

# Committee Agenda



## Epping Forest District Council

### ***Area Planning Subcommittee West Wednesday, 25th September, 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, 25th September, 2013  
at 7.30 pm .**

**Glen Chipp  
Chief Executive**

**Democratic Services  
Officer**

Adrian Hendry - The Office of the Chief Executive  
Email: [democraticservices@eppingforestdc.gov.uk](mailto:democraticservices@eppingforestdc.gov.uk) Tel:  
01992 564532

#### **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

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

#### **WEBCASTING/FILMING 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. The meeting may also be otherwise filmed by third parties with the Chairman's permission.

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.

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 or otherwise indicate to the Chairman before the start of the meeting.

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 (or filmed) and will be capable of repeated viewing (or another use by such third parties).

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 7 - 10)**

General advice to people attending the meeting is attached.

**3. APOLOGIES FOR ABSENCE**

**4. MINUTES (Pages 11 - 18)**

To confirm the minutes of the last meeting of the Sub-Committee held on 28 August 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 19 - 66)**

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

Background Papers

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

schedule.

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

## 8. DELEGATED DECISIONS

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

## 9. EXCLUSION OF PUBLIC AND PRESS

### Exclusion

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

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

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

### Confidential Items Commencement

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

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

### Background Papers

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

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

report is based; and

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

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

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

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

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

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

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

### **Can I speak?**

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

### **Who can speak?**

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

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

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

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

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

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

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

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

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

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

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

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

### **Further Information?**

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

## 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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## EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Area Planning Subcommittee West   **Date:** 28 August 2013

**Place:** Council Chamber, Civic Offices, High Street, Epping   **Time:** 7.30 - 8.10 pm

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

**Other Councillors:**

**Apologies:** Mrs R Gadsby, Mrs P Smith and Ms S Stavrou

**Officers Present:** G Courtney (Planning Officer), L Trevillian (Planning Officer), A Hendry (Democratic Services Officer) and R Perrin (Democratic Services Assistant)

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### 24. 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.

### 25. WELCOME AND INTRODUCTION

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

### 26. MINUTES

**RESOLVED:**

That the minutes of the meeting of the Sub-Committee held on 31 July 2013 be taken as read and signed by the Chairman as a correct record.

### 27. DECLARATIONS OF INTEREST

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

### 28. ANY OTHER BUSINESS

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

### 29. DEVELOPMENT CONTROL

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

**RESOLVED:**

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

**30. DELEGATED DECISIONS**

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

**CHAIRMAN**

## Report Item No: 1

<b>APPLICATION No:</b>	EPF/1566/13
<b>SITE ADDRESS:</b>	Mill House Betts Lane Nazeing Waltham Abbey Essex EN9 2DA
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/26/02 T2 - Willow - Fell
<b>DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=552053](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=552053)

### CONDITIONS

- 1 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.
- 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.

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/1154/13
<b>SITE ADDRESS:</b>	15 Sun Street Waltham Abbey Essex EN9 1ER
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey South West
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed conversion, part rear ground floor demolition and rear extensions to create 3 no. one bedroom flats (C3) on the upper floors with a mixed use retail (A1) and Veterinary Surgery (S/G) use on the ground floor along with the retention of the existing pet grooming (S/G) use at the rear.
<b>DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=550251](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=550251)

**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: 888 050, 888 051C, 888 052A
- 3 No development shall take place until samples of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details. For the purposes of this condition, the samples shall only be made available for inspection by the Local Planning Authority at the planning application site itself.
- 4 Additional drawings that show details of proposed new or altered shopfronts, by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and agreed in writing by the local planning authority prior to the installation or undertaking of any works to the existing shopfronts.
- 5 The premises fronting onto Sun Street, identified on Drawing No 888051C as 'shop' shall be used solely for either A1 (retail) or a mixed use of A1 (retail) and a veterinary surgery and the premises fronting onto Quaker Lane, identified on Drawing No.888051C as 'Pet Grooming' shall be used solely for either A1 (retail) or for a Pet Grooming use and for no other purpose (including any other purpose in any Class of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.

- 6 The rear court yard area shown on plan ref: 888 051C shall be provided prior to the first occupation of the development and shall be retained free of obstruction for a servicing area and for parking of an ambulance in connection with the veterinary use, unless otherwise agreed in writing with the Local Planning Authority.
- 7 No development, including works of demolition or site clearance, shall take place until a structural survey has been submitted to and agreed in writing by the Local Planning Authority showing what demolition works will occur on site and how the remainder of the building and the neighbouring buildings will be protected during the works. The development must thereafter be undertaken in accordance with the agreed details.
- 8 Prior to occupation of the site, details of the storage of waste and recycling for both the residential and commercial uses shall be submitted to and agreed in writing by the Local Planning Authority. The agreed waste and recycling storage must be installed prior to the occupation of the site and retained thereafter, unless otherwise agreed in writing by the Local Planning Authority.
- 9 All building materials for the proposed development must enter the site from the rear via Quaker Lane.
- 10 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 08.00 to 18.00 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.

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/1208/13
<b>SITE ADDRESS:</b>	2 Takeleys Manor Cottages Upland Road Epping Upland Epping Essex IG7 6BF
<b>PARISH:</b>	Epping Upland
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>DESCRIPTION OF PROPOSAL:</b>	Rebuilding of garage with revised orientation. Change of use of agricultural land to residential land to provide access to garage and construction of gravel drive.
<b>DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=550476](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=550476)

**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 No's: 11/10, 11, 12 and the submitted location plan.
- 3 Materials to be used for the external finishes of the proposed development, shall be as detailed on the submitted plans and application forms, unless otherwise agreed in writing by the Local Planning Authority.
- 4 The proposed change of use from agricultural land to residential shall only relate to the area outlined in red and the remaining part of the site currently in agricultural use shall remain as such.
- 5 Prior to the first use of the vehicular access it shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 3 metres and shall be retained at that width for at least 6.0m into the site and shall be provided with an appropriate dropped kerb vehicular crossing of the highway verge.
- 6 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary of the site.
- 7 Means to prevent the discharge of surface water from the development onto the highway shall be incorporated into the design of the accessway. The scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.

- 8 Any new gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.

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## AREA PLANS SUB-COMMITTEE 'WEST'

25 September 2013

### INDEX OF PLANNING APPLICATIONS

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
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2.	EPF/1312/13	Sedge Gate Nursery Sedge Green Nazeing Waltham Abbey Essex EN9 2PA	Grant Permission (With Conditions)	23
3.	EPF/1425/13	7 Patmore Road Waltham Abbey Essex EN9 3BN	Grant Permission (With Conditions)	30
4.	EPF/1521/13	The Green Man Public House Broomstick Hall Road Waltham Abbey Essex EN9 1NH	Grant Permission (With Conditions)	38
5.	EPF/1540/13	Waverley 8 Pump Lane Epping Green Epping Upland Essex CM16 6PP	Grant Permission (With Conditions)	48
6.	EPF/1541/13	Waverley 8 Pump Lane Epping Green Epping Upland Essex CM16 6PP	Grant Permission (With Conditions)	52
7.	EPF/1612/13	Hailes Farm Low Hill Road Roydon Harlow Essex CM19 5JW	Grant Permission (With Conditions)	55

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**Report Item No:**

<b>APPLICATION No:</b>	EPF/1229/13
<b>SITE ADDRESS:</b>	Sons Nursery Hamlet Hill Roydon Harlow Essex CM19 5JZ
<b>PARISH:</b>	Roydon
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing  Roydon
<b>APPLICANT:</b>	Mr Edward O'Donoghue
<b>DESCRIPTION OF PROPOSAL:</b>	Single storey side extension for garden store.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=550572](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=550572)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.

*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 application site is a roughly rectangular area of garden land, approximately 115m in depth and 20m wide. It was originally part of a larger nursery site, which now has no nursery or agricultural use, but is in the same ownership, located on the northern side of Hamlet Hill. The site is set back from the road by about 20 metres and is set behind high gates and fences. To the east is the residential property known as Furrows End which is separated from the site by a high conifer hedge.

There is an existing building within the site which has lawful use as a dwelling. Roughly half the area of the site is hard surfaced and there is currently a storage container located adjacent to the dwelling which is used for domestic storage/laundry area.

**Description of Proposal:**

The proposal is for a single storey side extension in the place of the existing unauthorised storage container. The proposed addition measuring 6.8m in width by 2.25m in depth is set back from the

front elevation of the dwelling, and is 2.6 from the boundary of the site with Furrows End to the east. The proposed addition is to be flat roofed and finished with timber boarding.

### **Relevant History:**

The larger nursery site has a long planning history including unauthorised use for car sales which was successfully stopped by enforcement action.

With regard to the current site a Certificate of Lawful development EPF/1615/11 was issued in 2011 for use of the single storey building on the site as a dwelling. The application proved on the balance of probability that the building had been used residentially for in excess of 4 years and as such the use was lawful, however the application identified only the area of the building and therefore the dwelling had no lawful garden area.

EPF/1225/12 Granted planning permission for the use of the 115m x 20m strip of land which is the current site, as residential garden area for the dwelling. This consent however was subject to conditions including the removal of permitted development rights for extensions and outbuildings and preventing the stationing of portable buildings and caravans on the land. Applications for stationing of 4 gypsy units on the adjacent land and for an extension to the existing shed on adjacent land to the front of the site have been withdrawn.

An application has recently been received for 2 gypsy plots and use of the fronting shed as a utility room on the adjoining land within the same ownership.

### **SUMMARY OF REPRESENTATIONS**

2 neighbouring properties were notified. No site notice was required.

The following responses were received:

TOWN COUNCIL – Object. This is a retrospective application in the Green Belt. No very special circumstances.

ROYDON HAMLET RESIDENTS ASSOCIATION – Object. Green Belt. Garden store not needed as site is awash with outbuildings. Wonder whether this is another place for people to live. If you inspect the site you will find people living in every available space illegally. Worried that all these applications are a smokescreen to tire the residents or council into letting something through.

### **Policies Applied:**

GB2A Green Belt  
DBE9 residential amenity  
DBE10 Residential extensions

### **Issues and Considerations:**

The main issues are Green Belt, design and impact on neighbours.

When planning permission was granted for the use of the land as residential garden land, permitted development rights for the erection of outbuildings and extensions were removed in order to ensure that the Council could control further development within the site. This does not mean that no such extensions or buildings will be acceptable it simply enables the Planning Authority to consider such proposals against current policies.

The main issues are Green Belt, design, and impact on neighbours.

### Green Belt

The NPPF and Policy GB2A of the adopted Local Plan make it clear that limited extensions to existing dwellings in the Green Belt are not inappropriate development. This proposal will be the first extension to the lawful dwelling and is small in size, having a floor area of just 15sq metres and a volume of just 34 sq metres. The existing original dwelling has a floor area of 110m<sup>2</sup> and a volume of approximately 310 cubic metres. This is an increase in volume of approximately 11% over and above the volume of the original dwelling. There is no definition of “limited” extensions, it is considered that this addition due to its small scale is clearly limited and therefore appropriate development. Physically the addition, which is narrower and lower than the main dwelling and is well screened, has little visual impact on the Green Belt or on the purposes of including land within the Green Belt.

### Design

The existing flat roofed dwelling, which was originally an agricultural shed, is of no merit in design terms. The proposed addition is subordinate in height and width and is to be weatherboarded. No windows are proposed in the extension and it will have the appearance of an outbuilding. The proposal is basic, but is considered appropriate to the dwelling and the location and there is no impact on street scene or visual amenity outwith the site.

### Residential amenity

The proposed extension is set away from the boundary with Furrows End and there is an existing substantial tree screen between the two sites. The low level extension will not have any adverse impact on residential amenity

### Other issues

From the site visit it is clear, and the applicant has clarified that the intended use is (as in the existing container) as a kind of wash house/utility area in connection with the existing residential use of the dwelling, but use as a garden store or as an extension to the residential floorspace of the dwelling would both be acceptable within policy GB2a, and there is therefore no need for any condition with regard to the specific use.

The proposal is not of a size or design that would enable separate residential use (as implied by the residents association) and a further consent would be required for such use in any case.

Other uses and proposals on the adjacent land within the applicant's ownership are not relevant to the determination of this application which must be considered on its own merits.

### **Conclusion**

In conclusion the proposal, due to its small size, is considered a limited extension to the existing dwelling and as such is appropriate development. The proposal is in keeping with the existing dwelling and has no adverse impact on the amenity of neighbours or on the character and visual amenity of the area. The application is therefore in accordance with the NPPF and adopted policies of the Local Plan and is recommended for approval.

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

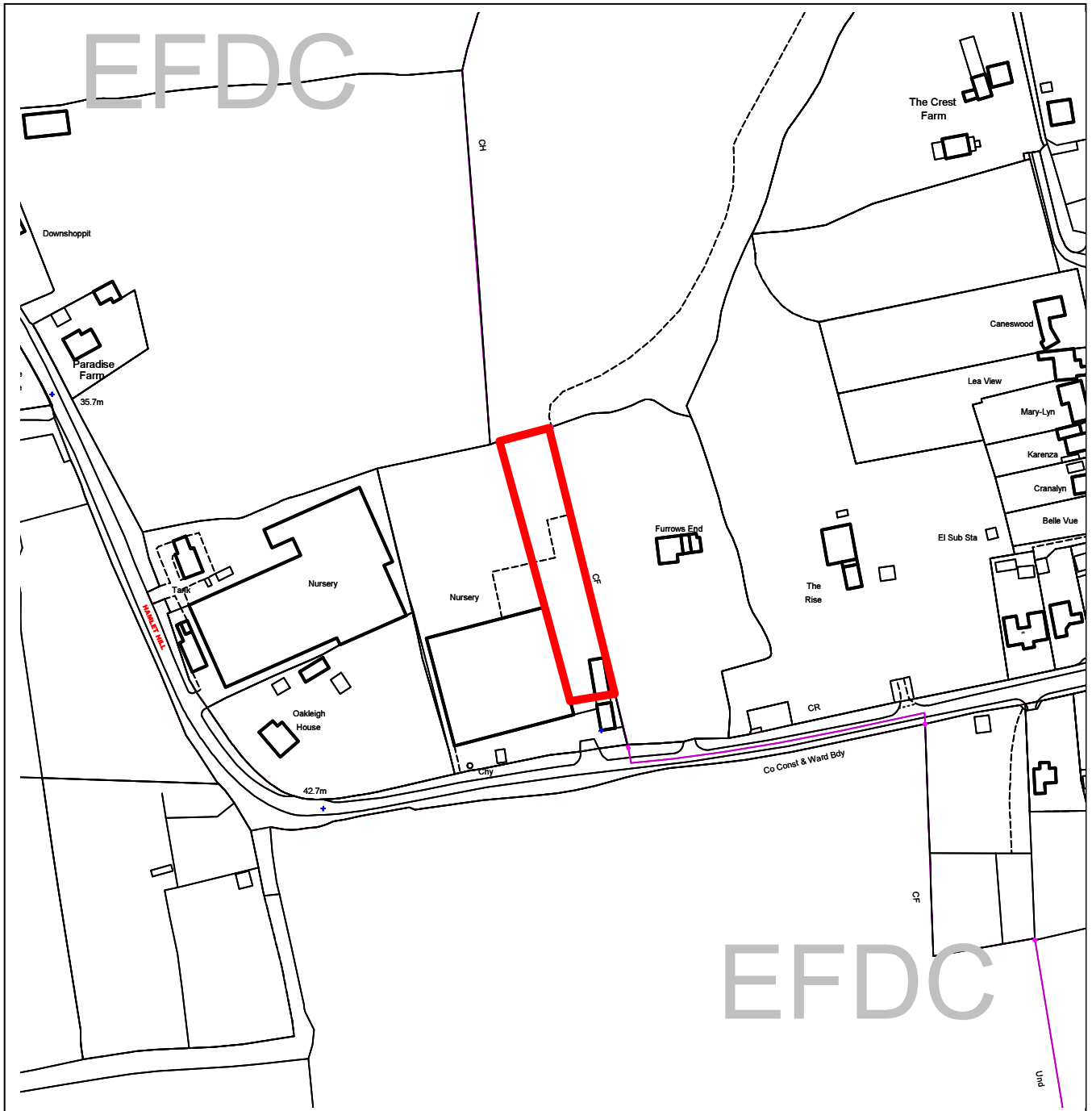
***Planning Application Case Officer: Mrs Jill Shingler  
Direct Line Telephone Number 01992 564106***

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



# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	<b>1</b>
Application Number:	EPF/1229/13
Site Name:	Sons Nursery, Hamlet Hill Roydon, CM19 5JZ
Scale of Plot:	1/2500

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/1312/13
<b>SITE ADDRESS:</b>	Sedge Gate Nursery Sedge Green Nazeing Waltham Abbey Essex EN9 2PA
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Lower Nazeing
<b>APPLICANT:</b>	Mr Pasquale Milazzo
<b>DESCRIPTION OF PROPOSAL:</b>	Use of land to park vehicles from units on to Sedegate Nursery from Leaside Nursery.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=550877](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=550877)

**CONDITIONS**

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawing no. REF 001.
- 2 The premises shall be used solely for B8 and for no other purpose (including any other purpose in Class B of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.
- 3 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 8, Class A shall be undertaken without the prior written permission of the Local Planning Authority.
- 4 The uses hereby permitted shall not be open to customers/staff outside the hours of 08:00 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturday, and shall be open at no time on Sundays and Bank/Public Holidays.
- 5 No outdoor storage or external lighting shall take place on site without prior written approval from the Local Planning Authority.
- 6 No vehicles of a weight of over 7.5T shall use the site in any circumstances.
- 7 The use hereby permitted shall be for a temporary period of 3 years from the date of this permission.

*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:**

Sedgigate Nursery is located on the western side of Sedge Green and accessed by a narrow track to the north of Sedge Gate House. The site is within the Metropolitan Green Belt, is a site designated for glasshouse use and is within the Lea Valley Regional Park. The site also falls within an Environment Agency Floodzone 2.

The previous nursery site has been divided into two, with the front (eastern) parcel currently being used unlawfully as a Gypsy Site and the rear (western) parcel being incorporated into the adjacent Leaside Nursery. To the rear of the nursery is a permanent gypsy site and there are residential dwellings towards the front. To the north of the site are largely commercial sites, and to the south is the neighbouring Leaside Nursery that recently obtained a three year temporary consent for B8 Storage use within two former packing sheds. There are extant enforcement notices on the application site relating to various commercial uses, however the lawful use of the site continues to be horticulture (agriculture).

### **Description of Proposal:**

Retrospective consent is being sought for the change of use of the land from agricultural use to park vehicles in connection with the temporary B8 (Storage and Distribution) use on the adjacent Leaside Nursery. The development would also allow for the access road into Sedgigate Nursery to be used for the combined site, along with the existing access at Leaside Nursery, thereby creating two access points for the B8 use.

### **Relevant History:**

#### **Leaside Nursery:**

#### **Planning History:**

EPF/1888/05 - Erection of nursery packing shed and storage shed for boxes and crates – refused 31/01/06

EPF/1080/06 - Erection of one agricultural workers dwelling and erection of packing/ storage shed and erection of replacement glasshouses – refused 02/11/06

EPF/0432/07 - Replacement of greenhouse on footprint of existing and new storage and equipment store (including boundary hedge and landscaping) (revised application) – approved/conditions 08/08/07

EPF/1688/08 - Demolition of existing packing shed, plant room and nursery office. Erection of extension to approved glasshouses and erection of facilities building incorporating replacement packing shed and office and staff welfare facilities including canteen, washroom and first aid room – approved/conditions 03/11/08

EPF/2215/09 - Erection of facilities building incorporating replacement packing shed and office and staff welfare facilities, including canteen, washroom and first aid room. (Revised siting of building approved under planning permission EPF/1688/08) – approved/conditions 08/01/10

CLD/EPF/0172/11 - Certificate of lawful development for the stationing of one caravan for use as a nursery office with occasional overnight accommodation in association with the lawful horticultural use of the site – lawful 23/03/11

EPF/0082/12 - Variation of condition 11 of EPF/2215/09. (Erection of facilities building incorporating replacement packing shed and office and staff welfare facilities, including canteen,



washroom and first aid room.) to retain existing buildings until construction of new glasshouses commences – refused 07/03/12

CLD/EPF/0265/12 - Certificate of lawful development for proposed siting of three caravans for seasonal workers – lawful 11/05/12

EPF/1819/12 - Change of use of nursery buildings to class B8 storage use – approved/conditions 10/01/13

#### Enforcement History:

ENF/0134/08 – Development of site as gypsy caravan site – No evidence found of this.

ENF/0507/10 – Unauthorised building erected – Those granted consent under EPF/1688/08 and EPF/2215/09).

ENF/0508/10 – Change of use for oil recycling business – Breach found however ceased as a result of investigations.

ENF/0509/10 – Change of use for car repairs – Breach found however ceased as a result of investigations.

ENF/0510/10 – Stationing of two mobile homes – One caravan lawful (see CLD/EPF/0172/11), other removed as result of investigations.

ENF/0511/10 – Use of packing shed for importation of unauthorised goods – Breach found however ceased as a result of investigations.

ENF/0689/11 – Condition of EPF/2215/09 not discharged – Application invited (EPF/0082/12).

ENF/0697/11 – Unauthorised caravan on site – Caravan considered lawful under CLD/EPF/0172/11.

ENF/0698/11 – Two caravans on site and used for habitation – Only one caravan on site (previously considered lawful under CLD/EPF/0172/11).

ENF/0032/12 – Breach of condition on EPF/2215/09 requiring removal of existing packing sheds – Ongoing as EPF/0082/12 was refused.

ENF/0070/12 – Three more caravans stationed on site – Use lawful (see CLD/EPF/0265/12).

ENF/0170/12 – Unauthorised change of use of agricultural building – Buildings are empty and no apparent breach taking place.

ENF/0524/12 – Buildings at rear being used for non agricultural use – Packing sheds had agricultural items stored in them and no evidence was found of non-agricultural use.

#### Sedgqate Nursery:

##### Planning History:

EPF/0943/95 - Continued use for storage and distribution of plant containers and production, maintenance and storage of interior plant displays – refused 30/01/96 (dismissed on appeal 23/10/96)

EPF/0036/05 - Car park spaces and storage of agricultural vehicles in conjunction with growing use of greenhouses – refused 01/07/05

CLD/EPF/1391/10 - Certificate of lawful development for an existing use for vehicle repairs – not lawful 28/11/11

EPF/0374/11 - Demolition of existing glasshouses, erection of replacement glasshouses, erection of packing shed and storage building – refused 28/04/11

EPF/1283/11 - Demolition of existing glasshouses, erection of replacement glasshouses and erection of packing shed (revision to application EPF/0374/11) – approved/conditions 16/08/11

EPF/2282/12 - Retrospective change of use of premises for the restoration and renovation of motor vehicles for hobby purposes – refused 12/02/13

EPF/1060/13 - Change of use of land for stationing of caravans for occupation by Gypsy/Traveller families with ancillary works (demolish two rows of glasshouses, fencing, portacabin amenity blocks, hardstanding and septic tank). Part Retrospective – refused 24/07/13

##### Enforcement History:

ENF/0015/96 – Change of use from agriculture to plant operations – Notice served  
ENF/0065/98 – Use of land for making & storage of pallets – Enforcement appeal dismissed, notice upheld – 22/06/99  
ENF/0105/06 – HGV's on site, car repairs – Use ceased following refusal of EPF/0036/05  
ENF/0701/06 – Use of land at nursery as depot for scaffolding firm and builders yard. Use of glasshouse for general industrial purposes – ongoing  
ENF/0442/09 – Change of use agricultural to training centre, storage business and interior landscaping business – No breach found

### **Policies Applied:**

CP1 – Achieving sustainable development objectives  
CP2 – Protecting the quality of the rural and built environment  
GB2A – Development in the Green Belt  
GB7A – Conspicuous development  
DBE9 – Loss of amenity  
RP05A – Potential adverse environmental impacts  
E12A – Farm diversification  
E13B – Protection of glasshouse areas  
ST4 – Road safety

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

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

6 neighbours were consulted and a Site Notice was displayed on 25/07/13.

PARISH COUNCIL – Object on grounds that there have been breaches of conditions of previous existing permission granted to the applicant in that vehicles considerably larger than those authorised are being used and operating times have not been complied with.

LVRPA (as stated in EPF/1819/12) – Object as the site is within the Regional Park and the Green Belt. A permanent B8 storage use is not compatible with the statutory remit of the Park as set out in the Lee Valley Regional Park Act 1966 and is not compatible with the Metropolitan Green Belt.

SEDGE GATE HOUSE, SEDGE GREEN – Object due to the noise pollution, traffic concerns, unacceptable vibrations, and as the current site is in breach of its previous planning conditions.

### **Issues and Considerations:**

The main issues to consider are the impact of the proposed change of use on the Metropolitan Green Belt, the Lee Valley Regional Park, the E13 area, and regarding highways and neighbour amenities.

#### **Green Belt Considerations:**

The existing site is an authorised horticultural site; however it has been used for a number of unauthorised works over many years. The site has recently been split with the rear section (subject to this application) being incorporated into the adjacent Leaside Nursery.

Local Plan policies and the National Planning Policy Framework (NPPF) allow for the change of use or adaptation of buildings in the Green Belt. Paragraph 28 of the NPPF promotes the “*sustainable growth and expansion of all types of business and enterprise in rural areas...through conversion of existing buildings*”. Paragraph 90 states that “*certain other forms of development are not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt*” and includes “*the re-use of buildings provided that the buildings are of permanent and substantial construction*”.

Whilst there are no buildings on the site that are proposed for conversion, simply the change of use of the large area of hardstanding, the above is nonetheless still considered broadly relevant to this proposal. A previous three year temporary consent was granted for the change of use of the building on Leaside Nursery for B8 storage purposes. The proposed change of use would allow for vehicles to be parked/stored on this site in connection with this temporary permission. Given that consent was granted on the neighbouring site, albeit for a temporary period and subject to conditions, it is considered that this development would also be considered acceptable subject to the same restrictions.

#### LVRP:

Consent was previously granted for a temporary change of use of Leaside Nursery for B8 purposes. A temporary permission subject to the same time period on this site would cause no greater harm to the LVRP than that already granted consent on the adjacent site, and as permission would only be for a temporary use there would be no long term harm from the proposed development.

#### Impact on designated Greenhouse area:

The application site is located within an E13 area, where the policy states that planning permission should be refused for any development that would:

- (i) *undermine its policy approach of concentrating glasshouses in clusters to minimise damage to visual amenity and loss of the openness of the Green Belt; and/or*
- (ii) *harm the future vitality and/or viability of the Lea Valley glasshouse industry.*

Although the proposed development would introduce non-horticultural uses onto this site, there are currently no glasshouses located on the site and a lawful (temporary) B8 use has been granted for the neighbouring horticultural site. Provided only a temporary permission is granted for the use of this site then there would be no long term harm to the designation of the site for horticultural/glasshouse use.

#### Amenity considerations:

The application site is located in the rear section of Sedgeway Nursery with access to the site via a track adjacent to Sedge Gate House. The front part of Sedgeway Nursery is currently being used as a Gypsy site, however as this is unauthorised, has been refused planning permission, and is subject to Enforcement Action, any harm to the amenities of these residents is given little weight. To the immediate north of the site is a transport yard and to the west is an established and lawful traveller site.

Whilst an objection has been received from the residents of Sedge Gate House regarding the noise and vibrations as a result of the use of this site for the parking of lorries (primarily the use of the access road adjacent to their house), the application site and access road is a long established horticultural site that has previously resulted in nuisance to neighbours (based on the level of complaints received). The area as existing is simply laid to hardstanding and can be used for the parking of horticultural vehicles, and the access road serves this site (and the front part, which is also lawfully horticultural). No alterations are required as part of this development and, whilst the

current intensive use of the site for B8 purposes has resulted in a nuisance to neighbours, it is not considered that this is any greater than the nuisance that would occur if reverted back to horticultural use.

As such, whilst the proposed change of use of the site would result in some increase in traffic, this would not be a significant intensification over and above the lawful horticultural use of the site if brought back into full working order. Furthermore, the use of this site should only be granted temporary consent in line with the existing B8 use at Leaside Nursery, and therefore any long term impacts can be monitored and no further consent granted if the harm is considered to be unacceptable.

Highways:

The proposed change of use would only result in a relatively low level of additional traffic movements over and above the lawful horticultural use of the site. Both the access into the application site and that into Leaside Nursery are relatively poor, however these are existing access points that serve horticultural nursery sites that would not significantly change through this development.

Other matters:

Objections and complaints have been received that the current B8 use at Leaside Nursery is not complying with the previously imposed planning conditions regarding the size of vehicles to be used and the hours of operation. These complaints are currently being investigated by Planning Enforcement and action will be taken if a breach of condition is taking place. However this potential breach of condition on the neighbouring site would not be a material planning consideration on this application.

**Conclusion:**

The proposed use of this land, when considered against local and national policy which makes provision for agricultural diversification and supporting business reuse, is deemed appropriate for a temporary period in line with that approved at Leaside Nursery. As such, subject to conditions, it is considered that the application complies with the relevant Local Plan policies and the guidance set out within the NPPF and it is therefore recommended for approval.

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

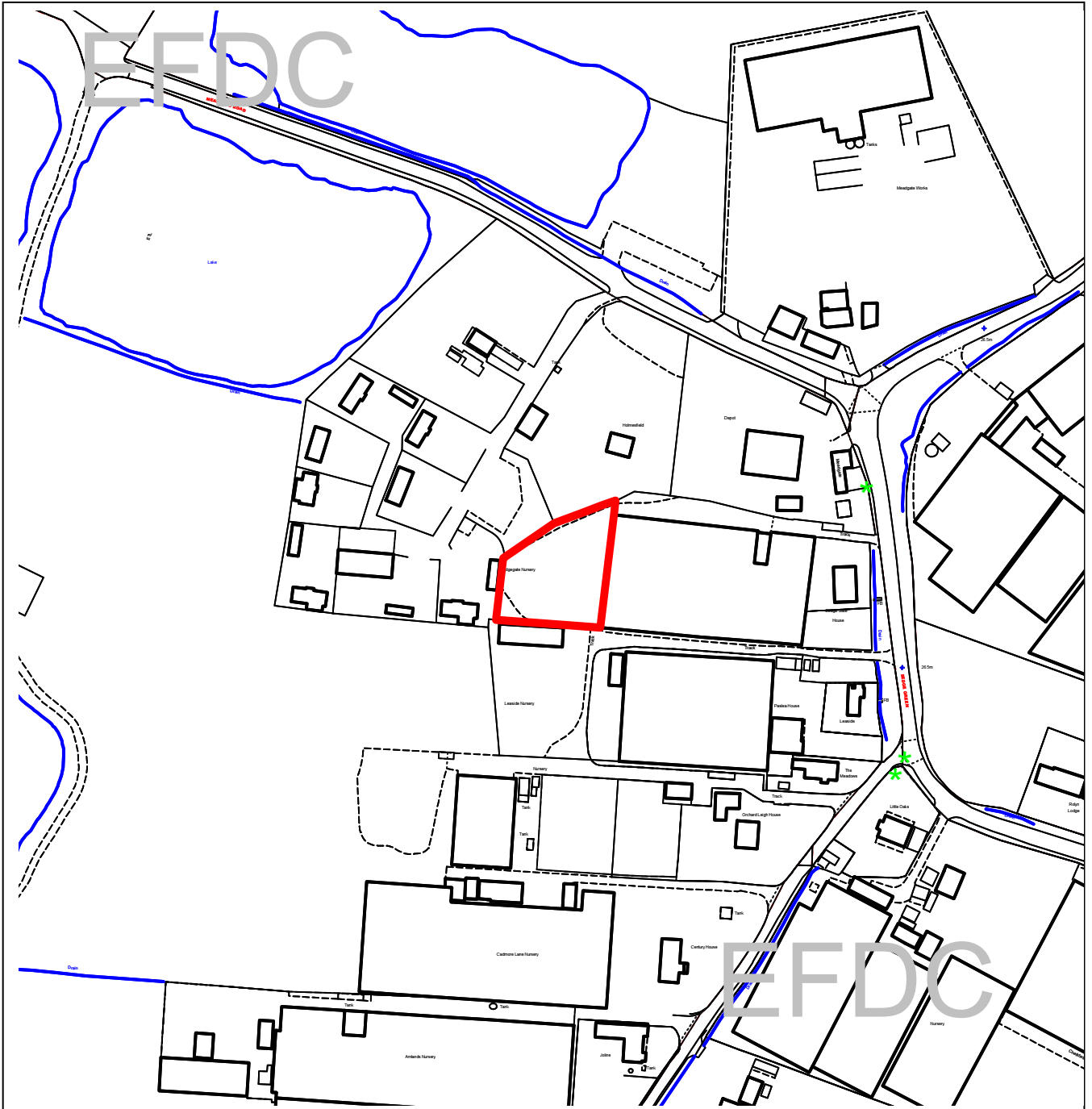
***Planning Application Case Officer: Graham Courtney  
Direct Line Telephone Number: 01992 564228***

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



# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	2
Application Number:	EPF/1312/13
Site Name:	Sedge Gate Nursery, Sedge Green Nazeing, EN9 2PA
Scale of Plot:	1/2500

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/1425/13
<b>SITE ADDRESS:</b>	7 Patmore Road Waltham Abbey Essex EN9 3BN
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey Honey Lane
<b>APPLICANT:</b>	Mrs Amanda Wright
<b>DESCRIPTION OF PROPOSAL:</b>	Extension of existing dwelling to create assisted living facility
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=551471](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=551471)

**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: 01 Rev: A, 02, 03 Rev: A, 04 Rev: A, 05 Rev: A, 06
- 3 Materials to be used for the external finishes of the proposed development shall match those specified within the submitted application form, unless otherwise agreed in writing by the Local Planning Authority.
- 4 Prior to first occupation of the development hereby approved, the proposed window openings in the first floor flank elevations shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 5 The proposed carers office shall only be used as an ancillary office in connection with the property and shall not be occupied as a unit separately from the property known as 7 Patmore Road, Waltham Abbey.
- 6 No construction works above ground level shall take place on the ramp hereby approved until details of the works have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such approved details.
- 7 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (or of any equivalent provision in any Statutory Instrument revoking or re-enacting that Order), the garage shall be retained so that it is capable of allowing the parking of a car together with any ancillary storage in connection with the use of the site, and shall at no time be converted into a room or used for any other purpose.

- 8 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.

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

### **Description of Site:**

Detached bungalow located on the eastern side of Patmore Road, Waltham Abbey. The bungalow benefits from numerous single storey rear extensions.

Adjacent to the site to the northeast are the back gardens of properties of Honey Lane. The site slopes downwards towards the northeast resulting in the application site sitting on slightly higher land than these properties. To the southwest are two storey semi-detached and terraced properties, with a pair of semi-detached two storey dwellings on the opposite side of the road to the west. The application site is the only bungalow within the immediate locality.

### **Description of Proposal:**

Consent is being sought for a single storey rear extension and first floor extension to create an assisted living facility. The proposed rear extension would be 2.7m deep and 4.85m wide with a flat roof to a height of 2.75m. This would replace the existing single storey rear addition. The proposed first floor extension would primarily replace the existing roof of the bungalow to create a full two storey dwelling. This would measure 7.7m in depth and 8m in width with a 3.15m by 4.55m rear projection on the northern half to the rear. The new main roof would be dual pitched with a ridge height of 7.6m and the first floor rear projection would have a hip ended pitched roof with a ridge height of 6.5m.

The development also proposes the partial conversion of the detached double garage to the rear of the site to a carer's office with one parking space retained, and the installation of a new ramped approach to the front of the site, to allow for disabled access.

### **Relevant History:**

WHX/0212/71 - Extension to existing garage – approved 17/08/71  
EPF/0205/07 - Single storey rear extension – approved/conditions 28/02/07  
EPF/1497/12 - Single storey rear addition – approved/conditions 02/10/12  
EPF/0790/13 - Single storey rear extension and erection of new first floor over the existing C2 class bungalow to create additional supported living accommodation – withdrawn 18/06/13

### **Policies Applied:**

CP1 – Achieving sustainable development objectives  
CP2 – Protecting the quality of the rural and built environment  
DBE1 – Design of new buildings

DBE2 – Effect on neighbouring properties  
DBE9 – Loss of amenity  
DBE10 – Residential extensions  
ST4 – Highway safety  
ST6 – Vehicle parking

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

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

29 neighbours were consulted. No Site Notice was required.

TOWN COUNCIL – Object. Concerns were again raised with regard to this application. It appears that there is no change of use being applied for, but it is understood that this property may be used as a business. This in turn raised questions over the covenant on the use of the property and its status as a multi occupancy dwelling. The Committee raised concerns regarding the overdevelopment of the site resulting in a loss of amenity for neighbouring properties; exacerbating drainage issues already evident; pressure would also be increased on parking availability currently being experienced, adding to concerns over pedestrian and highway safety.

5 PATMORE ROAD – Object to the insufficient parking provision, the overbearing impact from the extended property, and due to drainage concerns.

6 PATMORE ROAD – Object due to overshadowing, as it is out of keeping with the street, the terracing effect, insufficient parking, highway concerns, and due to drainage concerns.

1 RUSKIN AVENUE – Object due to the impact on parking.

2 RUSKIN AVENUE – Object due to the increase to on-street parking.

5 RUSKIN AVENUE – Object as this is a residential area and not appropriate for commercial use, the infrastructure of the area does not cope already with the demands placed upon the services (i.e. sewage, water, etc.), and due to the impact on on-street parking.

24 RUSKIN AVENUE – Object as this is inappropriate on this site and would lead to an increase in traffic and on-street parking.

29 RUSKIN AVENUE – Object due to parking concerns.

37 RUSKIN AVENUE – Object as this will effect parking and due to concerns regarding foundations and removal of asbestos.

78 HONEY LANE – Object due to overlooking and a loss of privacy, loss of light, increased traffic and parking, and as the commercial use would be detrimental to the surrounding area.

80 HONEY LANE – Object due to overlooking, loss of light, inadequate parking provision, impact on sewage system, highway safety concerns, and as this would constitute overdevelopment.

82 HONEY LANE – Object due to structural concerns, concerns about the sewage system, inadequate parking provision, and the impact construction works would have on the rear access.



84 HONEY LANE – Object due to the potential damage and restrictive access to the rear access during construction, the impact on parking in the area, and as the site and building is unsuitable for the proposed use.

92 HONEY LANE – Object due to parking problems.

9 TENNYSON AVENUE – Object on the grounds of parking.

10 TENNYSON AVENUE – Object due to parking concerns.

20 TENNYSON AVENUE – Object due to the impact on the street scene, overdevelopment of the site, impact on drainage, overlooking of neighbours, parking concerns, the introduction of business use to this area, and due to the impact that would occur during construction.

### **Issues and Considerations:**

The main considerations are the impact on the neighbour's amenities, the design and impact on the area, and with regards to the parking provision.

Whilst the development is proposed in order for the property to be used as an assisted living facility, this does not require a change of use. Use Class C3 (dwellinghouses) includes the following use:

**C3(b): up to six people living together as a single household and receiving care e.g. supported housing scheme such as those for people with learning disabilities or mental health problems.**

As the property would only cater for five residents (four assisted living residents plus one carer) who would share essential facilities (the kitchen), the proposed use would continue to constitute a C3 use. Furthermore the dwelling was previously used as an assisted living facility, albeit for just two residents (plus carers).

### **Neighbours amenities:**

The application site is currently the only bungalow within the immediate locality, with the adjacent neighbours all consisting of two storey semi-detached or terrace properties. The proposed first floor extension would raise the overall height from 4.6m to 7.6m and would result in the property becoming a full two storey dwelling with an, albeit shallow, pitched roof. There are no side windows within the flank wall of No. 6 Patmore Road, although they do benefit from a small single storey side extension built to the shared boundary.

Although the proposed extensions would raise the overall height of the building by 3m and would increase the bulk of the dwelling, this would result in the application dwelling being similar to that of the immediate neighbour and the other properties within Patmore Road. On the southern half (adjacent to the shared boundary with No. 6 Patmore Road) the proposed first floor addition would extend just 1.5m beyond the rear wall of this neighbour, however it would be set in from the boundary by 1m and sit to the north east of No. 6. As such, even with the new first floor addition, there would be no loss of sunlight and very little impact on daylight to this neighbour. The additional first floor rear projection would be 4.4m from the shared boundary and therefore would have no detrimental impact on this neighbour.

With regards to the impact on the properties to the northeast, these houses (No. 78a – 84 Honey Lane – including the newly built pair of flats on the corner with Patmore Road) back onto the site and benefit from rear gardens with an average depth of approximately 16m. Whilst the application site does sit on slightly higher land to these neighbouring houses, it is considered that the length of

the neighbour's gardens plus the 800m set back of the application dwelling from the shared boundaries would be sufficient to ensure that the visual impact would not be unduly detrimental to these neighbours. Other examples of such situations are evident elsewhere in the surrounding area.

Whilst the increased height and bulk of the house would have some additional impact on loss of light to the neighbours' gardens to the northeast, it would only effect the very ends of these gardens and furthermore, a large part of the effected area is currently covered by a neighbours detached garage. Therefore, it is not considered that there would be any undue harm to the neighbours' amenities due to a loss of light.

Objections have been received from No's. 78 and 80 Honey Lane in part due to overlooking concerns, however these two properties would both back onto the newly created first floor flank wall of the application dwelling. This wall would only contain two en suite bathroom windows that would be obscure glazed and would therefore not result in any loss of privacy. Whilst there is a flank window proposed in the ground floor carer's bedroom (along with a large front window), this would be high level and would face onto the flank wall of the neighbours detached garage. As such, this would not result in any overlooking to these properties. An objection regarding overlooking has also been received from the residents of No. 20 Tennyson Avenue, which is located to the rear of the site. As the boundary of this neighbour is located 24m from the closest first floor rear window of the proposed extension, with the neighbouring dwelling itself being 37m distance window to window, there would be no undue loss of privacy to this neighbour. The greatest level of overlooking that would occur would be to No. 82 and 84 Honey Lane, due to their slightly longer gardens which cut into the application site. Whilst the rear first floor window would clearly overlook these neighbouring sites, it would only gain views onto the roofs of these neighbours' outbuildings situated at the rear of their gardens. As such, this would not result in any loss of privacy.

#### Design:

The application site is the only bungalow within the immediate locality with all other properties being two storey dwellings. The proposed first floor extension would have a fairly shallow roof and, as a result, would only result in an overall height of 7.6m (as a comparison, the recently erected flats on the junction of Honey Lane and Patmore Road reached a height of approximately 9m). This would bring the application dwelling more in line with the surrounding properties and would not be out of character with the street scene.

Whilst the application dwelling is wider than the immediate neighbours, it is not considered that the resulting two storey dwelling suffers visually as a result of this. The dwelling would still appear proportionate and in keeping with the area. It is suitably designed in a traditional character and would not be detrimental to the overall appearance of the street scene.

The proposed first floor extension would be stepped in 1m from the shared boundary with No. 6 Patmore Road, which would ensure that there is no terracing effect from the development. Whilst it would only retain 800mm step in from the north eastern boundary of the site this is shared by the rear gardens of properties in Honey Lane and, as such, there is no risk of a terracing effect occurring on this side of the property.

Given the predominance of two storey dwellings in the immediate locality, and the acceptable design of the proposed extensions, it is not considered that this development would be out of keeping with the immediate area or that it would constitute overdevelopment of the site.

The installation of a ramp to the front entrance would allow for disabled access to the front of the dwelling (previously disabled access was gained from the rear), which would be beneficial to the intended users of the site. It is not considered that the proposed ramp would, in principle, be

detrimental to the overall appearance of the street scene, however additional details would need to be approved regarding the finishing of this aspect of the works. This can be dealt with by way of a condition.

#### Parking:

The existing double garage to the rear of the site would be in part converted to a carer's office, with a single parking space retained within one half of it. This would therefore result in there being just one off-street parking space for the entire site. The Essex Vehicle Parking Standards does not specify parking provision for assisted living housing, however it does define a dwellinghouse as "*family houses, or house occupied by up to six residents living together as a single household, including a household where care is provided for residents*". As such, it must be assumed that assisted care housing is subject to the same standards as a normal dwelling, in which case a 2+ bedroom house would require two resident parking spaces plus one visitor space.

This level of car parking provision can be reduced for "*development within an urban area that has good links to sustainable transport*". This site is located within an urban area and does have sustainable transport links in the form of buses, plus essential facilities/amenities are within walking/cycling distance of the site. The recently erected pair of flats on the corner of Honey Lane and Patmore Road was allowed with just two off-street parking spaces despite the Vehicle Parking Standards requiring three residential spaces plus one visitor space. Furthermore, given the nature of the use of the site, it is likely that the residents of the dwelling would not have cars, with the exception of the carer. Whilst visitor space would be beneficial to residents of the property, and neighbours have stated that there are existing parking problems in the area, the surrounding streets are not subject to parking restriction and there are insufficient facilities for overnight visitors to the property. Therefore it is not considered that this under-provision of off-street parking would warrant refusal of the application.

#### Other matters:

Concern has been raised with regards to the potential impact that this development would have on the drainage and water supply of the area and the disruption that would occur during construction. Neither of these issues are material planning considerations as they are dealt with by Building Regulations consent (drainage and water concerns) or they constitute temporary disruption that would not have any long term impact on neighbours or the area (construction works).

Concerns have also been raised about the introduction of a business use within this residential area. As previously stated, the use of the site as an assisted care facility does not constitute a change of use from a dwellinghouse, and therefore the Local Planning Authority has no control over this. Should there be covenants restricting business use of the site, then this is a legal matter that the applicant would need to address.

#### Conclusion:

The proposed extension of the dwelling would result in the existing bungalow becoming a two storey dwelling in line with those within the surrounding area. There would not be any undue loss of amenities to neighbouring residents as a result of the works, nor would this be detrimental to the character and appearance of the street scene. Whilst there is an under-provision of off-street parking, given the intended use of the site it is not considered that this would be unacceptable in this instance. Therefore, the proposal would comply with the relevant Local Plan policies and is recommended for approval.

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

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

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



# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	<b>3</b>
Application Number:	EPF/1425/13
Site Name:	7 Patmore Road, Waltham Abbey EN9 3BN
Scale of Plot:	1/1250

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/1521/13
<b>SITE ADDRESS:</b>	The Green Man Public House Broomstick Hall Road Waltham Abbey Essex EN9 1NH
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey North East
<b>APPLICANT:</b>	Churchill Retirement Living Ltd
<b>DESCRIPTION OF PROPOSAL:</b>	Variation of condition 16 'Parking Area' of planning permission EPF/0339/13. (Redevelopment to form 28 sheltered apartments for the elderly including communal facilities (Category II type accommodation), access, car parking and landscaping)
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=551916](http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=551916)

**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 to40013WA-PL07,120287 and T4013WA-Park01.
- 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 gives 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 The 12 parking spaces shown on drawing number 4013WA-Park01 shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents (staff) and visitors vehicles.
- 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 Saunders 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.

*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 the recommendation conflicts with a previous resolution of a Committee (Pursuant to The Constitution, Part Three: Planning Directorate – Delegation of Council function, Schedule 1, Appendix A.(i))*

### **Description of Site:**

The application site is located on the corner of Broomstick Hall Road and 'The Gladeway' within the built up urban area of Waltham Abbey. The site itself is mainly regular in shape, relatively level and is just over half an acre in size.

The site presently consists of a public house known as 'The Green Man' which is positioned within the south western corner of the site fronting onto Broomstick Hall Road. The building is three stories with accommodation within the roof and is externally finished from facing brickwork. To the rear of the public house is a two storey detached outhouse with a single storey extension. A large hard surface car park and a beer garden are used in association with the use of the site. A medium size timber paling fence is located on the side and rear boundaries of the site.

The subject site is predominately located within a well established residential area that comprises of a wide variety of built forms and styles. Victorian terraces are located along the northern side of Broomstick Hall Road which abuts the eastern boundary of the site. A mixture of semi detached dwellings and detached dwellings along with some terrace style dwellings are located to the north and west of the site. A large three storey flatted development is located south west of the subject site known as Cabbinsbank which fronts onto Farm Hill Road.

The application site is not located within the Metropolitan Green Belt or a Conservation Area and it is not within the setting of any listed buildings. The site falls predominantly within Flood Zones 1 and 2 with a small element of the southern boundary falling within Flood Zone 3.

### **Description of Proposal:**

It should firstly be noted that planning permission was granted subject to conditions and a legal agreement by Council at the Area Plans Sub Committee West on the 12 July 2013 for the redevelopment to form 28 sheltered apartments for the elderly including communal facilities (category two type accommodation), access, car parking and landscaping, ref: EPF/0339/13.

The applicant now seeks planning permission for the variation of condition 16 of the above granted permission. Condition 16 of EPF/0339/13 states:

*Notwithstanding the parking layout shown on the approved plan, 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 (staff) and visitors vehicles.*

The applicant proposes to vary the above condition so that instead of the revised parking layout showing how 15 spaces could be accommodated on the site, it would only show 12.

**Relevant History:**

EPF/1232/76 - Use of land for car park (approved)

EPF/1019/81 - Single storey extension to provide toilet accommodation (approved)

EPF/1143/81 - First floor rear extension for accommodation for landlord over ground floor rear extension to replace kitchen and beer store (approved)

EPF/1710/86 - Outline application for erection of freestanding bedroom blocks (Refused).

EPF/0234/87 - Change of use and alterations of existing stable block to lounge and dining area (approved).

EPF/0003/91 - Installation of internally and externally illuminated advertisement signs (approved)

EPF/0689/96 - Erection of children's play area in present beer garden (approved)

EPF/0339/13 – Redevelopment to form 28 sheltered apartments for the elderly including communal facilities (category two type accommodation), access, car parking and landscaping (approved)

**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
- LL10 Protecting existing landscaping features
- LL11 Landscaping scheme
- ST1 Location of development
- ST2 Accessibility of development
- ST4 Highway safety
- ST6 Vehicle parking
- H1A Housing Provision
- H2A Previously developed land
- H3A Housing density
- H5A Provisions for affordable housing
- H6A Site thresholds for affordable housing
- H7A Levels of affordable housing
- U2A Development in flood risk areas
- U2B Flood risk assessment zones

CF2 Health care facilities  
CF12 Retention of community facilities  
I1A Planning obligations

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

Serious concerns were raised again with regard to the lack of parking facilities on this development and the fact the site can only accommodate two additional parking spaces is still considered to be insufficient. There is substantial pressure on parking at and around this location. Although one photo has been submitted in evidence, it is not felt that this justifies the variation.

### **Neighbours**

17 adjoining property occupiers notified and site notices displayed. One representation was received from the following occupier:

10 THE GLADEWAY, WALTHAM ABBEY – Objects

- The proposed development would result in a loss of privacy into habitable rooms as a result of overlooking.
- Proposed vegetation on the boundaries would overshadow habitable rooms and private garden areas once they fully mature.
- The surrounding highways are already congested with an overflow of vehicles due to the lack of provisions for parking. The proposal would cause even more harm in terms of traffic congestion as very little off street parking has been provided within the site.

### **Issues and Considerations:**

The main issue to be addressed is whether it is appropriate for condition 16 of EPF/0339/13 to be varied so that only 12 off street parking space are provided on site rather than the required 15 as highlighted within the condition.

It should be firstly be pointed out that the original planning application proposed 10 off street parking spaces at the end of the driveway within the northern rear corner of the site.

When the original application was being determined at the Area Plans Sub-Committee Meeting, concerns were raised by the Members regarding the lack of off street parking. It was considered that 10 vehicle spaces were inappropriate to meet the needs of 28 sheltered apartments. As such it was considered at the time, if only 10 spaces were to be provided, there would be an inappropriate overspill of parking on surrounding highways that would have lead to traffic congestion and harm upon highway safety.

After substantial discussions between Members, officers and the applicant's agent, it was agreed at the Sub-Committee Meeting to attach a condition to the planning permission that a revised parking layout be provided prior to any works commencing demonstrating how 15 spaces could be accommodated on the site. Due to the addition of this condition, planning permission was subsequently granted approval.

An independent Parking Review Report undertaken of the site prepared by Mott MacDonald was conducted after planning permission was granted for EPF/0339/13. Specifically the review sought to identify additional room within the site to safely accommodate additional spaces in response to Condition 16 of EPF/0339/13.

The review concluded that there was only the opportunity to provide an additional two spaces within the site bringing the total number of off street parking spaces to 12. It was not feasible to obtain 15 spaces on site for the following reasons:

- There is a significant level change within the site, and changes to landscaping are not possible in the area of the owners lounge;
- Additional parking is not feasible where the amenity of residents may be affected due to noise and light impacts;
- The compact nature of the site means that no further spaces could safely be accommodated within the development site.

In addition to the above Parking Review Report, it should be reminded that the applicant's transport statement shows that parking occupancy rates at similar developments is akin to the level of parking provision proposed.

The application showing the revised parking layout was referred to County Council highways officer who stated that the amount of off street parking was adequate and as the quantity is based on the applicant's own findings of how their established sites work, there would be no reason to doubt this.

As previously, it is once again officer's opinion that the site enjoys a good location in terms of access to a range of services and public transport, and that the standard can be reduced in relation to the Adopted Parking Standards. Given the applicant's own findings within the original transport statement, the level of parking is akin to similar developments, and in addition to the findings of the independent Parking Review, officers once again consider that the amount of off street parking on the site is, on balance, acceptable in this location.

It is clearly in the developer's interests to ensure that they provide adequate parking space, and they have provided evidence that this low level is generally sufficient. Members will recall that in the case of other developments of this type submitted in other parts of similar built up areas of Epping Forest District, the applicant's demonstration of parking level and need have convinced the Planning Inspector at appeal.

As such officers recommend that the Condition 16 now states:

*The 12 parking spaces shown on drawing number 4013WA-Park01 shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents (staff) and visitors vehicles.*

*Reason:- In the interests of highway safety.*

**Conclusion:**

The proposal, on balance is considered to be appropriate by officers in that the variation of the condition would not result in an excessive impact upon highway safety. The proposal is in accordance with the policies contained within the Adopted Local Plan and Alterations and the National Planning Policy Framework. The development is therefore recommended to be approved subject to the suggested conditions that formed part of the original planning permission and would

include the variation to condition 16. In addition a deed of variation to link the existing legal agreement to the new planning consent with regard to a financial contribution for the provision of affordable housing would be required.

***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:***

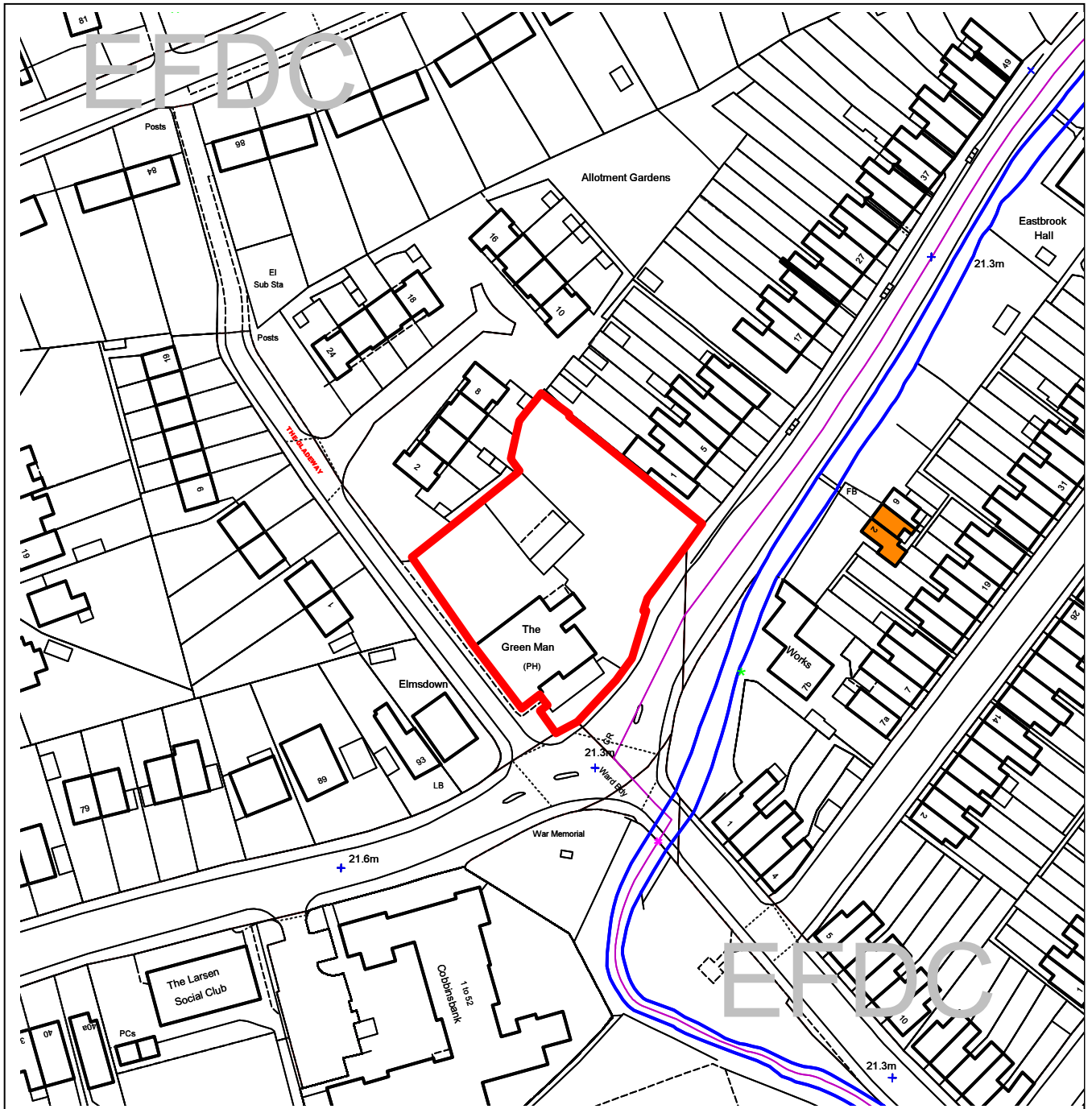
***Planning Application Case Officer: Lindsay Trevillian  
Direct Line Telephone Number: 01992 564 337***

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



# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	<b>4</b>
Application Number:	EPF/1521/13
Site Name:	The Green Man Public House, Broomstick Hall Road, Waltham Abbey, EN9 1NH
Scale of Plot:	1/1250

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/1540/13
<b>SITE ADDRESS:</b>	Waverley 8 Pump Lane Epping Green Epping Upland Essex CM16 6PP
<b>PARISH:</b>	Epping Upland
<b>WARD:</b>	
<b>APPLICANT:</b>	Mr N Crooks
<b>DESCRIPTION OF PROPOSAL:</b>	First floor rear/side extension over existing ground floor extensions.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=551975](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=551975)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.

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

**Description of site:**

The application site is a detached two storey dwelling located on the corner of Pump Lane, Epping Green facing onto the B181. The existing dwelling has been previously extended and benefits from a detached garage with access from Pump Lane. The site is located within the village of Epping Green, outside of the Metropolitan Green Belt.

**Description of proposal:**

Consent is being sought for a first floor rear/side extension over the existing ground floor extensions. The proposed rear extension would be 2.5m deep and 9.7m wide. The proposed side extension would be 2.3m deep and 2.8m wide. Both extensions would continue the existing first floor side projection roof to a maximum height of 6.7m. This application is one of two options put forward, the other being assessed under EPF/1541/13.



### **Relevant History:**

EPO/0055/56 - Proposed dwelling – approved 06/03/56  
EPO/0403/71 - Details of extension – approved/conditions 13/07/71  
EPF/1402/77 - Car port and porch – approved 03/01/78  
EPF/0282/90 - Rear extension and front porch – approved 30/03/90  
EPF/0717/99 - Formation of tiled pitched roof over existing side extensions – approved/conditions 18/06/99  
EPF/1541/13 - First floor rear extension over existing ground floor extension – currently under consideration

### **Policies Applied:**

CP2 – Protecting the Quality of the Rural and Built Environment  
DBE9 - Impact on amenity  
DBE10 - Extensions to dwellings

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:**

6 neighbouring residents were consulted. No Site Notice was required.

PARISH COUNCIL – Object:

- Overdevelopment of property.
- Would block light from neighbouring property.
- Would over dominate surrounding properties and would make too big an impact in view of the size of the plot.
- Concern that would appear to be going further into the roof area which appears already to have habitable space.
- Concern that nothing has been mentioned about the roof space which has velux windows.
- Insufficient information in relation to the roof i.e. no second floor plan.

1 PUMP LANE – Object due to a loss of light, as further extensions would overwhelm both No's. 1 and 2 Pump Lane, and as the building would appear bulky, overbearing and out of scale with their property.

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

The main issues to be considered in this case are the impact of the proposal on the neighbouring properties and with regards to the design.

#### **Amenity:**

The proposed first floor development would be built atop the existing ground floor additions. The adjacent neighbour, known as Uplands, benefits from a single storey rear addition that extends beyond that of the application dwelling, however the first floor rear wall of this neighbour is in line with the existing first floor rear wall of the application dwelling. As such, the proposed first floor extension would extend 2.5m beyond this. Although this neighbour is slightly angled towards the application site there is some 2.7m between the two dwelling and the closest neighbouring rear

window is located some 5.6m from the flank wall of the proposed rear extension. As such, the proposed rear extension would fall well short of a 45 degree angle to the closest window and would not be unduly detrimental to the outlook of this neighbour. Furthermore, being located to the north east of the neighbouring property, the proposed extension would have very little impact on the light levels received by these neighbouring residents.

The neighbours to the east are No's. 1 and 2 Pump Hill, which are located some 10m from the proposed extensions and divided from the application site by Pump Lane. Given this distance and the relationship between the application site and these neighbouring properties, it is not considered that the proposed extensions would have an undue impact on the amenities of these neighbours. There are no flank windows proposed in this development, and therefore no overlooking would occur to these neighbouring residents.

#### Design:

Whilst the application dwelling has been previously extended, it is not considered that the property (as existing or as a result of the proposed extension) would be out of character with the surrounding properties. The proposed extensions would be designed to complement the existing dwelling and would not be detrimental to the character and appearance of the street scene.

Whilst the first floor side extension would be within 1m of the side boundary, this would be in line with the existing two storey side addition on the property and as such would not have any greater impact on the nature of the site than the existing situation. The terracing effect on this side of the property is not a concern, as the site is adjacent to Pump Lane, and furthermore any harm from enclosing this corner has already been done by the existing side addition. The proposed side extension would be stepped back from the front of the property by 1m, which would ensure that the side additions remain subservient in appearance.

#### Other considerations:

The Parish Council have raised concerns about the current, and potential, use of the roof space as habitable room and the lack of detail regarding this. The existing roof area is served by a single small rooflight, which is not unusual to serve a non-habitable storage area. Notwithstanding this however, planning permission would not be required to utilise the roof space and to install rooflights (or even dormer windows subject to their size) and the use of this roof has no bearing on the proposed first floor additions.

#### Conclusion:

The proposed extensions would be reasonable additions that would not be harmful to the amenities of neighbouring residents or detrimental to the character and appearance of the street scene. As such, the proposed development complies with the relevant Local Plan policies and is therefore recommended for approval.

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

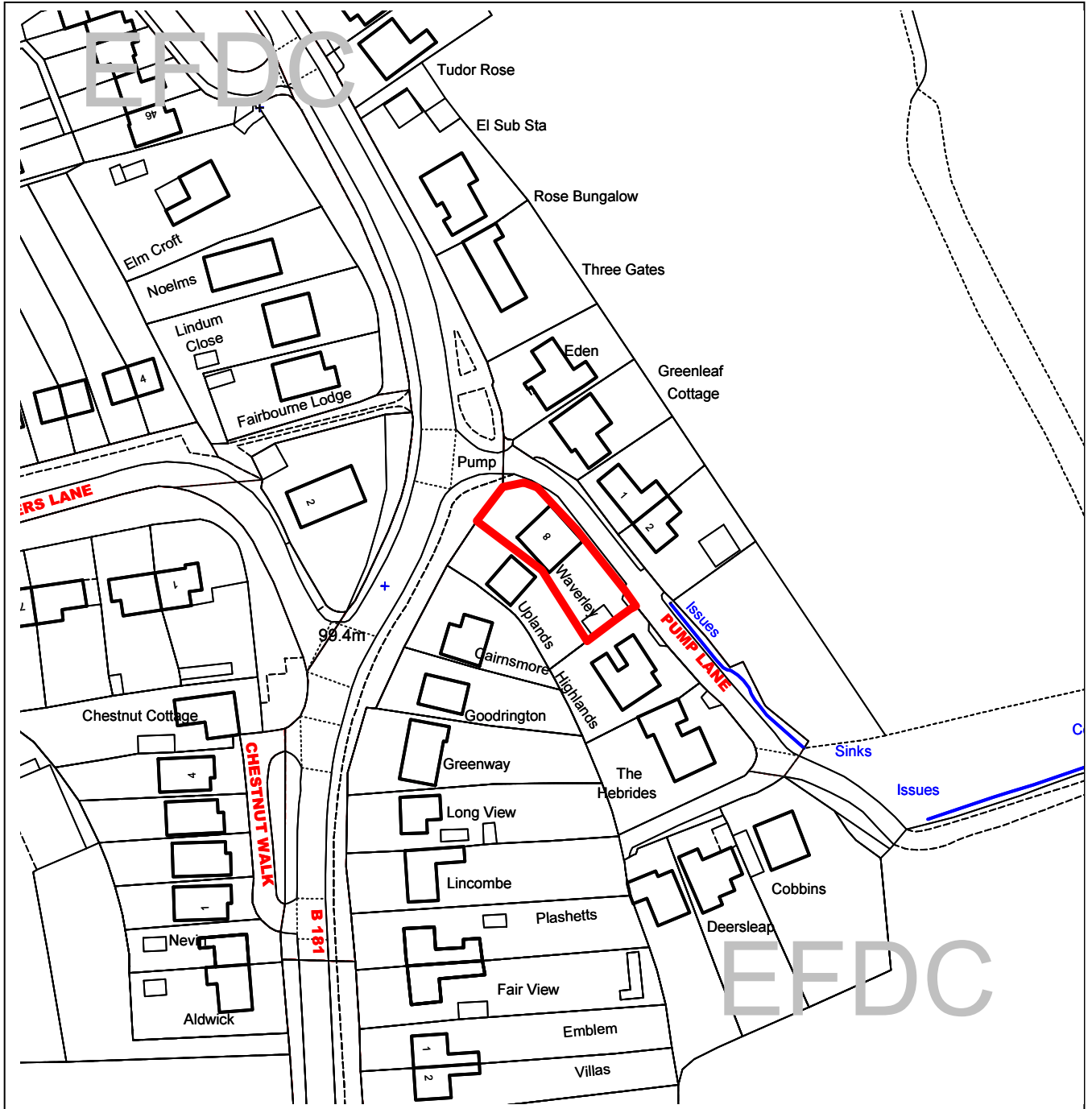
***Planning Application Case Officer: Graham Courtney  
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***or if no direct contact can be made please email: [contactplanning@eppingforestdc.gov.uk](mailto:contactplanning@eppingforestdc.gov.uk)***



# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	<b>5 &amp; 6</b>
Application Number:	EPF/1540/13 & EPF/1541/13
Site Name:	Waverley, 8 Pump Lane Epping Green, CM16 6PP
Scale of Plot:	1/1250

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/1541/13
<b>SITE ADDRESS:</b>	Waverley 8 Pump Lane Epping Green Epping Upland Essex CM16 6PP
<b>PARISH:</b>	Epping Upland
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>APPLICANT:</b>	Mr N Crooks
<b>DESCRIPTION OF PROPOSAL:</b>	First floor rear extension over existing ground floor extension.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=551976](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=551976)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development, shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.

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

**Description of site:**

The application site is a detached two storey dwelling located on the corner of Pump Lane, Epping Green facing onto the B181. The existing dwelling has been previously extended and benefits from a detached garage with access from Pump Lane. The site is located within the village of Epping Green, outside of the Metropolitan Green Belt.

**Description of proposal:**

Consent is being sought for a first floor rear extension over part of the existing ground floor rear extension. The proposal would be 2.5m deep and 6.9m wide and would continue the existing main roof to a maximum height of 7.3m. This application is one of two options put forward, the other being assessed under EPF/1540/13.

### **Relevant History:**

EPO/0055/56 - Proposed dwelling – approved 06/03/56  
EPO/0403/71 - Details of extension – approved/conditions 13/07/71  
EPF/1402/77 - Car port and porch – approved 03/01/78  
EPF/0282/90 - Rear extension and front porch – approved 30/03/90  
EPF/0717/99 - Formation of tiled pitched roof over existing side extensions – approved/conditions 18/06/99  
EPF/1540/13 - First floor rear/side extension over existing ground floor extension – currently under consideration

### **Policies Applied:**

CP2 – Protecting the Quality of the Rural and Built Environment  
DBE9 - Impact on amenity  
DBE10 - Extensions to dwellings

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:**

6 neighbouring residents were consulted. No Site Notice was required.

PARISH COUNCIL – Object on same grounds as EPF/1540/13 (below), although there would not be such an impact visually, would still be an impact because of the size of the plot.

- Overdevelopment of property.
- Would block light from neighbouring property.
- Would over dominate surrounding properties and would make too big an impact in view of the size of the plot.
- Concern that would appear to be going further into the roof area which appears already to have habitable space.
- Concern that nothing has been mentioned about the roof space which has velux windows.
- Insufficient information in relation to the roof i.e. no second floor plan.

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

The main issues to be considered in this case are the impact of the proposal on the neighbouring properties and with regards to the design.

#### **Amenity:**

The proposed first floor development would be built atop part of the existing ground floor rear addition. The adjacent neighbour, known as Uplands, benefits from a single storey rear addition that extends beyond that of the application dwelling, however the first floor rear wall of this neighbour is in line with the existing first floor rear wall of the application dwelling. As such, the proposed first floor extension would extend 2.5m beyond this. Although this neighbour is slightly angled towards the application site there is some 2.7m between the two dwellings and the closest neighbouring rear window is located some 5.6m from the flank wall of the proposed rear extension. As such, the proposed rear extension would fall well short of a 45 degree angle to the closest window and would not be unduly detrimental to the outlook of this neighbour. Furthermore, being

located to the north east of the neighbouring property, the proposed extension would have very little impact on the light levels received by these neighbouring residents.

Design:

Whilst the application dwelling has been previously extended, it is not considered that the property (as existing or as a result of the proposed extension) would be out of character with the surrounding properties. The proposed extensions would be designed to compliment the existing dwelling and would not be detrimental to the character and appearance of the street scene. Furthermore, as this application solely relates to a rear extension, this would not be visible from the main street scene (along the B181), although it would be visible from Pump Lane.

Other considerations:

The Parish Council have raised concerns about the current, and potential, use of the roof space as habitable room and the lack of detail regarding this. The existing roof area is served by a single small rooflight, which is not unusual to serve a non-habitable storage area. Notwithstanding this however, planning permission would not be required to utilise the roof space and to install rooflights (or even dormer windows subject to their size) and the use of this roof has no bearing on the proposed first floor addition.

**Conclusion:**

The proposed extension would be a reasonable addition that would not be harmful to the amenities of neighbouring residents or detrimental to the character and appearance of the street scene. As such, the proposed development complies with the relevant Local Plan policies and is therefore recommended for approval.

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

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

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

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/1612/13
<b>SITE ADDRESS:</b>	Hailes Farm Low Hill Road Roydon Harlow Essex CM19 5JW
<b>PARISH:</b>	Roydon
<b>WARD:</b>	Roydon
<b>APPLICANT:</b>	Mr M Bowden
<b>DESCRIPTION OF PROPOSAL:</b>	Continuation of use of site as bus/coach garage involving change of use.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=552316](http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=552316)

**CONDITIONS**

- 1 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: (11)001, (11)002
- 2 The use hereby approved shall be carried out and run in accordance to the submitted traffic plan, unless otherwise agreed in writing by the Local Planning Authority.
- 3 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 the post and rail fencing, along with 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.
- 4 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 of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.

- 5 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.
- 6 There shall be no outdoor storage, with the exception of the storage and parking of vehicles, within the site.
- 7 All vehicle maintenance and repair must take place within the workshop, and shall not take place within the yard area.
- 8 The parking areas shown on the approved plan shall be retained free of obstruction for the parking of buses, coaches, staff and visitors vehicles.
- 9 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.
- 10 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).)*

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

The application site is a 0.32 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 and the Lee Valley Regional Park.

#### **Description of Proposal**

Resubmitted retrospective application 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, and the erection of a post and rail fence along the northern boundary to protect against encroachment of the site.

#### **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)  
EPF/0711/13 - Retrospective application for the change of use from B8 (Storage and Distribution) to Sui Generis Use as a bus/coach garage – refused 10/07/13

**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  
RST24 – Design and location of development in the LVRP  
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:**

6 neighbouring properties were consulted and a Site Notice was displayed on 16/08/13.

PARISH COUNCIL – OBJECT to the above application. The applicant has stated that this is the most suitable site in the locality for its business from both a location and financial perspective. This viewpoint alone does not make it suitable from a planning perspective and the company's need to be in the Parish of Roydon is not evidenced by the contracts it has.

Many of the objections submitted in respect of the previous application still apply.

- 1) The proposed (retrospective) use of the site would cause inconvenience to the neighbours by way of noise and disturbance. Vehicles (diesel and noisy) have been seen entering and leaving the site outside of what could be considered as reasonable hours. It should be noted that no operational hours are stated on the planning application and the supporting documentation is vague as far as these hours are concerned.
- 2) The access onto and off the site is too narrow for these long base vehicles and damage is being caused to verges and the boundary fences of neighbours. Ditches have been filled in to try and accommodate the movements of these vehicles and this will lead to flooding. Earlier uses of the site were mainly by smaller, more manoeuvrable vehicles.

- 3) The site is too small to accommodate 31 coaches; the application states that there are 31 coach spaces and 20 car spaces but the supporting information states that cars will be parked in the vacating coach spaces. Heavy earth moving plant has been seen on site since the last application and appears to be extending the site into MGB.
- 4) Company vehicles have been seen using Low Hill Road despite the applicant stating that this road will not be used. Additionally the impact of coach movements and HGV's (from UK Salads) is making it difficult for residents to negotiate Netherhall Road. The lack of suitable Highway infrastructure needs to be considered when planning applications are studied.

LVRPA – No objection subject to approval of landscaping scheme to include planting of the eastern boundary as shown on the submitted plans, along with additional planting to the north and retention of the trees to the south.

THE ROYDON SOCIETY – Object due to unacceptable harm to neighbours amenities, inadequate access, and as the site is too small to accommodate 31 vehicles. No action has been taken to overcome the previous reasons for refusal. The parking layout is inadequate. The previous use involved shorter vehicles than those now used, and as there are flooding issues with the site. Whilst there is no objection in principal to the use, it is inappropriate for larger/long wheel based vehicles.

WHITE GABLES, LOW HILL ROAD – Object due to the impact on neighbours amenities, the inadequate access, as there are potential flooding issues, and as damage is being done to the existing grass verges in the surrounding area.

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.

1 DOWNE HALL COTTAGE, LOW HILL ROAD – Object due to traffic concerns and the need to widen the Netherhall Road junction/remove the traffic island, and due to the poor maintenance of highway signage and markings.

2 DOWNE HALL COTTAGE, LOW HILL ROAD – Object due to the impact on highway safety, the inadequate access to the site, flooding/drainage concerns, inadequate maintenance of the roads/signage, and due to lorries waiting/parking on the public highway.

### **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. This is a resubmitted application following refusal of EPF/0711/13. The reasons for refusal on the previous application are as follows:

**The retention of the use would cause unacceptable harm to the amenities of neighbouring properties by way of noise, disturbance and odours, contrary to policy DBE9 and RP5A of the Adopted Local Plan and Alterations.**

**Inadequate access onto Glen Faba Road which causes damage to neighbouring properties and verges, contrary to policies ST2 and ST4 of the Adopted Local Plan and Alterations.**

**The site is too small to accommodate 31 coaches which then leads to pressure to encroach on the Green Belt to the north, contrary to policies ST6 and GB2A of the Adopted Local Plan and Alterations.**

In order to be positive and proactive, a possible way forward was discussed at the previous Committee meeting when the last application was refused. As a result of this it was requested that the following information be submitted with any future application:

- Parking layout for the site,
- Traffic plan,
- The additional hardstanding to the rear of the previous application site would need to be included in any future application site.

It was also suggested that the following may make the proposal more suitable:

- Widen the existing access,
- Reduce the number of vehicles proposed on site,
- Ensure that vehicle engines would not be left running close to properties.

This resubmitted application has provided the following additional information:

### **Parking Layout:**

Plan ref: (11)001 has been submitted that shows a parking layout for 31 buses/coaches on the site, which still keeps the central turning area clear to allow for vehicles to enter and leave in forward gear. This is stated as one example of how 31 vehicles can be accommodated on the site, although it is stated that there are several other ways that this number of vehicles could be accommodated on the site.

It is worth noting that there would only be 31 buses/coaches on site on the occasions when no buses or coaches are in use, and it is stated that there are usually no more than 25 vehicles on site at any one time. Although during this time staff/drivers vehicles would be parked on-site. Whilst the submitted example parking layout does not show separate space for staff parking, it is stated that within the Supplementary Planning Statement and the traffic plan that drivers are instructed to park their personal cars in the spaces vacated by the buses/coaches.

The Supplementary Planning Statement also points out that the operators of the site have a Public Service Vehicle Operators Licence (PSVO) for up to 31 buses/coaches. In order to issue a PSVO Licence the Traffic Commissioner must be satisfied that all vehicles can be accommodated within the site, which clearly they are as the licence has been issued.

Given the size of the site (with the rear, previously excluded, section included within the red line) and as the operators have a licence for 31 buses/coaches for the site, it is considered that the example parking layout does show that the site can suitably accommodate the number of buses/coaches intended.

### **Traffic Plan:**

A traffic plan has been included within this resubmitted application. This states the following:

- Maximum of 31 buses/coaches.
- All vehicles to be parked within site. No vehicles to be parked on highway.
- Drivers' cars to be parked in spaces vacated by buses/coaches.
- Turning area indicated on parking layout plan to be kept free of obstruction at all times.
- All vehicles to enter and exit site in forward gear.
- No waiting on highway outside site.
- No bus/coach to use Low Hill Road. All buses/coaches exclusively to use Netherall Road to access/leave site.

- All vehicles to comply with European Air Quality Standards.
- No reverse alarms.
- Engine warm-up time to be minimum required.

This traffic plan would ensure that disruption to neighbouring residents is kept to a minimum (due to the switching off of reversing alarms and restriction on 'engine warm up'), that vehicles are not parked on or left waiting on the public highway, and that the turning area is retained so that vehicles can enter and leave in forward gear (in the interest of highway safety). The implementation of this traffic plan can be secured and enforced by way of a condition.

**Site Plan:**

The submitted Location and Site Plans have incorporated the area of hardstanding excluded from the previous application (which is understood to have been a mistaken inaccuracy on the plan). It is stated within the Supplementary Planning Statement that "*the applicant leases the existing hardstanding area for bus/coach use – he has no right of access to land to the north*" and that any encroachment into this land would not only be enforceable from the Local Planning Authority but legal action could also be taken by the land owner. Furthermore, to offer some additional protection against encroachment, it is now proposed to erect a post and rail timber fence along the northern boundary in order to demarcate the extent of the bus/coach depot use.

**Reasons for refusal:**

In order to address the previous reasons for refusal, the applicants have put forward the following:

**Reason 1 – Neighbours amenities:**

The Supplementary Planning Statement highlights that the previous use of the site was as a lawful haulage depot and previous aerial photographs showed up to 41 HGV's parked on the site. It is stated that the proposed bus/coach depot use is similar in nature to the lawful haulage use and therefore would not significantly increase the impact on neighbouring residents.

Notwithstanding the above, the proposed traffic plan contains matters that would reduce the impact to the neighbour's amenities such as the switching off of reversing alarms, minimum engine warm-up times, and compliance with the European Air Quality Standards.

**Reason 2 – Inadequate access:**

The existing access to the site has been used for the lawful haulage use of the site for several years and is considered adequate for HGV's. However the current use utilises solid body coaches, which have less manoeuvrability than the previous lorries that used the site.

Notwithstanding this, the entrance to the site is of an adequate width to allow for buses and coaches to enter the site, and there is adequate space within the site to allow for vehicles to manoeuvre so that they enter and leave in forward gear. The applicant does not consider that a wider access is required for the site and therefore this has not been altered.

**Reason 3 – Size of the site:**

As previously stated, the application site area has been altered to include the area of hardstanding to the rear of the site, which was previously excluded from the site. This, along with the submitted example parking layout, shows that the site can accommodate 31 buses/coaches. Furthermore, as stated above, the operators of the site have a PSVO Licence for up to 31 buses/coaches, which

means that the Traffic Commissioner is satisfied that this number of vehicles can be accommodated within the site.

The principle of reusing this lawful haulage depot site as a transport depot is not considered to be inappropriate development within the Green Belt. The only Green Belt concern is due to the extent of the use and number of vehicles using the site. However it is considered that, due to the above (primarily the slight enlargement of the application site), the proposed development does not constitute inappropriate development in the Green Belt.

### **Summary:**

Due to the above, it is considered that the resubmitted application and additional information has adequately overcome the previous concerns. Particularly with the inclusion of the traffic plan which can be imposed by way of a planning condition.

### **Other Considerations:**

#### **Highway concerns:**

Concerns have been expressed 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. The submitted traffic plan states that no buses or coaches shall use this road and that all movements must be via Netherhall Road. This road previously served the lawful B8 use on this site, which utilised large articulated lorries, and continues to serve the nearby industrial site and vehicle storage site along with the neighbouring farm and the nearby horticultural nurseries. As such, the existing roads currently serve a relatively high number of vehicle movements, including large scale vehicles, and it is not considered that the change of use of this site from a haulage depot to a transport depot unduly exacerbates this.

There is no proof that damage to highway verges and ditches within the surrounding area are specifically from vehicles using this site, particularly considering the activities taking place on other surrounding sites. Furthermore, these issues would be dealt with through other means such as enforcement by Essex County Council Highways.

#### **Lee Valley Regional Park:**

The application site is located within the Lee Valley Regional Park. As the proposed development would change the use from a haulage depot to a transport depot, there has been no objection raised by the LVRPA. However they do want to see additional landscaping around the boundaries of the site and to ensure existing vegetation is retained.

#### **Land Drainage:**

Concerns have been raised by neighbours with regards to the impact on land drainage, primarily due to damage taking place to highway ditches. The Council's Land Drainage Officers have assessed the application and raise no objection to the works. Should the drainage ditches be damaged or blocked then Land Drainage can investigate and enforce this matter under separate legislation.

#### **Employment:**

Galleon Travel 2009 Ltd currently employs 2 directors, 15 drivers, 3 engineering staff, 2 full time and 1 part time officer 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 resubmitted application has provided the additional information/alterations previously requested. Whilst the number of vehicles using the site has not been reduced, as previously suggested by Members, the application site has now incorporated the rear parcel of land and therefore is larger than the previous application site. Furthermore, the operator of the site has a PSVO Licence for 31 buses/coaches, which is checked and issued by the Traffic Commissioner. The access is not proposed to be widened as suggested by Members, however additional information regarding the use of the site and a traffic plan has been submitted, which would ensure that the impact on the highway and harm to neighbours amenities is kept to a minimum.

Due to the above, it is considered that the resubmitted application has overcome the previous reasons for refusal and therefore, subject to conditions, is considered to comply with the NPPF and the relevant Local Plan policies and is therefore recommended for approval.

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

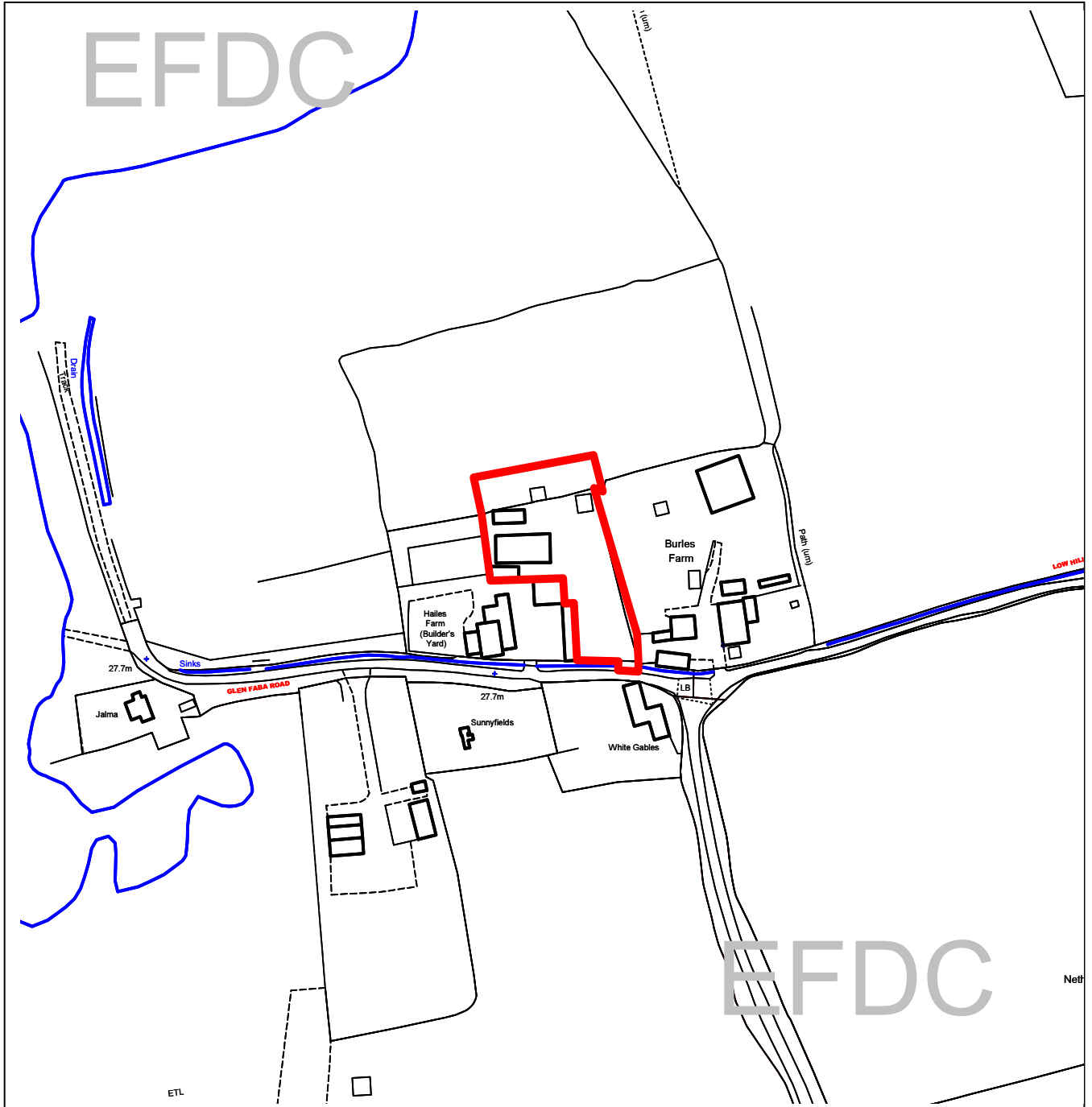
***Planning Application Case Officer: Graham Courtney  
Direct Line Telephone Number: 01992 564228***

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



# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	7
Application Number:	EPF/1612/13
Site Name:	Hailes Farm, Low Hill Road Roydon, CM19 5JW
Scale of Plot:	1/2500

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