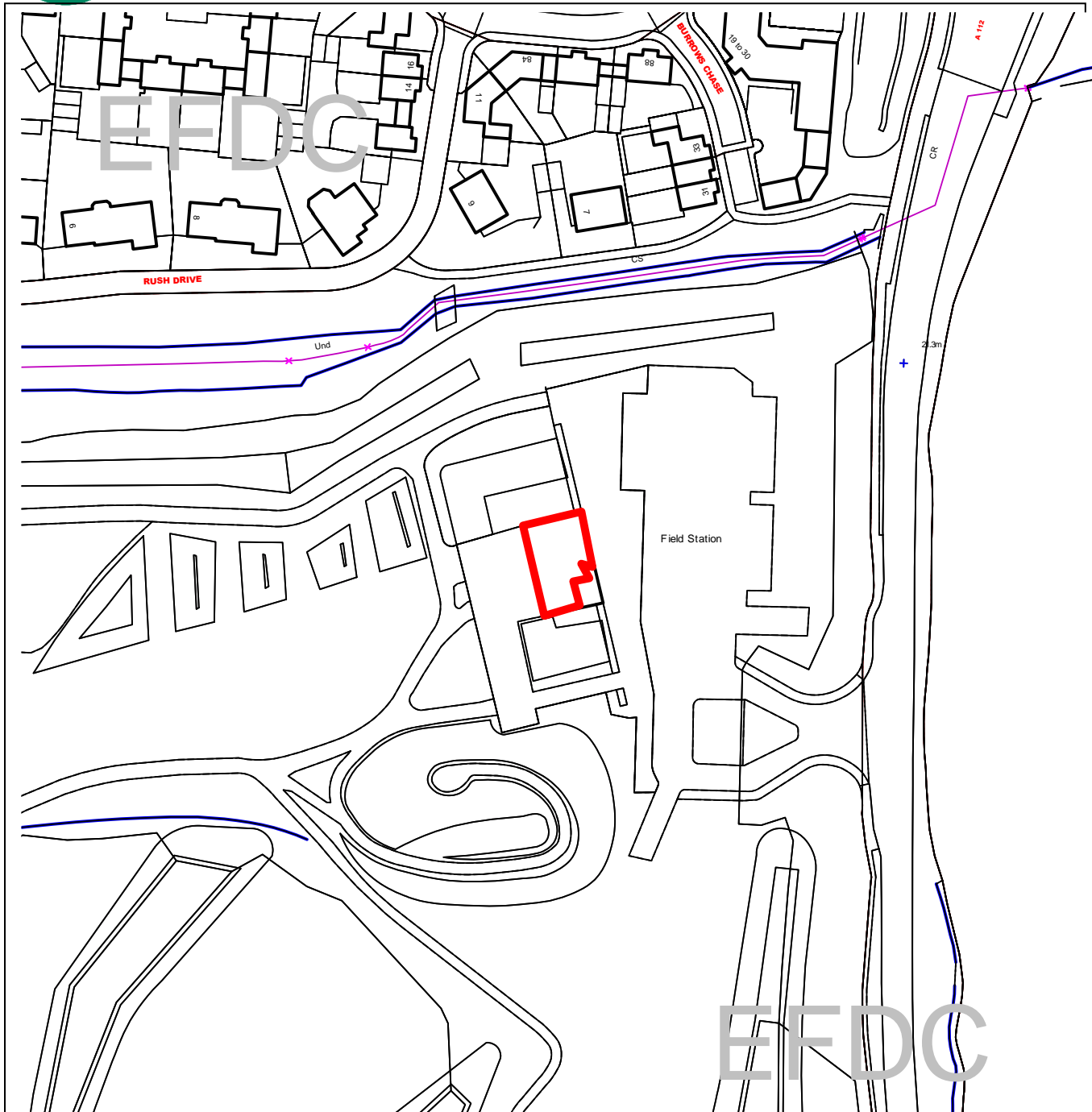




# Epping Forest District Council



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Application Number:	EPF/1501/21
Site Name:	Field Station Gunpowder Park Sewardstone Road Waltham Abbey EN9 3GP
Scale of Plot:	1:1250

**Report Item No:**

<b>APPLICATION No:</b>	EPF/1510/21
<b>SITE ADDRESS:</b>	Field Station Gunpowder Park Sewardstone Road Waltham Abbey EN9 3GP
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey High Beach
<b>APPLICANT:</b>	Mrs Jaine Alderson
<b>DESCRIPTION OF PROPOSAL:</b>	Proposed erection of a semi permanent canopy over the rear of the Field Station.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

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

[http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH\\_TYPE=1&DOC\\_CLASS\\_CODE=PL&FOLDER1\\_REF=653114](http://planpub.eppingforestdc.gov.uk/NIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=653114)

**CONDITIONS**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: location plan, site plan, proposed elevations.
- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building [or those shown on the proposed elevations, unless otherwise agreed in writing by the Local Planning Authority.
- 4 The development hereby approved shall be non-illuminated and remain in that position thereafter.

*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, supported by 1 local resident (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council)*

**Description of Site:**

The application site has a D2 (assembly and leisure) use (which is now categorised as an F2 use under the latest Use Classes Order) and is located within the Gunpowder Park on the Western side of Sewardstone Road south of Waltham Abbey. The site is not a Listed Building and is not within a Conservation Area. The site is wholly within the Metropolitan Green Belt.

### **Description of Proposal:**

Proposed erection of a semi-permanent canopy over the rear of the Field Station. The canopy would be 11 metres in width, 10 metres in depth and 3.3 metres in height.

### **Relevant site history**

EPF/1850/17 - Change of use of The Field Station to Use Class A1 (Cycle Retail/Hire) – Grant Permission (With Conditions)

EPF/2165/19 - Change of use of the Field Station to Class D2 – Grant Permission (With Conditions)

### **Policies Applied**

*Local Plan (1998) and Alterations (2006)*

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan currently comprises the Epping Forest District Council Adopted Local Plan (1998) and Alterations (2006).

The following policies within the current Development Plan are considered to be of relevance to this application:

- SP1 – Presumption in favour of sustainable development
- SP5 – Green Belt and district open land
- CP1 - Achieving Sustainable Development Objectives.
- CP2 - Protecting the Quality of the Rural and Built Environment.
- GBA2 - Development in the Green Belt
- GB10 – Development in the Lee Valley Regional Park
- H2A - Previously Developed Land.
- DBE2 - Effect on Neighbouring Properties
- DBE9 - Loss of Amenity.
- RST1 - Recreational, Sporting and Tourist Facilities.

### *National Planning Policy Framework (NPPF) (2021)*

The revised NPPF is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either;

- a) approving development proposals that accord with an up-to-date development plan without delay; or
- b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

In addition to paragraph 11, the following paragraphs of the NPPF are considered to be of relevance to this application:

- Paragraph 124
- Paragraph 127
- Paragraph 130
- Paragraph 131
- Paragraph 133 - 145

*Epping Forest District Local Plan Submission Version (LPSV) (2017)*

Although the LPSV does not currently form part of the statutory development plan for the district, on 14<sup>th</sup> December 2017 the Council resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

Paragraph 48 of the NPPF provides that decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The LPSV has been submitted for Independent Examination and hearing sessions were held on various dates from February 2019 to June 2019. On the 2<sup>nd</sup> August, the appointed inspector provided her interim advice to the Council covering the substantive matters raised at the hearing and the necessary actions required of the Council to enable her to address issues of soundness with the plan without prejudice to her final conclusions.

The following policies in the LPSV are considered to be of relevance to the determination of this application, with the weight afforded by your officers in this particular case indicated:

Policy	Weight afforded
SP1 Presumption in Favour of Sustainable Development	Significant
DM4 Green Belt	Significant
DM9 High Quality Design	Significant
D4 Community, leisure and cultural facilities	Significant

**Summary of Consultation**

No of neighbours consulted: 4 – 4 objections received, and 14 further comments received.

6 Rush Drive – Objection – concern regarding the noise caused from the use as a result of the proposal

3 Rush Drive – Objection - concern regarding the noise caused from the use as a result of the proposal

10 Rush Drive – Objection - concern regarding the noise caused from the use as a result of the proposal

4 Rush Drive – Objection – concern regarding the impact of noise on the park users and the potential for anti-social behaviour due to the erection of the canopy. Concerns regarding the choice of materials and how they fit within the character of the park.

32 Denny Avenue – Support  
5 Daleside Gardens – No Objection  
58 Drysdale Avenue – No Objection  
27 Cloverfield, Harlow – No Objection  
40 Roding View, Buckhurst Hill – No Objection  
5 Allmains Close – No Objection  
26 Millcrest Road, Goffs Oak – Support  
53 Carnavon Avenue, Enfield – Support  
94 Russell’s Ride, Cheshunt – No Objection  
14 Bridgend Road, Enfield – Support  
93D Turners Hill, Cheshunt – No Objection  
24 Malkin Drive, Church Langley – No Objection  
11 Rahn Road – Support  
104 Roundhills – Support

TOWN COUNCIL: OBJECTION – The Committee objected to this application for safety concerns and concerns regarding possible anti-social behaviour that could occur. If the LPA are minded to approve this application, could a mitigation of noise be implemented.

LEE VALLEY REGIONAL PARK AUTHORITY: COMMENT – recommend that the proposal is revised by reducing the width to better protect a living green wall, as well as requesting a condition be added to avoid illumination of the canopy.

### **Main Issues and Considerations**

The main issues to consider for the assessment of this application are as follows:

Impact on the living conditions of neighbours  
Development within the Green Belt  
Design

#### **Impact on Living Conditions**

Several neighbours have objected to the proposal in regard to excessive noise potentially causing excessive harm to the living conditions of neighbours. When measuring the distance from the field station to the nearest dwelling at Rush Drive, the minimum distance would be approximately 60 metres. Due to the distance, it is considered that there would not be excessive harm caused to neighbours as a result of this proposal. There is no proposed change to the hours of operation as part of this scheme that would exacerbate any further noise issues on the site and it would therefore be unreasonable to add a condition restricting this issue further.

#### **Green Belt**

Due to the nature of the proposal and its relevance to appropriate outdoor recreation, it is considered that the scheme would not cause harm to the character and openness of the surrounding green belt and meet one of the exceptions to inappropriate development.

#### **Design**

A neighbour has objected to the proposal regarding the proposed materials and the impact on the character of the area. It is considered that the materials put forward would be acceptable in this location and that there would not be a detrimental impact on the character and appearance of the surrounding area as a result of this.

#### **Other matters**

The Lee Valley Regional Park Authority were consulted on the application and commented that it would be beneficial to reduce the width of the canopy so as to better protect a living green wall. This has been agreed. It would also be reasonable to add a condition restricting any illumination on the canopy itself.

### **Conclusion**

Following on from the reasons above, it is recommended that planning permission is granted subject to conditions.

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

**Planning Application Case Officer: Alastair Prince**  
**Direct Line Telephone Number: 01992 564462**

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