

Report to District Development Control Committee



**Epping Forest
District Council**

Date of meeting: 17 January 2006

Subject: Planning Application EPF/1801/05 – Land Adjacent To 21 Albion Terrace, Sewardstone Road, Waltham Abbey

**Officer contact for further information: B land
Committee Secretary: S Hill Ext 4249**

Recommendation:

That the committee considers a recommendation of Area Plans Sub-Committee D that planning permission be granted for the erection of 6 terraced houses with all 6 being affordable housing.

Background

1. This application has been referred to this committee by Area Plans Sub-Committee D with the recommendation that planning permission be granted.
2. The application was reported to the Area Plans Sub Committee on 21 December 2005 with a recommendation that planning permission be refused and a copy of that report is attached as Appendix A.

Planning Issues

3. The main issues in determining the application concern whether very special circumstances exist, which allow an exception to be made to Green Belt policy.
4. The application site is located to the south of a residential terrace along Sewardstone Road close to the border with the London Borough of Waltham Forest.
5. When considering this submission the Area Plans Sub Committee considered that very special circumstances exist because the need for the provision of affordable housing in the district outweighs the potential harm to the Green Belt. It was considered acceptable because of the existing development in this vicinity with the proposed dwellings being a continuation of the existing dwellings and the objectives of the Green Belt would not be harmed since the development would not intrude into any open character since this is a plot in a built-up enclave.
6. Whilst officers agree that affordable housing is required in the district, given the site's Green Belt status it was considered inappropriate development and the proposal for 3 of the 6 houses to be affordable was not considered to be sufficiently special circumstances to outweigh policy.

7. However subsequent discussions with the applicants and the Council's Head of Housing have resulted in the applicants revising the scheme in order to provide 100% affordable housing. This would be facilitated by the applicants entering into a legal agreement in which they would agree to sell the dwellings to a Housing Association who would act as the social landlords renting the properties out. The sale would be based upon a discounted land value by 40%. A letter from the applicants agreeing to this has been received.
8. In addition to this as the site is located within the Lee Valley Regional Park an objection was received from the LVRP claiming that the proposed dwelling houses would have an adverse effect on the amenity of the area. However, members felt that the need for affordable housing within the district outweighed the impact on the Regional Park.
9. Furthermore Essex County Council as Highway Authority had a number of concerns regarding access to and from the site. However, it is now considered that given that this is an existing access serving the rears of Nos. 8-21 Albion Terrace (14 properties) an increase of six dwellings is not considered such to warrant refusal on this alone.
10. Existing sight lines are poor to the south of the access across the front of the site but this is largely due to the existing 2m high chain link fence and vegetation allowed to grow on it located only 2m back from the road. The proposed dwellings would be set back 4m from the back edge of the highway with the proposal removing the fence. This additional 4m would allow better vision splays when exiting the site. Furthermore this stretch of Sewardstone Road is a 30mph limit. The width of the front of the access road is 6.5m, which would allow cars to enter and exit the site without hazard. Members wished to see an improvement in the highway safety and it is considered that a condition ensuring that the boundary walls shall be no higher than 500mm to allow maximum sight lines be attached. Furthermore, the applicants are willing to improve the access road within the site to allow better movement to and from the existing garages to the rear of the dwellings along Albion Terrace.

Conclusion

11. Should the Committee be minded to grant permission for this development then it is suggested that the following planning conditions are imposed:
 1. To be commenced within 3 years
 2. Amended plans received on 24/10/05
 3. Materials of construction to be agreed
 4. Erection screen walls/fences
 5. Hours of construction 7:30 to 18:30 Mon to Fri, 08:00 to 13:00 Saturday and at no time on Sundays or bank Holidays unless otherwise agreed in writing by the LPA.
 6. Drainage details to be agreed
 7. Wheel Washing equipment to be installed
 8. Submission of landscape details
 9. The front and side boundary walls to all dwellings shall be no higher than 500mm in order to provide the maximum sight lines across the site.

10. Where the surface finish of a private access is intended to remain in unbound materials, the first 6m as measured from the highway boundary, should be treated with an approved bound material to prevent any loose material from entering the highway.
11. Gates shall not be erected.
12. It is also recommended that the planning permission should not be issued until such time as the applicants have entered into a satisfactory Section 106 agreement, The agreement which shall be signed within the next 12 months will require that before commencement of the development the applicant shall be willing to sell the six properties to a Housing Association for rent. The price paid by the Housing Association for the six properties shall be at open market value less 40% of the open market value of the land, which is under the applicant's ownership.
13. The original officer recommendation was to refuse given that housing by its very nature is deemed inappropriate development in the Green Belt. However, the committee might feel that in light of the negotiations subsequent to the original recommendation, 100% affordable housing of the nature proposed constitutes sufficient special circumstances in this instance.
14. However, the committee is reminded that since an objection has been received from the Regional Park Authority, planning permission cannot be issued unless they withdraw their objection. Otherwise the application would need to be referred to the Government Office for the East of England to assess whether the case raises issues that should not be left to the local planning authority to determine.