

Committee Agenda



Epping Forest District Council

AREA PLANNING SUB-COMMITTEE WEST **Wednesday, 17th August, 2016**

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

Council Chamber, Civic Offices, High Street, Epping
on **Wednesday, 17th August, 2016**
at **7.30 pm** .

Glen Chipp
Chief Executive

Democratic Services
Officer

R. Perrin Tel: (01992) 564243
Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors A Mitchell (Chairman), G Shiell (Vice-Chairman), R Bassett, R Butler, D Dorrell, R Gadsby, L Hughes, H Kane, S Kane, Y Knight, J Lea, M Sartin, S Stavrou and E Webster

WEBCASTING/FILMING NOTICE

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

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy.

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

If you have any queries regarding this, please contact the Public Relations Manager on 01992 564039.

1. WEBCASTING INTRODUCTION

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

2. The Chairman will read the following announcement:

“I would like to remind everyone present that this meeting will be broadcast live to the internet (or filmed) and will be capable of repeated viewing (or another use by such third parties).

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

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

2. ADVICE TO PUBLIC AND SPEAKERS ATTENDING THE COUNCIL PLANNING SUB-COMMITTEES (Pages 5 - 8)

General advice to people attending the meeting is attached.

3. APOLOGIES FOR ABSENCE

4. MINUTES (Pages 9 - 32)

To confirm the minutes of the last meeting of the Sub-Committee held on 20 July 2016.

5. DECLARATIONS OF INTEREST

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

6. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, 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.

7. DEVELOPMENT CONTROL (Pages 33 - 48)

(Director of Governance) To consider the planning applications set out in the attached schedule

Background Papers

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

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

8. EXCLUSION OF PUBLIC AND PRESS

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

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

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

Background Papers: Article 17 - 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 and in respect of executive reports, the advice of any political advisor.

The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

This page is intentionally left blank

Advice to Public and Speakers at Council Planning Sub-Committees

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 Sub-Committee.

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?

Four classes of speakers are allowed: One objector (maybe on behalf of a group), the local Parish or Town Council, a Statutory Consultee 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. At the discretion of the Chairman, speakers may clarify matters relating to their presentation and answer questions from Sub-Committee members.

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

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

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

How are the applications considered?

The Sub-Committee 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, (3) a Statutory Consultee, then (4) Applicant or his/her agent. The Sub-Committee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made by the Sub-Committee. Should the Sub-Committee propose to follow a course of action different to officer recommendation, they are required to give their reasons for doing so.

The Sub-Committee 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 Management Committee.

Further Information?

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

This page is intentionally left blank

Area Planning Subcommittee West 2016-17

Members of the Committee and Wards Represented:



**Chairman
Cllr Mitchell**
Waltham
Abbey North
East

**Vice-Chairman
Cllr Shiell**
Waltham Abbey
Honey Lane

Cllr Bassett
Lower
Nazeing

Cllr Butler
Waltham Abbey
Honey Lane

Cllr Dorrell
Waltham Abbey
Paternoster



Cllr Gadsby
Waltham Abbey
South West

Cllr Hughes
Broadley
Common,
Epping Upland
and Nazeing

Cllr H Kane
Waltham
Abbey
South West

Cllr S Kane
Waltham
Abbey
Honey Lane

Cllr Knight
Lower
Nazeing



Cllr Lea
Waltham
Abbey North
East

Cllr Sartin
Roydon

Cllr Stavrou
Waltham
Abbey High
Beach

Cllr Webster
Waltham
Abbey
Paternoster

This page is intentionally left blank

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee **Date:** 20 July 2016
West

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 10.00 pm
High Street, Epping

Members Present: A Mitchell (Chairman), G Shiell (Vice-Chairman), R Bassett, D Dorrell, R Gadsby, L Hughes, H Kane, S Kane, Y Knight, J Lea, M Sartin, S Stavrou and E Webster

Other Councillors:

Apologies: R Butler

Officers Present: J Godden (Principal Planning Officer (Heritage, Enforcement & Landscaping)), M Jenkins (Democratic Services Officer) and R Perrin (Democratic Services Officer)

7. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings. The Sub-Committee noted the Council's Protocol for Webcasting of Council and Other Meetings.

8. WELCOME AND INTRODUCTION

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

9. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 20 June 2016 be taken as read and signed by the Chairman as a correct record.

10. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor M Sartin declared a non-pecuniary interest in the following agenda items by virtue of being a District Council representative to the Lee Valley Regional Park Authority. The Councillor advised that her interests were not prejudicial and indicated that she would remain in the meeting for the consideration of the item and voting thereon:

- EPF/3275/15 Oakleigh Nursery, Paynes Lane, Nazeing, Waltham Abbey EN9 2EU;
- EPF/0041/16 Oakleigh Nursery, Paynes Lane, Nazeing, Waltham Abbey EN9 2EU; and
- EPF/0861/16 Oakleigh Nursery, Paynes Lane, Nazeing, Waltham Abbey EN9 2EU.

(b) Pursuant to the Council's Code of Member Conduct, Councillor R Bassett declared a non-pecuniary interest in the following agenda items by virtue of being Chairman of the Lee Valley Food Task Force. The Councillor advised that his interest was not prejudicial but indicated that he would be withdrawing from the meeting for these items and any voting thereon:

- EPF/3275/15 Oakleigh Nursery, Paynes Lane, Nazeing, Waltham Abbey EN9 2EU;
- EPF/0041/16 Oakleigh Nursery, Paynes Lane, Nazeing, Waltham Abbey EN9 2EU; and
- EPF/0861/16 Oakleigh Nursery, Paynes Lane, Nazeing, Waltham Abbey EN9 2EU.

(c) Pursuant to the Council's Code of Member Conduct, Councillor R Bassett declared a non-pecuniary interest in the following agenda item by virtue of knowing one of the neighbours consulted. The Councillor advised that his interest was not prejudicial but indicated that he would be withdrawing from the meeting for this item and any voting thereon:

- EPF/1131/16 Camps, Hoe Lane, Nazeing EN9 2RG.

(d) Pursuant to the Council's Code of Member Conduct, Councillor S Stavrou declared a non-pecuniary interest in the following agenda item by virtue of being a Council representative on the Lee Valley Regional Park Authority Planning Committee. The Councillor advised that her interest was not prejudicial and that she would remain in the meeting for the consideration of the items and voting thereon:

- EPF/3275/15 Oakleigh Nursery, Paynes Lane, Nazeing, Waltham Abbey EN9 2EU;
- EPF/0041/16 Oakleigh Nursery, Paynes Lane, Nazeing, Waltham Abbey EN9 2EU; and
- EPF/0861/16 Oakleigh Nursery, Paynes Lane, Nazeing, Waltham Abbey EN9 2EU.

(e) Pursuant to the Council's Code of Member Conduct, Councillor R Gadsby declared a non-pecuniary interest in the following agenda item by virtue of being an Essex County Council Deputy Portfolio Holder for Creative Economy and Skills. The Councillor advised that her interest was not prejudicial and that she would remain in the meeting for the consideration of the items and voting thereon:

- EPF/3275/15 Oakleigh Nursery, Paynes Lane, Nazeing, Waltham Abbey EN9 2EU;
- EPF/0041/16 Oakleigh Nursery, Paynes Lane, Nazeing, Waltham Abbey EN9 2EU; and
- EPF/0861/16 Oakleigh Nursery, Paynes Lane, Nazeing, Waltham Abbey EN9 2EU.

(f) Pursuant to the Council's Code of Member Conduct, Councillor S Stavrou declared a non-pecuniary interest in the following agenda item by virtue of having used the architectural services of the applicant's agent in the past. The Councillor advised that her interest was not prejudicial and that she would remain in the meeting during the consideration of the item and voting thereon:

- EPF/1131/16 Camps, Hoe Lane, Nazeing EN9 2RG

11. ANY OTHER BUSINESS

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

12. DEVELOPMENT CONTROL

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

RESOLVED:

That, Planning applications numbered 1 – 11 be determined as set out in the annex to these minutes.

CHAIRMAN

This page is intentionally left blank

Report Item No: 1

APPLICATION No:	EPF/3275/15
SITE ADDRESS:	Oakleigh Nursery Paynes Lane Nazeing Waltham Abbey Essex EN9 2EU
PARISH:	Nazeing
WARD:	Lower Nazeing
DESCRIPTION OF PROPOSAL:	Change of use of part of packing shed to single dwelling unit for nursery worker (retrospective)
DECISION:	Granted Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=581555

CONDITIONS

- 1 The occupation of the dwelling hereby approved shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

- 2 Details of foul water disposal shall be submitted to the local planning authority within 2 months of this decision for agreement in writing. The agreed scheme must be fully implemented within 3 months of that agreement.

- 3 A Phase 1 Land Contamination investigation shall be carried out within 3 months of the date of this decision. 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]

- 4 Should the Phase 1 Land Contamination preliminary risk assessment carried out under the above condition identify the presence of potentially unacceptable risks, a Phase 2 site investigation has been carried out within 3 months. 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 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]
- 5 Should Land Contamination Remediation Works be identified as necessary under the above condition, a detailed remediation scheme to bring the site to a condition suitable for the intended use shall be submitted to the Local Planning Authority within 2 months, for approval by the Local Planning Authority. The approved remediation works shall be completed within 2 months of their approval by the LPA 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]
- 6 Within 1 month of completion of the measures identified in the approved remediation scheme 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.
- 7 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.

- 8 Written evidence of the employment status of all adult living in the scheme hereby allowed shall be provided to the Planning Enforcement Team within 1 month of the date of this permission. This should show that the person(s) are employed in agriculture.
- 9 Within six months a plan showing provisions for the storage of waste must be provided and agreed in writing by the Local Planning Authority.

Report Item No: 2

APPLICATION No:	EPF/0041/16
SITE ADDRESS:	Oakleigh Nursery Paynes Lane Nazeing Essex EN9 2EU
PARISH:	Nazeing
WARD:	Lower Nazeing
DESCRIPTION OF PROPOSAL:	The replacement of two existing dilapidated caravans with 2 new caravans for residential use by nursery workers (and associated concrete bases).
DECISION:	Deferred

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=581777

Members voted to defer making a decision on this application in order for a site visit to take place.

Report Item No: 3

APPLICATION No:	EPF/0861/16
SITE ADDRESS:	Oakleigh Nursery Paynes Lane Nazeing Essex EN9 2EU
PARISH:	Nazeing
WARD:	Lower Nazeing
DESCRIPTION OF PROPOSAL:	Retention of 1 mobile caravan to provide accommodation for workers.
DECISION:	Deferred

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=583653

Members voted to defer making a decision on this application in order for a site visit to take place.

Report Item No: 4

APPLICATION No:	EPF/0049/16
SITE ADDRESS:	39 Harrier Way Waltham Abbey Essex EN9 3JQ
PARISH:	Waltham Abbey
WARD:	Waltham Abbey Honey Lane
DESCRIPTION OF PROPOSAL:	Raising of the existing ridge line by 350mm and the construction of a rear dormer with rooflights to the front roofslope.
DECISION:	Granted Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=581797

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed development shall match those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- 3 The rooflights hereby approved shall protrude no more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof.
- 4 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.

Report Item No: 5

APPLICATION No:	EPF/0682/16
SITE ADDRESS:	Quaker Lane Car Park Quaker Lane Waltham Abbey Essex EN9 1ER
PARISH:	Waltham Abbey
WARD:	Waltham Abbey South West
DESCRIPTION OF PROPOSAL:	Knock down wall at first part of Quaker Lane Car Park and replace with railings.
DECISION:	Granted Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=583273

CONDITIONS

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

- 2 No development, 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.

- 3 The railings hereby approved shall be painted black and retained as such in perpetuity.

- 4 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.

- 5 The development hereby permitted will be completed strictly in accordance with the approved drawings nos: Location Plan, Fencing drawings SF 8.14 and SF 8.32.

Report Item No: 6

APPLICATION No:	EPF/0880/16
SITE ADDRESS:	2 Ladywell Prospect Sheering Essex CM21 9PT
PARISH:	Sheering
WARD:	Lower Sheering
DESCRIPTION OF PROPOSAL:	Change of use from residential (C3) to a mixed use of residential (C3) and childminding (D1 Nursery) use.
DECISION:	Not Discussed

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=583674

This item was placed on the agenda in error.

Report Item No: 7

APPLICATION No:	EPF/0888/16
SITE ADDRESS:	Cobmead Honey Lane Waltham Abbey Essex EN9 3BA
PARISH:	Waltham Abbey
WARD:	Waltham Abbey Honey Lane
DESCRIPTION OF PROPOSAL:	Residential development of 5 no. detached dwellings and associated infrastructure.
DECISION:	Granted Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=583683

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: 2014-454-: 002 REV A and 001 - 019
- 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 No development shall take place until details of 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.
- 5 No development shall take place until wheel washing or other cleaning facilities for vehicles leaving the site during construction works have been installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The approved installed cleaning facilities shall be used to clean vehicles immediately before leaving the site.

- 6 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 Class A of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 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 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.
- 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 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]
- 10 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]

- 11 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]

- 12 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.

- 13 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.

- 14 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.
- 15 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
- 16 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.
- 17 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tool. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.

Report Item No: 8

APPLICATION No:	EPF/1111/16
SITE ADDRESS:	Deer Park 3 Claverhambury Road Waltham Abbey Essex EN9 2BL
PARISH:	Waltham Abbey
WARD:	Waltham Abbey North East
DESCRIPTION OF PROPOSAL:	Change of use from residential to mixed use for residential and commercial use.
DECISION:	Granted Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=584235

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 Location Plan, Existing floor plan, Proposed floor plan and Red lined aerial photograph.
- 3 The parking of commercial vans relating to the business being run at the site known as Deer Park, 3 Claverhambury Road, Waltham Abbey shall be limited to the area indicated for parking purposes on the submitted red lined aerial photograph and shall not take place anywhere else within the application site.
- 4 Prior to the use of the commercial van parking area hereby approved details of a sympathetically designed 2m high boundary treatment along the adjacent northern front boundary shall be submitted to and agreed in writing by the Local Planning Authority. The approved boundary treatment shall be erected prior to the parking of any commercial vans and shall be retained thereafter for as long as the business use continues on the site.
- 5 No vehicle over 3.5 tonnes shall be stationed, parked or stored on the land.
- 6 There shall be no outdoor storage within the application site.

- 7 No more than three commercial vehicles are to be on the site at any one time.
- 8 The level of business use taking place within the property known as Deer Park, 3 Claverhambury Road, Waltham Abbey shall be limited to the areas indicated in red on the approved Proposed floor plan.
- 9 The business use hereby permitted shall not be open to staff outside the hours of 09:00 to 18:00 on Monday to Friday and 09:00 to 13:30 on Saturdays and at no time on Sundays or Bank Holidays.

Report Item No: 9

APPLICATION No:	EPF/1131/16
SITE ADDRESS:	Camps Hoe Lane Nazeing Essex EN9 2RG
PARISH:	Nazeing
WARD:	Lower Nazeing
DESCRIPTION OF PROPOSAL:	Proposed outbuilding
DECISION:	Granted Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=584262

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: 225.20, 225.21, Design and Access/Historic Impact Assessment, Aboricultural Impact Assessment: OS 1167-16-Doc1 dated February 2016 by Open Spaces, OS 1167-16.1, OS 1167-16.2 by Open Spaces.
- 3 Prior to first occupation of the development hereby approved, the proposed rooflights) over the shower and gym rooms shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.
- 4 No development shall have taken place until photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details. 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.
- 5 The proposed development shall only be used as ancillary accommodation for the existing dwellinghouse and shall not be occupied as a unit separately from the dwelling known as 'Camps'.

- 6 The development shall be undertaken in accordance with Open Space Arboricultural Impact Assessment dated February 2016 (ref: S1167-16Doc1) and Tree Protection Plan (ref OS1167-16-Doc1) and Tree Protection Plan (ref OS1167-16.2). The development shall be carried out only in accordance with these approved documents unless the Local Planning Authority gives its written consent to any variation.

Report Item No: 10

APPLICATION No:	EPF/1216/16
SITE ADDRESS:	Units 14 and 15 Arlingham Mews Sun Street Waltham Abbey Essex EN9 1ED
PARISH:	Waltham Abbey
WARD:	Waltham Abbey South West
DESCRIPTION OF PROPOSAL:	Change of use from A1 (shop) to D1 (education and training centre)
DECISION:	Granted Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=584428

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: Location Plan dated 5/5/2016, 13.1031/102, Planning Statement dated 4 May 2016, letter from Alan Wilcox of Duncan Phillips Ltd dated 29 June 2016, Email letter dated 1/7/16 from the applicant.
- 3 The education and training centre hereby permitted shall not be open to customers / members outside the hours of 08:00 to 21:00 on Monday to Saturday and 09:00 to 18:15 on Sundays and Bank Holidays.
- 4 A shopfront display shall be maintained at all times to the satisfaction of the Planning Authority.
- 5 The premises shall be solely for the purposes of an educational learning as indicated by the plans hereby approved and for no other purpose in class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that class in any Statutory Instrument revoking or re-enacting that re-enacting that Order.
- 6 No more than 12 students shall be tutored within the premises at any one time.

Report Item No: 11

APPLICATION No:	EPF/1234/16
SITE ADDRESS:	4 Quendon Drive Waltham Abbey Essex EN9 1LG
PARISH:	Waltham Abbey
WARD:	Waltham Abbey North East
DESCRIPTION OF PROPOSAL:	New 4 bed detached unit
DECISION:	Granted Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=584478

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: ELA/ Rev A - 1 - 13
- 3 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 Class A and B of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 4 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 5 There shall be no discharge of surface water onto the Highway.
- 6 An assessment of flood risk, focussing on surface water drainage, shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS). The development shall be carried out and maintained in accordance with the approved details.

- 7 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.

Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the Local Planning Authority contacted and a scheme to investigate the risks and / or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the Local Planning Authority prior to the recommencement of development works.

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

- 8 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.

- 9 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.

- 10 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 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.

This page is intentionally left blank

AREA PLANS SUB-COMMITTEE 'WEST'

17 August 2016

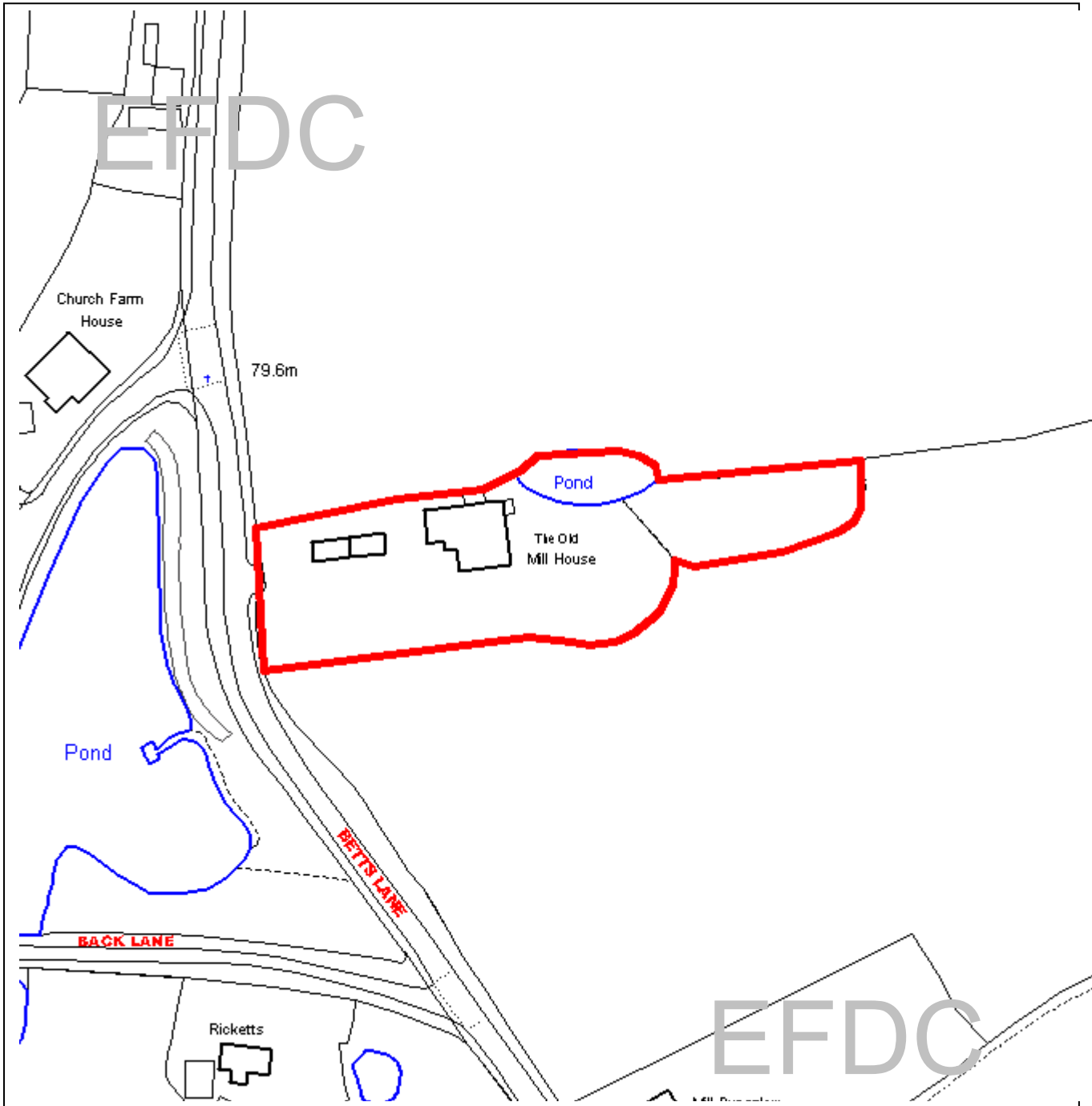
INDEX OF PLANNING APPLICATIONS

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/1436/16	Mill House Betts Lane Nazeing Essex EN9 2DB	Refuse Permission (Householder)	34
2.	EPF/1495/16	Former Total Garage Nazeing Road Nazeing Essex EN9 2LD	Refuse Permission	40



Epping Forest District Council

Agenda Item Number 1



Unauthorised reproduction infringes
Crown Copyright and may lead to
prosecution or civil proceedings.

Contains Ordnance Survey Data. ©
Crown Copyright 2013 EFDC License No:
100018534

Contains Royal Mail Data. © Royal Mail
Copyright & Database Right 2013

Application Number:	EPF/1436/16
Site Name:	Mill House, Betts Lane, Nazeing, EN9 2DB
Scale of Plot:	1/1250

Report Item No: 1

APPLICATION No:	EPF/1436/16
SITE ADDRESS:	Mill House Betts Lane Nazeing Essex EN9 2DB
PARISH:	Nazeing
WARD:	Broadley Common, Epping Upland and Nazeing
APPLICANT:	Mr Tom Casey
DESCRIPTION OF PROPOSAL:	Retrospective planning application for the erection of entrance gates, new piers and wall.
RECOMMENDED DECISION:	Refuse Permission (Householder)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=584896

REASON FOR REFUSAL

- 1 The proposal constitutes inappropriate development in the Green Belt, for which there are no very special circumstances sufficient to outweigh the harm caused. Consequently it is contrary to policies GB2A and GB7A of the Adopted Local Plan and Alterations and with the objectives of the National Planning Policy Framework.
- 2 By reason of its height, bulk, materials and design, and its and prominence in the street scene, the proposal will be an incongruous and inappropriate urbanising feature which will cause significant harm to the rural character and appearance of this part of the conservation area. Consequently the development is contrary to policies HC6 and HC7 of the Adopted Local Plan and Alterations and with the objectives of the National Planning Policy Framework.

This application is before this Committee since it has been 'called in' by Councillors Hughes and Bassett (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(h))

And since it would otherwise have been refused under delegated powers by the Director of Governance but there is support from the relevant local Parish/Town Council and no other overriding planning consideration necessitates refusal (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(l))

Description of site

The application site is located on Betts Lane, which is within a sporadic area of development within Nazeing. The site contains a large new dwelling which is set back significantly from the main public carriageway, however is visible from public viewpoints. The entrance to the site has a large set of gates and pillars joined by a brick wall and set back 5m from the public carriageway. There are no other large boundary treatments within close proximity to the site and rather, the boundaries are more often low hedges giving an open and rural farmland appearance to the area. The application site is located within the boundaries of the Metropolitan Green Belt and it is located within the Nazeing and South Roydon Conservation area.

Description of proposal

The proposed development is for the retention of the gates, wall and pillars erected without planning permission at the entrance to the site.

Relevant History

EPF/1729/13 - Existing bungalow to be demolished and replacement timber frame one-and-half storey dwelling erected. Alterations to existing access way. - Approved

EPF/0162/14 - Existing bungalow to be demolished and replacement timber frame one-and-half storey dwelling erected and outbuilding (Amended application to EPF/1729/13) - Approved

EPF/2447/15 - Proposed replacement entrance gates, new piers and wall. – Refused

Policies applied

GB2A – Development in the Green Belt
GB7A – Conspicuous Development
DBE9 – Living conditions of neighbours
HC6 – Character, appearance and setting of conservation areas
HC7 – Development within conservation areas
CP7- Quality of development
CP2 – Protecting the Quality of the Rural and Built Environment
DBE10 – Design

The National Planning Policy Framework (NPPF) has been adopted as national policy since March 2012. Paragraph 214 states that due weight should be given to 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

5 Neighbours consulted –

Mill Bungalow – SUPPORT - Having reviewed the submitted documents re this retrospective planning application my view as an immediate neighbour is that although the applicant should have submitted a planning application for this development the actual erection of entrance gates, new piers and wall is not obtrusive and fits the nature of the property and immediate neighbourhood well. Given that gates etc constructed at other properties in the area well exceed the guidelines and are much more intimidating I believe that the current gates etc should be retained. Objecting to a minor excess in height seems an overreaction by EFDC. Greater attention to other more disturbing developments in the village should be the centre of attention! The overall development on this site is very favourable and fits well with this conservation area.

Nazeby, Betts Lane – SUPPORT - These appear to be in keeping with the property and are not out of character to surrounding properties. We hope that the EFDC allow this application.

PETITION IN SUPPORT of the application – 5 addresses – Little Chickney, Mill Cottage, Nazeby, The Vicarage and Glebe House.

NO ADDRESS GIVEN – SUPPORT

Nazeing Parish Council – SUPPORT – The Council fully supports the application.

Issues and considerations

The wall, gates and pillars are not close to any neighbours and are set back a sufficient distance from the public highway to not cause harm to users of it and therefore the main issues to consider are the potential impacts on the openness of the Green Belt and the potential harm to the character and appearance of the conservation area.

Green Belt

The National Planning Policy Framework (NPPF, CLG, 2012) indicates that the Government attaches great importance to Green Belts. The fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

The wall, gates and pillars are within the curtilage of a dwelling which is not within a built up area and is therefore previously developed land. Whilst the limited infilling or redevelopment of previously developed land is not inappropriate, any new development must not cause greater harm to the openness of the Green Belt.

The original entrance to the site was through a traditional five bar gate, which had a very low height and low visual impact within the street scene. The wall, gates and pillars are substantially larger than this and more solid in appearance and as such it cannot reasonably be the case that there is no greater harm to the openness of the Green Belt and therefore constitutes inappropriate development in the Green Belt, which is, by definition harmful.

Weight must be given to permitted development rights, within which it would be possible to erect a 1m high boundary treatment adjacent to the highway without requiring planning permission. However the gates and pillars are significantly higher than this and therefore it is considered that permitted development would be significantly less harmful to the Green Belt than the result of this application.

It is therefore considered by officers that this proposal constitutes inappropriate development in the Green Belt, for which there are no very special circumstances.

Conservation issues

The character and special interest of the Nazeing and South Roydon Conservation area, which was first designated in 1982, unusually derives from the exceptional quality of its ancient landscape featuring well preserved medieval settlements and enclosed field patterns. Together with the open or common field systems, these landscape features give each settlement a distinctive setting. The conservation area retains its quiet, small-scale rural qualities characterised by small grassed fields that are dissected by narrow, winding lanes and footpaths and bounded by tall hedgerows and mature trees.

Nazeing is located in the centre of the conservation area, is an historic settlement which back from the early medieval period. It has formed around a triangular green comprising two ponds and is bounded by thick hedges and mature trees. The unspoiled charm created by the green is one of the most striking aspects of the local area. The green was originally bordered on two sides along Back Lane (west and south) by buildings of various dates from early 15th century to the 20th centuries. Even today, most of the properties are, delineated by thick hedgerows and mature trees. which creates a strong sense of enclosure and intimacy.

Betts Lane, running along the east side of the green however offers a completely different atmosphere. Historically unbuilt, this part of Betts Lane is characterised by a more open landscape where tall hedgerows and mature trees give way to uninterrupted low hedges and arable fields. Indeed this gives a strong rural and agricultural appearance to this part of Betts Lane.

It is the predominance of the landscape over the buildings, which gives this conservation area its special character..

It is within this sensitive landscape that the new dwelling on this site was erected. The scheme EPF/0162/14 comprising the demolition of the existing single storey bungalow and the erection of a generous dwelling house and associated double garage get consent in 2014. The planning permission was granted with conditions in order to ensure the proposal is built in accordance with the approved drawings.

The plan approved plan NWA-13-007-16A shows the house and garages but also the boundary treatment proposed as part of the scheme. The site plan indicates clearly the “existing planting (hedge) to remain”, “the existing access” to be retained and the “new 5-bar gates” to be installed.

It is crucial to understand that this appropriate boundary treatment was one of the aspects which made the scheme for the replacement dwelling acceptable. Indeed, this in keeping, respectful and minimal boundary treatment was supposed to lessen the spatial and visual impact of the whole scheme and therefore preserve the special character and appearance of the area.

In light of both the context and planning history the previous planning application EPF/2447/15, regarding the “erection of entrance gates, new piers and wall”, was refused by the LPA under delegated powers.

Although there are, within the wider context of the area, some examples of large and dominant entrance gates, over the years other proposals for such gates have been successfully resisted including to the stable and manege immediately south of the site.

There are no approved examples in the immediate vicinity of this site. As explained above, Betts Lane features an open landscape which is particularly vulnerable. Visually subtle and passive, this landscape featuring low hedges and grass fields is easy to overwhelm and distort with inappropriate construction. Within such a sensitive setting, any new development should ensure the preservation of this unique sense of place and remain subservient to its environment; it has to blend with the landscape.

Despite the reduction of its scale from the previous application (lower side walls and less imposing gates), the development is still an inappropriate and harming development which fails to comply with policy in terms of heritage and conservation. Due to its large scale and strong urbanised character, the development will visually and spatially overwhelm the existing hedge and as a result will irreversibly undermine the ancient landscape which gives the area its identity.

Furthermore, there are serious concerns that if such out of keeping entrance gates are permitted here it will set an unwanted precedent which may compromise the LPAs ability to resist similar applications in the future which could seriously undermine the character of the conservation area in the future.

Attention is drawn to a recent refusal of planning permission at Woodside in North Weald (EPF/0988/16), which proposed a similar development for the retention of a wall, pillars and gates within a rural setting. The application was brought to members of the Plans East Planning

Committee where members considered that the wall, pillars and gates would create a significant urbanising feature within the sylvan character of Woodside and therefore cause it significant harm. It is important to note that unlike this proposed development, the Woodside application was not within a conservation area and as a result Betts Lane is in an even more sensitive location.

In summary the gates and pillars cause significant harm to the character and appearance of the conservation area and is therefore contrary to policies HC6 and HC7 of our Local Plan and Alterations (1998/2006).

Conclusion

Whilst the small section of wall which is below 1m in height could be built as permitted development officers consider that the overall impact of this development with its large pillars and gates has a significant urbanising impact harmful to the openness of the Green Belt and to the character and appearance of this rural conservation area.

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

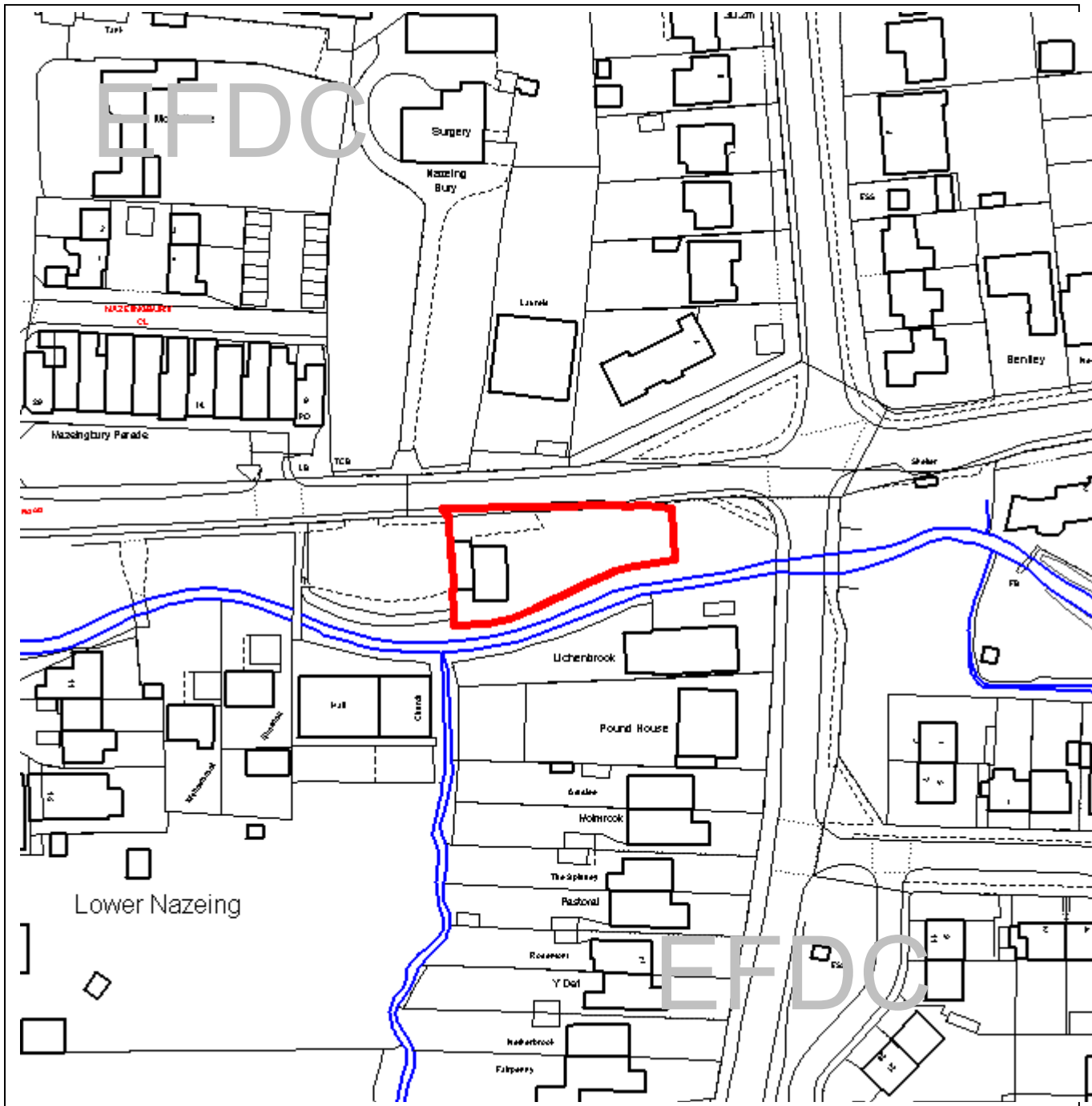
***Planning Application Case Officer: James Rogers
Direct Line Telephone Number: 01992 564371***

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



Epping Forest District Council

Agenda Item Number 2



Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Contains Ordnance Survey Data. © Crown Copyright 2013 EFDC License No: 100018534

Contains Royal Mail Data. © Royal Mail Copyright & Database Right 2013

Application Number:	EPF/1495/16
Site Name:	Former Total Garage, Nazeing Road, Nazeing, EN9 2LD
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/1495/16
SITE ADDRESS:	Former Total Garage Nazeing Road Nazeing Essex EN9 2LD
PARISH:	Nazeing
WARD:	Lower Nazeing
APPLICANT:	Nazeing Parish Council
DESCRIPTION OF PROPOSAL:	Demolition of existing service station and erection of 6, 3 bed houses with associated amenity space, parking and access.
RECOMMENDED DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=585034

REASON FOR REFUSAL

- 1 The development fails to provide an access opening wide enough to enable a vehicle to enter the site safely and efficiently whilst another vehicle is waiting to exit the site. This would result in a site where other vehicles may encounter movements that would lead to danger and hazards to users of the highway contrary to policy ST4 of the Adopted Local Plan and Alterations and the NPPF
- 2 The proposals do not accord with the adopted minimum parking standards, in terms of internal layout, manoeuvring space, bay sizes and the number of spaces. This will likely lead to inappropriate kerbside parking, poor manoeuvring within the site and unusable on site spaces contrary to policies ST4, ST6 and DBE6 of the Adopted Local Plan and Alterations.

Approval would set a precedent which if repeated could seriously undermine the principle of seeking to minimise on street parking and highway danger in the locality.
- 3 The proposed dwellings fail to provide adequate usable private amenity space for three bed family dwellings and this together with the lack of adequate off street parking, inadequate size of bays and vehicle access, and inadequate space for manoeuvring, illustrates that the proposal is overdevelopment of this restricted site which fails to improve the environmental quality of the area and the way it functions contrary to policies, CP7, H3A, DBE3(i) and DBE8 of the Adopted Local Plan and Alterations and the NPPF.

This application is before this Committee since the recommendation conflicts with a previous resolution of a Committee (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(i))

Description of Site:

The application site is located on the southern side of Nazeing Road approximately 25 metres west of St Leonards Road within Lower Nazeing. The site itself is relatively level, slightly irregular in shape and is approximately 840 square metres in size.

The site was once used as a petrol filling station however it has been redundant for a number of years. The whole of the site is completely hard paved with no soft landscaping. Two existing vehicle crossovers along Nazeing Road provide access into the site.

The site is surrounded by residential properties to the north, south and east, with the village hall located to the west. A small parade of shops is located to the north-east of the site on the opposite side of Nazeing Road. The site backs onto a small Nazeing Brook. It is not located within the green belt or a conservation area however the majority of it is located within Flood Zone 2 with a small part along the southern boundary located within a Flood Zone 3.

Description of Proposal:

Planning permission is sought for the demolition of the existing service station building and replacing it with the construction of 6 x 3 bed dwellings in total - a terrace of four and a pair of two semi-detached dwellings, angled at 90° to the road. A hard paved area containing seven off street parking spaces would be centrally located between the buildings. A new vehicle crossover is proposed off Nazeing Road to provide vehicle access to an off street parking area providing 7 parking spaces. The existing two vehicle crossovers would be closed up. Each dwelling would be provided with its own amenity space.

This is a revised application as there is already consent for 6 x 2 bed dwellings on the site. The only change proposed is the addition of a third bedroom with en-suite bathrooms within the roofspace and the installation of front and rear facing dormer windows to achieve this.

Relevant History:

EPF/0345/59 – Erection of petrol filling station (refused and dismissed at appeal)

EPF/0175/61 – Erection of petrol filling station (allowed under appeal)

EPF/0407/74 - Installations of pre-payment note acceptor and fire/telephone cabinet (refused permission)

EPF/1505/81 - New canopy for existing petrol filling station to replace existing canopy (refused permission)

EPF/0868/82 - New canopy to replace existing (granted permission)

EPF/0389/84 - Rebuilding of petrol filling station with car wash (granted permission)

EPF/1034/91 - Replacement of existing car wash machine with new car wash, dryer and under chassis wash machine (granted permission)

EPF/0011/93 - Erection of various replacement illuminated signs (permission granted)

EPF/0924/07 - Conversion of former petrol station to a Community Centre (permission granted)

EPF/0303/13 Demolition of petrol filling station and erection of 6, 2 bed houses with associated parking. Approved by Committee.

Policies Applied:

Local Plan policies relevant to this application are:

CP1 Achieving sustainable development objectives

CP2 Protecting the quality of the rural and built environment

CP3 New development

CP5 Sustainable buildings

CP6 Achieving sustainable urban development patterns

CP7 Urban form and quality

DBE1 Design of new buildings

DBE2 Detrimental effect on existing surrounding properties

DBE3 Design in urban areas

DBE6 Car parking in new development

DBE8 Private amenity space

DBE9 Loss of Amenity

LL10 Protecting existing landscaping features

LL11 Landscaping scheme

ST1 Location of development

ST2 Accessibility of development

ST4 Highway safety

ST6 Vehicle parking

H1A Housing Provision

H2A Previously developed land

H3A Housing density
U2A Development in flood risk areas
U2B Flood risk assessment zones
U3A Catchment effects
NC4 Protection of established habitat

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

Summary of Representations

51 neighbours and previous supporters were consulted - no responses were received.

The application is on behalf of the Parish Council so there are no Parish Council Comments.

Issues and Considerations:

Given that there is an extant consent for 6 dwellings on the site, and there has been no significant policy change since the previous approval the main issue is the additional impact of the bedroom and dormer windows within the roof space.

Principle of development

The site lies outside the Metropolitan Green Belt, Employment Area and Commercial Areas and is, therefore appropriate for residential development. The principle of residential development is therefore considered acceptable in land use terms and the provision of additional housing is consistent with Policy H1A and HC2A as the application site is within an established urban area and would result in the re-use of previously developed land.

Design and appearance:

The site is prominently located close to the junction of St Leonards Road and Nazeing Road in the heart of the village.

The proposed houses are traditional in design, and the dormer windows now proposed are appropriate. The pitched roofed additions will sit well within the roofs. The development is appropriate visually to the location and although side elevations face the main road, these have been designed to contain fenestration so that that fit appropriately within the street scape.

Amenity space and living conditions

The Council's policy seeks to ensure an adequate amount of conveniently located amenity space is provided in new residential developments which is usable in terms of its shape and siting. Four

of the dwellings have a private garden area ranging between 30 and 35 square metres with only dwellings 4 and 6 having a slightly larger area. This small amenity space was considered acceptable by Members for the 2 bed properties previously approved on the site, but in granting consent, Members removed permitted development rights for extensions, outbuildings and roof alterations, presumably because of the very limited amenity space provision.

The proposal is now to provide 3 bedroom family properties, and for such dwellings the normal requirement would be for 80 square metres of amenity space. Whilst some flexibility in amenity space provision is possible, it is considered that 35 square metre gardens are too small to provide for family use.

Neighbouring amenities:

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

The proposed development has been sited and orientated in a way that it will not cause harm to the amenities of adjoining property occupiers given the extensive vegetation along the Nazeing Brook which will screen the gardens of the nearest properties to the rear. The proposed dormer windows will not cause undue overlooking.

Highway safety, traffic impact & vehicle parking

The Adopted Council parking standards recommends that for a two or more bedroom dwelling, a minimum of 2 vehicle spaces are required and 1 secure cycle covered space per dwelling. In addition a minimum of 0.25 of a visitor space is required for each dwelling. This would mean that the parking requirements for 6 dwellings on the site would be:

- 12 parking spaces for residents
- 2 parking spaces for visitors
-

A total of 7 parking spaces are proposed for the use of residents and visitors, with vehicular access being taken from the new access off Nazeing Road.

The level of parking may be reduced if the site is within a main urban area and enjoys a good location in terms of a range of services and public transport. However although the site is located within the heart of Nazeing, Nazeing does not have the wide range of shops and services that would make this location suitable for such a large reduction in parking, nor is it well served by public transport, it is therefore likely that occupants of the dwellings would be heavily reliant on private motor vehicles for their everyday needs.

In addition the Adopted Council parking standards state that the preferred parking bay size should be 5.5m by 2.9m. The spaces proposed within the development measure 4.9m by 2.4m which is clearly under the minimum requirements. It does not even meet the size that was required before the new standard was adopted in 2009. There should also be a minimum distance of 6m between parallel parking bays in order for vehicles to safely manoeuvre within the site. There is only a distance of 5m between the two parking bays outside dwellings 5 and 6 which will, in turn, once again lead to harm to safety within the site, and some of the parking spaces may not be usable by larger family vehicles.

Furthermore, the access to the site is not wide or deep enough to enable a vehicle to enter the site safely and efficiently whilst another vehicle is waiting to egress the site. The width of the proposed

access is 4.5m by a depth of 5.2m. It should be 5m by 6m to ensure sufficient highway safety. The proposed access as it stands could lead to danger and hazard to users of the highway, in this busy location.

Members previously approved 6, 2 bedroom houses here despite the clear objections of the County Highways officer, and contrary to the recommendation of officers. The previous approval is a material consideration, but the increase in the number of bedrooms in this proposal means that it is even more likely that occupants will have more than 1 vehicle and that there will be more potential for inappropriate on street parking around the site and greater vehicle movements at the access to the site which will further increase harm to highway safety.

The development is contrary to policies ST4, ST6 and DBE3 of the adopted Local Plan.

Flood risk and drainage:

The site falls predominantly within Flood Zones 1 and 2 with a small element of the southern boundary falling within Flood Zone 3.

As such, a Sequential Test and a Flood Risk Assessment was produced by the applicant at the time of the original application which indicated that there were no other reasonably available sites within and surrounding Nazeing with lower probability of flooding that would be appropriate for this type of development. This was previously accepted (although it is now clear that in applying a sequential test the normal requirement would be for a District wide search for sites) and given the fallback position it is not considered reasonable to suggest refusal on sequential test grounds.

The Council's engineering and drainage officer had no objections to the proposed development subject to a number of conditions if granted permission in terms of requiring further details regarding foul and surface water runoffs. In addition given that the development is to be set within 20 metres of a water course it was advised that the application should also be referred to the Environment Agency. The Environment Agency comment that given the proximity of the buffer zone their permission is required for the works.

Land contamination

Land contamination issues can appropriately be dealt with by condition.

Landscape and trees:

The application was referred to Council's landscape officer who stated that there is no vegetation of note within and surrounding the site that is in need of protection during and after construction works. A condition attached to any granted permission would be required for further details of hard and soft landscaping to improve the appearance of the site.

Environmental services:

A communal refuse area is located towards the front of the site next to the new vehicle access. Environmental Services raise no objection to the amount of storage bins and their location is also acceptable for collection purposes.

However officers consider that although the storage area would be partly screened by a timber panel fence, given that it is located to the front of the site in complete view of passing vehicles and pedestrians, it would be visually intrusive to the street scene and could be better located. Such a refuse area should be discreetly located away from public viewpoints or suitably screened by landscaping.

Other issues:

Policy CP7 states that one of the Council's primary objectives is to make the fullest use of urban land areas and improve the attractiveness in which to live, work and visit. However it further states that new development in urban areas which results in overdevelopment will not be permitted.

The density for this site will be 71 dwellings per hectare. Local policy states that new developments will achieve a net site density of 30-50 dwellings per hectare. The NPPF however has no such requirement and seeks to ensure that new development is appropriate to the character of the surrounding area. This is an unusual site where higher density development is not necessarily inappropriate, but the density is far in excess of that of the surrounding residential area.

Taking into consideration the lack of off street parking provided, the inadequate size and layout of the parking bays and access, the lack of appropriate maneuvering space along with the inadequate private amenity space for each dwelling and finally the inappropriate setbacks from Nazeing Brook, it is considered that the proposal amounts to an overdevelopment of the site contrary to policy CP7.

Conclusion:

In conclusion, although the principle of the development and the design of the dwellings is acceptable, the change from 2 to 3 bedrooms amounts to an overdevelopment of the site which is likely to result in more inappropriate on street parking, additional traffic movements at the access to the site and hence increased highway danger, over the original consent. The proposal is therefore contrary to the adopted policies of the local plan and Local Plan Alterations and is recommended for refusal.

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

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

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

This page is intentionally left blank