

Report Item No: 1

APPLICATION No:	EPF/2073/01
SITE ADDRESS:	Broadley Nursery, Common Road Roydon
PARISH:	Roydon
APPLICANT:	Abdel Barhoumi
DESCRIPTION OF PROPOSAL:	Extension to existing glasshouses and erection of replacement boiler house (revised application).
RECOMMENDED DECISION:	GRANT

CONDITIONS:

- 1 The route of the diverted footpath as shown on the approved plan shall be kept clear and maintained for public use.

Reason: To ensure continuing access for recreational users of the footpath network.

Background

This is a current application that has been outstanding for some time though the work on site is largely complete. It was last reported to the committee in August 2003 when a decision was deferred to await a commitment to and progress in the diversion of a public footpath that crosses the site.

This report details the commitment made by the applicant but that, through no fault of his own, progress to secure a formal diversion has been lacking. The report of August 2003 is reproduced below though events have moved on since that time to confirm that the outstanding matter is solely that of the public footpath, but in view of the delays in this other area and the commitment shown by the applicant, the committee may consider that further delay in issuing the planning permission cannot be justified.

Update

The report below explains that this application seeks permission for a revision only to a previous approval for glasshouses in that the new glasshouse is larger in width though shorter in length to that previously approved. Work commenced on its erection soon after submission of the revised application but because of concerns over surface water run-off, enforcement notice and a stop notice was served. An appeal was lodged to reserve the applicant's position but was held in abeyance by the Planning Inspectorate. The applicant resolved the drainage issues to the Council's satisfaction and was permitted to carry on building at his own risk.

Following the deferral of the application, the Inspectorate decided that the appeal could not be held in abeyance any longer and proceeded to determine the matter with a decision being issued in July 2004. The Inspector considered all matters of concern but dismissed the appeal on the grounds that the footpath diversion had not been concluded.

The applicant had, in fact, completed an application for the formal diversion of the footpath in December 2003. There was also a signed commitment to meeting the Council's costs in advertising, administering and implementing the proposed diversion. However, there were no resources allocated for handling such applications since the Council had taken the view that with the transfer of highway responsibilities back to the County Council, no resources should be made available in advance of that action. In fact, since the return of the Highway agency arrangements, there are still little resources allocated to this work by the County Council for footpath diversions and no action has been taken on the applicant's proposal.

Therefore, despite his commitment to having the footpath diverted, through no fault of his own, he is still waiting for that matter to be resolved so that planning permission can be granted for the work he has undertaken, and continuing delays are causing him financial hardship.

The report below confirms that the arrangements on site for the diverted route appear satisfactory and the Inspector referred to the obstruction of the current footpath route as a "relatively minor obstruction".

Therefore, in view of the nature of this problem being relatively minor and in view of the commitment the applicant has made to resolving the issue, the committee is recommended to grant planning permission at this stage with a condition safeguarding the footpath provision, with the knowledge that a formal diversion will be accomplished once resources permit.

The August 2003 report is reproduced below:

Description of Proposal:

This is a revised application following approval last year for extension of existing glasshouses. The proposal has been revised to exclude the previously approved packing shed and to include a boiler house that has been built without consent.

The glasshouse proposal differs from the original consent in that it comes closer to the front and rear boundaries and leaves space on the western side to allow creation of storm water drainage pond. The proposal also includes the diversion of the public right of way that runs through the rear of the site. The work is virtually completed (see history).

Description of Site:

Established nursery to the east of Common Road. A terrace of cottages lies immediately to the west between the site and the road. Brookside House, a grade II listed building lies to the south of the site. The rest of the site is surrounded by open fields and other nurseries.

Relevant History:

EPF/2086/00 - Extension to existing glasshouse and erection of a packing shed - Approved 20/6/01

Following the receipt of this current application, work commenced to construct the extended glasshouses, but without addressing drainage matters. As a result Enforcement Notices were served together with a Stop Notice. An enforcement appeal was lodged. The applicant co-operated with the Council and ceased work. However, this was clearly causing hardship and the applicant was allowed to continue building so long as he first constructed the necessary drainage works including a storm water lagoon. Once this was carried out, he was permitted to carry on with the rest of the glasshouse.

Relevant Policies:

E13 Glasshouses
DBE1 Design of new buildings
DBE2 Effect on neighbouring buildings
HC12 Setting of a listed building.
T17 Traffic
RST3 Public rights of way.
U3 Flooding.

Issues and Considerations:

The principle of glasshouse development on this site is accepted. The site is within an E13 area wherein such development is normally acceptable, and indeed a similar proposal has already been approved.

The main issues then are: 1. Whether the proposed diversion of the existing footpath is reasonable; 2. Impact on the setting of the listed building (Brookside House); 3. Possible increased risk of flooding; 4. Impact on the amenities of neighbours; and 5. Traffic implications.

1. Diversion of the footpath.

This issue was not considered at the time of the original application although it subsequently transpired that the approved plan allowed glasshousing across the line of footpath 39 Roydon as shown on the definitive footpath map. (The line of the footpath also seems to go through the corner of the original glasshouse which indicates that it was informally diverted some considerable time ago). The revised application leaves a 2m strip between the glasshouse extension and the existing boundary hedge to enable the diversion of the footpath. This suggested diversion appears logical, as most footpaths follow field boundaries rather than meander across sites. The Council's footpath officer is happy that the proposal leaves adequate space for the right of way.

Formal diversion of the footpath is however needed and this can be a very lengthy process, but dealt with under separate legislation.

2. Impact on the setting of Brookside House.

Brookside House lies within close proximity of the previously permitted site for a packing shed. Concern has now been raised that this would be detrimental to the setting of the building. The packing shed has been removed from the application.

The proposed boiler house is a smaller building, further from the boundary of the site and with less impact on Brookside House. Full details of any chimney in connection with this boiler house have yet to be submitted and would if this application were approved need to be the subject of a separate application so that the full impact on the neighbouring properties can be considered.

3. Flooding.

Following the commencement of the development of this scheme there was considerable local concern that the increased glass area would result in significant flooding of neighbouring properties. This was a very real risk as no surface water disposal details were submitted or provided. It was for this reason that a Stop Notice was issued to prevent the continued glazing of the glasshouse extension before any drainage scheme was in place. A full drainage scheme has since been agreed by Land Drainage and implemented to their satisfaction. On this basis it is not considered that the scheme now poses a risk of flooding.

4. Impact on Neighbours.

It is not considered that this revised proposal will have any more impact on the neighbouring residents than the previously approved scheme.

5. Traffic.

Concerns regarding traffic using the narrow access to the site have been raised but again the impact will be no greater than for the previously approved scheme, and indeed possibly less with the removal of the packing shed from the proposal. No objection has been received from the Head of Environmental Services regarding highway safety.

Conclusion

The applicant has apologised for acting without full planning consent and without complying with the originally imposed conditions. As a result of the imposition of the Stop Notice (to prevent risk of flooding) he claims to have suffered severe financial hardship which is threatening the future of his business. The bank has, he claims, withheld part of a loan until the planning issues are resolved, and this is making it difficult to continue the business.

Suitable drainage has been installed to prevent flooding risk, and the proposal is very similar to that approved in June last year. As such, given that the formal diversion of the footpath could take a considerable period, it is considered reasonable, since that matter is dealt with under separate legislation and appears acceptable in any event, to recommend that this application be approved.

SUMMARY OF REPRESENTATIONS

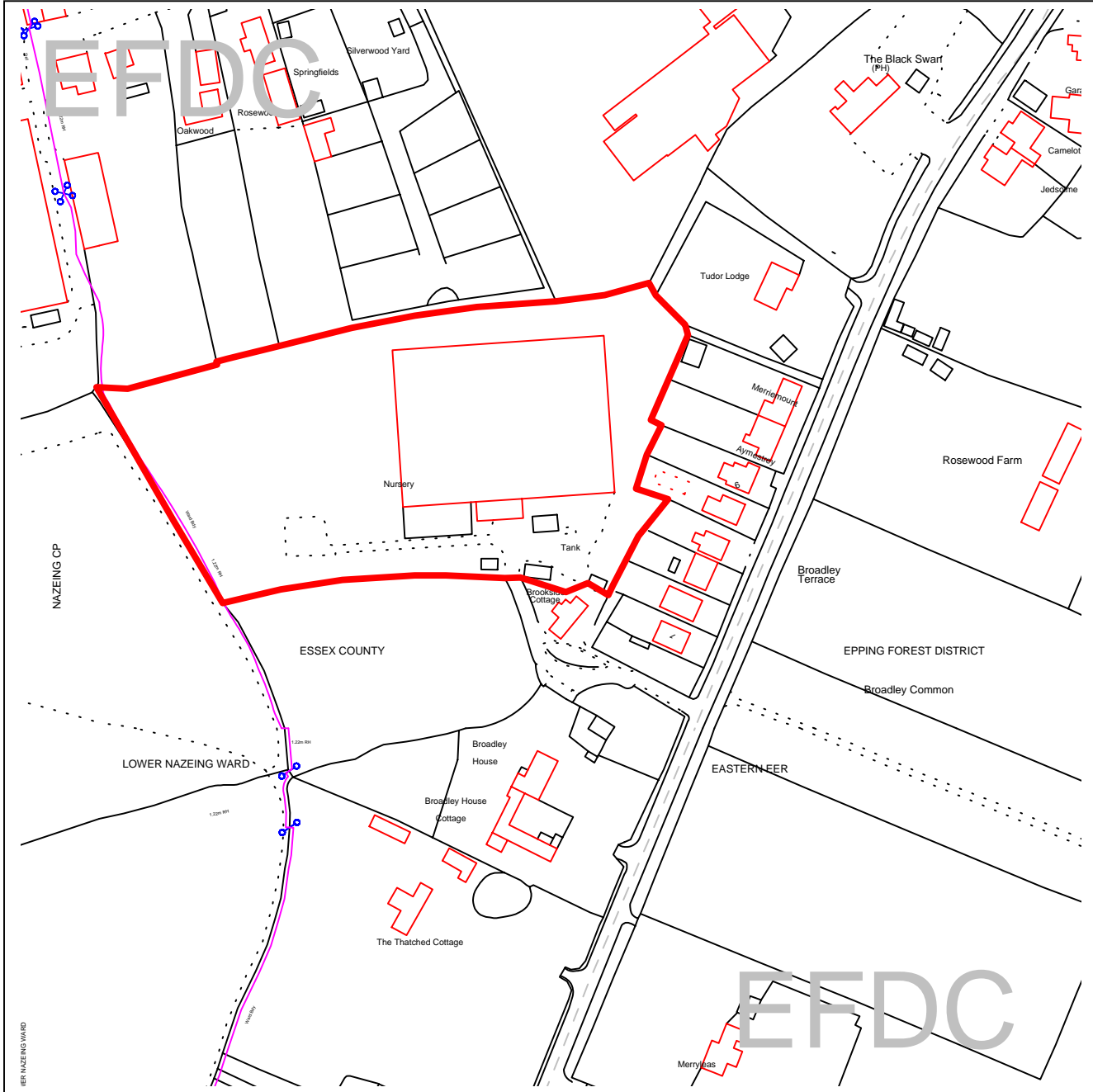
PARISH COUNCIL - Object - the access is too narrow; glasshouses are close to boundaries and this could cause drainage problems; details of boiler house needed; is the footpath officer satisfied?

4 BROADLEY TERRACE, COMMON ROAD - Packing shed unacceptable; fears over drainage into the brook.

BROOKSIDE HOUSE, COMMON ROAD - Packing shed totally unacceptable - loss of light, noise and disturbance; narrow access; land drainage issues should be addressed before permission is given.



Epping Forest District Council



Agenda Item Number: 1

Application Number: EPF/2073/01

Site Name: Broadley Nursery, Common Road, Tylers Cross

Scale of Plot: 1:2000

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Report Item No: 2

APPLICATION No:	EPF/1947/05
SITE ADDRESS:	Tylers Cross Nursery Tylers Road Roydon Harlow Essex
PARISH:	Roydon
APPLICANT:	Mr M Dziri
DESCRIPTION OF PROPOSAL:	Erection of nursery facilities building, including packing shed, office, washroom and canteen.
RECOMMENDED DECISION:	GRANT

CONDITIONS:

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 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.

Reason: To ensure a satisfactory appearance in the interests of visual amenity.
- 3 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using Windes or other similar programme. The approved measures shall be undertaken prior to the first occupation of the building hereby approved and shall be adequately maintained.

Reason: Since the site is located within a PPG25 Flood Risk Assessment Zone and is of a size where it is necessary to avoid generating any additional flood risk downstream of the storm drainage outfall.
- 4 The packing facilities in the building hereby approved shall only be used for the packing and distribution of produce grown at the Tylers Cross Nursery complex and shall not be used for the packing and distribution of produce grown elsewhere.

Reason: To preclude any activity that could generate additional traffic detrimental to the character of the Green Belt, the free and safe flow of traffic on roads in the locality or residential amenity.

Description of Proposal:

Permission is sought for the erection of a nursery facilities building including packing shed, office, washroom and canteen.

The footprint of the building would be 9.0m in width and 20.0m in length with a mono-pitch roof height of 5.5m. Materials are of blockwork for the walls with a steel roller shutter door and fibre cement panels for the roof. An open sided lean-to exists on one end.

Description of Site:

The application site is located in the Metropolitan Green Belt to the west of Epping Road within an established nursery complex adjacent to existing glasshouses and other buildings. Unit E is located near the western end of the nursery complex. It contains about 0.4ha of commercial glasshouses, a boiler house, a packing shed and a mobile home.

Relevant History:

EPF/1770/02 – Stationing of a residential mobile home. Refused 10.01.03
Enforcement notice issued 30.09.03 requiring removal of a mobile home. Subsequent appeal withdrawn 02.07.04 following negotiations with landowner when it was agreed to extend the compliance period to 31.12.06.

Policies Applied:

Structure Plan Policies:

C2 – Development within the Metropolitan Green Belt

Local Plan Policies:

GB2 - General Restraint

E13 - Glasshouse policy

GB11 - Agricultural buildings in the Green Belt

Issues and Considerations:

The main issues raised by the proposal are its impact on the Green Belt, traffic generation and adjacent land uses.

The site is within the Metropolitan Green Belt and within an area where the glasshouses are directed under Policy E13. The proposed nursery facilities building would be constructed on the site of an existing mobile home located adjacent to the existing glasshouses. It would not be seen from outside of the nursery complex. The roof height would not be greater than the existing glasshouses to the west. It is considered that the proposal would not be out of keeping or appear unduly intrusive in the context of the surrounding area.

The applicant states that the building is required to permit the use of rigid crates as required by supermarkets for the package of produce. The crates are required to be stored under cover, which takes up a considerable amount of storage space. It is therefore intended to use the existing packing shed at the nursery for the storage of the crates, fertilisers and other materials

and to create a new packing area in the proposed building. In addition health and safety regulations require the provision of facilities for nursery staff. Until now the applicant's mobile home has provided the necessary facilities as well as serving as the nursery office. However, an effective enforcement notice requires the removal of the mobile home by the end of this year. The proposed nursery facilities building therefore would include a washroom and canteen as well as packing facilities and an office. The packing facilities are intended exclusively for the packing and distribution of produce grown on-site and this can be a requirement of a condition imposed on any consent granted.

It is considered there is a demonstrable need for the proposed building and that, having regard to its proposed size and siting it would not prejudice any of the purposes for including the land in the Green Belt. Moreover, since the building would not result in an increase in packing facilities at the site and since it would only serve the existing nursery no additional traffic would be generated by the development. For these reasons the development would also have no adverse impact on the operation of neighbouring horticultural uses.

Roydon Parish Council has expressed concern about the lawfulness of the Tylers Cross nursery complex in general and requested that a planning enforcement investigation be instigated to confirm the various uses at the complex are all lawful. This has commenced but due to the complex planning history of the complex and the number of planning units that exist the investigation will take some time. However, in relation to the planning unit to which this particular application relates, i.e. Unit E, the land is in lawful use as a horticultural nursery. It would be unreasonable to withhold consent for this development on the basis that some other uses at distinct planning units within the Tylers Cross nursery complex might not be lawful.

Conclusion:

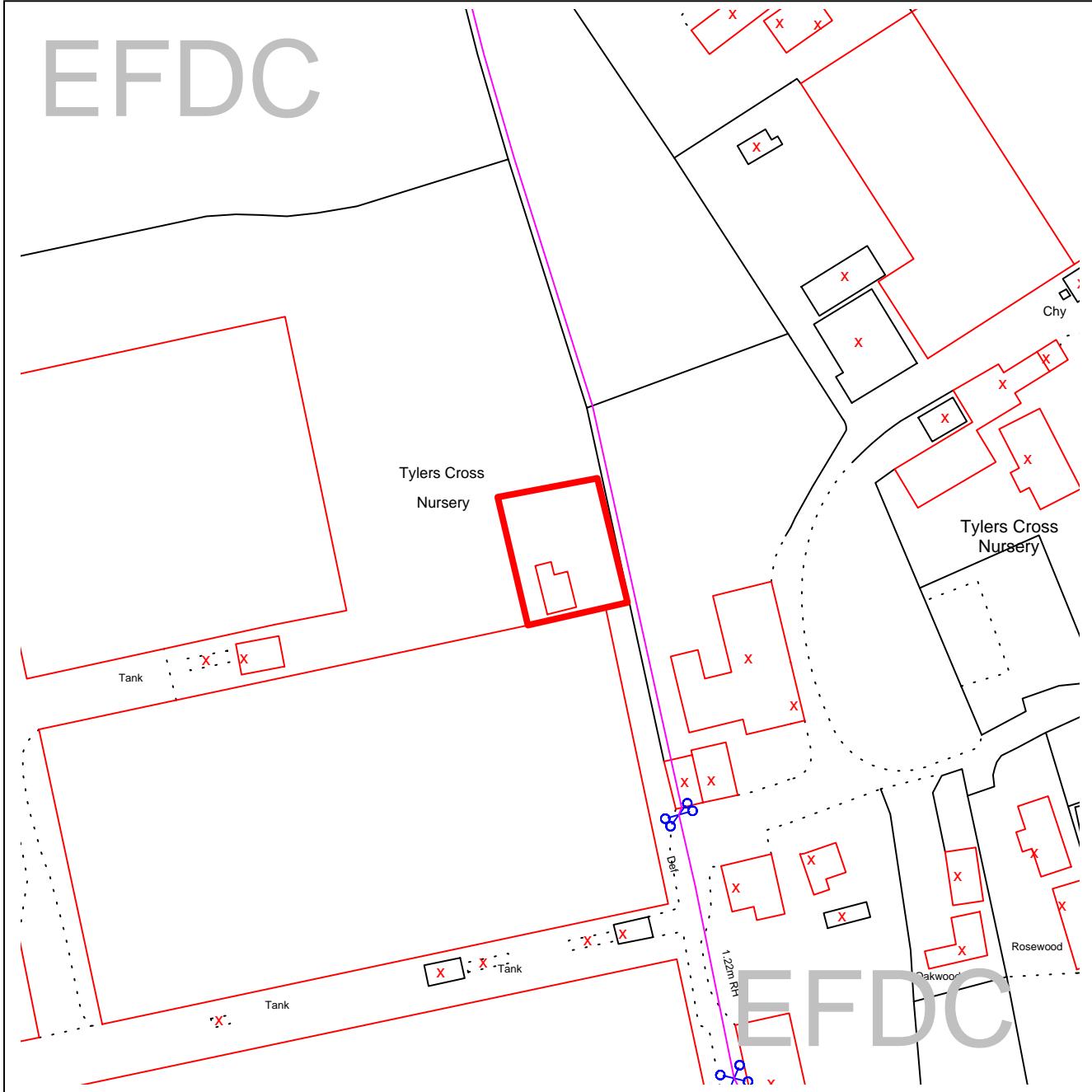
The development is reasonably necessary to serve the requirements of the lawful use of Unit E for horticulture and the use of the land for that purpose accords with adopted planning policy. Since the building would be seen in the context of surrounding nursery buildings of a larger scale and similar height it would not be harmful to the open character of the Green Belt. It would not have any adverse impact on neighbouring land uses and would not generate additional traffic. Accordingly, the development complies with adopted planning policy and conditional planning permission can be granted.

SUMMARY OF REPRESENTATIONS

ROYDON PARISH COUNCIL – Objects to the application on the grounds that it does not feel able to approve this application whilst the use of the site generally is in doubt.
NEIGHBOURS – No response received.



Epping Forest District Council



Agenda Item Number: 2

Application Number: EPF/1947/05

Site Name: Tylers Cross Nursery, Tylers Road, Roydon, Essex

Scale of Plot: 1:1,250

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Report Item No: 3

APPLICATION No:	EPF/2198/05
SITE ADDRESS:	24 Sun Street Waltham Abbey Essex EN9 1EE
PARISH:	Waltham Abbey
APPLICANT:	Mr P Viner
DESCRIPTION OF PROPOSAL:	Conversion of first and second floors to form 2 no. one bedroom flats with new dormers to rear mansard roof.
RECOMMENDED DECISION:	GRANT

CONDITIONS:

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 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.

Reason: To ensure a satisfactory appearance in the interests of visual amenity.

Description of Proposal:

This application is for conversion of an existing flat at first and second floors to provide 2 self-contained, one-bedroom flats. To facilitate the conversion it is proposed to erect three dormer windows in the front slope of an existing mansard roof over the rear half of the building. The new dormer windows would look to an existing simple pitched roof over the front half of the building. The building is Grade II listed and a corresponding application for listed building consent is also reported on this agenda.

The proposed layout at first floor level would be a common hallway/ landing providing access to both flats. One of the flats would be entirely at first floor level with a living room and kitchen at the front of the building and bedroom to the rear with bathroom between the kitchen and bedroom. The second flat would have a kitchen/dining room at first floor to the rear of the building and the remaining rooms at second floor to the rear of the building.

The proposed dormers would include single over single pane sash windows, be 1.5 metres wide with flat roofs and clad in lead. They would match the design and size of three existing dormer windows in the rear elevation of the mansard roof and be situated to correspond with their positions. Both the mansard roof and roof over the front half of the building would be re-tiled with reclaimed slates. Internal works would comprise minor removals of internal walls, the most significant being a new 1.2 metre wide opening between the living room and kitchen at first floor and the partial removal of the central, transverse supporting wall at first floor – both reduced from original submission to an amount acceptable to Essex County Council in historic buildings terms.

Description of Site:

No 24 Sun Street is a late Georgian, mid-terrace building on the north side of the street around mid-way between the Market place and Quaker Lane, within the Waltham Abbey Conservation Area. It is in a defined Primary shopping frontage. The ground floor shop (last used as a dry cleaners) and two upper floors are currently vacant. From correspondence the upper floors appear to have been occupied as living accommodation from at least 1971. The first floor comprises a principal front room with a narrow kitchen alongside and smaller room, toilet and bathroom at the rear; above are 2 fairly small rooms at second floor level, within a mansard roof with rear-facing windows only. To the front is a lower, simple pitched roof with ridge parallel to the street that does not include any rooms. The front roof blocks the view of the full mansard from both Sun Street and further away while a front parapet wall in turn blocks ground level views of that roof. A large rear ground floor extension rises to lower cill height at first floor. Alongside the rear extension is a full depth, narrow yard area capable of accommodating 3 or 4 cars with access to a rear service road.

The building is reasonably distinguished externally, with unaltered sash windows at the front and rear but side-hung casements at rear mansard level, in an apparently poor state of repair.

Relevant History:

LB/EPF/1187/00 – LBC for renewal of window frames, external decoration & alterations to rainwater pipe – approved

Policies Applied

Structure Plan

CS4 Sustainable new development
BE1 Urban Intensification
HC2 Development in conservation areas
HC3 Protecting listed buildings and their settings

Local Plan

HC6 – Works affecting the character, appearance or setting of a conservation area
HC7 – Development within conservation areas
HC10, HC13 Listed buildings

H10 – Use of under-utilised upper storeys in town centres
DBE9 Effect on neighbours
DBE11 Sub-division into flats
T12 Vehicle parking

Issues and Considerations:

The principal issues raised by the proposals are those relating to acceptability of the conversion, in the area and in terms of layout and amenity of prospective occupiers; any impact on neighbours, traffic and parking; and related listed building issues relating to the alterations, and effects on its special character and appearance.

Waltham Abbey town centre has reasonably good access to public transport, as defined by PPG13, and in terms of sustainability is a logical location for new or intensified housing through conversion schemes. The building is already laid out as 2 non-self contained flats, with sanitary and cooking provision all at first floor, so that a more formal conversion is a wholly acceptable land use. The layout is convenient and accommodation would enable one or possibly 2 people to occupy each unit.

Buildings within this part of the Waltham Abbey Conservation Area typically have commercial uses at ground floor with one or more flats above. No 26 Sun Street (to the west) appears to have residential accommodation at upper floor levels, although No 24A to the east is less obviously residential from external view. Indeed, planning permission was recently given for the subdivision and extension of the upper floors of 22 Sun Street to provide a total of 3 flats at first and second floors (Planning permissions EPF/545/04 and EPF/1330/04 relate).

An objection from Waltham Abbey Town Council refers to the proposal being inappropriate in the Conservation Area. No explanation of this objection has been given. As stated above, the use of upper floors of buildings to provide more than one flat is a common characteristic of the Conservation Area. The dormer windows proposed in the front roof slope of the rear roof would be well designed in terms of their size, position in the roof, detailed design and materials of construction. They would therefore respect the special architectural historic character of this listed building. In any event they will not be visible from ground level or any other public area because the existing roof over the front of the building would obstruct views of them. It is therefore concluded that the proposal would preserve the character of the Conservation Area.

Additional traffic generated by the development would be minimal, especially given the existing residential use as a two bedroom flat and no increase in floorspace. The rear yard can take 3 cars, more than the maximum of 1 per dwelling preferred in PPG13 and the revised Essex Vehicle Parking Standards.

The impact of the alterations on the listed building is now acceptable. Revisions to the layout and conditions recommended by County specialist staff will ensure that the character and appearance of the listed building are safeguarded – see report on application EPF/2199/05.

Conclusions

The proposal is appropriate in this town centre location, raises no traffic or amenity concerns, preserves the character of the Waltham Abbey Conservation Area and would respect the special architectural historic character of this listed building. Accordingly it complies with adopted planning policy and planning permission could be granted.

REPRESENTATIONS:

WALTHAM ABBEY TOWN COUNCIL – Objection: inappropriate in the conservation area.

ESSEX COUNTY COUNCIL (Historic Buildings) – No objection subject to the imposition of appropriate conditions to safeguard the special historic character of the building.

NEIGHBOURS – No replies.



Epping Forest District Council



Agenda Item Number: 3
Application Number: EPF/2198/05
Site Name: 24 Sun Street, Waltham Abbey
Scale of Plot: 1:1,250

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Report Item No: 4

APPLICATION No:	LB/EPF/2199/05
SITE ADDRESS:	24 Sun Street Waltham Abbey Essex EN9 1EE
PARISH:	Waltham Abbey
APPLICANT:	Mr P Viner
DESCRIPTION OF PROPOSAL:	Grade II Listed building application for conversion of first and second floors to form 2 no. one bedroom flats with new dormers to rear mansard roof.
RECOMMENDED DECISION:	GRANT

CONDITIONS:

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 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.

Reason: To ensure a satisfactory appearance in the interests of visual amenity.
- 3 No works shall take place until details of the following matters have been submitted and approved in writing by the Local Planning Authority: Windows, including glazing, the removal of section of transverse internal wall at first floor and new openings between rooms at first floor level.

Reason: In the interests of maintaining the character and integrity of the listed building.

Description of Proposal:

This listed building application is for conversion of an existing flat at first and second floors to provide 2 self-contained, one-bedroom flats. To facilitate the conversion it is proposed to erect three dormer windows in the front slope of an existing mansard roof over the rear

half of the building. The new dormer windows would look to an existing simple pitched roof over the front half of the building. The building is Grade II listed.

The proposed layout at first floor level would be a common hallway/ landing providing access to both flats. One of the flats would be entirely at first floor level with a living room and kitchen at the front of the building and bedroom to the rear with bathroom between the kitchen and bedroom. The second flat would have a kitchen/dining room at first floor to the rear of the building and the remaining rooms at second floor to the rear of the building.

The proposed dormers would include single over single pane sash windows, be 1.5 metres wide with flat roofs and clad in lead. They would match the design and size of three existing dormer windows in the rear elevation of the mansard roof and be situated to correspond with their positions. Both the mansard roof and roof over the front half of the building would be re-tiled with reclaimed slates. Internal works would comprise minor removals of internal walls, the most significant being a new 1.2 metre wide opening between the living room and kitchen at first floor and the partial removal of the central, transverse supporting wall at first floor – both reduced from original submission to an amount acceptable to Essex County Council in historic buildings terms.

Description of Site:

No 24 Sun Street is a late Georgian, mid-terrace building on the north side of the street around mid-way between the Market place and Quaker Lane, within the Waltham Abbey Conservation Area. It is in a defined Primary shopping frontage. The ground floor shop (last used as a dry cleaners) and two upper floors are currently vacant. From correspondence the upper floors appear to have been occupied as living accommodation from at least 1971. The first floor comprises a principal front room with a narrow kitchen alongside and smaller room, toilet and bathroom at the rear; above are 2 fairly small rooms at second floor level, within a mansard roof with rear-facing windows only. To the front is a lower, simple pitched roof with ridge parallel to the street that does not include any rooms. The front roof blocks the view of the full mansard from both Sun Street and further away while a front parapet wall in turn blocks ground level views of that roof. A large rear ground floor extension rises to lower cill height at first floor. Alongside the rear extension is a full depth, narrow yard area capable of accommodating 3 or 4 cars with access to a rear service road.

The building is reasonably distinguished externally, with unaltered sash windows at the front and rear but side-hung casements at rear mansard level, in an apparently poor state of repair.

Relevant History:

LB/EPF/1187/00 – LBC for renewal of window frames, external decoration & alterations to rainwater pipe – approved

Policies Applied

Structure Plan

HC3 Protecting listed buildings and their settings

Local Plan

HC10, HC13 Listed buildings

Issues and Considerations:

The principal historic buildings issues raised by the proposals relate to the impact of the internal alterations and new front dormer windows on the special character and appearance of this Grade 2 listed building.

Following discussions, the internal alterations to the first and second floors are now acceptable. The opening up of the first floor principal room is now limited to a width that will not materially affect its proportions or character. Details of the structural alterations necessary to enlarge the first floor bathroom should be required, along with materials and detailing of the new dormer windows to ensure a full match with the first floor, as recommended by Essex CC specialist staff.

The dormer windows proposed in the front roof slope of the rear roof would be well designed in terms of their size, position in the roof, detailed design and materials of construction. They would therefore respect the special architectural historic character of this listed building.

The objection from the Waltham Abbey Town Council refers to the proposal being inappropriate in the Waltham Abbey Conservation Area. Since this application is for listed building consent, other planning matters including impact on the Conservation Area are not matters for consideration. Since the proposal also requires planning permission, however, those matters are considered as part of the assessment of a corresponding planning elsewhere on this agenda.

Conclusions

The proposal would respect the special architectural and historic character of this listed building. Accordingly it complies with adopted planning policy and listed building consent could be granted.

SUMMARY OF REPRESENTATIONS:

WALTHAM ABBEY TOWN COUNCIL – Objection: inappropriate in the conservation area.

ESSEX COUNTY COUNCIL (Historic Buildings) – No objection subject to matching new sash windows and any replacement windows to be single glazed (none proposed); matching roofing materials including samples; details to be submitted of removal of section of transverse internal wall at first floor (supports valley roof); and opening between kitchen and principal lounge room not to exceed standard door width.

NEIGHBOURS – No replies.



Epping Forest District Council



Agenda Item Number: 4
Application Number: EPF/2199/05
Site Name: 24 Sun Street, Waltham Abbey
Scale of Plot: 1:1,250

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Report Item No: 5

APPLICATION No:	EPF/2208/05
SITE ADDRESS:	The Coach House Wyldwoods Woodgreen Road Waltham Abbey Essex EN9 3SB
PARISH:	Waltham Abbey
APPLICANT:	Beverley Curtis
DESCRIPTION OF PROPOSAL:	Demolition of existing 'Coach House' and erection of new dwelling in same footprint.
RECOMMENDED DECISION:	REFUSE

CONDITIONS:

- 1 The site is within the Metropolitan Green Belt. The proposal represents inappropriate development and is therefore at odds with Government advice, Policies GB2 and GB8 of the adopted Local Plan and Policies RE2 of the adopted Replacement Structure Plan for Essex and Southend on Sea because the use of the building for residential purposes cannot be accomplished without major or complete reconstruction.
- 2 The proposed reinstatement of the northern access does not provide adequate sight lines, its use would therefore prejudice highway safety contrary to Policy T17 of the adopted Local Plan and policy T8 of the adopted replacement structure plan for Essex and Southend on Sea.

Description of Proposal:

Consent is being sought for the demolition of the existing 'Coach House' and erection of a new dwelling in the same footprint. The 'Coach House' is an outbuilding within the grounds of the property known as Wyldwoods. The principle behind this application is that approval was granted for the conversion of the Coach House in 2003 however since that application was approved it has come to light that the building could not be converted and would need to be replaced as economically and practically underpinning the building would result in disproportionately high costs.

The north access is proposed to be reinstated to serve the new dwelling. The design would match that of the previously approved.

Description of Site:

Three storey detached house dating from the 1840's on an extensive plot within the Metropolitan Green Belt. The site is bounded by the M25 to the north, which is on an embankment at this point. There is a two storey coach house 30m to the north of the main house, which forms the subject of this application. The ground falls away to the west, and there is extensive foliage on the site, consisting of mature trees and shrubs.

Relevant History:

EPF/1168/03 – Conversion of existing coach house to two bedroomed house - Approved
EPF/1031/04 – Continued use of north entrance to site after reinstatement of clear sight lines and entrance improvements and removing condition 7 of EPF/1168/03 – Refused
EPF/1669/04 - Continued use of north entrance to site after reinstatement of clear sight lines and entrance improvements and removing condition 7 of EPF/1168/03 (resubmission) – Refused

Policies Applied:

Structure Plan

C2 – Development in the Green Belt
RE2 – Re-use of rural buildings
T8 – Rural Transport

Local Plan

DBE1, DBE2, DBE4, DBE9, DBE10 – Residential Development Policies
GB2, GB8 – Green Belt Policies
T17 – Highway safety

Issues and Considerations:

The main issue here relates to whether or not the demolition of a non-dwellinghouse in the Green Belt could be replaced with a dwelling along with the use of a substandard access to serve this building.

Introduction

The history here is that the consent was granted for the conversion of the building as it was considered to comply with Policy GB8 of the adopted Local Plan, as it did not constitute major or complete reconstruction. Furthermore, although as part of that application it was proposed to re-instate the northern access to serve the property, this access was considered to be substandard, so the approval included a condition to close this access off and improve and share the southern access with the main dwelling.

Two applications were subsequently received, proposing to use the northern access. They were both refused on the grounds that the access does not provide adequate sightlines that in turn prejudiced highway safety.

Green Belt

In order to allow the change of use of a building in the Green Belt Policy GB8 of the Local Plan states amongst other things that the building is:

- (a) Of permanent and substantial construction
- (b) Capable of conversion without major or complete reconstruction
- (c) In keeping with its surroundings by way of form, bulk and general design.

The crux of the application here, is (b) as shown above. As mentioned above, although approval was granted for conversion of this building it has come to light that the building is not capable of being converted without major reconstruction and large financial implications. Therefore the demolition of this building to be replaced with a new dwelling is the only viable option.

However Policy GB8 clearly states that buildings capable of conversion without major or **complete** reconstruction, amongst other things, would be allowed.

This application fails to comply with one of the fundamental aims of the policy and is therefore contrary to it. Whilst the applicant put forward the argument that a replacement would look no different than the approved conversion, to approve this would set a dangerous precedent, opening the floodgates for similar applications in the future. The applicant puts forward personal reasons to why this could be approved but these circumstances are not considered very special to overcome the aims of the policy.

Highway Safety

There are currently two access to the site from Woodgreen Road. The northern access is currently unused and sub standard in terms of sight lines and highway safety. It is about 1m lower than the existing road level. Part of the approved application in 2003 centred on highways issues and it was considered that this access be permanently closed.

This application shows that the northern access is proposed to be used. Two applications have been submitted proposing to reinstate this access for use and both times have been refused. This proposal does not differ from the previously refused and therefore the Highways Authority still maintain their objection, citing inadequate sight lines as sight lines of 120m, 2m back from the carriage way cannot be achieved. This therefore is contrary to policies T8 of the structure plan and T17 of the adopted local plan.

Amenity

These issues were looked at in the 2003 conversion application and were considered acceptable.

Conclusion:

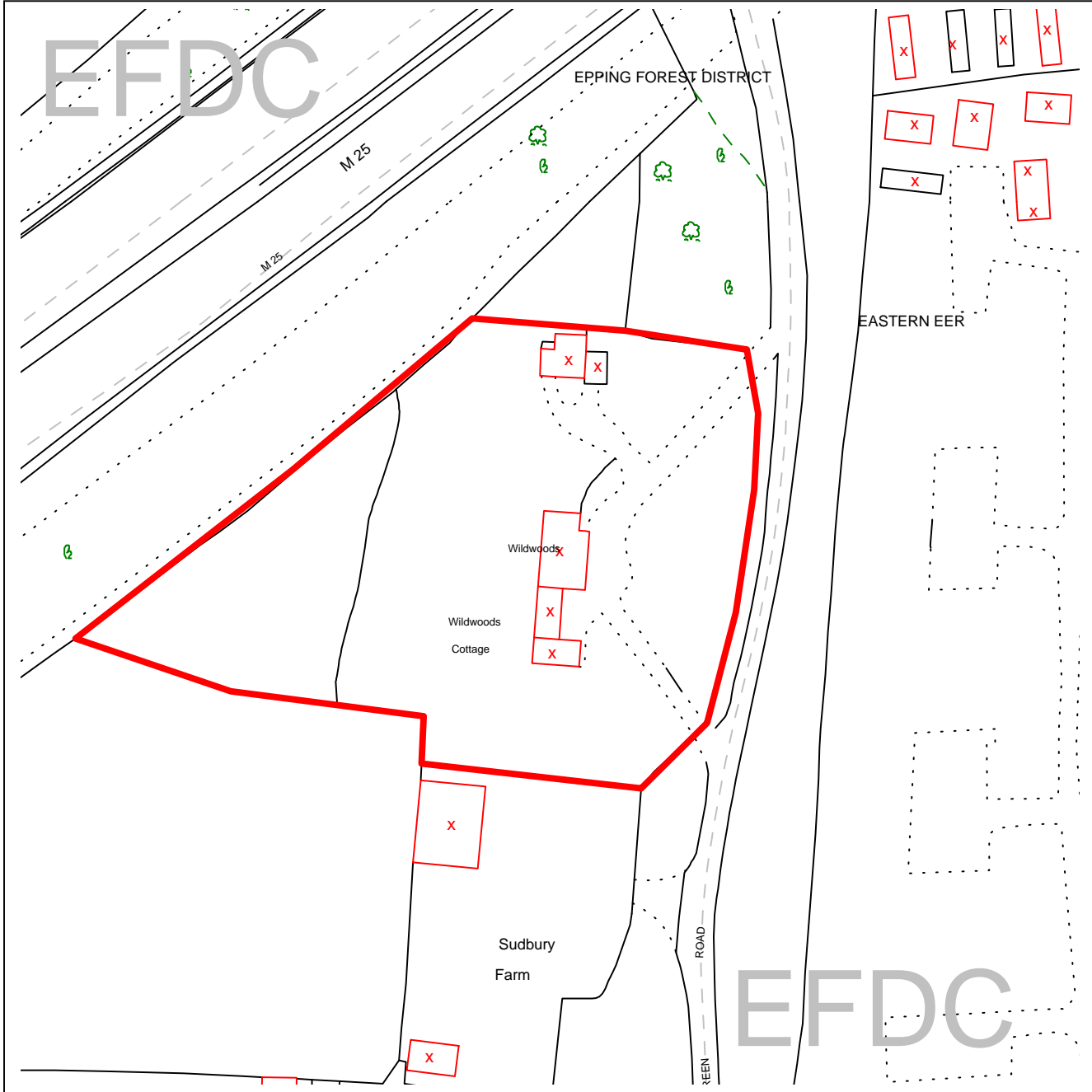
The application is contrary to Structure plan policy RE2 and GB8 of the adopted plan regarding the re-use of buildings and Structure plan T8 and local plan policy T17.

Summary of Representations:

Waltham Abbey Parish Council – No objections.



Epping Forest District Council



Agenda Item Number: 5

Application Number: EPF/2208/05

Site Name: The Coach House, Wyldwoods, Woodgreen Road, Waltham Abbey

Scale of Plot: 1:1,1250

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