

committee agenda



**Epping Forest
District Council**

***District Development Management Committee
Wednesday, 20th April, 2016***

You are invited to attend the next meeting of **District Development Management Committee**, which will be held at:

**Council Chamber, Civic Offices, High Street, Epping
on Wednesday, 20th April, 2016
at 7.30 pm .**

**Glen Chipp
Chief Executive**

**Democratic Services
Officer**

Gary Woodhall
The Directorate of Governance
Tel: 01992 564470
Email: democraticservices@eppingofrestdc.gov.uk

Members:

Councillors B Sandler (Chairman), B Rolfe (Vice-Chairman), A Boyce, H Brady, R Butler, J Hart, R Jennings, S Jones, H Kauffman, J Knapman, Y Knight, A Mitchell, G Mohindra, C C Pond and J M Whitehouse

SUBSTITUTE NOMINATION DEADLINE:

16:00

1. WEBCASTING INTRODUCTION

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

2. The Democratic Services Officer 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 other such use by third parties).

If you are seated in the lower public seating area then 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

then you should move to the upper public gallery.

Could I please also remind Members to activate their microphones before speaking.”

2. ADVICE TO PUBLIC AND SPEAKERS AT COUNCIL PLANNING SUB-COMMITTEES (Pages 5 - 6)

(Director of Governance) General advice to people attending the meeting is attached.

3. APOLOGIES FOR ABSENCE

(Director of Governance) To be announced at the meeting.

4. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23 JULY 2002)

(Director of Governance) To report the appointment of any substitute members for the meeting.

5. DECLARATIONS OF INTEREST

(Director of Governance) To declare interests in any item on the agenda.

6. MINUTES (Pages 7 - 30)

(Director of Governance) To confirm the minutes of the last meeting of the Committee held on 24 February 2016.

7. EPF/3028/15 GUNPOWDER MILL, POWDERMILL LANE/BEAULIEU DRIVE, WALTHAM ABBEY (Pages 31 - 66)

(Director of Governance) To consider the attached report for the use of parts of the site as an outdoor recreation and activity centre for children together with the erection of new buildings to provide: guest accommodation, dining hall and kitchen, pavilion (changing rooms); and the conversion of several listed buildings to provide further guest accommodation and classrooms, together with a new lake for water based activities and the erection of free-standing activity structures (DEV-022-2015/16).

8. EPF/0018/16 GUNPOWDER MILL, POWDERMILL LANE/BEAULIEU DRIVE, WALTHAM ABBEY (Pages 67 - 74)

(Director of Governance) To consider the attached report for Listed Building consent for the conversion and alteration and extension of several listed buildings to provide guest accommodation and classrooms, as part of the redevelopment of the site as a residential centre for outdoor recreation and activity.

9. EPF/0144/16 LAND TO SOUTH-EAST OF FYFIELD ROAD AND NORTH OF ONGAR LEISURE CENTRE, FYFIELD ROAD, ONGAR (Pages 75 - 92)

(Director of Governance) To consider the attached report for the erection of a new School (DEV-024-2015/16).

10. EPF/0241/16 58 YORK HILL, LOUGHTON (Pages 93 - 100)

(Director of Governance) To consider the attached report for the formation of an street

parking area in the front garden with perimeter retaining walls, additional landscaping, and the provision of a 3 metres wide opening on to York Hill (DEV-025 -2015/16).

11. EPF/3142/15 BRIAR HOUSE, 42 CHURCH LANE, LOUGHTON (Pages 101 - 106)

(Director of Governance) To consider the attached report for the erection of a detached single storey outbuilding to the west side of the house, close to the side shared boundary with 40 Church Hill (DEV-026-2015/16).

12. VARIATION TO SECTION 106 AGREEMENT - TOTTENHAM HOTSPUR TRAINING GROUND, LUXBOROUGH LANE, CHIGWELL (Pages 107 - 110)

(Director of Governance) To consider the attached report to permit occupation of part of the enabling development in advance of completion of the school (DEV-027-2015/16).

13. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and 24 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.

14. 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):

<u>Agenda Item</u>	<u>Subject</u>	<u>Paragraph Number</u>
Nil	None	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. A map showing the venue will be attached to the agenda.

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.

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 and 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.eppingforesdc.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'

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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: District Development Management Committee **Date:** 24 February 2016

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 10.05 pm

Members Present: B Rolfe (Vice-Chairman), A Boyce, H Brady, R Butler, J Hart, R Jennings, J Knapman, G Mohindra, C C Pond, J M Whitehouse, K Chana, S Kane, J Philip and D Wixley

Other Councillors: -

Apologies: B Sandler, S Jones, H Kauffman, Y Knight and A Mitchell

Officers Present: S Solon (Principal Planning Officer), J Doe (Senior Planning Officer), G J Woodhall (Senior Democratic Services Officer) and R Perrin (Webcasting Officer)

48. WEBCASTING INTRODUCTION

The Senior Democratic Services Officer reminded everyone present that the meeting would be broadcast live to the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

49. WELCOME AND INTRODUCTION

The Chairman welcomed members of the public to the meeting and outlined the procedures and arrangements adopted by the Council to enable persons to address the Committee, in relation to the determination of applications for planning permission. The Committee noted the advice provided for the public and speakers in attendance at Council Planning Committee meetings.

50. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23 JULY 2002)

The Committee noted the following substitutions for this meeting:

- (i) Cllr Philip for Cllr Jones;
- (ii) Cllr Wixley for Cllr Kauffman;
- (iii) Cllr Chana for Cllr Knight; and
- (iv) Cllr S Kane for Cllr Sandler.

51. ELECTION OF VICE-CHAIRMAN

In the absence of the Chairman, who had tendered his apologies for the meeting, the Vice-Chairman had taken over the Chairmanship of the meeting, and invited

nominations for the role of Vice-Chairman.

Resolved:

(1) That Councillor A Boyce be elected Vice-Chairman for the duration of the meeting.

52. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Member Code of Conduct, Cllr H Brady declared a personal interest in the following item on the agenda, by virtue of being acquainted with the Applicant some years ago. The Councillor had determined that her interest was not pecuniary and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/1891/15 The Paddock, Grove Lane, Chigwell.

(b) Pursuant to the Council's Member Code of Conduct, Cllr J Knapman declared a personal interest in the following item on the agenda, by virtue of having been significantly involved in the process for the determination of this application. The Councillor had determined that his interest was not pecuniary and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/2701/15 Land at Brownings Farmhouse, Gravel Lane, Chigwell.

(c) Pursuant to the Council's Member Code of Conduct, Cllr J Philip declared a personal interest in the following item of the agenda, by virtue of the Applicant being known to him. The Councillor had determined that this interest was not pecuniary and would remain in the meeting for the consideration of the application and voting thereon:

- EPF/3058/15 The Drummonds, Sidney Road, Theydon Bois.

(d) Pursuant to the Council's Officer Code of Conduct, the Principal Planning Officer S Solon declared an interest in the following item on the agenda, by virtue of an objection to the application being raised by a family member. The Officer had determined that his interest was not pecuniary but would still leave the meeting for the consideration of the application and voting thereon:

- EPF/1891/15 The Paddock, Grove Lane, Chigwell.

53. MINUTES

Resolved:

(1) That the minutes of the meeting held on 2 December 2015 be taken as read and signed by the Chairman as a correct record, subject to further clarification of the comments made by Cllr J Whitehouse in respect of minute item 43, EPF/1531/15 Garages Court North of 52 Stewards Green Road, Epping.

54. ORDER OF BUSINESS

As Cllrs C C Pond and R Jennings, both of whom represented wards in Loughton, had tendered their apologies for lateness, due to inclement traffic congestion, it was proposed that the item concerning Pyrles Lane Nursery be deferred until after their arrival.

Resolved:

(1) That agenda item 7 – EPF/2254/15 Pyrles Lane Nursery, Loughton – be

deferred until after the arrival of Cllrs C C Pond and R Jennings.

55. EPF/1891/15 - THE PADDOCK, GROVE LANE, CHIGWELL

The Senior Planning Officer presented a report on the demolition of an existing stables and warehouse, and the erection of eight dwelling houses and associated landscaping at The Paddock, Grove Lane in Chigwell.

The Senior Planning Officer informed the Committee that this application had been considered by Area Planning Sub-Committee South on 3 February 2015, where it was refused in line with the Officer recommendation. Subsequently, four Members of the Sub-Committee stood to refer this application to this Committee for a final decision, under the Minority Reference rules within the Constitution.

The Senior Planning Officer stated that Grove Lane consisted of linear residential development with a Grade II Listed Building at the head of the road next to the application site, with an approximate 10 metre separation. The application site was currently an equestrian stables with low intensity use, and contained a number of low height equestrian buildings, hardstanding and equestrian facilities. The proposal sought permission for the demolition of the existing structures on the site and the erection of eight dwellings, an access road with parking and associated landscaping. The dwellings would form a linear development with the access road to the front and 23 parking spaces on the opposite side of the road. Four of the dwellings would be detached properties with four or five bedrooms, whilst the remaining four dwellings would be semi-detached properties with two bedrooms each. The site was within the metropolitan Green Belt, but it had been declared as previously developed land by a Planning Inspector at an appeal for a previous application at this site, which had been refused at Committee and dismissed at appeal.

Planning Officers had concluded that this revised application had still not overcome the previous reasons for refusal relating to impact on the Green Belt, the character of the area and the setting of the listed building. Consequently, the application was recommended for refusal.

The Committee noted the Summary of Representations received in relation to the application. There had been 16 letters of objection received, all from residents in Grove Lane. There had been three letters of support received, including from the Parish Council, and 1 qualified letter of support with concerns over the access to the open land. The Committee heard from an Objector, the Parish Council and the Applicant's Agent before proceeding to debate the application.

Cllr J Knapman acknowledged the views of the residents, but the nearby Waterworks was considered an industrial landscape, and this site was previously developed land. The section of the development that was previously felt to be affecting the openness of the Green Belt had been revised, and this was one of only two or three brownfield sites in Chigwell suitable for development. The Member feared that this site could be commercially developed or developed without permission when the new Planning Bill became law, and that the Council had an opportunity to control the development on the site with this application.

Other Members who offered support for the application highlighted that the development would be at the end of Grove Lane and would be an enhancement on the current site; the development would add to the openness of the Green Belt through the removal of the outbuildings currently in situ; and permission for the site to be developed needed to be granted now to prevent, potentially, twice as many dwellings being built on the site in the future. Councillor J Philip highlighted that the

Council needed new housing within the District and perhaps could not wait for the Green Belt Review to be completed. There was adequate parking provision being provided as part of the application as well as the transfer of the open land to the south of the application site to the Parish Council. The car movements for 8 dwellings would probably be less than the current equestrian use given that sizeable vehicles were likely to access the stables, and on balance the Member felt that there would be less impact on the immediate area from a development of houses than possible industrial development.

Cllr H Brady felt that the scheme was not sympathetic to the setting and that 8 dwellings should be considered overdevelopment. The Equestrian Centre should not be considered as a brownfield site, and this was not the right scheme for the location. Councillor J M Whitehouse added that such pockets of Green Belt land should be considered as part of the Green Belt Review before being removed from the Green Belt and made available for development. The increase in volume from this development was highlighted and that as the development would be closer to the Listed Building then it would have more of an impact. Other Members also expressed concerns about pre-empting the Review of Green Belt land within the District.

Cllr J Knapman added that possible development sites within Chigwell were being considered as part of the Neighbourhood Plan being developed by the Parish Council, and this application presented an opportunity to obtain control of the site now. The Member proposed that the application should be granted permission, with conditions appertaining to materials to be used, hours of working, wheel washing and landscaping. In addition, a Section 106 agreement should be signed by the Developer to transfer the proposed parcel of land to the Parish Council and make the proposed payment of £50,000 to the Parish Council to maintain the area in perpetuity. A number of standard conditions were also proposed by Members, along with the removal of Permitted Development rights at the site.

A number of Members commented that a list of planning conditions should have been prepared by the Officers to allow for the possibility of the Committee being minded to grant permission for the application.

Cllr C C Pond and Cllr R Jennings abstained from voting on the application, following a ruling by the Chairman, as they had been delayed by traffic congestion and had entered the meeting after consideration of the item had begun.

Resolved:

(1) That planning application EPF/1891/15 at The Paddock, Grove Lane in Chigwell be granted permission, subject to the following 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: FJT_100, FJT_101 Rev A, FJT_200, FJT_201 Rev B, FJT_210 Rev B, FJT_211 Rev A, FJT_212 Rev A, FJT_213 Rev A, FJT_214 Rev A, FJT_220 Rev B, FJT_301 (dated Nov '15) and FJT_302 (dated Nov '15).
3. No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes including doors, windows, guttering, downpipes, soffits and fascias have been submitted to and approved by the Local

Planning Authority, in writing. The development shall be implemented in accordance with such approved details.

4. 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.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Classes A, B or E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
6. No development shall commence until a scheme to enhance the nature conservation interest of the site, to include the incorporation of one bat tube on the south facing wall of each house, 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.
7. 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) for the whole site including the area of land that is to be handed over to the Parish Council 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.
8. No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.

9. No development shall take place until details of the proposed surface materials for the parking and vehicular access have been submitted to and approved in writing by the Local Planning Authority. With the exception of within 6 metres of the highway boundary, for which no unbound material shall be used, the agreed surfacing shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the site. The agreed surface treatment shall be completed prior to the first occupation of the development or within 1 year of the substantial completion of the development hereby approved, whichever occurs first.
10. The carriageway of the vehicular access to the parking provision and the parking provision shall be constructed prior to the commencement of the erection of any dwelling proposed to have access from such a vehicular access. The footway commensurate with the frontage of each dwelling shall be completed prior to occupation of the dwellings they are to serve.
11. Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
12. The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles.
13. Prior to first occupation of the proposed development, the developer shall be responsible for the provision to and implementation of for each dwelling a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.
14. There shall be no discharge of surface water onto the highway.
15. A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
16. 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 in writing 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, ground waters 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]

17. Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters 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]

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

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

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

20. 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.
21. All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
22. No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such agreed details.
23. No bonfire shall be permitted on site throughout the demolition and construction phase of the development.
24. No development shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and access ways and landscaped areas. The development shall be carried out in accordance with those approved details.
25. Prior to commencement of the development the land as shown on approved drawing number FJT_302 "Parish Council Transfer" outlined in and shaded orange shall be permanently transferred to the ownership of Chigwell Parish Council at no cost together with the sum of fifty thousand pounds.

56. EPF/2254/15 PYRLES LANE NURSERY, LOUGHTON

The Principal Planning Officer presented a report for the demolition of the existing Nursery and the erection of up to 36 dwellings, 15 of which would be affordable units, at Pyrles Lane Nursery in Loughton. This was an application for outline planning consent and was before the Committee as it was considered a 'major' application where the Council was the land owner.

The Principal Planning Officer stated that the application site was triangular in shape with a narrow access road onto Pyrles Lane, and was located between Pyrles Lane, Hillyfields and the Hillyfields open space recreation area. The site was approximately 1 hectare in size, and was used by the District Council as a nursery site/grounds maintenance depot with various glasshouses, portacabins and parking areas. Part of the site had been designated for allotment use but this had not happened for some time. There was a footpath adjacent to the site which linked Pyrles Lane and

Hillyfields, but the site was not within the metropolitan Green Belt or a Conservation Area.

The Principal Planning Officer reported that the application was a revised proposal following the refusal of an earlier application in 2013. The application sought permission to demolish the existing nursery and depot site and erect 36 dwellings, a mixture of flats and houses, of which 15 would be affordable units. The application also included associated landscaping, parking and infrastructure. The revisions to the scheme included the provision of a wider access road, a reduction in the amount of accommodation provided, and an increase in parking spaces to 75. The maximum height of the proposed flats was 12.5 metres and 12 metres for the town houses. This was an outline application with all matters reserved, but the highways access had been detailed and the application included a revised Transport Assessment, Ecological report and Drainage report.

The Principal Planning Officer informed the Committee of some revisions to the published planning conditions. Condition 35 should read two years, not three years, for the development to commence from the date of the ecological study. In addition, there was an additional condition (36) to make the existing footpath hard surfaced along the whole length for use by residents.

Planning Officers had concluded that the reasons for refusal for the previous application on the grounds of highway safety and parking provision had been carefully addressed in this application. Consequently, it was recommended that outline planning permission be granted.

The Committee noted the summary of representations received in relation to this application. There had been 49 letters of objection received, including from Loughton Town Council and the Loughton Residents Association. The Highways Authority had no objections on policy or safety grounds to the proposed access road, and the District Council's Building Control section had confirmed that the proposed access road was wider than the minimum recommended for the access of Fire vehicles. A number of different agencies had no objections subject to the provision of standard conditions relating to trees, drainage, contamination, ecology, infrastructure and archaeology. The Committee heard from an Objector before proceeding to debate the application.

Cllr Wixley, who was the ward Member, was aware of the feelings of residents who backed onto this site and was concerned about the impact of this application on neighbouring properties, as 36 new dwellings seemed a high figure. It was also highlighted that the open space belonged to Loughton Town Council and that the Council should discuss further the proposal with the Town Council. Cllr Wixley welcomed the provision of additional parking spaces. Cllr Jennings suggested that the proposed dwellings at the north of the site could be moved a bit further away from the existing houses.

The Principal Planning Officer responded that the plan was indicative and the Committee was not approving the final layout. There appeared to be a 4 metre gap between the nearest new dwelling and existing garden but this issue could be dealt with when the final application was received. The existing footpath was not owned by Loughton Town Council and it was only intended to hard surface the existing pathway.

Cllr Pond was also very concerned about the relative proximity of the proposed flats to the houses in Pyrles Lane, with the possibility of overlooking, and felt that the reserved matters needed to come before the Committee. Cllr Pond also highlighted

that the land had been compulsory purchased in 1948 for use by permanent allotments and small holdings. Some small holdings were still in existence, so the land was allotment land and the Council would need to make an application to the Secretary of State to release this land for development. Allotment land was also protected under the Local Plan, and the Member would oppose this application as contrary to the Local Plan.

The Principal Planning Officer reassured the Committee that Officers did not have delegated powers to determine the reserved matters for this application, so it would be submitted to the Committee for determination. If planning permission was eventually granted for this application then any other necessary consents and permissions would still need to be obtained before any construction work could begin. The Council would have to obtain legal advice regarding whether an application to the Secretary of State was required.

Cllr Philip felt that the reasons for the refusal of the previous application had been dealt with, this development was not within the metropolitan Green Belt and not overly dense, and therefore would support it. Cllr Brady felt that this was a good site to develop as it was a redundant nursery and enclosed on three sides by existing housing, and the proposed blocks of flats were only three storeys in height. There had been no objections from the Highways Authority and the Member would support the application. Cllr Mohindra highlighted that if the land was sold to a developer then it was likely that the Committee would be considering a planning application for more than 36 dwellings.

The Principal Planning Officer confirmed that the layout, scale, appearance and landscaping were all reserved matters, as detailed in the second planning condition. The Officer also clarified that condition 22 dealt with the reinstatement of the parking lay-by to the south of the access to the footpath, and the access road would be sufficiently wide enough for two vehicles to pass each other.

Cllr Pond proposed that the application be refused on the grounds of non-compliance with the Council's Local Plan, seconded by Cllr Wixley, but this proposal was defeated.

Resolved:

(1) That outline planning permission is granted subject to the following conditions:

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

- (c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.
3. The development hereby permitted will be completed strictly in accordance with the approved drawings nos: TS DIAGRAM 3 Rev G, 1035/Additional/1.0 Rev A and a site location plan.
 4. No development shall take place, including works of demolition or site clearance, until an Arboricultural Implication Assessment and Tree Constraint plan, concurrently with the detailed site layout, has been submitted to and approved in writing by the Local Planning Authority. This should be drawn up in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations).
 5. A Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.
 6. No development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. The landscape maintenance plan shall be carried out in accordance with the approved schedule.
 7. 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.
 8. A flood risk assessment and management and maintenance plan shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume

of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.

9. No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented prior to occupation. This should include:
 - limiting discharge rate to the 1 in 1 greenfield rate
 - providing the associated attenuation storage and providing an allowance for climate change and urban creep for the lifetime of the development.
 - Providing treatment in line with the CIRIA SuDS manual (C753).
10. No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and ground water during construction works has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.
11. No works shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.
12. The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with the approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.
13. 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 in writing 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, ground waters 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.]

14. Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters 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.]

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

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

16. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
17. 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.

18. No development or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.
19. All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
20. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 1. the parking of vehicles of site operatives and visitors;
 2. loading and unloading of plant and materials;
 3. storage of plant and materials used in constructing the development;
 4. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 5. measures to control the emission of dust and dirt during construction, including wheel washing;
 6. a scheme for recycling/disposing of waste resulting from demolition and construction works; and
 7. safe access into the site.
21. No bonfires shall be permitted on site throughout the demolition and construction phase of the development.
22. Prior to first occupation of the development the access arrangements and associated highway works, as shown in principle on drawing no. TS Diagram 3 Rev G, shall be implemented with all details being agreed with the Highway Authority, to include, but not limited to, the following:
 - a bellmouth access with minimum radii of 6m;
 - provision of visibility splays clear to ground level of 2.4m x 40m to the north and 2.4m x 38m to the south;
 - provision of pedestrian dropped kerb crossing points across the bellmouth with appropriate tactile paving;
 - the reinstatement of the parking layby to the south of the access to footway, with the possible provision of bollards;
 - provision of parking restrictions around the new bellmouth access to keep the visibility splays clear onto Pyrles Lane; and
 - provision of a minimum carriageway width of 4.3m into the site.
23. Prior to first occupation of the development, the Developer shall be responsible for the provision and implementation, per dwelling, of a

Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one-day travel vouchers for use with the relevant local public transport operator.

24. Prior to first occupation of the development a Size 3 turning head shall be provided within the site and maintained as such in perpetuity.
25. The number of parking spaces and how these are laid out (including dimensions) shall be in accordance with the Parking Standards Design and Good Practice Guide Supplementary Planning Guidance Document September 2009 unless otherwise agreed by the Local Planning Authority. This applies to all vehicular parking spaces including disabled requirements together with cycle parking and facilities for powered two wheelers and garages that are considered as parking spaces.
26. The public's rights and ease of passage over public footpath no.110 Loughton shall be maintained free and unobstructed at all times.
27. No development hereby approved shall take place until measures to enable the provision of education improvements to the local area, necessitated by this development, are secured.
28. The development hereby approved shall not take place until measures to secure the provision of a minimum of 40% of the total number of units to be affordable housing are in place by means of a legal undertaking with the Local Planning Authority to an agreed tenure mix, development mix, form of affordable housing and delivered by one of the Council's Preferred Housing Association partners in accordance with the Required Terms for Affordable Housing attached as informative No. 4 to this decision notice.
29. The development hereby approved shall not be commenced until details of the hard surfacing of footpath number 110, linking Pyrles Lane, Millennium Park and Hillyfields, have been submitted to and approved by the Local Planning Authority. Once approved, these details shall be implemented in full before any of the residential units are first occupied.
30. A water supply to the adjoining site, shown as "Allotment Gardens" on drawing number 2, shall be provided and retained during the period of demolition and construction, and retained permanently thereafter once the development is occupied. Details of this provision shall be submitted to and approved by the Local Planning Authority before any works commence on site.
31. No removal of vegetation shall take place between 1 March and 31 August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to and agreed by the Local Planning Authority.

32. Three of the mature trees located within the survey area were identified with high bat roost potential. Current plans show that these trees will be retained within the development. These trees shall be protected during the development to ensure there are no negative impacts as a result of increased noise, dust and vibration in the vicinity of the trees.
33. A lighting plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. Lighting for the final development and during construction shall be designed to avoid potential impact on bats. No additional lighting should be erected close to or directed towards the retained trees either in the final development or during construction. Guidelines from the Bat Conservation Trust shall be followed.
34. Prior to the removal, the compost heaps and other suitable features that may provide suitable habitat for reptiles shall be searched in the presence of an ecologist at a suitable time of year. Any measures recommended for the protection of reptiles shall be implemented in full.
35. Prior to commencement of development, details of bird and bat boxes shall be submitted to and approved by the Local Planning Authority and implemented in accordance with such agreed details.
36. If the development does not commence within two years from the date of the ecological survey (September 2014), a further Phase 1 ecological survey shall be submitted to the Local Planning Authority for approval. Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the original scheme, amended measures, and a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

57. EPF/2701 - LAND AT BROWNING'S FARMHOUSE, GRAVEL LANE, CHIGWELL

The Principal Planning Officer presented a report for the erection of a two-bedroom dwelling house on land at Brownings Farmhouse, Gravel Lane in Chigwell. This application had been considered at Area Planning Sub-Committee South on 3 February 2016, where planning permission was refused. However, four members of the Sub-Committee stood to refer the application to this Committee under the Minority Reference rules within the Constitution.

The Principal Planning Officer stated that the site contained a two-storey listed Farmhouse with a converted Barn used as a residential annexe to the main building, and was within a rural Green Belt locality. The application was concerned with the eastern section of the site which comprised the garden of the listed Farmhouse building. A Barn was located in this part of the site within significant trees that screened it from view. However, the Barn had been recently demolished without permission, and further unauthorised works had been carried out to erect a building in a similar position. The application submitted was for the extension of the Barn and its re-use as two-bedroom residential accommodation ancillary to the main farmhouse. An inspection of the site by Officers found that the construction process had already begun, which had resulted in the demolition of the Barn, and that the

description of the proposed development was incorrect. Therefore, the description of the application used for this report was the more apt "*erection of a two-bedroom dwelling house*".

The Principal Planning Officer added that the demolished Barn had had a floor area of 56m² whereas the proposed building would have a floor area of 275m² based on the proposal having two floors. It was also highlighted that an application for Listed Building consent was withdrawn before the application was considered by Area Planning Sub-Committee South, and Officers were of the opinion that the Barn was probably not a curtilage Listed Building. It was regrettable that the Barn had been demolished and substantial building work undertaken on the proposed replacement building without planning permission having first been obtained.

Planning Officers had concluded that the proposed development was inappropriate development in the metropolitan Green Belt, as it was substantially larger than the building it would replace and would harm the openness of the Green Belt. The footprint, height and appearance of the proposed building was also of an unacceptable design and would harm the setting of the listed Farmhouse. There had also been inadequate provision made for the retention of existing trees. Therefore, it was recommended that planning permission be refused. The 'Way Forward' for the Applicant would be to either re-instate the previous building on the site or construct a new single-storey building of a similar size to the demolished Barn. In addition, an arboricultural impact assessment for the existing trees on the site should also be undertaken.

The Committee noted the summary of representations received in relation to the application. There had been one letter received from the Parish Council in support of the application. The Committee proceeded to debate the application.

Cllr Knapman expressed concern over the length of time taken to resolve the application, and highlighted the medical condition of the Applicant, who wanted to move from the existing Farmhouse to a new home on the site of the former Barn. The Member felt that Officers were right to halt the construction of the replacement building as it was too large; however, the height of the proposed building had now been reduced to one storey and the footprint would be approximately the same as the previous Barn. Any increase would not exceed 40% of the size of the previous building.

A number of other Members were opposed to the application and supported the Officer's recommendation to refuse planning permission. Reasons cited included that the surrounding area had an open aspect with houses scattered across the landscape within the Green Belt; the proposed development was too large and would be highly visible; the proposal was a replacement as the Barn had already been demolished; the building would eventually become a separate dwelling within the Green Belt; and the proposed development would have a huge impact on the Green Belt and the setting of the Listed Building.

When questioned about the means of access to the proposed new building, the Principal Planning Officer stated that there was an access to an adjacent field next to the building, but no vehicular access had been shown on the drawings. However, this had not been considered as a reason for refusal. It was also highlighted that planning enforcement action at the site had been deferred pending the decision on this planning application, and if the application was refused then the Council would proceed with enforcement action.

The Committee voted to refuse planning permission as per the recommendation of Planning Officers. The Committee felt that there was no way forward for this application as none of the original Barn was intact.

Resolved:

(1) That Planning Application EPF/2701/15 at Land at Brownings Farmhouse, Gravel Lane in Chigwell be refused permission for the following reasons:

1. The proposed building would be materially larger than the building it replaced. It therefore represented inappropriate development which would cause harm to the openness of the Green Belt. The proposal was therefore contrary to the National Planning Policy Framework and contrary to policy and GB2A of the Adopted Local Plan and Alterations, which was consistent with the NPPF.
2. The proposed building, by reason of its size, form and appearance, constituted an excessively large building which also had an untraditional form and design inconsistent with its setting. This size and profile, together with a poor porch design and inappropriate roof slate, would result in a building of poor design that would detract from the appearance and setting of the listed farmhouse on the site as well as the character and appearance of the locality. The proposal was therefore contrary to policies CP2(i), DBE1, DBE4 and HC12 of the Adopted Local Plan and Alterations, and contrary to the National Planning Policy Framework.
3. By reason of its siting within the root protection zone of adjacent trees the proposal was likely to cause significant harm to them that would be likely to adversely impact on the visual amenities of the locality. Such harm was not assessed in any arboricultural impact assessment and, furthermore, no justified mitigation that might be required was proposed. It was therefore concluded the proposal did not make adequate provision for the retention of trees, contrary to Local Plan and Alterations policy LL10, which was consistent with the National Planning Policy Framework.

58. EPF/2197/15 - 15 OAKWOOD HILL INDUSTRIAL ESTATE, OAKWOOD HILL, LOUGHTON

The Principal Planning Officer presented a report for the installation of 2-storey business units, together with associated welfare facilities and parking, at Unit 15 Oakwood Hill Industrial Estate in Loughton. This application was before the Committee as it was considered a Major planning application with the development of commercial floor space in excess of 1000m². The Council owned the freehold of the site.

The Principal Planning Officer reported that the application site was located within the Oakwood Hill Industrial Estate and included the ground floor of unit 15A. The site backed on to the London Underground railway line and was visible from Oakwood Hill as it was directly opposite the entrance road to the estate. The Estate was designated as an employment area and was not within either the metropolitan Green Belt or a Conservation Area.

The Principal Planning Officer stated that the proposal sought permission for the installation of two storey business units – part single-storey and part two-storey café

– which would be formed from shipping containers creating 34 individual business incubator units. The first floor units would be accessed by an external stairway and walkway. The café would also be housed within the shipping containers with one of the containers creating a new undercroft vehicle and link the existing business units 15A and 15B at first floor level. The existing ground floor of unit 15A would serve as a communal area providing toilets, kitchen facilities, board room, waste area and a cycle store. The proposal also included 14 additional car parking spaces within the site.

The Principal Planning Officer informed the Committee Officers had concluded that, although unusual, the proposal would add to the vitality and promotion of a designated employment area and the wider District; there were no amenity issues to consider. There was an existing parking problem in the area, but a number of new parking spaces were proposed and the application was considered acceptable given the sustainable location of the site. Therefore, the application was recommended for approval.

The Committee noted the Summary of Representations. Three objections had been received, predominantly concerned with parking issues in the local area. Loughton Town Council had no objection to the revised application, and the Loughton Residents Association had withdrawn their objection following the undertaking of an additional parking survey during school term time.

Resolved:

(1) That planning application EPF/2197/15 at Unit 15 Oakwood Hill Industrial Estate in Loughton be granted permission, subject to the following 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: 1.01, 1.02, 1.03, 1.04, 1.05, 1.11, 1.12, 1.13, 1.14, 1.21 and 1.22 all dated 11/12/2015
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 by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
4. A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
5. 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 in writing 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, ground waters 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]

6. Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters 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]

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

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

8. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
9. 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.
10. The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground), have been submitted to and approved in writing by the Local Planning Authority which:
 1. provide details on the use of scaffolding or tall plant; and
 2. provide details on the installation of shipping containers.
11. Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.
12. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 1. the parking of vehicles of site operatives and visitors;
 2. loading and unloading of plant and materials;
 3. storage of plant and materials used in constructing the development;
 4. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 5. measures to control the emission of dust and dirt during construction, including wheel washing; and
 6. a scheme for recycling/disposing of waste resulting from demolition and construction works.

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 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
14. There shall be no open storage.

59. EPF/3058/15 - THE DRUMMONDS, SIDNEY ROAD, THEYDON BOIS

The Principal Planning Officer presented a report for the removal of condition 3, garage for storage of motor vehicles, for planning permission EF/1286/91 (two-storey side extension to form 'granny annexe') at The Drummonds, Sidney Road in Theydon Bois. This application was before the Committee because the Applicant was a serving District Councillor.

The Principal Planning Officer reported that the application site consisted of a detached chalet style bungalow, that had previously been extended with a two-storey side extension. The site was located in a cul-de-sac and was surrounded by similar residential properties; there was a Tennis Club at the end of the cul-de-sac. The property had an 'in-out' driveway that was capable of accommodating at least three cars, and was outside the metropolitan Green Belt.

The Principal Planning Officer stated that the two-storey side extension had an integral single garage on the ground floor, and the proposal was to convert the garage to additional habitable space accommodation. The external door of the garage would be replaced with brickwork and a window to match that already existing. Such a proposal would normally be 'permitted development', but condition 3 of the planning permission to build the extension had stated that the garage should be retained for the storage of motor vehicles and not be converted into an additional room. Therefore, the application sought to remove this condition to allow the garage to be converted into a room.

The Principal Planning Officer informed the Committee Planning Officers had concluded that there was sufficient space for vehicles to park in front of the house on the driveway so as not to lead to additional on-street parking. The proposal complied with relevant planning policy and was recommended for approval.

The Committee noted the summary of representations. No comments had been received from the neighbouring properties and the Parish Council had not raised any objection.

Resolved:

(1) That planning application EPF/3058/15 at The Drummonds, Sidney Road in Theydon Bois be granted permission, subject to the following 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 two-storey front bay, unless otherwise agreed in writing by the Local Planning Authority.

60. ANY OTHER BUSINESS

It was noted that there was no other urgent business for consideration by the Committee.

61. EXCLUSION OF PUBLIC AND PRESS

The Committee noted that there was no business to be considered that necessitated the exclusion of the public and press.

CHAIRMAN

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Report to District Development Management Committee



**Epping Forest
District Council**

Report Reference: DEV-022-2015/16

Date of meeting: 20 April 2016

Subject: Planning Application EPF/3028/15 – Gunpowder Mill, Powdermill Lane/Beaulieu Drive, Waltham Abbey – Full planning application for the use of parts of the site as an outdoor recreation and activity centre for children together with the erection of new buildings to provide: guest accommodation, dining hall and kitchen, pavilion (changing rooms); and the conversion of several listed buildings to provide further guest accommodation and classrooms, together with a new lake for water based activities and the erection of free-standing activity structures.

Responsible Officer: Graham Courtney (01992 564228)

Democratic Services: Gary Woodhall (01992 564470)

Recommendation:

That consent is granted subject to the below conditions and the completed legal agreement (Unilateral Undertaking) that ensures:

- 1. That the income from the PGL lease is used for the preservation and enhancement of the whole site (including the SAM/SSSI outside of the application site area), in accordance with the charitable objectives of the Trust.**
- 2. The preparation of a Landscape and Ecological Management Plan (LEMP) and Access Management Plan (AMP) prior to first occupation of the development and**
- 3. The implementation of the LEMP and AMP from first occupation of the development.**

Planning Conditions:

- 1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).**
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings these being those set out in the Drawing Register (Sheets 1 to 4) submitted with the application.
Reason: To ensure the proposal is built in accordance with the approved drawings.**

- 3** 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.
Reason:- To avoid the deposit of material on the public highway in the interests of highway safety, in accordance with the guidance contained within the National Planning Policy Framework and policy ST4 of the adopted Local Plan and Alterations.
- 4** 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 in writing 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]
Reason:- To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with the guidance contained within the National Planning Policy Framework and policy RP4 of the adopted Local Plan and Alterations.
- 5** Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out. A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before commencement of the Phase 2 investigation. The completed Phase 2 investigation report, together with any necessary outline remediation options, shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out. The report shall assess potential risks to present and proposed

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

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

Reason:- To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with the guidance contained within the National Planning Policy Framework and policy RP4 of the adopted Local Plan and Alterations.

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

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

Reason:- To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with the guidance contained within the National Planning Policy Framework and policy RP4 of the adopted Local Plan and Alterations.

- 7 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance

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

Reason:- To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with the guidance contained within the National Planning Policy Framework and policy RP4 of the adopted Local Plan and Alterations.

- 8 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. Reason:- To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with the guidance contained within the National Planning Policy Framework and policy RP4 of the adopted Local Plan and Alterations.
- 9 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority. Reason- In the interests of the amenities of noise sensitive properties, in accordance with the guidance contained within the National Planning Policy Framework and policies RP5A and DBE9 of the adopted Local Plan and Alterations.
- 10 No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented prior to

occupation. The scheme shall include:
Run-off rates restricted to a minimum of 50% betterment on any areas where new developments are proposed on site.
Storage on site for the 1 in 100 inclusive of climate change storm event for any new developments on site.
An appropriate amount of treatment in line with the CIRIA SuDS Manual C753 for any areas where new developments are proposed.
A drainage plan highlighting final exceedance and conveyance routes, discharge rates and outfalls for the whole site.
Reason:- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from site. To ensure the effective operation of SuDS features over the lifetime of the development. To provide mitigation of any environmental harm which may be caused to the local water environment.

- 11 No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.
Reason -The National Planning Policy Framework paragraph 103 states that local planning authorities should ensure flood risk is not increased elsewhere by development. Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.
- 12 No works shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.
Reason-To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.
- 13 The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.
Reason - To ensure that the required maintenance is carried out to ensure mitigation against flood risk.
- 14 Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of

foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community

- 15** **Development shall not be commenced until: a) full details, including anticipated flow rates, and detailed site plans have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water) b) Where this development forms part of a larger development, arrangements have been made to the satisfaction of the Planning Authority (in consultation with Thames Water) for the provision of adequate water supplies for the whole of the development.**
Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.
- 16** **No burning of materials or operation of machinery shall take place on the former burning ground between 1 February and 31 July in any year; unless the heronry area has first been assessed by a competent ornithologist not more than 3 days before the carrying out of the activity in question and this assessment has confirmed that no breeding herons are present.**
Reason: to avoid disturbance of any breeding herons.
- 17** **The burning ground shall be subject to an appropriate level of remediation and restored to appropriate semi-natural grassland and/or scrub habitat(s) within 6 months of the completion of the programme of treatment of the arisings from the demolition of the east flank buildings.**
Reason: to ensure the timely and sympathetic restoration of this area, which is surrounded by the SSSI.
- 18** **No structures are to be erected within 100m of the SSSI; with the exception of structures the height of which is less than that of the adjacent SSSI trees.**
Reason: to minimise disturbance to the SSSI and, in particular, to avoid disturbance of any breeding herons.
- 19** **No conversion/demolition or preliminary groundwork's of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority**
Reason - To ensure proper recording of the heritage asset in accordance with Policy HC1 of the Adopted Local Plan.
- 20** **No development shall have taken place until samples of the types and colours of the external finishes have been submitted**

to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details. 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. Reason:- To ensure a satisfactory appearance in the interests of visual amenity, in accordance with the guidance contained within the National Planning Policy Framework and policies DBE1, HC6 and HC7 of the adopted Local Plan and Alterations.

- 21 No development, including works of demolition, site clearance ,or investigations / remediation in connection with contaminated land , shall take place until a Tree Protection Plan, and Arboricultural Method Statement in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - Recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation. Reason:- :- To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, and to enable full and proper consideration be given to the impact of the proposed development on existing trees / hedges, so as to safeguard and enhance the visual amenities of the area and to ensure a satisfactory appearance to the development in accordance with the guidance contained within the National Planning Policy Framework and policy LL10 of the adopted Local Plan and Alterations.
- 22 Should any health and safety risks associated with the residential occupation of buildings, from either toxic or explosive substances be identified a report detailing the steps taken to remove such risks together with verification from an appropriate expert that these works have satisfactorily been completed and that no appreciable risks remain shall be submitted to the Local Planning Authority, prior to the first occupation of the site. Reason: For the avoidance of doubt and in the interests of health and safety, given the previous use of the site, and in accordance with policy RP5A of the adopted local Plan.
- 24 Should any possible risk of explosives within the soils at the site be identified during works at the site then full details of the remediation steps required to prevent risk, together with verification from an appropriate expert that the remediation required has been carried out in full shall be submitted to the local planning authority prior to the first use of the site. Reason: For the avoidance of doubt and in the interests of health and safety, given the previous uses of the site.
- 25 All ground works, deliveries and/or demolition shall be in accordance with the submitted Construction Management Plan

(CMP). The CMP shall be adhered to throughout the construction period.

Reason: To ensure that on-street parking of these vehicles in the adjoining streets is considered and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety.

- 26** The submitted Traffic Management Plan for the site shall be implemented and adhered to throughout the operating life of the development with any changes being agreed in writing with the Local Planning Authority.
Reason: To ensure that there is no detriment to safety both on the highway and on the site.
- 27** Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.
Reason: To ensure that appropriate parking and turning is provided.
- 28** No infiltration of surface water drainage into the ground at this site is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details
Reason: To protect groundwater in line with your policies RP3 and RP4, The Thames River Basin Management Plan, Planning Practice Guidance and the National Planning Policy Framework
- 29** Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
Reason: To protect groundwater in line with your policies RP3 and RP4, The Thames River Basin Management Plan, Planning Practice Guidance and the National Planning Policy Framework
- 30** No development shall take place until a scheme for the provision and management of an 8 metre wide buffer zone alongside all watercourses shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include:

**Plans showing the extent and layout of the buffer zone.
Details of any proposed planting scheme (native species only).
Details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan.
Details of any proposed footpaths, fencing, lighting etc.
Reason: Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected in line with policy CP2.
This condition is supported by the National Planning Policy Framework (NPPF), paragraph 109 and 118**

Report

1. *This application is before this Committee since it is "large scale major" application as defined within guidance issued by the DCLG (Pursuant to The Constitution, Part Two, Article 10 (b))*

Background history of the Site:

2. Waltham Abbey Royal Gunpowder Mills is considered to be one of the most extensive and significant heritage sites in the Epping Forest District which can trace the history and manufacture of explosives from the 16th to the 20th century. The entire site extends to over 63 hectares (156 acres), most of which is designated as a Site of Special Scientific Interest (SSSI) and a Scheduled Ancient Monument (SAM). The site contains 20 Listed Buildings, many of which are Grade II* listed with one being Grade I listed.
3. Outline planning permission was granted in March 1997 (Ref: EPF/0625/93) for:
 - a) 63 hectares for heritage, leisure and recreation uses with supporting commercial uses, and;
 - b) 3.64 hectares of residential development.
4. This proposal was implemented and the 63 hectares of heritage, leisure and recreation uses became the Royal Gunpowder Mills Visitor Attraction, which was opened in 2001 with the aid of a substantial Heritage Lottery Fund grant.
5. The 3.64 hectares of residential development was allowed as 'enabling development' to subsidise the decontamination of those parts of the site and buildings that would become publicly accessible. Detailed planning permission was subsequently granted and as a result 49 detached dwellings were constructed off of Beaulieu Drive.
6. A further planning permission was granted in 2007 (Ref: EPF/0501/07) for the conversion of the former powerhouse building and entrance lodge to the north of Powdermill Lane, which never formed part of the visitor attraction, to create offices. This development was completed in 2010.

7. It is stated that the current visitor attraction, which is run by a charitable operating company, receives about 20,000 visitors per year as well as 9,000 school children. However, despite this, it is claimed that the operation is not able to generate much more than 60% of its running costs. As a result, since 2002 the Operating Company has required an average grant (subsidy) of £400,000 per annum. This shortfall is currently being subsidised from interest earned on the endowment passed to the Trust from the Ministry of Defence when the site was 'gifted' to the Trust. At the time this endowment was made it was thought that the sum would generate sufficient income to maintain the whole site in perpetuity. However visitor numbers and the income that has been earned from the endowment have proved to be significantly lower than originally predicted, due to falls in interest rates over time.
8. The strategy for the visitor attraction is that it should become self-supporting, however there has always been a need for a separate income to cover the cost of managing and maintaining the remainder of the site, particularly the woodland area. There are legal obligations in respect of the repair and retention of the scheduled structures and listed buildings, however this obligation is currently largely unfunded.
9. In the past the disposal of some buildings not used for the visitor attraction such as the Powerhouse and entrance lodge off Powdermill Lane has provided additional capital, however this strategy is not sustainable in the long term and therefore more innovative approaches are needed to achieve and sustain the financial viability of the operation.

Site context:

10. The Waltham Abbey Royal Gunpowder Mill (WARGM) site is located to the northwest of the town of Waltham Abbey and close to the boundary with the Borough of Broxbourne. To the west of the site there is a band of undeveloped open land approximately 800 metres wide, beyond which is the urban town of Waltham Cross. To the north and east of the site is open recreational and agricultural land, while to the southeast and south is the town of Waltham Abbey.
11. The site lies wholly within the Lee Valley Regional Park and to the north of the site are a series of reservoirs, marshland and streams associated with the River Lee. Most of the land to the west and east of the site is owned by the Lee Valley Regional Park Authority (LVRPA).
12. The 'red lined' application site covers two separate areas of the existing site – being the Queens Mead/Eastern Flank area (the southern section), which contains the majority of the Listed Buildings on the site, and the New Hill Area (the north-eastern section), which lies immediately to the east of the Scheduled Ancient Monument (SAM).
13. The Queens Mead/Eastern Flank area measures 10.61 hectares and the total the New Hill area measures 9.27 hectares. Both of the sites fall outside the area of the SAM, with the exception of a single building (L190, located at the north end of Queens Mead) and an open grassed area to the west of Long Walk (also at the north end of Queens Mead).

14. The southern section of the site (which includes Queens Mead and the Eastern Flank) contains the majority of Listed Buildings on the site, as well as a number of derelict former laboratory and several storage buildings that are not listed. This part of the site comprises five distinct areas:
 - The existing visitor car parks north of Hoppit Road;
 - Queens Mead – an open, grassed area that provides the setting for the listed former gunpowder incorporating mills;
 - The listed former gunpowder incorporating mills between Queens Mead and Middle Stream;
 - The Eastern Flank area, between Middle Stream and the Old River Lee; and,
 - The open grassed area to the west of Long Walk, at the north end of Queens Mead.
15. The whole site is located within a conservation area that was specifically designated around the entire WARGM site due to the historic significance.
16. The north-eastern section of the application site (New Hill) contains several small process buildings that were previously related to the construction of the adjacent nitro-glycerine factory in 1940. None of these buildings are listed and all are in a poor condition. This area contains a substantial lake that was created from a 'borrow pit' that provided clean soil during the earlier decontamination works of the southern site. The New Hill area was not part of the original WARGM site, however was annexed from the surrounding farmland during the Second World War.
17. The two sections of the application site are dissected by the SAM and SSSI. This does not form part of the application site however, in order to allow PGL staff and guests to walk between the two sites, right of access will be given by WARGM Trust to allow for a pedestrian access route that follows the existing road on the west side of the Old River Lee (from the north-east corner of the Eastern Flank area), up through the Scheduled Ancient Monument via the 'Burning Ground Access Road' to Bridge 11, which crosses the Cornmill Stream at the entrance to the New Hill area. An alternative access route, which avoids the need to go through the centre of the SSSI, is also included within the lease arrangements between PGL and the Trust.

Description of Proposal:

18. The proposal is a joint application made on behalf of both PGL Travel Ltd. and the Waltham Abbey Royal Gunpowder Mills Charitable Foundation Limited (hereafter referred to as the WARGM Trust).

19. PGL Travel is an outdoor education provider that specialise in educational activity courses, school trips, French language Courses, children's activity holidays, summer camps and ski trips. They currently have centres throughout the UK, France, Spain and Australia.
20. This planning application seeks approval for the use of parts of the WARGM site as an outdoor recreation and activity centre for children, together with the erection of new buildings to provide: guest accommodation, dining hall and kitchen, pavilion (changing rooms); and the conversion of several existing Listed Buildings to provide further guest accommodation and classrooms, together with a new lake for water based activities and the erection of free-standing activity structures.
21. The existing use of the site and buildings falls within Use Classes D1 (non-residential institutions) and D2 (assembly and leisure). Whilst the proposed use of the site as an outdoor recreation and activity centre also falls within Use Class D2 the inclusion of the proposed accommodation and service buildings would result in the site being 'sui generis' (a use in their own right).
22. The Queens Mead/Eastern Flank area of the application site will contain the new uses associated with the PGL development. All the existing listed former gunpowder incorporating mills to the east of Queen's Mead are vacant and unused with the exception of L157. Four of these (L145, L148, L153 and L149) are proposed for refurbishment, conversion and use as guest accommodation, while the remaining listed former gunpowder incorporating mill (L157 – Grade I listed) will remain as a display space and teaching rooms with shared use by PGL and the existing visitor attraction. Building L134 (former cordite press house, later laboratories) will also be used for additional teaching rooms.
23. The converted former gunpowder incorporating mill buildings (L145, L148, L149 and L153) would provide 176 guest bed spaces and 21 teacher bed spaces. In addition each building would incorporate a lounge area for teachers (except L148) and storage space together with plant rooms. Listed building L134 (Building G) comprises a listed former cordite press house, which would be converted to provide classrooms.
24. At the southern end of Queens Mead, building L168 (Grade II* listed) will be converted to provide a reception area, administrative offices, meeting room, first aid room, IT room, kitchenette and WC facilities for PGL. A new extension is proposed to the east of this building to provide further facilities for PGL, including a dining hall, kitchen, indoor activity space and WCs. This would be erected on the slab of an earlier 1950s building that was later demolished.
25. Buildings L176 and L177 (Grade II* listed) are currently used as a café and WCs and would be used to provide a lounge for use by PGL teachers and staff. The adjoining buildings (L180 and L182) will be used to provide an equipment store and maintenance facility for PGL. Building L167 (Grade II listed) will be used to provide a shop and 'chill-out' zone for PGL guests. This building comprises approximately 202m² of gross floorspace and is a single volume space, which would be unaltered as part of this proposal. At the northern end of Queens Mead buildings L119 and L122 (which are not listed), and buildings L133 and L136 (which are Grade II listed), will be refurbished and converted to provide living accommodation for PGL senior staff members.

26. Several small unlisted buildings at the northern end of Queens Mead are proposed for reuse as equipment stores, hazardous materials store and WCs whilst other small buildings of low heritage value that are in poor condition would be demolished. Building L185, which is currently used by the visitor attraction and houses the restored powder barge, will remain with the WARGM Trust and would continue to be part of the visitor attraction.
27. A full list of the listed buildings on the Queens Mead/Eastern Flank area of the site and their existing and intended uses is as follows:
- L133 - Magazine - later propellant store (Grade II Listed) – currently vacant: Proposed use - Senior staff accommodation building
 - L134 - Cordite press house (Grade II Listed) – currently vacant: Proposed use - Teaching rooms
 - L135 - Tray magazine (Grade II Listed) – currently vacant: Proposed use - senior staff accommodation
 - L136 - Remote accumulator tower (Grade II Listed) – currently a ‘Wildlife tower’ (part of existing visitor attraction): Proposed use - Senior staff accommodation
 - L141 - Sorting house (Grade II Listed) – currently vacant: Proposed use - Equipment store
 - L145 - Group F Gunpowder Incorporating Mills (Grade II Listed) – currently vacant: Proposed use - Accommodation for guests
 - L148 - Group G Gunpowder Incorporating Mills (Grade II* Listed) – currently vacant: Proposed use - Accommodation for guests
 - L149 - Group E Gunpowder Incorporating Mills (Grade II* Listed) – currently vacant: Proposed use - Accommodation for guests
 - L153 - Group D Gunpowder Incorporating Mills (Grade II* Listed) – currently vacant: Proposed use - Accommodation for guests
 - L154 - Expense magazine (Grade II Listed) – currently vacant: Proposed use - Equipment store
 - L157 - Group C Gunpowder Incorporating Mills (Grade I Listed) – currently exhibition space and classrooms: Proposed use - Teaching rooms
 - L165 - Mineral jelly store (Grade II Listed) – currently storage: Proposed use - Equipment store
 - L167 - Charcoal store, later converted into reel drying stove (Grade II listed) – currently exhibition space: Proposed use - Shop and ‘chill out’ zone for guests
 - L168 - Engine house and mechanics’ shop (Grade II* listed) – Currently the “Mad Lab”, Rocket Vault and exhibition space (part of existing visitor attraction): Proposed use - Reception, admin, offices, meeting room, first aid room, WCs
 - L170A - Expense magazine (Grade II Listed) – currently vacant: Proposed use - Equipment store
 - L176 & L177 - Boiler house and dynamo house (Grade II* listed) – currently cafe and toilets (part of existing visitor attraction): Proposed use - Lounge for staff and teachers, toilets
28. A full list of the unlisted buildings and their current and proposed uses is as follows:
- L107 - Petrol store (not listed) – vacant: Proposed equipment store
 - L118 - Preparation room (not Listed) – vacant: Building to be recorded and demolished
 - L119 - Manager’s office (not Listed) – vacant: Senior staff accommodation
 - L120 - Solvent store (not Listed) – vacant: Equipment store

- L121 - Toilet and store (not Listed) – vacant: Equipment store
- L122 - Main laboratory (not Listed) – vacant: Senior staff accommodation
- L125 - Electrical store (not Listed) – vacant: Building to be recorded and demolished
- L126 - Sewer pump house (not Listed) – vacant: Equipment store
- L131 - Solvent store (not Listed) – vacant: Building to be recorded and demolished
- L132 - Physical test house/C.C. building (not listed) – vacant: Equipment store
- L137 - Guncotton press house No.2 (not Listed) – vacant: Building to be recorded and demolished
- L138 - Magazine (not Listed) – vacant: Equipment store
- L139 - Magazine (not Listed) – vacant: Building to be recorded and demolished
- L140 - Locker magazine (not Listed) – vacant: Equipment store
- L142 - Toilet (not Listed) semi-derelict: Equipment store
- L143 - Cordite incorporating house (not Listed) – vacant: Building to be recorded and demolished
- L144 - Solvent and waste store (not Listed) – vacant: Equipment store
- L146 - Cordite incorporating house No.2 (not Listed) – vacant: Building to be recorded and demolished
- L147 - Fire engine house (not listed) – vacant: Equipment store
- L150 - Concrete air raid shelter (not listed) – vacant: Equipment store
- L151 - Cordite incorporating house No.4 (not Listed) – vacant: Building to be recorded and demolished
- L152 - Chemical store/solvent store (not listed) – vacant: Luggage and equipment store
- L155 - Cordite incorporating house No.5 (not Listed) – vacant: Building to be recorded and demolished
- L159 - Cordite press house No.5 (not Listed) – vacant: Building to be recorded and demolished
- L160 - Charcoal store (not listed) – vacant: Building to be recorded, and demolished
- L164 - Oven room near L148 (not listed) – vacant: Equipment store
- L170 - Sewer pump house (not listed) – unknown: Building to be retained and repaired as necessary, no intended use
- L180 - Pipe fitters shop and store (not listed) - Mess room for volunteers (part of existing visitor attraction): Equipment store
- L181 - Electrical substation (not listed) - Electrical substation: No change, location of electricity supply for site
- L182 - Mess room (not listed) - store (Epping Forest District Museum) Maintenance and 'back' office: No works needed
- L185 - Laboratory (later sport & social club) (not listed) - exhibition space (for Powder Barge): Building to remain with WARGM Trust and continued use as part of visitor attraction
- L186 - Locker magazine (not listed) – vacant: Building to be recorded and demolished
- L188 - Locker magazine (not listed) – vacant: Building to be recorded and demolished
- L190 - Climatic test cubicles A & B (not listed) – vacant: Equipment & cycle store
- L191 - Stability test laboratory (not listed) – vacant: COSHH store (hazardous substances)

- L192 - Locker magazine (not listed) – vacant: Building to remain with WARGM Trust with possible use as bat roost
 - L193 - Locker magazine (not listed) – vacant: Equipment store
 - L194 - Chemical store (not listed) – vacant: Building to be recorded and demolished
 - L196 - Store (not listed) – vacant: Equipment store
 - L198 - Laboratory (not listed) – storage: Toilet block for guests
29. A number of new buildings would also be erected on the southern part of the site to provide accommodation for PGL guests. These would be erected over the floor slabs of the existing demolished buildings L137, L143, L146, L151, L155 and L159, which are located on the Eastern Flank. In addition, a new building will be erected at the southern end of the Eastern Flank to provide accommodation for teachers and PGL staff.
30. The proposed new buildings comprise four new detached buildings on the Eastern Flank area of the site, to the north and south of the retained listed building L149, and a new building immediately to the east of the listed building L168 at the southern end of Queen's Mead.
31. Accommodation blocks B and C would be situated to the south of retained listed building L149 and would be linked to one another by a central 'entrance core', which contains a meeting space, teaching area, galleried landing and staircase. These would have a ground floor area of 2,003m² and first floor area of 1,936m² (including entrance core area) and would replace existing buildings L151, L155 and L159. Buildings E and F would be located to the north of the retained listed building L149 and would be two storeys in height and would provide guest and teacher accommodation. Building E would have a ground floor area of 920m² and first floor area of 905m² and would replace existing buildings L143 and L146. Building F would have a ground floor area of 1,583m² and first floor area of 1,546m² and would replace existing buildings L137, L166 and L194.
32. A new building is proposed on the Eastern Flank that would be used as a staff accommodation block. This would be situated in the south-east corner of the site and would provide 75 bedrooms for staff working at the centre, together with a large lounge/dining area and entrance lobby. Further accommodation for senior staff would be provided through the conversion of the existing buildings L119, L122, L133 and L136. These buildings are all located at the northern end of Queen's Mead and would provide accommodation for up to four members of senior staff along with their families.
33. A further new building would be an extension to the east of the listed building L168. This would provide a dining hall with covers for up to 540 guests, together with kitchen, preparation and storage areas, staff changing area, office and WCs. The first floor of this building would be contained within the roof area and would provide a single volume space for indoor activities. The existing single storey building (L168) has a gross floor area of approximately 405m² and the new-build extension would add a further 2,150m² of floorspace over two floors.
34. There are several existing buildings within the New Hill Area which will be retained but not used by PGL. These are as follows:

- S2 - Electrical substation (not listed) – vacant: No intended use, make secure
 - S5 - Process building (not listed) – vacant: No intended use, make secure
 - S6 - Magazine (not listed) – vacant: No intended use, make secure
 - S10 - Dark room & office block (not listed) – vacant: No intended use, make secure
 - S12 - Chemical store (not listed) – vacant: No intended use, make secure
 - S13 - Store (not listed) – vacant: No intended use, make secure
35. The only proposed new building within the New Hill area of the application site is a pavilion, which would comprise showers, WCs and changing rooms. This pavilion building would serve the proposed water-based activities in this location, such as canoeing and raft building. This building would be single storey and provide approximately 256m² of gross floorspace.
36. The New Hill area would also contain large activity structures and features comprising: four zip wires, three areas of tunnel trails and a new lake for raft-building activities. The existing lake would be used for canoeing and other water-based activities.
37. The existing parking arrangements for the application site would continue as existing utilising the current visitor car park to the north of building H7. This is accessed directly from Beaulieu Drive and would provide parking for all staff and visitors of both the visitor attraction and the new PGL centre. In addition, a further car park area to the north of the existing, which has extant planning permission, would be constructed to provide a further 90 car parking spaces.
38. The existing visitor attraction is proposed to remain with its principle facilities consolidated within the existing buildings on the 'Island Site' (buildings A200, A201, A202, A203). This area does not form part of the application site and currently houses the main visitor exhibition, display and orientation spaces, as well as offices for the WARGM Company. Visitors will still be able to access the northern half of the main site via 'land train' and the proposed narrow gauge railway along the west side of Long Walk. It is also possible that, in the near future, building H7 will be able to provide accommodation for the visitor attraction once again, possibly as a location for the displaced visitor attraction facilities south of Queen's Mead (exhibition spaces and visitor cafe). This building is currently let to a local dance group.

Relevant Planning History:

39. There is a long and complex history to the site, much of which relates to the maintenance and repair of the listed buildings. The key previous applications are as follows:
40. OUT/EPF/0625/93 - Outline application for use of land for:- A) 63 hectares for heritage, leisure and recreation uses with supporting commercial uses, and; B) 3.64 hectares of residential development – approved/conditions (subject to S106 Agreement) 27/03/97
41. RES/EPF/0715/97 - Reserved matters application for the erection of 49 detached four (4) and five (5) bedroomed houses, new access road and landscaping – approved/conditions 05/01/98

42. RES/EPF/1135/99 - Reserved matters application for alterations to existing buildings, construction of new toilet block and siting of temporary toilets and landscaping details in connection with use of the site as a museum and heritage site – approved/conditions 07/01/00
43. EPF/1927/99 - Application for alterations to existing buildings, with use of the buildings and site as a museum and heritage site – approved/conditions 07/02/00
44. EPF/0500/07 - Reserved matters application for the development of supporting commercial uses (B1 office accommodation) approved under EPF/21/04. (relating to original outline permission, reference EPF/625/93) – approved/conditions (subject to S106 Agreement) 14/09/07
45. EPF/0501/07 - Conversion and change of use of the Power House and Water Tower into office accommodation (Class B1) – approved/conditions (subject to S106 Agreement) 06/11/07
46. EPF/0950/13 - Change of use of core visitor attraction buildings - A201, A202, A203, L167, L168, L176 and H7 - from D1 Use (museum and visitor attraction) to uses included within both D1 and D2 (assembly and leisure) – approved/conditions 01/08/13

Policies Applied:

47. CP1 - Achieving sustainable development objectives
- CP2 - Protecting the quality of the rural and built environment
- CP3 - New development
- CP6 - Achieving sustainable urban development objectives
- CP8 - Sustainable economic development
- CP9 - Sustainable transport
- GB2A - Development in the Green Belt
- GB7A - Conspicuous development
- GB8A - Change of use or adaptation of buildings
- GB10 - Development in the Lee Valley Regional Park
- HC1 - Scheduled monuments and other archaeological sites
- HC6 - Character, appearance and setting of conservation areas
- HC7 - Development within conservation areas
- HC9 - Demolition in conservation areas
- HC10 - Works to listed buildings
- HC12 - Development affecting the setting of listed buildings
- HC13 - Change of use of listed buildings
- HC16 - Former Royal Gunpowder Factory Site, Waltham Abbey
- NC1 - SPAs, SACs, and SSSIs
- NC2 - County wildlife sites
- NC4 - Protection of established habitat
- RP3 - Water quality
- RP4 - Contaminated land
- RP5A - Adverse environmental impacts
- RST1 - Recreational, sporting and tourist facilities
- RST22 - Potentially intrusive activities
- RST23 - Outdoor leisure uses in the LVRP
- RST24 - Design and location of development in the LVRP
- U2A – Development in flood risk areas
- U3A - Catchment effects

DBE1 - Design of new buildings
DBE2 - Effect on neighbouring properties
DBE4 - Design in the Green Belt
DBE9 - Loss of amenity
LL1 - Rural landscape
LL2 - Inappropriate rural development
LL10 - Adequacy of provision for landscape retention
LL11 - Landscaping scheme
ST1 - Location of development
ST2 - Accessibility of development
ST4 - Road safety
ST5 – Travel plans
ST6 - Vehicle parking

48. The above policies form part of the Council's 1998 and 2006 Alteration Local Plan. Following the publication of the National Planning Policy Framework (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:

50. The application has been advertised in the Local Press, site notices were erected and 116 neighbouring properties were written to with regard to the application.

51. 59 letters of OBJECTIONS and or comment have been received.

30 from residents of Waltham Abbey – from the following addresses:-

1, 2, 3, 4, 6, 8 Gregory Mews,
5 Berthold Mews,
6, 7 Patrick Grove,
3 Mason Close,
1 Highbridge Street, Highbridge Retail Park,
3, 128 Upshire Road,
56 Woollard Street,
Elmlea Sewardstone Road,
12 Elms Close,
15 Farthingale Lane,
62 Honey Lane,
27 Roundhills,
9 Flagstaff Road,
8 Norman Close,
15 Powdermill Lane,
30 Pick Hill,
10 Thaxted Way

The remainder are either from no specified address or are from further afield, but are largely from:-

volunteers and Friends of the Waltham Abbey Royal Gunpowder Mills.

1 from Waltham Abbey Residents Association
1 from Waltham Abbey Historical Society

52. In summary these make the following objections, issues:
- Scale of development is excessive
 - Loss of existing visitor attraction buildings to PGL
 - Loss of Queens Mead as area for outdoor events
 - Impact on economic viability of visitor attraction
 - Future of visitor attraction not confirmed
 - Impact of activity structures on SAM
 - Traffic impact on Beaulieu Drive and junction with Highbridge Street
 - Capacity of foul sewer to deal with waste flows from proposed development
 - Traffic and pedestrian safety within the site
 - Detrimental impact on visitor numbers to Waltham Abbey
 - Better to use site for housing (if it is to be developed)
 - Noise and light pollution
 - Increased traffic at dangerous junction (Highbridge Street)
 - Impact from construction traffic
 - Site is unsuitable for children's outdoor activity centre
 - PGL are not interested in the heritage of the site
 - HLF grant is not for 'public benefit'
 - Failure of trustees to provide key information
 - Contamination
 - 'Stress' likely to be caused to fallow deer population
 - Existing facilities to be lost cannot easily be replaced elsewhere on the site
 - Impact on wildlife and the SSSI
 - Loss of car parking
 - Loss of public access to heritage/listed buildings
 - Loss of education centre (L157)
 - Inappropriate development for site of national heritage importance
 - Damage to character of the 'industrial landscape'
 - Inappropriate new structures and buildings
 - Visitor attraction does not need new development
 - Development will increase flooding in the local area
 - Use of income from PGL should help to fund the visitor attraction

53. **The Lee Valley Regional Park Authority's** comments are reproduced in full below.

(1) The Authority has reservations about the proposed development and its impact on the ecology and landscape of the wider Waltham Abbey Royal Gunpowder Mills site, including the Waltham Abbey and Cornmill Meadow Site of Special Scientific Interest (SSSI). If planning permission is granted then is it is considered that a planning obligation is required to:

- (a) secure the production and implementation of an Ecological and Landscape Management Plan for the WARGM site;
- (b) delivery of the Management Plan be overseen by an advisory Steering Group consisting of representatives from Natural England, the Environment Agency, the Waltham Abbey Royal Gunpowder Mill Trust, Historic England and the Lee Valley Regional Park Authority;

(2) the Authority also wishes to ensure further work is carried out to strengthen the existing Ecological Mitigation Strategy and protect the Waltham Abbey Site of Special Scientific Interest and seeks the imposition of the following conditions:

- (a) the “activity structures” to be constructed to the north of Queen’s Mead area and close to the Horsemill Stream should not exceed the height of the trees;
- (b) details of the Access Management plan are submitted in advance of the occupation of the site and that this takes into consideration the potential requirements and activities of the existing visitor attraction;
- (c) in respect of the Waltham Abbey Site of Special Scientific Interest, a buffer is implemented around the potential nest sites leading up to and during the Grey Heron breeding season;
- (d) further work is undertaken to provide suitable replacement bat roosts by incorporating existing roosts into the refurbished buildings;
- (e) appropriate enhancement is provided for Otters either within the Waltham Abbey Site of Special Scientific Interest or on adjacent land within the Regional Park. The Authority would wish to see a significant buffer along the boundary watercourse to the east of the site to maintain a quiet route for movement of aquatic mammals;
- (f) consideration be given to the creation of a new pond to provide additional undisturbed habitat for Great Crested Newts and other species; this should not be stocked with fish and be located in proximity to existing features;
- (g) production of a pro-active land management strategy to actively tackle the issues presented by invasive species in line with on-going management in other areas of the Lee Valley;
- (h) a study is commissioned on the feasibility of a new pedestrian/cycle bridge designed to link the Lee Valley Showground Site with the Royal Gunpowder Mills site; and
- (i) the submission of details of new boundary treatment designed to be sympathetic to the amenities of the Regional Park.

The Authority would wish to be consulted on the above matters in due course.

54. **Waltham Abbey Town Council** OBJECT to the proposal and their comments are set out in full below.

The site is of international importance, the blue print for the installation at Wilmington USA. The site is part of the character of the Town. The Town Council was instrumental in setting up the attraction in the first place, but it is acknowledged that the site is in financial dire straits.

Objections include:

- Drainage: There has been insufficient work done to cover all the points raised.
- Flood Risk: SuDS team reviewed the risk assessment, and it does not comply with standards.
- Rafting Lake – questions regarding the requirement for this as the site is adjacent to a rafting facility.
- Problems over land contamination resulting in conditions required by the EFDC Land Contamination Officer.
- ECC Archaeological Officer requires a full in depth investigation of the site rather than a desk top exercise due to its importance.

- Loss of visitors to the site will have an adverse impact on the number of visitors to the Town Centre.
 - The vehicular access is not suitable for the number of coaches envisioned.
 - Air quality testing should be carried out due to high contamination levels on adjacent land.
55. **Broxbourne Borough Council** was consulted as a neighbouring Authority and has raised NO OBJECTION to the proposals.
56. In addition to the general consultations, specialist advice has been sought from the following;
- Environment Agency
 - Historic England
 - Natural England
 - Essex County Council – Flood and Water Management
 - Essex County Council – Historic Environment Advisor
 - Essex County Council – Highways
 - Essex Bat Group
 - Essex County Council – Infrastructure Planning
 - Epping Forest District Council – Trees and Landscape officer
 - Epping Forest District Council – Environment and Neighbourhood Manager
 - Epping Forest District Council – Contaminated Land officer
 - Epping Forest District Council – Drainage and Water Team
57. The responses from these consultees are explained under the headings within the Issues and Considerations section below.

Issues and Considerations:

Principle of the development:

58. The NPPF sets out the Government’s planning policies for England and states how they are to be applied. The core theme of the NPPF is a presumption in favour of sustainable development. In terms of decision-taking for Local Planning Authorities this means:
1. “Approving development proposals that accord with the Development Plan without delay; and
 2. Where the Development Plan is absent, silent or relevant policies are out-of-date, granting planning permission unless:
 - a) Any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in this framework as a whole; or
 - b) Specific policies in this framework indicate that development should be restricted.”
59. The importance of this site has long been recognised and the adopted Local Plan has a specific policy relating to development of the site, Policy HC16, which states:
- “The Council will encourage proposals for the restoration and reuse of buildings on the former Royal Gunpowder Factory site (identified on the Proposals Map) provided that:

- The proposals relate to the use of the whole site and recognise its unique heritage and nature conservation value;
 - The key buildings and structures are preserved through sensitive conversion and reuse;
 - The proposals incorporate satisfactory decontamination measures;
 - A gunpowder heritage museum/interpretation centre is created with associated visitor/education facilities on site; and
 - The amount and location of any new development is justified, to the Council's satisfaction, as either:-
 - a. Replacement of existing buildings not subject to (ii) above; or
 - b. An essential component of an acceptable plan for the whole site.”
60. It is considered therefore that the principle of development which will enable the retention of and reuse of the most important buildings at the site and the continuance of the museum/visitor attraction and provide funding for the maintenance of the remainder of the site, is in accordance with the intentions of the policy.

Design and Impact on the Historic Environment

61. The starting point for this application is the importance of the WARGM site from a heritage view point. The site is of importance not just locally but also nationally and internationally and the need to ensure the long term protection and maintenance of this unique site is paramount.
62. Historic England have provided detailed comments with regard to proposed works to the listed buildings, which will be covered in the report relating to the Listed Building applications, but there has had extensive pre-application discussions with the applicants and the Foundation Trust. Heritage England has confirmed that it has long had concerns that the Foundation Trust has found it difficult to secure the long term conservation of the designated heritage assets, due to the resources required to sustain the current visitor attraction.
63. The advice from Historic England is that the proposed development would result in a considerable degree of change to a highly important complex of diverse designated heritage assets. The proposals would have a range of impacts on individual designated heritage assets, ranging from positive enhancement to varying degrees of harm to the significance of buildings, as well as the erosion of settings of heritage assets. They judge these to be less than substantial, both individually and collectively. At the same time they consider that, when judged against the heritage benefits set out in NPPF para.131, combined with published guidance 'Conservation Principles' (2008), the PGL proposals offer the opportunity for 'constructive conservation' via a new optimum viable use.
64. They consider that the proposed development would assist in achieving the heritage benefits set out in NPPF 131 (sustaining and enhancing heritage assets and putting them to viable uses consistent with their conservation), whilst accepting that the proposals would also result in a degree of harm to the significance of the designated heritage assets which would not be substantial. On this basis they conclude that it is for the local planning authority (LPA) to weigh the heritage benefits and harm against the other public benefits in the proposed development. If the LPA recommend that planning permission be given, they recommend this be conditional upon securing the implementation of

an agreed written scheme of archaeological investigation and recording and the approval of materials.

65. Essex County Council Archaeology section similarly suggest a requirement for full building recording and a programme of archaeological work to include trial trenching, monitoring and excavation in the areas proposed for new buildings.
66. Broadly it is considered that the proposed development, whilst clearly resulting in some change to the character of the site, including the loss of some non-listed buildings and the erection of new buildings and structures, has been well thought out and designed such that the most important features of the site and its historic and architectural interest will be maintained whilst enabling the provision of financial support to the Trust, which will in turn enable the maintenance of the Ancient Monument and listed buildings and help secure the continued presence of the museum in the longer term.

Ecology and Biodiversity

67. The site is located within an area which is surrounded by European and UK designated nature conservation sites and therefore in order to assess the potential impact of the development a number of studies were carried out by the applicants and a detailed Environmental Statement (ES) has been submitted. The ES draws together the findings from the ecological and biodiversity studies which considered the statutory designated sites, the range of habitats on site and the protected species, both during the construction phase and the operation phase of the new centre. It is recognised that the proposed development will result in changes to the habitats and that there will be small scale losses where new trackways and activity structures are installed. The applicant considers that the habitat quality of the site is declining and that the creation of habitats within the area and their long term management would provide mitigation.
68. A stand-alone Ecological Mitigation Strategy has been submitted as part of the application, which sets out the detail of mitigation proposals that will be implemented to ensure the favourable conservation status of key ecological receptors will be retained and that no loss of biodiversity occurs as a result of the development. Outline avoidance, mitigation and compensation proposals are presented which are intended to ensure no breach of legislation in relation to badgers, bats, breeding birds, great crested newts and reptiles occur. Precautionary measures are also included for other species, such as water vole, that were not identified on site but could occur on the site in future. Reference is made to the production and implementation of a Landscape and Ecological Management Plan for the site that will ensure the retained and created habitats are appropriately managed to provide a long term biodiversity resource.
69. Natural England was consulted on the proposals and provided detailed comments as follows:

Internationally and nationally designated sites:

The application site is within or in close proximity to a European designated site (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). The application site is in close proximity to the Lee Valley Special Protection Area (SPA) which is a European site. The site is also listed as the Lee Valley Ramsar site¹ and also notified at a national level as the Turnford

and Cheshunt Pits Site of Special Scientific Interest (SSSI). The application site is also partly within the Waltham Abbey SSSI and immediately adjacent to the Cornmill Stream and Old River Lea SSSI.

No objection

Natural England notes that the HRA screening report has not been produced by your authority, but by the applicant. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

The assessment concludes that the proposal can be screened out from further stages of assessment because significant effects are unlikely to occur, either alone or in combination. On the basis of the information provided, Natural England concurs with this view.

Wildlife and Countryside Act 1981 (As Amended)

No objection – with conditions

This application site is in close proximity to and partly within the Waltham Abbey Site of Special Scientific Interest (SSSI). The application site is also immediately adjacent to the Cornmill Stream and Old River Lea SSSI and in close proximity to the Turnford and Cheshunt Pits SSSI. However, given the nature and scale of this proposal, Natural England is satisfied that, provided the project adheres to the following suggested conditions, there is not likely to be an adverse effect on these sites as a result of the proposal being carried out in strict accordance with the details of the application as submitted. We therefore advise your authority that these SSSIs do not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(1) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

The Waltham Abbey SSSI is notified for its heronry: however, despite some nesting activity, no herons have successfully bred within the SSSI in the last few years, as they are currently favouring an alternative heronry on an island at Glen Faba. Herons are a mobile species and it is entirely possible that they may return to the Waltham Abbey SSSI at some future date. Therefore, Natural England's objective for the Waltham Abbey SSSI is to ensure that it remains in a suitable condition to support any such re-commencement of heron breeding within the SSSI.

To ensure the project will not adversely affect the SSSI, Natural England advises that suitably worded planning conditions which seek to achieve the following outcomes are attached, should the Council be minded to grant permission.

Other Advice:

We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application: local sites (biodiversity and geodiversity); local landscape character; and local or national biodiversity priority habitats and species.

Natural England does not hold locally specific information relating to the above. These remain material considerations in the determination of this planning application and we recommend that you seek further information from appropriate bodies.

Protected Species:

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications.

Biodiversity enhancements:

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the NPPF.

70. In accordance with the advice from Natural England, the Council has consulted with The Essex Bat Group and our own Countrycare team with regard to protected species and mitigation.
71. The Essex Bat Group do not object to the application in principle, but hold strong reservations with regard to the proposed mitigation for loss of bat roosts. (N.B. this issue is being addressed by the applicants' environmental and ecological consultants, Middlemarch Environmental Ltd, and enhanced mitigation proposals for bat roosts are being prepared).
72. The advice from Countrycare is that there is a need for a detailed Landscape and Ecology Management Plan which should follow the recommendations outlined in the submitted Ecological Mitigation Strategy submitted with the application. This is part of the Unilateral Undertaking.
73. The LVRPA has also considered the information submitted and has raised a number of issues with regard to the need for further survey work and mitigation work, however they have not raised any fundamental objection to the proposal subject to conditions.
74. Overall it is considered that, subject to the imposition of suitable conditions and the submission and implementation of a comprehensive Landscape and Ecology Management Plan, and Access Management Plan which will ensure visitor movements within the site are controlled and which are part of the submitted Unilateral Undertaking, the proposed development will not have an adverse impact on protected species and indeed there is scope for habitat enhancement as a result of the scheme, in accordance with the NPPF and the adopted policies of the Local Plan and Local Plan Alterations.

Access and Parking

75. The existing junction off Highbridge Street was originally designed as the main access into WARGM and built to cater for a visitor attraction forecast to have over 60,000 visitors a year. In reality the attraction has never reached this number. It currently receives about 22,000 visitors as well as 9,000 school children (180 organised school trips).
76. The proposed development will provide accommodation for up to 977 guests (872 school children and 105 school staff) and 77 resident staff. In addition there may be up to 150 non-resident staff employed. Based on PGL centres of similar size the applicants estimate there are likely to be approximately 40,000 guests over the course of a year.

77. The applicants have submitted a transport statement that envisages that with the proposed development the number of non-school visitors to the WARGM is anticipated to reduce to 15,000 as large scale events will no longer form part of its program.
78. The PGL courses are organised as school trips and will serve predominantly East Anglia, Hertfordshire, Greater London and the South East. The majority of guests will arrive by coach during term time, and groups will travel at different times to ensure that coaches do not all arrive at the same time. School coaches will arrive between 1400 and 1600 on the start day, whilst on departure day activity is usually between 1200 and 1400. Therefore the majority of coach activity will be outside typical weekday network peak periods.
79. Outside of school term time, other alternatives for travel to the site are available. These include escorted transfer from Waltham Cross rail station or alternatively by drop off by parents and guardians.
80. It is considered that the RGM visitor centre and the PGL development are complementary uses in terms of their peak vehicle and visitor activity. Principally the PGL centre is a term time venue when its busiest activity will occur. During term time visitor and vehicle activity associated with the RGM centre will be low. During the School holidays the PGL development will operate at a much lower level as a family holiday venue, whereas the RGM visitor centre will be operating at its busiest level.
81. Coach access to the site will be as existing from Beaulieu Drive and 4 coach drop-off areas are provided adjacent to the residential blocks to accommodate 13 coaches at any one time. The management of coach activity will ensure that coaches will enter the site immediately from Hoppit Road and will wait well within the confines of the site. Therefore coaches will not be allowed to wait on Hoppit Road or Beaulieu Drive in front of the main entrance gates and adjacent to resident's properties. Coaches waiting within the site upon arrival will be required to switch off their engines to minimise noise to local residents.
82. The existing car/coach car park accessed from Beaulieu Drive will also be extended as part of an extant parking permission for a 90 space over flow car park. In total the car park will provide 233 parking spaces.
83. The site is located close to bus and rail services which operate from the A121. Waltham Cross rail station has regular services to key transport interchanges; Stratford and London Liverpool Street.
84. The need for travel will be minimised as around half of staff will be resident on site and the non-resident staff will be primarily from the local area, therefore the use of cycles to minimise car travel will be a realistic mode of travel for staff. It is proposed to provide 100 cycle spaces and staff and guests will have access to PGL's own bikes to use. The site is located close to good pedestrian footways, crossings and cycle routes.
85. As a result of concerns raised by residents with regard to in particular the management of coaches accessing the site a Traffic management plan has been produced, which includes the following provisions:
 - Vehicles entering the site from Beaulieu Drive/Hoppit Road will have priority over all vehicles;

- Drivers will be informed by signage and marshalls to proceed or give way at the site entrance during the busiest periods;
 - When coach arrivals are expected the main entrance gates will be left open and a marshall at the eastern end of Hoppit Road will direct all traffic movements;
 - During the busiest periods a marshall will be located at the eastern and western ends of Hoppit Road with radio communication to control coach movements;
 - Any coaches that arrive when the entrance gates are closed will be instructed by signage to proceed to the coach park and contact security; and
 - All marshalls will be fully trained in the details of this TMP and will be trained to control and manage on site coach movements during the busiest periods.
86. The Essex County Council Strategic Development Engineer considers that the access and parking arrangements proposed are acceptable and that the development will not result in harm to highway safety or a material change to current levels of traffic congestion, subject to appropriate conditions. The AMP will also ensure that access and movement of visitors within the site is controlled and safe.

Flood Risk

87. In accordance with the NPPF the proposed development, which will include residential accommodation, is considered to be a “more vulnerable” development in flooding terms. The site is shown as mainly lying within defended flood zone 3 and partly within undefended flood zone 3. In accordance with the NPPF more vulnerable development is only acceptable in Flood zone 3 if both a sequential test and exceptions test have been passed.
88. The sequential test seeks to steer new development to areas at least risk of flooding. In order to pass the sequential test the Local Planning Authority needs to be satisfied that there is nowhere at a lesser risk of flooding where this development could take place. The applicants have been seeking a suitable site for a development of this type in this region for several years. Due to the scale and form of the development and the need for good highway access, accessibility from the proposed catchment area, presence of open space, and access to a lake for water based activity, PGL identified the following potential sites: (a) Briggans House, Stansted Abbots, Hertfordshire, (b) Bylaugh Hall, Dereham, Norfolk, (c) Barrington Hall, Bishops Stortford, (d) Hitchin Priory, Hertfordshire, (e) Pishobury House, Sawbridgeworth, (f) Flamstead House, Flamstead, Hertfordshire, (g) Northaw House, Nr Potter’s Bar Hertfordshire, (h) Lee Valley Regional Park Authority (various properties), but all were ultimately rejected as unsuitable or undeliverable. The LPA is not aware of any other previously developed sites within the District which are both suitable and available/deliverable for this form of development. The proposal would not be appropriate on a green field site and this seriously limits the potential development sites. The applicants have explained which sites they have investigated and their reasons for not proceeding with them and as a result the LPA is satisfied that the sequential test has been passed.
89. The exception test requires that there must be wider sustainability benefits to the local community that outweigh the risk of flooding and that the proposed development will be safe and not increase the risk of flooding elsewhere. The

proposed development offers an opportunity to reuse the historic Gunpowder Mills site, including numerous listed buildings, without requiring extensive alteration and redevelopment and preserves the historic site in keeping with the existing character. No other suitable alternative uses have come forward and it is likely that without some form of redevelopment the site will continue to degrade due to lack of use and maintenance. In addition the site will provide a facility not currently available in the region and will provide additional jobs in the local area, whilst ensuring that the existing museum and visitor attraction can be maintained and available to the public into the future. It is therefore considered that the development will provide wider sustainability benefits to the local community and the first part of the exceptions test is passed.

90. The submitted Flood Risk Assessment indicates that the development can be achieved without increasing the risk of flooding and that it can be made safe from flooding. The Environment Agency, Essex County Council Flood and Water management team and our own land drainage team all consider that a suitable flood mitigation scheme can be achieved for the site, subject to the imposition of appropriate conditions regarding the provision and maintenance of sustainable drainage systems.

Contamination

91. One of the major concerns affecting the redevelopment of this site is contamination. Due to its historic usage, including being used by the Ministry of Defence, there is legitimate concern that redevelopment and the use of the site by Children could be dangerous. The site was very heavily contaminated, but was extensively investigated and remediated in the 1990's. The remediation works included bulk soil removal and replacement with clean cover in certain areas of the site, including the burning ground, Queens Mead and the former gasworks in the south east.
92. At an early stage of preparation for the current application liaison took place with the LPA's Contaminated Land Officer and a Contaminated Land Desk Study has been carried out at the site in order to identify any land contamination that could be significant and require further assessment in relation to the future use of the Site. The key findings of the study are as follows:
- Parts of the Site were subject to bulk remediation and replacement with clean cover material. These and other areas were assessed in 2000 as suitable for public access ('free-to-roam') as part of the RGM visitor attraction.
 - Three areas of the proposed development were neither subject to widespread remediation nor previously assessed as 'free-to-roam'. Sampling in 1992 identified isolated contamination by metals, PAHs, asbestos and explosives residues in these areas; however, the limitations of the 1992 laboratory analysis create uncertainties in the interpretation of the data.
 - These potential contamination sources, together with ground gas, may contribute to 'contaminant linkages' whereby harm could be caused to humans and property. Based on a preliminary assessment, however, these potential linkages have been assessed as either low or moderate to low risk.
 - Based on the scope of the remediation works and post-remediation groundwater monitoring, contaminant linkages involving Controlled Waters receptors are not considered to be likely.
93. According to the Contaminated Land Officer the preliminary risk assessment reports have identified that additional investigation and assessment will be

required. Previous results assessed against 1990s generic public open space risk screening standards will require reassessing against current child residential risk screening standards, so additional sampling is likely to be required in order to ensure sampling density is appropriate for the more sensitive use, and additional sampling & analysis may be required for any additional contaminants that may be identified. A management scheme will also need to be adopted in order to maintain previous and additional remedial works

94. Additional information and investigation is required to fully identify all potential risks, and the best means of remediation, however this can be required by condition Particular concern relates to ensuring that any remediation works that may be required are carried out in such a way as to avoid harm to established trees and landscaping.
95. The contaminated land officer does not however have a remit over potential contamination within buildings or possible risks from explosives within soils. We have received advice that the existing buildings to be converted may contain toxic chemicals that could be harmful to health. The applicants have confirmed that decontamination of the buildings would take place. Conditions are suggested that would require the submission of verification reports from a suitably qualified expert to confirm that the buildings have been successfully decontaminated and that risks to health have been removed, prior to first occupation.
96. Reports were submitted with the application with regard to explosive risk in the buildings scheduled for demolition and for those to be refurbished, which sets out safety management precautions that need to be adhered to. There is the possibility also that during works explosive material may be found in soils and a condition is proposed to ensure that this eventuality is properly handled.

Trees and Landscaping

97. A Landscape Visual Impact Assessment has been provided and concludes that the proposal will have a minimal impact on the surrounding area and that the new planting proposed will, as far as practical, mitigate that impact. The Council's Tree and Landscape Officer agrees with this and raises no objections to the proposal in terms of visual landscape impact.
98. The site is within a Conservation Area and as such all trees are afforded legal protection. An extensive tree survey has been undertaken and, in order to undertake the development, a considerable amount of tree surgery (including fellings) is proposed. However this needs to be viewed, to an extent, as good management practice – particularly highlighted by the aim of removing the sycamore from the site to maintain and enhance the growth of the alders (which are synonymous with the historic use of the site in the making of gunpowder). The main concern of the Tree and Landscape officer is to ensure, as referenced above, that any decontamination works that may be required within the root spread of trees that are to be retained is carried out in an appropriate manner. A specially worded condition is required to ensure this.
99. Overall it is considered that appropriate tree protection and landscaping of the site can be achieved, which will maintain and enhance the character of the area, and the Landscape and Ecology management plan which is part of the Unilateral Undertaking will secure this.

Impact on Residential Amenity

100. None of the proposed new buildings are adjacent to any residential properties, therefore the main concern with regard to impact on residential amenity relates to the potential impact of traffic, in particular the increase in the number of coach movements, and regarding any resulting noise and disturbance from the associated outdoor uses being introduced.
- 101 Residents of properties off Beaulieu Drive, and in particular Gregory Mews which backs on to Hoppit Road at the access to the site, have raised particular concern about the all year round usage of the site and the increase in coach movements that they consider will cause not only noise, disturbance and overlooking in close proximity to their rear garden but also result in an increase in diesel fumes to the detriment of air quality and health.
- 102 As has been explained under the Traffic section above, the submitted documents envisage no more than around 40 coach movements a day and, following the above concerns raised, a traffic management plan has been submitted which seeks to ensure that coaches are not held in Hoppit Road so that noise and fume impacts and overlooking should be minimised. Whilst the concern regarding all year round use is noted it is not considered that this will result in excessive harm to amenity. Hoppit Road (along with Beaulieu Drive) is an existing access that is already used by visitor traffic, including coaches, and it is not considered that the increase in traffic envisaged will result in any significant harm to residential amenity.
103. Whilst concern has been raised with regards to impacts such as noise nuisance, light pollution, etc. as a result of the proposed use, which would introduce a large number of children to the site year round, the current site has a very similar use at present and includes several outdoor activities (such as large scale events) and currently caters for school trips. Although at present the current use of the site is far less frequent than the proposed new use there are no planning restrictions with regards to the WARGM use. Therefore the existing site could be utilised far more intensely than it is at present without the need for any further planning approval. The resulting noise and disturbance that would result from such a change would be no different from the proposed development. In addition, the 'noisier activities' proposed (i.e. the activity structures and lake) will be located a considerable distance from any surrounding residents and therefore would not cause any loss of amenity.
104. Concern is also raised regarding noise, disruption and pollution during the construction of the development. An hours of construction condition and a method statement can be attached, to kept disruption to a minimum, but it is inevitable that there will be some noise and disturbance during the demolition and construction phase, this is not a significant planning issue and would not be grounds for refusal of the application.

Impact on the Lee Valley Park

105. The WARGM site lies within the Lee Valley Regional Park and is surrounded to the north, west and east by the River Lee Country Park. Immediately to the east lies the Cornmill Meadows, to the north there is a mosaic of lakes, open spaces and recreational routes known as Fishers Green and Turnford and Cheshunt Pits SSSI, part of the Lee Valley Special Protection Area. To the West are the Lee Valley White Water Centre and the route of the Lee valley Pathway alongside

the Horsemill Stream. The site is therefore within the heart of an important part of the Park with a mix of recreational facilities and nature conservation. The LVRP Plan 2000 is relevant.

106. In principle the proposed outdoor recreation and educational activity centre for children is considered an appropriate use within the regional park since it will open up a new area of the Park for recreational use, would reuse developed land within the Green Belt, and is complementary to the adjacent White Water Centre and the wider recreation and leisure activities within the area.

107. The LVRPA have provided detailed comments that are set out in full in the consultation section above. Clearly they maintain concerns regarding the overall management of the wider site.

Impact on the WARGM

108. The planning application has been couched in terms of the proposed development resulting in significant benefits to the WARGM visitor attraction, by essentially removing a significant drain on its current resources. The attraction is currently unable to generate much more than 60% of its immediate running costs and since 2002 the operating company has required an average grant subsidy of £400,000 per annum. The intention is that the current proposals will support the long term future of the visitor attraction and the conservation of the site as a whole.

109. A document titled 'Heritage Visitor Attraction - A Vision for the Future', has been submitted with the application which highlights that there is now no untapped financial potential in the short or medium term to allow the Trust to be confident in its ability to run the whole site without continuing severe deterioration in its built and natural heritage content. The document looks into whether it is possible to meet the Trust's aims by confining the education and access remit to the main visitor attraction on the south of the site.

110. The report envisages that the remaining visitor attraction will contain:

1. The introduction (the interactive exhibition and film)
2. The Armoury (the Lottery funded Farewell to Arms collection), which could be further enhanced by more volunteer talks etc.
3. Catering, retail and ticketing, to be consolidated (Building A202) with a traditional tea room facility although full range food service would be limited.
4. The mad Lab, currently housed in L168, would move to the underutilised lecture theatre (A203) and new outdoor attractions and displays would be developed for the Island Site and the Burning Ground.
5. The modest children's play area would be maintained; and
6. The Mixing house (building A201) used by schools in term time would be used to host activities and temporary exhibitions and talks.

111. Visitor access to the north into the SSSI and SAM will be on foot, or via the land train and miniature railway, which would link to the sites new narrow gauge railway. Heritage hubs could be created within the SAM.

112. The Burning Ground would become a secondary hub and smaller scale versions of previous outdoor events could be considered in this area.

113. The document concludes that the Trust considers that it is possible not only for the visitor attraction to continue in a modified format but also for the extensive

northern half of the site to be better used, conserved and interpreted for the benefit of visitors.

114. Several objectors have raised concern that the proposals actually may make the continued use of the visitor attraction difficult. A detailed response has been received from the WARGM Group (The group is made up of representatives of the Operating Charitable Company and members of the WARGM Friends Association). They consider that the Vision for the Future document is flawed and that the remaining space and buildings available for the visitor attraction will be insufficient to enable the current attraction to operate, citing for example the loss of classroom space (reduced from 5 to 2) and that the report fails to mention several activities that currently take place, which will be lost. These include some volunteer programmes, the exhibition of rockets, the storage of maintenance equipment, and on-site parking for maintenance and tour vehicles. The concern is that the proposed PGL development is too large and takes up too much of the site, leaving too little scope for the remaining area to operate an attractive facility, including the loss of the ability to hold large events such that the future of the visitor attraction will be undermined.
115. Whilst these concerns are noted it must be remembered that this application is a joint application by PGL and the WARGM Charitable trust. It is not a matter of PGL trying to force an unwanted development on the Trust; it is considered by the Trust as an appropriate way of it fulfilling its ongoing commitments. Without redevelopment the likelihood is that the visitor attraction would have to close. In addition whilst there is concern at the loss of the events area, the site is adjacent to the Lee Valley Park Showground which is better equipped for large events and it is envisaged that the half dozen or so outdoor events currently operated at the site could be successfully relocated to the showground.
116. The current visitor attraction is clearly an important element of the site as a whole and the development of the site by PGL is seen as an opportunity to help secure its future. Given its current loss making, and the lack of alternative funding, it would appear that a radical change is required. Without redevelopment the future of the listed buildings themselves, and the SAM and therefore the value of the site as a whole, and the visitor attraction itself, would likely be put at risk. To safeguard against this, a Legal Agreement has been submitted ensuring that the funds received from the proposed PGL development be used by the Trust in maintaining the whole site.
117. Several people and groups have mooted that a smaller redevelopment, maintaining more buildings and land for the visitor attraction, would be more appropriate and such a proposal would likely be welcomed. However no such proposal has been put forward and there is no clear prospect of such a scheme being proposed. We must determine the application that has been submitted.

Impact on the Local Area

118. Concern has been raised that the development will reduce visitor numbers to the existing facility, and therefore as the PGL residents would be children and confined to the site, there would be little knock on benefits to Waltham Abbey Town Centre or the area in general from the development. However it must be remembered that the development envisages significant employment generation, with 77 residential staff and about 150 additional non-residential staff, likely from the local area. This kind of job creation is to be welcomed and will inevitably have knock on benefits to the locality and to town centre business's. In addition

up to 40,000 children a year (and their families and schools) will be made aware of Waltham Abbey, and the Gunpowder Mills, which must have longer term benefits in terms of potential repeat visits and tourism.

Impact on the Green Belt

118. The site is within the Metropolitan Green Belt, within which inappropriate development is by definition harmful and should not be approved except in very special circumstances. The NPPF states that the construction of new buildings is inappropriate, but sets out exceptions to this. The exceptions include; Provision of appropriate facilities for outdoor sport, outdoor recreation... as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it, and limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land) whether redundant or in continuing use (excluding temporary buildings) which would not have a greater impact on the openness of the Green Belt and the purposes of including land within the Green Belt. In addition the reuse of buildings is not inappropriate within the Green Belt.

119. The Gunpowder Mills site is clearly “previously developed land” and as such the replacement of buildings and some infilling within the site is not inappropriate development. In this instance however significant additional built volume is proposed which will have a greater impact on openness than the existing. In particular the proposed new dining hall building would add over 2000m² of floorspace and, although this would be constructed on the site of a former building and would be well located and designed such that it will not be visually prominent, it is not appropriate development in Green Belt terms. However the redevelopment offers significant benefits with regard to the reuse and maintenance of this important, if not unique, historic site and the continuance of museum and visitor centre and these benefits are considered, “Very Special Circumstances” which are sufficient to outweigh the relatively limited harm to openness, and other harm, that will result from the increased built development of the site. It is therefore considered that the proposals are acceptable in Green Belt terms.

Sewage.

120. Concern has been raised that the development may overload the current sewage/ foul drainage system. Thames water has provided comments with regard to this and has suggested conditions which will ensure that adequate provision is made.

Conclusion

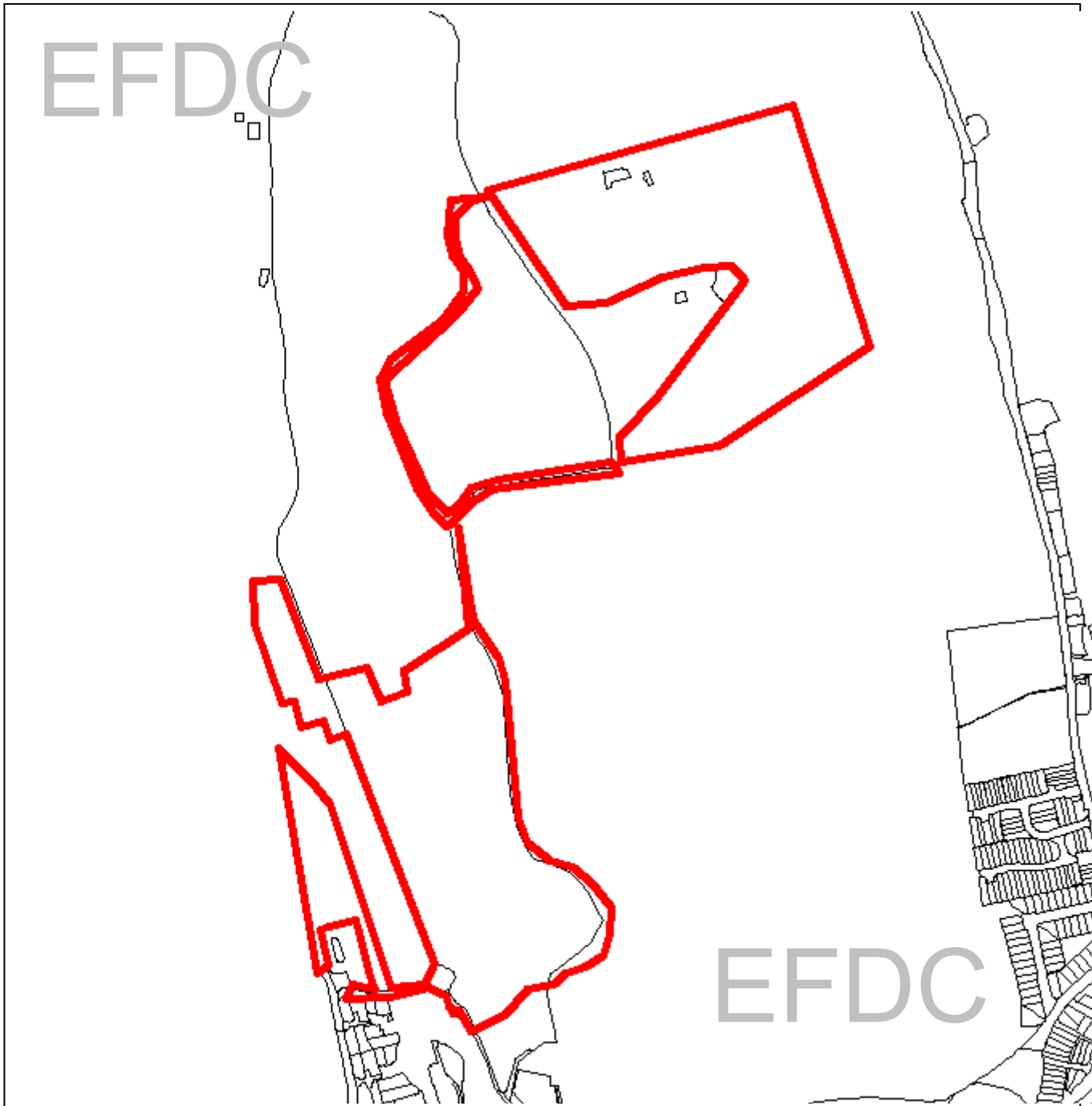
121. In conclusion, this is a well thought out and designed scheme which will bring benefits to Waltham Abbey in terms of employment and tourism and will secure the long term maintenance of an important historic site. This can be achieved without significant harm to the openness of the Green Belt, or harm to the character and amenity of the area. Whilst there are concerns over the contamination of the site and drainage, sewerage and traffic issues, these are all matters that can be satisfactorily controlled by condition. It is therefore considered that the proposal accords with the three dimensions of sustainable development set out in the NPPF (Economic, Social and Environmental) and this proposal satisfies the presumption in favour of sustainable development. The proposed development is in accordance with the adopted policies of the Local

Plan and Alterations and is therefore recommended for approval, subject to the submitted Unilateral Undertaking and planning conditions.



Epping Forest District Council

Agenda Item Number



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Application Number:	EPF/3028/15
Site Name:	Gunpowder Mill, Powdermill Lane/Access off Beaulieu Drive, Waltham Abbey, EN9 1JY
Scale of Plot:	1/7500

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Report to District Development Management Committee



Report Reference: DEV-023-2015/16
Date of meeting: 20 April 2016

**Epping Forest
District Council**

Subject: Listed Building Application EPF/0018/16 – Gunpowder Mill, Powdermill Lane/Beaulieu Drive, Waltham Abbey – Grade II* Listed Building Application for the conversion and alteration and extension of several listed buildings to provide guest accommodation and classrooms, as part of the redevelopment of the site as a residential centre for outdoor recreation and activity.

Responsible Officer: Graham Courtney (01992 564228)

Democratic Services: Gary Woodhall (01992 564470)

Recommendation:

That consent is granted subject to the following conditions:

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted will be completed strictly in accordance with the approved drawings these being those set out in the Drawing Register (Sheets 1 to 4) submitted with the application.
Reason: To ensure the proposal is built in accordance with the approved drawings.
- 3 Notwithstanding approved drawings, samples of the types and details of colours of all the fencing, hardstanding, and signage shall be submitted for approval by the Local Planning Authority prior to the commencement of works
- 4 Dining Hall extension to L168:
 - Details of the types and colours of the external finishes of the extension to L168 shall be submitted for approval by the Local Planning Authority prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
 - A sample panel of brickwork for the extension to L168, minimum size 900 x 900mm, shall be built on site prior to commencement and approved in writing by the Local Planning Authority prior to the commencement of works.
 - Additional drawings that show details of proposed new window, doors, eaves, verges, and cills of the extension to L168, by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by

the Local Planning Authority in writing prior to the commencement of the works.

- **Notwithstanding annotations on the approved drawings, fascias, soffits and bargeboards of the extension to L168 shall be timber unless otherwise agreed in writing with the Local Planning Authority**

5. Notwithstanding annotations on the approved drawings, all new rainwater goods and soil and vent pipes shall be of black painted cast iron unless agreed in writing by the Local Planning Authority.

6. Additional drawings that show details of proposed new internal doors, at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the Local Planning Authority in writing prior to their installation.

Report

The Site:

1. The 'red lined' application site covers two separate areas of the existing site – being the Queens Mead/Eastern Flank area (the southern section), which contains the majority of the Listed Buildings on the site, and the New Hill Area (the north-eastern section), which lies immediately to the east of the Scheduled Ancient Monument.
2. The whole site is located within a conservation area that was specifically designated around the entire Waltham Abbey Royal Gunpowder Mills (WARGM) site due to the historic significance.
3. The north-eastern section of the application site (New Hill) contains several small process buildings that were previously related to the construction of the adjacent nitro-glycerine factory in 1940. None of these buildings are listed and all are in a poor condition. This area contains a substantial lake that was created from a 'borrow pit' that provided clean soil during the earlier decontamination works of the southern site. The New Hill area was not part of the original WARGM site, however it was annexed from the surrounding farmland during the Second World War.
4. The two sections of the application site are dissected by the SAM (Scheduled Ancient Monument) and SSSI. (Site of Special Scientific Interest) This does not form part of the application site

Description of Proposal:

5. The proposal is a joint application made on behalf of both PGL Travel Ltd. and the Waltham Abbey Royal Gunpowder Mills Charitable Foundation Limited (hereafter referred to as the WARGM Trust)..
6. This application is for listed Building Consent for conversion of several existing Listed Buildings to provide further guest accommodation and classrooms,

7. All the existing listed former gunpowder incorporating mills to the east of Queen's Mead are vacant and unused with the exception of L157. Four of these (L145, L148, L153 and L149) are proposed for refurbishment, conversion and use as guest accommodation, while the remaining listed former gunpowder incorporating mill (L157 – Grade I listed) will remain as a display space and teaching rooms with shared use by PGL and the existing visitor attraction. Building L134 (former cordite press house, later laboratories) will also be used for additional teaching rooms.
8. The converted former gunpowder incorporating mill buildings (L145, L148, L149 and L153) would provide 176 guest bed spaces and 21 teacher bed spaces. In addition each building would incorporate a lounge area for teachers (except L148) and storage space together with plant rooms. Listed building L134 (Building G) comprises a listed former cordite press house, which would be converted to provide classrooms.
9. At the southern end of Queens Mead, building L168 (Grade II* listed) will be converted to provide a reception area, administrative offices, meeting room, first aid room, IT room, kitchenette and WC facilities for PGL. A new extension is proposed to the east of this building to provide further facilities for PGL, including a dining hall, kitchen, indoor activity space and WCs. This would be erected on the slab of an earlier 1950s building that was later demolished. Buildings L176 and L177 (Grade II* listed) are currently used as a café and WCs and would be used to provide a lounge for use by PGL teachers and staff. The adjoining buildings (L180 and L182) will be used to provide an equipment store and maintenance facility for PGL. Building L167 (Grade II listed) will be used to provide a shop and 'chill-out' zone for PGL guests. This building comprises approximately 202m² of gross floorspace and is a single volume space, which would be unaltered as part of this proposal. At the northern end of Queens Mead buildings L119 and L122 (which are not listed), and buildings L133 and L136 (which are Grade II listed), will be refurbished and converted to provide living accommodation for PGL senior staff members.
10. Several small unlisted buildings at the northern end of Queens Mead are proposed for reuse as equipment stores, hazardous materials store and WCs whilst other small buildings of low heritage value that are in poor condition would be demolished. Building L185, which is currently used by the visitor attraction and houses the restored powder barge, will remain with the WARGM Trust and would continue to be part of the visitor attraction.
11. A full list of the listed building on the Queens Mead/Eastern Flank area of the site and their existing and intended uses is as follows:
 - L133 - Magazine - later propellant store (Grade II Listed) – currently vacant: Proposed use - Senior staff accommodation building
 - L134 - Cordite press house (Grade II Listed) – currently vacant: Proposed use - Teaching rooms
 - L135 - Tray magazine (Grade II Listed) – currently vacant: Proposed use - senior staff accommodation
 - L136 - Remote accumulator tower (Grade II Listed) – currently a 'Wildlife tower' (part of existing visitor attraction): Proposed use - Senior staff accommodation
 - L141 - Sorting house (Grade II Listed) – currently vacant: Proposed use - Equipment store

- L145 - Group F Gunpowder Incorporating Mills (Grade II Listed) – currently vacant: Proposed use - Accommodation for guests
- L148 - Group G Gunpowder Incorporating Mills (Grade II* Listed) – currently vacant: Proposed use - Accommodation for guests
- L149 - Group E Gunpowder Incorporating Mills (Grade II* Listed) – currently vacant: Proposed use - Accommodation for guests
- L153 - Group D Gunpowder Incorporating Mills (Grade II* Listed) – currently vacant: Proposed use - Accommodation for guests
- L154 - Expense magazine (Grade II Listed) – currently vacant: Proposed use - Equipment store
- L157 - Group C Gunpowder Incorporating Mills (Grade I Listed) – currently exhibition space and classrooms: Proposed use - Teaching rooms
- L165 - Mineral jelly store (Grade II Listed) – currently storage: Proposed use - Equipment store
- L167 - Charcoal store, later converted into reel drying stove (Grade II listed) – currently exhibition space: Proposed use - Shop and ‘chill out’ zone for guests
- L168 - Engine house and mechanics’ shop (Grade II* listed) – Currently the “Mad Lab”, Rocket Vault and exhibition space (part of existing visitor attraction): Proposed use - Reception, admin, offices, meeting room, first aid room, WCs
- L170A - Expense magazine (Grade II Listed) – currently vacant: Proposed use - Equipment store
- L176 & L177 - Boiler house and dynamo house (Grade II* listed) – currently cafe and toilets (part of existing visitor attraction): Proposed use - Lounge for staff and teachers, toilets

Policies Applied:

HC10 - Works to listed buildings

HC13 - Change of use of listed buildings

HC16 - Former Royal Gunpowder Factory Site, Waltham Abbey

12. The above policies form part of the Council’s 1998 Local Plan. Following the publication of the National Planning Policy Framework (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:

13. The application has been advertised in the Local press and site notices were erected, in addition Historic England and the Historic Buildings Advisor were consulted.

14. With regard specifically to the proposed works to the listed buildings Heritage England state:

“We welcome the proposals for the repair of the listed buildings... within the conservation area. The conversion of some structures for accommodation, in particular the Grade II and Grade II incorporating mills, would result in a significant degree of repair/replacement of the fabric necessary for the new use, minor changes to current elevations and the loss of visibility of mechanical components resulting from internal conversion, which would result in a degree of harm to their significance..*

15. No other responses relevant to the listed building application were received.

Issues and Considerations:

16. The only considerations with regard to the listed building application are the impact of the proposed development on the historic and architectural interest of the listed buildings.

17. The NPPF requires that Local planning Authorities take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, and to afford great weight to the conservation of the significance of designated heritage assets. Should proposals harm the significance of designated heritage assets, that harm should have clear and convincing justification and be weighed against the public benefits arising from the development including securing its optimal viable use.

18. Although the proposed conversion works result in a degree of harm to the significance of the listed buildings, this harm is justified in providing a new, viable, and, on the most part, sympathetic use for the buildings. Externally, the buildings will be little changed; repairs will be like-for-like, new materials (for example the single-ply membrane roofing to some of the incorporating mills) will replicate the appearance of the existing, and the proposed new windows match the existing. Internally, several of the listed buildings require no or minimal work. Interventions into the incorporating mills are greater; however, the elements of significance within the buildings will be retained with additions being reversible. The internal layouts are retained with the glazed corridor providing access to each of the accommodation units still divided by the blast walls. Where machinery survives within the incorporating mills it will be obscured from view by new suspended flooring, however, it is still retained in situ and can be revealed by removing the flooring.

19. The large extension to L168 to provide a new dining hall is located on the same footprint and will have the same roof height as an earlier building on the site that was demolished in the 1950's. Whilst is of modern design and would be a relatively prominent structure within the site, is is considered that it will not detract from the listed building.

20. It is considered that the works proposed are the minimum necessary to enable their satisfactory re use and have been well thought out and designed, such that the harm to the character and historic interest of the buildings is minimised. The reuse of the buildings will help secure their long term maintenance and retention and therefore the small harm must be balanced against this benefit.

Conclusion

21. Historic England conclude that the proposed development would assist in achieving the heritage benefits set out in the NPPF and that harm to the heritage assets from the development would not be substantial. It is for the Local planning Authority to determine whether the benefits of the development are sufficient to outweigh this non substantial harm.

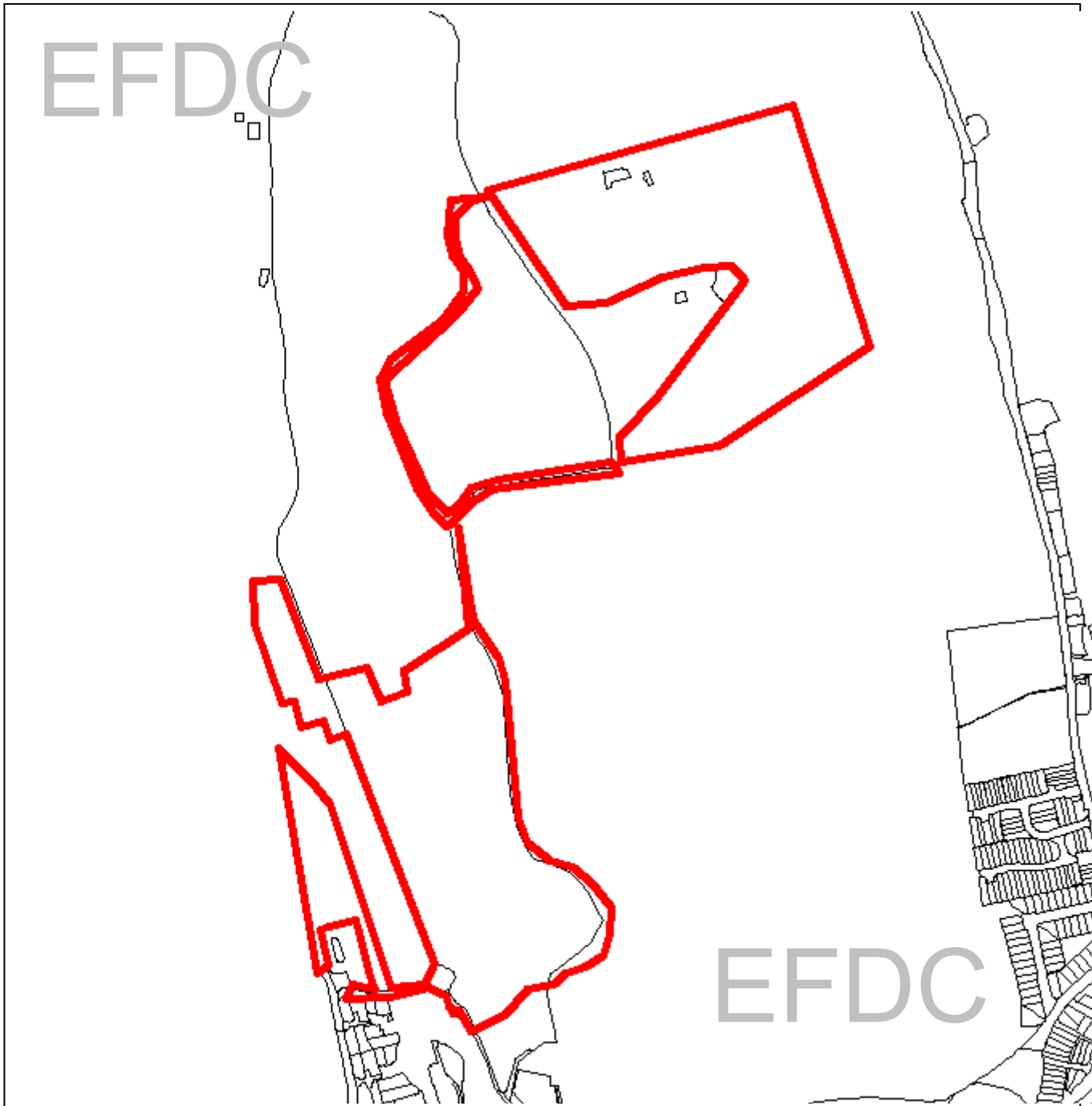
22. The works to the listed buildings are required in order to enable the overall development to be viable and to secure ongoing income to the charitable Trust which will be ploughed back into maintaining the heritage assets, it is therefore considered that the benefits of the scheme clearly outweigh the limited harm and the listed building application is recommended for approval subject to conditions.

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Epping Forest District Council

Agenda Item Number



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Application Number:	EPF/0018/16
Site Name:	Gunpowder Mill, Powdermill Lane/Access off Beaulieu Drive, Waltham Abbey, EN9 1JY
Scale of Plot:	1/7500

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Report to District Development Control Committee

Report Reference: DEV-024-2015/16
Date of meeting: 20 April 2016



**Epping Forest
District Council**

**Subject: Planning Application re: EPF/0144/16 – Land to south east of
Fyfield Road and north of Ongar Leisure Centre, Fyfield Road,
Ongar.**

Responsible Officer: Nigel Richardson (01992 564110)

Democratic Services: Gary Woodhall (01992 564470)

Recommendation(s):

**(1) Subject to a referral to the National Planning Casework Unit, this
Council resolves to grant planning permission, subject to the following
conditions:**

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

**Reason: To comply with the requirements of Section 91 of the
Town and Country Planning Act 1990 (as amended).**

**2 The development hereby permitted will be completed strictly in
accordance with the approved drawings nos: 01001revP1,
01004revP3, 01005revP6, 01006revP5, 01008revP3, 02001revP6-
Ground floor plan, 02001revP6-First floor plan, 02001revP6-
Roof plan, 02001revP6-Second floor plan, 03001revP6,
03002revP6, 04001revP2, 04001revP6, 07501revP3, 100revP05,
SK-001revP01, 09101-09107 inclusive and specified external
brickwork materials: Ibstock Surrey Cream and Edenhall
Sapphire Blue.**

**Reason: To ensure the proposal is built in accordance with the
approved drawings.**

**3 All ground works, deliveries and/or demolition shall be in
accordance with the submitted Construction Management Plan
(CMP). The CMP shall be adhered to throughout the
construction period.**

**Reason: To ensure that on-street parking of these vehicles in
the adjoining streets does not occur and to ensure that loose
materials and spoil are not brought out onto the highway in the
interests of highway safety.**

4 Prior to the first occupation of the development, the access at

its centre line shall be provided with clear to ground visibility splays with dimensions of 2.4 metres by 50 metres to the north and south, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction in perpetuity.

Reason: To provide adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety.

- 5 Prior to first occupation of the development the access and highway works, as shown in principle on Robert West drawing no.100 Rev P05, shall be fully implemented and maintained as such in perpetuity.

Reason: In the interests of highway safety, efficiency and accessibility.

- 6 Prior to the first occupation of the development details of the Cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained as such in perpetuity.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety.

- 7 The submitted and revised School Travel Plan shall be adhered to and should be continued to be updated as necessary throughout the life of the school.

Reason: To ensure the proposal is accessible by more sustainable modes of transport such as public transport, cycling and walking.

- 8 There shall be no discharge of surface water onto the Highway.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

- 9 If the gas sub-station will be affected by the development the features with potential for roosting bats should be removed by hand under supervision of a suitably licensed ecologist. The ecologist shall provide written confirmation to EFDC that no bats will be harmed and/or that there are appropriate measures in place to protect bat interest on site.

Reason: In the interests of habitat protection.

- 10 Prior to the commencement of any works to moderate or high bat roost potential trees, dusk and dawn surveys for bats should be undertaken in accordance with guidelines from Natural England (or other relevant body). These should be

submitted to EFDC for approval.

Should the surveys reveal the presence of bats, or their breeding sites or resting places then an appropriate and proportionate detailed mitigation and compensation strategy must be written in accordance with any guidelines available from Natural England (or other relevant body) and submitted to EFDC for approval.

Should a Natural England European Protected Species licence (EPS) be required then this should also be submitted to EFDC. All works shall then proceed in accordance with the approved strategy with any amendments agreed in writing.

Reason: In the interests of habitat protection.

- 11 **Any trees with low bat roost potential, which are scheduled to be impacted by the development, should be soft-felled after inspection of potential roost features under supervision of a suitably licensed ecologist during the active bat season (May to September). If any bats or evidence of bats are found during soft-felling, works should cease until a Natural England (NE) European Protected Species (EPS) Mitigation License can be obtained and submitted to EFDC. If no evidence of bats is found the ecologist will provide written confirmation to EFDC that no bats will be harmed and/or that there are appropriate measures in place to protect bat interest on site.**

Reason: In the interests of habitat protection.

- 12 **A lighting design strategy for bats shall be submitted to and approved in writing by the local planning authority prior to commencement of development.**
It is recommended that to minimise risk of disturbance to foraging and commuting bats on site, that the development should follow lighting minimisation precautions, including the following;
No works on site should be conducted after sunset and if security lighting is required then this should be kept to a minimal level (as necessary for safety and security)
Post development lighting should be directed away from site boundary vegetation, and in particular, away from the on-site trees with bat roost potential
Installation of lighting columns at the lowest practical height level with box shield fittings will minimise glare and light spillage
Lux level of lamps should be as low as possible and be high pressure sodium (rather than metal halide, or other) with covers made from glass rather than plastic as this minimises the amount of UV light, reducing the attraction effects of lights on insects
Security lights should be set on short timers, and be sensitive to large moving objects only.

Reason: In the interests of habitat protection.

- 13 **The removal of limited amounts of hedgerows, scrub or trees**

or limited groundworks within the wooded area shall be undertaken under supervision of a suitably qualified ecologist, during the active season (April to September). This precautionary method will minimise the risk of harm to any reptiles using these areas for commuting or sheltering. The ecologist will provide written confirmation that no reptiles will be harmed and/or that there are appropriate measures in place to protect reptile interest on site.

Reason: In the interests of habitat protection.

- 14 No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation to EFDC that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.

Reason: In the interests of habitat protection.

- 15 A great crested newt (GCN) survey shall be undertaken to determine the presence or likely absence of this species in the surrounding area following guidelines from Natural England. If GCNs are found to be present in the surveys pond, a NE EPS Mitigation License will be required prior to any groundwork at the site. The report, and the licence, must be submitted to EFDC for approval prior to works commencing.

Reason: In the interests of habitat protection.

- 16 A landscaping enhancement plan should be submitted and approved by EFDC prior to commencement of works. This should include enhancement for wildlife, corridors, foraging areas, native planting, wildflower areas, hibernacula, bat boxes, bird and house martin boxes as detailed in the Phase 1 Habitat survey submitted by James Blake Associates in November 2015.

Reason: In the interests of habitat promotion.

- 17 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment 150455/AW/TG Rev 2, the surface water drainage strategy 150455/TG/JB Rev 2, the drainage construction details C163 and the following mitigation measures detailed within the FRA:

Limiting the discharge from the school development to 12.1l/s and the discharge from the external car park to 5l/s
Provide attenuation storage for all storm events up to and including the 1:100 year storm event inclusive of climate change.
Provide treatment in line with the approved FRA

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

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to ensure the effective treatment of surface water runoff to prevent pollution

- 18 **No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.**

Reason: The National Planning Policy Framework paragraph 103 states that local planning authorities should ensure flood risk is not increased elsewhere by development. Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

- 19 **No works shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.**

Reason: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.

- 20 **The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.**

Reason: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

- 21 **No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been**

submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including 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.

Reason:- To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 so as to ensure that the details of the development of the landscaping are complementary, and to ensure a satisfactory appearance to the development, in accordance with the guidance contained within the National Planning Policy Framework and policies CP2 and LL11 of the adopted Local Plan and Alterations.

22

The development shall be carried out only in accordance with the James Blake Associates Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule unless the Local Planning Authority gives its written consent to any variation.

Reason:- To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, and to enable full and proper consideration be given to the impact of the proposed development on existing trees / hedges, so as to safeguard and enhance the visual amenities of the area and to ensure a satisfactory appearance to the development in accordance with the guidance contained within the National Planning Policy Framework and policy LL10 of the adopted Local Plan and Alterations.

23

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 in writing 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]

Reason:- To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with the guidance contained within the National Planning Policy Framework and policy RP4 of the adopted Local Plan and Alterations.

24

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

Reason:- To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with the guidance contained within the National Planning Policy Framework and policy RP4 of the adopted Local Plan and Alterations.

25

Should Land Contamination Remediation Works be identified

as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]

Reason:- To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with the guidance contained within the National Planning Policy Framework and policy RP4 of the adopted Local Plan and Alterations.

26

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

Reason:- To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with the guidance contained within the National Planning Policy Framework and policy RP4 of the adopted Local Plan and Alterations.

27

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.

Reason:- To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with the guidance contained within the National Planning Policy Framework and policy RP4 of the adopted Local Plan and Alterations.

- 28 No preliminary groundwork's of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.

Reason: The development has the potential to impact on historic environment assets.

- 29 Prior to the occupation of the development, a scheme for lighting the MUGA pitch shall be submitted to and approved in writing by the Local Planning Authority and carried out as approved thereafter.

Reason: To safeguard the visual amenities of the locality and this part of the Green Belt from visual harm.

- 30 All car parks proposed as part of the development shall be completed and made available for the uses stated on drawing no. 01006 Rev. P5, prior to the first occupation of the school.

Reason: To ensure that there will be no highway safety issues as a result of the parking not being made available.

REPORT DETAIL:

1. *This application is before this Committee since it is "large scale major" application as defined within guidance issued by the DCLG (Pursuant to The Constitution, Part Two, Article 10 (b))*

Description of Site:

Most of this 8.9 hectare site consists of existing playing fields that lie to the north and east of the Ongar Leisure centre. The site also includes a car park adjoining Fyfield Road that is used currently as an overspill car park for the Leisure Centre/Medical Centre. The site lies in the Green Belt but adjoins the north east boundary of the

urban settlement of Ongar. It lies some 400metres north of the Four Wantz roundabout.

Description of proposal:

The school will have 4 forms of entry accommodating up to 800 students and will include a sixth form. It is proposed to erect the school buildings (mainly 3 storey but also one and two stories) on the existing smaller playing pitch (some 1.42 ha) that lies to the north of the leisure centre, and which is separated from the larger playing fields to the east and south by a significant tree line and hedgerow. A sports hall is proposed close to the visitor entrance.

The existing playing fields to the east and south will be retained in open use but will be adapted in part, for example, to provide a floodlit all weather multi use sports pitch.

A new vehicular access for the school will be provided from Fyfield Road into the 'overspill' car park referred to above. This car park will be shared between 26 spaces for the Medical Centre, with the remaining area being used as a parent drop off area and parking for visitors to the school. From this car park a vehicular access, to be barrier controlled, will be provided to a 54 space car park to be used by staff in the school.

Relevant History:

Following a grant of two year planning permission temporary school buildings (for the years 2105 and 2016) have been erected on land next to the leisure centre pending the building of the Academy now applied for. 98 children were initially admitted to this temporary school.

Representations Received:

ONGAR TOWN COUNCIL: - the Council have discussed this application at two meetings and at its second meeting agreed to *'make no objection – but did register concerns about the safety aspect with regard to the associated vehicular access and exit but agreed that in the light of additional information it would withdraw its objection - subject to assurance that Ongar Academy will address those concerns further in the detailed technical design stage which will be shared with members at the appropriate time.'*

NEIGHBOURS – A total of 168 neighbouring properties were notified. 5 letters of objection have been received, but one of these letters states that the objection is made on behalf of 12 properties lying on the opposite side of Fyfield Road. In terms of support some 65 letters/emails have been received from a range of addresses with many stating that there is a need for this facility for children in Ongar and a wider area.

A summary of the objection letters received are as follows: -

38, FYFIELD ROAD – object – the new vehicular access will exacerbate existing safety problems caused by traffic entering and exiting the Medical Centre, and there have been near misses on the zebra crossing outside the centre; protected trees are at risk from the new access; there will be increased noise and light pollution which do not appear to have been addressed; the leisure centre car park is already full with medical staff, patients, leisure centre uses, and a new school will lead to more

congestion; no consideration has been given to buses turning, and vehicles parked in the car park next to Fyfield Road will cause exhaust emissions into our garden

56, THE GABLES – traffic into the Gables has increased recently eg from the temporary school, and the junction with the Fyfield Road can be dangerous. Is it proposed to provide a signalled junction or roundabout to the north to provide access to the school?

59, FYFIELD ROAD ‘and residents of (12 houses at) 57 Fyfield Road to Shelley Lodge’ – object on grounds including the following – vehicles turning right into the school will cause queues on busy road; these queues will block the exit of residents cars from their drives, and these issues will give rise to more accidents; this is a dangerous road, with a blind bend and with other junctions nearby, and many vehicles go faster than the limit of 30mph. A roundabout should instead be provided. Residents of nos. 59 to 63 will have headlights shining into their houses from vehicles leaving the school, especially in winter. Opening up this old access to the former school would be a recipe for traffic chaos and a very poor start to the schools relationships with its neighbours. If the school access has to be on to Fyfield Road it should be 150m to the north. There is no advantage in repositioning an existing crossing further north to outside number 67 Fyfield Road. *This detailed letter of objection was passed to the applicants Highway Consultants who have replied to the points raised – please see below under ‘Access and parking issues’.*

12, FYFIELD ROAD car parking is already an issue in Fyfield Road. While there is parking provided by the school I am concerned it will be insufficient particularly for events such as parents evenings.

ESSEX CC HIGHWAYS AUTHORITY –

The Highway Authority has assessed the above proposal and is satisfied that it is not contrary to National/Local policy and current safety criteria.

The applicant has submitted a robust Transport Assessment of the proposal and the Highway Authority is satisfied with the conclusions. There is a minimal impact on the Four Wantz roundabout to a couple of the arms but they are already, or will be, operating over capacity and any improvements needed at this roundabout would be outside the scope of this planning application. The capacity issues associated with the development will not cause any detriment to highway safety.

The new access has been assessed and subject to a Stage 1 Road Safety Audit and the developer has satisfactorily answered/amended any issues that were raised as a part of this audit. The access was discussed at length before the current application was submitted and all parties, the Highway Authority, EFDC and the applicant, all agreed that a new access was the best approach to avoid issues associated with the use of The Gables as the sole access. The new access has appropriate visibility and geometry for the use and it has been demonstrated that there will be no capacity issues associated with it.

The current overflow car park has been surveyed by the applicant and the results show that again there will be no detriment to highway safety with the loss of spaces from this location.

The Highway Authority has concluded that the impact of the access and the proposed impact of the development on the local and strategic highway network is acceptable and will not be detrimental to highway safety, efficiency or capacity.

From a Highway and Transportation therefore the impact of the proposal is acceptable subject to conditions being applied.

SPORT ENGLAND – have issued a HOLDING OBJECTION since the proposed building of the school and new sports facilities will involve the loss of existing playing fields. Detailed discussions have taken place between Sport England and the applicants, for instance about the nature and use of new sports pitches to be provided, and although an objection may be maintained, Sport England are likely to suggest a number of conditions that should be attached to any consent. If appropriate these conditions will be presented to the Committee.

ESSEX CC SUSTAINABLE DRAINAGE TEAM – Having reviewed the Flood Risk assessment and associated documents which accompanied the planning application, we do not object to the granting of planning permission, subject to the imposition of 4 appropriate conditions.

ESSEX CC HISTORIC ENVIRONMENT OFFICER – the application has the potential to impact on historic environment assets. We therefore recommend that if consent is granted an appropriate condition be added requiring the implementation of a programme of archaeological work.

EFDC TREES AND LANDSCAPE SECTION – No objections – subject to conditions being imposed requiring a tree protection plan, and details of hard and soft landscaping, to be submitted and approved. In terms of tree protection satisfactory details have been supplied with the application and hence the normal tree protection condition can be amended. In terms of proposed landscaping a masterplan has been drawn up but details are required of the specie and size of tree/shrub to be planted. The development will necessitate the removal of a relatively small TPO tree at the proposed new entrance to the site. However, compensatory planting has been discussed with the applicants, and a specimen tree (Dawn Redwood) is to be planted as part of the planting plan for the new entrance area.

EFDC COUNTRYCARE – No objections - subject to imposition of conditions requiring details to be submitted of suitable measures to safeguard protected species and their habitats.

EFDC LAND DRAINAGE SECTION - No objections subject to a condition requiring implementation of the submitted flood risk assessment and drainage strategy.

EFDC LAND CONTAMINATION OFFICER – a school is a ‘sensitive’ development and it is recommended that the standard and phased land contamination conditions are imposed.

Policies Applied:

National Planning Policy:

National Planning Policy Framework (NPPF)

Local Planning Policies of the Adopted Local Plan and Alterations in conformity to the NPPF

- CP1 – Achieving sustainable development objectives
- CP2 – Protecting the Quality of the Rural and Built Environment
- GB2A – Development in the Green Belt
- DBE1 - New buildings
- DBE2 - Neighbouring Amenity
- DBE4 – Design in the Green Belt

RST1 – Recreational, Sporting and Tourist facilities
RST14 – Playing fields
ST1 – Location of development
ST4 – Road Safety
ST6 – Vehicle parking
ST3 – Transport assessments
ST5 – Travel Plans
LL9 – Felling of preserved trees
LL10 – Adequacy of provision for landscape retention
LL11 – Landscaping Schemes
LL3 – Edge of Settlement
NC4 – Protection of Established Habitat

Issues and Considerations:

Background and need for a new secondary school

The proposed site for this Ongar Academy was in fact previously the playing fields and car parking for the former Ongar Comprehensive school which was closed in 1989 - with existing pupils being obliged to travel to schools in towns nearby eg Epping and Brentwood). The original school buildings were converted into the leisure centre that now stands on the adjoining site. The original access to the former school (to what is now the 'overspill car park') was stopped up for pedestrian use only with vehicles coming into the centre complex and overspill car park via The Gables.

In September 2014 approval was given by the Department of Education for the Ongar Academy Trust to set up a free school in Ongar. The school will have a STEM focus (ie Science, Technology, Engineering, and Mathematics), and it is planned that the new school would be built ready for occupation in September 2017.

Green Belt issues

The proposed site for the school lies on the edge of Ongar in a Green Belt position. The proposal therefore constitutes inappropriate development which can only be granted in 'very special circumstances'. The application is accompanied by an Education Justification, and an Alternative Sites Assessment, so as to illustrate that very special circumstances do exist.

The Education Justification sets out the need for a secondary school in Ongar and some of the main points are:

- 1) Currently children have to take bus journeys of between 20 to 50 minutes duration to other towns at least 10km away. Irrespective of the potential for aggressive behaviour and bullying it is commonly acknowledged that long bus or car journeys on a daily basis can have a detrimental effect on the well being and health of children.
- 2) From September 2016 school bus journeys, principally provided by Essex CC, will no longer be free - other than for the nearest destination school
- 3) The admission of 98 pupils in the first year (2015-2016) to the temporary school provided next to the Leisure Centre confirms that there is a local demand for secondary school places. The Ongar Academy Trust has had interest registered from parents for the period 2016-21 which shows that the Academy will be oversubscribed.
- 4) The population of Essex and Epping Forest is rising and beyond 2019 potential housing allocations in the Local Plan will increase the demand for secondary school places.

- 5) Schools in Epping Forest and Loughton mainly have a deficit of places, and the provision of a 4FE capacity school in Ongar will relieve pressure on these schools as well as offering more local choice to the people of Ongar and its rural hinterland
- 6) The new school buildings and grounds will provide sports and leisure facilities which are lacking in the local area – and these facilities would be used not just by the students of the Academy but will also be available to the local community.

The Alternative Sites assessment report initially looked at sites within the urban area of Ongar. Six vacant properties were identified but they were not sufficiently large enough to accommodate the 7.500 sq m floor space requirement for a 4FE secondary school. Then 8 other sites outside the Ongar urban area were identified but each of these had problems such as poor accessibility, inadequate pedestrian links, loss of good agricultural land, and land availability constraints. Consequently site 9, the application site, on the edge of Ongar, was the most sequentially preferred. It is clearly a difficult task to find a suitable site for a secondary school, particularly with regard to access and parking issues. It is also the case that St Johns School in Epping, which opened in 2013, and Debden Park High School in Loughton, which opened in 2000, were also approved on Green Belt land but which adjoined the built up area - where the availability of less constrained land made it easier, for example, to provide satisfactory vehicular access and parking facilities without too much impact on local roads and residential amenity. For instance, both these schools have dedicated vehicular drop off areas positioned away from the principal vehicular route serving the schools, and this will also be the case for this proposed Academy school in Ongar.

Taking the above factors into account officers agree that there is a demand for a secondary school in Ongar, that the application site represents the best option in terms of impact on the Green belt, and that 'very special circumstances' exist to make the proposal an acceptable development in the Green Belt.

In terms of visual impact the proposed site also benefits from tree lines and hedgerows which will partly screen and soften the impact of the school buildings. A line of mature trees, between 5m and 16m in height will screen views from east and south east, and a tree line along the east side of Fyfield road will reduce the impact of the buildings when viewed from the west.

Access and Parking provision.

Vehicle access to the proposed school will be provided through the formation of a new vehicular access on to Fyfield Road – to be located where the current pedestrian access to the overspill car park is currently located. The design of this new junction has been carefully planned by the applicant's highway consultants, and, as mentioned above the highways authority raise no objections to the layout and design of this new junction. This new vehicular access leads into the 'overspill' car park which will be used as a vehicle and coach drop off point. It will also provide 26 appropriately marked car spaces for the nearby Ongar Medical Centre – 6 more than the current arrangements allow for. From this car park a vehicular access (along with a separate pedestrian access to the proposed school) will be provided to a 54 space car park for use by staff at the school, and this vehicle access will have a barrier control.

Residents living on the opposite side of the road have submitted a detailed letter of objection to the proposed access and associated carriageway works. This letter was

passed to the applicant's highways consultant, and each point of concern has been answered, and Essex County Council, as Highway Authority, has agreed with the responses made.

Clearly the proposed school and access will give rise to increased vehicular movements that will have some impact on conditions on Fyfield Road, and residents naturally are concerned. However, Fyfield Road is a classified route. The increase in traffic will be mostly occur during two forty minutes peak periods in the day, and the school will not be open for a third of any year. Traffic flows will therefore not be constant and for this reason the provision of a roundabout would not be expedient. It is also the case that the vehicular access to the former school was at this same position – and the design of the new access will be an improved one providing for better driver visibility and an easier right turn from the south. Lastly, an uncontrolled crossing point, with central refuge has been moved further north, and apart from providing a pedestrian facility it will also serve to slow the speed of vehicles driving southwards from Fyfield as they approach the new school entrance and the Ongar built up area.

Sports and leisure facilities

The Leisure Centre in Ongar currently hires out the use of the existing sports and football pitches on the site of the proposed school. Clearly there has been a lot of discussion between the centre and the Ongar Academy Trust on how the facilities in the new school will be used. Also the Trust has carried out a survey of local sports and leisure clubs to determine what their needs are. A key objective is that sports and leisure facilities in the new school will be made available for use by local sports teams, and the community generally, in the evenings and at weekends when the school is not in use. To this end a joint booking system will be operated with priority given to the leisure centre 'client' in order that bookings are not 'diminished'. Conversely, some facilities in the Leisure Centre, namely the swimming pool, gym, and dance studio, will be used by children attending the new school – indeed, children currently attending the temporary school are already using these facilities which provides a source of revenue to the Leisure Centre.

The sports and leisure facilities proposed in the new school are a) a sports hall close to the visitor entrance to be used for sports such as badminton, basketball, 5 a side football, indoor cricket, gymnastics, and the wooden floor will allow for more flexibility for different sports to be played compared to the existing concrete floor in the Leisure Centre hall, b) an activity studio, c) accessible changing rooms d) an outside floodlit all-weather multi use sports pitch (MUGA) to be used for netball but which also can be used for soccer, basketball, tennis and mini tennis, and e) 1 rugby and 2 football pitches in winter, and a 400m running track, cricket pitch, and softball pitch in summer.

The building of the new school will entail the loss of one outside playing pitch, and the new outside sports pitches will replace the current playing fields that amounts to some 6.80 ha in area and will be subject to more intensive use.

Sport England has lodged a 'holding objection' pending the provision of more details about the existing and proposed pitches and facilities. It would appear that they recognise some of the net benefits that could accrue from the proposed school, and it is expected that they will request that conditions are attached to any planning consent. These conditions, if appropriate, will be referred to verbally at Committee.

Finally, the applicants state that it is Trust's vision to create a leisure and sports hub for Ongar providing a wider range of facilities, and to conduct joint working with the Leisure centre to maximise the viability of both the Leisure Centre and the new Academy facilities. Clearly the Academy has the potential to significantly improve local leisure and sports facilities and this factor also weighs heavily towards an approval of this application.

Design and Appearance

From the pedestrian path to the new development, the main elevation of the Academy will be a 2 storey building on the left, with 2 floors of glazing to provide prominence to the entrance, and on the right will be the timber clad sports hall at more than two stories in height. The buildings will mainly be a 3 storey flat roofed building to a maximum height of 12m. While the buildings will have of necessity a somewhat functional appearance, the use of a buff colour facing brick, interspersed with insulated render panels, timber, and charcoal brick cladding, will provide for an appropriate courtyard design and appearance. In addition the buildings are positioned in a recessed position a minimum of 90m away from Fyfield Road, and as mentioned above an existing tree line and hedgerow will help screen and reduce the impact of the new buildings. The submitted landscape master plan is acceptable in principle subject to further details being provided of the type and specie of tree/shrub to be planted.

Impact on Residential amenity

There are no dwellings nearby that are directly affected by the proposed buildings, and the nearest buildings to the south are the non residential Leisure Centre building and youth centre. However a neighbour at 38, Fyfield Road has expressed concern about cars parked in the spaces allocated for the medical centre which would emit exhaust fumes into his garden. However, these spaces are some 4m away from the boundary and this boundary treatment will be subject of a condition so that it is a solid fence. An objection has also been received on grounds that vehicles leaving the site will have their headlights shining into houses at numbers 59 to 56 on the other side of Fyfield Road. It is acknowledged that this could give rise to a loss of amenity but this could be mitigated by the provision of by planting and or /fences on the front boundaries.

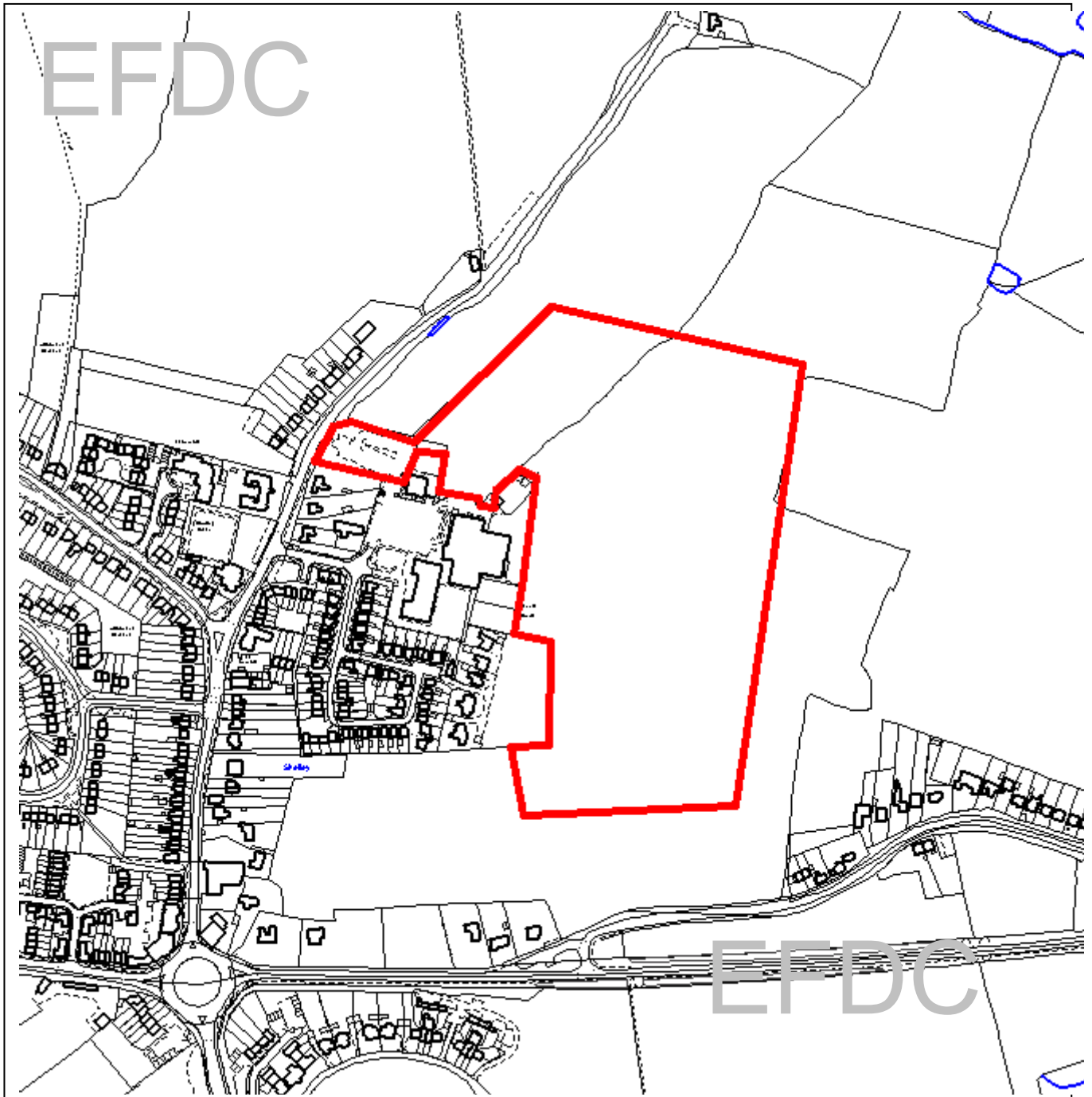
Conclusion:

This is a significant development that will provide a much needed secondary school for Ongar and its hinterland. It will also improve the range of leisure and sports activities available to local people. Although the site is in the Green Belt, it lies next to the built up area and important agricultural land will not be lost. Very special circumstances therefore do exist to support the approval of this Academy. For these reasons, and those outlined in the report, it is recommended that conditional planning permission be granted.



Epping Forest District Council

Agenda Item Number



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Application Number:	EPF/0144/16
Site Name:	Land South East of Fyfield Road, North of Ongar Leisure Centre, Fyfield Road, Ongar
Scale of Plot:	1/5000

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Report to District Development Control Committee

Report Reference: DEV-025-2015/16

Date of meeting: 20 April 2016



**Epping Forest
District Council**

Subject: Planning Application re: EPF/0241/16 – 58, York Hill, Loughton

Responsible Officer: David Baker (01992 564514)

Democratic Services: Gary Woodhall (01992 564470)

Recommendation(s):

That planning permission be refused for the following reasons:-

- 1) The formation of a hard surfaced drive way with retaining walls, and the associated removal of a section of hedgerow and embankment, would be an unsightly development that would detract from the character and appearance of this Conservation Area to which hedgerows make a significant contribution. In addition, if approved, it would be difficult to resist other similar proposals in the locality, which would further erode the special character of this part of the conservation area. The proposal is therefore contrary to policies HC6 and LL10 of the adopted Local Plan and Alterations, and contrary to the National Planning Policy Framework.**
- 2) The visibility sightlines for drivers exiting the proposed drive way parking would be inadequate, and the proposal would therefore cause a safety hazard to other road users. The proposal is therefore contrary to policy ST4 of the adopted Local Plan and Alterations, and contrary to the National Planning Policy Framework.**

REPORT DETAIL:

This application is before this Committee since it has been submitted on behalf of Councillor Weston (Pursuant to The Constitution, Part Two, Article 10 (f))

Description of Site:

A two storey semi detached house which lies in a raised position on the north side of York Hill.

Description of proposal:

Formation of an street parking area in the front garden with perimeter retaining walls, additional landscaping, and the provision of a 3 metres wide opening on to York Hill.

Relevant History:

EPF/0427/12 - An application, proposing a 3.7m wide vehicular access, and removal of section of damaged hedge, was withdrawn.

EPF/2532/13 gave approval to a retrospective application for the retention of a section of trellis fencing close to the front boundary of the site.

Representations Received:

LOUGHTON TOWN COUNCIL: - the Committee OBJECTED to this application. The hedge is regarded as an important feature at this location in the York Hill Conservation Area where there is an Article 4 direction in place to protect front boundary treatments. Members considered it would have a detrimental effect on the street scene and set a precedent if approval was given for a section of this hedge to be removed and replaced with an off street parking area.

NEIGHBOURS – 5 neighbours were consulted and 5 objections have been received:-.

56 YORK HILL – OBJECT – the removal of hedgerow would detract from the special character of the area; it would not be in keeping with the rural character of this winding lane; we question whether this area of land has been subsiding; the applicant could park elsewhere in the wider section of York Hill; reference to a planning approval for a picket fence at no. 89 York Hill is very different to creating a driveway through this hedge at no.58; a similar application for a drive for no.56 was refused in 1996 on grounds of loss of hedgerow and substandard visibility sightlines, and the issues now raised by this application for no.58 are the same; the proposed drive would have poor sight lines.

43, YORK HILL – OBJECT – detrimental to York Hill and the feel of the area, the drive would be unsafe to use with no pavement on the road, the subsidence has been caused by the applicants levelling works to her garden, two 'car spaces' would be lost on York Hill.

60, YORK HILL – OBJECT – one of the main reasons for declaring a Conservation Area was the existence of the hedgerows, and use of the proposed drive would cause problems for traffic and be a danger to pedestrians.

52-54, and 35 YORK HILL – OBJECT – for similar grounds as cited above, and also that a precedent for other similar applications would be encouraged is approval was granted.

ESSEX CC HIGHWAYS AUTHORITY – From a highway and transportation perspective the impact of the proposal is NOT acceptable to the Highway Authority for the following reasons:

As far as can be determined from the submitted plans the applicant does not appear to control sufficient land to provide the required vehicular visibility splays of 2.4m x 43m. The lack of such visibility would result in an unacceptable degree of hazard to all road users to the detriment of highway safety.

This proposal would therefore be contrary to the aims and objectives of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, and policy ST4 of the Local Plan.

EFDC TREES AND LANDSCAPE SECTION – We object to this application for the following reasons:-

The proposed introduction of hardstanding and associated parked vehicles in this prominent location would be detrimental to the character and appearance of the Conservation Area. It would result in the permanent loss of vegetation which makes a major contribution to the character of the Conservation Area in this location. The proposal is therefore contrary to policies LL10 and HC6.

The justification for this objection is as follows. This site is within the York Hill Conservation Area. Conservation Areas are defined as areas of special architectural or historical interest, the character or appearance of which it is desirable to preserve or enhance. The hedges within York Hill contribute significantly to the special character of the conservation area.

Additionally, there is an Article 4 (2) Direction relating to -

- the provision of hard standings in gardens fronting a highway ;
- the erection or alteration of gates, fences, walls and other means of enclosure fronting a highway or open space.
- the demolition of any gate, fence, wall or other means of enclosure fronting a highway or open space.

It is also noted that the York Hill Conservation Area Character Appraisal and Management Plan states that –“*Hedgerows follow and define much of the historic street pattern and are an essential part of the character of the area. They also provide a strong sense of enclosure and form an important visual feature of much of York Hill, Kings Hill and Woodbury Hollow.*” Holly hedges, narrow lanes and no pavements characterise the area and create a rural feel. Long front gardens contribute to character of area and setting of historic buildings and cottages. It follows therefore, that the loss of any section of hedge would be detrimental to the character of the area.

The applicant states that some of the hedge (the area proposed for removal) is subsiding into the road. During my first visit to the site in 2012 I could see no evidence to suggest that the hedge or land was falling into the road (ie no mud or debris on the road) and indeed in subsequent visits there does not appear to have been any large scale land slippage, only possibly small scale soil loss which may have been due to disturbance of the land when a dead tree was removed.

The Design and Access Statement comments that the ‘proposed entrance is to be in a natural gap in the hedge following the removal of dead and collapsed vegetation’ – whilst we accept that the vegetation is not complete along the boundary, this proposal would require not only the removal of the existing greening in this section, but also the underlying embankment. Obviously, given the proposal, this removal would be permanent. I am of the opinion that more can be done to provide a suitable planting medium that would allow for the reinstatement of a hedge in this area, and that over time this boundary hedge can once again become a complete green screen.

The Design and Access statement makes reference to application EPF/1701/05 – no. 89 York Hill which received approval for the removal of a hedge and installation of a 70cm high picket fence in 2005. The hedge that was removed was poor quality winter

jasmine standing at less than 1m in height. The replacement boundary was of the same length (ie with no additional gaps), and it was considered that the proposal did not detract from the character of the conservation area.

Hedgerows are a significant feature of the York Hill Conservation Area and a major contribution to its character, the permanent loss of any hedge here is considered unacceptable. Whilst the applicant states that the width of the driveway where it meets the road will be 3 metres, there is no information regarding the visibility splays that may be required, or the impact this may have on the remaining hedge in terms of the extent of hedge that will be required to be removed.

The applicant also states that there is a drive way area to the frontage of number 52/54 York Hill, where there is no hedge and a parking area for two cars is present. Historically, there has always been a gap in the hedge in this location, the driveway here has been re-laid in recent years which may give the impression that this is also a new entrance.

To allow the removal of hedge in this location has the potential to set a precedent for the removal of other hedgerows for the creation of car parking, this would very extremely detrimental to the character, appearance and setting of the conservation area. Therefore we strongly object this application for the reasons stated above.

EFDC CONSERVATION TEAM – We are mainly concerned with the impact on the conservation area, which is an “area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance” (Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990). The contribution made by hedges and trees is often an essential feature of its character. In addition, the significance of a heritage asset derives not only from its physical presence and historic fabric but also from its setting, the surroundings in which it is experienced. This factor is therefore usually taken into consideration when new development is being proposed.

58 York Hill is located within York Hill Conservation Area. As stated in the Conservation Area Character Appraisal and Management Plan, the “area is characterised by steep hills, weatherboarded houses, narrow lanes and high hedges. Hedgerows follow and define much of the historic street pattern and are an essential part of the character of the area. They also provide a strong sense of enclosure and form an important visual feature of York Hill, Kings Hill and Woodbury Hill”. Recognising the role and importance of boundary treatments and concern for their preservation, the Article 4 (2) Direction was introduced to give additional protection by removing permitted development rights relating to the alteration of front boundary treatments and the creation of areas of hardstanding.

We would strongly argue that the material change to the front boundary, including the removal of part of the hedge and the creation of an area of hardstanding that will ensue as a result of the proposed scheme will irreversibly alter and diminish the appearance of York Hill. Furthermore, as most of the surrounding properties (as well as no.58) do not have off set street parking area and experience parking issues, similar applications could be submitted for other properties in York Hill and I have strong concerns that if such development is permitted here it will lead to a precedent for other alterations which would irreversibly undermine the character of the conservation area.

In conclusion the recent application, despite the submission of a comprehensive, detailed scheme and associated documents, does not overcome the previous

concerns as the principle still remains unacceptable. Therefore, we still object to the proposal and recommend refusal of this application. This is supported by policy HC6 of our Local Plan and Alterations (1998 and 2006).

Policies Applied:

National Planning Policy Framework (NPPF)

Local Plan Policies:-

HC6 – Character and appearance of conservation areas

ST4 – Road Safety

ST6 – Vehicle parking

LL10 – Adequacy of provision for landscape retention

Issues and Considerations:

The applicants feel that the 'failed embankment' and length of missing hedge is a part justification for the proposed new parking area or drive, which is to be surfaced in brick paviours and surrounded by a brick retaining wall because the garden rises up steeply to the house. However, as one walks up and down York Hill the 'gap' in the hedgerow is currently not that conspicuous – it is only directly opposite that any 'gap' is noticed. In addition, and as pointed out by the Trees Officer, the underlying soil and grassed embankment is still in place, and this would be completely removed if the proposal went ahead - and this would be a more conspicuous change.

It is acknowledged that the applicant's property has no off street car parking space, and that this section of York Hill outside the house is narrow and parked cars can be damaged by passing larger vehicles and lorries. However, there are other opportunities to park on street close by, and the desirability of providing a car space is far outweighed by the environmental impact that the removal of hedge and embankment would cause to the hedgerow character of the road. In addition, if approved it would be obviously difficult to resist other applications for hard surfaced drives to be created which would further erode the appearance of this Conservation Area.

The Council's Trees and Landscape section, and the Conservation Team, also strongly object to the proposal as set out above, and many of the objections raised by neighbours are also legitimate concerns. In addition, the highways authority, Essex County Council, object to the proposal on grounds of inadequate driver visibility sightlines available to drivers leaving the proposed drive - which would result in an unacceptable degree of hazard to other road users.

Conclusion:

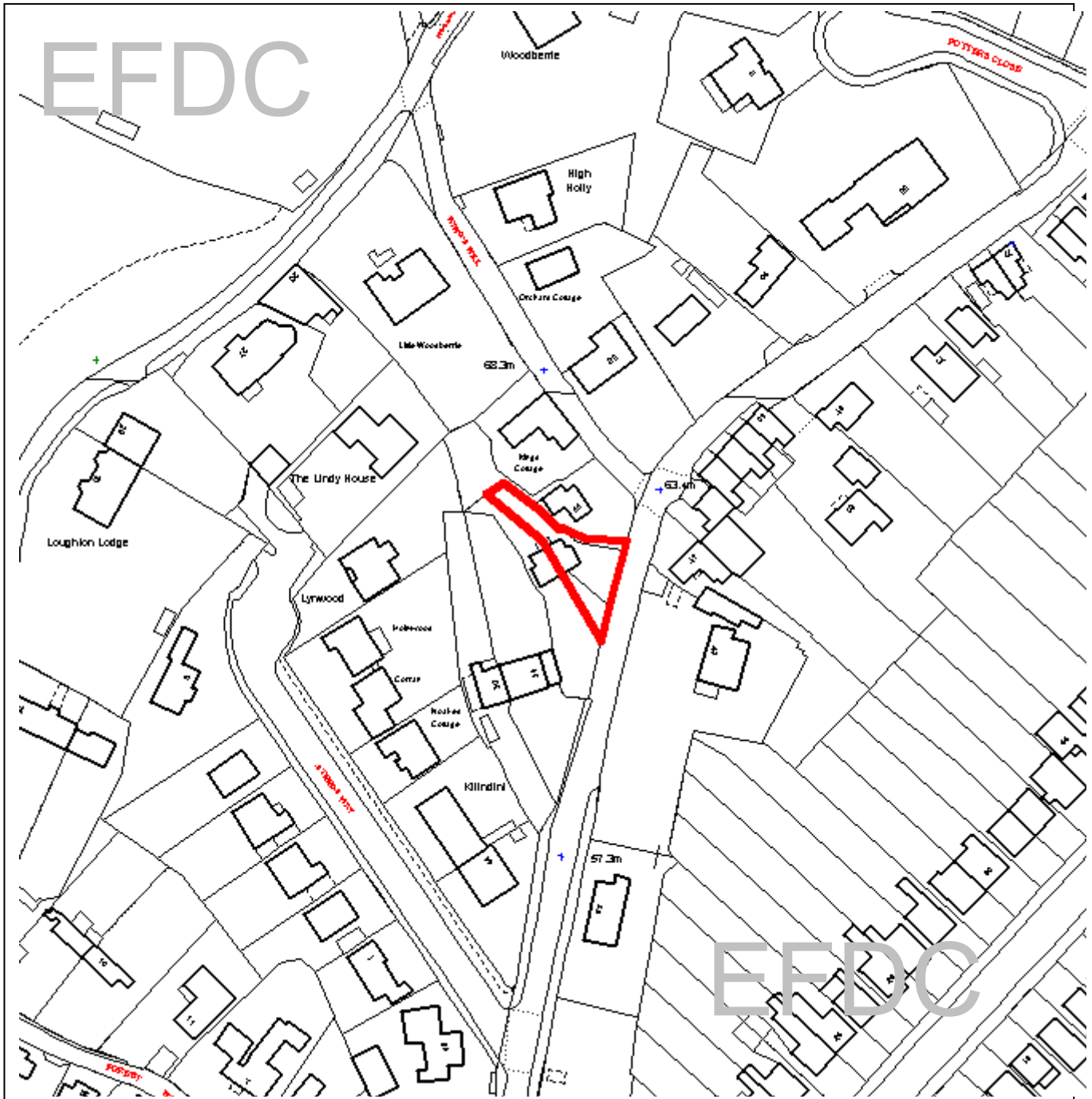
For the reasons set out above it is recommended that planning permission be refused. Regrettably, in terms of a 'way forward' a compromise proposal cannot be suggested in this instance.

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Agenda Item Number



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Application Number:	EPF/0241/16
Site Name:	58 York Hill, Loughton, IG10 1JA
Scale of Plot:	1/1250

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Report to District Development Management Committee

Report Reference: DEV-026-2015/16
Date of meeting: 20 April 2016



**Subject: Planning Application re: EPF/3142/15 – Briar House, 42 Church Lane,
Loughton**

Responsible Officer: Nigel Richardson (01992 564110)

Democratic Services: Gary Woodhall (01992 564470)

Recommendation(s):

(1) That planning permission be Granted to this application subject to the following condition:

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

Report Details:

- The planning officer's report is attached in full below for consideration.

This application is before this Committee since it has been submitted on behalf of Councillor Kauffman (Pursuant to The Constitution, Part Two, Article 10 (f))

Description of Site:

The application site contains a large two storey detached house with integral garage and rear outbuildings. The house is located on the eastern side of Church Lane where it occupies an extensive, well landscaped plot. There are established roadside hedges. There is a narrow strip of land beyond the curtilage which is completely overgrown and screens the site from No. 40 Church Lane to the north west of the site. A strip of protected trees under TPO are along the south eastern side boundary of the site. It is not in a conservation area nor is it listed.

Description of Proposal:

Detached single storey outbuilding to the west side of the house, close to the side shared boundary with 40 Church Hill, 8.65m long, 2.7m wide and 3m high to the central ridge of a very shallow sedum pitched roof. It will be set back 3.1m from the main front wall of the house and set in by 1.35m from the flank boundary. External materials will be mainly glassing elements with front bi-folder door.

Relevant History:

Approved EPF/0581/06 – Two-storey side extension.

Policies Applied:

Local Plan:-
CP2 Protecting the quality of the built environment

DBE1	Design/Appearance
DBE 9	Loss of amenity
ST6	Vehicle Parking

The National Planning Policy Framework (NPPF) 2012;

The NPPF was published on the 27 March 2012. Paragraph 214 states that due weight should be given to the relevant policies in existing plans according to the degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

Consultation Carried Out and Summary of Representations Received

Number of neighbours consulted: 9

Site notice posted: No, not required

Responses Received: No response was received from neighbours.

LOUGHTON TOWN COUNCIL: Committee expressed concerns for the amenity of neighbour no. 40 Church Lane as the proposed garage would be positioned alongside this side boundary of the site. There seems to be some discrepancy in the plans provided which lacked a proposed layout plan.

Issues and Considerations:

The main issues for consideration in this case are:

- Design and Appearance.
- Living Conditions.
- Parking Standard.

Design and Appearance:

The proposed detached garage adopts a contemporary design approach and appearance which is considered appropriate to its setting. It is well concealed from view by the existing mature trees and boundary treatments. It would not therefore be harmful to the character and appearance of the street scene, general locality or host property.

Living Conditions:

The proposed detached garage would be located along the common boundary shared between the application site and neighbour no.40 Church Lane. There is a high retaining wall built along this shared boundary, which together with existing mature trees and vegetation would ensure the proposed would not significantly harm the living conditions of the occupiers of this neighbouring property or any other property.

Parking Standards:

The proposed detached side garage would comply with this parking standards in terms of its size and it would have no consequence on the public highway or on pedestrian safety. The proposal is therefore acceptable on these grounds.

Conclusion:

The proposed detached garage is acceptable in design terms as it would be appropriate to its setting. It therefore complies with the aforementioned policies of the adopted local plan and

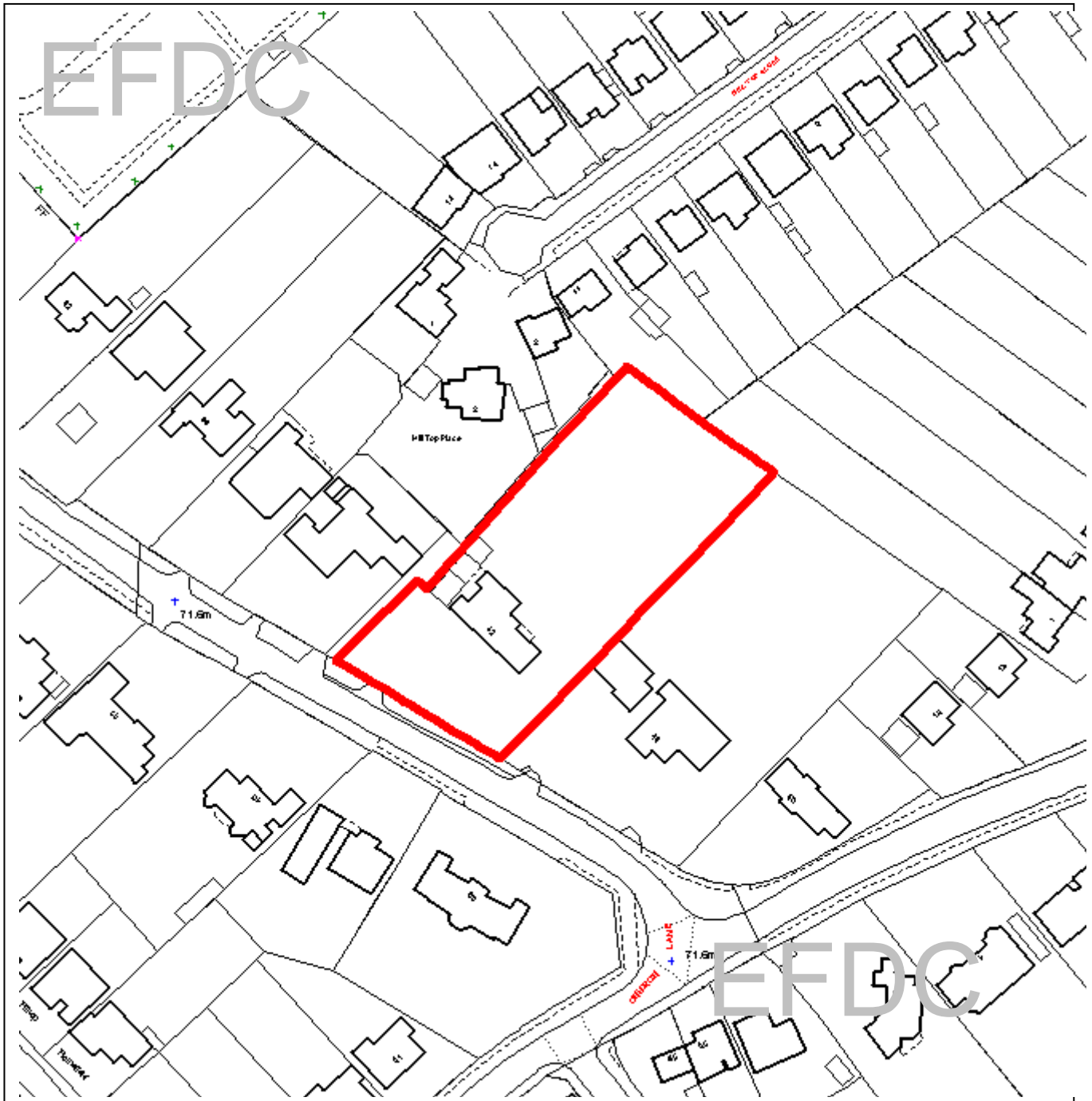
alterations and guidance in the NPPF. Accordingly, it is recommended that planning permission be granted to this application with conditions.

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Application Number:	EPF/3142/15
Site Name:	Briar House, 42 Church Lane, Loughton, IG10 1PD
Scale of Plot:	1/1250

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Report to District Development Management Committee

**Report Reference: DEV-027-2015/16.
Date of meeting: 20 April 2016**



**Epping Forest
District Council**

Subject: Variation to S106 Agreement attached to planning permissions ref EPF/0853/14 and EPF/1326/15 to permit occupation of part of enabling development in advance of completion of school.

Approved Development: Redevelopment of former Tottenham Hotspur training ground with an Autistic Spectrum Disorder (ASD) School, comprising a 3800 sq metre school building to accommodate up to 128 pupils aged 4-19, a mixed use games area, playing fields, 100 parking spaces and a minibus drop off area. Additionally, the development of 60 dwellings on land to the west of the proposed school to act as enabling development to facilitate delivery of the school.

Development Site: Tottenham Hotspur Training Ground, Luxborough Lane, Chigwell, Essex

Responsible Officer: Stephan Solon Ext 4018

Democratic Services: Gary Woodhall Ext 4470

Recommendation(s):

(1) That the S106 agreement relating to planning permissions EPF/0853/14 and EPF1326/15 be varied to permit occupation of:

- 1. Up to 20 houses of the enabling development following:- Completion of phases 1 and 2 to the point that they are watertight and the construction of phases 3 and 4 to ground floor slab level.**
- 2. Up to 40 houses of the enabling development following:- Completion of phases 1 and 2 to the point that they are ready for occupation for the purposes of a school and the completion of phases 3 and 4 to the point that they are watertight.**
- 3. The entire enabling development of 60 houses after all four phases are ready for occupation for the purposes of a school.**

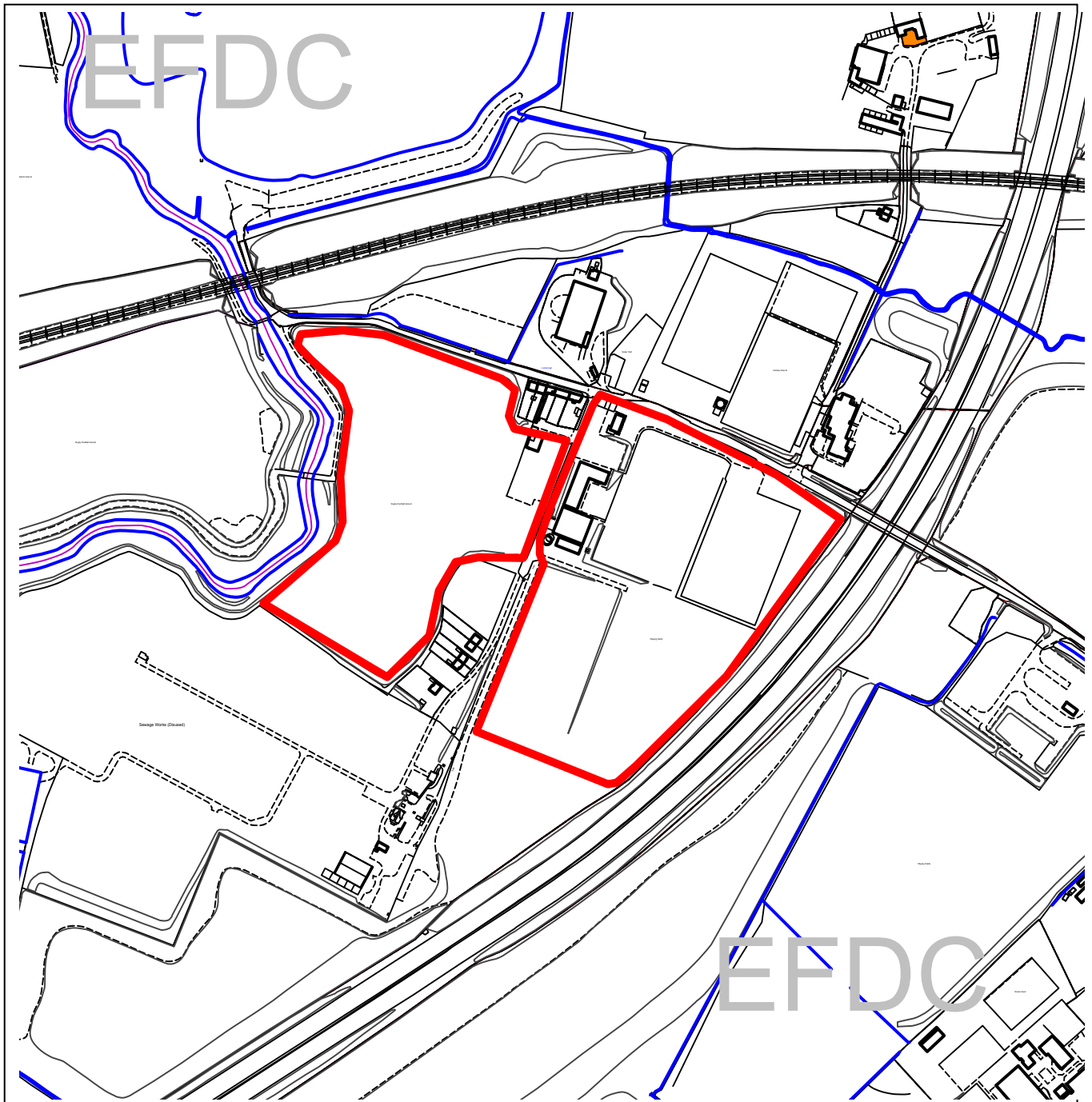
Report Detail

- 1. The District Council approved the original consent for the development, ref EPF/0853/14, on 26 March 2015 at this committee level. The planning permission was given subject to conditions and a S106 agreement in respect of a number of matters. Those matters included a requirement that the ASD school component of the development be completed prior to first occupation of the residential component.**

2. A minor material amendment to the approved development was subsequently approved by the District Council on 17 September 2015. The amendments were to the appearance of the approved houses. The S106 agreement attached to Planning Permission EPF/0853/14 was varied such that its provisions also applied the new planning permission, ref EPF/1326/15.
3. The developer has gained approval of details pursuant to conditions and has commenced the development. The works to the ASD School commenced in October and the Developer anticipates the entire foundation slab and initial groundworks will also be complete at the end of April, clearing the way for superstructure works to commence in May. The Developer advises he is working to a programme for completion of the school by April 2017. Groundworks for the residential site were commenced at the beginning of March and the Developer has an 18 month build programme for this element of the site.
4. Members will recall the new housing was permitted by the Council expressly on the basis that it amounts to enabling development in order to facilitate the construction of the ASD School. The construction of the School could not be funded except via that enabling development. The Council's concern is to ensure (a) that the School is completed and (b) that the new housing does not go ahead without some safeguards that the school will be in place. The S106 obligation prohibiting occupation of houses until the school is complete is designed to safeguard the Council's interest.
5. The Developer advises that obligation has a very significant impact on cash flow and consequently the ability to fund the School development. In order that he may fund the completion of the school the Developer requests the S106 obligation be varied to permit phased occupation of the enabling housing.
6. The specific proposal is to tie occupation of the enabling housing to the level of completion of 4 approximately equal phases of school construction, as set out in the recommendation of this report. The proposed variation would prevent occupation of the final third of the housing development (20 houses) until all four phases of school construction are completed such that the school is capable of being occupied for that purpose. The proposed variation would also restrict occupation of the first and second thirds of enabling housing development until specific triggers of school construction have been met.
7. Having regard to the likely value of each third of enabling development, it is concluded that the proposed variation would safeguard the Council's primary concern that the school is completed.
8. In the circumstances, it is recommended the S106 relating to planning permissions EPF/0853/14 and EPF1326/15 are varied as proposed.



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Application Number:	EPF0853/14 and EPF/1326/15
Site Name:	Tottenham Hotspur Training Ground Luxborough Lane, Chigwell
Scale of Plot:	1/5000

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