

Report Item No: 1

APPLICATION No:	EPF/2637/10
SITE ADDRESS:	Chingford Day Care Nursery Sewardstone Road Waltham Abbey E4 7SD
PARISH:	Waltham Abbey
WARD:	Waltham Abbey High Beach
APPLICANT:	Mrs Jennifer Woodstock
DESCRIPTION OF PROPOSAL:	Change of use to C2 (residential institution), and alterations and extensions to provide Supported Living Accommodation at Sewardstone Road.
RECOMMENDED DECISION:	Grant Permission (Subject to Legal Agreement)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=524041

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 Prior to commencement of development, including demolition or site clearance works, a phased contaminated land investigation shall be undertaken to assess the presence of contaminants at the site in accordance with an agreed protocol as below. Should any contaminants be found in unacceptable concentrations, appropriate remediation works shall be carried out and a scheme for any necessary maintenance works adopted.

Prior to carrying out a phase 1 preliminary investigation, a protocol for the investigation shall be agreed in writing with the Local Planning Authority and the completed phase 1 investigation shall be submitted to the Local Planning Authority upon completion for approval.

Should a phase 2 main site investigation and risk assessment be necessary, a protocol for this investigation shall be submitted to and approved by the Local Planning Authority before commencing the study and the completed phase 2 investigation with remediation proposals shall be submitted to and approved by the Local Planning Authority prior to any remediation works being carried out.

Following remediation, a completion report and any necessary maintenance programme shall be submitted to the Local Planning Authority for approval prior to first occupation of the completed development.

- 4 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 5 Existing routes safe from flooding into and out of the site to an appropriate safe haven must be maintained.
- 6 The basement shall not be used for sleeping accommodation at any time.
- 7 Basement threshold levels to be set no lower than 15.06m above Ordnance Datum (AOD). Finished floor levels of the ground floor shall remain at current levels and be set no lower than 15.06m above Ordnance Datum (AOD).
- 8 The applicant shall maintain a current flood emergency evacuation plan for the site at all times, available for inspection on request.
- 9 Any replacement gates provided at the vehicular access shall only open inwards and shall be set back a minimum of 5m from the nearest edge of the carriageway.
- 10 Any replacement fence at the front boundary to the site will be kept with no obstruction over 1m above the carriageway level within the area of splay.
- 11 Vegetation on the site within the required traffic visibility splay will be cleared up to 600mm. This will include clearing from 600mm up to 2m high any large numbers of basal epicormic shoots on tree trunks.
- 12 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

And subject to a Legal Agreement restricting occupation of the units to those defined as in need of care for learning disabilities.

This application is before this Committee since it is an application for residential development of 5 dwellings or more and is recommended for approval (Pursuant to Section CL56, Schedule A (d) of the Council's Delegated Functions).

Description of Proposal:

The applicant seeks consent to change the use of the former day nursery building on Sewardstone Road to C2 residential care and supported living accommodation. The proposed accommodation would comprise 9 assisted living units with a single bedroom, bathroom and lounge/dining area and communal kitchen/dining facilities on the ground floor alongside staff facilities comprising an office, reception area and in the basement 5 storage areas. The facilities would serve those with learning disabilities seeking to maintain a degree of independent living. The applicant has indicated 15 members of staff would be employed on a shift basis with sleeping accommodation indicated for a single member of staff.

The application seeks to demolish a detached garage structure and extend the building by a similar footprint, infilling a void area at ground floor on the northern elevation and to provide a conservatory area to serve as communal area.

Description of Site:

The site is a redundant detached building historically used as a public house, with extensive hard surfacing. The site was formerly used most recently as a day nursery.

The site is situated on the western side of Sewardstone Road, within the designated floodplain and the Metropolitan Green Belt. The immediate surrounding area is of rural character particularly to the north and west with large expanses of open space/countryside and the Reservoir's. To the south it becomes more urban, but the site would not be viewed directly in this context.

Relevant History:

Most relevant history includes:

WHX/0002/55 – Alt's to public bar, lavatory, new side entrance porch and two new entrance porches to front and dwelling over – Approved

EPF/0365/88 – Alterations and Extensions – No decision listed

EPF/0285/93 – Alterations and extensions to public house and car park – Approved

EPF/0252/94 – First floor extension to living accommodation – Approved

EPF/0001/03 – Change of use from public house to day care nursery – Approved

EPF/0446/09 – Change of use to C2 (residential care home) and alterations and extensions - Approved

Policies Applied:

Government Policy

PPS3 – Housing – Published November 2006

PPS25 – Development and flood risk – Published December 2006

Epping Forest District Local Plan and Alterations

CP1 – Achieving Sustainable Development Objectives

CP2 – Protecting the Quality of the Rural and Built Environment

GB2A – Development in the Green Belt

GB8A – Change of Use or Adaption of Buildings

U2A – Development in Flood Risk Areas

U2B – Flood Risk Assessment Zones

DBE4 – Design in the Green Belt

DBE9 – Loss of amenity
ST1 – Location of development
ST2 – Accessibility of development
ST6 – Vehicle Parking

Representations Received

Waltham Abbey Town Council: No objection

24 neighbouring properties were consulted. No letters of objection received.

Issues and Considerations:

The main issues that arise with this application are considered to be the following:

- The principle of Care/assisted living accommodation
- The development of a care/assisted living facilities within the Designated Flood Plain
- Design and neighbour issues
- Highways, Access and Parking Issues

Principle of provision of care accommodation

Policy H9A and supporting text acknowledges the increasing need for mobility housing and accommodation for those in need in the community. The Council's Housing Strategy 2009-2012 has a primary aim under paragraph 3.6 'to help vulnerable people with special housing needs to live in homes suitable for their needs, with appropriate levels of support'. There is a clearly identified need in the Housing Strategy for accommodation for those with learning disabilities, particularly those presently living with an elderly carer. Therefore in principle it is considered there is a need for supported living accommodation for those in need of care with identified learning disabilities. Therefore subject to a legal agreement restricting occupation to those defined as in need of care for learning disabilities, the proposals are acceptable in principle for use predominantly for users from the District. Furthermore it should be noted that the provision of a generic care facility at this location within the existing building has already been approved under EPF/0446/09, but this was not self contained units.

No comments have been returned from the Council's housing or care advisors with regard to whether the layout or design of accommodation is suitable at this time or whether the manner or care provided is acceptable, however this can all be agreed as part of a legal agreement should Members deem it necessary.

Flood Plain Issues

The site is within the designated flood plain and the site is likely to flood. The applicant has submitted a Flood Risk Assessment (FRA) in accordance with the Flood Risk Matrix issued by the Environment Agency.

The Environment Agency has requested a condition as follows:

'The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA), job no:60069743, ref 3352 prepared by Edward Jones and approved by Gala Pinto and the following mitigation measures detailed within the FRA;

- Existing safe routes into and out of the site to an appropriate safe haven must be maintained.
- The basement is not to be used as sleeping accommodation at any point.
- Basement threshold levels to be set no lower than 15.06m Above Ordnance Datum (AOD).
- Finished floor levels of the ground floor to remain at current levels and to be set no lower than 15.06m Above Ordnance Datum (AOD).

Reason: To ensure safe access and egress, to reduce the risk and impact of flooding on the proposed development and future occupants.

The FRA submitted by the applicant is sufficient to satisfy the Environment Agency that the proposals will not increase the risk of flooding, as such no concerns are raised on flood risk grounds.

Design and neighbour issues

The application seeks to predominantly retain the existing external appearance with the proposed extension mimicking the existing built form in scale and design. The conservatory at 3.8m in depth and 7.8m long is not dissimilar in scale to many residential developments and would not unacceptably extend the footprint. Furthermore as it is heavily glazed by nature it is considered the conservatory would not have a significant adverse impact to openness, street scene, being situated to the rear or neighbouring amenity as it is well separated from neighbouring properties.

In respect of neighbouring amenity, the site has historically been operated as a public house and a children's day nursery, both these functions would give rise to a level of noise, disturbance and vehicular movements. The proposed care/assisted living facilities would be unlikely to have any adverse impacts extending significantly beyond those already experienced.

Highways and Access and amenity issues

As outlined above, the site has a varied history of uses with the former public house and day nursery operations, these both used the existing access and resulted in a number of vehicular movements. The proposed assisted living facility would result in a lesser amount of comings and goings than the previous uses.

The proposals provide 12 parking spaces with a further area of hard surface historically used for parking should further space be required. As a result there are no concerns relating to proposed parking.

The site has a sufficient area available for landscape for amenity purposes.

Conclusion:

The proposed use of the existing building as a care facility has already been established as acceptable under EPF/0446/09. The need for supported living services in the District is well documented therefore subject to appropriate restrictions to occupancy only by those diagnosed with learning disabilities and as in need of care, in principle the accommodation is acceptable. The design and layout is reasonable and makes sufficient provision for those seeking a greater extent of independence whilst remaining under supervision and the parking and amenity areas are acceptable, therefore with no objection raised from the Environment Agency, approval is recommended subject to conditions and the applicant entering into a legal agreement restricting occupation of the units.

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

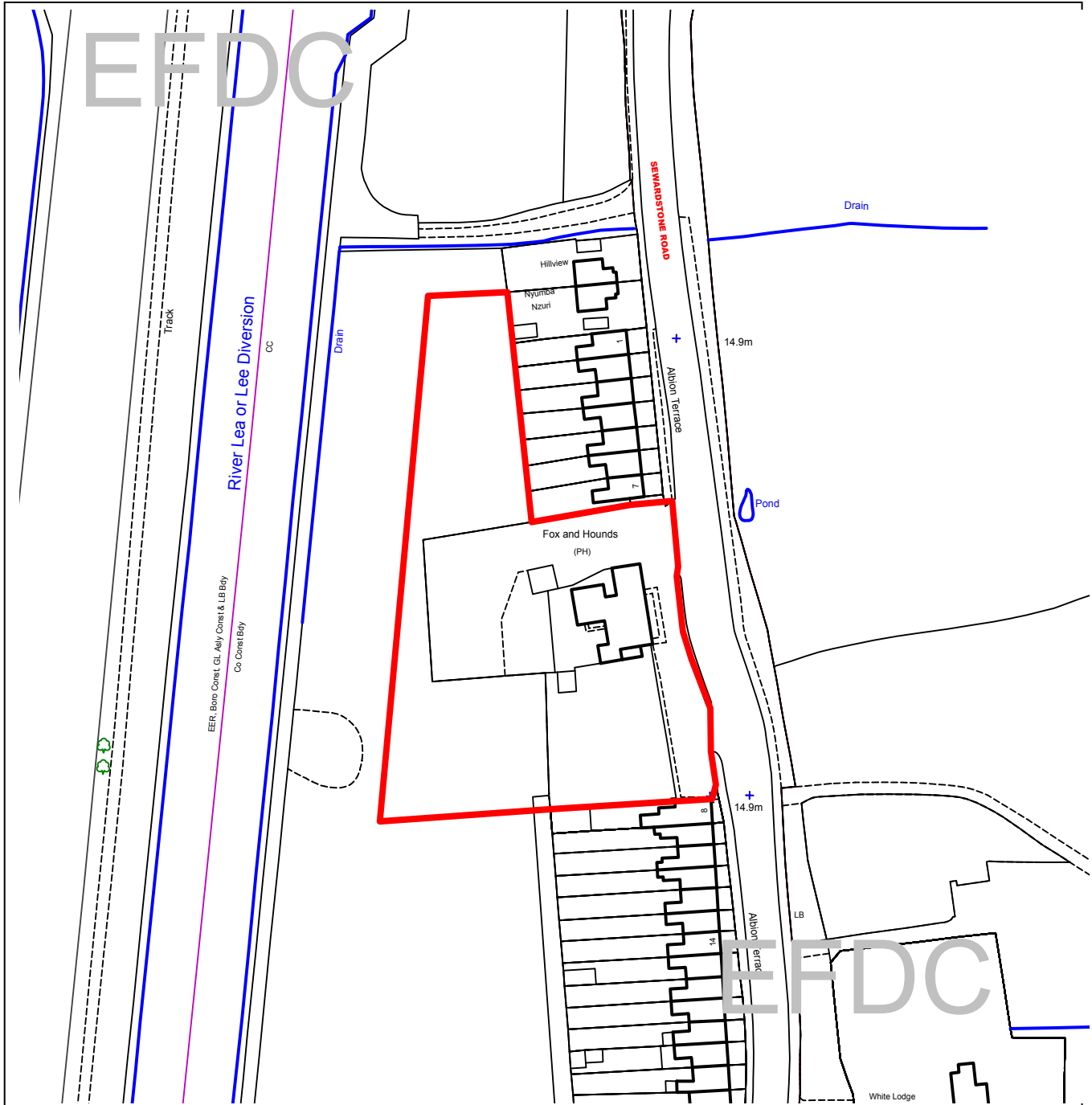
***Planning Application Case Officer: Jenny Cordell
Direct Line Telephone Number: 01992 564294***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	1
Application Number:	EPF/2637/10
Site Name:	Chingford Day Care Nursery, Sewardstone Road, Waltham Abbey, E4 7SD
Scale of Plot:	1/1250

Report Item No: 2

APPLICATION No:	EPF/2653/10
SITE ADDRESS:	Roydon Garage High Street Roydon Harlow Essex CM19 5HJ
PARISH:	Roydon
WARD:	Roydon
APPLICANT:	Grecize Ltd t/a Roydon Garage
DESCRIPTION OF PROPOSAL:	Application to extend planning approval EPF/2421/07 for demolition of existing garage buildings and erection of 8 dwellings for residential use with parking courtyard. (Revised application)
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=524106

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 Prior to first occupation of the building hereby approved the proposed window openings in the flank elevations and at first floor in the rear elevations of plots 4,5, 6 and 7 shall be fitted with obscured glass and shall be top opening only, and shall be permanently retained in that condition.
- 4 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time without the prior written approval of the Local Planning Authority.
- 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, Classes A and B shall be undertaken without the prior written permission of the Local Planning Authority.

- 6 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.

- 7 Prior to the commencement of the development details of the proposed surface materials for the access and parking areas shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
- 8 The parking area shown on the approved plan shall be provided prior to the first occupation of the development and shall be retained free of obstruction for the parking of residents and visitors vehicles, and no gates shall be provided across the entrance archway at any time.
- 9 Prior to commencement of the development details of provision for parking for people with disabilities shall be submitted to and agreed in writing by the Local Planning Authority and the development shall subsequently be completed in accordance with the agreed details, prior to the first occupation of any of the dwellings hereby approved.
- 10 Prior to commencement of the development details of the number, location and design of powered two wheelers and bicycle parking facilities shall be submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be completed prior to the first occupation of any of the dwellings hereby approved and thereafter retained at all times.
- 11 Prior to the first use of the access hereby approved a 1.5 metre x 1.5 metre pedestrian visibility sight splay, measured from the highway boundary, shall be provided on both sides of the vehicular access. There shall be no obstruction above the height of 600mm as measured from the finished surface of the access within the area of the visibility spays thereafter.
- 12 The access shall be laid at a gradient not exceeding 4% for the first 6 metres from the highway and not exceeding 8% thereafter.

- 13 Prior to commencement of development, including demolition or site clearance works, a phased contaminated land investigation shall be undertaken to assess the presence of contaminants at the site in accordance with an agreed protocol as below. Should any contaminants be found in unacceptable concentrations, appropriate remediation works shall be carried out and a scheme for any necessary maintenance works adopted.
- Prior to carrying out a phase 1 preliminary investigation, a protocol for the investigation shall be agreed in writing with the Local Planning Authority and the completed phase 1 investigation shall be submitted to the Local Planning Authority upon completion for approval.
- Should a phase 2 main site investigation and risk assessment be necessary, a protocol for this investigation shall be submitted to and approved by the Local Planning Authority before commencing the study and the completed phase 2 investigation with remediation proposals shall be submitted to and approved by the Local Planning Authority prior to any remediation works being carried out.
- Following remediation, a completion report and any necessary maintenance programme shall be submitted to the Local Planning Authority for approval prior to first occupation of the completed development.
- 14 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 15 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 and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
- 16 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 (as detailed in PPG240, or bedrooms likely to be exposed to noise levels that do not meet reasonable resting/sleeping conditions specified in British Standard BS8233;1999 - Sound insulation and noise reduction for buildings - Code of practice. All works which form part of the agreed scheme shall be completed prior to the first occupation of any of the dwellings hereby approved.
- 17 Additional drawings that show details of proposed windows, doors, eaves, verges, and cills, to be used by section and elevation at scales between 1:20 and 1:1 as appropriate shall be submitted to and approved by the local planning authority in writing prior to the commencement of the works. The works shall be implemented in accordance with such approved details and permanently retained as such.

This application is before this Committee since it is an application for residential development of 5 dwellings or more and is recommended for approval (Pursuant to Section CL56, Schedule A (d) of the Council's Delegated Functions).

Description of Proposal:

The applicant seeks to permission to replace an extant permission EPF/2421/07 which consented to the erection of 8 dwellings.

Description of Site:

The site is located on the western side of Roydon High Street about 35m north of the junction with Harlow Road within the Roydon Conservation Area. There are residential properties to either side of the site and to the rear. The site is currently occupied by a commercial garage building, which is set back from the road frontage, which has been used as a filling station and for car sales. There are substantial and unattractive buildings to the rear used for vehicle repair, and there is a large parking and turning area. The site slopes down to the north.

Relevant History:

EPF/0862/07 – Demolition of existing garage buildings and erection of 8 dwellings and parking forecourt – Withdrawn
EPF/0898/07 – Conservation Area Consent for demolition of garage buildings – Withdrawn
EPF/2421/07 – Demolition of existing garage buildings and erection of 8 dwellings with parking courtyard – Approved
EPF/2422/07 – Conservation Area Consent for demolition of garage buildings - Approved

Policies Applied:

CP1 Sustainable development objectives
CP2 Quality of the environment
CP3 New development
CP7 Urban form and quality
H1A Housing provision
H2A Previously developed land
H3A Housing density
H4A dwelling mix
E4A protection of employment sites
E4B Alternative uses of employment sites
ST1 Location of development
ST2 Accessibility
ST4 Road safety
ST6 Travel plans
HC6 & 7 Development within conservation areas
HC9 Demolition within conservation areas
DBE1 Design of new buildings
DBE2 Effect on existing properties
DBE3 Development in urban areas
DBE5 Design and layout
DBE8 Private amenity space
DBE9 Amenity of neighbours
LL10 and LL11 Landscaping provision and retention.

Representations received

30 neighbouring properties were notified and a site notice was erected, no responses were received.

Roydon Parish Council – No objections

Issues and Considerations:

The main issues to be considered are those relating to the loss of the employment site, the provision of new housing in this location, impact to the street scene, Conservation Area and surrounding Listed properties and neighbouring amenity. These issues were all previously considered under EPF/2421/07.

Since the previous applications there have been minimal changes to the thrust and intention of local policy and no significant change to local circumstances. Local Plan Alterations were published in July 2006 however the objectives of policies relating to changes of use, loss of employment and the provision of housing in Town Centres remains largely unchanged. Parking requirements have altered, albeit not significantly, and not to an extent sufficient to justify refusal on these grounds alone and PPS5 has been published setting out a more succinct approach to heritage conservation, however as the heritage aspects have already been considered acceptable under a more detailed policy, the generic requirements of PPS5 are considered to be met already.

No new issues have been raised at consultation, therefore no new issues are raised regarding either the loss of the garage buildings which are now disused and not of a particularly high architectural merit, or regarding the provision of 8 dwellings.

Conclusion

Since the consideration of the previous scheme under EPF/2421/07 the proposals remain unchanged and circumstances surrounding the proposals have not changed to a significant extent.

The Council's Local Plan Alterations adopted in July 2006 continue to support the development as it was approved and with no objections raised, approval is recommended subject to the conditions previously attached.

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

***Planning Application Case Officer: Jenny Cordell
Direct Line Telephone Number: 01992 564294***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	2
Application Number:	EPF/2653/10
Site Name:	Roydon Garage, High Street Roydon, CM19 5HJ
Scale of Plot:	1/1250

Report Item No: 3

APPLICATION No:	EPF/0009/11
SITE ADDRESS:	Unit 2 Highbridge Retail Park Highbridge Street Waltham Abbey Essex EN9 1BY
PARISH:	Waltham Abbey
WARD:	Waltham Abbey South West
APPLICANT:	Legal & General Assurance Society Ltd
DESCRIPTION OF PROPOSAL:	Variation of condition 5 'range of goods to be sold' on EPF/808/93 to allow up to 30 per cent of the net sales floorspace within unit 2 to be used for the sale of food (but not fresh, refrigerated or frozen food goods) within Use Class A1.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniTelM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=524324

CONDITIONS

- 1 The development shall be used for non-food retailing and no other purpose, with the exception of up to 30 per cent of the ground floorspace within unit 2 which may be used for the sale of food excluding fresh, refrigerated and frozen food goods.

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section CL56, Schedule A (g) 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 up to 30% of the net sales floorspace within Unit 2 to be used for the sale of food, however this would be restricted to exclude fresh, refrigerated or frozen food.

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.

Consent has previously been approved for a variation of this condition in respect of Unit 1, the larger of the three units, which has not been split into two units. This varied condition reads:

The development shall be used for non-food retailing and no other purpose, with the exception of up to 1486 sq. m. (16000sqft) GIA floorspace within Unit 1 which may be used for the sale of food (Class A1).

This condition was granted consent by Area Plans West and District Development Committee in 2008 and was subject to restrictions regarding what could be sold to ensure the impact on the Waltham Abbey Town Centre would be limited. To date this varied condition has not been implemented, however this is not subject to any form of time constraint.

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 Harveys, Carpet Right, Pets at Home, Mothercare, 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

EPF/1771/08 - 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) – approved/conditions 03/12/08

EPF/0796/09 - External alterations to existing retail unit to provide new customer and service entrances – approved/conditions 30/06/09

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

Summary of Representations:

2 neighbouring properties were consulted and a Site Notice displayed on 13/01/11. No responses were received at time of writing report

WALTHAM ABBEY TOWN COUNCIL – Object. Although the Town Council welcomes enquiries from chain stores, this type of retailer raises concerns for the viability of the town centre.

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

The proposal is for a variation of a planning condition to provide up to 30% of the retail floorspace of Unit 2 for use to sell food products, although this would be restricted to no fresh, refrigerated or frozen foods. This is because negotiations are currently underway for the unit to be occupied by a retailer called Home Bargains, who sell predominantly non-food branded household goods but also sell a limited range of food goods. These primarily consist of goods such as cereals, confectionery, biscuits, tinned goods and pet food (although pet food would not be covered by this condition as it would not constitute 'food' in this instance).

The main concern with regards to the proposal is the impact on the vitality and viability of Waltham Abbey Town Centre, in particular the shops within Sun Street, Highbridge Street and Market Square, and to a lesser degree the Tesco's supermarket on Sewardstone Road. It is well known that the viability of Waltham Abbey as a town centre is of major concern with the Local Planning Authority along with other bodies, such as the Town Council, Waltham Abbey Town Partnership, and the business community within Waltham Abbey generally. In a recent Town Centre Study undertaken by Roger Tym & Partners in May 2010 (on behalf of EFDC) Waltham Abbey Town Centre has been named as a town centre in need of town centre management and has been identified as having "*limited retail offer*" and "*limited public transport accessibility*" and it has been suggested that this is largely due to the historic nature of the town centre and the resulting limitations on further development. However it is also stated within this document that "*the centre is important for the district, with a distinct tourism role*" but that there are "*pressures from out of centre floorspace*".

The applicant has submitted a retail assessment for the proposal which states that "*there is no evidence that the calculated impacts will cause any harm to the vitality and viability of Waltham Abbey Town Centre*". The assessment states that:

"Only one negative impact of the proposal has been identified in terms of a small element of trade diversion from the Tesco store and Co-op store in Waltham Abbey Town Centre. However, RTP (Roger Tym & Partners) has identified that the Tesco store is overtrading and in any event the impact on the convenience turnover of the store at 2016 is projected to be less than 1%. The respective impact on the turnover of the Co-op store is only 2.5% which is nominal and it is not considered that this will give rise to a risk of increased vacancies, significantly reduced footfall or the loss of any key town centre uses".

Whilst it is not considered that the above loss of trade to the town centre would be detrimental enough to impact on the vitality and viability, there is a concern that the submitted retail

assessment only appears to be considering this proposed variation of condition in isolation. Whilst it is acknowledged within this document that permission has been granted for “up to 1486 sq. m. (16000 sq. ft.) GIA floorspace within Unit 1 which may be used for the sale of food” it states that:

“Now that Mothercare and Pets at Home occupy the former unit 1 at the retail park it is not envisaged that the extant food permission will be used. Any impacts arising from the current application proposals are expected to be considerably less than those identified for the previous proposal”.

Whilst the above is true, the planning permission relating to EPF/1771/08 does not have any time limit with regards to implementation and therefore, whilst currently not taken up, there is no reason this could not be implemented in the future. As there has been no legal agreement with regards to the cessation of the previously approved variation of condition, food could be sold from both the former Unit 1 and Unit 2, which would have a greater impact on the town centre than either of the applications in isolation.

It is stated within the retail assessment that “vacancies which existed in Sun Street in 2007 have largely been taken up by specialist independent retailers and a number of new businesses have moved into previously occupied units as part of the natural turnover of occupiers which takes place in all commercially active centres”. It also points out that the findings of Rogers Tym & Partners show that in May 2009 the vacancy rate in Waltham Abbey Town Centre was only 4%, against a national average of 11.1% (although this report actually states that “in 2009, the vacancy level in Waltham Abbey was **broadly in line** with national averages” [my emphasis]). Although it is accepted that the vacancy rate in Waltham Abbey dropped from around 11% in 2007 to 4% in 2009, the latest town centre survey undertaken by Planning Services (14/02/11) shows that this level has increased in the last 2 years to 8.2% within the Key frontage and 8.5% within the Non-Key frontage. Partially this growth in vacant units would undoubtedly be due to the current economic climate, however partially this may also be the result of the recent development of the Lidl store outside of the Town Centre on Sewardstone Road. It is therefore important that existing businesses are protected and new businesses encouraged within Waltham Abbey Town Centre.

Notwithstanding the above, the economic/employment considerations of the scheme need to be considered in both respects, in that the current economic climate has resulted in the closure and scaling down of many businesses, and therefore further economic growth should be encouraged (including on this site), rather than discouraged. Although the benefit of gaining an occupier on this unit should not be encouraged if it results in a detrimental impact on the existing town centre, there would be a negative impact if this large retail unit became vacant, which could have far-reaching consequences given the recent development of the White Water Rafting Centre within Waltham Cross, to which this is the closest section of Waltham Abbey and acts as a ‘gateway’ to the town. The previous application for the variation of condition in Unit 1 (which was to serve the deep discount store of Aldi) was considered at Committee in conjunction with the new Lidl Store in Sewardstone Road and the submitted retail assessments clearly stated that the introduction of one of the two stores would not detrimentally impact on the vitality and viability of the town centre, however both stores would. Notwithstanding this, Members decided that both should be approved and that the proposals would ‘add variety of shopping on both sides of town’. This opinion is in line with PPS4 (Planning for Sustainable Economic Growth), which states that:

EC5.1 Local planning authorities should proactively plan to promote competitive town centre environments and provide consumer choice by:

- a. Supporting a diverse range of uses which appeal to a wide range of age and social groups, ensuring that these are distributed throughout the centre;*
- b. Planning for a strong retail mix so that the range and quality of the comparison and convenience retail offer meets the requirements of the local catchment area, recognising that smaller shops can significantly enhance the character and vibrancy of a centre;*

Plus:

- c. *Identifying sites in the centre, or failing that on the edge of the centre, capable of accommodating larger format developments where a need for such development has been identified*

The identification of such sites under EC5.1c should be done through a sequential approach. A sequential test has been undertaken with regards to this development which concludes that there are no appropriate sites for this development within the designated town centre. This is because current vacant units are of insufficient size to accommodate the potential occupier (Home Bargains), primarily due to the historic nature of the town centre, and as there is a lack of development potential. The only such possible development opportunity, as identified within the Roger Tym & Partners town centre study, is the erection of further shops, units and tourism facilities on the car park to the south of Sun Street. However this is a long term strategic development that, if feasible, would be instigated through the Development Plan process. Given the above it is accepted that at present there are no sites within the town centre where such a retail development could be located. Local Plan policy TC2 (and the above section EC5.1c of PPS4) state that, where no suitable sites for retail development can be located within the principal town centre, consideration will be given to '*an edge-of-centre location of one of the principal town centres*'. paragraph 11.30a of the Local Plan states that "*there is one edge of centre shopping area known as Highbridge Retail Park*", and therefore this location is the next choice for development within the sequential approach.

Furthermore, 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.

Due to the above, whilst there are still concerns about the long term vitality and viability of Waltham Abbey Town Centre and what impact this proposed development would have on this (particularly if both Units 1 and 2 implement their ability to sell foodstuff), given the findings of the submitted retail assessment, the lack of suitable units within the town centre, and the restrictive nature of the proposed food sales, it is considered that on balance the proposal would comply with Local Plan policies TC1, TC2 and TC3. However a condition restricting the sales is required, and furthermore the submitted retail assessment appears to be based on a proposed food retail floor area of up to 280 sq. m. This figure is 30% of the ground floor area of the unit only as it is stated that "*Home Bargains do not intend to use the mezzanine floorspace and the intention is that it will be removed from the unit*". Due to this a condition should also be added to ensure that the floor area to which food sales could be undertaken complies with the area used within the assessment.

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 on site. The Essex County Council Vehicle Parking Standards (2009) requires 1 space per 20 sq. m. for non-food retail use, however 1 space per 14 sq. m. for food stores. Notwithstanding this, the proposed food sales would only be a small part of the overall floor area and is not considered sufficient enough to require additional car parking. On every visit undertaken to the retail park the car park has been extremely underused and therefore it is considered that there is adequate capacity to provide for off-street parking provision for the stores. Whilst the opening of the White Water Rafting Centre (and particularly during the Olympics itself) may result in people parking within the Highbridge Retail Park for free, this is not a material consideration in this application and should not influence this proposal. The

existing access to and from the site would be acceptable to handle any possible intensification of use.

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:

Whilst there are concerns with the submitted retail assessment (in that it does not take into account the possibility of both Units 1 and 2 implementing their rights to sell foodstuff), and anticipated long term problems with the overall vitality and viability of Waltham Abbey Town Centre, the submitted assessment and sequential approach conclude that the proposed development would be in line with Government Guidance as laid out within PPS4. Whilst the proposal would have an impact on the Co-op and Tesco Store, this would be fairly limited and furthermore may be considered as 'competitive trading', which is actively promoted in PPS4. Therefore, on balance, it is considered that the provision of up to 30% of the ground floor area of this unit for limited food sales would not detrimentally impact on the town centre as a whole and is a sequentially appropriate location given the lack of appropriate sites within the designated town centre. Therefore the application is recommended for approval subject to conditions.

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

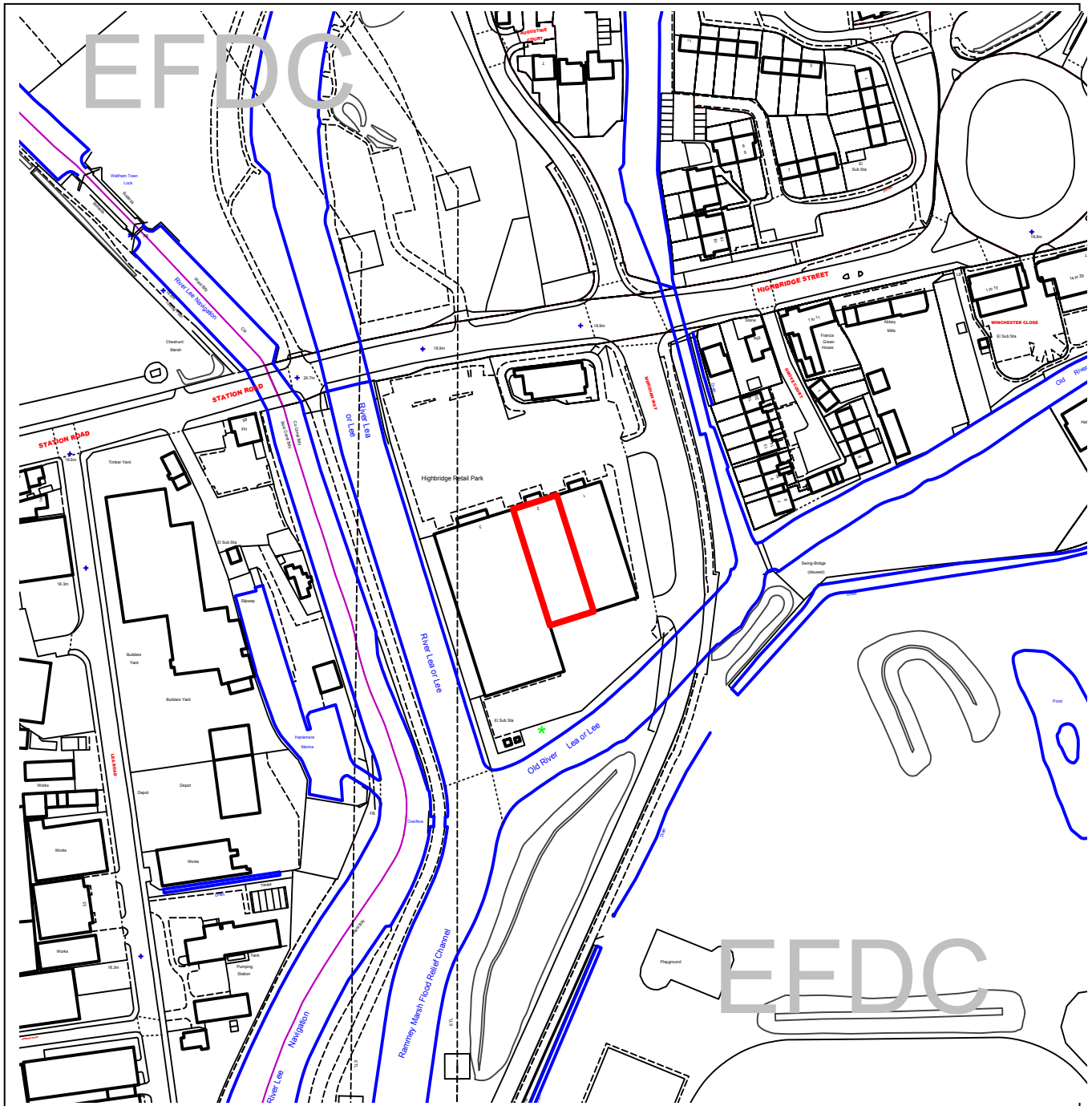
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:

3

Application Number:

EPF/0009/11

Site Name:

Unit 2, Highbridge Retail Park, Highbridge Street, Waltham Abbey, EN9 1BY

Scale of Plot:

1/2500

Report Item No: 4

APPLICATION No:	EPF/0015/11
SITE ADDRESS:	Richmond Farm Parsloe Road Epping Upland Epping Essex CM16 6QB
PARISH:	Epping Upland
WARD:	Broadley Common, Epping Upland and Nazeing
APPLICANT:	Mr Wood
DESCRIPTION OF PROPOSAL:	Construction of single detached dwelling.
RECOMMENDED DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=524330

REASON FOR REFUSAL

- 1 The site is within the area identified in the Epping Forest District Local Plan as Metropolitan Green Belt. The proposal constitutes inappropriate development and is harmful to the purposes of including land in the Green Belt contrary to the Government advice contained in PPG2 and Policy GB2A of the Adopted Local Plan and Alterations. There are no very special circumstances that outweigh the harm of the proposal to the Metropolitan Green Belt.
- 2 The proposed development due to its siting, design and appearance would be harmful to the setting of the adjacent Listed Building, contrary to Policies CP2 and HC12 of the Adopted Local Plan and Alterations and National Planning Guidance contained within PPS5.

This application is before this Committee since it has been 'called in' by Councillor Lea (Pursuant to Section CL56, Schedule A (h) of the Council's Delegated Functions).

Description of Proposal:

Consent is being sought for the erection of a three bedroom detached house and a detached outbuilding within the grounds of Richmond Farmhouse. The proposed dwelling would be a maximum of 12.7m in width and 7.75m in depth and would have a double ridged roof with heights of 8.35m and 7.65. The proposed outbuilding would be 6m x 6m with a dual pitched roof to a ridge height of 5.5m and would contain space for two cars.

Description of Site:

Richmond Farmhouse is located on the northern side of Parsloe Road just on the outskirts of Harlow. The application site consists of a 0.9 hectare piece of land to the east of the farmhouse. The existing farmhouse is a Grade II listed building with outbuildings to the rear. To the northeast of the site are the outskirts of Harlow with predominantly agricultural land to the south and west. The entire site is located within the Metropolitan Green Belt.

Relevant History:

EPF/2108/08 - Erection of a detached dwelling – refused 19/12/08 for following reasons:

The site is within the area identified in the Epping Forest District Local Plan as Metropolitan Green Belt. The Local Plan and Government Guidance as set out in Planning Guidance Note 2 (Green Belt) state that in order to achieve the purposes of the Metropolitan Green Belt it is essential to retain and protect the existing rural character of the area. The proposal is inappropriate development harmful to the purposes of including land in the Green Belt and contrary to the Government advice contained in PPG2, and Policy GB2A, of the Adopted Local Plan and Alterations. There are no adequate very special circumstances to outweigh the harm of the proposal to the Metropolitan Green Belt.

The proposed development due to its siting, design and appearance, in particular the overall form and scale of it, would be harmful to the setting of the adjoining Listed Building contrary to Policies CP2 and HC12 of the Epping Forest District Adopted Local Plan and Alterations and National Planning Guidance PPG15.

Policies Applied:

CP1 – Achieving sustainable development objectives
CP2 – Protecting the quality of the rural and built environment
CP3 – New development
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties
DBE4 – Design in the Green Belt
DBE8 – Private amenity space
DBE9 – Loss of amenity
GB2A – Development in the Green Belt
GB7A – Conspicuous development
HC12 – Development affecting the setting of Listed Buildings
LL10 – Adequacy of provision for landscape retention
LL11 – Landscaping schemes
ST1 – Location of development
ST4 – Road safety
ST6 – Vehicle parking

Summary of Representations:

4 neighbours were consulted and a Site Notice displayed on site. No responses have been received.

EPPING UPLAND PARISH COUNCIL – Object on the basis that the site is in the Green Belt, on the border with Harlow, and should be protected; it is an overdevelopment of the site which is in the curtilage of a Grade II listed building; it would detract from the setting of the local landscape; and the new access would be very close to a bend. It was also noted that what is referred to as a ‘mature’ hedge which is recent growth.

Issues and Considerations:

The main impact of the proposal is whether it constitutes appropriate development in the Green Belt and the harm it would have on this, the appropriateness of the development in this location, and with regards to the overall design and impact on the adjacent Grade II listed building.

The application site is located within the Green Belt, where the erection of new dwellings is considered inappropriate development that, by definition, is harmful to the openness of the Green Belt. Furthermore, the five purposes of including land within the Green Belt as laid out in PPG2 are the following:

- *To check the unrestricted sprawl of large built-up areas;*
- *To prevent neighbouring towns from merging into one another;*
- *To assist in safeguarding the countryside from encroachment;*
- *To preserve the setting and special character of historic towns; and*
- *To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

The proposed development fails to comply with the above purposes for the following reasons:

- To the northeast of the application site (separated by a relatively small woodland buffer) are the outskirts of Harlow Town, which is a large urban area. By allowing further development on sites surrounding this town (outside of any strategic 'Harlow Growth' allocation) would certainly constitute "*unrestricted sprawl*" of this "*large built-up area*".
- Whilst this particular development would not result in the merging of Harlow with any neighbouring towns, piecemeal development such as this would set a precedent for further residential development in Parsloe Road, which could eventually result in the enclave of Jacks Hatch being incorporated into Harlow Town.
- The proposed development would clearly constitute '*encroachment into the countryside*' as this would result in further residential development on this agricultural site. Whilst the applicant claims that the site constitutes the residential curtilage of Richmond Farmhouse, this does not appear to lawfully be the case and therefore the area of land would be considered agricultural in use. Notwithstanding this however, neither agricultural land nor residential curtilage constitute 'Previously Developed Land' and therefore has no presumption for housing development.
- Whilst the development would not impact on any 'historic town' it does impact on the setting of a Grade II listed building (as covered below).
- Although only a relatively short distance from Harlow Town this site does not constitute 'urban land' and, as stated above, does not constitute 'Previously Developed Land'.

Further to this principle harm from inappropriateness, the physical presence of the proposed development in this previously undeveloped area of land would clearly impact on the openness, character and visual amenities of the Green Belt contrary to the requirements of Local Plan policy GB2A.

Due to the above, and as previously decided, the proposed development is inappropriate development harmful to the purposes of including land in the Green Belt and should be refused unless there are sufficient very special circumstances to clearly outweigh this harm.

Whilst the proposed development is smaller than the previously refused scheme (86.75 sq. m. footprint as opposed to the previous 137 sq. m., however this proposal also includes a 36 sq. m. outbuilding that was not included in the previous scheme), there have been no further arguments put forward to outweigh both the principle and actual harm from this development. The only argument made by the applicant (which is the same as previous) is that the development would not be harmful to the Green Belt and therefore, by default, is not inappropriate development.

However it is felt that the applicant has misunderstood PPG2 in this respect as the development clearly constitutes inappropriate development and they have failed to justify why this inappropriate development is acceptable, despite the previous refusal. As such this application fails to comply with national guidance PPG2 or Local Plan policy GB2A.

Whilst it is appreciated that the proposed dwelling is smaller and more modest than the previously refused scheme (notwithstanding the additional outbuilding), the principle of further residential development in this location is considered harmful to the setting of Richmond Farmhouse, which is a Grade II listed building. Historic maps show that the listed building always had a spacious setting and the large green space provides an important buffer zone between the historic group of buildings at Richmond Farm and the adjacent Harlow Town. Furthermore, the design of the proposed development is considered inappropriate given its juxtaposition with the listed building and its overall size and height.

The dwelling would be accessed from a new entrance to the east of the existing access. Whilst the parish council have raised concerns about the new access no objection has been raised by Essex County Council Highways, subject to conditions.

The proposed development would 'retain and maintain' the existing hedges and landscaping on the site, however it is not intended to undertake any further landscaping as part of this proposal. Provided this landscaping is retained/maintained (which can be secured by condition), this would be acceptable.

There is sufficient space on site for adequate private amenity space and car parking, and given the location of the site there would be no detrimental impact on neighbouring residents.

The site is potentially contaminated and therefore would require a phased contamination land investigation (secured via condition) if granted consent.

Conclusion:

Despite a change in the size and design of the proposed dwelling, it is not considered that there has been any significant change or further justification over the previously refused scheme in 2008. The proposed development would constitute inappropriate development that is harmful to the purposes of including land with the Green Belt, and would cause physical harm to the openness and character of the Green Belt due to the introduction of further built form within this previously undeveloped site. Furthermore, the principle of developing this site, and the overall scale and design of the proposed dwelling, would be detrimental to the historic setting of the adjacent Grade II listed building. No very special circumstances have been put forward to outweigh this harm and as such the proposal fails to comply with Government Guidance in the form of PPG2 and PPS5, and Local Plan policies GB2A, CP2, and HC12. Therefore the application is recommended for refusal.

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

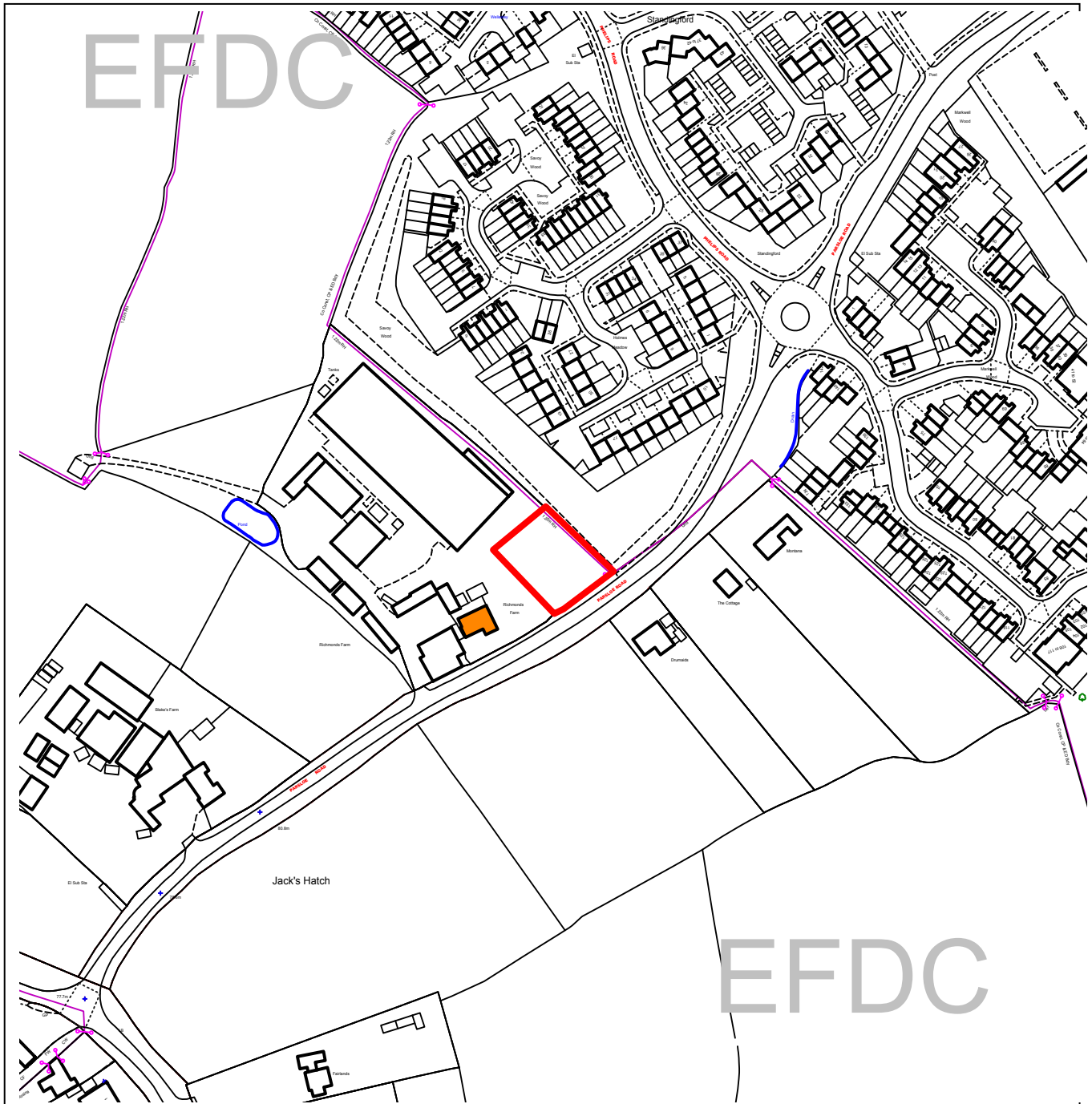
***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

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Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	4
Application Number:	EPF/0015/11
Site Name:	Richmond Farm, Parsloe Road Epping Upland, Epping, CM16 6QB
Scale of Plot:	1/2500

Report Item No: 5

APPLICATION No:	EPF/0046/11
SITE ADDRESS:	Town Mead Sports And Social Club Brooker Road Waltham Abbey Essex EN9 1HJ
PARISH:	Waltham Abbey
WARD:	Waltham Abbey South West
APPLICANT:	Mr H Paris
DESCRIPTION OF PROPOSAL:	Proposed golf driving range. (Revised application)
RECOMMENDED DECISION:	Refuse Permission

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=524402

REASON FOR REFUSAL

- 1 The proposed development would result in the removal of a Preserved Woodland area that constitutes a key amenity feature within this public open space, and there is insufficient justification and replacement landscaping proposed to outweigh the harm from this. As such the development fails to comply with policies CP1, CP2, RST1, RST16, RST19, LL5, LL10 and LL11 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 CL56, Schedule A (k) of the Council's Delegated Functions).

Description of Proposal:

Consent is being sought for the erection of a golf driving range on the southern section of Town Mead sport and recreation ground. This would involve the removal of a large area of woodland and the erection of a 128 sq. m. office/lounge/shop structure, a 172m long structure containing 26 driving range bays, a 97 sq. m. plant store, a 27 bay car park, and a 187m long driving range. The proposed driving range would be enclosed by a fence (height/details undisclosed) and proposes some (predominantly boundary) landscaping. The highest part of the structures (the office/lounge/shop) would reach a ridge height of 5.8m, with the bays and plant store reaching maximum heights of 3.4m and 3.35m respectively. Access to the proposed development would be via the existing access road to the Sports and Social Club, which itself is accessed from Brooker Road.

Description of Site:

The application site is located on the southern part of Town Mead sport and recreation ground bounded by a tree planted embankment supporting the M25 Motorway to the south. To the north is a grassed area, to the west is a baseball pitch and beyond this the River Lea. To the east is the waste recycling centre and Brooker Road Industrial Estate. The site currently consists of grassed areas and a large preserved woodland. The entire site is within the Metropolitan Green Belt and the Lea Valley Regional Park.

Relevant History:

EPF/1178/04 - Use of land as golf driving range, erection of single storey building to provide driving range bays, erection of security container, perimeter netting, floodlights and formation of car park – withdrawn 27/10/04

EPF/2197/04 - Golf driving range (Revised application) – approved/conditions 23/02/05

EPF/2105/10 - Proposed Golf Driving Range – withdrawn 16/12/10

Policies Applied:

CP1 – Achieving sustainable development objectives

CP2 – Protecting the quality of the rural and built environment

CP3 – New development

GB2A – Development in the Green Belt

GB7A – Conspicuous development

DBE1 – Design of new buildings

DBE4 – Design in the Green Belt

LL5 – Protection of urban open space

LL10 – Adequacy of provision for landscape retention

LL11 – Landscaping schemes

RST1 – Recreational, sporting and tourist facilities

RST16 – Golf course location

RST19 – Design, layout and landscaping of golf courses

RST20 – New buildings for golf courses

RST23 – Outdoor leisure uses in the LVRP

RST24 – Design and location of development in the LVRP

ST1 – Location of development

ST4 – Road safety

ST6 – Vehicle parking

Summary of Representations:

34 neighbours were consulted and a Site Notice displayed on 24/01/11.

PARISH COUNCIL – No comment as Town Council is owner of the land.

Issues and Considerations:

Planning permission was granted for a golf driving range in 2005 on the southern side of Town Mead. Whilst this differed in that it proposed 20 bays, a smaller amount of built form and a smaller car park, the key difference is that the previously approved scheme was located further west than this proposal and proposed to retain the existing woodland area. This previous scheme has now lapsed, and due to supposed constraints resulting from subsequent improvement to the Baseball field this latest application has relocated the development further east and proposes the removal of the established wooded area.

Despite the increase in the number of bays, level of built form and area of car parking, the principal of the development is not considered inappropriate as the proposal is for outdoor sport and recreation, with associated small scale essential facilities (although the latest scheme pushes this somewhat), and therefore does not constitute inappropriate development within the Green Belt. The community sport related use of the site is in line with the objectives of the Lee Valley Regional Park and Town Mead sport and recreation ground. Given the location of the development adjacent to the M25 and the waste recycling centre there would be no detrimental impact to surrounding properties, and whilst this development would undoubtedly attract more vehicle movements to the site, given the existing use of the area and current access from Brooker Road Industrial Estate this is not considered inappropriate. Furthermore, subject to conditions, there is no objection with regards to potential flood risk and contaminated land.

The main objection to this development is the removal of the established woodland on the site. Whilst it is contended by the applicant that this woodland has any amenity value or merit, aside from acting as a screen to the recycling centre, it is considered by Planning Services that the presence of the woodland is a key amenity feature to Town Mead as it provides an important visual backdrop to the sport/recreation ground, is used by dog walkers and other members of the public, and provides both visual and noise screening to this public open land. Furthermore, the impact on existing landscape features is an important consideration in golf related development, as reflected in Local Plan policy RST16 which states that:

Proposed golf courses and driving ranges should be located such that they:

- (i) would not have an adverse effect upon the character or appearance of highly visible landscape.*

and policy RST19 which states:

The design, layout and landscaping of golf courses and golf driving ranges should be such that:

- (i) they are demonstrably based on a thorough appraisal of all existing site features and the sites context in the surrounding landscape; and*
- (iv) as many as possible of the existing landscape features (e.g. hedgerows, woodlands and watercourses) are retained and incorporated into the design of the course.*

In more general terms, policy LL10 states that:

The Council will refuse to grant planning permission for any development which it considers makes inadequate provision for the retention of:

- (i) trees; or*
- (ii) natural features, particularly wildlife habitats such as woodlands, hedgerows, ponds and watercourses.*

It is considered that the proposed development fails to comply with the above policies, as well as various policies relating to safeguarding the character and appearance of urban land, and retaining existing landscaping. Whilst it is appreciated that the development proposes additional boundary landscaping to the golf driving range, this is considered to simply act as mitigation screening for this development and is an inadequate replacement for the loss of the woodland. Furthermore, this fails to comply with policy LL11, which states that *“the Council will: (i) refuse planning permission for any development which makes inadequate provision for landscaping” and “(ii) not approve landscaping scheme which: (b) are ineffective because they would be unlikely to retain trees and other existing landscape features or to establish new long-term planting”*. Any new landscaping as would take a long period of time to become as established and as visually beneficial as the existing woodland.

The woodland is subject to a Tree Preservation Order, the confirmation of which is elsewhere in this Agenda, which was made due to the threat from this development. Whilst it is accepted that there is no golf driving range within Waltham Abbey, there are other golf facilities within a 5 mile radius, and the previous consent proposed to retain this woodland (presumably as it was then seen as an important landscape/amenity feature). Due to this, it is not considered that there is sufficient benefit from this scheme to justify the removal of this established woodland, and inadequate replacement landscaping proposed.

Conclusion:

The principal of the erection of a golf driving range within Town Mead is considered acceptable, however the previously approved scheme (now lapsed) recognised the importance of the established woodland and would have retained this. The current application proposes the complete removal of this woodland and it is considered that there is insufficient justification and replacement landscaping to overcome the harm from removing this key amenity feature. As such the proposed development would fail to comply with policies CP1, CP2, RST1, RST16, RST19, LL5, LL10 and LL11.

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

***Planning Application Case Officer: Graham Courtney
Direct Line Telephone Number: 01992 564228***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



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Area Planning Sub-Committee West



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Agenda Item Number:	5
Application Number:	EPF/0046/11
Site Name:	Town Mead Sports And Social Club Brookers Road, Waltham Abbey, EN9 1HJ
Scale of Plot:	1/2500

Report Item No: 6

APPLICATION No:	EPF/0054/11
SITE ADDRESS:	Land Rear of 66 -70 Western Road Nazeing Essex EN9 2QQ
PARISH:	Nazeing
WARD:	Lower Nazeing
APPLICANT:	J Bidmead/C Constantinou/C Smith/Mr & Mrs Cooper
DESCRIPTION OF PROPOSAL:	Proposed 2 no. three bedroom detached two storey houses with integral garages and parking fronting Wheelers Close.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

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

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=524464

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No development shall have taken place until details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development. The development shall be implemented in accordance with such approved details.
- 3 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan and Arboricultural Method Statement in accordance with BS:5837:2005 (Trees in relation to construction) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved Tree Protection Plan and Arboricultural Method Statement unless the Local Planning Authority gives its written consent to any variation.
- 4 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or

establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 5 An assessment of flood risk, focussing on surface water drainage, shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS). The development shall be carried out and maintained in accordance with the approved details.
- 6 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 1. The parking of vehicles of site operatives and visitors
 2. Loading and unloading of plant and materials
 3. Storage of plant and materials used in constructing the development
 4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 5. Measures to control the emission of dust and dirt during construction
 6. A scheme for recycling/disposing of waste resulting from demolition and construction works.
- 7 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 8 Prior to first occupation of the development hereby approved, the proposed window openings on the first floor flank elevations shall be entirely fitted with obscured glass and have fixed frames to a height of 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained in that condition.

This application is before this Committee as it is for a form of development that can not be approved at Officer level if there are more than two expressions of objection to the proposal. (Pursuant to Section CL56, Schedule A(f) of the Council's Delegated functions).

This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section CL56, Schedule A (g) of the Council's Delegated Functions).

This application is before this Committee since it has been 'called in' by Councillor Bassett (Pursuant to Section CL56, Schedule A (h) of the Council's Delegated Functions).

Description of Proposal:

The applicants seek permission to erect 2 detached three-bedroom properties fronting Wheelers Close on land which presently forms the gardens of 66-70 Western Road.

The new dwellings would be two-storey 'L' shaped buildings with recessed side access and with a front gable feature and relatively shallow pitch roof.

The ground floor would provide accommodation for a lounge, kitchen/diner, integral garage, hall, cloak/wc area and utility area. The first floor would provide 3 bedrooms, a bathroom, en-suite and office/playroom. The proposals include openings on all sides, but Officers note those on the flank elevations at first floor serve bathroom or landing areas and therefore may be obscure glazed by condition.

The applicant also includes an extension to the curtailage of number 8 Wheeler Close, whereby a new rear access and retaining wall is provided alongside an attached garage as part of the proposals. The new flat roof garage to number 8 Wheelers Close would be 3m in height.

The proposed dwellings reach 8m in height at the highest point, have a footprint 10m in depth and 8m wide, provide a single integral space in the garage and a further tandem space on the drive to the front. The properties would be accessed via an extension from the existing turning head at the top of Wheelers Close and maintain a rear garden area with a depth of 11-12m and area of 108sqm -110sqm.

Description of Site:

The site is formed from the rear of gardens serving 66-70 Western Road. The proposed plot maintains a comparable depth to that provided along the eastern side of Wheelers Close and the proposed dwellings would front Wheelers Close opposite numbers 7 and 9. The proposals would be accessed from a private access off the existing turning head in Wheelers Close. The ground level rises from the entrance from Wheelers Close to Western Road and beyond.

The site is within the urban setting of Nazeing, outside the Green Belt and outside of any area of special designation.

Relevant History:

None.

Policies Applied:

Epping Forest District Local Plan and Alterations

CP1	Achieving sustainable development objectives
CP2	Quality of Rural and Built Environment
CP3	New Development
H3A	Housing Density
H4A	Dwelling mix
H5A	Provision for affordable housing
H6A	Thresholds for affordable housing
H7A	Levels for affordable housing
DBE1	Design of new buildings
DBE2	Effect on neighbouring properties
DBE3	Design in urban areas
DBE5	Design and Layout of new Development
DBE6	Car parking in new development
DBE8	Private amenity space

DBE9	Loss of amenity
LL11	Landscaping schemes
ST1	Location of development
ST2	Accessibility of development
ST4	Road Safety
ST6	Vehicle parking
I1A	Planning obligations

Summary of Representations:

23 neighbouring properties were notified and a site notice was erected. 11 letters of neighbouring objection have been received as follows:

1 WHEELERS CLOSE: Strongly object due to parking issues, issues relating to drainage and sewage, the proposals appear out of character, loss of trees, increased traffic and impact to the turning head.

2 WHEELERS CLOSE: Object due to increased parking pressures and traffic, impact to the drainage and sewers. Increased ground levels resulting in increased overlooking and loss of privacy, impact to a stream and issues relating to access for construction vehicles, fire engines and refuse vehicles.

5 WHEELERS CLOSE: Strongly object due to design being out of character, scale resulting in overlooking and loss of privacy, object to back land development, access should be from Western Road, additional traffic, absence of sufficient parking and issues relating to emergency service and construction access, issues relating to drainage and run off from additional surfacing.

6 WHEELERS CLOSE: Strongly object to properties that are out of character, out of scale being larger than existing properties, unacceptable height, loss of privacy, loss of view, against back land development, construction impacts to health, impacts to drainage, difficulties in the existing parking/turning circumstance, loss of existing parking within the turning head, raise issues relating to access easements between residents, safety issues relating to construction issues, loss of light in garden areas, loss of openness to street scene, issues relating to land ownership, potential future developments, impacts to hedgerows and trees, inadequacy of bin storage provision, impact to air quality, impact to water pressure and potential risk of subsidence.

7 WHEELERS CLOSE: Strongly objects due to loss of privacy, overlooking, land ownership matters, additional pressure on existing adequate parking, loss of turning area, height of the proposals out of character, impact to drainage, provision of back land development, impact to drainage ditch, loss of trees, highway safety issues from the new access

9 WHEELERS CLOSE: Strongly objects to loss of privacy, encroachment onto land, overcrowding, parking and access issues, construction access issues, drainage and run off issues from loss of trees and sewer issues, pollution and flooding from loss of ditch.

10 WHEELERS CLOSE: Objects due to parking issues, emergency vehicle access, private sewer issues, insufficient allowance made for turning of vehicles and issues relating to construction.

12 WHEELERS GREEN: Object to application due to sewer issues.

14 WHEELERS GREEN: Object due to issues relating to parking and access and construction matters.

72 WESTERN ROAD: Impact to adjacent gardens from development, overlooking, loss of views and impact to wildlife.

74 WESTERN ROAD: Object due to loss of views, impact to the Green Belt, impact to wildlife due to loss of trees, and run off.

NAZEING PARISH COUNCIL: Objections: Access is inadequate and could cause problems for emergency vehicles. There is encroachment onto land belonging to No 7 and No 5 Wheelers Close. There are no 2½ storey properties in Wheelers Close. It would be obtrusive back yard development. It would contravene policies DBE1, DBE2, DBE5(ii), DBE6, DBE8 and DBE9 of the Adopted Local Plan and Alterations.

ROBERT HALFON, MP: Aware of high level of objections and trust that these concerns will be fully considered and addressed by Officers.

Issues and Considerations:

The main issues to be considered are as follows:

- a. Principle of the provision of 2 dwellings
- b. Dwelling mix and affordable housing
- c. Design and street scene implications
- d. Neighbouring amenity
- e. Access and parking
- f. Landscaping and ecology
- g. Flood/run off issues
- h. Refuse storage
- i. Other matters raised
- j. S106 issues

Principle of residential development

Core policies and Housing policies seek to steer development towards urban areas to ensure good access to amenities, lesser dependence on the private car and minimise impact to the Green Belt and associated urban sprawl. The proposals would make use of existing residential plots with access to the highway which would form part of an established cul-de-sac. The proposals have been compared with backland development and garden grabbing, however as the proposals maintain a frontage akin to that which exists in Wheelers Close already this is not a new backland residential street which PPS3 seeks to prevent. The provision of new dwellings on what may be considered a windfall infill plot is therefore not unacceptable.

The provision of a garage to the property at number 8 is not unacceptable, not out of character and akin to many residential developments in the Nazeing area.

Dwelling mix and affordable housing

The proposed dwellings would maintain a density of 33dph (dwellings per hectare) which is within historically established threshold for established urban areas. The proposals would provide only two dwellings, both with three bedrooms, however there is little scope for diverse mixes of accommodation on small schemes and this is not uncommon. Family accommodation is always in demand in established settlements.

The proposals are below the affordable housing thresholds therefore no contribution is required.

Design and Street scene

The proposed detached properties would differ in character from those already provided in Wheelers Close, however the surrounding areas comprise a mix of single and two storey dwellings of a terraced, semi-detached and detached character, therefore whilst not visually akin to the immediately adjacent properties the dwellings would not appear visually jarring in the wider Nazeing context. Provision of detached two storey family properties alone is not sufficient to justify

refusal, particularly as these would largely be screened from view by existing built development in Wheelers Close resulting in only the roof of the new units being visible over the existing development, largely due to the changes in ground levels.

Neighbouring amenity

The layout of the proposals is such that the dwellings would be situated at the end of the applicant's properties resulting in a good distance of separation and a relationship between properties not dissimilar to that at 62 and 64 Western Road. The proposals would not be closer to number 8 Wheelers Close than the attached property at number 6 and the dwellings are to the north, therefore overshadowing the street in the early morning, the garden areas of 66-70 Western Road in the afternoon and their own garden areas in the evening. The dwellings will be separated from opposing properties by the width of the street and footpaths, therefore this relationship is common throughout residential streets in the District.

Issues are raised regarding neighbouring overlooking and loss of privacy, as the dwellings would extend an existing street any overlooking would not be significantly different than that experienced by the properties at the entrance to Wheelers Close. Furthermore the opposing nature of dwellings fronting one another across a street is not uncommon and not considered to significantly detract from neighbouring amenity.

Access and Parking

The proposals incorporate two spaces per dwelling, this meets the requirements of the ECC Parking standards, however it is noted that the internal dimension of the garage does not meet the new size requirements of the Essex Parking Standards and should instead be 7m x 3m. Therefore members may wish not to count the garage as a space as it is not of sufficient size.

With regard to the access and sight splays and the turning head, highways have raised no concern and Officers note aside from the additional access the turning head remains unchanged.

Matters relating to parking issues outside of the scheme are beyond planning control.

Landscaping, contamination and Ecology

No issues have been raised regarding contamination. The proposals would make use of an existing garden area, therefore aside from nesting species which are protected during construction by other legislations, there is unlikely to be any established species due to existing residential disturbances on the site and in the surrounding areas. Therefore ecology reports are not required as per guidance from Natural England's procedure notes and species are instead protected under separate legislation.

The Council's landscaping team have reviewed the proposals and are satisfied with the plans subject to conditions requiring construction protection of the trees intended to remain and submission of a landscaping scheme.

Flood/run-off Issues

A number of issues have been raised regarding a stream/drainage channel adjacent the site, impacts of increased run off following the development and potential subsidence. The Council's land drainage team has been consulted and has raised no objections to the proposals but has requested a condition requiring the applicant to provide a Flood Risk Assessment for the purposes of run-off. This would ensure that the developer makes suitable provision to ensure the development does not result in run-off beyond that which presently exists.

No reference is made to any stream, this is not identified on the Ordnance Survey map and site inspection suggests at best it is a ditch beneath the hedging. As this hedging is being retained it follows any channel/ditch beneath would also be retained. The hedging can be protected as per the landscaping condition above.

Refuse Storage

The applicant has indicated an area adjacent/within the hedging which would be set aside for refuse storage near the boundary of the site. As a refuse vehicle already enters the Close for the existing properties these would be collected at this time from near the site entrance. Refuse collectors would not travel a distance beyond that already taking place for existing properties in the Close, this provision is satisfactory.

Other matters raised:

A number of issues are raised which are beyond planning control such as:

- Foul sewer/drain issues which are a private matter for the service operator and drain owners to consider.
- Boundary disputes are again a Civil Matter between affected parties. In this instance, the applicant has signed a certificate indicating that he owns the land in dispute.

Other issues raised which have not been considered above include:

- Emergency access, this would remain akin to that which is provided and is satisfactory for the existing properties in Wheelers Close.
- Existing parking issues which are beyond planning control
- Construction issues, whilst the Council can restrict hours of operation and seek provision of a Construction Management Plan to ensure minimum disruption during development, the noise and disturbance generated by any development is of a temporary nature and not possible to prevent in its entirety.

S106 issues

- No S106 agreement has been provided due to the scale of the development not attracting the requirement for contributions.

Conclusion

Whilst this is clearly an evocative application resulting in a development in a small enclave of properties, the proposals would provide two family dwellings in an urban area with what is, on balance, an acceptable provision of parking and sufficient garden area, the proposals once constructed would have no significant adverse impacts to neighbouring amenity or the street scene, therefore Officers recommend approval subject to conditions.

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

Planning Application Case Officer: Jenny Cordell

Direct Line Telephone Number: 01992 564294

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk



Epping Forest District Council

Area Planning Sub-Committee West



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Agenda Item Number:	6
Application Number:	EPF/0054/11
Site Name:	Land Rear of 66 -70 Western Road, Nazeing, EN9 2QQ
Scale of Plot:	1/1250