
APPLICATION No: EPF/146/04

Report Item No: 1

SITE ADDRESS:

HOLYFIELD FARM, HOLYFIELD, WALTHAM ABBEY

PARISH: Waltham Abbey

APPLICANT: Mr & Mrs D A Chapman

DESCRIPTION OF PROPOSAL:

Conversion of existing barn to form two dwellings. Removal of existing farm sheds.

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.
2. Submit programme of archaeological work
3. The development shall be carried out in accordance with the amended plans received on 24 February 2005 unless otherwise agreed in writing with the Local Planning Authority.
4. Materials of construction to be agreed.
5. Erection of screen walls/fences.
6. 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, Classes A - E shall be undertaken without the prior written permission of the Local Planning Authority.
7. Submission of a landscape scheme.
8. Prior to the commencement of the development, details of the proposed surface materials for the driveway shall be submitted to and approved by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
9. Gates shall not be erected.

10. Prior to the commencement of the works hereby approved all buildings, to be demolished, are to be agreed in writing by the Local Planning Authority, and removed within three months of the commencement of works.

Description of Proposal:

Conversion of existing barn to form two dwellings and removal of existing farm sheds. A farm shed would be removed from the immediate east of the barn and two buildings to the north west of the barn would also be demolished. Part of a farm shed to the southwest would be demolished and an extension erected. The old farm shop at the entrance to the site would be converted to a garage.

Description of Site:

A Grade II Listed Essex Barn (orientated north to south) dating from the early 1700's on the east side of the B184, surrounded by a number of more recent farm buildings. The land slopes up from the road to the east. The whole site is within the Metropolitan Green Belt and Lee Valley Regional Park. The farm comprises of a total of 109 hectares used for arable and livestock purposes. The southern end of the barn was converted to residential accommodation in the mid 1990's.

Relevant History:

Various including:

LB/EPF/10/95 - LB application for change of use of barn to dwelling - Approved

EPF/143/95 - Change of use/conversion of barn to farmhouse dwelling - Approved

EPF/478/97 - First floor side extension - Approved

Polices Applied:

Structure Plan

C2 Green Belt Policy

CS4 Sustainable new development

RE2 Reuse of Rural Buildings

Local Plan

GB2 Green Belt Policy

GB8 Green Belt Change of Use

DBE8 Amenity space

DBE9 & 10 Amenity

T14 Highways

Issues and Considerations:

The main issues are the impact of this proposal on the Green Belt, sustainability, effect on amenity, and impact on highways. The Listed Building issues will be considered separately.

Green Belt

The barn is currently used for small scale storage for agricultural items used in the farm. It would have two residential units installed to the north of the existing unit, which is lived in by the farm owner. Two gardens would be provided to the rear of the barn. Four large buildings will be removed from the farm site, totalling a floor area of 900m². A new extension to an existing barn to the south west of the main barn would be erected, with a new floor area of 117m². A breeze block lean-to on the eastern elevation of the main barn would also be removed. It is the case that the current farm use is ongoing and will continue. Two barns, one to the north of the site, and the extended one described above, will remain in agricultural use. The plans have been amended and the original proposal for three new units has been reduced to two.

Policy GB8 of the adopted local plan allows for a change of use of buildings provided they meet a number of conditions.

(i) The building is:

(a) of permanent and substantial construction; and

(b) capable of conversion without major or complete reconstruction; and

(c) in keeping with its surroundings by way of form, bulk and general design;

(ii) The proposed use is for residential use where the building is unsuitable for recreational, business or storage use

(iii) The proposal entails appropriate benefits to green belt or countryside objectives in circumstances where the council considers it necessary or desirable.

The building is of a permanent and substantial construction, and indeed typical of historic farm buildings in Essex. The applicant has supplied a structural engineers report which states the building is capable of being converted to their intended use, albeit it with remedial works to bring the buildings up to current standards, which from the officers site visit would appear to be an accurate appraisal. It is also the case that a third of the barn has already been successfully converted to residential accommodation.

The applicant has stated that the barn is no longer suitable for modern agricultural use, and it is considered that a business or storage use would be unsuitable due to the

proximity of the existing residential unit and the physical constraints of the barn. Therefore it is considered that on balance that this is a suitable use of the building.

There are a number of benefits to the Green Belt. The removal of a large amount of utilitarian farm buildings, of no visual merit, that adversely affect the openness of the area is welcomed, and will allow the barn to be viewed in a more sympathetic and attractive setting. It is also the case that the Council wishes to see this historic building retained and this scheme will ensure its ongoing use and survival.

The two courtyards created to the rear of the site will avoid the need for any paraphernalia of modern living (such as washing lines, play equipment etc) to be visible on the external elevations of the buildings from the main road, and are screened to the east by the rise of the land.

It is accepted that the two new units will be substantial, but as no new floor space or volume is created, (and a large amount of other buildings are being removed) this is acceptable. It is considered that on balance the proposal does not cause harm to the amenities of the Green Belt, and is acceptable.

Sustainability

The site is on a bus route, although it is likely that most visits to the site will be by private motor vehicle. However the applicant has argued that a residential use of the building is far more sustainable than any new commercial use which is likely to result in an subsequent increase in traffic. It is considered that whilst not perhaps ideal in sustainability terms, the proposal does not cause an unacceptable adverse effect on this issue.

Amenity

The building to be converted already has a residential property at its southern end, and it is considered that there will be no loss of amenity for this property from the two new units. It is also the case that whilst the farm will continue in use, the farm vehicles will not pass through the front farmyard area to use the remaining agricultural buildings, as a barrier will separate this area. Therefore it is considered that this use will not have such an adverse impact on the new properties as to justify a refusal.

Highways

The Highways Section has stated that they do not have any objections to the proposal. The cessation of the use of the entrance by slow moving farm and agricultural vehicles on the busy B184 is to be welcomed.

Conclusion

This is a balanced case, but for the reasons stated above this application is recommended for approval.

SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL - No objection.

CPRE - Object, three dwellings with parking may not be considered a suitable alternative in the setting of a grade II Listed Building.

PATERNOSTER NORTH RESIDENTS ASSOCIATION - Object, this application is a complete contradiction of the local development plans and contrary to guidance from the SoS.

There appear to be no very special circumstances in this case.

Approval will set a dangerous precedent.

CONSERVATORS OF EPPING FOREST - No objection in principle.

LEE VALLEY REGIONAL PARK - No objection.

APPLICATION No: LB/EPF/145/04

Report Item No: 2

SITE ADDRESS:

HOLYFIELD FARM, HOLYFIELD, WALTHAM ABBEY

PARISH: Waltham Abbey

APPLICANT: Mr & Mrs D A Chapman

DESCRIPTION OF PROPOSAL:

Grade II Listed building application for the conversion of barn to form 2 dwellings.

RECOMMENDED DECISION: Refuse

1. The proposed conversion of the barn to residential units, by reason of its design, subdivision and removal of historic structure would be detrimental to the special architectural and historic interest and setting of this Grade II Listed Building. The proposal is at odds with policy HC10 and HC13 of the adopted Local Plan, and policy HC3 of the adopted Essex and Southend on Sea Replacement Structure Plan.

Description of Proposal:

This is the accompanying application for listed building consent for the works associated with the previous item.

Policies Applied:

Structure Plan

HC3 Protection of listed buildings

Local Plan

HC10 Listed building works

HC13 Re use of a Listed building

Issues and Considerations:

The only issue of this application is the effect on the character and integrity of the listed building.

The County Listed Building Adviser has commented on the revised plans that she is "concerned about the lack of information about the structure and understanding of the listed building, particularly the lack of frame survey to inform about the areas of the building that are of less importance than other areas and the extent of removal of original structure and

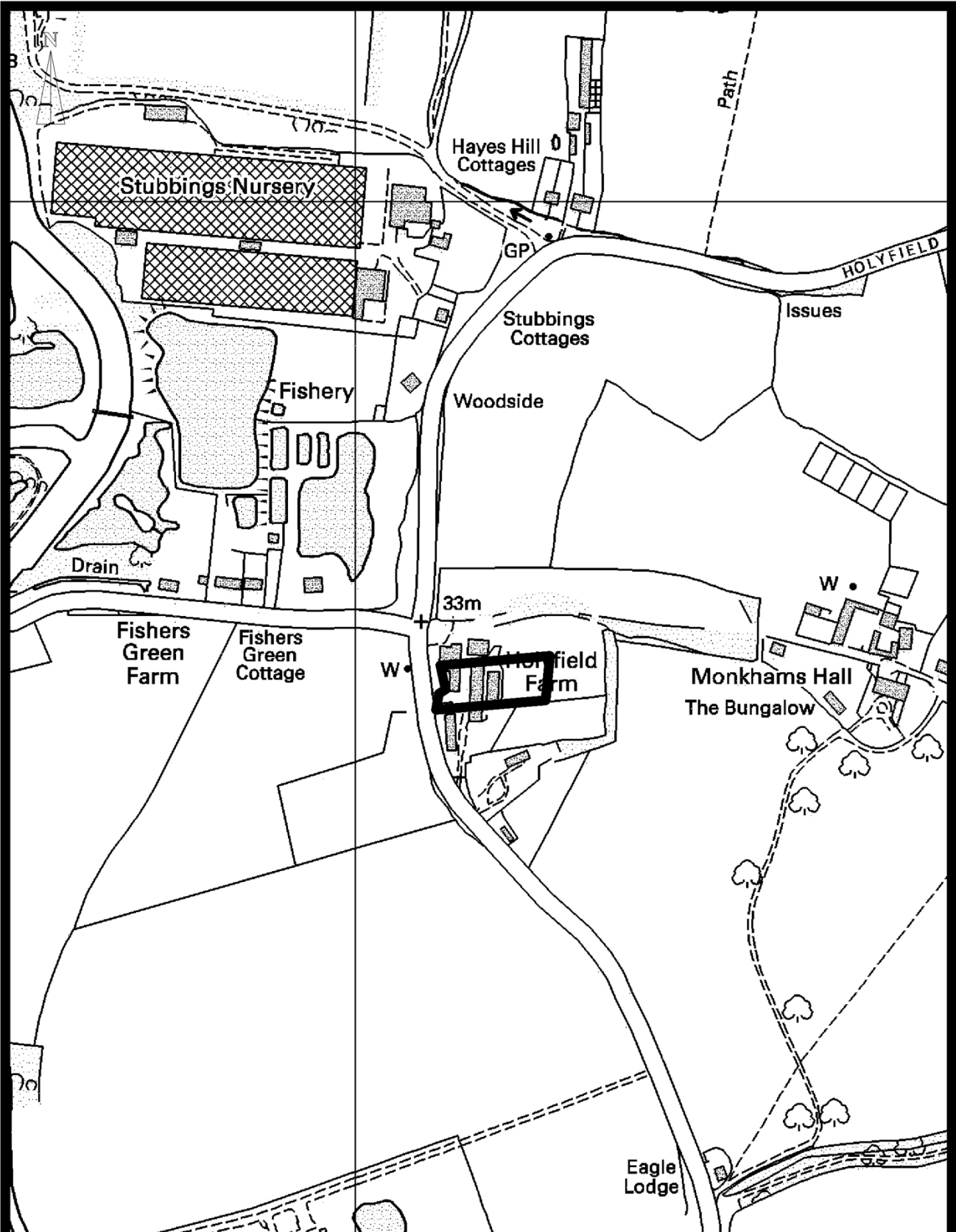
fabric."

She has also raised concerns over the details of the design, which would result in a very domestic appearance, especially when concerned with the window and door opening that would result. It is also the case that there would be the removal of extensive sections of the original frame structure to allow the construction of the interior layout. Further concerns were raised over the internal subdivision of the property having an adverse effect on the character of the listed building, as they would close down the open internal space that is a defining characteristic of this building.

This is an important building being around 300 years old and prominent from the road. This application has been the subject of protracted negotiations and in spite of the amended plans received the Listed Building Adviser is still recommending refusal because the design, subdivision and removal of historic structure would be detrimental to the special architectural and historic interest and setting of this Grade II Listed Building. Although in planning terms the conversion could be accepted, insufficient work has been carried out on understanding the listed building and on designing the two units with sufficient regard to the integrity of the listed building, and thus the scheme does not yet warrant listed building consent being granted.

SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL - No objection, subject to Listed Building Officers approval.



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Item Nos: 1 & 2
Scale: 1:5000



APPLICATION No: EPF/640/04

Report Item No: 3

SITE ADDRESS:
ABBEY MILLS, HIGHBRIDGE STREET, WALTHAM ABBEY

PARISH: Waltham Abbey

APPLICANT: Lee Valley Regional Park Authority

DESCRIPTION OF PROPOSAL:

Demolition of existing building and erection of 1 three storey block containing fifteen flats and 192 sq metres of B1 floorspace and 1 two storey block containing six flats with associated access, parking and amenity space.

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.
2. Submit programme of archaeological work
3. The development shall be carried out in accordance with the amended plans received on 24 December 2004 unless otherwise agreed in writing with the Local Planning Authority.
4. Materials of construction to be agreed.
5. The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of implementation have been submitted to the Local Planning Authority and are approved in writing.

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 in writing.

The statement must include details of all 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.

The landscaping scheme must include incorporate an 8m buffer zone of locally native plant species, alongside the River Lee.

6. Contaminated land study and remediation.
7. The finished floor levels of the development hereby approved shall be set a minimum of 19.1 AOD. Details showing how this is to be achieved shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of development.
8. Details of means of fencing the site within 8 metres of the river shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of development.
9. Drainage details to be agreed.
10. Prior to the first occupation of any of the units hereby approved, full details of the access road, parking spaces, disabled parking, cycle and motorcycle parking shall be submitted to and agreed in writing by the Local Planning Authority and the works shall be completed in accordance with those agreed details.
11. No gates shall be erected on the access road without the prior written agreement of the Local Planning Authority.
12. Prior to the first occupation of any of the units hereby, approved, a scheme providing for adequate storage of refuse from the development shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall be carried out and thereafter retained.
13. Construction work (which includes deliveries and other commercial vehicles to and from the site) shall only take place on site between the hours of 07.30 and 18.30 Monday to Friday and 08.00 to 13.00 on Saturday, and at no time during Sundays and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
14. Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority. The facilities shall be installed prior to the commencement of any building works on site, and shall be used to clean vehicles

leaving the site.

15. Prior to commencement of development a full noise survey shall be carried out to establish which noise category the proposed plots fall into with regard to PPG24. Following the survey, a scheme for protecting the proposed new dwellings from noise shall be submitted to and agreed in writing by the Local Planning Authority for any dwellings, gardens and recreation areas that fall into NEC B and C or above, as detailed in PPG24. The approved works shall be completed before any of the proposed residential units are occupied.
16. Prior to the commencement of development details of external lighting of the site shall be submitted to and agreed in writing by the Local Planning Authority, the agreed scheme shall be carried out prior to the first occupation of any of the units hereby approved. No external lighting other than that approved shall be erected at the site without the prior written agreement of the Local Planning Authority.

And subject to the applicant first entering into a Legal Agreement under Section 106 of the Town and Country Planning Act (within 12 months) to:

1. Investigate the ability of the existing sewerage system to dispose of the foul and surface water for this development and in the event that these investigations show that there is insufficient capacity available to secure the provision of adequate foul and surface water drainage in consultation with the sewerage undertaker for the whole of the development prior to the commencement of development. Such drainage shall be secured where appropriate by means of a public sewer requisition pursuant to Section 98 to 101 of the Water Industry Act 1991.
2. Provide for, at no cost to the Highway Authority, a) the removal of the existing access and lay-by/parking area to the front of the existing building and the formation of a new bell mouth access to include 2 kerbed radii each with a dropped kerb/tactile paving crossing point and a 90m x 2.4m x 90m visibility splay. b) The upgrading to current Essex County Council standards of the westbound bus stop located to the west of the proposal site immediately before the A121 Highbridge Street/Bypass/Beaulieu Drive traffic signal controlled junction. c) A bus promotion and marketing campaign, which shall include among other issues free season ticket and timetable information as well as publicity by, for example, poster and leaflet.
3. Provide an education contribution of £25,809, index linked to April 2005 costs using the PUBSEC Index, towards the cost of 3 additional primary school places needed as a result of the

development of 21 flats.

Description of Proposal:

Demolition of the existing office building and erection of a three-storey block, fronting Highbridge Street containing 15, two bedroom flats and 192 square metres of B1 floorspace at ground floor and a two storey block to the rear of the site containing 6 two bedroom flats. The proposals include parking for 27 cars.

The block fronting Highbridge Street is set close to the pavement edge and is visually broken up by three gables facing the street. The 3 proposed office units, each of roughly 64 square metres in floor area have their own independent front access doors from Highbridge Street and the flats are accessed by two separate entrance stairwells.

The rear two-storey block of 6 flats is sited 8m from the River Lea and has been kept relatively low in profile.

Access to the site is via one shared access, in the same position as the existing access to the site, with parking in two rows through the middle of the site. A small amount of amenity space is provided between the parking area and the fronting block, but it is envisaged that the main communal amenity space will be the area to the west and south of the rear block which when landscaped will provide an attractive area adjacent to the river.

Description of Site:

Roughly rectangular site fronting the southern side of Highbridge Street and backing on to the river. The site is currently occupied by a 1960s style flat roofed office building, with a large tarmaced area to the rear with a number of portable buildings.

To the west is sheltered accommodation for elderly people and immediately to the east is a narrow strip of land owned by Thames Water and beyond that a site that is currently being developed for flats and shops. Access to the site is adjacent to the western boundary. The site is outside the Waltham Abbey Conservation Area.

Relevant History:

EW/WHX/12/62 - Office accommodation, canteen, toilets and car park - Approved 1962.

WHX/196/66 - Erection of foundry building - Approved 1967.

WHX/197/70 - Change of use to maintenance depot - Approved 1970.

Since then there have been approvals and renewals for a series of temporary offices and most recently in 2000 permission was granted for the stationing of a storage container.

Policies Applied:

Local Plan

STC5 Town centre site.

RP4 Contaminated Land.

H3 Residential Development.

STC5 redevelopment of Highbridge Street Site.

STC9 Ground floor uses in town centres

U1 infrastructure

U2 and U3 Flooding

DBE1, DBE2, DBE3, DBE6, DBE8, DBE9 relating to design and the built environment and protection of amenity.

LL10, LL11 relating to landscaping provision.

T14 and T7 relating to highway and parking issues,

I1 106 agreements.

Structure plan:

TCR3. Seeks to improve the range and quality of facilities in Town Centres.

H2 sequential approach to housing development.

H3 Location of residential Development

H4 development form of new residential development.

BE1 Urban intensification

E2 mixed uses in Town Centres.

BE5 Planning obligations

BIW1 Employment Land Provision.

BIW3 Sequential approach to business development

BIW5 Business Location

BIW4 Protection of existing employment land.

EG4 energy conservation in design.

CS1 Sustainable urban regeneration.

CS4 Sustainable new development.

T12 Vehicle Parking.

Issues and Considerations:

This site forms the western element of the site identified in the adopted Local Plan as STC5. Policy STC5 states that the Council may grant planning permission for the redevelopment of all or part of the site provided that:

1. the design of the development respects and enhances the site's prominent position on the approach to the Town Centre and adjacent to the Conservation Area; and
2. The development of part of the site does not prejudice the successful development of the remainder.

The eastern element of the STC5 site is currently being

developed for flats with mixed town centre uses at ground floor. The redevelopment of this western area in a similar manner is considered to be in accordance with this policy. There will be a central strip of land remaining between the two developments, which is owned by Thames Water. It is unfortunate that the applicants for both sites have been unable to achieve co-operation with the owners of that land to incorporate it within their proposals, but it is not considered that the non-development of this strip, which is treed, should prevent the satisfactory development of the application site.

The main issues therefore in considering this application are considered to be:

1. Whether the proposed use is acceptable.
2. Impact on the street scene.
3. Impact on the amenity of adjacent residents.
4. Highway and Parking issues.
5. The provision of adequate amenity space and living conditions.

1. The proposed use.

The site is currently in employment use, and is well located, on the edge of the Town Centre with good access, for such a use. The policies of the Structure Plan seek to retain existing employment uses in town centres to maintain the vitality and viability of Town Centres, it was therefore considered that the total loss of employment from this site and its use solely for residential purposes would be contrary to policy.

Following negotiations the applicants agreed to provide, B1 business floorspace within the ground floor of the building fronting Highbridge Street. The amount of space proposed, equates to that which will be lost, so that there is no net decrease in employment floorspace. B1 uses are those that can be carried out within a residential area without causing disturbance or harm to residential amenity, and are therefore ideally suited to a mixed use development of this kind. The use of the remainder of the site for residential is considered appropriate given the location between other residential developments.

2. Impact on the Street Scene.

This is an important site, on the approach to Waltham Abbey Town Centre, which is currently occupied by a building that is unattractive and outdated. The proposed building fronting Highbridge street is not innovative, but is of appropriate bulk and massing for this location and with the use of high quality materials and detailing will significantly enhance the street scene.

3. Impact on residential amenity.

The position of the buildings within the site are such that they will not result in significant loss of light, overshadowing or overlooking of the properties in Francis Green Court. The proposal results in the removal of a significant area of hardstanding and temporary buildings, and there is unlikely to be greater noise and disturbance from the site than for the present use.

4. Access and Parking.

The proposal utilises the position of the existing access to the site and there have been no objections from Environmental Services with regard to highway safety. The proposal provides 24 car parking spaces to meet the needs of the proposed 21 flats and 1 for each of the B1 units. Although this is a relatively low level of provision, given the site's location within the Town Centre and the proximity of the Cornmill Car park to the rear, (with pedestrian access through the adjoining site to Highbridge Street) the level of provision is deemed to accord with the current adopted maximum car parking standards designed to encourage people to utilise more sustainable means of transport.

It is considered that subject to a Legal Agreement requiring the upgrading of an adjacent bus stop and a bus promotion and marketing campaign, and to conditions relating to access details and provision of cycle and motorcycle parking the scheme should not result in any hazard to highway safety. County Highways have raised no objection to the proposal.

5. Amenity Space and Living Conditions.

The proposed scheme provides an area of amenity space to the side of the two storey building backing on to the Cornmill Stream. This will provide a pleasant and useable area of approximately 550 sqm. or about 26 sqm per flat, which is in line with the standard set out in the local plan. Details of landscaping can be subject to condition. There is a small area to the rear of the fronting 3 storey building, which is identified on the plan as amenity space, it is not likely, given its position adjacent to the parking area, that this will really be used as a amenity area, but it will enhance the site if adequately landscaped and maintained.

The building fronting Highbridge Street is likely to suffer noise from heavy traffic and as a result there is a need to ensure that the flats have at least one living room that is dual aspect so that a window can be opened without resulting in unacceptable internal noise levels. This has been achieved in this scheme with the use of a internal courtyard. This is a small narrow space and will need to be kept secure to prevent vandalism, but is considered an appropriate solution to the problem. The use of part of the ground floor for B1 uses should not impinge on the residential amenity of the remaining residents.

Other Issues:

1. Flood Risk. The site falls within the Environment Agency's 1 in 100 year floodplain and the applicants, on request, have submitted a Flood Risk Assessment that has been accepted by the Environment Agency. This concludes that the site is not at risk of flooding at present and that minor mitigation will satisfy the impact of climate change. This issue can therefore be covered by condition.

2. Archaeology. Essex County Council have identified that this site lies in an area of considerable archaeological interest, on the edge of the western edge of the medieval and post-medieval town on an important historic thoroughfare between Waltham Abbey and Waltham Cross. It is therefore important that a full archaeological condition is attached to ensure that the archaeology is fully investigated prior to commencement of development.

3. Contribution to provision for school places. There will be, according to Essex County Council Schools Service, a predicted shortfall in school places in this area by 2008. As there are likely to be some additional children living in the area as a result of this proposed flat development a developer contribution for the provision of additional primary school places is required. The scheme for 21, two bedroom units has been calculated as being likely to produce a need for 3 additional primary school places in the locality and a contribution of £25,809 is therefore requested (index linked to April 2005 costs). This can be achieved via a Section 106 agreement.

4. Contaminated land. Due to its former use as mills, metal smelting factory and gunpowder works the site has been identified as potentially contaminated, therefore a condition requiring a phased contaminated land investigation, prior to commencement of development is required.

5. Landscaping. No landscaping scheme has been submitted at this stage, but given that the site is currently predominantly a hardsurfaced area and there is nothing to protect, and that sufficient space has been retained, to achieve a meaningful scheme, it is considered that this can be adequately covered by condition.

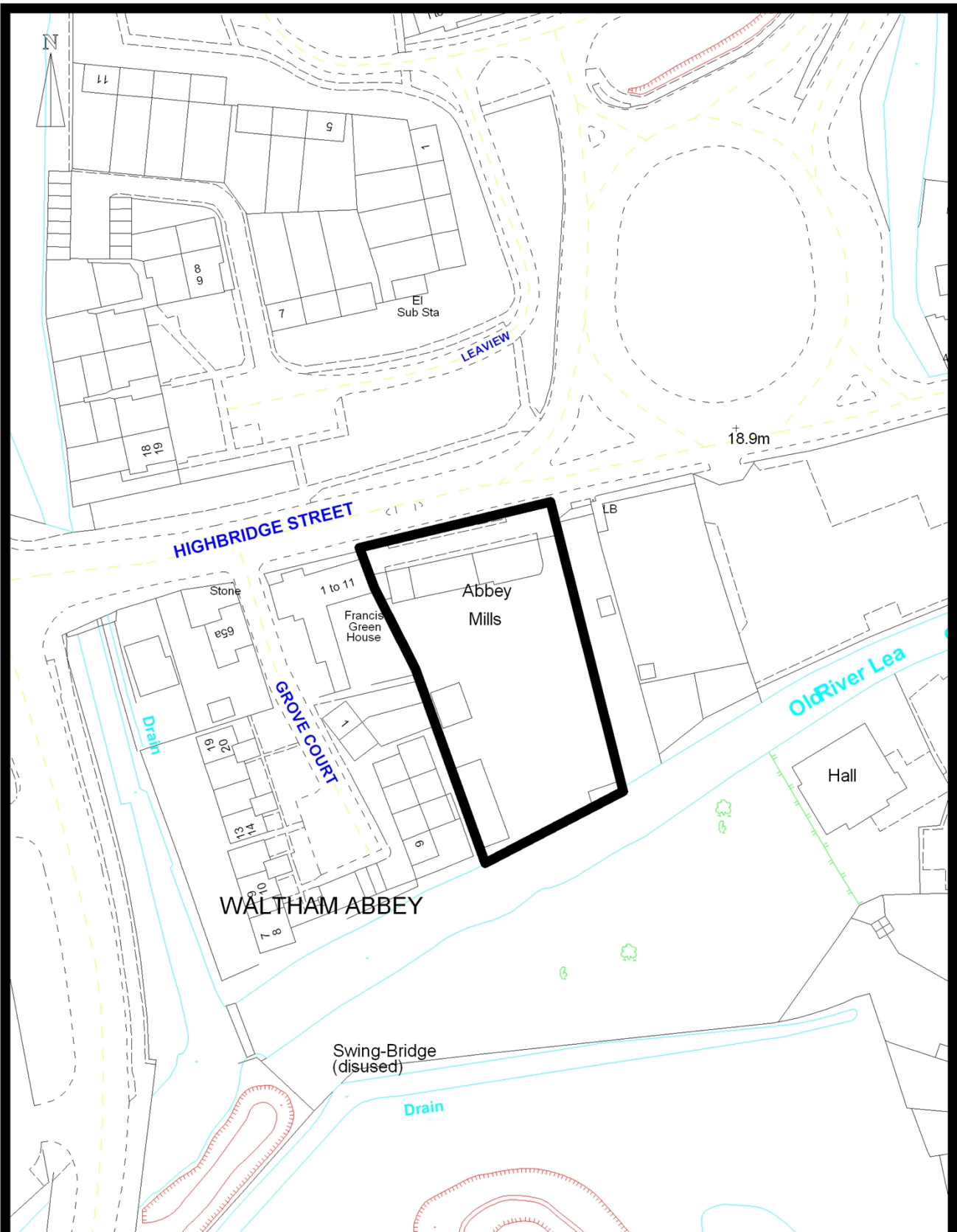
6. Sewerage. Thames Water has stated that the ability of the local sewers to dispose of foul and surface water from this development is not known and needs to be investigated. If investigations show that there is insufficient capacity, they (Thames Water) will provide the additional capacity as soon as practicable. They have therefore suggested not only a drainage condition relating to on site works but also the need for a 106 agreement to cover the investigation into capacity and to ensure that all necessary work, including possible public sewer requisition is carried out prior to the commencement of development. It is agreed that such a clause is necessary to ensure the satisfactory provision of drainage from the site, so this is included in the suggested 106 agreement.

Conclusion:

It is considered that the proposed development will enhance the visual amenity of this important entrance to Waltham Abbey and that the proposals, as amended, fully accord with the adopted policies of the Structure and Local Plans, making the best use of previously developed land within the town centre location. The application is therefore recommended for approval subject to conditions and to a legal agreement.

SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL - No Objection. However, in view of access on to main road we would expect a traffic survey to be carried out.



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Item No: 03
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APPLICATION No: EPF/849/05

Report Item No: 4

SITE ADDRESS:
9 & 13 ARLINGHAM MEWS, WALTHAM ABBEY

PARISH: Waltham Abbey

APPLICANT: Europeak Properties Ltd

DESCRIPTION OF PROPOSAL:

Change of use of Unit 9 (A1 retail) and Unit 13 (B1 office) to residential to form 5 x one bedroom flats.
(Resubmitted application)

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.
2. Prior to commencement of development details of the means of refuse disposal from the flats shall be submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall then be carried out prior to the first occupation of any of the approved flats and thereafter retained.
3. Prior to commencement of development details of methods of sound insulation between flats shall be submitted to and agreed by the Local Planning Authority. The agreed details shall be fully implemented prior to the first occupation of the any of the flats and thereafter retained.

This application is brought to Committee at the request of Councillor Spinks.

Description of Proposal:

The development is for change of use of first floor units within a shopping mews, from A1 retail and B1 business use to form 5 one bedroom flats. The works entail only internal alterations to the building, and no parking or cycle parking facilities are proposed. Pedestrian access to the site is from either Sun Street or Darby Drive through the shopping arcade, which is gated and via 2 separate entrance halls and stairs, one serving 2 flats, and the other serving the remaining 3.

Description of Site:

Arlingham Mews is a 1980s shopping mews shops and offices on two floors with access via a narrow pedestrian courtyard between Sun Street and Darby Drive, within the Conservation Area. The two units that it is now proposed to change to residential are unit 9 which has until recently been in retail use, but is now vacant and Unit 13 which is a B1 unit, also currently vacant.

Relevant History:

The current application is a duplicate of EPF/1732/04, which was refused under delegated powers in December last year.

Earlier relevant history includes:

EPF/1322/03 - Change of use from A1 to four self contained flats - Refused 12/9/03

EPF/878/00 - Change of use of unit 17 from office to residential - Approved 6.9.00.

Policies Applied:

Structure Plan:

CS1 Sustainable urban regeneration.

CS4 Sustainable new development.

TCR1 Strategic Hierarchy of urban centre.

BIW4 Safeguarding Employment sites.

BIW1 Employment land provision.

Local Plan:

H10 Conversions of upper storeys in Town Centres.

H3 Residential development.

DBE8 Private amenity space.

DBE9 Amenity of neighbouring residents.

Issues and Considerations:

The site lies within the Waltham Abbey Town Centre boundary, and the Conservation Area. The main issue to consider is the impact of the proposal on the vitality and viability of the Town Centre.

PPG6 (June 1996) states, "Town Centres should offer a range of everyday community, shopping and employment needs. The range of uses in town centres should be safeguarded and strengthened and should be mutually reinforcing in terms of vitality and viability."

Paragraph 2.5 of PPG6 states, "where vacant office and retail premises seem unlikely to be reused for that purpose, Local Planning Authorities should encourage conversion to other

services, leisure or residential uses."

PPG13 states that the key objective should be to ensure that jobs, shopping, leisure facilities and services are primarily sited at the most accessible locations in the local area.

The concern here is that the change of use of this site, which is a substantial amount of floorspace in the heart of the town centre will result in the loss of a sustainable employment location.

In support of the application the applicant has submitted a letter from Duncan Phillips Property Management, which states that the Disability Discrimination Act of October 2004 has effectively rendered the floorspace unusable, and that they have been trying to let the space for over a year.

The Disability Discrimination Act applies to the provision of goods, facilities and services to the public and therefore all retail uses are covered by the Act. The Act provides that it is unlawful for a provider of services to discriminate against a disabled person. In circumstances such as this where the service is on an upper floor the provider must take such steps as it is reasonable, in all the circumstances of the case, for him to have to take to provide the service in question to a disabled person. It is not accepted that this precludes the use of the premises for retail use, as the adjustments required to provide the service, must be "reasonable" and clearly if the shop owner could prove that it is not feasible either physically or economically to provide a lift then they would not be open to prosecution for failing to provide it. They would need however to show that other alternative means of providing access to the service had been investigated and employed, such as for instance, bringing the goods to the customer, or through home delivery or post.

It would be dangerous to accept the argument that the unit is no longer usable as a shop, simply because it is not accessible to all, as this could set a precedent for other town centre facilities, which may have stepped accesses. (The ground floor units in Arlingham Mews have stepped access). This could result in a considerable loss of retail floorspace to the detriment of the town centre.

However setting aside the accessibility argument it is clear that the two units have remained unlet for more than 7 months now, and that there does not appear to be a demand in this location for the uses. Some ground floor units within the Mews are also empty.

Policy H10 of the adopted Local Plan states that the Council will grant planning permission for the conversion of, and promote the use of, suitable vacant or underused upper storeys in premises in the Town Centre for residential use. Although the change of use was resisted in December, as at that time there was no evidence that the premises were not capable of

being re-let and the retail use had only just ceased, 7 months on there is a need to reconsider whether there is any significant benefit in continuing to resist the proposed change.

Loss of the employment floorspace in this location that is ideally suited for such uses is contrary to the intentions of the core strategy and business policies of the adopted Structure Plan, but on balance it is considered that it is better for the vitality of the town centre to have these upper floors occupied, albeit residentially, than for them to stand empty.

Other issues:

Security.

Concern has been raised by one of the remaining business in the Mews that the residential use will reduce security, at night (as the walkway through the mews cannot be locked) but there would be ways of controlling the access, as there are in any flat development, and indeed it is normally accepted that the presence of people living above shops in town centres has a positive impact on security, providing surveillance that deters crime and vandalism.

Parking and amenity space.

The proposed flats have no private amenity space and no parking spaces. The Local Plan states that for premises over shops the normal standards can be relaxed. The site is close to car parks and it is not considered that the use will cause any harm to highway safety.

Living conditions.

Some of the proposed flats have bedroom windows facing other bedroom windows across the internal courtyard, with only a few metres between them. This results in a lack of privacy that would be unacceptable in a new build development. However there are often compromises in standards for such flat conversions and as the overlooking is mutual and between bedrooms, where curtains are likely to be drawn when in use and not between living rooms, the relationship is considered acceptable.

The scheme also results in some cases of bedrooms being adjacent to kitchen facilities in adjacent flats. This again is not ideal and could result in noise transmission, however a condition requiring increased noise attenuation could be applied.

Refuse disposal.

Concern has been raised about ongoing problems of refuse disposal from the Mews currently causing problems. Although clearly there are existing problems it is not considered that change from B1 and A1 use to residential will increase the problem. Details of means for disposal of refuse from the

flats can be required by condition.

Other issues.

The occupant of units 2, 4, 6 and 7 Arlingham Mews (Karens Cakes) has raised a number of concerns that are to do with the lease of the property, property rights, disruption during the conversion works and existing pigeon and refuse problems. None of these issues are directly relevant to the consideration of the application and are mainly matters that need to be referred to the owners or managing agents.

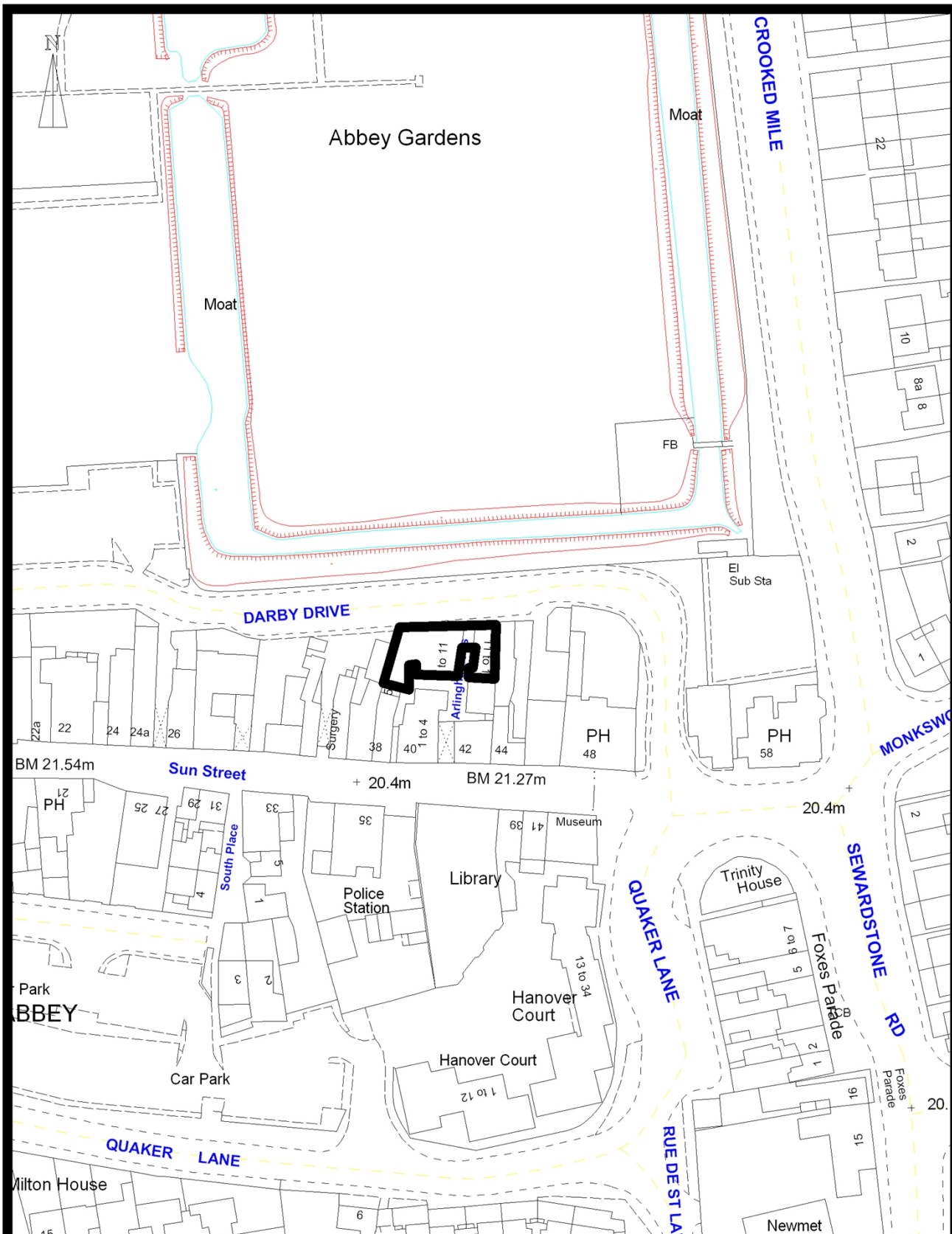
Conclusion.

On balance it is considered that the proposal is in accordance with policy HC10 of the adopted Local Plan and the application is recommended accordingly.

SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL - No objection.

KARENS CAKES, 2 ARLINGHAM MEWS - Not necessarily an objection to the scheme as a whole but have a number of questions that need to be answered. I appreciate that the Council cannot intervene in issues between a tenant and a landlord these issues relate to the use of the premises and my rights of tenure. Security. The lease states that the mews will be padlocked shut overnight. Will the occupants have to padlock themselves in overnight? Fire safety risk. Current tenants have keys, this compromises safety and security. The layout of the mews provides dark hidden places. Who will be responsible for security? Refuse. The mews has an ongoing problem with refuse, rubbish overflows from the paladins on Darby Drive onto the public highway, fly tipping occurs. How will additional rubbish from 5 flats be dealt with? Pigeon infestation. Pigeons are infesting the building, internal gutters get blocked. Hygiene problems. Increased foot traffic due to the occupied flats will make this worse. Sound nuisance. How will the applicant deal with sound insulation between floors, without work being required within my premises, without loss of trade, loss of trade to my business etc? My lease clearly states that noise nuisance from audio equipment will not be allowed. How does the applicant propose to deal with such a problem if it does arise? Already have problems from the already completed flat conversion to the front of Arlingham Mews. Lease or freehold. Can we be assured that the flats will be freehold?



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Item No: 04
Scale: 1:1250



APPLICATION No: A/EPF/853/05

Report Item No: 5

SITE ADDRESS:

SAINSBURYS DISTRIBUTION CENTRE, WALTHAM POINT,
SEWARDSTONE ROAD, WALTHAM ABBEY

PARISH: Waltham Abbey

APPLICANT: Optimum Advertising Ltd

DESCRIPTION OF PROPOSAL:

Illuminated gable hoarding.

RECOMMENDED DECISION: Grant Permission

1. The proposed sign shall not resemble an official traffic sign with regard to colour or format.
2. The lighting shall be static and not intermittent.
3. No more than 6 words shall be displayed on the hoarding at anytime.
4. The luminance of the sign should not exceed 800 candelas per square metre.

Description of Proposal:

Display of an illuminated gable end hoarding, measuring 3m x 12m, to the western end of a storage building on the northeast corner of the site.

Description of Site:

A newly built large warehouse/distribution building centred on the southern side of the M25.

Relevant History:

EPF/620/00 - Regional Distribution facility - Approved

Policies Applied:

DBE13 The Council will not give advertisement consent for the installation of internally illuminated box fascia, projecting box signs and other illuminated signs which would be

out of keeping with the building by reasons of their materials, colours or proportions, or the installation of advertisement hoardings.

Issues and Considerations:

The only issues advertisement applications can consider are the impact of the proposed sign on the amenities of the locality and highway safety considerations. A previous application was refused on the grounds that the two signs were overdominant and intrusive, and caused a road safety hazard.

Amenity

The proposed sign is some 20m from the southern edge of the M25, and would face traffic travelling eastbound on the M25. This application has been revised and deletes the free standing sign, and reduces the size of the gable hoarding from a length of 18m to 12m.

There are a number of similar, wall-mounted signs in the vicinity, but the Council has been successful in preventing the encroachment of other free-standing signs that would be too close to the motorway, or that would have a visually harmful effect on the area. In this case it is considered that the revised scheme has overcome the objections to the earlier scheme, by the reduction in size, the number of adverts displayed, and the location of the smaller hoarding. In addition the sign would only be visible to eastbound traffic, which reduces the impact on the area.

It is considered that this revised application will not adversely affect the amenities of the area.

Highway Safety

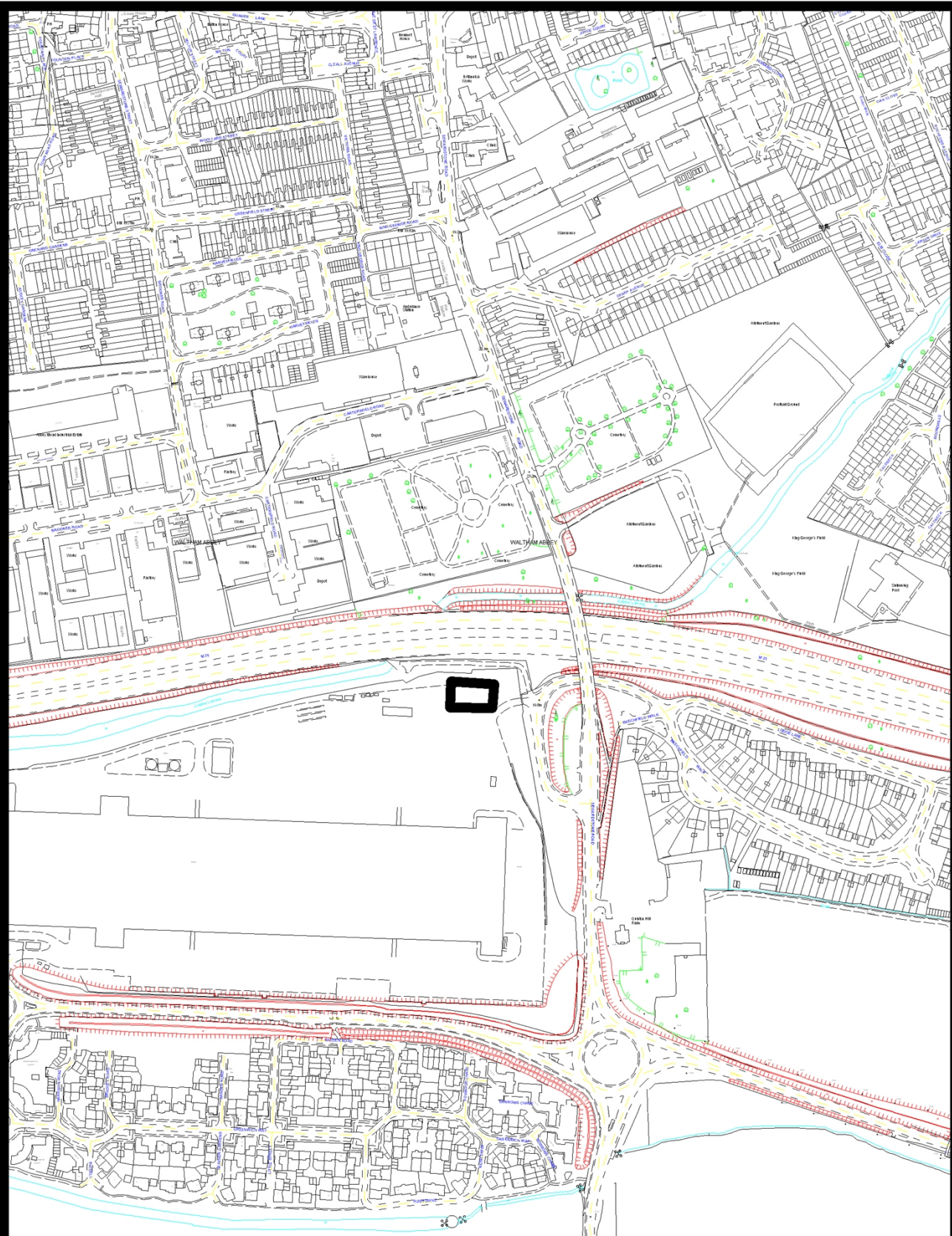
The site is located close to junction 26 of the M25. The Highways Agency (the government body responsible for safety on motorways and trunk roads) has stated that it has no objections to the scheme subject to certain conditions.

Conclusions

On the basis of the above this application is recommended for approval.

SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL - Object could cause a distraction for users of the M25 Motorway.



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Item No: 05
Scale: 1:5000



APPLICATION No: EPF/942/05

Report Item No: 6

SITE ADDRESS:

LAND REAR OF 150A, HONEY LANE, WALTHAM ABBEY

PARISH: Waltham Abbey

APPLICANT: Mr G Rowe

DESCRIPTION OF PROPOSAL:

Erection of 3 no. two bedroom bungalows. (Revised application)

RECOMMENDED DECISION: Grant Permission

1. To be commenced within 5 years.
2. Prior to commencement of construction of the three dwellings hereby approved the works to the bungalow fronting Honey Lane (No. 150a) shown on the approved drawing DHEF/04/07 shall be completed.
3. Erection of screen walls/fences.
4. Submission of Landscape Proposals
5. Prior to the commencement of the development, details of the proposed surface materials for the driveway and parking area shall be submitted to and approved by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
6. Gates shall not be erected.
7. Prior to the first occupation of the dwellings hereby approved the turning bay shown on the approved plans shall be completed. It shall be retained free of obstruction to allow turning thereafter.
8. Prior to commencement of development details of facilities for refuse collection shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be completed and thereafter retained.

Description of Proposal:

The application is for the erection of 3 detached, 2 bedroomed bungalows, with access via an existing access track from Honey Lane. The proposed bungalows have narrow frontages and extend 14m in depth. They have relatively shallow pitched roofs and the main ridgelines are only 5.5m high. The proposals include one parking space for each dwelling and a turning bay. The scheme also includes alterations to 150a, the bungalow that fronts Honey Lane, to move the front door from the side to the front (out of the way of the access road) and to remove bedroom windows from the side elevation.

Description of Site:

Rectangular site, located to the rear of residential properties on the southern side of Honey Lane adjacent to Leverton County Primary School, with access through the side garden of No.150a. The land is mainly an open paddock area with a number of stable/storage buildings at the south eastern end of the site adjacent to the access, these are predominantly blockwork and corrugated metal, but they are low in profile and have limited visual impact. A footpath runs around the edge of the paddock, which is surrounded on two sides by rough grassland.

Relevant History:

WHX/35/63 - Two stables harness room and open shed - Approved 3/2/63

WHX/173/66 - Garage - Approved 17/8/66

WHX/262/73 - Use of site for residential caravan for use of groom - Refused 8.8.73.

EPF/335/04 - Erection of 3 Four bedroom detached dwellings - Refused 29.9.04

Policies Applied:

Structure Plan Policies:

CS1 Sustainable urban regeneration.

CS4 Sustainable Urban Development.

BE1 Urban Intensification.

BE3 Retention of Open Space.

BE4 Sports Grounds and Playing Fields.

H1 Housing Provision.

H2 Sequential approach to housing development.

H3 Location of Residential Development.

T12 Vehicle Parking

Local Plan Policies;

H3 Criteria for housing sites

DBE1, DBE2, DBE3, DBE5, DBE6, DBE8, DBE9 relating to design amenity space parking etc.

LL5 protection of open space,
LL11 Landscaping
RST14 protection of playing fields.
T14 and T17 relating to parking and highway safety.

Issues and Considerations:

This site, despite views expressed by neighbours, is not within the Metropolitan Green Belt and never has been. On the Local Plan map it is designated as Playing Field Land, but it is clear that in fact it has never formed part of any playing field and has always been in private ownership. It has been in use as a paddock.

The site is within the urban area of Waltham Abbey and must therefore be considered as a possible site for housing. Policy RST14 states that we will not grant planning permission for the loss of any playing fields, but as has been stated this site although nominally covered by this policy is not a playing field.

The main issues then are the impact of the proposed development on the visual amenity of the area, on the amenities of neighbours and on highway safety.

Visual Amenity of the Area.

The site is set back over 50m from Honey Lane, behind existing properties. The properties to the front are bungalows and the proposed dwellings are low in profile and will not be visible from Honey Lane, given the distance involved. Space has been provided along the southern boundary of the site adjacent to the field to provide a landscaped strip to soften the impact of the development when viewed from the open land to the south. Most of the existing paddock area will be garden area and will have little visual impact.

Residential Amenity.

The proposed dwellings are to be sited in a row such that from the rear of the properties in Honey Lane only the nearest property will be visible. The flank elevation facing the rear gardens will be about 30m from the rear elevations of these properties and being single storey there will be no overlooking or significant overshadowing and the dwellings will not be overbearing. The proposed design, appears to preclude the possibility of providing rooms within the roofspace, as there would be insufficient headroom, so there is no danger of subsequent overlooking problems arising. There may be a small loss of outlook, the current view of open land will be restricted to some extent but this is not a significant planning issue.

The proposed access to the three houses runs along the side

garden of No.150a, which currently has its main entrance on that side and windows to living room and bedrooms facing the access. It is considered that this relationship is unacceptable and would lead to both danger to the occupants and to undue noise and disturbance and loss of privacy. However this property is within the applicant's ownership and amended plans show how it can be altered quite simply to place the main entrance at the front and to restrict windows in the side elevation so that harm will be minimised. Subject to these works being carried out prior to the occupation of the new dwellings this is considered acceptable.

Highway Safety.

The access to the site is an existing driveway that has been used to serve 150a and the land to the rear. It is proposed to provide two parking spaces for the existing bungalow, within its front garden and to create a passing and turning area within the existing rear garden area. Then each new bungalow has a parking space.

The site is adjacent to the primary school and Honey Lane is a busy road. Concern has been raised that the access will be a danger to highway safety. The use of this access has been looked at by the Highways Group in some detail and they have confirmed that subject to conditions preventing gating of the access the proposals are acceptable and meet current standards and will not result in harm to highway safety.

The Previous Application.

The earlier application (EPF/335/04) for 3 two storey, four bed dwellings on the site in a similar layout was recommended for approval by officers but was refused at committee. The reasons for refusal were:

1. The proposal would represent a form of development out of character with the area and its setting detracting from the general appearance of the area, its open aspect and the existing properties on Honey Lane in which respect it is contrary to policy BE1 of the replacement Structure Plan and policy DBE1 of the adopted Local Plan.
2. The access arrangements on to Honey Lane and the narrowness of the entrance road, and the proximity to the adjoining school would give rise to conditions prejudicial to both highway and pedestrian safety contrary to Policy T3 of the replacement structure Plan and policy T8 of the adopted Local Plan.

It is considered that this revised application goes a long way towards overcoming these concerns. The change to bungalows means that the development is more in keeping with the surrounding properties, and will have less impact on visual amenity and the open aspect of the site. The reduction in the size of the dwellings from 4 bed to 2 bed is likely to significantly reduce the potential number of traffic movements that are likely to be generated by the development, which

should help allay the highway safety fears. As before the Highways Group do not support a highway safety reason for refusal.

Conclusion.

In conclusion it is considered that the proposal being within the urban area of Waltham Abbey is in accordance with the sustainable urban development and urban intensification policies of the structure plan and that the siting, design and layout achieves minimal harm to the amenities of neighbouring residents.

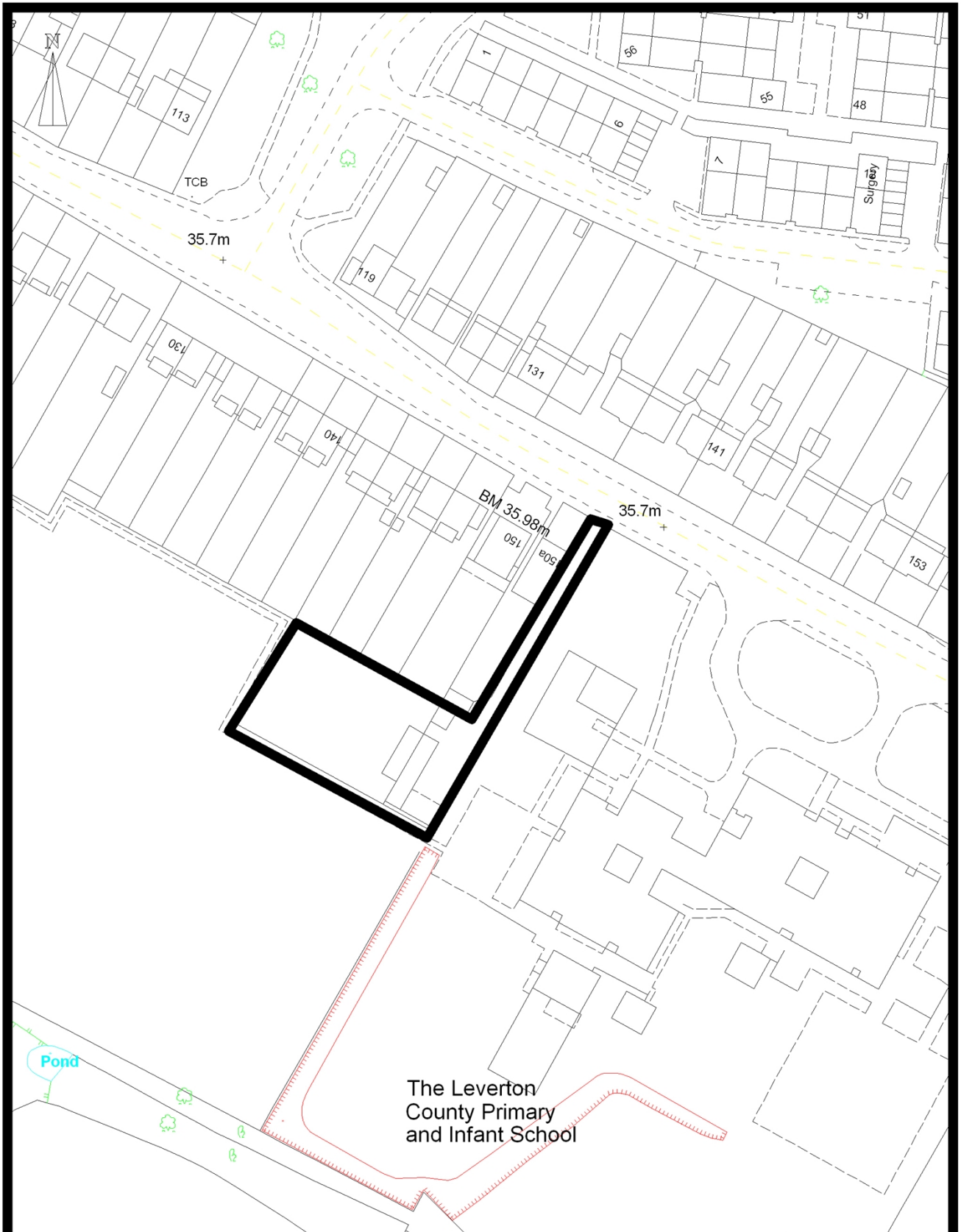
As such the proposal is considered to be in accordance with the policies of the adopted Local Plan and the application is recommended accordingly.

SUMMARY OF REPRESENTATIONS:

TOWN COUNCIL - Objection. Inadequate vehicle access and additional traffic would create an unacceptable hazard for children attending Leverton School.

152 HONEY LANE - Object. Inappropriate to build at the rear of 150a. The access road is insufficient to serve the development. The access on to Honey Lane at this point close to the school would create a severe traffic hazard particularly for parents delivering/collecting children from the school.

162 HONEY LANE - The access road would be very dangerous. The proposed road would be almost immediately opposite the pedestrian refuge outside the infant school. The road outside the school is particularly hazardous when parents are taking and collecting their children from school. Another road junction would only add to the problem.



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