

# Committee Agenda



**Webcast  
Meeting**



**Epping Forest  
District Council**

## ***Area Planning Subcommittee West Wednesday, 6th July, 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: [democraticservices@eppingforestdc.gov.uk](mailto:democraticservices@eppingforestdc.gov.uk) Tel: 01992 564246

### Members:

Councillors J Wyatt (Chairman), Mrs E Webster (Vice-Chairman), R Bassett, J Collier, Mrs R Gadsby, D C Johnson, Ms Y Knight, Mrs J Lea, W Pryor, A Mitchell MBE, Mrs M Sartin, Mrs P Smith, Ms S Stavrou and A Watts

**A BRIEFING FOR THE CHAIRMAN, VICE-CHAIRMAN AND APPOINTED SPOKESPERSONS WILL BE HELD AT 6.30 P.M. IN COMMITTEE ROOM 1 ON THE DAY OF THE SUB-COMMITTEE.**

### WEBCASTING NOTICE

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

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

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

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



**1. WEBCASTING INTRODUCTION**

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

2. The Chairman will read the following announcement:

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

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

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

**2. ADVICE TO PUBLIC AND SPEAKERS AT COUNCIL PLANNING SUBCOMMITTEES (Pages 7 - 10)**

General advice to people attending the meeting is attached.

**3. APOLOGIES FOR ABSENCE**

**4. MINUTES (Pages 11 - 24)**

To confirm the minutes of the last meeting of the Sub-Committee held on 8 June 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 25 - 72)**

(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.

This page is intentionally left blank

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

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

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

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

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

### **Can I speak?**

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

### **Who can speak?**

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

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

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

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

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

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

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

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

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

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

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

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

### **Further Information?**

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



Area Planning Subcommittee West 2011-12

Members of the Committee:



Cllr Wyatt	Cllr Webster	Cllr Bassett	Cllr Collier	Cllr Gadsby	Cllr Johnson
------------	--------------	--------------	--------------	-------------	--------------



Cllr Knight	Cllr Lea	Cllr Pryor	Cllr Mitchell	Cllr Sartin	Cllr Smith
-------------	----------	------------	---------------	-------------	------------



Cllr Stavrou	Cllr Watts
--------------	------------

This page is intentionally left blank

## EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Area Planning Subcommittee West   **Date:** 8 June 2011

**Place:** Council Chamber, Civic Offices, High Street, Epping   **Time:** 7.30 - 9.35 pm

**Members Present:** J Wyatt (Chairman), Mrs E Webster (Vice-Chairman), R Bassett, J Collier, Ms Y Knight, W Pryor, A Mitchell MBE, Mrs M Sartin, Mrs P Smith, Ms S Stavrou and A Watts

**Other Councillors:**

**Apologies:** D C Johnson and Mrs J Lea

**Officers Present:** J Godden (Planning Officer), M Jenkins (Democratic Services Assistant) and P Seager (Chairman's Secretary)

---

### 1. WEBCASTING INTRODUCTION

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

### 2. WELCOME AND INTRODUCTION

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

### 3. MINUTES

#### RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 11 May 2011 be taken as read and signed by the Chairman as a correct record subject to the following amendment:

That under Item 100 "Appointment of Vice-Chairman," Councillor Ms S Stavrou had been incorrectly recorded as the Vice Chairman. Councillor Mrs P Smith had acted as Vice Chairman during the meeting.

### 4. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor J Wyatt declared a personal interest in the following item of the agenda by virtue of being a member of Waltham Abbey Town Council, but added that he was not a member of

the Town Council when their planning committee considered the application. The Councillor declared that his interest was not prejudicial and indicated that he would remain in the meeting during the consideration and voting on the item:

- EPF/2675/10 71 Farm Hill Road, Waltham Abbey, Essex EN9 1NG

(b) Pursuant to the Council's Code of Member Conduct, Councillor R Bassett declared a personal interest in the following item of the agenda by virtue of living in fairly close proximity to the application site concerned. The Councillor declared that his interest was not prejudicial and indicated that he would remain in the meeting during the consideration and voting on the item:

- EPF/0054/11 Land Rear of 66 – 70 Western Road, Nazeing, Essex EN9 2QQ

(c) Pursuant to the Council's Code of Member Conduct, Councillor Ms S Stavrou declared a personal interest in the following item of the agenda by virtue of being the Chairman of Waltham Abbey Town Council Planning Committee, but added that she had not been a member when the Planning Committee had considered the application. The Councillor declared that her interest was not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the item:

- EPF/2675/10 71 Farm Hill Road, Waltham Abbey, Essex EN9 1NG

(d) Pursuant to the Council's Code of Member Conduct, Councillor Mrs E Webster declared a personal interest in the following item of the agenda by virtue of being the ward member. The Councillor declared that his interest was not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the item:

- EPF/2675/10 71 Farm Hill Road, Waltham Abbey, Essex EN9 1NG

(e) Pursuant to the Council's Code of Member Conduct, Councillor Mrs P Smith declared a personal interest in the following item of the agenda by virtue of being a member of the Parish Council, but not a member of the Parish Council Planning Committee. The Councillor had also "called in" the application to the sub-committee but stated that she was not persuaded either in favour or against the application in any way. The Councillor declared that her interest was not prejudicial and said that she would remain in the meeting during the consideration of the item and voting on the item:

- EPF/0811/11 Richmond Farm, Parsloe Road, Epping Upland, Epping, Essex CM16 6QB

(f) Pursuant to the Council's Code of Member Conduct, Councillor Mrs M Sartin declared a personal interest in the following item of the agenda by virtue of having "called in" the application to the sub-committee, but stated that she was not persuaded either in favour or against the application in any way. The Councillor declared that her interest was not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the item:

- EPF/0532/11 Roydon Pumping Station, Harlow Road, Roydon, Essex CM19 5HF

## 5. ANY OTHER BUSINESS

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

## 6. DEVELOPMENT CONTROL

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

### RESOLVED:

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

## 7. PROBITY IN PLANNING

The Sub-Committee received a report regarding Probity in Planning – Appeal Decisions October 2010 – March 2011. In compliance with the recommendation of the District Auditor, the report advised the decision making committees of the results of all successful appeals, particularly those refused by committee contrary to officer recommendation. The purpose was to inform the committee of the consequences of their decisions in this respect, and, in cases where the refusal was found to be unsupportable on planning grounds, an award of costs could be made against the Council.

To set the context, a Best Value Performance Indicator (BVPI) for district councils aimed to have less than 40% of their decisions overturned on appeal. The last available figure for the national average for District Councils was 30.9%. That BVPI was replaced by one which recorded planning appeals only. That too was changed as a National Indicator but the Council had created a Local Performance Indicator (LPI45). In previous years, this target had been to not exceed 25% of allowed decisions. In recent years the Council performance had been:

- 18% in 2003/04;
- 29% in 2004/05;
- 22% in 2005/06;
- 30% in 2006/07;
- 29% in 2007/08;
- 40.3% for 2008/09; and
- 30.9% in 2009/10

For 2010/11, a more realistic achievable target was set to not exceed 28%, however, once again, this was exceeded (36.6%). For 2011/12, LPI45 had been split into two, one of which would measure the performance of committee reversals of officer recommendations, which generally was the main factor why the performance had not been achieved.

### Performance

Over the six month period between October 2010 and March 2011, the Council received 65 decisions on appeals, of these 24 were allowed (36.9%). For LPI45, which only considered appeals against the refusal of planning permission, the 6 month performance figure was 42% allowed (21 of 50 appeals).

### Planning Appeals

Out of the 22 planning appeals that arose from decisions of the committees to refuse contrary to the recommendation put to them by officers during the 6 month period, 14

were allowed and 8 dismissed. 63.6% of appeals resulting from committee reversals were therefore not supported on appeal.

The Sub-Committees were urged to continue to heed the advise that if considering setting aside the officer's recommendations it should only be on cases where members were certain they were acting in the wider public interest and where the committee officer could give a good indication of some success at defending the decision.

### **Costs**

During this period, there was a partial award of costs (£1,200), made against the Council, in respect of a planning application refusal in Roydon. There was also one award of full costs (£2,326.16) in respect of an enforcement notice at Burrs Farm, Foster Street, Harlow.

### **Conclusions**

The Council's total performance for this 6 month period and the previous 6 months show a slight overall worsening of performance for LPI45 compared with 2009/10 from 34% to 36%, despite there being fewer appeals submitted (102 in 2009/10 and 81 in 2010/11). This was still unsatisfactorily above the performance target.

Officers have been generally successful in defending against major costs sought against the Council, though the 3 awards of costs for the year had been carefully noted, members were advised to think very carefully when considering refusing planning permission on highway grounds when there was no firm evidence of highway harm, and also where no objection had been raised by Essex County Council Highway officers.

### **RESOLVED:**

That the Probity in Planning – Appeal Decisions for the period October 2010 - March 2011 be noted.

## **8. DELEGATED DECISIONS**

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

**CHAIRMAN**

# Minute Item 6

## Report Item No: 1

<b>APPLICATION No:</b>	EPF/2675/10
<b>SITE ADDRESS:</b>	71 Farm Hill Road Waltham Abbey Essex EN9 1NG
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey North East
<b>DESCRIPTION OF PROPOSAL:</b>	Two storey side extension.
<b>DECISION:</b>	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=524214](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=524214)

### 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**

<b>APPLICATION No:</b>	EPF/0054/11
<b>SITE ADDRESS:</b>	Land Rear of 66 -70 Western Road Nazeing Essex EN9 2QQ
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Lower Nazeing
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed 2 no. three bedroom detached two storey houses with integral garages and parking fronting Wheelers Close.
<b>DECISION:</b>	Refused 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=524464](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=524464)

**REASONS FOR REFUSAL**

- 1 The proposed new dwellings, by reason of their location on the site, in an area of varying ground levels, and their height, bulk and design are over dominant and incongruous, and therefore have an unacceptable impact on the character and appearance of the street scene contrary to policy DBE1 and CP2 of the adopted Local Plan and Alterations.
- 2 The proposed new dwellings, by reason of their height, bulk and design would comprise a cramped development on this restricted plot and would have an adverse impact on the appearance of the street scene contrary to policy DBE 1 and CP2 of the adopted Local Plan and Alterations.
- 3 The proposed new dwellings, by reason of their location, height and bulk would have an adverse impact on the visual outlook and loss of sunlight in the morning of the neighbouring properties at 7 and 9 Wheelers Close, contrary to policy DBE 2 of the adopted local plan and alterations.



**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/0512/11
<b>SITE ADDRESS:</b>	Land adj 58 Shooters Drive Nazeing Essex EN9 2QD
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Lower Nazeing
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of three bedroom dwelling. (Revised application)
<b>DECISION:</b>	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=526365](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=526365)

**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 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 B shall be undertaken without the prior written permission of the Local Planning Authority.
- 4 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 5 The parking areas shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.
- 6 No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 7 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 08.00 to 17.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/0520/11
<b>SITE ADDRESS:</b>	Richmonds Farmhouse Parsloe Road Epping Upland Epping Essex CM16 6QB
<b>PARISH:</b>	Epping Upland
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>DESCRIPTION OF PROPOSAL:</b>	Resiting of Old Granary. Removal of dilapidated plant pool room and garden store and erection of replacement plant/pool room and garden store building. Removal of brickwork building with corrugated metal roof. Erection of car port/log store and hard standing.
<b>DECISION:</b>	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=526386](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=526386)

**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 proposed development shall only be used as ancillary accommodation for the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling known as Richmonds Farmhouse.
- 3 There shall be no doors installed on the cart lodge at any time.

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/0521/11
<b>SITE ADDRESS:</b>	Richmonds Farmhouse Parsloe Road Epping Upland Epping Essex CM16 6QB
<b>PARISH:</b>	Epping Upland
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>DESCRIPTION OF PROPOSAL:</b>	Grade II listed building application for the resiting of Old Granary. Removal of dilapidated plant pool room and garden store and erection of replacement plant/pool room and garden store building. Removal of brickwork building with corrugated metal roof. Erection of car port/log store and hard standing.
<b>DECISION:</b>	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=526387](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=526387)

**CONDITIONS**

- 1 The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.
- 2 Samples of the types and details of colours of all the external finishes shall be submitted for approval in writing by the Local Planning Authority prior to the commencement of the development, and the development shall be implemented in accordance with such approved detail.
- 3 Additional drawings that show details of proposed new window, doors, eaves, verges and cills by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the LPA in writing prior to the commencement of any works.
- 4 Prior to the commencement of any works or demolition hereby granted consent, details of a programme of building recording by a person or body first agreed to by the Local Planning Authority shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved programme of building recording and analysis shall be fully implemented prior to the demolition of works being completed.

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/0811/11
<b>SITE ADDRESS:</b>	Richmond Farm Parsloe Road Epping Upland Epping Essex CM16 6QB
<b>PARISH:</b>	Epping Upland
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>DESCRIPTION OF PROPOSAL:</b>	Construction of single detached dwelling. (Revised application)
<b>DECISION:</b>	Refused 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=527485](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=527485)

**REASON FOR REFUSAL**

- 1 The site is within the area identified in the Epping Forest District Local Plan as Metropolitan Green Belt. The proposal constitutes inappropriate development and is harmful to the purposes of including land in the Green Belt contrary to the Government advice contained in PPG2 and Policy GB2A of the Adopted Local Plan and Alterations. There are no very special circumstances that outweigh the harm of the proposal to the Metropolitan Green Belt.
- 2 Due to the importance of this open space between Harlow Town and the historic buildings at Richmonds Farm, further residential development in this location would be harmful to the setting of the adjacent Listed Building, contrary to Policies CP2 and HC12 of the Adopted Local Plan and Alterations and National Planning Guidance contained within PPS5.

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/0532/11
<b>SITE ADDRESS:</b>	Roydon Pumping Station Harlow Road Roydon Essex CM19 5HF
<b>PARISH:</b>	Roydon
<b>WARD:</b>	Roydon
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed process building.
<b>DECISION:</b>	Deferred

**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=526426](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=526426)

Members determined to defer this item in order to seek further information regarding noise, hardsurfacing around the area of the wheel wash and for information regarding water run-off and its effect on Roydon Lodge Chalet Estate.

**Report Item No: 8**

<b>APPLICATION No:</b>	EPF/0686/11
<b>SITE ADDRESS:</b>	Oaklands Low Hill Road Roydon Harlow Essex CM19 5JN
<b>PARISH:</b>	Roydon
<b>WARD:</b>	Roydon
<b>DESCRIPTION OF PROPOSAL:</b>	Detached summer house.
<b>DECISION:</b>	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=526995](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=526995)

**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 proposed summer house, shall match those as detailed on the application form received 31st March 2011.
- 3 The proposed summer house shall only be used as ancillary to the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling known as Oaklands, or be used for any business or commercial use.

This page is intentionally left blank



## AREA PLANS SUB-COMMITTEE 'WEST'

6 July 2011

### INDEX OF PLANNING APPLICATIONS

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/0892/11	Theydon Towers, Theydon Road, Epping CM16 4EF	Grant Permission (With Conditions)	27
2.	EPF/1024/11	Beaumont Villa, 4 Beaumont Park Drive, Roydon CM19 5HB	Grant Permission (With Conditions)	32
3.	EPF/0242/11	Rosemary and Dobbs, Weir Café, Dobbs Weir Road, Roydon	Grant Permission (With Conditions)	36
4.	EPF/0698/11	Netherhall Nursery, Netherhall Road, Roydon	Grant Permission (With Conditions)	42
5.	EPF/0861/11	St. Leonards Farm, St. Leonards Road, Nazeing EN9 2HG	Grant Permission (With Conditions)	51
6.	EPF/0917/11	Land Between Meadgate Road, Nazeing and lower lock, Roydon adj to the Nazeing Meads Lagoon, River Lee Navigation, River Lee and River Stort	Grant Permission (With Conditions)	55
7.	EPF/0935/11	Roydon Mill Leisure Park, High Street, Roydon CM19 5EJ	Grant Permission (With Conditions)	62
8.	EPF/1040/11	10 Hamlet Hill, Roydon CM19 5LA	Grant Permission (With Conditions)	69

This page is intentionally left blank

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/0892/11
<b>SITE ADDRESS:</b>	Theydon Towers Theydon Road Epping Essex CM16 4EF
<b>PARISH:</b>	Theydon Bois
<b>WARD:</b>	Theydon Bois
<b>APPLICANT:</b>	Mr Max Leveritt
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/10/83 G5 (31 on plan) - Cypress - Fell G6 (10, 11 & 12 on plan) - Cypress - Fell T50 (13 on plan) - Cedar - Fell G3 (Group 3 on plan) - 2 x Spruce - Fell
<b>RECOMMENDED DECISION:</b>	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=527683](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=527683)

**CONDITIONS**

- 1 A replacement tree or trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted and inspected and agreed to be in accordance with the details prior to implementation of the felling hereby agreed, unless varied with a written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or dies, or becomes seriously damaged and defective another tree of the same species and size of that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 2 The work authorised by this consent shall be carried out under the direct supervision of the Local Planning Authority, who shall receive in writing, 5 working days notice of such works.
- 3 The works hereby authorised shall not be undertaken after a period of three years from the date of this consent has expired.

*This application is before committee since all applications to fell preserved trees are outside the scope of delegated powers.*

**Description of Proposal**

G5 (31 on plan) – Cypress – Fell  
G6 (10, 11 and 12 on plan) – Cypress – Fell

T50 (13 on plan) – Cedar – Fell  
G3 (Group 3 on plan) – 2 Spruce - Fell

### **Description of Site**

The application concerns trees in the grounds of Theydon Towers, a large and relatively secluded house, set within extensive and generally well treed grounds. Four of the trees concerned (G5 & G6), all described as Cypresses (technically 2 are Thujas), stand immediately adjacent to a detached two bedroom dwelling, standing in the grounds of Theydon Towers.

The Cedar (T50) is set in the centre of the garden and the Spruces (G3) are close to the eastern boundary.

### **Relevant History:**

TPO/EPF/10/83, made in June 1983, protects 55 trees individually cited, together with 6 groups.

Clearance of the southern area of the grounds has recently been taking place, following consultation, and has been supervised to ensure that it has affected only shrubs and trees not subject to the TPO.

### **Policies Applied:**

LL9 – Felling of Preserved Trees

### **Summary of Representations:**

PARISH COUNCIL – Objection: Acknowledge the concern about the 3 Spruces, which are accepted to be poor trees. However have serious concerns about the proposal to fell the others. Understand that the building affected is not habitable, not actually a residential building, and has never been permanently used as such. Because the trees pre-date the structure it should not be given the same weight as for a residential building where the trees post-date the structure.

Given its history it may be that the building was not built to appropriate standards, and foundations. Suggest therefore that the problems relate to substandard construction. Do not therefore feel consent should be granted in respect of trees within G5, (that is 1 x Cypress) G6, (3 x Cypress) and T50 (1 x Cedar).

THE SPINNEY: Objection: Vehemently objects to tree felling in order to protect this dwelling, which he understood to be a temporary property when originally constructed. The loss of magnificent trees cannot therefore be justified by damage to it. These trees are an integral part of the local landscape and are believed to predate this building. The application is simply a ploy to clear an obstacle to a more substantial replacement of the house. Concerned also about the wider precedent for future development and loss of local heritage.

### **Issues and Considerations:**

The reasons given for the application are as follows:

- in the case of the four Cypresses, structural damage to the dwelling, which needs to be remedied before the building can be restored;
- otherwise, in respect of the Spruces and the Cedar, solely for safety reasons, and in accordance with advice.

It is suggested that the main considerations are:

1. whether it has been demonstrated that the 4 Cypresses are affecting the dwelling;
2. whether the dwelling has been poorly constructed, and postdates the trees;
3. whether their removal would resolve the alleged subsidence and allow the property to be restored;
4. what weight should be given to concerns that the dwelling is not what it seems (i.e. is an outhouse, and not habitable);
5. whether the other trees are in poor health, or structurally unsound;
6. how valuable are the trees, and what contribution do they make generally to local visual amenity; and
7. could they be effectively replaced with new planting?

Dealing with these in turn:

1. The application is supported by a distortion survey, and an engineer's report. A site inspection has shown that the garage has clearly subsided as a result of the root activity of the Cypress in G5, which has been planted within half a metre of its rear corner. The house itself is also severely distorted, with a movement pattern consistent with subsidence as a result of the three Cypresses in G6, approximately 1 metre distance from the north east corner of the main building. The engineer's report is based on measurement and assessment of the movement of the superstructure, and local knowledge, but there is no supporting soil survey, nor a drains test. The engineer however states that the location of the drains is such that they cannot be responsible for the effects seen, and that he is aware from other investigations on the property that the local soil is clay of medium shrinkability. While the evidence is not exhaustive it is concluded that there can be no reasonable doubt that the damage to the property is caused by root activity.
2. There is no evidence that the house is poorly built; at its time of construction (estimated mid 60s) foundation standards in particular were not up to modern standards. It seems clear that the building is older than the trees, not younger.
3. It is likely that removal would resolve the structural issues, and return the property to stability. This would avoid extensive underpinning, and limit the extent of repairs required to the superstructure. The stated intention of the owner, following resolution of the tree issues, is then to renovate the property.
4. The house comprises all that would be expected for a two bedroom property, with kitchen, bathroom etc. The internal condition is currently very poor; the explanation offered for this was that it suffered a severe flood as a result of a leak from a water tank in the roof.
5. In relation to the Spruce, the 2 trees to be felled are part of a mixed group of Norway Spruce and Scots Pine, close to the eastern boundary. While the remainder are reasonable specimens (the pines are the best), the 2 are particularly spindly, clearly in poor health, and better replaced. The Cedar is set in the centre of the garden; the reason for its inclusion in the application is purely on grounds of safety; it is not implicated in the damage to the house. It was originally a multi-stemmed tree; one limb has been removed many years ago, and has now rotted back into the stem, making the remainder of the tree unstable and dangerous. Unfortunately there is no possible remedial treatment to retain the tree in a safe condition.
6. Only the Spruce can be glimpsed from the road. The most prominent trees are the avenue of Lime immediately west of the entrance gates, and other fine trees on the lawns nearby. The Cypresses are effectively hidden from a public perspective, although they will be seen from adjacent properties. They are mediocre specimens of no particular individual merit, and not particularly old. The Cedar would be the most important tree were it structurally safe.
7. Over the mid/long term new trees would add to the appearance of the site; the owner has indicated a willingness to undertake generous replacement planting, with semi-mature trees, although only one for one replacement may be conditioned.

## **Conclusion**

That it has been established that the felling as specified is necessary and justified, subject to suitable replacement, which in this case it is suggested be conditional upon prior agreement as to specification, and also replacement prior to implementation.

***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:***

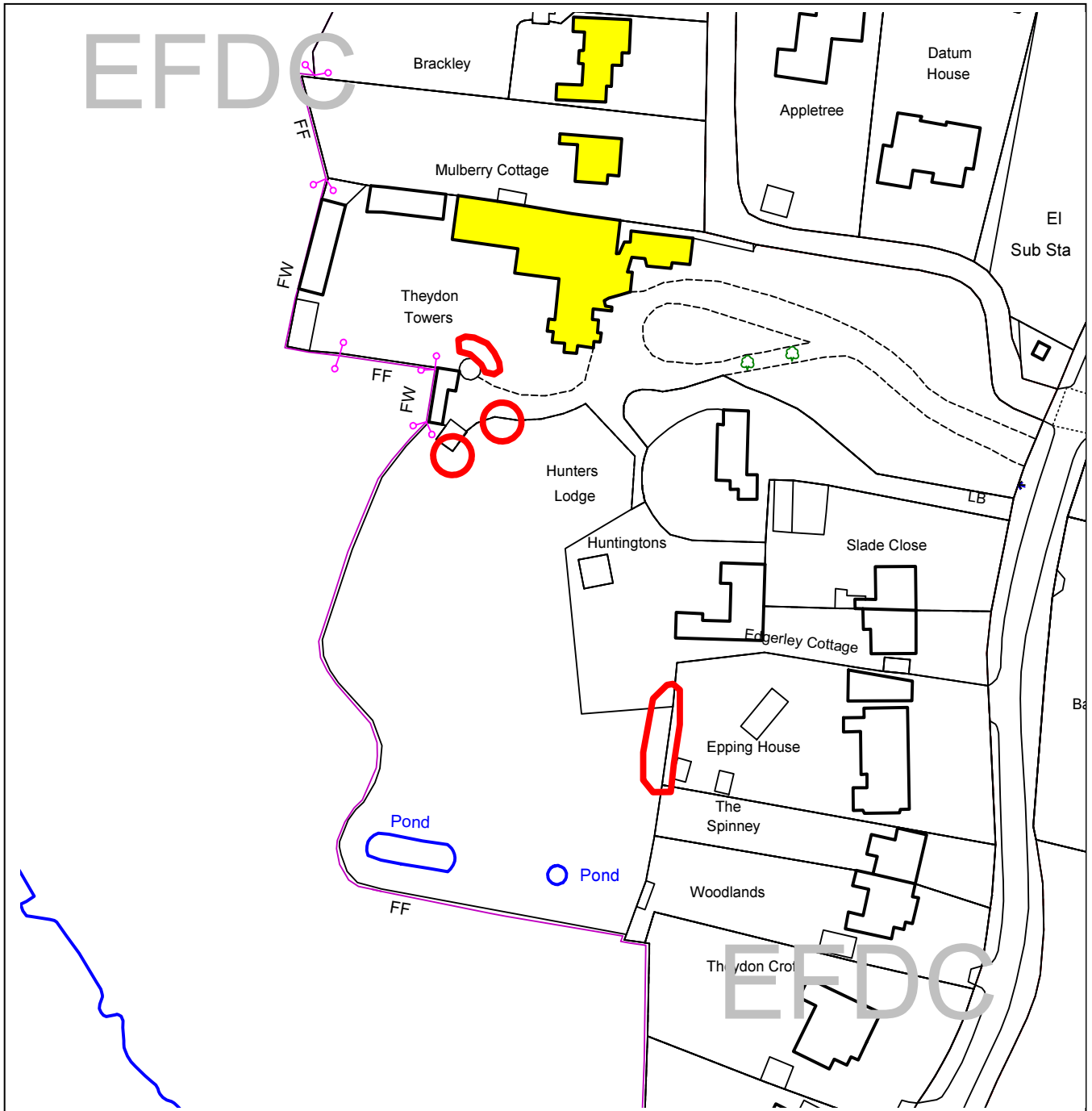
***Planning Application Case Officer: Christopher Neilan  
Direct Line Telephone Number: 01992 564117***

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



# Epping Forest District Council

## Area Planning Sub-Committee West



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

<b>Agenda Item Number:</b>	<b>1</b>
Application Number:	EPF/0892/11
Site Name:	Theydon Towers, Theydon Road Epping, CM16 4EF
Scale of Plot:	1/1250

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/1024/11
<b>SITE ADDRESS:</b>	Beaumont Villa 4 Beaumont Park Drive Roydon Harlow Essex CM19 5HB
<b>PARISH:</b>	Roydon
<b>WARD:</b>	Roydon
<b>APPLICANT:</b>	Mrs Lynea Holden
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/17/84 T27 (T2 on plan) - Yew - Fell T1 on plan - Not protected G1 on plan - Not protected
<b>RECOMMENDED DECISION:</b>	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=528194](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=528194)

**CONDITIONS**

- 1 The work authorised by this consent shall be carried out under the direct supervision of the Local Planning Authority, who shall receive in writing, 5 working days notice of such works.
- 2 A replacement tree or trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted within one month of the implementation of the felling hereby agreed, unless varied with the written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 3 The works hereby authorised shall not be undertaken after a period of three years from the date of this consent has expired.

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

**Description of Proposal:**

**T27 – Yew. Fell.**



### **Description of Site:**

The property is the last dwelling on a residential estate consisting of seven houses. It is well screened by walls, gates and hedges to the front. The site has a good number of coniferous specimens and evergreen hedges. The Yew is the last of several that have now gone but remain shown on maps of the site.

The Yew stands about 4 metres tall and has been pruned into a 6 metre wide hemispherical dome, with foliage to ground level. This carefully managed large bush is located at the northern end of a rectangular section of the garden and partially obscures a summer house, which sits amongst a dense cover of large shrubs at the farthest end of this part of the garden. Several large Cherry Laurel groups border the eastern garden boundary and spill into the lawned area. A Blue Lawson Cypress of sparse foliage is of some visual interest at the southern end of this part of the garden. The rest of the garden area is occupied by an open air swimming pool and surrounding patio area.

### **Relevant History:**

No records of works to this tree are on file, despite the obvious signs of regular trimming to retain the tree's symmetrical globe shape.

### **Relevant Policies:**

LL9 Felling of preserved trees.

### **SUMMARY OF REPRESENTATIONS**

2 neighbours were consulted but no responses have been received.

ROYDON PARISH COUNCIL made no objection provided that the works are referred to the council Arborist..

### **Issues and Considerations:**

#### **Issues**

The application is made on the basis that the Yew is outgrowing the space it stands in. Its removal will allow the reclamation of a lost part of the lawn, which will increase the amenity use of the garden.

#### **Considerations**

i) Tree condition and life expectancy.

From a ground level visual inspection the Yew appears to be in good condition, with a long life expectancy in excess of 20 years. Foliage is glossy and vigorous and the regular trimming has increased shoot vigour and foliage density.

ii) Amenity value

The Yew stands in a very secluded part of this private garden, surrounded by dense clusters of mature Laurel shrubs and a well maintained 5 metre tall cypress hedge to the west. The tree cannot be seen from a public place and therefore it can be said that its landscape value is negligible.

iii) Replacement trees

The proposed removal of the Yew will not create a significant gap but planting within the increased grassed area may be possible with a suitable ornamental garden tree.

**Conclusion**

The Yew tree T27 is a healthy and attractive landscape feature but only to those within the private garden. The loss of amenity its removal will cause is minimal. It is, therefore, recommended to grant permission to this application on the grounds that the tree will not be missed if removed. The proposal therefore accords with Local Plan Landscape Policy LL9.

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

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

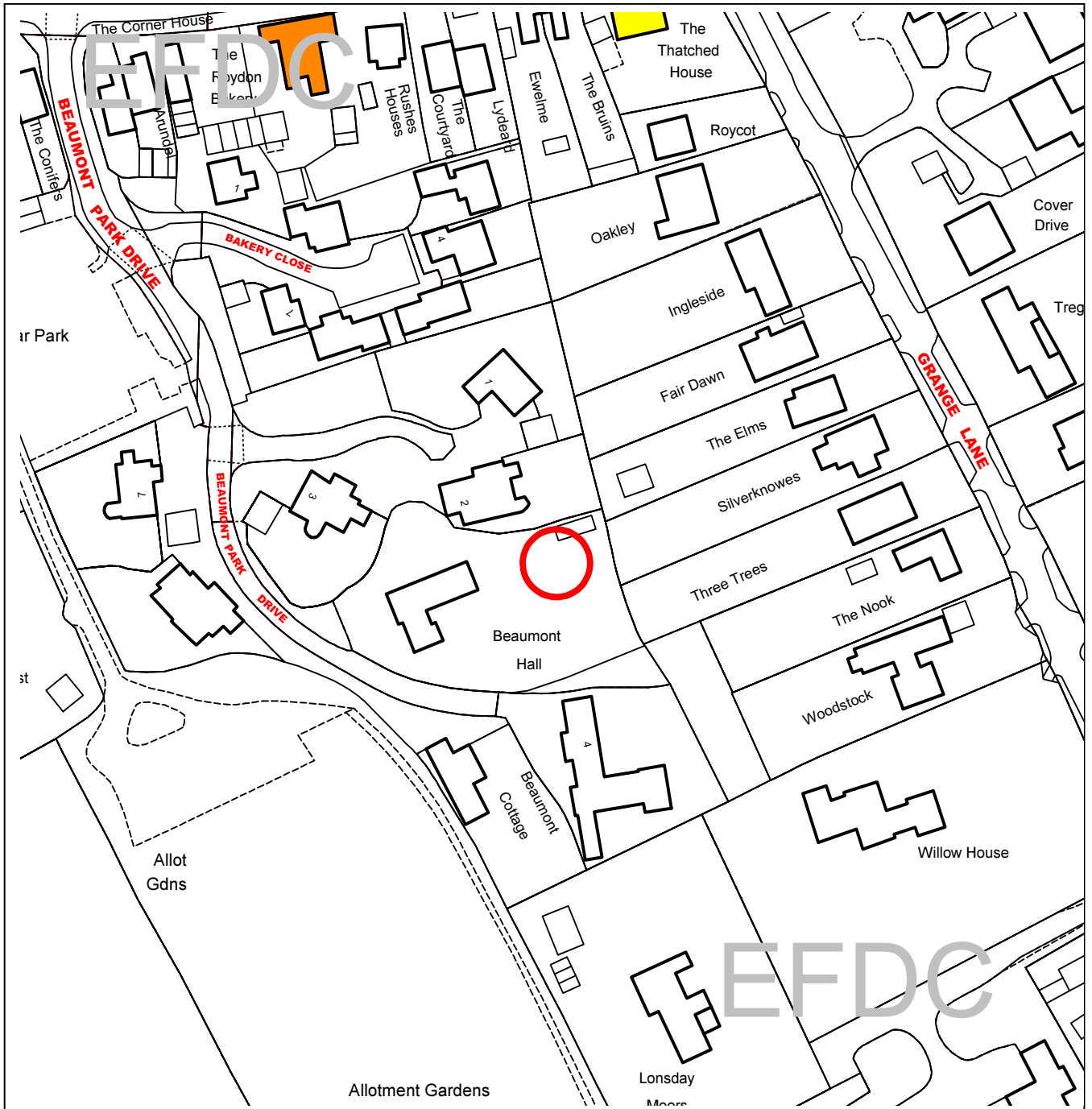
***Planning Application Case Officer: Robin Hellier  
Direct Line Telephone Number: 01992 564546***

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



# Epping Forest District Council

## Area Planning Sub-Committee West



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

<b>Agenda Item Number:</b>	<b>2</b>
Application Number:	EPF/1024/11
Site Name:	Beaumont Villa, 4 Beaumont Park Drive Roydon, CM19 5HB
Scale of Plot:	1/1250

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/0242/11
<b>SITE ADDRESS:</b>	Rosemary and Dobbs Weir Cafe Dobbs Weir Road Roydon Harlow Essex
<b>PARISH:</b>	Roydon
<b>WARD:</b>	Roydon
<b>APPLICANT:</b>	Mr Gary Littwin
<b>DESCRIPTION OF PROPOSAL:</b>	Replacement cafe and change of use of dwelling to Bed and Breakfast accommodation.
<b>RECOMMENDED DECISION:</b>	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=525338](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=525338)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos:  
947.1, 947.4A, 947.5A, 947.7A
- 3 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.
- 4 The cafe use hereby permitted shall not be open to customers outside the hours of 07.00 to 20:00 on Monday to Saturday and 09:00 to 20:00 on Sundays and Bank/Public Holidays.
- 5 The garden area to the rear of the cafe shall not be used at any time for seating in connection with the cafe use and shall remain a private garden area with no public access.
- 6 Prior to commencement of development details of the proposed store and bike store shall be submitted to the Local Planning Authority and approved in writing. The development shall then be completed in accordance with the approved details.
- 7 The use of the bedrooms in the property shall be restricted to bed and breakfast holiday accommodation and shall not at any time be used as permanent residential accommodation.

- 8 Prior to the commencement of development full details of the proposed kitchen extract system shall be submitted to and agreed in writing by the Local Planning Authority. The approved system shall be fully installed prior to the first use of the kitchen and utilised whenever cooking takes place.
- 9 No external lighting shall be erected at the site without the prior written approval of the Local Planning Authority.

*This application is before committee as it is a form of development that can not be approved at officer level if there are more than two expressions of objection to the proposal. (Pursuant to Section CL56, Schedule A(e) of the Council's Delegated functions)*

### **Description of Proposal:**

This application is for the change of use of the existing two storey detached house and cafe to provide bed and breakfast accommodation, and single storey extension to the rear to provide associated office and enlarged kitchen and café area. The bed and breakfast accommodation would comprise 5 bedrooms with en suite bathrooms and there would be a reception and office area. The rear extension would comprise a linking flat roofed element about 4 metres in depth containing the proposed enlarged kitchen and the entrance to the café, with a ramped disabled access, linking to a pitched and crowned roofed element of a further 8.8 metres in depth containing the proposed new café area. The roof height of the flat roofed element is 3 metres and the pitched roof is 4.4m. The extension maintains a 1.8m gap to the side boundary with the adjacent residential property to the east.

### **Description of Site:**

The site is a two storey detached dwelling located on the corner of Dobbs Weir Road adjacent to the access to the Lee Valley Park Car Park. To the rear of the dwelling is a long established café unit which is attached to the house and has an access facing the car park. There is a small area to the side that is used for external seating. There is a small area of parking to the front of the dwelling and a private rear garden area. There are residential properties to the south and east.

The site is not within the Green Belt although it is adjacent to it.

### **Relevant History:**

Various café related approvals dating back to the 1950's.  
EPF/0579/91 Conversion from café to 2 residential units. Approved but not implemented.  
EPF/1053/93 Conservatory and additions to café and living accommodation. Granted.

### **Policies Applied:**

CP2 Quality of rural and built environment  
GB10 Development within the Lee Valley Regional Park  
RP5A Adverse environmental impacts  
E4A Protection of employment sites  
RST1 Recreational, sporting and tourist facilities  
RST7 recreational function for the Lee and Stort navigations  
U2A development in flood risk areas.  
DBE1 Design of buildings  
DBE2 Effect on neighbouring amenities  
DBE9 Loss of amenity

DBE11 Subdivision of dwellings  
ST4 Road safety  
ST6 Vehicle parking

### **SUMMARY OF REPRESENTATIONS:**

5 Neighbouring properties were notified of the application and a site notice was erected. The following comments were received with regard to the initial consultation

PARISH COUNCIL- No Objections

LEE VALLEY PARK- Welcomes the enhancement of the café facility and provision of bed and breakfast accommodation at this site, subject to retain the hedge on the car park boundary, to provide adequate bicycle parking and to ensure that the bed and breakfast is holiday accommodation only and not a main place of residence for guests.

DOBBS WEIR RESIDENTS ASSOCIATION – Object: No provision of parking for the bed and breakfast, totally reliant on the public access parking meant for Lea Valley Park users and not to subsidise commercial activities. Café will cause harm to residential amenity from additional noise, fumes. The development and design are unsuitable for an area in the Lea Valley Park, who should be statutorily consulted. The application should be rejected.

AQUARIUS, AVENUE ROAD. - Object. Disproportionate, out of scale with neighbouring properties. Proposals appear to be 100% commercial venture, no longer a residential property in a residential area. Proposal is a mini hotel, a similar multi-occupation proposal nearby was recently refused and dismissed on appeal. The new café building at 5.5m high will have a significant impact and is overwhelming. Too large, overdevelopment of the site. Concerned about lighting, trees, litter. The garden area must be kept non commercial to protect neighbours amenity. Inadequate parking on site for the development. Hours of use proposed are too long need respite in evenings and Sundays. Concerned about noise and cooking smells from the café. Harm to adjacent residential amenity. Concerned about possible use of proposed “store” on boundary with our property.

FIR TREE LODGE, DOBBS WEIR ROAD.- Concerned about the excessive height (5.5m) and length (18m) . Overall size would be out of place and obstruct the outlook to the west of our house. No objection in principle, but concerned about scale.

Revised Plans were submitted on the 20<sup>th</sup> May in response to the concerns raised and neighbours were reconsulted.

The following responses were received:

PARISH COUNCIL- No Objection- Pleased that the applicant has looked to address the neighbour concerns. Members hope that planning officers will continue to consider any other neighbour concerns that may arise.

DOBBS WEIR RESIDENTS ASSOCIATION -There is insufficient parking at the site to accommodate the number of rooms and the cafe and the reliance will be on a public car park for park users. This accommodation is out of keeping with the LVRP framework and should not be allowed within the park and certainly not use the park facilities, i.e. parking for which it does not pay but is paid out of taxpayer’s money. The car park is directly at a set of traffic lights and a junction to the car park and is unsuitable. The location is within 20 yards of another house currently under multiple occupancy. Roadside House, Avenue Road and therefore the change should not be allowed as this is a residential and not a business area. There is no clear impact assessment on neighbouring properties.

## **Issues and Considerations:**

The site is within the residential area of Dobbs Weir and within the Lee Valley Regional Park. The main issues in determining the application proposals are; the principle of the development in policy terms, impacts on neighbours, parking and access, and design and visual amenity.

### **The principle of the use.**

The proposed change of use of the main dwelling to a bed and breakfast hotel would fall under policy DBE11 which relates to the sub division of dwellings. The main considerations are whether the change would result in an intensification of use that would create an undesirable precedent or detract from the character of the area, noise and disturbance, overlooking or loss of important garden space to car parking. In this instance the proposal is simply to utilise 5 bedrooms as B and B accommodation and although the area is not characterised by premises in this kind of use, this location is at the entrance to the Lee Valley Park car park and opposite a public house. The type and level of use is not considered excessive or likely to lead to harm to residential amenity. There will be no increase in overlooking, and although there will be potentially more comings and goings, given the busy location on the Dobbs Weir Road and adjacent to the car park this is considered appropriate for this kind of use. Similarly the expansion of the existing café facility is considered appropriate subject to safeguards regarding hours of use to ensure that neighbouring amenity is not adversely affected. There is no policy objection to the principle of the proposal.

### **Impacts on Neighbours**

As explained above it is not considered that the use of the dwelling as a bed and breakfast hotel will have excessively adverse impacts on the neighbouring residents. The use is essentially similar to residential use and there should not be excessive noise and disturbance, it is the kind of use that by its nature is usually found in residential areas. There is at present a café at the site which does not appear to have caused harm to amenity there is no current planning condition on the hours of use but it is understood that it does not currently operate long hours. The slightly larger café now proposed is still a relatively small facility, and the applicant has suggested operating from 8am to 4pm in the spring and autumn and 7am to 9pm during the summer months. Given the proximity of the site to the adjacent residential properties it is considered that the proposed summer opening hours are too long and that an 8pm finish would be more acceptable together with a later start, 9pm on Sunday mornings. It is considered that with these restrictions, given that the building is adjacent to an unrestricted car park which will generate noise throughout the day and evening on fine days, it is not considered that the impact on residential amenity from the increased floor area of the café will be excessive.

The revised plans for the development reduced the scale of the building such that the physical bulk of the building will not adversely impact on the light and outlook of adjacent properties. There is no intention to utilise the garden area of the dwelling in connection with the café, and again this can be conditioned. The "store" and bike store at the end of the garden adjacent to the boundary of the house to the rear is not considered harmful to amenity. Details of the buildings have not been submitted but can be required by condition.

The revised plans also indicate the provision of an extract flue to prevent problems of fumes and odours from the proposed café use.

### **Parking and Access**

The scheme provides only 2 parking spaces on site, one of which is a disabled space. Given that the site is immediately adjacent to the Lee Valley Park Car Park and that people utilising the café and the bed and breakfast are most likely to be enjoying the adjacent park it is not considered that there is a requirement to provide additional parking within the site itself. Whilst it is accepted that the car park may become full on particularly pleasant summer weekends, this is currently the case

and it is not felt that the small development proposed would be a major attraction in its own right that would aggravate this situation.

The Lee Valley Park Authority has welcomed the enhancement of the café facility and the provision of the bed and breakfast accommodation and has not raised any concern regarding the likely use of their car park.

Design and visual amenity.

The design of the proposed extension is considered appropriate to the location and in keeping with the surrounding properties.

Other issues.

The site is within a flood risk area but the scale of the development is small and will result in only negligible increased surface water run off therefore a flood risk assessment is not required.

**Conclusion:**

It is considered that the proposal will provide useful and attractive facilities for people wishing to enjoy the riverside and the regional park and that it will not result in any significant loss of amenity or harm to the character of the area and the application is therefore in accordance with the adopted policies of the Local Plan and 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: Jill Shingler  
Direct Line Telephone Number: 01992 564106***

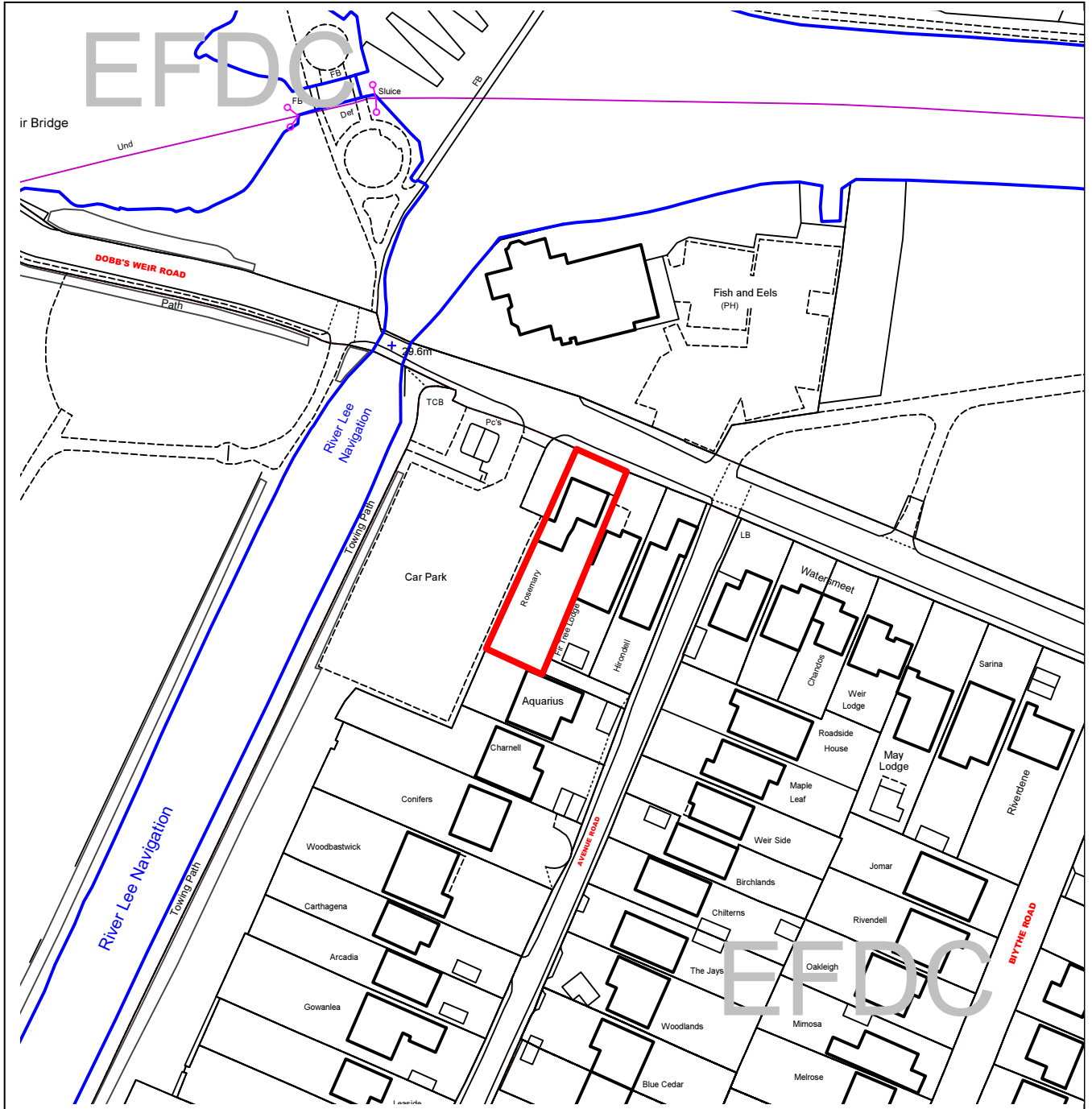
***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***





# Epping Forest District Council

## Area Planning Sub-Committee West



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

<b>Agenda Item Number:</b>	<b>3</b>
Application Number:	EPF/0242/11
Site Name:	Rosemary and Dobbs Weir Café, Dobbs Weir Road, Roydon,
Scale of Plot:	1/1250

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/0698/11
<b>SITE ADDRESS:</b>	Netherhall Nursery Netherhall Road Roydon Harlow Essex
<b>PARISH:</b>	Roydon
<b>WARD:</b>	Roydon
<b>APPLICANT:</b>	Mr John Cappalonga
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing glasshouses and related nursery buildings, construction of 3.8ha of glasshouses (incorporating boiler room, irrigation room, plant room, grading area, office, toilets, despatch area and pump house), loading bay, buffer tanks, water storage tanks, lagoon, parking area, relocation of existing storage shed, associated landscaping and improvements to existing field access to form new nursery access.
<b>RECOMMENDED DECISION:</b>	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=527044](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=527044)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 3108/1, VE-10-3694-02Rev.H, VE-10-3694-05 and 210317-P-03
- 3 Prior to first use of Phase 2 of the development hereby approved the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 7.5 metres and shall be retained at that width for 10 metres within the site and shall be provided with an approved vehicular crossing of the highway verge. Prior to Phase 2 being completed or the new access road being completed in accordance with the above details, access shall remain from the existing access point adjacent to Oak View.

- 4 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) 181/2011 by EAS dated 23/03/11 and the following mitigation measures detailed in the FRA:
  1. Limiting the surface water runoff from the site to the equivalent greenfield rate.
  2. Providing on site attenuation up to and including the 1 in 100 year plus climate change critical storm
  - 3 Provision of storage using SuDS.
- 5 The approved glasshouse shall at no point be located closer than 12.5 metres from the rear garden boundary line of the property known as Barley Croft or any closer than 13 metres from the rear garden boundaries of 1 and 2 Poplar Cottages.
- 6 The phased levelling of the site shall be carried out in accordance with the submitted Soil Movement Method Statement dated 20/05/11 and the final levels shall be those shown on the submitted Drawing number VE-10-3694-04. Should there be any excess soil remaining at the completion of the development it shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 7 The landscaping shown on the approved Landscaping Plan shall be carried out in accordance with the Soft Landscaping Method Statement and the landscaping works shall be completed prior to the commencement of work on Phase 2 of the development hereby approved.
- 8 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 9 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]

- 10 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]
- 11 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report (referred to in PPS23 as a Validation Report) that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 12 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

*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:**

This is a full planning application for demolition of existing glasshouses and related nursery buildings and construction of 3.8 hectares of glasshouses together with associated boiler room, irrigation room, plant room, grading area, office, toilets, despatch area and pumphouse, loading bay, buffer tanks, water storage tanks, lagoon, parking area, relocation of existing storage shed and provision of associated landscaping and improvements to existing field access to form a new nursery access.

The proposed glasshouses would be 7m tall to the ridge (6m to the gutter) the proposed water storage silos would be 10m in height.

The scheme is proposed to be carried out in 3 phases, starting with the currently least-developed areas, First the south eastern part of the site, then the north eastern area and finally the western section, this will enable the nursery to continue production throughout the redevelopment.

### **Description of Site:**

Netherhall Nursery is an established nursery with a site area of some 5.3 Hectares located within an established glasshouse area north of Hamlet Hill, with access off Netherhall Road. There are glasshouses to the north and east of the site but there are residential properties adjacent to the boundaries of the site to the south and west. The site falls gently from west to east.

At present about two thirds of the site is covered by glass houses in (5 separate blocks) and storage buildings. The eastern side of the site is currently undeveloped.

The nursery grows sweet peppers and all of its produce is sent to a local Packhouse in Galley Hill Road, Waltham Abbey. Some of the existing glasshouses on the site are old and unsuited to modern pepper production. In addition the 5 separate glasshouses are poorly related to one another which make the current production less efficient than it could be.

### **Relevant History:**

EPF/1591/97 Glasshouse and packing shed. Approval was granted for 3 hectares of glass at the eastern end of the site, and a packing shed in March 1998. Only the first section of the glass was built (approx 0.6 hectares) the remaining 2.4 hectares planned for the open eastern part of the site remains extant and could be built. However the approved glasshouses are lower in height than currently proposed.

EPF/0637/98 Glasshouse. Self contained glasshouse of 0.4 hectares on the area behind properties on Netherhall Road. This glasshouse was constructed. An enforcement notice was issued as it was considered to have been constructed closer to properties on Hamlet Hill than was shown on the approved plans, but the enforcement notice was quashed on appeal.

EPF/0425/04 Nursery Facility Buildings and Storage Building - approved in 2004. The two buildings were constructed. The storage building is that which it is proposed to relocate in the current application.

### **SUMMARY OF REPRESENTATIONS:**

15 neighbouring properties were consulted and a site notice was erected, the following responses have been received.

PARISH COUNCIL – Object, This proposal is overbearing particularly for neighbouring houses. In height these glasshouses are considerably bigger than those currently in place and will therefore be seen from the road and other vantage points. We also have highway concerns regarding the heavy lorries that will be accessing the site and using the narrow country lanes. The projected traffic usage for this site seems to be heavily understated given the size of the development.

1 POPLAR COTTAGE, HAMLET HILL – Oppose. Height of the glasshouses will be overpowering to my property. Concerned about where overflow water will go when tanks/lagoon are full, the ditch already is full. Noise will rebound from the road traffic 24 hours a day, this is already a problem.

BARLEY CROFT, HAMLET HILL – Strong objection. Flood risk, amount of water could not all be stored for future use. Concerned about extra traffic, already extra lorries trying to get down Netherhall Road, likely to be more than the 1 extra lorry they claim. Height of building will have detrimental effect on the enjoyment of my home.

**Policies Applied:**

CP1 sustainable development  
CP2 Quality of rural and built environment  
CP4 Energy Conservation  
CP6 Sustainable economic development  
GB2A Development in the Green Belt  
GB7A Conspicuous development  
GB11 Agricultural Buildings  
NC4 Protection of habitat  
RP4 Contaminated Land  
RP5A Adverse environmental impacts  
E13A New and replacement glasshouses  
E13B Protection of Glasshouse Areas  
U2B Flood Risk assessment Zones  
U3A Catchment Effects  
U3B Sustainable Drainage Systems  
DBE1 Design of new buildings  
DBE2 Effect on neighbouring properties  
DBE4 Design in the Green Belt  
LL1 Rural Landscape  
LL10 Landscape retention  
LL11 Landscaping schemes  
ST2 Accessibility of development  
ST4 Road safety  
ST6 Vehicle Parking.

**Issues and Considerations:**

This proposal is for the redevelopment of an existing nursery site in the Green Belt within an established glasshouse area for a more intensive glasshouse use.

The main considerations relate to the principle of the development in the Green Belt, the impact on the character and amenity of the area, the impact on the amenities of neighbouring residents, flood risk, and highways and access issues.

**Principle of development**

Horticultural development is one of the few forms of development that is appropriate within the Green Belt. The proposed buildings are clearly designed for horticulture and are reasonably necessary for the purposes of agriculture.

The site is an existing nursery, located within an established glasshouse area and an area identified within the Local Plan and Local Plan Alterations as an E13A Area. Policy E13A states that Planning permission will be granted for new and replacement horticultural glasshouses within areas identified for this on the Alterations Proposals Map. Therefore in principle the development is appropriate. Indeed it must be remembered that there is an extant permission for development of the currently undeveloped area of the site with glass.

### Impact on the Character and Amenity of the Area

The main difference between this proposal and the existing glass and approved glass on the site is the height of the glasshouses and the overall site coverage. The glasshouses now proposed are 7 metres to the ridge (6 metres to the gutter). The existing and approved glasshouses are 5 metres to the ridge (4m to the gutter). The applicant has explained that the increased height is necessary to provide the optimum environment for the production of peppers. The additional 2 metre height could make the development more conspicuous. Additionally 10 metre high silos are also required. These will be located in the centre of the site, away from boundaries and surrounded by glass, which will reduce their visual impact. The applicant has submitted a landscape and visual impact statement and has identified various viewpoints from which the site will be visible. The conclusion drawn and with which officers agree, is that the increase in height will not have a significantly adverse impact on the visual amenity of the area, viewed from vantage points around the site due to existing and proposed landscaping, the position of the site close to existing glasshouses, and the presence of significant electricity pylons and lines within some of the views. In context, bearing in mind the existing permissions and that the site has been identified as suitable for glasshousing in the Local Plan it is not considered that the design, height and intensity of the development would cause significant harm to the character and visual amenity of the area.

As the increased height is required by the grower to meet modern requirements and create an efficient and effective growing environment for his crop that will enable him to compete effectively with imports from abroad it is considered that the small impact on visual amenity is outweighed by this agricultural need.

### Impact on neighbouring residents.

The proposed glasshouses in phase three of the development is relatively close to the residential properties in Netherhall Lane and Hamlet Hill. The originally submitted plans showed the development in roughly the same position as the existing glasshouses in relation to the properties in Hamlet Hill (Barley Croft, and 1 and 2 Poplar Cottages), at a distance of just over 10 metres from the rear elevation of Barley croft and about 13 metres from the rears of 1 and 2 Poplar Cottages (and only about 7 metres from their garden boundaries). The existing 5m high glasshouse and 6 metre high storage building already have a significant impact on outlook and residential amenity for the occupants of these properties despite the hedgerow that is along the boundary. There was legitimate concern raised therefore regarding the increase in height to 7 metres in such close proximity. In response to this the applicant has submitted revised plans which move the development a further 5 metres away from these properties, such that the minimum distance between the glasshouse and the boundary of Barley Croft's garden would be 12.5m and the minimum distance between the glasshouse and the boundary with 1 Poplar Cottages would be 13 metres. It is considered that this additional distance more than offsets the additional height of the structures and that the development will be less overbearing than the current situation. Additionally by their nature glasshouses have less impact on amenity than buildings of solid construction, being light, (see through) and reflective. With regard to the relationship to Sunnyside and Fosse, located on Netherhall Road, the development is located slightly further from their rear garden boundaries than at present and given the depth of the rear gardens (in excess of 30m) it is not considered that there will be harm to residential amenity from the proposed height increase.

### Flood Risk

The site is not within an area identified by the Environment Agency as an area liable to flood, but due to the scale of the development it was necessary for the developer to carry out a full flood risk assessment and this has been considered by the Environment agency and our own Engineering, Drainage and Water Team.

The development is designed to ensure that there is no increased run off as a result of the development. Water is collected, stored and used/reused within the glasshouses. The proposal includes sufficient rainwater capacity to cope with a storm of 1 in 100 year severity and the stored water will be released into the watercourse at Greenfield rates. As such the Environment Agency

has raised no objection to the proposals. The development will not result in any increased risk of flooding.

#### Highways and Access.

The proposal includes the improvement of the existing field access to the northern side of the site between Netherhall Nursery and the adjacent nursery, this enables easy access to the central area of the site in which the packing/grading area and loading bay are to be sited and moves the main access away from the residential property Oak View. This access is on to Netherhall Road about 150 metres north of the junction with Hamlet Hill, and is considered suitable.

The applicant has submitted details of expected additional HGV generation as a result of the development and this is minimal. Essentially between July and Mid September, the peak period of production there will be 2x 7.5 tonne lorry movements per day collecting produce rather than the existing single lorry. Again bearing in mind that there is an extant consent for glass on the currently undeveloped area of the site, and that there are daily movements which would be associated with a nursery, no matter what its size, which do not necessarily increase just because the floor area increases, it is not considered that this proposal will result in a significant increase in HGV traffic that would be harmful to the free flow of traffic or to highway safety. This area has been identified as suitable for glasshousing; it would not have been identified as suitable if in reality the road system was not capable of accepting some additional traffic movements.

Adequate space is retained free of development at the front of the site to provide for any associated parking and turning requirements.

Essex County Highways officers have assessed the proposal and raise no objection to the scheme on highway grounds.

Given the nature of the area and the existing levels of traffic it is not considered that the small amount of additional movements that would result from the scheme would have any significant impact on the amenities of the occupants of properties that will be passed by such traffic.

#### Landscaping

As the development is to be carried out in phases and involves some levelling of the land, details have been provided with regard to the movement and storage of earth within the site during the phased development to ensure that there is no importation of material and no unreasonable rising of levels. The levelling is to be achieved by a cut and fill process which will result in a slight lowering of the eastern part of the site and a slight raising of the western side of the site. These changes have been taken into account in the assessment of the impact of the development.

A full landscaping and tree protection scheme has been submitted with the application together with a method statement. The proposal is essentially to thicken up and improve the hedgerows around the site with native hedging species to help soften the impact of the development and maintain biodiversity.

#### Other Issues

##### Sustainability.

The development is clearly designed to make best use of natural resources, sunlight and water. The nursery has an existing efficient gas boiler and the exhaust gasses include carbon dioxide, which is fed into the glasshouses and is a vital ingredient in plant growth. The redevelopment of this glasshouse site prevents the need for development outside of the glasshouse area on undeveloped land and enables the efficient and relatively cheap production of salad crops that can be packed locally and distributed. This cuts the need for Britain to import products of this nature from abroad and is therefore a sustainable form of development that is to be encouraged.



### Contaminated Land

The site, due to its current and past use, is identified as being potentially contaminated land. A phase 1 contaminated land survey was carried out in connection with the previous application on the site which enabled work to commence with only minimal remedial work. Whilst the same outcome may occur in this instance, given the nature of the site it is considered necessary to place the standard contaminated land conditions on the development.

### **Conclusion**

The proposed development is considered appropriate within the Green Belt and the established glasshouse area, and will provide a sustainable form of horticultural development that makes the best use of the glasshouse area. The scheme will have only limited impact on the character and amenity of the area and will not result in excessive harm to the amenities of neighbouring residents, or cause harm to highway safety. As such the proposals are in accordance with the adopted policies of the Local Plan and Local Plan Alterations and the application is recommended for approval subject to conditions.

***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:***

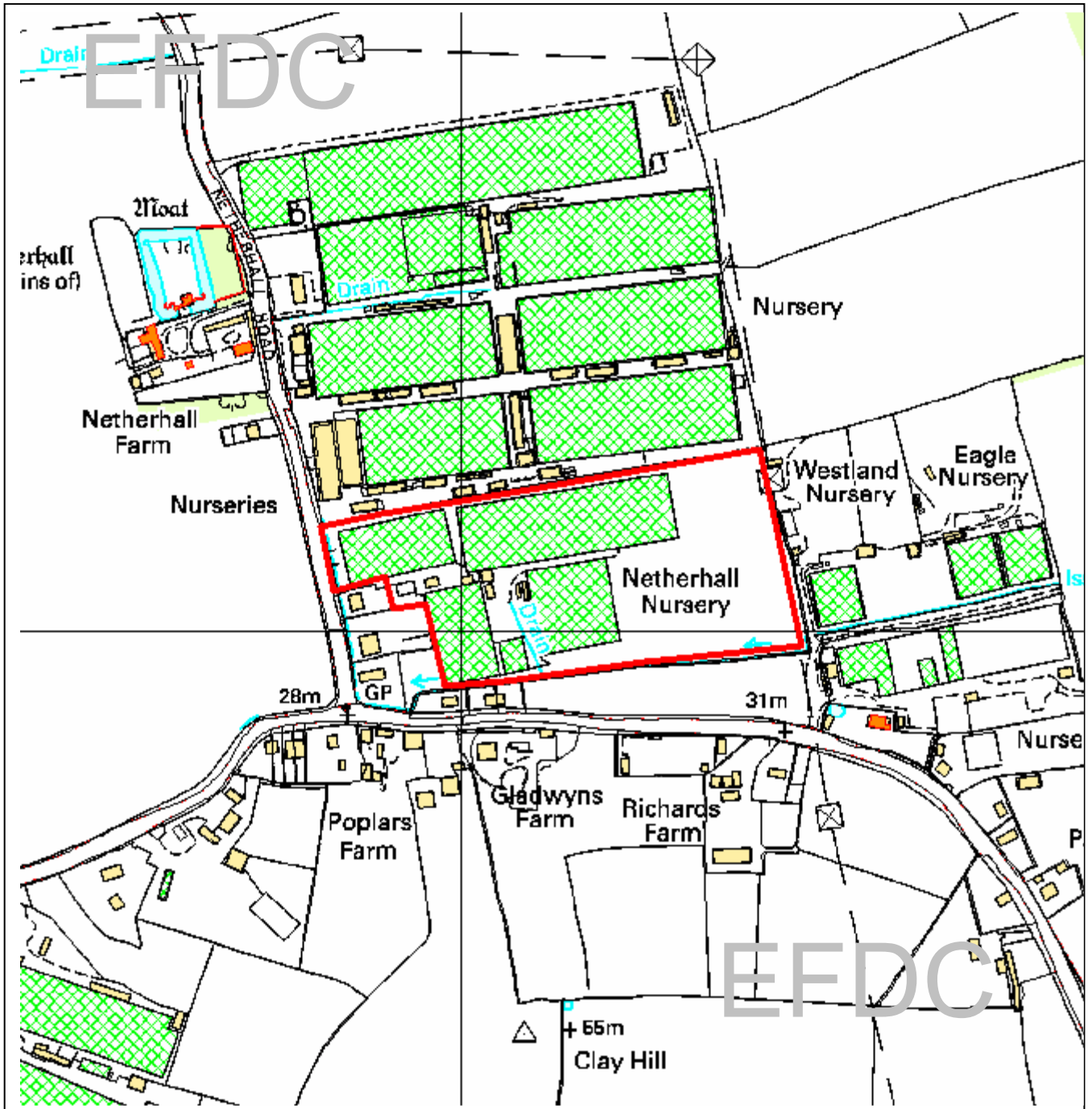
***Planning Application Case Officer: Jill Shingler  
Direct Line Telephone Number: 01992 564106***

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



# Epping Forest District Council

## Area Planning Sub-Committee West



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

<b>Agenda Item Number:</b>	<b>4</b>
Application Number:	EPF/0698/11
Site Name:	Netherhall Nursery, Netherhall Road Roydon,
Scale of Plot:	1/5000

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/0861/11
<b>SITE ADDRESS:</b>	St Leonards Farm St Leonards Road Nazeing Waltham Abbey Essex EN9 2HG
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Lower Nazeing
<b>APPLICANT:</b>	Mr Paul Newton
<b>DESCRIPTION OF PROPOSAL:</b>	Relocation of vehicle access.
<b>RECOMMENDED DECISION:</b>	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=527622](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=527622)

**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 Within 3 months of the completion of proposed access, the existing two access to the south of the proposal, as shown on the location plan, shall be suitably and permanently closed, incorporating the reinstatement of the highway verge and the kerbing to full height where appropriate, to the satisfaction of the Local Planning Authority.
- 3 Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
- 4 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 10 metres from the back edge of the carriageway.
- 5 Notwithstanding the submitted information no unbound material shall be used in the surface treatment of the vehicular access within 10metres of the back edge of the carriageway.
- 6 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: OS Site Map and Plan showing proposed and old entrances.

*This application is before this Committee as it is for a form of development that can not be approved at Officer level if there are more than two expressions of objection to the proposal. (Pursuant to Section CL56, Schedule A(f) of the Council's Delegated functions).*

**Description of Proposal:**

This application is for a new vehicle access on St. Leonards Road. This proposal will provide an access point onto an agricultural field. The proposal also includes the closing up of an existing access should this application be approved. The proposal is for a hard standing entrance approximately 10m wide narrowing to 5m with a depth of 10m.

**Description of Site:**

The access is to be located to the north of the field close to the northern field boundary which is delineated by a ditch and surrounded by vegetation. The access is to be located just to the south of an existing electricity substation. The access will be directly opposite the properties on St. Leonards Road and is located within the Metropolitan Green Belt.

**Relevant History:**

No relevant history

**Policies Applied:**

Epping Forest District Local Plan and Alterations

CP2 – Protecting the quality of the rural and built environment

GB2A – Development within the Green Belt

DBE2 – Effect on neighbouring properties

ST4 – Road safety

**SUMMARY OF REPRESENTATIONS:**

NAZEING PARISH COUNCIL: No objections. This relocation would assist in respect of road safety. A sign indicating farm vehicle could also be beneficial.

NEIGHBOURS

9 properties were consulted and a site notice erected

THE FIRS, ST. LEONARDS ROAD – Strong objection – loss of view, unacceptable place for access given speed of road, no security in place, loss of resale value

BANDOL, ST. LEONARDS ROAD – Objection – Concern over future use, increase in heavy goods vehicles

LITTLE BARN, ST. LEONARDS ROAD – Objection – already an alternative access in Laundry Lane, farm vehicles will create a traffic hazard, detrimental to visual amenity, significant effect on the value of properties, concern over future use

Any additional neighbour comments received will be reported verbally to committee.

**Issues and Considerations:**

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

- Highway Safety
- Impact on neighbouring amenity
- Potential for flood risk

#### Highway Safety

The proposal will see the removal of 2 (albeit old) accesses on St. Leonards Road. The two old accesses are located within the area of St. Leonards Road that has the national speed limit, whereas the proposed access is within the 30mph section of the road. The Essex County Council Highways Officer has no objection to the proposal as it will remove two substandard accesses and create one safe one and is therefore considered a highway gain.

It has been brought to the Council's attention that there is an alternative access within Laundry Lane to this field that has not been shown on the submitted plan. This alternative access does not alter the Highway Officer's view as the proposal removes the substandard accesses from St Leonards Road which is classed as a main distributor. It is not unreasonable for a field of this size to have more than one access point. The Highways Officer has suggested several conditions to ensure the removal of the existing access points on St. Leonards Road and to prevent highway hazards including a condition to ensure surface water does not enter the highway.

#### Amenity

The proposal does not directly adjoin any neighbouring residential properties. However, the residential properties along St. Leonards Road face directly onto the site. Although loss of view has been cited as a reason for objection this is not a planning consideration. Although the streetscene will alter for residents of these properties it is not considered that a field access even with the hardstanding is out of keeping with this edge of countryside location and therefore is acceptable in terms of visual amenity.

#### Flood risk

The application site lies in an area designated by Epping Forest District Council as an area of intermediate surface area flooding. Although there may be a small increase in run off due to this area of hardstanding, it is considered that the Highways Officer's suggested condition to prevent water entering the highway will prevent any highway safety risk. The Council's Land Drainage team has also been consulted on this application, however their comments have not been returned in time for this report and will be reported verbally to Committee if any received.

#### Other Matters

Several comments have been raised with regards to a possible future use of the site, and it is the Council's understanding that the field is currently up for sale as individual plots. However, any change of use of the site from agricultural will require planning permission and as this application has been made solely on the basis of a new access, this is all that can be assessed within this application.

#### **Conclusion:**

The proposed access is considered generally acceptable subject to appropriate conditions to ensure highway safety. 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:***

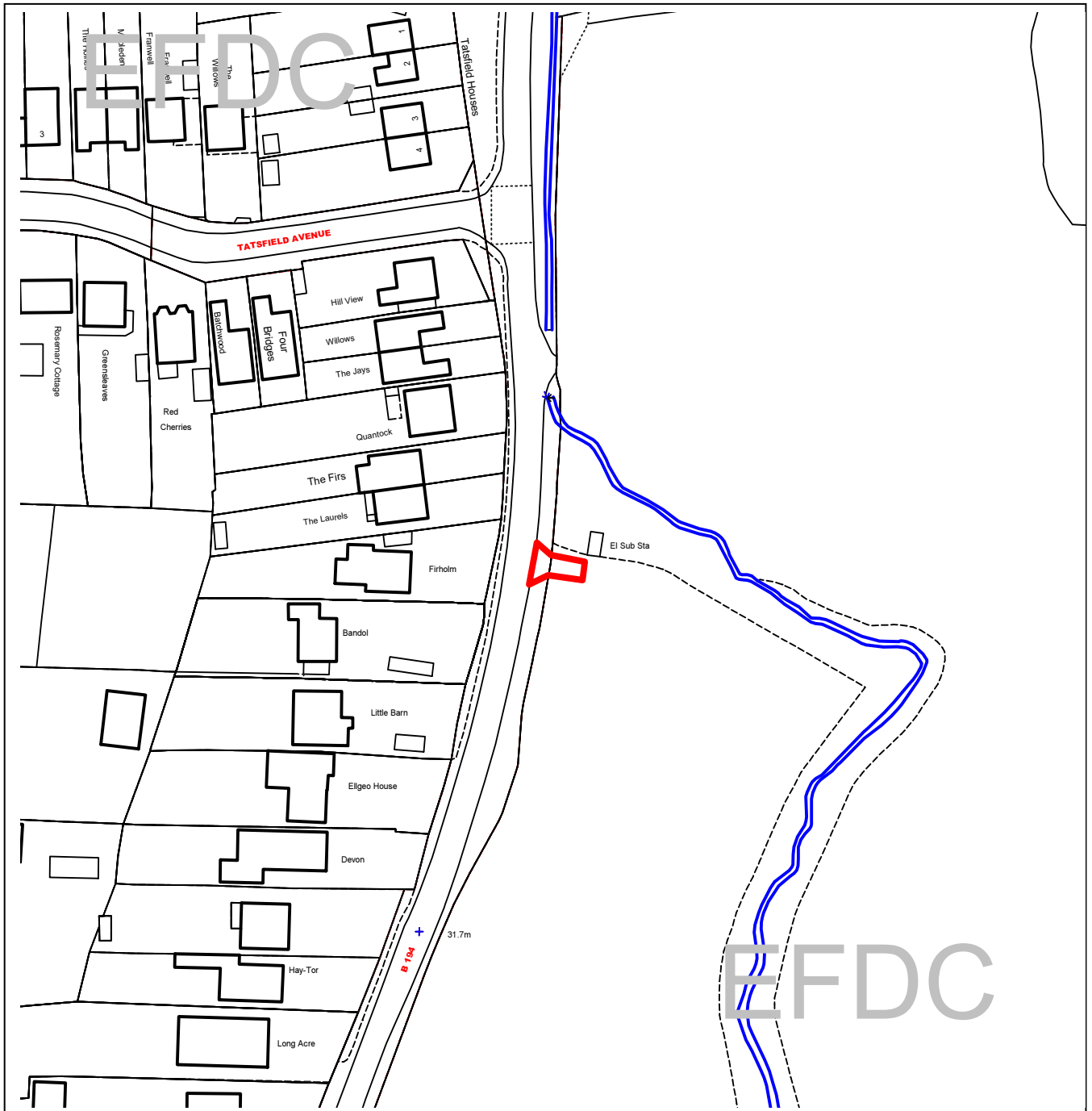
***Planning Application Case Officer: Marie-Claire Tovey  
Direct Line Telephone Number: 01992 564371***

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



# Epping Forest District Council

## Area Planning Sub-Committee West



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

<b>Agenda Item Number:</b>	<b>5</b>
Application Number:	EPF/0861/11
Site Name:	St Leonards Farm, St Leonards Road Nazeing, EN9 2HG
Scale of Plot:	1/1250

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/0917/11
<b>SITE ADDRESS:</b>	Land Between Meadgate Road, Nazeing and Lower Lock, Roydon Adj to the Nazeing Meads Lagoons, River Lee Navigation, River Lee and River Stort.
<b>PARISH:</b>	Nazeing Roydon
<b>WARD:</b>	Lower Nazeing Roydon
<b>APPLICANT:</b>	Lee Valley Regional Park Authority
<b>DESCRIPTION OF PROPOSAL:</b>	Creation of 3.2km long section of Lee Valley Pathway between Meadgate Road, Nazeing and Lower Lock, Roydon, including new fencing, gates, seating bays and cycle stands.
<b>RECOMMENDED DECISION:</b>	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=527780](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=527780)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Submitted Ordnance Survey Location Plan; 3018P/00\_01; 3018P/00\_02; 3018\_01; 3018\_02; 3018\_03; 3018\_04; 3018\_05; 3018\_06; 3018\_07; 3018\_08; 3018\_09; 3018\_010; 3018\_011; 3018\_012; 3018\_013; 3018\_014; 3018P/04\_01; 3018P/04\_02; 3018P/04\_04; 3018P/04\_05; 3018P/04\_06; 3018P/04\_07; 3018P/04\_08
- 3 Materials to be used for the external finishes of the proposed development shall match those specified within the submitted planning application, unless otherwise agreed in writing by the Local Planning Authority.
- 4 Prior to commencement of works within the proximity of Fields Pit, a Method Statement for working close to Water Vole habitat shall be submitted to and agreed in writing by the Local Planning Authority, unless the commissioned survey show no presence of Water Voles, as agreed in writing by the Local Planning Authority.
- 5 The development shall be carried out in accordance with the submitted Flood Risk Assessment produced by Andrew Wright, and the following mitigation measures (as details within the FRA):
  - Provision of compensatory flood storage on or in the vicinity of the site to a 1 in 100 year plus climate change standard.

- 6 The development hereby permitted shall not be commenced until such time as a scheme to ensure no raising of ground levels (and no deposit of storage of spoil or materials) in the part of the site lying within the 1 in 100 year defended floodplain (including the required allowance for climate change), has been submitted to, and agreed in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved scheme and subsequently maintained as such thereafter.
- 7 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 8 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.  
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]
- 9 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.



[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]

- 10 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report (referred to in PPS23 as a Validation Report) that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 11 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

*This application is before this Committee since it is an application that is considered by the Director of Planning and Economic Development as appropriate to be presented for a Committee decision (Pursuant to Section CL56, Schedule A (k) of the Council's Delegated Functions).*

### **Description of Proposal:**

Consent is being sought for the creation and upgrading of a 3.25km long section of path within the Lee Valley Regional Park. 1.75km of the length of this would require the laying of a new 2.5m wide pathway of Type 1 material to replace existing grass paths, whilst the remaining 1.5km consists of existing hardstanding tracks. The works would also involve the installation of 4 no. sets of 2 staggered gates (each being 1.85m wide and 1.4m in height), 3 no. seating bays with cycle stands, 150m of new fencing consisting of 1.4m high timber posts and 800mm wire stock proof fencing), 2 no. timber bridges (2.5m wide and 3m deep with 1.4m high sidings), and 40.5m of 1.5m high post and rail fencing.

### **Description of Site:**

The path is an existing public right of way located adjacent to various lakes and waterways between Meadgate Road, Nazeing, and Lower Lock, Roydon.

The route of the pathway (from South to North) is as follows:

- The path runs parallel to the rough track section of Meadgate Road;
- then turns north and utilises the existing tree-lined track adjacent to the River Lee Navigation (referred to as 'the enclosure road');
- then runs east along the route of an existing grassed track between the housing along Dobbs Weir Road and Nazeing Works Lagoon;
- then runs north adjacent to the houses to meet Dobbs Weir Road;
- this then crosses Dobbs Weir Road and runs 1km north along the tree-lined EA access track;

- the path then crosses over an existing bridge spanning the EA Flood Relief Channel and then follows an existing grassed path around the perimeter of Glen Faba and a small neighbouring lake;
- and finally branches North to terminate at Lower Lock.

**Relevant History:**

None

**Summary of Representations:**

26 neighbouring properties were consulted and multiple Site Notices were erected along the length of the pathway on 01/06/11.

PARISH COUNCIL – No objections but could ‘no motorcycles’ signs be erected along the path?

BRIGHTVIEW, BLYTHE ROAD – Object due to the resulting anti-social behaviour that would result from cyclists using the current grassed path sections.

BRETELENS, BLYTHE ROAD – Object due to the loss of privacy that would occur to adjacent properties and due to the impact on local wildlife.

GRENVILLE, DOBBS WEIR ROAD – Object due to the impact on security of adjacent houses and safety of those who walk the route.

CHINEDIE, ELDON ROAD – Object due to the introduction of cycling to this footpath, as there is no need for an alternative route, and as this would not respect and enhance the environment and locality.

MAYBROOK, ELDON ROAD – Object as the path would be too near the adjacent houses, this would impact on the security of these properties, the proposal would be detrimental to existing wildlife, and due to the impact on walkers on the existing path – Included a **PETITION SIGNED BY 63 RESIDENTS**

**Policies Applied:**

CP2 – Protecting the quality of the rural and built environment

CP3 – New development

GB2A – Development in the Green Belt

GB10 – Development in the LVRP

NC4 – Protection of established habitat

RP5A – Adverse environmental impacts

RST1 – Recreational, sporting and tourist facilities

RST2 – Enhance right of way network

RST23 – Outdoor leisure uses in the LVRP

RST24 – Design and location of development in the LVRP

U2A – Development in flood risk areas

U3A – Catchment effects

LL1 – Rural landscape

LL2 – Inappropriate rural development

LL10 – Adequacy of provision for landscape retention

## **Issues and Considerations:**

The proposed development would upgrade and improve an existing path within the Lee Valley Regional Park. The majority of works to this would consist of the laying of a hard surface along some 1.75km of the route and the construction/installation of seating bays, fencing, bridges and gates. The proposed path would form part of a larger scheme to provide an alternative route to the Lea Valley Walk, which is mainly located along the Lee Navigation towpath, and is part of Route 1 of the Sustrans national cycle network, which will eventually stretch from Dover to Edinburgh.

The resurfaced sections of path would consist of the 400m length of existing grassed path running parallel to the rough track section of Meadgate Road, the 250m length of existing grassed path that runs adjacent to the dwellings located in Dobbs Weir, the 90m stretch of path between Dobbs Weir Road and the existing EA access road, and the 970m length around the perimeter of Glen Faba. The new path to be laid in these areas would be 2.5m wide with timber edging and compacted pink granite fines finish in line with the LVRPA standard specification. The type of path can be seen elsewhere within the Lea Valley Regional Park and is not considered detrimental to the overall character and appearance of the Green Belt or the LVRP.

The area of path following the EA access track will be largely untouched as it is already suitable for all manner of users (bikes and pedestrians). The contentious part of this application seems to be the section running to the rear of the properties in Dobbs Weir. A concern of these neighbouring residents is the security implications to their dwellings (many of which have informal access onto the track – however apparently do not have a legal right of way onto the land) and the impact on pedestrians using the track. The key consideration here is that there is an existing pathway along this route. Whilst the existing pathway is narrow in places, which may deter some cyclists, it is available for use by both walkers and cyclists, and therefore this development would not be introducing anything not currently available on site.

There is further argument that enlarging the path will make this a safer route for walkers, who will have less conflict with cyclists due to the increased width of the pathway. Furthermore, by encouraging greater use of this pathway this may in fact deter any criminal or anti-social behaviour along this stretch.

Concern has also been raised from residents with regards to the crossing point on Dobbs Weir Road. Essex County Council Highways have looked into this matter previously with regards to the development and do not raise any objection to this as the pathway exists and the 'informal crossing point' has existed for several years. Therefore, as the development does not alter the current situation, there are no highway safety concerns or any requirement for additional crossing points to be added to Dobbs Weir Road.

This application forms part of a larger scheme to improve access throughout the Lee Valley Regional Park and is considered extremely important to the LVRPA. The development complies with Local Planning Policies and Central Government guidance regarding improving public rights of way, access to recreational land, and encouraging sustainable transport. This development would therefore have wider benefits and would improve the tourism and recreational facilities of both the Lee Valley Regional Park and Epping Forest District as a whole, which is a material consideration that may be considered to outweigh any perceived harm from the proposal.

The new path would follow the line of existing paths, and the works to existing vegetation required to necessitate the development has already been undertaken as part of the LVRPA's requirement to manage vegetation, and the method of construction of the path and proposed fencing/furniture is considered acceptable to ensure that trees and vegetation will not be unduly harmed by the development. Furthermore, given the applicant and objective of the development, the LPA is satisfied that care will be taken during the construction of the path.

There has been no objection raised with regards to the impact on existing ecology and habitats. There is evidence of water voles in the sedge and reedbeds at Fieldes Pit, which is being fully surveyed, however it is considered that a condition regarding the drawing up of Working Method Statements would be sufficient to deal with this issue.

Whilst part of the path would be located within Environment Agency Floodzones 2 and 3, the Environment Agency does not raise an objection to the proposed development, subject to suitable conditions including commencement in accordance with the submitted Flood Risk Assessment.

The application site runs over several filled gravel pits, and therefore is identified as a potentially contaminated site. Due to this a contaminated land survey will be required prior to works commencing, which can be secured by condition.

**Conclusion:**

Due to the above, the development complies with the relevant Local Plan policies and is therefore recommended for approval, subject to conditions.

***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:***

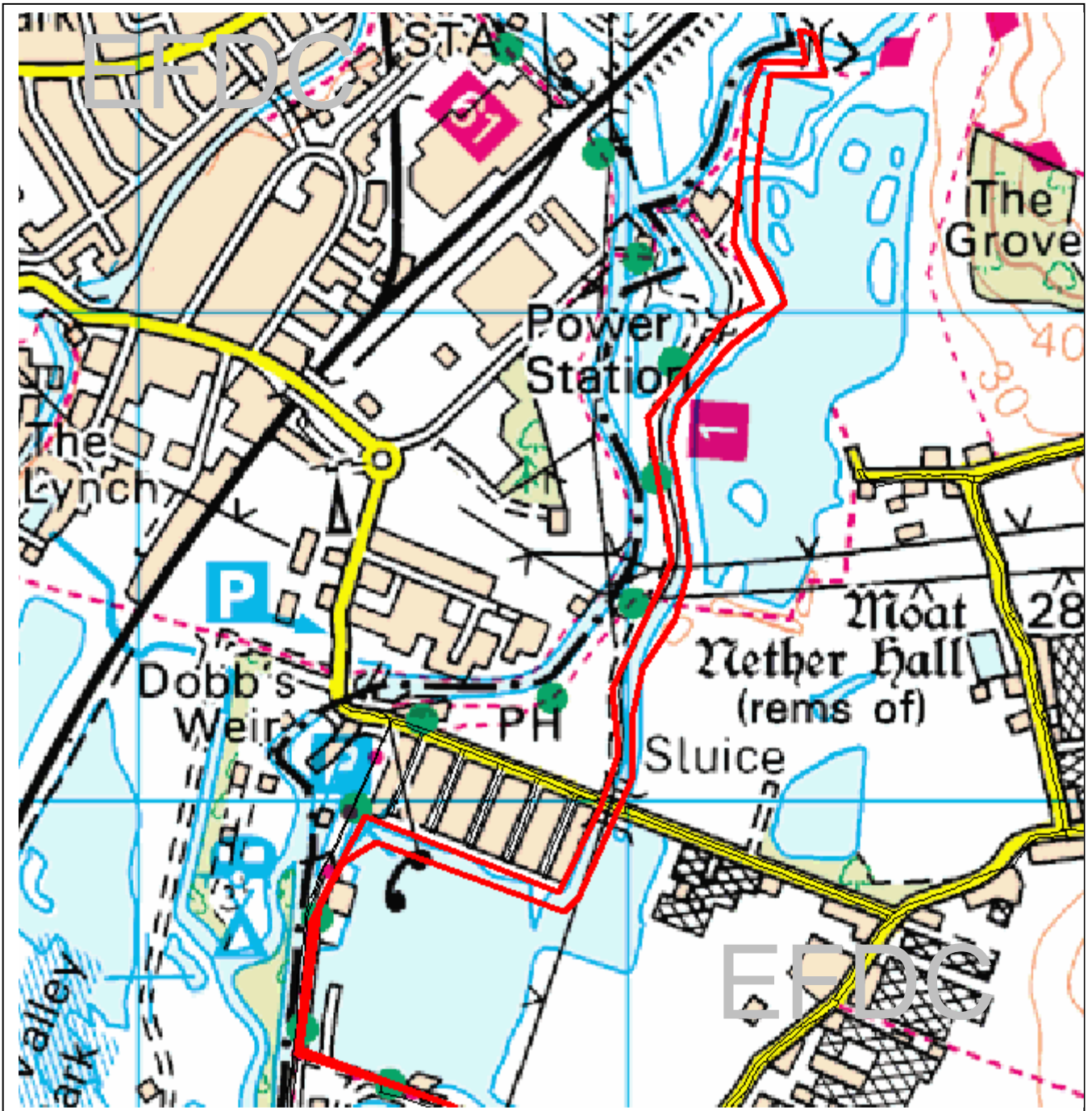
***Planning Application Case Officer: Graham Courtney  
Direct Line Telephone Number: 01992 564228***

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



# Epping Forest District Council

Area Planning Sub-Committee West



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

<b>Agenda Item Number:</b>	6
Application Number:	EPF/0917/11
Site Name:	Land Between Meadgate Road, Nazeing and Lower Lock, Roydon Adj to the Nazeing Meads Lagoons, River Lee Navigation, River Lee and River Stort.
Scale of Plot:	1/12,500

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/0935/11
<b>SITE ADDRESS:</b>	Roydon Mill Leisure Park High Street Roydon Harlow Essex CM19 5EJ
<b>PARISH:</b>	Roydon
<b>WARD:</b>	Roydon
<b>APPLICANT:</b>	Roydon Mill Lodges LLP
<b>DESCRIPTION OF PROPOSAL:</b>	Variation of condition 13 (Re Access road improvements) of planning approval EPF/2113/08. (Creation of a marina with moorings for up to 315 boats and associated facilities, including new lock with the River Stort Navigation, facilities building, workshop, fuel storage tank and 77 parking spaces)
<b>RECOMMENDED DECISION:</b>	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=527841](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=527841)

**CONDITIONS**

- 1 The works to the access to the site shown on drawing number S81902-D-002RevB (Proposed Site Access Arrangement) shall be completed within 2 months of the date of this decision and the approved passing bays, lighting, reflective bollards and signage shall be retained and maintained hereafter unless otherwise agreed in writing by the Local Planning Authority.

*This application is before this Committee as it is for a form of development that can not be approved at Officer level if there are more than two expressions of objection to the proposal. (Pursuant to Section CL56, Schedule A(f) of the Council's Delegated functions).*

**Description of Proposal:**

This application is an application to vary condition 13 of planning approval EPF/2113/08 for the creation of a marina for the mooring of up to 315 boats on the existing lake at Roydon Mill for recreational purposes.

Condition 13 states- "No part of the development hereby authorised shall be brought into use until the highway improvement works shown on drawing number 5166G(PI) 201 R and set out in JNP Groups Summary of Safety Improvements to the Existing Access way (the Approved Details) have been completed in accordance with the approved details."

The Marina has been completed and has come into use, but the works that have taken place on the access road do not match those that were set out in the Approved Details. As such the developer is in contravention of the condition. This application puts forward alternative changes to the access way, the majority of which have been done at the behest of British Waterways who own the access road.

The changes include;

- upgrading the existing lighting columns rather than installing low level bollard lighting along the length of the canal.
- Replacing the low level lighting bollards adjacent to the canal with timber reflective bollards
- Upgrading the informal western passing bay to a formal passing bay, rather than introducing a replacement formal bay 15m further west.

The proposals include the provision of new signage relating to the passing places, 15mph speed limit, warning of pedestrians and to beware of oncoming traffic in the middle of the road.

### **Description of Site:**

The approved Marina has been created on the lake that was part of the old Roydon Mill Leisure Park Site. The access road that is the subject of this application is the tow path road that runs adjacent to the canal from the access point on Roydon High Street, (just south of the level crossing) to the entrance to the caravan site, a distance of about 400 metres. The roadway is owned by British Waterways and provides vehicular and pedestrian to the caravan site and to the marina, and is also used as a cycleway and provides access to public footpaths.

### **Relevant History:**

The leisure park has an extensive planning history, most recently the marina application

EPF/2113/08 was approved in 2009. Before that consent was given for new bases for a reduced number of mobile homes and for a new club house building as part of a redevelopment and refurbishment of the caravan site to bring it up to modern standards.

### **Policies Applied:**

GB10 Development in the LVRP  
RP5A Adverse environmental impacts  
ST2 Accessibility of Development  
ST4 Road safety

### **Summary of Representations:**

As well as statutory consultees 80 neighbouring properties (all those consulted on the original Marina application) were consulted and a site notice was erected, the following representations were received;

PARISH COUNCIL- No objection to this retrospective application but concern that walkers and cyclists have not been adequately considered.

LEE VALLEY PARK – Raise concern regarding potential light spillage from the proposed upgrade of the lighting columns, suggest cowls and baffles to reduce spillage and mechanism so lights only switch on when a vehicle is using the access, to reduce impact on bats. Note that the scheme does not include measures to make easier access from the Stort towpath onto the access way, suggest it would be preferable if the existing stepped access were changed to a ramp for the benefit of wheelchair users and cyclists using the Roydon Loop Path.

BRITISH WATERWAYS – The developer has been in contact with our engineer for some time to improve the safety of the access road with improved traffic management, including for the pedestrians and cyclists along the “Stort Way” The scheme to do this was agreed. We feel this current variation is acceptable. However the overall position concerning access is not ideal.

11 THE GRANARY- If the variation is what I think, i.e. that a passing bay is to be built at the rear of our property then I object. Concerned about environmental intrusion and damage to fence. Already been damage to the kerbstones, marked increase in large vehicles in the recent past.

2 THE GRANARY – Object. The number of parking spaces is inadequate for the size of the development. Cars and vans from the site already park in The Granary overnight causing a safety hazard.

TEMPLE FARM, adjacent landowner – Note the proposed relocation of passing bays, this is not of concern to us. However note loss of a separate footpath/cycleway adjoining the access, removal of the bollards and hence removal of a segregated footpath/cycleway causes concern over safety. Also wonder whether there are any implications from the review of level crossings that Network Rail is due to undertake.

1 TEMPLE FARM COTTAGES, 76 HIGH STREET, Roydon: Concerns regarding the size of the development. 315 moorings will overwhelm the village, the B181 is too narrow and unsuitable for additional traffic, there is already congestion from commuters, traffic and movement of diggers, HGV's etc will cause problems.

### **Issues and Considerations:**

Planning permission was granted for the development of the marina with only relatively minor changes to the access road on the basis of a comprehensive traffic assessment that indicated that the marina use would not lead to an unacceptable traffic increase in the locality or utilising the access road.

There is no scope when considering this application to vary condition 13, to reopen the debate about access and parking. I include below, for information only, the “Highways Issues” section of the officer’s committee report for the Marina application which concluded that the scheme would have only minimal impact on traffic in the locality compared to the previous levels of activity associated with the site.

#### *“Highway Issues*

*The proposal clearly involves a significant intensification of the use of the Roydon Mill Lake and considerable concern has been raised by neighbours with regard to the vehicular access to the site and the amount of parking proposed. Vehicular access to the site is, as for the adjacent caravan park, from the High Street just south of the Level Crossing and along the tow path road. This road is narrow with poor passing places and includes a humped back bridge with no view of the road ahead, as such there is legitimate concern about any development that may increase vehicular traffic along this track.*

*However, we need to look at the historic use of this path. The number of mobile homes within the leisure park has recently been significantly reduced and the large field to the east of the caravan park can no longer be used for camping, the applicants have submitted a transport statement with the application which concludes that the proposed marina use will not result in a significant increase in traffic utilising this access, over that which has recently taken place. The assessment also found that in the three years prior to the survey there were no reported accidents within the vicinity of the access junction with the B181.*

*The scheme proposes the introduction of 77 additional parking spaces to provide for visitors to the Marina, the number has been calculated based on British Waterways figures and have been*



*agreed with the Highways officer from County. Although the number may seem small in comparison to the number of boats proposed, figures based on similar developments elsewhere suggest that this will be sufficient.*

*The marina proposals do not include a café and it is not intended that it will be a destination for non boat owners and as such it is predicted that the maximum traffic generation (on a summer Sunday afternoon) between 1500 and 1700 hours would be 45, and this is the figure on which the transport assessment was based.*

*The provision of a workshop and boatyard within the site itself with a slipway from the marina is intended to provide maintenance and repair of boats without the need for them to be transported by road off site. It is intended that boats will access the marina only from the surrounding waterways. Although there will be some additional larger traffic movements of service vehicles and fuel tankers in connection with the use, these have been taken into account in the transport survey.*

*The conclusion is that the scheme will have minimal impact on the traffic in the locality compared to the previous levels of activity associated with the caravan park and tent field, prior to its redevelopment, and the County Highways Officer agrees this conclusion.*

*Despite this, the application affords an opportunity to improve the current unsatisfactory access road, and the applicant has been in discussion with British Waterways, who own the tow path, to bring forward improvements to the safety of the road. A drawing has been produced which proposes low level lighting along the side of the canal, to improve visibility of the edge, improved passing places and improved surfacing, all of which will make the access safer. With the agreement of British Waterways it is intended to condition that details of these works are submitted and the works completed prior to the first use of the site as a marina.”*

The only considerations in the determination of this application to vary condition 13 relate to whether the changes proposed to the details of the access road provide an equivalent level of safety and ease of access to those details previously approved, and whether any of the changes proposed would have an unacceptably adverse impact on the amenities of adjacent residents, or the visual amenity of the area.

#### Highway safety

There are no proposed changes to the actual junction with the High Street and as such the works do not affect a public highway and the Highway Authority does not wish to raise objection.

Neither the original access way, (prior to works being carried out) nor the previously approved scheme included any segregation of vehicles from pedestrians and cyclists. It is a shared surface. The roadway varies in width from 4m to just 3.3m and it is not considered that this provides adequate width for satisfactory segregation.

The scheme includes resurfacing of the road, which prior to the work had become quite potholed.

The scheme provides 2 passing places. The first is located in the position where there was previously an informal passing place just before the roadway narrows, about 150 metres from the junction with the High Road. The informal passing place has been widened and resurfaced and the proposals include signage. The approved drawing indicated the removal of this informal bay and the provision of a new bay immediately to the west of the proposed position. The second bay remains in the original position and is unchanged from that shown on the approved drawing. The reason for the small change in the position of the first bay, from that originally approved, is that the developer was in dispute with an adjacent landowner over the ownership of part of the land included in that passing area, which prevented them from carrying out the work. In highway safety terms it is not considered that the small increase in distance between the two passing places (from about 120m to about 135m) is significant.

The approved scheme proposed 35 low level lighting bollards along the edge of the canal, however in discussion with British Waterways this proposal has been amended to introduce

instead about twice as many wooden bollards with reflectors set into the roadway on the canal side. These provide a better road edge demarcation and because they are relatively close together they reduce the possibility of cars attempting to pull over adjacent to the canal or indeed ending up in the canal. In addition there was concern that the lighting bollards would have encouraged pedestrians to walk close to these lights adjacent to the canal, raising the possibility of them stumbling on the grass verge and potentially falling into the canal.

The existing lamp posts along the roadway have been fitted with new heads and it is considered that they will provide adequate light for any pedestrians using the access way making them more likely to stay away from the canal bank. This work did not require planning permission.

The proposed signage is the same as that shown on the approved drawing and is considered suitable to inform people of the positions of passing places, the speed limit of 15mph, the possibility of oncoming traffic in the middle of the road and to be aware of pedestrians.

It is considered that the revised scheme is a significant improvement on the pre-marina development access road and that it provides improvement and safety levels at least equivalent to, if not better than those originally envisaged and required by Condition 13.

#### Visual Amenity

In visual terms the only real change is the swap from low level lighting bollards to simple timber posts with reflectors. It is considered that the proposed posts are appropriate to the rural location adjacent to the canal and that there is no harm to visual amenity. In terms of lighting, the original lamp posts have simply been refurbished and as such there is no change to visual amenity. These posts were not shown to be removed on the original plan and it is not considered therefore that there is any increased impact as a result.

#### Residential amenity

The occupants of Number 11 The Granary have raised concern regarding the position of the first passing bay, which is adjacent to their rear garden boundary. (rather than about 15 metres further west) However this has been an informal passing bay for many years and this proposal simply formalises that situation, with slight widening, resurfacing and suitable signage. There is in addition a thick hedgerow along this boundary which will protect the amenity of occupants to some extent. Whilst it is understood that during the construction period of the Marina there will have been an increase in HGV traffic which may have caused disturbance and damage, as has been explained, it is not expected that the operation of the marina will result in excessive traffic or HGV movements and as such it is not considered that there will be excessive impact on residential amenity from the proposal.

#### Other issues.

Impact of lighting on bats: The LVRPA have raised concern regarding the possible impact of the new lighting heads on bats. These works could have been carried out without the need for consent. They are existing lamp posts. The lighting level proposed is not considered excessive and the lighting is directed onto the roadway and not up into the sky. As such it is not considered that there will be an excessive impact.

Disabled and cycle access from the access way to the Roydon Loop path: At present there are steps down from the access way on to the Roydon Loop cycleway. The previously approved access improvement plan did not include any change to this and although it is accepted that provision of a ramped link would benefit cyclists and disabled people, such works are not directly related to the original application and includes work outside the application site which cannot be required by condition.

Future review of Level Crossings Network Rail: This has been raised by a neighbour but it is not part of our considerations in regard to this variation of condition application, the access and the

use are already approved and it is not considered that the details of lighting, signage or bollards will be impacted by any review of the level crossing that may take place.

**Conclusion:**

In conclusion it is considered that the details now put forward with regard to the improvements to the access road to the approved marina provide comparable or improved safety and will not adversely affect amenity and are therefore acceptable, in accordance with the policies of the adopted Local Plan. It is therefore recommended that the variation of condition 13 be agreed subject to the imposition of a revised condition to read:

“The works to the access to the site shown on drawing number S81902-D-002RevB (Proposed Site Access Arrangement) shall be completed within 2 months of the date of this decision and the approved passing bays, lighting, reflective bollards and signage shall be retained and maintained hereafter unless otherwise agreed in writing by the Local Planning Authority.”

***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:***

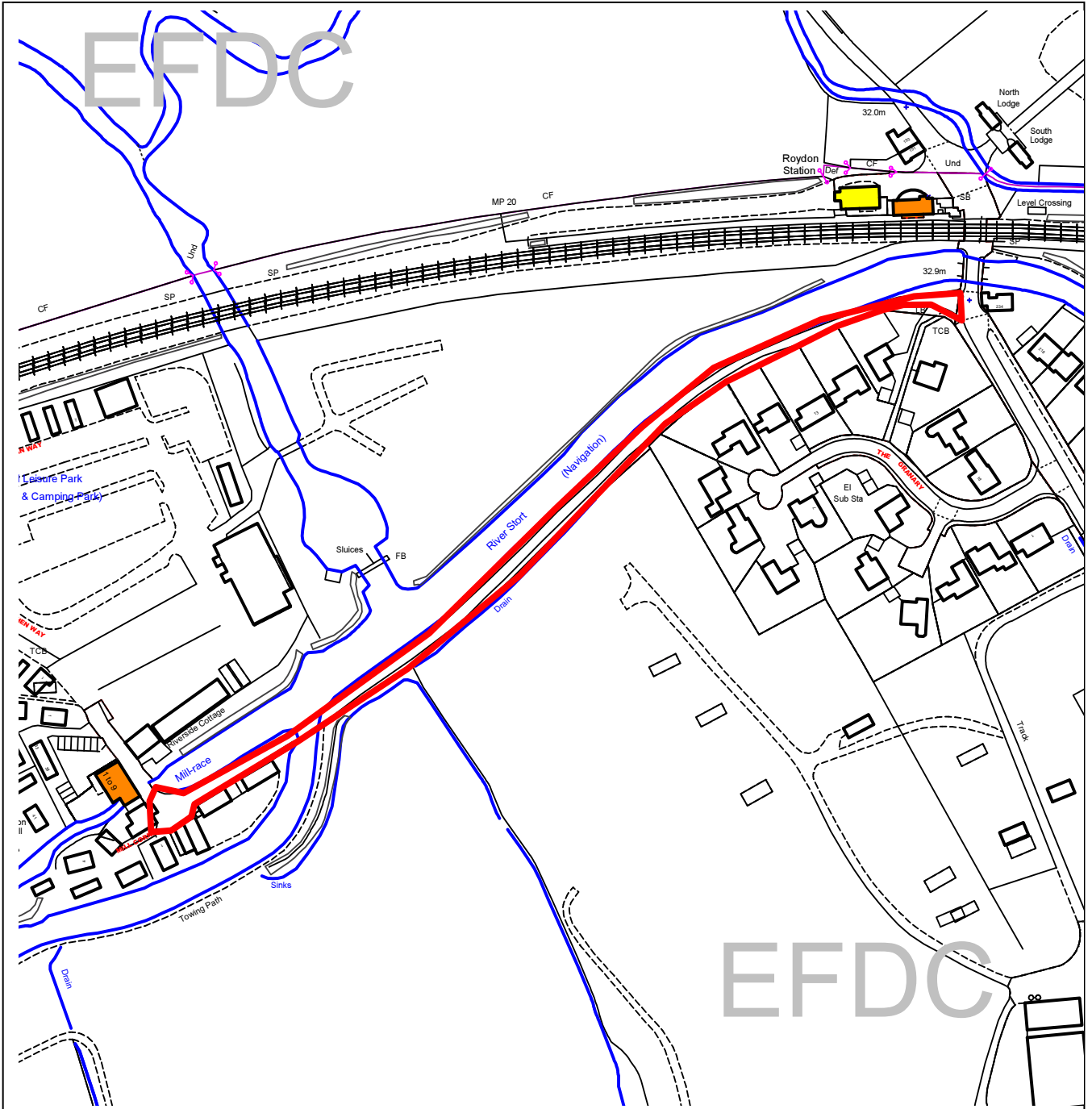
***Planning Application Case Officer: Jill Shingler  
Direct Line Telephone Number: 01992 564106***

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



# Epping Forest District Council

## Area Planning Sub-Committee West



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

<b>Agenda Item Number:</b>	<b>7</b>
Application Number:	EPF/0935/11
Site Name:	Roydon Mill Leisure Park, High Street, Roydon, CM19 5EJ
Scale of Plot:	1/1250

**Report Item No: 8**

<b>APPLICATION No:</b>	EPF/1040/11
<b>SITE ADDRESS:</b>	10 Hamlet Hill Roydon Harlow Essex CM19 5LA
<b>PARISH:</b>	Roydon
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>APPLICANT:</b>	Mr Keith Brown
<b>DESCRIPTION OF PROPOSAL:</b>	Conversion of existing double garage to annexe.
<b>RECOMMENDED DECISION:</b>	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=528236](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=528236)

**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 proposed development shall only be used as ancillary accommodation for the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling known as 10 Hamlet Hill.
- 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 E shall be undertaken without the prior written permission of the Local Planning Authority.

*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:**

Conversion of existing double garage to annexe. The garage is in the rear garden of No. 10 Hamlet Hill and does not include any external alteration.

**Description of Site:**

The application site is a detached dwelling situated within a row of properties located on Hamlet Hill. There is a rear vehicle access to the site which is from Barn Hill and the garage is to the rear of this site adjacent to this access. There is existing parking to the side of the garage on an area

of hardstanding. The application site is within the Metropolitan Green Belt but not a Conservation Area.

### **Relevant History:**

Various extensions over the years the most relevant of which:

EPF/1049/98 – Extension to outbuilding (amended scheme) – App/Con – A condition was added to this decision to ensure the garage was retained for the parking of cars along with any domestic ancillary storage.

### **Policies Applied:**

#### Epping Forest District Local Plan and Alterations

CP2 - Quality of Rural and Built Environment

GB2A – Development within the Green Belt

DBE4 – Design within the Green Belt

DBE9 – Impact on amenity

ST6 – Vehicle Parking

### **SUMMARY OF REPRESENTATIONS:**

ROYDON PARISH COUNCIL: Object – The Parish Council has concerns over parking. This conversion will leave the property with no off street parking. There is no parking on Hamlet Hill and Barn Hill is a private road.

#### NEIGHBOURS

4 properties were consulted– no responses received

### **Issues and Considerations:**

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

- Impact on Neighbouring Amenity
- Appropriateness in the Green Belt
- Provision of Parking

#### Impact on Neighbouring Amenity

There is no change to the appearance of the building proposed and therefore it is not considered to result in any significant impact on neighbours in terms of visual impact, loss of outlook or light. The existing windows are to be retained, however it is not considered it will give rise to a significant degree of loss of privacy to any neighbouring property.

#### Green Belt

The building is an existing building within the green belt and therefore it's conversion is not considered to have any greater impact on the character and openness of the green belt than the current garage/storage use. To control the need for any further outbuildings at this property, permitted development rights for any future outbuildings under Class E could also be removed to protect the character of the green belt in this location.

A condition can also be added to any permission granted to ensure that the annexe can only be used as ancillary accommodation to avoid a new separate dwelling in the green belt which would be considered inappropriate.

#### Provision of Parking

The Parish Council have objected specifically to the loss of parking at the application site, however this is not considered a significant issue as there is ample parking available on the adjacent hardstanding which is also accessed from Barn Hill. The Essex County Council Highways Officer has no objection to the scheme as it is not contrary to the Highway Authority's Policies. The Highway Officer considers that there is still enough room to park at least 3 cars at the property which exceeds the current Parking Standards in any event.

Furthermore the removal of permitted development rights for outbuildings will ensure that if in the future a proposal is submitted for an outbuilding on the existing hardstanding the loss of parking can be fully assessed at that time.

**Conclusion:**

The conversion of the garage is considered generally acceptable and approval subject to conditions 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:***

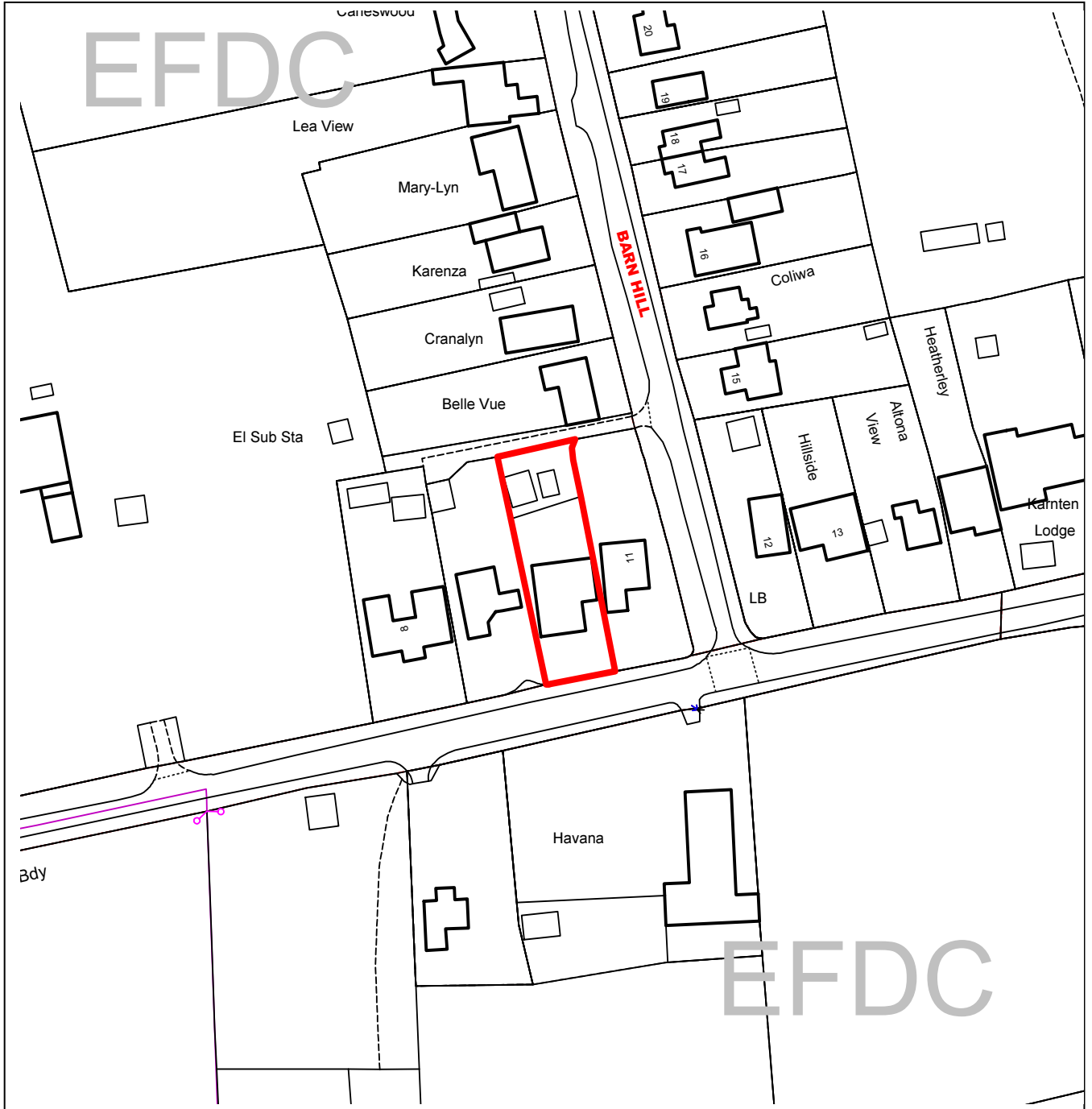
***Planning Application Case Officer: Marie-Claire Tovey  
Direct Line Telephone Number: 01992 564371***

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



# Epping Forest District Council

## Area Planning Sub-Committee West



The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

EFDC licence No.100018534

<b>Agenda Item Number:</b>	<b>8</b>
Application Number:	EPF/1040/11
Site Name:	10 Hamlet Hill, Roydon, CM19 5LA
Scale of Plot:	1/1250