

Committee Agenda



**Webcast
Meeting**



**Epping Forest
District Council**

Area Planning Subcommittee West Wednesday, 13th April, 2011

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

Room: Council Chamber

Time: 7.30 pm

Democratic Services Officer Mark Jenkins - The Office of the Chief Executive
Email: mjenkins@eppingforestdc.gov.uk Tel: 01992 564607

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 - 12)

To confirm the minutes of the last meeting of the Sub-Committee held on 23 March 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 13 - 26)

(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. 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'

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee West **Date:** 23 March 2011

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 8.25 pm

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

Other Councillors:

Apologies: D C Johnson, Ms Y Knight and W Pryor

Officers Present: J Godden (Planning Officer), M Jenkins (Democratic Services Assistant) and R Martin (Website Assistant)

82. 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.

83. 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.

84. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 2 March 2011 be taken as read and signed by the Chairman as a correct record.

85. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs P Smith declared a personal interest in the following items of the agenda by virtue of being a member of Epping Upland Parish Council. The Councillor stated that her interest was not prejudicial, and that therefore she would remain in the meeting for the duration of the discussions on the items and voting thereon:

- EPF/0077/11 3 The Magpies, Epping Upland, Epping CM16 6QG; and
- EPF/0228/11 2 Currance Farm Cottages, Upland Road, Epping CM16 6NN

(b) Pursuant to the Council's Code of Member Conduct, Councillor Mrs J Lea, declared a personal interest in the following item of the agenda by virtue of being an employee of Tescos. The Councillor stated that her interest was not prejudicial, she also added that she would not participate in the vote on the item. She would remain in the meeting for the duration of the discussion and voting thereon:

- EPF/0146/11 Tesco Stores Ltd, Sewardstone Road, Waltham Abbey EN9 1IH

(c) Pursuant to the Council's Code of Member Conduct, Councillors Mrs P Brooks and Mrs R Gadsby declared personal interests in the following items of the agenda by virtue of being members of Waltham Abbey Town Council Planning Committee. The Councillors stated that their interests were not prejudicial, and that they would remain in the meeting for the duration of the discussions and voting thereon:

- EPF/0086/11 15 Grange Court, Waltham Abbey EN9 1RQ; and
- EPF/0146/11 Tesco Stores Ltd, Sewardstone Road, Waltham Abbey EN9 1IH

86. ANY OTHER BUSINESS

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

87. DEVELOPMENT CONTROL

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

RESOLVED:

That, Planning applications numbered 1 – 4 be determined as set out in the annex to these minutes.

88. 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

| | |
|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
| APPLICATION No: | EPF/0077/11 |
| SITE ADDRESS: | 3 The Magpies Epping Upland Epping Essex CM16 6QG |
| PARISH: | Epping Upland |
| WARD: | Broadley Common, Epping Upland and Nazeing |
| DESCRIPTION OF PROPOSAL: | Single storey rear extension, alterations to side elevation and loft conversion with dormer roofs to rear. (Revised application) |
| DECISION: | Granted 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=524569

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.

Report Item No: 2

| | |
|---------------------------------|-------------------------------------------------------|
| APPLICATION No: | EPF/0086/11 |
| SITE ADDRESS: | 15 Grange Court Waltham Abbey Essex EN9 1RQ |
| PARISH: | Waltham Abbey |
| WARD: | Waltham Abbey South West |
| DESCRIPTION OF PROPOSAL: | Single storey rear extension and front dormer window. |
| DECISION: | Granted Permission (With Conditions) |

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=524626

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 Prior to first occupation of the development hereby approved, the proposed window opening in the front dormer window 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.

Report Item No: 3

| | |
|---------------------------------|-------------------------------------------------------------------------------------------------|
| APPLICATION No: | EPF/0146/11 |
| SITE ADDRESS: | Tesco Stores Limited Sewardstone Road Waltham Abbey Essex EN9 1IH |
| PARISH: | Waltham Abbey |
| WARD: | Waltham Abbey South West |
| DESCRIPTION OF PROPOSAL: | For the permanent use of land and the retention of the existing car park for use by staff only. |
| DECISION: | Granted 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=524818

CONDITIONS

- 1 The site shall be used solely for the parking of cars belonging to employees of Tescos and for no other purpose.
- 2 No delivery or store lorries shall be parked or stationed on this land at any time.
- 3 The number plate recognition system shall be installed within 3 months from the date of this notice, as specified within paragraph 4.20 of the letter from GL Hearn dated 21 January 2011, and shall be retained and used thereafter to monitor/enforce parking rules on site.
- 4 The area outlined in red on the application plan shall be physically secured and only accessed by staff. Details of a scheme of works to comply with the above are to be submitted in writing to the Local Planning Authority within 3 months of the date of this permission. Once details are approved in writing, the works shall be completed within 3 months of the date of approval.

Report Item No: 4

| | |
|---------------------------------|------------------------------------------------------------------------|
| APPLICATION No: | EPF/0228/11 |
| SITE ADDRESS: | 2 Currance Farm Cottages Upland Road Epping Essex CM16 6NN |
| PARISH: | Epping Upland |
| WARD: | Broadley Common, Epping Upland and Nazeing |
| DESCRIPTION OF PROPOSAL: | Two storey side extension. |
| DECISION: | Granted 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=525260

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 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 Class A shall be undertaken without the prior written permission of the Local Planning Authority.

AREA PLANS SUB-COMMITTEE 'WEST'

13 April 2011

INDEX OF PLANNING APPLICATIONS

| ITEM | REFERENCE | SITE LOCATION | OFFICER RECOMMENDATION | PAGE |
|-------------|------------------|-----------------------------------------------------------|---------------------------------------|-------------|
| 1. | EPF/0116/11 | Holyfield Farm, Holyfield, Waltham Abbey EN9 2ED | Refuse Permission | 15 |
| 2. | EPF/0166/11 | Tower Nursery, Netherhall Road, Roydon CM19 5JP | Grant Permission (With Conditions) | 21 |

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Report Item No: 1

| | |
|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| APPLICATION No: | EPF/0116/11 |
| SITE ADDRESS: | Holyfield Farm Holyfield Waltham Abbey Essex EN9 2ED |
| PARISH: | Waltham Abbey |
| WARD: | Waltham Abbey North East |
| APPLICANT: | Mr D Chapman |
| DESCRIPTION OF PROPOSAL: | Demolition and removal of existing masonry and corrugated structures. Refurbishment and extension of existing timber barns and convert to provide a total of 2no. 2 bedroomed dwellings. (Revised application) |
| RECOMMENDED DECISION: | Refuse 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=524726

REASON FOR REFUSAL

- 1 The proposed development includes new built development for residential purposes and is therefore inappropriate development in the Green Belt, by definition harmful to the Green Belt. No very special circumstances exist that are sufficient to outweigh this harm and the development is therefore contrary to National Guidance and to Policy GB2 of the adopted Local Plan and Local Plan Alterations.
- 2 The proposed development by reason of the size of the addition and the design of the conversion, and the introduction of domestic paraphernalia to the rear of the building, would unacceptably alter the appearance of the cart shed building as an agricultural curtilage building and have an adverse impact on the setting of the adjacent listed building contrary to Policies CP2, DBE1, and HC12 of the adopted Local Plan and Local Plan Alterations.
- 3 The proposed parking and turning area, located to the front of the dwelling and adjacent to the front of the adjacent existing dwelling will result in an unacceptable loss of privacy and harm to the residential amenity of the occupants of that property contrary to policy DBE9 of the Adopted Local Plan and Local Plan Alterations.
- 4 The proposal will result in additional dwellings in a location that is poorly related to existing shops, jobs and services such that any occupants are likely to be heavily dependent on the private car to access these. As such the development is considered contrary to sustainability policies CP6 and ST1 and St2 of the adopted Local Plan and Local Plan Alterations.

This application is before this Committee since it has been 'called in' by Councillor Jeane Lea (Pursuant to Section CL56, Schedule A (h) of the Council's Delegated Functions).

Description of Proposal:

Demolition of existing masonry and corrugated metal single storey agricultural structures, and refurbishment and extension to existing timber framed, cartlodge style building and conversion to create 2 two-bedroom dwellings with parking for 4 cars. This is a revised application following refusal of EPF/1508/10. The proposal entails the removal of existing dilapidated farm storage buildings, predominantly corrugated metal dating from the 1970's and 80's with a floor area of approximately 193 sq m and their replacement with a two storey two-bed dwelling with a footprint of about 91 sqm, and the alteration and conversion of an existing early 20th century timber framed open fronted cartlodge building into a two storey 2 bed dwelling. The proposed units will form a semi detached pair and the first floor accommodation is entirely within the proposed roofspace. The ridgeline of the building is kept to that of the existing cartlodge, which is just 6m high. The existing access serving the existing barn conversions and agricultural barns is to be utilised and the proposal includes parking for 4 cars within the small yard area.

Description of Site:

20th century open sided cart shed located within the curtilage of the Grade II listed barns at Holyfield Farm. The Listed barns to the rear have already been converted to dwellings. The application building is located quite prominently at the front of the farmyard adjacent to Holyfield Road and on raised land.

Relevant History:

EPF/143/95 Change of use of barn to farm dwelling. Approved. This is the listed barn to the rear of the site. It is subject to an agricultural tie and a legal agreement.

EPF/0146/04 Conversion of barn to two dwellings and removal of existing farm sheds. Approved. This is the remainder of the barn to the rear of the current site and the scheme also included removal of part of the current application buildings and erection of an extension for farm purposes, however there was no condition requiring the removal of the buildings and the new farm building was not erected.

EPF/1508/10 Demolition of existing masonry and corrugated metal single storey agricultural structures and refurbishment and extension or existing cartlodge to provide 2 , two bedroomed units.. This application was refused for the following reasons:

The proposed development includes new built development for residential purposes and is therefore inappropriate development in the Green Belt, by definition harmful to the Green Belt. No very special circumstances exist that are sufficient to outweigh this harm and the development is therefore contrary to National Guidance and to Policy GB2 of the adopted Local Plan and Local Plan Alterations.

The proposed development by reason of the size of the addition and the design of the conversion, in particular its domestic detailing including excessive window openings, particularly on the prominent rear elevation facing the road, would unacceptably alter the appearance of the cart shed building and have an adverse impact on the setting of the adjacent listed building contrary to Policies CP2, DBE1, DBE4 and HC12 of the adopted Local Plan and Local Plan Alterations.

The proposed parking and turning area, located to the front of the dwelling and adjacent to the front of the adjacent existing dwelling will result in an unacceptable loss of privacy

and harm to the residential amenity of the occupants of that property contrary to policy DBE9 of the Adopted Local Plan and Local Plan Alterations.

The proposal will result in additional dwellings in a location that is poorly related to existing shops, jobs and services such that any occupants are likely to be heavily dependent on the private car to access these. As such the development is considered contrary to sustainability policies CP6 and ST1 and St2 of the adopted Local Plan and Local Plan Alterations.

Policies Applied:

CP1 Sustainable development
CP6 Sustainable urban development
GB2A Green Belt
GB8A Change of use of buildings
GB9A residential conversions
HC12 Development affecting the setting of a listed building
DBE1 Design of new buildings
DBE4 Design in the Green Belt
DBE6 car parking in new development
DBE9 Loss of amenity
LL10, LL11, landscaping
ST1 Location of development
ST2 Accessibility of development
ST6 Car parking

SUMMARY OF REPRESENTATIONS:

A site notice was erected and 4 neighbours were consulted no responses were received.

TOWN COUNCIL- No Objection

LEA VALLEY REGIONAL PARK AUTHORITY - The Authority raises no material consideration. If approved it is requested that appropriate conditions be added so as to ensure the planting strip in front of the proposed patios is maintained to at least the height of the top of the patio and conditions to ensure that the maintenance of the boundary hedge to at least 1.5m in height and the retention of the 2 trees in the south of the site as proposed then the impacts on the Regional Park would not be unacceptably severe.

Issues and Considerations:

This is a revised application following the recent refusal of similar proposals for the reasons set out above. The main issues therefore are whether the changes that have been made are sufficient to overcome these reasons for refusal.

The main issues are impact on the Green Belt, Sustainability, Design and impact on the setting of the listed building, access, parking, and impact on adjacent properties.

Green Belt

The site is within the Metropolitan Green Belt within which new residential development is inappropriate. In this instance although part of the development is a conversion, only one dwelling could be provided within the existing fabric and the more modern agricultural extension is to be removed and a new extension provided to accommodate the second dwelling.

This is inappropriate development by definition and there are no very special circumstances apparent that would outweigh the harm from such inappropriate development. Although it is accepted that there is already consent to extend this building with open cartlodge style addition for agricultural use, such development, being required for agricultural use would be appropriate in Green Belt terms and cannot now be used to justify an alternative inappropriate development. Whilst it is acknowledged that the existing buildings to be demolished are of poor quality and of greater volume than the replacement dwelling, this is not accepted as very special circumstance, this is something that could be replicated anywhere in the District.

The green belt reason for refusal previously used is therefore still applicable.

Design and Impact on Setting

Whilst the existing 21st century masonry and metal additions on the site are not well designed, they are typical of modern farm structures and are relatively unobtrusive in the landscape and street scene as they are screened by existing vegetation. The works now proposed, take away the character of the building as a farm building. The works include: entirely enclosing the currently open cart shed style building and the installation of significant numbers of window and door openings, the provision of patio's, fencing, and parking, all of which are domestic in nature and which will detract from the setting of the adjacent barns. Although the design has been altered to reduce the domestic elements of the rear elevation (facing the road) by taking out windows and doors the patio areas to the rear together with fencing and garden paraphernalia will be visible and will impact on the character of the site such that the buildings will no longer appear as ancillary outbuildings that one would expect within a farmyard. The building will have the appearance of a pair of houses, and the private amenity areas will front onto the main road. Although it is accepted that hedging may help the appearance, it is considered that the scheme is poorly designed and inappropriate and harmful to the street scene and to the setting of the listed building.

The advice received from the conservation officer in consultation with the listed building advisor is that: "The cart-shed is important for the contribution that it makes to the setting of the listed barns; it is an agricultural building that replicates the form and orientation of a much older building and is constructed in a traditional form and materials. It provides important evidence of how the farmstead functioned and changed over time. Although the revised proposal omits some of the glazing from the rear elevation, I still believe that the design is not appropriate for its agricultural location, it will considerably change the character and appearance of the cart shed itself and is therefore detrimental to the setting of the listed barns."

On this basis the applicant has failed to overcome the second reason for refusal of the previous application.

Impact on neighbours.

As with the previous application the proposed parking for the two dwellings is to be located in the small area between this building and the existing first barn conversion. This barn has a large front mid-storey window facing out onto this area, which was in the same ownership when the barn conversion was allowed. It is considered that the use of this area for parking and access to the two proposed dwellings would have an adverse impact on the privacy and amenity of the occupants of that dwelling. Whilst it may be argued that this could be mitigated by fencing, such further subdivision of the original farmyard area would be further harmful to the setting of the listed building. The third reason for refusal is therefore still applicable.

Parking and Access

The proposal is to utilise an existing access off Holyfield Road, given that this is currently used to access the existing farm buildings the case officer considers that it would be difficult to argue that the use by two dwellings would necessarily generate greater highway danger than existing and this was not used as a reason for refusal on the previous application. However it should be noted that the Highways Officer from County has raised concern with this, as the access is on a bend in

the road and has inadequate sightlines for safe access and egress. The hedging proposed along the road frontage would exacerbate this problem and if the proposals were to be considered acceptable by Members then conditions preventing obstruction of the sight lines (which would mean that the screening hedging proposed could not be completed, would be required. It should be noted however that the LVRPA have raised no objection to the proposal but only if the hedging is provided.

4 car parking spaces are indicated and whilst it is considered that these are poorly located with regard to the amenity of adjacent resident they are sufficient to meet current standards. It is however likely that there will be pressure in the future to provide garaging/storage in connection with the new dwellings.

Sustainability

The site is not considered a sustainable location for new residential development. Whilst conversion of the listed barn was considered acceptable as it reused the building and ensured its retention, in this instance, one of the dwellings will be a new build. The site is remote from services and although on a bus route the road outside the site has no pavement and it is most likely that any residents of the properties will be heavily dependant on the car for everyday needs. As such the proposal is contrary to the sustainability policies of the Local Plan and the fourth reason for refusal of the previous application is still applicable.

Bats and Owls

A bat and owl survey has been carried out at the site and no evidence of their presence was found. Nor is it considered likely that there would be other protected species present at the site.

Conclusion

In conclusion it is considered that the development is inappropriate in the Green Belt, unsustainably located, harmful to residential amenity of neighbouring residents, and harmful to the setting of the listed building and as such the application has failed to overcome the previous reasons for refusal.

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:

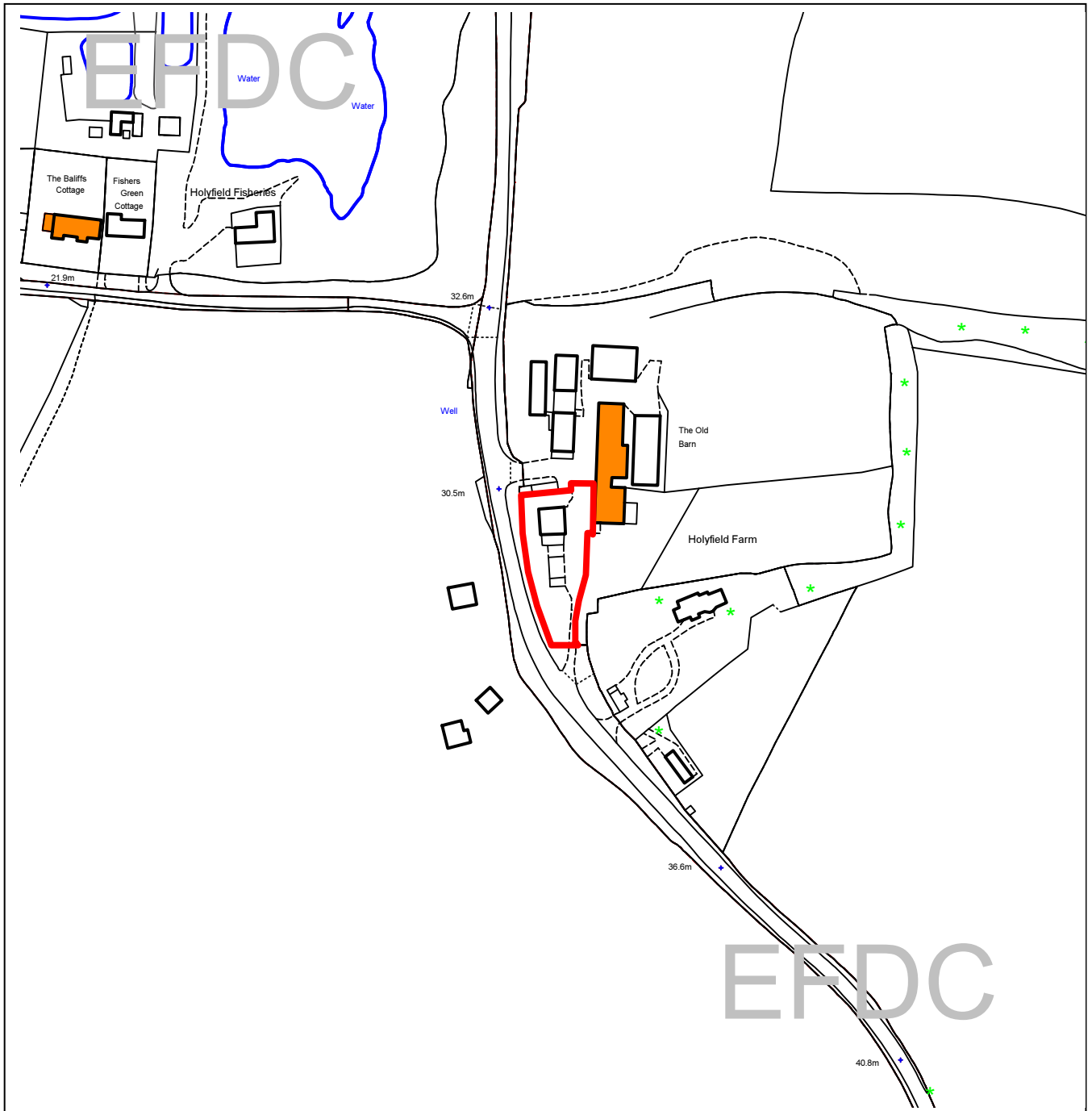
***Planning Application Case Officer: Jill Shingler
Direct Line Telephone Number: 01992 564106***

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 |
| Application Number: | EPF/0116/11 |
| Site Name: | Holyfield Farm, Holyfield Waltham Abbey, EN9 2ED |
| Scale of Plot: | 1/2500 |

Report Item No: 2

| | |
|---------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| APPLICATION No: | EPF/0166/11 |
| SITE ADDRESS: | Tower Nursery Netherhall Road Roydon Harlow Essex CM19 5JP |
| PARISH: | Roydon |
| WARD: | Roydon |
| APPLICANT: | Mr G Abella |
| DESCRIPTION OF PROPOSAL: | Demolition of existing loading area canopy, erection of extensions to existing packing shed for use as cucumber grading room and refrigerated despatch area and construction of loading ramp. (Revised application) |
| 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/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=524899

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.
- 3 The hedging on the western side of the site on the boundary with Netherhall Road shall be permanently retained at a height of no less than 2m at all times unless otherwise agreed in writing by the Local Planning Authority.
- 4 Prior to the first use of the extensions hereby approved, the waiting and turning areas for HGV's indicated on drawing SW-911 03:01 shall be clearly denoted on site and kept free for use at all times.
- 5 No development shall take place until details of a satisfactory ground gas investigation and risk assessment has been carried out and submitted to the Local Planning Authority for approval in order to determine what if any ground gas remediation measures may be required or shall specify appropriate ground gas mitigation measures to be installed in the building(s) in lieu of any ground gas investigation.

The investigations, risk assessment and remediation methods, including remedial mitigation measures to be installed in lieu of investigation, shall be carried out or assessed in accordance with the guidance contained in BS 9485:2007 "Code of practice for the Characterisation and Remediation from Ground Gas in Affected

Developments." Should the ground gas mitigation measures be installed, it is the responsibility of the developer to ensure that any mitigation measures are suitably maintained or to pass on this responsibility should ownership or responsibility for the buildings be transferred.

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 application seeks consent to replace an existing loading canopy on the front of the packing house with an extension to serve as a dispatch area and to provide a side extension to serve as a cucumber grading area.

The proposals are a revised scheme following a refusal under EPF/0189/09. The revisions have reduced the roof bulk and relocated some of the previously proposed floor space from the front of the building to an alternate extension at the side of the building.

The front extension has a staggered depth of 8-9m for a 10m width and the side extension is 9.5m wide by 20m deep.

Description of Site:

Tower Nursery is situated on the eastern side of Netherhall Road in a rural location within the designated Green Belt. The site is designated for glasshouse use and numerous large, low rise buildings characterise the site. The surrounding area is generally open agricultural land, with other glasshouses in the area, and occasional rural residential properties.

The existing canopy has a 9m deep and 9m wide footprint and reaches 5m in height.

Relevant History:

The site has an extensive and lengthy history dating back to 1948. Most recent and relevant applications are:

EPF/1285/01 – Erection of packing shed and loading canopy incorporating demolition of 0.13ha of glasshouses – Approved

EPF/0757/02 – Raising of front wall and insertion of new gates – Refused

EPF/1293/02 – Revised application for the erection of packing shed – Approved

EPF/0189/09 – Demolition of existing loading area canopy and erection of 268sqm extension to existing packing shed for use as refrigerated despatch area and construction of loading ramp - Refused

Policies Applied:

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

GB7A – Conspicuous Development

GB11 – Agricultural Buildings

E13A – New and Replacement Glasshouses

E13B – Protection of Glasshouse Areas

DBE2 – Effect on neighbouring properties

DBE4 – Design in the Green Belt
DBE9 – Loss of Amenity

SUMMARY OF REPRESENTATIONS:

ROYDON PARISH COUNCIL: Object – Lorries will be using the same access point to enter and exit the site and the Parish Council has highway concerns over this. Also these works will increase the amount of HGV traffic in the area.

THE ROYDON SOCIETY: Strongly object to the proposals due to the resultant single entry/exit forming part of the proposals which would result in lorries queuing along Netherhall Road where this is not acceptable. Additional unacceptable traffic through Roydon Village and Low Hill Road, associated verge damage, congestion and incidents damaging street furniture. Concerned regarding noise from the refrigerated dispatch area and seek restriction of working hours of the nursery due to noise and traffic disturbance to residents.

LEE VALLEY REGIONAL PARK AUTHORITY: Raise a material consideration and request the hedge on the west boundary be maintained at a height no less than 2m by condition as indicated on the proposed elevations.

Issues and Considerations:

The main issues that arise with this application are the appropriateness of the development in the Green Belt, its effect on the openness and character and its impact upon neighbouring properties. The previous application is also a significant material consideration. Application EPF/0189/09 was refused for the following reason:

The proposed development is situated within the Metropolitan Green Belt. The scale of the proposed structure would appear prominent and overbearing, detracting from the openness and appearance of the Green Belt by extending the structures to the highway boundary in this rural location, contrary to the aims and objectives of policies GB7A and GB11 of the Adopted Local Plan and Alterations.

Green Belt and Glasshouse related development

Policy GB2A establishes that in principle development in association with agriculture, horticulture and forestry is acceptable subject to other relevant policies being satisfied. Policy GB11 enables agricultural buildings subject to the development being;

- i) necessary for the purposes of agriculture within that unit
- ii) not detrimental to the character or appearance of the locality or the amenity of nearby residents
- iii) not resulting in an unacceptable adverse impact to highway safety, water quality/supply or any watercourse
- iv) not significantly threaten any sites of importance for nature conservation.

i) The applicant has outlined in the Design and Access Statement that additional adjacent glasshouses have recently been acquired and bought into production and that all produce is packed and graded at the packing shed on the Tower Nursery Site. The works are directly relating to and necessary for the horticultural activities on site.

ii) The proposed additional structures would be viewed in the context of the existing buildings and structures on site, have been reduced in scale and separated into two buildings on the site as opposed to the larger singular building previously considered, this significantly reduces visual impacts and the proposals remain well separated from neighbouring dwellings.

iii) Officers have consulted with Highways and Land Drainage regarding this application and both parties have responded with no objections. The existing dual access is noted to be lost, however the applicant has provided information regarding the areas available for the turning of HGV's within the site and indicated that two vehicles can be loaded simultaneously with a further area available for two waiting vehicles should it be necessary.

iv) The proposals threaten no sites of importance for nature conservation.

Glasshouse Issues

In respect of glasshouse specific policies E13A and E13B, these seek to enable the continued viability of the glasshouse industries whilst preserving visual amenity and the openness of the Green Belt. The applicant has submitted details regarding existing operational difficulties and indicated that the present facilities are at maximum capacity presenting Health and Safety difficulties in a busy and compact space and problems with suppliers where a cool chain (refrigerated) production is sought as part of contracts, this is difficult to achieve in the existing premises, resulting in potential competitive disadvantages. Therefore with this information available, policies E13A and E13B support the proposed reduced scheme subject to visual amenity impacts being acceptable.

Design

Policy DBE4 seeks to ensure that development within the Green Belt respects the wider landscape setting and local character. The proposals are designed to complement the existing glasshouse structures by extending the existing eaves line down over the proposed despatch area, the lowest point reaches 4m at the eaves, a lesser height at a further distance from the boundary than the present canopy. This is not considered unreasonable, particularly should the hedging be retained by condition as a screen.

The remaining Cucumber grading area to be relocated into the side extension is 9.5m wide by 20m deep and extends the structures presently in place. When viewed in the context of the overall glasshouse blocks the side extension once in place would be largely indiscernible so raises no concerns.

Impact to Neighbouring Properties

Policies DBE2 and DBE9 seek to minimise adverse impact to neighbouring properties. The proposed extensions to the front of the building would appear visually prominent, however this would not result in any loss of light or overlooking.

Objection has been raised regarding noise from additional refrigeration equipment, Officers are of the view that this would not create any more noise than presented by existing refrigeration equipment on site. The dispatch area is closer to the road than the existing main buildings however there is a reasonable degree of separation to neighbouring properties which would mitigate noise disturbance. Should Members maintain a concern, a condition can be attached restricting noise levels in Decibels on the boundary with the nearest noise sensitive premises.

Objections have also been raised regarding traffic movements associated with hours of working onsite and associated noise and disturbance. Officers would emphasise that the overall use of the nursery is not under consideration, only two extensions are proposed and that these would be used for packaging and dispatch attached to the building where these activities presently take place, therefore Officers are of the view that a restriction of hours of use of these buildings would be difficult to justify and would not meet the tests set out in Circular 11/95.

Access and Highway matters

The position of the extensions would prevent the flow of traffic through the site which is presently possible beneath the canopy and necessitate the turning of heavy goods vehicles onsite near Franca House. The applicant has provided details of the turning areas and waiting areas for

vehicles and can comfortably accommodate 4 HGV's on site. Officers suggest a condition can be attached requiring that the areas indicated on the drawings are clearly marked out on site and kept free for use at all times.

Other matters raised

Issues have been raised regarding damage from delivery drivers. Whilst this is not a direct planning issue, the applicant has responded by offering to erect directional signage to nurseries, however this may need separate advertisement consent as this is off-site.

Conclusion:

The revised scheme is reduced in scale when viewed from the frontage adjacent the highway, has a lesser impact than the proposals recently refused and is supported by a clear justification in the Design and Access Statement. Therefore mindful of the needs of the Industry in this location and policies detailed above, Officers consider that the previous reason for refusal has been overcome and 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:

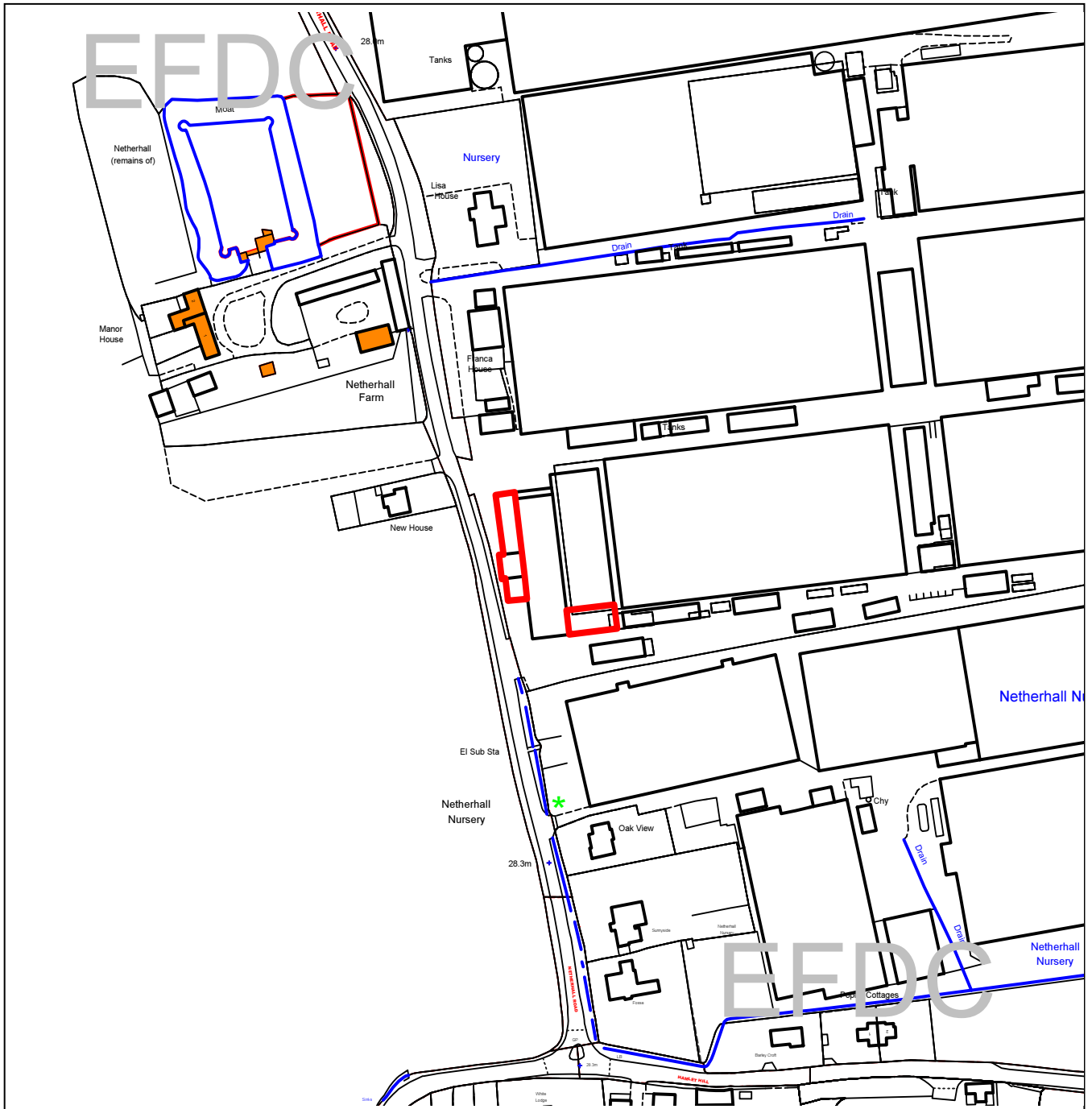
***Planning Application Case Officer: Jenny Cordell
Direct Line Telephone Number: 01992 574294***

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: | 2 |
| Application Number: | EPF/0166/11 |
| Site Name: | Tower Nursery, Netherhall Road Roydon, CM19 5JP |
| Scale of Plot: | 1/2500 |