

# Committee Agenda



## Epping Forest District Council

### ***Area Planning Subcommittee West Wednesday, 7th November, 2012***

You are invited to attend the next meeting of **Area Planning Subcommittee West**, which will be held at:

**Council Chamber, Civic Offices, High Street, Epping  
on Wednesday, 7th November, 2012  
at 7.30 pm .**

**Glen Chipp  
Chief Executive**

**Democratic Services  
Officer**

Adrian Hendry - The Office of the Chief Executive  
Email: [democraticservices@eppingforestdc.gov.uk](mailto: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

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**A BRIEFING FOR THE CHAIRMAN, VICE-CHAIRMAN AND  
APPOINTED SPOKESPERSONS WILL BE HELD AT 7.00 P.M. IN  
COMMITTEE ROOM 1 ON THE DAY OF THE SUB-COMMITTEE.**

#### **WEBCASTING NOTICE**

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

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

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

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

**1. WEBCASTING INTRODUCTION**

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

2. The Chairman will read the following announcement:

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

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

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

**2. ADVICE TO PUBLIC AND SPEAKERS AT COUNCIL PLANNING SUBCOMMITTEES (Pages 5 - 7)**

General advice to people attending the meeting is attached.

**3. APOLOGIES FOR ABSENCE**

**4. MINUTES (Pages 9 - 14)**

To confirm the minutes of the last meeting of the Sub-Committee held on 10<sup>th</sup> October 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 15 - 33)**

(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. NATIONAL GRID APPLICATION (Pages 35 - 41)**

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

**9. DELEGATED DECISIONS**

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

**10. EXCLUSION OF PUBLIC AND PRESS**Exclusion

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

<b>Agenda Item No</b>	<b>Subject</b>	<b>Exempt Information Paragraph Number</b>
Nil	Nil	Nil

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

Confidential Items Commencement

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

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

Background Papers

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

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

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

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

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

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

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

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

### **Can I speak?**

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

### **Who can speak?**

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

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

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

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

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

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

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

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

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

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

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

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

### **Further Information?**

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

## 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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## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Area Planning Subcommittee West   **Date:** 10 October 2012

**Place:** Council Chamber, Civic Offices, High Street, Epping   **Time:** 7.30 - 8.00 pm

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

**Other Councillors:**

**Apologies:** Ms Y Knight and R Bassett

**Officers Present:** J Godden (Planning Officer), M Jenkins (Democratic Services Assistant) and G J Woodhall (Democratic Services Officer)

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### 38. 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.

### 39. 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.

### 40. MINUTES

#### RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 12 September 2012 be taken as read and signed by the Chairman as a correct record.

### 41. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Ms S Stavrou declared a non pecuniary interest in the following item of the agenda by virtue of having made use of solar panels in the past. The Councillor advised that she would remain in the meeting for the consideration of the item and voting thereon:

- EPF/1188/12 Elm Cottage, Epping Road, Epping Upland, Epping CM16 6PH

(b) Pursuant to the Council's Code of Member Conduct, Councillor Mrs P Smith declared a non pecuniary interest in the following item of the agenda by virtue of knowing the applicants. The Councillor advised that she would remain in the meeting for the consideration of the item and voting thereon:

- EPF/1188/12 Elm Cottage, Epping Road, Epping Upland, Epping CM16 6PH

**42. ANY OTHER BUSINESS**

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

**43. DEVELOPMENT CONTROL**

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

**RESOLVED:**

That, Planning applications numbered 1 – 2 be determined as set out in the annex to these minutes.

**44. DELEGATED DECISIONS**

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

**CHAIRMAN**

## Report Item No: 1

<b>APPLICATION No:</b>	EPF/1188/12
<b>SITE ADDRESS:</b>	Elm Cottage Epping Road Epping Upland, Epping, CM16 6PH
<b>PARISH:</b>	Epping Upland
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>DESCRIPTION OF PROPOSAL:</b>	Retention of existing solar panels.
<b>DECISION:</b>	Granted Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=538493](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=538493)

### CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: P4512
- 2 The solar panels hereby approved shall not be used as a separate solar farm and shall only be used in connection to the dwellinghouse and equestrian site known as Elm Cottage, Epping Road, Epping Upland.
- 3 Once the development ceases being used or functional as operational solar panels all structures and works shall be removed from the site together with any associated materials, and the land restored to its former use as undeveloped grassland.

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/1278/12
<b>SITE ADDRESS:</b>	26 Old Nazeing Road Nazeing Essex EN10 6RW
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Lower Nazeing
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of the existing bungalow and the construction of a pair of semi-detached houses.
<b>DECISION:</b>	Granted Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=539038](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=539038)

**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: 1502/01-05 submitted as part of application EPF/1278/12.
- 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 The proposed window openings in the eastern flank elevation at first and second floor level shall be 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 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously

damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 6 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.
- 7 The proposed development shall follow the findings of the submitted Flood Risk Assessment by EAS and dated 19/01/12 and the finished floor levels of the development hereby approved shall be set no lower than 24.90m Above Ordinance Datum (AOD) as detailed in the submitted Flood Risk Assessment by EAS at Section 3, Page 4.
- 8 There shall be no obstruction above ground level within a 2 metre wide parallel band visibility splay as measured from and along the nearside edge of the carriageway across the entire site frontage. Such vehicular visibility splay shall be provided before the vehicular accesses are first used by vehicular traffic and retained free of any obstruction at all times.
- 9 Prior to first occupation of the development the vehicular accesses shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the accesses at the junction with the highway shall not be less than 3 metres, shall be retained at that width for 6metres within the site and shall be provided with an appropriate dropped kerb vehicular crossing of the highway verge.
- 10 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 and B shall be undertaken without the prior written permission of the Local Planning Authority.
- 11 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed and maintained in working order throughout the course of the development. The equipment will be used to clean the wheels of vehicles leaving the site.
- 12 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.
- 13 No development shall take place until details of the proposed surface materials for the parking areas/terrace 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.



## AREA PLANS SUB-COMMITTEE 'WEST'

7<sup>th</sup> November 2012

### INDEX OF PLANNING APPLICATIONS

<b>ITEM</b>	<b>REFERENCE</b>	<b>SITE LOCATION</b>	<b>OFFICER RECOMMENDATION</b>	<b>PAGE</b>
1.	EPF/0847/12	Skillett Hill, Honey Lane, Waltham Abbey, EN9	GRANT	17
2.	EPF/1695/12	4 Wheelers Close, Nazeing, EN9 2RA	GRANT	28

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**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/0847/12
<b>SITE ADDRESS:</b>	Skillet Hill Honey Lane Waltham Abbey Essex EN9
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey Honey Lane
<b>APPLICANT:</b>	RVL Properties Ltd
<b>DESCRIPTION OF PROPOSAL:</b>	Increase in existing lorry park facility from provision for 25 to 36 lorries; demolition of existing buildings; redevelopment of driver's facilities; erection of 43 bed hotel; restaurant; and petrol station; together with related parking areas and landscaping.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=537219](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=537219)

**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: BRD/11/048/01, 02D, 03, 04, 05, 06, 07, 10B, 11B, 20, 30, 40, the submitted location plan and OS 442-12.3, OS 442-12.4, OS 442-12.5.
- 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 details of the proposed surface materials for the parking areas and roadways 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.
- 5 Prior to the commencement of development details for the upgrading of the existing Skillet Hill Farm bus stops, either side of Honey Lane, shall be submitted to the Local Planning Authority for approval. The details shall include a new flag and pole

with integral telematics and shall be provided in compliance with the approved details prior to the first use of the site.

- 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 and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 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 If any tree, shrub or hedge shown to be retained in accordance with the approved plan number OS 442-12.4 dated July 2012 - Tree retention and removal plan 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.
- 9 No clearance of the site shall be undertaken prior to the hibernation period (once temperatures regularly fall below 5 Celsius overnight) unless otherwise agreed by the local Planning Authority.
- 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 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.

- 15 All material demolished from the existing buildings shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 16 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tool. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 17 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.
- 18 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed prior to the commencement of the development. The cleaning facilities shall be used to clean vehicles immediately before leaving the site.
- 19 Details of refuse storage for the various uses at the site shall be submitted to the Local Planning Authority prior to the commencement of development. The development shall proceed in accordance with the approved details.
- 20 No external lighting shall be provided on or adjacent to the site other than in accordance with details previously submitted to and approved in writing for by the Local Planning Authority.

*This application is before this Committee since it is an application contrary to the provisions of an approved draft Development Plan or 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 and other developments, (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)) and,*

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

### **Description of Site:**

Skillets Hill occupies a relatively extensive site of approximately 4.5 hectares and is effectively a “teardrop” shape. The entire site is within the boundaries of the Metropolitan Green Belt. The site is bordered to the north by Honey Lane and to the west and south by the M25 motorway/slip road off the motorway. The roadways result in the plot forming an island of land. The land is generally uniform and can be divided into three sections. To the north is a wooded area adjacent to Honey

Lane. The main bulk of the site is in use as a lorry park and as such is covered in hardstanding. To the west the site forms a relatively open grassed area. There are a number of uses within the site. As stated the bulk of the site is in use as a lorry park and in the centre of the site is a "truck stop" restaurant. To the west is the main built form of the site and this includes a number of buildings and such uses as a mechanics garage (Class B2 use). A number of these buildings are in a dilapidated state. Access and egress is achieved from Honey Lane and the site is located between two roundabouts serving the M25. It is a short drive journey to Waltham Abbey town centre. There are some preserved trees within the site and it is also with an Epping Forest District Council flood risk assessment zone.

### **Description of Proposal:**

The applicant seeks consent for a redevelopment of the entire site. This would include an increase in the provision for lorries from 24 spaces to 36 to the east of the site. A truck stop would be located adjacent to the parking spaces within the site. This would measure approximately 21.0m x 10.5m with an eaves level of 3.5m and a highest ridge level of 7.5m. The building is designed in an Essex barn style.

A 43 bedroom hotel would also be developed on the site. This would have accommodation over two storeys and would be shaped at a right angle. The building would have an eaves height of 4.0m and a ridge height of 8.0m. Bedroom provision in the roof would be accommodated by dormer windows.

The plans also include the development of a petrol station at the site. This would include a shop provided in a building that would measure approximately 24.0m x 12.5m with a sloping roof to a height of 4.0m. The forecourt would be covered by a canopy which would measure approximately 31.0m x 22.0m.

A restaurant would be located to the extreme west of the site. This would also be in an Essex barn style with a deeply sloping catslide roof. The floor area of the building would measure approximately 24.0m x 15.5m. Space would be provided over two floors.

The redevelopment of the site would include associated parking, internal roadways and landscaping.

### **Relevant History:**

EPF/0365/07 - Change of use of land to Lorry Park for 25 lorries, change of use of existing house to drivers' facilities and offices and alteration to existing access. (Revised application). Refuse permission - 20/12/2007. Appealed through the Public Inquiry process - Allowed with conditions (20/12/07).

### **Policies Applied:**

CP1 – Achieving Sustainable Development Objectives  
CP2 – Protecting the Quality of the Rural and Built Environment  
CP3 – New Development  
CP4 – Energy Conservation  
CP5 – Sustainable Building  
CP6 – Achieving Sustainable Urban Development Patterns  
CP7 – Urban Form and Quality  
CP8 – Sustainable Economic Development  
CP9 – Sustainable Transport  
GB2A – Green Belt Development  
GB7A – Conspicuous Development

RP4 – Contaminated Land  
NC4 – Protection of Established Habitats  
DBE1 – Design of New Buildings  
DBE2 – Effect on Neighbouring Properties  
DBE4 - Design in the Green Belt  
DBE6 – Parking in New Developments  
DBE9 – Excessive Loss of Amenity to Neighbouring Properties  
E4A – Protection of Employment Sites  
U2A – Flood Risk Assessment Zones  
LL10 – Adequacy of Provision for Landscape Retention  
LL11 –Landscaping Schemes  
ST1 – Location of Development  
ST2 – Accessibility of Development  
ST4 – Road Safety  
ST6 – Vehicle Parking

The National Planning Policy Framework 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 were consulted, a site notice was displayed and the proposal was advertised in the local press: 1 reply was received.

INNER LODGE, DOWDING WAY: Comment. I am one of the few local residents in the immediate vicinity of this planned development. I have major concerns related to development in green belt areas and normally would strongly oppose it. However, in this case it is an existing site and appears to be an improvement on the current condition. Traffic in this area on Dowding Way serving the Sainsbury's depot is considerable and can be a problem at times. In particular our property on Dowding Way suffers from vehicles using the lane for parking (often overnight). The lane also suffers from people using it as a public toilet, disposing of small rubbish (such as coffee cups & food wrappers) and also fly tipping of larger rubbish (there are still mattresses and other rubbish dumped behind the hedge). The problems generally arise from the isolated nature of the lane and also due to traffic leaving the M25 and looking for an area where they can stop for toilet relief / eating / sleeping. Potentially this problem could get worse due to increased traffic from the proposed development. However, provided certain measures are taken I could see this development as beneficial to the local area. The measures would include as a minimum sufficient signage to direct traffic to the availability of the park and also signage on the lane off Dowding Way to indicate that parking/toilet relief/dumping is not permitted and pointing out the availability of the facilities nearby. If there was an assurance that these measures would be taken then I would have no objections to the proposed development.

WALTHAM ABBEY TOWN COUNCIL: Objection. Committee raised a number of concerns with regards to this development. The proposal was considered an overdevelopment of the site within the Green Belt and concerns were raised about the potential increase in traffic that a development of this size could cause.

### **Issues and Considerations:**

The main issues that arise with this application relate to the general principle of the development and its location in the Green Belt, highway issues, design, amenity and the comments received from the various consultees both internal and external and representations received from the general public/Parish Council.

## Principle/Green Belt Location

Policy GB2A of the adopted Local Plan outlines developments deemed appropriate within the Metropolitan Green Belt. The proposal does not comply with any of the uses deemed appropriate and as such would be considered inappropriate development having regard to the Local Plan. In March 2012 the National Planning Policy Framework (The Framework) was formally adopted as national planning policy for England. Section 9, Protecting Green Belt Land, addresses Green Belt development and replaces Planning Policy Guidance 2 (PPG2). Section 212 makes it clear that The Framework is a material planning consideration from the day of its publication. Section 89 of The Framework recognises *“limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development”* as appropriate in Green Belt terms. The site would be considered brownfield, thus the view can be taken that the development would not have a materially greater impact on the Green Belt than the present use and considered appropriate in line with the up to date recently adopted policy.

One way of assessing whether this proposal would have a materially greater impact on the Green Belt is to consider the increase in built form. The visualisation booklet submitted as part of the application package provides a good representation of existing and proposed built form at the site. The applicants' figures indicate an existing volume of approximately 8065 cu m. The proposed built form would have an approximate volume of 10930 cu m. These figures can be confirmed as being broadly correct and as such represent an increase in building volume of approximately 35%. This is a reasonable level of increase. However the built form would be contained within well designed individual buildings as opposed to the current sprawl of relatively dated, dilapidated structures. The hotel building would be more prominent than any of the existing buildings, as would the restaurant, but even with this there would not be a noticeable increase in terms of built development of the site. There would be an increase in hardstanding, largely for parking for the restaurant, and an increase in movements notwithstanding the current mix of uses. It was evident on site that the existing uses result in a significant degree of outdoor parking and storage. Considered as a whole there would be increase in activity at the site which would have some impact on the Green Belt. However bearing in mind the location of the site, totally surrounded by roads, and the general tree screen that exists around the boundary the impact would not be material. The general guidance contained within the Green Belt section of The Framework is that such sites are suitable for development particularly where the proposal would not conflict with the purposes of including land within a Green Belt.

Section 9 outlines the five purposes of maintaining a Green Belt and reiterates the importance attached to their preservation by central government. The five main purposes are;

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

When judged against this criterion the proposal would not offend the purposes of maintaining a Green Belt. The site is already well developed and would not result in further unrestricted sprawl, the merging together of neighbouring towns or excessive encroachment into the countryside. The special historic character of Waltham Abbey Town Centre would be unaffected. The scheme would assist in the regeneration of a site on the edge of the urban area of Waltham Abbey by recycling what is, to a certain extent, a dilapidated collection of uses. The proposed buildings are well designed and would make a positive contribution to the visual amenity of the area. The proposal

would have sustainable development benefits. In particular it would be economically sustainable in providing job opportunities and infrastructure, contributing to a stronger, more competitive local economy. The development would also be socially sustainable by regenerating a dilapidated site and replacing it with a high quality development in terms of design and layout.

The previous application for the lorry park was decided at a Public Inquiry. It is evident from that decision that this site was considered particularly suitable for a lorry park, having regard to the characteristics of other junctions nearby, and that a demand existed for the facility. This demand does not appear to have lessened in the intervening period and an extension at this location seems logical. It is therefore considered that this is a suitable proposal at this location.

### Highway Issues/Parking

The development would utilise the existing accessway into the site which has been designed for use by heavy goods vehicles. Essex County Council's Highways Section has been involved in the consultation process and has no objection to this proposal. The Highway Authority has reviewed the above application and considers the proposed development will not have any detrimental impact upon highway safety, capacity or efficiency at this location. The proposal will utilise the existing purpose built HGV access which was implemented when the appeal was allowed for the 2009 lorry park on the site. The access, therefore, has the appropriate sight lines and geometry to facilitate the proposal with no need to upgrade it.

The Transport Assessment (TA) accompanying the application has demonstrated that the western roundabout (RAB) functions well within capacity now and a ten year projection with the development. The TA suggests that the eastern RAB operates slightly above capacity for a small amount of time in the AM peak, on the Honey Lane arm, and the development in 2022 will only cause a negligible increase in queue lengths at these times. From highway observations made on site during the AM peak the roundabouts both functioned very well and specifically the eastern RAB did not appear to be over capacity. Indeed the queue lengths on the eastern RAB Honey Lane arm were significantly shorter than those predicted by the modelling technique. Consequently the figures contained within the TA should be considered as a very worst case scenario and not as a real life representation of the queues on the ground. It is therefore been demonstrated that there are no highway issues with regards to the proposal.

The hotel and restaurant in the western section of the site includes 82 parking spaces for vehicles, which are adequately sized for their purpose. The adopted parking standards for restaurants require a maximum one space per 5 sq m of space. The hotel would require a maximum one parking space per bedroom resulting in a requirement of 43 spaces. It is accepted that parking could be shared across both uses and this would leave 39 spaces for the restaurant use. Owing to the floor area of the restaurant, meeting the maximum standards would require approximately 110 spaces. However this is a maximum standard and it is considered that 82 spaces would adequately serve both uses. Any further parking would impinge on the landscaped elements of the site which are considered to bring tangible benefits to the overall development.

### Highway Agency Comments

The Highways Agency have evaluated that the proposal would have no impact on the adjacent M25 and raise no objection to the scheme.

### Design

The current site, as previously stated, is in a run down dilapidated state with many of the buildings in a poor state of repair. Therefore its redevelopment is generally to be welcomed. The proposed restaurant would be constructed in the style of an Essex barn with a deeply sloping cat slide roof. It would not appear out of place in a Green Belt location and indeed would be an acceptable



addition to the immediate area. Materials of construction can be agreed by condition to ensure an appropriate finish.

The petrol station/canopy appears to be designed as a typically functional building for such a use and is generally acceptable. Again suitable materials can be agreed by condition.

The truck stop corresponds with the general theme for the site of agricultural style buildings and as such would harmonize as part of the completed development. Materials can be agreed by condition.

The hotel building would be by far the largest building on the site. The finish would include a deeply gabled roof with dormer style windows opening the roof for accommodation. This building would also be agricultural in style, albeit on a larger scale, but would also have a certain degree of character which would bring positive aesthetic improvements to the site. Suitable materials can also be agreed by way of an appropriate condition.

The sites redevelopment will include an increase in hardstanding to facilitate roadways and parking. Suitable materials for the finish can again be agreed by condition.

### Amenity

In terms of amenity there are no immediate neighbours to the development site and therefore no real impact. One neighbour of the scheme has expressed concern with regards to general nuisance from users of the M25. A suggestion with regards to appropriate signage pointing road users to the facilities at this site has been put forward, which is a matter direct for the Highways Agency and/or Essex County Council.

### Trees/Landscaping

There are two veteran oak trees on this site, whilst they should remain unaffected by this proposal it is important that they are protected during any development activities. As veteran trees they are particularly important for the specialist habitats that they provide. The screening of the site is also particularly important and although some of the vegetation within the site will be removed, the plans indicate that a good level of screening should be retained when viewed from Honey Lane. There are therefore no concerns with regards to trees and landscaping subject to conditions ensuring tree protection, tree retention and details of hard and soft landscaping.

### Ecological Considerations

A number of reports including a Phase I Ecological Survey, Bat Survey and Reptile Survey have been submitted as part of the application. No evidence of bats was found and it was considered highly unlikely that reptiles were present at the site. However a number of recommendations have been included in the summaries, largely relating to the site clearance, and these shall be attached to any decision notice.

### Land Drainage

As the site is within an Epping Forest District Council flood risk assessment zone and owing to the size of the development a Flood Risk Assessment is required. As works are proposed within eight metres of a watercourse land Drainage Consent is also required. Details of foul and surface water drainage are also necessary and can be secured by condition.

### Environmental Health Comments

As the development includes a restaurant use details of suitable extraction equipment is deemed necessary. Such a condition is normally required to safeguard against noise and smells causing harm to residential amenity, but as there are no neighbours, this is not required in this instance.

### Essex Police Comments

Essex Police have raised some concerns with regards to the security of the parking area. However such a parking area is more secure than the side of the roadway which does occur within the district. A condition is suggested with regards to the proposal achieving secured by design certification. This is not something that can be easily tied up by condition. However it is suitable to advise the applicant by informative that making contact with the police in order to achieve as secure a development as possible is advisable. Suitable lighting of the site can also be secured and at present a security presence is provided on site by security guards.

### Contaminated Land

Due to the former uses of the site including as a farm and waste transfer depot, and because of the presence of made ground at the site, the standard contaminated land conditions are deemed necessary.

### Conclusion

The proposal is to redevelop the entire brownfield site with a number of different uses. Such proposals are deemed appropriate in the recently adopted national guidance if the development would not have a greater impact on the openness of the Green Belt. The increase in the built form and activity at this site would have some level of impact but having regard to the specific site characteristics, as outlined in preceding paragraphs it is not considered that this would be material. When judged against the criterion outlined for maintaining a Green Belt this proposal is acceptable. The development would improve the visual amenity of the immediate area. This is a sustainable development with economic and social benefits. The existing demand for a lorry park does not seem to have wavered in the period since the approval of the original scheme. Despite the concerns of the Town Council, there are no highways concerns backed up by evidence as a result of this development. Similar concerns raised on the last planning application were not supported by the Inspector on the last appeal and would unlikely to be justified on this application. The design of the proposed buildings is acceptable.

Therefore in light of the above this proposal is deemed acceptable and is recommended for approval with appropriate conditions.

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

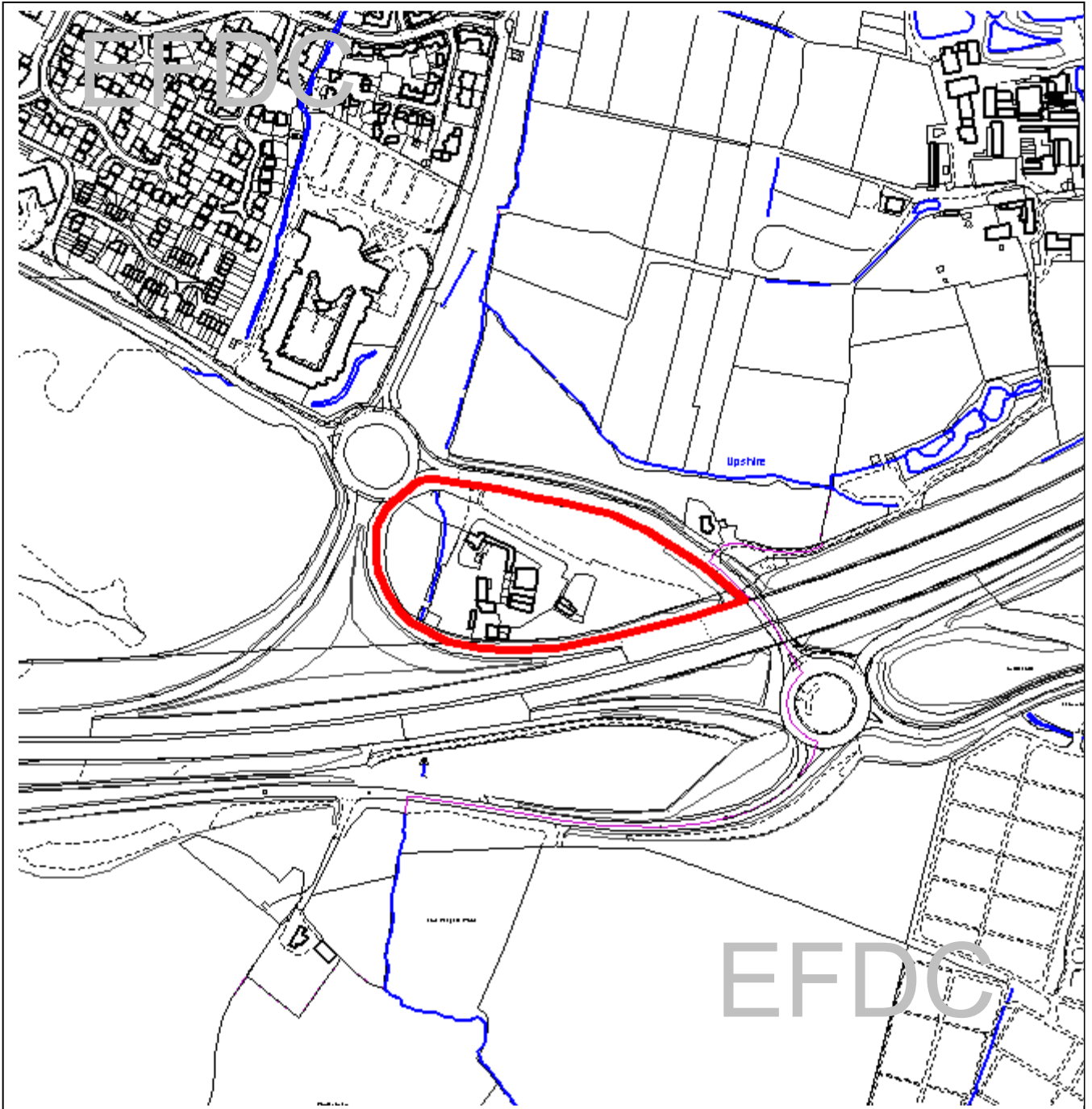
***Planning Application Case Officer: Mr Dominic Duffin  
Direct Line Telephone Number: (01992) 564336***

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



# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	1
Application Number:	EPF/0847/12
Site Name:	Skillet Hill, Honey Lane, Waltham Abbey, EN9 3QU
Scale of Plot:	1/5000

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/1695/12
<b>SITE ADDRESS:</b>	4 Wheelers Close Nazeing Essex EN9 2RA
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Lower Nazeing
<b>APPLICANT:</b>	Mr Gavin Wilson
<b>DESCRIPTION OF PROPOSAL:</b>	Rear and side extension.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=540929](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=540929)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 The proposed development shall only be used as ancillary accommodation for the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling known as 4 Wheelers Close, Nazeing.
- 4 Prior to occupation of the development hereby approved, the doorway between the proposed annexe and the existing dwelling as shown on Plan Ref: ELA/3 Rev: 01 shall be installed and retained and shall not be fixed shut in any way.
- 5 Prior to occupation of the development hereby approved, details regarding replacement car parking shall be submitted to and agreed in writing by the Local Planning Authority and shall be retained free of obstruction for the parking of residents and visitors vehicles thereafter.

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

### **Description of Site:**

Semi-detached two storey dwelling located on the eastern side of Wheelers Close, Nazeing, which is a small close consisting of nine dwellings, although planning permission has been granted for two additional dwellings at the north eastern end (within the rear gardens of No's. 66-70 Western Road). The property benefits from a detached garage, which is one of a block of three garages serving No. 4, No. 6 and No. 8 Wheelers Close. The applicant has a right of access over the shared crossover which serves all three garages.

### **Description of Proposal:**

Consent is being sought for a part two storey part single storey side and rear extension to create a granny annexe. The two storey side element would be 3.5m in width and 8.5m in depth with a pitched roof to a ridge height of 6.5m. This would be built atop and would link the existing single storey detached garage with an extension beyond this to the rear. The proposed single storey element would wrap around the rear section of the neighbouring garage and would extend beyond the existing rear wall of the house. The section to the rear of the neighbour's garage would be 1.3m in width and 3m in depth with a 2.9m high flat roof. The section to the rear of the house would be 5.2m in width and 3m in depth and would also have a 2.9m high flat roof. The proposal would consist of an extended kitchen/diner to the main house within the single storey rear extension, and a granny annexe within the side extension. This would retain the front section of the existing garage as a store and would provide a separate annexe served by a new entrance (which includes a door leading to the main house), containing a kitchen and lounge on the ground floor with a bedroom and en-suite on the first floor.

### **Relevant History:**

EPF/0641/12 - Rear and side extension for granny annexe – withdrawn 15/05/12  
EPF/1108/12 - Rear and side extension for granny annexe (revised application) – refused 16/08/12

### **Policies Applied:**

CP1 – Achieving sustainable development objectives  
CP2 – Protecting the quality of the rural and built environment  
DBE9 – Loss of amenity  
DBE10 – Residential extensions  
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.

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

9 neighbours were consulted. No Site Notice was required.

PARISH COUNCIL – Objections as with previous application. This application if permitted would be likely to result in such an intensification of use which would create an undesirable precedent or detract from the character of the surrounding area. It would result in adjacent properties being overlooked to an excessive degree. It would be overdevelopment and out of keeping with the street scene. Any conversion of existing garage would result in increased on street parking. Proposed arrangements for parking do not appear to comply with ECC Highways Authority's Development Management Policies or Local Plan policies.

2 WHEELERS CLOSE – Object as the single storey rear extension would impact on their amenities, as this would effectively erect a new dwelling on the side, and as this would create a terrace out of the existing semi-detached properties. Furthermore the proposal would look much too big and bulky and would be overbearing and detrimental to the appearance of the street scene.

6 WHEELERS CLOSE – Object as this would create a terracing effect, due to the loss of light and privacy that would result, as this would create a new separate dwelling, as the right of way across the land in front of the garage is only for vehicle access to the garage, and as this would result in their being no parking available on the site. Issues such as impact on drainage and sewage and access to the neighbours property have also been raised.

### **Issues and Considerations:**

The main considerations are the impact on neighbour's amenities, the design and impact on the street scene, and with regards to vehicle parking. The previous application was refused permission for the following reason:

*The proposed development, due to its disjointed and uncharacteristic roof design, would be an incongruous form of development detrimental to the character and appearance of the existing dwelling and the street scene, contrary to the guidance contained within the National Planning Policy Framework and policies CP2 and DBE10 of the adopted Local Plan and Alterations.*

This latest application is a revision over that previously refused in August 2012. The difference between this proposal and that previously considered unacceptable is the design of the roof of the proposed extension. The previous application proposed a hip ended ridge roof that differed greatly from the design of the roof of the main dwelling. This previous proposal appeared disjointed and separate from the main dwelling and was considered an incongruous addition that would fail to complement and enhance the existing street scene. This is clearly reflected in the previous reason for refusal.

This revised application has altered the roof design so that it is similar to the neighbour's existing first floor extension with a gable ended roof running adjacent, but subordinate, to the existing house. This current application would have a far more acceptable appearance and would no longer appear detrimental to the street scene, and therefore is considered to have overcome the previous reason for refusal. All other considerations are dealt with below.

### **Amenity considerations:**

The proposed two storey extension would be located atop the existing flat roofed garage and would extend 3m beyond the rear wall of this detached outbuilding. The neighbouring property benefits from a similar extension that is built atop and joins their detached garage to the house, and also dog legs beyond and behind the garage. Between the applicants garage and the neighbours garage is a third garage owned by No. 8 Wheelers Close. The proposed two storey extension would not dog leg around the rear of the applicant's garage, and as such would be located 2.5m from the front section of the neighbours first floor side extension, and 1.3m from the rear section of the neighbours first floor side extension and would not extend beyond the rear wall of the neighbours extension. The neighbour has no flank windows facing onto the site, nor does this application propose any flank windows overlooking the neighbour, and as such there would be no loss of light, privacy or visual amenity to No. 6 Wheelers Close. Similarly, the flat roofed single storey element proposed to the rear of the garages would not extend beyond the neighbours two storey addition, and therefore would cause no detrimental impact. Although there have been issues raised with regards to the problems that this would cause in terms of the neighbour accessing and maintaining their side wall, the neighbours extension is built up to the applicants

side boundary and as such access to this area is not available at present (unless so granted by the applicant). Regardless of this, the issues of access for maintenance purposes are not a material consideration as this is controlled by other legislation.

The proposed two storey side extension would include a first floor rear window facing onto the garden of Springs, Hoe Lane. Whilst the window would only be located some 5m from the shared boundary, and as such would offer views into the neighbour's garden, only the very rear most section of their garden, which is over 35m in depth, would be overlooked. Furthermore, the existing houses in Wheelers Close, which have first floor rear windows, are located just 9.8m from the shared boundaries and would already result in some loss of privacy. As such, it is not considered that the harm from the proposal would be detrimental enough to the amenities of the residents of Springs to warrant refusal.

The attached neighbour at No. 2 Wheelers Close has objected to the single storey rear extension on the grounds of loss of amenity. This part of the scheme could be built under permitted development to this depth and height, and as such is considered by Central Government to be acceptable in terms of impact on neighbours. Therefore it would be unreasonable for planning permission to be refused for this part of the development.

#### Design:

The proposed extension would be similar in built form to that built at No. 6 Wheelers Close, although would not dog leg around the rear part of the garage. Given that the rear section of the first floor extension would be located 1.3m from the side boundary, and the front section is divided from the neighbour by a garage owned by a third party, the proposed extension would be adequately separated from the neighbouring dwelling and therefore would not result in a terracing effect.

Wheelers Close consists of the two sets of semi-detached dwellings on the eastern side of the road, which are of one matching design, and five detached bungalows on the western side, which share a different but also matching design. The application site is one of a pair of 1960's semi-detached houses with a distinct and traditional appearance. The two storey side extension would have a gable ended ridged roof similar to that on No. 6 Wheelers Close, and when viewed from the highway the two side extensions would appear almost identical, and as such this would not be detrimental to the character and appearance of the street scene.

#### Vehicle parking:

The proposed development would result in the loss of the existing garage for off street parking. Whilst the area of land in front of the garage is located within the submitted application site it has been claimed by neighbours that this area of land is not owned by the applicant and they only benefit from a right of access. As such, this area may not be available for off street parking provision. Although there is no other parking shown on the submitted plans, the dwelling does have a front garden (currently laid to lawn) which could be utilised as car parking. The use of this area for off street parking could be sought by condition and would adequately compensate for the loss of the garage.

#### Other considerations:

Concern has been expressed that the proposed 'granny annexe' would actually be used as a separate dwelling. Although the extension would benefit from a separate access to the side of the property there is a doorway shown on the plans between the proposed annexe and the original house. Suitable conditions could be added to ensure that the extension is only used ancillary to the main dwelling and is not used as a separate dwelling and that the doorway to the main house as shown on plan ref: ELA/3 Rev: 01 must be installed and retained. This would adequately

protect against any unlawful use of the extension as a separate dwelling (plus enforcement action could be taken if any such unlawful use were to take place).

**Conclusion:**

The scale and external appearance of the proposed extension would be similar to the existing extensions on No. 6 Wheelers Close and as such is not considered detrimental to the overall character and appearance of the street scene. There would be no undue harm to neighbours amenities and the loss of parking within the garage could be adequately compensated for within the front garden. Other matters, such as right of access, are not material planning considerations as they are covered by other legislation. Due to the above, the proposed development would comply with the relevant Development Plan policies and the guidance contained within the NPPF and, subject to a condition controlling the use of the annexe, the application is recommended for approval.

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

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

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





# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	<b>2</b>
Application Number:	EPF/1695/12
Site Name:	4 Wheelers Close, Nazeing, EN9 2RA
Scale of Plot:	1/1250

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**Epping Forest  
District Council**

## **Report to Area Plans Sub-Committee West**

**Date of meeting: 7 November 2012**

**Subject:**

**Proposed National Grid (North London Reinforcement Project) running between Waltham Cross and Tottenham substations – Application for a Development Consent Order to the Planning Inspectorate (Ref: EN020009) to upgrade overhead power lines from 275kV to 400kV, including an extension to the substation at Waltham Cross to provide a new 400kV Gas Insulated Switch Gear (GIS) substation, one new and two replacement pylons.**

**Officer contact for further information: Nigel Richardson (01992) 564110**

**Committee Secretary: Adrian Hendry (ext.4246)**

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**Recommendation:**

- (1) That the Committee consider the Council's response to the current consultation on an application for a Development Consent Order for the proposed North London Reinforcement Project; and**
- (2) That the Director of Planning and Economic Development be authorised to submit a response of No Objection but express disappointment that part of what appears to be redundant hard surfaced area in the decommissioned existing substation area is remaining when there is an opportunity here to provide planting and thereby reduce the overall footprint of the proposed substation area.**

**Report Detail:**

**Introduction**

National Grid has made an application for a Development Consent Order (DCO) to the Secretary of State to upgrade one of two existing 275kV overhead power lines running between Waltham Cross (in Epping Forest District) and Tottenham substations (via Brimsdown substations) to operate at a higher voltage (400kV). This covers an overhead electricity line of about 14 km in length. National Grid has signed a number of contracts to connect new sources of low carbon electricity generation connecting onshore and offshore (wind farms). The upgrade is required to facilitate the increased flow of electricity into and through London and meet its growing demand for power.

The project is defined as a "Nationally Significant Infrastructure Project" (NSIP). Such projects are not decided by the local planning authority, but by The Secretary of State via The Planning Inspectorate's National Infrastructure Project under the Planning Act 2008, who, after consultation and assessment, decide whether to issue a Development Consent Order (DCO's).

Pre-application was carried out in two phases of consultation to which Officers have generally not raised an objection.

Local Authorities in whose areas applications for NSIP's are submitted are invited to produce a Local Impact Report (LIR). The Planning Act 2008 requires that the Examination Authority (and Secretary of State) must have regard to the LIR in determining applications for DCO's. However, before this is produced, there is a current public consultation running between 3 October and 12 November 2012 in which comments can be made direct to the Planning Inspectorate.

## **Location**

The overhead line extends from the substation known as "Waltham Cross" in Epping Forest District to Tottenham substation in the London Borough of Haringey, with its pylons following the Lee Valley Regional Park, across lakes, through marshes and through recreational open space. The existing "Waltham Cross" substation lies between Seventy Acres Lake and Holyfield Lake within the Lee Valley Recreational Park, at Fishers Green, north of Waltham Abbey. Part of the path network in the park runs past the substation.

## **Details of the Proposal in Epping Forest District**

The changes to the pylons will require the existing wires to be removed and replaced with ones of a higher capacity but of a similar diameter. These works will principally utilise the existing pylons with a few minor changes to the design of their insulators. Access to all pylons is required and replacement of wires is carried out by winching from tension pylons, representing the main construction sites along the route. It is scheduled to take place during 2015 and 2016.

A new substation building (Gas Insulated Switchgear station - GIS) will extend the existing substation in a slightly new position immediately north of the existing site to provide a new 400kV power substation. The area of the new substation is currently covered with existing mature vegetation and land will need to be acquired from the Lee Valley Regional Park Authority. The eastern part of the existing substation will be decommissioned and its equipment removed, although it appears the existing hard surfaced area will be retained. The GIS building will consist of a steel portal building measuring approximately 70m x 15m x 13m clad in green finished steel profiled sheeting above a darker green 2.4m cement fibre board. It will be of a mono-pitched roof design. A number of smaller ancillary prefabricated buildings will be dark green. A 2.4m green high palisade fence will surround the new and existing substation area. Any external lighting will be designed to minimise visual intrusion.

Some 2395 square metres is to be acquired here permanently from the Lee Valley Regional Park Authority ("LVRPA") for the substation extension. Another open grassed area of 22500 square metres is to be possessed temporarily from LVRPA, south of here, off Stubbins Hall Lane for use as a laydown area for materials storage, site cabins and construction vehicle parking.

To connect the overhead line to the new substation, two pylons will be replaced in different positions and one additional pylon will be built. The construction of the new substation and the decommissioning of part of the existing equipment would take approximately 3 years to complete but scheduled to be operational by autumn 2016. Numerous measures would be put in place to minimise the effects of the construction works on the Lee Valley Regional Park and its users.

## **National Policy Context**

To deal with NSIP's, the Secretary of State must decide the application in accordance with any relevant national policy statement unless, among other matters, the adverse impact of the development would outweigh its benefits. National Policy Statement EN-1 states that, along with the relevant technological specific NPS, EN-1 is the primary basis for decisions and should start with the presumption in favour of granting consent to applications for energy NSIPs. National Policy Statement for Electricity Networks Infrastructure (EN-5) contains policies which support projects that reflect the need to achieve energy security.

## **Local Policy Context – Epping Forest**

The Waltham Cross substation is located within the Green Belt and the Lee Valley Regional Park. The following policies from the Local Plan are therefore relevant:

- CP3 - expects the scale and nature of new development to be consistent with the principles of sustainability and respect the character and environment of the locality.
- GB2A - Development in the Green Belt
- NC1 - Development directly or indirectly affecting Special Areas (SSSI's, SPA's or SAC's). The substation is adjacent a local Wildlife Site.
- NC2 - County Wildlife Sites
- DBE1- buildings to respect their setting.

## **National Grid's case for The Proposed Development**

There is a predicted increase demand in the Greater London region, which must be provided for and therefore there is a need to provide for increased power flow into London. To facilitate this increased flow of power it is necessary to uprate the existing overhead lines from Waltham Abbey through North London to carry an increased voltage and to upgrade the existing substations. This is known as North London Reinforcement Project.

## **Planning Issues affecting Epping Forest District Council**

There was two phases of consultation in 2011 and 2012 prior to the submission of this application. National Grid identified two options for the additional substation: either an air insulated switchgear (AIS) substation option (as at present) or a gas insulated switchgear (GIS) substation option.

The AIS required more space and land as it uses air to insulate the equipment, which includes circuit breakers and disconnectors (switchgear). However, it has less visual impact due to its lower profile and open design.

The GIS requires less land and most of its equipment can be housed in a single enclosed building. It is therefore more solid appearance and taller.

They both require relocation of some existing pylons to enable the overhead line to access the new substation. Both Epping Forest District and the Lee Valley Regional Authority preferred the chosen GIS option because of the less land take-up and subject to the structure being a green finish so as to be in keeping with its surroundings. There are no local residential properties affected by the development. The GIS is the option going forward.

## **Biodiversity**

The position of the substation will result in the loss of 4% of semi-natural habitats within the 114ha Lee Valley South Local Wildlife Site, mainly wet woodland/scrub. The land take will result in loss of trees and it has been recognised that these include those with bat roost potential and nesting opportunities for breeding birds among other impact on habitats such as reptiles. This effect will however, be compensated for through the provision of a number of measures within and adjacent to the Local Wildlife Site. An Ecological Management Strategy (EMS) would be produced prior to the start of construction and proposes mitigation measures such as a building to support roosting bats, bat boxes, 40 nesting bird boxes and kingfisher nesting bank constructed on the island on Seventy Acres lake. In addition, National Grid will provide a sum of £85,000 to fund local nature conservation projects for established organisations within 1km of the proposed working area. of the development.

The Council's Countryside Manager raises no objection given this compensatory biodiversity additions.

### Landscape

The construction of an area of hard standing and the GIS building with its associated infrastructure will involve the removal of approximately 4.5 ha of relatively recently established broadleaved semi-natural woodland. A smaller area will be reinstated afterwards. The trees are of mixed species category B type of poor to fair growth and moderate quality, not protected by TPO's. There will be landscape change here noticeable from the footpath of this part of the Lee Valley Walk although long term impact in the area will not be significant. The GIS building will otherwise be screened by retained woodland vegetation. The nearest retained trees will be protected during construction work. Accepting the national important significance of the proposed development, officers raise no objection.

### Noise

The two existing transformers (which are the main source of noise) will be removed and not replaced. The GIS building will generate minimal noise and the substation is remote from residential properties - the nearest being Holyfield Hall Farm, over 500m away. Therefore there will be an overall reduction in noise from the site.

Overhead lines are designed to operate quietly in dry weather conditions and will be inaudible above background noise levels at the quietest times. All 400kV lines can produce audible noise under wet weather conditions due to the presence of water droplets on the wire. The technical data demonstrates that this will be difficult to perceive or are not likely to be significant where residential properties are within 60m of a line, none of which include residential properties in Epping Forest District.

All 400kV overhead transmission lines can produce audible noise under wet weather conditions due to physical processes resulting from the presence of water droplets on the surface of the wire. However, operational noise effects are not likely to be significant.

### Summary

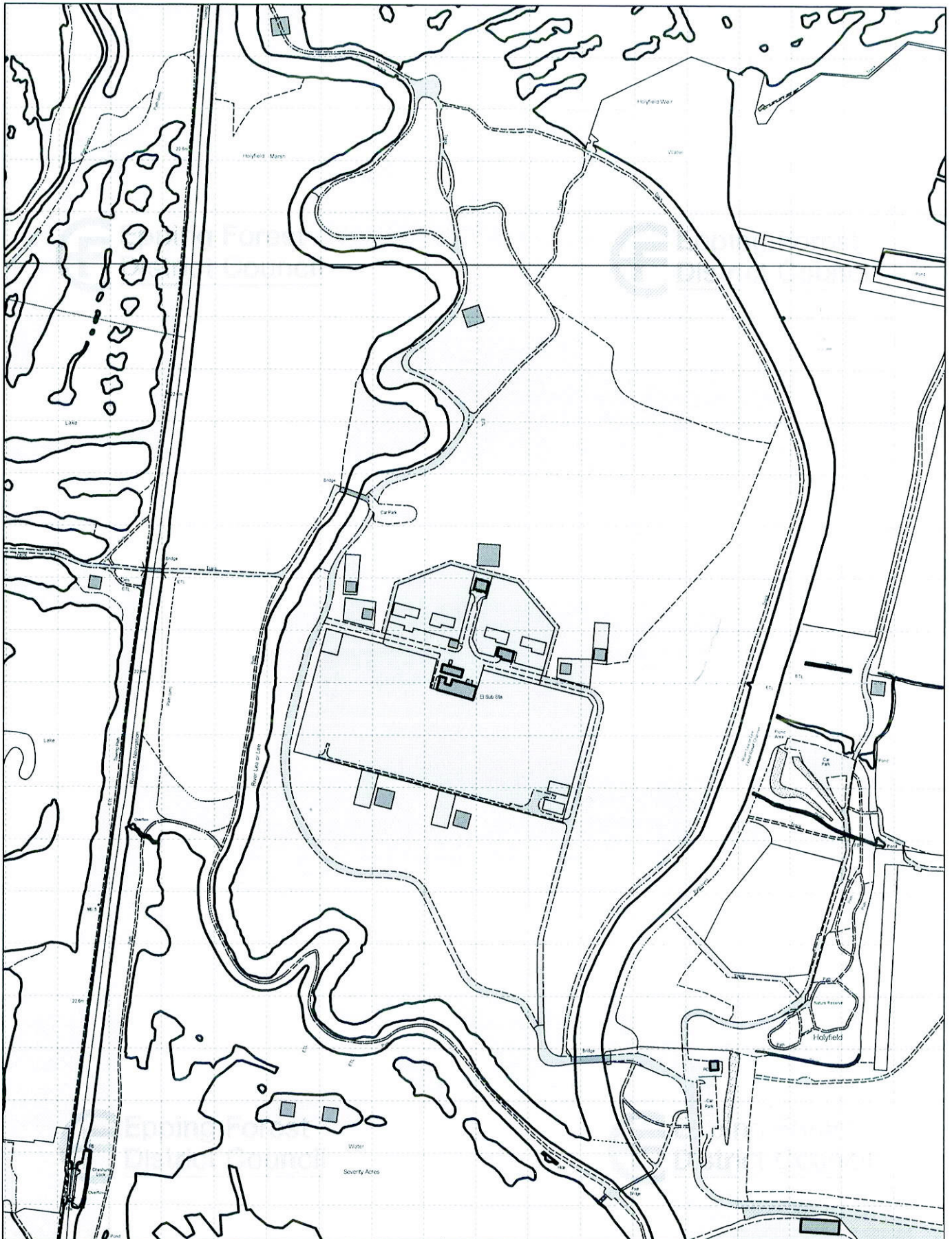
Power supply to the London area is predicted to increase and to facilitate this it is necessary to upgrade existing overhead lines and upgrade the existing substations. The "Waltham Cross" station between Seventy Acres Lake and Holyfield Lake off Stubbins Hall Lane is within the Lee Valley Regional Park LVRP) and the Green Belt. The decommissioning of this substation and the construction of the new GIS substation will take 3 years to complete and measures would be put in place to minimise the effects of the construction work on the users of the LVRP. There will be



loss of vegetation and trees and some adverse impact on the local wildlife site. This is outweighed though by biodiversity offsetting measures and some replacement tree planting.

There is though disappointment that part of what appears to be redundant hard surfaced area in the decommissioned existing substation area is remaining when there is an opportunity here to provide planting and thereby reduce the overall footprint of the substation area. The Council's response to the Planning Inspectorate should reflect this concern, but otherwise accepts that the overall need to secure and increase the supply of electricity into London.

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 <p>Epping Forest District Council                  Planning Services                  Civic Offices                  High Street                  Epping CM16 4BZ</p>	<p>NATIONAL GRID PROJECT                  SITE OF SUBSTATION</p>		Centre X: 537497.692 Centre Y: 203569.860 Width : 900.000 Angle : .000
	Scale : 1:5000	Date : 26 Oct 2012	Time : 08:53:15 AM
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