

Extract from Area Planning Subcommittee West – 19 January 2011.

APPLICATION No:	EPF/1907/10
SITE ADDRESS:	Land rear of Oakley Hall Hoe Lane Nazeing Waltham Abbey Essex EN9 2RN
PARISH:	Nazeing
WARD:	Lower Nazeing
APPLICANT:	Mr Nick Allhusen
DESCRIPTION OF PROPOSAL:	Demolition of derelict glasshouse and sundry structures, erection of 50 bed care home with associated ancillary parking and landscaping. (Revised application from EPF/0081/10)
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=521456

REASON FOR REFUSAL

- 1 The proposals represent inappropriate development within the Green Belt which is harmful by definition and the provision of significant amount of two storey accommodation results in an inappropriate and unacceptable impact to the detriment of the openness of the Green Belt. The applicant has failed to satisfactorily demonstrate very special circumstances in support of the proposals therefore the development is contrary to policies CP2, GB2A and CF2 of the Adopted Local Plan and PPG2.
- 2 The site lies within an area designated for horticultural glasshouses the proposals result in the loss of a site earmarked for this purpose, resulting in a development which would conflict with the expansion, vitality and viability of the glasshouse industry in this locality contrary to the aims and objectives of policy E13B of the Adopted Local Plan and Alterations.
- 3 The proposals are situated in a rural and unsustainable location, isolated from public transport or local facilities, therefore encouraging dependence on private car use which is contrary to the aims and objectives of policies CP1, CP2, CP3, CP6 and ST1 of the Adopted Local Plan and Alterations.

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

Description of Proposal:

The applicant seeks consent to demolish existing glasshouses and associated structures and redevelop the site to provide a 50 bed care home with associated accommodation, parking and landscaping.

All rooms would be en-suite with sufficient space to meet current planning minimum standards regarding access and mobility.

Description of Site:

The application site is a presently disused former glasshouse site on the southern side of Hoe Lane. The former glasshouses were situated at the western edge of the site for approximately a third of the width of the site. Aerial photos indicate up to 4 ancillary structure historically on the northern site boundary and 2 on the eastern boundary/access road.

The site is within the Metropolitan Green Belt, immediately adjacent the Conservation Area boundary.

Relevant History:

EPR/0069/50 – Erection of 7 commercial glasshouses – Approved
EPF/1419/76 – Agricultural workers dwelling – Approved
EPF/1167/78 – Details of Agri workers dwelling – Approved
EPF/1378/78 – Outline application for 10.5 acres of glasshouses – Refused
EPF/1471/78 – Details of Agri workers dwelling – Approved
EPF/1551/99 – CLD for use as car tuning workshop – Refused
EPF/0800/05 – Outline application for 23 dwellings – Withdrawn
EPF/0453/06 – Removal of agri occupancy condition – Refused
EPF/1159/06 – Outline application for 24 houses – Refused and dismissed on appeal
EPF/2092/07 – CLD for use of building for storage and vehicle repairs – Not Lawful
EPF/0081/10 – 50 bed care home - Withdrawn

Policies Applied:

Government Policy

PPS3 – Housing – Published November 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
E13B - Protection of glasshouse areas
CF2 – Health Care Facilities
H9A – Need for lifetime homes
DBE1 – Design of new buildings
DBE2 – Effect on neighbouring properties

DBE4 – Design in the Green Belt
DBE9 – Loss of amenity
LL1 – Rural landscape
LL2 – Inappropriate Rural development
ST1 – Location of development
ST2 – Accessibility of development
ST6 – Vehicle Parking
NC3 – Replacement of lost habitat
NC4 – Protection of established habitat
NC5 – Promotion of Nature Conservation Schemes
I1A – Planning Obligations

Representations Received

102 neighbouring properties were consulted a single letter of objection was received as follows:

Fieldside: Object due to narrow lane, poorly surfaced and prone to flooding making the location unsuitable, poor access and increased traffic.

Nazeing Parish Council: No comments returned

Issues and Considerations:

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

- The need for Care accommodation
- The principle of development in the Green Belt
- The loss of a designated glasshouse site
- The Sustainability of this location
- Design Issues
- Neighbour issues
- Highways, access and Parking Issues
- Ecological Issues
- Flooding matters
- Landscaping
- Other matters
- Planning obligations

Principle of provision of care accommodation

Policy H9A and supporting text acknowledges the increasing need for mobility housing as a result of an increasing elderly population who typically suffer with greater levels of disability or dependency as people live longer and develop these disabilities. The aging population is a national trend demonstrated by the national census data and identified in the Council's last Housing Need Survey in 2003. Therefore, in principle additional accommodation that would assist in meeting the need for care facilities in the District is accepted. Furthermore the proposals are considered to accord with the objectives of the draft Housing Strategy 2009-2012 supporting older people and other vulnerable groups in accommodation suitable for their needs with appropriate levels of support.

Although the description of development states only "care home" the applicants in addressing the need for the care home have concentrated on the need for facilities for the elderly and specifically for those with dementia.

Members should be mindful that in officer's view the applicant has not clearly demonstrated the need for this accommodation within the Nazeing area or immediate surrounding locality. The submitted Design and Access Statement makes reference to care need and provides figures for a 5 mile radius outside the 'catchment area' but does not define the catchment area assessed and it is noted that the figures for the catchment area are greater than those identified for the whole District suggesting the catchment area goes beyond the District boundaries. Furthermore this analysis is provided with the Design and Assess Statement prepared by the applicants architect and not within the submitted Needs Assessment Report from the company Pinders. It is also noted that the figures given for existing care accommodation in the District within the Independent Report are not exhaustive and omit some facilities and indeed recent approvals. Therefore whilst there is a generic policy support for care accommodation in principle, it has not been clearly demonstrated that this relates directly to the Nazeing area or indeed that if it does that there is not an alternate site within the urban areas. Core Policies seek to locate development sequentially and the applicant has not demonstrated that they have done so therefore the impact issues relating to the loss of the Green Belt location and Designated Glasshouse Area must be considered.

Principle of development in the Green Belt

The site is within the Metropolitan Green Belt and the proposal is for inappropriate development that is by definition harmful. The site is a former Glasshouse site, however this does not represent previously developed land. The provision of built development of this size of a care home is clearly physically harmful to the openness of the Green Belt as well as by definition harmful.

The existing floorspace in the disused single storey glasshouse and associated structures is in the region of 2300sqm at a height akin to single storey development. The proposed building has a subtly smaller footprint, but provides two storey accommodation for a large part with a floorspace in the region of 2900sqm. This is without considering the additional provision of the hard surfacing, access road and parking areas around the proposed block which spans the width of the site with front and rear projections. This additional floorspace is the result of the provision of a substantial amount of two storey development onsite resulting in significant reduction to the openness of the Green Belt.

The applicant has not provided any information which suggests there is a present deficit in care accommodation in the immediate Nazeing area or that additional accommodation could not be provided elsewhere in the District in a more appropriate urban location, therefore should Members wish to approve this major application contrary to Green Belt policies then the application should be referred to DDCC for decision. A generic District shortage of care accommodation is not considered sufficient very special circumstance to justify development of the Green Belt.

The Loss of a designated glasshouse site

Policy E13B seeks to protect glasshouse areas and sets out that the Council will refuse any application which is likely to undermine the policy approach concentrating glasshouses into clusters. This objective was set to minimise impacts to visual amenities and loss of open Green Belt and to prevent harm to the future vitality or viability of the Lea Valley Glasshouse Industry.

The provision of a care home adjacent the access serving established and operating nursery facilities raises concerns for the future operation and viability of the adjacent glasshouses. Furthermore residential occupation albeit in a care facility, may create unnecessary obstacles for future glasshouse expansion as the amenities of the occupants would need consideration. This would conflict with the objectives of policy E13B which seeks to concentrate glasshouse development into these areas. Furthermore, the loss of a viable and available glasshouse site is in itself a concern.

Members should note that there is no policy requirement to market the designated areas for the designated uses prior to considering alternate uses and that policy permits alternate uses to be considered, however these should not conflict with the Councils objectives seeking to contain glasshouse industry into the designated areas. The Council continues to receive applications for glasshouse development indicating that the industry remains viable and historic Inspector Decisions on this site have concluded that there is no apparent reason why the application site could not potentially make a contribution to future glasshouse requirements (APP/J1535/A/06/2029848).

Officers are therefore of the view that the proposals conflict with the objectives of policy E13B.

It should be noted that one of the reasons for refusal of the application in 2006 for residential development was the harm to the viability and vitality of the glasshouse industry and this reason was upheld on appeal

Sustainability Issues

The site is situated in Hoe Lane a narrow highway, some distance from the nearest public facilities, amenities and public transport. There is no footpath along Hoe Lane and access to the site is dependant predominantly on private car use. It is accepted that the proposals would accommodate users that it is anticipated would not in general have access to a private car as they are generally in need of daily care and support, but staff and visitors would be dependant solely on private transport.

Whilst the accommodation may provide good facilities and services within the site this is not sufficient to overcome the need for external facilities for facility users, staff and visitors. The location is therefore not considered sustainable, encourages dependence on private vehicles without any sequential approach to justify this location contrary to policies CP1, CP2, CP3, CP6 and ST1.

Design issues

In respect of design, whilst any development in this location would impact on the visual amenities in regard to street scene, this would not be to a significantly greater extent than a glasshouse development. However, unlike glasshouses, the proposals are not an identified acceptable exemption in the Green Belt. Glasshouses typically form long low level structures comprised of glazing across large distances which can appear visually overbearing and prominent. The design and aesthetic appearance of the proposed care home are more visually and architecturally interesting than a glasshouse, however it is not a traditional rural style of building and being viewed immediately adjacent to the existing glasshouse at 147m in depth this would appear visually jarring.

The proposed footprint and associated hard surfacing is designed to be of a high architectural standard with modern glazed sections, green roofing and a layout designed for the care function of the building, in isolation the design is considered acceptable however this alone is not considered justification to depart from the Councils remaining core policies.

The design and footprint is noted to provide good sized rooms, functional facilities and internal facilities whilst maintaining an interesting and well articulated façade relating to landscaped spaces surrounding the built form. Therefore whilst no objection is raised towards the design and layout provide, the location in which it is set appears visually jarring and inappropriate.

Neighbouring amenity

The development is well separated from neighbouring properties therefore no adverse impacts arise to neighbours in respect of overshadowing, outlook and privacy. This is not to suggest the development proposed would not be visible to neighbours, however this alone is not identified as unacceptable under policies DBE2 and DBE9.

With regard to the amenity of occupants, the adjacent glasshouse would dominate the entire southern boundary of the site at 147m in length, this would appear prominent and overbearing and potentially give rise to noise and disturbance to occupants. Further development of any of the adjoining nurseries would further increase any of these impacts, however to some extent they may be mitigated by a landscaping condition and suitable noise insulation.

Highways and Access issues

Hoe Lane has already been identified as a poorly maintained narrow highway. The road often accommodates heavy goods vehicles in relation to the nursery functions taking place in this locality and no pedestrian footpaths are provided. Access into the site already exists albeit infrequently used at present, Highways have raised no objection to the proposal on the basis of the submitted traffic report that indicates that most movements will be outside of peak times.

The scheme is likely to increase vehicular movements to the site, but not to the same extent as the previously refused residential proposal. Highways have sought a Travel Plan to ensure movements are minimised and outside peak periods and a contribution towards 'slow' road markings to mitigate any additional impacts.

Ecological Issues

The applicant has undertaken surveys which have identified the site is suitable for and home to Newts and Slow Worms. Accordingly Natural England were notified and we were advised to follow the advice of our ecologists. The Country Care team have raised no objection but have requested that habitat enhancements are provided onsite in line with the submitted recommendations should the development be approved, namely comprising a management plan or ecological statement showing how the habitats are created and maintained for slow worms. They have also sought a SUDS landscaping area incorporating a wildlife pond and wetland habitat, providing a dual benefit to wildlife and landscaping onsite.

If this is not provided on site, then Country Care have suggested a contribution of £1500.00 be provided to fund offsite improvements in the Nazeing Triangle LNR including habitat works and a new section of boardwalk to enable educational visits.

Flooding Matters

The site is not within a designated flood plain, however the size of the development necessitates a Flood Risk Assessment. Land Drainage have raised no objection to the proposals but note separate Land Drainage Consent is required.

The Environment Agency have reviewed the submitted Flood Risk Assessment and raised no objection subject to conditions if the development is approved, requiring the submission of details regarding foul water drainage, details of a scheme for the discharge from the Ground Source Heat Pump and compliance with the details set out in the Flood Risk Assessment, namely run-off, provision of green roofs and onsite water storage in wetlands and ponds.

Landscaping

The applicant has carried out an Arbouricultural Assessment of trees on and around the site. The advice from our landscaping team is that the applicant has provided limited landscaping

information at this stage and that a good landscaping scheme is important for the amenities of future occupiers that will spend large quantities of time within this space. Therefore conditions to protect existing trees identified as retained and for the submission of a landscaping scheme are requested should the proposals be approved. It is accepted that there is adequate space within the site for suitable landscaping to be provided.

Other matters

As a former nursery site the plot is known to be contaminated. The applicants have supplied an initial Phase 1 contamination Assessment which has been reviewed by the Councils Contamination Officer. Further details are required should the development be approved therefore whilst no objection is raised on contamination grounds, the standard contamination conditions are requested.

The site is adjacent to the Conservation Area, therefore the Conservation Officer has provided comment, raising no objections as a satisfactory appearance could be achieved in design terms subject to conditions regarding landscaping and submission of samples of materials.

Planning Obligations

Due to the scale and nature of the development a package of planning contributions has been submitted accompanying the application. This has been formulated in discussion with Officers and the Councils consultees. This sets out that should the proposals be approved then the following contributions would be made:

- £25,000.00 to Nazeing Parish Council for community improvements payable in five annual £5,000.00 instalments.
- An initial payment of £40,000.00 to the West Essex Primary Care Trust, followed by five annual payments of £5,000.00 resulting in an additional provision of a further £25,000.00.
- £3,000.00 to Essex County Council to monitor a submitted Travel Plan
- £140.00 to Essex County Council to provide 4x 'Slow' Markings on Hoe Lane.
- Implementation of an onsite ecological enhancement scheme to accord with approved submitted particulars or by way of contribution of funds towards enhancements A figure is not presently included in the draft, but Country Care have requested £1,500.00 which does not appear unreasonable.

The above contributions reflect those requested and agreed by Consultees and no contributions requested have been omitted therefore the proposals accord with planning obligation policy 11A as they provide legal agreement to the contribution of all reasonable requested sums to meet the costs that would arise from the development.

Conclusion:

Officers note that the proposals would make a meaningful contribution to the need for care accommodation within the District and indeed would be of a high quality of design, layout and accommodation proposed alongside the satisfactory planning gain package which has been proposed. However, the location proposed is unsuitable and in direct conflict with a number of Core Council policies and key objectives that seek to provide new accommodation in suitable locations. Proposed residential care facilities in this location are considered unsustainable and isolated in location with poor access to services and facilities for occupants, staff and visitors.

The site is accessible only by private vehicle contrary to accessibility and sustainability policies. The proposals results in the loss of a Designated Glass house site and once occupied would have implications for the Councils objective seeking to cluster nursery activities in these areas due to impacts to future occupants amenity.

The proposals result in development of previously undeveloped land in the Green Belt which is inappropriate and unacceptable in principle, fails to protect the Green Belt from encroachment and impacts unacceptably on the openness of the Green Belt due to the scale of the physical form of the development without sufficient demonstration of very special circumstances. Officers consider that the generic District need for care accommodation does not amount to very special circumstances sufficient to outweigh the very real harm to the Green Belt and other factors that would result from the development. It is considered that approval of this scheme without the existence of such very special circumstances would set a dangerous precedent which would undermine the ability of the Council to protect the Green Belt from built development. The applicant has not shown that the identified need for care facilities in the District can not be met in a more appropriate and sustainable urban location, preventing further erosion of the Green Belt therefore Officers recommend refusal.

Should Members reach a differing view then Officers advise that this application should be deferred to District Development Control Committee for decision as the proposals are contrary to Adopted Policy.

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:

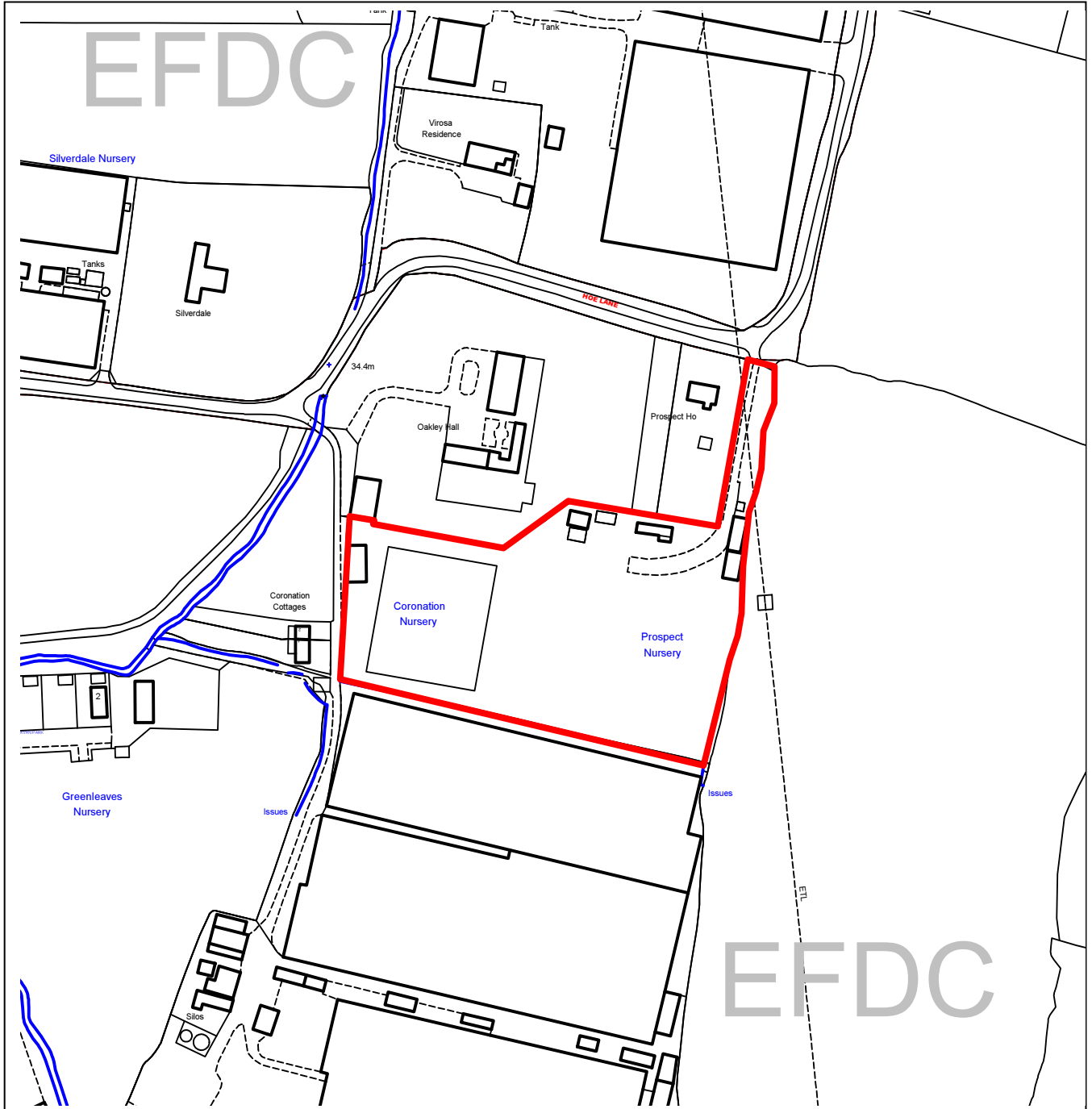
***Planning Application Case Officer: Jenny Cordell
Direct Line Telephone Number: 01992 574294***

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/1907/10
Site Name:	Land rear of Oakley Hall, Hoe Lane, Nazeing, Waltham Abbey, EN9 2RN
Scale of Plot:	1/2500