

# **Report to Planning Services Scrutiny Panel**



# SCRUTINY

**Date of meeting: 20 December 2011**

**Subject: Reviewing a Selection of Built, Controversial Planning Decisions**



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**Committee Secretary: Mark Jenkins (01992 56 4607)**

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## **Recommendations/Decisions Required:**

1. That where planning application proposals are finely balanced, Area Planning Committees should consider making a site visit before making a decision; and
2. That this exercise of revaluating three development schemes is carried out and reported on a yearly basis.

## **Report:**

An outstanding matter in the Work Programme for Planning Services Scrutiny Standing Panel since 2009/10 has been to review a selection of controversial planning decisions. Earlier in the year, Members picked three development sites, one from each of the Area Plans Sub-Committee areas, which they considered were worthy of reviewing now they had been built to see whether concerns at planning application decision had been justified and whether there were lessons to be learnt.

Packs of drawings and relevant information for each case were provided to Members prior to the visits took place on Saturday 8 October and Monday 21 November 2011 at the following sites:

1. Skillet Hill Farm, Honey Lane, Waltham Abbey, EN3 3QU – Change of use to Lorry Park (EPF/0365/07).
2. 19 New Farm Drive, Abridge, RM4 1BS (corner of New Farm Drive and Ongar Road) – Erection of building for 5 flats (EPF/1730/08).
3. Redevelopment of The Retreat Public House, Retreat Way, Chigwell Row, IG7 6EL – demolition of pub and redevelopment for 24 houses and 26 flats (EPF/1120/02)

### Skillet Hill Farm, Honey Lane, Waltham Abbey

Planning permission had been allowed on appeal to change the use to a lorry park for 25 lorries, which included changing the use of an existing house to a drivers café/shower/wc facility and alteration of the existing access. It was subject to a section 106 Legal Agreement to secure specific highway works and a highway contribution. The application had been refused planning permission for two reasons; firstly, the increased use of the site access onto Honey Lane would be harmful to highway safety and secondly, the development would be prejudicial to the purposes of including land in the Green Belt. The Inspector agreed with Officers that there was a need for the lorry park and this was an appropriate location. The highway works overcame the reason for refusal and this outweighed the in principle harm to the Green belt, which in any case is well screened by vegetation.

At the site visit, the highway works had been carried out preventing access directly off the

adjacent roundabout and preventing traffic accessing from the site and cutting across on-coming traffic to turn right. Whilst parking markings in the site were not evident, lorry parking was not causing a problem. The general view of Members at the site was that this was a good location for a lorry park, well screened from Honey Lane and that it appeared to be operating satisfactorily. There was a feeling that this was a case where despite objections from the local council, officers could have suggested the planning application be deferred to allow the committee to make a site visit before making a decision.

#### 19 New Farm Drive, Abridge

Planning permission was finally granted after a number of previous applications for flat development had been refused, including an appeal dismissed. It replaced a previous detached house on this prominent corner site overlooking the Metropolitan Green Belt. The design is quite modern (balconies, railings, numerous glazing) with a traditional shaped roof and therefore would it be appropriate in this semi-rural setting. It also considerably changed the outlook from the residential cul-de-sac of bungalows to the rear.

At the site visit, the discussion predominantly centred around the suitability of the design and whether it was acceptable in this setting.

#### The Retreat Public House, Retreat Way, Chigwell Row

Planning permission was granted on appeal to redevelop a site, composed of a pub with a large area of hardstanding, into housing. It was clearly a brownfield, under-developed site in a built-up area and therefore the principal of the development was acceptable. The local parish council considered that the planning inspector incorrectly allowed the appeal because it resulted in a cramped housing development. It is not a Green belt site, but it adjoins Green Belt and is in a village setting and built to a greater density than housing in the surrounding area.

The site visit revealed that the former maximum parking spaces had created off-street parking congestion in an area not well served by public transport. There was little alternative than to visit the site by car and parking therefore was difficult due to the houses generally having one parking space per residential unit. Also, the quality of the two estate roads differed such that it was clear which provided the affordable housing. The Council have since adopted minimum parking standards, such that the parking provided would, if considered today, be inadequate. Furthermore, there is also a stronger requirement for estate layouts conforming to the Essex Design Guide, irrespective of tenure, since the appeal was allowed in 2003. The site did appear cramped.

#### **Reason for decision:**

Those Members present at the site visits considered that this was a worthy exercise and indicated the importance of visiting sites prior to taking decisions on planning applications.

#### **Options considered and rejected:**

Nil

#### **Consultation undertaken:**

Nil

#### **Resource implications:**

Budget provision: Nil

Personnel: Planning Officers and Members

Land: None

Community Plan/BVPP reference: Corporate Plan Key Objective 2011/12 no.4a To achieve overall improvement in respect of the Council's Key Performance Indicators for each of the four years from 2011/12 to 2014/15;

Relevant statutory powers: Town and Country Planning Act

Background papers: Planning applications as per report

Environmental/Human Rights Act/Crime and Disorder Act Implications: Nil