

Committee Agenda



Epping Forest District Council

Area Planning Subcommittee West Wednesday, 3rd July, 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, 3rd July, 2013
at 7.30 pm .**

**Glen Chipp
Chief Executive**

**Democratic Services
Officer**

Jackie Leither - The Office of the Chief Executive
Email: democraticservices@eppingforestdc.gov.uk Tel:
01992 564756

Members:

Councillors Ms Y Knight (Chairman), A Mitchell MBE (Vice-Chairman), R Bassett, R Butler, Mrs R Gadsby, Ms H Kane, Mrs J Lea, Mrs M Sartin, Ms G Shiell, Mrs P Smith, 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 - 30)

To confirm the minutes of the last meeting of the Sub-Committee held on 5 June 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. DEVELOPMENT CONTROL (Pages 31 - 62)

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

Background Papers

(i) Applications for determination – applications listed on the schedule, letters of

representation received regarding the applications which are summarised on the schedule.

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

8. DELEGATED DECISIONS

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

9. EXCLUSION OF PUBLIC AND PRESS

Exclusion

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

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

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

Confidential Items Commencement

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

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

Background Papers

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

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

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

Advice to Public and Speakers at Council Planning Subcommittees

Are the meetings open to the public?

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

When and where is the meeting?

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

Can I speak?

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

Who can speak?

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

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

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

What can I say?

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

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

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

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

How are the applications considered?

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

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

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

Further Information?

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

Area Planning Subcommittee West 2013-14

Members of the Committee:



Cllr Knight

Cllr Mitchell

Cllr Bassett

Cllr Butler

Cllr
Gadsby

Cllr Kane



Cllr Lea

Cllr Sartin

Cllr Shiell

Cllr Smith

Cllr
Stavrou

Cllr Watts



Cllr
Webster

Cllr Wyatt

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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Subcommittee West **Date:** 5 June 2013

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 10.10 pm

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

Other Councillors:

Apologies: A Watts and Mrs E Webster

Officers Present: N Richardson (Assistant Director (Development Control)), C Neilan (Landscape Officer & Arboriculturist), S G Hill (Senior Democratic Services Officer), M Jenkins (Democratic Services Assistant) and G J Woodhall (Democratic Services Officer)

1. 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.

2. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 8 May 2013 be taken as read and signed by the Chairman as a correct record.

3. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor R Bassett declared a non-pecuniary interest in the following item of the agenda, by virtue of living opposite the tree concerned at Wheelers Green. The Councillor had determined that he would leave the meeting for the consideration of the application and voting thereon:

- EPF/0752/13 11 Wheelers Green, Middle Street, Nazeing EN9 2LF

(b) Pursuant to the Council's Code of Member Conduct, Councillors Ms S Stavrou and Mrs M Sartin declared a non-pecuniary interest in the following items of the agenda, by virtue of being members of the Lee Valley Regional Park Authority. The Councillors had determined that they would remain in the meeting for the duration of the discussion and voting thereon:

- EPF/0711/13 Hailes Farm, Low Hill Road, Roydon CM19 5JW; and
- EPF/0495/13 Willow Lea, Clyde Road, Roydon EN11 0BE

(c) Pursuant to the Council's Code of Member Conduct, Councillor Ms S Stavrou declared a non-pecuniary interest in the following item of the agenda, by virtue of her grandchildren attending High Beech C of E Primary School. The Councillor had determined that she would remain in the meeting for the duration of the discussion and voting thereon:

- EPF/0587/13 High Beech C of England Primary School, Mott Street, Waltham Abbey

4. ANY OTHER BUSINESS

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

5. DEVELOPMENT CONTROL

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

RESOLVED:

That, Planning applications numbered 1 – 10 be determined as set out in the annex to these minutes.

6. PLANNING PROTOCOL - SITE VISITS

The Sub-Committee received a report and guidelines regarding the Planning Protocol – Site Visits from the Senior Democratic Services Officer.

At a meeting of the District Development Control Committee on 27 March 2013, consideration was given to further guidance for both members and public attending site visits to avoiding the perception of pre-determination and ensuring that there was a consistent approach during each visit.

The guidance was in two documents, one aimed at members, and the other at interested parties. The documents formed supplementary guidance to the Council's Planning Protocol.

The District Development Control Committee agreed that an item should be placed on each planning committee to reiterate the process for future visits. It would also be sent to members, applicants and objectors (where known) when a site visit was organised.

It was agreed by the Assistant Director of Planning and Economic Development that officers would meet to ensure a consistent approach by officers.

It was suggested that the Chairman of the Planning Sub-Committees remind members at a site visit of the guidance and that this was not an opportunity for lobbying members.

RESOLVED:

(1) That the guidance regarding site visits be noted, and that the guidance is followed when undertaking future site visits; and

(2) That this guidance has been published on the District Council's website and will be sent to members, applicants and objectors (if known) when a site visit is organised by noted.

7. PROBITY IN PLANNING - APPEAL DECISIONS, OCTOBER 2012 TO MARCH 2013

The Sub-Committee received a report from the Assistant Director of Planning and Economic Development (Development Control) regarding Probity in Planning – Appeal Decisions 1 October 2012 to 31 March 2013.

In compliance with the recommendation of the District Auditor, the report advised the decision making committees of the results of all successful appeals, particularly those refused by committee contrary to officer recommendation. The purpose being to inform the committee of the consequences of their decisions in this respect and, in cases where the refusal was found unsupportable on planning grounds, an award of costs may have been made against the Council.

In recent years the Council's performance had been 18% in 2003/04, 29% in 2004/05, 22% in 2005/06, 30% in 2006/07, 29% in 2007/08, 40.3% for 2008/09, 30.9% in 2009/10, 36.6% in 2010/11, 28.8% in 2011/12 and 27.7% in 2012/13.

Since 2011/12, there had been two local indicators one of which measured all planning application type appeals as a result of committee reversals of officer recommendations (KPI55) and the other, which measured the performance of officer recommendations and delegated decisions (KPI54). Over the six month period between October 2012 and March 2013, the Council received 43 decisions on appeals (40 of which were planning related appeals, the other 3 were enforcement related). KPI54 and 55 measured planning application decisions and in total, out of this 40, 15 were allowed (37.5%). Broken down further, KPI54 performance was 6 out of 25 allowed (24%) and KPI55 performance was 9 out of 15 (60%). Out of the 15 planning appeals that arose from decisions of the committees to refuse contrary to the officer recommendation during the 6 month period, the Council was not successful in sustaining the committee's objection in 8 cases.

Therefore, the sub-committees were urged to continue to heed the advice that if considering setting aside the officer's recommendation it should only be in cases where members were certain they were acting in the wider public interest and where the committee officer could give a good indication of some success at defending the decision. As this was now highlighted as a separate performance target (KPI55), it therefore came under more scrutiny. Whilst 60% was the wrong side of the target for KPI55, members would be more satisfied to know that for the year end, the target of 50% had been achieved.

Out of 3 enforcement notice appeals decided, 1 was allowed and 2 dismissed. The appeal allowed concerned Holmsfield Nursery, Meadgate Road, Nazeing concerning the material change of use of the land to a private traveller/gypsy site.

During this period there were 4 successful finalised awards of costs made against the Council. Circular 03/2009 Costs Awarded in Appeals and Other Planning Proceedings advised that, irrespective of the outcome of the appeal, costs may only be awarded against a party who had behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process. There was only one case within the Plans West area, which was The Mulberries, Hamlet Hill, Roydon. The appeal for cost was successful against the

Council's withdrawal of an enforcement notice after it emerged that the notice did not cover all the unauthorised uses taking place on the site. The Inspector considered it was not therefore expedient for the Council to have issued it in the first place and awarded costs which amounted to £5,389.

Whilst performance in defending appeals had improved during the last couple of years, members were reminded that in refusing planning permission there needed to be justified reasons that in each case were relevant and necessary, but also sound and defensible to avoid paying costs.

RESOLVED:

That the Probity in Planning – Appeal Decisions October 2012 to March 2013 report, be noted.

8. 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/0587/13
SITE ADDRESS:	High Beech C Of E Primary School Mott Street Waltham Abbey Essex
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
DESCRIPTION OF PROPOSAL:	TPO/EPF/18/93 G3 - Ash x 3, Sycamore x 1 - Fell
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=547311

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.

Report Item No: 2

APPLICATION No:	EPF/0752/13
SITE ADDRESS:	11 Wheelers Green Middle Street Nazeing EN9 2LF
PARISH:	Nazeing
WARD:	Lower Nazeing
DESCRIPTION OF PROPOSAL:	TPO/EPF/23/83 T1 - Horse Chestnut - Fell
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=548170

CONDITIONS

- 1 Prior to the felling hereby agreed, the details of the replacement field maple tree, of a size and in an appropriate position shall be approved in writing by the Local Planning Authority. The tree 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 Local Planning Authority shall receive in writing, 5 working days prior notice of felling.

Report Item No: 3

APPLICATION No:	EPF/0176/13
SITE ADDRESS:	The Mulberries and Poplars Farm Hamlet Hill Roydon Harlow Essex CM19 5JY
PARISH:	Roydon
WARD:	Roydon
DESCRIPTION OF PROPOSAL:	Change of use to enable the retrospective expansion of established bus and coach depot including: parking of 10 buses or coaches and 9 staff vehicles; use of buildings Q and R for the repair and maintenance of agricultural vehicles, buses and coaches and the storage of tools and equipment associated with the repair and maintenance of agricultural vehicles, buses and coaches; the use of part of building S for staff toilets; the outside repair of buses and coaches within designated area between buildings Q and R; and planting of 2 x 10m deep native tree belts.
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=545314

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 3212/1A, 3212/4 and 3212/5.
- 2 Within 6 months of the date of this consent I a scheme of soft landscaping and a statement of the methods, including a timetable, for its Implementation (linked to the development schedule), shall be submitted to the Local Planning Authority and approved in writing. The landscape scheme shall be carried out in accordance with the approved details and the agreed timetable. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand in writing.
- 3 Any gates erected at the access to the site shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.
- 4 No unbound material shall be used in the surface treatment of the vehicular access within 10m of the highway boundary with the site.

- 5 The site shall be used for the parking of a maximum of 10 buses/coaches or minibuses, unless otherwise agreed in writing by the Local Planning Authority and these shall be parked in the locations shown on the approved plan no. 3212/4.
- 6 Only buses coaches and minibuses operating from this site and the adjacent Poplars Farm depot and farm machinery used in farming of the land belonging to the Barker family as outlined in blue on the application drawings shall be maintained and repaired at the site.
- 7 Within 12 months of the date of this approval, all materials, vehicles/caravans and other open storage at the site other than operational buses/coaches and minibuses shall be cleared from the site and thereafter there shall be no open storage of any kind within the site.
- 8 The bus and coach depot use hereby approved shall be used only as an extension to the existing bus and coach depot on the adjoining Poplars Farm as shown on drawing no. 3212/4, with access for buses and coaches to be taken through the existing vehicular access at Poplars Farm and shall not be sold or let as separate business.

Report Item No: 4

APPLICATION No:	EPF/0711/13
SITE ADDRESS:	Hailes Farm Low Hill Road Roydon Harlow Essex CM19 5JW
PARISH:	Roydon
WARD:	Roydon
DESCRIPTION OF PROPOSAL:	Retrospective application for the change of use from B8 (Storage and Distribution) to Sui Generis Use as a bus/coach garage.
DECISION:	Deferred

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=547931

The Committee's attention was drawn to a representation from Roydon Parish Council.

The Committee deferred this item for a Members Site Visit.

Report Item No: 5

APPLICATION No:	EPF/0329/13
SITE ADDRESS:	Fernhall Farm Fernhall Lane Waltham Abbey Essex EN9 3TJ
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
DESCRIPTION OF PROPOSAL:	Change of use of west barn and side barn to a residential dwelling with link extension and change of use from agriculture to residential.
DECISION:	Granted Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=545971

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: The submitted location plan, MKB213 01, 02, 03C and 04B (03C and 04B received amended on 15/05/13)
- 3 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Class A, B and E shall be undertaken without the prior written permission of the Local Planning Authority.
- 4 No boundary treatment shall be erected on or adjacent to the site, other than that which has previously been submitted and agreed in writing by the Local Planning Authority.
- 5 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or

establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 6 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]

- 7 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the remediation scheme condition that follows]

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

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

- 9 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval in writing. The approved monitoring and maintenance programme shall be implemented.
- 10 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 11 Prior to the commencement of development a Great Crested Newt Survey shall be submitted to the Local Planning Authority for approval. If the survey finds the species to be present in the vicinity a scheme of mitigation and relocation, including a timetable for the work, shall be further submitted as part of this condition for approval and the agreed mitigation/relocation shall be carried out in accordance with the agreed timetable unless otherwise agreed in writing.
- 12 Prior to the commencement of development a scheme of mitigation for Barn Owls shall be submitted to the Local Planning Authority for approval. The scheme of mitigation, including a timetable for the work, shall be submitted as part of this condition for approval and the agreed mitigation shall be carried out in accordance with the agreed timetable unless otherwise agreed in writing.
- 13 The proposed site clearance works shall be undertaken outside the bird breeding season (March - August inclusive) unless otherwise agreed by the Local Planning Authority.
- 14 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Planning Authority.
- 15 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.
- 16 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.

Report Item No: 6

APPLICATION No:	EPF/0352/13
SITE ADDRESS:	Fernhall Farm Fernhall Lane Waltham Abbey Essex EN9 3TJ
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
DESCRIPTION OF PROPOSAL:	Grade II listed building consent for a change of use of west barn and side barn to residential dwelling with link extension
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=546150

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 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 A sample panel of brickwork shall be constructed on site showing the brick bond, mortar mix and pointing profile to be used for new brickwork to be approved by the Local Planning Authority.
- 4 Additional drawings that show details of proposed new windows, doors, eaves, verges, cills, structural openings and junctions with existing buildings in section and elevation at scales between 1:2 and 1:20 as appropriate shall be submitted to and approved by the Local Planning Authority prior to the commencement of works.
- 5 Additional drawings that show details of proposed changes to walls, floors and roof to address building regulation requirements in section at scales between 1:2 and 1:20 as appropriate shall be submitted to and approved by the Local Planning Authority prior to the commencement of works.
- 6 Sections showing new floors in relation to the existing timber frame shall be submitted to and approved by the Local Planning Authority prior to the commencement of works.

- 7 Additional drawings of new boundary treatments and any hard landscaping shall be submitted to and approved by the Local Planning Authority prior to their installation.
- 8 Details of any new flues, pipes, extracts or meter boxes shall be submitted to and approved by the Local Planning Authority prior to their installation.
- 9 Any new external pipes and rainwater goods shall be in painted metal
- 10 Historic fixtures and fittings, including internal boarding, shall be retained unless otherwise agreed in writing with the Local Planning Authority.

Report Item No: 7

APPLICATION No:	EPF/0339/13
SITE ADDRESS:	The Green Man Public House Broomstick Hall Road Waltham Abbey Essex EN9 1NH
PARISH:	Waltham Abbey
WARD:	Waltham Abbey North East
DESCRIPTION OF PROPOSAL:	Redevelopment to form 28 sheltered apartments for the elderly including communal facilities (Category II type accommodation), access, car parking and landscaping
DECISION:	Granted Permission (Subject to Legal Agreement)

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=546033

The Committee's attention was drawn to a representation from the Council's Director of Housing Services and from the National Health Services Property Services Ltd.

Member's agreed to Grant Permission subject to the completion of a s106 Legal Agreement, within 3 months of this resolution, securing a financial contribution of £430,000 in lieu of on-site affordable housing, payable on Practical Completion of the development.

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: 40013WA-PL01 to 40013WA-PL07 and 120287.
- 3 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such approved details.
- 4 Prior to first occupation of the development hereby approved, the proposed window opening(s) on first and second floors that service the communal hallways along the rear elevation shall be entirely fitted with obscured glass and shall be permanently retained in that condition.
- 5 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.

- 6 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 7 Prior to development, including works of demolition or site clearance, tree protection measures shall be installed in accordance with Barrell Tree Consultancy - Arboricultural Impact Appraisal and Method Statement dated February 2013. The development shall be carried out in accordance with this approved document unless the Local Planning Authority give its written consent to any variation.
- 8 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the Phase 2 site investigation condition that follows]
- 9 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments and the investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11", or any subsequent version or additional regulatory guidance.

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

- 10 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]
- 11 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval in writing. The approved monitoring and maintenance programme shall be implemented.
- 12 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 13 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.
- 14 No development shall take place until details of levels have been submitted to and approved in writing by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 15 No development shall commence until a scheme to enhance the nature conservation interest of the site has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved.

- 16 Notwithstanding the parking layout shown on the approved plan (drawing no: [40013WA – PL02](#)), prior to commencement of the development, the developer shall submit a revised parking layout to demonstrate how 15 spaces could be accommodated within the site, the full details of which shall be agreed in writing by the Local Planning Authority. The approved parking details 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 in perpetuity.
- 17 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. This approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
- 18 The proposed development hereby approved shall be carried out in accordance with the proposals in the Flood Risk assessment prepared by Mott MacDonald dated February 2013 unless otherwise agreed in writing with the Local Planning Authority.
- 19 The proposed development hereby approved shall be carried out in accordance with the Ecological Appraisal & Building Inspections prepared E.P.R dated January 2013 unless otherwise agreed in writing with the Local Planning Authority.
- 20 The facades of the development shall be provided with sufficient double glazing and acoustically treated ventilators, or other means of ventilation that will provide adequate ventilation with the windows closed, as detailed within the AS7287.130214.N/A, provided by Alan Sauders Associates.
- 21 Details of the proposed double glazing and acoustically treated trickle ventilators, or other means of ventilation, shall be submitted to and agreed in writing by the Local Planning Authority and installed before any proposed residential development is occupied. The double glazing and trickle vents should be installed correctly to ensure that they provide the correct level of acoustic insulation.
- 22 The development hereby permitted shall only be occupied by persons aged 60 years or over or, in the case of couples living together as a single household, where one occupier is aged 60 or over and the other occupier is aged 55 or over.
- 23 Prior to first occupation of the development the following details shall have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:
- A. The access arrangements as shown in principle on drawing no.40013WA-PL02 to include, if a bell-mouth access is to be formed, two pedestrian crossing points with appropriate tactile paving across the access.
- B. The provision of two pedestrian crossing points with appropriate tactile paving across The Gladeway at its junction with Farm Hill Road.
- C. The provision of two pedestrian crossing points with appropriate tactile paving across Broomstick Hall Road, adjacent to the mini-roundabout, with the possibility of utilising and upgrading the existing refuge island in width and with tactile paving.
- D. The provision of a flag and pole with integral telematics, raised kerbs and new bus cage with "No Waiting" plate to Essex County Council specification at an existing bus stop in the vicinity of the site.

E. The provision of raised kerbs to Essex County Council specification at "The Green Man" bus stop on the south side of Farm Hill Road.

The approved scheme of works shall be implemented prior to first occupation of the development.

Report Item No: 8

APPLICATION No:	EPF/0376/13
SITE ADDRESS:	145 Honey Lane Waltham Abbey Essex EN9 3AX
PARISH:	Waltham Abbey
WARD:	Waltham Abbey Honey Lane
DESCRIPTION OF PROPOSAL:	Retrospective application for the retention of a wooden shed in rear garden.
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=546291

CONDITIONS

- 1 The proposed building shall only be used for purposes incidental to the enjoyment of the dwellinghouse and shall not be used to operate a trade or business which would bring the use beyond incidental.

Report Item No: 9

APPLICATION No:	EPF/0492/13
SITE ADDRESS:	83 Upshire Road Waltham Abbey Essex EN9 3PB
PARISH:	Waltham Abbey
WARD:	Waltham Abbey Paternoster
DESCRIPTION OF PROPOSAL:	Extension to pavement and grass verge crossing
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=546930

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 crossover, shall be of a similar appearance to those of the existing crossover unless otherwise agreed in writing by the Local Planning Authority.

Report Item No: 10

APPLICATION No:	EPF/0495/13
SITE ADDRESS:	Willow Lea Clyde Road Roydon Harlow Essex EN11 0BE
PARISH:	Roydon
WARD:	Lower Nazeing Roydon
DESCRIPTION OF PROPOSAL:	Extensions to bungalow
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=546952

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 Prior to first occupation of the development hereby approved, the proposed window openings in the northern first floor flank elevation shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.

AREA PLANS SUB-COMMITTEE 'WEST'

3 July 2013

INDEX OF PLANNING APPLICATIONS

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Report Item No: 1

APPLICATION No:	EPF/0415/13
SITE ADDRESS:	7 & 8 Acacia Court Lamplighters Close Waltham Abbey Essex EN9 3AF
PARISH:	Waltham Abbey
WARD:	Waltham Abbey Honey Lane
APPLICANT:	Mr Syme
DESCRIPTION OF PROPOSAL:	TPO/EPF/18/90 T1 - Oak - Fell T2 - Oak - Fell TG1 - Oaks x 2 - 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=546530

CONDITIONS

- 1 The works hereby authorised shall not be undertaken after a period of three years from the date of this consent has expired.
- 2 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.
- 3 The Local Planning Authority, shall receive in writing, 5 working days prior notice of the felling of any of the trees.

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

Description of Site:

The trees stand within a hedgerow, originally a field boundary, immediately north of where it is bisected by Farthingale Lane. The application describes 4 trees, two more mature oaks with a

group of 2 younger oaks between, although on site inspection only 1 of the group could be found. The hedge is a wide, unmanaged hedgerow, with blackthorn, hawthorn elm and ash.

This section of the hedge, containing the trees, forms the western boundary of Acacia Court, a block of 8 apartments.

Description of Proposal:

4x oak: fell.

Relevant History:

TPO/EPF/18/90 was served in advance of development to protect the most important trees, and the important hedgerows. T1 in this application was identified as T4 in the TPO plan; the other trees are contained within area A2, but were not individually designated.

There is no specific application history on these trees

Policies Applied:

Epping Forest District Local Plan and Alterations:

LL09 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:

WALTHAM ABBEY TOWN COUNCIL; as no justifiable reason has been put forward would prefer to see them crown reduced.

15 FARTHINGALE LANE; The 5 trees in jeopardy are majestic old oaks, which marked an ancient boundary; they are a great age, certainly 100years+. They beautify the otherwise bleak estate and are a home for birds, squirrels, insects and other wildlife. It would be a travesty and injustice to fell them. Understand the background of alleged subsidence and the council's legal position in relation to potential costs. Since Acacia Court was built in the 1990's the foundations should not be failing. If they are it is only because of poor construction. The management company should reclaim the costs from their insurance. The respondent's own house is much closer to the trees, as are many others, and no others have suffered such damage.

Issues and Considerations:

The basis of the application is that the evidence demonstrates that the root activity of the oaks is causing structural damage to the building, and that the most cost effective remedy, to avoid underpinning, is to fell the larger trees. The felling of the smaller tree(s) is said to be required to prevent future damage. The oaks concerned are important constituents of an ancient hedgerow, and their loss would be a serious loss of visual and other amenity. On the other hand the building adjacent to the trees is badly cracked and there is evidence linking this to their root activity. As well as assessing the trees' value officers have also commissioned an independent expert's view on the strength of the engineering evidence supplied with the application.

The key issues to be considered are:

- How serious is the damage to the property?
- Whether the damage has been demonstrated to be caused by the oaks? If so:

- Whether in this case a realistic option exists for a solution other than felling? And,
- The value and importance of the trees.

Damage

The independent engineer's opinion, based on a review of the evidence supplied and inspection of the 2 properties concerned, is that the section of 1-8 Acacia Court closest to the trees has started to move differentially, as against the remainder of the building, causing cracking in the front and rear elevations of no. 7 in particular. The cracking is categorized as slight, according to BRE Digest 251. This means that only superstructure strengthening and repairs would be necessary, providing the cause of the problem can be dealt with.

Causation

The damage consists of tapering cracks in the walls, internally and externally, with disruption of decor, the location and nature of which points to a source of movement to the West, i.e. towards the trees. The engineer comments that level monitoring carried out, which appears reliable, clearly shows the building moving seasonally by 7-10mm on the flank nearest to the trees. Oak roots have been found to 2m depth in the subsoil, which is shrinkable clay but with a seam of more permeable clay below the foundations. According to the relevant NHBC standard the foundation depth should be 1.7m, whereas it appears to be only 1.5m. However the engineer considers that given the makeup of the soil and the depth of roots found that is not a material factor in this case.

Alternative solutions

The rationale for the application is that felling is the cost effective solution. Underpinning would be possible but it would be expensive and disruptive, and the costs could be reclaimable from the LPA. A root barrier, together with pruning would be a viable alternative, would be less expensive than underpinning and could be justified having regards to the value and importance of the trees. However again to refuse the application on that basis could give rise to a claim for costs against the LPA. Pruning alone would be likely to lessen but not eliminate the building movement, and so would not avoid the need for an engineering solution.

The value and importance of the trees

The most prominent oak, T1, is in the first phase of maturity, with a long safe life expectancy. It is some 14m in height with a trunk diameter of 45cm - (a fully mature oak would be 1m plus) and a spreading, attractive crown. Its CAVAT value has been calculated as £19,900. (The CAVAT value expresses value in terms of the expenditure on new trees needed to get immediate and equivalent replacement). Its age is estimated at 50-80 years. The further tree is similar; its trunk is a little larger (trunk diameter 50cm), but is also a little shorter. It is also healthy and attractive with a long potential safe life expectancy. Its CAVAT value is £19,600, taking into account that its location is less prominent publicly. The other oak found mainly registers as a part of the hedgerow. It is a young tree, TD 20cm, with a one-sided crown, and a CAVAT value of £1,100.

The two larger oaks are important in the local landscape, particularly as two of the larger oaks which grow from the hedge at intervals along its length. They could be replaced with field maple, which has a similar appearance and is also attractive to wildlife, but equivalent replacement would not be achieved for many years. The design of the developments on both sides was intended to allow the trees to be retained in perpetuity, for the benefit of local residents. Their value and prominence would be expected to increase considerably with time.

Discussion

The need for action to resolve the ongoing damage to the building through the root activity of the larger oaks has been demonstrated. A root barrier could be a viable alternative to felling, as opposed to underpinning, but would still have significant cost implications, and there might be technical difficulties. The application in respect of the other tree(s) is on the basis of prevention of future action. While there is no immediate need for replacement, with time, the same situation

might recur. While the main trees are important they have only 10-20% of the size or value of a fully mature oak. Need having been established, refusal could only be justified for trees of the highest value. These are not in that category. The desirability of their retention is undoubted; the development has been designed around their retention as part of the hedgerow. However their value could be replaced in time with another appropriate native tree, such as field maple, whose roots would be less likely to cause subsidence. Field maple and hazel have been agreed as suitable by the agents for the applicants.

Conclusion:

The proposal is found to accord with Local Plan Landscape Policy LL09, in that felling is necessary and on balance justified because of the need for repair of the properties, and the fact that the larger oaks are in the first stage of maturity only. It is recommended that permission be granted to fell the oaks and to replace them with 2 oaks and a group of 2 hazel trees.

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:

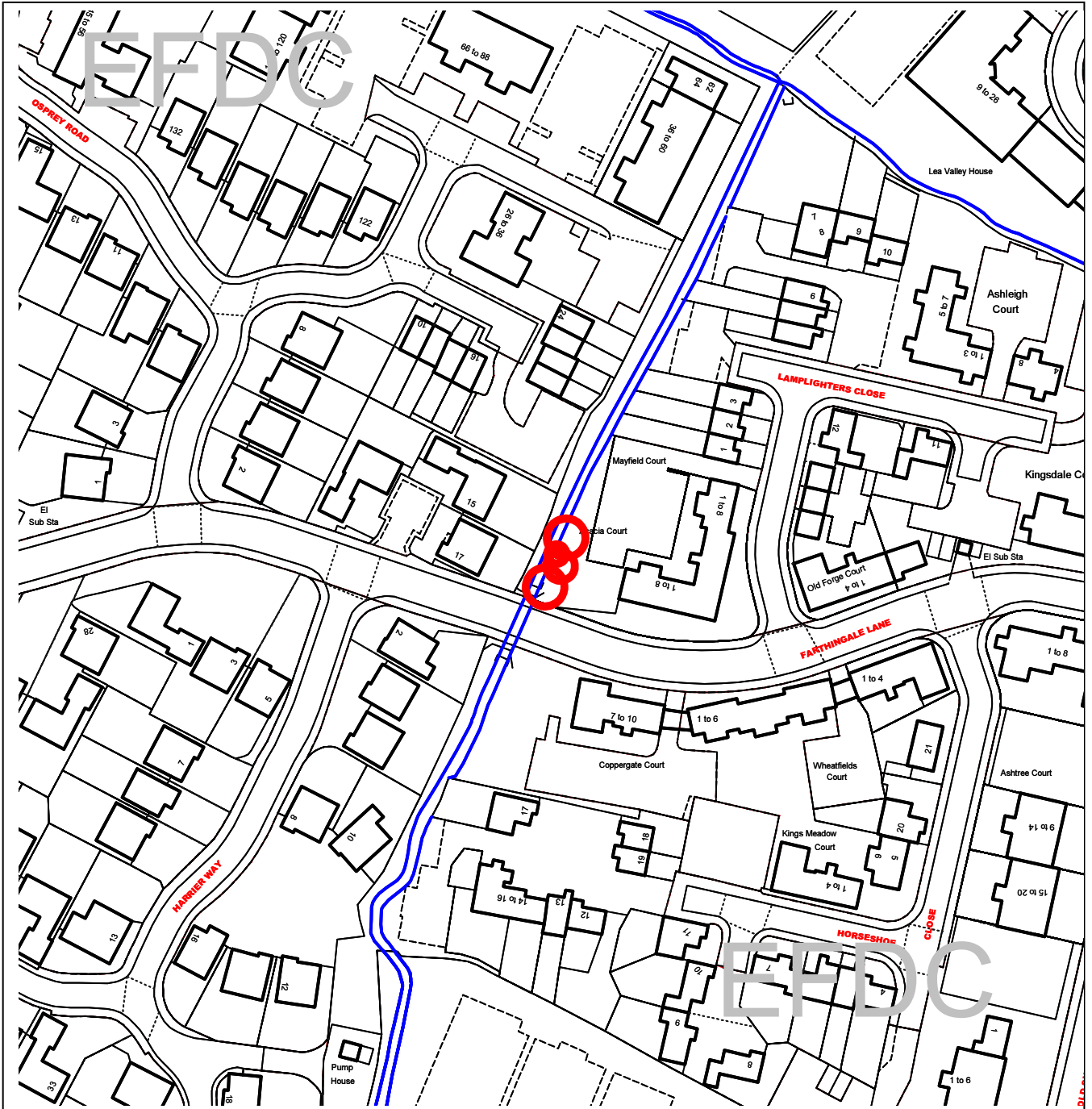
***TPO Application Case Officer: Christopher Neilan
Direct Line Telephone Number: 01992 564117***

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



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	1
Application Number:	EPF/0415/13
Site Name:	7 & 8 Acacia Court, Lamplighters Close Waltham Abbey, EN9 3AF
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/0681/13
SITE ADDRESS:	King Harold Court Sun Street Waltham Abbey Essex EN9 1ER
PARISH:	Waltham Abbey
WARD:	Waltham Abbey South West
APPLICANT:	The Co-operative Group
DESCRIPTION OF PROPOSAL:	Conversion of 1-11 King Harold Court (which includes the upper floors of 1, 3, 3a and 5 Sun Street and 7-9 Market Square) from office to residential use comprising 11 units (8x 1-bed and 3x 2-bed).(Revised Application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=547737

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: D 001 Rev A to D 134 Rev A.
- 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 Prior to first occupation of the development hereby approved, the window opening(s) on the northern elevation fronting the courtyard shall be entirely fitted with obscured glass and all the windows on the east, west and southern elevations facing the courtyard shall be entirely fitted with obscured glass to the lower panels only. In addition, the proposed new windows on the southern elevation of the building as indicated on plan number D 123 Rev A shall also be entirely fitted with obscured glass. These windows shall be permanently retained in that condition unless otherwise agreed by the Local Planning Authority.
- 5 Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.

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))

This application is before this Committee since it is an application for residential development consisting of 5 dwellings or more (unless approval of reserved matters only) 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:

The application site is located on the south western corner of Sun Street and Market Square within the town centre of Waltham Abbey. The application buildings that form the basis of this proposal are known as 1-11 King Harold Court and include the upper floors of 1, 3, 3a and 5 Sun Street and 7-8 Market Square.

King Harold Court is currently used as offices (use class B1) however they are mostly vacant.

King Harold Court is accessed from Sun Street, through a pedestrian only access under an archway between number 3 and 3a Sun Street that leads to a small open courtyard. There is no vehicle access to the site. A number of entrances to the buildings lead off from this courtyard. King Harold Court is a three storey non-listed building finished from horizontal timber cladding painted white with horizontal sash windows.

Number 1 Sun Street is Grade 2* listed whilst numbers 3, 3a and 5 Sun Street are Grade 2 listed. The buildings are two stories with some of them comprising of additional accommodation within the roof space and date back from the 16th to the early 19th century. The buildings are externally finished from white painted render and plain tiles.

Number 7-8 Market Square is also double storey with further accommodation within its roof space. It is not listed and is externally finished from more modern materials that consist of render and facing brickwork along with plain tiles.

At ground floor level the properties are currently occupied by Class A uses:

- 1 Sun Street – Cut Price Cards, general store
- 3 Sun Street – Abbey Health Foods, health food store
- 3a Sun Street – Verdes Hair Design, hairdressers
- 5 Sun Street – Co-operative Food, convenience store
- 7-8 Market Square – Ton's Pie and Mash Shop

The subject site and the surrounding area are located within the Waltham Abbey Town Centre Conservation Area. It is also located within the principal commercial and key frontage area and is within the setting of other listed buildings.

Description of Proposal:

Planning permission is sought for the change of use of 1-11 King Harold Court to residential use. It is proposed to create eight one bedroom units and three two bedroom units with an internal floor area of the units ranging from 47sqm to 88sqm.

The residential units are proposed within four separate blocks; 1-5 King Harold Court, 6 Harold Court, 7-8 King Harold Court and 9-11 King Harold Court. Each block of residential units would

have a separate entrance which is accessed from the courtyard. Only one flat is proposed on the ground floor whilst the rest are on the first and second floors.

The majority of the physical alterations would be internal works such as providing a new lift and removing and replacing internal partitions and walls. External works would include the construction of a new front dormer window to number 3 Sun Street and four new roof lights to the roof slope of number 5 Sun Street. In addition the external appearance to King Harold Court as viewed from within the courtyard will be externally finished to match the existing including new painted timber cladding windows and entrances.

No private or communal amenity space or off street parking is proposed within the development. On the Ground floor of King Harold Court, it is proposed to erect a double tier bike store providing 12 secure cycle spaces.

Relevant History:

WHX/0269/68 – Change of use of 1st and 2nd floors of 1-5 Sun Street and 7-8 Market Square from showrooms to office space (approved)

EPF/0695/90 - Repair and refurbishment of existing listed building, single storey extension to supermarket and erection of new retail and office building to rear. 1-9 Mkt Sq & r/o 1 & 3 & 14 Mkt Sq. (approved)

LB/EPF/0045/90 - LB application for repair and refurbishment of existing listed building and erection of new retail and office building adjoining. Nos 1-5. (approved)

EPF/0417/92 - Construction of new access staircase and corridor to first floor office over supermarket and second floor office to No.5. In conj with LB/EPF/28/92 (approved)

EPF/2230/12 - Conversion of 1-11 King Harold Court (which includes the upper floors of 1, 3, 3a and 5 Sun Street and 7-8 Market Square) from office to residential use comprising 11 units (8x 1-bed and 3x 2-bed) (withdrawn)

EPF/2257/12 - Grade II listed building application for the conversion of 1-11 King Harold Court (which includes the upper floors of 1, 3, 3a and 5 Sun Street and 7-8 Market Square) from office to residential use comprising 11 units (8x 1-bed and 3x 2-bed) (withdrawn)

Policies Applied:

Local Plan policies relevant to this application are:

- CP1 Achieving sustainable development objectives
- CP2 Protecting the quality of the rural and built environment
- CP3 New development
- CP5 Sustainable buildings
- CP6 Achieving sustainable urban development patterns
- CP7 Urban form and quality
- DBE1 Design of new buildings
- DBE2 Detrimental effect on existing surrounding properties
- DBE3 Design in urban areas
- DBE6 Car parking in new development
- DBE8 Private amenity space
- DBE9 Loss of Amenity
- ST1 Location of development
- ST2 Accessibility of development

ST4 Highway safety
ST6 Vehicle parking
H1A Housing Provision
H2A Previously developed land
H3A Dwelling mix
HC6 Character, appearance and setting of conservation areas
HC7 Development within conservation areas
HC10 Works to listed buildings
HC12 Development affecting the setting of listed buildings
E4A Protection of employment sites
E4B Alternative uses for employment sites
TC1 Town centre hierarchy
TC2 Sequential approach
TC3 Town centre function

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.

Summary of Representations

WALTHAM ABBEY TOWN COUNCIL - Object

Committee raised concerns at the lack of amenity and parking space provided.

Neighbours

Adjoining property occupiers notified and a site noticed displayed. No representations were received at the time of writing this report.

ANCIENT MONUMENTS SOCIETY

No objection and state that they feel that the application is being handled with due care.

Issues and Considerations:

The main planning issues are considered to be:

- Principle of development
- Design and appearance
- Neighbouring amenities
- Highway safety, traffic Impact, parking and access
- Environmental Health

Principle of development

The development site is located within a very built up, predominantly commercial area within the town centre of Waltham Abbey. Furthermore there are very good transport links within this area (specifically access to the M25 and other major roads) and bus services. The closest train station is within Waltham Cross, which is not within walking distance, however this is a short bus journey. It is considered that in principle, this is a sustainable location for a residential development. As such, it is considered that the redevelopment of this site would constitute a sustainable

development in transport/location terms which is in accordance with Local Plan Policies CP1 and ST1.

Residential accommodation in town centres is supported by the National Planning Policy Framework and Local Plan Policy TC3 provided it is not at ground level. The proposal includes just the one residential flat at ground floor level with the remainder located above the commercial premises of Sun Street and Market Square and within King Harold Court. Given that the only ground floor flat is located behind the commercial frontage of Sun Street, it is officer's opinion that the proposal as a whole would not cause an adverse impact on the vitality and viability of the Waltham Abbey commercial centre.

Furthermore, Local Plan Policies E4A and E4B seek to preserve employment sites including office use unless the applicant can demonstrate that there is no longer a need for employment for this particular site. It should be noted that Local Policies in relation to employment are not consistent with the National Planning Policy Framework and therefore very little weight should be given to them. However, the applicant has provided a marketing statement prepared by Duncan Phillips Ltd that demonstrates that the buildings have been marketed for office use for at least two years without any success. In addition it was concluded that the limited demand for office use was in commercial areas such as Howard Business Park and Brooker Road where there is free off street parking, rents are cheaper and the buildings are purpose built for office use.

Officers consider that the location is appropriate for residential use and therefore appropriate in principle as it would be in accordance with Local Policies and the National Planning Policy Framework.

Design and appearance:

The proposal would be in accordance with Local and National policy in that it would achieve a sustainable form of urban development. In particular, it would make the most efficient use of available land by virtue of its urban town centre location and that it would re-use a previous developed parcel of land in which its current use is no longer appropriate.

Following on from the above, and must be given far greater weight, a new development should be satisfactorily located and of a high standard in terms of its design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and would not prejudice the environment of occupiers of adjoining properties.

The development site is within a prominent location at the junction of Sun Street and Market Square. In addition, the application buildings are located within the Waltham Abbey conservation area and are within the setting of listed buildings. As such the proposed external additions will need to be sensitively considered.

Apart from minor repair and maintenance works such as repainting the facades of the building and replacing entrance doors and windows, the only major works to the exterior of the buildings would be the construction of new dormer window on the front roof slope of number 3 Sun Street and the insertion of roof lights to 3a and 5 Sun Street.

There are no objections to the proposed design and appearance of the proposed external works. The general maintenance and repair work to the facades of the buildings would improve the existing appearance of the buildings. The proposed dormer window would match the existing dormer window in terms of size and proportions and would provide a more symmetric appearance to the building of number 3 Sun Street. In addition the four roof lights would be inserted on the rear roof slope of 3a and 5 Sun Street and as such would bear no impact to the appearance of the street scene or the character of the surrounding locality.

The proposal was referred to Council's conservation officer who stated that they had no objections to the proposed development as the works would not result in a detrimental impact to the character and appearance of the Waltham Abbey conservation area.

The density for this site will be 65 dwellings per hectare. Local policy states that new developments will achieve a net site density of 30-50 dwellings per hectare. Although the development is high density, it is in a neighbourhood where there are examples of other relatively high-density developments. It is officer's opinion that density is acceptable. Officer also considered that the proposed provides a reasonable blend in terms of housing mixture given the different sizes and number of bedrooms for each flat.

The Council's policy seeks to ensure an adequate amount of conveniently located amenity space is provided in new residential developments which is usable in terms of its shape and siting. The proposed development does not provide any provision for private amenity space. Although no private amenity space is proposed within the development, given that the development is situated within town centre location and that the Abbey Gardens are located approximately 60 metres north of the site, on balance, officers consider that the provision of no amenity space is appropriate.

Neighbouring amenities:

Due consideration has been given regarding the potential impact the proposal would have on the amenities enjoyed by adjoining occupiers in relation to loss of privacy, loss of light and visual blight.

Due to the relatively minor external additions to the existing buildings, the proposed additions would not result in an excessive amount of overshadowing or be visually intrusive that would result in an unneighbourly development.

Although the proposal would not amount to an excessive amount of overlooking of adjoining properties, there is the potential for the flats to overlook one another from the windows that surround the courtyard due to small distances and angles that would separate them. As such a condition would be required for all the windows on the northern elevation fronting the courtyard to be obscured glazed and all the windows on the east, west and south elevation facing the courtyard shall have obscured glazing to the lower panels only.

It is considered that there would not be excessive harm caused to the amenities enjoyed by adjoining property occupiers.

Highway safety, traffic impact & vehicle parking

The Adopted Council parking standards recommends that 1 vehicle space per one bed dwelling and 2 spaces per two bed dwelling, plus in this instance, 3 visitor parking spaces. In addition 1 secure cycle space for each dwelling. This would mean that the parking requirements for the proposal would be:

- 17 parking spaces
- 12 secure cycle parking spaces

No parking spaces are proposed within the development however 12 secure cycle spaces are provided on the ground floor within a double tier stand. The Adopted Parking Standards state that reductions of the vehicle standard may be considered if there is a development within an urban area (including town centre location) that has good links to sustainable transport.

Officers consider that as the site is located within a sustainable town centre location, with adequate accessibility to public transport links, and given its close proximity to public car parks, the reduction

in parking provision would be acceptable in this instance. In addition, as the existing offices do not benefit from any off street parking provision, it is considered that the proposal would result in less demand for parking provision than the lawful use on site.

The application was referred to Essex County Council's highways officer who stated that they had no objection to the proposed development as the proposal would not have any more demand than the existing use in terms of parking provisions. As such the proposal would not lead to a highway safety issue within the vicinity.

Environmental services:

A communal refuse area is located internally on the ground floor of 1-5 King Harold Court. Environmental Services raise no objection to the amount of storage bins and their location is also acceptable for collection purposes.

Conclusion:

The proposal, although without the provisions of private amenity space and vehicle parking is considered on balance to be appropriate. The development is appropriate in terms of its design and appearance and it would not result in excessive harm upon the amenities enjoyed by adjoining property occupiers. The proposal is in accordance with the policies contained within the Adopted Local Plan and Alterations and the National Planning Policy Framework. Officers therefore recommend that the application be approved subject to 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:

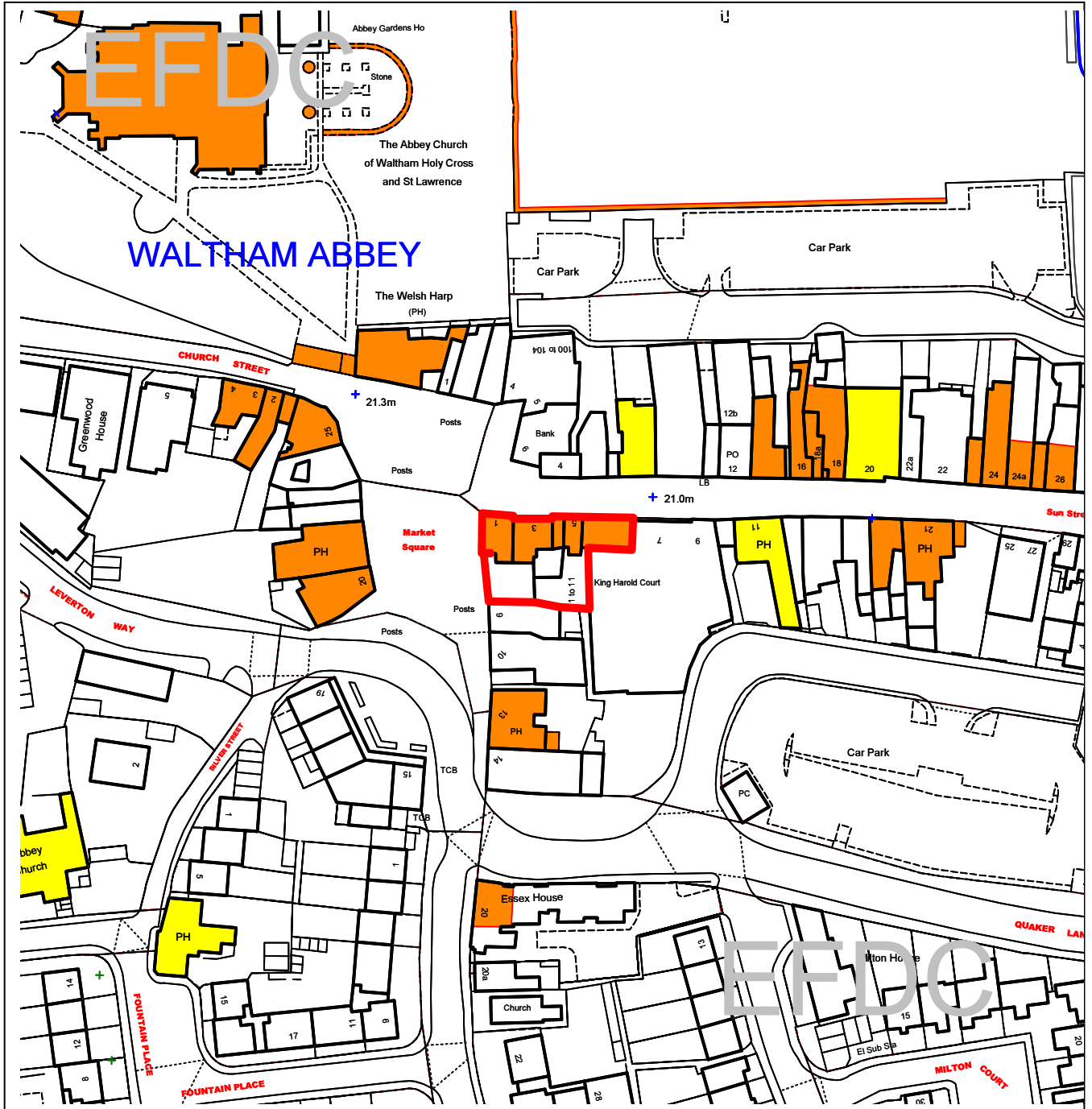
***Planning Application Case Officer: Lindsay Trevillian
Direct Line Telephone Number: 01992 564 337***

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 & 3
Application Number:	EPF/0681/13 and EPF/0705/13
Site Name:	King Harold Court, Sun Street Waltham Abbey, EN9 1ER
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/0705/13
SITE ADDRESS:	King Harold Court Sun Street Waltham Abbey Essex EN9 1ER
PARISH:	Waltham Abbey
WARD:	Waltham Abbey South West
APPLICANT:	The Co-operative Group
DESCRIPTION OF PROPOSAL:	Grade II listed building application for the conversion of 1-11 King Harold Court (which includes the upper floors of 1, 3, 3a and 5 Sun Street and 7-9 Market Square) from office to residential use comprising 11 units (8x 1-bed and 3x 2-bed).
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=547910

- 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: D 001 Rev A to D 134 Rev A.
- 3 Notwithstanding the drawings submitted, in 1 Sun Street the floor above the proposed kitchen-dining room shall not be removed, unless agreed in writing with the LPA following further investigation and inspection by the LPA
- 4 In 3 Sun Street, the location and extent of opening for the proposed doorway into the new kitchen shall be agreed in writing with the LPA, following investigation and inspection by the LPA.
- 5 Notwithstanding the drawings submitted, in 3 Sun Street, the location of the stairs between 1st and 2nd floor and the extent of fabric to be removed for the stairs shall be agreed in writing with the LPA, following investigation and inspection of the floor joists by the LPA.
- 6 Notwithstanding the drawings submitted, in 5 Sun Street the number, size and location of new rooflights shall be agreed in writing with the LPA prior to their installation, following investigation and inspection of the rafters by the LPA.
- 7 Any works to upgrade walls, floors and ceilings to meet building regulations shall be agreed in writing with the LPA prior to being commenced.

- 8 Further details of proposed new windows, doors and rooflights in the listed buildings, showing sections and elevations as appropriate, shall be submitted to and agreed in writing with the LPA prior to their installation.

This application is before this Committee since it is an application for residential development consisting of 5 dwellings or more (unless approval of reserved matters only) 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:

The application site is located on the south western corner of Sun Street and Market Square within the town centre of Waltham Abbey. The application buildings that form the basis of this proposal are known as 1-11 King Harold Court and includes the upper floors of 1, 3, 3a and 5 Sun Street and 7-8 Market square.

King Harold Court is currently used as offices (use class B1) however the offices are mostly vacant.

King Harold Court is accessed from Sun Street, through a pedestrian only access under an archway between number 3 and 3a Sun Street and leads to a small open courtyard. There is no vehicle access to the site. A number of entrances to the building is lead off from this courtyard. King Harold Court is a three storey non-listed building finished from horizontal timber cladding painted white with horizontal sash windows.

Number 1 Sun Street is Grade 2* listed whilst numbers 3, 3a and 5 Sun Street are Grade 2 listed. The buildings are two stories with some of them comprising of additional accommodation within the roof space and date back from the 16th to the early 19th century. The buildings are externally finished from white painted render and plain tiles.

Number 7-8 Market Square is also double storey with further accommodation within its roof space. It is not listed and is externally finished from more modern materials that consist of render and facing brickwork along with plain tiles.

At ground floor level the properties are currently occupied by Class A uses:

- 1 Sun Street – Cut Price Cards, general store
- 3 Sun Street – Abbey Health Foods, health food store
- 3a Sun Street – Verdes Hair Design, hairdressers
- 5 Sun Street – Co-operative Food, convenience store
- 7-8 Market Square – Ton's Pie and Mash Shop

The subject site and the surrounding area are located within the Waltham Abbey Town Centre Conservation Area. It is also located within the principle commercial and key frontage area and is within the setting of other listed buildings.

Description of Proposal:

Grade two listed building consent is sought for conversion of 1-11 King Harold Court from office space to residential use. It is proposed to create eight one bedroom units and three two bedroom units with an internal floor area of the units ranging from 47sqm to 88sqm.

The residential units are proposed within four separate blocks; 1-5 King Harold Court, 6 Harold Court, 7-8 King Harold Court and 9-11 King Harold Court. Each block of residential units would have a separate entrance which is accessed from the courtyard. Only one flat is proposed on the ground floor whilst the rest are on the first and second floors.

The majority of the physical alterations would be internal works such as providing a new lift and removing and replacing internal partitions and walls. External works would include the construction of a new front dormer window to number 3 Sun Street and four new roof lights to the roof slope of number 5 Sun Street. In addition the external appearance to King Harold Court as viewed from within the courtyard will be externally finished to match the existing including new painted timber cladding windows and entrances.

Relevant History:

WHX/0269/68 – Change of use of 1st and 2nd floors of 1-5 Sun Street and 7-8 Market Square from showrooms to office space (approved)

EPF/0695/90 - Repair and refurbishment of existing listed building, single storey extension to supermarket and erection of new retail and office building to rear. 1-9 Mkt Sq & r/o 1 & 3 & 14 Mkt Sq. (approved)

LB/EPF/0045/90 - LB application for repair and refurbishment of existing listed building and erection of new retail and office building adjoining. Nos 1-5. (approved)

EPF/0417/92 - Construction of new access staircase and corridor to first floor office over supermarket and second floor office to No.5. In conj with LB/EPF/28/92 (approved)

EPF/2230/12 - Conversion of 1-11 King Harold Court (which includes the upper floors of 1, 3, 3a and 5 Sun Street and 7-8 Market Square) from office to residential use comprising 11 units (8x 1-bed and 3x 2-bed) (withdrawn)

EPF/2257/12 - Grade II listed building application for the conversion of 1-11 King Harold Court (which includes the upper floors of 1, 3, 3a and 5 Sun Street and 7-8 Market Square) from office to residential use comprising 11 units (8x 1-bed and 3x 2-bed) (withdrawn)

Policies Applied:

Local Plan policies relevant to this application are:

HC10 Works to listed buildings

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.

Summary of Representations

WALTHAM ABBEY TOWN COUNCIL:

No objection.

Neighbours

Adjoining property occupiers notified and a site noticed displayed. No representations were received at the time of writing this report.

ANCIENT MONUMENTS SOCIETY

No objection and state that they feel that the application is being handled with due care.

Issues and Considerations:

The main issue to be addressed is whether the proposed conversion from office use to residential along with the associated works would result in detrimental impact to either the historical significance or the historical fabric of the existing listed buildings.

The application was referred to Essex County Council's historical buildings advisor who has had extensive pre-application discussion and on site meetings with the applicant's agent. In summary, the historical advisor had no objections to the proposed conversion subject to conditions that require further investigation works to be undertaken to ensure minimal harm is caused to the historic fabric of the buildings. These conditions have already been agreed with the applicant's agent.

Officers consider that the proposed conversion would not result in a detrimental impact to special architectural or historical interest of the listed buildings and as such the works are appropriate.

Conclusion:

The proposal is in accordance with the policies contained within the Adopted Local Plan and Alterations and the National Planning Policy Framework. Officers therefore recommend that listed building consent be granted permission subject to 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: Lindsay Trevillian
Direct Line Telephone Number: 01992 564 337***

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

Report Item No: 4

APPLICATION No:	EPF/0711/13
SITE ADDRESS:	Hailes Farm Low Hill Road Roydon Harlow Essex CM19 5JW
PARISH:	Roydon
WARD:	Roydon
APPLICANT:	Mr M Bowden
DESCRIPTION OF PROPOSAL:	Retrospective application for the change of use from B8 (Storage and Distribution) to Sui Generis Use as a bus/coach garage.
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=547931

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Site Location Plan licence no. 100047474, Block Plan licence no. 100047474
- 2 Within three months from the date of this decision, details of the proposed new tree planting, including positions or density, species and planting sizes and a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. If within a period of five years from the date of planting any tree, or replacement, is removed, uprooted or destroyed or 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 it's written consent to any variation.
- 3 If any tree, shrub or hedge shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years from the date of this decision, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.

- 4 Within three months from the date of this decision, details of all external lighting shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, all external lighting shall be installed and maintained in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.
- 5 There shall be no outdoor storage, with the exception of the storage and parking of vehicles, within the site.
- 6 All vehicle maintenance and repair must take place within the workshop, and shall not take place within the yard area.
- 7 Within three months from the date of this decision, details of a suitable parking area shall be made available and once approved, be retained on site for the parking of staff and visitors vehicles.
- 8 The site shall only be used for the parking of a maximum of 31 buses/coaches or minibuses, unless agreed in writing by the Local Planning Authority.
- 9 Only buses, coaches and minibuses operating from this site shall be maintained and repaired at the site.

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).)

This application was deferred from the Area Plans Sub Committee West on the 5th June 2013 in order that Members could undertake a Site Visit.

Description of Site:

The application site is a 0.25 hectare former B8 (Storage and Distribution Site) located on the western side of Low Hill Road and accessed from Glen Faba Road. The site is predominantly laid to hardstanding with three detached buildings consisting of a workshop, an office, and a drivers' room. The site is located within the Metropolitan Green Belt.

Description of Proposal

Retrospective consent is being sought for the change of use of the site from B8 Storage and Distribution use to Sui Generis Use as a bus/coach garage. The site has been occupied by Galleon Travel 2009 Ltd. since January 2013 following the refusal of retrospective consent EPF/0925/12 for the extension of the existing hardstanding for the parking of vehicles at Ricotta Transport, Tylers Cross. The company has a Public Service Vehicle Operator's Licence for up to 31 vehicles, and currently has no more than 25 vehicles on site at any one time. The application involves no alterations (retrospective or otherwise) to the existing buildings on site or any extension of the existing hardstanding. However the applicant does propose additional planting along the eastern boundary to help screen the site from the adjacent Burles Farm.

Relevant History:

EPR/0004/52 - Use of land as general merchants & stores dump – approved/conditions 29/02/52
EPO/0098/64 - Motor dismantling & salvage of vintage & private vehicles for restoration – refused 14/08/64

EPO/0410/69 - Warehouse – approved/conditions 09/09/69
EPF/0740/75 - Details of extension to warehouse – approved/conditions 04/08/75
EPF/0274/86 - Change of use of land and buildings from retail warehouse and storage to fence and pallet makers workshop and storage – refused 28/04/86
EPF/0465/86 - Change of use of land and buildings from retail warehouse and storage to premises for the assembly, storage and retail of double glazed windows – refused 30/05/86
EPF/1948/00 - Change of use of agricultural land to 4 wheel drive off road training centre – refused 09/02/01 (appeal dismissed 28/06/01)
EPF/0272/04 - Conversion of existing detached stable building into 1 x four bedroom dwelling – refused 04/05/04
EPF/0273/04 - Conversion of existing barn into 1 x three bedroom two storey dwelling – refused 04/05/04
EPF/0125/05 - Conversion of existing warehouse into new office space and conversion of existing barn to three bedroomed residential dwelling – approved/conditions 23/03/05 (not implemented)

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
E4A – Protection of employment sites
RP5A – Adverse environmental impacts
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.

Summary of Representations:

3 neighbouring properties were consulted and a Site Notice was displayed on 26/04/13.

PARISH COUNCIL – None received.

THE ROYDON SOCIETY – No objection to the use of the yard, however concerned about the size of vehicles using the site, the suitability of the surrounding roads and the access to the site, the potential flood risk from damage to roadside ditches, and due to other damage resulting from the large vehicles using the surrounding roads (such as to fences, etc.).

WHITE GABLES, LOW HILL ROAD – No objection to use of site for a coach hire business, however concerned about the following:

- Use of the site 24 hours a day, 7 days a week and disturbance from current hours of operation.
- Width of the highway and ability of large vehicles to be able to turn into the site.
- Potential flooding issues from infilling of the ditch adjacent to Hailes Farm.
- Damage done to the existing grass verges in the surrounding area.

2 DOWNE HALL COTTAGE, LOW HILL ROAD – Object due to the insufficient roads leading to, and access serving, the site, highway safety concerns, and regarding highway flooding concerns resulting from damage to ditches.

BURLES FARM, LOW HILL ROAD – Object due to the impact on the surrounding roads, the damage to highway ditches, and the damage to surrounding fences.

99 PARKFIELD – Object due to the impact on the surrounding roads and the resulting noise and pollution. This proposal adds to the existing traffic impacts from UK Salads.

Issues and Considerations:

The main issues to determine are the impact on the Green Belt, on the surrounding neighbours, and with regards to impact on the public highway.

Green Belt:

The application site was formerly used as a Haulage company under its lawful Class B8 use (storage and distribution) and contained the three buildings currently on site. The National Planning Policy Framework (NPPF) outlines what does not constitute inappropriate development, which includes:

“limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use, 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”.

It also states that:

“Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are:

...

- *The re-use of buildings provided that the buildings are of permanent and substantial construction”.*

The change of use of this site and the buildings occurred in January 2013 and did not involve the erection or alteration to any of the existing buildings, the laying of any additional hardstanding, or the change to any other structures within the site. The buildings are clearly ‘of permanent and substantial construction’ as the change of use has already taken place, and as such the only consideration is whether the new use has a greater impact on the openness of the Green Belt than the former use.

Although a bus/coach garage does not fall within the same use class as a haulage depot, they are quite similar uses nonetheless. Aerial photographs have been provided by the applicant dated 2005, 2006, 2009 and 2011, all of which show a number of large vehicles parked/stored on the site. This can also be seen on the Council’s own 2007 and 2009/2010 aerial photographs of the site. Traffic movements from a haulage depot (or any other B8 use) would also be comparable to the proposed bus/coach depot (see below for more detail). As such it is not considered that the proposed use of the site is more harmful to the Green Belt or surrounding area than the former B8 use.

The lawful B8 use is fairly unrestricted in terms of operating hours, storage capacity, lighting, etc., and as such there is very little control against this use. However, the approval of the proposed depot use would allow for conditions to be imposed to control the site. It is also proposed to plant

additional landscaping to screen the site from neighbouring properties, which could also be controlled through this application. The ability to impose such conditions would reduce the level of harm to the Green Belt and the surrounding area.

Impact on neighbouring properties:

The application site is within a relatively isolated location, however it does nonetheless have nearby neighbouring properties. These consist of:

- Jalma (to the west) and Sunnyfields (to the south), which appear to be residential dwellings.
- The Conifers to the southwest, which is a lawful industrial site.
- White Gables to the southeast, which is a residential dwelling and a lawful site for the storage of vehicles in connection with a vehicle and driver hire business.
- Burles Farm to the east, which appears to be the farmhouse and farmyard for the still operational farm.
- Hailes Farm(house) to the immediate west of the site, which is owned and occupied by the two directors of the company.

There are some further residential dwellings approximately 315m to the east along Low Hill Road, and the large horticultural nursery sites some 300m to the south, a large proportion of which are currently intensely used by UK Salads.

Given the location and former use of the site, it is not considered that the proposed change of use results in any additional detrimental impact over the previous lawful B8 use. Furthermore, conditions could be imposed on any decision to obtain greater control and to reduce the impact on neighbour's amenities over the previously unrestricted use. All vehicle maintenance and repairs are carried out within the large workshop, which limits the level of audible noise and disturbance from such activity.

Highway concerns:

The biggest concerns expressed by nearby occupants are regarding the suitability of the surrounding road network and the impact the proposed use has on this.

Low Hill Road is a very narrow road that is not suitable for large vehicles, although the road does widen when it becomes Netherhall Road. This road served the lawful B8 use on this site, which utilised large articulated lorries, the nearby industrial site and vehicle storage site, and both the neighbouring farm and the nearby horticultural nurseries. All these sites either do already, or could result in intense traffic movement of both small and large scale vehicles. As such, the existing roads currently serve a relatively high number of vehicle movements, including large scale vehicles, and it is not considered that this site unduly exacerbates this. The previous lawful use as a haulage yard resulted in articulated lorries using the surrounding roads for several years, and it is not considered that the proposed use has significantly altered this situation.

The current Public Service Vehicle Operator's Licence for the site allows up to 31 vehicles, although it is stated that there are no more than 25 vehicles on site at any one time. The site caters for local bus and school services, long-distance coach tour, and rail replacement services. It is stated that the average vehicle movements are as follows:

Buses:

- Monday-Friday – 7 vehicles leaving between 07:00 and 08:00 and returning between 18:00 and 19:00.
- Saturday – 4 vehicles leaving around 08:00 and returning around 18:00

- No movements on Sundays and Bank/Public holidays.

Coaches:

Coaches on site cater for a variety of tours ranging from day and evening trips to long distance, European tours. The vehicle movements of these are fewer, however are not time/day specific and each coach can often be off-site for 7 to 10 days at a time.

Rail replacement:

Predominantly evening and weekends but needs to respond flexibly to need at relatively short notice.

Concern has been expressed about the ability for large vehicles to turn off of Low Hill Road and into the application site without damaging the highway ditch or neighbouring boundary treatments, and also reference has been made to similar issues elsewhere on the surrounding public highway. As previously stated, this site was previously used as a haulage yard for large articulated lorries, as can be seen in previous aerial photographs, all of which presumably had to negotiate the Glen Faba Road/Low Hill Road junction and did so without complaint. It is not considered that the proposed bus/coach depot use has significantly altered this situation. Damage to highway verges and ditches may not specifically be from vehicles using this site, particularly considering the activities taking place on other surrounding sites, and nonetheless these issues would be dealt with through other means (such as through enforcement by Essex County Council Highways or Land Drainage).

The existing site benefits from an extremely wide access onto Glen Faba Road, which is a dead end road that carries no through traffic, and the junction of Glen Faba Road and Low Hill Road has very good sight lines. As such, it is not considered that there is any highway safety or usage concerns relating to the proposed (retrospective) change of use.

Other considerations:

The other material considerations in this application are the benefits that the proposed development would have on retaining employment use on the site and the surrounding area. Galleon Travel 2009 Ltd currently employs 2 directors, 15 drivers, 3 engineering staff, 2 full time and 1 part time office staff, and 1 yard hand. Furthermore, the company currently operates sustainable transport to the local community through local bus services, school transport, rail replacement services, and transportation for various community groups and organisations.

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 that planning should "*support existing business sectors, taking account of whether they are expanding or contracting*". Furthermore, it also seeks to "*promote the retention and development of local services*" and to "*guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs*". As such, the benefits of ensuring the continuance of this business, which provides a key sustainable transport service to the District and surrounding areas, should be given significant weight.

Conclusion:

The proposed development would not constitute inappropriate development harmful to the openness of the Green Belt and would assist in the continuation of an employment use that provides a valuable sustainable transport service to the local area. The impact on surrounding neighbours and on the local highway network would not be significantly worse than the previous

lawful B8 use of the site' and therefore the application is considered to comply with the NPPF and 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:

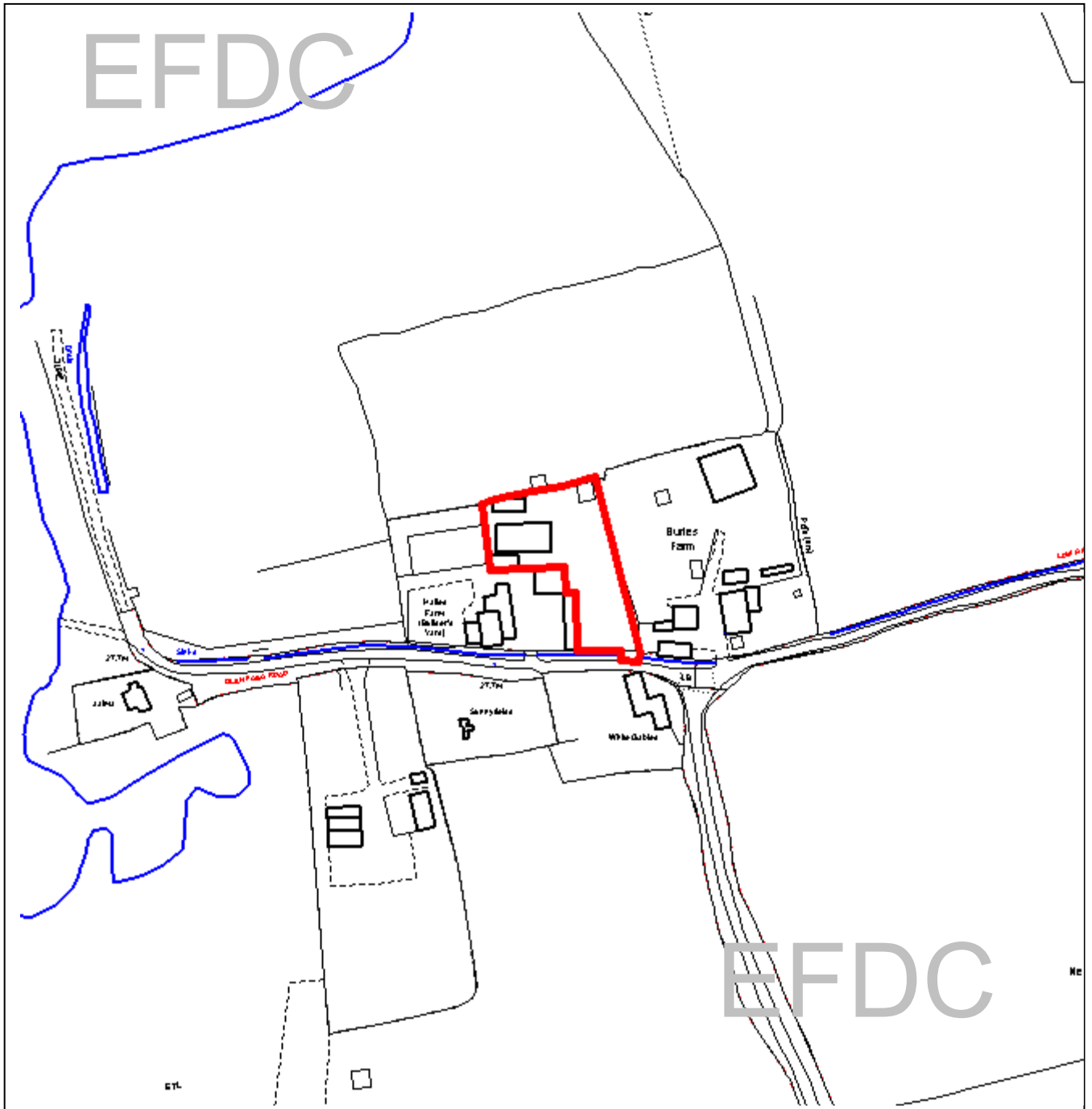
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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:	4
Application Number:	EPF/0711/13
Site Name:	Hailes Farm, Low Hill Road Roydon, CM19 5JW
Scale of Plot:	1/2500

Report Item No: 5

APPLICATION No:	EPF/0928/13
SITE ADDRESS:	Richmonds House Parsloe Road Epping Green Epping Essex CM16 6QB
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
APPLICANT:	Mr J Previ
DESCRIPTION OF PROPOSAL:	Grade II listed building consent for refurbishment and internal alterations, with bi-fold door to the rear.
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=549057

CONDITIONS

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: 101, 102, 105, 106, 107, 109
- 2 Prior to completion of the works, further details of any timber frame to become exposed, any cleaning of the timber frame and any insulation to be added shall be submitted to and agreed in writing by the Local Planning Authority.
- 3 Within three months from the date of this decision, additional drawings that show details of all new windows and doors, by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to the Local Planning Authority in writing for approval, unless otherwise agreed in writing by the Local Planning Authority. All new windows and doors shall be installed/altered and thereafter retained in accordance with the approved details.

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

Description of Site:

The site is located on the northern side of Parsloe Road just on the outskirts of Harlow. The dwelling is a Grade II listed building containing a 16th century timber frame with later alterations

including an unsympathetic flat roof extension to the rear, unsympathetic modern leaded lights and concrete floors in all but the living room.

Description of Proposal:

Part retrospective listed building consent is being sought for the refurbishment of the dwelling including internal alterations and the installation of bi-fold door to the rear, a new door within the eastern elevation, and a new window within the western elevation. The internal alterations consist of the partitioning off of the first floor bedrooms (including the removal of one bedroom) to facilitate an en-suite and upstairs bathroom, the reconfiguration of the ground floor bathroom, utility room and larder, and the relaying of the floors.

Whilst development has commenced prior to gaining listed building consent, the works largely adhere to preliminary discussions had with the Essex County Council Senior Historic Buildings Advisor before purchasing the property and during the works, and there has been no evident harm to the listed building.

Relevant History:

LB/EPF/0616/06 - Grade II listed building application for the erection of car port/log store and hardstanding within the setting of a Grade II Listed Building – approved/conditions 12/05/06

LB/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

LB/EPF/0408/13 - Grade II listed building application for removal of two of the three outbuildings and move the granary – approved 09/05/13

Policies Applied:

HC10 – Works to 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:

2 neighbouring properties were consulted and a Site Notice was displayed on 20/05/13.

PARISH COUNCIL – Object:

- The bi-fold doors are not in keeping with the architecture of the building.
- It is believed that the windows have already been changed.
- There is insufficient information on the type of materials used and to be used, and on the original design of the building and its internal structures.
- There is concern as to whether the Listing Building officer has inspected the building.

Main Issues and Considerations:

The key consideration is the impact on the character and historic significance of the listed building.

The initially submitted Design & Access Statement was extremely poor and lacking in any information regarding the extent of the works, however a Heritage Statement was later submitted

which provides the justification for the alterations, identifying partitions to be removed as modern, and noting that the bifolds will improve the appearance of the flat roofed extension. It also identifies works such as the relaying of floors and removal of the chimney stack.

The Essex County Council Senior Historic Advisor has visited the site and had pre-application discussions with the applicants and has confirmed that none of these works raise objection as the effected fabric was assessed on site and it was found that any fabric to be removed was modern and not significant to the historic character of the listed building. Whilst the method of insulation is more contentious, the lining is fully reversible and allows the historic walls to remain undisturbed. The cleaning method was inspected on site and found to be very sensitive and appropriate.

With regards to the bi-fold doors, these are considered to be acceptable given their context within the modern flat-roofed extension. The detailing of the new door and window in the eastern and western elevations is considered acceptable (glazing bars have a chamfered profile), however the application has failed to identify where modern finishes have been removed to expose timbers in the original elevations now abutting the flat roofed extension, cleaning timbers and the additional insulation and linings to partitions at first floor. However the proposals are shown not to be harmful to the special character and historic fabric of the listed building and as such the additional required details can be dealt with by way of conditions.

Conclusion

Due to the above, whilst the works are in part retrospective and further information is required regarding the new door and window, there has been no evident harm to the listed building and the works have been assessed on site by an Essex County Council Senior Historic Buildings Advisor. Therefore, subject to additional information being submitted and agreed by way of conditions, the proposed development is not considered to be harmful to the listed building and as such complies with the relevant Local Plan policies and is recommended for approval.

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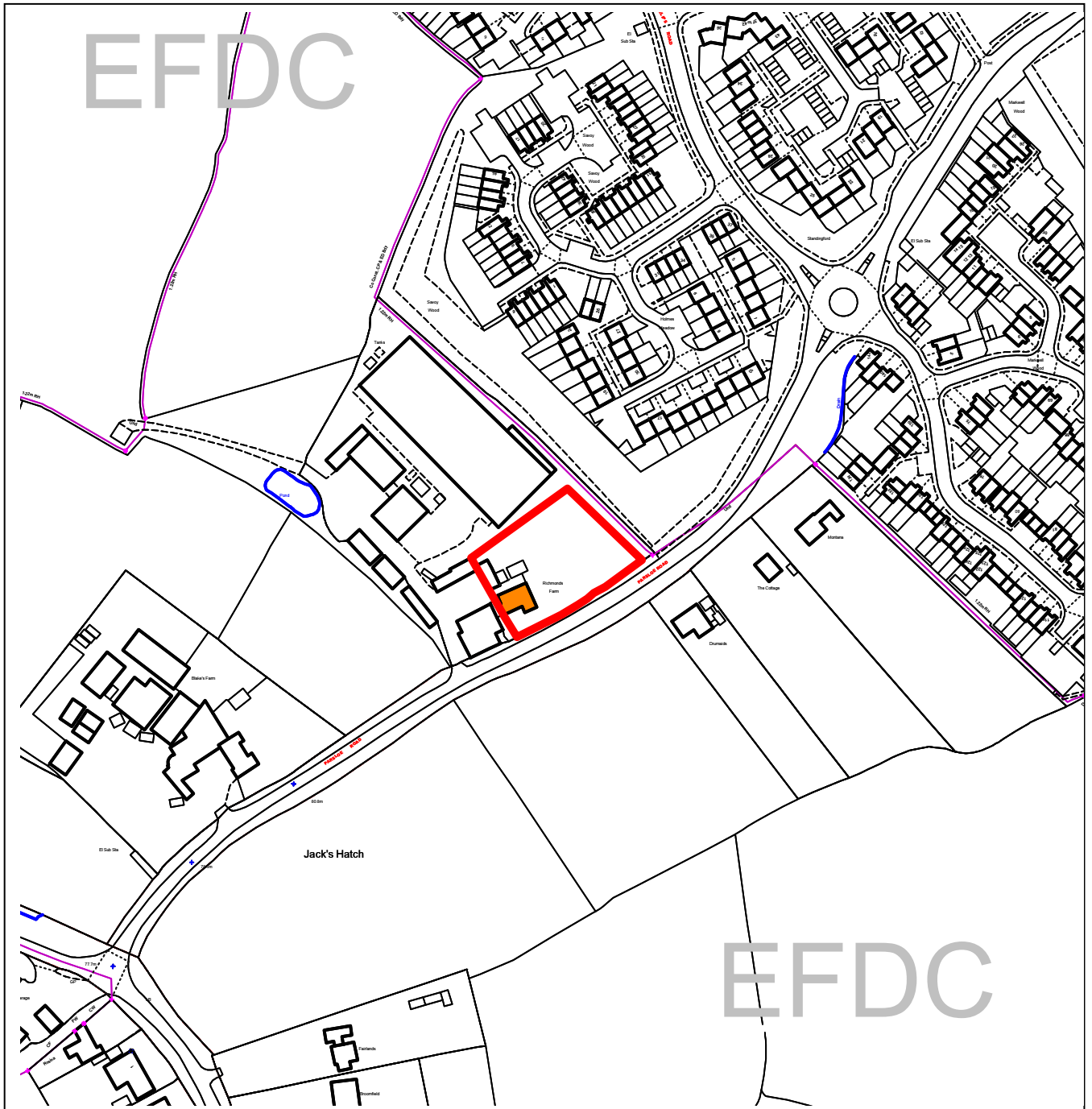
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Agenda Item Number:	5
Application Number:	EPF/0928/13
Site Name:	Richmonds House, Parsloe Road Epping Green, CM16 6QB
Scale of Plot:	1/2500

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