

Committee Agenda



**Epping Forest
District Council**

Area Planning Subcommittee West Wednesday, 8th July, 2009

Place: Council Chamber, Civic Offices, High Street, Epping
Room: Council Chamber
Time: 7.30 pm
Democratic Services Officer: Adrian Hendry - The Office of the Chief Executive
Email: ahendry@eppingforestdc.gov.uk Tel: 01992 564246

Members:

Councillors J Wyatt (Chairman), Mrs P Brooks (Vice-Chairman), R Bassett, A Clark, 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 COMMITTEE ROOM 1 ON THE DAY OF THE SUB-COMMITTEE.

1. WEBCASTING INTRODUCTION

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

2. The Chairman will read the following announcement:

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

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

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

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

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

3. APOLOGIES FOR ABSENCE

4. MINUTES (Pages 7 - 28)

To confirm the minutes of the last meeting of the Sub-Committee held on 17 June 2009 as correct record (attached).

5. DECLARATIONS OF INTEREST

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

6. ANY OTHER BUSINESS

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

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

7. DEVELOPMENT CONTROL (Pages 29 - 56)

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

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

8. DELEGATED DECISIONS

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

9. EXCLUSION OF PUBLIC AND PRESS

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

Agenda Item No	Subject	Exempt Paragraph Number	Information
Nil	Nil	Nil	

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

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

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

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

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

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

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Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

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

When and where is the meeting?

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

Can I speak?

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

Who can speak?

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

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

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

What can I say?

You will be allowed to have your say about the application but you must bear in mind that you are limited to three minutes. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Sub-Committee members.

If you are not present by the time your item is considered, the Subcommittee will determine the application in your absence.

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

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

How are the applications considered?

The Subcommittee will consider applications in the agenda order. On each case they will listen to an outline of the application by the Planning Officer. They will then hear any speakers' presentations.

The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the Subcommittee propose to follow a course of action different to officer recommendation, they are required to give their reasons for doing so.

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

Further Information?

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

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee West **Date:** 17 June 2009

Place: Combined Committee Rooms 1 & 2 - Civic Offices **Time:** 7.30 - 9.47 pm

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

Other Councillors: J Knapman

Apologies: J Collier, W Pryor and Mrs E Webster

Officers Present: J Shingler (Senior Planning Officer), A Hendry (Democratic Services Officer), D Clifton (Principal Housing Officer [IT]) and R Perrin (Democratic Services Assistant)

1. WEBCASTING INTRODUCTION

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

2. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements agreed by the Council, to enable persons to address the Sub-Committee in relation to the determination of applications for planning permission.

3. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 20 May 2009 be taken as read and signed by the Chairman as a correct record.

4. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs P Smith declared a personal interest in the following item of the agenda by virtue of being a member of Epping Upland Parish Council and had family and friends in close proximity. The Councillor had determined that her interest was prejudicial and she would leave the meeting for the consideration of the application and voting thereon:

- EPF/0606/09 Three Gates, Epping Road, Epping Upland

(b) Pursuant to the Council's Code of Member Conduct, Councillor Mrs A Cooper declared a personal interest in the following item of the agenda, by virtue of being a member of Nazeing Parish Council. The Councillor had determined that her interest was not prejudicial and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0308/09 8 Buttodene Crescent, Old Nazeing Road, Broxbourne

(c) Pursuant to the Council's Code of Member Conduct, Councillor Mrs M Sartin declared a personal interest in the following item of the agenda, by virtue of attending the pharmacy. The Councillor had determined that her interest was not prejudicial and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2233/08 100 High Street, Roydon, Harlow

(d) Pursuant to the Council's Code of Member Conduct, Councillors Ms S Stavrou and Mrs P Brookes declared a personal interest in the following items of the agenda, by virtue of being members of Waltham Abbey Town Council. The Councillors had determined that their interest was not prejudicial and would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/0383/09 The Limes/White Lodge, Sewardstone Road, Waltham Abbey
- EPF/0622/09 The Stables, Lippitts Hill, Waltham Abbey

(e) Pursuant to the Council's Code of Member Conduct, Councillor Mrs J Lea declared a personal interest in the following item of the agenda by virtue of being a member of staff of Tesco's. The Councillor had determined that her interest was prejudicial and she would leave the meeting for the consideration of the application and voting thereon:

- EPF/0560/09 Tesco Stores Limited, Sewardstone Road, Waltham Abbey

(f) Pursuant to the Council's Code of Member Conduct, Councillor Mrs P Brookes declared a personal interest in the following item of the agenda, by virtue of being a member of Waltham Abbey Town Council. The Councillor had determined that her interest was not prejudicial and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/0560/09 Tesco Stores Limited, Sewardstone Road, Waltham Abbey

(g) Pursuant to the Council's Code of Member Conduct, Councillors Mrs R Gadsby and Mrs P Brookes declared a personal interest in the following item of the agenda, by virtue of being members of Waltham Abbey Town Council. The Councillors had determined that their interest was not prejudicial and would remain in the meeting for the consideration of the applications and voting thereon:

- EPF/0765/09 23A Highbridge Street, Waltham Abbey

5. ANY OTHER BUSINESS

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

6. DEVELOPMENT CONTROL

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

RESOLVED:

That, Planning applications numbered 1 – 8 be determined as set out in the annex to these minutes.

7. 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)

The Principal Planning Officer presented a report regarding EPF/1305/08 – 1 Cartersfield Road, Waltham Abbey (revised application). The Sub-Committee had been asked to consider a variation to condition No. 19 of the application:

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.

The Sub-Committee were informed that planning permission for the demolition of existing buildings and erection of a new 'Lidi' food store and construction of five start-up industrial units had been considered by Area Planning Subcommittee West on 29 October 2008 and referred to District Development Committee on 2 December 2008 (minute 36(19)) at which it was agreed to grant consent subject to conditions and a S106 agreement.

Since the S106 agreement had not yet been completed and no decision had been given for the scheme, the applicant had raised issues with the timescale, given that applicant felt confident the approved store could be erected and opened within an approximate 18-week period and the control of the industrial units remained with the freehold owner.

In view of the fact that the S106 agreement had not yet been completed the wording of the condition could be altered without a further planning application.

The Sub-Committee had been asked to consider the variation of condition No. 19, to read:

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

RESOLVED:

That, the variation to condition No. 19 be granted, 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.

8. DELEGATED DECISIONS

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

CHAIRMAN

Minute Item 6

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
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)
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.

- 4 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(s) hereby approved shall be retained so that it is 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.

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
DESCRIPTION OF PROPOSAL:	Demolition of existing chalet bungalow; erection of three detached chalet bungalows, parking spaces, access drive and all ancillary works.
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.
- 13 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 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.

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
DESCRIPTION OF PROPOSAL:	Erection of a four bedroom detached house with associated parking to the rear of No. 114 Old Nazeing Road.
DECISION:	Withdrawn from Agenda

Report Item No: 4

APPLICATION No:	EPF/2233/08
SITE ADDRESS:	100 High Street Roydon Harlow Essex CM19 5EE
PARISH:	Roydon
WARD:	Roydon
DESCRIPTION OF PROPOSAL:	Demolition in part of existing Chemist Shop and construction of Health Centre, comprising Chemist Shop, Dentist and Doctors surgery.
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.
- 7 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 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.

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
DESCRIPTION OF PROPOSAL:	Reserved matters application for residential development comprising 119 dwellings (2,3,and 4 bed) and community building and shop.
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.

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
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 18 months 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 employees of Tesco's, and for no other purpose.

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
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.
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, 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.

- 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 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 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.
- 5 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.

- 6 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.
- 7 No development shall take place on site, including site clearance, tree works, demolition, storage of materials or other preparatory work, until all details relevant to the retention and protection of trees, hereafter called the Arboricultural Method Statement, have been submitted to the Local Planning Authority and approved in writing. Thereafter the development shall be undertaken only in accordance with the approved details, unless the Local Planning Authority has given its prior written consent to any variation.

The Arboricultural Method Statement shall include a tree protection plan to show the areas designated for the protection of trees, shrubs and hedges, hereafter referred to as Protection Zones. Unless otherwise agreed, the Protection Zones will be fenced, in accordance with the British Standard Trees in Relation to Construction-Recommendations (BS.5837:2005) and no access will be permitted for any development operation.

The Arboricultural Method Statement shall include all other relevant details, such as changes of level, methods of demolition and construction, the materials, design and levels of roads, footpaths, parking areas and of foundations, walls and fences. It shall also include the control of potentially harmful operations, such as burning, the storage, handling and mixing of materials, and the movement of people or machinery across the site, where these are within 10m of any designated Protection Zone.

The fencing, or other protection which is part of the approved Statement shall not be moved or removed, temporarily or otherwise, until all works, including external works have been completed and all equipment, machinery and surplus materials removed from the site.

The Arboricultural Method Statement shall indicate the specification and timetable of any tree works, which shall be in accordance with the British Standard Recommendations for Tree Works (BS.3998: 1989).

The Arboricultural Method Statement shall include a scheme for the inspection and supervision of the tree protection measures. The scheme shall be appropriate to the scale and duration of the works and may include details of personnel induction and awareness of arboricultural matters; identification of individual responsibilities and key personnel; a statement of delegated powers; frequency, dates and times of inspections and reporting, and procedures for dealing with variations and incidents. The scheme of inspection and supervision shall be administered by a suitable person, approved by the Local Planning Authority but instructed by the applicant.

- 8 There shall be no external lighting erected at the site without the prior written consent from the Local Planning Authority.

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
DESCRIPTION OF PROPOSAL:	Proposed new build for a 10 bedroom (C2 Use Class) residential care home /healthcare home. (Revised application)
DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 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.

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AREA PLANS SUB-COMMITTEE 'WEST'

Date 17 June 2009

INDEX OF PLANNING APPLICATIONS

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/0909/09	65 High Street, Roydon	GRANT	31
2.	EPF/0583/09	Netherhouse Farm, Sewardstone Road, Waltham Abbey	REFUSE	35
3.	EPF/0625/09	Netherhouse Farm, Sewardstone Road, Waltham Abbey	GRANT	47
4.	EPF/0717/09	6, 8 & 8A Sun Street, Waltham Abbey	GRANT	50

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Report Item No: 1

APPLICATION No:	EPF/0909/09
SITE ADDRESS:	65 High Street Roydon Essex CM19 5EE
PARISH:	Roydon
WARD:	Roydon
APPLICANT:	Bankmachine Ltd
DESCRIPTION OF PROPOSAL:	Installation of Automated Teller Machine.
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.

This application is before this Committee since a) the recommendation differs from the views of the local town council (pursuant to section P4, schedule A (g) of the Council's delegated functions), and b) it is an application involving commercial development and the recommendation differs from more than one expression of objection (pursuant to section P4, schedule A (f) of the Councils delegated functions).

Description of Proposal:

Installation of Automated Teller Machine (ATM). It will be installed in a section of the glass shop front to the left of the shop entrance, and in a different position to one previously approved last year under EPF/0038/08.

Description of Site:

Number 65 is located on the west side of the High Street within the centre of Roydon village, and within the Roydon conservation area. Unlike many other properties in the High Street it has a modern style of appearance, and it is an end of terrace property with a village shop/mini supermarket on the ground floor with residential over.

Relevant History:

EPF/1377/07 – Installation of ATM refused on grounds of illuminated sign and size of additional surround.

EPF/0038/08 – ATM approved – without sign and surround.

Policies Applied:

DBE12 – Shop fronts;
DBE9 - Impact on amenity;
HC6 - Character, appearance, and setting of conservation areas;
HC7 Development within conservation areas.

Summary of Representations:

3 neighbours were consulted, a site notice erected, and a notice placed in the Epping Forest Guardian.

ROYDON PARISH COUNCIL A cash machine on the outside of the shop is not necessary as the shop has long opening hours and the inside machine can be used. Roydon is a village not a town – an outside machine would be more appropriate in a town setting. The machine would also be located close to houses. The Parish Council is concerned that the machine will attract anti-social behaviour – groups of young people already gather outside causing a nuisance. This application could result in more criminal behaviour such as the ram raids the shop has suffered in the past. Please refer to crime reduction officer.

69 HIGH STREET – Roydon is a village not a town, and we have no need for this machine. It will make the High Street more dangerous, with teenagers hanging around for longer. The machine will be vulnerable to attack.

THE ROYDON SOCIETY – Strongly object as the position proposed within the shop would encourage the youth to intimidate users. The ATM would encourage robberies and ram raids (similar incidents have occurred in the past). The shop is open 5am to 9pm whereby residents and visitors can use the machine inside the shop and is not on display.

Issues and Considerations:

The applicants wish to change the position of the ATM because the position approved under last year's application EPF/0038/09, in the southern part of the shop front would have reduced the internal staff working area behind the shop counter. The shop has a wide shop front, and the ATM, measuring just 0.6m by 0.7m, is satisfactorily accommodated in a section of the glass frontage. In all other aspects the issues raised are the same as on the previous application approved in 2008, when similar concerns about an ATM were raised by the Parish Council, one neighbour, and The Roydon Society. The revised position of the ATM is acceptable in this Conservation area, and in appearance and design it is the same as previously approved. The Council's Conservation Officer raised no objection to the proposal.

Objections raised again include concerns about the risk of crime being increased. However, in planning terms it would be difficult to justify refusal of an ATM (which involves a small change to an elevation) on grounds of a perceived increase in crime. In any event additional iron bollards have in the recent past been set in the pavement outside the shop (these bollards now number 10), and the size, design, and method of fitting the proposed ATM is such that it is more resistant to attack than the freestanding machine inside the shop. On last year's application the Council's anti-social behaviour coordinator commented that the revised plans, showing more bollards, were satisfactory based on the public service provided balanced against security.

Contrary to respondents' views the ATM inside the shop will be removed in favour of the proposed ATM, and the decision to relocate it is a commercial (and staff safety) decision over which planning has no remit. The applicants state that an ATM facility helps the viability of the shop, and clearly this village 'shop' does provide a much used and valuable retail service to people living in Roydon.

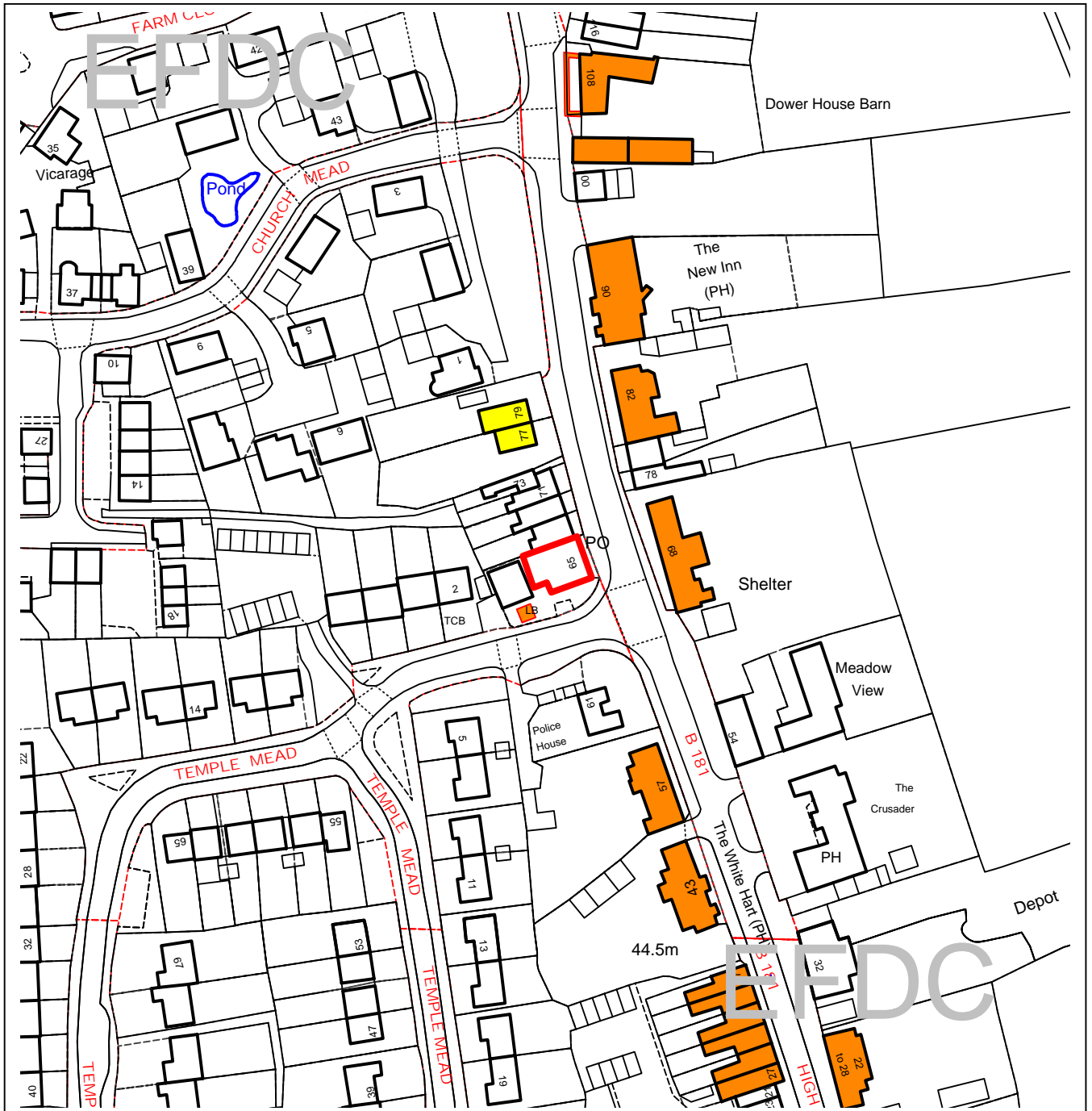
Conclusions:

The ATM has a very small effect on the appearance of the shop in the Roydon Conservation area. The revised position of the ATM is acceptable, and it is recommended that permission be granted.



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	1
Application Number:	EPF/0909/09
Site Name:	65 High Street, Roydon, CM19 5EE
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/0583/09
SITE ADDRESS:	Netherhouse Farm Sewardstone Road Waltham Abbey Essex E4 7RJ
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
APPLICANT:	Messers Richard W West & Trevor M Newman
DESCRIPTION OF PROPOSAL:	Demolition of ancillary farm buildings and construction of 41 residential units with parking and associated landscaping. Restoration of listed barn to provide 160sqm (G.E.A) shop/community use. (Revised application)
RECOMMENDED DECISION:	Refuse Permission

REASONS FOR REFUSAL

- 1 The proposal represents inappropriate development within the Metropolitan Green Belt, which by definition is harmful to the openness and the objectives of including land within it. Furthermore the very special circumstances proposed are not considered sufficient to outweigh this harm. As such the development is contrary to Government guidance in PPG2 and policy GB2A of the adopted Local Plan and Alterations.
- 2 The proposed development involves the intensification of the use of the site and the existing access onto Sewardstone Road, which is a Radial Feeder road, the principle function of which is to carry traffic freely between major centres. This development is therefore contrary to policy ST4 of the adopted Local Plan and Alterations.
- 3 The proposed development is in an unsustainable location not well served by public transport or local services. As such the development would result in an increase in vehicle commuting contrary to policies CP1, CP3, CP6 and ST1 of the adopted Local Plan and Alterations.

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

Description of Proposal:

Consent is being sought for the demolition of various buildings and structures and the erection of 41 residential units with parking and associated landscaping. The application also proposes the restoration and change of use of the listed barn to provide a 160 sq. m. shop and community centre.

The residential units would consist of 5, one-bed dwellings, 20, two-bed dwellings, 8, three-bed dwellings, and 8, four-bed dwellings. The scheme has proposed slightly over 80% affordable housing.

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

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

Description of Site:

The application site comprises a roughly rectangular plot, 1.4 hectares in size. The site is an existing farm complex located on the eastern side of Sewardstone Road that has previously been used as a farm shop and an agricultural tyre storage and fitting depot. To the north, east and south of the site is agricultural and horticultural land consisting of open fields and farm buildings. To the immediate north of the site is a residential property known as May Cottage, and to the immediate south is Netherhouse farmhouse, a Grade II listed building. Opposite the site to the west are residential properties forming a ribbon of development along Sewardstone Road, and the more intensive residential enclaves of Butlers Drive and Godwin Close. However the eastern side of the road is relatively undeveloped and the site is not within a ribbon of development or adjacent to a residential area. The entire site is located within the Metropolitan Green Belt.

Relevant History:

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

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

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

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

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

EPF/2066/05 - Change of use of farm buildings and buildings in mixed commercial/storage use to tyre fitting depot – refused 24/01/06 and dismissed on appeal due to harm from increased useage on the openness of the Green Belt.

EPF/2110/08 - Demolition of buildings and structures, construction of 40 residential units with 205 sq. m. industrial use. Restoration of listed barn and conversion to commercial use and landscape improvements – withdrawn 12/01/09

LB/EPF/2111/08 - Grade II listed building application for the demolition of buildings and structures and the restoration of listed barn and conversion to commercial use and landscape improvements – withdrawn 12/01/09

Policies Applied:

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

Summary of Representations:

WALTHAM ABBEY TOWN COUNCIL – No objection.

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

Object:

CITY OF LONDON – Object as the development is inappropriate in the Green Belt and would set a precedent for similar development elsewhere, Sewardstone is not identified as a preferred affordable housing location, it would not visually improve the appearance of the area, and it is in an unsustainable location which would result in increased traffic movements.

THE FRIENDS OF EPPING FOREST – Object to the impact on Green Belt and the buffer land between Epping Forest and the LVRP.

WEST ESSEX RAMBLERS – Object as its inappropriate development in the Green Belt.

7 GODWIN CLOSE – Object due to the impact on the rural landscape, increased traffic, and as young people may congregate outside of the shop with the risk of increased unsociable behaviour and noise nuisance.

22 GODWIN CLOSE – Object due to increased traffic and impact on Green Belt.

29 GODWIN CLOSE – Object as its inappropriate in the Green Belt, as this would result in the loss of the farm, due to the lack of local infrastructure, and its in an unsustainable location where residents would rely on car use.

35 GODWIN CLOSE – Object due to traffic implications.

38 GODWIN CLOSE – Object – realises need for housing, but why need for shops/community in Green Belt. Sewardstone Road congested and busy road, so many dwellings will need transport and parking – enough pollution and traffic already.

56 GODWIN CLOSE – Object due to increased traffic movements, potential flood risk and lack of infrastructure to serve the development.

MAY COTTAGE, NETHERHOUSE NURSERY, SEWARDSTONE ROAD – Object due to overlooking and loss of light and consider two storey houses to be detrimental.

GLENVILLE, SEWARDSTONE ROAD – Object – too much traffic already. It would infringe on the Green Belt.

ZUIDHORN, SEWARDSTONE ROAD – Object due to the lack of local facilities, the increased traffic movements, flooding, and the impact on the Green Belt and the precedent this would set.

FRANDOS, SEWARDSTONE ROAD – Object as this is inappropriate development and will lead to increased traffic.

WATERSTONE, SEWARDSTONE ROAD – Object due to traffic problems and the loss of the farm.

MULBERRY HOUSE, SEWARDSTONE ROAD – Object as inappropriate development in the Green Belt, due to the loss of the farm, and due to traffic implications.

ST. AUBYNS, DAWS HILL, CHINGFORD – Object due to impact on the Green Belt, flooding, overdevelopment, inappropriate design, traffic implications, and impact on wildlife.

Support:

WOODLANDS MEWS, SEWARDSTONE ROAD – Support (no reason given).

THE BERRIES, BURY ROAD, CHINGFORD – Support as the development would provide much needed housing and would improve this unsightly site.

12 MOUNT AVENUE, CHINGFORD – Support as housing is much needed in and around London and a shop would be most welcome in Sewardstone Road.

29 HAWKDENE, CHINGFORD – Support as it would assist in the housing shortage and would visually improve the area.

43 DEER PARK WAY, WALTHAM ABBEY – Support as new housing is necessary to help families stay in the area.

17 BRADLEY ROAD, WALTHAM ABBEY – Support as more housing is needed in the area.

27 WOODGREEN ROAD, UPSHIRE – Support as the development would improve the appearance of the site and provide housing for people which is needed in this area.

29 WOODLAND WAY, WOODFORD GREEN – Support (no reason given).

7 KINGSMILL AVENUE, ROMFORD – Support (no reason given).

64 GOLDINGS ROAD, LOUGHTON – Support as it would be an improvement to the area.

127 CUCKOO HALL LANE, EDMONTON – Support as a new shop would be a fantastic asset to the area and the new dwellings would bring local job opportunities and additional housing in a prime suburban location.

Issues and Considerations:

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

- (i) *for the purposes of agriculture, horticulture, or forestry;*

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

The proposed development is not for any of the purposes stated in (i) to (vii) above.

The applicant refers to Green Belt policy GB16 – Affordable Housing as an argument under GB2A (viii). This policy reflects PPG3, which enables Local Authorities to grant planning permission for small affordable housing sites within or adjoining existing villages, even if the sites are in areas subject to policies of restraint (such as the Green Belt). However paragraph 5.71a of the Local Plan states that not all settlements are suitable for affordable housing schemes, and paragraph 5.72a lists Sewardstone as one of the settlements that would not be appropriate for affordable housing. Furthermore a key factor of a planning exceptions scheme is that 100% of the properties are provided as affordable housing in perpetuity and follows a rural housing needs survey. Due to this it is not considered that the proposed scheme would constitute an ‘affordable housing exception site’ under Policy GB16.

Notwithstanding the above, inappropriate development can be considered acceptable within the Green Belt provided there are very special circumstances sufficient to outweigh this harm. The very special circumstances put forward in relation to this proposal are summarised as follows:

- 80.5% affordable housing (33 of the proposed 41 dwellings) to be provided with 70% social rented and 30% for new build home buy/intermediate market rental.
- Restoration and re-use of the curtilage listed barn.
- A commitment to provide a Code level 4+ regarding sustainable homes.
- Provision of a community centre and public village shop within the refurbished curtilage listed barn.
- Provision of public open space in the form of a ‘village green’ and pond between the curtilage listed barn and listed farmhouse and a playground between the curtilage listed barn and May Cottage to the north.
- An increase in the level of landscaping and openness of the site resulting in a 60% reduction in hardstanding than existing.
- Improvement to the highway and public transport by financial contributions for upgrading and improving local bus stops and footways.
- An educational contribution of £122,699.

Many comparisons have been drawn by the applicant between this proposal and the approval of 119 houses in The Limes/White Lodge, Sewardstone Road, Waltham Abbey (of which Outline Consent was granted in October 2007 with the Reserved Matters application gaining approval in June 2009). The very special circumstances accepted in this comparison application consisted of:

- A proposed level of affordable housing of 80%.
- A commitment to provide Code level 3 regarding sustainable homes.
- Retention of trees on site and improved landscaping.
- Donation of woodland to the Corporation of London and widening the existing bridleway.
- The provision of a community centre and shop.
- Off-site highways improvements.
- An education contribution.

Although a direct comparison between the very special circumstances indicates that those put forward in this application match if not exceed those accepted by Members on the comparison site, the two sites are not directly comparable and the current application must be assessed on its individual merits.

Each specific very special circumstance put forward is addressed individually below.

Affordable Housing

Whilst it has previously been stated that Sewardstone is not identified in the Local Plan as an area suitable for affordable housing schemes, and as such the proposal would not constitute an 'affordable housing exceptions site', the level of affordable housing proposed should be assessed as a potential very special circumstance. It is stated that 33 dwellings, which equates to 80.5% of the total number of properties, would be affordable housing. This is considerably higher than the 50% sought in policy H7A. Notwithstanding this, policy HC7 relates to all schemes within the District regardless of their location, and as such a considerably higher level would be expected on Green Belt sites (particularly if relied on as a 'very special circumstance').

Almost all applications being submitted now by developers in Green Belt are proposing 80% affordable housing as a minimum, and in a number of cases comprise of 100% affordable housing. Although as mentioned above The Limes/White Lodge was accepted at 80% affordable, a planning application was refused at Grange Farm, Chigwell on the 20th February 2008 that proposed a significant development comprising 100% affordable housing. This was refused partly on the following grounds:

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

This refusal was later dismissed on appeal and the Inspector concluded that "*although there is evidence of a need in the District as a whole for affordable housing, there is no evidence of a local community need for affordable housing. Furthermore, I have established that the proposal does not satisfy the requirement of policy GB16. I therefore reach the view that the proposal is not for limited affordable housing for local community needs under development plan policies according with PPG3. The proposed development is therefore not appropriate development in the Green Belt and so harmful to it*". Whilst the specifics of the development sites do differ (as do those of The Limes/White Lodge) this does enforce that affordable housing alone does not necessarily constitute a very special circumstance.

Notwithstanding the above, in principal it is felt that the form of affordable housing (70% social rented and 30% home buy/intermediate market rental) is acceptable. Furthermore the proposed affordable housing mix of 5 no. one bed, 20 no. two bed and 8 no. three bed houses is considered acceptable under policy H4A and would provide both much-needed smaller units and larger affordable family homes.

Although the open market housing would be separate to the proposed affordable housing it is considered that this would be acceptable as the public amenity areas would be shared by both developments, and footpath links and roads would remain open and accessible to all residents. Therefore on balance the housing designation and siting is considered sufficient.

Should planning permission be granted for this scheme a Section 106 Agreement would be necessary requiring the Registered Social Landlord to enter into a Deed of Nomination, setting out the nomination arrangements for the affordable housing.

Refurbishment of curtilage listed barn

Although it is important to retain and reuse historic buildings, and the historic survey submitted with the application considers the curtilage listed barn to be of historic significance, in itself the reuse of this curtilage listed building does not constitute very special circumstance to allow for 41 new dwellings to be erected on this Green Belt site. Whilst 'enabling development' is on some occasions considered acceptable to ensure historic buildings are retained, this process has not been put forward as an argument for the development by the applicant, nor would this proposal be considered relevant in terms of this.

Sustainability

The submitted Code for Sustainable Homes Pre-assessment Appraisal states that the development would achieve a Code Level 4 under the Code for Sustainable Homes, however the Design and Access statement claims the dwellings will be designed to exceed Code Level 4 by 20%. This is above that considered acceptable at The Limes/White Lodge and over and above the standard requirement for all affordable housing (Code Level 3). Notwithstanding this, of itself this is not considered enough to warrant a large housing development within the Green Belt.

Furthermore the application site is not considered to be in a sustainable location, as it is not well served by public transport and is a considerable distance from local facilities and amenities. Policy ST1 states that "*housing will principally be located in existing urban areas, and make best use of land which is, or could be, highly accessible to public transport or close to services and employment opportunities*". It goes on to state that "*in rural areas, for development which has transport implications, preference will be given to locations with access to regular public transport services and containing basic shops and other facilities*".

Although located opposite a small residential enclave the application site is not well served by public transport or local amenities. As such this proposal would lead to a more dispersed pattern of residence and travel, contrary to Local Plan policies, and notwithstanding the applicants proposed efforts to improve sustainability and accessibility it is considered that his proposal would not represent a sustainable form of development given its location. The improvements offered with regards to existing bus stops and footways is welcomed, and if permission is granted should be secured by an S106 agreement, however it would not overcome the issue that the majority of transport movements to and from the site would be via private motor vehicle.

The application site falls within the priority admissions area of High Beech Church of England primary school. This school has a permanent capacity of 90 places, and according to the latest Essex School Organisation Plan, published in January 2008, there were 97 pupils on roll. By April 2012 the School is forecast to have a deficit of 60 places against its net capacity. There are no other primary schools within 2 miles of the proposed development. Due to this lack of primary school spaces, Essex County Council has requested a financial contribution of £122,699. The applicant is willing to make this contribution, which would need to be secured by an S106 agreement.

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

Provision of a shop and community centre

Again whilst the provision of a shop and community centre was considered as one of the very special circumstances relating to The Limes/White Lodge development this in itself would not overcome the harm caused by a large housing development within the Green Belt. Whilst the shop and community centre would serve the existing population of this built up enclave, as well as the future occupiers of the site, it is not considered sufficient in itself to counterbalance the large development put forward. It is accepted however that the provision of a shop and community centre in this location could in itself be beneficial in terms of sustainability as it could provide existing residents the opportunity to buy groceries and attend community activities without the need to travel some distance to do so. There is however, no guarantee that a grocery store would be viable in this location and that there would not be pressure in the future for less sustainable uses.

Provision of public open space

Similarly to the above, whilst it is recognised that public open space would beneficially serve existing residents of the area as well as future occupiers of the site, it is not felt that this in itself would overcome the principle harm resulting from the development. A development of this scale in a semi-rural location such as this would be expected to provide areas of open green space, and as such it is not considered that the community benefit from this 'village green' would constitute a very special circumstance.

Although part of the very special circumstances on the Limes/White Lodge planning application was the release of land back into open 'Green Belt' use, which included a large area of woodland to the rear of the site, it was not considered that a similar situation (as originally proposed but subsequently removed from the proposal) would be of benefit in this location.

Built Form

Although the proposal would result in a 60% reduction in built form on the site this would be countered by the spread of built form throughout the entire site. The existing buildings are fairly concentrated within the central section of the application site, whereas the proposed housing estate would be more spread out to achieve the 'sylvan' appearance. In dismissing an appeal against refusal of permission for change of use of the buildings on the site back in 2005 the Inspector described the use of the site as "low key," and stated that the site had the appearance of a farmyard with diggers and tractors.. Although it is undisputed that landscaping and redevelopment of the site would generally improve its overall appearance, which at present is somewhat rundown and derelict, it is not considered that this benefit would outweigh the harm caused by 41 new dwellings in the Green Belt. Furthermore the site does not constitute an area of 'previously developed land' (PDL) as PPS3 states that PDL excludes "*land that is or has been occupied by agricultural or forestry buildings*". Although part of the site has previously been used for tyre fitting and sales, this was in relation to agricultural vehicles.

Highways

The application proposes financial contributions to improve local bus stop and existing footways, which is a requirement stated by Essex County Council Highways Officers. Although these improvements would be beneficial to the area it is not considered that these would counteract the impact that would occur through the introduction of a further 41 dwellings in this unsustainable location. Such contributions are often required even when developments are within the urban area.

Summary

In light of the above it is considered that none of the specific issues raised in themselves constitute very special circumstances sufficient to outweigh this inappropriate development within the Green Belt. Notwithstanding this, the collection of several circumstances, which in themselves are not considered very special, may collectively be considered sufficient to allow for inappropriate development in the Green Belt. However, as with the Limes and/ White Lodge development, it is Officer opinion that the collective benefit of the above circumstances does not outweigh the overall harm from this inappropriate development, and as such the proposed development fails to comply with Government Guidance PPG2 and Local Plan policy GB2A.

Other Considerations

Aside from the above Green Belt issues, below are all other material considerations assessed as part of this application.

Overall Design

In principal the design and layout of the proposed development is acceptable and complies with the Essex Design Guide. The dwellings would have a modern appearance based on the traditional Essex design, and the estate layout would be broadly in line with the Essex Design Guide in that car parking would be located to the side or rear of properties or in acceptable courtyard areas. However there is concern with the level of road-side parking to the northern side of the site (particularly on the corner of the estate road), although it is considered that the harm from this could be successfully overcome by stringent conditions. The public open spaces are sufficiently overlooked by residential properties, and the built form offers sufficient separation and sight lines in and around the estate.

Listed Building Implications

The retention and re-use of the curtilage listed barn is considered acceptable as is the demolition of the remaining buildings on the site. Notwithstanding this, two stretches of 19th Century brick walls have been identified within the buildings to be demolished, and it is the opinion of the ECC Historic Buildings advisor that these should be retained. These walls are the rear wall of the stable building adjoining the curtilage listed barn (to be retained), and a taller stretch of wall that stands within Building 4. Given that these are currently internal walls unseen from outside of the buildings of which they form a part, and as the retention of former internal walls externally within the site would result in an unusual and restrictive form of development, it is not considered that these walls should be retained free from the remainder of the existing buildings. However it has been agreed with the applicant that the bricks from these historic walls be reused elsewhere on the site, either as part of a focal building or in a boundary wall or decorative feature. This would provide some historic interest to the new housing estate and, combined with the retention of the curtilage listed barn, would add character to the site.

Highways

Despite the intention of encouraging public transport, the proposed development would intensify the use of this site and would therefore result in a significant increase in the number of vehicles accessing Sewardstone Road. This road is classed as a Radial Feeder on Essex County Council's functional route hierarchy and, outside of or between areas of defined settlements, direct access from these roads is prohibited. As such, any development which seeks to increase the use of an existing access would significantly add to and interfere with the, already large amounts of, through traffic that use Sewardstone Road, and as such would be contrary to Local Plan policy ST4, the relevant policies in the Essex County Council Highways and Transportation Development Control Policies, the Essex Design Guide and PPG13.

The originally submitted estate layout was considered unacceptable by Essex County Council Highways, however this has been amended and, subject to conditions, would be considered appropriate. The footway to the south of the site which crosses the proposed pond would not be adopted by ECC, and as such would need to be maintained privately along with the open green space. Notwithstanding this, further details regarding this path will be required via condition.

Car Parking

The development proposes a total of 81 vehicle parking spaces. This has been broken down to provide 1 space for each one bed unit, 1.5 spaces for each two bed unit, 2 spaces for each three bed unit and 3 spaces for each four bed unit. Furthermore there would be 6 parking spaces located for use in connection with the shop and community centre and on-street parking would be possible in specific areas of the site. It is considered that the level of car parking provision would be acceptable, particularly given the reasonably unsustainable location of the development.

Although only cycle parking is shown in relation to the shop it would be possible to obtain further bicycle parking within the site, however details of this can be secured via condition. To further encourage sustainable modes of transport the applicant would provide travel packs offering benefits such as free bus timetables, reflective clothing, and local bicycle dealer discounts. Although it is still considered that the application site is in an unsustainable location and the majority of trips will be made by private motor vehicle, such sustainable transport initiatives would go some way towards overcoming this harm and could be secured via a S106 Agreement.

Landscaping

The submitted landscape scheme relates to the prior application (EPF/2110/08) rather than the current proposal, and as such there are no landscaping details to be assessed. Due to the lack of these the Tree and Landscape Officer has recommended refusal. However, given the size and layout of the site it is considered that there is sufficient space to provide a robust landscape scheme, which can be secured via condition, which would successfully overcome any landscaping issues. Although there are some trees proposed to be retained these are not considered worthy of protection by a Tree Preservation Order. The hedgerow along the northern boundary of the site should be retained and enhanced to provide boundary screening to the site, and this could be secured through a landscape condition.

Amenity Space

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

Flood Risk

The proposed development is of a size where it is necessary to avoid generating additional runoff. A Flood Risk Assessment (FRA) has been submitted with the application, which is considered satisfactory. Therefore, provided the drainage system is installed in accordance with the specifications detailed within the FRA, the development would be acceptable.

Conclusion:

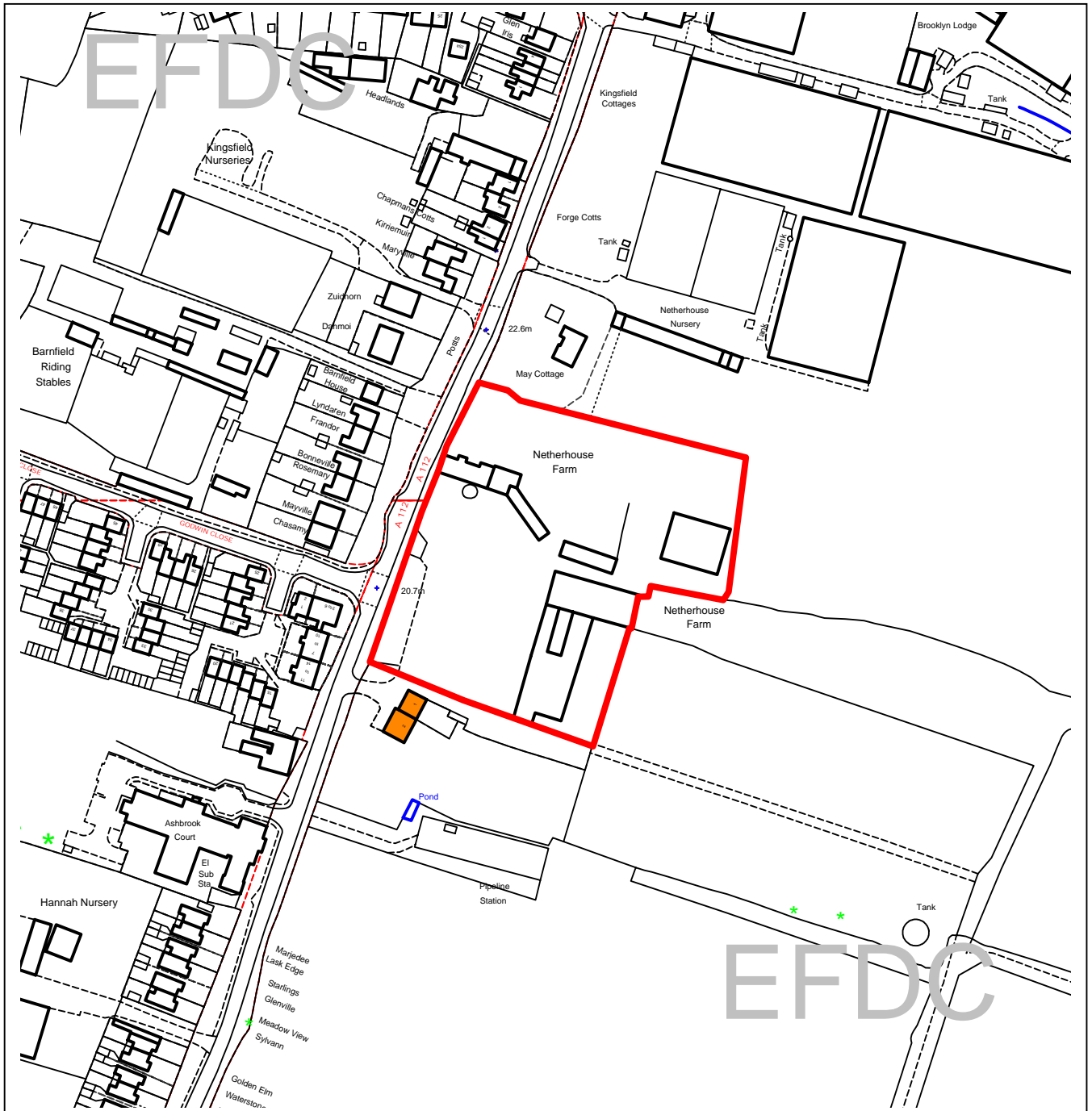
As outlined above, the principle of this development within the Metropolitan Green Belt is inappropriate and it is not considered by Planning Officers that there are very special circumstances to outweigh this. The site is poorly related to existing built development on this side

of Sewardstone Road and constitutes a significant intrusion into the open Green Belt, which would set a dangerous precedent for other similar sites. As such the development would be harmful to the character and openness of the Green Belt contrary to Government Guidance and Local Plan policy GB2A. Furthermore, there are issues regarding the location of the development in this unsustainable location and the impact on the free flow of traffic and highway safety on Sewardstone Road. The proposed development is contrary to national guidance and to the adopted policies of the Local Plan and Alterations and is therefore recommended for refusal.



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	2 & 3
Application Number:	EPF/0583/09 & EPF/0625/09
Site Name:	Netherhouse Farm, Sewardstone Road, Waltham Abbey, E4 7RJ
Scale of Plot:	1/2500

Report Item No: 3

APPLICATION No:	EPF/0625/09
SITE ADDRESS:	Netherhouse Farm Sewardstone Road Waltham Abbey Essex E4 7RJ
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
APPLICANT:	Messers Richard W West & Trevor M Newman
DESCRIPTION OF PROPOSAL:	Grade II curtilage listed building application for the demolition of buildings and structures and the restoration of listed barn and conversion to shop/community use. (Revised application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.
- 2 Samples of the types and details of colours of all the external finishes shall be submitted for approval by the Local Planning Authority prior to the commencement of the development, and the development shall be implemented in accordance with such approved detail.
- 3 Additional drawings that show details of proposed new windows, doors, rooflights, eaves, verges, fascias, cills, structural openings and junctions with the existing building, by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the LPA in writing prior to the commencement of any works.
- 4 Prior to commencement a full methodology relating to the demolition of the buildings and reuse of historic fabric shall be submitted to and agreed in writing by the Local Planning Authority. The works shall then be carried out in accordance with the agreed methodology.

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

Description of Proposal:

Curtilage listed building consent is being sought for the demolition of various buildings and structures and the restoration and change of use of the curtilage listed barn to provide a 160 sq.m. shop and community centre. This would involve the part demolition of the attached addition and of the adjacent silo and the refurbishment and conversion for use as office space.

Description of Site:

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

Relevant History:

LB/EPF/2111/08 - Grade II listed building application for the demolition of buildings and structures and the restoration of listed barn and conversion to commercial use and landscape improvements – withdrawn 12/01/09

Policies Applied:

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

Summary of Representations:

WALTHAM ABBEY TOWN COUNCIL – No objection.

No properties were consulted but a site notice was erected. No responses were received.

Issues and Considerations:

The retention and re-use of the curtilage listed barn is considered acceptable as is the demolition of the remaining buildings on the site. Notwithstanding this, two stretches of 19th Century brick walls have been identified within the buildings to be demolished, and it is the opinion of the ECC Historic Buildings advisor that these should be retained. These walls are the rear wall of the stable building adjoining the curtilage listed barn (to be retained), and a taller stretch of wall that stands within Building 4.

Given that these are currently internal walls unseen from outside of the buildings of which they form a part it is not considered that these walls should be retained free from the remainder of the existing buildings. However it has been agreed with the applicant that the bricks from these historic walls be reused elsewhere on the site, either as part of a focal building or in a boundary wall or decorative feature. This would provide some historic interest to any new development on this site and, combined with the retention of the curtilage listed barn, would add character to the area.

Conclusion:

The demolition of the buildings and structures and reuse and refurbishment of the curtilage listed barn would not be detrimental to the historic character or setting of the adjoining Grade II listed building. Therefore the proposed listed building consent is recommended for approval.

Report Item No: 4

APPLICATION No:	EPF/0717/09
SITE ADDRESS:	6 & 8 & 8A Sun Street Waltham Abbey Essex EN9 1EE
PARISH:	Waltham Abbey
WARD:	Waltham Abbey South West
APPLICANT:	Mr S Di Piazza
DESCRIPTION OF PROPOSAL:	Proposed redevelopment of 6, 8-8a Sun Street, Waltham Abbey to accommodate 7 x 1 bedroom apartments, 2 x 2 bedroom apartments and two new retail units to rear, and retention of two retail units to the front.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of one year beginning with the date of this notice.
- 2 No development, including demolition, shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
- 3 The development shall be carried out in accordance with the amended plans received on 03/06/09 unless otherwise agreed in writing with the Local Planning Authority.
- 4 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 5 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..
- 6 The existing shopfronts and surround to the Sun Street elevation shall be retained, repaired and repainted prior to the first occupation of any part of the development hereby approved.

- 7 Prior to commencement of development detailed drawings of the new windows and doors shall be submitted to and agreed in writing by the Local Planning Authority and the works shall be completed in accordance with the agreed details.
- 8 Prior to commencement of development detailed drawings of the proposed shopfronts in Darby Drive shall be submitted to and agreed in writing by the Local Planning Authority, the shopfronts shall be traditionally designed and detailed in painted timber. The works shall then be completed in accordance with the agreed details.
- 9 No development hereby approved shall take place until measures to help meet the Council's requirements for bus stop improvements in the locality have been secured.

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:

Consent is being sought for the redevelopment of No. 6, 8 and 8a Sun Street, Waltham Abbey to retain the two retail units at the front of the site and provide two new retail units at ground floor level to the rear, and to accommodate seven, 1 bed apartments and two, 2 bed apartments on the upper storeys. This proposal would involve the part demolition of the existing buildings and a large three storey extension to the rear, and the addition of a new roof on No. 8 and 8a, which is a locally listed building.

The elevation fronting Sun Street would remain relatively unchanged (with the exception of the proposed new roof and refurbishment of the façade), whilst the Derby Drive elevation would have the appearance of two separate buildings. The development would incorporate a first floor terrace area at the centre of the site, refuse store and bicycle parking. The maximum width of the rear extension would be 13m, and the new Darby Drive elevation would reach a maximum height of 9.7m.

Description of Site:

The application site is located on the northern side of Sun Street and backs onto Derby Drive and comprises two shops at ground floor with vacant residential and office units at first and second floor levels. The site lies within the Waltham Abbey Conservation Area and No. 8 & 8a is a locally listed building. The buildings are currently in a very poor state of repair and a Compulsory Purchase Order (CPO) has been served with regards to the site.

Relevant History:

EPF/1149/74 - Change of use of upper part of premises from residential to office use (No. 6) – refused 14/04/75

EPF/0845/79 - Change of use, residential to office accommodation on 1st and 2nd floors (No. 6) – approved/conditions 16/07/79

EPF/1199/95 - Demolition of ground floor rear extension and erection of new ground, first and second floor rear extension (No. 8/8a) – approved/conditions 14/05/96

EPF/0738/97 - Erection of part single part 3 storey rear extension (No. 8/8a) – approved/conditions 17/11/97

EPF/1889/07 - Extension and alteration of building to provide two shop units and create 4 self contained flats (No. 8/8a) – refused 19/10/07
CAC/EPF/1888/07 - Conservation area consent for demolition of rear extension, roof structures rear wall and part of west wall (No. 8/8a) – refused 19/10/07
EPF/0034/08 - Conversion and extension of existing building to provide enlarged shop and two self contained flats (No. 8/8a) – approved/conditions 15/05/08
CAC/EPF/0035/08 - Conservation Area Consent for the partial demolition of the building (No. 8/8a) – approved/conditions 15/05/08

Policies Applied:

CP1 - Achieving sustainable development objectives
CP2 - Protecting the quality of the rural and built environment
CP3 - New development
CP4 - Energy conservation
CP5 - Sustainable building
CP6 - Achieving sustainable urban development patterns
CP7 - Urban form and quality
CP9 - Sustainable transport
HC1 - Scheduled monuments and other archaeological sites
HC6 - Character, appearance and setting of conservation area
HC7 - Development within conservation area
HC9 - Demolition in conservation areas
HC13A - Local List of Buildings
ST1 - Location of development
ST2 - Accessibility of development
ST4 - Road safety
ST6 - Vehicle parking
TC1 - Town centre hierarchy
TC3 - Town centre function
E4A - Protection of employment sites
E4B - Alternative uses for employment sites
DBE1 - Design of new buildings
DBE2 - Effect on neighbouring properties
DBE3 - Design in urban areas
DBE6 - Car parking in new development
DBE8 - Private amenity space
DBE9 - Loss of amenity
DBE11 - Subdivision of houses
U2A - Development in flood risk areas
U2B - Flood Risk Assessment Zones
U3A - Catchment effects
U3B - Sustainable drainage systems
H2A - Previously developed land
H3A - Housing density
H4A - Dwelling mix

Summary of Representations:

7 properties were consulted, a site notice erected and the application was advertised in the local press. The following responses were received.

TOWN COUNCIL – No objection providing residential units reach prescribed standards and the developer provides a timetable of works in accordance with his agreement with District Council in respect on the CPO.

WALTHAM ABBEY HISTORICAL SOCIETY – Comment that the existing site is an eyesore and they support the Council in getting essential renovation work completed as soon as possible. Would like to see conditions regarding the quality of details/materials and ensuring work is started in a defined time limit.

Issues and Considerations:

The application site is within the Waltham Abbey Conservation Area and No. 8 & 8a is locally listed. The front of the site is within the key shopping frontage of Waltham Abbey and is therefore important in terms of both the character and the function of Waltham Abbey town centre. The building is currently in a very poor state of repair such that it is in need of quite extensive work, and due to this is the subject of a CPO by the Council. Although planning permission was previously granted for the conversion and extension of the building (No. 8 & 8a) to include two residential units, it was concluded by the applicant that this was not economically viable given the level of work required to bring the building back into use. The applicant has since purchased the neighbouring site (No. 6) and now proposes to develop the pair to provide a total of 4 shop units and 9 flats. One of the aims of the Council is to ensure that this building is brought back into use and refurbished for the sake of the wellbeing and visual amenity of the town centre and the conservation area.

The main issues for consideration in this application are the design and visual impact on the conservation area, the character of the locally listed building, and the impact on the vitality and viability of the town centre. Issues of sustainability, archaeology, residential amenity, traffic and parking are also appropriate in this instance.

Design

This site is set within the historic centre of the Waltham Abbey Conservation Area, with No. 8 Sun Street being a locally listed mid 19th century townhouse with a traditional shopfront. The front of the site is in Sun Street, which has many historic listed buildings. The Sun Street façade of the site is in a poor state of repair and contains two vacant shop units. These have not been occupied for several years and are harmful to the overall character and appearance of this historic street scene. A CPO has been served with regards to this site to ensure that it is brought back into use and refurbished, however the applicant has been given the opportunity to undertake these works himself. The refurbishment of the shop front and retail units would vastly improve the visual appearance of this important street scene and would be beneficial to Waltham Abbey town centre. The only alteration to the Sun Street elevation would be the installation of a new roof above No. 8 & 8a, which would be similar in appearance to others visible in the locality. Due to this, and subject to conditions regarding materials and detailing, the alterations to the Sun Street façade would be acceptable.

There is a current design brief being drawn up for Darby Drive by Essex County Council Historic Buildings Officer in partnership with Epping Forest District Council. The process of enhancing this area has already started with replacement of some street furniture and areas of new paving. There are further proposals to enhance the signage and generally repair and maintain this area to make it more desirable. As part of this scheme it is essential that any new buildings or renovations of existing buildings fronting Darby Drive reflect the historic context of this area and add to its enhancement.

There are several examples of new buildings fronting onto Darby Drive, which vary greatly in size, bulk and style and there is a precedent set for this form of development, however it is essential that the design of such buildings reflects the historic character of the conservation area, particularly as poor examples of development in the surrounding area can be seen. The original plans submitted reflected the building to the rear of 4 & 5 Market Square. This was considered

unacceptable in this location as it drew inspiration from existing poor buildings rather than good examples in Darby Drive. The amended plans received on 03/06/09 (which were reconsulted on) were the result of discussions between the Council and the agent, and are now considered acceptable in this conservation area and would set a positive precedent in terms of the design. The overall height of the buildings would be in keeping with other properties fronting Darby Drive and, subject to suitable materials and detailing, it is considered that the new building (designed to give the appearance of two separate buildings), would not be detrimental to the character, appearance or historic interest of the street scene and would not detrimentally impact on the conservation area or locally listed building.

The proposal incorporates significantly more housing units than previously, resulting in a housing density of some 225 dwellings per hectare (dph). Although this is very high, policy H3A requires a net site density of **at least** 30-50 dph, and given the sites urban location it is considered that a higher density makes better use of this area of previously developed land. The proposed housing mix of 7 no. 1 bed apartments and 2 no. 2 bed apartments is considered acceptable in this location and would provide much needed small units within the District.

Town Centre

The application proposes to retain the existing shop units fronting Sun Street, as required by Local Plan policies and government guidance. Once refurbished it is hoped that the units will be more desirable and therefore occupied and as such this development would enhance the overall vitality and viability of the town centre. Furthermore the proposal would provide two additional shops to the rear of the site fronting Darby Drive. There are some existing shops located within the street, which at present are generally of fairly low quality. However as part of the Darby Drive enhancement plans it is proposed to bring this area into better use and increase pedestrian footfall to this section of the town centre. This increase in the number of shop units would significantly increase the retail floorspace in the town centre. The proposed use of the upper floors for residential purposes would help maintain a presence in the town centre at night and is in line with Local Plan policies and government guidance, which promotes housing development in sustainable areas such as existing town centres.

Sustainability

The site is located within an existing town centre and well served by local facilities and amenities. Whilst the development proposes some demolition of the existing building and a large amount of rebuild the general scheme is to retain the existing buildings as far as possible, which is a more sustainable way of achieving the development.

Archaeology

The proposed development lies within the medieval centre of Waltham Abbey and it is likely that further archaeological deposits relating to the medieval and post medieval occupation of Waltham Abbey could be disturbed during groundwork for the proposed development. Therefore a condition should be imposed requiring an archaeological evaluation of the site prior to any works taking place.

Residential amenity.

The proposed flats have been designed to provide adequate living accommodation in terms of space provision and living conditions. There is a first floor roof terrace proposed that would serve three of the dwellings. This amenity space, and subsequently some of the proposed windows, would be overlooked from the west by first floor windows in the neighbouring building, however these existing windows serve an office stairwell and hallway and as such would not be unduly detrimental to the privacy of future occupiers. Although the other proposed flats would have no

amenity space this is not unusual for such a town centre location and is therefore considered acceptable, particularly given the close proximity of the Abbey Gardens.

The proposed windows in the first floor kitchen and second floor bedroom of the rear building would have a slightly obscured view to the first and second floor rear bedroom windows in the extended No. 6 Sun Street, however there would be some 11.3m distance between these windows. Whilst the Essex Design Guide requires further distance than this between habitable rooms it is expected that a higher degree of overlooking may occur in high density urban areas such as this. Therefore it is not considered that the loss of privacy to future occupiers (who would be aware would be unduly detrimental enough to warrant refusal.

Traffic and Parking

The proposal does not include provision of any parking facilities. Having regard to the town centre location of the site and its situation backing onto a public car park, it is not considered that parking is required. Moreover, the Essex Parking Standards states that “with high density developments in high accessibility areas such as town centres, local authorities are encouraged to allow development with little or no off-street parking”.

Essex County Council has requested that the applicant make some provision towards improvements to a local bus stop. It is considered that this is a reasonable requirement, given the lack of parking and the number of units involved, and this can be required by condition.

Other considerations

The development proposes both refuse storage and bicycle parking to be located to the rear of the shops. This will ensure bins and bicycles are stored away from the road (and therefore will not clutter the street scene), whilst they would still be easily accessible locations.

The upper floors of No. 6 Sun Street currently consist of vacant office space. Whilst the loss of employment sites is generally resisted unless certain criteria are met, particularly in key areas such as this, these offices have been vacant for several years and it is important in this instance that the building is brought back in to use and refurbished. Furthermore PPS6 states in paragraph 2.21 that “residential or office development should be encouraged as appropriate uses above ground floor retail, leisure or other facilities within centres”. Therefore the use of the site for residential purposes is considered appropriate in this instance.

The application site is located within an area at risk of flooding and as such a Flood Risk Assessment will be required. This can however be secured via condition.

Given the state of the existing building and the CPO that has been served on the site it is necessary to ensure that the development is undertaken within a reasonable timescale. Due to this it is proposed that strict time limits are imposed to ensure the work is undertaken as soon as possible.

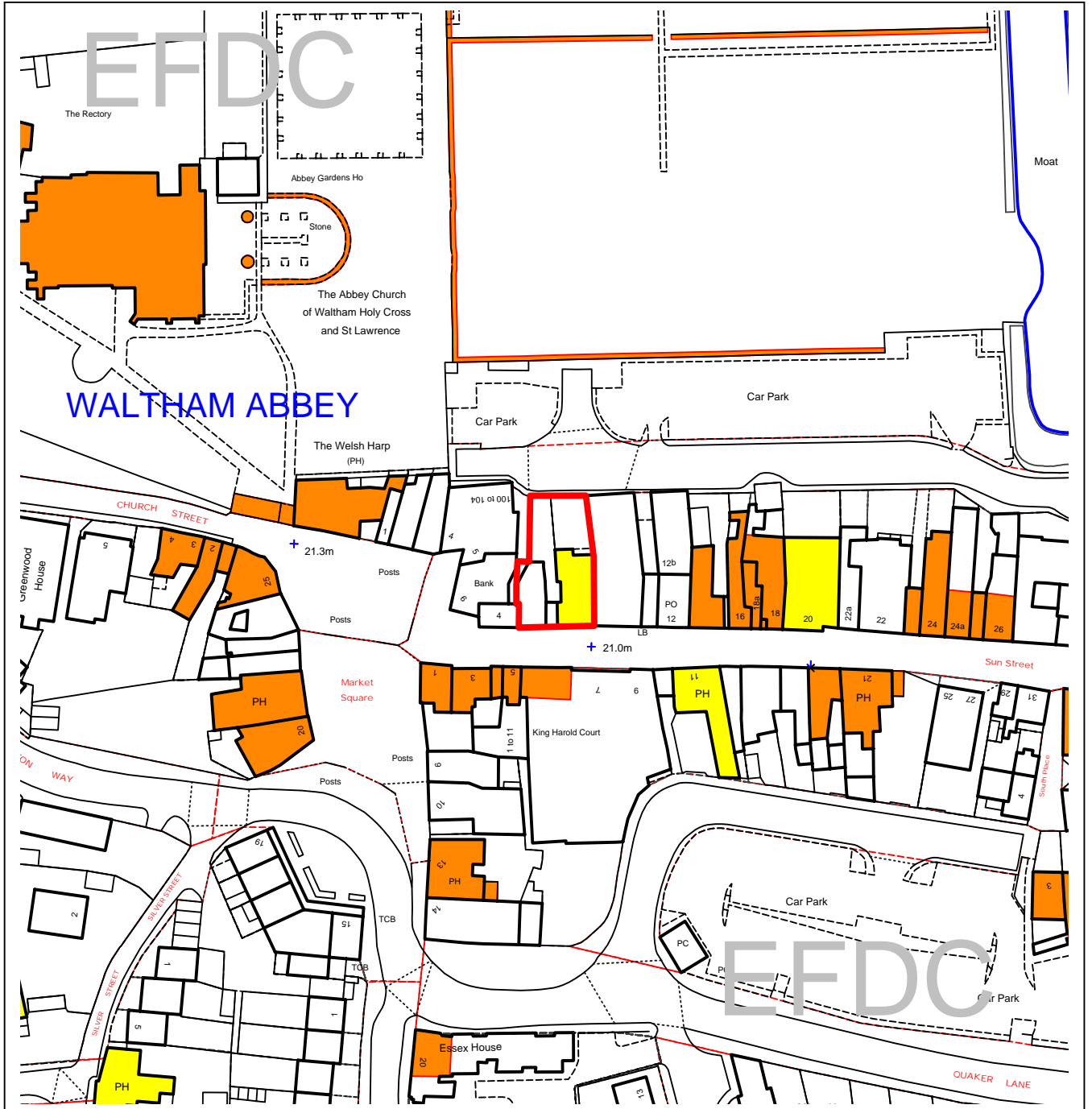
Conclusion:

The proposed redevelopment would not be detrimental to the character or appearance of the street scene, the conservation area or the locally listed building. There would be no detrimental impact on neighbouring properties or the future occupiers of the site. Furthermore the development would result in the reuse and refurbishment of this currently dilapidated building and would benefit the overall character and appearance of the area. As such this proposal is deemed as acceptable and is therefore recommended for approval.



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	4
Application Number:	EPF/0717/09
Site Name:	6 & 8 & 8A Sun Street, Waltham Abbey, EN9 1EE
Scale of Plot:	1/1250