

Committee Agenda



Epping Forest District Council

Area Planning Subcommittee West Wednesday, 8th May, 2013

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, 8th May, 2013
at 7.30 pm .**

**Glen Chipp
Chief Executive**

**Democratic Services
Officer**

Gary Woodhall - The Office of the Chief Executive
Email: democraticservices@eppingforestdc.gov.uk Tel:
01992 564470

Members:

Councillors 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

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

WEBCASTING NOTICE

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

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

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

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

1. WEBCASTING INTRODUCTION

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

2. The Chairman will read the following announcement:

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

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

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

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

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 3 April 2013 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. TPO/EPF/23/12 KNOLLY'S NURSERY, PICK HILL, WALTHAM ABBEY (Pages 15 - 20)

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

8. DEVELOPMENT CONTROL (Pages 21 - 76)

(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.

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 PRESSExclusion

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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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee West **Date:** 3 April 2013

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 8.15 pm

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

Other Councillors:

Apologies: Ms H Kane and Ms S Stavrou

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

78. 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.

79. 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.

80. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 6 March 2013 be taken as read and signed by the Chairman as a correct record.

81. DECLARATIONS OF INTEREST

There were no declarations of interest pursuant to the Council's Code of Member Conduct.

82. ANY OTHER BUSINESS

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

83. DEVELOPMENT CONTROL

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

RESOLVED:

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

84. 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/0150/13
SITE ADDRESS:	Leverton Junior and Infant School Honey Lane Waltham Abbey Essex EN9 3BE
PARISH:	Waltham Abbey
WARD:	Waltham Abbey Honey Lane
DESCRIPTION OF PROPOSAL:	Outline application for the erection of a single dwelling house and ancillary works, change of use of land, construction of new highway access and provision of pedestrian visibility splays. Construction of drive, turning area and car bays.
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=545216

CONDITIONS

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters as defined in condition 2 below, whichever is the later.
- 2
 - a) Details of the reserved matters set out below ("the reserved matters") shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:
 - (i) layout;
 - (ii) appearance;
 - b) The reserved matters shall be carried out as approved.
 - c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.
- 3 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.

- 4 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.
- 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 Prior to the first occupation of the development, a 1.5m by 1.5m pedestrian visibility splay, as measured from and along the highway boundary, shall be provided on both sides of the vehicular access. Such visibility splays shall be part of the vehicular surface access.
- 7 No unbound material shall be used in the surface of the access within 6 metres of the highway boundary of the site.
- 8 Any gates provided at the vehicular access shall only open inwards and shall be set back a minimum of 6 metres from the nearside edge of the carriageway.
- 9 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.
- 10 A flood risk assessment and management and maintenance plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the substantial completion of the development hereby approved and shall be adequately maintained in accordance with the approved management and maintenance plan.
- 11 The Buffer Zone shall not encroach on the school internal footpaths.

Members also requested that two informatives were to be added to the decision notice as follows:

1. Applicants are urged to explore the possibility of using the Honey Mews access.
2. A full planning application for reserved matters as referred to in Condition 2 of the outline application hereby approved will be reported to Area Plans Sub-Committee West for determination.

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Report to Area Plans Sub-Committee West

Date of meeting: 8th May 2013

**Subject: CONFIRMATION OF TREE PRESERVATION ORDER
TPO/EPF/23/12 – Knolly's Nursery, Pick Hill**



**Epping Forest
District Council**

**Officer contact for further information: Melinda Barham Ext 4120
Committee Secretary:**

Recommendation(s):

That tree preservation order TPO/EPF/23/12 is confirmed with modification

1. Background

1.1 A planning application was received to redevelop the area of the existing house and derelict glasshouses, and to extend development into the adjacent field. The proposal was an outline application with some matters reserved to provide a mix of 2,3 and 4 bedroom dwellings (114 dwellings), a 50 unit 1 bedroom extra care apartments building, and a new health centre.

1.2 As part of the application process a tree survey was submitted by the applicant which categorised a number of the trees as 'B' quality. These trees were suitable for retention and consideration should have been given to designing the development around them. The submitted layout plans did not appear to have taken the retention of any of the surveyed trees into account and indeed the majority of the trees on the whole site were shown to be removed. The trees were considered to be under a direct threat of being felled hence the making of this order on those trees deemed suitable for legal protection.

1.3 The planning application was subsequently refused.

2.0 Objections / Representations

2.1 One objection has been received from David Archer Associates acting on behalf of the applicants – Waltham Abbey Developments Ltd.

2.2 There are six reasons for objecting, they are –

a) the trees on site are under good arboricultural management and will continue to be managed to appropriate standards. Therefore it is not expedient to make this order.

b) the authority has failed to demonstrate how the assessment of the 'amenity' these trees has been undertaken.

c) the majority of the trees within the site are not clearly visible from a public area.

d) the majority of the trees within the site fail to make any individual impact, none of the trees are rare species.

e) the trees have limited landscape value when assessed within the wider landscape.

f) some of the silver birches in group 1 are dead, dying and diseased and should not have been included in the order.

3.0 The Director of Planning and Economic Development comments as follows:

Taking each of the objections in turn –

a) The current good management of the trees is not in question, it is the clear threat to the management of the trees by the new owners which is of concern. The planning application for the development of the site would have resulted in the loss of these trees altogether – and the retention of any of them does not appear to have been positively considered by the applicants. For this reason it is considered that it was expedient to make the order, in order to prevent the unacceptable felling of these trees.

b) the government advice about the creation and serving of tree preservation orders does not provide a rigid framework to assess trees for inclusion within an order. The tree and landscape team have devised an assessment pro forma to be used as part of the decision making process, which assesses the trees on - potential threat of being removed ; visual contribution ; suitability to the location ; life expectancy and importance of the location. It is intended that the pro forma is adopted by this council and will be presented to the appropriate committee in due course. The pro forma was used on this occasion and the justification for the order was –

“This order seeks to protect a number of trees within the garden of Knollys House, and in the area of the derelict glasshouses of Knollys Nursery.

The trees within the garden are good specimens, and they are important visually when driving up Pick Hill from Paternoster Hill. The field maples, oak and ash are important trees along the northern boundary of the site which has few trees within it.

A planning application has been received for the redevelopment of both of these sites and the adjacent field. As part of the application process a tree survey has been submitted by the applicants which categorises a number of the trees as ‘B’. As such they are considered worthy of retention, and consideration should be given to designing a development around their retention. The submitted layout plans do not appear to have taken the retention of any of the surveyed trees into account and show that they would be felled. Hence they are under a direct threat of being felled. Given the size of the site and the location of the trees protected by this order, it should be possible to redesign the layout and retain these trees.

In making this order, the Council will be acting in accordance with Policy LL7 of the Adopted Local Plan and Alterations (adopted 1998 and 2006).”

It is considered that this justification does follow government guidance.

c) The majority of these trees are visible from a public place, either from Pick Hill, or when walking the public right of way leading up to Dallance Farm. However, these trees were also considered in terms of the future amenity value that they would have if the site were to be developed. Clearly, if development were allowed on any part of this site the trees amenity value would be increased.

d & e) Trees do not need to be ‘rare’ species when assessing whether they should be included in a tree preservation order. Government guidelines do not give this directive. In terms of the individual impact of the trees and when assessed within the wider landscape, it is not just the current impact that the trees have but also the

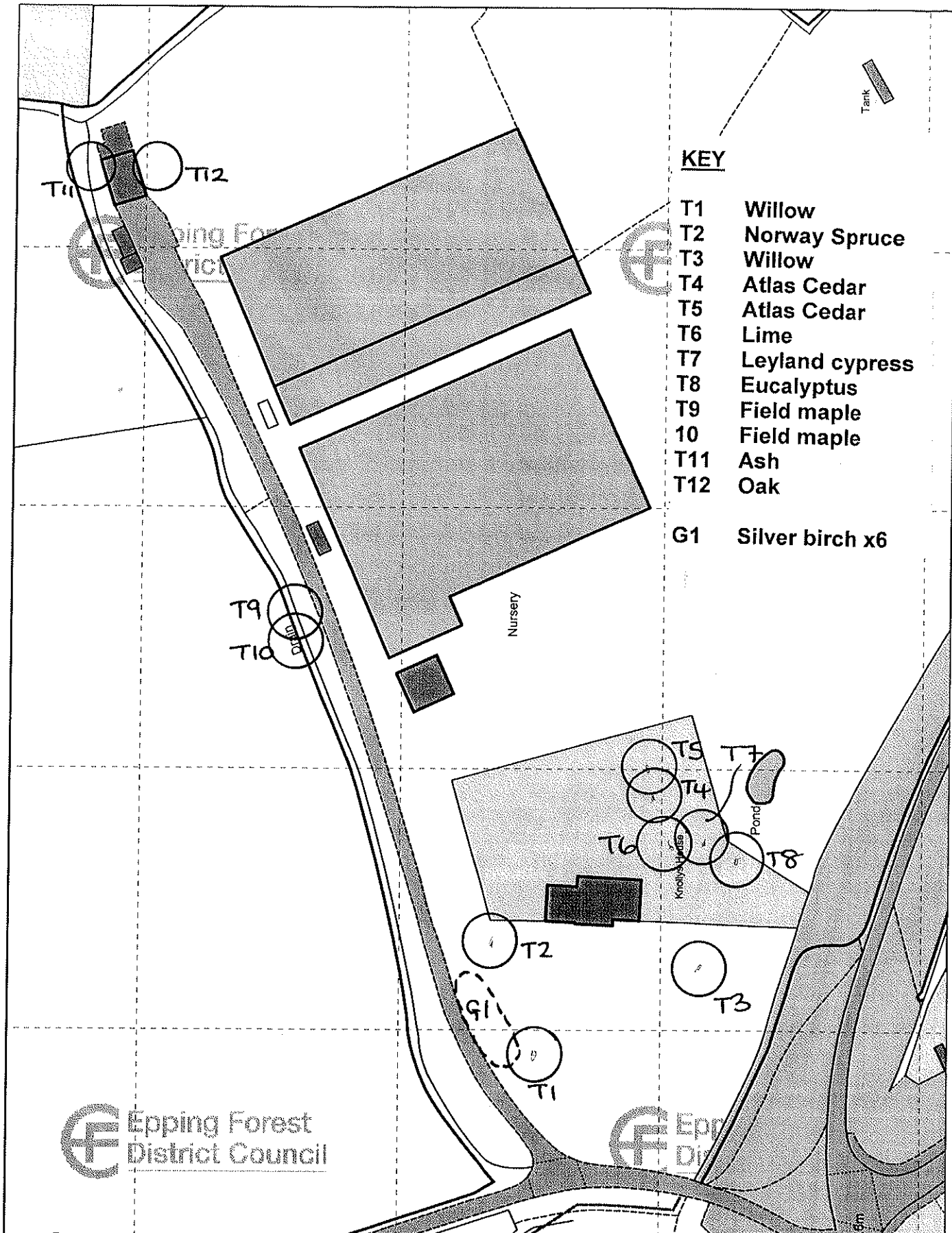
enhanced impact should the site be developed in the future. It is considered that any development of the site would increase the amenity value of these trees.

f) The silver birches have been protected because of the group amenity that they provide. The tree survey undertaken by the applicant's consultants does not highlight any issues with their structural condition, and comments that their physiological condition is rated fair as a result of the restricted crowns of the trees due to their close planting. It is considered that the trees within the group have a safe useful life expectancy of at least 20 years, and are therefore considered suitable for protection. If however, the owner considers that the trees should be removed, an application for felling could be submitted for approval. If found necessary any felling could be conditioned upon appropriate replacement(s).

4.0 Conclusion :

4.1 Although the planning application has been refused, these trees still require legal protection by this order. Not to confirm the order would be likely to result in the trees being felled. In making the order it highlights to the applicants the important trees on site, and should they choose to submit further applications for development this should assist them in designing a new layout, with the retention of these trees. It is therefore recommended that the order is confirmed with modification.

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Epping Forest District Council
 Planning Services
 Civic Offices
 High Street
 Epping CM16 4BZ

Knollys House and Nursery,
 Pick Hill, Waltham Abbey
TREE PRESERVATION ORDER
 TPO/EPF/23/12.

Scale : 1:1000

Date : 28 Nov 2012

Centre X: 540211.235

Centre Y: 201384.882

Width : 180.000

Angle : -90.000

Time : 12:48:15 PM



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AREA PLANS SUB-COMMITTEE 'WEST'

8 May 2013

INDEX OF PLANNING APPLICATIONS

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/0090/13	Thatched House, Harlow Road, Roydon, Harlow, Essex CM19 5HH	Grant Permission (With Conditions)	23
2.	EPF/0583/13	187 Honey Lane, Waltham Abbey, Essex EN9 3AX	Grant Permission (With Conditions)	27
3.	EPF/0072/13	Rear of 15-16 Sewardstone Road, Waltham Abbey, EN9 1PQ	Grant Permission (With Conditions)	32
4.	EPF/0108/13	Tylers Cross Nursery, Epping Road, Nazeing, Waltham Abbey, Essex EN9 2DH	Grant Permission (With Conditions)	38
5.	EPF/0109/13	Tylers Cross Nursery, Epping Road, Nazeing, Waltham Abbey, Essex EN9 2DH	Grant Permission (With Conditions)	43
6.	EPF/0228/13	Marston Group, 37 Sun Street, Waltham Abbey, Essex EN9 1EL	Grant Permission (With Conditions)	48
7.	EPF/0363/13	1 Banes Down, Nazeing, Essex EN9 2NU	Grant Permission (With Conditions)	52
8.	EPF/0394/13	Netherhouse Farm, Sewardstone Road, London E4 7RJ	Grant Permission (With Conditions)	58
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10.	EPF/0399/13	Richmonds Farmhouse, Parsloe Road, Epping Green, Epping, Essex CM16 6QB	Grant Permission (With Conditions)	70
11.	EPF/0408/13	Richmonds Farmhouse, Parsloe Road, Epping Green, Epping, Essex CM16 6QB	Grant Permission (With Conditions)	75

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Report Item No: 1

APPLICATION No:	EPF/0090/13
SITE ADDRESS:	Thatched House Harlow Road Roydon Harlow Essex CM19 5HH
PARISH:	Roydon
WARD:	Roydon
APPLICANT:	Mrs Leslie Hawk
DESCRIPTION OF PROPOSAL:	TPO/EPF/82/10 T1 - Horse Chestnut - Fell
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=544912

CONDITIONS

- 1 A replacement tree of a, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted and inspected and agreed to be in accordance with the details prior to implementation of the felling hereby agreed, unless varied with a written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or dies, or becomes seriously damaged and defective another tree of the same species and size of that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

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

Description of Site

The property concerned is, as its name suggests, a picturesque, Grade II listed thatched cottage, which marks the north eastern corner of the Roydon Conservation Area. The tree concerned stands approx 10m behind the front boundary with Harlow Road and is visually significant immediately to the side of the house, in direct views.

Description of Proposal

Felling of preserved tree, with replacement planting.

Relevant History

The Tree Preservation Order applying across the site was made in 2010 as a result of notification of felling of one of the other trees. Permission was then given to fell that tree under reference TPO/EPF/1376/11 on the grounds that evidence showed that it was linked to subsidence damage to the property. There is no recent history on the application tree.

Relevant Policies

LL9 – Felling of preserved trees *“the Council will not give consent to fell a tree... protected by a TPO unless it is satisfied that this is necessary and justified....any such consent will be conditional upon the appropriate replacement of the tree”*

Summary of Representations

None received

Issue & Considerations

Introduction

The tree to an extent enhances the setting of what is a picturesque listed building within the conservation area. However its visual significance is limited and the house has considerable importance in its own right. Given its location the tree has to be controlled in size. The application as submitted was based on damage to minor adjacent structures and concerns about subsidence to the application property and the neighbouring property, the Bruins. In discussion with the applicant at the site meeting it became clear that the more fundamental reason for the application was that the location was inappropriate to a potentially large growing tree and that the need to keep its size controlled, as well as being onerous for the owner, would necessarily limit its wider amenity value.

It is considered that the main issue for the committee is whether the necessarily limited value of the tree taken together with its possibly reduced life expectancy means that a new tree, to be situated on or closer to the front boundary, would be a greater enhancement to the conservation area?

Discussion

The tree is set back from the road by approximately 10 metres, in what is essentially a courtyard setting. It stands equidistant between the Thatched House and Bruins, with the garage of the Thatched House to the south. It is set within a brick edged planter, three courses of bricks in height. This is cracked in places almost certainly as a result of the tree. The surrounding area is then covered with stone with lawn to the front. The tree has 3 sets of previous pruning points: the uppermost are crown reduction points, below that where heavy crown reduction has taken place and then there is a lower set of pollard pruning points close to the stem. It seems likely that the original intention was to keep the tree as a tight pollard. However the crown has now grown so that it more or less fills the “courtyard”.

In relation to the reasons given the brick planter is not a substantial structure, damage would be expected and it could readily be repaired. Damage to it is not a good reason for felling. There is no evidence of damage to either property as a result of root action at present. While concern about foundation damage is understandable, particularly given the history of significant damage to

the Thatched House, felling of any preserved tree should not be authorised without evidence of damage or the likelihood of damage, and in this case there is none.

It seems likely that at least for the early summer the chestnut will be visually attractive. However, it is primarily visible from a direct view and, because it is set back, has less of a positive impact on the street scene than, for example, the Robinia to the east. Given the location of the tree it seems clear that the council should give consent for its continued crown reduction. Consent under delegated powers has recently been granted for works to the other protected trees on the site, to retain them at a reasonable size. The impact of any pruning would necessarily limit its contribution to the visual amenity of the conservation area. However, members will be aware that over the longer term there is real concern about the prospects for horse chestnuts with the widespread disfiguring impact of the horse chestnut leaf miner very evident now from mid summer and increasing incidence of stem bleeding canker leading to widespread deaths.

The owner is agreeable to a new tree being planted on the front boundary. This could be conditioned to ensure that the new tree is seen to be in place before felling may take place. This would give greater surety that the enhancement of the conservation area would be achieved in practise.

Conclusion

It is concluded that, having regard to the tree's species and location and the limits that these set on present and future visual amenity of the conservation area, felling is justified, subject to adequate prior replacement. The application therefore accords with policy LL9 of the local plan and alterations and is accordingly 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;

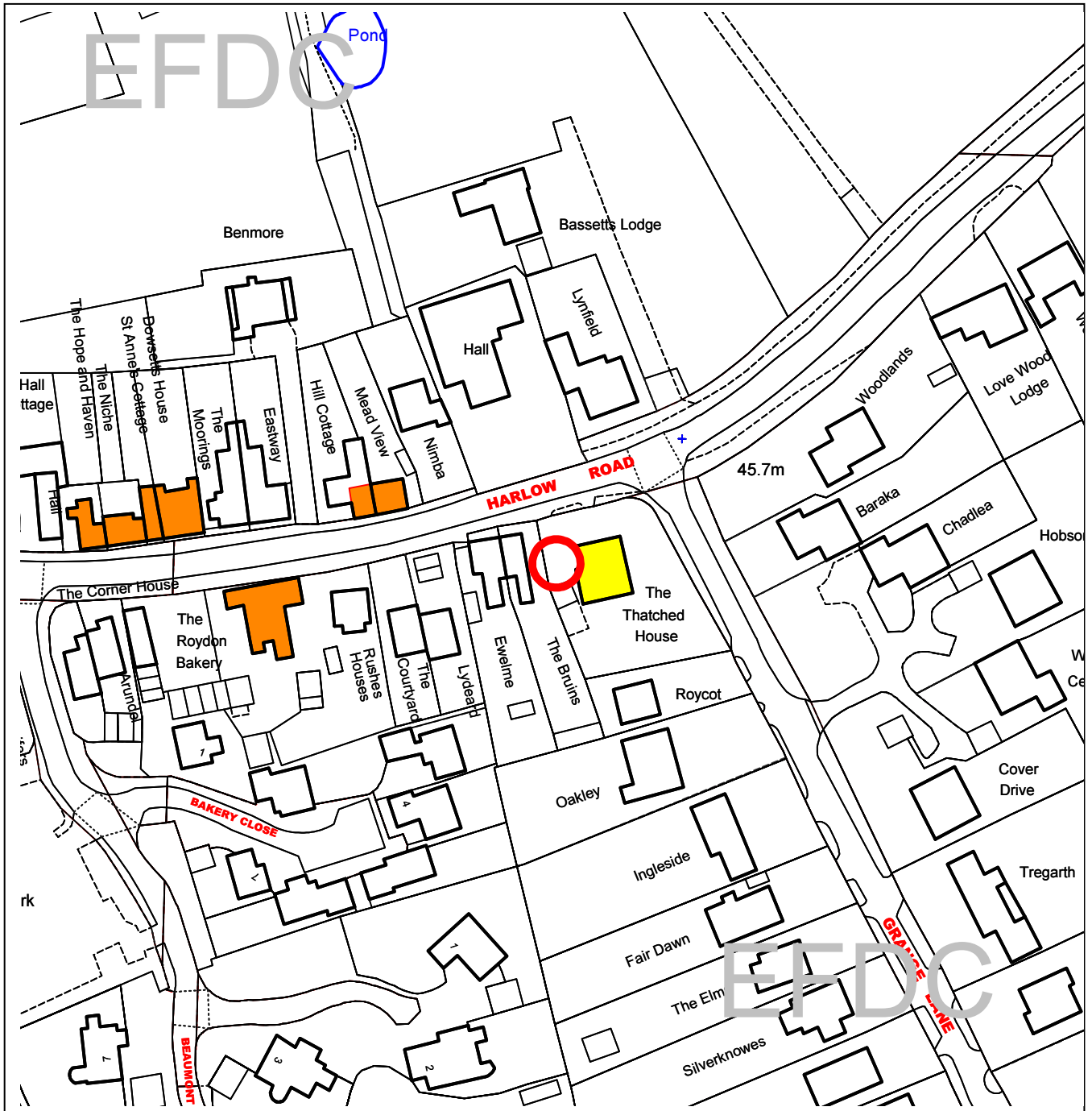
***TPO Application case officer: Christopher Neilan
Direct line telephone No: 01992 564117***

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



Epping Forest District Council

Area Planning Sub-Committee East



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Agenda Item Number:	1
Application Number:	EPF/0090/13
Site Name:	Thatched House, Harlow Road Roydon, CM19 5HH
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/0583/13
SITE ADDRESS:	187 Honey Lane Waltham Abbey Essex EN9 3AX
PARISH:	Waltham Abbey
WARD:	Waltham Abbey Honey Lane
APPLICANT:	Mr Rob Parsons
DESCRIPTION OF PROPOSAL:	TPO/EPF/02/83 T1 - Cypress - Fell T2 - Cypress - Fell
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=547277

CONDITIONS

- 1 Prior to the felling hereby agreed, the details of the replacement tree, or trees, of a number, species, size and in an appropriate position shall be approved in writing by the Local Planning Authority. The tree or trees shall then be planted within one month of the implementation as agreed, unless varied with the prior written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 2 The felling authorised by this consent shall be carried out only after the Local Planning Authority has received, in writing, 5 working days prior notice of such works.

This application is before this Committee because any application to fell preserved trees falls outside the scope of delegated powers

Description of Site:

This detached residential property is a corner plot, located at the junction of Honey Lane and Shernbroke Road with a sizeable rear garden and a full width front driveway laid mostly to hard standing. The pair of 16 metre tall cypress trees dominate the front of the property and stand out as the most prominent landscape features at this point of the north side of Honey Lane. Shernbroke Road accesses a large residential quarter of Waltham Abbey and is a busy intersection.

Description of Proposal:

T1 & 2 - Cypress - Fell

Relevant History:

The TPO dates from 1983, and was served in response to a threat posed by extensions to the original house.

TRE/EPF/ 0871/02 and 2307/02 applied to fell the trees and were both refused and an Article 5 certificate was served on them as a result.

Building is underway on a recent consent to further extend the property granted under EPF/0068/13.

Relevant Policies:

LL9: Felling of preserved trees. The Council will not give consent to fell a tree protected by a TPO unless it is satisfied that this is necessary and justified. Any such consent will be conditional upon appropriate replacement of the trees.

Summary Of Representations

WALTHAM ABBEY TOWN COUNCIL had not yet commented at the time of writing this report but subsequent views may be reported verbally at the meeting.

Issues and Considerations:

This application arises from the need to provide these trees protection during development works to the dwelling. The report in support of felling cites possible structural weaknesses, short lifespan and moderate form leading to a conclusion that the trees cannot be retained.

Issues

The reasons given for this application have been summarised, as follows:

- i) T1 has a weak fork with evidence of included bark and wire ingrown into the stem.
- ii) T2 is in competition with T1, is leaning out, is ivy clad, has an unbalanced crown and there is evidence of recent branch failures
- iii) Damage to wall and corner pier.
- iv) Unreasonable burden of ongoing maintenance due to poor structural condition and short lifespan.
- v) Inappropriate trees for location since branches are being regularly lost
- vi) Better replacements available such as two Wild Service Trees.

Consideration of the reasons given

- i) T1 Cypress: weak fork and included bark.

A wire has become enmeshed into the tissue of the trunk, which does exhibit typical fluting and tight forks in the lower stem. No signs of cracking or movement were noted and the amount of reaction wood around the fork was not unusual for this often multi stemmed species. This claim, based on a visual observation alone, carries little weight

ii) T2 leans and has an unbalanced crown.

The pair have grown harmoniously together for many decades and a leaning stem or an uneven crown form does not necessarily indicate a risk. To imply a lack of stability by referring to unbalance is misleading, since the tree must be balanced to continue to remain standing.

iii) Damage to wall

A wall has been removed due to the action of the trees. The trees have grown to such a size that their relationship to the corner pier and drive entrance surface has become strained, with distortions to true lines in both constructions. This problem is likely to worsen with time but a fence solved the previous wall damage and similar remedial options might again without the need to remove the trees.

iv) Unreasonable burden of maintenance due to poor condition

Clear signs of multiple branch failures on both trees are visible, but particularly on T2, where several high limbs are currently partially broken and ready to fall into the road. Unusually, no mention of the browning off of branch tips, was made in the report but the canker associated with this gradual decline is evident sporadically in both trees.

Across the district, Monterey cypress have long suffered from this fungal infection known as Coryneum Canker, which appears initially on branch tips. The dieback of branch ends occurs randomly across a tree's crown. As the disease advances whole sections of the crown die off and lose all foliage. Ultimately the tree succumbs.

v) Inappropriate trees for location

The broken and split stubs and dangerously weak hanging branches resultant from the embrittling effects of Coryneum Canker confirm that the trees are now an unacceptable risk to pedestrians and road users of this busy school and commuter route.

vi) Better replacements

Wild Service tree has been recommended as a suitable replacement. These trees are attractive in form and can attain a reasonable size when fully grown. However, it is considered important that these evergreen skyline features should be replaced, in part at least, by another tall growing conifer that offers landscape continuity. In this way a redwood such as Wellingtonia has been put forward as the most striking landscape choice.

Conclusion.

The pair of Monterey cypress are a striking pair and must be considered as a whole but have clear crown health problems. With safety considerations of prime importance, it is recommended that the trees should be replaced by at least one tall conifer at an agreed location. It is, therefore, recommended to grant permission to fell both trees on the grounds that health problems justify the need for the trees' removal.

The proposal is in accordance with Local Plan Landscape Policy LL9.

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

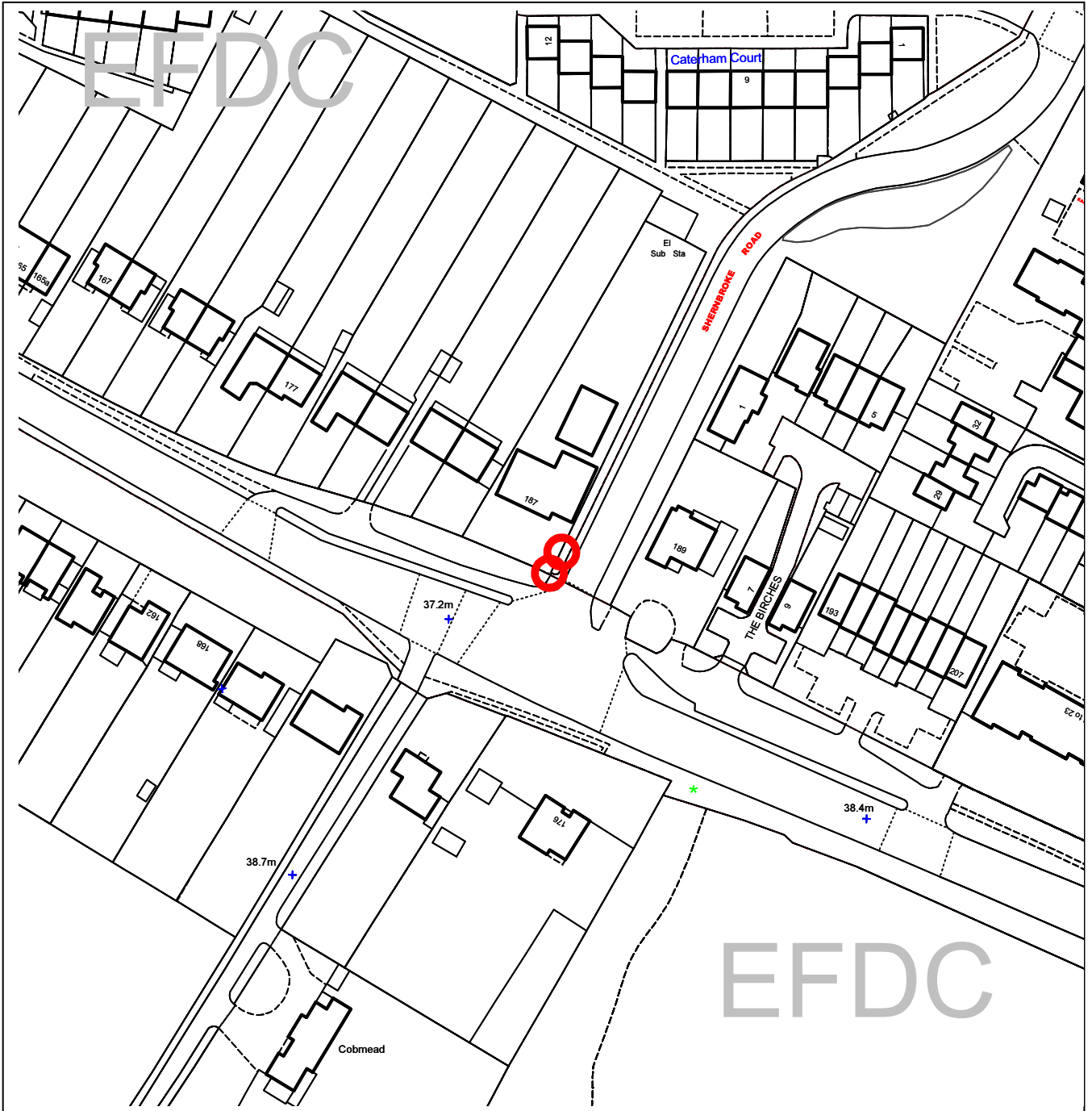
**Planning Application Case Officer: Robin Hellier
Direct Line Telephone Number: 01992 564546**

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



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	2
Application Number:	EPF/0583/13
Site Name:	187 Honey Lane, Waltham Abbey EN9 3AX
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/0072/13
SITE ADDRESS:	Rear of 15-16 Sewardstone Road Waltham Abbey Essex EN9 1PQ
PARISH:	Waltham Abbey
WARD:	Waltham Abbey South West
APPLICANT:	Mrintgreen Properties Ltd
DESCRIPTION OF PROPOSAL:	Redevelopment of the site to provide 1no x 3 bed and 1no x 2 bed with 2 parking bays.
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=544830

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No development shall take place until samples of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.
- 3 The bicycle store shown on the approved plans shall be provided prior to the first use of either of the flats and retained thereafter free of obstruction for that use.
- 4 The parking and refuse /recycling storage 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 and for the storage of refuse and recycling for both flats..
- 5 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: W03, W04, W05, W06,, W07, W08, W09.

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:

The site is within the Waltham Abbey Conservation Area and is to the rear of Grade II listed properties in Sewardstone Road, which contains commercial and residential development. There are other residential properties close to the site in Quaker Lane and Rue de St Lawrence.

The application site contains a single storey flat a small courtyard area and a double garage. The proposed addition would be visible only from the rear area and would be seen in the context of a mix of commercial and flatted developments with many flat roofed extensive additions and parking areas. Opposite the site are two and three storey 20th century flats.

Description of Proposal:

The proposal is to redevelop the rear part of the site, by removing the existing garage and building a two and a half storey extension linked to the existing single storey flat, to provide a split level three bed flat on the ground and first floor and a two bedroom flat within the roof. 2 covered parking spaces would be included at ground floor level together with bin storage and a bicycle store.

Relevant History:

EPF/0097/07 First floor extension and infill extension and garage conversion for residential use (3 flats) Withdrawn.

EPF/0632/11 Demolition of garage and erection of 2.5 storey rear extension to provide 1, one bed flat and 2, two bed flats with parking - Refused and dismissed on appeal

Policies Applied:

Local Plan and Local Plan Alterations
CP1 Sustainable Development Objectives
CP2 Quality of built environment
CP5 Sustainable building
CP7 Urban Form and Quality
HC6 Character appearance and setting of conservation area
HC7 Development within conservation areas
HC9 Demolition within Conservation Areas
HC10 Works to listed buildings
HC12 development affecting setting of listed buildings
H2a Previously developed land
DBE1 Design of new buildings
DBE2 effect on neighbouring properties
DBE3 design in urban areas
DBE5 Design and layout in new development
DBE6 Car parking in new development
DBE8 Private Amenity space
DBE9 Loss of amenity
ST1 Location of development
ST2 Accessibility of development
ST4 Road Safety
ST6 Vehicle Parking

These policies are considered to be in accordance with the NPPF and are therefore afforded due weight.

Summary Of Representations:

16 neighbouring properties were consulted and a site notice was erected. The following responses were received

PARISH COUNCIL - Objection. Concerns were raised with regard to the lack of amenity space and parking spaces.

VideCom- Tenants of adjacent property and car park. Nothing has altered to the previous letter regarding the previous application. Reiterate our objection. The addition will disfigure the area and lead to more problems in our car park. Existing flats have insufficient parking which has already caused problems. A tree will be lost.

Issues and Considerations:

This is a revised application following earlier refusal and dismissal on appeal of a similar scheme which was to provide three flats. The previous application was refused by this Council on grounds of inadequate parking, unacceptable living conditions for residents of the ground floor flat and inadequate space around the building for storage. At appeal the Inspector considered that the design of the development was appropriate and there would be no adverse impact on neighbours but agreed with the Council that the living conditions in the ground floor flat were unacceptable, having inadequate outlook and amenity. In addition he agreed that the provision of just one parking space for the three proposed flats was likely to result in additional on street parking in the conservation area and was not appropriate.

The main issues in the consideration of the proposal are, Design and impact on the conservation area and the listed building, impact on the residential amenity of adjacent residents, living conditions for future occupants of the flats and whether the parking and storage provision is adequate.

Design

The design which was previously considered acceptable on appeal has not been changed significantly and the Conservation Officer concludes that as the design and massing of the proposal has already been established and that given the site's surroundings it will not appear overly dominant or out of keeping with surrounding buildings. The demolition of the garage will certainly enhance the conservation area. Subject to conditions regarding approval of materials and detailing the proposals are considered appropriate to the conservation area and the setting of the listed building.

Impact on residential amenity of neighbouring occupants.

Although there were a number of objections to the last application from neighbouring residents with regard to impact on residential amenity, these were not upheld at appeal and as the design and impact on neighbours has not changed significantly officers remain of the view that the development will not adversely impact on residential amenity.

The proposal has been designed such that it has no windows that would result in significant overlooking and although there will be some loss of light to adjacent sites it is not considered that this would result in an excessive loss of residential amenity, given the separation involved. The height of the development may be considered a little overbearing, but it is not considered that the harm to residential amenity is so great as to warrant a refusal on these grounds.

Whilst the proposal will result in the loss of an existing rear facing window in one of the flats this is into a room which has an additional window in the side elevation.

Harm to amenity caused during construction would not amount to grounds for refusal.

Living Conditions for future occupants

The last application included a small ground floor flat which had rooms with either no reasonable outlook or that were likely to suffer disturbance and lack of privacy. The revised scheme has done away with this 1 bed flat and created a three bed flat which includes 1 bedroom at ground floor but two on the first floor. This enables the occupant to enjoy living space that has a good level of outlook, and privacy and although in a busy location surrounded by parking and roads it is considered that this and the proposed 2 bed unit within the roofspace do maintain adequate living conditions. Neither flat has any private amenity space but this is not unusual for developments in town centre locations such as this and is not considered grounds for refusal.

Parking

The proposal includes 2 parking spaces (1 for each flat) which is considered adequate in this town centre location. In addition a bicycle storage area is proposed within the scheme. Concern has been raised by an adjacent business that their car park which adjoins the garage building that existing tenants already use their spaces which has led to problems and additional flats with inadequate on site parking may make this worse, but there are public car parks in close proximity to the site and it is considered that 1 space per unit is sufficient here in this relatively sustainable location.

Other issues

Refuse storage

The redevelopment of rear of shop sites such as this can often result in unsightly refuse storage overspilling into the public domain. The applicant has included adequate space within the scheme for the storage of refuse and recycling within the building to avoid this problem and this is welcomed.

Trees.

Mention has been made of trees which will be lost from the site. There are two small trees within the existing yard area that it is proposed to build on, but these are so small as to have no real visual amenity value and are planted so close to existing buildings and parking areas that they are unlikely to become major features in the area. Although potentially protected due to the conservation area status of the site they are not the subject of a TPO and it is not considered that their loss would cause harm to the visual amenity of the area.

Conclusion:

The reduction in the number of units, which enables adequate living conditions, together with the increase in parking provision to 1 space per unit, successfully overcomes the previous reasons for refusal that were upheld on appeal. The proposed development is of appropriate design which will maintain and enhance the conservation area and the setting of the listed building and makes the best use of urban land. The application is therefore considered to be in accordance with the adopted policies of the Local Plan and Local Plan Alterations and with the NPPF and is recommended for approval.

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

Planning Application Case Officer: Jill Shingler
Direct Line Telephone Number: 01992564106

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:	3
Application Number:	EPF/0072/13
Site Name:	Rear of 15-16 Sewardstone Road Waltham Abbey, EN9 1PQ
Scale of Plot:	1/1250

Report Item No: 4

APPLICATION No:	EPF/0108/13
SITE ADDRESS:	Tylers Cross Nursery Epping Road Nazeing Waltham Abbey Essex EN9 2DH
PARISH:	Roydon
WARD:	Broadley Common, Epping Upland and Nazeing Lower Nazeing
APPLICANT:	Mr Antonio Filocco
DESCRIPTION OF PROPOSAL:	Change of use of land surrounding glasshouse as indicated, from agricultural to Sui Generis use as a scaffold and paving storage yard.
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=545012

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 2240-A1-P-101 Rev: A, 2240-A1-P-102 Rev: A
- 2 The premises shall be used solely for a scaffold yard and/or a paving yard and for no other purpose.
- 3 Any outdoor storage, storage containers or temporary structures shall not exceed a maximum height equivalent to a single standard shipping container, unless otherwise agreed in writing by the Local Planning Authority.
- 4 The uses hereby permitted shall not be open for business purposes outside the hours of 06:00 to 18:00 on Monday to Friday, 06:00 to 13:00 on Saturday and at no time on Sundays and Bank/Public Holidays.
- 5 Within three months of 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. The development shall be implemented in accordance with such agreed details.

This application is before this Committee since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to

Description of Site:

The application site is an established nursery site located within the larger Tyler's Cross Site, Tyler's Road, which contains a mix of small scale horticultural nurseries, disused glasshouses, light industrial uses, and several Gypsy and Traveller plots. The application site is approximately 2.18 hectares in size and contains glasshouses, several horticultural buildings, mobile homes and commercial uses. This application relates to four specific areas of the site that are currently being used as a scaffold and paving stone yard. The application site is located within the Metropolitan Green Belt, an EFDC flood risk assessment zone, and within a designated E13 Glasshouse area.

Description of Proposal

Retrospective consent is being sought for the change of use of part of the site from agricultural use to *Sui Generis* to allow for a scaffold and paving storage yard to remain. The existing storage yard contains a number of storage containers and a portable office building, along with open storage. The existing use is stated to have been in existence on this site since 2007.

Relevant History:

There is a long history with regards to the former Tyler's Cross Nursery site, however no applications are directly relevant to this proposal.

Policies Applied:

CP2 – Protecting the quality of the rural and built environment
CP3 – New development
GB2A – Development in the Green Belt
GB7A – Conspicuous development
DBE2 – Effect on neighbouring properties
DBE9 – Loss of amenity
E12A – Farm diversification
E13B – Protection of glasshouse areas
E13C – Prevention of dereliction of new glasshouse sites
ST1 – Location of development
ST4 – Road safety

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:

1 neighbouring property was consulted and a Site Notice was displayed on 13/02/13.

PARISH COUNCIL – Object. Highway/traffic concerns – this is also a retrospective application.

Issues and Considerations:

The main issues to determine are the impact on this Green Belt location, on the surrounding area, and with regards to any impact on neighbouring properties.

Green Belt:

The application site is a horticultural nursery that has diversified to accommodate the scaffold and paving storage yard under consideration here, and a B2 use within some former nursery buildings (which is subject to a separate application Ref: EPF/0109/13). The proposed uses of this site would constitute inappropriate development within the Green Belt as they do not fall into any of the exceptions as laid out within the National Planning Policy Framework (NPPF).

The NPPF does allow for the *“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”*, however horticultural land does not constitute previously developed land. The NPPF also allows for *“the re-use of buildings provided that the buildings are of permanent and substantial construction”*, however this retrospective change of use relates to open yard areas and temporary structures, not permanent buildings. As such, the proposal constitutes inappropriate development that is, by definition, harmful to the openness of the Green Belt. However, such development can be considered acceptable provided very special circumstances exist that clearly outweigh the harm caused from the proposal.

The application site is located within Tylers Cross Nursery, which is a large former horticultural site that has split up and now contains a vast mix of horticultural, commercial and residential use in the form of Gypsy and Traveller Sites. The neighbouring use to the north is a long established transport company with large commercial buildings and open parking/storage, and to the immediate east are lawful Gypsy and Traveller pitches. To the west and northwest are large greenhouses, and the application site borders onto open land to the south. Due to the existing lawful uses on Tylers Cross nursery and the context in which the application site is viewed, it is considered that the harm to the openness and character of the Green Belt as a result of this inappropriate development would be fairly limited.

The other material consideration in this application is the benefit that the proposal would have on the established business use on the site. Whilst the use is currently unauthorised it has been operating on this site since 2007 and is now considered to be an established business. The NPPF puts great emphasis on promoting sustainable economic growth and supporting existing businesses and states that *“the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth”* and the planning should *“support existing business sectors, taking account of whether they are expanding or contracting”*. Furthermore, the NPPF and Local Plan policy E12A promote farm diversification as it is stated that planning policy should *“promote a strong rural economy”* and *“promote the development and diversification of agricultural and other land-based rural businesses”*.

As the harm from this inappropriate development is considered to be fairly limited the economic benefits of this proposal are considered to outweigh the harm to the Green Belt in this case. As such, it is considered that there are sufficient very special circumstances in this instance to allow for the proposed inappropriate development in the Green Belt.

Impact on surrounding area:

The application site is located within a designated E13 glasshouse site, however the glasshouses and existing office/packing area on the application site are still being used for horticultural

purposes. As such, whilst some land is lost from the horticultural site as a result of this proposal, the majority of the site is still retained for glasshouse use in line with the E13 policies. Furthermore, account must be taken of the large number of non-glasshouse uses within Tylers Cross and the ability to defend the continued designation of this site.

Impact on highway safety and neighbouring properties:

The proposed use has been occurring on site since 2007. Tylers Cross Nursery as a whole contains several nurseries and other commercial uses, which result in heavy levels of traffic movements. It is not considered that the proposed use materially adds to the highway safety issues, or to any harm to neighbouring residents.

Conclusion:

The proposed development would constitute inappropriate development, however given the location and context of the site the impact on the openness of the Green Belt would be limited. As such, it is considered that the economic benefits of this proposal are sufficient to outweigh the harm. The retention of the use does not materially increase highway safety issues or detrimental impact on neighbouring properties or the wider surrounding area and therefore the application is considered acceptable and is recommended for approval.

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

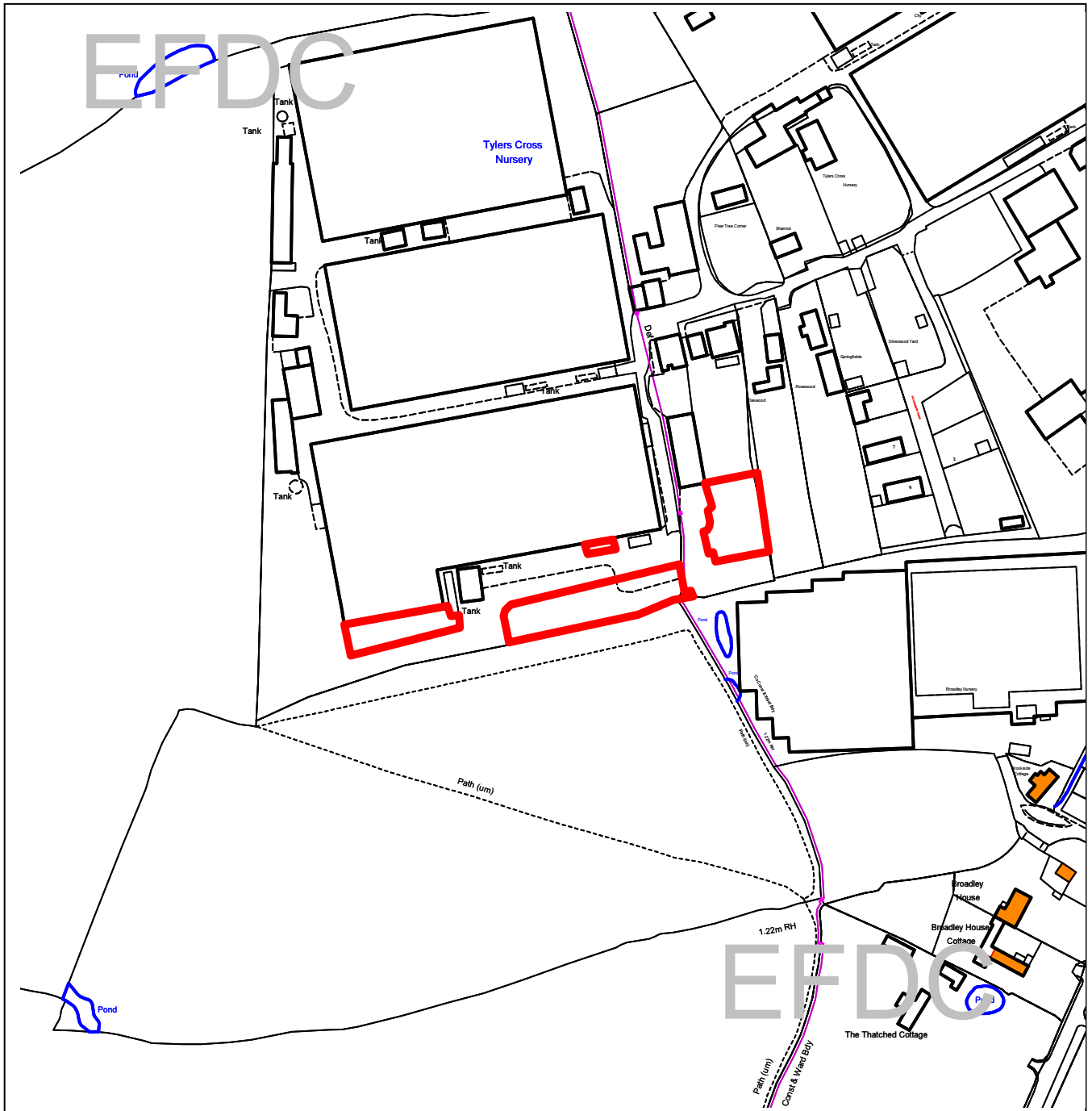
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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:	4
Application Number:	EPF/0108/13
Site Name:	Tylers Cross Nursery, Epping Road Nazeing, EN9 2DH
Scale of Plot:	1/2500

Report Item No: 5

APPLICATION No:	EPF/0109/13
SITE ADDRESS:	Tylers Cross Nursery, Epping Road Nazeing Waltham Abbey Essex EN9 2DH
PARISH:	Roydon
WARD:	Lower Nazeing
APPLICANT:	Mr Antonio Filocco
DESCRIPTION OF PROPOSAL:	Change of use of existing agricultural and glasshouse store and workshops to B2 use.
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=545013

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 2240-A1-P-301 Rev: A, 2240-A1-P-302 Rev: A
- 2 The premises shall be used solely for B2 or B8 use and for no other purpose (including any other purpose in Class B 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.
- 3 Within three months of 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. The development shall be implemented in accordance with such agreed details.
- 4 Any outdoor storage shall not exceed a maximum height equivalent to a single standard shipping container, unless otherwise agreed in writing by the Local Planning Authority.
- 5 The uses hereby permitted shall not be open for business purposes outside the hours of 06:00 to 18:00 on Monday to Friday, 06:00 to 13:00 on Saturday and at no time on Sundays and Bank/Public Holidays.

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

Description of Site:

The application site is an established nursery site located within the larger Tyler's Cross Site, Tyler's Road, which contains a mix of small scale horticultural nurseries, disused glasshouses, light industrial uses, and several Gypsy and Traveller plots. The application site is approximately 2.18 hectares in size and contains glasshouses, several horticultural buildings, mobile homes and commercial uses. This application relates to the building to the south of the glasshouse, which contains the boiler room. The application site is located within the Metropolitan Green Belt, an EFDC flood risk assessment zone, and within a designated E13 Glasshouse area.

Description of Proposal

Retrospective consent is being sought for the change of use of the existing building to B2 use to house a metalworks and a marble store, with the central section being retained as the boiler room. The proposed use is stated to have been in existence on this site since 2007.

Relevant History:

There is a long history with regards to the former Tyler's Cross Nursery site, however no applications are directly relevant to this proposal.

Policies Applied:

CP2 – Protecting the quality of the rural and built environment
CP3 – New development
GB2A – Development in the Green Belt
GB7A – Conspicuous development
GB8A – Change of use or adaptation of buildings
DBE9 – Loss of amenity
E12A – Farm diversification
E13B – Protection of glasshouse areas
E13C – Prevention of dereliction of new glasshouse sites
ST1 – Location of development
ST4 – Road safety

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:

1 neighbouring property was consulted and a Site Notice was displayed on 13/02/13.

PARISH COUNCIL – Object. Highway/traffic concerns – this is also a retrospective application.

Issues and Considerations:

The main issues to determine are the impact on this Green Belt location, on the surrounding area, and with regards to any impact on neighbouring properties.

Green Belt:

The application site is a horticultural nursery that has diversified to accommodate the B2 use within some former nursery buildings along with a scaffolding and paving storage yard (which is subject to a separate application Ref: EPF/0108/13).

The National Planning Policy Framework (NPPF) allows for *"the re-use of buildings provided that the buildings are of permanent and substantial construction"* with the proviso that the change of use must *"preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt"*. The existing buildings are brick built former horticultural buildings of permanent and substantial construction that have been used for the existing metalworks and marble store since 2007. The application site is located within Tylers Cross Nursery, which is a large former horticultural site that has split up and now contains a vast mix of horticultural, commercial and residential use in the form of Gypsy and Traveller Sites. The neighbouring use to the north is a long established transport company with large commercial buildings and open parking/storage, and to the immediate east are lawful Gypsy and Traveller pitches. To the west and northwest are large greenhouses, and the application site borders onto open land to the south. Due to the existing lawful uses on Tylers Cross nursery and the context to which the application site is viewed, it is not considered that the change of use of these buildings would have any additional impact on the openness of the Green Belt. As such, the proposed development is not considered to be inappropriate development and is therefore acceptable.

The other material consideration in this application is the benefit that the proposed change of use would have on the established business use on the site. Whilst the uses are currently unauthorised they have been operating on this site since 2007 and are now considered to be established businesses. The NPPF puts great emphasis on promoting sustainable economic growth and supporting existing businesses and states that *"the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth"* and the planning should *"support existing business sectors, taking account of whether they are expanding or contracting"*. Furthermore, the NPPF and Local Plan policy E12A promote farm diversification as it is stated that planning policy should *"promote a strong rural economy"* and *"promote the development and diversification of agricultural and other land-based rural businesses"*. As such, there would be economic benefits as a result of allowing the retention of the proposed change of use.

Impact on surrounding area:

The application site is located within a designated E13 glasshouse site, however the glasshouses and existing office/packing area on the application site are still being used for horticultural purposes. As such, whilst some land/buildings are lost from the horticultural site as a result of this proposal, the majority of the site is still retained for glasshouse use in line with the E13 policies. Furthermore, account must be taken of the large number of non-glasshouse uses within Tylers Cross and the ability to defend the continued designation of this site.

Impact on highway safety and neighbouring properties:

The proposed uses have been occurring on site since 2007. Tylers Cross Nursery as a whole contains several nurseries and other commercial uses, which result in heavy levels of traffic movements. It is not considered that the proposed uses materially add to the highway safety issues, or to any harm to neighbouring residents.

Conclusion:

The retrospective change of use of the building would not constitute inappropriate development within the Green Belt and would be economically beneficial to the existing businesses on site. The retention of the uses does not materially increase highway safety issues or detrimental impact on neighbouring properties or the wider surrounding area and therefore the application is considered acceptable and is recommended for approval.

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

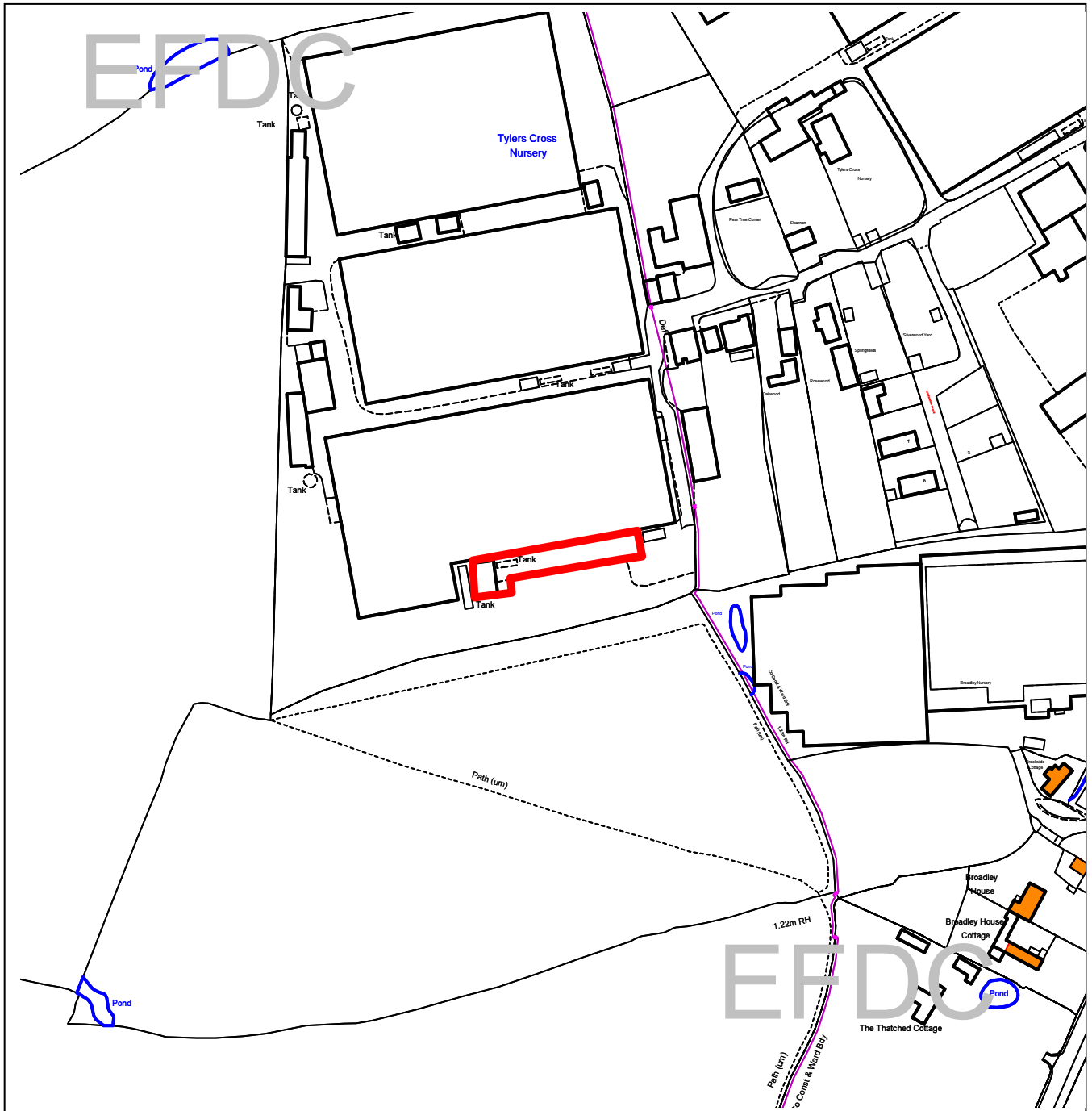
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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:	5
Application Number:	EPF/0109/13
Site Name:	Tylers Cross Nursery, Epping Road Nazeing, EN9 2DH
Scale of Plot:	1/2500

Report Item No: 6

APPLICATION No:	EPF/0228/13
SITE ADDRESS:	Marston Group 37 Sun Street Waltham Abbey Essex EN9 1EL
PARISH:	Waltham Abbey
WARD:	Waltham Abbey South West
APPLICANT:	Marston Group Limited
DESCRIPTION OF PROPOSAL:	Proposed change of use of 2nd floor from existing offices (B1) into apartments (C3) to provide 8 flats
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=545511

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: 893 001-007 and the submitted location plan.

This application is before this Committee since it is an application for residential development consisting of 5 dwellings or more and is recommended for approval (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(d))

Description of Site:

No37 Sun Street is a modern structure located within the town centre of Waltham Abbey. The immediate area contains a number of listed buildings and the building is also within the Conservation Area. Waltham Abbey Museum is located on the ground floor of the building and the first floor is in use as offices. There is also useable floorspace in the roof and this is facilitated by a number of skylights. The overall footprint of the building is approximately 600 sq m.

Description of Proposal:

The applicant seeks consent to convert the second floor of the building from a use within class B1 (Offices) to a use within class C3 (Residential). This would be to provide eight self contained flats, 4 one bedroom and 4 two bedroom. There would be no external changes to the overall appearance of the building, although three additional rooflights would be added to the roof slopes. The plans indicate nine parking places and a bin storage area to the rear.

Relevant History:

EPF/0238/13 - Internal alterations and change of use of first floor to provide additional storage, gallery space, community activity space and curatorial office space. Grant Permission (With Conditions) – 27/03/13.

Policies Applied:

E4A – Protection of Employment Sites
E4B – Alternative uses for Employment Sites
TC1 – Town Centre Hierarchy
TC3 - Town Centre Function
DBE2 - Effect on Neighbouring Properties
DBE9 – Amenity
HC6 – Works in a Conservation Area
HC7 – Development within a Conservation Area
HC12 – Development Affecting the Setting of Listed Buildings
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
H2A – Previously Developed Land
H4A – Dwelling Mix

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:

Site Notice Displayed and 49 neighbours consulted – 1 reply received.

27 Hanover Court: Objection. Concern about the impact on parking in the vicinity.

WALTHAM ABBEY TOWN COUNCIL: No Objection, as long as sufficient provision is made for waste disposal.

Issues and Considerations:

The main issues relate to the principle of the development and potential impact on living conditions, parking, refuse collection, the Conservation Area and nearby listed buildings.

Principle of the Development

Local Plan policies have traditionally aimed to protect office space in town centres. As such there has been a requirement for applicants to demonstrate the marketing of the property for this purpose and to clearly show that there is no demonstrable demand for offices. Within the last 18 months national policy has moved on to some degree with the adoption of the NPPF and the consultation on removing the need for planning permission for such changes of use. The removal of the need for planning permission has not been enshrined in law and there is an “opt out” which Council’s can apply for. However the intention is clearly to facilitate changes such as this. Furthermore Paragraph 51 of the NPPF actively encourages the reuse of B1 office buildings for residential purposes. The Local Planning Authority also has a number of policies which promote

the reuse of brownfield sites and proposals which adhere to the principles of sustainable development. This development would result in the reuse of currently redundant floorspace and the site is highly sustainable. Subject to other material considerations the proposal is acceptable in principle.

Amenity

Each of the proposed flats would be served by skylight windows in the existing roof slope. These are low set, effectively conventional windows, which will provide an adequate level of amenity for future residents. The flats are all of a reasonable standard in terms of size and amenity value. No private amenity space is provided as part of the proposal, but in a town centre location this is deemed acceptable. It is noted that the larger, adjacent, Hanover Court, is also not served by amenity space and this is not uncommon with such developments. The wider town centre has areas of public amenity space with parks and the grounds of the Abbey a short walk away.

The proposed development would have no impact on the amenity of adjacent neighbours. There are residential properties in the wider vicinity of the site but there would be no material increase in overlooking.

Conservation Area/Listed Buildings

The immediate area around the site has a number of historic buildings and it is also within the Conservation Area. However minimal change is proposed and there would be no material impact on this special setting.

Parking

The applicant indicates control over nine parking spaces in the courtyard to the rear of the site. A neighbour of the development has expressed concern that the development will lead to parking concerns. However in a town centre location the provision is adequate. A case could be made for car free developments in such locations and it is also worth noting that the previous use would have generated at least as much demand for parking spaces. The area is also well served by public car parks. This element of the scheme is therefore not deemed to be of concern.

Refuse

The plans indicate a refuse storage area to the rear, which appears to be the existing refuse collection point for the offices. The site visit confirmed a number of large industrial bins being stored in this area. There is clear unobstructed access for refuse lorries. There is space to store six large bins and this is adequate to serve eight small flats.

Conclusion:

There are policy grounds, certainly at national level, to justify this proposal and it complies with sustainability objectives. There are no concerns about amenity. Generally the proposal conforms to policy and is in compliance with the aims and objectives of nationally adopted planning policy. It is therefore recommended that the application is approved with 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:

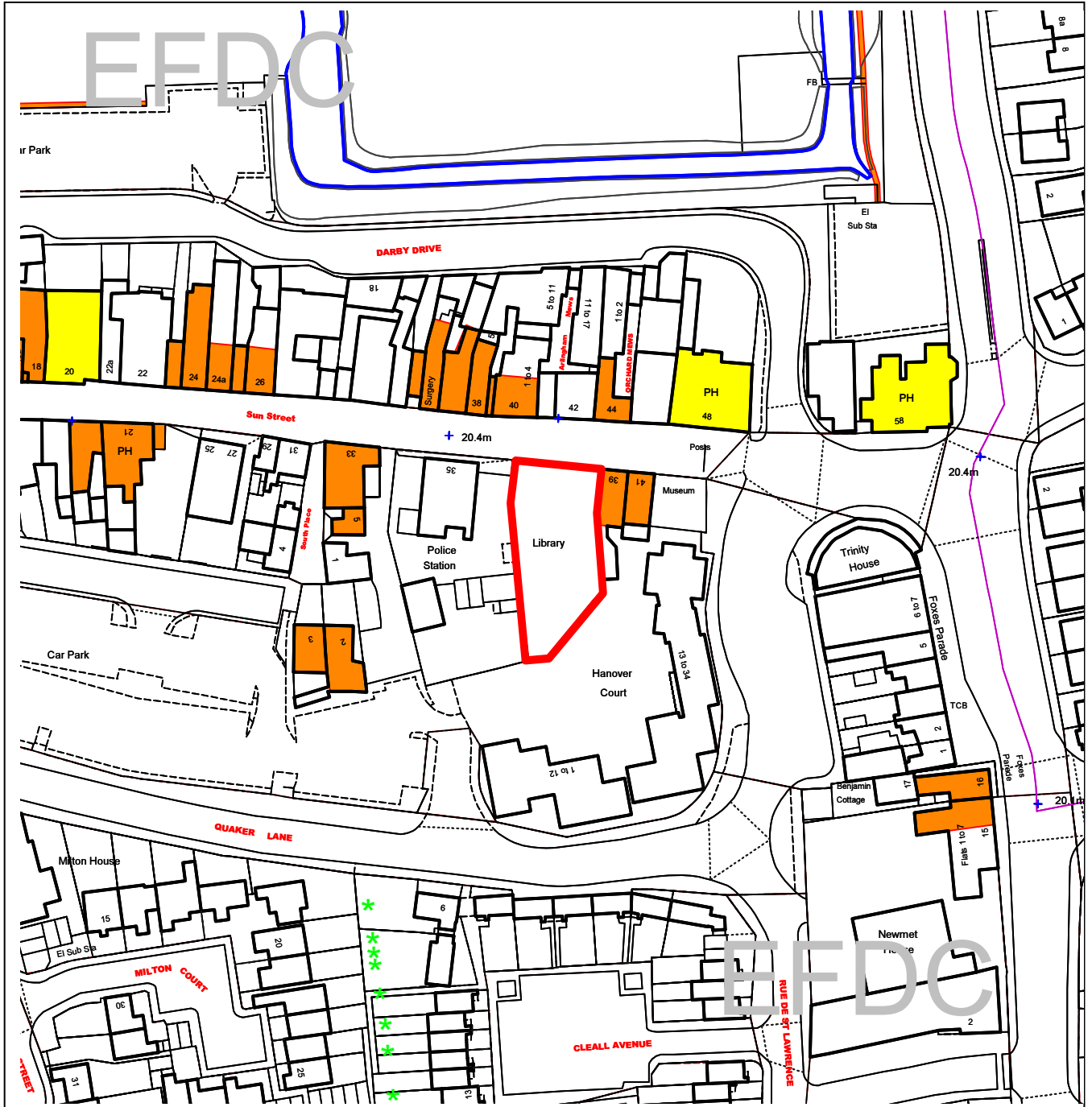
***Planning Application Case Officer: Mr Dominic Duffin
Direct Line Telephone Number: (01992) 564336***

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



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	6
Application Number:	EPF/0228/13
Site Name:	Marston Group, 37 Sun Street Waltham Abbey, EN9 1EL
Scale of Plot:	1/1250

APPLICATION No:	EPF/0363/13
SITE ADDRESS:	1 Banes Down Nazeing Essex EN9 2NU
PARISH:	Nazeing
WARD:	Lower Nazeing
APPLICANT:	Mr Dean Barratt
DESCRIPTION OF PROPOSAL:	Proposed new 2 bedroom bungalow dwelling with rear terrace area.
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=546193

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 be of a similar appearance to those of the existing dwelling on the site, unless otherwise agreed in writing by the Local Planning Authority.
- 3 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: BRD/12/058/001, 002, 003.
- 4 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.
- 5 Details of a solid screen of at least 1.7m in height to be erected along the northern side of the decking area hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The approved screen shall be erected prior to the first use of the decking area and thereafter be permanently retained.
- 6 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.

- 7 No development shall take place until details of the proposed surface materials for the front driveway area 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.
- 8 Details of the proposed fence between the new property and No1 Banes Down shall be submitted to the Local Planning Authority for approval. The agreed fencing shall be erected prior to the first occupation of the dwelling and permanently retained 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:

No1 Banes Down is a semi detached, single storey dwelling with a front gabled roof. The house has a single storey addition to the side and there is a side garden area between this and the adjacent property, No36 Maplecroft Lane. Semi detached houses are the dominant style in the area. There are also single detached dwellings of a similar style and to the north of the site there are larger detached houses. The house is positioned on a flat piece of land but the site slopes downwards behind this. The side boundaries are demarcated by close boarded fencing.

Description of Proposal:

The proposal is to construct a detached dwelling in the garden area to the side of the existing house. This would be single storey with a front gabled roof above and would have a footprint measuring 5.9m wide x 14.m deep. The rear 4.0m portion of the house would be flat roofed. A 1.5m terrace would extend from the rear elevation.

Relevant History

EPF/0361/13 – Rear extension. Grant Permission (with conditions) – 16/04/13.

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
- DBE1 – Design of New Buildings
- DBE2 – Effect on Neighbouring Properties
- DBE3 - Design in Urban Areas
- DBE6 – Parking in New Developments
- DBE8 – Private Amenity Space

DBE9 – Excessive Loss of Amenity to Neighbouring Properties
ST1 – Location of Development
ST2 – Accessibility of Development
ST4 – Road Safety
ST6 – Vehicle Parking
H2A – Previously Developed Land
H4A – Dwelling Mix

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

Town Council: Objection. Overdevelopment and fails to retain a gap of 1.0m to the boundaries. Not in keeping with streetscene and no provision for off street parking. May cause loss of amenities to neighbours particularly to properties with solar panels opposite.

7 neighbours consulted – 2 replies received.

36 MAPLECROFT LANE: Objection. Loss of light and loss of privacy particularly to garden area. Concern about overhang and maintenance as the building is very close to our boundary. The majority of houses are semi detached and this dwelling will look squeezed in and out of place.

OAKLEY, MAPLECROFT LANE: Objection. Loss of a view from our property. No garaging for vehicles. The crossover and removal of grass verge will impact the appearance of the area. The proposal will affect the efficiency of our solar panels.

Issues and Considerations:

The main issues that arise with this application relate to design, layout, amenity and parking. The comments of consultees will also be considered.

Design/Layout

The principle of developing a side garden area for housing is long established as being potentially appropriate and conforming to sustainable development aims. The current Government have further clarified when such developments are suitable by stating that although garden areas have been removed from the definition of previously developed land if such a proposal conforms to the general character of the area then it is not necessarily inappropriate. So called “infill” developments are very common in the small scale provision of homes in this district. The key issue here is whether the proposed dwelling “conforms to the general character” of the area. The point has been made that the majority of houses are semi detached, like the application property. This is the case but there is a mix of styles in that there are individual detached dwellings similar to the proposal albeit with side facing gables. No1 Banes Down also marks the transition point to much larger dwellings on Maplecroft Lane. The streetscene elevation submitted as part of this proposal clearly outlines the discernible change in styles over the course of two properties. If the entire street was made up of semi detached dwellings, like the application site, it could be readily accepted that this proposal would appear out of character. However there is enough of a mix of styles in the immediate vicinity to render this proposal, on balance, appropriate.

Concern has also been expressed that the proposal represents an overdevelopment of the site and does not retain a gap of 1.0m to the boundaries. A gap of over 1.0m is shown as being retained to the existing house on the site but the new dwelling would be much closer to No36

Maplecroft Lane (0.50m). The 1.0m gap to the boundary restriction is generally a consideration with regards to two storey/first floor side extensions and the desire to retain gaps in the streetscene and avoid a terracing effect. It is not considered specifically necessary for new housing and would depend on the circumstance. However Banes Down does feel relatively spaciouly laid out and Members may feel that the inability to retain a 1.0m gap suggests a cramped form of development. The proposal conforms to a number of core planning principles with regards to the more efficient use of land and sustainable development. Officers have formed the view that the spacious feel of the area can be retained whilst meeting these core objectives, particularly when viewed in the context of adjoining development. The reasoned layout of the area would not be unduly affected with the addition of this dwelling to the streetscene. Some concern has been expressed about the loss of the garage. Off street parking is provided and this is a common alternative to garaging in built up areas.

The building has been designed to appear similar to existing houses in Banes Down. The use of similar materials would ensure that it would not appear stark or out of place. The rear portion of the building would be flat roofed, the top corners of which would be visible above the roof planes. This rear section is bulkier than most such additions but seems to be to make the extension a characteristic in its own right. The flat roofed section would not play a significant role in the streetscene and there are no strong design concerns with it.

Amenity

The proposed plot is of an adequate size in terms of the provision of amenity space. There would be no issues of amenity with regards to future occupants.

The proposed dwelling would have no serious impact on the amenity of the occupants of the existing dwelling on the site. The property has recently had a single storey extension approved (EPF/0361/13) and the new dwelling would extend a similar depth into the plot. Even if this extension was not built impact would not be excessive. There would be no serious loss of light as rear gardens are west facing. The presence of the dwelling would be felt from No1 but any impact would not be excessively imposing or unneighbourly.

The site is bordered to the north by No36 Maplecroft Lane. This is a large detached dwelling which has been significantly remodelled in recent years. There are no side windows in the dwelling. The proposed house would extend approximately 4.0m beyond the rear wall of No36. There would therefore be some overshadowing of windows on this side of the house. However as these serve a utility room any impact would not be material. The property is also served by a generous garden such that an extension 4.0m beyond the rear wall would not feel excessively overbearing particularly when it would be set off the boundary. The plans also include a short terrace area adjacent to the rear wall of the house. A 1.8m fence is proposed along the new boundary between the properties and one already exists between the site and No36. This said a screen along the northern edge of the terrace area is a reasonable request and would render this proposal acceptable on amenity grounds.

Some objectors have logged concern that the proposal would impact excessively on the amenity of neighbours opposite the site, and namely the effectiveness of solar panels which have been installed. Such house modifications make a small, laudable contribution to meeting energy needs but this is not a material planning matter and cannot be used as a means of prohibiting development on neighbouring properties. In any case there would be no overshadowing of these panels. Loss of a view has also been cited as an issue but this is not a matter for planning consideration and there would be no serious loss of outlook.

Parking/Road Safety

The plans indicate there would be parking for two vehicles to the front and this is more than adequate within a village envelope. The crossover onto an unclassified road raises no issues.

Land Drainage

The Land Drainage Section of the Council has no objections to this proposal.

Conclusion:

It is recognised that this proposal will alter the appearance of the area but this would not be to its detriment. The development complies with a number of key Government objectives with regards to sustainable development and economic growth. There would be no serious impact on the amenity of residents and any concerns can be adequately controlled by conditions. Therefore having regard to all material considerations it is recommended that the application is approved with 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:

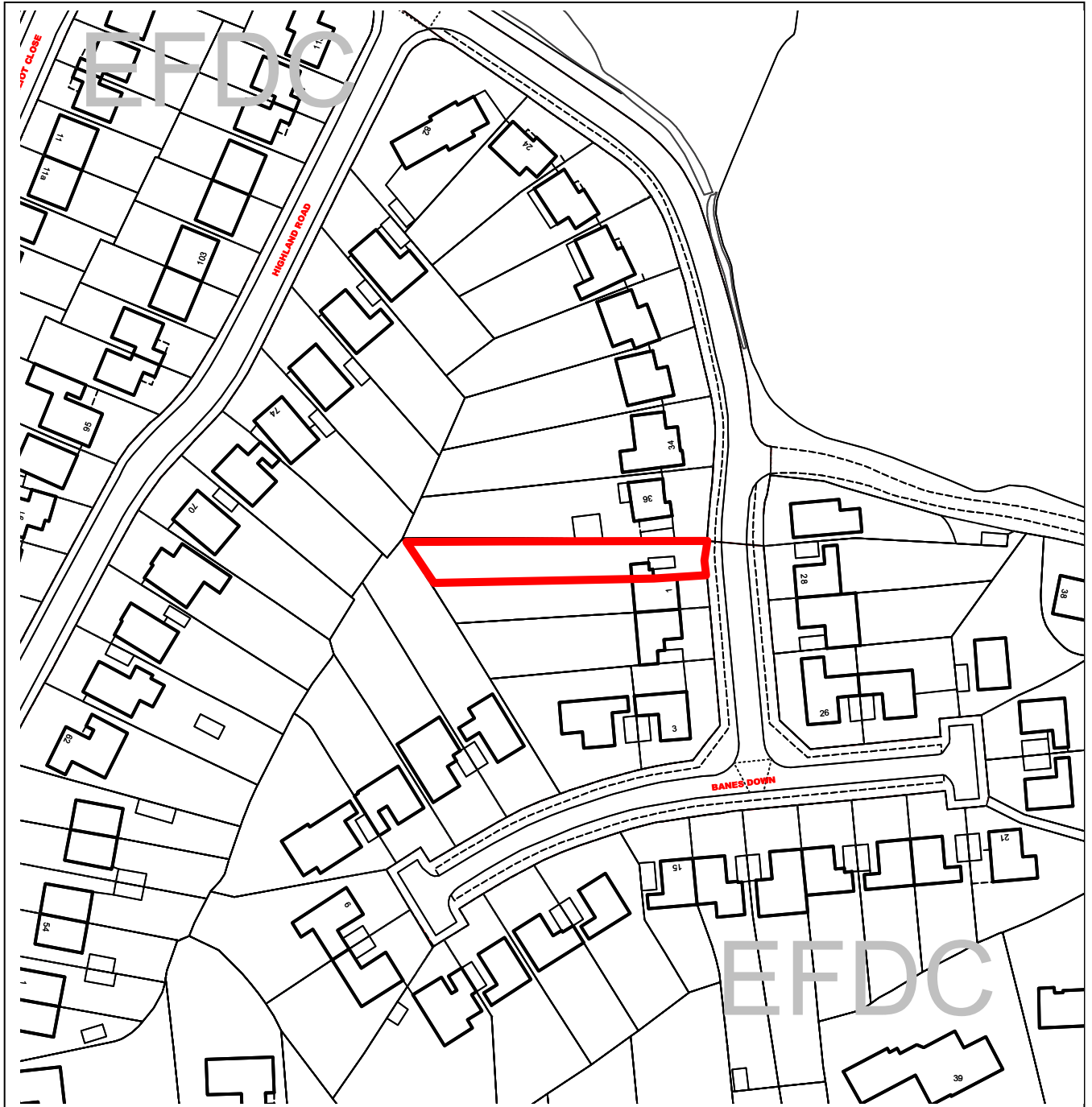
***Planning Application Case Officer: Mr Dominic Duffin
Direct Line Telephone Number: (01992) 564336***

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



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	
Application Number:	EPF/0363/13
Site Name:	1 Banes Down, Nazeing EN9 2NU
Scale of Plot:	1/1250

APPLICATION No:	EPF/0394/13
SITE ADDRESS:	Netherhouse Farm Sewardstone Road London E4 7RJ
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
APPLICANT:	Mr R West and Mr T Newman
DESCRIPTION OF PROPOSAL:	Change of use of existing training centre building to a restaurant (Use Class A3)
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=546411

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: 12069/1A, 12069/2, 12069/3C, 12069/4B
- 3 The finishes of any external alterations hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.
- 4 The restaurant hereby permitted shall not be open to customers outside the hours of 11:00 to 23:00 on Sunday to Thursday and 11:00 to 00:00 on Fridays and Saturdays.
- 5 Any outside dining areas, including that shown on Plan Ref: 12069/4B, shall not be open to the public outside of the hours of 11:00 and 21:00 Monday to Sunday.
- 6 The use hereby approved shall not commence 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 The parking area shown on Plan Ref: 12069/3C shall be marked out and provided prior to the first use of the development and shall be retained free of obstruction for the parking of staff and customer vehicles.
- 8 Should any discoloured or odorous soils be encountered during development works, or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the Local Planning Authority contacted and a scheme to investigate the risks and/or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the Local Planning Authority prior to the recommencement of development works.

Following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.

- 9 Prior to use of the site as a restaurant, details of odour suppression and dispersal equipment and noise mitigation devices shall be submitted to and approved in writing by the Local Planning Authority. The approved equipment/devices shall thereafter be installed and be in full working order prior to commencement of use, and shall be retained and maintained thereafter.
- 10 Prior to commencement of the use, details of the proposed cycle store shall be submitted to and agreed in writing by the Local Planning Authority. The cycle store shall thereafter be installed and retained in accordance with the approved details prior to the restaurant being opened to the public.
- 11 All works and ancillary operations relating to the approved development, 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.

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 comprises a roughly rectangular plot 1.4 hectares in size. The site is a former farm complex located on the eastern side of Sewardstone Road that was previously associated with the adjacent listed farmhouse and is curtilage listed due to this. To the north, east and south of the site is agricultural and horticultural land consisting of open fields and farm buildings. To the north of the site is a residential property known as May Cottage, and to the immediate south is Netherhouse farmhouse, a Grade II listed building. Opposite the site to the west are residential properties that form the ribbon development that is Sewardstone. The entire site is located within the Metropolitan Green Belt.

The building proposed to be used for the restaurant was previously used as a training centre, along with the yard to the rear of this and hardstanding area to the front. The site would be served by the existing vehicle access points and would retain the existing hard standing area for car parking.

Description of Proposal:

Consent is being sought for the change of use of the former training centre into an A3 restaurant. The proposed use would have a dining capacity of 128 covers with an associated bar (that would seat a further 61 patrons). The only external alterations to the building would be the reroofing of the rear section of the building and the insertion of additional windows in the rear wall. The existing parking area would continue to be used as such.

Relevant History:

EPF/0105/88 - Erection of two (500sq. m.) portal framed agricultural buildings to replace fire-damaged and obsolete buildings – approved 1902/88

EPF/0198/95 - Use of existing farm shop for sale of other products – refused 11/04/95 (allowed on appeal 14/06/96)

EPF/1470/96 - Agricultural store/barn – approved/conditions 10/03/97

EPF/0789/00 - Change of use of existing farm shop and stores to agricultural tyre sales, stores and fitting – approved/conditions 06/09/00

CLD/EPF/2067/04 - Certificate of lawfulness for existing use of 2 no. barns and 2 no. containers – lawful 23/12/04

EPF/2066/05 - Change of use of farm buildings and buildings in mixed commercial/storage use to tyre fitting depot – refused 24/01/06 (dismissed on appeal 13/03/07)

EPF/2110/08 - Demolition of buildings and structures, construction of 40 residential units with 205 sq. m. industrial use. Restoration of listed barn and conversion to commercial use and landscape improvements – withdrawn 12/01/09

EPF/0583/09 - Demolition of ancillary farm buildings and construction of 41 residential units with parking and associated landscaping. Restoration of listed barn to provide 160sqm (G.E.A) shop/community use (revised application) – refused 09/07/09

EPF/1364/09 - Change of use of existing farm building into a proposed training centre – approved/conditions 22/10/09

EPF/1255/11 - Change of use from redundant barn to biodiversity research and training centre – refused 02/12/11

Policies Applied:

CP1 – Achieving Sustainable Development Objectives

CP2 – Protecting the Quality of the Rural and Built Environment

GB2A – Development in the Green Belt

GB8A – Change of use or adaptation of buildings

DBE4 – Design in the Green Belt

DBE9 – Loss of Amenity

HC12 – Development Affecting the Setting of Listed Buildings

HC13 – Change of use of Listed Buildings

LL1 – Rural Landscape

LL2 – Inappropriate Rural Development

ST1 – Location of Development

ST4 – Road Safety

ST6 – Vehicle Parking

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:

34 neighbouring residents were consulted and a Site Notice was displayed on 08/03/13.

TOWN COUNCIL – No objection.

WALTHAM ABBEY HISTORIC SOCIETY – Object as the introduction of non-agricultural development to this side of Sewardstone Road would be detrimental to the Green Belt and as the development of an out-of-town restaurant would be harmful to the existing restaurants in Waltham Abbey.

MAY COTTAGE, SEWARDSTONE ROAD – No objection in principal, however would request that the restaurant name does not contain the word 'Netherhouse' to avoid confusion with Netherhouse Nursery.

WATERSTONE, SEWARDSTONE ROAD – Object as there is no need for a restaurant in this location and due to the impact on neighbouring residents as a result of noise and light nuisance.

ALKANET, SEWARDSTONE ROAD – Object due to the impact on neighbouring residents, traffic issues, impact on wildlife, and as there are two nearby public houses and other restaurants in Waltham Abbey.

FRANDOR, SEWARDSTONE ROAD – Object as there are two restaurants nearby and the proposal will result in more traffic and noise to neighbouring residents.

ROSEMARY, SEWARDSTONE ROAD – Object due to the noise and light pollution that would harm the amenities of neighbouring residents, the increase in traffic, highway safety concerns due to the lack of a footpath on that side of the road, to potential crime and anti-social behaviour concerns, the lack of need for a restaurant in this location, and the impact on existing habitats.

CHASAMY, SEWARDSTONE ROAD – Object due to disturbance to neighbouring residents, highway safety, and as there is no need for another restaurant in this location.

RUSSLEEN, SEWARDSTONE ROAD – Object as there is no need for the restaurant and it would cause disturbance to neighbouring residents,

TREKIZEL, SEWARDSTONE ROAD – Object as the barn is listed, potential flood risk, increased traffic problems, impact on flora and fauna, impact on neighbouring residents, potential litter and vermin problems, and as there is no need for the restaurant in this location.

GODWIN CLOSE (NO NUMBER GIVEN) – Object due to the increase in traffic and as there is no need for a further restaurant.

5 BUTLERS DRIVE – Object as there are already two public houses in the vicinity and the proposal will have a detrimental impact on the economy of the area. The proposal would also cause disruption and unnecessary pollution to the area.

PETITION SIGNED BY 46 PEOPLE – Object due to increased traffic, increased pollution, impact on neighbouring residents and impact on highway safety.

Issues and Considerations:

The key considerations in this application are the impact on the Green Belt, impact on neighbouring residents, in terms of highway safety and parking, and with regards to the overall impact on the curtilage listed barn.

Green Belt

The National Planning Policy Framework (NPPF) allows for “*the re-use of buildings provided that the buildings are of permanent and substantial construction*” with the proviso that the change of use must “*preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt*”. Local Plan policy GB8A gives a list of criteria for when considering a change of use of a building in the Green Belt. These being:

- (i) *The building is of permanent and substantial construction, capable of conversion without major or complete reconstruction, and is in keeping with its surroundings in terms of form, bulk and general design.*
- (ii) *The use would not have a materially greater impact than the present use on the Green Belt and the purpose of including land in it.*
- (iii) *The use and associated traffic generation would not have a significant detrimental impact on the character or amenities of the countryside.*
- (iv) *The Council is satisfied that works within the last ten years were not completed with a view to securing a use other than that for which they were ostensibly carried out.*
- (v) *The use will not have a significant adverse impact upon the vitality and viability of a town centre, district centre, local centre or village shop.*

The previous use of the site was for a commercial training centre, however the site is now vacant. The proposed use would be for a restaurant, which would still constitute an employment use and a community use. With regards to the specific requirements, these are assessed as follows:

- (i) The building is of permanent and substantial construction and the application does not propose any significant changes to the building. Whilst the building would have a new roof added to the rear and additional windows inserted these alterations are not considered as major works.
- (ii) The previous use of the site was as a training centre, however this was limited in terms of the number of students able to train on site at any one time and through other conditions (such as hours of use, etc.). The proposed restaurant would be similarly conditioned to minimise its impact, however it is inevitable that the proposed restaurant would result in a greater impact on the area than the existing low key training centre. Notwithstanding this, given the site’s location on Sewardstone Road and the previous uses of the land (including as a farm shop and a working agricultural farm), it is not considered that the restaurant use would have a materially greater impact on the Green Belt than the former uses of the site.
- (iii) The application site is not considered to be in a particularly sustainable location, as it is not well served by public transport and is a considerable distance from local facilities and amenities. Policy ST1 states that “*in rural areas, for development which has transport implications, preference will be given to locations with access to regular public transport services and containing basic shops and other facilities*”. The proposed development would result in a reliance of private car use to and from this site. A separate assessment of vehicle traffic implications is covered below.
- (iv) Whilst minor works were undertaken to the building within the last ten years these were in relation to the previously approved training centre, which was implemented and used throughout that period. It is not considered that these works were undertaken with a view to securing any other use of the site.

(v) Whilst concern has been raised with regards to the impact that this restaurant could have on existing restaurants within Waltham Abbey town centre it is sufficient distance away so as not to detrimentally impact on the vitality or viability of the nearest town centre. Concern has also been raised with regards to the impact a new restaurant would have on the two existing public houses (which serve food) that are located within this small enclave. These pubs/restaurants are not within any designated shopping areas and market competition is not a material planning consideration. As such, any financial impact on these nearby businesses cannot be considered as part of this application.

Due to the above, the use of the site as a restaurant would have a further impact on the surrounding area and on traffic generation over the previous low key training use, however it is not considered that this would result in a material harm to the Green Belt given the location of the site and its historic uses.

Highways

One of the main concerns with the application site has always been regarding traffic movements and highway safety. In 2009 the redevelopment of the site to 41 residential dwellings and a shop/community centre was in part refused due to the intensification of use of the access, however this reason for refusal was not upheld at appeal. Within the previous appeal decision the Planning Inspector observed that “*the road is very busy with mixed traffic peaking in the morning and evening*” and that he “*had no reason to doubt the results of the Council’s speed survey which show that the speed limit of 30 mph is frequently exceeded*”. However he nonetheless concluded that “*there is no evidence of any serious accidents occurring in the locality, or that existing similar accesses in this part of Sewardstone Road have caused any particular difficulties*” and “*that the proposed scheme would not conflict with the highway safety objectives of LP policy ST4*”.

The previous training centre use of the site was relatively low key and only resulted in fairly low vehicle movements. In part this was due to the imposition of the following condition:

No more than 30 students/learners shall be training on site at any time.

Reason: The application has been assessed on the basis of limited vehicle movements. Traffic and sustainability issues would need to be reassessed if a more intensive use were to be undertaken.

The proposed restaurant would result in considerably more vehicle movements than the previous use, however a transport assessment has been submitted as part of the Design and Access Statement. Within this it is stated that:

It is acknowledged that the restaurant will generate a certain amount of vehicular traffic. Its dining capacity has been set at 128 covers and there is bar seating for 61 persons. Therefore, the maximum number of customers present at any one time is unlikely to exceed 189.

It is common practice for restaurant diners to share transport to such venues, usually in parties of two or four. Assuming an average party size of three, some 63 vehicle movements will occur over a typical dining period, which is likely to be three hours at lunchtime (1200-1500 hours) or six hours in the evening (1800-2400). This would equate to some 21 vehicles per hour at lunchtime or 10.5 vehicles per hour during the evenings.

Based on data presented in past planning applications, daily traffic flows in Sewardstone Road are estimated to be in the region of 10,000 vehicles, both northbound and southbound. The maximum flows associated with the proposed restaurant would amount to just 0.63 of the total daily flow, which can be satisfactorily accommodated without prejudice to the free flow of traffic on Sewardstone Road.

There has been no objection to the proposed development by Essex County Council Highways, unlike the previous redevelopment for housing, and as such the submitted data is considered to be acceptable.

Although vehicle movements and additional traffic along this stretch of Sewardstone Road continue to be a concern of both the LPA and neighbouring residents, the previous decision by the Planning Inspectorate and figures provided by the applicant show that, on balance, the proposed development would be unlikely to have an unduly detrimental impact on the safety or free flow of traffic on Sewardstone Road.

Impact on neighbouring residents

As stated above, the change of use of the site to a restaurant would result in significantly more vehicle movements to and from the site over and above the previous training use. The preferred opening hours of the restaurant are 11:00 until 23:00 Sunday to Thursday and 11:00 until 00:00 on Friday and Saturday.

The application site is located on the opposite side of Sewardstone Road from the majority of residential dwellings, however Netherhouse Farm House does immediately adjoin the site (which is also within the applicants ownership). These later opening hours (over the previous use) and associated noise and movements would clearly have a greater impact on the amenities of neighbouring residents, however, given the distance of the actual restaurant building itself to neighbouring residents and the presence of the very busy Sewardstone Road, it is not considered that the proposed use would result in any excessive loss of amenity or disturbance to neighbours. Use of the outdoor dining area could be controlled to ensure that this is not used late at night, and other conditions could be imposed to appease the harm (such as external lighting details). Subject to such conditions it is considered that, on balance, the impact on neighbour's amenities would not be excessively harmful.

Environmental Health have not raised any objection to the proposal, however they do require conditions regarding odour abatement and noise attenuation equipment being installed. They have also highlighted that the applicant will require food business registration and food hygiene inspections from Environmental Health, and grease separators within their drains in accordance with Building Regulations consent. These two issues are covered by separate legislation and therefore should not be subject to planning conditions.

Car Parking

The existing area of hardstanding on the site is to be used for car parking for 64 standard spaces, 12 disabled spaces and 9 powered two wheeler (PTW) spaces, with additional land being available for overflow parking if required. The Essex County Council Vehicle Parking Standards requires a maximum of 187 standard spaces, plus 12 disabled spaces and 9 PTW spaces. As this is a maximum figure it is considered that the level of parking proposed is sufficient.

At present the hardstanding is used for car parking in an informally laid out manner, however it would be more beneficial to have the car park marked out so that the full parking provision is provided. A secure bicycle parking area would also be provided within the open fronted section of the barn.

Impact on curtilage listed barn

The barn stands within the historic curtilage of Netherhouse Farmhouse, which is a Grade II listed building dating from the 18th century. It contains elements of historic fabric and is curtilage listed in itself, however it has been subject to a number of unsympathetic alterations and additions.

The change of use of the building to A3 use would be beneficial to the curtilage listed barn as continued use of the site would ensure its retention. It has been previously recognised that the

building does not contribute a great deal to the historical value of the site (as planning permission was granted in 2009 for its demolition under EPF/0625/09), however it does make an aesthetic contribution to the setting of the listed building as it forms one side of the 'farmyard' layout of the site and its largely traditional appearance contributes to the setting of the listed farmhouse. The proposed alterations to the roofline on the southern elevation would improve the appearance of this elevation by rationalising the roofline and replacing elements of a very slack pitched roof. As such, the proposed development would be beneficial to the character and appearance of the curtilage listed building and setting of the adjacent listed building.

Other matters

It is proposed that additional landscaping will be undertaken on site to improve the overall visual appearance of the area. This can be secured via condition and would provide both a visual screen and a sound barrier between the site and neighbouring residential properties.

Due to the former uses of the lane there is the potential for contaminants to be present on site. However as this application is simply for a change of use, and the last use of the building was for a training centre, it would not be justifiable to require full contaminated land investigations to be undertaken. The applicant should however be informed of the potential contaminated nature of the site and a condition could be imposed requiring works to stop and investigations/mitigation measures to take place if any contaminated land is encountered during the conversion works.

Conclusion:

The change of use of the application site would result in a significant increase in traffic movements to and from this semi-rural, Green Belt site, and would result in additional impacts on neighbouring amenities. Furthermore the level of on-site parking provision is significantly less than the recommended maximum figure as laid out in the ECC Vehicle Parking Standards. However it is considered that, on balance, these impacts would not be excessively harmful to the amenities of neighbouring residents or to highway safety/use.

The benefits of the proposed development would be to the character, appearance and retention of the curtilage listed barn and the setting of the adjacent listed building, along with the economic benefits that would result through the reuse of this existing employment site.

Given the above it is considered that the balance of material considerations justifies recommending approval for the proposed change of use as the highways and amenity matters would not be excessively harmful enough to justify refusing planning permission for the development. Due to this, and subject to conditions, the proposed development broadly complies 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:

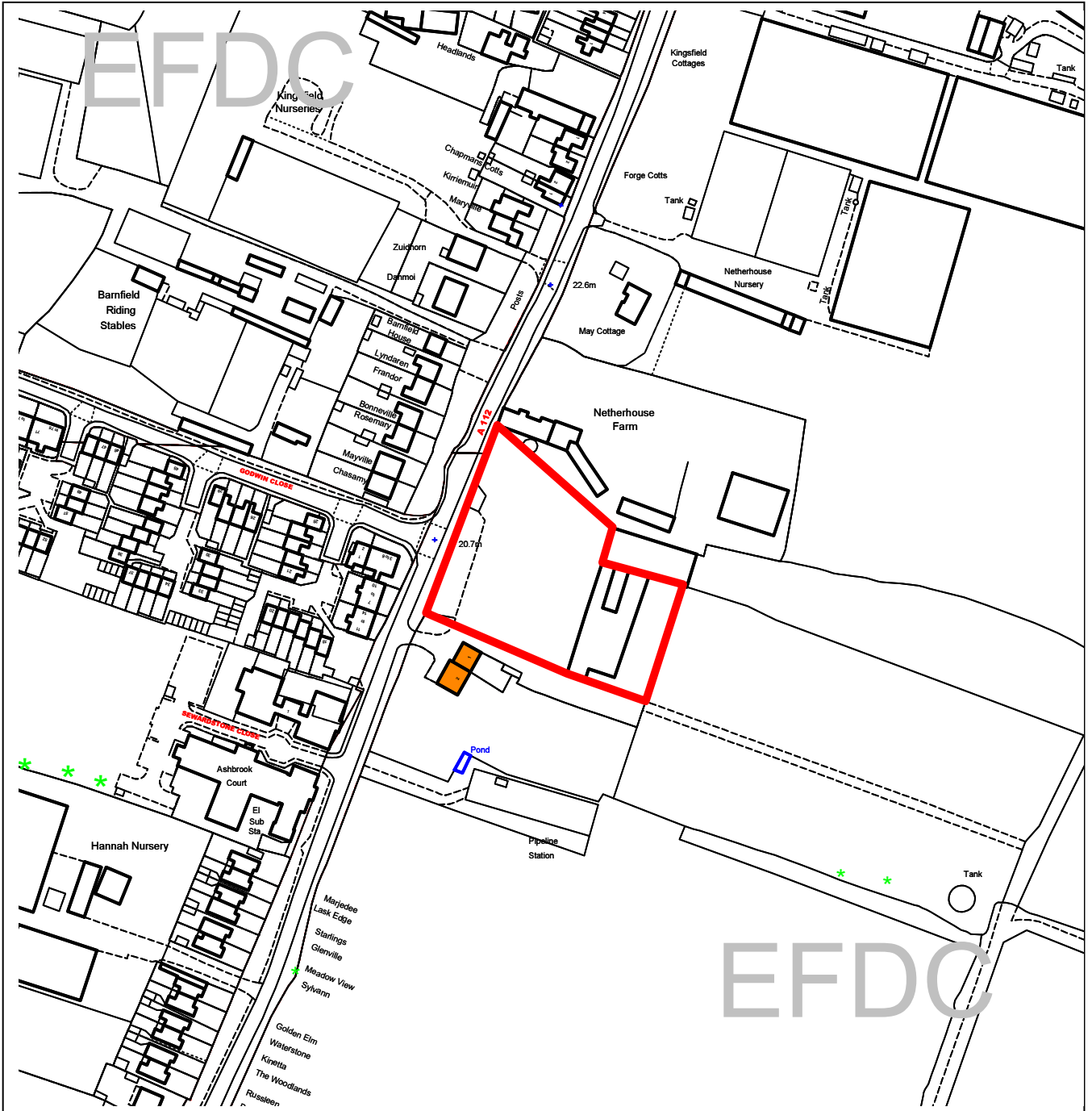
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	
Application Number:	EPF/0394/13 and EPF/0457/13
Site Name:	Netherhouse Farm, Sewardstone Road, E4 7RJ
Scale of Plot:	1/2500

APPLICATION No:	EPF/0457/13
SITE ADDRESS:	Netherhouse Farm Sewardstone Road London E4 7RJ
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
APPLICANT:	Mr R West and Mr T Newman
DESCRIPTION OF PROPOSAL:	Grade II listed building application for change of use of existing training centre building to a restaurant (Use Class A3)
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=546771

CONDITIONS

- 1 The works hereby permitted must be begun not later than the expiration of three years, beginning with the date on which the consent was granted.
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 12069/1A, 12069/2, 12069/3C, 12069/4B
- 3 The finishes of any external alterations hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

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 comprises a roughly rectangular plot 1.4 hectares in size. The site is a former farm complex located on the eastern side of Sewardstone Road that was previously associated with the adjacent listed farmhouse and is curtilage listed due to this. The building proposed to be used for the restaurant was previously used as a training centre, along with the yard to the rear of this and hardstanding area to the front. The site would be served by the existing vehicle access points and would retain the existing hard standing area for car parking.

Description of Proposal:

Listed building consent is being sought for the change of use of the former training centre into an A3 restaurant. The proposed use would have a dining capacity of 128 covers with an associated

bar (that would seat a further 61 patrons). The only external alterations to the building would be the reroofing of the rear section of the building and the insertion of additional windows in the rear wall. The existing parking area would continue to be used as such.

Relevant History:

EPF/2111/08 – Grade II listed building application for the demolition of buildings and structures, construction of 40 residential units with 205 sq. m. industrial use. Restoration of listed barn and conversion to commercial use and landscape improvements – withdrawn 12/01/09

EPF/0625/09 – Grade II curtilage listed building application for the demolition of buildings and structures and the restoration of listed barn and conversion to shop/community use. (Revised application) – approved/conditions 09/07/09

EPF/2252/11 – Curtilage Grade II listed building application for change of use from redundant barn to biodiversity research and training centre – refused 02/12/11

Policies Applied:

HC12 – Development Affecting the Setting of Listed Buildings

HC13 – Change of use of Listed Buildings

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:

No neighbouring residents were consulted however a Site Notice was displayed on 08/03/13.

TOWN COUNCIL – No objection.

WALTHAM ABBEY HISTORIC SOCIETY – Object as the introduction of non-agricultural development to this side of Sewardstone Road would be detrimental to the Green Belt and as the development of an out-of-town restaurant would be harmful to the existing restaurants in Waltham Abbey.

WATERSTONE, SEWARDSTONE ROAD – Object as there is no need for a restaurant in this location and due to the impact on neighbouring residents as a result of noise and light nuisance.

ALKANET, SEWARDSTONE ROAD – Object due to the impact on neighbouring residents, traffic issues, impact on wildlife, and as there are two nearby public houses and other restaurants in Waltham Abbey.

RUSSELEN, SEWARDSTONE ROAD – Object as there is no need for the restaurant and it would cause disturbance to neighbouring residents,

TREKIZEL, SEWARDSTONE ROAD – Object as the barn is listed, potential flood risk, increased traffic problems, impact on flora and fauna, impact on neighbouring residents, potential litter and vermin problems, and as there is no need for the restaurant in this location.

5 BUTLERS DRIVE – Object as there are already two public houses in the vicinity and the proposal will have a detrimental impact on the economy of the area. The proposal would also cause disruption and unnecessary pollution to the area.

PETITION SIGNED BY 46 PEOPLE – Object due to increased traffic, increased pollution, impact on neighbouring residents and impact on highway safety.

Issues and Considerations:

The key consideration in this application is the impact on the curtilage listed barn and the setting of the Grade II listed building.

The barn stands within the historic curtilage of Netherhouse Farmhouse, which is a Grade II listed building dating from the 18th century. It contains elements of historic fabric and is curtilage listed in itself, however it has been subject to a number of unsympathetic alterations and additions.

The change of use of the building to A3 use would be beneficial to the curtilage listed barn as continued use of the site would ensure its retention. It has been previously recognised that the building does not contribute a great deal to the historical value of the site (as planning permission was granted in 2009 for its demolition under EPF/0625/09), however it does make an aesthetic contribution to the setting of the listed building as it forms one side of the ‘farmyard’ layout of the site and its largely traditional appearance contributes to the setting of the listed farmhouse. The proposed alterations to the roofline on the southern elevation would improve the appearance of this elevation by rationalising the roofline and replacing elements of a very slack pitched roof. As such, the proposed development would be beneficial to the character and appearance of the curtilage listed building and setting of the adjacent listed building.

Conclusion:

The change of use of the application site would be beneficial to the character, appearance and retention of the curtilage listed barn and the setting of the adjacent listed building and as such complies with the relevant Local Plan policies. The listed building application 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

APPLICATION No:	EPF/0399/13
SITE ADDRESS:	Richmonds Farmhouse Parsloe Road Epping Green Epping Essex CM16 6QB
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
APPLICANT:	Mrs J Previ
DESCRIPTION OF PROPOSAL:	Removal of two of the three outbuildings and replace with a proposed annex and to move the granary.
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=546433

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 The proposed development shall only be used as ancillary accommodation for the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling shown as Richmond Farm on the approved plans.
- 3 No development shall take place until samples of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.
- 4 Additional drawings that show details of proposed new windows, doors, eaves, verges and the proposed decking, by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of any works.

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:

Whilst the submitted forms state the application site address as Richmond Farm Barn, the actual address as shown on the plans is Richmond Farmhouse. The site is located on the northern side of Parsloe Road just on the outskirts of Harlow. The application site consists of a 0.9 hectare piece of land to the east of the farmhouse. The existing farmhouse is a Grade II listed building with outbuildings to the rear. To the northeast of the site are the outskirts of Harlow with predominantly agricultural land to the south and west. The entire site is located within the Metropolitan Green Belt.

Description of Proposal:

Consent is being sought for the erection of a single storey detached annex building. The proposed building would be L shaped to a width of 10.2m and maximum depth of 9.1m and would have a dual pitched roof to a maximum ridge height of 4.1m. The proposed annex would contain two bedrooms, a bathroom, a wet room/utility, and a kitchen/lounge. The development would also involve the demolition of two existing outbuildings, and the resiting of the curtilage listed granary.

Relevant History:

EPF/1830/06 - Relocation on site of Old Granary, removal of dilapidated plant room, pool room and garden store and erection of replacement plant/pool room and garden store building – approved/conditions 06/11/06

EPF/2108/08 - Erection of a detached dwelling – refused 19/12/08

EPF/2343/09 - Erection of a carport and shed – approved/conditions 27/01/10

EPF/0015/11 - Construction of single detached dwelling – refused 03/03/11

EPF/0520/11 - Resiting of Old Granary, removal of dilapidated plant pool room and garden store and erection of replacement plant/pool room and garden store building. Removal of brickwork building with corrugated metal roof. Erection of car port/log store and hard standing – approved/conditions 09/06/11

EPF/0811/11 - Construction of single detached dwelling (revised application) – refused 09/06/11 (appeal dismissed 26/03/12)

Policies Applied:

GB2A – Development in the Green Belt

GB7A – Conspicuous development

DBE1 – Design of new buildings

DBE10 – Residential extensions

HC10 – Works to Listed Buildings

HC12 – Development affecting the setting of Listed Buildings

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:

One neighbouring resident was consulted and a Site Notice was displayed on 15/03/13.

PARISH COUNCIL – Planning objection relates to: Proposed annex appears to be a new dwelling.

Main Issues and Considerations:

The key considerations are the impact on the Green Belt, the setting of the listed building, and with regards to neighbour's amenities.

Green Belt:

The National Planning Policy Framework (NPPF) allows for the "*replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces*". The proposed annex building would be single storey and would have a floor area of some 67 sq. m. This would replace two existing single storey outbuildings with a combined floor area of approximately 79 sq. m. As such the proposed new building would be smaller than that which it replaces.

Concern has been raised by the Parish Council that the proposed annex appears to be a new dwelling. The proposed annex would be self contained and would have two bedrooms, which is more than usually would be expected from an ancillary annex. Furthermore, there is a history to the site that includes applications for an additional dwelling to the side of the existing house that have consistently been refused planning permission. Notwithstanding this, the size and location of the proposed annex to the rear of the dwelling would make subdivision of the plot difficult. Furthermore, the presence of two bedrooms does not necessarily exclude an annex building from being ancillary. Suitable conditions can be added to protect against the use of this annex as anything other than an ancillary building, and additional restrictions are in place to further control the subdivision of the site given the listed status of the house (i.e. no additional boundary treatments or subdivision can take place without prior consent). As such, the proposed annex will only constitute an ancillary building incidental to the main dwellinghouse.

Due to the above, it is considered that the proposed outbuilding would not constitute inappropriate development within the Green Belt and therefore complies with the NPPF and Local Plan policy GB2A.

Listed Buildings:

Richmonds Farmhouse is a Grade II listed building dating from the early 16th century. The granary and adjacent converted barn (Richmond Farm Barn) are curtilage listed. Consent has previously been granted for the relocation of the granary and the demolition and replacement of the other two outbuildings (EPF/0520/11 and EPF/0521/11). These consents have been implemented as the outbuildings have been demolished and the external coverings of the granary have been stripped.

Whilst the proposed annex is a relatively large single building it will enhance the setting of the farmhouse by repositioning the existing outbuildings further away from the rear of the building, giving the building more 'breathing space' and improving views of the rear of the farmhouse. It is also an improvement on the previous permission which included a cartshed to the east of the farmhouse, which encroached on views of the front and side elevation of the building. The proposed outbuilding and relocated granary will form part of an existing cluster of outbuildings at the neighbouring property and so will not have a detrimental impact on the listed farmhouse's setting.

Neighbours amenities:

The proposed annex would be located adjacent to a large existing barn within the neighbouring site that would completely obscure any views or impact from the new outbuilding. As such, there would be no detrimental impact on neighbour's amenities as a result of this development.

Conclusion

Due to the above, the proposed development would not constitute inappropriate development within the Green Belt and would not be harmful to the setting of the listed building or neighbour's amenities. Suitable conditions can be added, and controls are in place, to ensure that the proposed two bed annex is not used as a separate dwelling or subdivided off from the main dwellinghouse and as such the proposal complies with the relevant Local Plan policies and is recommended for approval.

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

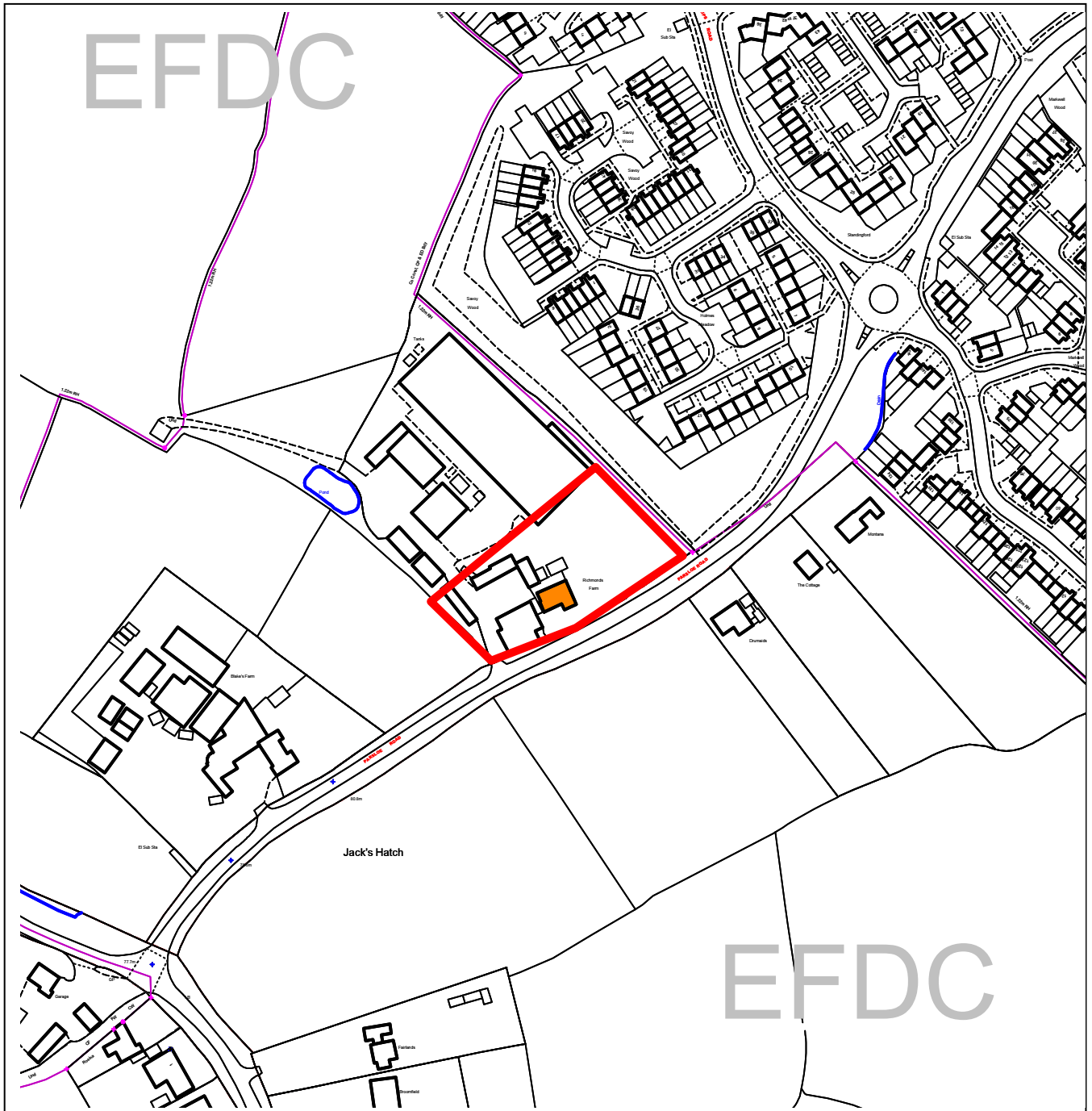
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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:

Application Number:

Site Name:

Scale of Plot:

EPF/0399/13 and EPF/0408/13

Richmonds Farm Barn, Parsloe Road
Epping Green, CM16 6QB

APPLICATION No:	EPF/0408/13
SITE ADDRESS:	Richmonds Farm Parsloe Road Epping Green Epping Essex CM16 6QB
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
APPLICANT:	Mrs J Previ
DESCRIPTION OF PROPOSAL:	Grade II listed building application for removal of two of the three outbuildings and move the granary.
RECOMMENDED DECISION:	Grant Permission

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=546490

CONDITIONS

NONE

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:

Whilst the submitted forms state the application site address as Richmond Farm Barn, the actual address as shown on the plans is Richmond Farmhouse. The site is located on the northern side of Parsloe Road just on the outskirts of Harlow. The application site consists of a 0.9 hectare piece of land to the east of the farmhouse. The existing farmhouse is a Grade II listed building with outbuildings to the rear.

Description of Proposal:

Listed building consent is being sought for the demolition of two existing outbuildings and the resiting of the curtilage listed granary.

Relevant History:

EPF/0521/11 – Grade II listed building application for the resiting of Old Granary, removal of dilapidated plant pool room and garden store and erection of replacement plant/pool room and garden store building. Removal of brickwork building with corrugated metal roof. Erection of car port/log store and hard standing – approved/conditions 09/06/11

Policies Applied:

HC10 – Works to Listed Buildings

HC12 – Development affecting the setting of Listed Buildings

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:

No neighbouring residents were consulted however a Site Notice was displayed on 15/03/13.

PARISH COUNCIL – Planning objection relates to: Proposed annex appears to be a new dwelling.

Main Issues and Considerations:

The key consideration is the impact on the setting of the listed building.

Richmonds Farmhouse is a Grade II listed building dating from the early 16th century. The granary and adjacent converted barn (Richmond Farm Barn) are curtilage listed. Consent has previously been granted for the relocation of the granary and the demolition and replacement of the other two outbuildings (EPF/0520/11 and EPF/0521/11). These consents have been implemented as the outbuildings have been demolished and the external coverings of the granary have been stripped.

Conclusion

Due to the above, the proposed development would not be harmful to the setting of the listed building and as such complies with the relevant Local Plan policies and is recommended for approval.

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

Planning Application Case Officer: Graham Courtney

Direct Line Telephone Number: 01992 564228

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