

Committee Agenda



Epping Forest District Council

Area Planning Subcommittee West Wednesday, 18th July, 2012

Place:	Council Chamber, Civic Offices, High Street, Epping
Room:	Council Chamber
Time:	7.30 pm
Democratic Services Officer	Adrian Hendry - The Office of the Chief Executive Email: democraticservices@eppingforestdc.gov.uk Tel: 01992 564246

Members:

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

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 held on 20 June 2012 as a correct record (attached).

5. DECLARATIONS OF INTEREST

(Assistant to the Chief Executive) To declare interests in any item on this agenda.

6. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and 25 of the Council Procedure Rules contained in the Constitution requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

In accordance with Operational Standing Order 6 (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks' notice of non-urgent items is required.

7. DEVELOPMENT CONTROL (Pages 19 - 54)

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

Background Papers

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

schedule.

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

8. DELEGATED DECISIONS

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

9. EXCLUSION OF PUBLIC AND PRESS

Exclusion

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

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

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

Confidential Items Commencement

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

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

Background Papers

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

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

report is based; and

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

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

Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

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

When and where is the meeting?

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

Can I speak?

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

Who can speak?

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

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

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

What can I say?

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

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

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

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

How are the applications considered?

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

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

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

Further Information?

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

Area Planning Subcommittee West 2012-13

Members of the Committee:



Cllr Smith

Cllr Knight

Cllr Bassett

Cllr
Gadsby

Cllr
Johnson

Cllr Kane



Cllr Lea

Cllr Mitchell

Cllr Sartin

Cllr Shiell

Cllr Stavrou

Cllr Watts



Cllr Wyatt

Cllr
Webster

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EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee West **Date:** 20 June 2012

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 8.30 pm

Members Present: Mrs P Smith (Chairman), Ms Y Knight (Vice-Chairman), R Bassett, Mrs R Gadsby, Ms H Kane, Mrs J Lea, A Mitchell MBE, Mrs M Sartin, Ms G Shiell, Ms S Stavrou, A Watts, Mrs E Webster and J Wyatt

Other Councillors:

Apologies:

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

9. WEBCASTING INTRODUCTION

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

10. WELCOME AND INTRODUCTION

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

11. MINUTES

RESOLVED:

That the minutes of the last meeting of the Sub-Committee held on 23 May 2012 be agreed.

12. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs E Webster declared a personal interest in the following item of the agenda by virtue of being a member of Waltham Abbey Town Council, although not a member of the Town Council Planning Committee. The Councillor added that the site in question was within her Essex County Council ward. The Councillor declared that her interest was not prejudicial and indicated that she would remain in the meeting during the consideration and voting on the item:

- EPF/0821/12 Woodview Cottage, Pynest Green Lane, Waltham Abbey EN9 3QL

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

- EPF/0686/12 Land Rear of 66-70 Western Road, Nazeing EN9 2QQ

(c) Pursuant to the Member's Code of Conduct, Councillor Mrs S Stavrou declared a personal interest in the following item of the agenda. The Councillor had taken officer's advice and stated that her interest was under unusual circumstances in that both the applicant and several objectors had sought procedural advice from herself as ward member on how to pursue the application and the objections. Although she had never expressed any view about the planning merits of the application to any member of the public, such had been the weight of views expressed that she felt unable to participate in the debate. She added that the Code of Conduct required her to declare a prejudicial interest if a member of the public in possession of the facts would reasonably feel that her judgement of the public interest was influenced by past contacts regarding this application. She felt that any comments made or vote cast would almost certainly result in one side or the other criticising her actions and had therefore concluded that a prejudicial interest existed and would leave the meeting for this item and the voting thereon:

- EPF/0821/12 Woodview Cottage, Pynest Green Lane, Waltham Abbey EN9 3QL

13. ANY OTHER BUSINESS

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

14. DEVELOPMENT CONTROL

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

RESOLVED:

That, Planning applications numbered 1 – 3 be determined as set out in the annex to these minutes.

15. PROBITY IN PLANNING - APPEAL DECISIONS, OCTOBER 2011 TO MARCH 2012

The Sub-Committee received a report regarding Probity in Planning – Appeal Decisions, October 2011 to March 2012. In compliance with the recommendation of the District Auditor, the report advised the decision-making committees of the results of all successful appeals, particularly those refused by committee contrary to officer recommendation. The purpose was to inform the committee of the consequences of their decisions in this respect, and, in cases where the refusal was found unsupportable on planning grounds, an award of costs could be made against the Council.

Since 2011/12, there had been two local indicators, one which measured all planning application type appeals as a result of committee reversals of officer

recommendation (KPI55), and the other which measured the performance of officer recommendations and delegated decisions (KPI54). Over the six month period between October 2011 and March 2012, the Council received 51 decisions on appeal (44 of which were planning related appeals, the other 7 were enforcement related). Of this, 11 were allowed (25%). For the year end, both targets for KPI 54 and KPI 55 had been achieved. However, between October 2011 and March 2012, in respect of KPI 54, 6 out of 35 were allowed (17%) and for KPI55, 5 out of 9 were allowed (55%). Out of the 9 planning appeals that arose from decisions of the committees to refuse contrary to the recommendation put to them by officers during the 6 month period, the Council was not successful in sustaining the committee's objection in 5 cases, 2 each in Area Plans South, Area Plans East and 1 in Area Plans West.

Therefore, the committees were urged to heed the advice that when considering setting aside the officer's recommendation it should only be in cases where members were certain they were acting in the wider public interest and where the committee officer could give indication of some success at defending the decision. Out of 7 enforcement notice appeals decided, 1 was allowed and one part allowed/part dismissed, although in the latter case the greater part of the appeal was dismissed. During this period, there was 1 successful finalised award of costs made against the council.

The Planning Inspectorate's quashing of an enforcement appeal resulted in an award of costs of £2,200.00 against the Council in respect of Plots 40-41 Roydon Lodge Chalet Estate, Roydon after failing to follow the appeal procedure. The enforcement notice was withdrawn after receipt and grant of an application for a certificate of lawful development because the alleged use was proven to be time immune. The Planning Inspector considered the appeal could have been avoided by more diligent investigation by the Council and awarded costs because the appellant had already incurred costs in preparing for the appeal.

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 be relevant, necessary, but also sound and defensible.

The Planning Services Scrutiny Standing Panel at its meeting on 20 December 2011 had agreed that Probity in Planning reports should be submitted to the Panel in the first instance and then recommended to the Area Planning Sub-Committees annually. However it was advised at this meeting that the process would revert back to a six monthly report to the Area Planning Sub-Committees, these reports would be considered in greater detail at the Area Planning Sub-Committees.

RESOLVED:

That the Planning in Probity Appeal Decisions, October 2011 to March 2012 report be noted.

16. DELEGATED DECISIONS

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

CHAIRMAN

Report Item No: 1

APPLICATION No:	EPF/0633/12
SITE ADDRESS:	Pear Tree Corner Tylers Cross Nursery Epping Road Roydon Harlow Essex EN9 2DH
PARISH:	Roydon
WARD:	Broadley Common, Epping Upland and Nazeing
DESCRIPTION OF PROPOSAL:	Retention of one single unit and 4 touring caravans.
DECISION:	Granted Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=536336

CONDITIONS

- 1 The additional caravans shall only be occupied for residential purposes by the following named persons and any resident dependants:

Ms Kathleen Breaker
Ms Jade Louise Breaker
MS Madeline Breaker
- 2 No more than two mobile homes and four touring caravans shall be stationed on the application site (6 structures in total), as identified in the submitted plans, at any given time.
- 3 The site shall be used for residential purposes only and no commercial, industrial or retail activity shall take place on the site, including the storage of goods, materials or other items not ancillary to the residential use. No vehicle over 3.5 tonnes shall be stationed, parked or stored on the land.
- 4 Within 3 months from the date of this decision, details of foul and surface water disposal shall be submitted to and approved in writing by the Local Planning Authority, and any drainage works shall be implemented and retained thereafter in accordance with such agreed details.

Report Item No: 2

APPLICATION No:	EPF/0686/12
SITE ADDRESS:	Land Rear of 66 -70 Western Road Nazeing Essex EN9 2QQ
PARISH:	Nazeing
WARD:	Lower Nazeing
DESCRIPTION OF PROPOSAL:	Minor material amendment of planning permission EPF/2556/11 (Proposed 2 no. three bedroom detached two storey houses with integral garages and parking fronting Wheelers Close. Amendment to rectify inconsistencies of previously approved plan.
DECISION:	Granted Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=536560

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 drawing no: D 305 100, D 305 104, A 305 105
- 3 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.
- 4 No development shall take place until the hedge on the western boundary of the site and the trees shown on the approved plan No BF/6111.001 (received 15th December 2011) as being retained (and any trees whose canopies overhang the site) have been protected by strong fencing, the location and type to be previously approved in writing by the local planning authority. The fencing shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus material have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made without the prior written consent of the local planning authority.
- 5 Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved

scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.

- 6 No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - a) the parking of vehicles of site operatives and visitors
 - b) loading and unloading of plant and materials
 - c) storage of plant and materials used in constructing the development
 - d) wheel cleaning facilities
 - e) measures to control the emission of dust and dirt during construction
 - f) a scheme for recycling/disposing of waste resulting from site preparation and construction works
- 7 Prior to first occupation of the development hereby approved, the proposed window openings in the first floor 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.
- 8 The garages and car parking spaces hereby permitted shall be provided before the occupation of the dwelling hereby permitted and shall be kept available for the parking of motor vehicles at all times. The garage/car spaces shall be used solely for the benefit of the occupants of the dwelling of which forms part and their visitors and for no other purpose and shall be permanently retained as such.
- 9 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 10 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 08.00 to 17.30 Monday to Friday and 09.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

Report Item No: 3

APPLICATION No:	EPF/0821/12
SITE ADDRESS:	Woodview Cottage Pynest Green Lane Waltham Abbey Essex EN9 3QL
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
DESCRIPTION OF PROPOSAL:	Replacement of existing dwelling (Revised application)
DECISION:	Granted Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=537117

Members were advised that 3 further letters of representation had been received from The Rookery, Pynest Green Lane; Tresco, Wellington Hill and Two Chimneys, Wellington Hill

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: Promap Site Plan date stamped 27/04/12, COH/107/1, COH/107/10 Rev: A, COH/107/11 Rev: A, COH/107/12 Rev: A
- 3 No construction works above ground level 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.
- 4 Prior to first occupation of the development hereby approved, the proposed window openings in the first floor 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, B and E shall be undertaken without the prior written permission of the Local Planning Authority.
- 6 If any tree, shrub or hedge shown to be retained (including the front hedge which is to be permanently retained) in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub or

hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.

- 7 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule in accordance with BS 5837:2012 (Trees in relation to design, demolition and construction - Recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 8 No development shall take place until details of the proposed surface materials for the front driveway have been submitted to and approved in writing by the Local Planning Authority. The agreed surfacing shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property. The agreed surface treatment shall be completed prior to the first occupation of the development or within 1 year of the substantial completion of the development hereby approved, whichever occurs first.
- 9 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 08.00 to 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.
- 10 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.
- 11 All building materials in connection with the development hereby approved shall be stored wholly within the curtilage of the site.

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AREA PLANS SUB-COMMITTEE 'WEST'

18 July 2012

INDEX OF PLANNING APPLICATIONS

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/0125/12	110 Brooker Road Waltham Abbey Essex EN9 1JH	Grant Permission (With Conditions)	21
2.	EPF/0848/12	Abbey View Produce Ltd Galley Hill Waltham Abbey Essex EN9 2AG	Grant Permission (With Conditions)	27
3.	EPF/0937/12	Woodside Bury Road Sewardstonebury E4 7QL	Grant Permission (With Conditions)	36
4.	EPF/1017/12	100 High Street Roydon Harlow Essex CM19 5EE	Grant Permission (With Conditions)	43

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Report Item No: 1

APPLICATION No:	EPF/0125/12
SITE ADDRESS:	110 Brooker Road Waltham Abbey Essex EN9 1JH
PARISH:	Waltham Abbey
WARD:	Waltham Abbey South West
APPLICANT:	English Rose Estates Limited
DESCRIPTION OF PROPOSAL:	Change of use on ground and first floor to D1 College/Community Centre.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=534467

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: Ordnance Survey Location Plan date stamped 18/01/12, W01, W02, W03 (Existing plans), W03 (Proposed plans), W04
- 3 The premises shall be used solely for D1(c) and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.
- 4 The use hereby permitted shall not be open to students outside the hours of 09:00 to 18:00 on Monday to Saturday and at no time on Sundays and Bank/Public Holidays.
- 5 No more than 20 students shall be on site at any time.

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))

ADDITIONAL INFORMATION:

The application was deferred from the Area Plans Sub Committee West meeting dated 18th April 2012 for further information to be obtained and so that a Members site visit could take place.

Despite emails being sent and voicemails being left, Planning Officers were unable to arrange a site visit as they were unable to contact the applicant's Agent to arrange this. However we have now had a response to the questions put forward after the last Committee. The questions and answers are reproduced in full below.

- Age of the children using the site? *13 - 16 10am - 3pm. YR9, YR10, & YR11 then 17 - 21 5pm - 8pm*

- Where they come from? *Majority will be from Essex and a small number from Enfield*

- How are the children supervised (both during school hours and during break times)? *Young people are supervised by professional qualified support workers, mentors and teachers both in lessons and at break times.*

- Types of activities that are to be carried out on site? *Education: Maths & English. Vocational: Motor Go Kart project, Hair & Beauty, Cooking, Food Hygiene, Fitness Coaching, Music Production, life skills and support in work apprenticeships. All subjects are supplied with qualified teacher and supported by a college of further education*

- Who will be running and managing the site? *The HECP (Howard Edward Community Project) Charity who will be commissioning all the above mentioned activities, Not for Profit, will employ a qualified and experienced site manager.*

- Will it be run by the Local Education Authority or a Private Company? *It will be run by the HECP Charity under the guidance and regulation of Local Education Authorities*

- What security measures are around the site (Councillors are concerned as there are vulnerable people on site)? *Young people are picked up and dropped off from their homes, and/or schools and brought to the site. At no time are young people allowed to leave site without a key worker present with them, all meals are provided for on the site. The centre has state of the art CCTV installed together with door security and an admin officer who checks all incoming and outgoings of visitors. The alternative education centre will be above the legal requirements, which is needed at this time. This is to insure that we are ready when the law changes sometime this year with alternative provision. It means that for a P.R.U (Pupil Referral Unit). We are already preparing for our Ofsted inspection once the law changes and are striving to be a example of good practise. All young people are risk assessed before coming onto the project and whilst they are with us If through this process we feel that a young person may be of harm to themselves or others we would not be able to take the referral.*

- What are the requirements for staff with regards to CRB checks? *All staff are subject to a fully enhanced CRB check before they can start working with young people, this is renewable every 2 years after their start date.*

The above information has not changed the Officer's recommendation on this application, which is to approve subject to conditions.

ORIGINAL REPORT:

Description of Site:

The application site is a three storey commercial property located on the southern side of Brooker Road. The site is located within the Brooker Road industrial estate and is designated as an employment area in the adopted Local Plan. The change of use relates to the ground and first floor office area, with the second floor remaining as B1 use. The entire building is served by parking areas to the front and rear of the building. Access to the industrial estate (and the site) is via Cartersfield Road to the east (vehicular and pedestrian) and Brooker Road to the north (pedestrian).

Description of Proposal:

Consent is being sought for the change of use of the ground and first floor B1 offices to a D1 College/Community Centre. The intended use of these premises would be for 'unengaged individuals' who struggle to fit in their schools. The supposed plan is that such individuals would undertake Maths and English classes at their respective schools and will be transported by minibus to the application premises to engage in vocational courses before being transported back to their schools.

Relevant History:

EPF/0335/88 - New light industrial building to replace abattoir – approved/conditions 06/06/88
EPF/0278/09 - Change of use of ground floor office to A3 use – approved/conditions 30/06/09
EPF/1449/11 - Change of use on first floor to D2 Gymnasium – approved/conditions 05/09/11

Policies Applied:

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
CP3 – New development
CP6 – Achieving sustainable urban development patterns
CP7 – Urban form and quality
E1 – Employment areas
E4B – Alternative uses for employment sites
E5 – Effect on nearby developments
ST1 – Location of development
ST4 – Road safety
ST6 – Vehicle parking

Summary of Representations:

A Site Notice was displayed on 01/02/12.

TOWN COUNCIL – Object as there is already one youth facility in the area that previously caused problems. The area is of a very mixed use (leisure, retail and commercial) and the Town Council feels it is not a suitable use of site and that it should be considered for commercial use, rather than D1 College/Community Centre use.

Issues and Considerations:

The key issues in relation to this application are the impact on the existing employment area, the surrounding area, and with regards to highways and parking provision.

The application site is within a designated employment area. Local Plan policy E1 states that *“the redevelopment of existing sites or premises or their change of use to uses other than business, general industry or warehousing will not be permitted”*. However policy E4B nonetheless addresses ‘alternative uses for employment sites’ and states:

Where it can be proven that there is no further need for employment uses on a particular site, the Council will permit alternative uses which fulfil other community needs and which satisfy other policies of the plan.

The site is located within a designated employment area on the edge of the built up area of Waltham Abbey, which is a large predominantly residential town that is served by, albeit limited, sustainable transport. As confirmed by the Town Council, Brooker Road Industrial Estate has diversified over the years to include a mix of uses including leisure, community use and retail and also serves as the vehicular access into Town Mead recreation ground. Due to this it has clearly been accepted that alternative uses are acceptable in this estate.

The first floor section of the building has previously been approved for a change of use to a gymnasium (D2) as it was considered that sufficient marketing had taken place to justify the loss of this part of the site. Whilst no marketing evidence has been specifically provided with this application, the previous decision clearly considered that sufficient marketing had taken place on the site at that time (September 2011) and included a letter from Duncan Phillips Ltd. (Estate Agents) dated 26th August 2011 that stated *“despite marketing the above premises on your behalf over the last 2 years we have been unsuccessful in securing long term tenants”*. It goes on to specify that *“market conditions are difficult at present and Waltham Abbey does have a dearth of empty offices which are being offered at competitive prices”* and confirms that *“we will continue to offer these offices on your behalf and advise of any interest shown”*. Since this date the site has continued to be marketed as a B1 Office building, with the details currently still available on As such, this is considered to clearly prove that there is no further need for commercial B1 use on this site. Additionally, there are other office units within Brooker Road currently being marketed for commercial purposes, which shows further lack of market demand for office use in this locality.

As stated within policy E4B, if it is proven that there is no further need for employment uses on a site then alternative community uses should be considered. With regards to the proposed use as a school/community centre (D1), it is stated that the intention of the proposed use would be to provide vocational courses to unengaged individuals. This would involve a minibus transporting said individuals from their local schools (where they would conduct their Maths and English classes) to the site where they will engage in vocational courses before being transported back. The number of students would be relatively low (between 10 and 20 at any one time) and the school would be used between the hours of 10am and 3pm three or four days per week. No information has been received with regards to the proposed ‘community centre’ aspect of the development, however it is presumed that the applicant considers the type of use to fall between the classifications of a school and a community centre, rather than this forming a separate use. Such a proposed use would be considered to constitute a ‘community use’ and would therefore be considered acceptable as an alternative use to this site.

Whilst the Town Council do not consider this site as being suitable for the proposed use and feel that this may cause ‘problems’ (although the suspected problems are not defined), there have been several units converted in Brooker Road Industrial Estate in recent years, including provision of a day care centre, karate academy, and the gymnasium on this site. None of these uses would traditionally be ‘suitable’ within an industrial estate, however the nature and character of Brooker Road has diversified over the years into a more mixed use estate. As such it is not considered that the provision of a community college facility would be unsuitable for this location.

The proposed college would still retain an element of employment and would offer training in vocational courses, which consists of training in a craft, trade, or professional position and would

be broadly in line with the commercial uses of the industrial estate. As such the proposed use is considered to be acceptable in this location. Tight restrictions on the use of the building could be imposed to ensure this unit is not used as a general school which, if unrestricted, could result in a high number of students visiting this site and could cause traffic, parking, and/or safety concerns. However a restriction on the number of students on site at any one time would successfully protect against this. Furthermore a restriction of the hours of use could be imposed to control unsocial opening times, although this may not be considered as essential.

There are currently 36 parking spaces associated with this site, which would serve the college/community centre and any existing B1 element retained on the second floor. Whilst there are known issues with parking problems within this industrial estate the low number of students proposed would not result in a requirement for significant off street parking provision.

Conclusion:

The site has been marketed for B1 business purposes for a period of at least two and a half years without any interest, and planning permission has previously been granted for a change of use of the first floor as a gym. The proposed vocational college would constitute a community use, which is the preferred alternative use stated within policy E4B, and subject to restrictions would be suitable to this site. As such the application complies with the requirements of the relevant Local Plan policies and is therefore recommended for approval.

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

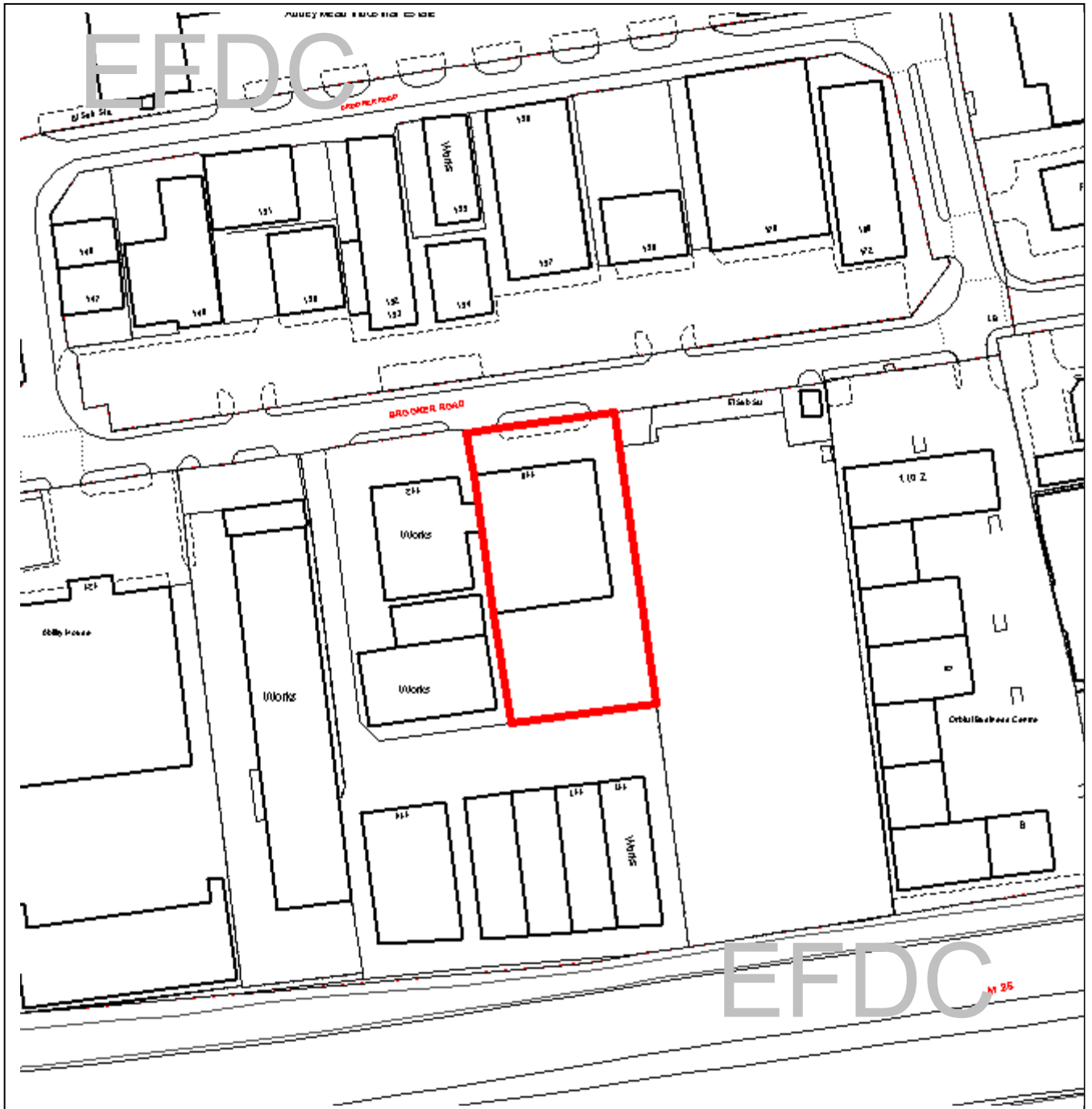
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	1
Application Number:	EPF/0125/12
Site Name:	110 Brooker Road, Waltham Abbey EN9 1JH
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/0848/12
SITE ADDRESS:	Abbey View Produce Ltd Galley Hill Waltham Abbey Essex EN9 2AG
PARISH:	Waltham Abbey
WARD:	Waltham Abbey North East
APPLICANT:	Mr Scott Wilkinson
DESCRIPTION OF PROPOSAL:	Extension of existing packhouse, associated drainage improvements and landscaping.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=537220

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: 3060/1-7
- 3 The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.
- 4 The development permitted by this planning permission shall be carried out in accordance with the approved Drainage Statement dated April 2012, reference 231/2011 by EAS and the following mitigation measures detailed within the FRA:
 1. Limiting the surface water run-off to the calculated Greenfield run-off rate for the site.
 2. Provision of on site surface water storage to attenuate all events up to and including the 1 in 100 year critical storm event, including a 30% allowance for climate change.
 3. Surface water attenuation to be provided through the existing reed pond.

The mitigation measures shall be fully implemented prior to occupation of the building and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

- 5 The landscape scheme shall be carried out in accordance with Tim Moya Associates Soft Landscape Specification, Method Statement and Landscape drawing number 210607-P-01 dated July 2011 . If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand in writing.
- 6 The packing and processing of foodstuffs other than those grown on this nursery shall not take place other than between the hours of 7am to 7pm Monday to Fridays and 7am to 1pm on Saturdays and Sundays and at no other times.
- 7 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 8 Class A shall be undertaken without the prior written permission of the Local Planning Authority.
- 8 The development hereby approved shall form part of a mixed use of the site for horticultural purposes and for the packing, processing and distribution of foodstuffs (in accordance with condition 9 below) and shall not replace, supersede or otherwise operate separately from the commercial growing of horticultural crops from this nursery.
- 9 The packing and processing facilities hereby approved shall be used solely for the handling of fresh horticultural products and shall not be used for the handling of any other goods or foodstuffs.
- 10 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 11 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The

report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

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

- 12 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

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

- 13 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report (referred to in PPS23 as a Validation Report) that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

- 14 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

This application is before this Committee since it is an application contrary to the provisions of an approved Development Plan, and is recommended for approval (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(a)) and;

since it is an application for major commercial development (e.g. developments of significant scale and/or wide concern) and is recommended for approval (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(c)).

Description of Site:

The existing site of Abbey View Produce is fairly substantial in size, approximately 7.5 hectares, and is located to the west of Galley Hill Road. The entire site is within the boundaries of the Metropolitan Green Belt and is one of the sites designated for glasshouse purposes as identified in the Proposals Map of the adopted Local Plan. The original nursery buildings are located to the east of the site along with a number of ancillary buildings. The western part of the site is occupied by a larger block of glasshouses and to the north of this is an existing packhouse.

The site is accessed from Galley Hill Road and parking is available to the north of the existing packhouse and adjacent to the glasshouses at the entrance to the site.

Description of Proposal:

The applicant seeks planning consent to construct a large packhouse building between the existing packhouse and the large glasshouses on the western part of the site. The building would be attached to the existing packhouse. The building would have a floor area of 144.0m x 37.0m (5,328 sq m). The structure would have an eaves height of 6.5m and a ridge height of 8.5m. Materials proposed in the buildings finish would be to match the existing structure. The building is proposed as necessary in order to improve the functioning of the operations on the site.

Relevant History:

There is an extensive history to the site the most relevant and recent being;

EPF/0653/93 - Retrospective application for use of part of nursery for storage packing and processing of agricultural produce from other nurseries. Grant Permission (with conditions) – 01/03/94.

EPF/0160/98 - Construction of glasshouses and packing shed. Grant Permission (with conditions) - 22/06/1998.

EPF/0944/99 - Erection of horticultural packhouse and ancillary offices (alteration to previous approval). Grant Permission – 01/09/99.

Policies Applied:

- GB2A – Development in the Green Belt
- GB7A – Conspicuous Development
- E13A – New and Replacement Glasshouses
- E13B – Protection of Glasshouse Areas
- E13C – Prevention of Dereliction of Glasshouse Sites
- NC4 – Protection of Established Habitat
- DBE1 – Design of New Buildings
- DBE2 – Effect on Neighbouring Properties
- DBE4 – Design in the Green Belt
- DBE9 – Loss of Amenity
- U2A – Development in Flood Risk Areas
- U3B – Sustainable Drainage Systems
- CP1 – Achieving Sustainable Development Objectives
- CP2 – Protecting the Quality of the Rural and Built Environment
- CP3 – New Development
- CP4 – Energy Conservation

CP5 – Sustainable Building
LL2 – Inappropriate Rural Development
LL11 – Landscaping Schemes
RP4- Contaminated Land
ST1 – Location of Development
ST2 – Accessibility of Development
ST4 – Road Safety
ST6 – Vehicle Parking

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 214 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

SUMMARY OF REPRESENTATIONS:

4 Neighbours Consulted and site notice displayed – No replies received.

WALTHAM ABBEY TOWN COUNCIL: No Objection.

Issues and Considerations:

The main issue to consider is the site's location within the Metropolitan Green Belt and issues with regards to design, amenity, land drainage, highways, ecology and landscaping. The comments of consultees and national and local planning policy are other material considerations.

Green Belt Considerations

The site is within the boundaries of the Metropolitan Green Belt and is also in an area designated for glasshouse development. The development of glasshouses in this area is appropriate development but as this proposal is for a packhouse for products grown off the site this is not the case. The proposal is therefore inappropriate development in the Green Belt and therefore there is an onus on the applicant to demonstrate very special circumstances. Owing to the degree of permanence of the buildings ideally such uses should be located outside the Green Belt but the local plan also recognises that it may be desirable for such development to be located at existing nursery sites (para 10.104q). It is therefore established that a requirement to show very special circumstances exists.

Very Special Circumstances Submission

Paragraph 10.104q of the adopted Local Plan recognises that if it is demonstrated that a proposed development would secure the viability of a group of nurseries this may amount to very special circumstances. The applicant's statement outlines a current scenario where a large number of the existing nurseries in the Lea Valley use centralised packing facilities and that this is determined by the market, and its control, by the larger retailers. The Local Plan, at Paragraph 10.89a, recognises that the local industry has to some extent reorganised into "Producer Organisations" in order to meet the requirements of the big retailers and to remain competitive against international competitors. Abbey View is well established as a local centralised facility. The site accepts, and processes the produce of 25 local nurseries not including produce grown at Abbey View, in line with the modern requirements of this industry. It is therefore recognised by the Local Planning Authority that this site, notwithstanding the Green Belt issues, is potentially suitable for such a development in support of the local nursery industry.

The principle of this development is therefore recognised, it is now necessary to establish the need for a building of this size. The applicant's statement firstly outlines a need within the industry to

remain competitive and to adapt to changing industry standards. In this regard a need to reform the practice of “double stacking” of storage crates has been encouraged by one of the businesses’ main customers. Insuring greater hygiene is identified as one of the reasons. Whilst the hygienic handling of products would be covered by separate legislation, it can be recognised that the stacking of pallets would potentially compromise standards of good hygiene. The point is also made that such a practice has created health and safety concerns. Again this is easily recognisable as a concern within the industry and there are cases of serious injury with regards to incidents involving the high stacking of pallets.

The applicant also outlines a need to increase the number of pallets used at the site and to store them inside the building. Unsanitary, outside storage was evident during the site visit and a need for internal storage is apparent. This would have Green Belt benefits by removing the need for such noticeable storage within the surrounding area.

The case is also put forward of a need to provide additional space in order to process all one days orders at the same time, as opposed to processing and clearing orders in small batches which is less efficient. The next day’s orders could also be processed for dispatch. Having observed the current facility during the site visit, again this seems plausible. The site visit bore witness of what seemed a fairly congested workplace.

The applicant claims that separate storage is required for the various crops and that the pepper grading facility currently located in a building on the eastern side of the premises should ideally be within the main packhouse complex. Again the separation of products would seem to be a reasonable requirement of a modern packhouse facility and the location of the pepper grading facility to the main packhouse seems a fairly reasonable proposition. There is the issue of whether, as the existing facility is no longer needed, should it be dismantled and removed from site. The removal of what would only be part of this building would have no real benefits with regard to the open character of the Green Belt and owing to the amount of disruption it hardly seems practical. It is therefore not deemed necessary.

In terms of impact on the open character of the Green Belt the building is to some degree well positioned between the existing packhouse and glasshouse structures at the site. The development would use the parameters of the existing packhouse in order to determine its eaves and ridge height. It is a large building but is located on a developed site and does not require further encroachment into the surrounding Green Belt. Taken in the context of the existing site it would therefore not appear excessively intrusive and would not clearly contravene the objectives of maintaining the Green Belt i.e. safeguarding the countryside from encroachment.

In conclusion it is accepted that in order to promote modern work practices within this local industry there is a desire to provide this facility. This site, whilst within the Metropolitan Green Belt, is in many ways suitable. It is previously developed land and would not involve encroachment into previously undeveloped land. Taken in the context of the existing land uses at the site it would not appear excessively prominent from the surrounding Green Belt, even given its large scale. The increase in the built form at the site is necessary to sustain the existing nursery operation and the operations of a large number of small nurseries in the Lea Valley area. Without it there is potential for produce to need to be shipped further afield for packaging which is not sustainable, or for undeveloped nurseries to try and develop their own packing facilities, which would result in more built development in the Green Belt. The case for the size of the building and its construction at this location has been made. It is therefore considered that very special circumstances exist which render this proposal acceptable in planning terms.

Employment

The site is a local employer of both full time and agency staff. A number of smaller nursery sites are also evidently reliant on this company in order to remain viable. This proposal supports the

continued development of existing employers in the district. The “golden thread” running through the NPPF is to promote sustainable development. It is considered that this proposal is generally in compliance with this aim and promotes economic and social sustainability objectives.

Design

The proposed design would be similar to the existing building on the site and would essentially be designed for its purposes. Subject to the use of matching materials it raises no issues.

Amenity

The position of the proposed development is well separated from any residential properties and there would consequently be no impact on neighbour amenity.

Land Drainage

Consultation has occurred with both the Council's Land Drainage section and the Environment Agency. The responses record no objection to this proposal subject to an appropriate condition ensuring that the development is carried out in accordance with the findings of the Land Drainage Report by EAS Consultants.

Highways

A Transport Statement has been submitted in support of this application. Essex County Council Highways section has considered the findings of this report and as there would be no increase in traffic movements to and from the site there is no objection.

Trees/Landscaping

The trees section of the Council has no objection to this proposal subject to a condition agreeing a soft landscaping scheme.

Ecology

A Phase I Scoping survey has been submitted as part of the application by Naturally Wild. This uncovered few opportunities for protected species to exist at the site and did not uncover a need for further surveys.

Contaminated Land

A Phase I Survey has also been submitted as part of the application package and this has uncovered potential risks. Therefore the Local Planning Authority's standard contaminated land conditions are deemed necessary.

Conditions

A condition requiring the removal of the building from the site in line with policy E13C is not deemed necessary in this instance. The aim of this policy is to guard against the development of such sites within the Green Belt with the aim of securing another use. This site is well established and such a condition is deemed unnecessary. A condition ensuring the building is only used for the said purposes is however deemed appropriate. It is also necessary to remove Part 8 Class A permitted development rights.

Conclusion:

The proposed development is inappropriate in Green Belt terms and as such there is an onus on the applicant to display very special circumstances. In this instance it is considered the protection and promotion of a number of nursery businesses within the district amounts to very special circumstances. The amount of development proposed has been justified by a supporting statement and is accepted. The comments of consultees have been duly noted and any recommendations adhered to. It is therefore considered that having regard to local and recently adopted national policy guidance the development proposed is acceptable and consequently recommended for approval with conditions.

Should this committee agree with the Officers recommendation the application will need to be referred on to District Development Control Committee for a final Council decision.

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:

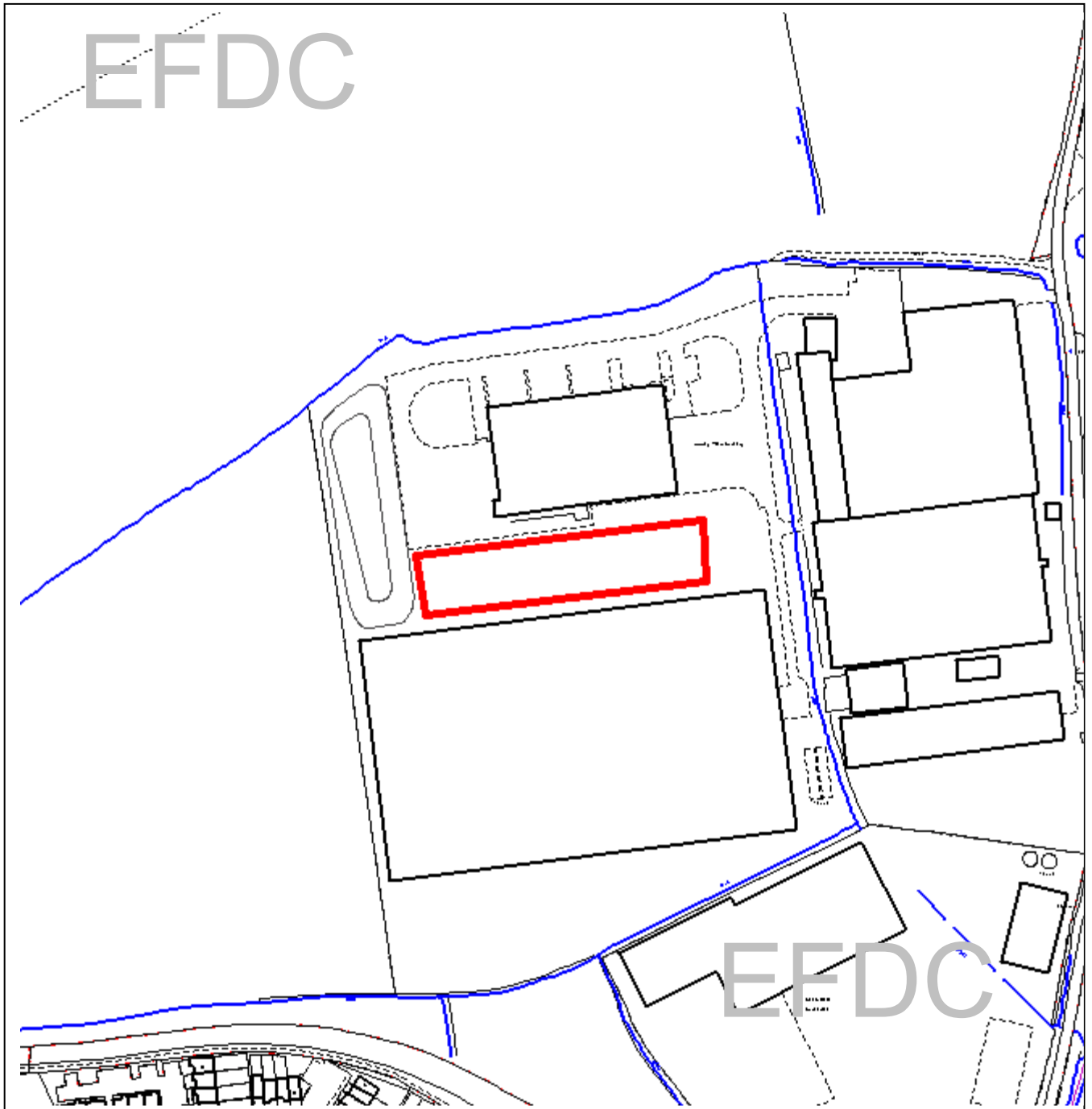
***Planning Application Case Officer: Mr Dominic Duffin
Direct Line Telephone Number: (01992) 564336***

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



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	2
Application Number:	EPF/0848/12
Site Name:	Abbey View Produce Ltd, Galley Hill Waltham Abbey, EN9 2AG
Scale of Plot:	1/2500

Report Item No: 3

APPLICATION No:	EPF/0937/12
SITE ADDRESS:	Woodside Bury Road Sewardstonebury E4 7QL
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
APPLICANT:	Mr G Stone
DESCRIPTION OF PROPOSAL:	New detached dwelling. (Amended application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=537485

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: GS12-06-SK2 Rev: A, GS12-06-SK3 Rev: A, GS12-06-SK4
- 3 No development shall have taken place until details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
- 4 No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
- 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, B, D and E shall be undertaken without the prior written permission of the Local Planning Authority.
- 6 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 an 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 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.

- 7 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan and Arboricultural Method Statement in accordance with BS:5837:2005 (Trees in relation to construction) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved Tree Protection Plan and Arboricultural Method Statement unless the Local Planning Authority gives its written consent to any variation.
- 8 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.
- 9 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.
- 10 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.

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:

The application site consists of the side garden of Woodside, Bury Road, which sits in a plot considerably wider than surrounding properties. Currently the site contains a detached garage building and uncovered swimming pool. The site is located on the corner of Bury Road and Woodman Lane, which is a private road serving a number of houses. The site is located within the Metropolitan Green Belt.

Description of Proposal:

Revised application for the demolition of an existing garage and removal of a swimming pool and the erection of a new detached dwelling. The proposed revision is to increase the size of the dwelling so that it would be a 5 bed detached property that would have a maximum depth of 12.7m and maximum width of 10.4m. The dwelling would have a gable ended pitched roof with two shallow front two storey projections, and a considerably deeper part two storey part single storey rear projection. The dwelling would have a ridge height of 9.1m and would contain rooms in the

roof area to be served by a rear dormer window. The revised dwelling would also incorporate a half basement located beneath the northern half of the new dwelling, that would extend approximately 2.5m beyond the rear wall of the dwelling and would be served by a rear light well. Access to the dwelling would be directly off of Bury Road and would utilise the existing access to Woodside. A new access point is proposed to serve the existing dwelling, which is stated to be in place of a previous, closed crossover.

Relevant History:

EPF/1206/80 - Outline Application for bungalow within the curtilage of Woodside (access from Woodman Lane) – refused 20/10/80 (appeal dismissed 12/08/81)
EPF/0328/00 - Erection of detached dwelling house and detached garage – refused 03/07/00
EPF/1826/00 - Erection of detached dwelling house and detached garage (revised scheme) – refused 22/12/00 (appeal dismissed 05/06/01)
EPF/0306/11 - Existing garage and swimming pool to be demolished and replaced with new detached dwelling – approved/conditions 12/05/11

Policies Applied:

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
GB2A – Development in the Green Belt
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE4 – Design in the Green Belt
DBE8 – Private amenity space
DBE9 – Loss of amenity
LL3 – Edge of settlement
LL10 – Adequacy of provision for landscape retention
LL11 – Landscaping schemes
ST1 – Location of development
ST4 – Road safety
ST6 – Vehicle parking

The above policies form part of the Councils 1998 Local Plan. Following the publication of the NPPF, policies from this plan (which was adopted pre-2004) are to be afforded due weight where they are consistent with the Framework. The above policies are broadly consistent with the NPPF and therefore are afforded full weight.

Summary of Representations:

11 neighbouring residents were consulted. A 14 day re-consultation has been undertaken with regards to the amended plans. This report has been written prior to the expiration of this additional consultation, and therefore any further comments received will be reported to Members verbally at the Committee meeting.

TOWN COUNCIL – No objection.

CITY OF LONDON – Object as this development would create an infill when viewed from front and side elevations, detracting from the openness of the Green Belt. There appear to be no very special circumstances to justify the development.

BYWOLD, WOODMAN LANE – Object due to the impact on the Woodman Lane streetscene, as the site would be overdeveloped, and due to loss of privacy.

PENTIRE, WOODMAN LANE – Object as this does not constitute an infill site, the dwelling would be too large, this constitutes overdevelopment of a major scale and die to a potential loss of trees.

BRANDON & FOUR, WOODMAN LANE (same objector) – Object as this is for an infill in the Green Belt and as it would be out of character and detrimental to the amenities of this rural area. The revised dwelling would be too large for this plot and not comparable to surrounding dwellings. This would potentially cause land drainage problems, will be harmful to highway safety, will result in the loss of trees, and would destruct the street scene on Woodman Lane.

Issues and Considerations:

Green Belt

Whilst the general presumption in relation to the erection of new dwellings within the Green Belt is that they constitute inappropriate development, a brand new four bed detached property was approved on this site in 2011 on the basis of sufficient 'very special circumstances'. These predominantly related to the site's location within the built up area of Sewardstonebury and the amount and scale of other development allowed within the locality. Due to this previous approval, the principle of a new additional house in this location has been accepted, and it is simply the scale of the development that is now under consideration (along with any other proposed changes).

The previously approved dwelling had a footprint equating to approximately 100 sq. m., with a total floor area (excluding the loft space) of 191 sq. m. Whilst no dormers could have been added to the previously approved dwelling (as Class B permitted development rights were removed), the roof space could have been converted into additional habitable accommodation served by rooflights, which would have increased the floor area to approximately 233 sq. m.

This revised scheme proposes to increase the size of the property by extending to the rear by two storeys, increasing the width of the first floor of the dwelling, and by utilising the roof space. This results in an increase in footprint to 131 sq. m., and an increase in floor area (including the roof space) to 300 sq. m. The half basement, whilst providing additional living space, would be wholly underground and therefore would not result in any harm to the openness of the Green Belt. Therefore this aspect of the new build has been excluded from the above calculations.

The revised dwelling would be no higher than that previously approved, however it would incorporate a fully gabled roof, as opposed to the previous roof that included a gable ended pitched roof on the northern flank and a half hip roof on the southern flank.

Being a brand new dwelling there is no comparative dwelling to relate this property to (such as is undertaken when assessing a replacement dwelling). However, the proposed revised house would result in an increase of 31% in footprint over that previously approved and a total increase in floorspace (including the roof space, but excluding the proposed half basement) of 28%.

Comparatively to the surrounding area, the proposed footprint of the dwelling (131 sq. m.) in relation to the site area of the new dwelling (which totals 850 sq. m. for this dwelling, and approximately the same for the parent dwelling) would result in the dwelling filling some 15% of the overall plot. This is similar in size to other detached two storey dwellings in the locality, such as:

- Bywold, Woodman Lane = 12%
- Brandon, Woodman Lane = 16%
- No. 4 Woodman Lane (chalet bungalow) = 13%
- Ashton, Woodman Lane = 20%
- Montrose, Woodman Lane = 18%
- Norwood, Bury Lane = 12%

- Woodlands, Bury Lane = 16%
- Knapp Cottage, Farm End = 12%

The height of the revised dwelling would be no higher than that previously approved, and would be lower than that of Woodside, as would be expected on this slightly sloping land, and as can be seen above the overall size of the dwelling in relation to its site is in line with the pattern of development in the surrounding location. The dwelling would retain a 1.5m distance from the newly created boundary subdividing this dwelling from the parent property, and a 1.3m distance from the side boundary adjacent to Woodman Lane, which is in line with the guidance contained within the Local Plan. There is adequate amenity space and parking provision provided on site, and therefore it is not considered that the revised scheme would constitute overdevelopment of the site, nor would it be any more detrimental to the openness of the Green Belt than that previous approved planning permission. Therefore, the larger dwelling is still considered to benefit from the very special circumstances previously identified, and would therefore be an acceptable development within this particular Green Belt location.

Design and appearance

Policies CP2, DBE1 and DBE4 of the Epping Forest District Local Plan seek to ensure that new development is satisfactorily located and is of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area.

The originally proposed plans that were submitted with this revised application were of a poor quality and appeared cluttered and unappealing, however these plans have subsequently been amended and are now largely based on the previous approval. The proposed enlarged dwelling would add a second gable front protrusion, which would add symmetry to the new house, and would remain a fairly interesting and acceptably designed property. The surrounding properties in Bury Road and Woodman Lane (and in the whole of Sewardstonebury) vary greatly in their design and size, and due to this it is not considered that the proposed dwelling would be detrimental to the overall character or appearance of the area in either scale or design.

Whilst the enlarged dwelling would increase the bulk and scale of the property when viewed from Woodman Lane, it would continue to retain a distance of some 1.3m from the side boundary which, when combined with the existing 4.7m wide grass verge and level of tree screening, would be sufficient distance to ensure the larger house would not be overdominant or detrimental to the appearance of this street scene.

Amenity considerations

The enlarged dwelling would not have any greater impact on the light, privacy or visual amenities of surrounding residents given the distances involved and levels of landscaping within and adjacent to the site.

Highways/Parking

The increase in size of the dwelling does not impact on the level of parking available on the site (which is well in excess of the three required spaces) and the vehicle access is unchanged to that previously approved.

Landscaping

There are no preserved trees located on the site and whilst many existing trees are present, none of these are considered suitable for protection. Although the conifer/laurel screen alongside Woodman Lane acts as a good screening, it is likely to be overwhelming for the new occupier of

the new dwelling. As this is very clearly a hedge and not individual trees a TPO would not be appropriate for this. However this application is a good opportunity to seek better quality planting along this boundary. The proposed plans show four evergreen oaks and three yews. These will be boosted by the laurels and existing trees on the grass verge in Woodman Lane and would be considered a suitable replacement.

To ensure the retained trees are protected during construction, a tree protection condition is required (as previously imposed), and a hard and soft landscaping condition, also previously imposed, would cover the planting of new trees and other vegetation, as shown in the submitted drawings.

The proposed basement would not detrimentally impact on any trees to be retained, however, to protect against any raising of land levels as a result of any excavated materials, a condition should be added requiring all excavated materials to be removed from site.

Conclusion:

The enlarged dwelling would be no more harmful to the openness of the Green Belt or to surrounding residents than that previously approved in 2011. The new dwelling is considered acceptable in terms of design and appearance and as such, subject to relevant condition, it is still considered to comply with the relevant Local Plan policies and is therefore recommended for approval.

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

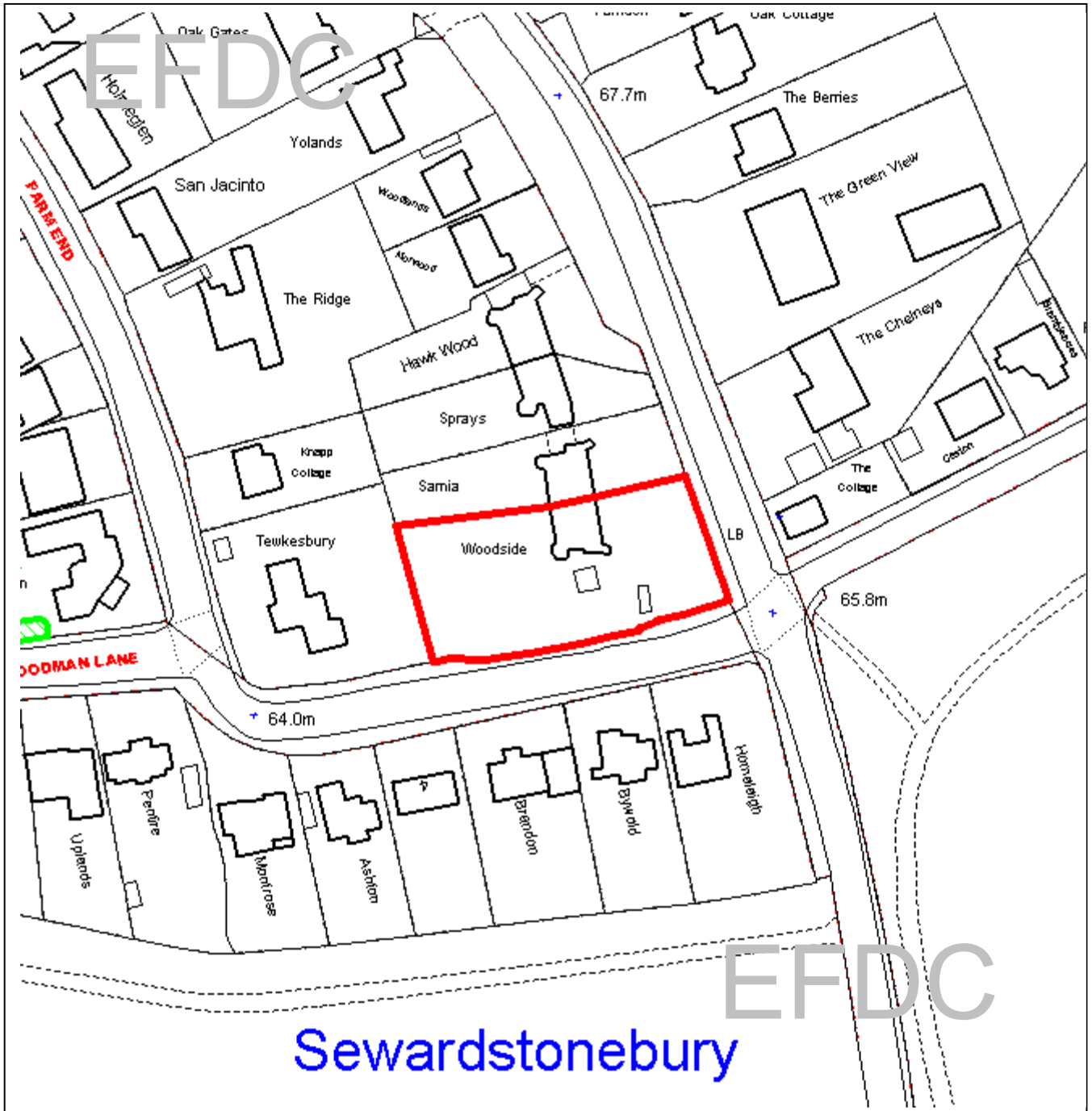
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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



Epping Forest District Council

Area Planning Sub-Committee West



Sewardstonebury

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Agenda Item Number:	3
Application Number:	EPF/0937/12
Site Name:	Woodside, Bury Road Sewardstonebury , E4 7QL
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/1017/12
SITE ADDRESS:	100 High Street Roydon Harlow Essex CM19 5EE
PARISH:	Roydon
WARD:	Roydon
APPLICANT:	Mr D Vasani
DESCRIPTION OF PROPOSAL:	Extension of time limit to EPF/2233/08. (Demolition in part of existing Chemist Shop and construction of Health Centre, comprising Chemist Shop, Dentist and Doctors surgery.)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=537868

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 and image nos: 17_0708_01, 17_0708_02, 17_0708_03, 17_0708_04, 17_0708_05, 17_0708_06, Existing Panoramic, Proposed Panoramic.
- 3 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 4 No demolition or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

A brief outlining the level of investigation will be issued by Essex County Council on request.
- 5 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 08.00 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.

- 6 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 7 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]
- 8 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]
- 9 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report (referred to in PPS23 as a Validation Report) that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary

monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

- 10 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 11 Prior to commencement of development additional drawings that show details of proposed new windows, doors and shopfronts, by section and elevation at scales between 1:20 and 1:1 as appropriate shall be submitted to and approved by the local planning authority. Work shall be carried out in accordance with such plans.
- 12 The premises shall be used solely for a chemist and combined doctor/dentist surgery and for no other purpose (including any other purpose in Class D1 of the Town & Country Planning (Use Classes) Order 2005 or shall be reverted to A1 retail use at ground floor with ancillary storage/floorspace above.

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:

Roydon High Street is a designated Conservation Area and the application site is situated amongst a number of Listed Buildings. The site is currently occupied by a low rise two storey property of minimal design merit which currently functions as a chemist/pharmacy.

There is existing parking within garages to the rear of the site, however the applicant indicates these are disused.

The application site is immediately adjacent to and shares the access to the south of the existing building between the plot and the New Inn public house. This access serves the rear of the application site and the public house car park. This car park is privately owned and the applicant has demonstrated no agreement to use this car park.

Description of Proposal:

Extension of time limit application regarding EPF/2233/08. The original application was for:

Demolition in part of existing Chemist Shop and construction of Health Centre, comprising Chemist Shop, Dentist and Doctors surgery.

The proposed (previously approved) new building would be two-storey with the footprint occupying the entirety of the northern side of the site plot, with the existing access retained on the southern side. The proposed new structure would accommodate a dispensing pharmacy on the ground floor

and dentist consultancy with a single reception and treatment room. At first floor the applicants propose a separate Doctor's reception with two consulting and two treatment rooms. The proposals include provision for a lift.

The application provides no parking within the curtilage of the property, however it would include a secure cycle storage area in the alley to the western side of the building.

Relevant History:

EPF/2233/08 - Demolition in part of existing Chemist Shop and construction of Health Centre, comprising Chemist Shop, Dentist and Doctors surgery – approved/conditions 18/06/09

Policies Applied:

HC6 – Character, appearance and setting of Conservation Areas

HC7 – Development within Conservation Areas

HC12 – Development affecting the setting of Listed Buildings

CF2 – Health Care Facilities

DBE1 – Design of new buildings

DBE12 – Shopfronts

ST1 – Location of development

ST2 – Accessibility of development

ST4 – Road Safety

ST6 – Vehicle Parking

TC6 – Local Centres and corner and village shops

The above policies form part of the Council's 1998 Local Plan. Following the publication of the NPPF, policies from this plan (which was adopted pre-2004) are to be afforded due weight where they are consistent with the Framework. The above policies are broadly consistent with the NPPF and therefore are afforded full weight.

Consultation Carried Out and Summary of Representations Received:

12 neighbouring properties were consulted and a Site Notice was displayed on 13/06/12.

PARISH COUNCIL – No objection.

1 CHURCH MEAD – Support the application as it enhances the aesthetic aspect of the High Street and conservation area, whilst improving the Pharmacy and offering a much needed facility for the village.

2 CHURCH MEAD – Object as the new development would be totally overbearing, will be considerably taller than surrounding buildings, due to the impact on parking, and as the scale of the 'health centre' is greater than the needs of Roydon residents.

THE NEW INN, 90 HIGH STREET – Object as there is no parking available for this development, this would be detrimental to the existing parking and highway safety issues in the area, and as the building would appear overbearing, bulky and out of scale with the neighbouring buildings.

THE DOWER HOUSE, 108 HIGH STREET – Object as NHS provisions for General Medical Services in this part of Epping Forest is fully met, particularly as the new Doctors surgery in Nazeing is up and running. The development is excessively large and overshadows the neighbouring listed building. The development would also result in a loss of light to Dower House Barn, and as this would detrimentally impact on parking and highway safety.

153 HIGH STREET – Support the application as the construction of a health centre would be welcomed in the village, particularly as both the dentist and doctors previously closed.

193 HIGH STREET – No objection.

NO ADDRESS GIVEN – Support the application as this project would be a valuable amenity to Roydon and the present building has no architectural quality to add to the conservation area.

Issues and Considerations:

The application was previously considered to be an acceptable development. The relevant Local Plan policies relating to this application have not changed since the previous decision, however there has been a new Vehicle Parking Standards adopted since this time, and Government Guidance has recently changed through the introduction of the National Planning Policy Framework. However, these new guidance documents do not alter the opinion previously reached by Planning Officers (see the original delegated report below).

Although the new Vehicle Parking Standards would increase the level of car parking required to serve this development by a further 2 spaces, it was previously accepted that this development was acceptable despite proposing no off-street parking provision. As such, it is not considered that the new Parking Standards would alter this decision.

The latest Government Guidance in the form of the NPPF puts great emphasis on the presumption in favour of sustainable development, and seeks positive improvements by (amongst other factors):

- *Making it easier for jobs to be created in cities, towns and villages;*
- *Replacing poor design with better design; and*
- *Improving the conditions in which people live, work, travel and take leisure.*

The NPPF also states that “*the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system*”. Furthermore, it also states that planning policies should “*plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural building, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments*”. The proposed redevelopment of this site as a health centre, as previously approved in 2009, is considered to meet the aims and principles of the NPPF.

Conclusion

Due to the above it is not considered that there have been any changes that would alter the previous decision of the Council. Therefore the proposed extension of time limit is considered acceptable and is recommended for approval. A copy of the original delegated report regarding EPF/2233/08 is reproduced below.

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

ORIGINAL REPORT RE: EPF/2233/08

Description of Proposal:

The applicant seeks consent to partially demolish the existing chemist and for construction of a Health Centre comprising a chemist, Dentist and Doctors Surgery.

The proposed new building would be two-storey with the footprint occupying the entirety of the northern side of the site plot, with the existing access retained on the southern side.

The proposed new structure would accommodate a dispensing pharmacy on the ground floor and dentist consultancy with a single reception and treatment room. At first floor the applicants propose a separate Doctors reception with two consulting and two treatment rooms. The proposals include provision for a lift.

The application provides no parking within the curtilage of the property and a secure cycle storage area in the alley to the western side of the building.

Description of Site:

Roydon High Street is a designated Conservation Area and the application site is situated amongst a number of Listed Buildings. The site is currently occupied by a low rise two storey property of minimal design merit which currently functions as a chemist/pharmacy.

There is existing parking within garages to the rear of the site, however the applicant indicates these are disused.

The application site is immediately adjacent to and shares the access to the south of the existing building between the plot and the New Inn public house. This access serves the rear of the application site and the public house car park. This car park is privately owned, the applicant has demonstrated no agreement to use this car park.

Relevant History:

The most relevant history is outlined below:

EPF/0575/93 – Outline application for shop with residential above – Refused

EPF/1380/98 – Replace roof, proposed first floor storage accommodation and garage conversion to extend dispensary - Approved

Policies Applied:

Epping Forest District Local Plan and Alterations policies:

HC6 – Character, appearance and setting of Conservation Areas

HC7 – Development within Conservation Areas

HC12 – Development affecting the setting of Listed Buildings

CF2 – Health Care Facilities

DBE1 – Design of new buildings

DBE12 – Shopfronts

ST1 – Location of development

ST2 – Accessibility of development

ST4 – Road Safety

ST6 – Vehicle Parking

TC6 – Local Centres and corner and village shops

EPOA Parking Standards

Representations Received:

ROYDON PARISH COUNCIL: No objection – The Parish Council is supportive of the proposal to improve health and associated facilities in the village.

PROSPECTIVE MP ROBERT HALFON – Strong support for the proposals which would be an asset to Roydon village.

5 properties were consulted and a site notice erected and the following responses received:

8 letters of support have been received as follows:

153 HIGH STREET – Support the proposals subsequent to the loss of separate dentist and doctor facilities in the village.

1 CHURCH MEAD – Support the proposals due to improvements to appearance of the High Street and provision of needed facilities.

57 HIGH STREET – Support the improvement of the existing building and provision of healthcare facilities subject to support from healthcare professionals and parking issues being considered.

193 HIGH STREET – Support the proposals for local services for Roydon and surrounding areas.

4 TEMPLE MEAD – Support the proposals as an asset to the rural community.

6 BEAUMONT PARK DRIVE – Support the proposals and associated community benefits with two reinstated services (doctors and dentists) subject to being architecturally in keeping.

MEAD VIEW – Support the investment in local facilities particularly in areas with high numbers of elderly residents and the visual improvement of the existing property.

THE COURTYARD, HARLOW ROAD – Support the reinstatement of facilities within easy access for residents.

4 Letters of objection have been received as follows:

THE DOWER HOUSE, 108 HIGH STREET – Object on grounds of land ownership issues relating to the cycle store area adjacent the property and the depth of the development plot proposed. Queries have also been raised to the NHS regarding support of this location, no support has been confirmed to the objector. Concerns are raised that the existing building requires renovation, but that this should not be at a greater scale than the Tudor Dower House Barn adjacent. The proposals are bulky and out of scale, loss of light to the Dower Barn property and maintenance issues relating to thatching. Concerns are also raised structurally with the objectors property being oak framed without foundation. Highways issues are also a concern with the existing chemist having an informal arrangement with the public house for parking, the proposals benefit from no such arrangement, this would result in increased on-street parking, particularly problematic with additional deliveries. The objectors provide a copy of a title deed in respect of land ownership issues.

THE NEW INN – Object due to land ownership issues and raise issues relating to the procedure followed to serve notice on the leaseholder. Objections are raised as staff would have no parking onsite, parking issues already exist with commuters parking in this area, additional sewer/drainage problems are highlighted and the proposals appear overbearing to the immediately adjacent building (Dower House Barn).

3 CHURCH MEAD – Object on grounds of insufficient parking and road safety. Surrounding streets are used by local residents and visitors, commuters using the railway station, delivery vehicles, tradesmen and customers from the High Street. This leads to inconvenience and difficulties for parking and has a potential to cause traffic incidents. The lack of parking facilities would further increase these issues.

Issues and Considerations:

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

- Principle of development
- Scale, mass, design, layout and form of development
- Impact to the Conservation Area and Listed Buildings
- Impact on neighbouring amenity
- Highways and transportation matters
- Any other matters
-

Principle of development

The site is situated within Roydon High Street local centre, where the existing retail floorspace would be retained and the proposed community facility would likely increase footfall through the High Street. In terms of location and proposed uses, the proposed development is acceptable. Notwithstanding this there is no evidence of support provided by any NHS or private body which may potentially wish to occupy the proposed facility.

Policy TC6 seeks to ensure retail uses are retained within local centres, the proposals retain the existing chemist floorspace and provide a community facility which appears well supported by residents, therefore there is no direct departure from this policy.

Policy CF2 encourages the development of healthcare facilities to meet local needs subject to the development not resulting in excessive environmental or amenity issues, being readily accessible by public transport and car and the site being outside of the Green Belt. Meeting all of these objectives the proposals are supported in principle.

Scale, massing, design, layout and form of development

The proposed new building would front the High Street with a partial hip similar to that of the immediately adjacent Dower House Barn. The frontage is proposed to be rendered in a similar finish to that maintained on the New Inn.

The depth of the proposed facilities would be similar to that which currently exists, however the existing structures are of a lesser height with a single storey rear projection, the proposals would be 2-storey throughout.

The proposals would maximise the use of the footprint with openings focussed on the front, rear and access sides (on the southern side) with only a single high level opening proposed on the northern side at first floor. The design enables access to the pharmacy/chemist to the front and a second access primarily for the dentist/doctor facility to the rear.

The proposed frontage would mimic the style and appearance of the immediately adjacent properties with the shop front retained and additional window space provided. These features are considered desirable traits and to improve the appearance of the High Street.

In respect of the southern flank of the property fronting onto the shared access, the scale of development has been increased towards the rear and this would be visible from further along the High Street. Whilst the additional structures present an increased visual impact, the proposed flank

elevation would maintain a number of window and door openings and at least two differing finishes. This variety serves to break up the façade which would be of comparable depth to the existing adjacent cottage which would as a result be obscured from view.

Impact on the adjacent locally listed building and Conservation Area

A number of comments have been received in respect of the proposed design and potential impacts to the Conservation Area and adjacent Listed Buildings. The proposed design presents an improvement and enhancement on the existing structure.

The Conservation Officer considers the proposals of too great a scale, being dominant to the adjacent Listed Building and detrimental to the Conservation Area. However, the proposals result in the loss of an undisputed poorly designed structure and as a result presents a significant improvement in appearance in the High Street, therefore on balance in design terms the proposals are not considered unacceptable subject to stringent conditions on materials and the detail relating to the frontage of the property in accordance with policy HC7.

Impact on neighbouring amenity

The proposals would increase the scale of the existing structures which would increase the dominance of the property when viewed from Dower House Barn; this increase in scale would however include a roof which pitches away from the adjacent plots. The proposals are as a result not considered to significantly increase any existing adverse impact to neighbouring amenity with the depth of the proposed structures existing and the proposals increasing the height of the development only.

In respect of noise and disturbance, the presence of a doctor and dentist surgery would likely result in the opening of the facility on Saturdays and evenings. Members may wish to consider restricting opening times on Sundays and bank/public holidays in the interests of neighbouring amenity. This would be unlikely to adversely impact on the functionality of the surgeries; however care should be taken to enable the chemist to operate as required by any relevant local chemist rotas.

Highways and transportation matters

Highways have returned no objection in relation to the scheme. Notwithstanding this there is no parking provision within the scheme. For a healthcare facility parking would usually be expected at a single space per member of full time staff plus two spaces for each consulting room. This would result in a requirement for 13 spaces. However, in this instance the local highways have no restrictions and a free public car park is available a short distance away in Beaumont Park Drive. Furthermore the site is in close proximity to the rail station and close to Harlow Road which is served by 4 bus routes at peak hours, with the 381 service at regular intervals throughout the day.

For these reasons irrespective of the parking concerns raised, Officers consider it appropriate to relax the usual parking requirements set out by the Essex Planning Officers Association due to these local circumstances as permitted within the introductory paragraphs of the guidance. The local transport links in the area, public car park and unrestricted parking is considered sufficient for patients and staff alike, with Doctors likely to be able to find parking in a suitably close location.

Other matters

- Contamination

The historic use of the site results in the land potentially being contaminated. For this reason a condition regarding a phased contamination assessment is requested by the Council's Contamination Officer.

- Archaeology

The Essex County Council Archaeology team have requested that a condition be attached requiring a programme of archaeology work with a written scheme of investigation to ensure the in-situ preservation or excavation of medieval or post-medieval remains.

Conclusion:

The proposed development results in the improvement to the appearance of existing structures in the setting of Listed Buildings and the Conservation Area, the proposals provide a clearly supported community use and in an area with a public car park in close proximity and good transport links, without parking restrictions in place, the proposals are considered on balance to be acceptable and Officers recommend approval with conditions.

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