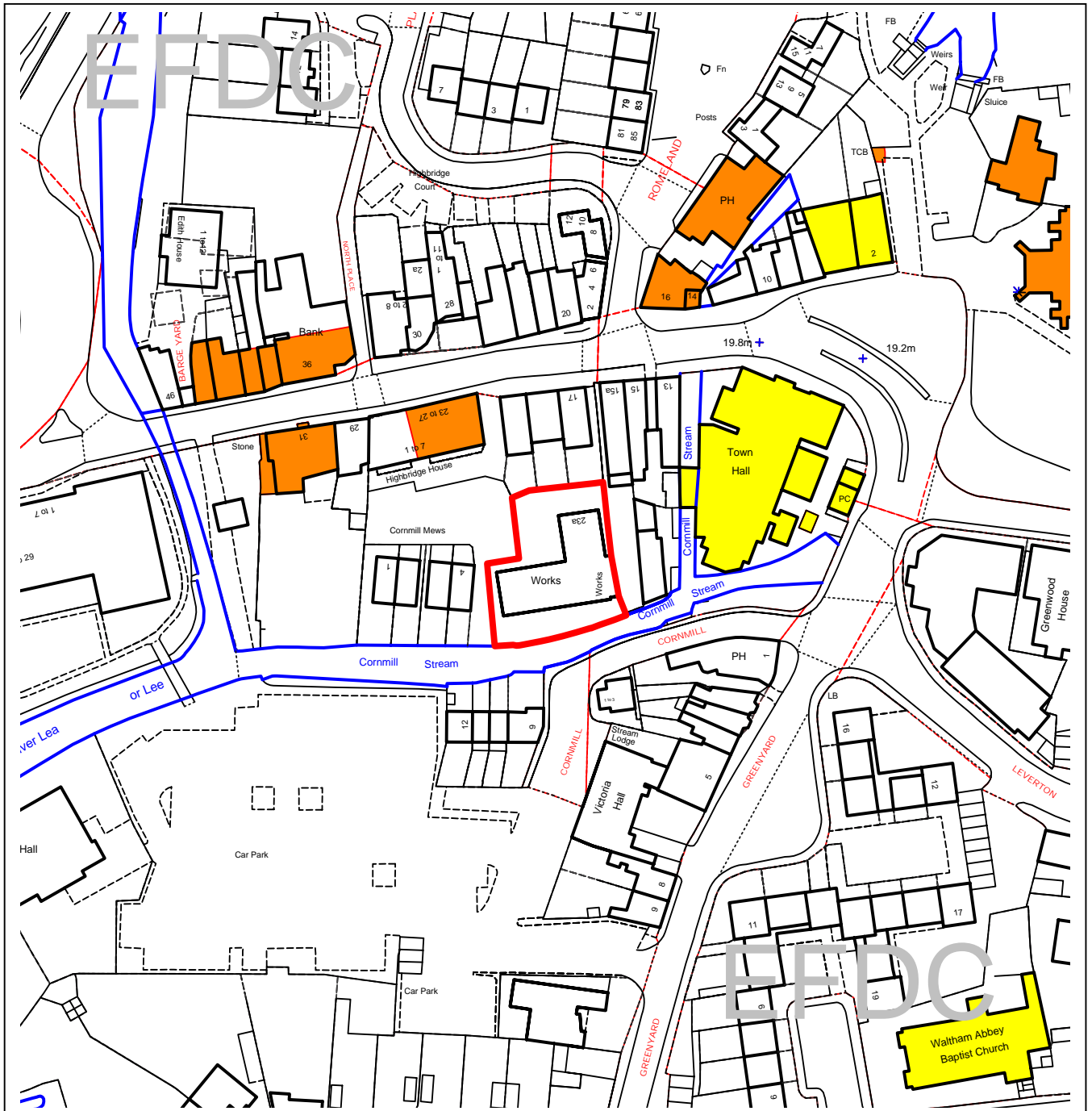
Furthermore the development can be provided without any significantly greater impacts to the Conservation Area and neighbouring properties than a similar structure which has previously been approved.

This application is therefore recommended for approval subject to conditions.



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	8
Application Number:	EPF/0765/09
Site Name:	23A Highbridge Street, Waltham Abbey, EN9 1BZ
Scale of Plot:	1/1250

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Report to Area Plans Sub-Committee West



**Epping Forest
District Council**

Date of meeting: West 17 June 2009

**Subject: EPF/1305/08 1 Cartersfield Road, Waltham Abbey, Essex, EN9 –
Demolition of existing buildings and erection of new 'Lidl' foodstore and
construction of five start-up industrial units (revised application).**

**Officer contact for further information: Graham Courtney (01992 – 564228).
Democratic Services Officer: Rebecca Perrin**

Recommendation:

To vary condition No. 19 of the above application to read:

The industrial units hereby approved shall be completed within 12 months from the date of occupation of the store.

Reason: - The provision of the industrial units was a significant factor in the reuse of the designated employment land for retail purposes.

Report Detail:

1. The above planning application was considered at Plans Sub-Committee West on 2nd December 2008, and subsequently recommended approval. This was then referred to District Development Committee, where the application was approved subject to a S106 agreement.
2. As the S106 agreement has not yet been completed, no decision has yet been given for the scheme and as such the wording of the conditions can be altered at this stage with the agreement of Members, without the need for a further planning application.
3. The creation of the five start-up industrial units was considered a significant benefit of the scheme and formed part of the 'special circumstances' of the proposal. Due to this a condition was put to Member reading:

The industrial units hereby approved shall be completed prior to the occupation of the store.

Reason: - The provision of the industrial units was a significant factor in the reuse of the designated employment land for retail purposes.

This condition was agreed as part of the decision, to ensure that the industrial units are completed.

4. Recent correspondence with the applicant has raised issues with regards to this time scale. As the control of the industrial units would remain with the freehold owners of the site it would not be the applicant building these units (although they do have an element of control to ensure the units are erected). As the applicants are

confident that the approved store could be erected and opened within an approximate 18 week period, they consider that the previously agreed time scale would be an unnecessary delay to them.

5. The main aim of the Council is to ensure that these industrial units are built as part of the development scheme, and it is therefore considered that an increased time period of up to 12 months from the date of occupation of the store would be acceptable, as it would still ensure that these units are provided.