

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/1452/08
<b>SITE ADDRESS:</b>	1 The Mead Nazeing Essex EN10 6SS
<b>PARISH:</b>	Nazeing
<b>WARD:</b>	Lower Nazeing
<b>APPLICANT:</b>	Mr & Mrs Padalino
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of a block of 6 self-contained flats. Amendment to previously approved apartment block (EPF/436/07) to provide additional unit within roof.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**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 shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 3 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows or dormer windows, other than those expressly authorised by this permission, shall be constructed in or on the south-east facing side elevation to the building.
- 4 Prior to the commencement of the development, a flood risk assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall include measures to manage any risk of flooding. The development shall thereafter be carried out in accordance with the approved assessment and any measures to manage the risk of flooding shall be permanently retained as approved.
- 5 There shall be no raising of existing ground levels on the site unless as specified in the approved flood risk assessment required by condition 4.
- 6 None of the flats hereby approved shall be occupied until surface water drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority before any development commences. Such works shall thereafter be permanently retained.

- 7 Details of the measures to be taken to prevent material from vehicles leaving the site being deposited on the public highway during the construction works shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The approved measures shall be carried out and retained for the duration of the construction period.
- 8 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping which shall include indications of all existing trees and details of any to be retained, together with measures for their protection during the course of development and a timetable for the implementation of landscaping works. The development shall proceed in accordance with the approved scheme.
- 9 Notwithstanding the siting of the gates shown on drawing number 448016A, any gates at the entrance to the car parking area shall be set back at least 4.8 metres into the site from the access road to the industrial estate.

*This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).*

#### **Description of Proposal:**

This application is for the demolition of an existing bungalow and the erection of an apartment block containing 6 flats. There is an existing planning consent allowed on appeal for a similar building but with just 5 flats. The applicant is therefore seeking an amendment to the previous approval (EPF/0436/07) for a block of 5 flats, to include an additional 2 bedroom flat within the roof space of the building.

There would be no major physical changes to the design and appearance of the building from that previously approved. The additional flat within the roof space would require a front and rear dormer window to allow more head room and a number of roof lights. There would also be two new windows on the third floor of the northern elevation of the building. An additional vehicle space has been provided within the designated parking area to accommodate additional residents.

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

The subject site is located on the corner of The Mead and Occupation Road. The site is mainly regular in shape and has a frontage onto The Mead. The site itself has a depth of approximately 51 metres by a width of 11 metres towards the front and 21 metres towards the rear, which results in a total site area of approximately 816 square metres. This is significantly larger than most surrounding parcels of land. The site currently has a small detached bungalow located towards the front with mature vegetation located along the side and rear boundaries.

The surrounding area is situated within a mixture of uses. The Mead comprises of double storey contemporary dwellings where they are all similar in form, bulk, and size. Materials include brick and render with hipped and gable roof forms. Front setbacks in the area are consistent. The dwellings in the area are generally set off both side boundaries with spaces between buildings being a dominant feature in the street scene.

Located to the north and east of the site there is a mixture of B2 and B8 uses.

### **Relevant History:**

EPF/14/89 – Single storey rear extension (approved)

EPF/655/06 – Demolition of existing bungalow and erection of five bedroom detached dwelling (withdrawn)

EPF/2030/06 - Demolition of existing bungalow and erection of a five bedroom detached dwelling (approved)

EPF/0436/07 - Amendment to planning approval EPF/2030/06, for a detached dwelling, to separate the dwelling into five self contained units. (refused by Council, however allowed under appeal).

### **Policies Applied:**

DBE1 Design of new buildings  
DBE2 Effects on neighbouring properties  
DBE6 Car parking in new development  
DBE8 Private amenity space  
DBE9 Loss of amenity  
LL10 Impact on existing landscaping  
LL11 Landscaping provisions  
CP1 Sustainable Development  
CP3 New Development  
H1A Housing Land Availability  
H3A Residential outside Green Belt

### **Issues and Considerations:**

The main issues to be addressed in this case are whether the amendment to the previous approved application is acceptable in relation to design and appearance, whether it would be harmful to the amenities of adjoining property occupiers and any other issues.

#### **Design and the Built Environment:**

Policies DBE1, DBE2 and DBE3 of the Epping Forest District Local Plan seek to ensure that a new development is satisfactorily located and is of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and would not prejudice the environment of occupiers of adjoining properties.

It is considered that the minor alterations made to the building would not cause harm to the character of the streetscene or to the character of the surrounding area. The dormers are well proportioned and are small in size and scale in that they will not appear visually intrusive or bulky. In terms of design and appearance, it is considered that the proposed changes to the building to accommodate an additional flat in the roof space is acceptable.

#### **Residential Amenity Space:**

Policy DBE8 of the Epping Forest District Local Plan in respect to amenity space requires that communal areas for flats should allow at least 25 square metres for each flat. 150 square metres of open space would be required as there would now be six flats proposed within the building.

There is more than enough open space to the rear of the building to meet the recreational needs of the residents.

Highway/Parking Issues:

Policy DBE6 of the Epping Forest District Local Plan seeks to preserve the amenity of residents located close to the application site. The policy states that the Council will ensure that all new developments make adequate provisions for car parking normally in accordance with the adopted standards. In this instance the proposed scheme has provided a car space for each flat along with a visitor space to the rear of the site. This is considered to be in compliance with the above policy DBE6. It is also considered that it will not result in an impact to highway safety or traffic congestion within the surrounding area.

Impact on Neighbours:

The Council considers that as a result of an additional flat within the roof space, there would be no further harm caused to the amenities of adjoining occupiers in relation to loss of privacy, loss of light or visual blight.

Flooding:

The Parish Council have raised concern about flooding, however a flood risk assessment has been produced for the earlier scheme and agreed by the Environment Agency, it is not considered that the addition of a further flat within the roof and the additional parking space will cause any harm that cannot be overcome by condition.

**Conclusion:**

In conclusion it is considered that the proposed amendment to the previous approval is acceptable in terms of its design and appearance and that it would reflect the character of the area without causing harm to the amenities of adjoining property occupiers. Therefore it is recommended that the application be granted permission subject to conditions.

**SUMMARY OF REPRESENTATIONS:**

NAZEING PARISH COUNCIL: The committee objects to the application as it is considered to be an overdevelopment, flood plain, traffic issues, lack parking facilities and amenity space.

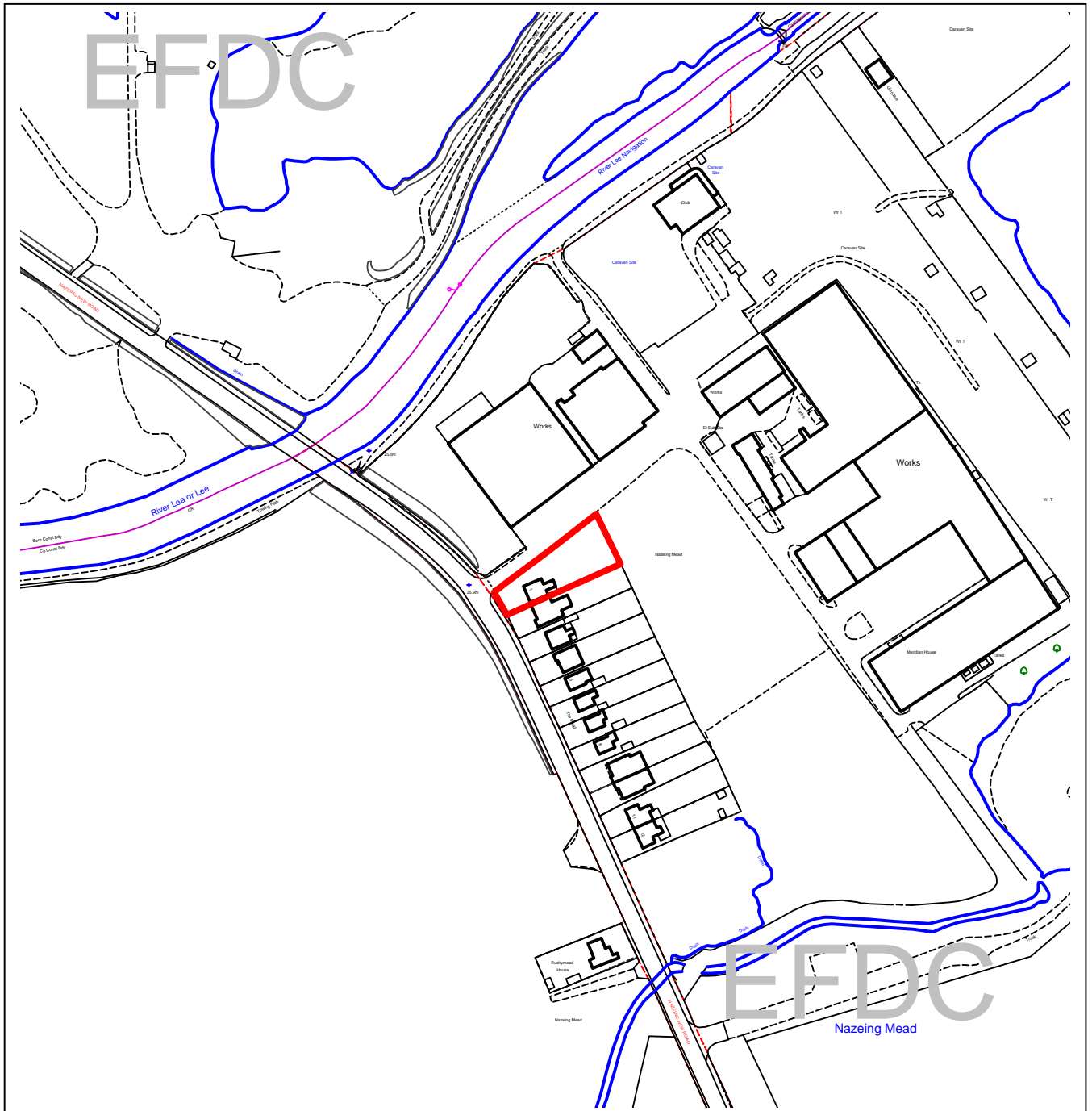
8 THE MEAD: Objection

- An additional flat would cause additional strain on the sewage and drainage within the surrounding area.
- Result in additional overlooking
- It would cause more of an impact to highway and parking concerns in the area.
- Increase the risk of flooding.



# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	1
Application Number:	EPF/1452/08
Site Name:	1 The Mead, Nazeing, EN10 6SS
Scale of Plot:	1/2500

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/1653/08
<b>SITE ADDRESS:</b>	Three Dees Nursery Reeves Lane Roydon HARLOW CM19 5LE
<b>PARISH:</b>	Roydon
<b>WARD:</b>	Broadley Common, Epping Upland and Nazeing
<b>APPLICANT:</b>	Mr Dean Foster
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use of former nursery building to fireplace showroom.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The premises shall be used solely for a fireplace showroom and for no other purpose (including any other purpose in Class A1 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.

*This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).*

**Description of Proposal:**

Retrospective consent is being sought for the change of use of the former nursery building to a fireplace showroom. The building is a former packing shed located in the north western corner of the site known as Three Dees Nursery. The application site has direct access off of Reeves Lane and provides 5 no. parking spaces to staff and members of the public. The site also allows for access to the rear for a removal company. The building on site has a footprint of 67 sq. m. and is a pitched roof steel sheeted building to a maximum height of 5m.

**Description of Site:**

The site is a large agricultural nursery on the eastern side of Reeves Lane, Roydon. The application area is some 640 sq. m. located in the north western corner of the nursery, and contains an entrance, parking area, and packing shed. There are several other buildings, sheds, glasshouses and polytunnels to the south and east, however these are under separate ownership/usage. The site is located within the Metropolitan Green Belt and a conservation area.

### **Relevant History:**

EPR/0329/49 - Four additional greenhouses and stoke hole nursery – approved 06/12/49  
EPR/0148/50 - Bungalow – refused 21/07/50  
EPO/0259/58 - Bungalow – refused 02/12/58  
EPF/0640/75 - Outline application for an agricultural workers dwellinghouse – refused 23/06/75 (appeal dismissed 23/06/75)  
EPF/0242/77 - Outline application for an agricultural workers dwelling – approved/conditions 10/08/78  
EPF/0242A/77 - Details pursuant to outline consent for a dwelling – withdrawn  
EPF/1291/78 - Details of dwelling – approved/conditions 20/10/78  
EPF/0858/85 - Use of land to rear for storage of caravans – refused 02/09/85  
CLD/EPF/0944/08 - Certificate of lawful development for existing B1 and B8 uses – lawful 12/09/08

### **Policies Applied:**

GB2A – Development in the Green Belt  
GB8A – Change of Use or Adaptation of Buildings  
HC6 – Character, Appearance and Setting of Conservation Area  
HC7 – Development within Conservation Areas  
DBE4 – Design in the Green Belt  
DBE9 – Loss of Amenity  
ST4 – Road Safety  
ST6 – Vehicle Parking

### **Issues and Considerations:**

The main concerns in this application are the appropriateness of the development in the Green Belt, the impact on surrounding properties and the conservation area, and with regards to highways and parking provision.

Policy GB8A gives the criteria for the change of use of buildings within the Green Belt. The building was previously a packing shed used in conjunction with Three Dees Nursery, however has not been used as such for the last 22 years. The reuse of existing buildings in the Green Belt is acceptable, with preference being given to employment uses. Although this use only employs 2 members of full time staff it is a small local business premises, for which there is an increasing need within Epping Forest District.

The site is located within an existing nursery, and directly behind the area is a removals company that has recently obtained a certificate of lawfulness for its use. Due to this the site is considered to be mixed use, with B1 and B8 as well as traditional horticultural use, and therefore the creation of a small retail showroom would not be detrimental to the character of the area. The existing packing shed has not been extended or substantially altered to allow for this use, and as such the impact on the Green Belt is minimal.

Parking space is provided within the existing hardstanding area, which previously would have been used for parking and access to the nursery, and an existing vehicle crossover is used to access the site. The proposed use does not disrupt the access to the removal company to the rear of the nursery, nor does it result in any detrimental impact on highway safety.

The proposed use is a small, specialised showroom (for fireplaces), and as such the level of traffic movements to the site would be fairly insubstantial. It is stated that there are approximately 4 or 5 customers visiting the site per day, and occasional deliveries. Given the use of the nursery for B1,

B8 and horticultural purposes, this small increase in additional traffic would not be detrimental to the area, or to the amenities of adjacent residents.

The site is very well screened along its front boundary, and as the development is reusing an existing building and hardstanding area, there would be no further impact on the street scene or openness and character of the Green Belt.

The Parish Council have raised concerns over signage placed at the end of Reeves Lane. This signage is not part of this application, and as it is not within the application site it is outside of the control of any planning conditions. Notwithstanding this, Planning Enforcement are aware of these signs and are taking the relevant action.

**Conclusion:**

In light of the above the proposed development complies with all relevant planning policies and is therefore recommended for approval.

**SUMMARY OF REPRESENTATIONS:**

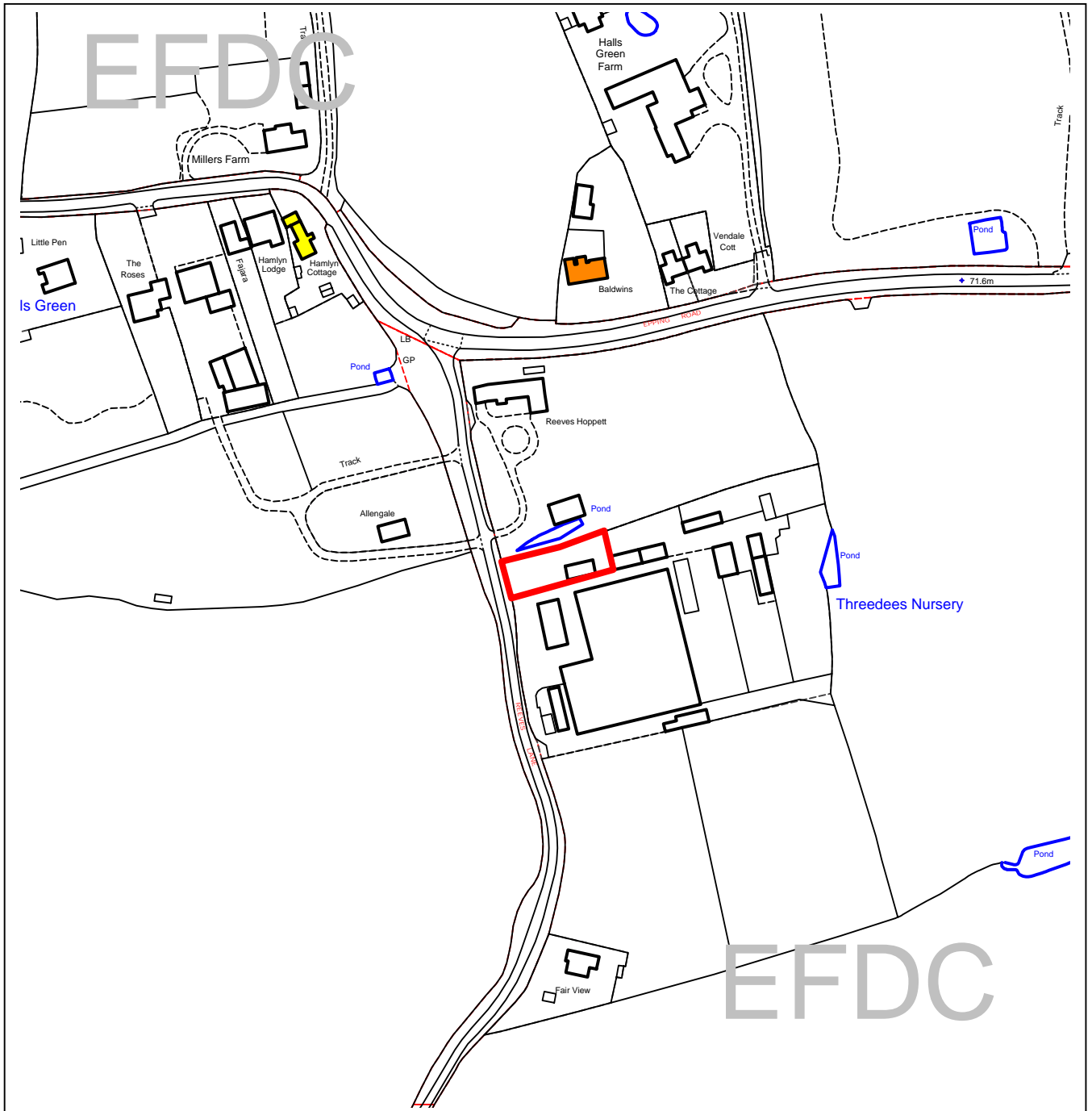
PARISH COUNCIL – Object as they are concerned that an approval will lead to other businesses setting up on the site and about the openness of the Green Belt. Also unauthorised signs advertising the showroom are often placed at each end of Reeves Lane.





# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	<b>2</b>
Application Number:	EPF/1653/08
Site Name:	Three Dees Nursery, Reeves Lane Roydon, CM19 5LE
Scale of Plot:	1/2500

**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/0687/08
<b>SITE ADDRESS:</b>	Sweet News 3 Market Square Waltham Abbey Essex EN9 1DL
<b>PARISH:</b>	Waltham Abbey
<b>WARD:</b>	Waltham Abbey South West
<b>APPLICANT:</b>	Mr Mohammed Perwaiz
<b>DESCRIPTION OF PROPOSAL:</b>	Change of use from A1 retail to A5 hot food take away and insertion of extraction flue. (Revised application)
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**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 Adequate provision for foul drainage from the kitchen shall be submitted to and approved by the Local Authority. Drains serving the kitchen in the development shall be fitted with a grease separator, as detailed in the Building Regulations 2000, Approved Document H (Drainage and waste disposal), to comply with prEN 1825-1 and designed in accordance with prEN 1825-2 (Installations for separation of grease) or other effective means of grease removal. The approved drainage shall be retained and maintained while the site is in use.
- 3 Equipment shall be installed to suppress and disperse cooking/food preparation fumes and smell to a minimum. The equipment shall be effectively operated and maintained for so long as the use continues. Details of the equipment shall be submitted and approved by the Local Planning Authority and the equipment shall be in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use.
- 4 Prior to the premises being brought into use for the purpose hereby permitted, a scheme providing for adequate storage of refuse from this use shall be submitted and approved by the Local Planning Authority. The scheme shall be carried out and thereafter retained at all times.

*This application is before this Committee since it is an application for commercial development and the recommendation differs from more than one expression of objection (Pursuant to Section P4, Schedule A (f) of the Council's Delegated Functions).*

This application was considered by this Committee back on the 4<sup>th</sup> June 2008 and was deferred by members seeking formal comments from County Highways with regard to the scheme and to establish what rights of access exist for vehicular traffic over Church Street and Market Square, as there was concern that the proposed use would cause unacceptable congestion in the locality. After reconsultation with the Highway Authority they have confirmed that they have no adverse comments on the proposal. They have also confirmed that only the following vehicles are permitted to use Church Street and Market Square:

- Emergency vehicles
- Statutory undertakers
- Cleaning vehicles
- Delivery or collection of goods and merchandise
- Market traders on market day

Although only the above vehicles are permitted to access Church Street and Market Square it is considered that there is good access to public car parks and transport within the surrounding area and that the proposed use should not cause a detriment to highway safety or cause traffic congestion. Also it is not believed that the proposed change of use would have an impact to traffic flow within the town centre.

The original report is reproduced below and the conclusion and recommendation remain the same.

### **Description of Proposal:**

The applicant is seeking planning permission to change the use from 'A1' (retail) to 'A5' (hot food take away) and the insertion of extraction flue.

Internal alterations are to include a new kitchen and store area towards the rear of the existing building and a small seating area towards the front of the building.

The only external changes to the building would be the insertion of the extraction flue at the rear of the property.

### **Description of Site:**

The subject site is known as Sweet News which is located to the north of the Market Square within the town centre of Waltham Abbey. Church Street is located to the west of the site and Sun Street to the east. Located on the site itself is a double storey terraced building that is currently used as a shop on the ground floor and a residential flat on the first floor.

There is a mixture of different uses within the surrounding area ranging from shops, offices, drinking establishments, hot food takeaways on the ground floor of buildings and residential flats and offices on the first floor. The subject site does not form part of the Key Frontage Area of the town centre however it is within the Waltham Abbey Conservation Area.

**Relevant History:**

EPF/1903/07 - Change of use from A1 retail to A5 hot food Takeaway. (Withdrawn)

**Policies Applied:**

TC1 Town Centre Hierarchy  
TC3 Town Centre Function  
HC6 Development, Appearance and setting of Conservation Area  
HC7 Development within Conservation Areas  
ST6 Vehicle parking

**Issues and Considerations:**

The main issues for consideration for the proposed change of use is the principle of the use within the town centre, parking and whether there would be a harmful impact to the character of the conservation area or to the amenities of adjoining property owners.

*Principle of the Use*

PPG6 urges Local Authorities to encourage diversification of Town Centres. This is because different but complementary uses can widen the range and quality of activities, thereby making town centres more attractive to local residents.

Food and drink outlets can add to a range of uses offered within town centres however they should not undermine the daytime economy and vitality of centres. Proposals that could create a dead frontage during the daytime should be resisted.

The applicant proposes the following hours of operation:

Monday to Saturday 10am to 10pm  
Sunday and Bank Holidays 12 noon to 9pm

The application premises are not within a Key Frontage identified in the Local Plan and therefore policies TC1 and TC3 apply which set out a series of criteria, the most relevant of which is a judgement as to whether a proposal would lead to a stretch of 'dead' daytime frontages. In this case it is considered that the change of use would not harm to a significant degree the vitality and viability of a principal town centre and would create a wider range of uses within the street and the town centre in general thereby meeting Policy TC1. It is also considered that the proposed use would not result in a dead frontage within the town centre as the hours of operation are reasonable for this particular type of use.

It is considered that the proposed change of use would complement and enhance the function of the shopping centre.

As mentioned above the only external change to the building would be the small extraction flue to the rear of the property.

It should be noted that Council's Conservation and Environmental officers have no concerns regarding the design, appearance and environmental impacts in relation to the extraction flue subject to conditions being placed on the recommendation to grant permission.

Highway/Parking issues:

These are covered above.

Impact on Neighbours:

Consideration has been given to the impact of the proposal to the adjoining and adjacent properties, primarily in respect to noise and disturbance. It is considered that the change of use would not have a significant impact to nearby residential units located within the surrounding area.

**Conclusion:**

In conclusion it is considered that the proposed change of use is acceptable in terms of complementing and enhancing the function of the town centre without having an impact to the key frontage area. It will also not have a harmful impact to adjoining property owners or to the character of the conservation area. It is therefore recommended that application be approved for the reasons outlined above.

**SUMMARY OF REPRESENTATIONS**

WALTHAM ABBEY TOWN COUNCIL: No Observations due to personal interest of Members therefore making Committee inquorate.

6 HALFHIDES, WALTHAM ABBEY – Object to another takeaway outlet in this area as it would create more rubbish in the streets and possible problems with youths causing noise and disruption.

THE ABBEY INDEPENDENT FUNERAL DIRECTORS, 4 MARKET STREET – Objects to another takeaway outlet within Market Square, would cause more litter and is worried about the odour emitted from the flue at the back of the building.

FOUR LETTERS were also submitted to Council supporting the application from the following properties:

- 1 Sun Street, Waltham Abbey
- 8 The Cobbins, Waltham Abbey
- 33 Moremead, Waltham Abbey
- 8-9 Market Street, Waltham Abbey

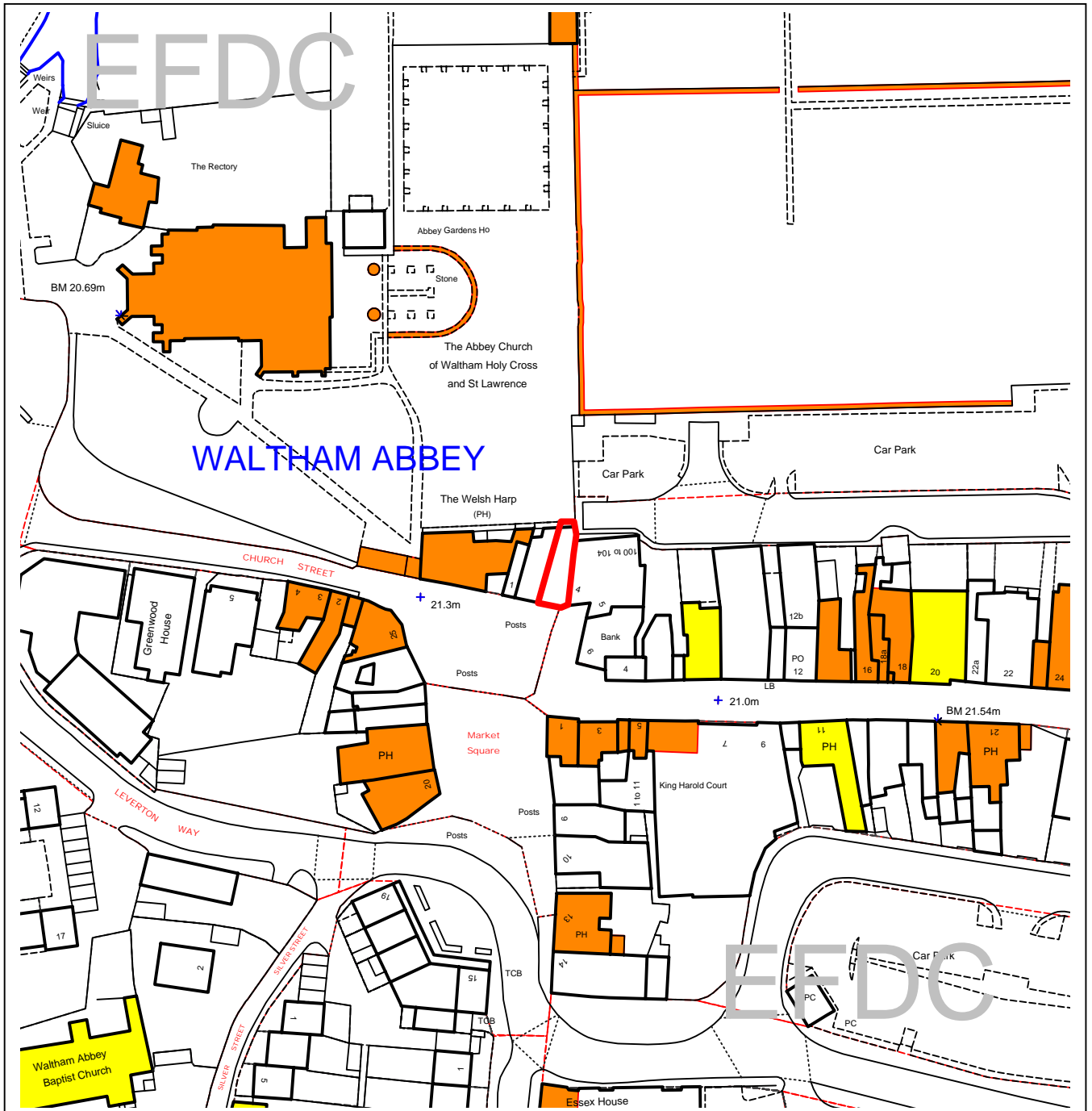
4a SUN STREET: No Objection

8 WALTON GARDENS: No objection



# Epping Forest District Council

## Area Planning Sub-Committee West



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<b>Agenda Item Number:</b>	<b>3</b>
Application Number:	EPF/0687/08
Site Name:	Sweet News, 3 Market Square, Waltham Abbey, EN9 1DL
Scale of Plot:	1/1250