

Committee Agenda



**Webcast
Meeting**



**Epping Forest
District Council**

Area Planning Subcommittee West Wednesday, 31st August, 2011

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

Room: Council Chamber

Time: 7.30 pm

Democratic Services Officer Adrian Hendry - The Office of the Chief Executive
Email: 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 7.00 P.M. IN COMMITTEE ROOM 1 ON THE DAY OF THE SUB-COMMITTEE.

WEBCASTING NOTICE

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

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

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

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

1. WEBCASTING INTRODUCTION

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

2. The Chairman will read the following announcement:

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

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

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

2. ADVICE TO PUBLIC AND SPEAKERS AT COUNCIL PLANNING SUBCOMMITTEES (Pages 5 - 8)

General advice to people attending the meeting is attached.

3. APOLOGIES FOR ABSENCE

4. MINUTES (Pages 9 - 26)

To confirm the minutes of the last meeting of the Sub-Committee held on 6 July 2011 as a correct record (attached). The scheduled meeting of 3 August was cancelled.

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 27 - 42)

(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. PICKS COTTAGE, SEWARDSTONE ROAD, LONDON E4 7RA (Pages 43 - 44)

(Director of Planning and Economic Development) To consider the attached report.

9. 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.

10. EXCLUSION OF PUBLIC AND PRESS

Exclusion

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

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

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

Confidential Items Commencement

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

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

Background Papers

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

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

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

Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

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

When and where is the meeting?

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

Can I speak?

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

Who can speak?

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

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

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

What can I say?

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

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

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

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

How are the applications considered?

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

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

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

Further Information?

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

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:** 6 July 2011

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

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

Other Councillors:

Apologies: J Collier, W Pryor and Mrs M Sartin

Officers Present: J Godden (Planning Officer), M Jenkins (Democratic Services Assistant) and A Hendry (Democratic Services Officer)

9. 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.

10. 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.

11. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 8 June 2011 be taken as read and signed by the Chairman as a correct record.

12. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillors Ms S Stavrou and Mrs E Webster, declared personal interests in the following items of the agenda by virtue of being members of the Lea Valley Regional Park Authority. The Councillors stated that their interests were prejudicial and that they would leave the meeting for the duration of the discussion on the items and voting thereon:

- EPF/0242/11 Rosemary and Dobbs Weir, Weir Café, Dobbs Weir Road, Roydon; and

- EPF/0917/11 Land Between Meadgate Road Nursery and Lower Lock, Roydon adj to the Nazeing Meads Lagoon, River Lee Navigation, River Lee and River Stort

(b) Pursuant to the Council's Code of Member Conduct, Councillors R Bassett and J Wyatt, declared personal interests in the following items of the agenda by virtue of being Deputy Members of the Lea Valley Regional Park Authority. The Councillors stated that their interests were prejudicial and that they would leave the meeting for the duration of the discussion on the items and voting thereon:

- EPF/0242/11 Rosemary and Dobbs, Weir Café, Dobbs Weir Road, Roydon; and
- 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

13. ELECTION OF CHAIRMAN FOR ITEMS EPF/0242/11 AND EPF/0917/11

For agenda item (7) Development Control, Items (3) EPF/0242/11 Rosemary and Dobbs, Weir Café, Dobbs Weir Road, Roydon and (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, the Chairman and Vice Chairman had to leave the meeting because they had prejudicial interests, therefore the Democratic Services Officer requested nominations for the role of Chairman of the Sub-Committee for these two items. Councillor Mrs P Smith was elected as Chairman for the meeting for the duration of the debate on these two items only.

RESOLVED:

That Councillor Mrs P Smith be elected as Chairman of the Sub-Committee for the duration of the discussions and voting on planning applications EPF/0242/11 Rosemary and Dobbs, Weir Café, Roydon and 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 only.

14. ANY OTHER BUSINESS

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

15. 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.

16. 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

This page is intentionally left blank

Report Item No: 1

APPLICATION No:	EPF/0892/11
SITE ADDRESS:	Theydon Towers Theydon Road Epping Essex CM16 4EF
PARISH:	Theydon Bois
WARD:	Theydon Bois
DESCRIPTION OF PROPOSAL:	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
DECISION:	Removed from agenda as included in wrong sub-committee (to be heard by sub-committee East on 20 July 2011).

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=527683

Report Item No: 2

APPLICATION No:	EPF/1024/11
SITE ADDRESS:	Beaumont Villa 4 Beaumont Park Drive Roydon Harlow Essex CM19 5HB
PARISH:	Roydon
WARD:	Roydon
DESCRIPTION OF PROPOSAL:	TPO/EPF/17/84 T27 (T2 on plan) - Yew - Fell T1 on plan - Not protected G1 on plan - Not protected
DECISION:	Granted Permission (With Conditions)

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

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

Report Item No: 3

APPLICATION No:	EPF/0242/11
SITE ADDRESS:	Rosemary and Dobbs Weir Cafe Dobbs Weir Road Roydon Harlow Essex
PARISH:	Roydon
WARD:	Roydon
DESCRIPTION OF PROPOSAL:	Replacement cafe and change of use of dwelling to Bed and Breakfast accommodation.
DECISION:	Granted Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=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 22:00 on Monday to Saturday from April to October, and 08:00 to 16:00 Monday to Saturday from November to March 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.

Report Item No: 4

APPLICATION No:	EPF/0698/11
SITE ADDRESS:	Netherhall Nursery Netherhall Road Roydon Harlow Essex
PARISH:	Roydon
WARD:	Roydon
DESCRIPTION OF PROPOSAL:	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.
DECISION:	Granted Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=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.
- 13 At such time as the use of the site for glasshouse horticulture ceases, (a) the glasshouses, packhouses and other buildings, and their concrete bases hereby granted permission shall be dismantled, broken up and fully removed from the site, and (b) any broken glass contamination of the soil shall be rectified and the land returned to a condition appropriate to its previous use.

Report Item No: 5

APPLICATION No:	EPF/0861/11
SITE ADDRESS:	St Leonards Farm St Leonards Road Nazeing Waltham Abbey Essex EN9 2HG
PARISH:	Nazeing
WARD:	Lower Nazeing
DESCRIPTION OF PROPOSAL:	Relocation of vehicle access.
DECISION:	Refused Permission

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=527622

Members suggested that the proposal was also contrary to a policy in the Essex Transport Plan relating to new accesses onto a distributor road. However, this document has not yet been adopted by this Council (It is due to be considered by full Council) and as such it was not appropriate to rely on this policy in the reason for refusal.

REASON FOR REFUSAL

- 1 The proposed new access would result in unacceptable highway danger to road users by reason of its location and use, contrary to policy ST4 of the adopted Local Plan and Alterations.
- 2 The scheme would cause unacceptable flooding on the site contrary to policy U2A of the Local Plan and Alterations.

Report Item No: 6

APPLICATION No:	EPF/0917/11
SITE ADDRESS:	Land Between Meadgate Road, Nazeing and Lower Lock, Roydon Adj to the Nazeing Meads Lagoons, River Lee Navigation, River Lee and River Stort.
PARISH:	Nazeing Roydon
WARD:	Lower Nazeing Roydon
DESCRIPTION OF PROPOSAL:	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.
DECISION:	Granted Permission (With Conditions)

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

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

Report Item No: 7

APPLICATION No:	EPF/0935/11
SITE ADDRESS:	Roydon Mill Leisure Park High Street Roydon Harlow Essex CM19 5EJ
PARISH:	Roydon
WARD:	Roydon
DESCRIPTION OF PROPOSAL:	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)
DECISION:	Granted Permission (With Conditions)

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

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

Report Item No: 8

APPLICATION No:	EPF/1040/11
SITE ADDRESS:	10 Hamlet Hill Roydon Harlow Essex CM19 5LA
PARISH:	Roydon
WARD:	Broadley Common, Epping Upland and Nazeing
APPLICANT:	Mr Keith Brown
DESCRIPTION OF PROPOSAL:	Conversion of existing double garage to annexe.
RECOMMENDED DECISION:	Granted Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=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 page is intentionally left blank

AREA PLANS SUB-COMMITTEE 'WEST'

31 August 2011

INDEX OF PLANNING APPLICATIONS

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/1376/11	Thatched House, Harlow Road, Roydon, Harlow, Essex CM19 5HH	Grant Permission (With Conditions)	29
2.	EPF/0532/11	Roydon Pumping Station, Harlow Road, Roydon, Essex CM19 5HF	Grant Permission (With Conditions)	34

This page is intentionally left blank

Report Item No: 1

APPLICATION No:	EPF/1376/11
SITE ADDRESS:	Thatched House Harlow Road Roydon Harlow Essex CM19 5HH
PARISH:	Roydon
WARD:	Roydon
APPLICANT:	The Owner/Occupier
DESCRIPTION OF PROPOSAL:	TPO/EPF/82/10 T3 (T6 on plan) - Norway Maple - Fell
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=529449

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 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.
- 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 All work authorised by this consent shall be undertaken in a manner consistent with British Standard 3998 (2010) (or with any similar replacement Standard).

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

Description of Proposal:

T3.Maple. Fell.

Description of Site:

T3, a purple leaved Maple, shown as T6 on the submitted site plan, stands approximately 14 metres tall and 9 metres from the side of this two storey detached period cottage. It forms part of a screen of six trees along the bank side boundary and rear entrance on Grange Lane. A False Acacia at the front boundary and a well formed Horse Chestnut to the western side of the dwelling frame and enhance this attractive thatched cottage.

The property is located at a prominent point in the main Harlow Road leading into the village. The house sits on the brow of a hill, which increases its prominence in the street scene. Grange Lane is a residential lane featuring numerous mature Pine and Cedar .

Relevant History:

TPO/EPF/82/10 was served on four trees at this property following a notice, submitted under Conservation Area regulations, to fell six trees implicated in a minor episode of subsidence at the rear left hand, south eastern corner, of the cottage. This threat justified preserving the most important trees; T1 Horse Chestnut (T10 on plan), T2 Robinia (T2), T3 Purple Maple, (T6) and T4 Ash, (T9).

Policies Applied:

Epping Forest District Local Plan and Alterations:

LL09 Felling of preserved trees.

SUMMARY OF REPRESENTATIONS:

Three immediate neighbours were notified but no representations were received.

ROYDON PARISH COUNCIL had not made a comment at the time of writing this report. Any representations may be reported verbally at the meeting.

Issues and Considerations:

Cracks in structural walls of the applicant's house were noticed in January 2009 and reported to the insurer in September 2009. A Technical Report dates from October 2009, with data showing building movement from October 2010 until November 2011. The allegation is that the purple leaved Maple's roots are taking moisture from soil beneath the rear, south eastern, corner of the house's foundations. This action is causing the part of the house closest to the tree to subside.

The applicant's expert has submitted a statutory requirement level of technical information designed to establish a causal link between the damage occurring to the house and the roots of T3. However, the initial submitted evidence was found to be inadequate and required further monitoring data, which was received in July and provided validity to the application.

Issues

An examination of the applicant's evidence to support the subsidence allegation is summarised below.

- a) A trial pit dug near the area of damage revealed live Maple roots beneath the building's footings. There are other maples present in the vicinity but the expert's considers the roots are most likely to originate from T3, being the closest and largest of the maples.

- b) Samples from this trial pit showed a clay subsoil with occasional sand and gravel of intermediate plasticity with a moisture deficient at foundation level. The soil has some potential to shrink and swell with changes in soil moisture.
- c) The soil moisture content was tested and showed significant drying in the area of damage.
- d) The applicant's experts monitored building movement for over a year. This period shows the effects of tree roots at times of growth and during dormancy. The rear south eastern corner of the main house appears to have risen by 4.2 mm, from October 2009 to February 2010, when the tree is dormant and clay swells with rehydration. The building then resumed a downward movement of 2.5 millimetres during the next summer growing period. It is generally accepted that such cyclical movement is attributed to a vegetative influence; in this case maple roots and differs from a progressive downward movement, caused by leaking drains or settlement.

Considerations

i) Visual amenity

T3, Maple has moderate public amenity. It is partially visible from the busy Harlow Road but is largely obscured by a large Sycamore in front of it. It is the dominant tree in the line of five mostly broadleaf individuals and contributes in landscape terms with its broad richly coloured crown. Its loss will open up a moderate gap between the two remaining groups of Ash, Spruce and Sycamore lining Grange Lane. Its loss will be noticeable but not greatly detrimental to the local landscape

ii) Tree condition and life expectancy

The tree has a good form and appears vigorous. Its condition would be described as normal with a foreseeable life expectancy exceeding 20 years into the future.

iii) Suitability of tree in current position

T3 contributes to the mixed roadside group with its dark red foliage. However, it has growth potential, reducing its long term suitability in this location. Pruning management is an option but will harm the tree's natural appearance and invigorate unsightly shoots.

iv) Heave potential

No heave assessment has been submitted with the application but it is assumed that since the tree is younger than the house any recovery will only return the foundations to their original levels. Therefore, providing no crack filling repairs have been undertaken, no additional damage should occur.

v) Replacement planting

There is ample space within the garden for a suitable replacement tree to be planted. Suggested species include Whitebeam and Holly. Such choices have less demanding root systems and would thrive amongst the remaining group of shading trees.

Conclusion:

The submitted technical evidence does appear to indicate that there is justification to remove this Maple, T3, on grounds of root induced subsidence to the rear south eastern corner of the house. Therefore, it is recommended to grant permission to fell T3 Maple. The proposal therefore accords with Local Plan Landscape Policy LL09.

In the event of members agreeing to allow the felling, it is recommended that a condition requiring a suitable replacement and prior notice of the works to remove it must be attached to the decision notice.

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

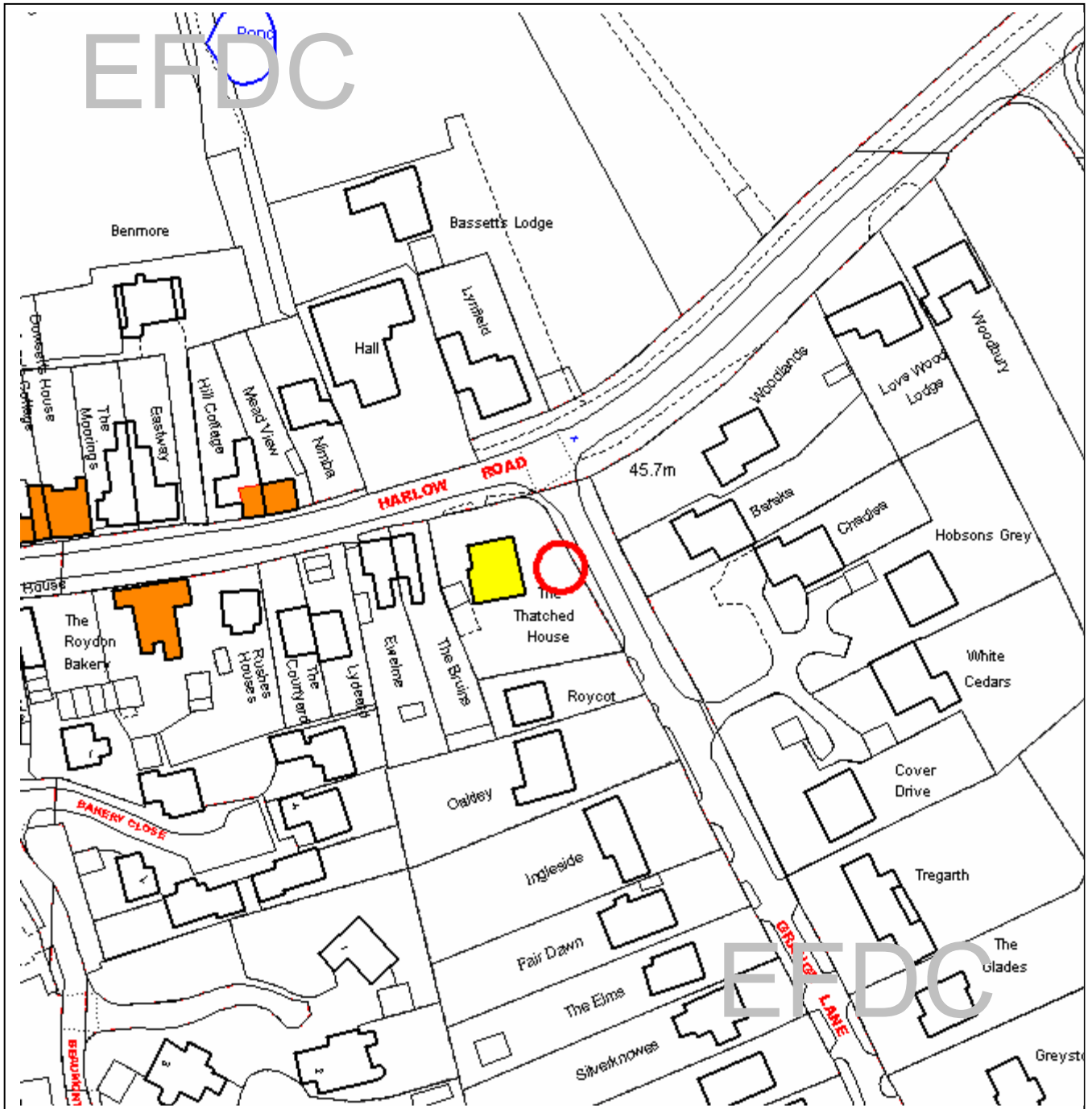
**Planning Application Case Officer: Robin Hellier
Direct Line Telephone Number: 01992 564546**

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



Epping Forest District Council

Area Planning Sub-Committee 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

Agenda Item Number:	1
Application Number:	EPF/1376/11
Site Name:	Thatched House, Harlow Road Roydon, CM19 5HH
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/0532/11
SITE ADDRESS:	Roydon Pumping Station Harlow Road Roydon Essex CM19 5HF
PARISH:	Roydon
WARD:	Roydon
APPLICANT:	Veolia Water Central Ltd
DESCRIPTION OF PROPOSAL:	Proposed process building.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=526426

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 process building hereby approved shall be clad in a dark green colour and retained as such thereafter. The colour shall be submitted for approval by the Local Planning Authority prior to commencement of development.
- 3 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 4 No development, including site clearance, shall take place until a scheme of soft landscaping and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule), have been submitted to the Local Planning Authority and approved in writing. The landscape scheme shall be carried out in accordance with the approved details and the agreed timetable. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand in writing.
- 5 The rating level of noise (as defined by BS4142:1997) emitted from the commercial units shall not exceed 5dBA above the prevailing background noise level. The measurement position and assessment shall be made according to BS4142:1997.

- 6 Low frequency noise (63Hz and 125Hz octave level) from the site shall not exceed 5dBA above the prevailing background noise level at these frequency bands, measured using C weighting. The measurement position and assessment shall be made according to BS4142:1997 with reference to measurement periods and positions.
- 7 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Site Plan 1:2500, Site Plan 1:1250, Site Plan 1:250, Elevations Overview Plan, 7660113/01/201/1211 Rev A, P017347-005 Rev P1 Site Elevations (A and B) including Planting received 2nd August 2011, P017347-005 Rev P1 Site Elevations (C and D) including Planting received 2nd August 2011, 100223/LSP/1b Landscaping Plan received 2nd August 2011, P017347-002 Rev P3 Proposed Site Compound inc Parking received 2nd August 2011

This application was deferred by Members at the Committee heard on the 8th June 2011 to seek further information regarding noise, hardsurfacing around the area of the wheel wash and further information regarding water run-off and its effect on the Roydon Lodge Chalet Estate.

Additional information was submitted by the Agent on the 2nd August 2011. This information included a noise survey, details of the temporary site compound and wheel wash area and a Flood Risk Assessment with particular focus on the Roydon Lodge Chalet Estate. The revised submitted information also includes the addition of a 2.5m high soil bund around the south and east sides of the proposed works, which appear to be within the scope of permitted development. The revised and additional information has been passed to internal consultees for comment and neighbours and the Parish Council were re-consulted on the application so that surrounding residents were made aware of this information.

Addressing each issue raised in turn:

Noise

The submitted noise report appears to show that the proposed noise levels from the development should not cause a loss of amenity to nearby residential properties. As with the previous information submitted, the Council's Environment and Neighbourhood Officer has suggested two conditions to limit both general noise and high frequency noise and this is considered sufficient to ensure the proposal does not cause any future disturbance. The provision of the soil bunds also serves a dual purpose as a visual and acoustic barrier.

Site Compound and Wheel Washing

The temporary site compound is to be located to the rear of the site and this is considered an acceptable location. The wheel wash facility is shown to the south of the site close to the existing vehicle access which is also considered an appropriate location in terms of avoiding material entering the highway. The access road for the wheel wash is shown as a temporary access road. As suggested within the submitted information it is the Applicant's intention to return these areas to 'as found' after the works have been completed.

Water run-off

The flood risk assessment has shown that there will be a negligible impact on flood risk, both on and off the site. The Council's Land Drainage Team has found the findings of the report acceptable and raise no objection in terms of flooding or water run-off.

Landscape Issues

As the revised/additional information includes the addition of the soil bunds the Council's Tree and Landscape Officer was also re-consulted on this application. To ensure an effective landscape scheme, to blend into the surroundings both the soil bunds and proposed buildings, the Landscape Officer has requested the addition of a full landscaping condition to ensure that the planting is carried out to an approved detailed scheme.

Other Issues

Prior to the previous Committee meeting, but after the report was completed further information was submitted by the Applicant with regards to fencing and lighting. The fencing is to be dark green mesh fencing and will not exceed 3m in height. Out of hours working is not intended at this site and therefore lighting will only be required in case of an emergency. It is intended lights will be installed at the access gate and at various locations around the site. These will not be left on, but rather will be switch or motion sensor activated and for emergency use only. It is considered that this information overcomes the need for the conditions requiring further details of fencing and lighting and therefore these have been removed from the draft decision.

Additional Representations Received Following Re-Consultation:

ROYDON PARISH COUNCIL - No comments on these additional documents. As stated on the plans, the Parish Council is pleased that lorries will be able to safely pull off the road to access the site but the Parish Council still needs to be reassured that plans are in place to route lorries away from the Village. (The Applicants have stated that construction traffic will avoid the B181 through the Village and an appropriate traffic plan will be produced in agreement with the local Highway Authority)

NEIGHBOURS

LOVEWOOD LODGE, HARLOW ROAD – Objection development on Green Belt land, blight to view

BRIGGENS VIEW, HARLOW ROAD – Maintain the previous objections and concerns – Further comments are likely to follow which will be reported verbally

Original Report

This application is before this Committee since it has been 'called in' by Councillor Mary Sartin (Pursuant to Section P4, Schedule A (h) of the Council's Delegated Functions).

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:

Proposed process building constructed out of profiled metal sheeting 9m wide, 16.5m in length with a height of 5m. The proposed process building is part of a larger scheme of work. The other work (as shown outside of the red line) can be completed within the scope of permitted development and a Certificate of Lawful Development has been granted for these works under a

separate application. The process building requires planning permission as it is a building rather than classed as 'plant', therefore this application is only for the process building as outlined in red on the location plan and not for any of the surrounding works.

Description of Site:

The site is currently an open area of grass/scrub land adjacent to the existing pumping station works. The pumping station is accessed by a vehicle access adjacent to the residential property – Domun. The existing works are in the main located behind a group of 5 properties which front onto Harlow Road (Brookside, Hawkhurst, Brill Cottage, Red Roofs and Briggens View). The proposed works will extend the pumping station to the east. The application site is set at a slightly lower level than the road. There is existing hedgerows/planting to the west of the application site (adjacent to a public footpath), along the internal perimeter fence and around the perimeter of the land within the applicant's ownership to the north (adjacent to a public footpath) and east boundaries. The site is not within a Conservation Area but is within the Metropolitan Green Belt.

Relevant History:

Various applications the most relevant of which:

EPF/ 0534/11 - Certificate of lawful development for a proposed filter plant, process units, pumping station, access road and associated works - Lawful

Policies Applied:

Epping Forest District Local Plan and Alterations

CP2 – Protecting the Quality of the Rural and Built Environment

GB2A – Development in the Green Belt

GB7A Conspicuous development within the Green Belt

DBE1 – Design of New Buildings

DBE2 – Effect on neighbouring properties

DBE4 – Design in the Green Belt

DBE9 – Loss of amenity

LL1 – Rural Landscape

LL11 – Landscape Schemes

Summary of Representations:

ROYDON PARISH COUNCIL – No objections as we understand the need for this facility but we have the following comments.

The Parish Council had a number of concerns which have been discussed with Veolia Water. The company seems responsive to these but we would like to see these made a condition of approval.

- Site lorries should be routed towards Harlow (A414, M11, M25) and NOT through the Village (traffic plan).
- Cladding should be in keeping and sympathetic with the surroundings. The suggested colour of Goose Grey does not seem suitable in this location which is viewed from a higher elevation rather than across the skyline. A green colour would be more appropriate.
- Site access – Lorries should not block the road when entering the site. The gate should be recessed during working hours so that lorries are off the road.
- Working hours should be stated for completeness of information.
- Access road through the site should be marked on all plans although we understand that the route may be diverted away from the back of houses on Harlow Road as works proceed.

Although the Parish Council has not objected outright, due to the number of concerns it was considered that the application should be presented to Committee.

NEIGHBOURS

23 neighbour were consulted and a Site Notice displayed

BRIGGENS VIEW – Objection –Inappropriate in Green Belt, concern with regards to noise, loss of habitat, materials out of keeping, concern with regards to fencing, lighting, wheel washing facilities, landscaping and damage to existing concrete road. Consider that the planning application should include the filter block and query whether all of land is operational.

THE STONES – Objection – fully concur with letter received from occupants of Briggens View

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

ROYDON COUNTRYCARE – Concern with regards to impact on the Metropolitan Green Belt with regards to landscaping, cladding and surface colours.

Issues and Considerations:

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

- Impact on the Green Belt
- Design Issues
- Impact on Neighbouring Amenity
- Landscaping

Impact on the Green Belt

The proposed process building is a metal clad building similar in appearance to modern agricultural buildings, a commonly viewed building within green belt locations. Although such a building does not fall within the scope of appropriate uses within the Green Belt, given that it is an extension to an existing pumping station it is considered an appropriate location, rather than an alternative Green Belt area.

It is not considered that a building of this type is out of keeping with the surrounding area given it's location on the edge of an existing pumping station. It is considered to be well sited close to the existing structures and buildings and will be viewed from the surrounding area in the context of the existing pumping station. Furthermore, the proposed process building will be partially screened by the existing structures and those proposed within the scope of permitted development. From a wider area the existing site and proposed building are well screened by existing vegetation to the west and north and further planting is proposed, as detailed in the Landscaping section below.

Design Issues

As stated above, the proposed building is a relatively standard, metal clad building similar in appearance to modern agricultural buildings. It is considered to be of a practical, utilitarian design, one that fits within the immediate surroundings of the various pumping station plant and other buildings.

There is inconsistency between the information provided within the design and access statement and as shown on the plans with regards to the colour of the proposed building. The design and access statement states 'Goose Grey', whereas the plans show 'Ice Blue'. Notwithstanding what has been shown within the submitted documents, a green colour is considered to be more aesthetically pleasing, and one that is generally used to blend buildings more successfully into

their rural surroundings. A condition could be added to any approval to ensure that this is complied with.

Impact on Neighbouring Amenity

The process building is considered to be relatively well screened from the west (where there are no immediate neighbours) and the north (screening Roydon Lodge Chalet Estate) by existing vegetation and therefore it is not considered to result in a significant impact on these areas.

With regards to the properties to the south (those fronting onto Harlow Road), although the proposal may impact on the visual amenity of these properties it is not considered so significant as to justify a refusal. In essence the 'view' from these properties will be altered and although there is no right to a view over someone else's land, visual impact and outlook are material considerations. However, given the building will be partly screened by other plant/buildings, and further landscaping is proposed it is not considered that the proposed process building will have a significant detrimental impact on these neighbours.

The Parish Council has queried the hours of working at the site and this could be conditioned to ensure that construction work is controlled, given the relatively close proximity to residential properties. As the application site is outlined in red, with other land within the Applicant's ownership outlined in blue a condition could cover all the proposed works at the site and not just those that are part of this application.

The Parish Council have also requested that site lorries should be routed towards Harlow (A414, M11, M25) and not through the village. Enforcing the routing of traffic can be very difficult and this would have to be achieved through a legal agreement. As this application is solely for the process building it is not considered necessary to enforce lorry routes for this application. Furthermore, the Applicant, Veolia Water has been in direct communication with the Parish Council regarding the concerns raised and has suggested that 'An alternative route using the A414 is certainly not an issue and signs can be erected'.

Landscaping

There is existing planting to the south and east of the existing structures, following the existing fence line. However, by the Agent's own admission, as stated within the submitted design and access statement, the hedge is recently planted and species poor. This fence will have to be repositioned to facilitate the proposed works and it is the intention to incorporate a traditional hedgerow mix around the perimeter. This will help to screen the proposed and existing works from the surrounding rural area and from the surrounding properties. Further planting is proposed to the southern and eastern boundary of the new works to provide more of a screen to the residents to the south and of the proposal.

Additional information has been provided by the Agent, following on from the Council's Tree and Landscape Officer's comments requiring further information with regards to landscaping. A landscaping plan has been submitted which clearly shows a new hedgerow to the south, east and north of the proposed works, with additional trees planted. This is considered to be acceptable provided works are carried out in accordance with the plan as it will help screen the proposal from the properties to the south and generally soften the proposal into a rural setting.

Conclusion:

The proposed process building is not considered to detract from the character and openness of the Metropolitan Green Belt, is considered an acceptable design with limited impact on neighbouring amenity and if covered by a condition provides an acceptable provision of landscaping. Approval is therefore recommended.

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

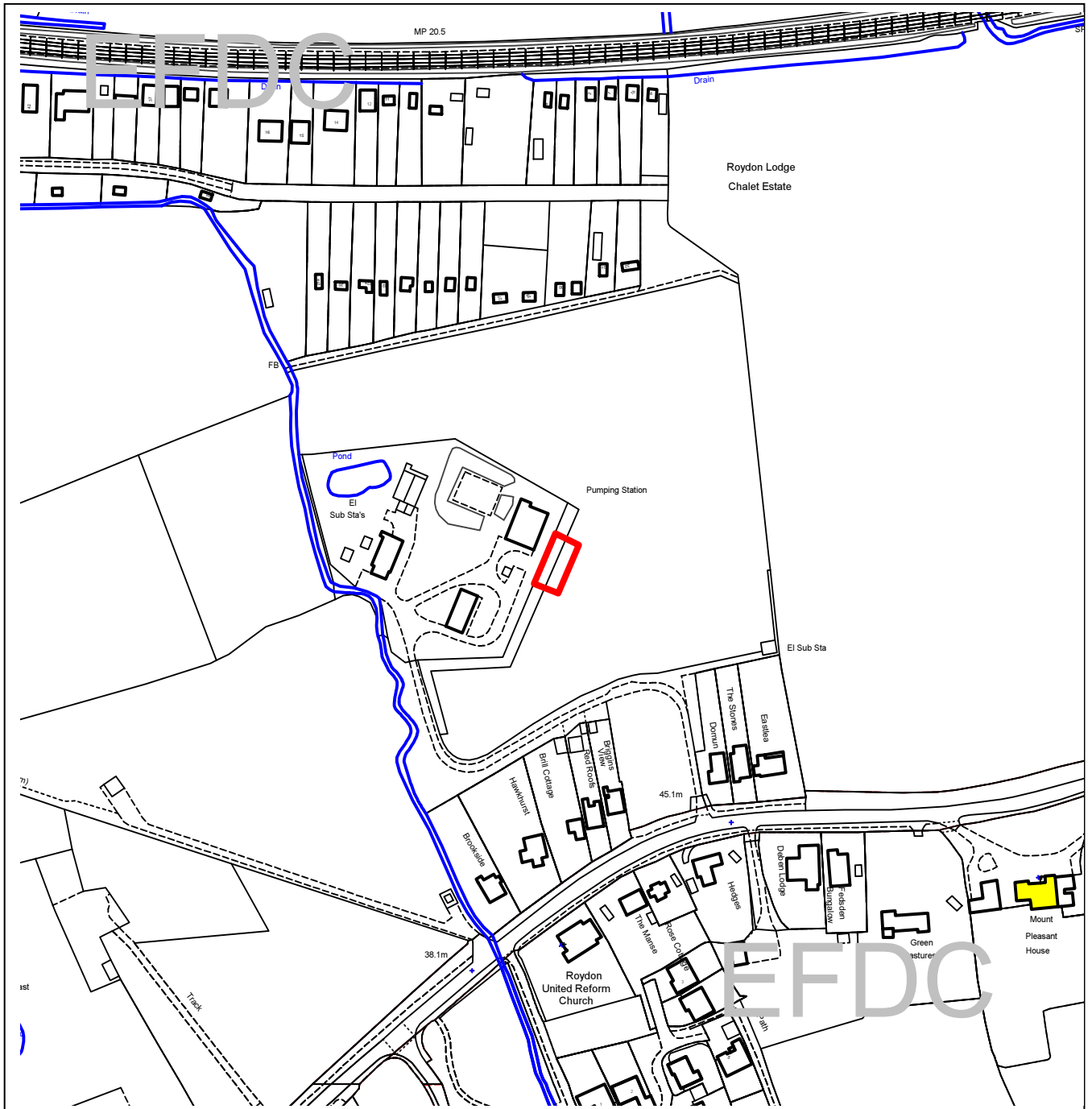
**Planning Application Case Officer: Marie-Claire Tovey
Direct Line Telephone Number: 01992 564371**

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



Epping Forest District Council

Area Planning Sub-Committee West



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

Agenda Item Number:	2
Application Number:	EPF/0532/11
Site Name:	Roydon Pumping Station, Harlow Road Roydon, CM19 5HF
Scale of Plot:	1/2500

This page is intentionally left blank

Report to Area Plans Sub-Committee West



**Epping Forest
District Council**

Date of meeting: West 31 August 2011

Subject: Picks Cottage, Sewardstone Road, London E4 7RA – Removal of S52 Agreement entered into in March 1983 in association with EPF/1117/82 (Erection of Agricultural workers dwelling).

**Officer contact for further information: Jenny Cordell (01992 – 564294).
Democratic Services Officer: Adrian Hendry**

Recommendation:

To remove the S52 Agreement which imposes the following restrictions:

Clause 3 (a) That the occupation of the dwelling comprising the development shall be limited to a person employed, or last employed locally in agriculture as defined in Section 290(1) of the 1971 Act or a dependant of such a person residing with him but including the widow or widower of such person.

Clause 3 (b) That the application site will not be sold or otherwise alienated except as a whole and that no part or parts of the application site will be sold or otherwise alienated except as a whole together with the entire area of the application site.

Clause 3(a) is enforced separately by condition and Clause 3(b) is now considered unnecessary.

Report Detail:

The rebuilding of the agricultural workers cottage was permitted under EPF/1117/82 subject to conditions as follows:

- 1- Development within 5 years
- 2- Agricultural tie
- 3- External materials be agreed
- 4- Landscaping scheme
- 5- Retention of existing landscaping
- 6- Provision of parking and driveway prior to occupation
- 7- Complete demolition and removal of original dwelling prior to occupation of new dwelling
- 8- Provision of surfaced turning area
- 9- Maximum gradient of access not to exceed 10%

The associated S52 legal agreement (now known as S106) imposed two legal ties as follows:

- 1- Agricultural tie
- 2- The tie restricting part sale/lease of the site or subdivision

Since the approval in 1982 and associated legal agreement in 1983 the applicant has operated the site which has diversified with the incorporation of a number of fishing lakes and facilities and the reuse of existing buildings for alternate business uses.

The buildings allowed to diversify under EPF/2213/02 were released from the 2nd restriction on the S52 agreement in a variation entered into in 2004. The applicant now seeks permission to remove the fishing lakes from the tie to enable the applicants to lease the lakes to a third party for operation. The removal of the lakes from the legal agreement would result in a few piecemeal, fractured parcels of land adjacent the highway and at the furthestmost points of the holding remaining tied to the sale and lease of the agricultural dwelling. Officers consider that if Members consider it acceptable to remove the lakes from the tie, that the remaining parcels of land would be difficult to justify to retain in the agreement and difficult to successfully enforce. For this reason Officers suggest that the tie requiring the singular ownership and operation of the land be lifted in its entirety. Should Members be minded to agree this removal then the agreement may be waived in its entirety as the agricultural occupancy requirement is secured by condition and the agreement would no longer form a useful function.

Were the lakes to operate independently from the agricultural workers dwelling known as Picks Cottage no greater loss of amenities would arise to occupants of the dwelling than presently exists.

Were any future need to arise relating to the independent operation of the land which would need an agricultural dwelling then this would require a fresh application for consideration. Any such future application would need to demonstrate the need for the dwelling and that it cannot be met by existing agricultural dwellings in the locality, therefore this possibility alone is not considered sufficient to justify the retention of the legal agreement. Furthermore the agricultural tie will remain enforced on the existing dwelling (Picks Cottage) by the condition applied under EPF/1117/82.

Conclusion

The removal of the S52 agreement would allow the effective retention of use of the land presently associated with Picks Cottage. The applicant is able to comply with the agricultural tie and occupy the dwelling into retirement however were this situation to arise without the lifting of the legal restrictions then the wider holding would likely fall into disrepair as it would not legally be able to operate independent of the dwelling. The removal of the S52 agreement would not remove the agricultural tie on the dwelling but would allow the continued use of the agricultural land (albeit now diversified). This does not appear unreasonable and accordingly Officers recommend the former legal agreement be removed.