

Committee Agenda



**Webcast
Meeting**



**Epping Forest
District Council**

Area Planning Subcommittee East Wednesday, 16th March, 2011

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

Time: 7.30 pm

Democratic Services Officer Gary Woodhall (The Office of the Chief Executive)
Email: gwoodhall@eppingforestdc.gov.uk
Tel: 01992 564470

Members:

Councillors A Boyce (Chairman), A Green (Vice-Chairman), W Breare-Hall, Mrs D Collins, Ms C Edwards, P Gode, Mrs A Grigg, Ms J Hedges, D Jacobs, Mrs S Jones, B Judd, Mrs M McEwen, R Morgan, J Philip, B Rolfe, D Stallan, C Whitbread, Mrs J H Whitehouse and J M Whitehouse

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.

WEBCASTING NOTICE

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

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

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

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

1. WEBCASTING INTRODUCTION

1. This meeting is to be webcast. 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 SUB-COMMITTEES (Pages 5 - 8)

General advice to people attending the meeting is attached.

3. MINUTES (Pages 9 - 14)

To confirm the minutes of the last meeting of the Sub-Committee, held on 23 February 2010 (attached).

4. APOLOGIES FOR ABSENCE

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 (24) 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 15 - 48)

(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

The Sub-Committee noted that schedules of planning applications determined by the Director of Planning and Economic Development under delegated authority since the last meeting, had been circulated and could be inspected at the Civic Offices.

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 Information Paragraph Number
Nil	Nil	Nil

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

Confidential Items Commencement

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

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

Background Papers

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

- (a) disclose any facts or matters on which the report or an important part of the report is based; and

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

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

Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

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

When and where is the meeting?

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

Can I speak?

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

Who can speak?

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

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

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

What can I say?

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

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

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

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

How are the applications considered?

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

The order of speaking will be (1) Objector, (2) Parish/Town Council, then (3) Applicant or his/her agent. The Subcommittee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Subcommittee. Should the

Subcommittee propose to follow a course of action different to officer recommendation, they are required to give their reasons for doing so.

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

Further Information?

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

Area Planning Subcommittee East
Members of the Committee:



Cllr Boyce	Cllr Green	Cllr Breare-Hall	Cllr Collins	Cllr Edwards
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Cllr Gode	Cllr Grigg	Cllr Hedges	Cllr Jacobs	Cllr Jones
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Cllr Judd	Cllr McEwen	Cllr Morgan	Cllr Philip	Cllr Rolfe
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Cllr Stallan	Cllr Whitbread	Cllr Janet Whitehouse	Cllr Jon Whitehouse
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EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee East **Date:** Wednesday, 23 February 2011

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.10 pm

Members Present: Councillors A Boyce (Chairman), A Green (Vice-Chairman), W Breare-Hall, Mrs D Collins, P Gode, Mrs A Grigg, D Jacobs, Mrs S Jones, Mrs M McEwen, R Morgan, J Philip, B Rolfe, D Stallan, C Whitbread, Mrs J H Whitehouse and J M Whitehouse

Other Councillors: None.

Apologies: Ms C Edwards, Ms J Hedges and B Judd

Officers Present: J Shingler (Principal Planning Officer), S G Hill (Senior Democratic Services Officer) and G J Woodhall (Democratic Services Officer)

Also in attendance: M Bradley (ECC Highways)

104. 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.

105. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements adopted by the Council to enable persons to address the Sub-Committee, in relation to the determination of applications for planning permission. The Sub-Committee noted the advice provided for the public and speakers in attendance at Council Planning Sub-Committee meetings.

106. MINUTES

RESOLVED:

(1) That the minutes of the meeting held on 2 February 2011 be taken as read and signed by the Chairman as a correct record.

107. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor B Rolfe declared a personal interest in the following item of the agenda by virtue of having called in the application. The Councillor had determined that his interest was prejudicial and would leave the meeting for the consideration of the application and voting thereon:

- EPF/2647/10 Woodgrange, 52 Ongar Road, Lambourne.

(b) Pursuant to the Council's Code of Member Conduct, Councillors Mrs A Grigg and D Stallan declared a personal interest in the following item of the agenda by virtue of being members of North Weald Bassett Parish Council. The Councillors had determined that their interest was not prejudicial and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2676/10 The Briars, Epping Road, North Weald.

108. ANY OTHER BUSINESS

It was noted that there was no other urgent business for consideration by the Sub-Committee.

109. DEVELOPMENT CONTROL

RESOLVED:

(1) That the planning applications numbered 1 – 4 be determined as set out in the schedule attached to these minutes.

110. DELEGATED DECISIONS

The Sub-Committee noted that schedules of planning applications determined by the Director of Planning and Economic Development under delegated authority since the last meeting had been circulated and could be inspected at the Civic Offices.

CHAIRMAN

Report Item No: 1

APPLICATION No:	EPF/2156/09
SITE ADDRESS:	Nine Ashes Farm Rookery Road Ongar Essex CM4
PARISH:	High Ongar
WARD:	High Ongar, Willingale and the Rodings
DESCRIPTION OF PROPOSAL:	Change of use from agricultural use to B1 and B8 use. (Revised application)
DECISION:	Refuse Permission

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=509050

The Principal Planning Officer reported 9 further letters of objection to the proposal that had been received since the committee report was completed.

Members considered that the proposed use would result in significantly more traffic than an agricultural use of the site and felt that the increased use of the site within the rural residential area would cause harm to the character and amenity of the area. It was clear that the local people were strongly resistant to the proposed use and that the use would not be appropriate in this location.

REASON FOR REFUSAL

1. The proposed development would result in an unacceptable intensification of use of the site resulting in increased activity and traffic movements in an around the site, harmful to the character and amenity of the rural residential area. This proposal would therefore be contrary to policies CP3 and GB8A of the adopted Local Plan and Local Plan Alteration.

Report Item No: 2

APPLICATION No:	EPF/2647/10
SITE ADDRESS:	Woodgrange 52 Ongar Road Lambourne Romford Essex RM4 1UH
PARISH:	Lambourne
WARD:	Lambourne
DESCRIPTION OF PROPOSAL:	Conversion of existing building at rear of site to residential house ancillary to Woodgrange, including erection of new first floor within mansard roof.
DECISION:	Refuse Permission

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=524100

REASON FOR REFUSAL

1. The site is within the Metropolitan Green Belt. The proposed works represent an inappropriate development in Green Belt terms and are therefore at odds with Government advice in PPG2, policies GB2A, GB7A, GB8A, and GB9A of the Adopted Local Plan and Alterations. In the view of the Local Planning Authority the conversion of the building into a dwelling house requires major and substantial alterations and results in an enlarged building domestic in character that would be harmful to the character and openness of the Metropolitan Green Belt. No very special circumstances have been demonstrated by the applicant to outweigh the harm of the proposal to the Metropolitan Green Belt.

Report Item No: 3

APPLICATION No:	EPF/2676/10
SITE ADDRESS:	The Briars Epping Road North Weald Epping Essex CM16 6LA
PARISH:	North Weald Bassett
WARD:	Epping Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	Retrospective application for the change of use of existing garage to mixed use consisting of ancillary residential use and use as a hypnotherapy studio.
DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=524215

CONDITIONS

1. This consent shall inure solely for the benefit of the occupiers of the application site known as 'The Briars' and for no other person or persons.
2. Notwithstanding the provisions of Regulation 6 of the Town and Country Planning (Control of Advertisements) Regulations 1992 (or any equivalent provision in any Statutory Instrument revoking or re-enacting those Regulations), no signs or advertisements shall be displayed at the premises without the prior consent in writing of the Local Planning Authority.
3. The use of the building as a hypnotherapy practice hereby permitted shall not be open to customers/patients outside the hours of 9.00am to 6.00pm Monday to Friday and at no time at the weekends or Bank/Public Holidays.
4. The change of use hereby approved shall be limited to the area marked 'EXTG GARAGE' as shown on drawing No. 3530:2 received by the Local Planning Authority on 22/12/10, and shall not be implemented elsewhere within the application site.

Report Item No: 4

APPLICATION No:	EPF/0001/11
SITE ADDRESS:	Ambulance Station The Plain Epping Essex CM16 6TL
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
DESCRIPTION OF PROPOSAL:	Demolition of existing ambulance station and garage. Erection of new two storey station with ambulance shelter.
DECISION:	Deferred

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=524297

The Principal Planning Officer explained that a petition against the development signed by 9 residents of Kingswood Park had been received since the report was completed, raising concerns regarding design, overlooking and impact on neighbours.

Additionally, there was dispute that the full 21 day consultation period had elapsed since they had received this consultation letter on 3 February 2011.

The Principal Planning Officer suggested that if Members were minded to make a decision on the application they could agree to grant (or refuse) subject to no new material planning considerations being raised before the expiration of the 21 day period.

Members considered, however, that the application should be deferred to the next scheduled meeting of the Committee to ensure that all local residents have their full opportunity of put forward views.

AREA PLANS SUB-COMMITTEE 'EAST'

16 March 2011

INDEX OF PLANNING APPLICATIONS/ENFORCEMENT CASES

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/0272/11	Land opposite 50 Hampden Close, North Weald Bassett	GRANT	17
2.	EPF/1153/09	Rear of 103 High Street, Chipping Ongar	GRANT	21
3.	EPF/0001/11	Ambulance Station, The Plain, Epping	GRANT	42

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Report Item No: 1

APPLICATION No:	EPF/0272/11
SITE ADDRESS:	Land opposite 50 Hampden Close North Weald Bassett Epping Essex CM16 6JX
PARISH:	North Weald Bassett
WARD:	North Weald Bassett
APPLICANT:	Tom Fradd
DESCRIPTION OF PROPOSAL:	TPO/EPF/21/84 T2 - Whitebeam - Fell and grind stump
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=525438

CONDITIONS

- 1 The work authorised by this consent shall be carried out under the direct supervision of the Local Planning Authority, who shall receive in writing, 5 working days notice of such works.
- 2 A replacement tree or trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted within one month of the implementation of the felling hereby agreed, unless varied with the written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

This application is before this Committee since it is an application to fell preserved trees and is recommended for approval (Pursuant to Section P4, (3) of the Council's Delegated Functions)

Description of Proposal:

T2. Whitebeam – Fell to ground level and grind stump.

Description of Site:

This mature specimen stands less than 9 metres tall, in the communal area of Hampden Close. The modern residential cul-de-sac enjoys the benefits of mature tree cover, featuring London Planes and Limes exceeding heights of 18 metres. T2 contributes to this mature group as a subordinate specimen.

The development is arranged at close range to established broadleaf trees, formerly within the curtilage of North Weald airfield parade ground and barracks. Many trees in this historic landscape scheme now crowd around modern dwellings.

Relevant History:

No specific records exist for pruning to this tree but file correspondence does indicate that over the last fifteen years or so a number of exemptions have been given to the removal of declining specimens and Swedish Whitebeams, in particular.

A dying Swedish Whitebeam was recently exempted from planning control and felled for safety reasons by the Council's tree management team.

Relevant Policies:

LL9 Felling of preserved trees.

Summary of Representations

6 neighbours were consulted but no responses have been received.

NORTH WEALD PARISH COUNCIL made no objection to the proposal but requested that a replacement tree requirement be attached as a condition to a consent to allow the felling.

Issues and Considerations:

Issues

The application is made on the basis that the tree is in poor condition. It has a receding upper and central crown, displaying extensive main leader and large branch dieback. Decayed and fungally infected stem wounds are evidence of a well established heartwood rot. Its location, under the dominant and spreading crown of a neighbouring London Plane, has caused the crown to develop a very uneven shape.

The issue, therefore, is whether or not the removal of this tree is justified and necessary due to its poor condition and uneven form.

Considerations

i) Tree condition and life expectancy.

From a ground level visual inspection, the tree appears to be in poor condition, with a short life expectancy of less than 10 years.

Decay pockets are present on the stem from about 1.5 metres above ground level and the dieback of the central leader and several upper boughs confirms that the tree is sickening.

ii) Amenity value

The tree stands in full public view. It contributes to the group of at least four other mature specimens but, due to its crowded location, beneath the spreading larger crown of the London Plane, its landscape value is considerably reduced. Being shaded may have contributed to its crown dieback. Its pronounced crown distortion, in growing away from its dominant neighbour, is

not attractive and gives an impression that the original landscape design has become spatially inadequate.

iii) Replacement tree

The proposed removal will not create a significant gap but will afford a young ornamental specimen in the vicinity the opportunity to achieve a more suitable communal area choice.

It was noted that two young trees have been planted within the last ten to fifteen years or so. These will develop into large specimens and complement the established trees and tree cover in this residential area.

Conclusion

The tree is in a state of decline and is not an attractive landscape feature in its current state. The loss of amenity its removal will cause is outweighed by its poor condition and unsuitable location. It is, therefore recommended to grant permission to this application on the grounds that the condition of the tree justifies its removal. The proposal therefore accords with Local Plan Landscape Policy LL9.

It is recommended that, in the event of members granting permission to fell this tree, a condition be attached to the decision notice requiring the planting of an agreed suitable replacement at an agreed location on the site.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

Planning Application Case Officer: Robin Hellier

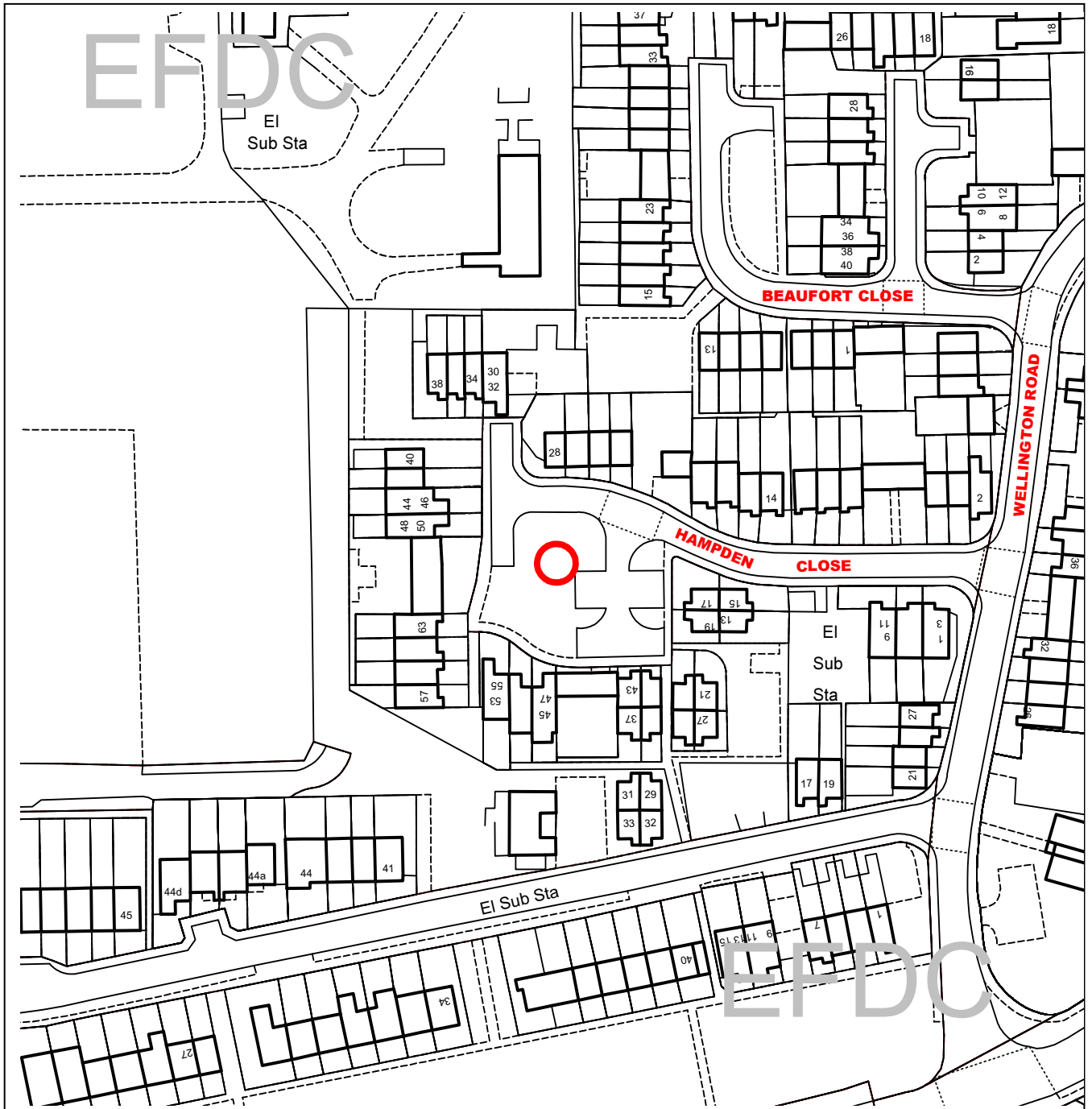
Direct Line Telephone Number: 01992 564546

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	1
Application Number:	EPF/0272/11
Site Name:	Land opposite 50 Hampden Close North Weald Bassett, CM16 6JX
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/1153/09
SITE ADDRESS:	Rear of No.103 High Street Chipping Ongar Essex CM5
PARISH:	Ongar
WARD:	Chipping Ongar, Greensted and Marden Ash
APPLICANT:	Mr R Hilder
DESCRIPTION OF PROPOSAL:	Partial demolition of existing buildings, conversion and adaptation of existing business units to form 3 x 1 bedroom cottages, construction of 2 x 2 bedroom cottages, bin stores, bike stores and provision of parking spaces.
RECOMMENDED DECISION:	Grant Permission (Subject to S106)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=500692

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 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 Classes (A-H) and Part 2 Class A shall be undertaken without the prior written permission of the Local Planning Authority.
- 4 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.

- 5 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.
- 6 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.
- 7 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.

- 8 No demolition/ conversion 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 by the local planning authority.
- 9 Additional drawings that show details of proposed new windows, doors, rooflights, eaves, rainwater goods, 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.

- 10 Notwithstanding the requirements of condition 9, the windows to the newbuild cottages shall be recessed into the wall and shall be timber sashes including "horns" in Victorian style.

Subject to, within 6 months of the resolution to grant planning permission, the completion of a Section 106 Legal Agreement which secures the following matters upon the commencement of the development:

- 1. A financial contribution of £10,000 to Ongar Town Council towards the provision for a scheme within Ongar which will fulfil community needs.**

This application is before this Committee since the recommendation conflicts with a previous resolution of a Committee (Pursuant to Section CL56, Schedule A (i) of the Council's Delegated Functions).

Members will recall this planning application which was first considered in October 2009 at which point Members deferred the application, requesting that consideration be given to the provision of affordable housing within the scheme.

In December 2009 the application came back to committee with the inclusion of a one bed unit as affordable housing and members agreed to grant consent subject to the applicant first entering a legal agreement within 12 months, to secure the provision of the affordable unit.

However in October 2010 the application again came before Members, with additional information that strongly indicated that the provision of the affordable housing element would jeopardise the viability of the scheme and it was requested that Members consider granting the application without the s106 agreement. Members however reiterated the need for affordable housing and agreed only to extend the time period for entering the legal agreement for a further 6 months, with a suggestion that during this six month period a full financial viability appraisal be carried out, at the expense of the applicant, and the results be brought back to the Committee for consideration.

This then is the stage that we are at. The financial appraisal has been completed and is attached in the appendices together with supporting information.

The main changes to this report from previous agenda items are provided in the section titled 'Community Needs' which explains the conclusions of the financial appraisal and explores the option of a financial contribution towards community facilities.

Officer's recommendation is to accept the conclusions of the report, that the development is not financially viable with the inclusion of an affordable unit and to grant planning permission subject to the completion of a legal agreement to provide a contribution towards local community needs.

Description of Proposal:

This application seeks planning permission for the redevelopment of the area to the rear of 103 High Street, for residential purposes. It is proposed to convert existing business premises into 3 x one bed cottages and to build a pair of two bed cottages. Associated car parking, bike and bin stores are also proposed.

Description of Site:

The application site is accessed via a narrow vehicular entrance between 103 and 107 High Street. The buildings along the High Street frontage are listed and the site is located within the Chipping Ongar Conservation Area. There are several buildings within the site which benefit from B1, B8 and A1 uses following the issue of a certificate of lawful use.

Relevant History:

EPF/1513/07. Certificate of lawful development for existing use of units as B1, B8 and A1 uses. Lawful 16/10/2007.

Details:-

The local authority is satisfied that the units listed below have been occupied by the said uses for a period of 10 years or more before the date of this application:- Unit 1- B1 use, Unit 2 - B8 use, Unit 3 - B1 use, Unit 4 - B1 use, Unit 5 - B8 use, Unit 6 - B1 use, Unit 7 - A1 use, Store adjacent to Unit 7 - B8 use and Unit 11 - mixed B1/B8 use.

Policies Applied:

Adopted Local Plan and Alterations

HC12 – Development Affecting the Setting of a Listed Building
GB7A – Conspicuous Development
H2A – Previously Developed Land
H4A – Dwelling Mix
CP2 – Protecting the Quality of the Rural and Built Environment
CP7 – Urban Form and Quality
DBE1 – Design of New Buildings
DBE2 – Impact of New Buildings
DBE8 – Amenity Space Provision
ST1 – Location of Development
ST2 – Accessibility of Development
ST4 – Highways Considerations
ST6 – Car Parking Standards
LL11 – Landscaping Schemes
E4A – Protection of Employment Sites
E4B – Alternative Uses for Employment Sites

Summary of Representations:

ONGAR TOWN COUNCIL. Objection. The Council believes that this application represents an unwarranted overdevelopment of the site. Members believe that there would be an increase in vehicle movements if this application were to be granted. Councillors are also concerned that the reduction of parking for remaining business would exacerbate the longstanding problems associated with illegal parking in this narrow part of the High Street.

106 HIGH STREET – Concerned that location plan is out of date and some adjacent properties may not have been consulted. Concern that alleyway is very narrow and often blocked causing blockage of high street.

Issues and Considerations:

The main issues in this case are:

- The loss of an existing employment use on the site;

- The impact of the proposed development on the occupiers of neighbouring dwellings;
- The impacts on highways safety; and
- The impacts of the development on the surrounding conservation area;
- The setting of the listed buildings; and
- The meeting of existing Community Needs.

Loss of Employment Site

Policy E4A of the Local Plan seeks the protection of employment sites within the District. It states that redevelopment for residential uses will only be permitted where it has been shown that either:

- (i) The site is poorly located in relation to housing or access by sustainable means;
- (ii) There are material conflicts with adjoining land uses (e.g. due to noise, disturbance, traffic, environmental and amenity issues);
- (iii) Existing premises are unsuitable in relation to the operational requirements of modern business; or
- (iv) There is a demonstrable lack of market demand for employment use over a long period that is likely to persist during the development plan period;

And there are very significant development or infrastructure constraints making the site unsuitable or uneconomic to redevelop for employment purposes.

No evidence has been submitted by the applicants relating to criteria i and iv. With regard to criteria ii and iii, the standard of the existing vehicular access is poor and due to the close proximity of listed buildings, there appears to be limited potential for improvements. The applicant has submitted data showing that the traffic movements associated with the use would be substantially less than those in relation to the existing lawful use of the premises.

In the submitted Design and Access Statement the applicants state that *“although the site has been in commercial and industrial use for many years, the site access is narrow and unsuitable in relation to the operational requirements of modern business. The widening of the access would require the demolition of buildings in the conservation area on the High Street frontage, and this would harm the character and appearance of the conservation area. Therefore the change from commercial and industrial use to residential and the smaller vehicles and reduced vehicle movements that this would entail would be desirable”*.

Since the previous Committee meeting, the applicant has provided additional information relating to the existing and potential employment uses of the site. The applicant states *“there are currently two people employed at the site. The site was originally an old slaughterhouse, but was split up into individual business units in the late 1970’s. The access to the site is awkward and its layout is poor. The units are not up to modern standards and are not easy to let. The applicant would not consider redeveloping for business purposes because the narrow access would limit the size of vehicles that could get into the site.”*

Impact on Neighbouring Dwellings

There is some residential use on the upper floors of buildings surrounding the proposed development site. It is considered that the residential use of the site would be more compatible with these neighbouring dwellings than the lawful commercial use of the site. It is considered that the dwellings proposed would have a satisfactory relationship with one another and would have an acceptable level of amenity for the future occupiers.

Highway Safety

The existing site access is of a poor standard. However, the applicants have submitted information demonstrating that the vehicle movements associated with the proposed use would be substantially less than those in relation to the existing lawful use of the site. County Highways have responded to the consultation exercise confirming that they have no objection to the proposed development. It is considered that the removal of the building to the rear of 103 High Street would improve visibility along the site access and provide an increased area in which vehicles may pass.

The application proposes 9 car parking spaces (5 of which would be allocated to the 5 dwellings).

Impact on Conservation Area and Listed Buildings

The Council's Conservation Officer considers that the proposal will not have a detrimental impact upon this part of the conservation area nor the setting of the listed buildings and that the building style and finishes of these cottages would represent the simple vernacular cottage style of this part of Essex. Conversely, the Historic Buildings advisor has concerns with the detailed design of the proposed new build cottages. Following negotiations, an amended plan has been received detailing some changes to the design of the cottages. However, the applicant feels that further alterations would be contrary to the principles of the Essex Design Guide. The outstanding concerns of the Historic Buildings advisor generally relate to matters which are often controlled by condition – for example the detailed design of the windows. Other matters, relating to the roof design are noted, but it is not considered that they would justify the refusal of planning permission in this instance as it is considered that the buildings, in the form proposed, would not be detrimental to the setting of the listed buildings.

A separate application for Conservation Area consent will be required for the demolition of the buildings.

Community Needs

Following the Committee's request (in October 2009) that the proposed development make provision for affordable housing, the applicant undertook discussions with the Council's Director of Housing and also with some of the Council's preferred Housing Associations. Following these discussions, the applicant advised that they were prepared to offer one of the one-bed dwellings as an affordable housing unit. It was anticipated that the unit would be offered, by Hastoe, for shared ownership. That was expected to involve a subsidy by the applicant of £93,000.

The applicant subsequently submitted details of anticipated construction costs and valuations of the proposed dwellings. The construction costs (including VAT at the 20% rate) are £688,500. This figure excludes any provision for professional (e.g. Architect, Engineer, Planning consultant) fees; Local Authority fees; Party Wall fees and profit. The proposed dwellings are anticipated to have a total value of £915,000 (Plot 1 - £220,000; Plot 2 - £220,000; Plot 3 (affordable unit) - £95,000; Plot 4 - £185,000; Plot 5 - £195,000). The applicant considers, given the balance between costs and sales of approximately £226,500 (which would be further reduced once the additional costs have been taken into consideration), that it is unlikely that the applicant would be able to sell the site to a developer for more than its existing value. On this basis, the applicant contends that the requirement for an affordable housing unit is not reasonable.

The applicant also drew comparison with the recently approved development at Matthews Yard, Harlow Road, Moreton (EPF/0504/10) for 7 dwellings, which did not provide for affordable housing. However, that site had been subject to a previous planning appeal, in which the applicants had demonstrated through a financial appraisal that the provision of affordable housing would render the scheme unviable.

With the agreement of planning officers, the applicant commissioned and submitted an independent financial appraisal, undertaken by Kemsley LLP. This appraisal is attached as Appendix 1 to this report. The planning officer has made queries in respect of some of the findings of the report. In particular relating to the Gross Development Value and Development Costs (on page 4). However, following additional information provided by the estate agent (John Sears) and the construction company (Thornwood Construction), these figures are considered to be acceptable by both Kemsley LLP and by the planning officer. The additional information from John Sears and Thornwood Construction are provided as Appendix 2.

The appraisal concludes that the development would not be viable with the provision of an affordable housing unit, returning a profit to the developer of only £9,307 (approximately 1% of the cost of the development). The appraisal further demonstrates that the development would only just be viable without the affordable unit, returning a profit of £131,807, only 14.5% of the development costs – below the normal expectation of 20%. Accordingly, this demonstrates that in addition to the development not being viable with the affordable housing, there is also no scope for a large developer contribution towards any other identified community need.

Notwithstanding this, Policy E4B of the Local Plan states 'Where it can be proven that there is no further need for employment uses on a particular site, the Council will permit alternative uses which fulfil other community needs and which satisfy other policies of the plan. Where there is an identified need for a particular facility the Council will have to be satisfied that the site is unsuitable for that use prior to considering the site for open market housing'. It is not considered that the site is suitable for the on-site provision of community facilities, due to its limited size and restricted vehicle access. However, in order to comply with this policy and in accordance with Policy I1A of the Local Plan (which relates to Planning Obligations) the developer has offered to make a financial contribution of £10,000 to Ongar Town Council to be spent in relation to the provision of facilities to meet community needs. The Town Council has advised that this sum could be put towards a proposed scheme for improvements to children's play area and would provide a substantial proportion of the cost of providing this facility. However, it will only be reasonable for the sum to be payable upon the commencement of the development, which may be up to three years in the future. Due to this period of time, it is considered reasonable that the legal agreement secures the funding for a use which fulfils a community need (in accordance with Policy E4B) but does not specifically relate to the provision of a children's play area, in order that the community's needs may be considered at the time that the contribution is actually paid.

Fire Tender Access

Due to the difficulties of accessing the site by fire tender, the applicant has suggested that a dry main could be installed within the site so that a hose could be connected to it and water pumped from a fire tender parked in the High Street. The five dwellings would also be fitted with sprinkler systems to provide additional protection. The applicant has also suggested that the provision of such systems could be required by planning condition. However, this may be unnecessary as the matters would be considered by building control.

Other Matters

Suitable site landscaping may be controlled by planning condition.

The Council's Land Drainage section has no objection to the proposed development.

The site has been identified as potentially contaminated and also as potentially of archaeological significance. Both of these matters may be dealt with by planning condition.

Conclusion

In light of the above appraisal, it is considered on balance that the proposed development may be justified despite the loss of the existing employment use on the site due to the restricted access to the site and having regard to the existing lawful use of the site. The purpose of policy E4A is to prevent the loss of employment uses within the District because of an identified shortfall. Notwithstanding this, it is clear that this site is unsuitable for its existing use. The applicant has however failed to demonstrate that the site would not be suitable for a general B1 use, but has confirmed that this would require a redevelopment which they are reluctant to undertake.

With regard to other matters, it is considered that the proposed development is appropriate to this location in terms of its scale and design. Accordingly it is not considered that there would be any material harm to either the surrounding conservation area or to the setting of the listed buildings. With regard to policy E4B, the proposed financial contribution would make provision for an off-site scheme to meet an existing community need.

On balance, it is considered that the proposed development complies with the policies within the Local Plan and would not be unacceptable in any other respect. It is, therefore recommended that the Committee resolves to grant planning permission, subject to the completion of a legal agreement.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

***Planning Application Case Officer: Mrs Katie Smith
Direct Line Telephone Number: 01992 564109***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

APPENDIX 1: Financial Appraisal undertaken by Kemsley LLP

DC-Supp



Our ref: GEN/10288

19 January 2011

Rosegrove Developments
Little Arnolds
Stapleford Tawney
Romford
RM4 1RD

FAO Mr R Hilder

Dear Sirs

113 NEW LONDON ROAD
CHELMSFORD • ESSEX • CM2 0QT
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Epping Forest District Council
Civic Offices
High Street
Epping
CM16 4 BZ

FAO Katie Smith (ref PL/KS/EPF/1153/09)

**Proposed Development Rear of 103 High Street, Chipping Ongar, CM5 9DX
Planning Application, reference EPF/1153/09**

Instructions

I was instructed, by letter of 17 December 2010, from Stephen Hayhurst, to undertake an "affordable housing financial viability assessment" of the proposed development to the rear of 103 High Street, Ongar. With that letter I was provided with various background papers, as listed in that letter, including: a copy of the planning application; minute of the sub committee meeting of 16 December 2009; budget construction costs from Thornwood Construction Group dated 01 July 2010; and a letter from John Sears, estate agent, of 23 July 2010.

There are two types of appraisal. Valuers tend to be trying to get to the site value, so do a residual appraisal, deducting all likely costs and a profit margin from the Gross Development Value, to leave the residual site value. By contrast, developers generally start from a site value, and end up with a profit margin.

I inspected on 11 January 2011, and met Mr Hilder on site. I confirm, other than that meeting, I have neither met him, nor acted for him or his development company before.

I append some photographs taken by me during that inspection. Also, a plan showing the site (edged red as proposed for development and blue the front part), together with a proposed layout plan.

Brief Description

Chipping Ongar is a popular residential location in South Essex, outside the M25, but reasonably conveniently located for access to the M11 motorway. It used to be at the end of the London Underground service, but this was discontinued, although there are proposals to reinstate it. In common with many towns, the retail traders have suffered, and there are a number of vacant and other shops available on the market. The baker's shop adjacent to this property has closed.

This site forms the rear of 101/103 High Street, and extends behind a public house. It backs onto an open and rather overgrown area, running down to the river, and forming a flood area.

Offices: Basildon, Chelmsford, London, Romford

Regulated by RICS



Kemsley LLP is a limited liability partnership registered in England under number OC 326192
The registered office address is 113 New London Road, Chelmsford, Essex CM2 0QT



On the Local Plan (adopted January 1998) the property is shown as being within the Town Centre area, and the Conservation Area the area behind it is shown as liable to flooding. It is adjacent to, but just outside the assumed line of the Town Earthworks associated with the motte and bailey castle (hence, presumably, the proposed archaeological planning condition).

The site is accessed by a narrow concrete drive between existing buildings, and is set behind a butcher's and a stationer's shops. It comprises a number of existing small units, which have been let for commercial purposes, but are predominantly empty now. See later, but some of these will be retained and others demolished under the proposals. I am told, at one time, it was used as a slaughterhouse, and the cold store remains. Otherwise, the bulk of the site has a concrete surface. The buildings form the boundary to part, with a low brick wall behind the public house, and timber fencing elsewhere (part in poor condition). There are few trees on site, although there is a tall grown cypress hedge by the south west corner, outside the boundary.

The existing use was set out in a Certificate of Lawful Development for Existing Use as B1, B8 and A1 uses (reference EPF/1513/07/CLD). Although not entirely specific, I assume the B1 and B8 uses relate to the area proposed for development and subject of this report, and the A1 relates to the ground floor of the front part.

From the planning application, the site is stated as being 850m².

Planning Application

A planning application, reference EPF/1153/09, was submitted for "partial demolition of existing buildings, conversion adaptation of existing business units to form 3 X 1 bedroom cottages, construction of 2 X 2 bedroom cottages, bin stores, bike stores and provision of parking spaces". Epping Forest District Council resolved to grant consent subject to 10 conditions and a Section 106 Agreement. I have not seen a copy of a draft agreement, but, the planning committee minute states this is to be "a legal agreement ... to secure provision of one affordable housing unit within the site". I summarise the proposed conditions as:

1. to be implemented within three years;
2. approval of external finishes;
3. withdrawal of certain permitted development rights;
4. landscaping;
5. parking areas;
6. hours for construction works;
7. contamination: investigate, remediate, report afterwards;
8. an archaeological investigation;
9. detail of windows etc;
10. windows to be timber sash, recessed.

These conditions are broadly in line with my expectation, within a Conservation Area. There is a cost implication in respect of the contamination condition, plus a cost and potential delay implication in respect of the archaeological investigation.

The requirement for the affordable housing is the subject of this report.

Proposals

The intention is to demolish the lavatories attached to the rear of the butcher's shop, to convert an existing flat roofed area into two bin stores (one commercial, the other domestic). The existing two story office building would be converted to Unit 1. On the other side of the yard, part of the existing building would be retained as a store for the butcher, with part demolished and allocated as parking. The existing structure to the rear right corner would be retained and converted to Unit 4 & 5. An area of storage building and the cold store would be removed. Units 2 & 3 would be constructed in the yard area behind the public house.

The existing buildings would retain the present construction as far as possible. The proposed new cottages would have a rendered front and rear, black timber cladding to the sides, under a duo pitch plain clay tile roof.

From plans provided the proposed accommodation would provide:

- Unit 1
ground floor, lobby (stairs), lounge, kitchen off
first floor, landing, bedroom 1, bathroom
- Unit 2
ground floor, hall (stairs), cloakroom (wc, basin) kitchen/breakfast room, lounge
first floor, landing, bedroom 1, bedroom 2, bathroom
- Unit 3
as Unit 2, but handed
- Unit 4
ground floor, hall (stairs), kitchen, lounge
first floor, landing, bathroom, bedroom 1
- Unit 5
ground floor, lounge, with kitchen and hall (stairs) off
first floor, landing, bathroom, bedroom 1

From plans provided, I calculate the following Gross Internal Areas.

	m ²
Unit 1	46.9
Unit 2	66.2
Unit 3	66.2
Unit 4	73.3
Unit 5	57.3

Appraisal

As I say, there are two types of appraisal, a development appraisal which starts from a known site value and ends with a profit/loss margin, and a residual appraisal which ends with a site value. Valuers generally use the second, as they are endeavouring to get to a site value. However, for this purpose, the development appraisal is more appropriate, and I have run two such appraisals, appended, one with and

the other without an affordable unit. I have done these using the input information as provided, as far as possible, and will comment on this below.

Gross Development Value

This is the sum of the likely sale price of the individual units. I have adopted the figures as provided by John Sears, totalling £915,000 including the affordable unit (Unit 3) at £95,000 in the first appraisal. In the second I have adopted the same figures, except with Unit 3 at the same figure as Unit 2, giving a total of £1,040,000.

I have to say that I do not entirely agree with these figures, although John Sears is a well known and respected agent in the town. However, the range of figures given is quite broad, when analysed on a floor area basis, and I am surprised that he considers the single bedroom Unit 1 to have the same value as the proposed two bedroom cottages, which are larger. In addition, there would generally be a premium for new build. Having said that, I have adopted his figures.

Site Value

I have looked at this three ways. First, I have carried out a residual appraisal to give a site value. I do not append this, but it does show a residual site value of £221,428, based on my own calculation. Secondly, in my general experience, site values are currently around 25% of the Gross Development Value. On £915,000, this would be £228,750. Finally, I would expect the plots to have a value of £60,000 each. On the four private plots, this would be £240,000.

Based off this, I have taken a site value of £230,000 in both appraisals. I note that in his letter to Epping Forest District Council, of 07 September 2010, Mr Hayhurst mentioned a figure of £240,843.75. Net of purchase costs, see below, this compares closely to my figure.

Purchase Costs

Based off this, purchase costs would be £6,900, as shown in both appraisals. While Mr Hilder owns the site already, and it could be argued this is irrelevant, any valuation assumes a market transaction, and any prospective purchaser would reflect the cost of purchase, so it is appropriate to include it.

Development Costs

I have adopted, in both appraisals, the figure as given by Thornwood Construction of £573,750 (£546,750 + 5% contingency). I have to say that I consider this figure to be rather high, but it is a complicated scheme, with requirements to comply with conservation specifications, and, on the small size units, the average cost would be high. There is also a possibility, because of the presence of the cypress trees just outside the boundary, that the footings of Units 2 & 3 would have to be reinforced, deepened or piled. Mr Hilder told me he had a quotation of £2,440 for the archaeological inspection. I have adopted this figure. I have allowed £10,000, my own figure, for the contamination investigation. However, if remedial works are found necessary, this could impact on cost. I have assumed, because the site is virtually completely covered with concrete, that contamination would not be present, although I have not seen any soil reports nor can I

Rear of 103 High Street, Ongar, CM5 9DX



comment on the historic use. It is not until investigation has been completed that this can be quantified. However I consider the allowance I have made to be appropriate for this calculation. I have then allowed for a 5% contingency, plus fees at 6%, which is the rate I apply generally. This would be £35,229. Mr Hilder gave me a breakdown of his fees, totalling slightly more than this. Whilst this gives some check, I consider it appropriate to adopt my usual calculation, as I would expect for any prospective purchaser.

Finance

I have taken twelve months from start to completion of the sale of the final unit, with concurrent nine months on the building costs (at half the amount to allow for the costs to be incurred over that period). I have adopted 6% interest. While it would not be possible to borrow the whole amount, it is usual to build in an interest allowance on the developer's own funding contribution as well.

Sales

I have adopted the John Sears' figures, and kept them the same in both appraisals, except for Unit 3. I have then taken sale costs (legal and agents' fees). There is a consequent knock on effect on costs in the second appraisal as a result of the higher sale figure for Unit 3.

Value Added Tax

I have disregarded the implications of VAT, as I have assumed any developer would be able to offset it (VAT being payable on the difference between input and outputs).

Profit/Loss

As will be seen from the summaries of the two appraisals, the Gross Development value is different, but the site, acquisition, development costs and finance remain the same. There is a small difference in sales costs. The appraisal allowing for one affordable unit shows a profit of £9,307. This represents 1% (on Total Development Costs). The normal target developers expect is 20%, although in the current economic climate 15% is deemed acceptable. The second appraisal, without an affordable unit, produces a profit of £131,807, 14.5%.

Conclusion

In my opinion the scheme is not viable with an affordable housing unit, and is unlikely to be built out. Without such a unit, it is viable, although the profit margin is just below target.

I trust this provides the information you require, but please feel free to contact me if I can be of further assistance. Meanwhile, I enclose my fee account to Mr Hilder in the sum as agreed.

Yours faithfully

[Redacted signature box]

**GE NICHOLLS FRICS FAAV
KEMSLEY LLP**



Access off High Street



Rear Yard area, where Units 2 & 3 would stand

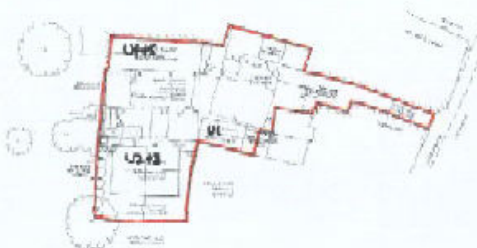


From rear



Proposed Unit 1		Front demolished, rear to be Units 4 & 5	
APPRAISAL		WITH ONE AFFORDABLE UNIT	
Subject: Land Rear of 103 High Street, Ongar			
Date: 17 January 2011			
CAPITAL VALUE		m ²	sq ft
Unit 1	separate, 1 bedroom	46.9	505
Unit 2	semi detached 2 bedrooms	66.2	713
Unit 3	semi detached 2 bedrooms	66.2	713
Unit 4	adjoining, 1 bedroom	73.3	789
Unit 5	adjoining, 1 bedroom	57.3	617
Gross Development Value		£ 915,000	
Less		Costs	
Site		230000	
Purchase costs			
	agents at 1.5 %	3450	
	legal fees 0.5 %	1150	
	stamp duty 1 %	2300	
development costs			
	floor area 309.9 m ²		
	As Thomwood Construction	546750	
	archaeological	2440	
	contamination, allow	10000	
	contingency 5.0 %	27960	
	fees at 6.0 %	35229	
finance			
	at 6.0 %		
	site 12 months	14214	
	building 9 months	13901	
sales			
	agents at 1.5 %	13725	
	legal at % 0.5 %	4575	
PROFIT/LOSS		1.0 %	
		9307	
		915000	
Summary			
Gross Development Value		915000	
Less:			
	site	230000	
	acquisition costs	6900	
	development costs	622378	
	finance	28115	
	sale costs	18300	
	profit/loss	9307	
		915000	

APPRAISAL			NO AFFORDABLE UNIT		
Subject: Land Rear of 103 High Street, Ongar					
Date: 17 January 2011					
CAPITAL VALUE			m ²	sq ft	total
Unit 1	separate, 1 bedroom		46.9	505	£ 220,000
Unit 2	semi detached 2 bedrooms		66.2	713	£ 220,000
Unit 3	semi detached 2 bedrooms		66.2	713	£ 220,000
Unit 4	adjoining, 1 bedroom		73.3	789	£ 185,000
Unit 5	adjoining, 1 bedroom		57.3	617	£ 195,000
Gross Development Value					£ 1,040,000
Less					
			Costs		
Site			230000		
Purchase costs					
	agents at	1.5 %	3450		
	legal fees	0.5 %	1150		
	stamp duty	1 %	2300		
development costs					
	floor area	309.9 m ²			
	As Thornwood Construction		546750		
	archaeological, allow		2440		
	contamination, allow		10000		
	contingency	5.0 %	27960		
	fees at	6.0 %	35229		
finance	at	6.0 %			
	site	12 months	14214		
	building	9 months	13901		
sales					
	agents at	1.5 %	15600		
	legal at %	0.5 %	5200		
PROFIT/LOSS			14.5 %		
			131807		
			1040000		
Summary					
Gross Development Value			1040000		
Less:					
	site		230000		
	acquisition costs		6900		
	development costs		622378		
	finance		28115		
	sale costs		20800		
	profit/loss		131807		
			1040000		



A proposed layout, not to scale



A Site Plan 1:1000

KEMSLEY
PROPERTY CONSULTANTS

For Identification Purposes Only
 Subject: 100-105 LINDEN ROAD, GOSWORTHY
 Date: 10/12/2011
 Drawn: G. GIBSON
 Civil Engineering License No. 20094176
 112 New London Road, Gosworthy, CM1 0DT

APPENDIX 2: Additional Information

John Sear Estate Agents



7 February, 2011

Mr J. Hilder
C/o JSP Design
1 Basons Yard
High Street
Chipping Ongar
Essex
CM5 9AA

Dear Mr Hilder

re: Proposed development site to the rear of 103 High Street, Chipping Ongar, Essex.

Further to our letter to you on the 23rd July 2010. I write to confirm that the values of the above properties are unchanged with the exception of plot 3 which should be valued the same as the adjoining property i.e. £220,000 as this is no longer deemed low cost housing, although plot 1 is a much smaller property the reason I have valued this also at £220,000 is that it is detached and will retain a lot of its original character.

I trust this information will answer your questions satisfactory, if I can be of further assistance please do not hesitate to contact me.

Yours sincerely



John Sear
ANAEA

204 High Street, Ongar, Essex CM5 9JJ Tel: 01277 363136
Fax: 01277 365648 Website: www.johnsear.co.uk
E-Mail: sales@johnsear.co.uk



Thornwood Construction Group

Our Ref: SH/CJ

8 February 2011

JSP Chartered Town Planners
1 Basons Yard
High Street
Chipping Ongar
Essex
CM5 9AA

First Floor
188 High Road
Loughton
Essex IG10 1DN

Tel: 0208 588 7032

Fax: 0208 502 6324

Email: admin@thornwoodgroup.co.uk

Dear Sirs,

Land and buildings rear of 103 High Street, Ongar, Essex CM5 9DX

I refer to our telephone conversation and I thank you for forwarding a copy of a letter dated 19th January 2011, prepared by Mr. Nicholls of Kemsley LLP.

You have asked me to comment upon our construction costs, in light of his comment on page 4 of his report.

The construction costs were arrived at having due consideration for the difficulties of this particular site.

Specifically, ingress and egress to the site is very narrow and difficult, and we anticipate that a large element of off-loading and delivery will need to be carried out from the High Street and taken by smaller vehicles into the rear of the site, due to the restricted width and access. There may be a need for some crane off loading, and almost certainly concrete pumps will be required.

We therefore anticipate significantly more cost to be incurred in running a site in this manner.

We have anticipated, as Mr. Nicholls correctly assumed, that there would be quite a lot of exterior work which we have allowed for, in terms of contamination removal in the first instance, and thereafter in the formation of hard landscaping parking areas and amenity space provision.

The construction costs for each unit therefore, whilst representing the majority of the build costs, do not themselves give a full picture of the overall cost of this development, and we have also of course added a 5% contingency which has been netted down by Mr. Nicholls in his letter.

On balance therefore, whilst the construction costs may seem superficially high, we have adopted a realistic position in pricing the work, in anticipating the difficulties of running the contract on such a tight site, surrounded by so many other properties leading to a substantial amount of Party Wall related construction work.

We have attempted therefore to provide a costing which we can work to in order to provide the client, Mr. Hilder, with a realistic appraisal of his likely development construction costs.

The figures were given in July 2010 and there has been some upward pressure on pricing, but we are currently standing by the prices submitted.

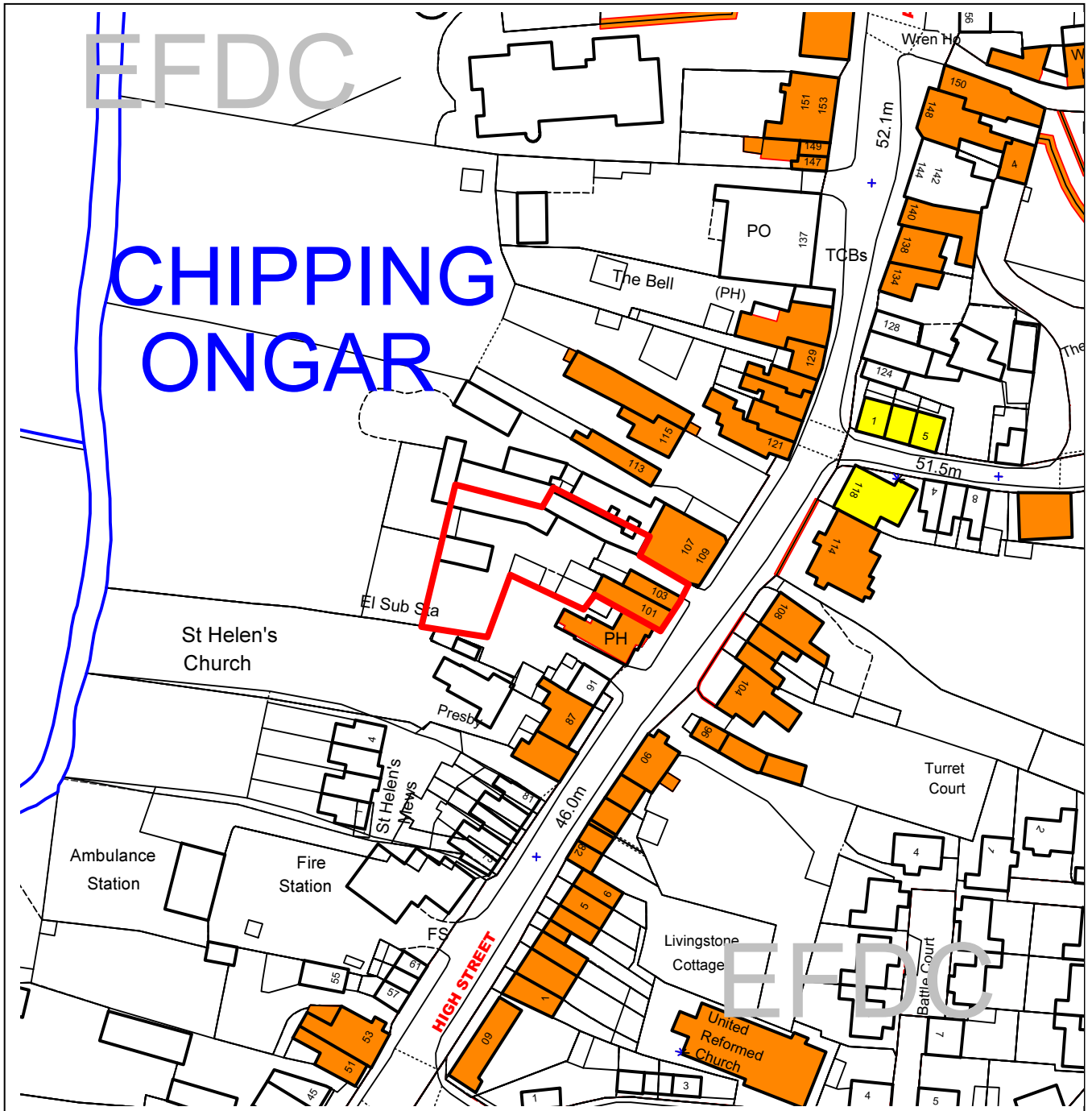
I trust this is sufficient for your purposes, and will reassure Mr. Nicholls that we have endeavoured to consider all of the factors likely to affect the price and duly accommodated them within our budget costings.

Company No: 7107917. Thornwood Construction Group is the trading name of Thornwood (London) Limited



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	2
Application Number:	EPF/1153/09
Site Name:	Rear of No.103 High Street Chipping Ongar , CM5
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/0001/11
SITE ADDRESS:	Ambulance Station The Plain Epping Essex CM16 6TL
PARISH:	Epping
WARD:	Epping Lindsey and Thornwood Common
APPLICANT:	East of England Ambulance NHS Trust
DESCRIPTION OF PROPOSAL:	Demolition of existing ambulance station and garage. Erection of new two storey station with ambulance shelter.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=524297

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 No development shall have taken place until details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
- 3 Prior to first occupation of the development hereby approved, the proposed window opening(s) in the eastern flank elevation) shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.

This application was deferred from the Committee meeting on 23rd February 2011 to enable full consultation period with neighbours to expire. This application was before this Committee as it is for a form of development that can not be approved at Officer level if there are more than two expressions of objection to the proposal. (Pursuant to Section CL56, Schedule A(f) of the Council's Delegated functions).

The previous report has been amended and updated to address the issues raised by neighbours, the changes made are in **bold** for clarity.

Description of Proposal:

The proposal seeks consent to demolish the existing 2 storey ambulance station and garage and replace it with a new two storey station and ambulance shelter.

The proposals would provide improved kitchen, office, and toilet facilities with a designated area for lockers and improved storage. The proposals would also allow the provision of a shower room and a designated quiet room.

The proposals would retain a double garage bay for ambulance parking.

The proposals would increase the provision of first floor accommodation and reach 7.5m in height at the maximum pitch, 5.5m at eaves height.

Description of Site:

The application site is a 'T' shaped plot accessed off The Plain, the main route connecting Epping to Coopersale and North Weald. The site is part of the former St Margaret's Hospital site, at the rear of 59A the Plain and the new properties formed in the Kingswood Park development. The existing Ambulance station runs along the boundary on the eastern side and partially along the southern sides of the site. The site is a functioning Ambulance facility.

The site will be bordered by the new 132 unit residential development (EPF/1350/08) on the eastern, southern and western boundaries and the northern boundary at the head of the access will front Epping Forest adjacent to properties bounding the site at 56 and 56a The Plain. The site is outside of the Green Belt.

Relevant History:

None

Policies Applied:

Epping Forest District Local Plan and Alterations

- CP1 – Achieving sustainable development objectives
- CP2 – Protecting the Quality of the Rural and Built Environment
- CP7 – Urban form and quality
- CF2 – Health Care Facilities
- E4A – Protection of employment sites
- DBE2 – Effect on neighbouring properties
- DBE9 – Loss of amenity
- ST1 – Location of development

SUMMARY OF REPRESENTATIONS:

8 neighbouring properties in the Plain were initially consulted, with a further 17 properties in Kingswood Park being notified by hand-delivered letters on 3rd February 2011 – these were plot numbers 8-11, 13-20 and 23-25 (postal addresses 1, 3, 5, 7, 11, 13, 15, 17, 19, 21, 23, 25, 31, 33, 35 Kingswood Park). This notification is not recorded on the website. Due to the late consultation with the Kingswood Park properties the application was deferred to the present Committee. Consultation difficulties have arisen due to the delay between when properties are constructed and occupied, and when this information is distributed via the Ordnance Survey information.

The following responses have been received to date:

21 KINGSWOOD PARK: Object to any increase in overlooking of garden and property windows as site backs directly onto property. Loss of light to garden and disruption during construction.

13 KINGSWOOD PARK: Object due to existing problems with noise and lighting potentially increasing, loss of view, loss of light to garden, potential overlooking and loss of privacy and potential impact to future saleability of the property.

Since the application was deferred the Council has also received a petition from numbers 1, 3, 5, 7, 11, 13, 19 and 21 Kingswood Park raising the following objection:

The design and finishing will be totally out of character with the local area, the two storey building will be surrounded by single storey pitched roof and tiled structures. Overlooking of neighbouring properties, increase in size (floor space) of more than 50%, windows overlooking residential gardens, loss of privacy and absence of illustration of new properties on the drawings for the proposals indicating absence of consideration for neighbours. Concerns are also raised regarding late notification and the timing of the previous meeting in relation to the consultation period and the visibility of the proposals from neighbouring gardens. Concerns are also raised regarding new gated entrance to Kingswood Park, future maintenance of buildings on the boundary and safety issues relating to the replacement fuel storage.

The Council has been notified that the above petition has been extended, however details of additional signatories are yet to be confirmed. This additional correspondence reiterates the points above and expresses concern at the lack of discussions with residents from the developer. Issue is also raised with the area of consultation. Nos. 27 and 29 front towards Kingswood Park, not towards the site, they do not bound the site and are well separated from the proposed first floor accommodation however it is noted they would be able to see the development from rear gardens. No. 25 was amongst those consulted by hand delivered letter.

EPPING TOWN COUNCIL: No objection

Issues and Considerations:

The main issues to be considered relate to impact to the street scene and impacts to neighbouring amenity. These matters are unchanged from the previous report to Committee however additional consideration is offered towards the additional comments received.

The proposals relate to the retention of an existing health care facility and employment site, which provides garaging and staffing for two ambulances at present - this would be unchanged, however the facilities provided to staff would be improved to a higher standard. Therefore in policy terms the proposals accord with policies E4A and CF2 by retaining existing employment facilities and improving the provision of healthcare facilities. There is clearly an established need for ambulance facilities in this locality to allow a central base for rapid response serving residents in the District irrespective of the location of the relevant Accident and Emergency facilities. Were ambulances to be based elsewhere or at the nearest hospital in Harlow, then response times would clearly extend, therefore in principle the retention and improvement of the facilities is both acceptable in planning terms and desirable for the needs of the residents in the wider District.

The proposals are set well back from the highway and therefore result in minimal impacts to the street scene when viewed from The Plain, however due to the proximity to the recent new development at Kings Wood Park, the proposals would also, like the existing facility, be visible from the new streets albeit in the context of the new development.

The existing building is a somewhat dated single and two-storey structure. The proposals would increase the first floor accommodation to meet more modern needs, resulting in a greater first floor than presently exists. The new building would have a more modern appearance with partial flat and partial pitched roof and a curved roof over the ambulance garaging. Visually, whilst a greater bulk, the increase in accommodation is not considered visually disproportionate or indeed to detract from any significant views. It should be considered that the existing first floor projection has a floor space of just 20sqm and the proposed scheme would be some 100sqm in floor space at first floor.

In terms of neighbouring amenity, objections are raised on the grounds of existing nuisance and disturbance from the operating ambulance facility. As this facility has been in situ and functioning for some time and prior to the new dwellings being built and indeed occupied, it would be unreasonable to consider the proposals unacceptable due to noise and disturbance during operation as there would be no intensification of activities beyond those which presently exist. Rather impacts should be considered in relation to the extent of building, particularly the first floor additions and whether these have a significant adverse impact on neighbouring amenity by way of loss of privacy, light or overlooking. The existing Ambulance station reaches a maximum height of 5.3m and that proposed would reach 7.3m at the maximum point; however this is pitching away from the eastern boundary.

The applicant has proposed to obscure-glaze openings in the east elevation and to fix these closed which would overcome overlooking and privacy issues to nos. 11, 13 and 15 and prevent a façade unbroken by openings which would appear more domineering. The north and south elevations maintain no openings and the western elevation would look out onto the yard in a manner akin to the existing structure and onto the side of no.25. Furthermore at first floor these openings serve a female toilet area, a locker space and office area. The office area is well offset from the amenity area of no.25 therefore any overlooking would not be dissimilar to that experienced from existing windows or properties recently constructed.

With regard to prominence of the block, loss of light and overshadowing, the additional floor space should be considered in the context of the existing built form, and the surrounding garaging structures which will both obscure views of the new building and separate the amenity areas of the neighbouring properties from the proposals. Due to parking and access arrangements on the Kings Wood Park estate the application site is separated from all amenity areas on the new estate by either access, parking or garaging areas. This mitigates any impact of the increase in floor space and height of the building as it does not directly back onto any new garden area and most overshadowing would occur over these access, parking and garaging areas.

Mindful of the orientation of the block, the internal layout proposed and layout of the surrounding areas, Officers are of the view that the proposals would not result in significant adverse impacts by way of loss of privacy, overlooking, overshadowing or due to prominence of the building. Whilst Officers recognise that the new building would be visible from neighbouring plots, this alone is not sufficient to justify refusal.

With regard to highways and parking issues, the proposals would use the existing access and have no staffing or ambulance provision beyond that presently required, therefore no additional impacts would arise beyond those already existing.

The letter of petition received raises concerns regarding the design, Council policy does not require new development to replicate existing structures or design but seeks to ensure that it is in keeping and does not detract from local character and appearance. Officers note that the ambulance station proposed has a more modern design, the applicants have explained that the modular design was chosen as it will be quick and easy to construct and thereby minimise any disruption to service provision. It is a functional building and the design and size reflects its function. The main part of the building is to be finished in brick

and render, the details of which can be controlled by condition to ensure that they are sympathetic to the surrounding materials, the shallow pitched roof is to be metal and the ambulance bay itself is to be polycarbonate. It is accepted that the site is now surrounded by brick built residential properties of more traditional design, but this is an ambulance station, on an existing ambulance station site and in this context it is not considered inappropriate for it to be of different style and materials to the surrounding residential properties, particularly as it is tucked away within a garage court area and will not be prominently visible either from the main road frontage or from the main estate road. Although clearly visible from rear windows of surrounding properties it does not lie within "a street" in the traditional sense, and is not regarded as harmful to the street scene. Whilst the building is two-storey, replacing a single storey structure, it is seen within the context of an estate where there are predominantly 2 storey buildings. It is not therefore considered that the proposal is in conflict with the design policies of the Local Plan.

Other issues

The provision of a gate in a private boundary does not require consent and is a private matter alongside issues relating to maintenance.

Safety matters are dealt with under separate legislation from the Health and Safety Executive.

Conclusion:

After consideration of the matters above and the additional representations received by way of petition, Officers remain in support of the proposed provision of improved facilities at the Ambulance Station and acknowledge the importance of providing appropriate emergency services facilities, close to the urban areas of the district and recommend approval subject to conditions regarding submission of details of materials and a condition to secure the obscure glazing.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

*Planning Application Case Officer: Jenny Cordell
Direct Line Telephone Number: 01992 564294*

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

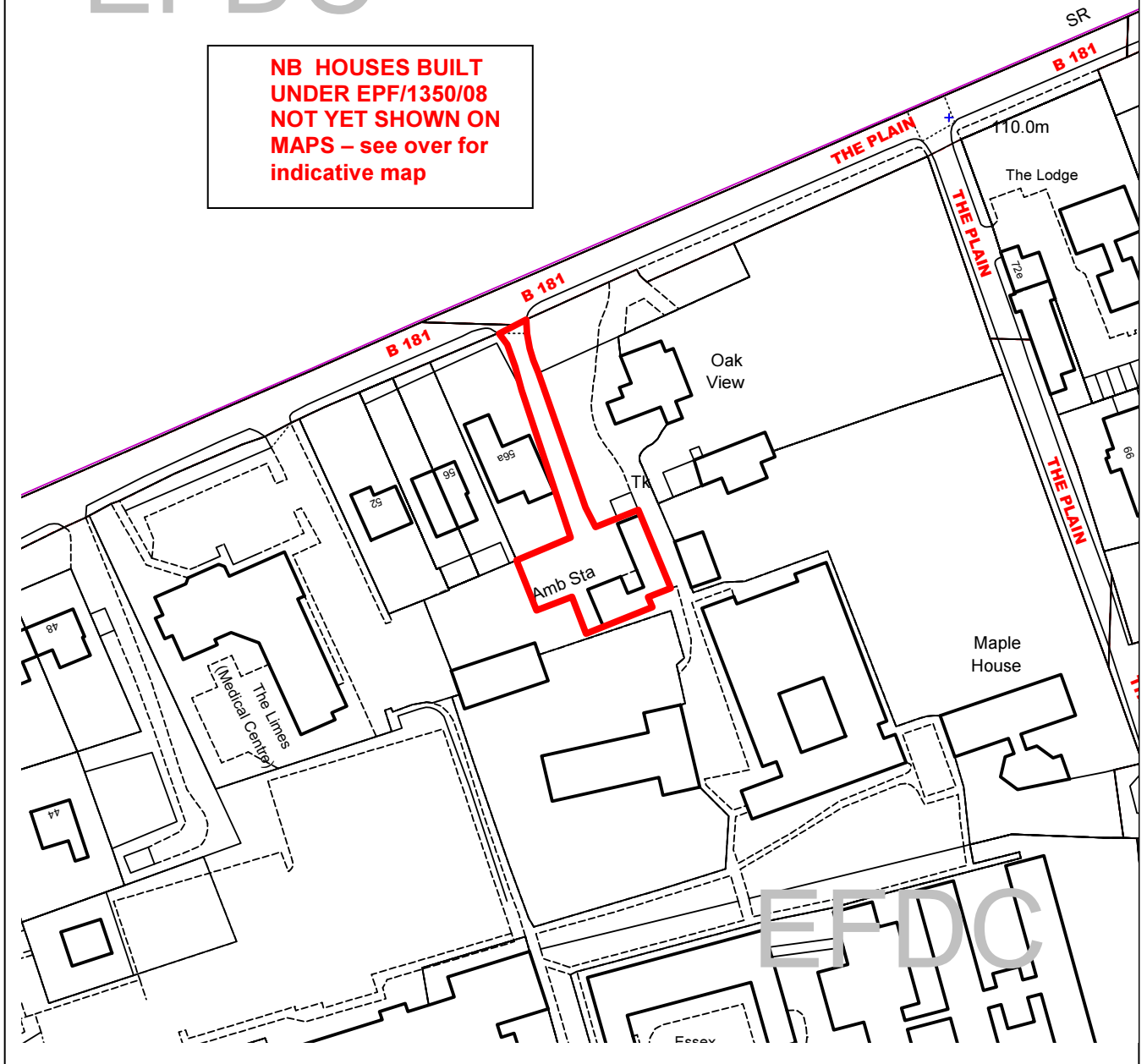


Epping Forest District Council

Area Planning Sub-Committee East

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**NB HOUSES BUILT
UNDER EPF/1350/08
NOT YET SHOWN ON
MAPS – see over for
indicative map**

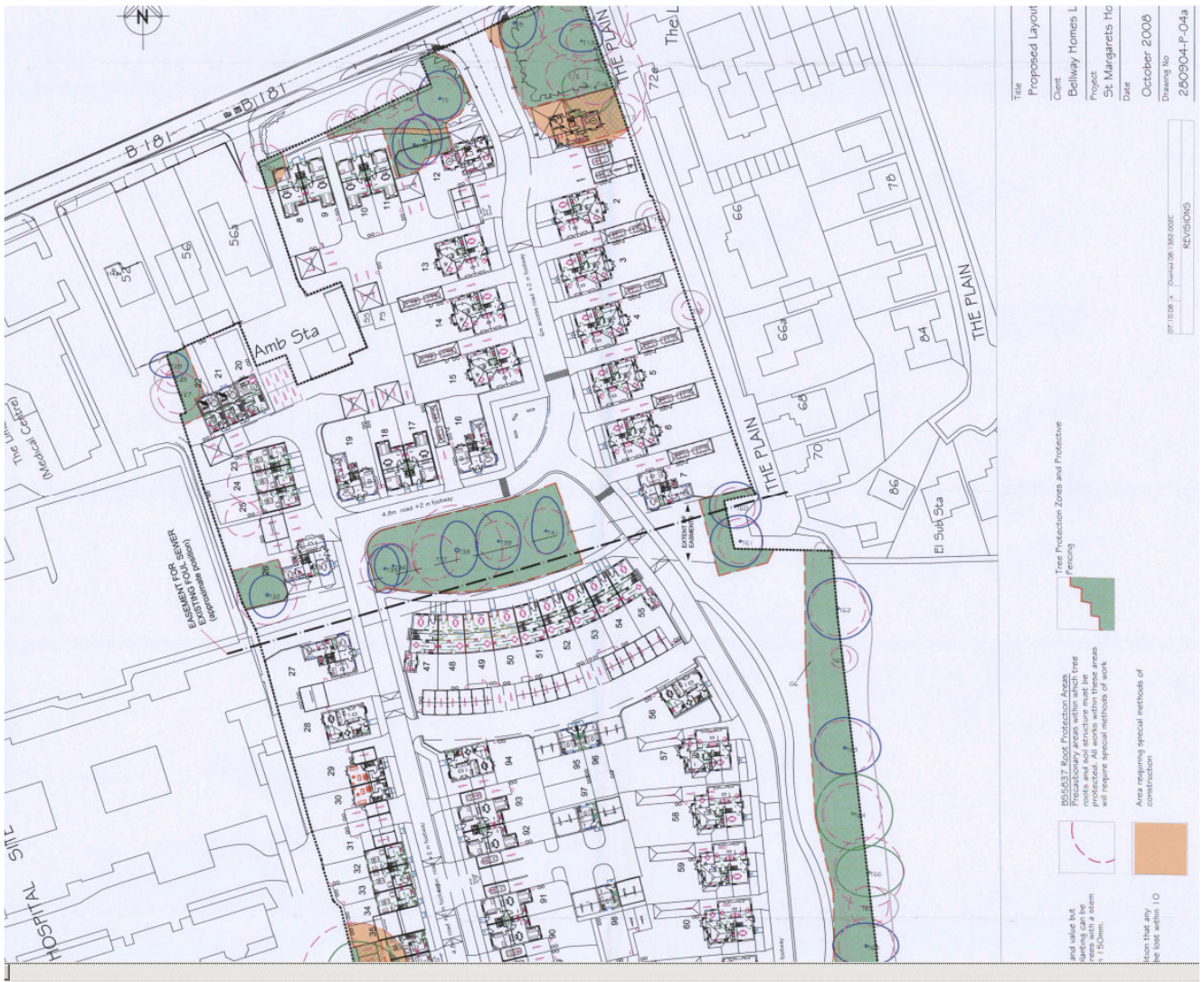


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Agenda Item Number:	3
Application Number:	EPF/0001/11
Site Name:	Ambulance Station, The Plain Epping, CM16 6TL
Scale of Plot:	1/1250



Indicative map of housing development approved under EPF/1350/08 (now known as Kings Wood Park)