

# Committee Agenda



**Webcast  
Meeting**



**Epping Forest  
District Council**

## ***Area Planning Subcommittee West Wednesday, 19th January, 2011***

**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 R Gadsby (Vice-Chairman), R Bassett, Mrs P Brooks, J Collier, D C Johnson, Ms Y Knight, 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 7.00 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 SUBCOMMITTEES (Pages 5 - 6)**

General advice to people attending the meeting is attached.

**3. APOLOGIES FOR ABSENCE**

**4. MINUTES (Pages 7 - 10)**

To confirm the minutes of the last meeting of the Sub-Committee held on 15 December 2010 as a 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 11 - 22)**

(Director of Planning and Economic Development) To consider the planning applications 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 Information Paragraph Number
Nil	Nil	Nil

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

### Confidential Items Commencement

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

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

### Background Papers

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

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

report is based; and

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

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

## **Advice to Public and Speakers at Council Planning Subcommittees**

### **Are the meetings open to the public?**

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

### **When and where is the meeting?**

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

### **Can I speak?**

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

### **Who can speak?**

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

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

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

### **What can I say?**

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

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

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

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

### **How are the applications considered?**

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

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

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

### **Further Information?**

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

## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Area Planning Subcommittee West   **Date:** 15 December 2010

**Place:** Council Chamber, Civic Offices, High Street, Epping   **Time:** 7.30 - 8.15 pm

**Members Present:** J Wyatt (Chairman), R Bassett, Mrs P Brooks, J Collier, D C Johnson, Ms Y Knight, W Pryor, Mrs M Sartin and Mrs P Smith

**Other Councillors:**

**Apologies:** Mrs R Gadsby, Ms S Stavrou, A Watts and Mrs E Webster

**Officers Present:** J Godden (Planning Officer), A Hendry (Democratic Services Officer) and G J Woodhall (Democratic Services Officer)

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### 50. 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.

### 51. 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.

### 52. APPOINTMENT OF VICE CHAIRMAN

In the absence of the Vice Chairman, Councillor Mrs P Brooks was appointed Vice Chairman for the duration of the meeting.

### 53. MINUTES

**RESOLVED:**

That the minutes of the meeting of the Sub-Committee held on 24 November 2010 be taken as read and signed by the Chairman as a correct record.

### 54. DECLARATIONS OF INTEREST

No declarations were made.

### 55. ANY OTHER BUSINESS

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

**56. DEVELOPMENT CONTROL**

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

**RESOLVED:**

That, Planning applications numbered 1 – 2 be determined as set out in the annex to these minutes.

**57. PROBITY IN PLANNING - APPEALS DECISION, APRIL TO SEPTEMBER 2010**

The Sub-committee considered the report on probity in planning on appeals decisions from April to September 2010. They noted that the Best Value Performance Indicator (BVPI) for district Councils was to aim to have less than 40% of their decisions overturned on appeal. The latest available figure for the national average for District Councils was 30.9%. The BVPI had been scrapped and replaced by a Local Performance Indicator with a target of 25% of allowed decisions. For 2010/11 a revised target had been set to not exceed 28%.

Over the six month period between April and September 2010, the Council received 36 decisions on appeal, 32 of which were planning and related appeals and 4 were enforcement related. Of these 10 were allowed (31.7%). The proportion of the 32 appeals that arose from decisions of the committees to refuse contrary to the recommendation put to them by officers during the 6-month period was 31.3% and of the 10 decisions that this percentage represents, the Council was not successful in sustaining the committee's objection in 6 of 10 (60%). The 6 lost were split equally between Area Plans South, West and East.

The Council's performance for this 6-month period and the previous 6 months is an improvement on 2009/10 despite there being fewer appeals submitted. Whilst 2 costs have been awarded against the Council, this has been relatively low and infrequent, though in one case it perhaps indicated that there should be some caution taken by officers before issuing and enforcement notice a little hastily.

**RESOLVED:**

That the Planning Appeals decisions from April to September 2010 be noted.

**58. 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**



**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/1452/10
<b>SITE ADDRESS:</b>	Greenacres Tatsfield Avenue Nazeing Essex EN9 2HH
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Lower Nazeing
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use of building to single dwelling house and release from S106 agreement.
<b>DECISION:</b>	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=519863](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=519863)

**REASON FOR REFUSAL**

- 1 The application site is within the Green Belt where the creation of a new dwelling is unacceptable in principle and the applicant has failed to demonstrate very special circumstances contrary to policy GB2A and GB8A of the Adopted Local Plan and Alterations and PPG2.

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/2116/10
<b>SITE ADDRESS:</b>	Rosedale Sedge Green Roydon Essex CM19 5JR
<b>PARISH:</b>	Roydon
<b>WARD:</b>	Lower Nazeing  Roydon
<b>DESCRIPTION OF PROPOSAL:</b>	Removal of agricultural occupancy condition on EPO/0156/72.
<b>DECISION:</b>	Grant Permission

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

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=522172](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=522172)

**CONDITIONS**

NONE

## AREA PLANS SUB-COMMITTEE 'WEST'

19 January 2011

### INDEX OF PLANNING APPLICATIONS

<b>ITEM</b>	<b>REFERENCE</b>	<b>SITE LOCATION</b>	<b>OFFICER RECOMMENDATION</b>	<b>PAGE</b>
1.	EPF/1907/10	Land rear of Oakley Hall, Hoe Lane, Nazeing, Waltham Abbey EN9 2RN	REFUSE	13

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**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/1907/10
<b>SITE ADDRESS:</b>	Land rear of Oakley Hall Hoe Lane Nazeing Waltham Abbey Essex EN9 2RN
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Lower Nazeing
<b>APPLICANT:</b>	Mr Nick Allhusen
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of derelict glasshouse and sundry structures, erection of 50 bed care home with associated ancillary parking and landscaping. (Revised application from EPF/0081/10)
<b>RECOMMENDED DECISION:</b>	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=521456](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=521456)

**REASON FOR REFUSAL**

- 1 The proposals represent inappropriate development within the Green Belt which is harmful by definition and the provision of significant amount of two storey accommodation results in an inappropriate and unacceptable impact to the detriment of the openness of the Green Belt. The applicant has failed to satisfactorily demonstrate very special circumstances in support of the proposals therefore the development is contrary to policies CP2, GB2A and CF2 of the Adopted Local Plan and PPG2.
- 2 The site lies within an area designated for horticultural glasshouses the proposals result in the loss of a site earmarked for this purpose, resulting in a development which would conflict with the expansion, vitality and viability of the glasshouse industry in this locality contrary to the aims and objectives of policy E13B of the Adopted Local Plan and Alterations.
- 3 The proposals are situated in a rural and unsustainable location, isolated from public transport or local facilities, therefore encouraging dependence on private car use which is contrary to the aims and objectives of policies CP1, CP2, 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 Gadsby (Pursuant to Section CL56, Schedule A (h) of the Council's Delegated Functions).

**Description of Proposal:**

The applicant seeks consent to demolish existing glasshouses and associated structures and redevelop the site to provide a 50 bed care home with associated accommodation, parking and landscaping.

All rooms would be en-suite with sufficient space to meet current planning minimum standards regarding access and mobility.

**Description of Site:**

The application site is a presently disused former glasshouse site on the southern side of Hoe Lane. The former glasshouses were situated at the western edge of the site for approximately a third of the width of the site. Aerial photos indicate up to 4 ancillary structure historically on the northern site boundary and 2 on the eastern boundary/access road.

The site is within the Metropolitan Green Belt, immediately adjacent the Conservation Area boundary.

**Relevant History:**

EPR/0069/50 – Erection of 7 commercial glasshouses – Approved  
EPF/1419/76 – Agricultural workers dwelling – Approved  
EPF/1167/78 – Details of Agri workers dwelling – Approved  
EPF/1378/78 – Outline application for 10.5 acres of glasshouses – Refused  
EPF/1471/78 – Details of Agri workers dwelling – Approved  
EPF/1551/99 – CLD for use as car tuning workshop – Refused  
EPF/0800/05 – Outline application for 23 dwellings – Withdrawn  
EPF/0453/06 – Removal of agri occupancy condition – Refused  
EPF/1159/06 – Outline application for 24 houses – Refused and dismissed on appeal  
EPF/2092/07 – CLD for use of building for storage and vehicle repairs – Not Lawful  
EPF/0081/10 – 50 bed care home - Withdrawn

**Policies Applied:**

**Government Policy**

PPS3 – Housing – Published November 2006

**Epping Forest District Local Plan and Alterations**

CP1 – Achieving Sustainable Development Objectives  
CP2 – Protecting the Quality of the Rural and Built Environment  
GB2A – Development in the Green Belt  
E13B - Protection of glasshouse areas  
CF2 – Health Care Facilities  
H9A – Need for lifetime homes  
DBE1 – Design of new buildings  
DBE2 – Effect on neighbouring properties  
DBE4 – Design in the Green Belt  
DBE9 – Loss of amenity  
LL1 – Rural landscape

LL2 – Inappropriate Rural development  
ST1 – Location of development  
ST2 – Accessibility of development  
ST6 – Vehicle Parking  
NC3 – Replacement of lost habitat  
NC4 – Protection of established habitat  
NC5 – Promotion of Nature Conservation Schemes  
I1A – Planning Obligations

### **Representations Received**

102 neighbouring properties were consulted a single letter of objection was received as follows:

Fieldside: Object due to narrow lane, poorly surfaced and prone to flooding making the location unsuitable, poor access and increased traffic.

Nazeing Parish Council: No comments returned

### **Issues and Considerations:**

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

- The need for Care accommodation
- The principle of development in the Green Belt
- The loss of a designated glasshouse site
- The Sustainability of this location
- Design Issues
- Neighbour issues
- Highways, access and Parking Issues
- Ecological Issues
- Flooding matters
- Landscaping
- Other matters
- Planning obligations

### **Principle of provision of care accommodation**

Policy H9A and supporting text acknowledges the increasing need for mobility housing as a result of an increasing elderly population who typically suffer with greater levels of disability or dependency as people live longer and develop these disabilities. The aging population is a national trend demonstrated by the national census data and identified in the Council's last Housing Need Survey in 2003. Therefore, in principle additional accommodation that would assist in meeting the need for care facilities in the District is accepted. Furthermore the proposals are considered to accord with the objectives of the draft Housing Strategy 2009-2012 supporting older people and other vulnerable groups in accommodation suitable for their needs with appropriate levels of support.

Although the description of development states only "care home" the applicants in addressing the need for the care home have concentrated on the need for facilities for the elderly and specifically for those with dementia.

Members should be mindful that in officer's view the applicant has not clearly demonstrated the need for this accommodation within the Nazeing area or immediate surrounding locality. The submitted Design and Access Statement makes reference to care need and provides figures for a

5 mile radius outside the 'catchment area' but does not define the catchment area assessed and it is noted that the figures for the catchment area are greater than those identified for the whole District suggesting the catchment area goes beyond the District boundaries. Furthermore this analysis is provided with the Design and Assess Statement prepared by the applicants architect and not within the submitted Needs Assessment Report from the company Pinders. It is also noted that the figures given for existing care accommodation in the District within the Independent Report are not exhaustive and omit some facilities and indeed recent approvals. Therefore whilst there is a generic policy support for care accommodation in principle, it has not been clearly demonstrated that this relates directly to the Nazeing area or indeed that if it does that there is not an alternate site within the urban areas. Core Policies seek to locate development sequentially and the applicant has not demonstrated that they have done so therefore the impact issues relating to the loss of the Green Belt location and Designated Glasshouse Area must be considered.

#### Principle of development in the Green Belt

The site is within the Metropolitan Green Belt and the proposal is for inappropriate development that is by definition harmful. The site is a former Glasshouse site, however this does not represent previously developed land. The provision of built development of this size of a care home is clearly physically harmful to the openness of the Green Belt as well as by definition harmful.

The existing floorspace in the disused single storey glasshouse and associated structures is in the region of 2300sqm at a height akin to single storey development. The proposed building has a subtly smaller footprint, but provides two storey accommodation for a large part with a floorspace in the region of 2900sqm. This is without considering the additional provision of the hard surfacing, access road and parking areas around the proposed block which spans the width of the site with front and rear projections. This additional floorspace is the result of the provision of a substantial amount of two storey development onsite resulting in significant reduction to the openness of the Green Belt.

The applicant has not provided any information which suggests there is a present deficit in care accommodation in the immediate Nazeing area or that additional accommodation could not be provided elsewhere in the District in a more appropriate urban location, therefore should Members wish to approve this major application contrary to Green Belt policies then the application should be referred to DDCC for decision. A generic District shortage of care accommodation is not considered sufficient very special circumstance to justify development of the Green Belt.

#### The Loss of a designated glasshouse site

Policy E13B seeks to protect glasshouse areas and sets out that the Council will refuse any application which is likely to undermine the policy approach concentrating glasshouses into clusters. This objective was set to minimise impacts to visual amenities and loss of open Green Belt and to prevent harm to the future vitality or viability of the Lea Valley Glasshouse Industry.

The provision of a care home adjacent the access serving established and operating nursery facilities raises concerns for the future operation and viability of the adjacent glasshouses. Furthermore residential occupation albeit in a care facility, may create unnecessary obstacles for future glasshouse expansion as the amenities of the occupants would need consideration. This would conflict with the objectives of policy E13B which seeks to concentrate glasshouse development into these areas. Furthermore, the loss of a viable and available glasshouse site is in itself a concern.

Members should note that there is no policy requirement to market the designated areas for the designated uses prior to considering alternate uses and that policy permits alternate uses to be considered, however these should not conflict with the Councils objectives seeking to contain glasshouse industry into the designated areas. The Council continues to receive applications for



glasshouse development indicating that the industry remains viable and historic Inspector Decisions on this site have concluded that there is no apparent reason why the application site could not potentially make a contribution to future glasshouse requirements (APP/J1535/A/06/2029848).

Officers are therefore of the view that the proposals conflict with the objectives of policy E13B.

It should be noted that one of the reasons for refusal of the application in 2006 for residential development was the harm to the viability and vitality of the glasshouse industry and this reason was upheld on appeal

### Sustainability Issues

The site is situated in Hoe Lane a narrow highway, some distance from the nearest public facilities, amenities and public transport. There is no footpath along Hoe Lane and access to the site is dependant predominantly on private car use. It is accepted that the proposals would accommodate users that it is anticipated would not in general have access to a private car as they are generally in need of daily care and support, but staff and visitors would be dependant solely on private transport.

Whilst the accommodation may provide good facilities and services within the site this is not sufficient to overcome the need for external facilities for facility users, staff and visitors. The location is therefore not considered sustainable, encourages dependence on private vehicles without any sequential approach to justify this location contrary to policies CP1, CP2, CP3, CP6 and ST1.

### Design issues

In respect of design, whilst any development in this location would impact on the visual amenities in regard to street scene, this would not be to a significantly greater extent than a glasshouse development. However, unlike glasshouses, the proposals are not an identified acceptable exemption in the Green Belt. Glasshouses typically form long low level structures comprised of glazing across large distances which can appear visually overbearing and prominent. The design and aesthetic appearance of the proposed care home are more visually and architecturally interesting than a glasshouse, however it is not a traditional rural style of building and being viewed immediately adjacent to the existing glasshouse at 147m in depth this would appear visually jarring.

The proposed footprint and associated hard surfacing is designed to be of a high architectural standard with modern glazed sections, green roofing and a layout designed for the care function of the building, in isolation the design is considered acceptable however this alone is not considered justification to depart from the Councils remaining core policies.

The design and footprint is noted to provide good sized rooms, functional facilities and internal facilities whilst maintaining an interesting and well articulated façade relating to landscaped spaces surrounding the built form. Therefore whilst no objection is raised towards the design and layout provide, the location in which it is set appears visually jarring and inappropriate.

### Neighbouring amenity

The development is well separated from neighbouring properties therefore no adverse impacts arise to neighbours in respect of overshadowing, outlook and privacy. This is not to suggest the development proposed would not be visible to neighbours, however this alone is not identified as unacceptable under policies DBE2 and DBE9.

With regard to the amenity of occupants, the adjacent glasshouse would dominate the entire southern boundary of the site at 147m in length, this would appear prominent and overbearing and potentially give rise to noise and disturbance to occupants. Further development of any of the adjoining nurseries would further increase any of these impacts, however to some extent they may be mitigated by a landscaping condition and suitable noise insulation.

### Highways and Access issues

Hoe Lane has already been identified as a poorly maintained narrow highway. The road often accommodates heavy goods vehicles in relation to the nursery functions taking place in this locality and no pedestrian footpaths are provided. Access into the site already exists albeit infrequently used at present, Highways have raised no objection to the proposal on the basis of the submitted traffic report that indicates that most movements will be outside of peak times.

The scheme is likely to increase vehicular movements to the site, but not to the same extent as the previously refused residential proposal. Highways have sought a Travel Plan to ensure movements are minimised and outside peak periods and a contribution towards 'slow' road markings to mitigate any additional impacts.

### Ecological Issues

The applicant has undertaken surveys which have identified the site is suitable for and home to Newts and Slow Worms. Accordingly Natural England were notified and we were advised to follow the advice of our ecologists. The Country Care team have raised no objection but have requested that habitat enhancements are provided onsite in line with the submitted recommendations should the development be approved, namely comprising a management plan or ecological statement showing how the habitats are created and maintained for slow worms. They have also sought a SUDS landscaping area incorporating a wildlife pond and wetland habitat, providing a dual benefit to wildlife and landscaping onsite.

If this is not provided on site, then Country Care have suggested a contribution of £1500.00 be provided to fund offsite improvements in the Nazeing Triangle LNR including habitat works and a new section of boardwalk to enable educational visits.

### Flooding Matters

The site is not within a designated flood plain, however the size of the development necessitates a Flood Risk Assessment. Land Drainage have raised no objection to the proposals but note separate Land Drainage Consent is required.

The Environment Agency have reviewed the submitted Flood Risk Assessment and raised no objection subject to conditions if the development is approved, requiring the submission of details regarding foul water drainage, details of a scheme for the discharge from the Ground Source Heat Pump and compliance with the details set out in the Flood Risk Assessment, namely run-off, provision of green roofs and onsite water storage in wetlands and ponds.

### Landscaping

The applicant has carried out an Arboricultural Assessment of trees on and around the site. The advice from our landscaping team is that the applicant has provided limited landscaping information at this stage and that a good landscaping scheme is important for the amenities of future occupiers that will spend large quantities of time within this space. Therefore conditions to protect existing trees identified as retained and for the submission of a landscaping scheme are requested should the proposals be approved. It is accepted that there is adequate space within the site for suitable landscaping to be provided.

### Other matters

As a former nursery site the plot is known to be contaminated. The applicants have supplied an initial Phase 1 contamination Assessment which has been reviewed by the Councils Contamination Officer. Further details are required should the development be approved therefore whilst no objection is raised on contamination grounds, the standard contamination conditions are requested.

The site is adjacent to the Conservation Area, therefore the Conservation Officer has provided comment, raising no objections as a satisfactory appearance could be achieved in design terms subject to conditions regarding landscaping and submission of samples of materials.

### Planning Obligations

Due to the scale and nature of the development a package of planning contributions has been submitted accompanying the application. This has been formulated in discussion with Officers and the Councils consultees. This sets out that should the proposals be approved then the following contributions would be made:

- £25,000.00 to Nazeing Parish Council for community improvements payable in five annual £5,000.00 instalments.
- An initial payment of £40,000.00 to the West Essex Primary Care Trust, followed by five annual payments of £5,000.00 resulting in an additional provision of a further £25,000.00.
- £3,000.00 to Essex County Council to monitor a submitted Travel Plan
- £140.00 to Essex County Council to provide 4x 'Slow' Markings on Hoe Lane.
- Implementation of an onsite ecological enhancement scheme to accord with approved submitted particulars or by way of contribution of funds towards enhancements A figure is not presently included in the draft, but Country Care have requested £1,500.00 which does not appear unreasonable.

The above contributions reflect those requested and agreed by Consultees and no contributions requested have been omitted therefore the proposals accord with planning obligation policy I1A as they provide legal agreement to the contribution of all reasonable requested sums to meet the costs that would arise from the development.

### **Conclusion:**

Officers note that the proposals would make a meaningful contribution to the need for care accommodation within the District and indeed would be of a high quality of design, layout and accommodation proposed alongside the satisfactory planning gain package which has been proposed. However, the location proposed is unsuitable and in direct conflict with a number of Core Council policies and key objectives that seek to provide new accommodation in suitable locations. Proposed residential care facilities in this location are considered unsustainable and isolated in location with poor access to services and facilities for occupants, staff and visitors.

The site is accessible only by private vehicle contrary to accessibility and sustainability policies. The proposals results in the loss of a Designated Glass house site and once occupied would have implications for the Councils objective seeking to cluster nursery activities in these areas due to impacts to future occupants amenity.

The proposals result in development of previously undeveloped land in the Green Belt which is inappropriate and unacceptable in principle, fails to protect the Green Belt from encroachment and impacts unacceptably on the openness of the Green Belt due to the scale of the physical form of the development without sufficient demonstration of very special circumstances. Officers consider

that the generic District need for care accommodation does not amount to very special circumstances sufficient to outweigh the very real harm to the Green Belt and other factors that would result from the development. It is considered that approval of this scheme without the existence of such very special circumstances would set a dangerous precedent which would undermine the ability of the Council to protect the Green Belt from built development. The applicant has not shown that the identified need for care facilities in the District can not be met in a more appropriate and sustainable urban location, preventing further erosion of the Green Belt therefore Officers recommend refusal.

Should Members reach a differing view then Officers advise that this application should be deferred to District Development Control Committee for decision as the proposals are contrary to Adopted Policy.

***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:***

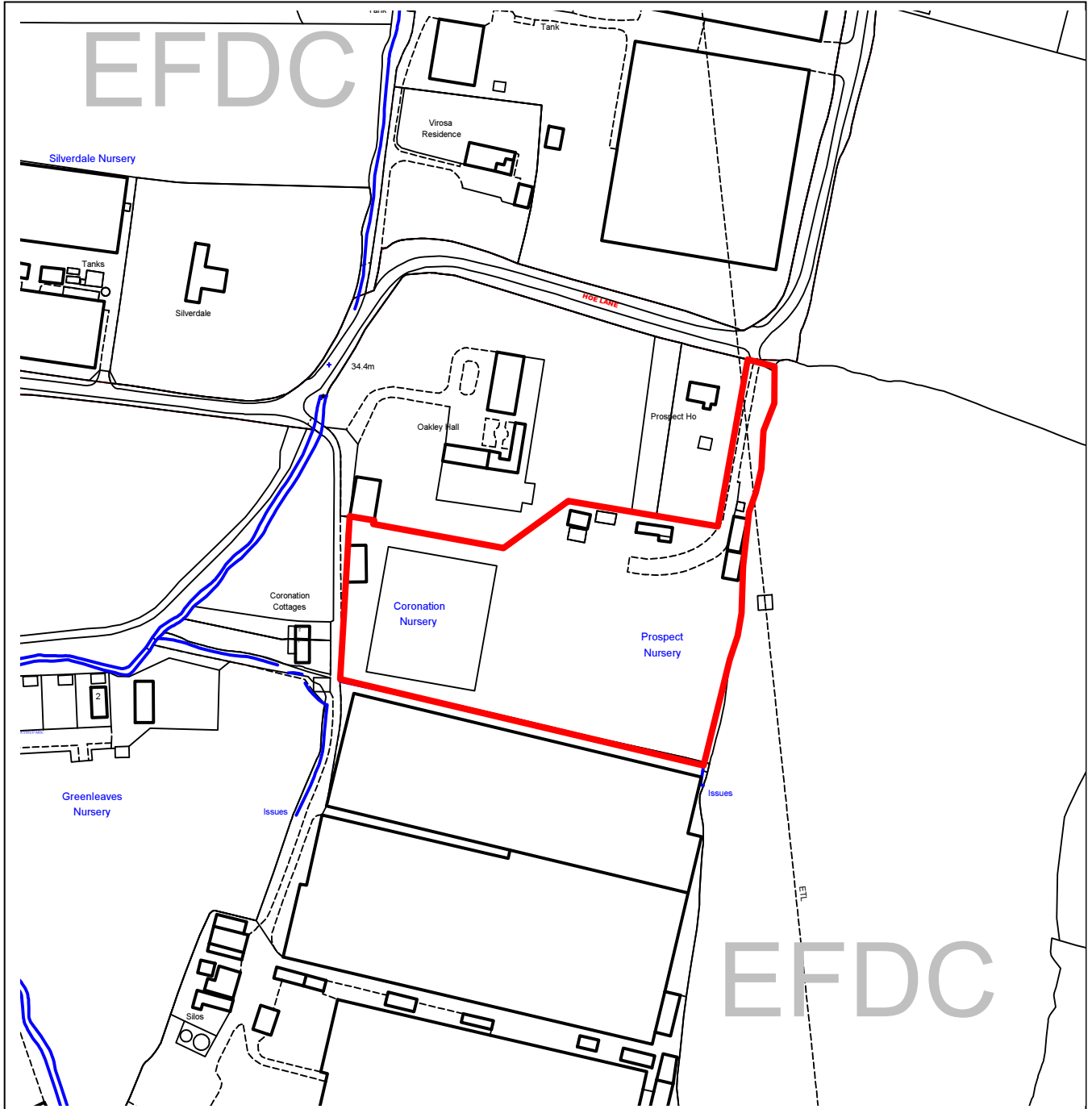
***Planning Application Case Officer: Jenny Cordell  
Direct Line Telephone Number: 01992 574294***

***Or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	<b>1</b>
Application Number:	EPF/1907/10
Site Name:	Land rear of Oakley Hall, Hoe Lane, Nazeing, Waltham Abbey, EN9 2RN
Scale of Plot:	1/2500

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