

**Committee Agenda  
Webcast  
Meeting**



**Epping Forest  
District Council**

***Area Planning Subcommittee West  
Wednesday, 21st December, 2011***

**Place:** Council Chamber, Civic Offices, High Street, Epping  
**Room:** Council Chamber  
**Time:** 7.30 pm  
**Democratic Services Officer** Rebecca Perrin - The Office of the Chief Executive  
Email: [democraticservices@eppingforestdc.gov.uk](mailto:democraticservices@eppingforestdc.gov.uk) Tel: 01992 564532

**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

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**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 - 18)**

To confirm the minutes of the last meeting of the Sub-Committee.

**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 19 - 48)**

(Director of Planning and Economic Development) To consider the planning applications set out in the attached schedule

Background Papers

(i) Applications for determination – applications listed on the schedule, letters of representation received regarding the applications which are summarised on the schedule.

(ii) Enforcement of Planning Control – the reports of officers inspecting the properties listed on the schedule in respect of which consideration is to be given to the enforcement of planning control.

## 8. DELEGATED DECISIONS

(Director of Planning and Economic Development) Schedules of planning applications determined by the Head of Planning and Economic Development under delegated powers since the last meeting of a Plans Subcommittee may be inspected in the Members' Room or at the Planning and Economic Development Information Desk at the Civic Offices, Epping.

## 9. EXCLUSION OF PUBLIC AND PRESS

### Exclusion

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

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

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

### Confidential Items Commencement

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

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

### Background Papers

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

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

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

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

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

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

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

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

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

### **Can I speak?**

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

### **Who can speak?**

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

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

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

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

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

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

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

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

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

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

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

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

### **Further Information?**

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

**New!**

Use your Smartphone/tablet to find contact details of the members using this QR code



**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

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## EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

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

**Place:** Council Chamber, Civic Offices, High Street, Epping   **Time:** 7.30 - 8.50 pm

**Members Present:** J Wyatt (Chairman), R Bassett, J Collier, D C Johnson, Ms Y Knight, Mrs J Lea, A Mitchell MBE, Mrs M Sartin, Mrs P Smith and Ms S Stavrou

**Other Councillors:**

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

**Officers Present:** J Godden (Planning Officer), C Neilan (Landscape Officer & Arboriculturist), A Hendry (Democratic Services Officer) and R Perrin (Democratic Services Assistant)

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### 25. 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.

### 26. 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.

### 27. ELECTION OF A VICE CHAIRMAN

In the absence of the Vice-Chairman, Councillor Mrs M Sartin was appointed Vice Chairman for the duration of the meeting.

### 28. MINUTES

#### RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 31 August 2011 be taken as read and signed by the Chairman as a correct record.

### 29. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillors S Stavrou, J Lea and A Mitchell declared personal interest in agenda items 7 (1) (EPF/1578/11 - 8

Windsor Wood, Waltham Abbey); 7(2) (EPF/1886/11 – 9 Windsor Wood, Waltham Abbey); 7(3) (EPF/1778/11 – 35 Highland Road, Nazeing, Waltham Abbey); 7(4) (EPF/2106/11 – 10 Harrier Way, Waltham Abbey); and 7(6) (EPF/1668/11 – 78 Roundhills, Waltham Abbey) by virtue of being members of Waltham Abbey Town Council Planning Committee. The Councillors declared that their interests were not prejudicial and indicated that they would remain in the meeting during the consideration and voting on the items.

(b) Pursuant to the Council's Code of Member Conduct, Councillor J Wyatt declared personal interest in agenda items 7 (1) (EPF/1578/11 - 8 Windsor Wood, Waltham Abbey); 7(2) (EPF/1886/11 – 9 Windsor Wood, Waltham Abbey); 7(4) (EPF/2106/11 – 10 Harrier Way, Waltham Abbey); and 7(6) (EPF/1668/11 – 78 Roundhills, Waltham Abbey) by virtue of being a member of Waltham Abbey Town Council. The Councillor declared that his interests were not prejudicial and indicated that he would remain in the meeting during the consideration and voting on the items.

(c) Pursuant to the Council's Code of Member Conduct, Councillor Y Knight declared a personal interest in agenda items 7 (3) (EPF/1778/11 - 35 Highland Road, Nazeing, Waltham Abbey) by virtue of knowing the applicant. The Councillor declared that her interests was prejudicial and indicated that she would leave the meeting during the consideration and voting on the item.

(d) Pursuant to the Council's Code of Member Conduct, Councillor P Smith declared a personal interest in agenda items 7 (5) (EPF/1668/11 - The Old Granary, Copped hall, Epping) by virtue of being a member of the Parish Council. The Councillor declared that her interests were not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the item.

### **30. ANY OTHER BUSINESS**

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

### **31. DEVELOPMENT CONTROL**

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

#### **RESOLVED:**

That, Planning applications numbered 1 – 6 be determined as set out in the annex to these minutes.

### **32. APPLICATION TO DISCHARGE A LEGAL AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990.**

The Sub-committee noted that Planning Permission was granted in 2002 for the change of use of an outbuilding at Greenacres to a granny annexe. (EPF/1795/98) Permission for the use was granted subject to a condition restricting occupancy and also to a legal agreement under section 106 preventing the annexe being sold or otherwise separated from Greenacres. The Annexe was completed in accordance with the Planning Permission in 2002, but the annexe had not been occupied since completion.

The applicant applied last year for change of use of the annexe to a single dwelling house, and to discharge the legal agreement, but this application was refused at committee in accordance with Officer's recommendation, on the grounds that the

development was inappropriate in the Green Belt.

The applicant appealed this decision and the Inspector upheld the appeal and granted planning permission for use of the building as a separate dwelling subject to conditions. The Inspector was however unable to consider the removal of the legal agreement as he did not consider that a valid application for such removal had been made.

On the basis that Planning Permission had now been granted for the use of the building as a separate dwelling house, it would be perverse to try and enforce the associated legal agreement. The legal agreement therefore now served no useful purpose and on this basis in accordance with government advice, authorisation was sought for the agreement to be discharged.

**RESOLVED:**

That the Section 106 Agreement dated 4 April 2002, which prevents the building known as The Barn at Greenacres, Tatsfield Avenue being sold or let or otherwise separated from the adjacent house be discharged.

**33. PROBITY IN PLANNING - APPEAL DECISIONS, APRIL 2011 TO SEPTEMBER 2011**

The Sub-Committee received a report regarding Probity in Planning – Appeal Decisions, April 2011 to September 2011. In compliance with the recommendation of the District Auditor, this report advises the decision-making committees of the results of all successful appeals, particularly those refused by committee contrary to officer recommendation.

The Council created a Local Performance Indicator (LPI 45) recording planning appeals only. In previous years, this target has been to not exceed 25% of allowed decisions. In recent years the Council performance has 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, 30.9% in 2009/10 and 36.6% in 2010/11.

For 2011/12, there are now two local indicators, one of which measures planning application appeals as a result of committee reversals of officer recommendations (KPI 55) and the other which measures the performance of officer recommendations and delegated decisions (KPI 54).

Over the six-month period between April 2011 and September 2011, the Council received 50 decisions on appeals (41 of which were planning related appeals – including 1 tree related appeal and 9 were enforcement related). Of these, 17 were allowed (34%).

For KPI 54 and KPI 55, which only considered appeals against the refusal of planning related permission (so does not include enforcement, tree-related appeals, nor appeals against conditions), the 6-month performance figure in total is 30% allowed (12 of 40 appeals).

However, Area Planning Sub-committee West only had one appeal allowed, making it one of the better sub-committees of the Council.

In conclusion it was noted that whilst performance in defending appeals had improved, particularly in respect of committee reversals, Members were reminded

that in refusing planning permission there needed to be justified reasons that in each case, must not only be relevant and necessary, but also sound and defensible.

**RESOLVED:**

That the Planning Appeal Decisions for April to September 2011 be noted.

**34. DELEGATED DECISIONS**

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

**CHAIRMAN**

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/1578/11
<b>SITE ADDRESS:</b>	8 Windsor Wood Waltham Abbey Essex EN9 1LY
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey North East
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/10/90 T2 - Silver Birch - Fell
<b>DECISION:</b>	Refuse Permission

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

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=530189](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=530189)

**REASON FOR REFUSAL**

- 1 The birch is a mature, healthy tree of importance in the local street scene. While retention of the tree causes difficulties in making full use of the parking space to the front of the property alternative parking is locally available, so felling is not justified. None of the other issues specified are sufficient to change that judgement. Replacement planting elsewhere would not adequately compensate within a reasonable timescale for the tree's loss. The proposed felling would therefore be contrary to policy LL9 of the Epping Forest District Local Plan and Alterations, 2008.

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/1886/11
<b>SITE ADDRESS:</b>	9 Windsor Wood Waltham Abbey Essex EN9 1LY
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey North East
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/10/90 T1 - Sycamore - Fell
<b>DECISION:</b>	Refuse Permission

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

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=531249](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=531249)

**REASON FOR REFUSAL**

- 1 Loss of this tree would be detrimental to public amenity, in its own right, and as part of the wider landscape feature. It is recognised that the tree is associated with problems related to its size and species. However it is considered that these may be minimised by adopting a different surface within the garden and pruning to control the tree's size and spread. While this would not be a complete solution it is considered that the amenity value of the tree is such that its retention is in the public interest.

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/1778/11
<b>SITE ADDRESS:</b>	35 Highland Road Nazeing Waltham Abbey Essex EN9 2PT
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Lower Nazeing
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/22/83 T1 (T5 on TPO) - Lime - Fell
<b>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=530806](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=530806)

**CONDITIONS**

- 1 A replacement native Lime tree of a 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.

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/2106/11
<b>SITE ADDRESS:</b>	10 Harrier Way Waltham Abbey Essex EN9 3JQ
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey Honey Lane
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/05/92 T1 - Willow - Fell
<b>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=532022](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=532022)

**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.



**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/1668/11
<b>SITE ADDRESS:</b>	The Old Granary Copped Hall High Road Epping Essex CM16 5HS
<b>PARISH:</b>	Epping Upland
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed single storey extension.
<b>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=530397](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=530397)

**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 samples of the types and colours of the external finishes of both parts of the building have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The tiles used must be the same for both the main building and the proposed extension. The development shall be implemented in accordance with such approved details. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.
- 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, Classes A - E shall be undertaken without the prior written permission of the Local Planning Authority.

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/2046/11
<b>SITE ADDRESS:</b>	78 Roundhills Waltham Abbey Essex EN9 1UU
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey Honey Lane
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use from A2 (betting shop) to A5 (Takeaway) and flue to rear elevation. (Revised application)
<b>DECISION:</b>	Refuse Permission

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=531805](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=531805)

**REASONS FOR REFUSAL**

- 1 The proposed A5 use would result in additional visitors to the parade in the evening and the resulting noise and disturbance from this use outside normal working hours would cause unacceptable disturbance to local residents, particularly those living in the flats above the shop units, contrary to policies RP5A and DBE9 of the adopted Local Plan and Alterations.
- 2 The proposed use of the unit would result in a disproportionate amount of non retail uses within the parade which would be contrary to policy TC6 of the adopted Local Plan and Alterations.
- 3 The proposed use would result in unacceptable disturbance to the residents living above the unit in the parade by reason of noise and odours from the unit, notwithstanding the installation and maintenance of an extraction unit, as no unit is 100% effective and will degrade over time, and the flue is directly below the residential units and a walkway where washing is put out to dry. This is contrary to policies DBE9 and RP5A of the adopted Local Plan and Alterations.

## AREA PLANS SUB-COMMITTEE 'WEST'

21 December 2011

### INDEX OF PLANNING APPLICATIONS

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/2034/11	Elm Cottage Epping Road Epping Upland Epping	Grant Permission (With Conditions)	21
2.	EPF/2141/11	Land to side of 78 Honey Lane Waltham Abbey	Grant Permission (With Conditions)	25
3.	EPF/2156/11	The Roydon Bakery Harlow Road Roydon	Grant Permission (With Conditions)	31
4.	EPF/2157/11	The Roydon Bakery Harlow Road Roydon	Grant Permission (With Conditions)	40
5.	EPF/2160/11	Holmsfield Nursery Meadgate Road Nazeing	Grant Permission (With Conditions)	43

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**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/2034/11
<b>SITE ADDRESS:</b>	Elm Cottage Epping Road Epping Upland Epping Essex CM16 6PH
<b>PARISH:</b>	Epping Upland
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>APPLICANT:</b>	Mr A Bristowe
<b>DESCRIPTION OF PROPOSAL:</b>	Single storey rear extension.
<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=531750](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=531750)

**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.

*This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))*

**Description of Proposal:**

Erection of a single storey rear extension behind existing attached garage. The extension is an alternative to a previously approved addition. It measures 2.7 metres deep by 6.7m wide and has a pitched lean-to roof. The proposal will provide a new kitchen and utility room.

**Description of Site:**

Semi-detached two-storey dwelling with attached garage to the side, and extensive side garden. Within a small residential enclave in Epping Upland. The site is within the Green Belt but not within a conservation area.

### **Relevant History:**

EPF/0178/93: Erection of rear conservatory approved.

EPF/0820/96: Two storey side extension with attached double garage. Approved.

EPF/0470/07: Single storey rear extension to rear to existing garage. Refused.

EPF/1542/07: Single storey rear extension to rear of existing garage.(2.4m x 4.2m) Approved

### **Policies Applied:**

DBE9- Impact on amenity

DBE10 Extensions to dwellings

GB2A Development in the Green Belt

### **SUMMARY OF REPRESENTATIONS:**

PARISH COUNCIL – Objection

The Planning application form not fully completed.

Existing plans too sketchy

Proposed site plans are unclear and minimal making it difficult to produce informed comments

Appears to be overdevelopment of the property

Should there be a change of use for the garage to become living accommodation?

1 Neighbouring property was notified, no responses were received.

### **Issues and Considerations:**

This is a revised application for a small rear extension, to make it larger than that approved in 2007. The main issues are the impact of the development on the Green Belt, the suitability of the design and the impact on neighbouring amenity.

#### Green Belt

The site is within the Metropolitan Green Belt wherein only limited extensions to dwellings are appropriate. This is a small addition, and when added to existing additions to the property amounts to a total increase in floorspace of less than 50%. In addition the extension is tucked away at the rear of the property behind the existing garage and will not be visible from outwith the site. As such it is considered that the proposal is a limited extension and is appropriate within the Green Belt. The proposal is in the same position as the extension approved in 2007, but is slightly larger. Whilst it is similar to that originally refused in 2007 (EPF/470/07) it must be remembered that at that time the Council had in place a far more stringent Green Belt Policy (GB14A) which restricted extension to no more than a 40% increase in floorspace.

#### Design

The proposed addition is simply designed with matching materials and is not considered harmful to the dwelling or the locality.

#### Impact on neighbours

The extension is nowhere near the boundary with the attached property and will not have any impact on residential amenity.

#### Other Issues

The Parish Council have raised a number of concerns

1. Incomplete forms. All the relevant sections of the submitted forms have been completed.

2. Existing Plans are sketchy. This is true, the existing plans are sketchy, but they are to scale and show sufficient, together with the proposed plans, to make it clear what is being added and how it fits with the dwelling.
3. Inadequacy of proposed site plan. There is a very clear 1:500 site plan which clearly indicates the position of the proposed extension in relation to the dwelling and the boundaries of the site.
4. Overdevelopment. This aspect is covered above. Given the size of the site it is not considered that this small addition can be classed as overdevelopment.
5. Query regarding change of use of the garage. The existing garage is shown on the proposed plans to be a family room. Conversion of the garage in this way does not require planning permission and there is no condition preventing the change of use of the garage, as it is not development requiring consent it would be wrong to include it in either the description of development or in our considerations.

The submitted plans did have an anomaly regarding the side elevation which indicated side windows, whilst on the plans this was shown as patio doors, the floor plan has now been amended to show doors.

### **Conclusion**

The proposed extension is modest and appropriate to the dwelling and will not result in any harm to the openness of the Green Belt or to neighbouring amenity; as such it is in accordance with the adopted policies of the Local Plan and Alterations 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:***

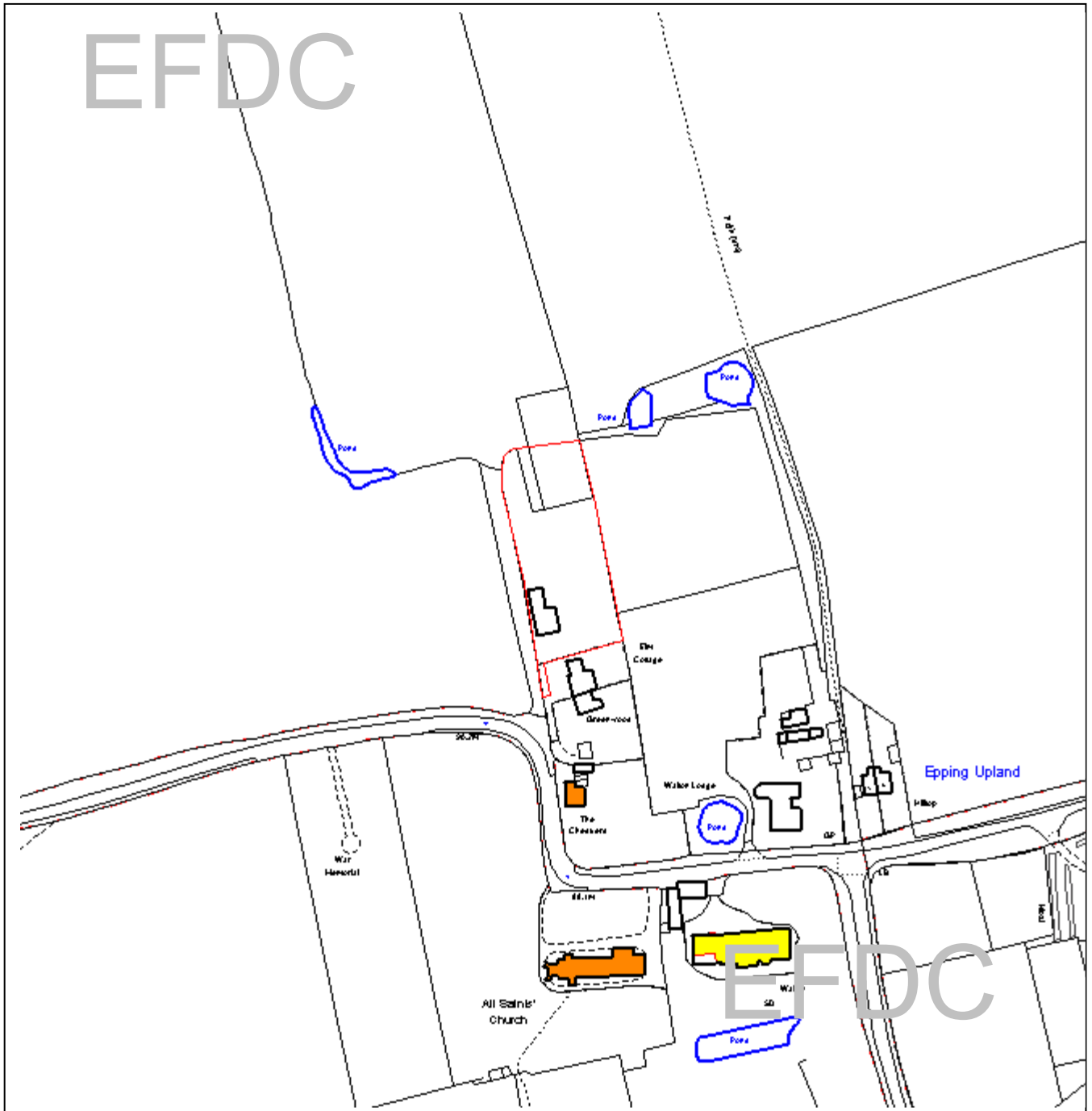
***Planning Application Case Officer: Mrs Jill Shingler  
Direct Line Telephone Number: (01992) 564106***

***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



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<b>Agenda Item Number:</b>	1
Application Number:	EPF/2034/11
Site Name:	Elm Cottage, Epping Road Epping Upland, CM16 6PH
Scale of Plot:	1/2500



**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/2141/11
<b>SITE ADDRESS:</b>	Land to side of 78 Honey Lane Waltham Abbey Essex EN9 3BL
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey Honey Lane
<b>APPLICANT:</b>	Mr Carl Hellen
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed detached unit forming 1 no. one bed flat and 1 no. two bed flat.
<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=532116](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=532116)

**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 construction works above ground level shall have taken place until documentary and photographic 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 An assessment of flood risk, focussing on surface water drainage, shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS). The development shall be carried out and maintained in accordance with the approved details.
- 4 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.
- 5 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 1 off 3 received 18/10/11, 2 off 3 received 28/11/11, 3 off 3 received 28/11/11, Site Plan received 18/10/11 and Site Location Plan received 18/10/11

- 6 Prior to first occupation of the development hereby approved, the proposed first floor window openings in the flank elevations serving the proposed bathroom and landing shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.

*This application is before this Committee since it is for a type of development that cannot be determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(f).)*

**Description of Site:**

78 Honey Lane is a two storey semi-detached property with large side garden on the corner of Honey Lane and Patmore Road, set at a slightly higher level than the pavement. The property is located on the south side of Honey Lane within the built up area of Waltham Abbey. The side garden is approximately 6.5m wide and is currently laid to lawn enclosed by a 1m high wall. The site is not within the Green Belt or a Conservation Area.

**Description of Proposal:**

Proposed detached unit forming 1 no. one bed flat and 1 no. two bed flat. The proposal effectively mirrors the design of No.78 in a detached form excluding chimneys. The front elevation has a two storey pitched roof bay and to the rear of the main width of the proposal is a 5m two storey outshot in a similar style to that at No. 78. The total depth of the proposal is 13m and the proposal will extend up to the boundary with Patmore Road. To the rear two parking spaces and an amenity area are proposed.

**Relevant History:**

No relevant history

**Policies Applied:**

Epping Forest District Local Plan and Alterations

CP1 – Achieving sustainable development objectives  
CP2 – Protecting the quality of the rural and built environment  
CP3 – New development  
H2A – Previously developed land  
DBE1 – Design of new buildings  
DBE2 – Effect on neighbouring properties  
DBE3 – Design in urban areas  
DBE8 – Private amenity space  
DBE9 – Loss of amenity  
ST1 – Location of development  
ST4 – Road safety  
ST6 – Vehicle parking  
U2B – Flood Risk Assessment zones

**Summary of Representations:**

WALTHAM ABBEY TOWN COUNCIL – No objection subject to the provision of off-road parking and the inclusion of a chimney stack incorporated into the design to keep in line with the street scene.

#### NEIGHBOURS

14 neighbours were consulted and a site notice erected

80 HONEY LANE – Objection – flat development would set precedent, overlooking, loss of light, highway safety concerns, increase problem of parking, flats not needed in area, noise from construction

79 HONEY LANE – Objection – flats not appropriate in area, out of keeping with surrounding older properties, construction noise, adding to sewage problems, overlooking and loss of privacy, overbearing, loss of on street parking, highway safety concerns

77 HONEY LANE – Objection – out of character and loss of parking

#### **Issues and Considerations:**

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

- Location of the development
- Overall design
- Amenity considerations for both neighbouring residents and future occupiers
- Highways and parking considerations
- Potential flood risk

#### Location

Local Plan policy H2A encourages the use of previously developed land for residential development. PPS3 previously included existing residential curtilage as previously developed land, this was amended in June of last year to exclude existing residential curtilages. However, although no longer classed as previously developed land there is no specific policy that prevents the use of residential gardens for new developments.

Each application therefore can only be assessed on its individual merits and with this proposal it is considered that the site is capable of being split into an additional plot. The proposal follows the existing building line to both the front and rear and is a similar size to surrounding properties, albeit this building will be split into two units. Therefore it is not considered that an additional dwelling(s) to the side of 78 Honey Lane would in principle constitute inappropriate development. The proposal will read as one house and it is not considered that two flats on this site are out of character with the surrounding area.

Policies CP3 and ST1 also encourage developments situated in sustainable locations that are well served by public transport. Honey Lane is within the built up area of Waltham Abbey and there is reasonable access to shops, services and transport links from this site and it is therefore considered a sustainable location.

#### Design

The design follows the existing design of No. 78 Honey Lane and will read as a detached dwelling rather than as two flats and is considered an acceptable addition to the streetscene. No. 78 and 80 are semi-detached, but the next property No. 82 is a detached property with a similar design and therefore a detached property is not considered unacceptable in this location and the design generally follows the character of the surrounding properties albeit not their age.

The Parish Council has suggested that a chimney should be incorporated into the design in line with the existing streetscene, however it is considered that as no fire places/chimney breasts are proposed within the design it seems an unnecessary addition particularly as planning permission would not be required for their future removal.

The proposal does extend up to the boundary with Patmore Road and therefore there is a 13m deep elevation directly adjacent to Patmore Road. Although, in general terms this would not be something that the Council would want to encourage as building up to the boundary can lead to a terracing effect, in this instance as it sides onto a road this will not be possible and although deep is considered acceptable.

#### Amenity considerations

The proposal is located 1m from the main side wall of No. 78 Honey Lane. There is a side facing window in the main part serving a living room however, this is a secondary window and is served by a rear window also and therefore loss of light or outlook to this window is not considered a significant issue. The existing kitchen at No. 78 also has a side facing window but this is on the rear outshot element and therefore is some 2.2m from the shared boundary and again not considered a significant issue.

No. 80 Honey Lane have objected to the proposal on the grounds of overlooking and loss of light, however the proposal will be screened by the existing two storey outshot at No. 78 and any overlooking possible into the rear garden of No. 80 is not considered to be significantly above that which already exists from the much closer No. 78.

No. 79 have also objected to overlooking and loss of privacy from the development but again it is not considered a significant issue considering that No. 79 is opposite the application site and any views from the proposal will in the main be visible from the public realm in any event. No. 79 have also suggested that the proposal would be overbearing, although it is acknowledged that No. 79 would be opposite a building if this proposal were approved rather than an open side garden it is not considered that the proposal can be classed as overbearing particularly as No. 79 is some 24m from the proposal and the proposal takes the same form as the neighbouring properties.

Furthermore, as this proposal is for two flats, the proposal would require a minimum of 50m<sup>2</sup> of amenity space to meet the requirements of DBE8. The proposal exceeds this requirement by creating approximately 60m<sup>2</sup>+ of amenity provision.

As this proposal is for flats then the properties will not benefit from permitted development rights and therefore planning permission would be required for any future additions or outbuildings and therefore any future impact on amenity can be thoroughly assessed.

#### Highways and Parking

Issues regarding parking have been raised by all three objectors. The Essex County Council Highways Officer initially raised an objection to the proposal as although County Council was accepting of the principle of providing 2 parking spaces for the proposed development, an objection was raised to the size of the parking spaces as they were not in accordance with the dimensions shown in the Parking Standards 2009, and consequently the spaces were not considered to be usable. The plans have since been revised showing the correct sized spaces in accordance with the Parking Standards and therefore the Highways Officer objection is overcome. No other highway issues or safety concerns were raised by the Highways Officer.

The revised scheme has two dropped kerbs from Patmore Road, which the Council appreciates will not solve the existing parking issues which have been raised by neighbours, however the proposed development provides sufficient off-street parking and therefore ideally will not worsen the existing parking situation any further. Furthermore the proposal is unlikely to set a precedent in terms of off street parking to the rear as few properties will have a side access available.

Flood risk

The application site lies within an Epping Forest District Council Flood Risk Assessment zone. As this development is of a size where it is necessary to avoid generating additional runoff a flood risk assessment should be sought by condition to comply with policy U2B.

**Conclusion:**

Neighbour objections have been received regarding the principle of the proposed development, the impact on amenity and with particular emphasis on the parking problems already existing in the area, however it is considered that the proposal is on balance acceptable on these grounds and generally complies with adopted planning policy. Therefore approval with 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



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<b>Agenda Item Number:</b>	<b>2</b>
Application Number:	EPF/2141/11
Site Name:	Land to side of 78 Honey Lane Waltham Abbey, EN9 3BL
Scale of Plot:	1/1250

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/2156/11
<b>SITE ADDRESS:</b>	The Roydon Bakery Harlow Road Roydon Harlow Essex CM19 5HH
<b>PARISH:</b>	Roydon
<b>WARD:</b>	Roydon
<b>APPLICANT:</b>	Antellas Developments
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition and removal of existing garages and former bakery and erection of two dwelling houses with ancillary works.
<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=532156](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=532156)

**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: Location Plan date stamped 19/10/11, 2862/1, 2862/2, Existing Site Plan date stamped 19/10/11.
- 3 No development shall have taken place until samples 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. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.
- 4 Prior to first occupation of the development hereby approved, the proposed window openings in the first and second floor eastern flank elevations shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 5 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Class A, D and E shall be undertaken without the prior written permission of the Local Planning Authority.

- 6 Prior to commencement of the demolition of the existing garages, details of the method of demolition and removal of concrete within the site and the proposed retaining walls along the site boundaries shall be submitted to and agreed in writing by the Local Planning Authority.
- 7 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.
- 8 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 9 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.

*This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g)) and since it is for a type of development that cannot be determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(f)).*

#### **Description of Proposal:**

Consent is being sought to demolish the existing buildings of the Roydon Bakery and erect two detached dwellings. The dwellings would both be four bed properties over three floors (including the roof space) with separate rear gardens and a shared access/parking area. The dwellings would have pitched roofs with ridge heights of approximately 8.9m and would incorporate dormer and gable windows to gain light into the second floor. The development would provide two off-street parking spaces to serve both dwellings.

#### **Description of Site:**

Redundant bakery situated on the southern side of the High Street, within the village envelope of Roydon. The site is located within the Roydon Conservation Area.



Adjacent to the site to the east is a listed building and to the west is a detached dwelling. To the rear is a housing estate erected in the 1980's known as Bakery Close.

The site slopes upwards towards the south west corner, with the neighbouring property to the rear being a further 500mm higher than the application site. There is a neighbouring tree to the southwest of the site, located within the 'cut-in' between the existing garage blocks, which is not preserved and is outside of the conservation area.

### **Relevant History:**

EPO/0736/73 - Outline Application for 2 pairs of semi-detached houses – refused 16/10/73

EPF/0248/86 - Conversion of workshop to an office – approved/conditions 05/09/86

EPF/1678/06 - Demolition of existing buildings and erection of 2 no. three bed residential dwellings – withdrawn 06/12/06

EPF/0720/07 - Demolition of existing buildings and erection of 2 no. three bed residential dwellings (revised application) – refused 16/07/07

### **Policies Applied:**

CP2 - Protecting the quality of the rural and built environment

DBE1 - Design of new buildings

DBE2 - Effect on neighbouring properties

DBE5 - Design and layout of new development

DBE8 - Private amenity space

DBE9 - Loss of amenity

E4A - Protection of employment sites

E5A - Alternative uses for employment sites

HC6 – Character, appearance and setting of Conservation Areas

HC7 - Development within Conservation Areas

HC9 - Demolition in Conservation Areas

H2A - Previously developed land

H3A - Housing density

LL10 - Adequacy of provision for landscape retention

ST1 - Location of development

ST4 - Road safety

ST6 - Vehicle parking

### **Consultation Carried Out and Summary of Representations Received**

11 neighbouring properties were consulted and a Site Notice was displayed on 11/11/11.

PARISH COUNCIL – Object as the Parish Council is concerned at the proposed loss of an employment site as they understand that approaches have been made to bring the bakery back into use. It feels that the proposal for two three storey properties is out of keeping with the surrounding area and is overdevelopment of the site. **(It is understood the Parish Council will be re-assessing the application, however at the time of writing the report no additional comments have been received. If any further response is received, this will be verbally reported to Committee)**

THE ROYDON SOCIETY – Object as the site is of an insufficient size for two properties, the design is inappropriate to the location, the new dwellings would be too close to neighbouring properties, there is insufficient off-street parking, and as this would result in the loss of a commercial site.

1 BAKERY CLOSE – Object due to possible subsidence issues, potential impact on their adjacent tree, loss of privacy, as the new dwellings would be out of scale with neighbouring properties, and as they do not comply with the minimum garden size requirements.

ARUNDEL, HARLOW ROAD – Object due to the loss of light and loss of privacy.

DOWSETTS HOUSE, HARLOW ROAD – Support the application as the proposed buildings would be in keeping with others nearby.

### **Issues and Considerations:**

The main issues to be considered are as follows:

- Principle of residential development
- Density of development and amenity space
- Design and the impact on the street scene and Conservation Area
- Impacts to neighbouring amenities
- Highway and parking issues
- Sustainability matters

#### *Principle of development:*

Policy H2A sets out the Council's commitment to providing mixed use or residential developments on previously developed land. The site is a redundant commercial site that is located in close proximity to Roydon High Street and surrounded by residential properties, therefore the principle of residential development in this location would comply with H2A and PPS3.

Applications to redevelop the site for two dwellings were submitted in 2006/2007. The latter application (EPF/0720/07) was refused for the following reason:

**The applicant has not demonstrated to the satisfaction of the Local Planning Authority that the site has been actively marketed for an employment or community use and as such is contrary to policies BIW4 of the Southend on Sea and Essex Replacement Structure Plan and E4A and E4B of the Adopted Local Plan and Alterations.**

As the above was the sole reason for refusal on the previous application, it is clear that the principal of residential development was considered acceptable on the site. There has been no significant change since this date to alter Officer's opinion on this.

Given the previous reason for refusal however, there is a requirement that the loss of employment on the site is justified before any redevelopment for non-employment purposes is allowed. When a site currently or last used for employment purposes is considered for redevelopment there must be evidence provided to show that it is no longer suitable for employment use. Should this be accepted, then the site should be considered for community uses. Only when no such community use is required/acceptable should open market housing be considered.

The current application has been accompanied by two items of correspondence regarding the reuse of the site for employment and community use. The first is a copy of a letter from James Sear Estate Agents dated October 2011 which states:

*"We have been marketing this property since November 2010. Although we have some interest, no one to date has proceeded with any offers. The property has continuously been advertised in our office, on our own website and on the Rightmove website. We have also erected 3 For Sale signs at the property which have all gone missing".*

*"I would like to confirm also that no company has shown any interest in the property for its present use as a Bakery or any other type of commercial use".*

Whilst there has been little additional evidence provided to support this letter, the site was still being advertised on the Rightmove website at the time of writing the report. Furthermore, it is well known to the Local Planning Authority that the site has been vacant for a number of years and is highlighted within the Council's 'Roydon Conservation Area Character Appraisal (September 2006)' as a site that would benefit from redevelopment.

The second correspondence consists of two letters. The first is a copy of a letter from Ralph Bintley, Town Planning Consultant, dated January 2011 to Roydon Parish Council that states:

*"My reason for writing to you as the local parish council is to enquire whether you are aware of any community uses that the site might lend itself to or any local groups within the parish area who may be interested in either purchasing or renting the site".*

The second letter is again from Mr Bintley and dated October 2011 and is a copy of a letter to Mr M Valente and states (with reference to the above letter):

*"I can confirm that I did not receive a response to that letter and have had no communication with the parish council since that time".*

These letters show that a marked effort was made to identify any potential community uses that would be interested in the site, however none appear to have been put forward. The Parish Council have not stated in their comments that they consider the site could be utilised for any community facility. Furthermore, the issue of additional community facility requirements was assessed on a recent application to redevelop the site of the former community hall to the northwest of the site, which resulted in the loss of an existing community facility. It was considered by Planning Officers and Councillors that no such need existed as planning permission was granted for this nearby site. As such, it is considered that the previous reason for refusal has been addressed and the principal of residential development on the site is acceptable.

#### Density of development and amenity space:

The provision of two dwellings on the site follows the recent approval for the erection of two dwellings on the former hall and bungalow site to the northwest (EPF/2411/10), which is similar in size to this site. Given the precedent that this sets, and the presence of other properties within the locality that sit in relatively small plots, it is not considered that the proposal would constitute overdevelopment of the site.

Policy DBE8 seeks to secure 20 sq. m. of amenity space per habitable room, and therefore each property would ideally have been provided 100 sq. m. of amenity space. The proposed dwellings have 72 sq. m. and 84 sq. m. of private amenity space provided, which is less than desired. However a reduction in the preferred level of amenity space is not uncommon in urban settings, with other plots in the locality having less than the required level of amenity space. As a direct comparison, the two new dwellings recently granted under EPF/2411/10 had less than the required amenity space, yet were still considered acceptable. As such, it is considered that the proposed development would provide a sufficient level of private amenity space to comply with policy DBE8.

Design and impact on the street scene and Conservation Area:

The site is located in a prominent position in Roydon Conservation Area, adjacent to and opposite a number of listed buildings. The application site has been referred to within the Roydon Conservation Area Character Appraisal (September 2006) as a 'specific site with potential for improvement'. Within this document it states:

*"The site is currently occupied by a single storey 20<sup>th</sup> century building (that has recently become vacant) and a yard containing a row of lock-up garages. The yard, which creates a gap along the frontage of this road, has an unkempt and neglected appearance that detracts from the character of this part of the conservation area. This site could be enhanced by the addition of a new building in front of, or in place of, the lock-up garages. Any new building in this location would have to be carefully designed so as to complement the adjacent Grade II listed Old Bakery and the character of the conservation area as a whole".*

The design of the proposed development was discussed with, and amended to suit, Planning Officers views, and it is the opinion of both Development Control and Conservation Officers that the design of the proposed dwellings would be in keeping with the locality and surrounding area, and would positively enhance the overall appearance of this unsightly site.

The height of the proposed dwellings would match the high roof of the immediate neighbour to the west, and the provision of three storeys (incorporating the roof slope with dormer windows) would reflect the listed buildings opposite and the newer properties to the rear.

The layout of the properties, with one being set back facing onto the road and the other being further forward but sitting at a right angle, mimics the general layout of the recently approved scheme to the northwest and the adjacent listed building that has the 'front door' within the flank wall.

The development would retain a 1m gap between the flank walls of the dwellings and the side boundaries of the application site, with 1m between the two properties. Whilst a 2m gap is usually expected between two detached properties (1m on either side of the boundary), the different positions, orientations and roof forms would ensure that no terracing effect takes place within the site. Furthermore, the recently approved detached houses to the northwest of the site overlap each other such that, when viewed from the front, no visual gap would be seen. Yet these were considered acceptable.

Due to the above it is considered that the design of the development would result in a positive enhancement of the site to the benefit of the character and appearance of the conservation area and wider street scene.

Impacts to neighbouring amenity:

The closest dwelling to the neighbour to the west (Arundel) would be set off the shared boundary by 1m, which matches the existing set back of this neighbouring property. Furthermore, the proposed dwelling would extend just 800mm beyond the neighbour's rear wall. There are no flank windows proposed within this side wall. The only neighbouring flank window that extends above the existing garages/bakery building appears to serve a hallway and therefore does not require significant protection against loss of light. The proposed new dwelling would not extend significantly beyond the rear wall of the neighbouring dwelling and would be sufficient distance from the boundary to not result in undue loss of light to the neighbouring residents. Furthermore, given the orientation of the application site, the new buildings would not block any direct sunlight to this neighbouring property.

Concern has been raised with regards to a loss of privacy to the neighbour's rear garden, which slopes upwards towards the rear so does become more visually prominent, however the views of this garden from the rear windows of the new dwelling would be no different from numerous examples in the locality, and indeed throughout the district. As such it is not considered that the development would result in any undue loss of amenities to the residents of Arundel.

The property closest to The Old Bakery is also set in 1m from the shared boundary and would not extend beyond the rear wall of the adjacent neighbour. The adjacent listed property itself is located some 6m from this shared boundary with its access and parking area located between the dwelling and the application site. The only window within the flank wall of the new dwelling facing this neighbour would serve a hallway and could therefore be conditioned to be obscure glazed. As such, the proposed development would not detrimentally impact on the amenities of this neighbouring resident.

With regards to the potential impact on the neighbour to the rear, the key consideration for this would be regarding potential overlooking. The Essex Design Guide recommends that new dwellings should be set at a distance of 15m between rear windows and the shared boundary with neighbouring residents, however it is accepted that this can be reduced in built up, urban areas. Whilst the eastern new property (adjacent to The Old Bakery) would be set 13m from the rear boundary of the site, which is considered an acceptable distance, the western property is only 5.25m at its closest point (due to the kinked rear boundary line). This would be significantly less than the desired distance that is in place to protect against overlooking.

The neighbouring property to the rear has an unusual layout in that the property appears to have two 'side gardens' and very little rear garden. The proposed new dwelling would be opposite the larger of the two side gardens, although would be partially screened by the neighbours existing tree. Although the situation is less than ideal, the previously refused scheme (in 2007) proposed a two storey dwelling a similar distance from this boundary and, whilst refused, was not considered unacceptable in terms of overlooking. As such it is considered that such a reason for refusal may be difficult to uphold in this instance.

#### Highway and Parking issues:

The applicant is noted to have provided only one parking space per dwelling, provided in two bays to the front of the recessed unit. This is less than what would usually be expected on such an application. Due to this, Essex County Council Highways have objected to the development.

Notwithstanding this objection, it is felt that two dwellings would not generate a comparable traffic volume with an operating business unit on this site and, furthermore, the site is within close proximity of bus links, a train station, the High Street and a large public car park. As such a reduction in the level of parking provision to be provided would be acceptable. For the same reasons, the development recently approved to the northwest of the site was granted consent with identical parking arrangements and therefore sets a precedent for such a situation.

#### Landscaping:

There are no trees or other vegetation within the site, however there is a neighbouring tree to the southwest of the site, which is fairly close to the site boundary. Whilst this is not protected or located within the conservation area, care must still be taken to ensure the tree is not felled or damaged during construction works, particularly as the tree sits on land approximately 500mm higher than the application site. At present there are existing lock-up garages bordering the site surrounding this tree, that would have stopped any root spread in this direction and act as retaining walls. Provided care is taken during demolition of these garages, and adequate retaining

walls are installed around this boundary (or the lower sections of existing walls are kept to act as retaining walls), then there should be no detrimental impact on the health or well being of this tree.

Sustainability matters:

The proposed residential development of previously developed land in close proximity to the High Street and its associated facilities is encouraged in planning policies. As such this is considered a relatively sustainable location.

Comments on Representations Received:

Aside from the above issue regarding the impact on the neighbouring tree, other potential subsidence issues regarding the change in land levels would be addressed and controlled by Building Regulations. All other neighbour comments have been addressed in the above report.

**Conclusion:**

The principal of residential development on this site has been accepted in the previous application (despite its refusal), and it is considered that sufficient evidence has been provided to prove that there is no longer a need for the site as an employment site or for community use. The design of the dwellings is considered a positive enhancement to the character and appearance of the conservation area and street scene and would remove this unsightly site that currently has a negative impact on the appearance of the area.

Notwithstanding the above, the proposed development would provide less amenity space and off-street parking provision than desired by the relevant Essex County Council guidance documents, and would result in a less than ideal situation with regards to the distances between the proposed upper storey rear windows and the shared boundary with No. 1 Bakery Close. Despite this however, the development would be similar to that recently approved to the northwest of the site (EPF/2411/10) and is, on balance, considered acceptable. As such the application is recommended for approval.

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

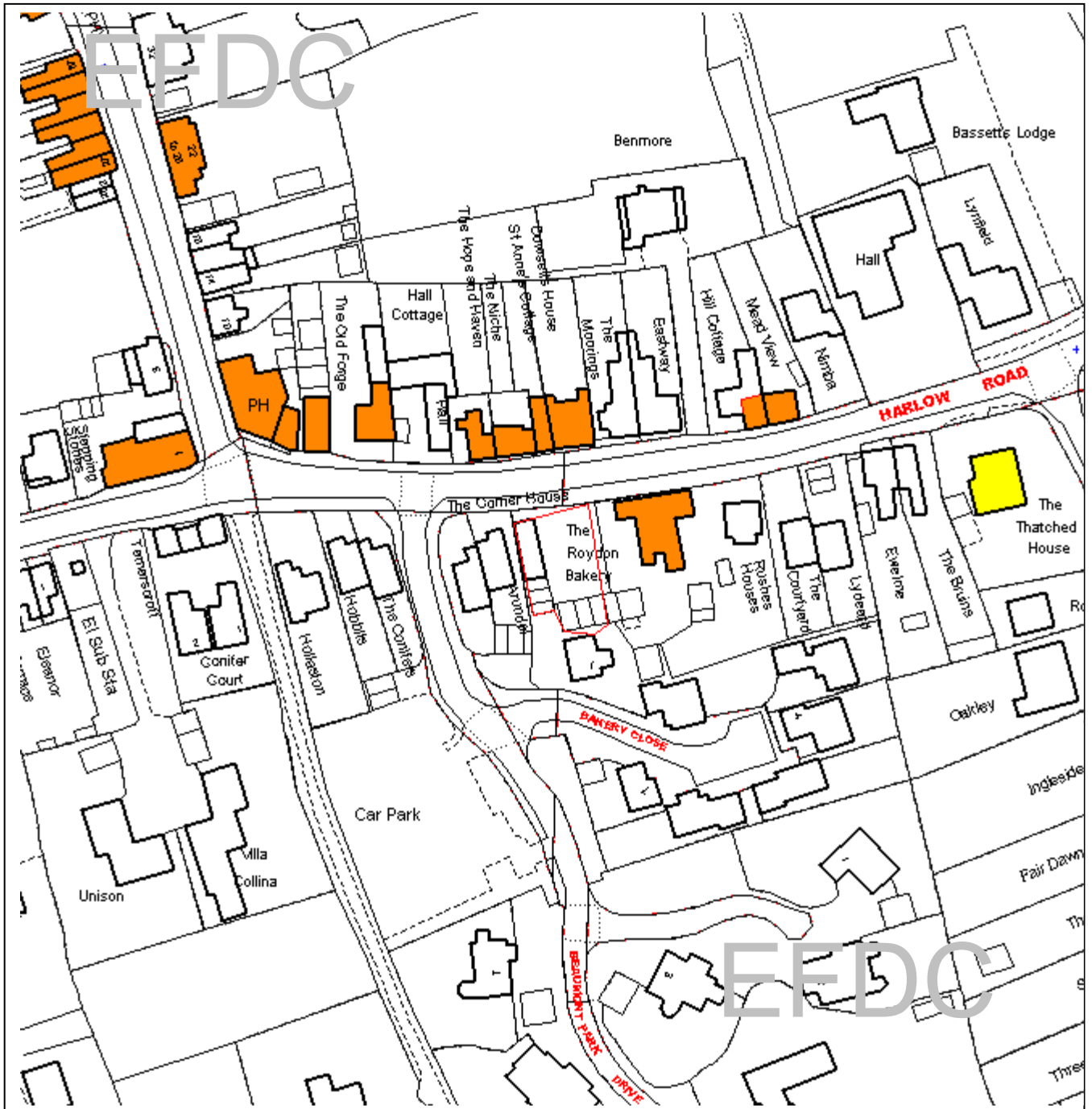
***Planning Application Case Officer: Graham Courtney  
Direct Line Telephone Number: 01992 564228***

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



# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	<b>3 &amp; 4</b>
Application Number:	EPF/2156/11 & EPF/2157/11
Site Name:	The Roydon Bakery, Harlow Road Roydon, CM19 5HH
Scale of Plot:	1/1250

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/2157/11
<b>SITE ADDRESS:</b>	The Roydon Bakery Harlow Road Roydon Harlow Essex CM19 5HH
<b>PARISH:</b>	Roydon
<b>WARD:</b>	Roydon
<b>APPLICANT:</b>	Antellas Developments
<b>DESCRIPTION OF PROPOSAL:</b>	Conservation area consent for demolition and removal of existing garages and former bakery.
<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=532157](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=532157)

**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 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Location Plan date stamped 19/10/11, 2862/1, 2862/2, Existing Site Plan date stamped 19/10/11

*This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g)).*

**Description of Proposal:**

Conservation area consent is being sought to demolish the existing buildings of the Roydon Bakery and erect two detached dwellings. The dwellings would both be four bed properties over three floors (including the roof space) with separate rear gardens and a shared access/parking area. The dwellings would have pitched roofs with ridge heights of approximately 8.9m and would incorporate dormer and gable windows to gain light into the second floor. The development would provide two off-street parking spaces to serve both dwellings.

**Description of Site:**



Redundant bakery situated on the southern side of the High Street, within the village envelope of Roydon. The site is located within the Roydon Conservation Area. Adjacent to the site to the east is a listed building and to the west is a detached dwelling. To the rear is a housing estate erected in the 1980's known as Bakery Close.

### **Relevant History:**

CAC/EPF/2042/06 – Conservation area consent for the demolition of existing buildings and erection of 2 no. three bed residential dwellings – withdrawn 06/12/06

CAC/EPF/0721/07 – Conservation area consent for the demolition of existing buildings and erection of 2 no. three bed residential dwellings (revised application) – refused 16/07/07

### **Policies Applied:**

HC6 – Character, appearance and setting of Conservation Areas

HC7 - Development within Conservation Areas

HC9 - Demolition in Conservation Areas

### **Consultation Carried Out and Summary of Representations Received**

A Site Notice was displayed on 11/11/11.

PARISH COUNCIL – Object as the Parish Council is concerned at the proposed loss of an employment site as they understand that approaches have been made to bring the bakery back into use. It feels that the proposal for two three storey properties is out of keeping with the surrounding area and is overdevelopment of the site. **(It is understood the Parish Council will be re-assessing the application, however at the time of writing the report no additional comments have been received. If any further response is received, this will be verbally reported to Committee)**

### **Issues and Considerations:**

The main issue to be considered is the impact of the removal of the existing buildings and their replacement on the street scene and Conservation Area

The site is located in a prominent position in Roydon Conservation Area, adjacent to and opposite a number of listed buildings. The application site has been referred to within the Roydon Conservation Area Character Appraisal (September 2006) as a 'specific site with potential for improvement'. Within this document it states:

*“The site is currently occupied by a single storey 20<sup>th</sup> century building (that has recently become vacant) and a yard containing a row of lock-up garages. The yard, which creates a gap along the frontage of this road, has an unkempt and neglected appearance that detracts from the character of this part of the conservation area. This site could be enhanced by the addition of a new building in front of, or in place of, the lock-up garages. Any new building in this location would have to be carefully designed so as to complement the adjacent Grade II listed Old Bakery and the character of the conservation area as a whole”.*

The design of the proposed development was discussed with, and amended to suit, Planning Officers views, and it is the opinion of both Development Control and Conservation Officers that the design of the proposed dwellings would be in keeping with the locality and surrounding area, and would positively enhance the overall appearance of this unsightly site.

The height of the proposed dwellings would match the high roof of the immediate neighbour to the west, and the provision of three storeys (incorporating the roof slope with dormer windows) would reflect the listed buildings opposite and the newer properties to the rear.

The layout of the properties, with one being set back facing onto the road and the other being further forward but sitting at a right angle, mimics the general layout of the recently approved scheme to the northwest and the adjacent listed building that has the 'front door' within the flank wall.

The development would retain a 1m gap between the flank walls of the dwellings and the side boundaries of the application site, with 1m between the two properties. Whilst a 2m gap is usually expected between two detached properties (1m on either side of the boundary), the different positions, orientations and roof forms would ensure that no terracing effect takes place within the site. Furthermore, the recently approved detached houses to the northwest of the site overlap each other such that, when viewed from the front, no visual gap would be seen. Yet these were considered acceptable.

Due to the above it is considered that the design of the development would result in a positive enhancement of the site to the benefit of the character and appearance of the conservation area and wider street scene.

**Conclusion:**

The design of the dwellings is considered a positive enhancement to the character and appearance of the conservation area and street scene and would remove this unsightly site that currently has a negative impact on the appearance of the area. As such the application is recommended for approval.

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

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

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

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/2160/11
<b>SITE ADDRESS:</b>	Holmsfield Nursery Meadgate Road Nazeing Essex
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Lower Nazeing
<b>APPLICANT:</b>	Mr J Connors
<b>DESCRIPTION OF PROPOSAL:</b>	Variation of condition 3 on planning permission EPF/0849/10 to allow for hard standing to be installed on area of land to overcome land contamination issues. (Retention of use of site for eight private gypsy plots to replace previous temporary consent.)
<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=532171](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=532171)

**CONDITIONS**

- 1 No caravan shall be stationed, no means of enclosure shall be erected and no further vehicular access to Meadgate Road shall be former on the land between Meadgate Road and the 8 plots as shown hatched on Plan A submitted with this application.
- 2 The existing vegetation screening along the northern, western and southern edges and post and rail fence along the eastern edge of the area of land shown hatched on Plan A submitted with this application shall be retained. If any vegetation along these boundaries dies, becomes diseased or is removed, uprooted or destroyed, it must be replaced by vegetation of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand in writing.

*This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(g))*

**Description of Proposal:**

Consent is being sought to vary condition 3 of EPF/0849/10. The condition currently reads:

**No caravans shall be stationed, no means of enclosure shall be erected, no hard surface shall be laid and no further vehicular access to Meadgate Road shall be**

**formed on the land between Meadgate Road and the 8 plots as shown hatched on Plan A submitted with this application.**

The proposed variation would be to remove “no hard surfacing shall be laid” so that the condition would read:

**No caravans shall be stationed, no means of enclosure shall be erected and no further vehicular access to Meadgate Road shall be formed on the land between Meadgate Road and the 8 plots as shown hatched on Plan A submitted with this application.**

**Description of Site:**

The application site is an irregular 1.4 hectare area of land accessed from the south side of Meadgate Road some 120m west of its junction with Sedge Green. The site is located within the Metropolitan Green Belt and the Lee Valley Regional Park (LVRP). The site is divided into two clearly defined areas. The northern section is some 0.5 hectares and, with the exception of the access road, is unused, largely grassed, and contained a disused building and water tanks that have been removed as part of the previous approval. The southern area of approximately 0.9 hectares is predominantly hard surfaced and contains the eight existing pitches, as well as a large disused former agricultural building that has also been removed as per the previous decision.

**Relevant History:**

EPF/0849/10 - Retention of use of site for eight private gypsy plots to replace previous temporary consent – approved/conditions 30/11/10

**Policies Applied:**

GB2A – Development in the Green Belt.  
GB7A – Conspicuous development  
RP4 – Contaminated land  
RST24 – Design and location of development in the LVRPA  
LL1 – Rural landscape  
LL2 – Inappropriate rural development  
LL10 – Adequacy of provision for landscape retention

**Consultation Carried Out and Summary of Representations Received:**

8 neighbouring properties were notified and a Site Notice was erected on 11/11/11:

PARISH COUNCIL – Object. The contamination issue needs to be dealt with and not covered as hard standing. There were also concerns raised that the development was encroaching onto LVRP land. This is development in the Green Belt.

LEE VALLEY REGIONAL PARK AUTHORITY – The Authority has a substantial concern regarding the installation of hardstanding over such a large area as it would significantly detract from the generally vegetated and undeveloped character of this field. It is understood that there are other options for dealing with the contaminated solids that do not involve such harm to the Regional Park and Metropolitan Green Belt. Other options include removal of contaminated soils to be cleaned off-site. These other options should be fully investigated in the first instance, and any use of hardstanding over existing grassed areas should be treated as a last resort.

ENVIRONMENT AGENCY – The laying of hardstanding on some areas of the site will have some positive benefits in terms of reducing infiltration of water through impacted areas and therefore the

level of contaminant leaching into groundwater. With this in mind and in view of the nature of the development we feel this is the limit of remediation we are realistically able to get from this site.

148 CHALLINOR, HARLOW – Support the application as this will enhance the general appearance of the site, and the health and wellbeing of the families who reside there.

### **Issues and Considerations:**

The key issues under consideration here are the necessity of the proposed works, the potential impact on the Green Belt, and with regards to the overall impact on the character and appearance of the area.

#### **Necessity of proposal:**

Due to the application site's former use as a Landfill Site and Horticultural Nursery, along with a site for storage of tanks, boilers and other scrap, and its unauthorised use for diesel laundering, the site was identified as being potentially contaminated. Due to this, both the original temporary consent granted by the Planning Inspector, and the permanent consent granted by The Council (EPF/0849/10) included conditions requiring contaminated land investigations and, where required, remediation works.

As part of these contaminated land investigations, the applicant's land contamination consultants have identified potential risks from Lead in soils within the northwest part of the grassed 'field' area of the site. To overcome these land contamination issues, the applicant is proposing to cover the entire field in hardstanding, which would sever the pollutant pathway to human receptors with respect to soils. Furthermore, the Environment Agency considers that the laying of hardstanding would reduce the level of contaminants leaching into groundwater.

Notwithstanding the above, the applicant's land contamination consultants have not provided a detailed assessment of the potential risks, taking account of the depth and lateral extent of lead-impacted made ground, and have not discussed any of the more common remedial options for a soft surfaced area such as this. Such alternative remediation options (depending on further investigation) would include:

- Removing approximately 250mm of made ground in the contaminated sections of the field and replacing it with 250mm of clean imported topsoil.
- Retaining the impacted made ground in the contaminated areas and covering with a suitable depth of clean soil.

Both of the above options would be a 'softer approach' to the contamination issues and no evidence has been provided as to why these should not be considered. The laying of such an expanse of hardstanding within a Green Belt site such as this would be a 'last resort'. As such it is not considered that the proposed works are necessary to overcome the existing land contamination issues.

#### **Green Belt:**

The field to which hardstanding is proposed is approximately 1 acre in area. The laying of such an expanse of hardstanding would constitute an engineering operation that is not related to an appropriate use. As such, the development would constitute inappropriate development that is, in principle, harmful to the openness of the Green Belt. Very special circumstances would therefore be required to clearly outweigh the harm from such a development.

Whilst there is a clear 'in principle' harm from this inappropriate development, the area of land in question is located between the existing hardstanding to the south of the site (where the mobile homes are stationed), and Meadgate Road. The historic use of the site was a horticultural nursery,

which contained large expanses of hardstanding, and it would not have been unusual to find such sites completely concreted over. In fact many of the surrounding commercial sites are mainly (e.g.. Sedgeween Nursery and Tyndalls) or completely (e.g. Meadgate Depot and Meadgate Works) laid to hardstanding.

The field in question is bordered to the south by hardstanding, the north by Meadgate Road, the east by the access road into Holmeffield Nursery, and to the west by a large lake. Along the northern, southern and western boundaries exist heavy vegetative screening, with a post and rail fence along the eastern boundary. A condition exists on EPF/0849/10 stating:

*The hedge on the boundary of the site with Meadgate Road shall be retained in its entirety and shall not be reduced below a height of 2.5 metres above ground level.*

Given this high level of screening, the laying of hardstanding within this area would not cause significant 'actual harm' to the openness and appearance of the Green Belt. A further condition could be added to this decision stating that all existing boundary treatment shall be retained, and replaced when necessary, to ensure that such screening remains.

Whilst the laying of hardstanding is considered to be the most extreme, and generally last option, to remediate contaminated land issues, this would be a valid way of overcoming the existing land contamination problems. Furthermore, as expressed by the Environment Agency, this type of remediation would also benefit the level of contaminants leaching into groundwater. As such, subject to the above condition, it is considered that there is sufficient very special circumstances to outweigh the 'in principle' harm from this inappropriate development.

#### Impact on character and appearance of the area:

Aside from being located within the Metropolitan Green Belt, the application site is also located within the Lee Valley Regional Park. An objection has been received from the Lee Valley Regional Park Authority stating that the development "*would significantly detract from the generally vegetated and undeveloped character of this field*". Whilst it is agreed that the laying of hardstanding in this previously undeveloped green field would clearly detract from the existing character of the site, it is not considered that this is significant enough to warrant refusal. Whilst the condition subject to this variation was imposed on the temporary planning consent granted by the Planning Inspector, it was stated within the Inspector's decision letter that "*the Lee Valley Regional Park was not designated because of its landscape value or natural beauty. But it was designated, amongst other aims, to develop and improve its recreational and leisure value and facilities*". Whilst the laying of hardstanding on this area of land would not enhance or complement the 'recreational and leisure value of the park', this field is located within the existing residential Gypsy site and is not accessible to the public. Given the level of screening outlined above, which can be retained by condition, the laying of hardstanding would not be particularly visible from public view and therefore would have no further impact on the recreational function of the Park.

Whilst there is concern that the laying of hardstanding may lead to an increase in the level of pitches or the spread of built development on site, the variation of condition would simply remove the restriction on laying hardstanding and **would not** remove any other restriction within this condition. As such, the applicants would still be unable to station mobile homes, further means of enclosure, or create any additional vehicle access roads within this area. Should such works be desired by the applicant, then these would be subject to a further application, and if any of the above takes place without consent then enforcement action could be taken.

#### Conclusion:

Whilst the laying of hardstanding on this field would clearly impact on the green and undeveloped character of this site, and is not considered necessary or essential to overcome the contaminated

land issues, it would overcome the existing land contamination problems, would be beneficial to land contaminants leaching into groundwater and, given the surrounding land uses and level of screening on site, would not result in any physical harm to the openness or appearance of the Green Belt or the functions of the Lee Valley Regional Park. Due to the above, on balance it is considered that the variation of condition to allow for hardstanding to be installed is acceptable, subject to the other restriction remaining and a condition ensuring the retention of the boundary treatments. As such this application is recommended for approval.

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

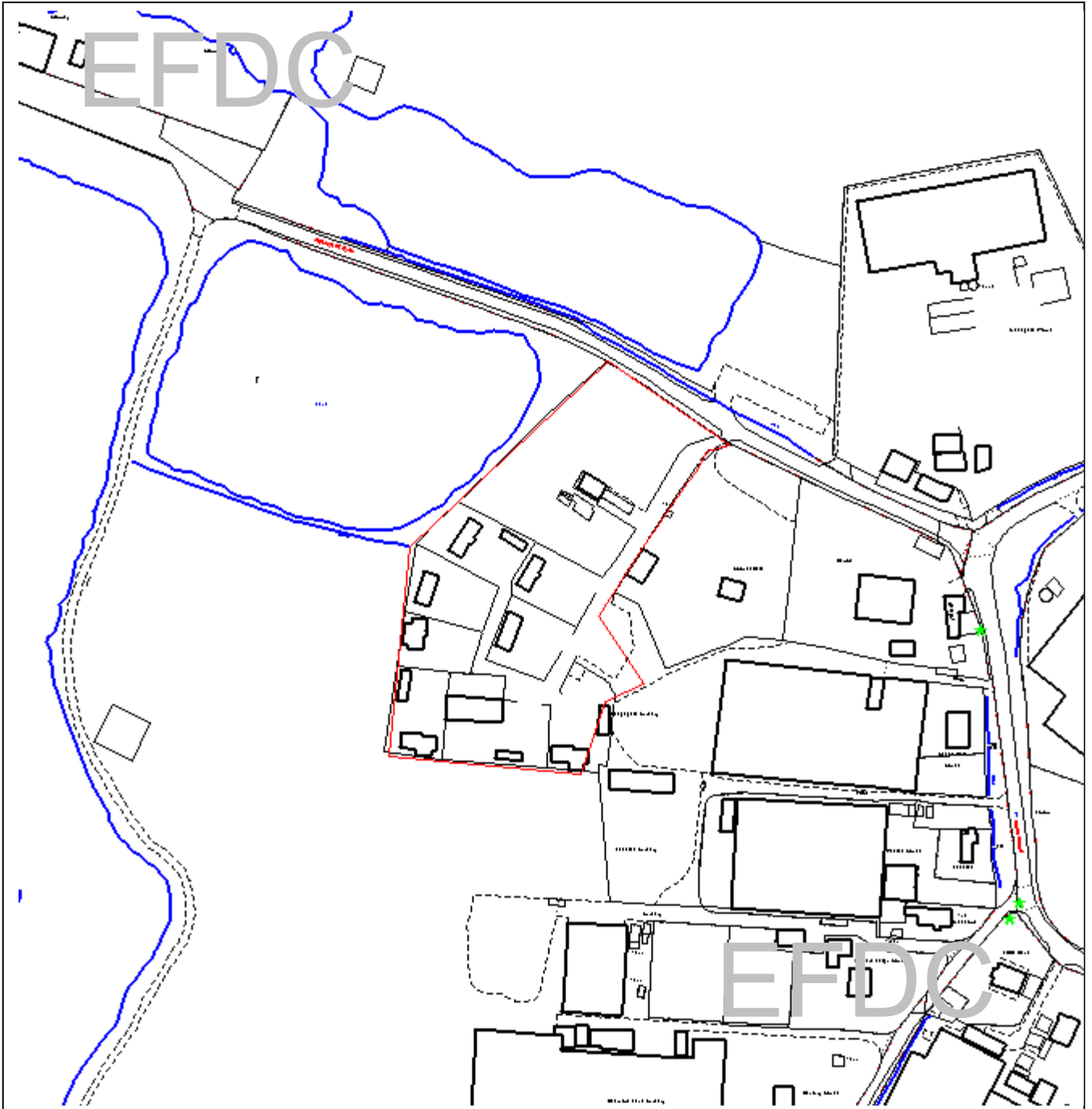
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# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	<b>5</b>
Application Number:	EPF/2160/11
Site Name:	Holmsfield Nursery, Meadgate Road Nazeing,
Scale of Plot:	1/2500