

Committee Agenda



Epping Forest District Council

AREA PLANNING SUB-COMMITTEE WEST **Wednesday, 16th May, 2018**

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, 16th May, 2018**
at **7.30 pm** .

Derek Macnab
Acting Chief Executive

Democratic Services
Officer

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

Members:

Nominated Councillors to the Sub-Committee agreed at Annual Council on 25 May 2017.

**PLEASE NOTE THAT MEMBERS RE-ELECTED BEFORE THIS MEETING BEGINS WILL
BE REQUIRED TO SIGN THEIR DECLARATION OF ACCEPTANCE OF OFFICE
BEFORE PARTICIPATING IN ANY DECISION MAKING.**

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 - 6)

General advice to people attending the meeting is attached.

3. APOLOGIES FOR ABSENCE

4. MINUTES (Pages 7 - 14)

To confirm the minutes of the last meeting of the Sub-Committee held on 11 April 2018.

5. DECLARATIONS OF INTEREST

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. EPPING FOREST DISTRICT LOCAL PLAN SUBMISSION VERSION - PLANNING POLICY BRIEFING NOTE

A Planning Policy Briefing Note (March 2018) has been produced by the Planning Policy Team to ensure that a consistent approach is taken to the provision of planning policy advice for the District, particularly in relation to the Epping Forest District Local Plan Submission Version, which was published on 18 December 2017.

The primary purpose of the Planning Policy Briefing Note is to inform the development management process and to provide assistance for Development Management Officers, Councillors, applicants and planning agents. The Planning Policy Briefing

Note is available at:

http://www.efdclocalplan.org/wp-content/uploads/2018/03/Planning-Policy-Briefing-Note_Mar-2018.pdf

8. DEVELOPMENT CONTROL (Pages 15 - 26)

To consider the planning applications set out in the attached schedule

Background Papers

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

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

9. 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.

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Advice to Public and Speakers at the Council's District Development Management Committee and Area Plans 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 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**, by telephoning the number shown on 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 generally allowed: One objector (maybe on behalf of a group), the local Parish or Town Council and the applicant or his/her agent. In some cases, a representative of another authority consulted on the application may also be allowed to speak.

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 Committee members.

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

If you have registered to speak on a planning application to be considered by the District Development Management Committee, Area Plans Sub-Committee East, Area Plans Sub-Committee West or Area Plans Sub-Committee South you will address the Committee from within the Council Chamber at the Civic Offices. If you simply wish to attend a meeting of any of these Committees to observe the proceedings, you will be seated in the public gallery of the Council Chamber.

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 from Democratic Services or our website www.eppingforestdc.gov.uk. Any information sent to Councillors should be copied to the Planning Officer dealing with the application.

How are the applications considered?

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

An Area Plans Sub-Committee is required to refer applications to the District Development Management Committee where:

- (a) the Sub-Committee's proposed decision is a substantial departure from:
 - (i) the Council's approved policy framework; or
 - (ii) the development or other approved plan for the area; or
 - (iii) it would be required to be referred to the Secretary of State for approval as required by current government circular or directive;
- (b) the refusal of consent may involve the payment of compensation; or
- (c) the District Development Management Committee have previously considered the application or type of development and has so requested; or
- (d) the Sub-Committee wish, for any reason, to refer the application to the District Development Management Committee for decision by resolution.

Further Information

Further information can be obtained from Democratic Services or through our leaflet 'Your Choice, Your Voice'.

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Area Planning Sub-Committee West **Date:** 11 April 2018

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 8.20 pm

Members Present: E Webster (Vice-Chairman), R Butler, D Dorrell, R Gadsby, L Hughes, J Lea, A Mitchell and M Sartin

Other Councillors:

Apologies: R Bassett, H Kane, S Kane, Y Knight and S Stavrou

Officers Present: J Godden (Principal Planning Officer (Heritage, Enforcement & Landscaping)), A Hendry (Senior Democratic Services Officer) and A Rose (Marketing & Digital Content Officer)

55. 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.

56. APPOINTMENT OF VICE CHAIRMAN

The nomination of Councillor M Sartin as the Vice-Chairman of this Area Planning Sub-Committee West meeting having been moved formally by Councillor E Webster and seconded by Councillor R Gadsby, it was:

RESOLVED:

That Councillor M Sartin was duly elected as the Vice-Chairman for the duration of the meeting.

57. 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.

58. MINUTES

RESOLVED:

That the minutes of the meeting of the Sub-Committee held on 14 February 2018 be taken as read and signed by the Chairman as a correct record.

59. DECLARATIONS OF INTEREST

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

- EPF/2950/17, Oaklands, Clyde Road, Roydon, Essex EN11 OBE

60. ANY OTHER BUSINESS

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

61. EPPING FOREST DISTRICT LOCAL PLAN SUBMISSION VERSION - PLANNING POLICY BRIEFING NOTE

The Principal Planning officer introduced the planning policy briefing note and informed the Committee members that they could contact him separately after the meeting if they had any questions.

62. DEVELOPMENT CONTROL

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

RESOLVED:

That, Planning applications numbered 1 – 5 be determined as set out in the annex to these minutes.

CHAIRMAN

Report Item No:1

APPLICATION No:	EPF/2824/17
SITE ADDRESS:	Meadowood Epping Road Epping Upland Epping Essex CM16 6PX
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
DESCRIPTION OF PROPOSAL:	Demolition of existing double garage and store enclosure. Erection of double garage, and workshop with added pitched roof and rooms in loft space
DECISION:	Grant 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=601277

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 received 22/02/18: proposed front elevation, Elevations facing NW and SE, Ground level, facing north, east, south, west, proposed first floor and the submitted location and block plans.
- 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 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: 2

APPLICATION No:	EPF/2950/17
SITE ADDRESS:	Oaklands Clyde Road Roydon Essex EN11 0BE
PARISH:	Roydon
WARD:	Lower Nazeing Roydon
DESCRIPTION OF PROPOSAL:	First floor front extension and new loft extension including Juliet balcony.
DECISION:	Grant 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=601873

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 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: 3

APPLICATION No:	EPF/3368/17
SITE ADDRESS:	Land at Greenview Holyfield Road Waltham Abbey Essex EN9 2EW
PARISH:	Waltham Abbey
WARD:	Waltham Abbey North East
DESCRIPTION OF PROPOSAL:	Demolition of existing commercial buildings and erection of nine detached dwellings
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=603346

This application was deferred so that further information could be provided.

Report Item No: 4

APPLICATION No:	EPF/3435/17
SITE ADDRESS:	7 Tovey Close Nazeing Essex EN9 2LY
PARISH:	Nazeing
WARD:	Lower Nazeing
DESCRIPTION OF PROPOSAL:	Proposed two storey rear and side extension
DECISION:	Grant 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=603653

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 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 08.00 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

Report Item No: 5

APPLICATION No:	EPF/3466/17
SITE ADDRESS:	2 Rose Cottage Rye Hill Road Epping Upland Epping Essex CM18 7JQ
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
DESCRIPTION OF PROPOSAL:	Two storey front and side extension. Single storey rear extension.
DECISION:	Grant 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=603781

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 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, B and E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the Local Planning Authority.
- 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 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.

AREA PLANS SUB-COMMITTEE 'WEST'

16 May 2018

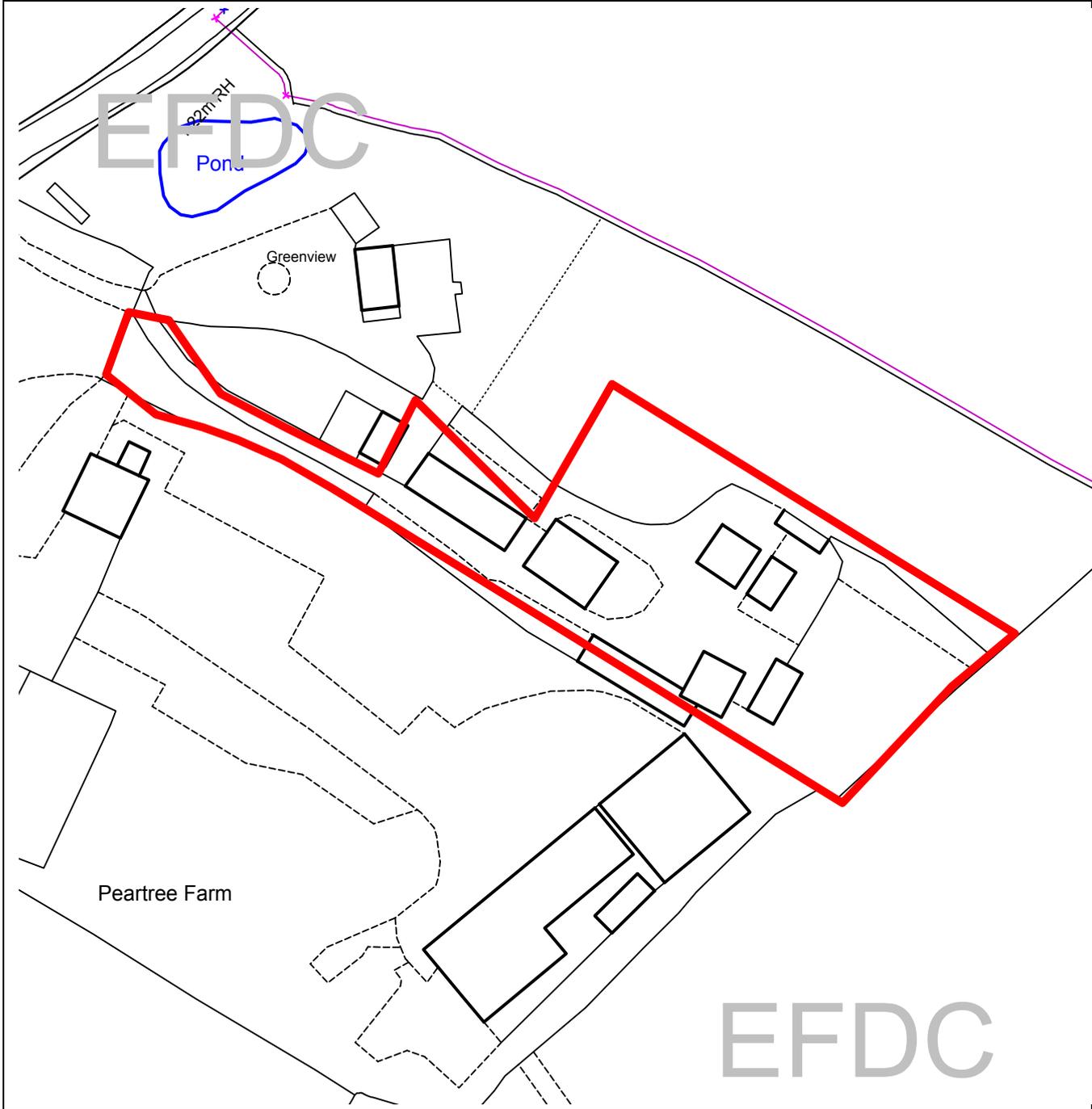
INDEX OF PLANNING APPLICATIONS

ITEM	REFERENCE	SITE LOCATION	OFFICER RECOMMENDATION	PAGE
1.	EPF/3368/17	Land at Greenview Holyfield Road Waltham Abbey Essex EN9 2EW	Grant Permission (With Conditions)	16



Epping Forest District Council

Agenda Item Number 1



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Application Number:	EPF/3368/17
Site Name:	Land at Greenview Holyfield Road Waltham Abbey Essex EN9 2EW
Scale of Plot:	1:1250

Report Item No: 1

APPLICATION No:	EPF/3368/17
SITE ADDRESS:	Land at Greenview Holyfield Road Waltham Abbey Essex EN9 2EW
PARISH:	Waltham Abbey
WARD:	Waltham Abbey North East
APPLICANT:	Founthill Ltd
DESCRIPTION OF PROPOSAL:	Demolition of existing commercial buildings and erection of nine detached dwellings
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=603346

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: GRV - P: 01, 02, 03, 05, 06, 07, 08 09, 10, 11
- 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, 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.

- 5 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.

- 6 No development shall take place until a Phase 1 Land Contamination investigation has been carried out. A protocol for the investigation shall be submitted to and approved in writing by the Local Planning Authority before commencement of the Phase 1 investigation. The completed Phase 1 report shall be submitted to and approved 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]

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

- 8 Should Land Contamination Remediation Works be identified as necessary under the above condition, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.
[Note: This condition must be formally discharged by the Local Planning Authority before the submission of details pursuant to the verification report condition that follows]
- 9 Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.
- 10 In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.
- 11 Prior to the commencement of any works a method statement for before, during and post construction should be submitted to and approved in writing by the Local Planning Authority. This should cover the avoidance of potential impacts on bats, birds, amphibians, reptiles and small mammals.
- 12 That a biodiversity enhancement statement be written and submitted to and approved in writing by the Local Planning Authority prior to commencement of works. This should include bird and bat boxes and native planting.
- 13 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.

- 14 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.
- 15 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 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.
- 16 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.
- 17 An electric vehicle charging point shall be provided for each of the approved dwellings prior to first occupation
- 18 Prior to first occupation measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.
- 19 Prior to the commencement of works all buildings and structures located within the red lined site as shown on GRV-P01 and the site location plan shall be demolished and entirely removed from the site.

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

This item was deferred from the last Planning meeting since there was some confusion whether or not the Gross Internal Floor Area (GIA) of the combined dwellings exceeded 1000sqm. If this were to be the case then the proposal would be required to provide 40% of the dwellings for affordable housing or demonstrate that to do so would render the development unviable.

Since the last meeting, the applicant has provided the Council with an appeal decision which indicates that the correct methodology to apply when calculating GIA is from the Technical

Housing Standards – Nationally described space standard (CLG,2015) where amongst other things, it states that:

Any area with a headroom of less than 1.5m is not counted within the GIA unless used solely for storage (if the area under the stairs is to be used for storage, assume a general floor area of 1m² within the GIA.

As a consequence, part of the first floor (with less than 1.5m headroom) should not be counted towards the GIA and the area under the stairs should only contribute 1sqm. In this instance the total GIA for all 9 units would be 981sqm, which is below the 1000sqm threshold. Affordable housing provision is therefore not required for this proposal.

However if the GIA is measured using the Code of Measuring Practice (RICS) guidance, it is marginal whether or not the dwellings exceed 1000sqm. The applicant maintains that the GIA using this methodology is 995sqm, whereas the Housing Team remains concerned that it is slightly over the 1000sqm threshold.

Description of site

The application site is located on the eastern side of Holyfield Road which is within the area of Waltham Abbey and is within a sparse area of development to the east of Bumbles Green and to the north of the main settlement of Waltham Abbey. To the north of the red lined site is a residential dwelling known as Greenview, which is within the control of the applicant. Currently on the site are a number of structures which include two wooden built sheds, a metal clad demountable structure and structures made from scaffold which contain stored items in connection with the use of the site as a storage area. The application site is located within the boundaries of the Metropolitan Green Belt and it is not within a Conservation Area.

Description of proposal

The proposed development is to demolish and remove all structures within the site and to erect nine new dwellings.

Relevant History

EPF/0380/80 - Erection of a replacement poultry slaughter house. - Refused

EPF/0250/89 - Use of buildings for storage of scaffolding, materials and offices. - Refused

EPF/2280/17 - Certificate of Lawful Development for existing use of land to the rear for the storage of scaffolding (Class B8) - Lawful

Policies Applied

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
CP3 – New development
CP6 – Achieving sustainable urban development patterns
H2A – Previously developed land
H3A – Housing density
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE3 – Design in urban areas
DBE8 – Private amenity space
DBE9 – Loss of amenity

LL11 – Landscaping schemes
ST1 – Location of development
ST4 – Road safety
ST6 – Vehicle parking
GB2A – Development in the Green Belt
GB7A – Conspicuous Development
U3B – Sustainable drainage systems

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.

Epping Forest District Local Plan (Submission Version) 2017:

The Epping Forest District Local Plan (Submission Version) 2017 has been approved for publication and is the Plan the Council intend to submit for independent examination. The policies in the Plan are considered to be up to date and accord with national policy and therefore should be given substantial weight in the consideration of planning applications in accordance with the Council's decision on 14 December 2017 and paragraph 217 of the NPPF. The policies and the Plan are supported by up to date and robust evidence – the evidence should also be treated as a material consideration. The relevant policies in the context of the proposed development are:

SP1 - Presumption in Favour of Sustainable Development
SP6 – Green Belt and District Open Land
SP7 - The Natural Environment, Landscape Character and Green and Blue Infrastructure
DM1 – Habitat protection and improving Biodiversity
DM3 – Landscape character, ancient Landscapes and Geodiversity
DM4 – Green Belt
DM21 - Local Environmental Impacts, Pollution and Land Contamination
H1 – Housing Mix and accommodation types

Consultation carried out and summary of representations received

2 Neighbours consulted –

CONSERVATORS OF EPPING FOREST – OBJECTION – The proposal is inappropriate development in the Green Belt and would cause significant harm to the character and appearance of the area. The development is not suitable for this setting and would create substantial dwellings in the countryside.

WALTHAM ABBEY TOWN COUNCIL – OBJECTION - The committee objected as the proposed development would be building on the Greenbelt, and there are no special circumstances to persuade the Committee. Another concern the committee raised was regarding highway safety as the access road to the site comes off a bend on the Crooked Mile/Holyfield Road, which is already notorious as an accident blackspot, the entry and egress to and from this development could increase the risk of collisions.

Issues and Considerations

The main issues to consider are the five year housing land supply and the potential impacts on the Green Belt, the living conditions of the neighbours, the character and appearance of the area, highway issues, Trees and landscaping, land drainage, land contamination and any other material planning considerations.

Five year housing land supply

The Council cannot currently demonstrate a five year housing land supply as required by the Framework. The Submission Version of the Epping Forest Local Plan will address this issue; however the Local Plan has not yet been adopted. As such the Council submits that it can only demonstrate a 1.58 year supply of housing. In these circumstances paragraphs 14 and 49 of the Framework advise that planning permission should be granted unless any adverse impacts on doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole, thereby adding weight to an approval.

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 NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should be refused planning permission unless very special circumstances can be demonstrated to clearly outweigh the harm caused.

The NPPF also emphasises that when considering an application, a Local Planning Authority should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt, by reason of inappropriateness and any other harm, is clearly outweighed by other considerations.

The NPPF does however allow for some exceptions to inappropriate development and one of which is the:

limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

The first stage of this exception is to consider whether the site is indeed brownfield, which is defined in the NPPF as:

Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time. (underline for officer emphasis)

A certificate of Lawfulness was issued in 2017 for this site which certified that its lawful use is for the storage of scaffold equipment (a B8 use). Such a use would fall within the Governments definition of previously developed land and thus the site is acknowledged to be brownfield land.

Whilst the site falls within the definition of previously developed land, this exception to inappropriate development explicitly excludes temporary buildings being considered as part of the redevelopment under this exception but requires a permanent structure to be present on the site.

The large wooden building located toward the entrance of the site labelled on drawing number GRV-P01 as 'shed one' and the smaller building labelled as 'shed two' are clearly permanent buildings. However the structures labelled as 'store one', 'store three', 'store four', 'store five', 'store six', 'store seven' and 'store eight' are constructed entirely of scaffold material and therefore have questionable permanence.

Section 336 of the Town and Country Planning Act 1990 defines a building as:

Any structure or erection

Within this context and having regard to the definition of previously developed land within the NPPF, the structures currently on the site can be considered to be buildings for the purposes of planning policy.

The key question to address then is whether these structures are permanent. The buildings as they currently stand have been in situ since at least 2010 based on the Council's satellite photographs and as a result would benefit from existing use rights since enforcement action is not possible after four years as defined in Paragraph 171B of the Town and Country Planning Act.

The buildings are therefore considered to be permanent and can be considered under this exception to inappropriate development in the Green Belt. The existing buildings currently on the site have a volume of approximately 3900 cubic metres, whereas the new dwellings will have a total volume of 3400 cubic metres. The redevelopment will therefore constitute a decrease in the volume of built form on the site.

It is acknowledged that the scaffold structures are of a construction which has less impact on the Green Belt than, for example a solid built structure such as a dwelling. Nonetheless the structures in question have existing use rights and are substantially higher than the dwellings proposed in this application. Within this context, and given that the overall volume of built form is lesser, it is concluded that this proposal falls under this exception to inappropriate development in the Green Belt.

The proposal is therefore compliant with policies GB2A and GB7A of the Adopted Local Plan and with DM4 of the Epping Forest Local Plan (Submission Version) 2017.

Living conditions of neighbours

The new dwellings relate well to each other and would offer a suitable level of habitable living space for new residents. The main dwelling at Greenview is orientated away from the proposed development whose residential curtilage angled away; as a consequence it is not considered that there would be any significant harm caused to the living conditions of occupiers.

There is an industrial site located directly to the south which is used as a haulage and transport yard. Whilst this will have some impact on the living conditions of future occupiers, it would not be excessively harmful. Indeed a planning condition can ensure that a suitable landscape scheme is implemented which will act as a meaningful screen to the adjacent site.

Character and appearance of the area

Local and National policy seeks new development to be of a high quality design and to be respectful to its surroundings. In this case the proposal would involve the removal of all existing buildings and structures on the site to be replaced with a small residential cul de sac. The existing buildings on the site lack architectural merit and are of a relative large scale which does not contribute positively to the area as a whole. The redevelopment will introduce a new feature into the street scene with the erection of a residential cul de sac, however it is concluded that this will

have a positive impact on area over the existing situation and thus the proposal is compliant with DBE1 and CP2 of the Adopted Local Plan and with DM9 (D) of the Epping Forest Local Plan (Submission Version) 2017.

Highway issues

The new dwellings have a suitable level of parking and would utilise the existing access onto Holyfield Road which has been used by the storage business for in excess of 10 years. The use of this access for nine dwellings raises no concerns in terms of the potential impact on the safety or efficiency of the public carriageway.

Tree and Landscape issues

The Tree and Landscape Team have no objection to the application subject to a condition regarding hard and soft landscaping and the retention of existing trees and shrubs on the site. These are both reasonable and necessary conditions to impose to ensure a high quality development.

Land Drainage

The Land Drainage Team consider that the proposal is acceptable in principle, however there is a need to impose conditions regarding further details of the Flood Risk Assessment and details of foul and surface water drainage. These are both reasonable and necessary conditions to impose.

Land Contamination

There is the potential for contaminants to be present on the site as a result of its former uses. Remediation of risk is possible to deal with by way of conditions and this is a reasonable and necessary measure to take.

Ecology

The Ecology Team consider that the proposal is acceptable in principle however there is a need to ensure that any protected species that may be on the site are safeguarded prior to the development being implemented.

Conclusion

The proposal is not inappropriate in the Green Belt, will be an improvement to the appearance of the site, will not harm the living conditions of any neighbours and satisfies all other policies of the development plan. It is therefore recommended that planning permission is granted.

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

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