

Committee Agenda



**Webcast
Meeting**



**Epping Forest
District Council**

Area Planning Subcommittee West Wednesday, 9th February, 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 6.45 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 7 - 8)

General advice to people attending the meeting is attached.

3. APOLOGIES FOR ABSENCE

4. MINUTES (Pages 9 - 14)

To confirm the minutes of the last meeting of the Sub-Committee held on 19 January 2011 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 15 - 32)

(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. HOLMSFIELD NURSERY, MEADGATE ROAD, NAZEING (Pages 33 - 36)

EPF/0849/10 – Retention of use of site for eight private gypsy plots to replace previous temporary consent

1. This application was reported to the meeting of Areas Plans Sub Committee West on 13 October 2010 with the Officers' recommendation that planning permission be granted subject to conditions.

2. Pursuant to section 14 of the Lee Valley Regional Park Authority Act 1966 ("the 1966 Act"), if Members were minded to grant permission in this case, the Council was obliged to notify the Lee Valley Regional Park Authority (LVRPA) of that intention, to allow LVRPA the opportunity to request within 14 days that the Council refer the application to the Secretary of State for the purpose of deciding whether to call in the application for his determination. At that meeting Members voted to grant permission in accordance with officers' recommendation and, upon receiving notification of the Council's intention to grant planning permission, LVRPA requested that the Council refer the application to the Secretary of State in accordance with section 14(8) of the 1966 Act. The Council referred the matter to the Secretary of State who subsequently declined to exercise his discretion to call in the application. In accordance with its duty to determine the application, the Council notified the LVRPA of the Secretary of State's decision, following which Officers arranged for the decision notice dated 29 November 2010 granting conditional planning permission to be issued, in accordance with the Committee's decision.

3. By way of a letter dated 10 January 2011, the LVRPA notified the Secretary of State and the Council of its intention to challenge by way of Judicial Review both the Secretary of State's decision to decline to exercise his discretion to call in the application and the Council's decision to grant planning permission. The main ground of challenge against the Council's decision being based upon the contention that the Minute of the 13 October 2010 meeting did not authorise officers to grant planning permission.

4. As published, the Meeting states that: 'Members resolved to Grant Permission (with conditions) subject to the withdrawal of objections from Lea Valley Regional Park Authority'.

5. A review of the web cast of this meeting and the decision taken in respect of EPF/0149/10 shows that the recorded Minute is not an accurate record of the resolution upon which Members took their decision, which was as follows:

Chairman: "Those in favour of granting permission with conditions"

Committee Clerk: "Those in favour 5 Chairman those against 2 Chairman Abstentions 4"

Chairman: "So permission is granted with the recommendation to Lee Valley Regional Park Authority that this permission is granted. They have two weeks to react and they may require us to call this into the Secretary of State. So although Epping Forest Councils Plans West is granting permission there may be further obstacles along the path. I think you should be aware of that. Anyway permission granted from this commission. Thank you for your attendance."

6. Advice has been sought from Counsel, Mark Beard, on the merits of the threatened Judicial Review claim generally and, in particular, the consequences of the Minute inaccurately recording the resolution of the Committee. An extract from Counsel's written Advice dated 19 January 2011 is attached as a confidential item to this Report. As a result of Counsel's advice officers now report the matter back to the Sub Committee for the sole purpose of rectifying the error in the Minute of the meeting on 13 October 2010. As planning permission has been granted in this matter, there is no longer a planning application before the Council. The planning permission remains valid unless and until it is quashed by the High Court.

Conclusion

7. Accordingly, Members are requested to resolve to rectify the error by approving an accurate record of the Minute such that the Minute in respect of the Area Plans Sub Committee West meeting of 13 October 2010 Item 37 Report Item No 1 is amended to read:

'Members resolved to Grant Permission (with conditions).'

10. EXCLUSION OF PUBLIC AND PRESS

Exclusion

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

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

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

Confidential Items Commencement

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

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

Background Papers

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

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

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

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Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

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

When and where is the meeting?

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

Can I speak?

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

Who can speak?

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

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

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

What can I say?

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

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

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

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

How are the applications considered?

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

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

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

Further Information?

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

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee West **Date:** 19 January 2011

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 8.56 pm

Members Present: J Wyatt (Chairman), Mrs R Gadsby (Vice-Chairman), R Bassett, Mrs P Brooks, D C Johnson, Ms Y Knight, Mrs J Lea, Mrs M Sartin, Mrs P Smith, Ms S Stavrou and Mrs E Webster

Other

Councillors: J Knapman

Apologies: W Pryor and A Watts

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

59. 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.

60. 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.

61. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 15 December 2010 be taken as read and signed by the Chairman as a correct record.

62. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor J Knapman declared personal interest in agenda items 7 (1) (EPF/1907/10 – Land rear of Oakley Hall, Hoe Lane, Nazeing) by virtue of being a member of Essex County Council's Health Overview & Scrutiny Committee and the ECC Task and Finish Panel on Dementia. The Councillor declared that his interests were not prejudicial and indicated that he would remain in the meeting during the consideration of the item.

(b) Pursuant to the Council's Code of Member Conduct, Councillor R Bassett declared a personal interest in agenda items 7 (1) (EPF/1907/10 - Land rear of Oakley Hall, Hoe Lane, Nazeing) by virtue of being the Ward member and living on the same road as the site. The Councillor declared that his interests were not prejudicial and indicated that he would remain in the meeting during the consideration and voting on the item.

(c) Pursuant to the Council's Code of Member Conduct, Councillors Mrs M Sartin, Ms S Stavrou, Mrs E Webster, J Wyatt, R Bassett, declared personal interests in agenda items 6, Any Other Business, Holmsfield Nursery and land by Sunnyside, The Oaks, by virtue of being members of or deputy members of the Lea Valley Regional Park Authority. The Councillors declared that their interests were not prejudicial and indicated that they would remain in the meeting during the consideration but not vote on the items.

63. DEVELOPMENT CONTROL

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

RESOLVED:

That, the Planning application be determined as set out in the annex to these minutes.

64. ANY OTHER BUSINESS

1. EPF/0849/10 – Holmsfield Nursery, Meadgate Road, Nazeing

The Sub-committee were asked to grant a delay for the implementation of planning conditions pursuant to land contamination and land drainage matters for application EPF/0849/10, Holmsfield Nursery, Nazeing, which have to be commenced within 3 months of the grant of the permission. This is due to a potential legal challenge from the Lea Valley Regional Park Authority seeking a Judicial Review of the decision. The delay in the discharging of the conditions would be to allow the applicant to seek clarification from the Council and the LVRPA to 1) establish that the Judicial Review was going ahead; and 2) to delay works until after the results of the review was known if the action was commenced.

RESOLVED:

That the discharge of conditions for application EPF/0849/10 – Holmsfield Nursery, Nazeing be delayed until after the results of the Judicial Review challenge is known plus three months to enable the works to be carried out.

2. Sunnyside, The Oaks – land partly owned by the LVRPA

The Sub-committee noted that land on this site had been tarmaced and 6 caravans had been moved onto this site without prior permission from the District Council.

RESOLVED:

That the Sub-committee noted that a temporary stop notice had been issued on this site and that an enforcement notice would be issued on the owners of the site.

65. 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

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Report Item No: 1

APPLICATION No:	EPF/1907/10
SITE ADDRESS:	Land rear of Oakley Hall Hoe Lane Nazeing Waltham Abbey Essex EN9 2RN
PARISH:	Nazeing
WARD:	Lower Nazeing
APPLICANT:	Mr Nick Allhusen
DESCRIPTION OF PROPOSAL:	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)
DECISION:	Refer to District Development Control Committee with a recommendation to grant.

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=521456

Members were persuaded that there were very special circumstances in the case in terms of the local need for dementia care facilities overcoming the presumption against inappropriate development in the Green Belt and the loss of greenhouse land.

In addition, they were also of the opinion that the need overcame the sustainability concerns.

They therefore referred it to the next District Development Control Committee with a recommendation to grant planning permission with the appropriate conditions and a legal agreement under s106 of the Town & Country Planning Act 1990 (as amended).

Suggested conditions and legal agreement, along with those considered necessary by the Planning Officer, to include

- Percentage of local people
- Increase in on-site parking
- Access to be re-sited
- Land Drainage condition
- Landscaping
- Contaminated land
- Habitats
- Construction hours
- Materials
- Wheel washing
- Details of travel plan (to be submitted asap)
- Demolition of all structures

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AREA PLANS SUB-COMMITTEE 'WEST'

9 February 2011

INDEX OF PLANNING APPLICATIONS

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/2411/10	Hall Cottage, Harlow Road, Roydon	GRANT	17
2.	EPF/2469/10	Hall Cottage, Harlow Road, Roydon	GRANT	23
3.	EPF/2508/10	Larsden Villas, Hamlet Hill, Roydon	GRANT	25
4.	EPF/2558/10	65 High Street, Roydon	GRANT	29

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Report Item No: 1

APPLICATION No:	EPF/2411/10
SITE ADDRESS:	Hall Cottage Harlow Road Roydon Essex CM19 5HH
PARISH:	Roydon
WARD:	Roydon
APPLICANT:	Mr S Knights
DESCRIPTION OF PROPOSAL:	Demolition of bungalow and hall, erection of two dwellings.
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=523219

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 All construction/demolition works and ancillary operations, including vehicle movement on 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.
- 4 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 5 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 6 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 (staff) and visitors vehicles.

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section CL56, Schedule A (g) of the Council's Delegated Functions).

Description of Proposal:

The applicant seeks permission to demolish the existing bungalow and hall and replace it with two dwellings. These would have a staggered footprint, be two storeys with loft development and provide a single parking space per dwelling. Both dwellings propose 3 bedrooms and a depth of 8-10m amenity space.

Description of Site:

The application site is at present occupied by a hall and attached bungalow with two bedrooms and detached garage towards the frontage. There is no garden on site and frontage or side areas are used for access and parking. There is no turning area in the existing site.

The site is between two existing residential properties in close proximity to Roydon High Street with its associated facilities and is opposite Beaumont Park Drive the access road to the Public car park.

The site fronts the busy Harlow Road, is within Roydon Conservation Area and between Listed Buildings.

Relevant History:

No application history however the applicant entered into pre-application discussions with Officers taking heed of comments raised, resulting in the submitted scheme.

Policies Applied:

Epping Forest District Local Plan and Alterations

CP2 Protecting the Quality of the Rural and Built Environment

GB7a Conspicuous Development

DBE1 Design of new buildings

DBE2 Effect on neighbouring properties

DBE5 Design and layout of new development

DBE8 Private amenity space

DBE9 Loss of amenity

HC6 Character Appearance and Setting of Conservation Areas

HC7 Development within Conservation Areas

HC9 Demolition in Conservation Areas

HC12 Development affecting the setting of Listed Buildings

H2A Previously developed land

H3A Housing Density

CF12 Retention of community facilities

LL11 Landscaping schemes

ST1 Location of development

ST4 Road Safety

ST6 Vehicle Parking

Representations Received

9 neighbouring properties were consulted and a site notice was erected at the property. A single neighbouring response was received as follows:

THE OLD FORGE: Support the proposals subject to the applicant making good any damage to the neighbouring property during construction and demolition. It is also highlighted that the roof of the existing hall potentially contains asbestos.

ROYDON PARISH COUNCIL: Object: Insufficient parking. Would the bus stop need to be relocated.

Issues and Considerations:

The main issues to be considered are as follows:

- Principle of residential development
- Density of development and amenity space
- Design, impacts to street scene, Conservation Area and adjacent Listed Buildings
- Impacts to neighbouring amenity
- Highway and parking issues
- Sustainability matters

Principle of development:

Policy H2A sets out the Council's commitment to providing mixed use or residential developments on previously developed land. The site is previously residential in part, well located in close proximity to Roydon High Street and surrounded by predominantly residential properties, therefore the principle of residential development in this location is not unacceptable.

The proposals result in the loss of a hall facility, which is noted to be a church hall as opposed to the village hall which is located 10 doors along. The applicants have also confirmed in a supporting letter that there is a further church hall at St Peters and a church meeting room, all of which are now used in lieu of the application site due to more modern facilities with a toilet facility. The supporting letter indicates that the site has been marketed, but provides no information as to the period of time this took place, and states that no interest has been expressed. Given the close proximity to the neighbouring hall it is not unreasonable that in a small parish there is insufficient demand for two facilities so close together, particularly in light of the limited on site parking and other sites also available. The applicant has not indicated that they have explored alternate commercial uses however policy CF12 does not require them to do so.

Density of development and amenity space:

2 dwellings on the plot of 300sqm results in a density of 67dph. This is not an unusual density in a generally urban location. The proposed plots have a depth of amenity space of 8-10m which provides a reasonable separation to the land at the rear which is indicated to form part of the garden area serving The Forge. The provision of only 2 dwellings makes it difficult to provide a good mix and family homes are always in demand therefore 2x 3-bed units is acceptable and beneath the threshold for affordable housing.

Policy DBE8 seeks to secure 20sqm of amenity space per habitable room. Plot 1 provides 60sqm Plot 2 provides 68sqm. Both units have 3 bedrooms and a lounge (all remaining rooms are circulation space or less than 13sqm). Each dwelling therefore should provide in the region of 80sqm and provides less than this amount. This is not uncommon in urban settings, and whilst immediate neighbours provide a greater depth of space, other plots in the locality make a similar amenity provision and 60-68sqm is considered functional and reasonable.

Design, impacts to street scene, the Conservation Area and adjacent Listed Buildings:

The proposals have been designed in discussion with Officers and the Council's Conservation Officers. The height, designs and dormer windows have all been influenced by neighbouring development and as a result adverse impact to the street scene or indeed the Conservation Area and adjacent Listed Buildings is minimal. Articulation between buildings has been carefully arranged to minimise neighbouring impacts and to reflect the existing layout of the buildings

presently on site. The loss of the existing structures on site raises minimal concern as the existing buildings do not have significant architectural merit.

It is noted that as the height of development has increased this prevents views through the site, however, as this backs onto the rear of the High Street and open area beyond, the views are not of significance and the absence of a view through elsewhere along Harlow Road indicates that this loss is not unacceptable.

Impacts to neighbouring amenity:

As mentioned above, the proposed footprints have been carefully laid out to reflect the footprint of the existing buildings therefore the depth of development on the boundary with The Hope and Haven is less than that which currently exists, and the depth of development maintained at The Forge is such that the proposals would extend for a lesser extent than those projections in place. The new properties propose no flank windows and would not overlook to the front or rear to any greater extent than existing dwellings in this area.

The neighbouring concerns regarding damage to property during construction and demolition are noted, however these issues are a civil matter and beyond planning control.

Highway and Parking issues:

The applicant is noted to have provided only one parking space per dwelling, provided in two bays to the front of the second recessed unit. This is half of the 4 bays which would usually be anticipated.

Officers note the objection raised by highways for the following reasons:

- Insufficient land under the applicants control to achieve sight splays
- Lack of inter-visibility between users of the parking area and pedestrians, particularly children
- Inability for vehicles to turn within the site
- 4 spaces required
- Intensification of use of a substandard access

Officers are of the view that two dwellings would not generate a comparable traffic volume with an operating hall facility, furthermore the site is within close proximity of bus links, the High Street and indeed a large public car park, therefore there is an argument that the site is an example of where a lesser provision of parking can be justified. Officers also note that the present parking layout does not permit a vehicle to turn within the site.

With regard to sight splays and pedestrian movement in the areas around the bays, these concerns are noted, however the proposals do not appear to differ significantly from similar driveways along Harlow Road and Officers would therefore find it difficult to defend a refusal at appeal on these grounds alone.

Officers note the Parish Council's concerns regarding a bus stop, however, Officers can see no current provision of a bus stop shelter or pole or roadside hatching to indicate a bus stop which may cause concern and highways have not raised this matter.

Landscaping:

The applicant has indicated a reasonable landscaping arrangement including a mix of tree planting, hard and soft surfacing.

Sustainability matters:

The proposed residential development of previously developed land in close proximity to the High Street and its associated facilities is encouraged in planning policies.

Conclusion:

The applicant seeks to provide two residential dwellings in lieu of an existing hall and caretaker's cottage, this increases the height of development on site but improves the architectural design, street scene and appearance of the Conservation Area whilst returning the site to an active use. This is considered to offset the issues raised by highways and when considered overall, Officers recommend approval.

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:

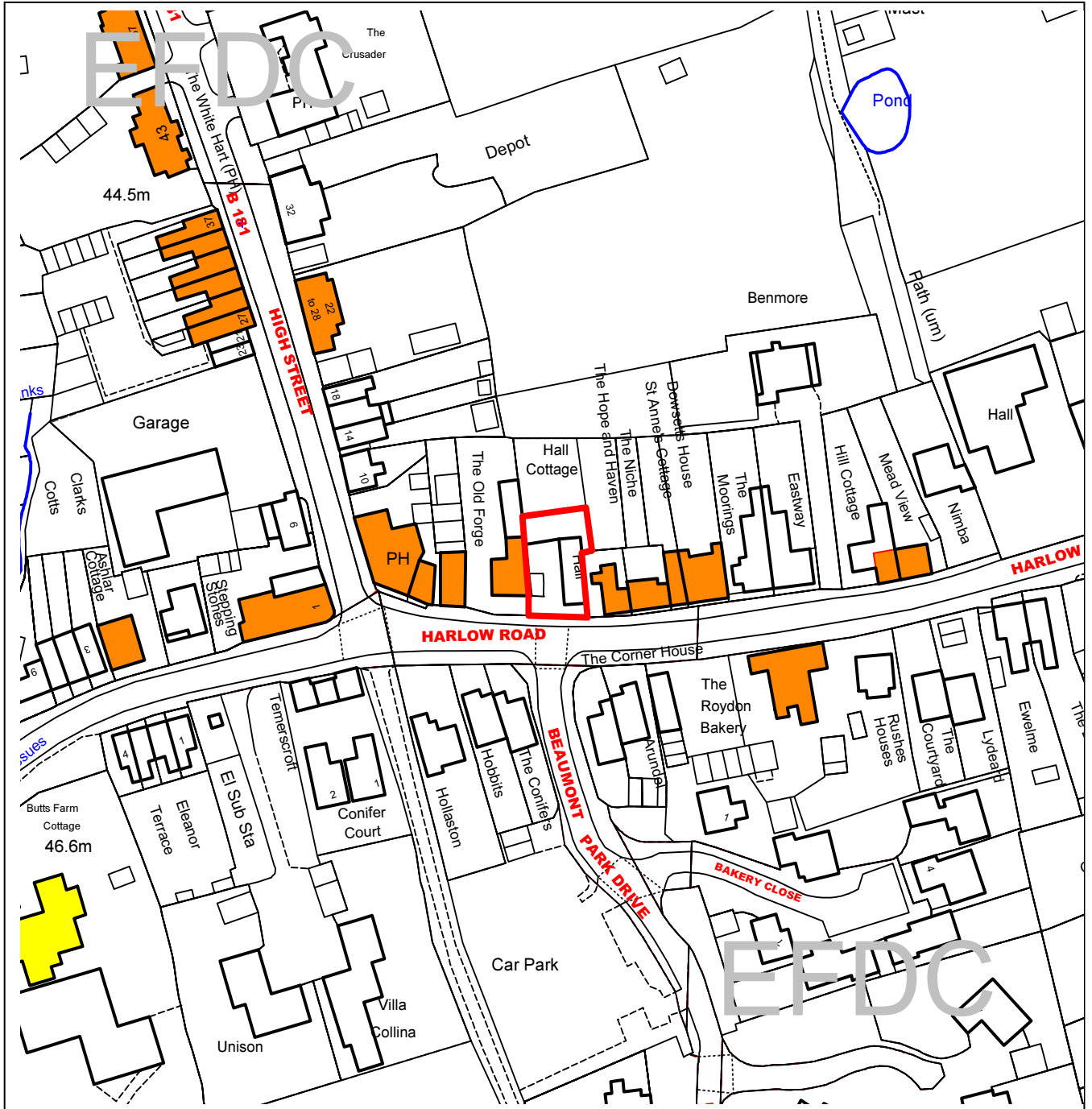
***Planning Application Case Officer: Jenny Cordell
Direct Line Telephone Number: 01992 564294***

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



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	1 & 2
Application Number:	EPF/2411/10 & EPF/2469/10
Site Name:	Hall Cottage, Harlow Road, Roydon CM19 5HH
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/2469/10
SITE ADDRESS:	Hall Cottage Harlow Road Roydon Essex CM19 5HH
PARISH:	Roydon
WARD:	Roydon
APPLICANT:	Mr S Knights
DESCRIPTION OF PROPOSAL:	Conservation Area Consent for the demolition of bungalow and hall.
RECOMMENDED DECISION:	Grant 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=523355

CONDITIONS

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

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section CL56, Schedule A (g) of the Council's Delegated Functions).

Description of Proposal:

The applicant seeks permission to demolish the existing bungalow and hall and replace it with two dwellings. The applicant requires Conservation Consent for the demolition of structures within the Conservation Area.

Description of Site:

The application site is at present occupied by a hall and attached bungalow with two bedrooms and detached garage towards the frontage. There is no garden onsite and frontage or side areas are used for access and parking. There is no turning area in the existing site.

The site is between two existing residential properties in close proximity to Roydon High Street with its associated facilities and is opposite Beaumont Park Drive the access road to the Public car park.

The site fronts the busy Harlow Road, is within Roydon Conservation Area and between Listed Buildings.

Relevant History:

No application history however the applicant entered into pre-application discussions with Officers taking heed of comments raised, resulting in the submitted scheme and associated application EPF/2411/10 for the provision of two houses.

Policies Applied:

Epping Forest District Local Plan and Alterations
HC9 Demolition in Conservation Areas

Representations Received

No neighbouring properties were consulted as this application seeks Conservation Consent however a site notice was erected.

The Old Forge: Support the proposals subject to the applicant making good any damage to the neighbouring property during construction and demolition. It is also highlighted that the roof of the existing hall potentially contains asbestos.

ROYDON PARISH COUNCIL: Object: Insufficient parking. Would the bus stop need to be relocated.

Issues and Considerations:

The main issue to be considered is whether the demolition of the existing buildings will have an adverse impact on the character and appearance of the Conservation Areas.

The existing buildings do not make a significant contribution to the architectural or historic townscape being of poor quality design and appearance therefore their loss and subsequent replacement raises no concerns. This application is intrinsically linked to application EPF/2411/10 and Members may be of the view that the demolition of the building is only acceptable if Members are satisfied with the proposed new dwellings. Officers are of the view that this is not the case, and that no legal agreement is necessary to link the two as the loss of the existing structures raises no concerns. Therefore approval is recommended.

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

Report Item No: 3

APPLICATION No:	EPF/2508/10
SITE ADDRESS:	Larsden Villas Hamlet Hill Roydon Essex CM19 5JU
PARISH:	Roydon
WARD:	Broadley Common, Epping Upland and Nazeing
APPLICANT:	Miss Karen Anderson
DESCRIPTION OF PROPOSAL:	Removal of agricultural condition on EPR/0040/51. (Two cottages)
RECOMMENDED DECISION:	Grant 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=523515

CONDITIONS

NONE

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

Description of Proposal:

Consent is being sought for the removal of an agricultural condition placed upon the grant of consent for the dwelling (EPR/0040/51).

Description of Site:

Semi-detached dwelling with an agricultural occupancy condition imposed upon it. The dwelling is situated to the north of Hamlet Hill and is located within the Metropolitan Green Belt. The address of the property as given is 'Larsden Villas', however this dwelling is also known as 2 Larsons Cottage (which has caused some confusion with the parish council).

Relevant History:

EPR/0040/51 - Two pairs of cottages – approved/conditions 15/05/51

EPR/EPF/0040/51 - Occupation of dwelling without compliance with agricultural occupancy condition – refused 02/02/90

EPO/0579/71 - Application for vehicular access – approved/conditions 12/10/71

Whilst not subject to this site the attached neighbour known as 1 Larsons Cottage (also subject to the above planning applications) is relevant in this instance.

Policies Applied:

GB2A – Development within the Green Belt
GB17B – Removal of agricultural occupancy conditions

Summary of Representations:

6 neighbouring residents were consulted.

PARISH COUNCIL – Object as the parish council believes that farm/land workers subsidised housing is still required.

Issues and Considerations:

The main issue with this application is whether or not a sufficient case (with the appropriate justification) has been made to establish whether or not the agricultural occupancy condition should be removed from the property.

Policy GB2A of the Local Plan establishes the general principles of development within the Green Belt and allows for the erection of a dwelling for an agricultural, horticultural or forestry worker where it has been proven that such a dwelling is required. Policy GB17B sets the principles for removal of an agricultural occupancy condition. This sets out four requirements that must be undertaken/justified before the removal of an agricultural occupancy condition is permitted. These are the following:

- (i) *There is no longer a functional need for the dwelling on the holding.*
- (ii) *There is no longer a need for this type of dwelling in the locality.*
- (iii) *The dwelling has been marketed with its agricultural occupancy condition status made clear throughout for a minimum of one year. The marketing must include:*
 - (a) *'For Sale' signage visible from the highway;*
 - (b) *Local newspaper advertising on a regular basis throughout the marketing period,*
 - (c) *National or regional advertising in specialist agricultural publications on a regular basis throughout the marketing period,*
 - (d) *The asking price for the dwelling being at least 40% below its general housing market value.*
- (iv) *A survey of the agricultural community is carried out to assess the existing agricultural need in the locality for the dwelling.*

The application site is one of a pair of semi-detached cottages granted planning consent with this agricultural occupancy condition in place. In 2009 the removal of the agricultural restriction condition in relation to No. 1 Larsons Cottage was granted planning consent. Much of the argument for this application is similar to the submitted documentation relating to the neighbouring site, however marketing and surveying for this particular dwelling has taken place.

It was previously accepted on No. 1 Larsons Cottage that there was no longer a need for an agricultural dwelling in connection with any attached holding as the previously connected agricultural holding no longer exists. It is considered that the same argument relates to this dwelling.

The need for the agricultural workers dwelling within the locality is largely based on the marketing and survey works undertaken, which are assessed below.

The dwelling was put on the market between October 2009 and November 2010 at a guide price of £215,000 which, based on the latest market valuation of the dwelling at £340,000 equates to a 37% discount. As a comparison for this, the attached neighbouring property (which is slightly larger than this dwelling) was marketed between April 2008 at a guide price of £237,000 until December 2008, with a graded drop in asking price to £225,000. Given the slightly smaller size and general drop in house prices since 2008 it is considered that the proposed £215,000 asking price (which allows for lower offers to be made to push the discount to 40%) is acceptable.

The dwelling was marketed during this period in Farmers Weekly, Farmers Trader, and within the local Guardian. Also the dwelling was advertised within Acorus monthly property list (which is sent to anybody registering for this), on the Acorus website, and on Prime Location and Rightmove. Furthermore a For Sale sign was displayed outside the property for the duration of the marketing period. This level of advertising is considered acceptable to meet the requirements of GB17B (iii).

The sales particulars included the option of subdivision/conversion "*into 2 self contained flats – subject to planning permission*" to ensure all options are covered.

A survey of local agricultural and horticultural businesses within the local area was carried out in relation to this property. A total of 112 businesses were consulted informing them of the availability of this dwelling and enquiring about their need for an agricultural workers dwelling, and only three responses received with none requesting more details.

Conclusion:

The proposed application is very similar in evidence and argument as the planning application granted consent on the attached dwelling (No. 1 Larsons Cottage) in 2009, and is considered to comply with the requirements of Local Plan policy GB17B. Whilst it is noted that the parish council consider that there is still a need for agricultural workers dwellings within the area, the marketing work and survey undertaken suggest otherwise. As such the application is recommended for approval.

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:

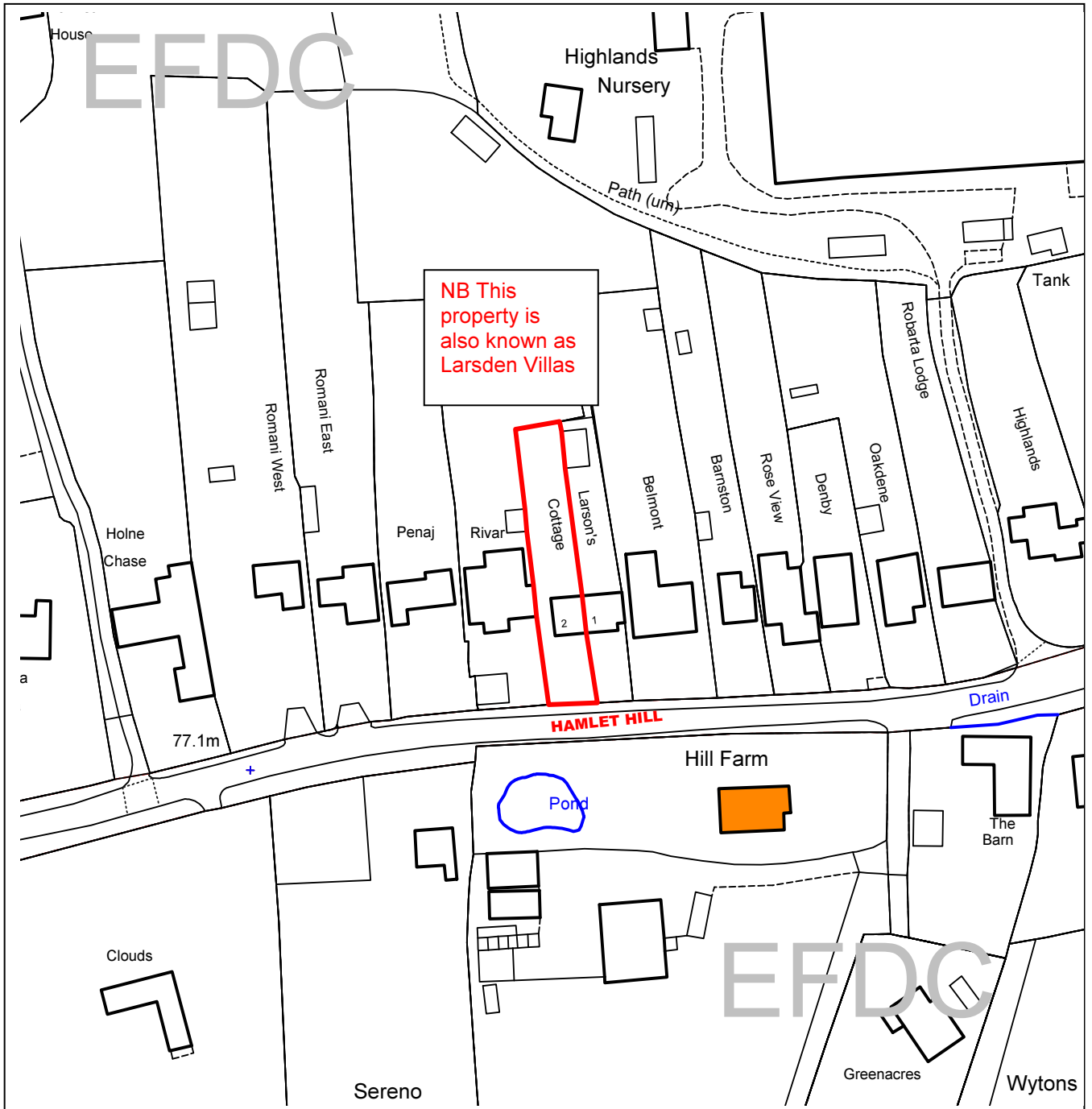
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	3
Application Number:	EPF/2508/10
Site Name:	Larsden Villas (aka 2 Larsons Cottage) Hamlet Hill, Roydon, CM19 5JU
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/2558/10
SITE ADDRESS:	65 High Street Roydon Essex CM19 5EE
PARISH:	Roydon
WARD:	Roydon
APPLICANT:	Miss Lisa Kelly
DESCRIPTION OF PROPOSAL:	New shop front to relocate entrance doors and new external DDA compliant access ramp (revised).
RECOMMENDED DECISION:	Grant 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=523693

CONDITIONS

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

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

Description of Proposal:

New shop front, with relocated entrance doors and new external access ramp with railings. The shop entrance is to be relocated to the south with a ramp creating access to the side.

Description of Site:

65 High Street is a shop unit within a two storey 1950's building on the west side of the High Street. The property is within the Roydon Conservation Area and is situated in a prominent position on the main road. There is an existing cash machine within the shop window which is to be retained and bollards located to the front pavement.

Relevant History:

Various applications the most relevant of which:

EPF/1860/10 - New shop front, with relocated entrance doors and new external access ramp with railings - Refused Planning Permission on the following grounds:

The provision of the new shop front windows in particular the full height graphics are not considered in keeping with the existing shop or that of the wider Conservation Area. As such the proposal would be detrimental to the character, appearance and setting of the Conservation Area and be contrary to policy DBE12 and policy HC6 of the Adopted Local Plan and Alterations.

EPF/0909/09 – Installation of Automated Teller Machine – App/Con

Policies Applied:

Epping Forest District Local Plan and Alterations

DBE12 – Shopfronts

HC6 – Development within the Conservation Area

HC7 – Development and materials within the Conservation Area

DBE2 – Impact on Amenity

SUMMARY OF REPRESENTATIONS:

ROYDON PARISH COUNCIL: Object – Can the conservation area and safety officer look at these applications. We believe that the ramp access will overlook the cash machine. The ramp is to make the property DDA compliant but access through the shop to the post office is impossible for wheelchair/buggy users.

NEIGHBOURS

4 properties were consulted and a site notice erected

67 High Street – Objection - Fascia signage and lighting is inappropriate in the Conservation Area (dealt with under a separate application EPF/0125/11 – currently invalid)

- relocation of entrance closer to No. 67 will increase noise to this property from both customers and deliveries.

Issues and Considerations:

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

- Amenity of Neighbouring Properties
- Design in the Conservation Area

Amenity of Neighbouring Properties

The occupiers of 67 High Street have objected to the proposal on the grounds of noise generated by the relocated entrance as customers/deliveries will have to enter the shop closer to this property. However, the railings entrance will only be 0.5m closer than the existing entrance and although customers/deliveries will have to negotiate the turn it is not considered that it will give rise to any significant additional nuisance than already occurs.

Although the Parish Council have raised the issue of overlooking of the cash machine, ramp is 7cm higher than the pavement and this is not considered to result in a significant opportunity to overlook the cash machine. Internal access within the shop unit does not fall within the scope of planning legislation.

Design in the Conservation Area

This is a modern shop within the Conservation Area, located within a prominent position directly opposite a listed building. The Conservation Area Officer has no objection to the proposal. The proposed change to the door position is considered appropriate in design and not detrimental to the conservation area, particularly as it is very similar in design to the existing. The installation of

the access ramp and associated railings, although not ideal within a Conservation Area, is a modern requirement, on a modern shopfront and therefore considered acceptable in this location.

This proposal has removed the full height window graphics from the shop windows and this allows visibility into the shop in a traditional manner, the revised proposal is considered less detrimental to the character and appearance of the conservation area.

Conclusion:

The proposal is considered acceptable development, which overcomes the previous reason for refusal and approval is therefore recommended.

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:

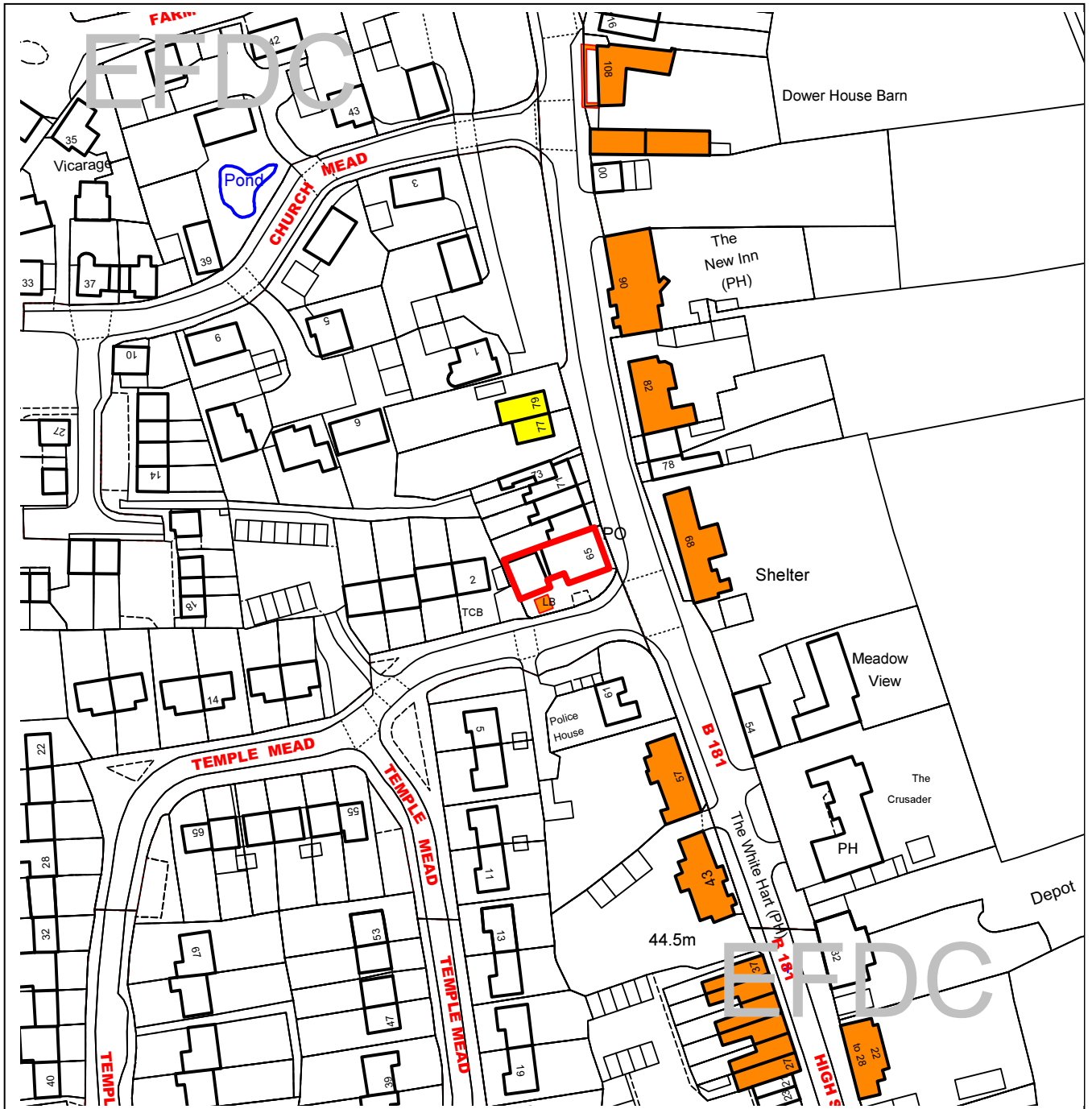
***Planning Application Case Officer: Marie-Claire Tovey
Direct Line Telephone Number: 01992 564371***

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



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	4
Application Number:	EPF/2558/10
Site Name:	65 High Street, Roydon CM19 5EE
Scale of Plot:	1/1250

By virtue of paragraph(s) 5 of Part 1 of Schedule 12A of the Local Government Act 1972.

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