

Report Item No: 1

APPLICATION No:	EPF/1840/08
SITE ADDRESS:	13 Windsor Wood Waltham Abbey Essex EN9 1LY
PARISH:	Waltham Abbey
WARD:	Waltham Abbey North East
APPLICANT:	Mrs Helen Young
DESCRIPTION OF PROPOSAL:	TPO/EPF/10/90 G3 T1 Sycamore - Fell
RECOMMENDED DECISION:	Refuse Permission

REASON FOR REFUSAL

- 1 Insufficient reason has been provided to justify the need to remove this healthy tree of high visual amenity value, The proposal is therefore contrary to policy LL9 of the Council's Adopted Local Plan and Alterations.

This application is before this Committee since it is Council policy to present all applications to fell trees before the elected members.

Description of Proposal:

T1.Sycamore. Fell and replace.

Description of Site:

The tree stands close to the rear boundary fence of this terraced property, which forms part of a staggered residential development following the arc of Monkwood Avenue as it becomes The Cobbins. The property has added a conservatory to the rear elevation, which extends for approximately 11 feet into the 13 metre long, south facing garden.

At approximately 15 metres in height, with a crown spread of about 6 metres, this mature and vigorous tree forms a part of a line of eight similar sized, closely planted sycamores standing at the bottom of numbers 10,11 and 12 Windsor Wood. Three trees continue the line on open ground beyond the western boundary of number 10 to complete this dominant group, which constitutes a central landscape feature when approaching the site from the north or south along Broomstick Hall Lane. The raised ground level on which they stand, relative to this road, further increases their collective prominence and screening importance in softening views of the modern residential dwellings.

Relevant History:

TRE/EPF/1096/97 granted permission to lightly crown reduce the side growth of the trees standing at 11 and 12 and crown thin by 15%.

TRE/EPF/1193/03 granted permission to reduce the crown by 2 metres in height and 50% in spread metres.

Policies Applied:

Epping Forest District Local Plan and Alterations: LL9 Felling of preserved trees

Issues and Considerations:

The main reasons put forward with this application are the following:

- Nuisance of debris from the tree.
- Unreasonable loss of enjoyment of house and garden and safety issues.
- Potential risk of structural damage.

The main planning considerations are:

- Visual amenity of the tree
- Life expectancy of tree
- Suitability of tree in current position.
- Planning issues.

Nuisance of tree debris

The applicant lists the amount of leaf matter, bird liming and honeydew sap, which combine to block the gutters of both the conservatory and the main house roofs. Moss has established itself due to shade conditions on the main roof and this also blocks gutters, when it is washed off the tiles.

The lawn, garden furniture and newly constructed patio suffer the worst effects of sap and bird liming, which are a source of hygiene concerns.

Loss of reasonable enjoyment

At present, the tree reduces light into the living room of the main house. The applicant states that lights must be kept on throughout the day. The effect is worsened because the house is set back and shielded by the neighbouring flank wall of number 12, which prevents westerly light into the house.

It is claimed that the garden is virtually unusable due to the debris problems described above and because the small garden is largely shaded for most of the day.

This is true, to an extent, but the garden enjoys morning light due to the loss of a neighbouring tree. The contained crown spread reduces the direct canopy cover over the garden and drop zone and leaf fall comes from neighbouring trees.

Perceived risks of the tree falling and crushing the house have been submitted as a major source of fear, since the tree sways in the wind. There are no obvious physical defects visible on the tree, which indicate that the risk of tree failure must be considered low and carry little weight in the argument to remove it.

Potential risk of structural damage

It is not possible to accurately predict the potential for root induced subsidence damage to the house without the submission of technical information. The lightweight conservatory and patio

area, both at closer range to the tree, will be at greater potential risk due to the likelihood of shallow foundations being used in their construction, though this observation is unsubstantiated.

No weight can therefore be given to this concern without supporting evidence.

Visual amenity.

This healthy and vigorous tree stands as the eastern most member of a mature line of trees, which are clearly visible from Broomstick Hall Lane. Its collective amenity value is high and its loss would be clearly noticed.

Life expectancy

The tree has undergone a comprehensive crown reduction in 2003, which has been tolerated well and therefore it is foreseeable that its life expectancy remains long ie in excess of 20 years.

Suitability of tree in current position

A tree of this size would normally need a considerable amount of space to be allowed to grow to its natural size. There have been repeated requests for reduction works to most the trees within the gardens of this residential development. Now the conservatory extension has been built the relationship between the house and the tree has become more incompatible at approximately 6 metres from the stem base.

Planning issues

Previous proposals to develop this site were rejected at appeal based on the loss of trees. It was clearly indicated that poor living conditions would exist with houses built at such close range to established trees. Located along the southern garden boundaries the trees shade the houses for most of the day. While every effort was taken to raise this issue in advance, the current position is that it was deemed acceptable to retain the trees in an approved scheme.

It was noted that the neighbouring property at 14 Windsor Wood has lost a preserved tree and no record of its authorised removal can be found. There are signs of other tree removals on other parts of the site, which indicate a negative attitude towards the trees, where the risks of facing prosecution of the offence of destroying a protected tree with the accompanying fines have been considered worth overriding.

A signed petition from 19 neighbouring residents has been submitted with this application, giving support for the removal of this tree. This indicates the strength of feeling in opposition to the trees. It is therefore predictable that, should permission be granted for the removal of the tree, a precedent will be set for future applications to remove other trees of this important group.

A suggestion to adopt a collective pruning regime was discounted due to differing personal circumstances and willingness to contribute to such a scheme.

Conclusion:

The tree has considerable public value as part of this prominent group, which greatly softens the view into this densely developed site. From this standpoint the tree must be retained to perform its function as a public amenity. It is a healthy tree, despite its harsh pruning history. Planning policy demands that tree removal is not simply justifiable but necessary. There is no necessity to remove the tree on grounds of its poor health or structure.

The case balances the several arguments for its removal based on the straitened living conditions the applicants and their immediate neighbours are living in, as detailed above.

The option to prune the tree again rather than fell it would not excessively diminish the tree's stature and appearance and should be considered as an alternative course of action. Better still, a reduction of the whole group would largely resolve the issues raised.

To summarise, members must consider whether the compromise entered at the outset of the approved scheme in allowing the houses to be built close to the large protected trees and requiring their retention is now outweighed by the mounting negative attitude towards them from residents, who suffer individually and collectively from their effects.

It is recommended to refuse permission to this application on the grounds that the tree is still of important amenity value and in good health and that the harm to residential amenity from its retention is insufficient to justify the need to remove it. The proposal therefore runs contrary to Local Plan Landscape Policy LL9.

A condition requiring the replacement of this tree and a condition requiring prior notice of the works to remove it must be attached to the decision notice in the event of members agreeing to allow the felling.

SUMMARY OF REPRESENTATIONS:

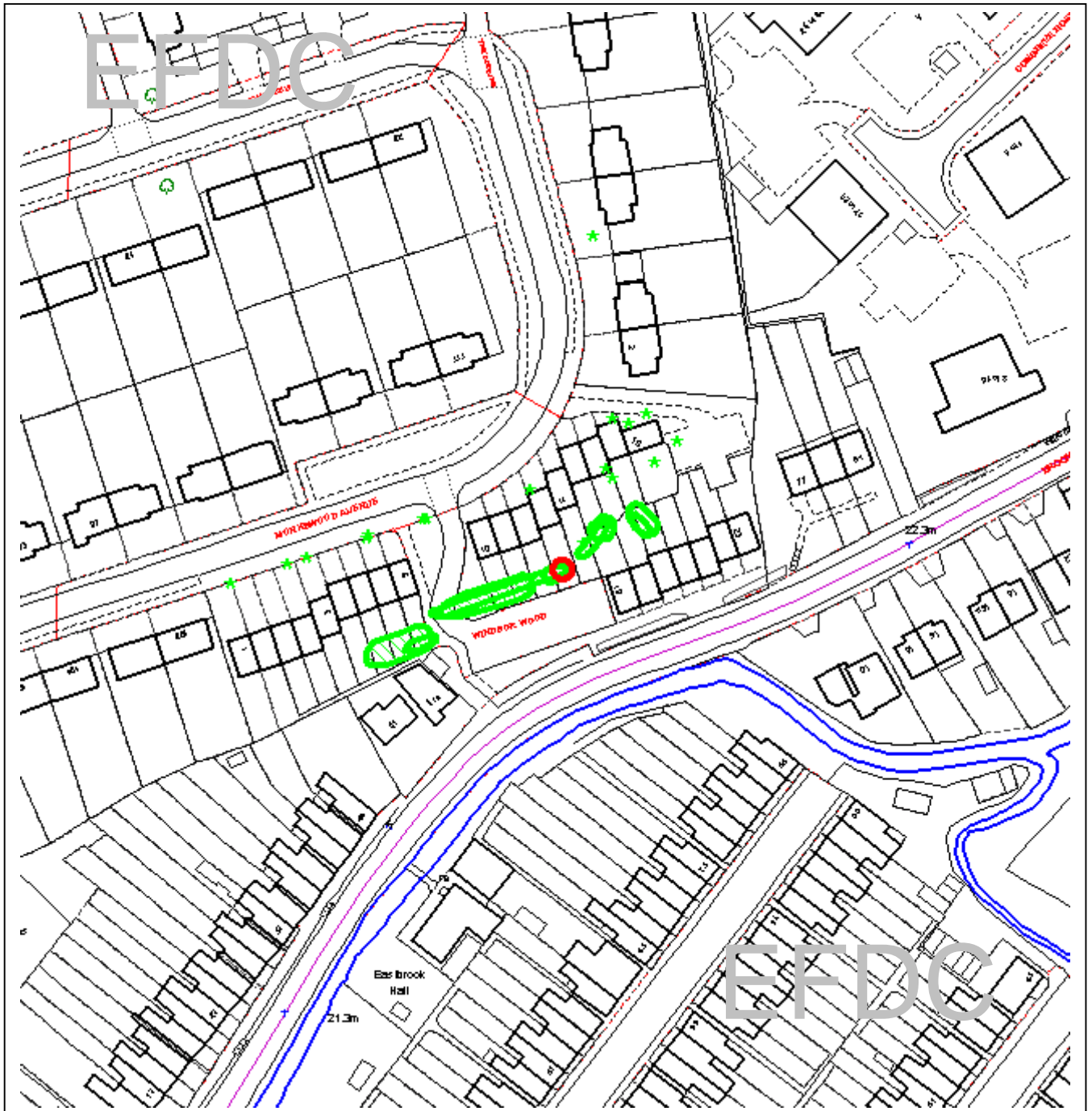
WALTHAM ABBEY TOWN COUNCIL: No comments had been received at the time of the writing of this report. Comments may be reported verbally at the committee meeting.

A Petition signed by 19 residents of Windsor Wood in support of the application to remove the tree was submitted with the application.



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	1
Application Number:	EPF/1840/08
Site Name:	13 Windsor Wood, Waltham Abbey EN9 1LY
Scale of Plot:	1:1250

Report Item No: 2

APPLICATION No:	EPF/1305/08
SITE ADDRESS:	1 Cartersfield Road Waltham Abbey Essex EN9
PARISH:	Waltham Abbey
WARD:	Waltham Abbey South West
APPLICANT:	Lidl GmbH/International Lift Equipment Ltd
DESCRIPTION OF PROPOSAL:	Demolition of existing buildings and erection of new 'Lidl' foodstore and construction of five start-up industrial units. (Revised application)
RECOMMENDED DECISION:	Refuse Permission

REASON FOR REFUSAL

- 1 The proposed development, due to the availability of an alternative, sequentially preferable site to fulfil the need for the retail development, would fail to meet the requirements of the sequential test, contrary to PPS6 and policy TC2 of the adopted Local Plan and Alterations. Due to this the proposal would be detrimental to the vitality and viability of the town centre, contrary to policy TC3 of the adopted Local Plan and Alterations.
- 2 The proposed industrial unit No. 1, given its height and proximity to the boundary, would result in a detrimental impact on visual amenities to the occupiers of No's. 6, 7 and 8 Harveyfields, Waltham Abbey, contrary to policy DBE2 of the adopted Local Plan and Alterations.
- 3 The proposed development fails to provide information or justification regarding the assessment or marketing of the site for community use, contrary to policy E4B of the adopted Local Plan and Alterations.

This application is before this Committee since it is an application that is considered by the Director of Planning and Economic Development as appropriate to be presented for a Committee decision (Pursuant to Section P4, Schedule A (k) of the Council's Delegated Functions).

Description of Proposal:

Revised application for the demolition of the existing buildings and the erection of a new 'Lidl' foodstore and construction of five start-up industrial units. This proposal should be considered together with that proposed under application EPF/1771/08, reported elsewhere in this agenda.

The foodstore would be 1,643 sq. m., containing some 1,286 sq. m. of retail floorspace, and would be a maximum of 70m deep and 25m wide with a mono-pitched roof to a maximum height of 9.7m. The start-up industrial units would have a total floorspace of 1,139 sq. m. and mono-pitched roofs

to a maximum height of 8m. The industrial units would be located to the rear of the site and would be bordered to the north by garages and properties in Harveyfields, and to the west by 180 Brooker Road. The scheme also proposes associated parking for 106 cars for use with the foodstore and 30 parking spaces for the industrial units. This includes a total of 10 disabled parking bays, as well as space for bicycles and powered two wheeler parking. There would be three vehicle entrances added to the site from Cartersfield Road, and one pedestrian access on Sewardstone Road.

Description of Site:

The application site is a vacant plot containing a large disused warehouse building and associated yard. To the north of the site is Waltham Abbey fire station and dwellings and garage areas serving Harveyfields. To the west of the site is the Brooker Road industrial site. To the south of the site is a Nissan car showroom and industrial sites. The site is located some 25m south of the town centre boundary. There are four preserved trees located at the front of the site.

Relevant History:

There is a long history to the application site, however the most relevant applications are as follows:

EPF/1856/03 - Demolition of part of existing building and erection of building for motor dealership, to include showroom, offices, workshops and M.O.T. – approved/conditions 26/05/04

EPF/2400/07 - Demolition of existing buildings and erection of new 'Lidl' foodstore and construction of five start-up industrial units – withdrawn 04/03/08

Policies Applied:

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
CP3 – New development
CP4 – Energy conservation
CP5 – Sustainable building
CP6 – Achieving sustainable urban development patterns
CP7 – Urban form and quality
TC1 – Town centre hierarchy
TC2 – Sequential approach
TC3 – Town centre function
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE3 – Design in urban areas
E1 – Employment areas
E4B – Alternative uses for employment sites
LL10 – Adequacy of provision for landscape retention
LL11 – Landscaping schemes
ST1 – Location of development
ST2 – Accessibility of development
ST4 – Road Safety
ST5 – Travel plans
ST6 – Vehicle parking
U3A – Catchment effects
RP4 – Contaminated Land

Issues and Considerations:

The key factors in this application are the potential impact on the vitality and viability of Waltham Abbey town centre, the loss of an employment site, the effect on neighbouring properties, highways and parking considerations, and the impact on the preserved trees and future landscaping of the site.

Impact on Waltham Abbey Town Centre

The main matter to address under this heading is the need for a Lidl foodstore (known as a discount superstore). The applicant has undertaken shopper surveys in 2007 and turnover calculations for the catchment area as part of their retail assessment. The results of this indicate that the shops within the town centre are predominantly used for 'top up shopping', with the exception of Tesco's in Sewardstone Road that is used for main shopping trips. This coincides with the Council's shopper survey undertaken in 2005, which showed that 85.5% of visitors to the town centre were from Waltham Abbey and the majority visit 2-3 times a week by foot.

The turnover of existing shops in the town centre has been calculated in the submitted retail assessment, as has the amount of trade that would be lost to stores outside of the catchment area as a consequence of this development. It is proposed that in 2010 there would be an estimated £33.3m turnover for Tesco's, a £3.7m turnover to the shops in Waltham Abbey town centre, a £1.1m turnover for the Co-Op in Upshire, and £21.4m to stores outside of the catchment. Out of this estimated turnover the proposed Lidl is claimed to divert £1.3m from Tesco's, £0.3m from the town centre, £0.1m from the Co-Op in Upshire and £1.9m from stores outside of the catchment. This would result in a 9% loss of trade to stores in the town centre (such as to the Co-Op in Sun Street), and would result in the Tesco's falling below the calculated benchmark turnover of £33.1m.

Since the Tesco's opened there has been a significant decrease in trade to shops within Sun Street, Market Square and Highbridge Street. The Co-Op in Sun Street saw a reduction of some 50% in trade in the first year after Tesco's opened, slightly more in the second year, and is only just starting to see this decrease in trade slow down, and claw back customers. The loss of a further 9% in trade would detrimentally impact on this unit in particular, and on the other shops within the town centre. The loss of trade for Tesco's would be higher, however the overall turnover would be little affected and there would be very little long term impact on this store.

It is claimed in the submitted retail assessment that the proposed Lidl would not directly compete with either the main town centre or the Tesco's superstore. The justification for this is that the predominant use of the town centre is for top up shopping, which local residents would continue to undertake, and also as Lidl does not offer such services as pharmacies, dry cleaners, post office services or cash machines, and do not sell tobacco, newspapers, lottery tickets or fresh meat, fish or bread. It is claimed that discount superstores such as this therefore offer linked trips to town centre locations where these services can be offered. It is also stated that Lidl foodstores do not compete with Tesco's (or other major superstores) as Lidl only provide a limited range of foods, including weekly-changing specialist goods, as opposed to the wide range of goods and services offered by major superstores. This has been agreed by Planning Inspectors on recent appeal decisions elsewhere in the country.

The conclusion of the retail statement is that the Lidl store would supposedly draw much of its trade from that currently lost to stores outside of the catchment area and would draw people from outside of Waltham Abbey into the town centre (through linked trips). It also concludes that there is a calculated need for 1,571 sq. m. of new convenience floorspace by 2011, which this application would satisfy.

However, one of the main concerns with the proposed 'linked trips' is that, given the location of the site, the majority of linked trips would be with the Tesco's store opposite, which offers all the goods and services not offered by Lidl, excluding a pharmacy, therefore visitors would be able to obtain the majority of their shopping without needing to visit the main section of the town centre (Sun Street, Market Square and Highbridge Street).

The second matter to deal with in terms of the impact of the proposal on the Waltham Abbey town centre is the location of the development. Planning Policy Statement (PPS) 6: Planning for town centres key objective is to promote the vitality and viability of town centres by planning for their growth and development. Whilst it states that shopping development should be focused in such centres, it does acknowledge that in some instances, where it has been demonstrated there are no suitable sites within the centre itself, such development can be accommodated outside of these centres. This is reflected in Local plan policy TC2 which states that:

"The Council will grant planning permission for retail and other town centre uses where these are appropriate to the function of the particular centre as identified in the hierarchy in policy T1. Where a clearly defined need for retail or other town centre uses has been demonstrated, but no suitable sites or buildings, including sites suitable for conversion, are either committed or likely to become available within a realistic period of time within the principal town centres, consideration may be given to suitable sites in other centres, in the following preferential order:

- (i) an edge-of-centre location of one of the principal town centres;*
- (ii) a smaller town centre or district centre location;*
- (iii) an edge-of-centre location of a smaller town centre or district centre"*

Waltham Abbey is listed in policy TC1 as a principal town centre, and as such any potential retail development should be focused in the centre itself.

The applicant's retail assessment has addressed potential sites located within the town centre. The only sites that have been identified were the formerly earmarked Highbridge Street site, located adjacent to the roundabout, which has recently been redeveloped as mixed use, incorporating housing, retail and office space; and a possible extension of the existing Co-Op building in Sun Street. The Highbridge Street site is clearly not available for such development while an extension to the Co-Op would not be feasible due to a lack of space to extend. In the circumstances it is accepted that at present there are no sites within the town centre where such a retail development could be located, and as such edge of centre and smaller town centres should be assessed.

The application site is located on the edge of Waltham Abbey town centre, approximately 25m from the town centre boundary. Notwithstanding this, paragraph 11.29a of the Local Plan states that:

"The revision of the town centre boundary (to take into account the new Tesco store) will mean that the Brooker Road industrial area will effectively become an edge of town centre location. It is important that retail uses are not allowed to spread within the industrial area. This will help to safeguard the role and traditional focus of Market Square and Sun Street for shopping in the town. It will also mean that a more sustainable balance of shops, employment and housing can be maintained in Waltham Abbey."

Although previous consent was granted on this site for a car dealership, that use is more suited to industrial areas and business parks, much like the existing Nissan garage opposite. That consent therefore does not set a precedent to allow for the use of the site as a superstore.

Whilst it is accepted that there is a requirement for 1,571 sq. m. of new convenience floorspace in Waltham Abbey by 2011, an alternative application is currently being considered by the Council

(see Committee Report for application Ref: EPF/1771/08 for full details of this), for a variation of condition on Unit 1, Highbridge Retail Park, Highbridge Street to provide 1,486 sq.m. of retail floorspace to be used for the sale of food. This is being sought to allow for a discount superstore to occupy part of the unit. Whilst this alternative site is located within a designated district centre, which under policy TC2 is less sequentially preferable than an edge of centre location, chapter 11.30a of the Local Plan does describe the Highbridge Retail Park as an edge of centre shopping area. This is an accurate description of that existing retail use and, subject to compliance with other relevant Local Plan policies, this would be a sequentially better location than this application site. As such it is considered that the proposal fails to comply with Local Plan policy TC2 and is therefore unacceptable.

Loss of employment land

The application site is located in an employment area allocated as such in the Local Plan. Policy E1 states that “the redevelopment of existing sites or premises or their change of use to uses other than business, general industry or warehousing will not be permitted”. The site has previously been marketed for a period of some 5 years without success, and in 2004 planning permission was granted for its redevelopment as a car showroom. This proposal would provide five small scale industrial units, B1, B2 and/or B8, which in themselves are acceptable on the site. However the remainder of the site would be lost from industrial/employment use.

Local Plan policy E4B allows for alternative uses for employment sites where it can be proven that there is no further need for employment uses. However it also requires that uses which fulfil community needs should be sought as alternatives to employment, and that the Council needs to be satisfied that the site is unsuitable for community uses before allowing alternative uses on the site. No evidence has been submitted to suggest that the site has been assessed or marketed for community uses, and as such this proposal fails to comply with Policy E4B.

Design

The proposed Lidl store would have a mono pitched roof and predominantly large blank flank walls. It would be of a fairly standard design for a modern supermarket and would be a more attractive development than the existing unsightly warehouse. The front of the site, fronting Sewardstone Road would be landscaped and would retain the existing preserved trees, and the overall scheme would not be detrimental to the street scene when viewed from Sewardstone Road.

The proposed industrial buildings are of no particular architectural merit and would be grey in colour. Notwithstanding this, the proposed units would be in keeping with the existing industrial units in Brooker Road and would not be detrimental to the overall character or appearance of the surrounding locality.

Whilst the proposed layout positions the main area of car park serving the store between the store front and Sewardstone Road, which would result in a dominance of cars in the street scene and would force any ‘linked trips’ to the town centre to first walk through a large expanse of car park, given that the existing warehouse is currently in a similar situation, there is a car dealership opposite the site (which by definition and trade has a dominance of cars along its frontage), and the site is located at the entrance to an industrial site, this is considered an acceptable, although not a particularly desirable, layout to the site.

Amenity considerations

The application site is currently a vacant warehouse on an industrial area. The use of the site as a foodstore and small scale industrial units (B1, B2 and B8) would not detrimentally impact on neighbouring residents in terms of noise or other disturbance. The proposed development would

result in considerably more vehicle and pedestrian movements to and from the site, however given the location at the entrance to an industrial estate and on the highly used Sewardstone Road it is not considered that this increase would disturb neighbouring properties.

The proposed foodstore and industrial units No's. 2 to 5 would be sited on the rough footprint of the existing warehouse unit, most of which adjoins the fire station or garages and parking areas at Harveyfields. Due to this these units would not detrimentally impact on the light or visual amenities of neighbouring residential properties. The proposed industrial unit No. 1, however, would be located in close proximity to the rear boundary of No's. 6, 7 and 8 Harveyfields. Currently there are no buildings to the rear of these properties, and this application proposes a 7m high industrial building just 1-2m from the shared boundary. Whilst there are industrial buildings located behind No's. 1 to 5, and No's. 9 and 10, these units are some 25m from the rear of the neighbouring properties given the staggered building line of the dwellings and the staggered siting of the industrial buildings, whereas the proposed unit would be at most 20m from the neighbours rear walls, and at worst 18m distant. Also the presence of existing poorly laid out buildings should not set a precedent for further harmful development. Due to this, the proposal would be detrimental to the visual amenities of the occupiers of No's. 6 to 8 Harveyfields, and would directly impact on their enjoyment of their private amenity areas. As such this development is unacceptable.

Although the proposed unit 1 would result in a further loss of light to the rear gardens of the neighbouring residential properties, particularly given its location to the south of these neighbours, given the built up nature of the entire site and presence of buildings to the east and west, the rear gardens of these properties would at present receive very little light. The further loss of this limited light would not be sufficient enough reason to justify refusing the application.

Access and parking

The application proposes 106 parking bays to be used in conjunction with the foodstore and 30 parking bays to be used in conjunction with the industrial units. Also bicycle and powered two wheeler parking provision has been proposed. This is deemed to be an acceptable level of vehicle parking for the proposed uses, particularly as the site is in a sustainable location. The layout of the car parking and the new vehicle entrances have been assessed by Essex County Council Highways and are deemed acceptable, subject to several conditions. Concern has been raised by local residents with regards to the intensification of use of the site and with the junction of Cartersfield Road and Sewardstone Road, however no concern has been voiced by ECC Highways regarding this. Financial contributions are required to provide improvements to public transport of the vicinity of the site and to fund road markings on Cartersfield Road, which can be sought via condition.

Landscaping

There are four preserved trees located at the front of the application site, within a green strip adjacent to Sewardstone Road. These trees would be retained and protected during construction, and the grass strip would be landscaped and become the main pedestrian entrance to the site. There are other small green areas located around the site, which would also be subject to any landscaping scheme.

Other considerations

The Environment Agency consider the proposed use as low risk and as such do not require the submission of a Flood Risk Assessment.

The proposal has been designed to conserve energy by means of its layout, orientation, construction, materials and landscaping. Given its location close to the existing town centre and

since the locality is well served by public transport (bus network), it is in a sustainable location. Due to this it is considered that the proposal complies with policies CP5, CP6 and ST1.

Conclusion:

In summary, it is considered that a discount supermarket would not compete with the town centre or the Tesco's store, and as such would not impact on the vitality and viability of Waltham Abbey town centre. Any further loss of trade to the shops in Sun Street, Market Square and Highbridge Street would seriously harm the long term wellbeing of the town centre. The provision of a discount foodstore adjacent to the town centre may attract people from outside of the catchment area to Waltham Abbey, and generate linked shopping trips, it is more likely that the linked trips would be to the nearby Tesco's superstore than the historic town centre.

Therefore, on balance it is considered that there is a need within Waltham Abbey for a discount supermarket of 1,571 sq. m., which would likely not adversely impact on the town centre. Notwithstanding this, there is not the need within Waltham Abbey for more than one discount supermarket, and the location of the proposed development, whilst being an edge of centre location, is a less preferable site when compared to Unit 1, Highbridge Retail Park (see Committee Report Ref: EPF/1771/08, which forms an appendix to this report). As there is an alternative location in a similar edge of centre location that is currently used for retail purposes and would provide better linked trips with the main town centre, this proposal fails to meet the sequential test requirements of PPS6 and Local Plan policy TC2.

Also the proposed industrial unit No. 1, given its height and proximity to the boundary shared with No's. 6 to 8 Harveyfields, would result in a detrimental loss of amenities to these neighbouring residential properties, contrary to policy DBE2 of the Local Plan, and the site has not been assessed or marketed for community use, contrary to Local Plan policy E4B.

Due to this it is felt that the need for a discount supermarket In Waltham Abbey can be accommodated within Highbridge Retail Park and as such this proposal is recommended for refusal.

Summary of Representations:

TOWN COUNCIL – Object as the proposal would have a detrimental effect on the viability of the town centre.

WALTHAM ABBEY HISTORICAL SOCIETY – Object as it would put further pressure on the town centre and would lead to the loss of shops in the main shopping street. Also concerned about the increased traffic.

WALTHAM ABBEY TOWN PARTNERSHIP – Commented that the proposal would be an acceptable use of the land, provide additional employment, be in keeping with the surrounding commercial area, and provide additional retail choice, however are concerned about its effect on the town centre economy, the increase in traffic, the disturbance to neighbouring residents and its effect on privacy to residents on the eastern side of Sewardstone Road.

WALTHAM ABBEY NEIGHBOURHOOD ACTION PANEL – Concerned about anti-social behaviour, and additional traffic and disturbance.

CAMPAIGN TO PROTECT RURAL ESSEX – Concerned about its location on the outskirts of the urban footprint and regarding the level of car parking.

7 HARVEYFIELDS – Object on the loss of light, loss of outlook, and noise and pollution during and after construction.

7 NOBEL VILLAS, SEWARDSTONE ROAD – Concerned about the increase in traffic.

9 NOBEL VILLAS, SEWARDSTONE ROAD – Object due to the increased traffic that would result, the noise that would be created, the disturbance caused by more illuminated signage in the area, and concerned about the potential loss of the green area to the front of the site.

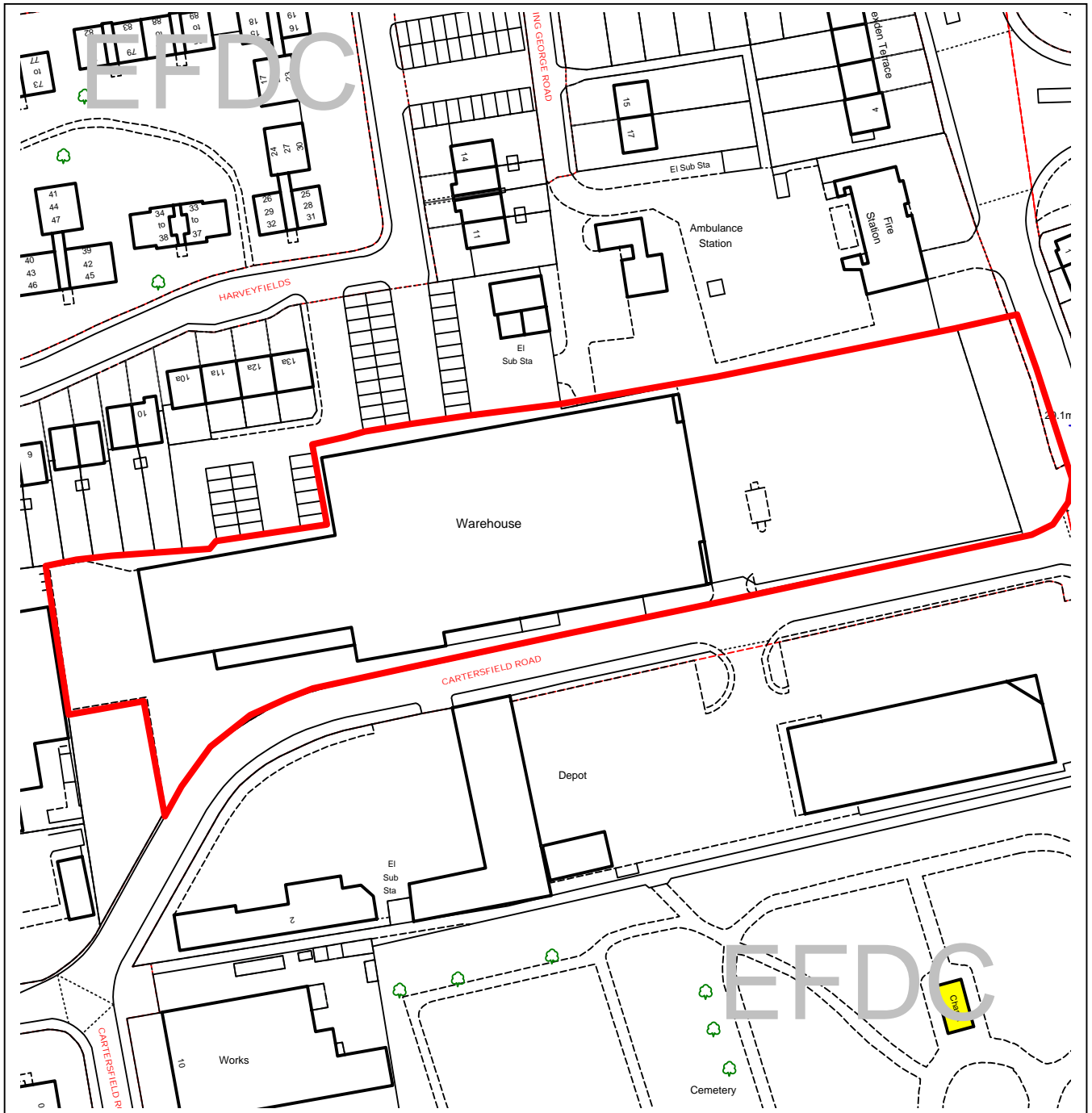
LEGAL AND GENERAL – Object as the Lidl proposal is not the most sequentially preferable site on which convenience retail needs should be met.

A consultation was undertaken by the applicant whereby there were 213 comments of support, 7 comments of objection and 1 no comment.



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	2
Application Number:	EPF/1305/08
Site Name:	1 Cartersfield Road, Waltham Abbey
Scale of Plot:	1:1250

Report Item No: 3

APPLICATION No:	EPF/1771/08
SITE ADDRESS:	Unit 1 Highbridge Retail Park Highbridge Street Waltham Abbey Essex EN9 1BY
PARISH:	Waltham Abbey
WARD:	Waltham Abbey South West
APPLICANT:	Legal & General Assurance Society Limited
DESCRIPTION OF PROPOSAL:	Variation of condition 5 attached to planning permission EPF/808/93 to read ' The development shall be used for non-food retailing and no other purpose, with the exception of up to 1486 sqm (16000sqft) GIA floorspace within Unit 1 which may be used for the sale of food. (Class A1)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS & REASONS

- 1 Prior to commencement of the site for food retail use, the proposed food retail floorspace shall be identified on a plan and submitted to and agreed in writing by the Local Planning Authority, and shall remain as such.

Reason:- To ensure the area utilised meets the requirements set out in the submitted retail assessment.

- 2 The food retail floorspace, as identified and agreed in writing by the Local Planning Authority, shall not sell, or advertise to sell; tobacco products, loose confectionary, newspapers, magazines, greeting cards, lottery tickets or scratch cards; and shall not contain a pharmacy, dry cleaners, post office services, cash machine, butchers, fishmongers or bakers, unless otherwise agreed in writing by the Local Planning Authority.

Reason:- The submitted retail assessment was based on a discount supermarket that offers limited goods and services, and as such would not be detrimental to the vitality or viability of the town centre.

- 3 Prior to use of the site for food retail, details of cycle storage shall be submitted and agreed in writing by the Local Planning Authority, and shall be installed and retained thereafter.

Reason:- To promote sustainable transport to the site.

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) and it is considered by the Director of Planning and Economic Development as appropriate to be presented for a Committee decision (Pursuant to Section P4, Schedule A (k) of the Council's Delegated Functions).

Description of Proposal:

Consent is being sought for a variation of condition 5 of planning permission EPF/0808/93 to allow for 1,486 sq. m. (16,000 sq. ft) of food retail to be located within Unit 1.

Planning permission EPF/0808/93 was for "the development of 3 non food retail units of 35,000 sq. ft., 7,500 sq. ft. and 7,300 sq. ft plus garden centre, ancillary offices and car parking. Condition 5 of this approval states:

The development shall be used solely for non food retailing and for no other purpose.

The proposed application would result in Unit 1, the larger of the three units, being split into two units, with one being used for food retail and the other remaining for use as non food retail. Any internal changes to the unit (to install an internal divide) would not require planning permission. There is no proposal for any external alterations in this application. Should this proposal be successful then a further application for external shop front alterations would be submitted.

This proposal should be considered together with the proposal under application EPF/1305/08, reported elsewhere on this agenda.

Description of Site:

The application site is one of three retail units located on the junction of Highbridge Street and Meridian Way. This site is designated a District Centre in the Local Plan and is also described as being an edge-of-centre location to Waltham Abbey Town Centre. It is located to the west of the designated town centre and currently contains an MFI, Carpet Right and Rosebys, with a McDonalds 'drive thru' and restaurant located within the car park. There are 173 customer car parking spaces to the front of the site, and a delivery and staff parking area to the rear. These areas serve all three units and the McDonalds. The site is located on the very edge of the District and is adjacent to the River Lee. Due to this it lies within a Flood Risk Assessment Zone.

Relevant History:

EPF/0808/93 - Detailed application for the development of 3 non food retail units of 35,000 sq. ft., 7,500 sq. ft. and 7,300 sq. ft. plus garden centre, ancillary offices and car parking – approved/conditions 23/08/95

EPF/0481/99 - Erection of class A3 restaurant with drive thru facility and associated car parking, landscaping and access – approved/conditions 07/06/00

EPF/2701/07 - Installation of mezzanine floor and external alterations to unit – approved/conditions 19/03/08

Policies Applied:

CP1 – Achieving sustainable development objectives

CP3 – New development

CP5 – Sustainable building

CP6 – Achieving sustainable urban development patterns

CP7 – Urban form and quality

TC1 – Town centre hierarchy

TC2 – Sequential approach
TC3 – Town centre function
ST1 – Location of development
ST2 – Accessibility of development
ST4 – Road Safety
ST5 – Travel plans
ST6 – Vehicle parking
U2A – Development in flood risk areas
U2B – Flood Risk Assessment zones
U3A – Catchment effects

Issues and Considerations:

The key factors in this application are the potential impact on the vitality and viability of Waltham Abbey town centre and the effect on highways and vehicle parking.

Impact on Waltham Abbey Town Centre

Although the proposal is for a variation of a planning condition to provide 1,486 sq. m. of food retail, the submitted retail assessment and intended use of the site is for a discount supermarket (with potential current interest from Aldi). Therefore the main matter to address under this heading is the need for a discount superstore in Waltham Abbey and the impact this would have on the town centre.

The applicant has submitted a retail assessment for the proposal, which is largely based upon that submitted with the application for a Lidl foodstore at 1 Cartersfield Road, Waltham Abbey (see committee report Ref: EPF/1305/08, which forms an appendix to this application). Due to this the assessment of need is identical to that reported in the Lidl proposal and is not repeated here.

As with the Lidl application it is claimed in this proposal that a discount supermarket would not directly compete with either the main town centre or the Tesco's superstore located in Sewardstone Road. The justification for this is the same as previously reported in that the predominant use of the town centre is for top up shopping, which local residents would continue to undertake, and as discount supermarkets do not offer services that are found in the town centre, such as pharmacies, dry cleaners, post office services or cash machines, and do not sell tobacco, newspapers, lottery tickets or fresh meat, fish or bread. Therefore it is claimed that discount superstores offer linked trips to town centre locations where these services can be offered. In an identical argument to Lidl it is also stated that a discount supermarket at this location would not compete with Tesco's as discount supermarkets only provide a limited range of foods, including weekly-changing specialist goods, as opposed to the wide range of goods and services offered by major superstores.

The conclusion of the retail statement is that the discount superstore would supposedly draw much of its trade from that currently lost to stores outside of the catchment area by adding to a range and choice of shopping facilities and would draw people from outside of Waltham Abbey into the town centre (through linked trips). Again based on the Lidl retail statement there is a calculated need for 1,571 sq. m. of new convenience floorspace by 2011 in Waltham Abbey, which this application would satisfy.

The second matter to deal with under this heading is the location of the development. PPS6's key objective is to promote the vitality and viability of town centres by planning for their growth and development. Whilst it states that retail development should be focused in such centres, it does acknowledge that in some instances, where it has been demonstrated there are no suitable sites within the centre itself, such development can be accommodated outside of these centres. This is reflected in Local plan policy TC2 which states that, where no suitable sites for retail development

can be located within the principle town centre, consideration will be given to ‘*an edge-of-centre location of one of the principal town centres; a smaller town centre of district centre location; or an edge-of-centre location of a smaller town centre or district centre*’, in this order. It is accepted that at present there are no sites within the town centre where such a retail development could be located, and as such edge of centre and smaller town centre sites should be assessed.

The application site is located within a designated District Centre, which under policy TC2 is less sequentially preferable than an edge of centre location, however paragraph 11.30a of the Local Plan states that “there is one edge of centre shopping area known as Highbridge Retail Park”, and as such this site is clearly an edge of centre location, which is the first preferred type of site after town centre locations.

The only alternative edge of centre site available for a similar development is that of the proposed Lidl store on Cartersfield Road, which is part of the Brooker Road industrial area and is approximately 25m from the town centre boundary. Chapter 11.29a of the Local Plan states that:

“The revision of the town centre boundary (to take into account the new Tesco store) will mean that the Brooker Road industrial area will effectively become an edge of town centre location. It is important that retail uses are not allowed to spread within the industrial area. This will help to safeguard the role and traditional focus of Market Square and Sun Street for shopping in the town. It will also mean that a more sustainable balance of shops, employment and housing can be maintained in Waltham Abbey.”

As such, in principal the alternative site is one that has been identified in the Local Plan as unacceptable for retail development. Notwithstanding this, argument has been made as to why the alternative site is sequentially preferable by the agent of the Lidl application. One of the key issues raised here is the comparison in ease of walking and cycling to the two sites. It is shown by the agent of the Lidl application that the Cartersfield Road site is accessible to a greater population by walking and cycling than the Highbridge Retail Park. Whilst it is agreed that in terms of walking and cycling distance the Cartersfield Road site is more accessible, it is considered that both sites are very accessible by foot and cycle to local residents of Waltham Abbey (with Highbridge Street also serving a large population of Waltham Cross), and as such this matter alone does not make Cartersfield Road a more sequentially preferable site. Both sites are fairly equally accessible by bus, however Highbridge Retail Park is also within walking distance of Waltham Cross Train Station.

Also, despite the issues of accessibility, the Highbridge Retail Park is an existing retail centre that is merely seeking for an alteration of condition, rather than a complete new development on the outskirts of the town centre. This is preferable as no change of use in the land is required, it is more sustainable as it would reuse an existing building, and it would not be altering the urban form or layout of the area.

In terms of linked trips to the town centre, it is agreed that the proposed discount foodstore would achieve this. This existing retail district centre is located some 90m from the town centre boundary, with a clearly defined route leading into the town centre, aided by the landmark Abbey building at the end of Highbridge Street. Although some additional signposting along this route would further strengthen this link, it is accepted that an existing link does exist. The concern with the Lidl application is that the majority of linked trip would be to the Tesco’s store opposite, as this provides almost all the goods and services that discount supermarkets do not. With this proposal, however, should visitors to the discount supermarket in Highbridge Street require newspapers, tobacco, fresh meat or bread, or any of the items not offered at the site, then the customers are more likely to use the town centre to obtain these than customers of the proposed Lidl store. This location would also draw people to the western end of the town centre, in contrast to the Tesco’s drawing people to the eastern end, and as such would spread the range of shopping facilities

available in Waltham Abbey throughout the town centre rather than concentrating them in one area to the detriment of another.

Concern has been raised by the agents acting on behalf of Lidl that this application for a variation of condition to 'food retail' could result in a superstore (such as Sainsbury's or Morrison's) being located here, which would be significantly more detrimental to the town centre and the existing Tesco store than a discount supermarket. As the retail assessment undertaken was based on the impact on Waltham Abbey town centre resulting from a discount supermarket, and as previously mentioned the limited range offered by these stores and the resulting linked trips with the town centre are key elements regarding this impact, the application would require a condition limited the goods and services offered at the store.

Due to the above, it is considered that this proposal would meet the requirement of providing 1,571 sq. m. of new convenience floorspace in Waltham Abbey by 2011, and would be a sequentially preferable site to 1 Cartersfield Road. As such this proposal complies with PPS6 and Local Plan policies TC2 and TC3.

Access and parking

The entire Highbridge Retail Park currently provides 173 parking spaces for customers. This would not change as part of this application. The original reason for the condition for non food retail was to ensure appropriate provision of off-street parking provision on site. However, since the original approval of these stores there has been a change in policy context due to the setting of Government objectives to promote sustainable transport (walking, cycling and public transport). Also the Council's adopted parking standards have become a maximum as opposed to a minimum, and subsequent permissions have been granted for a Mcdonalds 'drive thru' and restaurant on part of the car park site (resulting in the loss of some 30+ parking spaces), and a mezzanine floor for Unit 1 (which has not yet been installed), which despite creating additional floorspace was not considered to result in parking issues given the currently underused car park.

Although the use of Unit 1 as a discount superstore would result in a higher number and more frequent visits from customers, these would normally be for shorter periods and hence a higher turnover of cars and customers than the existing store. Due to this, and the sustainable location of the site which is well served by public transport and accessible by foot and bicycle, the existing level of car parking is acceptable. Although a condition could be added to require provision of cycle parking on the site, to further improve sustainable transport to the area.

The existing access to and from the site would be acceptable to handle any intensification of use, and the existing delivery area is suitable for use by a proposed food store. Although at present there are some design issues with the Highbridge Street/Meridian Way junction, these are being resolved by Essex County Council and do not require any further funding from financial contributions.

Other considerations

Although the site is located within a flood risk area, given that the proposal is for the use of an existing building it would not result in any additional runoff and does not require a flood risk assessment.

Conclusion:

In summary, it is considered that the proposed discount supermarket would not compete with the town centre or the Tesco's store, and as such would not impact on the vitality and viability of Waltham Abbey town centre. Any further loss of trade to the shops in Sun Street, Market Square and Highbridge Street would seriously harm the long term wellbeing of the town centre. However

provision of a discount foodstore may attract people from outside of the catchment area to Waltham Abbey, and generate linked trips to the town centre.

Therefore, on balance, it is considered that there is a need within Waltham Abbey for a discount supermarket of 1,571 sq. m., in a location that would not adversely impact on the town centre. However, there is no need within Waltham Abbey for more than one discount supermarket. The location of this proposed development is sequentially preferable to the proposed store at 1 Cartersfield Road (see Committee Report Ref: EPF/1305/08, which forms an appendix to this application) as it is an existing retail edge-of-centre site that is in a sustainable location and is more likely to generate trips to the town centre. Therefore, this proposal complies with the relevant Government advice and Local Plan policies and is recommended for approval.

Summary of Representations:

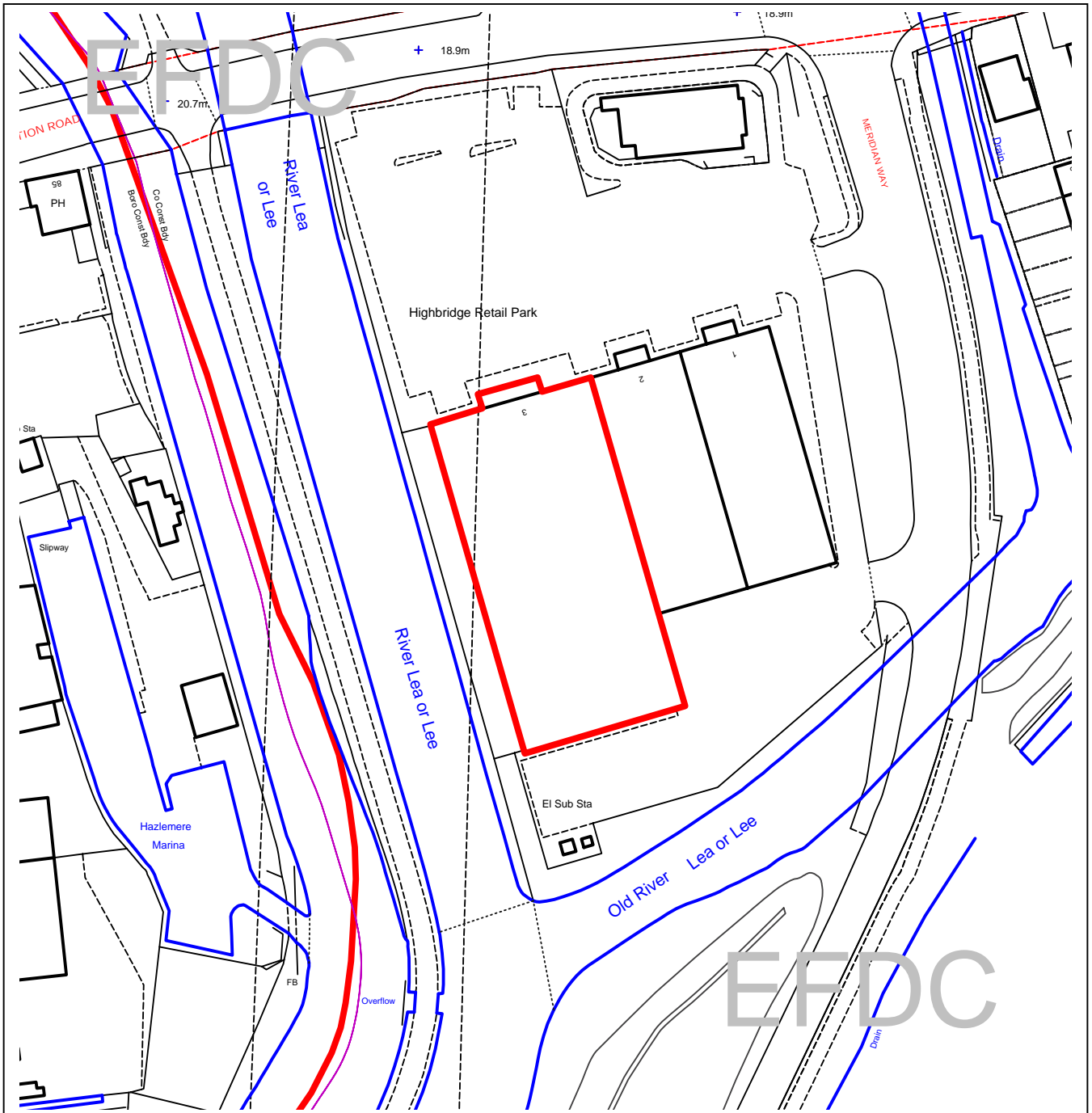
TOWN COUNCIL – Object as the proposal would have a detrimental effect on the viability of the town centre.

JONES LANG LASALLE – Object as the Highbridge Retail Park proposal is not the most sequentially preferable site on which convenience retail needs should be met.



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	3
Application Number:	EPF/1771/08
Site Name:	Unit 1, Highbridge Retail Park Highbridge Street EN9 1BY
Scale of Plot:	1:1250

Report Item No: 4

APPLICATION No:	EPF/1675/08
SITE ADDRESS:	The Barn Warlies Park Farm Woodgreen Road Waltham Abbey Essex EN9 3SD
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
APPLICANT:	Mr Andrew Pigney
DESCRIPTION OF PROPOSAL:	Erection of new single storey barn to be used for storage.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS & REASONS

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

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

- 2 Materials to be used for the external finishes of the proposed development, shall match those of the existing building.

Reason:- To safeguard the visual amenities of the locality.

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:

The applicant is seeking permission for the construction of a single storey barn within the curtilage of an existing dwelling. The barn is to be used for general domestic storage. The barn is to have dimensions of 10.6m in width by 5.4m in depth and will have an overall height of 5.7m to the ridge of the roof. It will be setback approximately 3m from the eastern site boundary and 5 metres behind the rear façade of an existing garage/barn.

Description of Site:

The subject site is located on the north eastern side of Woodgreen Road, approximately 80m south of Upshire Road on the outskirts of Waltham Abbey. The site itself is relatively level and large in size.

The existing barn on the site was recently converted into a two storey dwelling with associated garaging for vehicle parking. The buildings on the adjoining properties known as the 'Farm House' and 'The Dairy' have also been recently converted into dwellings. The subject site and the surrounding area are located within the Metropolitan Green Belt and the Upshire Conservation Area.

Relevant History:

There have been a number of planning applications submitted to Council since 1948. The most recent applications are as follows:

EPF/0648/06 - Two storey side extension to house and change of use of barn and dairy into two residential dwellings with associated outbuildings, garaging etc. (approved with conditions)

Policies Applied:

CP2 – Protecting the rural and built environment

DBE1 Design of new buildings

DBE2 Effect on neighbouring properties

DBE4 Design in the Green Belt

DBE9 Loss of amenity

GB2A Development in Green Belt

GB7A Conspicuous Development

HC7 Development within Conservation areas

Issues and Considerations:

The main issues to be addressed in this case are whether the design and appearance is acceptable, impact on the Green Belt, Conservation Area and the amenities of the occupants of adjoining properties.

Green Belt:

In comparison to other buildings in the surrounding area, the proposed development is of a low scale and size and therefore will not be visually dominant. Given its small scale and size and the location of the building within the site, the proposed development will not have a harmful impact on the openness, character and appearance of the Green Belt or on the purposes of including land within the Green Belt.

Design:

It is considered that the proposed development will preserve this part of the Upshire Conservation Area. Appropriate materials are proposed so that the development reflects and blends into the Conservation Area while its massing, bulk and size contributes to an acceptable design and appearance.

Impact on Neighbours:

The proposed development will not have a harmful impact to the amenities enjoyed by adjoining property occupiers in relation to a loss of light, loss of privacy and visual blight as it will be set back a significant distance from adjoining boundaries, while there is existing screening on the boundaries in the form of fencing.

Conclusion:

In conclusion it is considered that the development is acceptable in terms of scale, form and bulk. It would reflect the character of the surrounding area without causing harm to the street scene, adjoining property owners or the Green Belt. It would preserve the character and appearance of the Upshire Conservation Area. Therefore it is recommended that the application be approved subject to conditions.

SUMMARY OF REPRESENTATIONS:

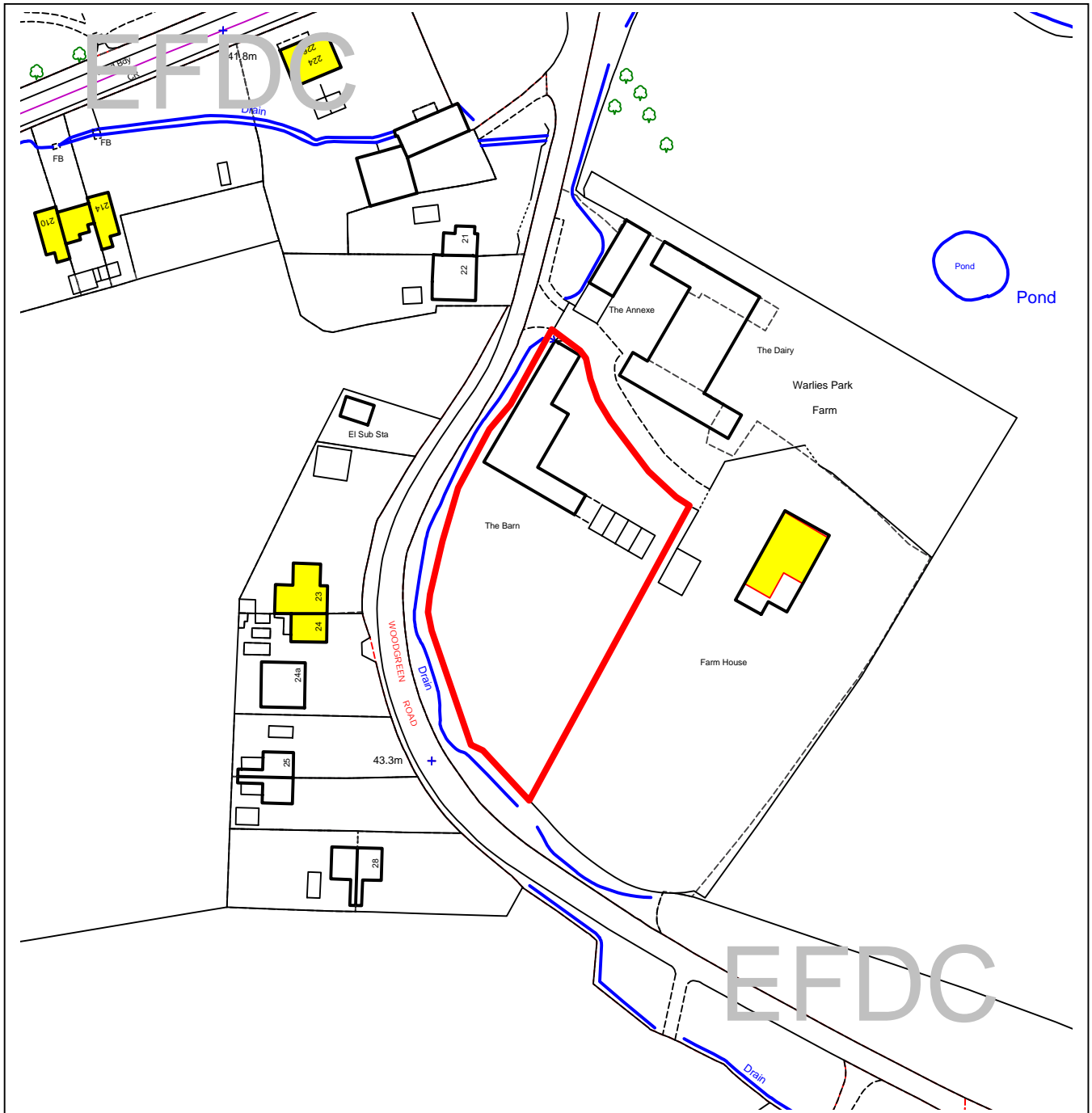
WALTHAM ABBEY TOWN COUNCIL: The committee objects to the application as it feels that it was an inappropriate development within the Green Belt.

NEIGHBOURS: No letters of representations were received.



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	4
Application Number:	EPF/1675/08
Site Name:	The Barn, Warlies Park Farm Woodgreen Road, Waltham Abbey
Scale of Plot:	1:1250

Report Item No: 5

APPLICATION No:	EPF/1737/08
SITE ADDRESS:	Nazeing Golf Club Middle Street Nazeing Essex EN9 2LW
PARISH:	Nazeing
WARD:	Broadley Common, Epping Upland and Nazeing
APPLICANT:	Nazing Golf Club
DESCRIPTION OF PROPOSAL:	Alterations and change of existing club house to a single dwelling and erection of garage, use of part of existing golf course as parkland with the remainder reverting to agricultural use.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

CONDITIONS & REASONS

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

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

- 2 The residential curtilage of the dwelling hereby approved shall only relate to the area indicated on plan Ref: (X).

Reason:- To protect the loss of Green Belt land to residential curtilage.

- 3 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.

Reason:- In the interests of visual amenity.

- 4 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.

Reason:- To safeguard the visual amenities of the locality.

- 5 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part 1, Class A and E shall be undertaken without the prior written permission of the

Local Planning Authority.

Reason:- The property is located within the Green Belt and is a residential conversion of a large commercial golf club house, and control is required over further development on the site.

- 6 No tree, shrub, or hedge which are shown as being retained on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (B.S.3998: 1989).

If any tree shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub, or hedge shall be planted at the same place, and that tree, shrub, or hedge shall be of such size, specification, and species, and should be planted at such time as may be specified in writing by the Local Planning Authority.

If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason:- To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to safeguard the amenity of the existing trees and to ensure a satisfactory appearance to the development.

- 7 The development, including site clearance, must not commence until a tree protection plan, to include all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing.

The statement must include a plan showing the area to be protected and fencing in accordance with the relevant British Standard (Trees in Relation to Construction-Recommendations; BS.5837:2005). It must also specify any other means needed to ensure that all of the trees to be retained will not be harmed during the development, including by damage to their root system, directly or indirectly.

The statement must explain how the protection will be implemented, including responsibility for site supervision, control and liaison with the LPA.

The trees must be protected in accordance with the agreed statement throughout the period of development, unless the Local Planning Authority has given its prior written consent to any variation.

Reason:- To comply with the duties indicated in Section 197 of the Town & Country Planning Act 1990 so as to ensure that the amenity value of the existing tree is potentially maintained by the provision of an adequate replacement tree.

- 8 The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing. The approved scheme shall be implemented within the first planting season following the

completion of the development hereby approved.

The scheme must include details of the proposed planting including a plan, details of species, stock sizes and numbers/densities where appropriate, and include a timetable for its implementation. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand, and in writing.

The statement must include details of all the means by which successful establishment of the scheme will be ensured, including preparation of the planting area, planting methods, watering, weeding, mulching, use of stakes and ties, plant protection and aftercare. It must also include details of the supervision of the planting and liaison with the Local Planning Authority.

The landscaping must be carried out in accordance with the agreed scheme and statement, unless the Local Planning Authority has given its prior written consent to any variation.

Reason:- To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 so as to ensure that the details of the development of the landscaping are complementary, and to ensure a satisfactory appearance to the development.

- 9 The building previously approved under EPF/2347/04 shall not be erected. Should the building be erected prior to the commencement of the development hereby approved, it shall be removed within three months of the occupation of the site.

Reason:- The previously approved building is a large addition in the Green Belt that was allowed due to the special circumstances relating to the previous use of the site as a golf course.

This application is before this Committee since it is an application for a non-householder 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).

Description of Proposal:

Consent is sought for change of use of a golf course club house to a residential property together with associated alterations to its external appearance. It is also proposed to erect a detached garage and use part of the golf course as private parkland. The remainder of the golf course would revert to agricultural use, which does not require planning permission. The proposed external alterations would be purely cosmetic, with the main changes being the insertion of small rooflights to the roof slopes and the insertion of windows in the gable ends. The access to the site would be via Belchers Lane. The proposed garage would be 10.4m wide and 5.5m deep with a pitched and part-pitched roof to a height of 4.7m. The garage would be located in front of the dwelling on part of the footprint of a previously approved detached building that was not built.

Description of Site:

The application property is currently a 65ha golf course that includes a club house and car parking area. Current access to the golf course is via Middle Street, with the Belchers Lane access closed off and used only in emergencies. The site is located within the Metropolitan Green Belt and is

within the Roydon and South Nazeing Conservation Area. The club house is located at the north western end of Belchers Lane, with the main frontage and parking area facing south east. There are several preserved trees within and bordering the site, amongst other trees and landscaping that are not covered by Tree Preservation Orders.

Relevant History:

EPF/1319/87 - Outline application for a golf course – refused 06/06/88 (appeal allowed 24/07/89)
EPF/1319A/87 - Details of layout of golf course including vehicular access – approved 05/03/90
EPF/0880/91 - Details of new golf club house (two buildings) 1. Licensed restaurant & bar. 2. Changing rooms, shop and new car park and planting – approved/conditions 06/01/92
EPF/0161/97 - Single storey side extension and new front porch for existing clubhouse – lapsed 01/10/00
EPF/2347/04 - Erection of ancillary storage and maintenance building for golf course – approved/conditions 18/11/05

Policies Applied:

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
CP3 – New development
GB2A – Development in Green Belt
GB8A – Change of use or adaptation of buildings
GB9A – Residential conversions
HC6 – Character, appearance and setting of conservation areas
HC7 – Development within conservation areas
DBE3 – Design in the Green Belt
DBE6 – Car parking in new development
DBE8 – Private amenity space
DBE9 – Loss of amenity
E4A – Protection of employment sites
HC6 – Character, appearance and setting of conservation areas
HC7 – Development within conservation areas
ST1 – Location of development
ST4 – Road safety
ST6 – Vehicle parking
LL10 – Adequacy of provision for landscape retention
LL11 – Landscaping schemes

Issues and Considerations:

The key issues in relation to this application are the acceptability of the development in Green Belt terms, amenity considerations, the impact of the loss of a recreational facility and employment site, highways and parking implications, the design and whether the proposal would preserve or enhance the character and appearance of the conservation area.

The golf course club house was approved and built some 16 years ago, and as such this is well established as an existing building in the Green Belt. Local Plan policy GB8A allows for the conversion of existing buildings in the Green Belt, provided they meet with the following criteria:

- (i) *The building is of permanent and substantial structure, capable of conversion without major or complete reconstruction, and is in keeping with its surroundings in terms of form, bulk and general design; and*
- (ii) *The use would not have a materially greater impact than the present use on the Green Belt and the purpose of including land in it; and*

- (iii) The use and associated traffic generation would not have a significant detrimental impact on the character or amenities of the countryside; and*
- (iv) The Council is satisfied that works within the last ten years were not completed with a view to securing a use other than that for which they were ostensibly carried out; and*
- (v) The use will not have a significant adverse impact upon the vitality and viability of a town centre, district centre, local centre or village shop.*

This application complies with all the above requirements and as such is deemed as acceptable to convert. Whilst preference is given to employment uses, and extra criteria are in place for conversion to residential use under policy GB9A, this application is considered appropriate under both these policies.

The use of the club house as a single dwelling would result in a less intensive use of the land significantly reducing its impact on both the neighbouring properties and the Green Belt, and would result in far fewer traffic and pedestrian movements to and from the site. The majority of the site would revert back to agriculture, or be converted to private parkland for the future occupier of the site. Although a golf course is acceptable in the Green Belt given its openness and appearance, agricultural and park/wildlife use is far more preferable. As such, this proposal would be beneficial to the openness and appearance of the Green Belt in line with Local Plan policy GB2A.

Although there is a new detached garage proposed on the site, this is of a size and design commonly found in the Green Belt, and would be built partly on the foot print of (and would be significantly smaller than) a detached building previously approved on the site. Although that building was not built the permission can still be implemented. Due to this the garage would not be detrimental to the openness or character of the Green Belt.

As previously stated, the use of the club house as a residential property would be significantly less harmful to neighbouring residents than a golf course and club house. The building would be relatively unchanged and the level of car parking and vehicle and traffic movements would be far reduced. There is proposed landscaping and screening around the site, which would further shield neighbouring properties from the existing dwelling. Concern has been raised with regards to the reopening of the Belchers Lane entrance and this will be addressed below.

The proposed detached garage block would be typical of outbuildings found in the countryside, and would be a considerable distance from the shared boundary with any neighbouring properties. As such this would have no impact on neighbours and complies with policy DBE9.

The application site proposes an area of curtilage to the rear of the dwelling. This is more than sufficient to comply with the requirements of policy DBE8, and the future occupiers would also have access to large areas of private parkland for amenity purposes.

The loss of the golf course as an employment site and recreational resource has been justified by the applicant on the grounds that there has been an increasing number of golf courses built over the last 16 years and now there is an overprovision of them in this area. Consequently the loss of the golf course as a recreational resource would not result in a lack of recreational facilities in the locality.

As a result of the overprovision the applicant states there has been a drop in membership at this site, and to bring the course back to an agreeable level to meet the needs of the current market would require radical changes. These are uneconomical at this location and would result in disturbance and a detrimental impact on neighbouring dwellings. The possibility of reusing the site for alternative employment use would be unacceptable in this location given the proximity of neighbouring residential properties and as it would result in increased vehicle movements to this unsustainable location. As such the loss of the small scale employment currently undertaken at

this site would be acceptable and its reuse as residential rather than alternative employment use would be beneficial to the openness and character of the Green Belt. Accordingly, it complies with policy E4A.

As previously mentioned, the use of the site as a single residential property would significantly reduce the level of vehicle movement and parking on the site. The main entrance to the property is proposed to be via Belchers Lane, which previously was the traditional entrance to the site. Objections have been received with regards to the use of the Belchers Lane entrance, although primarily these objections are related to the possibility of the club house later being converted to flats. The use of the building as flats would require further planning permission, and if this was applied for then the intensified use of the Belchers Road entrance would be addressed. Notwithstanding this, the proposed development is for a single dwelling and as such the Belchers Road entrance, which currently serves several properties, would be acceptable. Accordingly, the proposal complies with Local Plan policy ST4.

The current use has off-street parking space for 100+ cars. The proposed double garage, along with the large front garden, would provide more than sufficient off-street parking provision for this single house. As such this complies with policy ST6 of the Local Plan.

The alterations to the existing building are minor. There would be some rooflights and gable windows added, and some cosmetic changes to give a more homely appearance rather than that of a club house, however the main details, openings, size and overall appearance of the building would be relatively unchanged. As such this proposal complies with policy DBE3.

Landscaping and further tree screening has been proposed, and a landscaping scheme would be required for this site. Also protection to the preserved trees would be required. Subject to conditions relating to this, the proposal would comply with Local Plan policies LL10 and LL11.

Having regard to the less intense use of the site, the removal of a large parking area and especially the creation of parkland, the proposal would serve to enhance the character and appearance of the Nazeing and South Roydon Conservation Area. In that context the alterations to the building and proposed garage are acceptable in conservation terms.

There are several existing rights of way on the site, which were previously altered with the development of the golf course. These would need permission from Essex County Council to be removed or altered, and it is an offence to obstruct them. As such, whilst the impact on these have been raised as a concern, this issue is covered by other legislation and would not require a related planning condition.

Several objections have been received from members of the golf club in relation to its closure, many of which are displeased as they have paid 'lifetime membership' to the course, which is now in jeopardy. The applicant has given justification as to why the golf course is uneconomical and the refusal of planning permission would not necessarily stop the course from closing. Any issues with regards to 'lifetime memberships' or refunds on this are private matters for members to raise with the golf club owners and are not relevant planning issues.

Conclusion:

In light of the above, the proposal would be beneficial to the openness and appearance of the Green Belt and to neighbouring residential properties, and would enhance the Conservation Area and therefore complies with all relevant Local Plan policies. As such this proposal is recommended for approval.

Summary of Representations:

PARISH COUNCIL – No objection but footpaths could be affected which were the subject of diversion orders in the past.

SPINDLEWOOD HOUSE, BELCHERS LANE – Object as this could lead to an application for apartments, the entrance in Belchers Lane would intensify use in this already narrow road, and as there is concern with regards to what would happen with the proposed parkland and agricultural land.

TAYS FARM, BELCHERS LANE – Object on same grounds as above.

MARKIN, BELCHERS LANE – Object as this could lead to a change of use to apartments and as the road is too narrow to cope with an intensification of use.

HIVE COTTAGE, BELCHERS LANE – Concerned about the access being off of Belchers Lane.

1 BYNERS COTTAGE, BELCHERS LANE – Object due to the entrance at Belchers Lane which is inappropriate if the site is used for an elderly care home or flats.

1A BELCHERS COTTAGE, BELCHERS LANE – Object to the use of Belchers Lane entrance.

LYNTON – Object to the loss of the golf course and the impact this would have on the users of the site.

5 WHITE STUBBS FARM, WHITE STUBBS LANE – Object to the loss of the recreational facility.

22 BRISCOE CLOSE, HODDESDON – Comment about the loss of the golf course.

2 DOVEHOUSE GARDENS – Object to the loss of the golf course as it would not be honouring their life membership.

ROBARTA LODGE, HAMLET HILL, ROYDON – Object to loss of the golf course.

CEDARWOOD, MIDDLE STREET – Object to the loss of the golf course.

PUDDLEDUCK COTTAGE, 33 BROAD STREET, CLIFTON – Object to the loss of the golf club.

80 OLD NAZEING ROAD – Object to the loss of the golf course.

2 BERTHOLD MEWS, BEAULIEU DRIVE, WALTHAM ABBEY – Object to the loss of the golf course as a local community facility.

THE LINKS, HERTFORD ROAD – Object to the loss of the golf course.

2 TOVEY CLOSE – Object to the loss of the golf course.

HACIENDA EL PALMERAL 14B, ATALAYA DE RIO VERDE – Object to the loss of the golf club and impact on existing wildlife.

60 EASTFIELD ROAD, WALTHAM CROSS – Object to the loss of the golf course.

74 BURLEYHILL, CHURCH LANGLEY – Object to the loss of the golf course.

WOODLANDS, MIDDLE STREET – Object to the loss of the golf course.

13 DOWNLANDS, WALTHAM ABBEY – Object to the closer of the golf course.

66 MALKIN DRIVE, CHURCH LANGLEY – Object to the loss of the golf course.

PENHEALE, BRIARSWOOD, GOFFS OAK – Object to the loss of the golf course and the precedent this would send for further applications on the site.

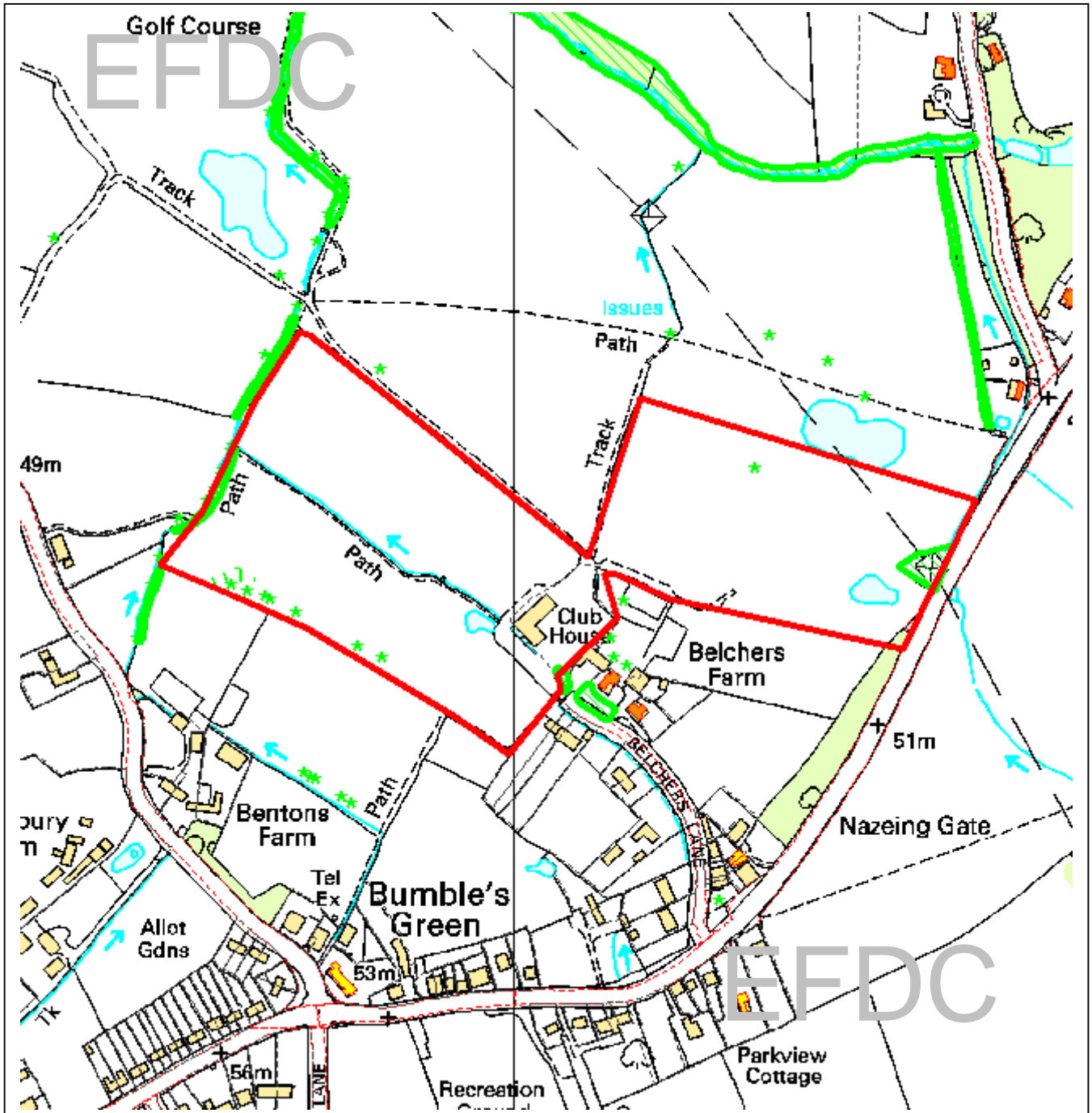
13 DOWNLANDS, WALTHAM ABBEY – Object to the loss of the golf course.

BUCKLEY HOUSE, MIDDLE STREET – Object to the loss of the golf course.



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	5
Application Number:	EPF/1737/08
Site Name:	Nazeing Golf Club, Middle Street Nazeing, Essex EN9 2LW
Scale of Plot:	1:5000